



**SAMPSON COUNTY  
BOARD OF COMMISSIONERS  
MEETING AGENDA  
June 4, 2018**

**6:00 pm Convene Regular Meeting (County Auditorium)**

Invocation and Pledge of Allegiance  
Approve Agenda as Published

**Tab 1 Reports and Presentations**

- a. Recognition of 2018 Miss Spivey's Corner and 2018 Miss Spivey's Corner Outstanding Teen 1 - 3
- b. Recognition of Retirees 4
- c. Presentation of Eagle Scout Project: Electronics Recycling Site Improvements 5 - 17

**Tab 2 Planning and Zoning**

18 - 50

- a. (Public Hearing) Adoption of Sampson County Flood Damage Prevention Ordinance (continued from May 7, 2018) 33 - 49
- b. (Public Hearing)\_RZ-5-18-1: Request to Request 17.96 Acres Along Autry Highway from RA-Residential Agriculture to C-Commercial 50 (map)

**Tab 3 Action Items as Board of Commissioners**

- a. Public Hearings: Proposed Budget for Fiscal Year 2018-2019 and Economic Development Expenditures Included in Proposed Budget for Fiscal Year 2018-2019 51 - 52
- b. Award of Bid for Nutrition Services 53 - 55
- c. Review of Public Comments Policy 56 - 63
- d. Appointments: Sampson Community College Board of Trustees 64 - 65

**Tab 4 Consent Agenda**

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- a. Approve the minutes of the May 7, 2018 and May 21, 2018 meetings 67 - 79
- b. Approve the Home and Community Care Block Grant Funding Plan for Fiscal Year 2018-19 80 - 82
- c. Approve a request from Sampson County Emergency Management that County surplus vehicle, a 2007 Ford F-250 pickup (VIN#1FTSW21567EB21612), be transferred to Piney Grove Fire Department 83 - 84

**Tab 4 Consent Agenda, continue**

- d. Approve amendment to the contract between the Sampson County Department of Social Service and Warrick, Bradshaw & Lockamy, PA to adjust maximum contract funding 85
- e. Approve tax refunds and releases as submitted 86 - 93
- f. Approve budget amendments as submitted 94 - 102

**Tab 5 Action or Report Items as Board of Health**

- a. County Leadership Forum on Opioid Abuse Project 103 - 109

**No written materials** **County Manager's Reports**  
(Manager will provide updates and reports on several matters including progress of budget preparation and reminders of upcoming meetings of note.)

**Tab 6 Board Information**

- a. Draft Social Media Policy 110 -

**Public Comment Period (see policies and procedures in agenda)**

**Adjournment**

**OUR PUBLIC CHARGE**

*The Board of Commissioners pledges to the citizens of Sampson County its respect. The Board asks its citizens to likewise conduct themselves in a respectful, courteous manner, both with Board members and fellow citizens. At any time should any member of the Board or any citizen fail to observe this public charge, the Chair (or presiding officer) will ask the offending person to leave the meeting until that individual regains personal control. Should decorum fail to be restored, the Chair (or presiding officer) will recess the meeting until such time that a genuine commitment to this public charge is observed. All electronic devices such as cell phones, pagers, and computers should please be turned off or set to silent/vibrate.*

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**SAMPSON COUNTY  
BOARD OF COMMISSIONERS**

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ITEM ABSTRACT

ITEM NO. 1 (a)

Meeting Date: June 4, 2018	<input type="checkbox"/>	Information Only	<input type="checkbox"/>	Public Comment
	<input checked="" type="checkbox"/>	Report/Presentation	<input type="checkbox"/>	Closed Session
	<input type="checkbox"/>	Action Item	<input type="checkbox"/>	Planning/Zoning
	<input type="checkbox"/>	Consent Agenda	<input type="checkbox"/>	Water District Issue

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**SUBJECT:** Recognition of 2018 Miss Spivey's Corner and 2018 Miss Spivey's Corner Outstanding Teen

**DEPARTMENT:** Governing Body

**PUBLIC HEARING:** No

**CONTACT PERSON(S):** Wayne Edwards

**PURPOSE:** To recognize the new Miss Spivey's Corner and Miss Spivey's Corner Outstanding Teen

**ATTACHMENTS:** Platform Information

**BACKGROUND:**

The Board has the opportunity to recognize the achievements of two young Sampson County women: Miss Spivey's Corner Madison Bryant and Miss Spivey's Corner Outstanding Teen Carrie Stevens. These young women will leave soon to compete in the Miss North Carolina and Miss North Carolina Outstanding Teen pageants. Both have very important platforms they will be promoting. Miss Bryant's platform supports the Ronald McDonald House Charities, and Ms. Stevens' High Five platform encourages healthy habits for children. (More information is included in your agenda.)

The young women will introduce themselves and briefly discuss their platforms and goals.

**RECOMMENDED ACTION OR MOTION:**

Introduce and congratulate the pageant winners

**Name:** Madison Bryant  
**Title:** Miss Spivey's Corner 2018

**"What's Poppin'?"- Ronald McDonald House Charities**

When my cousin, Carey, fell ill in 2010, my initial interest with the Ronald McDonald House Charities (RMHC) began. From that day forward, there have been a series of friends and families that have made the RMHC their home through challenging times. I was inspired to look inside the four walls that these families became so passionate about and find what set this organization apart from all other organizations. I was not only inspired by their motto "a house built by love", but by the passion that they have for funding every aspect of the house through various annual fundraisers and community wide challenges.

"What's Poppin'?" is a platform supporting RMHC and the families that they encounter everyday. The RMHC has created the Pop Tab Collection Program, which is a simple, yet effective way to get the community involved when it comes to caring for the families of sick children. Because the houses are built on the idea that nothing else should matter when a family is focused on the health of their child, RMHC has taken community outreach to a whole new level. RMHC made it their mission to collect as many aluminum pop tabs as possible. They have reached out nationwide in search for pop tabs. The funds generated from recycling aluminum pop tabs each year is over \$40,000 per house. This money is used to help offset the House's expenses so that the families that call RMH "home" do not have to worry about their fees of living while there child is experiencing some difficult times.

In my RMHC positions as a House Operations Volunteer and a spokesperson, I have had the opportunity to travel the state of North Carolina and speak on behalf of the Charlotte based RMHC. I have graciously accepted the opportunity to speak to over 3000 North Carolina Schools students, 30 Organizations, 10 Clubs, and 4 Children's Miracle Network Hospitals. I have also traveled to the American Communications Network (ACN) conference to speak to thousands of business professionals about the importance of taking care of those who are struggling in our communities and raised over \$1,000 in 2 hours. I have also helped Alpha Delta Pi sorority start a "March McMadness Basketball Tournament" where all the proceeds directly benefit the RMHC of Charlotte and successfully raises over \$30,000 annually. But my absolute favorite event, and the inspiration for my platform, is the statewide "pop tab wars" that were and are currently underway. I have worked very hard to motivate local businesses, schools, and churches to get involved in a friendly competition of raising the most pop tabs in support of the RMHC.

I plan to continue promoting my platform by creating a nationwide pop tab war motivated by local media. By getting local media involved, my goal is to not only increase funding to the RMHC, but to raise awareness for the local RMHC that many members of the community may not know exist. I believe it is time for the Miss America Organization to take its National Platform one step further by joining forces with the RMHC to ensure that not only sick children get the care they need, but the families of those sick children are taken care of as well.

The Miss North Carolina crown has given women the power to promote a platform that they are passionate about. The Miss North Carolina crown would allow me the power to open connections between RMHC and CMN and to fulfill my dream of seeing these two powerful organizations come together to the benefit of children and families all across the United States.

**Signature/ Date**

**Name:** Carrie Stevens

### **High-Five: Encouraging Healthy Habits in Kids**

The current prevalence of childhood obesity in our country will no doubt result in a national health crisis in the very near future. I believe that if children develop healthy habits at a young age, they will be healthier throughout their lives. Many young people today do not understand the long-term effects that poor diets and lack of exercise can have. My goal is to help them understand that healthy food choices can be tasty, and that exercise is fun!

I want children to know that, even though they are young, they can have a positive effect on their own health through the choices they make. There are five areas that my platform will address:

- 1 Fitness
- 2 Nutrition
- 3 Rest
- 4 Commitment
- 5 Fun

My plan is to meet with children in after-school care and other groups to show them how easy it can be to get some type of exercise every day. I will also talk with them about healthy foods using [MyPlate.gov](http://MyPlate.gov) guidelines, and give them examples of delicious healthy foods. Many children today do not get enough rest, so I will give them tips for creating a restful sleep environment, free from technology and other distractions. Since one healthy choice does not make a person healthy, I will encourage everyone to commit to making healthy habits a part of their everyday lives. The most important element of my platform is FUN! I will incorporate games and dancing and other activities they enjoy to make my platform relatable.

An unhealthy lifestyle can put people at risk of type 2 diabetes, lung and heart disease, and various other health problems. It is in the best interest of any community to advocate for the health of its citizens. I will work with local healthcare providers and businesses to sponsor my High-Five presentations. Miss North Carolina's Outstanding Teen can show others how a healthy lifestyle can give them the strength and energy they need to follow their dreams, just as she does.

Miss North Carolina's Outstanding Teen has a great opportunity to be a positive role model for children in the community, the state, and the nation. My experience working with children in dance and other areas has given me the presentation skills to effectively encourage them to implement healthy habits into their lives. I look forward using my High Five platform to encourage kids to be healthy and grow into healthy adults.

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**SAMPSON COUNTY  
BOARD OF COMMISSIONERS**

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ITEM ABSTRACT

ITEM NO. 1 (b)

Meeting Date:	June 4, 2018	<input type="checkbox"/> Information Only	<input type="checkbox"/> Public Comment
		<input checked="" type="checkbox"/> Report/Presentation	<input type="checkbox"/> Closed Session
		<input type="checkbox"/> Action Item	<input type="checkbox"/> Planning/Zoning
		<input type="checkbox"/> Consent Agenda	<input type="checkbox"/> Water District Issue

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**SUBJECT:** Recognition of Retirees

**DEPARTMENT:** Governing Body

**PUBLIC HEARING:** No

**CONTACT PERSON(S):** Vice Chairperson Sue Lee

**PURPOSE:** To recognize County employees for their dedicated service

**ATTACHMENTS:** None

**BACKGROUND:**

Our recent retirees are:

Ricky Naylor, Detention Center (2005-2018)  
Michelle Simmons, Health Department (1995-2018)

**RECOMMENDED ACTION OR MOTION:**

Present retirees with County plaques in recognition of their years of service to the County

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**SAMPSON COUNTY  
BOARD OF COMMISSIONERS**

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ITEM ABSTRACT

ITEM NO. 2(c)

Meeting Date: June 4, 2018	<input type="checkbox"/> Information Only	<input type="checkbox"/> Public Comment
	<input checked="" type="checkbox"/> Report/Presentation	<input type="checkbox"/> Closed Session
	<input checked="" type="checkbox"/> Action Item	<input type="checkbox"/> Planning/Zoning
	<input type="checkbox"/> Consent Agenda	<input type="checkbox"/> Water District Issue

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**SUBJECT:** Presentation of Eagle Scout Project: Electronics Recycling Site Improvements

**DEPARTMENT:** Governing Body

**PUBLIC HEARING:** No

**CONTACT PERSON(S):** Casey Parker, Eagle Scout Candidate

**PURPOSE:** To hear Eagle Scout candidate's proposal for a project to promote proper electronic waste recycling

**ATTACHMENTS:** PowerPoint; Project Proposal

**BACKGROUND:**

Casey Parker, an Eagle Scout candidate from Boy Scout Troop 80, will present his proposed Eagle Scout project which seeks to educate citizens on the importance of the proper disposal of electronic waste (e-waste). In developing his project, Mr. Parker met with County Administration staff and representatives of Waste Industries (who operates the County's convenience sites under contract with the County) to determine what would best encourage proper e-waste recycling. Mr. Parker proposes to design educational materials (flyers and signage) and construct improvements to the two County convenience sites that accept e-waste (Spivey's Corner and Ingold). The costs for the improvements will be covered through donations, including Waste Industries' assistance with the cost of signage and crush and run.

Service to others and citizenship are important tenants of the Scouting organization, and Eagle Scout candidates are required to apply those tenants to their projects by planning, developing and leading others in efforts that are helpful to any religious institution, school or community. We are fortunate that Mr. Parker has chosen to benefit the County's solid waste program by promoting and improving our e-waste recycling.

**RECOMMENDED ACTION OR MOTION:**

Motion to accept project, authorize installations and commend Mr. Parker for his efforts to benefit the County and our communities.

# Electronics Recycling Site Improvement

Casey Parker  
9th Grade  
Troop 80



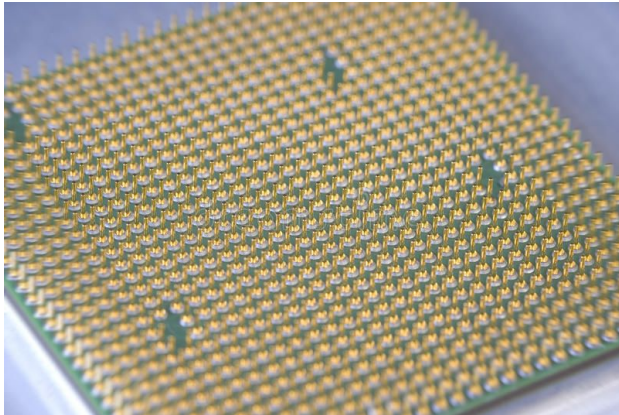


# About the Project

- Two Electronics Recycling sites in Sampson County: Spivey's Corner and Ingold
- Site improvement for both sites
- Educational metal signs to be placed at both Electronic Recycling sites
- Educational Electronic Recycling flyers to be placed at both sites
- Construct a 3-sided barrier filled with Crush n' Run at both Electronics Recycling sites
- Spread information throughout community about importance of Electronics Recycling

# Why Electronics Recycling is Important

- Protects the environment from harmful toxins such as lead and mercury
- Helps conserve rare materials on the planet such as gold and silver
- Frees up land space in landfills for correct waste
- It is the right thing to do to preserve our world!



# Electronics Recycling Flyer

## Electronics Recycling

### Why Recycle Electronics?

Electronic waste also known as E-Waste is a very important part of recycling and poses many threats to the environment if mishandled. You should recycle your E-Waste to help keep the environment clean and healthy. One problem that E-Waste causes to the environment is that it releases harmful chemicals into the air, ground, and



water. These chemicals include mercury, lead, and lithium. They are very toxic to plants, animals, and humans, and can cause great environmental damage. Another important reason to recycle electronics is that natural resources can be preserved by reusing materials available in old electronics. These materials can be very valuable and include gold, silver, and titanium. Please be responsible and take time to recycle your electronics properly.

### Accepted E-Waste Items

- Batteries
- Cell Phones
- Copy Machines
- Desktop Computers
- DVD Players
- Computer Mice
- Laptops
- Lightbulbs
- Monitors
- Network Equipment
- Televisions
- Printers
- Stereo Equipment
- Keyboards

## Reciclaje de electrónicos

### ¿Por qué reciclar electrónicos?

Los desechos electrónicos también conocidos como E-Waste son una parte muy importante del reciclaje y representan muchas amenazas para el medio ambiente si se manipulan de manera incorrecta. Debe reciclar su E-Waste para ayudar a mantener el medio ambiente limpio y saludable. Uno de los problemas que causa el E-Waste al medio ambiente es que libera sustancias químicas nocivas en el aire, el suelo y el agua. Estos productos químicos incluyen mercurio, plomo y litio. Son muy tóxicos para



las plantas, los animales y los humanos, y pueden causar un gran daño ambiental. Otra razón importante para reciclar productos electrónicos es que los recursos naturales se pueden preservar mediante la reutilización de materiales disponibles en dispositivos electrónicos antiguos. Estos materiales pueden ser muy valiosos e incluyen oro, plata y titanio. Sea responsable y tómesese el tiempo para reciclar sus componentes electrónicos correctamente.

### Artículos electrónicos aceptados

- Baterías
- Celulares
- Copiar máquinas
- Computadores de escritorio
- Reproductores de DVD
- Ratón de computadora
- Portátiles
- Bombillos
- Monitores
- Equipo de red
- Televisores
- Impresoras
- Equipo estéreo
- Teclados

# Electronics Recycling Sign

## Electronics Recycling

### Accepted Items

- Batteries
- Cell Phones
- Laptops
- Monitors
- TVs
- Copy Machines
- Keyboards & Mice
- DVD Players

### Non-Accepted Items

- Air Conditioners
- Refrigerators
- Thermostats
- Dehumidifiers
- Smoke Detectors
- Microwaves

**Thank you for Recycling!**

Recycling is for Sampson County Residents only.

Commercial E-Waste is not permitted.

NORTH CAROLINA'S  
**SAMPSON COUNTY**



# 3-Sided Barrier

## Example of a similar barrier.

The barriers we construct will be 3-sided.

They will be 20x20x30 ft. constructed with 2x6 lumber.

Barriers will be filled with Crush n' Run.



# Thank You!

Please help me spread the word about proper  
Electronic Recycling.



## Project Description and Benefit

Briefly describe your project.

My project is an electronics recycling area site improvement for two Solid Waste and Recycling locations in Sampson County. Currently there is not a designated area or any electronic recycling signage at either location. I will lead my group in building a 3 sided (20x20x30 ft.) containment barrier filled with Crush N Run at both the Spivey's Corner and Ingold Solid Waste and Recycling sites. The permanent barrier at each site will provide a designated area for electronics recycling. My project will also include an educational component. An educational electronics recycling metal sign will be designed and permanently posted at each site. An educational electronics recycling pamphlet will also be designed and placed in pamphlet boxes at each site. The benefit of this project will be to improve the electronics drop off areas at both sites and to provide accurate electronics recycling information. This project is important to me because I love technology and truly care about our environment. Attach sketches or "before" photographs if these will help others visualize the project.

Please click below to add images (JPEG, JPG, BMP, GIF, TIF, PNG, etc.)



Current Electronics Recycling Area- No Current Signage and Very muddy



Current Electronics Recycling Area- No Designated Area



Examples of E-Waste and a Common E-Waste Mistake



Example of a sign with a list of accepted E-Waste



Only Indicator of accepting E-Waste



Similar Crush n' Run Pad. The barriers we build will be 3 sided. (20x20x30 ft.)

Tell how your project will be helpful to the beneficiary. Why is it needed?

My electronics recycling project will benefit the Spivey's Corner and Ingold Solid Waste and Recycling sites, the people of Sampson County and our environment. This project will provide a solid base and permanent designated drop off area for

electronics recycling at both sites. The metal sign and educational pamphlets will contain information regarding proper electronics recycling, a list of electronics accepted at these sites, and discuss the dangers of electronic pollution. Hopefully more people will recycle their electronics in a proper manner after the completion of this project. This will contribute to Sampson County's conservation efforts and greatly benefit our community.

When do you plan to begin carrying out your project? Spring 2018

When do you think your project will be completed? Fall 2018

### **Giving Leadership**

Approximately how many people will be needed to help on your project? 8-10 people

Where will you recruit them (unit members, friends, neighbors, family, others)? Explain:

I will recruit my fellow scouts, my friends and my family to help with my project. I will also ask for assistance from Susan Holder, Assistant County Manager and LeRoy Hatmaker, Operation Supervisor from Waste Industries.

What do you think will be most difficult about leading them?

I believe the most difficult part of leading them will be keeping the group focused and on task to efficiently complete the project.

### **Materials**

*Materials are things that become part of the finished project, such as lumber, nails, and paint.*

What types of materials, if any, will you need? You do not need a detailed list or exact quantities, but you must show you have a reasonable idea of what is required. For example, for lumber, include basic dimensions such as 2 x 4 or 4 x 4.

The materials needed include Crush n' Run (approx. 25 ton x 2 sites to be provided by Waste Industries), 108 ft. of 2x6 pressure treated lumber (\$150.00), 2 metal signs (provided by Waste Industries), 4-4x4 8 ft. long pressure treated wooden posts (\$50.00), 2 pamphlet boxes (\$120.00), screws (\$15.00), 60 ft. of 3/8 in. rebar (\$60.00) and 4 bags of concrete (\$25.00).

### **Supplies**

*Supplies are things you use up, such as food and refreshments, gasoline, masking tape, tarps, safety supplies, and garbage bags.*

What kinds of supplies, if any, will you need? You do not need a detailed list or exact quantities, but you must show you have a reasonable idea of what is required.

Supplies needed include food/drinks (\$100.00), trash bags (\$2.00), and hand sanitizer (\$2.00).



## Tools

*Include tools, and also equipment, that will be borrowed, rented, or purchased.*

What tools or equipment, if any, will you need? You do not need a detailed list, but you must show you have a reasonable idea of what is required.

Tools needed include drills, hammers, shovels, a hole digger, a level, a tractor, a trailer, and a leveling blade. All of these items will be borrowed at no cost from my family. We will also need work gloves (borrowed), a first aid kit (already have one), and safety glasses (borrowed).

## Other Needs

*Items that don't fit the above categories; for example, parking or postage, or services such as printing or pouring concrete, etc.*

What other needs do you think you might encounter?

Pamphlets will need to be printed (provided by Waste Industries).

## Permits and Permissions

*Note that property owners should obtain and pay for permits.*

Will permissions or permits (such as building permits) be required for your project? Who will obtain them? How long will it take? Susan Holder, Sampson County Assistant County Manager, has already agreed that my recycling project is needed and will be my contact for the county. I will also have to attend a Sampson County Board of Commissioners meeting to discuss my project and obtain permission to install the new electronics recycling signs, the use of the electronics recycling pamphlets, and to begin both site improvements.

## Preliminary Cost Estimate

*You do not need exact costs yet. Reviewers will just want to see if you can reasonably expect to raise enough money to cover an initial estimate of expenses. Include the value of donated material, supplies, tools, and other items. It is not necessary to include the value of tools or other items that will be loaned at no cost. Note that if your project requires a fundraising application, you do not need to submit it with your proposal.*

Enter estimated expenses below: <i>(Include sales tax if applicable)</i>		<b>Fundraising:</b> Explain how you will raise the money to pay for the total costs. If you intend to seek donations of actual materials, supplies, etc., then explain how you plan to do that, too.
Materials:	\$420.00	Waste Industries has offered to donate the Crush n' Run, the metal signs, and the pamphlets. Parker Gas has agreed to provide all necessary lumber including posts (\$200.00). My parents, Daren and Michelle Parker, will pay for all needed supplies and materials including rebar, screws and concrete (\$204.00). My grandparents, Mary and Nelson Porter, have agreed to provide the pamphlet boxes (\$120.00).
Supplies:	\$104.00	
Tools:	\$0.00	
Other:	\$0.00	
<b>Total costs:</b>	\$524.00	

## Project Phases

Think of your project in terms of phases, and list what they might be. The first may be to prepare your project plan. Other phases might include fundraising, preparation, execution, and reporting. You may have as many phases as you want, but it is not necessary to become overly complicated; brief, one line descriptions are sufficient.

1. Begin working on the Project Plan.
2. Meet with Waste Industries to make the final plans for construction.
3. Discuss final plans with beneficiary.
4. Design the metal signs.
5. Design the pamphlets.
6. Meet with the Sampson County Board of Commissioners to obtain permission.
7. Plan work dates with Waste Industries.
8. Send emails asking for help.
9. Have signs made and pamphlets printed.

10.	Measure out and build the 3 sided barrier at the first site.
11.	Pour Crush n' Run. Level and pack it down.
12.	Dig hole, pour concrete and install post. Attach the sign.
13.	Dig hole, pour concrete and install post. Attach pamphlet box.
14.	Repeat steps 10-13 at the other site.
15.	Instruct scouts to distribute additional pamphlets throughout the community.
16.	Send thank you notes to everyone that helped.

## Logistics

Check with your council service center to determine if a Tour and Activity Plan is required.

How will you handle transportation of materials, supplies, tools, and helpers? Will you need a Tour and Activity Plan?

Parents will provide all necessary transportation for scouts. Crush n' Run for the gravel pad will be provided and transported by Waste Industries. A trailer to carry the lumber, signs, posts, etc. to the sites will be provided by my father.

## Safety Issues

The Guide to Safe Scouting is an important resource in considering safety issues.

Describe the hazards and safety concerns you and your helpers should be aware of.

I will use the EDGE method to educate all volunteers regarding safety at the beginning of each work session. Some hazards and safety concerns may include cuts and abrasions.

## Project Planning

You do not have to list every step, but it must be enough to show you have a reasonable idea of how to prepare your plan.

List some action steps you will take to prepare your project plan. For example "Complete a more detailed set of drawings."

\*Create a more detailed plan for the construction of the 3 sided barrier and gravel pad

\*Design the sign and pamphlet

\*Coordinate work dates with Waste Industries

\*Prepare safety discussion for presentation to group

## Candidate's Promise\* Sign below before you seek the other approvals for your proposal.

On my honor as a Scout, I have read this entire workbook, including the "Message to Scouts and Parents or Guardians" on page 5. I promise to be the leader of this project, and to do my best to carry it out for the maximum benefit to the religious institution, school, or community I have chosen as beneficiary.

Signed Casey Parker Date 4/21/18

\* Remember: Do not begin any work on your project, or raise any money, or obtain any materials, until your project proposal has been approved.

## Unit Leader Approval\*

I have reviewed this proposal and discussed it with the candidate. I believe it provides impact worthy of an Eagle Scout service project, and will involve planning, development, and leadership. I am comfortable the Scout understands what to do, and how to lead the effort. I will see that the project is monitored, and that adults or others present will not overshadow him.

Signed \_\_\_\_\_ Date \_\_\_\_\_

Name (Printed) Roger Jessup

## Unit Committee Approval\*

This Eagle Scout candidate is a Life Scout, and registered in our unit. I have reviewed this proposal, I am comfortable the project is feasible, and I will do everything I can to see that our unit measures up to the level of support we have agreed to provide (if any). I certify that I have been authorized by our unit committee to provide its approval for this proposal.

Signed \_\_\_\_\_ Date \_\_\_\_\_

Name (Printed) Cecelia Hudson

## Beneficiary Approval\*

This service project will provide significant benefit, and we will do all we can to see it through. We realize funding on our part is not required, but we have informed the Scout of the financial support (if any) that we have agreed to. We understand any funds left over will come to us if we are allowed to accept them. We will provide receipts to donors as required.

**Our Eagle candidate has provided us a copy of "Navigating the Eagle Scout Service Project, Information for Project Beneficiaries."**

Yes  No

Signed Susan J. Holder Date 4/23/18

Name (Printed) Susan J. Holder

## Council or District Approval

I have read topics 9.0.2.0 through 9.0.2.15, regarding the Eagle Scout service project, in the *Guide to Advancement*, No. 33088. I agree on my honor to apply the procedures as written, and in compliance with the policy on "Unauthorized Changes to Advancement." Accordingly, I approve this proposal. I will encourage the candidate to prepare a project plan and further encourage him to share it with a project coach who has been designated for him.

Signed \_\_\_\_\_ Date \_\_\_\_\_

Name (Printed) \_\_\_\_\_

\*While it makes sense to obtain approvals in the order they appear, there shall be no required sequence for the order of obtaining those approvals marked with an asterisk (\*). Council or district approval, however, must come after the others.

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**SAMPSON COUNTY  
BOARD OF COMMISSIONERS**

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ITEM ABSTRACT

ITEM NO.    2 (a-b)

Meeting Date: June 4, 2018	<input type="checkbox"/> Information Only <input type="checkbox"/> Report/Presentation <input checked="" type="checkbox"/> Action Item <input type="checkbox"/> Consent Agenda	<input checked="" type="checkbox"/> Public Comment <input type="checkbox"/> Closed Session <input checked="" type="checkbox"/> Planning/Zoning <input type="checkbox"/> Water District Issue
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**SUBJECT:** Planning Issues

**DEPARTMENT:** Clinton-Sampson Planning and Zoning

**PUBLIC HEARING:** Yes

**CONTACT PERSON:** Mary Rose, Planning Director

**PURPOSE:** To consider actions on planning and zoning items as recommended by Planning Board

**ATTACHMENTS:** Planning Staff Memorandum; Maps; FDPO Draft

**BACKGROUND:**

- a. **Adoption of Flood Damage Prevention Ordinance:** The N.C. Flood Mapping Program is tasked with periodically updating flood maps in all North Carolina counties. Sampson County has been provided with new flood map data which also necessitates updating the Sampson County Flood Damage Prevention Ordinance. The draft ordinance was provided at your May meeting, but the hearing was continued to this meeting to allow time for review. The Chairman should open the hearing and call upon the Planning Director for review of the ordinance, which has been recommended for approval by the Planning Board. The floor should then be opened for comments.
  
- b. **RZ-5-18-1:** Planning Director Mary Rose will review a request to rezone approximately 17.96 acres located along Autry Highway from R-Residential Agriculture to C-Commercial. The request has been unanimously recommended for approval by the Planning Board, having found the request to be consistent the goals and objectives of the Sampson County Land Use Plan other long-range planning documents due to the fact this property is located in close proximity to existing commercial development and along NC Hwy 24/ Autry Hwy. The Chairman should open the public hearing and call upon Ms. Rose. Once all comments are received, the hearing should be closed and the rezoning request considered for approval, with the recommended zoning consistency statement.

**RECOMMENDED ACTION OR MOTION:**

- a. Approve the Flood Damage Prevention Ordinance, designating the Sampson County Building Inspector as the County flood administrator as of June 20, 2018, the effective date of the ordinance, with Planning staff continuing to administer the Sampson County Flood Damage Prevention Ordinance until June 19, 2018. (continues next page also)

- b. Approve the request to rezone approximately 17.96 acres located along Autry Highway from R-Residential Agriculture to C-Commercial, accepting the provided findings of fact and adopting the following zoning consistency statement: *Whereas, in accordance with the provisions of North Carolina General Statute 153A-341, the Sampson County Board of Commissioners does hereby find and determine that the recommendation of the ordinance amendment RZ-5-18-1 is consistent with the goals and objectives of the Sampson County Land Use Plan and other long-range planning documents due to the fact this property is located in close proximity to existing commercial development and along NC Hwy24/Autry Hwy.*



## Clinton-Sampson Planning Department

227 Lisbon Street

Post Office Box 199

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**To:** Ed Causey, County Manager  
**From:** Mary M. Rose, Planning Director  
**Subject:** May 23, 2018 Sampson County Planning and Zoning Board Meeting -  
County Board of Commissioners June 4, 2018 Agenda Items  
**Date:** May 23, 2018

The following requests were addressed by the Planning and Zoning Board at their May 21, 2018 meeting:

### Adoption of the Sampson County Flood Damage Prevention Ordinance

The N.C. Flood Mapping Program is tasked with periodically updating flood maps in all North Carolina counties. Sampson County has been provided with new flood map data which also necessitates updating the Sampson County Flood Damage Prevention Ordinance. In addition to working with state emergency management representatives to make sure Sampson County's ordinance adheres to the state model ordinance, Planning staff as advised by the County Manager, amended the ordinance to designate the Sampson County Building Inspector as the County flood administrator as of June 20, 2018, the effective date of the ordinance. Planning staff will continue to administer the Sampson County Flood Damage Prevention Ordinance until June 19, 2018.

The Sampson County Planning Board unanimously recommends the ordinance for approval. (see attached ordinance)

**RZ-5-18-1** - A rezoning request by Brewer Honeycutt to rezone approximately 17.96 acres located along Autry Highway from RA-Residential Agriculture to C-Commercial District was unanimously recommended for approval with the following findings of fact and zoning consistency statement: (See attached location map)

1. Brewer Honeycutt has signed the rezoning application as the owner.
2. This rezoning will include approximately 17.96 acres as shown on the location map.
3. The property is currently zoned RA-Residential Agriculture District. (see attached location map)
4. This property is located at the intersection of Autry Highway and Horseshoe Road. The properties to the north are currently zoned Commercial and RA Residential. The properties to the east, south and west are currently zoned Residential Agriculture.
5. The Sampson County Land Use Plan encourages Commercial zoned properties in close proximity to existing commercial development and along major thoroughfares such as NC Hwy 24/Autry Hwy.
6. All adjacent property owners within 100' have been notified by mail and the property has been posted.

### Zoning Consistency Statement:

Whereas, in accordance with the provisions of North Carolina General Statute 153A-341, the Sampson County Planning Board does hereby find and determine that the recommendation of the ordinance amendment **RZ-5-18-1** is consistent with the goals and objectives of the Sampson County Land Use Plan and other long-range planning documents due to the fact this property is located in close proximity to existing commercial development and along NC Hwy24/Autry Hwy.

Please contact my office with any additional questions or comments.

attachments

cc: Susan Holder, Assistant County Manager

MINUTES OF THE SAMPSON COUNTY  
PLANNING AND ZONING BOARD

Meeting Date  
May 21, 2018

Members Present  
Ann Naylor  
Andrew Jackson  
Debra Bass  
Nancy Blackman  
Clayton Hollingsworth  
Steve Parker  
Sherri Smith

Members Absent

Minutes Approved

Upon a motion by Nancy Blackman and seconded by Clayton Hollingsworth, the minutes of the April 16, 2018 meeting were approved as presented by the Board.

Ayes: 6

Nays: 1, Andy Jackson

**Sampson County Flood Damage Prevention Ordinance (see attached ordinance)**

Lyle Moore, Senior Planner, CFM presented the ordinance to the Planning Board and informed the Board he would be glad to answer any questions.

DECISION. Andrew Jackson moved to recommend the Sampson County Flood Damage Prevention Ordinance for approval. The motion was seconded by Steve Parker and unanimously recommended for approval by the Board.

**SU-5-18-1**

**SU-5-18-1** - A special use request by McCullen Solar, LLC, to construct a solar farm along South McCullen Road in a RA-Residential Agriculture District. (See attached location map and site plan)

Mrs. Rose informed the Board staff has reviewed the Special Use Permit request and prepared the following findings:

1. Peter Bruno has signed the special use application as the applicant of the property under consideration.
2. The property under consideration contains approximately 53.26 acres as shown on the location map. (see the attached site plan)
3. The property is currently zoned RA-Residential Agriculture.
4. The proposed site plan exhibits a 6' tall chain link fence which would surround the site as well as a 15' wide evergreen buffer surrounding the proposed site.
5. The proposed project meets all setbacks, and other dimensional criteria required by the Sampson County Zoning Ordinance.
6. The properties adjacent to the north, east, and west are zoned RA-Residential Agriculture. The property to the south is currently zoned R-Residential.
7. All adjacent property owners within 100' have been notified by mail and the property has been posted.

The Planning Board must make the following findings in order to grant a Special Use permit:

- A. That the use will not materially endanger the public health or safety if located according to the plan submitted and approved;
- B. That the use meets all required conditions and specifications;
- C. That the use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity, and;
- D. That the location and character of the use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located and in general conformity with the Sampson County Land Use Plan.

Mary Rose, Michael Fox of Tuggle Duggins Attorneys at Law, Steve Evans, of Cypress Creek Renewables, Chris Sandifer, PE and Richard Kirkland, Real Estate Appraiser were sworn.

Mrs. Rose directed the board to the location map and site plan proposed by the applicant and informed the board the request was in compliance with the Sampson County Zoning Ordinance.

Mr. Fox presented a review of the site plan along with a brief synopsis of what each expert witness would be presenting.

Steve Evans with Cypress Creek Renewables informed the board there would be a security fence surrounding the property along with an evergreen vegetative buffer to help lessen the impact of the development on the surrounding property owners.

Mr. Chris Sandifer addressed the Board by informing them there would be no risk to health and human safety. In his opinion, solar technology is a better alternative to other electricity producing facilities.

Richard Kirkland informed the board he has been evaluating the effects of solar farms on surrounding property values for eight years and has looked at over 300 sites. In his professional opinion as a real estate appraiser there would be no negative impact on the adjoining property values if developed as proposed.

Mr. Fox asked to submit Mr. Kirkland's report into evidence.

Ms. Olivia Daughtry expressed concerns of the solar farm negatively affecting her property value and was opposed to the solar farm.

Mr. Robert Daughtry informed the board he was against locating the solar farm at this location and thought it would negatively affect his property value.

Chair Naylor closed the public hearing and called for any additional discussion or a motion on the request.

The Planning Board granted the Special Use permit by making the following findings:

- A. Sherri Smith made a motion that the use will not materially endanger the public health or safety if located according to the plan submitted and approved. The motion was seconded by Clayton Hollingsworth and unanimously approved by the board.



- B. Debra Bass made a motion that the use meets all required conditions and specifications. The motion was seconded by Sherri Smith and unanimously approved by the board.
- C. Clayton Hollingsworth made a motion that the use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity. The motion was seconded by Debra Bass and unanimously approved by the board.
- D. Ann Naylor made a motion that the location and character of the use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located and in general conformity with the Sampson County Land Use Plan. The motion was seconded by Clayton Hollingsworth and unanimously approved by the board.

Having met all four standards, the Special Use Permit was approved by the Board.

**RZ-5-18-1**

A rezoning request by Brewer Honeycutt to rezone approximately 17.96 acres located along Autry Highway from RA-Residential Agriculture to C-Commercial District. (See attached location map)

Mrs. Rose informed the Board staff has reviewed the request and prepared the following findings of fact for consideration by the Planning Board:

- 1. Brewer Honeycutt has signed the rezoning application as the owner.
- 2. This rezoning will include approximately 17.96 acres as shown on the location map.
- 3. The property is currently zoned RA-Residential Agriculture District. (see attached location map)
- 4. This property is located at the intersection of Autry Highway and Horseshoe Road. The properties to the north are currently zoned Commercial and RA Residential. The properties to the east, south and west are currently zoned Residential Agriculture.
- 5. The Sampson County Land Use Plan encourages Commercial zoned properties in close proximity to existing commercial development and along major thoroughfares such as NC Hwy 24/Autry Hwy.
- 6. All adjacent property owners within 100' have been notified by mail and the property has been posted.

**Zoning Consistency Statement:**

Whereas, in accordance with the provisions of North Carolina General Statute 153A-341, the Sampson County Planning Board does hereby find and determine that the recommendation of the ordinance amendment **RZ-5-18-1 is** consistent with the goals and objectives of the Sampson County Land Use Plan and other long-range planning documents due to the fact this property is located in close proximity to existing commercial development and along NC Hwy24/Autry Hwy.

**DECISION.** After Board discussion, Nancy Blackman moved to recommend approval of RZ-5-18-1 with the above referenced findings of fact and zoning consistency statement. The motion was seconded by Andrew Jackson and unanimously recommended for approval by the Board.

The Planning Board meeting adjourned at 7:00 pm.

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Secretary

# **FLOOD DAMAGE PREVENTION ORDINANCE**

## Non-Coastal Regular Phase

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# **FLOOD DAMAGE PREVENTION ORDINANCE**

## Non-Coastal Regular Phase

### **ARTICLE 1. STATUTORY AUTHORIZATION, FINDINGS OF FACT, PURPOSE AND OBJECTIVES.**

#### **SECTION A. STATUTORY AUTHORIZATION.**

The Legislature of the State of North Carolina has in Part 6, Article 21 of Chapter 143; Parts 3 and 4 of Article 18 of Chapter 153A; and Part 121, Article 6 of Chapter 153A of the North Carolina General Statutes, delegated to local governmental units the responsibility to adopt regulations designed to promote the public health, safety, and general welfare.

Therefore, the County of Sampson, North Carolina, does ordain as follows:

#### **SECTION B. FINDINGS OF FACT.**

- (1) The flood prone areas within the jurisdiction of Sampson County are subject to periodic inundation which results in loss of life, property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures of flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare.
- (2) These flood losses are caused by the cumulative effect of obstructions in floodplains causing increases in flood heights and velocities and by the occupancy in flood prone areas of uses vulnerable to floods or other hazards.

#### **SECTION C. STATEMENT OF PURPOSE.**

It is the purpose of this ordinance to promote public health, safety, and general welfare and to minimize public and private losses due to flood conditions within flood prone areas by provisions designed to:

- (1) Restrict or prohibit uses that are dangerous to health, safety, and property due to water or erosion hazards or that result in damaging increases in erosion, flood heights or velocities;
- (2) Require that uses vulnerable to floods, including facilities that serve such uses, be protected against flood damage at the time of initial construction;
- (3) Control the alteration of natural floodplains, stream channels, and natural protective barriers, which are involved in the accommodation of floodwaters;
- (4) Control filling, grading, dredging, and all other development that may increase erosion or flood damage; and
- (5) Prevent or regulate the construction of flood barriers that will unnaturally divert flood waters or which may increase flood hazards to other lands.

#### **SECTION D. OBJECTIVES.**

The objectives of this ordinance are to:

- (1) Protect human life, safety, and health;
- (2) Minimize expenditure of public money for costly flood control projects;
- (3) Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the

general public;

- (4) Minimize prolonged business losses and interruptions;
- (5) Minimize damage to public facilities and utilities (i.e. water and gas mains, electric, telephone, cable and sewer lines, streets, and bridges) that are located in flood prone areas;
- (6) Minimize damage to private and public property due to flooding;
- (7) Make flood insurance available to the community through the National Flood Insurance Program;
- (8) Maintain the natural and beneficial functions of floodplains;
- (9) Help maintain a stable tax base by providing for the sound use and development of flood prone areas; and
- (10) Ensure that potential buyers are aware that property is in a Special Flood Hazard Area.

## **ARTICLE 2.      DEFINITIONS.**

Unless specifically defined below, words or phrases used in this ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this ordinance it's most reasonable application.

"Accessory Structure (Appurtenant Structure)" means a structure located on the same parcel of property as the principal structure and the use of which is incidental to the use of the principal structure. Garages, carports and storage sheds are common urban accessory structures. Pole barns, hay sheds and the like qualify as accessory structures on farms, and may or may not be located on the same parcel as the farm dwelling or shop building.

"Addition (to an existing building)" means an extension or increase in the floor area or height of a building or structure.

"Alteration of a watercourse" means a dam, impoundment, channel relocation, change in channel alignment, channelization, or change in cross-sectional area of the channel or the channel capacity, or any other form of modification which may alter, impede, retard or change the direction and/or velocity of the riverine flow of water during conditions of the base flood.

"Appeal" means a request for a review of the Floodplain Administrator's interpretation of any provision of this ordinance.

"Area of Shallow Flooding" means a designated Zone AO or AH on a community's Flood Insurance Rate Map (FIRM) with base flood depths determined to be from one (1) to three (3) feet. These areas are located where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate, and where velocity flow may be evident.

"Area of Special Flood Hazard" see "Special Flood Hazard Area (SFHA)".

"Base Flood" means the flood having a one (1) percent chance of being equaled or exceeded in any given year.

"Base Flood Elevation (BFE)" means a determination of the water surface elevations of the base flood as published in the Flood Insurance Study. When the BFE has not been provided in a "Special Flood Hazard Area", it may be obtained from engineering studies available from a Federal, State, or other source using FEMA approved engineering methodologies. This elevation, when combined with the "Freeboard", establishes the "Regulatory Flood Protection Elevation".

"Basement" means any area of the building having its floor subgrade (below ground level) on all sides.

"Building" see "Structure".

"Chemical Storage Facility" means a building, portion of a building, or exterior area adjacent to a building used for the storage of any chemical or chemically reactive products.

"Design Flood": See "Regulatory Flood Protection Elevation."

“Development” means any man-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, or storage of equipment or materials.

“Development Activity” means any activity defined as Development which will necessitate a Floodplain Development Permit. This includes buildings, structures, and non-structural items, including (but not limited to) fill, bulkheads, piers, pools, docks, landings, ramps, and erosion control/stabilization measures.

“Digital Flood Insurance Rate Map (DFIRM)” means the digital official map of a community, issued by the Federal Emergency Management Agency (FEMA), on which both the Special Flood Hazard Areas and the risk premium zones applicable to the community are delineated.

“Disposal” means, as defined in NCGS 130A-290(a)(6), the discharge, deposit, injection, dumping, spilling, leaking, or placing of any solid waste into or on any land or water so that the solid waste or any constituent part of the solid waste may enter the environment or be emitted into the air or discharged into any waters, including groundwaters.

“Elevated Building” means a non-basement building which has its lowest elevated floor raised above ground level by foundation walls, shear walls, posts, piers, pilings, or columns.

“Encroachment” means the advance or infringement of uses, fill, excavation, buildings, structures or development into a special flood hazard area, which may impede or alter the flow capacity of a floodplain.

“Existing building and existing structure” means any building and/or structure for which the “start of construction” commenced before July 16<sup>th</sup> 1991.

“Existing Manufactured Home Park or Manufactured Home Subdivision” means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) was completed before April 18, 1988, the initial effective date of the floodplain management regulations adopted by the community.

“Flood” or “Flooding” means a general and temporary condition of partial or complete inundation of normally dry land areas from:

- (a) The overflow of inland or tidal waters; and/or
- (b) The unusual and rapid accumulation or runoff of surface waters from any source.

“Flood Boundary and Floodway Map (FBFM)” means an official map of a community, issued by the FEMA, on which the Special Flood Hazard Areas and the floodways are delineated. This official map is a supplement to and shall be used in conjunction with the Flood Insurance Rate Map (FIRM).

“Flood Hazard Boundary Map (FHBM)” means an official map of a community, issued by the FEMA, where the boundaries of the Special Flood Hazard Areas have been defined as Zone A.

“Flood Insurance” means the insurance coverage provided under the National Flood Insurance Program.

“Flood Insurance Rate Map (FIRM)” means an official map of a community, issued by the FEMA, on which both the Special Flood Hazard Areas and the risk premium zones applicable to the community are delineated. (see also DFIRM)

“Flood Insurance Study (FIS)” means an examination, evaluation, and determination of flood hazards, corresponding water surface elevations (if appropriate), flood hazard risk zones, and other flood data in a community issued by the FEMA. The Flood Insurance Study report includes Flood Insurance Rate Maps (FIRMs) and Flood Boundary and Floodway Maps (FBFMs), if published.

“Flood Prone Area” see “Floodplain”

“Flood Zone” means a geographical area shown on a Flood Hazard Boundary Map or Flood Insurance Rate Map that reflects

the severity or type of flooding in the area.

“Floodplain” means any land area susceptible to being inundated by water from any source.

“Floodplain Administrator” is the individual appointed to administer and enforce the floodplain management regulations.

“Floodplain Development Permit” means any type of permit that is required in conformance with the provisions of this ordinance, prior to the commencement of any development activity.

“Floodplain Management” means the operation of an overall program of corrective and preventive measures for reducing flood damage and preserving and enhancing, where possible, natural resources in the floodplain, including, but not limited to, emergency preparedness plans, flood control works, floodplain management regulations, and open space plans.

“Floodplain Management Regulations” means this ordinance and other zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances, and other applications of police power. This term describes federal, state or local regulations, in any combination thereof, which provide standards for preventing and reducing flood loss and damage.

“Floodproofing” means any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitation facilities, structures, and their contents.

“Flood-resistant material” means any building product [material, component or system] capable of withstanding direct and prolonged contact (minimum 72 hours) with floodwaters without sustaining damage that requires more than low-cost cosmetic repair. Any material that is water-soluble or is not resistant to alkali or acid in water, including normal adhesives for above-grade use, is not flood-resistant. Pressure-treated lumber or naturally decay-resistant lumbers are acceptable flooring materials. Sheet-type flooring coverings that restrict evaporation from below and materials that are impervious, but dimensionally unstable are not acceptable. Materials that absorb or retain water excessively after submergence are not flood-resistant. Please refer to Technical Bulletin 2, *Flood Damage-Resistant Materials Requirements*, and available from the FEMA. Class 4 and 5 materials, referenced therein, are acceptable flood-resistant materials.

“Floodway” means the channel of a river or other watercourse, including the area above a bridge or culvert when applicable, and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one (1) foot.

“Floodway encroachment analysis” means an engineering analysis of the impact that a proposed encroachment into a floodway or non-encroachment area is expected to have on the floodway boundaries and flood levels during the occurrence of the base flood discharge. The evaluation shall be prepared by a qualified North Carolina licensed engineer using standard engineering methods and models.

“Freeboard” means the height added to the BFE to account for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, blockage of bridge or culvert openings, and the hydrological effect of urbanization of the watershed. The BFE plus the freeboard establishes the “Regulatory Flood Protection Elevation”.

“Functionally Dependent Facility” means a facility which cannot be used for its intended purpose unless it is located in close proximity to water, limited to a docking or port facility necessary for the loading and unloading of cargo or passengers, shipbuilding, or ship repair. The term does not include long-term storage, manufacture, sales, or service facilities.

“Hazardous Waste Management Facility” means, as defined in NCGS 130A, Article 9, a facility for the collection, storage, processing, treatment, recycling, recovery, or disposal of hazardous waste.

“Highest Adjacent Grade (HAG)” means the highest natural elevation of the ground surface, prior to construction, immediately next to the proposed walls of the structure.

“Historic Structure” means any structure that is:

- (a) Listed individually in the National Register of Historic Places (a listing maintained by the US Department of

- Interior) or preliminarily determined by the Secretary of Interior as meeting the requirements for individual listing on the National Register;
- (b) Certified or preliminarily determined by the Secretary of Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- (c) Individually listed on a local inventory of historic landmarks in communities with a “Certified Local Government (CLG) Program”; or
- (d) Certified as contributing to the historical significance of a historic district designated by a community with a “Certified Local Government (CLG) Program.”

Certified Local Government (CLG) Programs are approved by the US Department of the Interior in cooperation with the North Carolina Department of Cultural Resources through the State Historic Preservation Officer as having met the requirements of the National Historic Preservation Act of 1966 as amended in 1980.

“Letter of Map Change (LOMC)” means an official determination issued by FEMA that amends or revises an effective Flood Insurance Rate Map or Flood Insurance Study. Letters of Map Change include:

- (a) Letter of Map Amendment (LOMA): An official amendment, by letter, to an effective National Flood Insurance Program map. A LOMA is based on technical data showing that a property had been inadvertently mapped as being in the floodplain, but is actually on natural high ground above the base flood elevation. A LOMA amends the current effective Flood Insurance Rate Map and establishes that a specific property, portion of a property, or structure is not located in a special flood hazard area.
- (b) Letter of Map Revision (LOMR): A revision based on technical data that may show changes to flood zones, flood elevations, special flood hazard area boundaries and floodway delineations, and other planimetric features.
- (c) Letter of Map Revision Based on Fill (LOMR-F): A determination that a structure or parcel of land has been elevated by fill above the BFE and is, therefore, no longer located within the special flood hazard area. In order to qualify for this determination, the fill must have been permitted and placed in accordance with the community’s floodplain management regulations.
- (d) Conditional Letter of Map Revision (CLOMR): A formal review and comment as to whether a proposed project complies with the minimum NFIP requirements for such projects with respect to delineation of special flood hazard areas. A CLOMR does not revise the effective Flood Insurance Rate Map or Flood Insurance Study; upon submission and approval of certified as-built documentation, a Letter of Map Revision may be issued by FEMA to revise the effective FIRM.

“Light Duty Truck” means any motor vehicle rated at 8,500 pounds Gross Vehicular Weight Rating or less which has a vehicular curb weight of 6,000 pounds or less and which has a basic vehicle frontal area of 45 square feet or less as defined in 40 CFR 86.082-2 and is:

- (a) Designed primarily for purposes of transportation of property or is a derivation of such a vehicle, or
- (b) Designed primarily for transportation of persons and has a capacity of more than 12 persons; or
- (c) Available with special features enabling off-street or off-highway operation and use.

“Lowest Adjacent Grade (LAG)” means the lowest elevation of the ground, sidewalk or patio slab immediately next to the building, or deck support, after completion of the building.

“Lowest Floor” means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access, or limited storage in an area other than a basement area is not considered a building's lowest floor, provided that such an enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this ordinance.

“Manufactured Home” means a structure, transportable in one or more sections, which is built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. The term “manufactured home” does not include a “recreational vehicle”.

“Manufactured Home Park or Subdivision” means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.



“Market Value” means the building value, not including the land value and that of any accessory structures or other improvements on the lot. Market value may be established by independent certified appraisal; replacement cost depreciated for age of building and quality of construction (Actual Cash Value); or adjusted tax assessed values.

“New Construction” means structures for which the “start of construction” commenced on or after April 18, 1988, the effective date of the initial floodplain management regulations and includes any subsequent improvements to such structures.

“Non-Encroachment Area (NEA)” means the channel of a river or other watercourse, including the area above a bridge or culvert when applicable, and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one (1) foot as designated in the Flood Insurance Study report.

“Post-FIRM” means construction or other development for which the “start of construction” occurred on or after July 16<sup>th</sup> 1991, the effective date of the initial Flood Insurance Rate Map.

“Pre-FIRM” means construction or other development for which the “start of construction” occurred before July 16<sup>th</sup> 1991, the effective date of the initial Flood Insurance Rate Map.

“Principally Above Ground” means that at least 51% of the actual cash value of the structure is above ground.

“Public Safety” and/or “Nuisance” means anything which is injurious to the safety or health of an entire community or neighborhood, or any considerable number of persons, or unlawfully obstructs the free passage or use, in the customary manner, of any navigable lake, or river, bay, stream, canal, or basin.

“Recreational Vehicle (RV)” means a vehicle, which is:

- (a) Built on a single chassis;
- (b) 400 square feet or less when measured at the largest horizontal projection;
- (c) Designed to be self-propelled or permanently towable by a light duty truck;
- (d) Designed primarily not for use as a permanent dwelling, but as temporary living quarters for recreational, camping, travel, or seasonal use, and
- (e) Is fully licensed and ready for highway use.

(For the purpose of this ordinance, “Tiny Homes/Houses” and Park Models that do not meet the items listed above are not considered Recreational Vehicles and should meet the standards of and be permitted as Residential Structures.)

“Regulatory Flood Protection Elevation” means the “Base Flood Elevation” plus the “Freeboard”. In “Special Flood Hazard Areas” where Base Flood Elevations (BFEs) have been determined, this elevation shall be the BFE plus 2 feet freeboard). In “Special Flood Hazard Areas” where no BFE has been established, this elevation shall be at least 2 feet above the highest adjacent grade.

“Remedy a Violation” means to bring the structure or other development into compliance with state and community floodplain management regulations, or, if this is not possible, to reduce the impacts of its noncompliance. Ways that impacts may be reduced include protecting the structure or other affected development from flood damages, implementing the enforcement provisions of the ordinance or otherwise deterring future similar violations, or reducing federal financial exposure with regard to the structure or other development.

“Riverine” means relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

“Salvage Yard” means any non-residential property used for the storage, collection, and/or recycling of any type of equipment, and including but not limited to vehicles, appliances and related machinery.

“Solid Waste Disposal Facility” means any facility involved in the disposal of solid waste, as defined in NCGS 130A-290(a)(35).

“Solid Waste Disposal Site” means, as defined in NCGS 130A-290(a)(36), any place at which solid wastes are disposed of by incineration, sanitary landfill, or any other method.

“Special Flood Hazard Area (SFHA)” means the land in the floodplain subject to a one percent (1%) or greater chance of being flooded in any given year, as determined in Article 3, Section B of this ordinance.

“Start of Construction” includes substantial improvement, and means the date the building permit was issued provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of the building, whether or not that alteration affects the external dimensions of the building.

“Structure” means a walled and roofed building, a manufactured home, or a gas, liquid, or liquefied gas storage tank that is principally above ground.

“Substantial Damage” means damage of any origin sustained by a structure during any one-year period whereby the cost of restoring the structure to it’s before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred. See definition of “substantial improvement. Substantial damage also means flood-related damage sustained by a structure on two separate occasions during a 10-year period for which the cost of repairs at the time of each such flood event, on the average, equals or exceeds 25 percent of the market value of the structure before the damage occurred.]

“Substantial Improvement” means any combination of repairs, reconstruction, rehabilitation, addition, or other improvement of a structure, taking place during any one-year period for which the cost equals or exceeds 50 percent of the market value of the structure before the “start of construction” of the improvement. This term includes structures which have incurred “substantial damage”, regardless of the actual repair work performed. The term does not, however, include either:

- (a) Any correction of existing violations of state or community health, sanitary, or safety code specifications which have been identified by the community code enforcement official and which are the minimum necessary to assure safe living conditions; or
- (b) Any alteration of a historic structure, provided that the alteration will not preclude the structure's continued designation as a historic structure and the alteration is approved by variance issued pursuant to Article 4 Section E of this ordinance.

“Technical Bulletin and Technical Fact Sheet” means a FEMA publication that provides guidance concerning the building performance standards of the NFIP, which are contained in Title 44 of the U.S. Code of Federal Regulations at Section 60.3. The bulletins and fact sheets are intended for use primarily by State and local officials responsible for interpreting and enforcing NFIP regulations and by members of the development community, such as design professionals and builders. New bulletins, as well as updates of existing bulletins, are issued periodically as needed. The bulletins do not create regulations; rather they provide specific guidance for complying with the minimum requirements of existing NFIP regulations.

It should be noted that Technical Bulletins and Technical Fact Sheets provide guidance on the minimum requirements of the NFIP regulations. State or community requirements that exceed those of the NFIP take precedence. Design professionals should contact the community officials to determine whether more restrictive State or local regulations apply to the building or site in question. All applicable standards of the State or local building code must also be met for any building in a flood hazard area.

“Temperature Controlled” means having the temperature regulated by a heating and/or cooling system, built-in or appliance.

“Variance” is a grant of relief from the requirements of this ordinance.

“Violation” means the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in Articles 4 and 5 is presumed to be in violation until such time as that documentation is provided.

“Water Surface Elevation (WSE)” means the height, in relation to NAVD 1988, of floods of various magnitudes and

frequencies in the floodplains of riverine areas.

“Watercourse” means a lake, river, creek, stream, wash, channel or other topographic feature on or over which waters flow at least periodically. Watercourse includes specifically designated areas in which substantial flood damage may occur.

**ARTICLE 3.       GENERAL PROVISIONS.**

**SECTION A.       LANDS TO WHICH THIS ORDINANCE APPLIES.**

This ordinance shall apply to all Special Flood Hazard Areas within the jurisdiction, including Extra-Territorial Jurisdictions (ETJs),[if applicable] of Sampson County.

**SECTION B.       BASIS FOR ESTABLISHING THE SPECIAL FLOOD HAZARD AREAS.**

The Special Flood Hazard Areas are those identified under the Cooperating Technical State (CTS) agreement between the State of North Carolina and FEMA in its FIS dated 6/20/2018 for Sampson County and associated DFIRM panels, including any digital data developed as part of the FIS, which are adopted by reference and declared a part of this ordinance. Future revisions to the FIS and DFIRM panels that do not change flood hazard data within the jurisdictional authority of Sampson County are also adopted by reference and declared a part of this ordinance. Subsequent Letter of Map Revisions (LOMRs) and/or Physical Map Revisions (PMRs) shall be adopted within 3 months.

**SECTION C.       ESTABLISHMENT OF FLOODPLAIN DEVELOPMENT PERMIT.**

A Floodplain Development Permit shall be required in conformance with the provisions of this ordinance prior to the commencement of any development activities within Special Flood Hazard Areas determined in accordance with the provisions of Article 3, Section B of this ordinance.

**SECTION D.       COMPLIANCE.**

No structure or land shall hereafter be located, extended, converted, altered, or developed in any way without full compliance with the terms of this ordinance and other applicable regulations.

**SECTION E.       ABROGATION AND GREATER RESTRICTIONS.**

This ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance and another conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

**SECTION F.       INTERPRETATION.**

In the interpretation and application of this ordinance, all provisions shall be:

- (a) Considered as minimum requirements;
- (b) Liberally construed in favor of the governing body; and
- (c) Deemed neither to limit nor repeal any other powers granted under State statutes.

**SECTION G.       WARNING AND DISCLAIMER OF LIABILITY.**

The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering consideration. Larger floods can and will occur. Actual flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside the Special Flood Hazard Areas or uses permitted

within such areas will be free from flooding or flood damages. This ordinance shall not create liability on the part of Sampson County or by any officer or employee thereof for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made hereunder.

**SECTION H. PENALTIES FOR VIOLATION.**

Violation of the provisions of this ordinance or failure to comply with any of its requirements, including violation of conditions and safeguards established in connection with grants of variance or special exceptions, shall constitute a Class 1 misdemeanor pursuant to NC G.S. § 143-215.58. . Any person who violates this ordinance or fails to comply with any of its requirements shall, upon conviction thereof, be fined not more than \$100.00 or imprisoned for not more than thirty (30) days, or both. Each day such violation continues shall be considered a separate offense. Nothing herein contained shall prevent Sampson County from taking such other lawful action as is necessary to prevent or remedy any violation.

**ARTICLE 4. ADMINISTRATION.**

**SECTION A. DESIGNATION OF FLOODPLAIN ADMINISTRATOR.**

The Head Building Inspector, hereinafter referred to as the “Floodplain Administrator”, is hereby appointed to administer and implement the provisions of this ordinance. In instances where the Floodplain Administrator receives assistance from others to complete tasks to administer and implement this ordinance, the Floodplain Administrator shall be responsible for the coordination and community’s overall compliance with the National Flood Insurance Program and the provisions of this ordinance.

**SECTION B. FLOODPLAIN DEVELOPMENT APPLICATION, PERMIT AND CERTIFICATION REQUIREMENTS.**

- (1) **Application Requirements.** Application for a Floodplain Development Permit shall be made to the Floodplain Administrator prior to any development activities located within Special Flood Hazard Areas. The following items shall be presented to the Floodplain Administrator to apply for a floodplain development permit:
  - (a) A plot plan drawn to scale which shall include, but shall not be limited to, the following specific details of the proposed floodplain development:
    - (i) The nature, location, dimensions, and elevations of the area of development/disturbance; existing and proposed structures, utility systems, grading/pavement areas, fill materials, storage areas, drainage facilities, and other development;
    - (ii) The boundary of the Special Flood Hazard Area as delineated on the FIRM or other flood map as determined in Article 3, Section B, or a statement that the entire lot is within the Special Flood Hazard Area;
    - (iii) Flood zone(s) designation of the proposed development area as determined on the FIRM or other flood map as determined in Article 3, Section B;
    - (iv) The boundary of the floodway(s) or non-encroachment area(s) as determined in Article 3, Section B;
    - (v) The Base Flood Elevation (BFE) where provided as set forth in Article 3, Section B; Article 4, Section C; or Article 5, Section D;
    - (vi) The old and new location of any watercourse that will be altered or relocated as a result of proposed development; and
    - (vii) The certification of the plot plan by a registered land surveyor or professional engineer.

- (b) Proposed elevation, and method thereof, of all development within a Special Flood Hazard Area including but not limited to:
    - (i) Elevation in relation to NAVD 1988 of the proposed reference level (including basement) of all structures;
    - (ii) Elevation in relation to NAVD 1988 to which any non-residential structure in Zones A, AE, AH, AO, A99 will be floodproofed; and
    - (iii) Elevation in relation to NAVD 1988 to which any proposed utility systems will be elevated or floodproofed.
  - (c) If floodproofing, a Floodproofing Certificate (FEMA Form 086-0-34) with supporting data, an operational plan, and an inspection and maintenance plan that include, but are not limited to, installation, exercise, and maintenance of floodproofing measures.
  - (d) A Foundation Plan, drawn to scale, which shall include details of the proposed foundation system to ensure all provisions of this ordinance are met. These details include but are not limited to:
    - (i) The proposed method of elevation, if applicable (i.e., fill, solid foundation perimeter wall, solid backfilled foundation, open foundation on columns/posts/piers/piles/shear walls); and
    - (ii) Openings to facilitate automatic equalization of hydrostatic flood forces on walls in accordance with Article 5, Section B(4)(d) when solid foundation perimeter walls are used in Zones A, AE, AH, AO, A99.
  - (e) Usage details of any enclosed areas below the lowest floor.
  - (f) Plans and/or details for the protection of public utilities and facilities such as sewer, gas, electrical, and water systems to be located and constructed to minimize flood damage.
  - (g) Certification that all other Local, State and Federal permits required prior to floodplain development permit issuance have been received.
  - (h) Documentation for placement of Recreational Vehicles and/or Temporary Structures, when applicable, to ensure that the provisions of Article 5, Section B, subsections (6) and (7) of this ordinance are met.
  - (i) A description of proposed watercourse alteration or relocation, when applicable, including an engineering report on the effects of the proposed project on the flood-carrying capacity of the watercourse and the effects to properties located both upstream and downstream; and a map (if not shown on plot plan) showing the location of the proposed watercourse alteration or relocation.
- (2) **Permit Requirements.** The Floodplain Development Permit shall include, but not be limited to:
- (a) A complete description of all the development to be permitted under the floodplain development permit (e.g. house, garage, pool, septic, bulkhead, cabana, pier, bridge, mining, dredging, filling, grading, paving, excavation or drilling operations, or storage of equipment or materials, etc.).
  - (b) The Special Flood Hazard Area determination for the proposed development in accordance with available data specified in Article 3, Section B.
  - (c) The Regulatory Flood Protection Elevation required for the reference level and all attendant utilities.
  - (d) The Regulatory Flood Protection Elevation required for the protection of all public utilities.
  - (e) All certification submittal requirements with timelines.
  - (f) A statement that no fill material or other development shall encroach into the floodway or non-encroachment area

of any watercourse unless the requirements of Article 5, Section F have been met.

- (g) The flood openings requirements, if in Zones A, AE, AH, AO, A99.
- (h) Limitations of below BFE enclosure uses (if applicable). (i.e., parking, building access and limited storage only). (OPTIONAL)
- (i) A statement, that all materials below BFE/RFPE must be flood resistant materials.

(3) **Certification Requirements.**

(a) Elevation Certificates

- (i) An Elevation Certificate (FEMA Form 086-0-33) is required prior to the actual start of any new construction. It shall be the duty of the permit holder to submit to the Floodplain Administrator a certification of the elevation of the reference level, in relation to NAVD 1988. The Floodplain Administrator shall review the certificate data submitted. Deficiencies detected by such review shall be corrected by the permit holder prior to the beginning of construction. Failure to submit the certification or failure to make required corrections shall be cause to deny a floodplain development permit.
- (ii) A final Finished Construction Elevation Certificate (FEMA Form 086-0-33) is required after construction is completed and prior to Certificate of Compliance/Occupancy issuance. It shall be the duty of the permit holder to submit to the Floodplain Administrator a certification of final as-built construction of the elevation of the reference level and all attendant utilities. The Floodplain Administrator shall review the certificate data submitted. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to Certificate of Compliance/Occupancy issuance. In some instances, another certification may be required to certify corrected as-built construction. Failure to submit the certification or failure to make required corrections shall be cause to withhold the issuance of a Certificate of Compliance/Occupancy. The Finished Construction Elevation Certificate certifier shall provide at least 2 photographs showing the front and rear of the building taken within 90 days from the date of certification. The photographs must be taken with views confirming the building description and diagram number provided in Section A. To the extent possible, these photographs should show the entire building including foundation. If the building has split-level or multi-level areas, provide at least 2 additional photographs showing side views of the building. In addition, when applicable, provide a photograph of the foundation showing a representative example of the flood openings or vents. All photographs must be in color and measure at least 3" × 3". Digital photographs are acceptable.

(b) Floodproofing Certificate

- (i) If non-residential floodproofing is used to meet the Regulatory Flood Protection Elevation requirements, a Floodproofing Certificate (FEMA Form 086-0-34), with supporting data, an operational plan, and an inspection and maintenance plan are required prior to the actual start of any new construction. It shall be the duty of the permit holder to submit to the Floodplain Administrator a certification of the floodproofed design elevation of the reference level and all attendant utilities, in relation to NAVD 1988. Floodproofing certification shall be prepared by or under the direct supervision of a professional engineer or architect and certified by same. The Floodplain Administrator shall review the certificate data, the operational plan, and the inspection and maintenance plan. Deficiencies detected by such review shall be corrected by the applicant prior to permit approval. Failure to submit the certification or failure to make required corrections shall be cause to deny a Floodplain Development Permit. Failure to construct in accordance with the certified design shall be cause to withhold the issuance of a Certificate of Compliance/Occupancy.
- (ii) A final Finished Construction Floodproofing Certificate (FEMA Form 086-0-34), with supporting data, an operational plan, and an inspection and maintenance plan are required prior to the issuance of a Certificate of Compliance/Occupancy. It shall be the duty of the permit holder to submit to the Floodplain Administrator a certification of the floodproofed design elevation of the reference level and all attendant utilities, in relation to NAVD 1988. Floodproofing certificate shall be prepared by or under the direct supervision of a professional engineer or architect and certified by same. The Floodplain Administrator

shall review the certificate data, the operational plan, and the inspection and maintenance plan. Deficiencies detected by such review shall be corrected by the applicant prior to Certificate of Occupancy. Failure to submit the certification or failure to make required corrections shall be cause to deny a Floodplain Development Permit. Failure to construct in accordance with the certified design shall be cause to deny a Certificate of Compliance/Occupancy.

- (c) If a manufactured home is placed within Zones A, AE, AH, AO, A99 and the elevation of the chassis is more than 36 inches in height above grade, an engineered foundation certification is required in accordance with the provisions of Article 5, Section B(3)(b).
- (d) If a watercourse is to be altered or relocated, a description of the extent of watercourse alteration or relocation; a professional engineer's certified report on the effects of the proposed project on the flood-carrying capacity of the watercourse and the effects to properties located both upstream and downstream; and a map showing the location of the proposed watercourse alteration or relocation shall all be submitted by the permit applicant prior to issuance of a floodplain development permit.
- (e) Certification Exemptions. The following structures, if located within Zones A, AE, AH, AO, A99, are exempt from the elevation/floodproofing certification requirements specified in items (a) and (b) of this subsection:
  - (i) Recreational Vehicles meeting requirements of Article 5, Section B(6)(a);
  - (ii) Temporary Structures meeting requirements of Article 5, Section B(7); and
  - (iii) Accessory Structures that are 150 square feet or less or \$3,000 or less and meeting requirements of Article 5, Section B(8).

(4) **Determinations for existing buildings and structures.**

For applications for building permits to improve buildings and structures, including alterations, movement, enlargement, replacement, repair, change of occupancy, additions, rehabilitations, renovations, substantial improvements, repairs of substantial damage, and any other improvement of or work on such buildings and structures, the Floodplain Administrator, in coordination with the Building Official, shall:

- (a) Estimate the market value, or require the applicant to obtain an appraisal of the market value prepared by a qualified independent appraiser, of the building or structure before the start of construction of the proposed work; in the case of repair, the market value of the building or structure shall be the market value before the damage occurred and before any repairs are made;
- (b) Compare the cost to perform the improvement, the cost to repair a damaged building to its pre-damaged condition, or the combined costs of improvements and repairs, if applicable, to the market value of the building or structure;
- (c) Determine and document whether the proposed work constitutes substantial improvement or repair of substantial damage; and
- (d) Notify the applicant if it is determined that the work constitutes substantial improvement or repair of substantial damage and that compliance with the flood resistant construction requirements of the NC Building Code and this ordinance is required.

**SECTION C. DUTIES AND RESPONSIBILITIES OF THE FLOODPLAIN ADMINISTRATOR.**

The Floodplain Administrator shall perform, but not be limited to, the following duties:

- (1) Review all floodplain development applications and issue permits for all proposed development within Special Flood Hazard Areas to assure that the requirements of this ordinance have been satisfied.
- (2) Review all proposed development within Special Flood Hazard Areas to assure that all necessary local, state and federal

permits have been received, including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334.

- (3) Notify adjacent communities and the North Carolina Department of Public Safety, Division of Emergency Management, State Coordinator for the National Flood Insurance Program prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency (FEMA).
- (4) Assure that maintenance is provided within the altered or relocated portion of said watercourse so that the flood-carrying capacity is maintained.
- (5) Prevent encroachments into floodways and non-encroachment areas unless the certification and flood hazard reduction provisions of Article 5, Section F are met.
- (6) Obtain actual elevation (in relation to NAVD 1988) of the reference level (including basement) and all attendant utilities of all new and substantially improved structures, in accordance with the provisions of Article 4, Section B(3).
- (7) Obtain actual elevation (in relation to NAVD 1988) to which all new and substantially improved structures and utilities have been floodproofed, in accordance with the provisions of Article 4, Section B(3).
- (8) Obtain actual elevation (in relation to NAVD 1988) of all public utilities in accordance with the provisions of Article 4, Section B(3).
- (9) When floodproofing is utilized for a particular structure, obtain certifications from a registered professional engineer or architect in accordance with the provisions of Article 4, Section B(3) and Article 5, Section B(2).
- (10) Where interpretation is needed as to the exact location of boundaries of the Special Flood Hazard Areas, floodways, or non-encroachment areas (for example, where there appears to be a conflict between a mapped boundary and actual field conditions), make the necessary interpretation. The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in this article.
- (11) When BFE data has not been provided in accordance with the provisions of Article 3, Section B, obtain, review, and reasonably utilize any BFE data, along with floodway data or non-encroachment area data available from a federal, state, or other source, including data developed pursuant to Article 5, Section D(2)(c), in order to administer the provisions of this ordinance.
- (12) When BFE data is provided but no floodway or non-encroachment area data has been provided in accordance with the provisions of Article 3, Section B, obtain, review, and reasonably utilize any floodway data or non-encroachment area data available from a federal, state, or other source in order to administer the provisions of this ordinance.
- (13) When the lowest floor and the lowest adjacent grade of a structure or the lowest ground elevation of a parcel in a Special Flood Hazard Area is above the BFE, advise the property owner of the option to apply for a Letter of Map Amendment (LOMA) from FEMA. Maintain a copy of the LOMA issued by FEMA in the floodplain development permit file.
- (14) Permanently maintain all records that pertain to the administration of this ordinance and make these records available for public inspection, recognizing that such information may be subject to the Privacy Act of 1974, as amended.
- (15) Make on-site inspections of work in progress. As the work pursuant to a floodplain development permit progresses, the Floodplain Administrator shall make as many inspections of the work as may be necessary to ensure that the work is being done according to the provisions of the local ordinance and the terms of the permit. In exercising this power, the Floodplain Administrator has a right, upon presentation of proper credentials, to enter on any premises within the jurisdiction of the community at any reasonable hour for the purposes of inspection or other enforcement action.
- (16) Issue stop-work orders as required. Whenever a building or part thereof is being constructed, reconstructed, altered, or repaired in violation of this ordinance, the Floodplain Administrator may order the work to be immediately stopped. The stop-work order shall be in writing and directed to the person doing or in charge of the work. The stop-work order shall state the specific work to be stopped, the specific reason(s) for the stoppage, and the condition(s) under which the



work may be resumed. Violation of a stop-work order constitutes a misdemeanor.

- (17) Revoke floodplain development permits as required. The Floodplain Administrator may revoke and require the return of the floodplain development permit by notifying the permit holder in writing stating the reason(s) for the revocation. Permits shall be revoked for any substantial departure from the approved application, plans, and specifications; for refusal or failure to comply with the requirements of State or local laws; or for false statements or misrepresentations made in securing the permit. Any floodplain development permit mistakenly issued in violation of an applicable State or local law may also be revoked.
- (18) Make periodic inspections throughout the Special Flood Hazard Areas within the jurisdiction of the community. The Floodplain Administrator and each member of his or her inspections department shall have a right, upon presentation of proper credentials, to enter on any premises within the territorial jurisdiction of the department at any reasonable hour for the purposes of inspection or other enforcement action.
- (19) Follow through with corrective procedures of Article 4, Section D.
- (20) Review, provide input, and make recommendations for variance requests.
- (21) Maintain a current map repository to include, but not limited to, historical and effective FIS Report, historical and effective FIRM and other official flood maps and studies adopted in accordance with the provisions of Article 3, Section B of this ordinance, including any revisions thereto including Letters of Map Change, issued by FEMA. Notify State and FEMA of mapping needs.
- (22) Coordinate revisions to FIS reports and FIRMs, including Letters of Map Revision Based on Fill (LOMR-Fs) and Letters of Map Revision (LOMRs).

**SECTION D. CORRECTIVE PROCEDURES.**

- (1) Violations to be corrected: When the Floodplain Administrator finds violations of applicable state and local laws; it shall be his or her duty to notify the owner or occupant of the building of the violation. The owner or occupant shall immediately remedy each of the violations of law cited in such notification.
- (2) Actions in Event of Failure to Take Corrective Action: If the owner of a building or property shall fail to take prompt corrective action, the Floodplain Administrator shall give the owner written notice, by certified or registered mail to the owner's last known address or by personal service, stating:
  - (a) That the building or property is in violation of the floodplain management regulations;
  - (b) That a hearing will be held before the Floodplain Administrator at a designated place and time, not later than ten (10) days after the date of the notice, at which time the owner shall be entitled to be heard in person or by counsel and to present arguments and evidence pertaining to the matter; and
  - (c) That following the hearing, the Floodplain Administrator may issue an order to alter, vacate, or demolish the building; or to remove fill as applicable.
- (3) Order to Take Corrective Action: If, upon a hearing held pursuant to the notice prescribed above, the Floodplain Administrator shall find that the building or development is in violation of the Flood Damage Prevention Ordinance, he or she shall issue an order in writing to the owner, requiring the owner to remedy the violation within a specified time period, not less than sixty (60) calendar days, nor more than least 180 calendar days. Where the Floodplain Administrator finds that there is imminent danger to life or other property, he or she may order that corrective action be taken in such lesser period as may be feasible.
- (4) Appeal: Any owner who has received an order to take corrective action may appeal the order to the local elected governing body by giving notice of appeal in writing to the Floodplain Administrator and the clerk within ten (10) days following issuance of the final order. In the absence of an appeal, the order of the Floodplain Administrator shall be final. The local governing body shall hear an appeal within a reasonable time and may affirm, modify and affirm, or

revoke the order.

- (5) Failure to Comply with Order: If the owner of a building or property fails to comply with an order to take corrective action for which no appeal has been made or fails to comply with an order of the governing body following an appeal, the owner shall be guilty of a Class 1 misdemeanor pursuant to NC G.S. § 143-215.58 and shall be punished at the discretion of the court.

**SECTION E.      VARIANCE PROCEDURES.**

- (1) The Board of Adjustment as established by Sampson County, hereinafter referred to as the “appeal board”, shall hear and decide requests for variances from the requirements of this ordinance.
- (2) Any person aggrieved by the decision of the appeal board may appeal such decision to the Court, as provided in Chapter 7A of the North Carolina General Statutes.
- (3) Variances may be issued for:
  - (a) The repair or rehabilitation of historic structures upon the determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and that the variance is the minimum necessary to preserve the historic character and design of the structure;
  - (b) Functionally dependent facilities if determined to meet the definition as stated in Article 2 of this ordinance, provided provisions of Article 4, Section E(9)(b), (c), and (e) have been satisfied, and such facilities are protected by methods that minimize flood damages during the base flood and create no additional threats to public safety; or
  - (c) Any other type of development provided it meets the requirements of this Section.
- (4) In passing upon variances, the appeal board shall consider all technical evaluations, all relevant factors, all standards specified in other sections of this ordinance, and:
  - (a) The danger that materials may be swept onto other lands to the injury of others;
  - (b) The danger to life and property due to flooding or erosion damage;
  - (c) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
  - (d) The importance of the services provided by the proposed facility to the community;
  - (e) The necessity to the facility of a waterfront location as defined under Article 2 of this ordinance as a functionally dependent facility, where applicable;
  - (f) The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;
  - (g) The compatibility of the proposed use with existing and anticipated development;
  - (h) The relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
  - (i) The safety of access to the property in times of flood for ordinary and emergency vehicles;
  - (j) The expected heights, velocity, duration, rate of rise, and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site; and
  - (k) The costs of providing governmental services during and after flood conditions including maintenance and repair

of public utilities and facilities such as sewer, gas, electrical and water systems, and streets and bridges.

- (5) A written report addressing each of the above factors shall be submitted with the application for a variance.
- (6) Upon consideration of the factors listed above and the purposes of this ordinance, the appeal board may attach such conditions to the granting of variances as it deems necessary to further the purposes and objectives of this ordinance.
- (7) Any applicant to whom a variance is granted shall be given written notice specifying the difference between the BFE and the elevation to which the structure is to be built and that such construction below the BFE increases risks to life and property, and that the issuance of a variance to construct a structure below the BFE may result in increased premium rates for flood insurance up to \$25 per \$100 of insurance coverage. Such notification shall be maintained with a record of all variance actions, including justification for their issuance.
- (8) The Floodplain Administrator shall maintain the records of all appeal actions and report any variances to the FEMA and the State of North Carolina upon request.
- (9) Conditions for Variances:
  - (a) Variances shall not be issued when the variance will make the structure in violation of other federal, state, or local laws, regulations, or ordinances.
  - (b) Variances shall not be issued within any designated floodway or non-encroachment area if the variance would result in any increase in flood levels during the base flood discharge.
  - (c) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
  - (d) Variances shall only be issued prior to development permit approval.
  - (e) Variances shall only be issued upon:
    - (i) A showing of good and sufficient cause;
    - (ii) A determination that failure to grant the variance would result in exceptional hardship; and
    - (iii) A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, or extraordinary public expense, create nuisance, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.
- (10) A variance may be issued for solid waste disposal facilities or sites, hazardous waste management facilities, salvage yards, and chemical storage facilities that are located in Special Flood Hazard Areas provided that all of the following conditions are met.
  - (a) The use serves a critical need in the community.
  - (b) No feasible location exists for the use outside the Special Flood Hazard Area.
  - (c) The reference level of any structure is elevated or floodproofed to at least the Regulatory Flood Protection Elevation.
  - (d) The use complies with all other applicable federal, state and local laws.
  - (e) The Sampson County has notified the Secretary of the North Carolina Department of Public Safety of its intention to grant a variance at least thirty (30) calendar days prior to granting the variance.

**ARTICLE 5.      PROVISIONS FOR FLOOD HAZARD REDUCTION.**

**SECTION A.      GENERAL STANDARDS.**

In all Special Flood Hazard Areas the following provisions are required:

- (1) All new construction and substantial improvements shall be designed (or modified) and adequately anchored to prevent flotation, collapse, and lateral movement of the structure.
- (2) All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage in accordance with the FEMA Technical Bulletin 2, *Flood Damage-Resistant Materials Requirements*.
- (3) All new construction and substantial improvements shall be constructed by methods and practices that minimize flood damages.
- (4) All new electrical, heating, ventilation, plumbing, air conditioning equipment, and other service equipment shall be located at or above the RFPE or designed and installed to prevent water from entering or accumulating within the components during the occurrence of the base flood. These include, but are not limited to, HVAC equipment, water softener units, bath/kitchen fixtures, ductwork, electric/gas meter panels/boxes, utility/cable boxes, water heaters, and electric outlets/switches.
  - (a) Replacements part of a substantial improvement, electrical, heating, ventilation, plumbing, air conditioning equipment, and other service equipment shall also meet the above provisions.
  - (b) Replacements that are for maintenance and not part of a substantial improvement, may be installed at the original location provided the addition and/or improvements only comply with the standards for new construction consistent with the code and requirements for the original structure.
- (5) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system.
- (6) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharges from the systems into flood waters.
- (7) On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding.
- (8) Nothing in this ordinance shall prevent the repair, reconstruction, or replacement of a building or structure existing on the effective date of this ordinance and located totally or partially within the floodway, non-encroachment area, or stream setback, provided there is no additional encroachment below the Regulatory Flood Protection Elevation in the floodway, non-encroachment area, or stream setback, and provided that such repair, reconstruction, or replacement meets all of the other requirements of this ordinance.
- (9) New solid waste disposal facilities and sites, hazardous waste management facilities, salvage yards, and chemical storage facilities shall not be permitted, except by variance as specified in Article 4, Section E(10). A structure or tank for chemical or fuel storage incidental to an allowed use or to the operation of a water treatment plant or wastewater treatment facility may be located in a Special Flood Hazard Area only if the structure or tank is either elevated or floodproofed to at least the Regulatory Flood Protection Elevation and certified in accordance with the provisions of Article 4, Section B(3).
- (10) All subdivision proposals and other development proposals shall be consistent with the need to minimize flood damage.
- (11) All subdivision proposals and other development proposals shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage.
- (12) All subdivision proposals and other development proposals shall have adequate drainage provided to reduce exposure

to flood hazards.

- (13) All subdivision proposals and other development proposals shall have received all necessary permits from those governmental agencies for which approval is required by federal or state law, including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334.
- (14) When a structure is partially located in a Special Flood Hazard Area, the entire structure shall meet the requirements for new construction and substantial improvements.
- (15) When a structure is located in multiple flood hazard zones or in a flood hazard risk zone with multiple base flood elevations, the provisions for the more restrictive flood hazard risk zone and the highest BFE shall apply.

## **SECTION B. SPECIFIC STANDARDS.**

In all Special Flood Hazard Areas where BFE data has been provided, as set forth in Article 3, Section B, or Article 5, Section D, the following provisions, in addition to the provisions of Article 5, Section A, are required:

- (1) Residential Construction. New construction and substantial improvement of any residential structure (including manufactured homes) shall have the reference level, including basement, elevated no lower than the Regulatory Flood Protection Elevation, as defined in Article 2 of this ordinance.
- (2) Non-Residential Construction. New construction and substantial improvement of any commercial, industrial, or other non-residential structure shall have the reference level, including basement, elevated no lower than the Regulatory Flood Protection Elevation, as defined in Article 2 of this ordinance. Structures located in Zones A, AE, AH, AO, A99 may be floodproofed to the Regulatory Flood Protection Elevation in lieu of elevation provided that all areas of the structure, together with attendant utility and sanitary facilities, below the Regulatory Flood Protection Elevation are watertight with walls substantially impermeable to the passage of water, using structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. For AO Zones, the floodproofing elevation shall be in accordance with Article 5, Section G (2). A registered professional engineer or architect shall certify that the floodproofing standards of this subsection are satisfied. Such certification shall be provided to the Floodplain Administrator as set forth in Article 4, Section B(3), along with the operational plan and the inspection and maintenance plan.
- (3) Manufactured Homes.
  - (a) New and replacement manufactured homes shall be elevated so that the reference level of the manufactured home is no lower than the Regulatory Flood Protection Elevation, as defined in Article 2 of this ordinance.
  - (b) Manufactured homes shall be securely anchored to an adequately anchored foundation to resist flotation, collapse, and lateral movement, either by certified engineered foundation system, or in accordance with the most current edition of the State of North Carolina Regulations for Manufactured Homes adopted by the Commissioner of Insurance pursuant to NCGS 143-143.15. Additionally, when the elevation would be met by an elevation of the chassis thirty-six (36) inches or less above the grade at the site, the chassis shall be supported by reinforced piers or engineered foundation. When the elevation of the chassis is above thirty-six (36) inches in height, an engineering certification is required.
  - (c) All enclosures or skirting below the lowest floor shall meet the requirements of Article 5, Section B(4).
  - (d) An evacuation plan must be developed for evacuation of all residents of all new, substantially improved or substantially damaged manufactured home parks or subdivisions located within flood prone areas. This plan shall be filed with and approved by the Floodplain Administrator and the local Emergency Management Coordinator.
- (4) Elevated Buildings. Fully enclosed area, of new construction and substantially improved structures, which is below the lowest floor:
  - (a) Shall not be designed or used for human habitation, but shall only be used for parking of vehicles, building access, or limited storage of maintenance equipment used in connection with the premises. Access to the enclosed area

shall be the minimum necessary to allow for parking of vehicles (garage door) or limited storage of maintenance equipment (standard exterior door), or entry to the living area (stairway or elevator). The interior portion of such enclosed area shall not be finished or partitioned into separate rooms, except to enclose storage areas;

- (b) Shall not be temperature-controlled or conditioned;
- (c) Shall be constructed entirely of flood resistant materials at least to the Regulatory Flood Protection Elevation; and
- (d) Shall include, in Zones A, AE, AH, AO, A99 flood openings to automatically equalize hydrostatic flood forces on walls by allowing for the entry and exit of floodwaters. To meet this requirement, the openings must either be certified by a professional engineer or architect or meet or exceed the following minimum design criteria:
  - (i) A minimum of two flood openings on different sides of each enclosed area subject to flooding;
  - (ii) The total net area of all flood openings must be at least one (1) square inch for each square foot of enclosed area subject to flooding;
  - (iii) If a building has more than one enclosed area, each enclosed area must have flood openings to allow floodwaters to automatically enter and exit;
  - (iv) The bottom of all required flood openings shall be no higher than one (1) foot above the higher of the interior or exterior adjacent grade;
  - (v) Flood openings may be equipped with screens, louvers, or other coverings or devices, provided they permit the automatic flow of floodwaters in both directions; and
  - (vi) Enclosures made of flexible skirting are not considered enclosures for regulatory purposes, and, therefore, do not require flood openings. Masonry or wood underpinning, regardless of structural status, is considered an enclosure and requires flood openings as outlined above.

(5) Additions/Improvements.

- (a) Additions and/or improvements to pre-FIRM structures when the addition and/or improvements in combination with any interior modifications to the existing structure are:
  - (i) Not a substantial improvement, the addition and/or improvements must be designed to minimize flood damages and must not be any more non-conforming than the existing structure.
  - (ii) A substantial improvement, with modifications/rehabilitations/improvements to the existing structure or the common wall is structurally modified more than installing a doorway, both the existing structure and the addition must comply with the standards for new construction.
- (b) Additions to pre-FIRM or post-FIRM structures that are a substantial improvement with no modifications/rehabilitations/improvements to the existing structure other than a standard door in the common wall, shall require only the addition to comply with the standards for new construction.
- (c) Additions and/or improvements to post-FIRM structures when the addition and/or improvements in combination with any interior modifications to the existing structure are:
  - (i) Not a substantial improvement, the addition and/or improvements only must comply with the standards for new construction consistent with the code and requirements for the original structure.
  - (ii) A substantial improvement, both the existing structure and the addition and/or improvements must comply with the standards for new construction.
- (d) Any combination of repair, reconstruction, rehabilitation, addition or improvement of a building or structure

taking place during a 1 year period, the cumulative cost of which equals or exceeds 50 percent of the market value of the structure before the improvement or repair is started must comply with the standards for new construction. For each building or structure, the 1 year period begins on the date of the first improvement or repair of that building or structure subsequent to the effective date of this ordinance. Substantial damage also means flood-related damage sustained by a structure on two separate occasions during a 10-year period for which the cost of repairs at the time of each such flood event, on the average, equals or exceeds 25 percent of the market value of the structure before the damage occurred. If the structure has sustained substantial damage, any repairs are considered substantial improvement regardless of the actual repair work performed. The requirement does not, however, include either:

- (i) Any project for improvement of a building required to correct existing health, sanitary or safety code violations identified by the building official and that are the minimum necessary to assume safe living conditions.
- (ii) Any alteration of a historic structure provided that the alteration will not preclude the structure's continued designation as a historic structure.

(6) Recreational Vehicles. Recreational vehicles shall either:

(a) Temporary Placement

- (i) Be on site for fewer than 180 consecutive days; or
- (ii) Be fully licensed and ready for highway use. (A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities, and has no permanently attached additions.)

(b) Permanent Placement. Recreational vehicles that do not meet the limitations of Temporary Placement shall meet all the requirements for new construction.

(7) Temporary Non-Residential Structures. Prior to the issuance of a floodplain development permit for a temporary structure, the applicant must submit to the Floodplain Administrator a plan for the removal of such structure(s) in the event of a hurricane, flash flood or other type of flood warning notification. The following information shall be submitted in writing to the Floodplain Administrator for review and written approval:

- (a) A specified time period for which the temporary use will be permitted. Time specified may not exceed three (3) months, renewable up to one (1) year;
- (b) The name, address, and phone number of the individual responsible for the removal of the temporary structure;
- (c) The time frame prior to the event at which a structure will be removed (i.e., minimum of 72 hours before landfall of a hurricane or immediately upon flood warning notification);
- (d) A copy of the contract or other suitable instrument with the entity responsible for physical removal of the structure; and
- (e) Designation, accompanied by documentation, of a location outside the Special Flood Hazard Area, to which the temporary structure will be moved.

(8) Accessory Structures. When accessory structures (sheds, detached garages, etc.) are to be placed within a Special Flood Hazard Area, the following criteria shall be met:

- (a) Accessory structures shall not be used for human habitation (including working, sleeping, living, cooking or restroom areas);
- (b) Accessory structures shall not be temperature-controlled;

- (c) Accessory structures shall be designed to have low flood damage potential;
- (d) Accessory structures shall be constructed and placed on the building site so as to offer the minimum resistance to the flow of floodwaters;
- (e) Accessory structures shall be firmly anchored in accordance with the provisions of Article 5, Section A(1);
- (f) All service facilities such as electrical shall be installed in accordance with the provisions of Article 5, Section A(4); and
- (g) Flood openings to facilitate automatic equalization of hydrostatic flood forces shall be provided below Regulatory Flood Protection Elevation in conformance with the provisions of Article 5, Section B(4)(d).

An accessory structure with a footprint less than 150 square feet or that is a minimal investment of \$3,000 or less and satisfies the criteria outlined above is not required to meet the elevation or floodproofing standards of Article 5, Section B (2). Elevation or floodproofing certifications are required for all other accessory structures in accordance with Article 4, Section B(3).

(9) Tanks. When gas and liquid storage tanks are to be placed within a Special Flood Hazard Area, the following criteria shall be met:

- (a) Underground tanks. Underground tanks in flood hazard areas shall be anchored to prevent flotation, collapse or lateral movement resulting from hydrodynamic and hydrostatic loads during conditions of the design flood, including the effects of buoyancy assuming the tank is empty;
- (b) Above-ground tanks, elevated. Above-ground tanks in flood hazard areas shall be elevated to or above the Regulatory Flood Protection Elevation on a supporting structure that is designed to prevent flotation, collapse or lateral movement during conditions of the design flood. Tank-supporting structures shall meet the foundation requirements of the applicable flood hazard area;
- (c) Above-ground tanks, not elevated. Above-ground tanks that do not meet the elevation requirements of Article 5, Section B (2) of this ordinance shall be permitted in flood hazard areas provided the tanks are designed, constructed, installed, and anchored to resist all flood-related and other loads, including the effects of buoyancy, during conditions of the design flood and without release of contents in the floodwaters or infiltration by floodwaters into the tanks. Tanks shall be designed, constructed, installed, and anchored to resist the potential buoyant and other flood forces acting on an empty tank during design flood conditions.
- (d) Tank inlets and vents. Tank inlets, fill openings, outlets and vents shall be:
  - (i) At or above the Regulatory Flood Protection Elevation or fitted with covers designed to prevent the inflow of floodwater or outflow of the contents of the tanks during conditions of the design flood; and
  - (ii) Anchored to prevent lateral movement resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy, during conditions of the design flood.

(10) Other Development.

- (a) Fences in regulated floodways and NEAs that have the potential to block the passage of floodwaters, such as stockade fences and wire mesh fences, shall meet the limitations of Article 5, Section F of this ordinance.
- (b) Retaining walls, sidewalks and driveways in regulated floodways and NEAs. Retaining walls and sidewalks and driveways that involve the placement of fill in regulated floodways shall meet the limitations of Article 5, Section F of this ordinance.
- (c) Roads and watercourse crossings in regulated floodways and NEAs. Roads and watercourse crossings, including roads, bridges, culverts, low-water crossings and similar means for vehicles or pedestrians to travel from one side of a watercourse to the other side, that encroach into regulated floodways shall meet the limitations of Article 5,



Section F of this ordinance.

**SECTION C.      RESERVED.**

**SECTION D.      STANDARDS FOR FLOODPLAINS WITHOUT ESTABLISHED BASE FLOOD ELEVATIONS.**

Within the Special Flood Hazard Areas designated as Approximate Zone A and established in Article 3, Section B, where no BFE data has been provided by FEMA, the following provisions, in addition to the provisions of Article 5, Section A, shall apply:

- (1) No encroachments, including fill, new construction, substantial improvements or new development shall be permitted within a distance of twenty (20) feet each side from top of bank or five times the width of the stream, whichever is greater, unless certification with supporting technical data by a registered professional engineer is provided demonstrating that such encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge.
- (2) The BFE used in determining the Regulatory Flood Protection Elevation shall be determined based on the following criteria:
  - (a) When BFE data is available from other sources, all new construction and substantial improvements within such areas shall also comply with all applicable provisions of this ordinance and shall be elevated or floodproofed in accordance with standards in Article 5, Sections A and B.
  - (b) When floodway or non-encroachment data is available from a Federal, State, or other source, all new construction and substantial improvements within floodway and non-encroachment areas shall also comply with the requirements of Article 5, Sections B and F.
  - (c) All subdivision, manufactured home park and other development proposals shall provide BFE data if development is greater than five (5) acres or has more than fifty (50) lots/manufactured home sites. Such BFE data shall be adopted by reference in accordance with Article 3, Section B and utilized in implementing this ordinance.
  - (d) When BFE data is not available from a Federal, State, or other source as outlined above, the reference level shall be elevated or floodproofed (nonresidential) to or above the Regulatory Flood Protection Elevation, as defined in Article 2. All other applicable provisions of Article 5, Section B shall also apply.

**SECTION E.      STANDARDS FOR RIVERINE FLOODPLAINS WITH BASE FLOOD ELEVATIONS BUT WITHOUT ESTABLISHED FLOODWAYS OR NON-ENCROACHMENT AREAS.**

Along rivers and streams where BFE data is provided by FEMA or is available from another source but neither floodway nor non-encroachment areas are identified for a Special Flood Hazard Area on the FIRM or in the FIS report, the following requirements shall apply to all development within such areas:

- (1) Standards of Article 5, Sections A and B; and
- (2) Until a regulatory floodway or non-encroachment area is designated, no encroachments, including fill, new construction, substantial improvements, or other development, shall be permitted unless certification with supporting technical data by a registered professional engineer is provided demonstrating that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one (1) foot at any point within the community.

**SECTION F. FLOODWAYS AND NON-ENCROACHMENT AREAS.**

Areas designated as floodways or non-encroachment areas are located within the Special Flood Hazard Areas established in Article 3, Section B. The floodways and non-encroachment areas are extremely hazardous areas due to the velocity of floodwaters that have erosion potential and carry debris and potential projectiles. The following provisions, in addition to standards outlined in Article 5, Sections A and B, shall apply to all development within such areas:

- (1) No encroachments, including fill, new construction, substantial improvements and other developments shall be permitted unless:
  - (a) It is demonstrated that the proposed encroachment would not result in any increase in the flood levels during the occurrence of the base flood discharge, based on hydrologic and hydraulic analyses performed in accordance with standard engineering practice and presented to the Floodplain Administrator prior to issuance of floodplain development permit; or
  - (b) A Conditional Letter of Map Revision (CLOMR) has been approved by FEMA. A Letter of Map Revision (LOMR) must also be obtained within six months of completion of the proposed encroachment.
- (2) If Article 5, Section F(1) is satisfied, all development shall comply with all applicable flood hazard reduction provisions of this ordinance.
- (3) Manufactured homes may be permitted provided the following provisions are met:
  - (a) The anchoring and the elevation standards of Article 5, Section B(3); and
  - (b) The encroachment standards of Article 5, Section F(1).

**SECTION G. STANDARDS FOR AREAS OF SHALLOW FLOODING (ZONE AO).**

Located within the Special Flood Hazard Areas established in Article 3, Section B, are areas designated as shallow flooding areas. These areas have special flood hazards associated with base flood depths of one (1) to three (3) feet where a clearly defined channel does not exist and where the path of flooding is unpredictable and indeterminate. In addition to Article 5, Sections A and B, all new construction and substantial improvements shall meet the following requirements:

- (1) The reference level shall be elevated at least as high as the depth number specified on the Flood Insurance Rate Map (FIRM), in feet, plus a freeboard of 2 feet, above the highest adjacent grade; or at least 2 feet above the highest adjacent grade if no depth number is specified.
- (2) Non-residential structures may, in lieu of elevation, be floodproofed to the same level as required in Article 5, Section G(1) so that the structure, together with attendant utility and sanitary facilities, below that level shall be watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. Certification is required in accordance with Article 4, Section B(3) and Article 5, Section B(2).
- (3) Adequate drainage paths shall be provided around structures on slopes, to guide floodwaters around and away from proposed structures.

**SECTION H. STANDARDS FOR AREAS OF SHALLOW FLOODING (ZONE AH).**

Located within the Special Flood Hazard Areas established in Article 3, Section B, are areas designated as shallow flooding areas. These areas are subject to inundation by 1-percent-annual-chance shallow flooding (usually areas of ponding) where average depths are one (1) to three (3) feet. Base Flood Elevations are derived from detailed hydraulic analyses are shown in this zone. In addition to Article 5, Sections A and B, all new construction and substantial improvements shall meet the following requirements:

- (1) Adequate drainage paths shall be provided around structures on slopes, to guide floodwaters around and away from proposed structures.

**ARTICLE 6. LEGAL STATUS PROVISIONS.**

**SECTION A. EFFECT ON RIGHTS AND LIABILITIES UNDER THE EXISTING FLOOD DAMAGE PREVENTION ORDINANCE.**

This ordinance in part comes forward by re-enactment of some of the provisions of the Flood Damage Prevention Ordinance enacted April 18<sup>th</sup> 1988 as amended, and it is not the intention to repeal but rather to re-enact and continue to enforce without interruption of such existing provisions, so that all rights and liabilities that have accrued thereunder are reserved and may be enforced. The enactment of this ordinance shall not affect any action, suit or proceeding instituted or pending. All provisions of the Flood Damage Prevention Ordinance of Sampson County enacted on April 18<sup>th</sup> 1988, as amended, which are not reenacted herein are repealed.

The date of the initial Flood Damage Prevention Ordinance for each municipal jurisdiction within Sampson County is as follows:

The City of Clinton initial Flood Damage Prevention Ordinance June 7, 1977.

The Town of Autryville initial Flood Damage Prevention Ordinance February 9, 1988.

**SECTION B. EFFECT UPON OUTSTANDING FLOODPLAIN DEVELOPMENT PERMITS.**

Nothing herein contained shall require any change in the plans, construction, size, or designated use of any development or any part thereof for which a floodplain development permit has been granted by the Floodplain Administrator or his or her authorized agents before the time of passage of this ordinance; provided, however, that when construction is not begun under such outstanding permit within a period of six (6) months subsequent to the date of issuance of the outstanding permit, construction or use shall be in conformity with the provisions of this ordinance.

**SECTION C. SEVERABILITY.**

If any section, clause, sentence, or phrase of the Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way effect the validity of the remaining portions of this Ordinance.

**SECTION D. EFFECTIVE DATE.**

This ordinance shall become effective June 20, 2018.

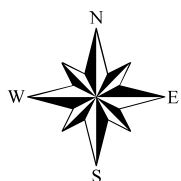
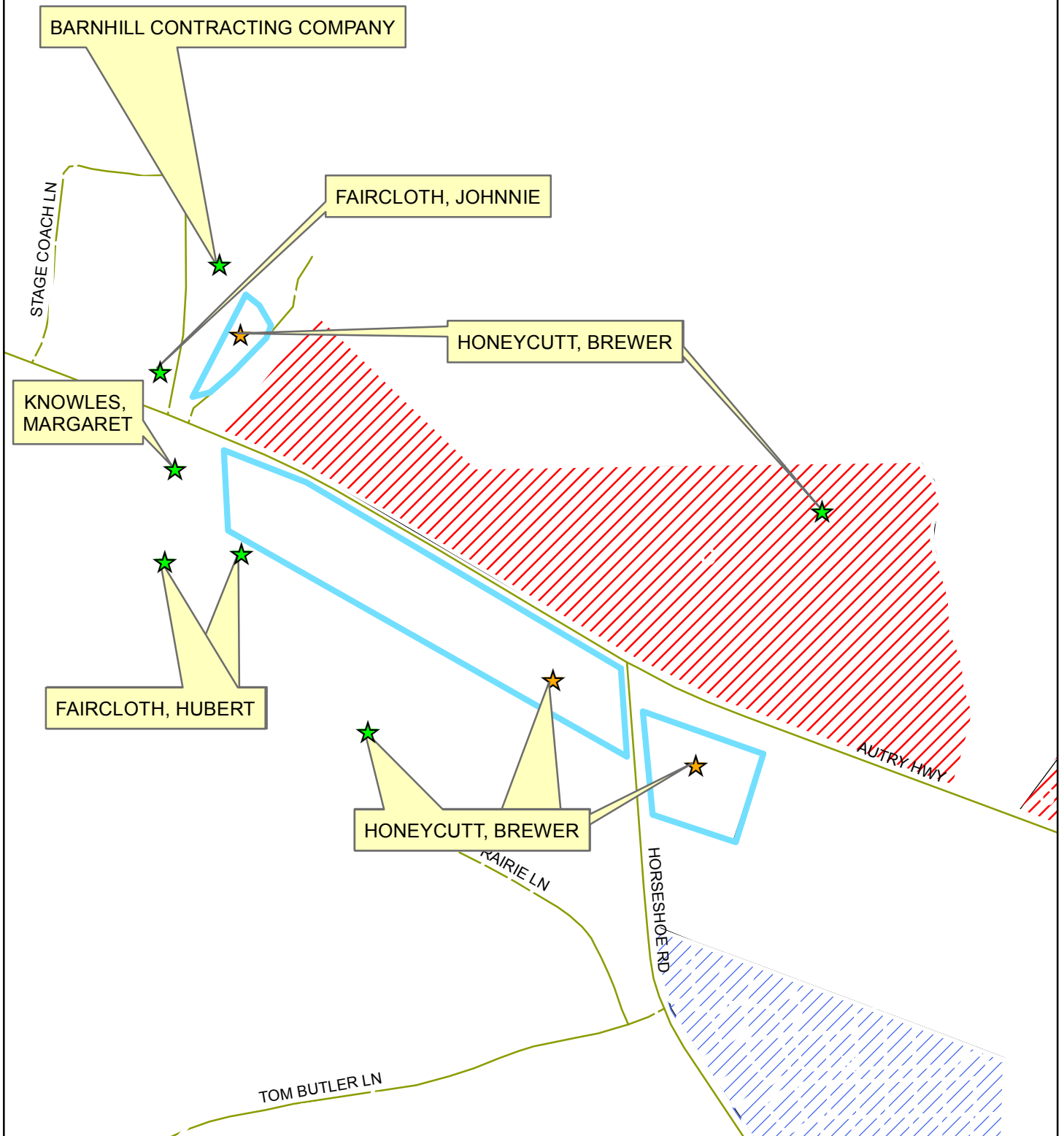
**SECTION E. ADOPTION CERTIFICATION.**

I hereby certify that this is a true and correct copy of the Flood Damage Prevention Ordinance as adopted by the County Commissioners of Sampson County, on the 4th day of June, 2018.

WITNESS my hand and the official seal of Clark Wooten, County Commissioner Chairman, this the 4th day of June, 2018.

\_\_\_\_\_  
(signature)

# RZ-5-18-1 Autry Highway Brewer Honeycutt



1 inch = 557 feet



Proposed Area



Adjacent Property Owners

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**SAMPSON COUNTY  
BOARD OF COMMISSIONERS**

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ITEM ABSTRACT

ITEM NO. 3 (a)

Meeting Date:	June 4, 2018	<input type="checkbox"/> Information Only	<input checked="" type="checkbox"/> Public Comment
		<input type="checkbox"/> Report/Presentation	<input type="checkbox"/> Closed Session
		<input checked="" type="checkbox"/> Action Item	<input type="checkbox"/> Planning/Zoning
		<input type="checkbox"/> Consent Agenda	<input type="checkbox"/> Water District Issue

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**SUBJECT:** Public Hearings – Proposed Budget for Fiscal Year 2018-2019 and Economic Development Expenditures Included in Proposed Budget for Fiscal Year 2018-2019

**DEPARTMENT:** Finance/Administration

**PUBLIC HEARING:** Yes – two separate

**CONTACT PERSON(S):** Ed Causey, County Manager  
David Clack, Finance Officer

**PURPOSE:** To receive public comments on the recommended budget for FY 2018-2019 in accordance with NCGS 159-12(b) and those expenditures in the budget specifically for economic development-related activities

**ATTACHMENTS:** Budget Ad

**BACKGROUND:**

In accordance with NC General Statute 159-12(b), we have duly advertised a public hearing to receive public comment on the proposed budget. The Chairman should open the public hearing and call upon those persons who have signed up to speak. After these have been heard, the floor can be opened for additional comments by those who may not have signed up. The hearing should then be closed.

Changes in Session Law 2015-277 added the requirement that local governments issue notice and hold a public hearing for *any appropriation* for economic development – not just for those hearings related specifically to incentives. Therefore, in accordance with NC General Statute 158-7.1, we have duly advertised a separate public hearing to receive public comment on those expenditures in the proposed budget specifically related to economic development. The Chairman should open the public hearing and call upon those persons who have signed up to speak. After these have been heard, the floor can be opened for additional comments by those who may not have signed up. The hearing should then be closed.

**RECOMMENDED ACTION OR MOTION:**

Schedule budget work session(s) as may be desired by Board

**NOTICE OF PUBLIC HEARINGS**  
**SAMPSON COUNTY BOARD OF COMMISSIONERS**  
**PROPOSED BUDGET FOR FISCAL YEAR 2018-2019**

In accordance with NC General Statute 159-12, the **Proposed Budget for Fiscal Year 2018-2019** has been presented to the Sampson County Board of Commissioners and is available for public inspection in the Office of the Clerk to the Board, County Administration Building, 406 County Complex Road in Clinton between the hours of 8:00 a.m. and 5:00 p.m., weekdays. The proposed budget may also be viewed online at [www.sampsonnc.com](http://www.sampsonnc.com), and budget comments are welcomed at [budgetcomments@sampsonnc.com](mailto:budgetcomments@sampsonnc.com).

In accordance with NC General Statute 159-12(b), a **Public Hearing** on the proposed budget will be held on Monday, June 4, 2018 at 6:00 p.m., or as soon as possible thereafter, in the County Auditorium, 435 Rowan Road in Clinton, NC.

**ECONOMIC DEVELOPMENT APPROPRIATIONS**  
**INCLUDED IN THE PROPOSED BUDGET FOR FISCAL YEAR 2018-2019**

In accordance with Session Law 2015-277, the Sampson County Board of Commissioners will hold a hearing for the further purpose of complying with the requirements of North Carolina General Statute 158-7.1 and 158-7.2 by receiving public comments on the recommended allocation of funds within the proposed FY 2018-2019 specific for economic development. Such hearing will be held immediately following the public hearing on the full recommended budget on Monday, June 4 at 6:00 p.m., or as soon as possible thereafter, in the County Auditorium, 435 Rowan Road in Clinton, NC.

Funding allocations for expenditures related to the recruitment and retention of industry included in the proposed FY 2018-2019 budget can be generally categorized as noted below:

- \$164,889 Salaries/benefits for Economic Development personnel responsible for the recruitment and retention of industry
- \$42,386 Office operational expenses, incl. but not limited to office supplies, travel, advertising, dues/subscriptions, telephone/postage
- \$44,900 Contracted services, professional/legal/engineering
- \$916,207 Incentive payments as previously authorized by commissioners after duly-held public hearings
- \$25,709 Membership costs, Southeastern Economic Development Commission
- \$3,000 Clinton-Sampson Chamber Sponsorship
- \$300,000 Reserve for site-specific development costs such as floodplain/wetlands delineation, surveys, engineering reports

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**SAMPSON COUNTY  
BOARD OF COMMISSIONERS**

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ITEM ABSTRACT

ITEM NO. 3 (b)

Meeting Date: June 4, 2018	<input type="checkbox"/>	Information Only	<input type="checkbox"/>	Public Comment
	<input type="checkbox"/>	Report/Presentation	<input type="checkbox"/>	Closed Session
	<input checked="" type="checkbox"/>	Action Item	<input type="checkbox"/>	Planning/Zoning
	<input type="checkbox"/>	Consent Agenda	<input type="checkbox"/>	Water District Issue

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**SUBJECT:** Award of Bid for Nutrition Services

**DEPARTMENT:** Aging

**PUBLIC HEARING:** No

**CONTACT PERSON(S):** Lorie Sutton, Department of Aging Services

**PURPOSE:** To award the bid for the Department of Aging's nutrition programs

**ATTACHMENTS:** Memo and Bid Tally

**BACKGROUND:**

Aging Director Lorie Sutton will review the process for soliciting, receiving and reviewing bids received for the Department of Aging's nutrition programming. The public opening of the sealed bids was held on April 30, 2018 at 10:00am as published, with two bids received: one from Bateman Senior Meals (Compass Group USA), and one from Gibbs Management Services. Based on information in the bid packet, Gibbs Management Services appears to be the lowest responsive bidder. Therefore, the Department is recommending the award of the bid to Gibbs Management and is requesting permission to enter into a contract with Gibbs Management Services for one (1) year with the option to extend the contract under the same terms and conditions for two additional terms of one year.

**RECOMMENDED ACTION OR MOTION:**

Award the bid to the lowest responsive bidder, Gibbs Management Services, and authorize the County Manager to execute the necessary contract documents (after County Attorney review) for one (1) year with the option to extend the contract under the same terms and conditions for two additional terms of one year

**Sampson County Department of Aging  
405 County Complex Road; Suite 140  
Clinton, NC 28328  
910-592-4653**

**Memo:**

TO: Ed Causey, County Manager  
FROM: Lorie Sutton, Aging Director  
DATE: May 23, 2018  
RE: Nutrition – Food Services BID

In soliciting bids for food services for Sampson County Department of Aging’s Nutrition Program, the formal bidding requirements were followed per North Carolina General Statute. The request for bids was advertised on April 14, 2018 in the Sampson Independent giving the required seven full day lapse between the date the notice was advertised and the date of the bid opening.

The advertisement gave notice that Sampson County would receive sealed bids until April 30, 2018 at 10:00am at the Sampson County Administration Building and that those sealed bids would be opened at that time. Also, the Bid packet was mailed out to seven possible vendors.

The public opening of the sealed bids was held on April 30, 2018 at 10:00am as published. There were two (2) bids received, one from Bateman Senior Meals (Compass Group USA) and one from Gibbs Management Services. The bids were opened, publicly announced and recorded on the Bid Tally sheet.

Based on information in the BID packet, Gibbs Management Services being the lowest responsive bidder, we respectfully request permission to enter into a contract with Gibbs Management Services for one (1) year with the option to extend the contract under the same terms and conditions for two additional terms of one year.

Thank you for your consideration.

/s

Attachments: Bid Tally Form



## Bid Tally

### Food Services for the Elderly Nutrition Program

Bid Opening: Monday, April 30, 2018 10:00am EST

<u>Submitted By</u>	<u>UNIT PRICE</u> Congregate Cost per Meal 124 meals	<u>UNIT PRICE</u> Home Deliverd Cost per Meal 141 meals	<u>UNIT PRICE</u> Low Sodium Snack Cost per Snack 30 snacks	<u>Notes</u>
Bateman Senior Meals - Bob Santana	\$4 <sup>10</sup>	\$4 <sup>51</sup>	.92¢	
Breadmen's	no bid			
Food Runners Collaborative, Inc.	no bid			
GA Foods - Terry White	no bid			
Gibbs Management Services - Ryan Gibbs	\$4 <sup>10</sup>	\$4 <sup>48</sup>	.35¢	
Nantucket	no bid			
SRMC - Rick Childs	no bid			

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Witness: Lori B Satter

Witness: Juanita Breuninger

Date: 4-30-18

Date: 4-30-18

Bid Opening Location: Sampson County Administration Building,  
406 County Complex Road, Building C, Clinton, NC

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**SAMPSON COUNTY  
BOARD OF COMMISSIONERS**

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ITEM ABSTRACT

ITEM NO. 3 (c)

Meeting Date: June 4, 2018	<input type="checkbox"/>	Information Only	<input type="checkbox"/>	Public Comment
	<input type="checkbox"/>	Report/Presentation	<input type="checkbox"/>	Closed Session
	<input checked="" type="checkbox"/>	Action Item	<input type="checkbox"/>	Planning/Zoning
	<input type="checkbox"/>	Consent Agenda	<input type="checkbox"/>	Water District Issue

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**SUBJECT:** Review of Public Comment Policy

**DEPARTMENT:** Governing Body

**PUBLIC HEARING:** No

**CONTACT PERSON(S):** Chairman Wooten

**PURPOSE:** To review public comment policy to determine if revisions are needed

**ATTACHMENTS:** Public Comment Policy; SOG Guidance on Public Comment Policies

**BACKGROUND:**

In accordance with NCGS 153A-52.1, boards of county commissioners must provide one public comment period per month at a regular meeting. The statute authorizes the board to adopt "reasonable rules governing the conduct of the public comment period." (See attached guidance from the School of Government.)

Each agenda of the Board of Commissioners includes a recap of the Board's policies for the public comment period. This recap is an excerpt from the Board's duly adopted Rules of Procedure and Conduct. A copy of the pertinent section of the document is enclosed for discussion and consideration of revision.

**RECOMMENDED ACTION OR MOTION:**

Review policy and offer recommendations for revisions if needed

## POLICIES AND PROCEDURES REGARDING PUBLIC COMMENT

A period reserved for comments from the public on topics not otherwise included on that evening's agenda will be included as an item of business on all agendas of regularly-scheduled Board of Commissioners meetings and shall be deemed the "Public Comment" segment of the agenda. The Public Comment segment of the agenda will be placed at the end of the agenda, following the conclusion of all other open session business.

As with Public Hearings, the Chair (or presiding officer) will determine and announce limits on speakers at the start of the Public Comment period. Generally, each speaker will be allocated five (5) minutes. **Speakers may not allocate their time to another speaker.** The Chairman (or presiding officer) may, at his discretion, decrease this time allocation, if the number of persons wishing to speak would unduly prolong the meeting.

The Public Comment period shall not exceed a total of thirty (30) minutes unless the Board entertains a successful majority vote to extend this period.

An individual wishing to address the Board during the Public Comment period shall register with the Clerk or Deputy Clerk to the Board prior to the opening of the meeting by signing his or her name, address and a short description of his or her topic on a sign-up sheet stationed in the lobby of the County Auditorium.

If time allows, those who fail to register before the meeting may speak during the Public Comment period. These individuals will speak following those who registered in advance. At this time in the agenda, an individual should raise his or her hand and ask to be recognized by the Board Chair (or presiding officer) and then state his or her name, address and introduce the topic to be addressed.

Items of discussion during the Public Comment segment of the meeting will be only those appropriate to Open Meetings. Closed Meeting topics include, but are not limited to, such subjects as personnel, acquisition of real property, and information protected by the client-attorney privilege. Closed Meeting subjects will not be entertained.

Because subjects of Special and Emergency Meetings are often regulated by General Statutes, there will be no Public Comments segment reserved on agendas of these meetings; however, Special and Emergency Meetings are open for public attendance.

The Public Comments segment of the agenda is intended to provide a forum for the Board of Community to listen to citizens; **there shall be no expectation that the Board will answer impromptu questions.** However, Board members, through the presiding officer, may ask the speaker questions for clarification purposes. The Board will not take action on an item brought up during the Public Comments segment of the agenda and, when appropriate, items will be referred to the Manager or the proper Department Head.

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## Coates' Canons Blog: Public Comment Period Policies: What's Legal?

By Frayda Bluestein

Article: <https://canons.sog.unc.edu/public-comment-period-policies-whats-legal/>

This entry was posted on March 15, 2016 and is filed under Board Structure & Procedures, Constitutional Issues, Open Government, Open Meetings, Public Hearings

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North Carolina state law requires city councils, boards of county commissioners, and local school boards, to provide at least one public comment period per month at a regular meeting. Many boards have adopted policies governing what may be said and done during the public comment period. Some of the restrictions in these policies are clearly legal. Some others...maybe not so much.

The public comment statutes are [G.S. 115C-51](#) (local school boards), [G.S. 153A-52.1](#) (counties), and [G.S. 160A-81.1](#) (cities). Each statute authorizes the board to adopt “reasonable rules governing the conduct of the public comment period,” which may include, but are not limited to,

- (i) fixing the maximum time allotted to each speaker,
- (ii) providing for the designation of spokesmen for groups of persons supporting or opposing the same positions,
- (iii) providing for the selection of delegates from groups of persons supporting or opposing the same positions when the number of persons wishing to attend the hearing exceeds the capacity of the hall, and
- (iv) providing for the maintenance of order and decorum in the conduct of the hearing.

The statutes indicate that this list of rules is not exclusive. Additional restrictions must not exceed the scope of the statute, which allows rules governing the *conduct* of the public comment period. So what other restrictions may be included in a local policy? May the board prohibit comments on specific topics? Could the rules allow comments only from residents or taxpayers? And what exactly does the authority to maintain order and decorum allow? In answering these questions boards must consider not only the scope of the statute, but also constitutional provisions that might apply. The state's requirement for a monthly public comment period creates a forum for public expression. This triggers constitutionally protected free speech rights that limit the extent to which the government can regulate the content of public comment.

### Public Forum Analysis

Cases involving a wide variety of settings have applied a “forum” analysis to determine when private individuals have rights of expression in public places. Most public places are not inherently public forums (parks and streets being the only ones recognized as such), but governments can open a non-public forum to allow public expression for limited or designated purposes. The public comment statutes represent a state-mandated opening of a forum at monthly board meetings.

Courts have recognized public comment periods as a type of designated or limited forum. See *Surita v. Hyde*, 665 F.3d 860, 869 (7th Cir.2011); *Galena v. Leone*, 638 F.3d 186, 198–99 (3d Cir.2011); *Steinburg v. Chesterfield Cnty. Planning Com'n*, 527 F.3d 377, 384–86 (4th Cir.2008); *Eichenlaub v. Twp. of Ind.*, 385 F.3d 274, 280–81 (3d Cir.2004); *Rowe v. City of Cocoa, Fla.*, 358 F.3d 900, 802 (11th Cir.2004). In such designated or limited public forums the government may enact reasonable time, place, and manner restrictions on speech but cannot restrict the content of speech or restrict speakers based on their viewpoint. *Galena v. Leone*, 638 F.3d 186, 198 (3d Cir. 2011) (*citing Pleasant Grove City v. Summum*, 555 U.S. 460,470 (2009)).

The main part of a public meeting – that is, the part during which the board works through its agenda – is “government

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speech” and is not a public forum for public expression. (See my blog post [here](#).) In addition to the required public comment period, some boards provide opportunities for public comment on agenda items or at other times during the meeting. All of these comment periods would likely be considered designated or limited public forums. See, e.g., *Jochum v. Tuscola Cnty.*, 239 F.Supp.2d 714, 728 (E.D. Mich. 2003) (“A city council meeting is the quintessential limited public forum, especially when citizen comments are restricted to a particular part of the meeting.”)

The rules authorized in the North Carolina statute are clearly content neutral, time, place and manner restrictions that are permitted under the constitutional framework. If boards adopt additional restrictions they must adhere to the constitutional limitations.

#### Limiting Comments to Matters Related to the Unit of Government

May a policy limit comments to matters that are germane to or within the jurisdiction of the unit? Some courts have held that such a limitation is constitutional. *Galena v. Leone*, 638 F.3d 186, 198 (3d Cir. 2011); *Eichenlaub v. Twp. of Indiana*, 385 F.3d 274, 281 (3d Cir. 2004). After all, when the government creates a designated or limited forum, “regulation of speech only need be viewpoint neutral and reasonable in light of the purpose served by the forum.” *Good New Club v. Milford Cent. Sch.*, 533 U.S. 98, 107 (2001). As noted by one court: “Thus, if a member of the public at the Hearing of the Public portion of a Council meeting wanted to discuss his child’s birthday party, the proposed speech, though not presenting a danger to anyone, would be so far removed from the business of the meeting, or the Council’s or County’s business in general, that the chairperson could suppress the speech without raising First Amendment issues.” *Galena v. Leone*, at 211.

It seems reasonable to assume that the North Carolina legislature intended the public comment period to provide a forum for comment on matters that are relevant to the body to which the comments are made. If this assumption is correct, a board may have both statutory and constitutional authority to require that comments must relate to matters that are within the authority or jurisdiction of the city, county, or school board. This reasoning would also support a prohibition on comments that are not germane to the unit. Under this analysis, a policy could prohibit commercial advertisements or solicitations, and comments about issues, activities or organizations that are not relevant to the work the unit of government.

#### Requiring Speakers to be Residents or Taxpayers of the Unit

May the board limit comment to individuals who are residents or taxpayers within the unit? There is no explicit authority for such a limitation in, and I have doubts about its legality, even though one case has held that such a restriction does not violate the constitution. See *Rowe v. City of Cocoa, Fla.* 358 F.3d 800, 803 (11th Cir. 2004) (holding that a locally established comment period limited to residents and taxpayers did not violate free speech or equal protection rights.) Although it may be assumed that the forum is limited to matters germane to the unit, there may be individuals who have comments about such matters who are not residents or taxpayers. A non-resident, for example, may own a business or conduct business inside the jurisdiction, and people who live near a unit of local government may interact with the unit’s employees, use a service provided by the unit, or take part in activities sponsored by the unit. Individuals in any of these categories might want to speak about matters within the board’s jurisdiction. In the absence of any specific statutory authority for limiting the categories of people who may speak, I think a rule restricting comments to residents or taxpayers would be on feeble legal ground.

#### Limiting Comments About Candidates or Elections

May a policy prohibit the use of public comment periods to promote specific candidates for office, or to argue for or against issues that are the subject of a referendum? These types of comments arguably do not relate to matters within the jurisdiction of the body, since it is the voters, rather than the members of the board, who make decisions in an election or referendum. It may be difficult, however, to separate comments about *issues* that candidates have identified in their campaigns from direct campaigning. A candidate – or a supporter of a candidate — may urge the board to adopt a policy without mentioning in the comment that she is anything more than a concerned citizen.

#### Limiting Comments About Employees

May a policy prohibit complaints or disparaging remarks about specific public officials or employees during the public

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comment period? Such a restriction may seem desirable for several reasons. A board might wish to protect its employees from being subject to criticism in a venue in which there is no opportunity for them to respond. Additionally, boards might mistakenly assume that public statements about individual employees violate statutory provisions concerning confidentiality of personnel records, and that such information may be discussed only in closed session. As I noted in my blog post [here](#), there is no legal basis for prohibiting criticism of employees in open session. A rule requiring decorum and prohibiting personal attacks (discussed below) might prevent defamatory or inappropriate remarks directed at specific public officials or employees. Boards can request or encourage citizens who have complaints to report them to a supervisor or board member, or a board may offer to meet with the citizen in closed session to hear their complaints as authorized under [G.S. 143-318.11\(a\)\(6\)](#). A public comment period remains open, however, for both praise and criticism of public officials and employees.

#### Limiting Comment About Closed Session Matters

May a policy prohibit public comment on matters that may or must be discussed in closed session? I know of no authority for this restriction. Public bodies are authorized to meet in closed sessions, and in some cases, are required to do so in order to preserve legally mandated confidentiality. It would be a rare circumstance in which a member of the public would be commenting on something that the board is *required* to hear about in closed session. See *Mesa v. White*, 197 F.3d 1041, 1046 (10th Cir.1999) (“The commissioners may well have an interest in discussing among themselves sensitive personnel or litigation matters, and the exceptions allow them to do that in certain situations. It is difficult to see, however, how that interest translates into a significant interest in restricting the public’s ability to present its views on personnel or litigation matters at a public meeting.”). It might make sense to include a statement that members of the public should not discuss confidential information in the public comment period, but the list of matters that may be discussed closed sessions does not double as a list of topics that are off limits for public comment.

#### Maintaining “Order and Decorum”

The public comment statutes explicitly authorize rules designed to “maintain order and decorum.” Maintaining order presumably includes things like keeping speakers to their allotted time, controlling others from interrupting the speaker who has the floor, and preventing speakers from otherwise disrupting the meeting. The state open meetings law provides additional authority for the presiding officer of a public body to remove any person from a meeting if the person is interrupting or disrupting the meeting. See [G.S. 143-318.17](#) (“A person who willfully interrupts, disturbs, or disrupts an official meeting and who, upon being directed to leave the meeting by the presiding officer, willfully refuses to leave the meeting is guilty of a Class 2 misdemeanor.”).

What does it mean to maintain decorum? A common [definition of “decorum”](#) is “correct or proper behavior that shows respect and good manners.” Comment policies use various words to describe the decorum standard, including prohibitions on vulgar language, profanity, inappropriate gestures, insults, personal attacks, or accusations. Policies may also take the positive approach, encouraging speakers to be courteous and respectful.

Presiding officers have a challenging task in balancing the constitutional restriction on viewpoint discrimination with rules requiring speakers to be respectful. The facts of many cases involving this issue indicate that speakers who regularly criticize their governments often become plaintiffs in lawsuits alleging that they were removed or silenced during public comment periods because of the content of their comments. An unpopular message can seem disrespectful to the target of the message, and exchanges can quickly escalate so that it becomes difficult to separate the content from the tone of the comment. As described in one case, “[i]f a ruling is made ‘to keep a meeting under control, and free from irrelevant disruption, then it may be permissible,’ but ‘if there was no reasonable basis for fearing disruption, or the purpose of the enforcement was to prevent or punish an expression or opinion,’ the ruling is unconstitutional.” *Barna v. Bd. of Sch. Directors of the Panther Valley Sch. Dist.*, No. 3:12-CV-638, 2015 WL 6797388, at \*9 (M.D. Pa. Jan. 26, 2015) (*citations omitted*). In a lawsuit, a jury may be given the job of determining whether the facts indicate that the motivation for silencing or removing a speaker was decorum or viewpoint discrimination. An example of this is described in *Besler v. Bd. of Educ. of W. Windsor-Plainsboro Reg’l Sch. Dist.* (201 N.J. 544, 575, 993 A.2d 805, 823 (2010)), as follows:

The jury was required to engage in a highly fact-sensitive analysis. Ultimately, in rendering its verdict, the jury found that the Board did not prove that Dr. Bynum interrupted Besler’s “speech for a significant or compelling governmental reason.” The jury obviously determined that Dr. Bynum’s motivation was not content-neutral, rejecting his claim that he silenced Besler because of the sheer repetitiveness of his remarks. Furthermore, the

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jury rejected the Board's argument that it muzzled Besler for the purpose of conducting an "orderly and efficient" meeting.

In the end, order and decorum may be hard to define in a policy, but what may be most important is that the presiding officer applies the standard consistently to all speakers, no matter how unpleasant it is to hear what they have to say.

Related topics are discussed in the following blog posts:

[When Board Members Won't Talk Back](#)

[Criticizing Public Employees in Public](#)

[The "Government Speech" Doctrine and Local Government Meetings: Can the Government Take Sides?](#)

[Statutorily Required Public Comment Periods: What Are They and How Do They Work?](#)

## Links

- [www.ncga.state.nc.us/gascripts/statutes/statutelookup.pl?statute=115c-51](http://www.ncga.state.nc.us/gascripts/statutes/statutelookup.pl?statute=115c-51)
- [www.ncga.state.nc.us/gascripts/statutes/statutelookup.pl?statute=153A-52.1](http://www.ncga.state.nc.us/gascripts/statutes/statutelookup.pl?statute=153A-52.1)
- [www.ncga.state.nc.us/gascripts/statutes/statutelookup.pl?statute=160A-81.1](http://www.ncga.state.nc.us/gascripts/statutes/statutelookup.pl?statute=160A-81.1)
- [www.ncga.state.nc.us/gascripts/statutes/statutelookup.pl?statute=143-318.11](http://www.ncga.state.nc.us/gascripts/statutes/statutelookup.pl?statute=143-318.11)
- [www.ncga.state.nc.us/enactedlegislation/statutes/html/bysection/chapter\\_143/gs\\_143-318.17.html](http://www.ncga.state.nc.us/enactedlegislation/statutes/html/bysection/chapter_143/gs_143-318.17.html)
- [www.merriam-webster.com/dictionary/decorum](http://www.merriam-webster.com/dictionary/decorum)

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## Coates' Canons Blog: When Board Members Won't Talk Back

By Frayda Bluestein

Article: <https://canons.sog.unc.edu/when-board-members-wont-talk-back/>

This entry was posted on March 27, 2015 and is filed under Board Member Powers & Authority, Board Structure & Procedures, Open Government, Open Meetings

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Jean Jett has been waiting all month for [the regular public comment period](#) at the city council meeting. She signed up to speak, and after waiting her turn, she stands at the podium facing the council members and says, "I am here on behalf of the musicians in town, and we want to know why the city has stopped allowing the Friday night jam sessions in central park. We have provided you with a petition signed by 300 citizens requesting that they be reinstated and the city has provided no justification or explanation for the sudden change in policy. Are you willing to reconsider this decision?"

Silence.

The board members stare back at her and the mayor says, "Thank you Ms. Jett. We appreciate your comment. Next person please." Jean is nonplussed. The same thing happens with the next speaker. Can the board refuse to respond to the public or even answer a simple question?

The open meetings law allows members of the public to attend local government board meetings. As I noted in my [blog post here](#), there's nothing *in the open meetings law* that allows members of the public to speak at meetings. So although the law helps bring people together, it doesn't really facilitate discussions between board members and their constituents. Public hearings ([go here to learn when they are required](#)), and the mandatory public comment period (which is described [in a blog post here](#)) provide forums for the public to speak to the board. A public hearing provides citizens the opportunity to provide input before the board takes action on a particular matter. Public comment periods, in contrast, offer a broader forum and are not restricted to any particular topic. **Neither of these occasions, however, requires the board to engage in dialog with the speakers or answer specific questions. Indeed, it's increasingly common for city and county public comment policies to state that board members will not respond to or engage in a dialog with speakers.**

**Here is a typical example from an existing policy: "Public comment is not intended to require the council and/or staff to answer any impromptu questions. Speakers will address all comments to the entire council as whole and not one individual member. Discussions between speakers and members of the audience will not be permitted."**

The lack of engagement resulting from such policies sometimes comes as a surprise to members of the public, who may see the public comment period as an opportunity to engage in a dialog with board members, or even to call members out and demand a response. **It's my impression – I've not done a study or survey on this issue – that the primary purpose of these policies is to provide an efficient process for hearing as many comments as possible. The policy prioritizes the public comments, recognizing that it is not feasible to discuss and resolve all of the issues raised by the speakers during the public comment period.**

**The "no response" policy may also be a tool for preventing arguments or altercations from erupting during meetings.** It won't come as a surprise to readers that people sometimes use the public comment period to complain about government or to criticize individual board members or employees. Since it may be human nature to react and become defensive in such situations, some boards have concluded that saying nothing is better than using the board meeting as a venue for hashing things out. And although some policies request that speakers refrain from personal attacks, the authority to restrict what people can say during a public comment period is quite limited. As I noted in [my blog post here](#), the First Amendment protects even unpleasant and critical speech in a public forum.

**A board's refusal to engage in dialogs with speakers during public comment periods doesn't necessarily mean it can't or won't be responsive to constituents' concerns and questions. Policies sometimes note that it's up to the board to decide**





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whether to take action on issues raised during the public comment period. Some matters may be referred to staff, while others may be discussed after the public comment period, or placed on the agenda for another meeting.

It's probably a good idea for board members to explain their policies before each public comment period. This practice would put speakers on notice that they should not expect responses from the board on the spot. In addition, boards might consider establishing a process for following up with speakers in cases where the unit of government is willing to provide information or take action in response to issues and questions raised during the public comment period.

## Links

- [www.southernpines.net/146/Public-Comment-Procedures](http://www.southernpines.net/146/Public-Comment-Procedures)

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**SAMPSON COUNTY  
BOARD OF COMMISSIONERS**

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ITEM ABSTRACT

ITEM NO. 3 (d)

Meeting Date: June 4, 2018

Information Only  
 Report/Presentation  
 Action Item  
 Consent Agenda

Public Comment  
 Closed Session  
 Planning/Zoning  
 Water District Issue

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SUBJECT: Appointments

DEPARTMENT: Governing Body

PUBLIC HEARING: No

CONTACT PERSON: Vice Chairperson Sue Lee

PURPOSE: To consider appointments to various boards and commissions

Sampson Community College Board of Trustees

Sampson Community College has advised the Board that the term of Chris Fann expires on June 30, 2018. Any appointee to the Board of Trustees is required to conform to the requirements of the State Ethics Act and must submit a Statement of Economic Interest for approval of the State Ethics Commission prior to assuming the duties of a trustee.



**SAMPSON COMMUNITY COLLEGE**

P.O. Box 318  
Clinton, NC 28329

p 910.592.8081  
f 910.592.8048  
www.sampsoncc.edu



May 2, 2018

Mr. Ed Causey, County Manager  
Sampson County Board of Commissioners  
435 Rowan Road  
Clinton, NC 28328

Dear Ed:

As a courtesy to your office and the Sampson County Board of Commissioners, on behalf of the College's Board of Trustees, I am advising you that the term of trustee Chris Fann will expire on June 30, 2018.

Appointments to the Board are required to conform to the requirements of the State Government Ethics Act and must submit a Statement of Economic Interest for approval by the State Ethics Commission prior to assuming the duties of a trustee.

Thank you for your continuing support of Sampson Community College and recognizing the important role of the College's Board of Trustees. We would appreciate your notifying the College of your appointment at your earliest convenience.

If you need additional information, please contact Ms. Frankie Sutter (910-900-4043, [fsutter@sampsoncc.edu](mailto:fsutter@sampsoncc.edu)) or my office.

Sincerely,

William J. Starling  
President

pc: Mrs. Erika Starling, Chair  
SCC Board of Trustees

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**SAMPSON COUNTY  
BOARD OF COMMISSIONERS**

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ITEM ABSTRACT

ITEM NO.     4

Meeting Date:    June 4, 2018	<input type="checkbox"/>	Information Only	<input type="checkbox"/>	Public Comment
	<input type="checkbox"/>	Report/Presentation	<input type="checkbox"/>	Closed Session
	<input type="checkbox"/>	Action Item	<input type="checkbox"/>	Planning/Zoning
	<input checked="" type="checkbox"/>	Consent Agenda	<input type="checkbox"/>	Water District Issue

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**SUBJECT:**                                 Consent Agenda

**DEPARTMENT:**                         Administration/Multiple Departments

**ITEM DESCRIPTIONS/ATTACHMENTS:**

- a. Approve the minutes of the May 7, 2018 and May 21, 2018 meetings
- b. Approve the Home and Community Care Block Grant Funding Plan for Fiscal Year 2018-19
- c. Approve a request from Sampson County Emergency Management that County surplus vehicle, a 2007 Ford F-250 pickup (VIN#1FTSW21567EB21612), be transferred to Piney Grove Fire Department
- d. Approve amendment to the contract between the Sampson County Department of Social Service and Warrick, Bradshaw & Lockamy, PA to adjust maximum contract funding
- e. Approve tax refunds and releases as submitted
- f. Approve budget amendments as submitted

**RECOMMENDED ACTION OR MOTION:**

Motion to approve Consent Agenda as presented

The Sampson County Board of Commissioners convened for their regular meeting at 6:00 p.m. on Monday, May 7, 2018 in the County Auditorium, 435 Rowan Road in Clinton, North Carolina. Members present: Chairman Clark Wooten, Vice Chairperson Sue Lee, and Commissioners Thaddeus Godwin, Jerol Kivett and Harry Parker.

Chairman Wooten convened the meeting and recognized Vice Chairperson Lee. She called upon Commissioner Kivett for the invocation. Vice Chairperson Lee then led the Pledge of Allegiance.

### **Approval of Agenda**

Upon a motion made by Commissioner Parker and seconded by Commissioner Godwin, the Board voted unanimously to approve the agenda with the following changes: Request for Addition of Human Resource Director to the Sampson County Safety and Wellness Committee was added to Item 2 (b); and Resolution of Sampson County Board of Commissioners Regarding NCDOT Abandonment of Portion of SR 1228, West Main Street was added as Item 3 (k).

### **Item 1: Planning & Zoning Items**

RZ-4-18-1 The Chairman called the hearing to order and acknowledged Planning Director Mary Rose, who reviewed the findings of fact with regard to a request to rezone approximately 1.22 acres located along Christmas Tree Road from R-Residential to RA-Residential Agriculture. The Chairman opened the floor for public comment, and none were received. The Chairman closed the hearing. Upon a motion made by Vice Chairperson Lee and seconded by Commissioner Kivett, the Board voted unanimously to approve rezoning request RZ-4-18-1, accepting the findings of fact and making the following zoning consistency statement: *Whereas, in accordance with the provisions of North Carolina General Statute 153A-341, the Sampson County Board of Commissioners does hereby find and determine that the recommendation of the ordinance amendment RZ-4-18-1 is consistent with the goals and objectives of the Sampson County Land Use Plan for residential growth due to the fact this area is located within a portion of the County designated as a Residential Growth Area in Section 2 of the Sampson County Land Use Plan (Future Land Use Map). This section further identifies appropriate uses for this area would include primarily residential development.*

Public Hearing: Adoption of Sampson County Flood Damage Prevention Ordinance The Chairman opened the public hearing and immediately made a motion that the hearing be continued to the June 4, 2018 meeting, as requested by the Planning

Board. Upon a motion made by Chairman Wooten and seconded by Commissioner Kivett, the Board voted unanimously to continue the hearing to the June 4, 2018 meeting in order to give all interested parties the opportunity to be heard.

Anita Lane was introduced as the County's new Senior Planner and welcomed by the Board.

**Item 2: Action Items**

Addition of Buckboard Lane (in the Stagecoach Estates Subdivision) to State Secondary Road System Assistant County Manager Susan Holder presented the NCDOT proposed resolution requesting that the NCDOT add Buckboard Lane (located in the Stagecoach Estates Subdivision) to the State secondary road system. Upon a motion by Commissioner Kivett and seconded by Commissioner Parker, the Board voted unanimously to adopt a resolution requesting the addition of Buckboard Lane to the state secondary roads system. (Copy filed in Inc. Minute Book \_\_\_\_ Page \_\_\_\_).

Appointment - Sampson County Safety and Wellness Committee (addition to the Agenda) Upon a motion made by Vice Chairperson Lee and seconded by Chairman Wooten, the Board voted unanimously to add the Human Resources Director (Nancy Dillman) to the Sampson County Safety and Wellness Committee.

Appointment - Convention and Visitors Bureau Upon a motion made by Vice Chairperson Lee and seconded by Chairman Wooten, the Board voted unanimously to appoint Shawn Hobbs to the Convention and Visitors Bureau.

Appointment - Juvenile Crime Prevention Council Upon a motion made by Vice Chairperson Lee and seconded by Commissioner Kivett, the Board voted unanimously to appoint Melissa Reese to the Juvenile Crime Prevention Council.

Upon a motion made by Vice Chairperson Lee and seconded by Commissioner Kivett, the Board voted unanimously to appoint Dr. Wesley Johnson to the Juvenile Crime Prevention Council.

Appointment - Library Board of Trustees Upon a motion made by Vice Chairperson Lee and seconded by Commissioner Parker, the Board voted unanimously to appoint Natalie Smith to the Library Board of Trustees.

Appointment - Workforce Development Board Upon a motion made by Vice Chairperson Lee and seconded by Commissioner Parker, the Board voted unanimously to reappoint Eugene Pearsall to the Workforce Development Board.

Upon a motion made by Vice Chairperson Lee and seconded by Commissioner Parker, the Board voted unanimously to reappoint Edward Timmons to the Workforce Development Board.

Upon a motion made by Vice Chairperson Lee and seconded by Commissioner Kivett, the Board voted unanimously to appoint Michael Thornton to the Workforce Development Board.

**Item 3: Consent Agenda**

Upon a motion made by Commissioner Kivett and seconded by Vice Chairperson Lee, the Board voted unanimously to approve the Consent Agenda as follows:

- a. Approved the minutes of the April 2, 2018 meeting
- b. Approved the request from the Finance Department to authorize disposal of certain records pursuant to Records Retention Policy
- c. Approved Revision #1 to the Home and Community Block Grant budget for FY 17-18 (Copy filed in Inc. Minute Book \_\_\_\_ Page \_\_\_\_.)
- d. Approved a request from Sampson County Emergency Management to surplus an 1998 Ford ambulance (VIN 1FDWE30F5WHB49933) and transfer to Sampson Community College for use in their EMS training program
- e. Accepted grant funding from the Pesticide Environment Trust Fund for the Pesticide Container Recycling Program and authorized execution of grant documents (grant to be budgeted in FY 18-19 budget) (Copy filed in Inc. Minute Book \_\_\_\_ Page \_\_\_\_.)
- f. Accepted Hazardous Material Emergency Preparedness Grant Program Funding in the amount of \$3,500 for a future preparedness exercise by the Local Emergency Planning Committee (LEPC) (Copies filed in Inc. Minute Book \_\_\_\_ Page \_\_\_\_.)
- g. Approved the Juvenile Justice Program Certifications and Funding Plan for FY 18-19 (Copy filed in Inc. Minute Book \_\_\_\_ Page \_\_\_\_.)
- h. Approved the execution of the Contract to Audit for the fiscal period ending June 30, 2018 between the County and W. Greene PLLC (Copy filed in Inc. Minute Book \_\_\_\_ Page \_\_\_\_.)
- i. Approved tax refunds and releases as submitted:

#8547	Cody Langston	\$176.47
#8551	Cynthia Falatovich	\$140.36
#8563	The Woodshed Custom Cabinets Inc.	\$470.30

j. Approved budget amendments as submitted:

<b><u>EXPENDITURE</u></b>		<b><u>Aging</u></b>		
<b><u>Code Number</u></b>		<b><u>Description (Object of Expenditure)</u></b>	<b><u>Increase</u></b>	<b><u>Decrease</u></b>
02558670	525100	Home Repairs – Gas, Oil & Tires	\$1,000.00	
02558670	526200	Home Repairs – Dept Supplies	\$1,387.00	
02558670	526201	Home Repairs – Dept Supplies-Equip	\$1,500.00	
02558670	555000	Home Repairs – Capital Outlay - Othe	\$5,500.00	

<b><u>REVENUE</u></b>				
<b><u>Code Number</u></b>		<b><u>Source of Revenue</u></b>	<b><u>Increase</u></b>	<b><u>Decrease</u></b>
02035867	408900	Home Repairs – Misc Revenue	\$9,387.00	

<b><u>EXPENDITURE</u></b>		<b><u>State Disaster Recovery Asst. 17 Prog</u></b>		
<b><u>Code Number</u></b>		<b><u>Description (Object of Expenditure)</u></b>	<b><u>Increase</u></b>	<b><u>Decrease</u></b>
29549450	519049	Administration	\$100,000.00	
29549450	562004	Housing Rehabilitation	\$300,000.00	

<b><u>REVENUE</u></b>				
<b><u>Code Number</u></b>		<b><u>Source of Revenue</u></b>	<b><u>Increase</u></b>	<b><u>Decrease</u></b>
29034945	403614	Grant NC Dept of Emergency Mgmt	\$500,000.00	

<b><u>EXPENDITURE</u></b>		<b><u>Single Family Housing Rehabilitation</u></b>		
<b><u>Code Number</u></b>		<b><u>Description (Object of Expenditure)</u></b>	<b><u>Increase</u></b>	<b><u>Decrease</u></b>
29549440	519049	Administration	\$160,000.00	
29549440	562004	Housing Rehabilitation	\$539,340.00	

<b><u>REVENUE</u></b>				
<b><u>Code Number</u></b>		<b><u>Source of Revenue</u></b>	<b><u>Increase</u></b>	<b><u>Decrease</u></b>
29034944	403614	Grant NC Housing Finance	\$689,340.00	

<b><u>EXPENDITURE</u></b>		<b><u>City School Capital Outlay</u></b>		
<b><u>Code Number</u></b>		<b><u>Description (Object of Expenditure)</u></b>	<b><u>Increase</u></b>	<b><u>Decrease</u></b>
11659110	555030	Category 1 Capital Outlay	\$11,084.00	
11659110	555031	Category 2 Capital Outlay		\$11,084.00

<b><u>EXPENDITURE</u></b>		<b><u>Emergency Management</u></b>		
<b><u>Code Number</u></b>		<b><u>Description (Object of Expenditure)</u></b>	<b><u>Increase</u></b>	<b><u>Decrease</u></b>
11243300	526200	Departmental Supplies	\$999.00	

<b><u>REVENUE</u></b>				
<b><u>Code Number</u></b>		<b><u>Source of Revenue</u></b>	<b><u>Increase</u></b>	<b><u>Decrease</u></b>
11034330	403683	EM Supplemental Grant	\$999.00	

<b><u>EXPENDITURE</u></b>		<b><u>Finance</u></b>		
<b><u>Code Number</u></b>		<b><u>Description (Object of Expenditure)</u></b>	<b><u>Increase</u></b>	<b><u>Decrease</u></b>
61971000	526200	Dept Supplies	\$164,000.00	



<b><u>REVENUE</u></b>				
<u>Code Number</u>		<u>Source of Revenue</u>	<u>Increase</u>	<u>Decrease</u>
61937100	409900	Fund Balance Appropriated	\$164,000.00	

<b><u>EXPENDITURE</u></b>				
<u>Code Number</u>		<u>Description (Object of Expenditure)</u>	<u>Increase</u>	<u>Decrease</u>
11243800	523900	Medical Supplies	\$1,660.00	

<b><u>REVENUE</u></b>				
<u>Code Number</u>		<u>Source of Revenue</u>	<u>Increase</u>	<u>Decrease</u>
11034380	408401	Donations	\$1,660.00	

<b><u>EXPENDITURE</u></b>				
<u>Code Number</u>		<u>Description (Object of Expenditure)</u>	<u>Increase</u>	<u>Decrease</u>
11243100	555000	C.O. – Other Equipment	\$4,035.00	
11243100	526201	Dept. Supplies – CD	\$1,385.00	
11243100	526200	Dept. Supplies	\$1,518.00	

<b><u>REVENUE</u></b>				
<u>Code Number</u>		<u>Source of Revenue</u>	<u>Increase</u>	<u>Decrease</u>
11034310	402604	USDOJ Grants	\$6,938.00	

<b><u>EXPENDITURE</u></b>				
<u>Code Number</u>		<u>Description (Object of Expenditure)</u>	<u>Increase</u>	<u>Decrease</u>
12551250	581000	Transfer to State Agency	\$4,398.00	
12551510	581000	Transfer to State Agency	\$744.00	
12551600	581000	Transfer to State Agency	\$3,403.00	
12551630	581000	Transfer to State Agency	\$62,160.00	
12551640	581000	Transfer to State Agency	\$20,155.00	
12551690	581000	Transfer to State Agency	\$13,841.00	

<b><u>REVENUE</u></b>				
<u>Code Number</u>		<u>Source of Revenue</u>	<u>Increase</u>	<u>Decrease</u>
12535125	404097	Fund Balance Approp Title XIX	\$4,398.00	
12535151	404097	Fund Balance Approp Title XIX	\$744.00	
12535160	404097	Fund Balance Approp Title XIX	\$3,403.00	
12535163	404097	Fund Balance Approp Title XIX	\$62,160.00	
12535164	404097	Fund Balance Approp Title XIX	\$20,155.00	
12535169	404097	Fund Balance Approp Title XIX	\$13,841.00	

- Approved Sampson County Schools Budget Amendment (17-18 Capital Budget) as submitted.

k. Adopted a Resolution Regarding NCDOT Abandonment of Portion of SR 1228, West Main Street (Copy in Inc. Minute Book \_\_\_\_\_, Page \_\_\_\_\_.)

**Item 4: Board of Health Items (Considered in capacity as Board of Health)**

Upon a motion made by Vice Chairperson Lee and seconded by Chairman Wooten, unanimously to approve the Board of Health items as follows:

- a. Received and accepted minutes of the March 19, 2018 Board of Health Advisory Committee
- b. Approved fee schedule revisions as recommended by the Board of Health Advisory Committee (Copies filed in Inc. Minute Book \_\_\_\_ Page \_\_\_\_).

**County Manager Reports**

County Manager Ed Causey recommended that the Board meet on Monday, May 21, 2018 at 5 p.m. in the County Auditorium for the presentation of the FY 2018-2019 budget, and immediately recess to reconvene at the Cooperative Extension Service Office for the Annual Report to the People dinner at 6 p.m. He then informed the Board of the 50<sup>th</sup> Annual Meeting of the Southeastern Economic Development Commission on Tuesday, May 29, 2018 at 12 p.m. Mr. Causey then informed the Board of the six-session training conducted by Dr. Oglesby’s office, which provided professional training for the Animal Shelter staff, which will be attended by him and Ms. Holder. He also informed the Board that veterinarian Dr. Turner had recently made weekly inspections of the Animal Shelter, and that State Veterinarian Dr. Norris and State Inspector Pat Sholar had also made recent visits, all of which had received positive feedback. He then informed the Board that Dr. Norris was scheduled to provide a 2-hour Veterinary Review training for shelter staff on May 30, 2018, which was to be preceded by a meeting with himself and Ms. Holder to begin the requested program review.

Chairman Wooten lauded the staff for the response and efforts made to improve shelter operations.

**Public Comments**

The Chairman opened the floor for comments and the following were received:

Michelle McClymonds-Spencer: I am here because I heard Mr. Causey speak, and of the discussion of the need to form some sort of an Advisory Board. I looked at your list on the website of all your Advisory Boards, and I don’t see one specifically related to the Animal Shelter. I strongly suggest that there are members of us that have been very active in the animal rescue efforts in the County. We’ve seen the good; we’ve seen the bad, and we would really like to make it as transparent as possible for the public, and for the ones of us that are involved in the rescues. I do work with the rescues and am very familiar with Dr. Oglesby’s office and Trish. We are very glad to see that there is training going on. I heard you mention that on May 30<sup>th</sup> that the State Veterinarian is

coming and I guess my question would be, how can we as the public hear what you're doing? We're glad to see that you're doing that, and we're glad to see that the Board is involved and paying attention, and I know that the County Commissioners are as well. I run a Facebook page called Animal Allies of Sampson County. It's not a formal 501 (c)3 but it is a way that we share information that we get, both from the media and from the public, that we would like to get back out to people who are very interested in the Animal Shelter. So, if there are ways that that information, when you're ready to release that, that we can get that out to the public and to the animal rescue community that's very active, and very concerned, and very glad to see that these things are not going by the wayside. We think that it will be very interesting to see what the changes are that you're going to be making at the shelter, but I think that an advisory committee would be a way to get that information and share that with people so that the animal rescue community doesn't think it's getting dropped. That's really just what I wanted to say. I know that there is a lot going on with the Shelter, we're glad to see that, but we really, strongly feel that from the community perspective – and I live here in Sampson County by the way, I am not an outsider. I have lived here for eight years now, and I've been involved in animal rescue off and on for about three years now. So, like I said, we want to be responsible. I know that there are a lot of very passionate people out there, but sometimes their passion overrides common sense. My background is military, and my background is corporate. And I moved back to Sampson County. I think it is important to share the information and the steps that you're doing, and there is a way to get that out, either through the media or however you all publish it. If we could share that information, that would keep people, and I think, allow you to take the time you need to make these changes.

Chairman Wooten thanked Ms. McClymonds-Spencer for her input and assured her that the process had included the public in the past and would continue to do so.

Michelle McClymonds-Spencer: You have other counties here that have a lot of the same challenges that you all face, in rural, southeastern North Carolina, from a funding perspective and educational perspective. There are other programs out there in Cumberland and Duplin County that do have these. We know for a fact that Duplin does have an advisory board committee. I may not be the best one to ask all the specifics on that, but I do know that they do have one. There are other examples out there. Thank you.

Commissioner Parker asked for clarification on how a committee would enhance the policies and procedures, and operations of the Shelter.

Michelle McClymonds-Spencer: I would have to be honest in that I do not have the answer for you, I just know that I didn't see one on your website, the one that you have for the Shelter. I didn't see that on the website, so if you already have one then maybe this just a communication challenge to get it out there, but what I think most of us

would like to see is a way for an advisory board to listen to what's being done and maybe provide input on things that we do see that we think might be helpful. I think what we don't have is knowledge of specific County things that are happening. I am very familiar with what's at the state level. I just think it would be helpful if you'd have people involved with animal rescue, if you'd have your shelter vet, Dr. Oglesby, if you'd have people involved at the state level. I don't have all the exact answers to all that, I just know that there is a need to get the public involved in some way. My friend Nancy (Gump) may have more input on that than I do. I just think it's important that we go ahead and start process of creating these advisory boards.

Mr. Causey provided that at the meeting on May 30, 2018, Dr. Norris would provide insight on other county animal shelter advisory boards throughout the state.

Nancy Gump: Hello, my name is Nancy Gump, and I live in Sampson County. Just to reference your particular question regarding the policing. I think policing is sort of a strong word for that. What we envision is that it would be an outlet, or avenue for support for the Shelter. And that's exactly what Duplin County has. Because obviously the situation that the Shelter faced last month and for months before that, and as Commissioners, there is a gap. They don't know exactly what's going on there. And as Duplin has, they have a couple of commissioners that are on the committee. They've got a vet that is on the committee, and then they have public people like me, rescuers. Then they have others that are involved with fostering or that are just animal lovers. And with that combination with that group, it's a collective group, so you have that oversight in the essence of being able to identify the issues and challenges that the employees have in these shelters. Because it's not easy. If you stand in the parking lot of that shelter, and you see what's going in and out of that door, the animals are one thing, but when you see the owners of those animals that's a whole different ball game, and the employees need help. And that's what that committee would be. It's an avenue; it's an arm. And let's take it up an extra tier. It's a fundraising avenue. And that's huge because the Shelter needs money, and we all know that everybody needs money, but the Shelter needs money. So, it's a very positive thing. It's not a policing, authoritative thing, but it is a very positive and supportive thing. And that's where you're going to make the change. And I can provide specific information but there is not enough time for that, but Duplin has got it going on, because they have incorporated in their animal ordinance that they do have a committee. And like Michelle (McClymonds-Spencer) said Cumberland and others, but I work very closely with Duplin. I'll take sheltered dogs that are going to be going to a rescue for Duplin as well. I'm in between. I may live in Sampson County, but I am very close to Duplin's shelter as well. So, I'm like, hey Duplin, you've got it going on. How can you make this work when you've got half the runs that Sampson has? But those animals are going out that door. You've got the community; you have that energy, the synergy that's going on over there. They have a major fundraising to build an entirely new shelter over there coming up two months from now. And that's what I envision that our shelter, our county, can have. I think the

biggest problem is the lack of people knowing exactly what's going on. I'm not finger pointing, and like I said a month ago, I've been involved in this seven years ago when I moved down here. I don't ever shut an eye to this. You're going to get more bees with honey. That's that issue when it comes to the committee. I'm like let's get it going on. We have a class going. We don't have to just hold off there and then start in with the committee. I talked closely with Pat Sholar, and I said this way before, a year ago, I'm like, Pat give me some benchmarking. I want to know what other shelters are facing just like what Sampson is, because we're all in the same bag. It's not just Sampson that's sitting there in a rural county, but you've got many, many, many others in North Carolina. What makes those places rock? What makes those that be at the bottom of the line, and all of a sudden, they are stellar shelters? I want to know how they did it. I don't want to reinvent the wheel. I don't have time for it. None of us do. And we can take that template, and that's what a committee could do. We could say, hey commissioners, this is what we could do, A, B, C, D, and then you decide what you think would be a fit for us. But at least we could cut to the chase on it. So that's my specific answer on it when it comes to the community support. It's not a policing; it's a very positive supportive avenue. And I would really get excited about it when it comes to the fundraising avenue of it because Duplin not only has that committee but then they went and applied, and became a 501 3c, so that gives it a whole different arm on that end. And that's what they're doing in escalating it with the shelter development. But that's just to address his question on that, but I have a couple of other issues to address real quick. So, then I have a question in regard to benchmarking, oversight, and the fundraising. And with the current vet assignment. Mr. Causey gave accolades to the vet, and I'm going to say it right now. Maybe she is making weekly visits now, but I don't know where she's been the last couple of years. I'm just saying. I'm just questioning.

Chairman Wooten intervened and cautioned Ms. Gump that the Board would not allow speakers to disparage anyone in public, and would not allow her, or other speakers, to be disparaged. He stated that as long as he was Chairman, he would not allow anyone to be disparaged from the speaker's podium, not that day, not the next time. That was not how the County operated. He stated that the County was making headway, not as fast as Ms. Gump and others may want, but the County was making headway. Thus, the Board would appreciate the tolerance and the latitude to allow that to happen.

Nancy Gump: I appreciate that and I'm sorry. Now, can I provide as new business? I'm done with the Animal Shelter, but can I provide this as new business? Can I just do new business with the animals.

Chairman Wooten added that there was constructive input and then there was radicalism, and it was important to be cognizant of where that line is.

Nancy Gump: I am aware of where that line is, I just get a little disenchanted, and I apologize. May I just propose potential insight and suggestions. My suggestion – and I would dearly appreciate some consideration regarding the tether law in Sampson County. Right now there is not a distinct length of tethering. Other counties do have that. But, a dog can be tethered off a tree and it constitutes what length they have on their tether. An Animal Control Officer suggested to me that we need to at least put on a specific length for the tether. Because if the animal is tethered from the top of a tree limb to the bottom of the ground, they could take up 6-8 feet. So, this a suggestion, but I don't have all the answers. But I would like to be able to go to animal control and ask what is your suggestion? What do you think? Some counties have in their ordinances that it should go from their nose to the end of their tail. But our Animal Control Officer, Jessica Kitrell, doesn't think it shouldn't be that way because she does not want to have to approach a dog and get an eyeball length of that. But if we go straight across the board then at least we can extend it to 14 feet on a tether.

Tommy Tucker: I just want to thank Ed, and Susan, and everybody else that's doing everything they can now for the dogs and the cats. And Mr. Parker, we are not trying to police anybody. We're just trying to help the dogs and the cats, and we can do that. Thank you.

Commissioner Parker expressed that the purpose of his question was to simply get clarification on the role of the committee and whether it would enhance the services provided by the Shelter. In response, Mr. Tucker stated that the role would not be to enhance any organization or processes, but to simply help the dogs and the cats. Mr. Tucker then asked why there was a sign at the shelter that prohibited cameras and pictures. Commissioner Kivett then commented that this is a journey that we are all working together on, reiterating the sincerity and concern of the Board. He stated that the issues could not be fixed overnight, though everyone – including the Board - wants them to be, and that the County needed time to make the necessary changes.

Michelle McClymonds-Spencer: We are looking forward to that. We just want it to be transparent. We just want to know. It's our tax dollars. And y'all care about animals, and we can see that. We just want to share information. The progress and the moving forward, that's what we'd like to share and find a vehicle, and that's where we're trying to go with this. To figure out a way to take the information and steps that Mr. Causey mentioned, and share the information in an as applicable, and as it makes sense, when we can help from a community perspective. That's really all we're trying to do.

### **Recess to Reconvene**

Upon a motion made by Chairperson Wooten and seconded by Commissioner Kivett, the Board voted unanimously to recess to reconvene on Monday, May 21, 2018

at 5 p.m. in the County Auditorium for presentation of the FY 2018-2019 proposed budget, followed by Cooperative Extension's annual Report to the People at 6:00 p.m.

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Clark H. Wooten, Chairman

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Susan J. Holder, Clerk to the Board

The Sampson County Board of Commissioners convened at 5:00 p.m. on Monday, May 21, 2018 in County Auditorium, 435 Rowan Road in Clinton, North Carolina. Members present: Vice Chairperson Sue Lee, and Commissioners Thaddeus Godwin, Jerol Kivett and Harry Parker. Absent: Chairman Clark H. Wooten.

**Reconvene - Budget Presentation**

Vice Chairperson Lee reconvened the Board and offered an invocation. She called upon County Manager Ed Causey for presentation of the budget message for Fiscal Year 2018-2019. (Copy attached hereto.)

The Board commended the staff for their efforts in preparation of the draft budget. Upon a motion made by Commissioner Kivett and seconded by Commissioner Godwin, the Board scheduled the necessary budget hearings to be held in conjunction with the Board's regular meeting on June 4, 2018.

The Board recessed as the Board of Commissioners, to reconvene at 6:00 p.m. at the Cooperative Extension Offices for their annual Report to the People.

**Convene as Boards of Directors of Water and Sewer Districts I and II -  
Consideration of Water Shortage Response Plans**

The Board reconvened simultaneously at the Boards of Directors of Water and Sewer Districts I and II. Vice Chairperson Lee called upon Public Works Director Lin Reynolds who presented the Water Shortage Response Plans which were required to be submitted to the NC Division of Water Resources under NCGS 143-355(l). Upon a motion made by Commissioner Kivett and seconded by Commissioner Parker, the Board voted unanimously to adoption resolutions evidencing approval of the Water Shortage Response Plan for Water District I and the Water Shortage Response Plan for Water District II.

**Adjournment (of Water District Boards)**

Upon a motion made by Vice Chairperson Lee and seconded by Commissioner Kivett, the Boards of Directors of Water Districts I and II voted unanimously to adjourn.

**Reconvene - Cooperative Extension's Report to the People**

Vice Chairperson Lee reconvened the Board of Commissioners at 6:00 p.m. on Monday, May 21, 2018 at the Sampson County Cooperative Extension Center, 55 Agriculture Place, Clinton, North Carolina. Members present: Vice Chairperson Sue Lee,



and Commissioners Thaddeus Godwin, Jerol Kivett and Harry Parker. Absent: Chairman Clark H. Wooten.

The Board heard presentations of the year's activities from Cooperative Extension staff during a progressive meal service. Following dinner, Vice Chairperson Lee thanked the staff for their hospitality and acknowledged the importance of agriculture to the County's economic vitality.

### **Adjournment**

There being no action required and no further business, the Board adjourned.

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Sue Lee, Vice Chairperson

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Susan J. Holder, Clerk to the Board

Sampson County Department of Aging  
405 County Complex Road  
Clinton, NC 28328  
(P) 910-592-4653 (F) 910-590-2142

Lorie Sutton, Director

**Memorandum**

TO: Ed Causey, County Manager  
Susan Holder, Assistant County Manager

FROM: Lorie Sutton, Aging/Transportation Services Director

DATE: May 18, 2018

RE: Home and Community Block Grant Funding  
Fiscal Year 2018-2019

The Home and Community Care Block Grant provides service to older adults, age 60 and above, through the following programs: Adult Day Health Care, Transportation, Home Improvement, In-Home Aide, Senior Center, Information and Case Assistance and Nutrition (congregate and home-delivered meals). This funding allows those who are not eligible for Medicaid and who are not financially able to pay out of pocket, receive needed services.

The Federal and State allocation for FY18-19 will be \$548,507.00. The required county match will be \$60,945.00 and we will receive \$39,003 in USDA Subsidy for the nutrition meals served. The total HCCBG funding amount will be \$648,455.00

The attached funding plan will require approval from the Board of Commissioners and signatures from the Chairman and the Finance Officer.

We appreciate your support and that of our Commissioners.

/ls

Attachments: County Services Summary – DOA -731  
Provider Services Summary – DOA-732

**Home and Community Care Block Grant for Older Adults**

County: Sampson

**County Funding Plan**

July 1, 2018 through June 30, 2019

**County Services Summary**

Services	A				B	C	D	E	F	G	H	I
	Block Grant Funding				Required Local Match	Net Service Cost	USDA Subsidy (.75)	Total Funding	Projected HCCBG Units	Projected Reimbursement Rate	Projected HCCBG Clients	Projected Total Units
	Access	In-Home	Other	Total								
Adult Day Health		\$ 81,383.00			\$ 9,043.00	\$ 90,426.00		\$ 90,426.00	2,261	\$ 40.00	15	
In-home Aide		\$ 77,243.00			\$ 8,583.00	\$ 85,826.00		\$ 85,826.00	5,768	\$ 14.88	12	
Home Improvement		\$ 89,962.00			\$ 9,996.00	\$ 99,958.00		\$ 99,958.00			68	
Senior Center			\$ 38,797.00		\$ 4,311.00	\$ 43,108.00		\$ 43,108.00			125	
Transportation	\$ 30,846.00				\$ 3,427.00	\$ 34,273.00		\$ 34,273.00	3,427	\$ 10.00	25	
Information & Assist	\$ 17,004.00				\$ 1,889.00	\$ 18,893.00		\$ 18,893.00			1500	
Congregate			\$ 83,160.00		\$ 9,240.00	\$ 92,400.00	\$ 16,079.00	\$ 108,479.00	21,439	\$ 4.31	142	
Home Delivered			\$ 130,112.00		\$ 14,457.00	\$ 144,569.00	\$ 22,923.00	\$ 167,492.00	30,564	\$ 4.73	162	
<b>Total</b>	<b>\$ 47,850.00</b>	<b>\$ 248,588.00</b>	<b>\$ 252,069.00</b>	<b>\$ 548,507.00</b>	<b>\$ 60,945.00</b>	<b>\$ 609,453.00</b>	<b>\$ 39,002.00</b>	<b>\$ 648,455.00</b>	<b>63,459</b>	<b>     </b>	<b>2049</b>	<b>0</b>

Signature, Chairman, Board of Commissioners

Date

NAME AND ADDRESS COMMUNITY SERVICE PROVIDER Sampson County Dept of Aging 405 County Complex Rd; Suite 140 Clinton, NC 28328	<b>Home and Community Care Block Grant for Older Adults</b>  <b>County Funding Plan</b>  <b>Provider Services Summary</b>	DOA-732 (Rev. 2/14) County <u>Sampson</u> July 1, 2018 through June 30, 2019 REVISION # , DATE :
---	---	---

Services	Ser. Delivery		A				B	C	D	E	F	G	H	I
	(Check One)		Block Grant Funding				Required	Net*	NSIP	Total	Projected	Projected	Projected	Projected
	Direct	Purch.	Access	In-Home	Other	Total	Local Match	Serv Cost	Subsidy	Funding	HCCBG Units	Reimburse Rate	HCCBG Clients	Total Units
Adult Day Health Care	X			81383		////////////////	9043	90426		90426	2,261	\$ 40.00	15	
In-Home Aide	X			77243		////////////////	8583	85826		85826	5,768	\$ 14.88	12	
Home Improvements	X			89962		////////////////	9996	99958		99958			68	
Senior Center	X				38797	////////////////	4311	43108		43108			125	
Transportation	X		30846			////////////////	3427	34273		34273	3,427	\$ 10.00	25	
Information & Assist	X		17004			////////////////	1889	18893		18893			1500	
Congregate Meals	X				83160	////////////////	9240	92400	16,079	108,479	21,439	\$ 4.31	142	
Home Delivered Meals	X				130112	////////////////	14456	144569	22,923	167,492	30,564	\$ 4.73	162	
						////////////////	0	0		0				
						////////////////	0	0		0				
						////////////////	0	0		0				
						////////////////	0	0		0				
						////////////////	0	0		0				
						////////////////	0	0		0				
<b>Total</b>	////	////	47850	248588	252069	548507	60945	609453	39,002	648,455	63,459	////////////////	2049	0

*Adult Day Care & Adult Day Health Care Net Service Cost		Certification of required minimum local match availability. Required local match will be expended simultaneously with Block Grant Funding.	_____ Signature, County Finance Officer      Date
	ADC                      ADHC		
Daily Care	40.00		
Transportation	_____		
Administrative	_____	_____ Authorized Signature, Title                      Date Community Service Provider	
Net Ser. Cost Total	40.00		

## David Clack

---

**From:** Ronald Bass  
**Sent:** Friday, May 18, 2018 10:18 AM  
**To:** Ed Causey; Susan Holder; David Clack  
**Subject:** Emailing: Piney Grove Request  
**Attachments:** Piney Grove Request.pdf

Good morning,

Please find attached a request from Piney Grove Fire Department requesting from surplus a 2007 Ford F-250 pick-up (VIN#1FTSW21567EB21612) If you concur with this request please place on the Board of Commissioners agenda for June. Please contact me should you have any questions.

Thank you,

Ronald Bass  
Emergency Services Director  
Sampson County Emergency Management  
107 Underwood Street  
Clinton, NC 28328-2241  
Tel (910) 592-8996  
ronaldbass@sampsonnc.com

## Ronald Bass

---

**From:** Ashley Grimes <ashley.grimes32@yahoo.com>  
**Sent:** Friday, May 04, 2018 4:02 PM  
**To:** Ronald Bass  
**Subject:** Surplus truck

Ronald,  
Hope things are going good. As you are aware , the piney Grove Volunteer Fire Department is in need of a chief vehicle . I was wondering if there was a surplus vehicle available . It is my understanding there may be a F250 truck soon to be in surplus. If so we would like to request the truck. Please let me know if this truck is available.

Thanks  
Ashley Grimes  
Chief  
Piney Grove Volunteer Fire Department Of Sampson County

Sent from my iPhone

**Contract Amendment**  
**Sampson County Department of Social Services**

**Fiscal Year Begins July 1, 2017 Ends June 30, 2018**

**Contract # 2**  
**Amendment # 1**

SECTION I

Agency: Warrick, Bradshaw & Lockamy, P.A.  
Program: Attorney-Juvenile Legal Services  
Effective Period of the Contract: July 1, 2017 – June 30, 2018

This Contract Amendment amends the contract between the Sampson County Department of Social Services (the "County") and Warrick, Bradshaw & Lockamy, P.A. (the "Contractor"). As provided for under the terms of the contract, The County and Contractor agree to amend the provision(s) indicated in Section II below.

SECTION II

Justification/Change to Contract:

With payment of attorney invoice for April 2018, Contractor only has \$8,600.00 left in authorized funds under this contract. The monthly attorney invoice averages \$15,800.00 per month, therefore the attorney will exceed the maximum amount of \$146,600.00 with the May 2018 invoice.

This amendment changes item #5 of the general contract as follows: **The total amount paid by the County to the Contractor under this contract shall not exceed \$169,600.00 for the contract period. This amount consists of \$101,760.00 in Federal funds, \$8,480.00 in State funds and \$59,360.00 in County funds.**

This is an increase of \$8,050.00 in County funds.

SECTION III

All other terms and conditions set forth in the original contract shall remain in effect for the duration of the contract. The contract specified above is amended by this Contract Amendment effective 5/1/2018.

Contractor

County

By: [Signature]  
Title: President  
Date: 5/22/18

By: [Signature]  
Title: DSS Director  
Date: 5/18/18

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

Attest:

County: \_\_\_\_\_  
Title: \_\_\_\_\_

Signature: \_\_\_\_\_  
Date: \_\_\_\_\_

**OFFICE OF THE SAMPSON COUNTY TAX ADMINISTRATOR**

P. O. BOX 1082 - CLINTON, NORTH CAROLINA 28329-1082

8571

**JIM JOHNSON**  
Tax Administrator

Telephone 910-592-8146  
910-592-8147

SAMPSON COUNTY BOARD OF COMMISSIONERS  
406 COUNTY COMPLEX ROAD, BUILDING C  
CLINTON, NORTH CAROLINA 28328

Members:

Pursuant to North Carolina G. S. 105-381, I hereby demand refund and remission of taxes assessed and collected by Sampson County against the property owned by Paramount Foods clnc  
\_\_\_\_\_ in \_\_\_\_\_ Township, Sampson County, for the year(s) and in the amount(s) of:

YEAR	
<u>2018</u>	\$ _____
<u>/</u>	\$ _____
<u>/</u>	\$ _____
<u>/</u>	\$ _____
<u>/</u>	\$ _____
<u>/</u>	\$ _____
TOTAL REFUND	\$ <u>147.17</u>

These taxes were assessed through clerical error as follows.

*2015 Ford  
Vehicle Sold, Tag Turned In  
Tag # DHT4844*

602	County Tax	<u>88.83</u>
501	School Tax	<u>15.53</u>
	Fire Tax	_____
102	City Tax	<u>42.81</u>
	TOTAL \$	<u>147.17</u>

Mailing Address.

A 330 Northeast Blvd  
Clinton, NC 28328

Yours very truly

X Paramount Foods, Inc by M. L. A. [Signature]  
Taxpayer

Social Security # \_\_\_\_\_

RECOMMEND APPROVAL:

[Signature]  
Sampson County Tax Administrator

Board Approved \_\_\_\_\_  
Date Initials



**OFFICE OF THE SAMPSON COUNTY TAX ADMINISTRATOR**

P. O. BOX 1082 - CLINTON, NORTH CAROLINA 28329-1082

8582

**JIM JOHNSON**  
Tax Administrator

Telephone 910-592-8146  
910-592-8147

SAMPSON COUNTY BOARD OF COMMISSIONERS  
406 COUNTY COMPLEX ROAD, BUILDING C  
CLINTON, NORTH CAROLINA 28328

Members:

Pursuant to North Carolina G. S. 105-381, I hereby demand refund and remission of taxes assessed and collected by Sampson County against the property owned by Chantel Lee McNeil  
\_\_\_\_\_ in \_\_\_\_\_ Township, Sampson County, for  
the year(s) and in the amount(s) of:

YEAR	\$
2018	

TOTAL REFUND \$ 135.40

These taxes were assessed through clerical error as follows.

2016 Dodge  
Vehicle Sold Tag Turned In  
Tag # PJM 1484

60 <sup>2</sup> County Tax	<u>53.71</u>
501 School Tax	<u>9.44</u>
F08 Fire Tax	<u>9.11</u>
City Tax	_____
TOTAL \$	<u>135.40</u>

Mailing Address.

X 200 Martha Ln,  
Clinton, NC 28328

Yours very truly

Chantel Lee McNeil  
Taxpayer

Social Security # \_\_\_\_\_

RECOMMEND APPROVAL:

Jim Johnson  
Sampson County Tax Administrator

Board Approved \_\_\_\_\_  
Date \_\_\_\_\_ Initials \_\_\_\_\_

**OFFICE OF THE SAMPSON COUNTY TAX ADMINISTRATOR**

P. O. BOX 1082 - CLINTON, NORTH CAROLINA 28329-1082

8581

**JIM JOHNSON**  
Tax Administrator

Telephone 910-592-8146  
910-592-8147

SAMPSON COUNTY BOARD OF COMMISSIONERS  
406 COUNTY COMPLEX ROAD, BUILDING C  
CLINTON, NORTH CAROLINA 28328

Members:

Pursuant to North Carolina G. S. 105-381, I hereby demand refund and remission of taxes assessed and collected by Sampson County against the property owned by Jarrett Roy Doughty in \_\_\_\_\_ Township, Sampson County, for the year(s) and in the amount(s) of:

YEAR	\$
2018	

TOTAL REFUND \$ 418.91

These taxes were assessed through clerical error as follows.

2016 Chev  
Vehicle Sold Tag Turned In  
Tag # HT 4490

602 County Tax 377.71  
 School Tax \_\_\_\_\_  
 F20 Fire Tax 41.20  
 City Tax \_\_\_\_\_  
 TOTAL \$ 418.91

Mailing Address.

X 138 IRVIN Rd  
Autryville NC 28318

Yours very truly

X Jarrett Roy Doughty  
Taxpayer

Social Security # \_\_\_\_\_

RECOMMEND APPROVAL

Jim Johnson  
Sampson County Tax Administrator

Board Approved \_\_\_\_\_  
Date \_\_\_\_\_ Initials \_\_\_\_\_

**OFFICE OF THE SAMPSON COUNTY TAX ADMINISTRATOR**

P. O. BOX 1082 - CLINTON, NORTH CAROLINA 28329-1082

8585

JIM JOHNSON  
Tax Administrator

Telephone 910-592-8146  
910-592-8147

SAMPSON COUNTY BOARD OF COMMISSIONERS  
406 COUNTY COMPLEX ROAD, BUILDING C  
CLINTON, NORTH CAROLINA 28328

Members:

Pursuant to North Carolina G. S. 105-381, I hereby demand refund and remission of taxes assessed and collected by Sampson County against the property owned by John Tyler Fussell in \_\_\_\_\_ Township, Sampson County, for the year(s) and in the amount(s) of:

YEAR	
<u>2017</u>	\$ <u>429.93</u>
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
TOTAL REFUND	\$ <u>429.93</u>

These taxes were assessed through clerical error as follows.

Vehicle sold  
Tag surrendered, YF6014  
2017 Dodge

<u>Co</u> County Tax	<u>396.31</u>
School Tax	_____
<u>F23</u> Fire Tax	<u>33.62</u>
City Tax	_____
TOTAL \$	<u>429.93</u>

Mailing Address.

John Tyler Fussell  
1560 Union School Rd  
Clinton NC 28328

Yours very truly

[Signature]  
Taxpayer

Social Security # \_\_\_\_\_

RECOMMEND APPROVAL:

[Signature]  
Sampson County Tax Administrator

Board Approved \_\_\_\_\_  
Date Initials

**OFFICE OF THE SAMPSON COUNTY TAX ADMINISTRATOR**

P. O. BOX 1082 - CLINTON, NORTH CAROLINA 28329-1082

8572

**JIM JOHNSON**  
Tax Administrator

Telephone 910-592-8146  
910-592-8147

SAMPSON COUNTY BOARD OF COMMISSIONERS  
406 COUNTY COMPLEX ROAD, BUILDING C  
CLINTON, NORTH CAROLINA 28328

Members:

Pursuant to North Carolina G. S. 105-381, I hereby demand refund and remission of taxes assessed and collected by Sampson County against the property owned by Jean Tew Spell  
\_\_\_\_\_ in \_\_\_\_\_ Township, Sampson County, for  
the year(s) and in the amount(s) of:

YEAR	
<u>2017</u>	\$ <u>103.24</u>
}	\$ _____
}	\$ _____
}	\$ _____
}	\$ _____
}	\$ _____
}	\$ _____
TOTAL REFUND	\$ <u>103.24</u>

These taxes were assessed through clerical error as follows.

Bill # 0016469158

WVZ 2541

Tag Turned in (Car Stolen)  
2007 Lexus

Go 2 County Tax 73.51

School Tax \_\_\_\_\_

Vehicle <sup>Fee</sup> Fire Tax 3.00

T.08 City Tax 26.73

TOTAL \$ 103.24

Mailing Address.

Yours very truly

Jean Tew Spell  
Taxpayer

P.O. Box 481  
Salisbury, N.C. 28385

Social Security # \_\_\_\_\_

RECOMMEND APPROVAL:

[Signature]  
Sampson County Tax Administrator

Board Approved \_\_\_\_\_ Date \_\_\_\_\_ Initials \_\_\_\_\_

**OFFICE OF THE SAMPSON COUNTY TAX ADMINISTRATOR**

**P. O. BOX 1082 - CLINTON, NORTH CAROLINA 28329-1082**

**8587**

**JIM JOHNSON**  
Tax Administrator

Telephone 910-592-8146  
910-592-8147

SAMPSON COUNTY BOARD OF COMMISSIONERS  
406 COUNTY COMPLEX ROAD, BUILDING C  
CLINTON, NORTH CAROLINA 28328

Members:

Pursuant to North Carolina G. S. 105-381, I hereby demand refund and remission of taxes assessed and collected by Sampson County against the property owned by Peggy Moore Melvin  
\_\_\_\_\_ in \_\_\_\_\_ Township, Sampson County, for  
the year(s) and in the amount(s) of:

YEAR	
<u>2017</u>	\$ <u>167.64</u>
}	\$ _____
}	\$ _____
}	\$ _____
}	\$ _____
}	\$ _____
TOTAL REFUND	\$ <u>167.64</u>

These taxes were assessed through clerical error as follows.

Bill # 0040867562  
FBZ 5143

Tag Turned in (totalled)  
2017 Hyun

G02	County Tax	<u>129.25</u>
S01	School Tax	<u>52.72</u>
F19	Fire Tax	<u>15.67</u>
	City Tax	_____
	TOTAL \$	<u>167.64</u>

Mailing Address.

46 Alexander Ln  
Clinton N.C. 28328

Yours very truly

Peggy Melvin  
Taxpayer

Social Security # \_\_\_\_\_

RECOMMEND APPROVAL:

Jim Johnson  
Sampson County Tax Administrator

Board Approved \_\_\_\_\_ Date \_\_\_\_\_ Initials \_\_\_\_\_

OFFICE OF THE SAMPSON COUNTY TAX ADMINISTRATOR

Members:

Pursuant to North Carolina G. S. 105-381, I hereby demand a release and adjustment of taxes assessed by Sampson County against the property owned by Raymond Sampson in Belvoir Township, Sampson County, for the year(s) and in the amount(s) of:

Year		\$	
<u>2017</u>		\$	<u>155.68</u>
_____		\$	_____
_____		\$	_____
_____		\$	_____
_____		\$	_____
Total Release/Adjustment		\$	_____

<u>CoD</u> County Tax	\$	<u>126.23</u>	<u>L 12.62</u>
School Tax	\$	_____	
<u>F 16</u> Fire Tax	\$	<u>15.30</u>	<u>L 1.53</u>
City Tax	\$	_____	
Total	\$	<u>155.68</u>	

The taxes were assessed through clerical error or an illegal tax as follows:

Elderly Exemption Granted timely.

Acct # 885080  
Bill # 17002469  
Release # 30844

Taxpayer:

Raymond Sampson

Tax Administrator:

[Signature]

Board Approved:

\_\_\_\_\_ Date

\_\_\_\_\_ Initials

4-19-18

OFFICE OF THE SAMPSON COUNTY TAX ADMINISTRATOR

Members:

Pursuant to North Carolina G. S. 105-381, I hereby demand a release and adjustment of taxes assessed

by Sampson County against the property owned by Maria Dul Ramos = Ruben Ramos

in Herring Township, Sampson County, for the year(s) and in the

amount(s) of:

Year	<u>2017</u>	\$	<u>328.33</u>
		\$	_____
		\$	_____
		\$	_____
		\$	_____
Total Release/Adjustment		\$	_____

County Tax	Gov	\$	<u>270.60</u>	LL	<u>27.06</u>
School Tax		\$	_____		
Fire Tax	Fire	\$	<u>27.88</u>	LL	<u>2.79</u>
City Tax		\$	_____		
Total		\$	<u>328.33</u>		

The taxes were assessed through clerical error or an illegal tax as follows:

Double billed - listed w/ BPP listing Dept & billed thru DMV & pd @ DMV-

Taxpayer: Maria Dul Ramos

Tax Administrator: [Signature]

Board Approved: \_\_\_\_\_  
Date Initials

**COUNTY OF SAMPSON  
BUDGET AMENDMENT**

**MEMO:**

5/17/2018

FROM: Sampson County Public Works

Date

TO: Sampson County Board of Commissioners

VIA: County Manager & Finance Officer

SUBJECT: Budget Amendment for fiscal year 2017-2018

1. It is requested that the budget for the Public Works Department be amended as follows:

<u>Expenditure Account</u>	<u>Expenditure Account Description</u>	<u>Increase</u>	<u>Decrease</u>
61971000-544000	Contracted Services	<del>-81,123.23</del> 81,124.00	

<u>Revenue Account</u>	<u>Revenue Account Description</u>	<u>Increase</u>	<u>Decrease</u>
061-937100	Miscellaneous Revenue	<del>-81,123.23</del> 81,124.00	

2. Reason(s) for the above request is/are as follows:

Need funds to pay Sandy's Hauling for bores due to NCDOT. County will be reimbursed from NCDOT.



(Signature of Department Head)

**ENDORSEMENT**

1. Forwarded, recommending approval/disapproval.

5/23, 2018



(County Finance Officer)

**ENDORSEMENT**

1. Forwarded, recommending approval/disapproval.

, 20



(County Manager & Budget Officer)

Date of approval/disapproval by B.O.C.



COUNTY OF SAMPSON  
BUDGET AMENDMENT

3/27/2018

MEMO:

FROM: MELANIE HARRIS

TO: Sampson County Board of Commissioners

VIA: County Manager & Finance Officer

SUBJECT: Budget Amendment for fiscal year 2017-2018

1. It is requested that the budget for the SAMPSON SOIL & WATER Department be amended as follows:

EXPENDITURE			
CODE NUMBER	DESCRIPTION (OBJECT OF EXPENDITURE)	INCREASE	DECREASE
28349610 523100	Educational Supplies	2,000.00	

REVENUE			
CODE NUMBER	SOURCE OF REVENUE	INCREASE	DECREASE
28334961 409909	Fund Bal Appropriated State	2,000.00	

1. Reason (s) for the above request is/are as follows:

Reallocation of Funds to send Sampson County Envirothon Teams that won and qualified at regional level to NC Envirothon state finals

Melanie Harris  
(Signature of Department Head)

ENDORSEMENT

1. Forwarded, recommending approval/disapproval.

5/23, 2018  
Paul K. Chesnut  
(County Finance Officer)

ENDORSEMENT

1. Forwarded, recommending approval/disapproval.

5/23, 2018  
Erin W. Coyle  
(County Manager & Budget Officer)

COUNTY OF SAMPSON  
BUDGET AMENDMENT

5/10/18  
4/10/2018

MEMO:

FROM: MELANIE HARRIS

TO: Sampson County Board of Commissioners

VIA: County Manager & Finance Officer

SUBJECT: Budget Amendment for fiscal year 2017-2018

1. It is requested that the budget for the SAMPSON SOIL & WATER  
Department be amended as follows:

EXPENDITURE

CODE NUMBER	DESCRIPTION (OBJECT OF EXPENDITURE)	INCREASE	DECREASE
28349610 523100	Educational Supplies	2,000.00	

REVENUE


CODE NUMBER	SOURCE OF REVENUE	INCREASE	DECREASE
28334961 409909	Fund Bal Appropriated State	2,000.00	


1. Reason (s) for the above request is/are as follows:

Reallocation of Funds to pay for Registration Fees and a travel stipend for students being sponsored for the Resource Conservation Workshop at NCSU.

  
(Signature of Department Head)

ENDORSEMENT

1. Forwarded, recommending approval/disapproval. 

5/23, 20 18  
  
(County Finance Officer)

ENDORSEMENT

1. Forwarded, recommending approval/disapproval. 

\_\_\_\_\_, 20\_\_\_\_\_  
  
(County Manager & Budget Officer)

**COUNTY OF SAMPSON  
BUDGET AMENDMENT**

5/14/2018

**MEMO:**

FROM: Ann Knowles

Date

TO: Sampson County Board of Commissioners

VIA: County Manager & Finance Officer

SUBJECT: Budget Amendment for fiscal year 2017-2018

1. It is requested that the budget for the Veterans Department be amended as follows:

<u>Expenditure Account</u>	<u>Expenditure Account Description</u>	<u>Increase</u>	<u>Decrease</u>
11558200-526201	Dept. Supplies/Eqpt.	2,176.00	

<u>Revenue Account</u>	<u>Revenue Account Description</u>	<u>Increase</u>	<u>Decrease</u>
11035820-403615	Veterans Grant	2,176.00	

2. Reason(s) for the above request is/are as follows:

To budget revenue from Veterans grant to purchase equipment and remote internet.

  
\_\_\_\_\_  
(Signature of Department Head)

**ENDORSEMENT**

1. Forwarded, recommending approval/disapproval.

5/14, 2018

  
\_\_\_\_\_  
(County Finance Officer)

**ENDORSEMENT**

1. Forwarded, recommending approval/disapproval.

\_\_\_\_\_, 20\_\_

  
\_\_\_\_\_  
(County Manager & Budget Officer)

Date of approval/disapproval by B.O.C.

**COUNTY OF SAMPSON  
BUDGET AMENDMENT**

**MEMO:**

5/11/2018

FROM: Heather Bonney, Library Director

Date

TO: Sampson County Board of Commissioners

VIA: County Manager & Finance Officer

SUBJECT: Budget amendment for fiscal year 2017-2018

1. It is requested that the budget for the LIBRARY Department be amended as follows:

<u>Expenditure Account</u>	<u>Expenditure Account Description</u>	<u>Increase</u>	<u>Decrease</u>
11761100-552000	Data Processing Equipment	5,605.00	
11761100-523200	AV	1,593.00	
11761100-556100	CO Books	1,500.00	

<u>Revenue Account</u>	<u>Revenue Account Description</u>	<u>Increase</u>	<u>Decrease</u>
11036110-403624	State Base Grant	\$4,154.00	
11036110-404110	Fines and Fees	4,000.00	
11036110-408401	Donations	181.00	
11036110-408930	Discard Sales	363.00	

2. Reason(s) for the above request is/are as follows:

State increased funding for this year. Fines and Fees is an estimate of May and June revenues and funds already collected. Investing in Library Document Station to provide Faxing and Scanning services at main library

  
(Signature of Department Head)

**ENDORSEMENT**

1. Forwarded, recommending approval/disapproval.

5/23, 2018

  
(County Finance Officer)

**ENDORSEMENT**

1. Forwarded, recommending approval/disapproval.

\_\_\_\_\_, 20\_\_\_\_

  
(County Manager & Budget Officer)

Date of approval/disapproval by B.O.C.

**COUNTY OF SAMPSON  
BUDGET AMENDMENT**

**MEMO:**

May 16, 2018

FROM: Lorie Sutton, Director of Aging

Date

TO: Sampson County Board of Commissioners

VIA: County Manager & Finance Officer

SUBJECT: Budget Amendment for fiscal year 2017-2018

1. It is requested that the budget for the Aging Department  
be amended as follows:

<u>Expenditure Account</u>	<u>Expenditure Account Description</u>	<u>Increase</u>	<u>Decrease</u>
02558670-526200	Home Repairs - Departmental Supplies	\$ 644.00	

<u>Revenue Account</u>	<u>Revenue Account Description</u>	<u>Increase</u>	<u>Decrease</u>
02035867-408403	Home Repairs - Fan project	\$ 644.00	

2. Reason(s) for the above request is/are as follows:  
To budget funds for Operation Fan/Heat Relief 2018

*Lorie B Sutton*

(Signature of Department Head)

**ENDORSEMENT**

1. Forwarded, recommending approval/disapproval.

5/23, 2018

*Del G. ...*

(County Finance Officer)

**ENDORSEMENT**

1. Forwarded, recommending approval/disapproval.

\_\_\_\_\_, 20\_\_\_\_

*Sean W. ...*

(County Manager & Budget Officer)

Date of approval/disapproval by B.O.C.

**COUNTY OF SAMPSON  
BUDGET AMENDMENT**

**MEMO:**

May 16, 2018

FROM: Lorie Sutton, Director of Aging

Date

TO: Sampson County Board of Commissioners

VIA: County Manager & Finance Officer

SUBJECT: Budget Amendment for fiscal year 2017-2018

1. It is requested that the budget for the Aging Department be amended as follows:

<u>Expenditure Account</u>	<u>Expenditure Account Description</u>	<u>Increase</u>	<u>Decrease</u>
02549580-512600	SHIIP - P/T Salaries	\$ 75.00	
02549580-518100	SHIIP - FICA	\$ 5.00	
02549580-518120	SHIIP - MED/FICA	\$ 1.00	
02058600-512600	Aging Control Account - P/T Salaries	\$ 75.00	
02058610-512600	Aging Salary Allocation - P/T Salaries		\$ 75.00
02058600-518100	Aging Control Account - FICA	\$ 5.00	
02058610-518100	Aging Salary Allocation - FICA		\$ 5.00
02058600-518120	Aging Control Account - MED/FICA	\$ 1.00	
02058610-518120	Aging Salary Allocation - MED/FICA		\$ 1.00
02549580-526200	SHIIP - Departmental Supplies	\$ 1,278.00	
02549580-526201	SHIIP - Departmental Supplies - Equipment	\$ 1,718.00	
<hr/>			
<u>Revenue Account</u>	<u>Revenue Account Description</u>	<u>Increase</u>	<u>Decrease</u>
02034958-404088	SHIIP - Rural Health - SR Health Info	\$ 3,077.00	

2. Reason(s) for the above request is/are as follows:

To budget MIPPA (Medicare Improvements for Patients and Provideers Act) grant funds. Received on 5/12/2018  
These funds must be spent by 9/29/2018.

*Lorie B Sutton*

(Signature of Department Head)

**ENDORSEMENT**

1. Forwarded, recommending approval/disapproval.

5/23, 2018

*Jack Kay*

(County Finance Officer)

**ENDORSEMENT**

1. Forwarded, recommending approval/disapproval.

\_\_\_\_\_, 20\_\_\_\_

*Earl W. Co*

(County Manager & Budget Officer)

\_\_\_\_\_  
Date of approval/disapproval by B.O.C.

CLINTON CITY SCHOOLS  
BUDGET AMENDMENT

RECEIVED  
MAY 14 2018  
BY: \_\_\_\_\_

Fund: Local

Budget Amendment: 3

The Clinton City Board of Education at a meeting on the 7th day of May, 2018, passed the following resolution:

Be it resolved that the following amendments be made to the Budget Resolution for the fiscal year ending June 30, 2018.

**SEE ATTACHED LISTING**

Total appropriation in current budget	\$6,018,017.00
Total increase/decrease of amendment	\$0.00
Total appropriation in amended budget	\$6,018,017.00

Passed by majority vote of the Clinton City Board of Education on the 7th day of May 2018.

We, the Board of County Commissioners of Sampson County, hereby approve the changes in the Clinton City School Budget as indicated above and have made entry of changes in the minutes of said Board this \_\_\_\_\_ day of \_\_\_\_\_ 2018.

Carol A. Wooley  
Chairman, Board of Education  
[Signature]  
Secretary, Board of Education

\_\_\_\_\_  
Chairman, Board of County Commissioners  
\_\_\_\_\_  
Secretary, Board of County Commissioners

CLINTON CITY SCHOOLS  
BUDGET AMENDMENT

Fund: STATE

Budget Amendment: 4

The Clinton City Board of Education at a meeting on the 7th day of May, 2018, passed the following resolution:

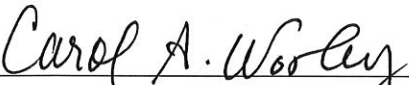
Be it resolved that the following amendments be made to the Budget Resolution for the fiscal year ending June 30, 2018.

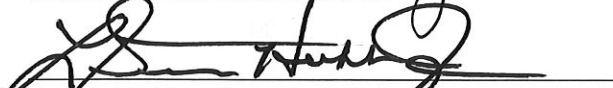
**SEE ATTACHED LISTING**

Total appropriation in current budget	\$18,563,209.28
Total increase/decrease of amendment	\$111,493.00
Total appropriation in amended budget	\$18,674,702.28

Passed by majority vote of the Clinton City Board of Education on the 7th day of May 2018.

We, the Board of County Commissioners of Sampson County, hereby approve the changes in the Clinton City School Budget as indicated above and have made entry of changes in the minutes of said Board this \_\_\_\_\_ day of \_\_\_\_\_ 2018.

  
\_\_\_\_\_  
Chairman, Board of Education

  
\_\_\_\_\_  
Secretary, Board of Education

\_\_\_\_\_  
Chairman, Board of County Commissioners

\_\_\_\_\_  
Secretary, Board of County Commissioners



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**SAMPSON COUNTY  
BOARD OF COMMISSIONERS - IN CAPACITY AS BOARD OF HEALTH**

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ITEM ABSTRACT

ITEM NO. 5 (a)

Meeting Date: June 4, 2018	<input type="checkbox"/>	Information Only	<input type="checkbox"/>	Public Comment
	<input type="checkbox"/>	Report/Presentation	<input type="checkbox"/>	Closed Session
	<input checked="" type="checkbox"/>	Action Item	<input type="checkbox"/>	Planning/Zoning
	<input type="checkbox"/>	Consent Agenda	<input checked="" type="checkbox"/>	Board of Health Item

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**SUBJECT:** County Leadership Forum on Opioid Abuse Project

**DEPARTMENT:** Health Department

**ITEM DESCRIPTIONS/ATTACHMENTS:**

Health Director Wanda Robinson and Sampson County Substance Abuse Coalition Chairman B. G. Kennedy will request that the Board support the partnership efforts of the Health Department and the Substance Abuse Coalition to plan and host a County Leadership Forum on Opioid Abuse. The Leadership Forum on Opioid Abuse is part of a Presidential Initiative established by the President of the North Carolina Association of County Commissioners (NCACC) and Davidson County Commissioner, Fred McClure. Earlier this year, he called on all counties to engage local elected leaders in an informed discussion about the opioid epidemic and develop collaborative strategies that enhance prevention, education, and treatment.

**RECOMMENDED ACTION OR MOTION:**

Motion to support the Leadership Forum on Opioid Abuse initiative

# SAMPSON COUNTY HEALTH DEPARTMENT

Wanda Robinson  
Health Director



360 County Complex Road, Suite 200  
Clinton NC 28328

## MEMORANDUM

To: Ed Causey, County Manager  
From: Wanda Robinson, Health Director  
Subject: County Commissioner's Agenda Item  
Date: May 23, 2018

Enclosed is the project description for Sampson County to plan and host a County Leadership Forum on Opioid Abuse. The County Leadership Forum on Opioid Abuse is part of a Presidential Initiative established by the President of the North Carolina Association of County Commissioners (NCACC) and Davidson County Commissioner, Fred McClure. Earlier this year, he called on all counties throughout the state to bring together local elected officials and other leaders to have an informed discussion on ways to combat the opioid crisis.

The purpose of the County Leadership Forum is to engage local elected leaders in an informed discussion about the opioid epidemic, and develop collaborative strategies that enhance prevention, education, and treatment.

The Sampson County Substance Abuse Coalition is willing to partner and collaborate in this process. The Coalition has an excellent history of providing awareness activities on the issue of Substance Abuse and is willing to coordinate with others to plan this event for Sampson County.

I would appreciate the opportunity to present this information at the June Meeting and solicit the support of the county commissioners.

### Attachments:

- Project Description
- Letter from Task Force Co-Chairs
- County Leadership Forum on Opioid Abuse

cc: Susan Holder



# County Leadership Forum on Opioid Abuse

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## Project Description

### Purpose of County Leadership Forum:

To engage local elected leaders in an informed discussion about the opioid epidemic, and develop collaborative strategies that enhance prevention, education, and treatment.

### Goals:

- to elevate the awareness of all local elected officials so they have a common understanding of the opioid epidemic in their county;
- to discuss its causes, its effects on citizens, and its implications for the county's future;
- to educate local elected leaders about successful prevention and treatment programs and provider resources available in their county;
- to generate coordinated education, prevention and treatment strategies to reduce the occurrence of opioid addiction, overdose, and death.

### Target Participants:

- County Commissioners
- Municipal Council members from every municipality within the county
- School Board members and superintendents from every LEA within the county
- County Sheriff
- Chief District Court Judge for the county's judicial district

The target audience for the County Leadership Forum on Opioid Abuse is elected officials. Focusing on elected officials assures that all public policy leaders have a common understanding of the opioid problem and effective treatment options, and have an opportunity to consider collaborative solutions.

If there are existing efforts underway in your county, please consider ways to include them in your Leadership Forum. Having all the elected officials know and understand what is available in the county, as well as what might be missing, will strengthen everyone's resolve to reverse the epidemic trends. Examples of other community leaders you might want to include are:

- Representative of the county medical society or the local physicians' community (consult with Board of Health or Medical Society as needed to identify a participant);
- District Attorney or designee;
- Chief Executive Officer of your local hospital;
- President of the Community College;
- Municipal Police Chiefs and First Responders

# Letter from Task Force Co-Chairs

**T**he epidemic of overdoses and deaths from the abuse of prescription painkillers and heroin has devastated countless families and communities across the country.

In August, 2016 alone – as this joint task force convened by the National Association of Counties and the National League of Cities carried on its work – news reports informed us of 174 overdoses in six days in an Ohio city; 8 overdoses in 70 minutes in a Pennsylvania county and 26 overdoses in 3.5 hours in a West Virginia city. Although news outlets often provide little more than a running tally of the epidemic, leaders at the local level experience the human costs of this public health crisis one life at a time. We confront the tragedies of this epidemic in rural counties and in urban cities, and no portion of society is immune from the devastation. Families are shattered without regard to income, race, ethnicity, gender, educational attainment or family structure.

As city and county leaders entrusted with preserving the health, safety, and vitality of our communities, it is our duty to act with urgency to break the cycles of addiction, overdose, and death that have taken hold in so many corners of this nation. To that end, the report that follows features recommended policies and programs that are designed to help local leaders address the opioid epidemic. These recommendations reflect several core convictions: that addiction is an illness; that although law enforcement is critical to an effective response to this epidemic, we cannot simply arrest our way out of a crisis of addiction; and that to stem the tide of this epidemic and combat the stigma that often accompanies it, we must build partnerships across

our communities and with our counterparts at the local, state and federal levels.

As we embrace these convictions, we recognize that they differ from those that informed our nation's response to previous drug epidemics. During the crack cocaine epidemic of the 1980s and 1990s, addiction was criminalized – through policies like mandatory minimum sentences and three strikes laws – resulting in mass incarceration of African-Americans and Latinos. Our communities of color continue to feel the detrimental effects of these policies. It is important that we reflect upon past policies and their impact on our communities as we formulate our response to an epidemic that threatens every community across the country. Further, although it is not in our power to change the past, we can help to undo some of the damage caused by our prior responses. First, we can expand and replicate the compassion for those struggling with addiction and the public support for diversion and treatment programs to individuals throughout the criminal justice system. Second, we can support sentencing reform legislation that would retroactively apply to individuals still serving time for non-violent drug-related convictions.

It has been said that in every crisis lies the seed of opportunity, and the opioid crisis presents an invaluable opportunity for city and county officials: an opportunity to assess the way we respond to addiction and to formulate lasting and equitable responses that promote health, safety, and opportunity for all members of our communities.



**JUDGE GARY MOORE**  
Boone County, Kentucky  
Task Force Co-Chair



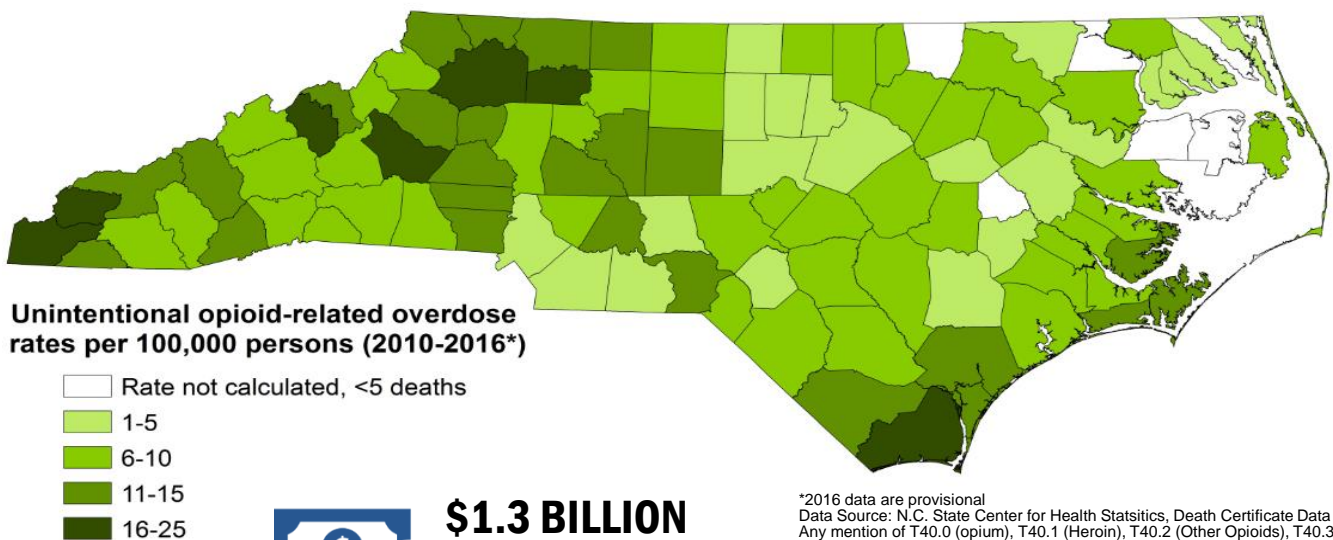
**MAYOR MARK STODOLA**  
Little Rock, Arkansas  
Task Force Co-Chair

# Opioid-related Overdoses

- From 1999 to 2016, more than 12,000 North Carolinians died from opioid-related overdoses, the majority of which were unintentional overdoses.
- According to CDC estimates, the cost of unintentional opioid-related overdose deaths in N.C. totaled \$1.3 billion in 2015.
- Opioid-related deaths involving pain medications (e.g. oxycodone and hydrocodone) have historically been the leading cause of overdose deaths.
- More recently heroin, fentanyl, and fentanyl analogues\* are resulting in increased deaths.
- Overdose death rates are higher among men, whites and those between the ages of 25-54.
- Nonfatal overdoses and administration of naloxone by Emergency Medical Services (EMS) are increasing.
- Health and societal risks of drug use include HIV, hepatitis C, dependence and addiction, crime, violence, employment instability, and family disruption.

\*Fentanyl analogues are drugs that are similar to fentanyl but have been chemically modified in order to bypass current drug laws.

## Unintentional Opioid-related Drug Overdose Death Rates by County, N.C. Residents, 2010-2016\*

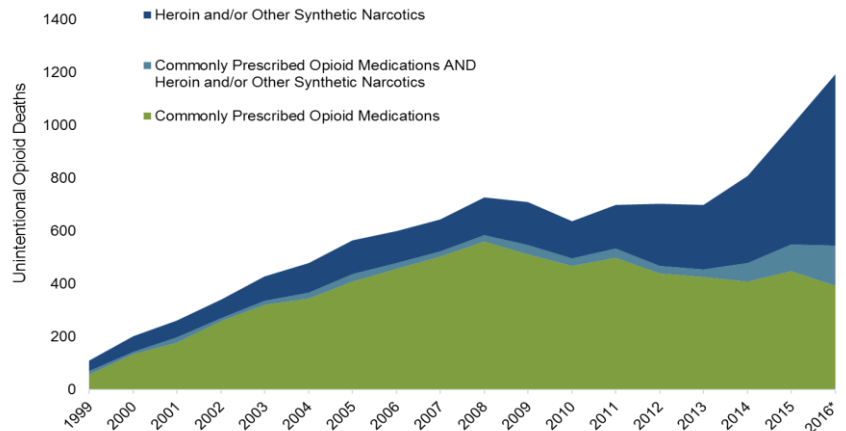


**\$1.3 BILLION**  
total combined costs  
for 2015 alone

\*2016 data are provisional  
Data Source: N.C. State Center for Health Statistics, Death Certificate Data Any mention of T40.0 (opium), T40.1 (Heroin), T40.2 (Other Opioids), T40.3 (Methadone) and/or T40.4 (Other synthetic opioid) and unintentional intent (X40-X44). Does not include non-resident or out of state resident deaths. Economic impact: CDC WISQARS for opioid-related drug deaths (unintentional), Cost of Injury Reports, National Center for Injury Prevention and Control, CDC. Base year (2010) costs indexed to state 2015 prices for poisoning deaths.

## Unintentional Opioid-related Overdose Deaths by Drug Type, N.C. Residents, 1999-2016\*

- Commonly prescribed opioid medications include drugs like oxycodone and hydrocodone.
- Heroin deaths have been rapidly increasing since 2010.
- More recently, use of other synthetic narcotics (like fentanyl) are escalating. Deaths are increasingly the result of fentanyl analogues\* that are illicitly manufactured.



\*2016 data are provisional  
Source: N.C. State Center for Health Statistics, Death Certificate Data Unintentional medication/drug (X40-X44) with specific T-codes by drug type. Commonly Prescribed Opioid Medications=T40.2 or T40.3; Heroin and/or Other Synthetic Narcotics=T40.1 or T40.4. Numbers of deaths from other synthetic narcotics may represent both prescription synthetic opioid deaths and non-pharmaceutical synthetic opioids because synthetic opioids produced illicitly (e.g., non-pharmaceutical fentanyl) are not identified separately from prescription (pharmaceutical) synthetic opioids in ICD-10 codes.



## Unintentional Opioid-related Overdose Deaths by Sex, Race and Age Group, N.C. Residents, 2010-2016\*

	Percent	Rate†
<b>Sex</b>		
Female	36.6%	6.0
Male	63.4%	10.8
<b>Race</b>		
American Indian*	1.5%	10.5
Asian*	0.2%	0.7
Black*	6.9%	2.6
Hispanic	1.2%	1.2
White*	89.6%	11.5
Other*/Unknown	0.5%	NA
<b>Age Group</b>		
0-14	0.2%	0.1
15-24	10.2%	6.1
25-34	25.6%	16.4
35-44	25.4%	15.9
45-54	26.5%	15.8
55-64	10.6%	7.1
65-84	1.5%	1.0
>84	0.1%	0.5

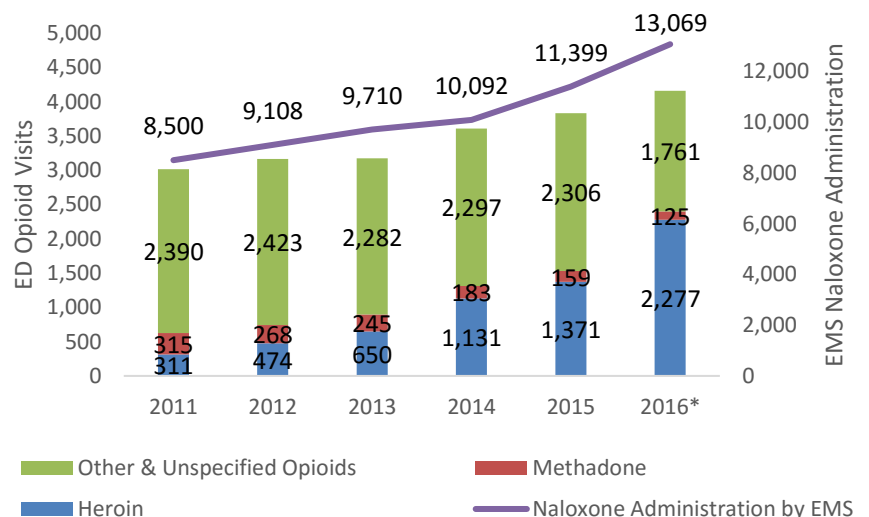
- Males had higher opioid-related overdose death rates than females (10.8 vs. 6.0).
- Whites and American Indians had the highest death rates for opioid-related overdose (11.5 and 10.5).
- Opioid-related overdose death rates are highest among ages 25-34 (16.4), 35-44 (15.9), and 45-54 (15.8).

† Per 100,000 persons  
\*Non Hispanic

\*2016 data are provisional  
Data Source: N.C. State Center for Health Statistics, Death Certificate Data  
Any mention of T40.0 (opium), T40.1 (Heroin), T40.2 (Other Opioids), T40.3 (Methadone) and/or T40.4 (Other synthetic opioid) and unintentional intent (X40-X44).

## Emergency Department Opioid Visits and EMS Naloxone Administration by Year, 2011-2016\*

- Emergency Department (ED) visits for opioid overdoses are increasing.
- Heroin overdose ED visits have significantly increased since 2011.
- Use of naloxone (opioid overdose antidote) by Emergency Medical Services (EMS) has increased dramatically during this time.



\*2016 data are provisional

Data Sources: N.C. DETECT (statewide ED data), N.C. Division of Public Health & Carolina Center for Health Informatics, UNC Department of Emergency Medicine (UNC DEM); EMS Performance Improvement Center (EMSpic)- UNC DEM & N.C. Office of Emergency Medical Services (OEMS)

\*\*ICD-9-CM transitioned to ICD-10-CM on October 1, 2015. Impact on surveillance and case definitions is to be determined; some overdose ED visits may be coded as substance abuse and not included in the counts shown above. Naloxone administration alone by EMS does not necessarily equate to an opioid overdose.

## North Carolina Opioid Action Plan (2017-2021)

- *North Carolina's Opioid Action Plan 2017-2021* is a living document, developed through a collaborative process. It does not capture all work and all partners and will need to be revised as the epidemic evolves.
- The *Opioid Action Plan* sets a goal of reducing the number of expected opioid-related deaths by 20 percent by the year 2021.
- N.C. Department of Health and Human Services (DHHS) and its partners on the Prescription Drug Abuse Advisory Council (PDAAC) believe it is critical to turn the tide on this epidemic.

Given that the opioid epidemic is complex, we are implementing comprehensive strategies in the following focus areas to reduce opioid addiction and overdose death:

1. Create a coordinated infrastructure.
2. Reduce the oversupply of prescription opioids.
3. Reduce diversion of prescription drugs and flow of illicit drugs.
4. Increase community awareness and prevention.
5. Make naloxone widely available and link overdose survivors to care.
6. Expand treatment and recovery oriented systems of care.
7. Measure our impact and revise strategies based on results.

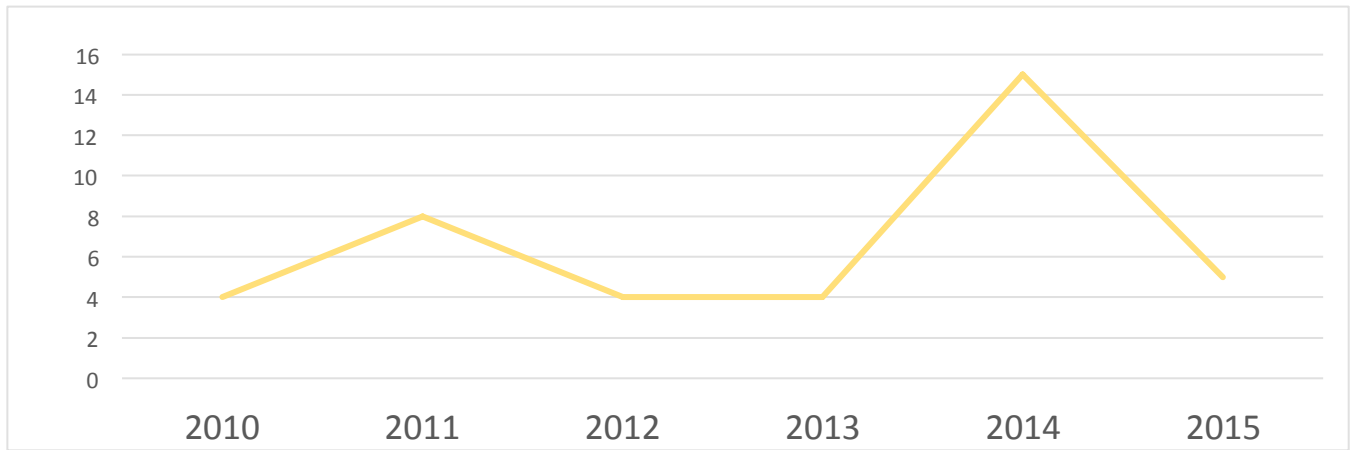




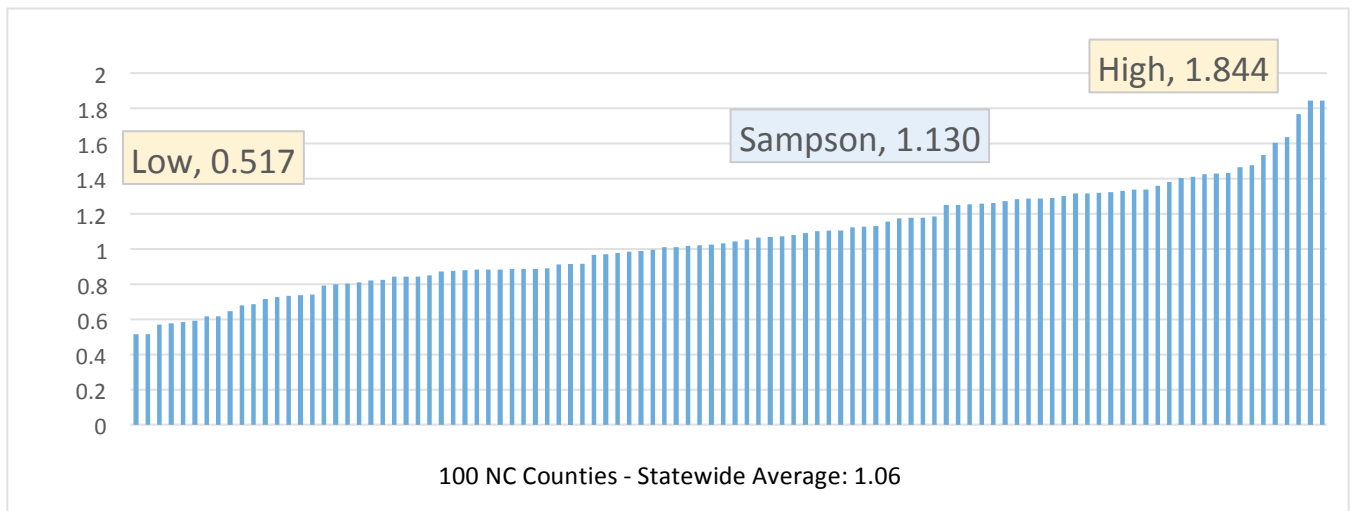
# County Leadership Forum on Opioid Abuse



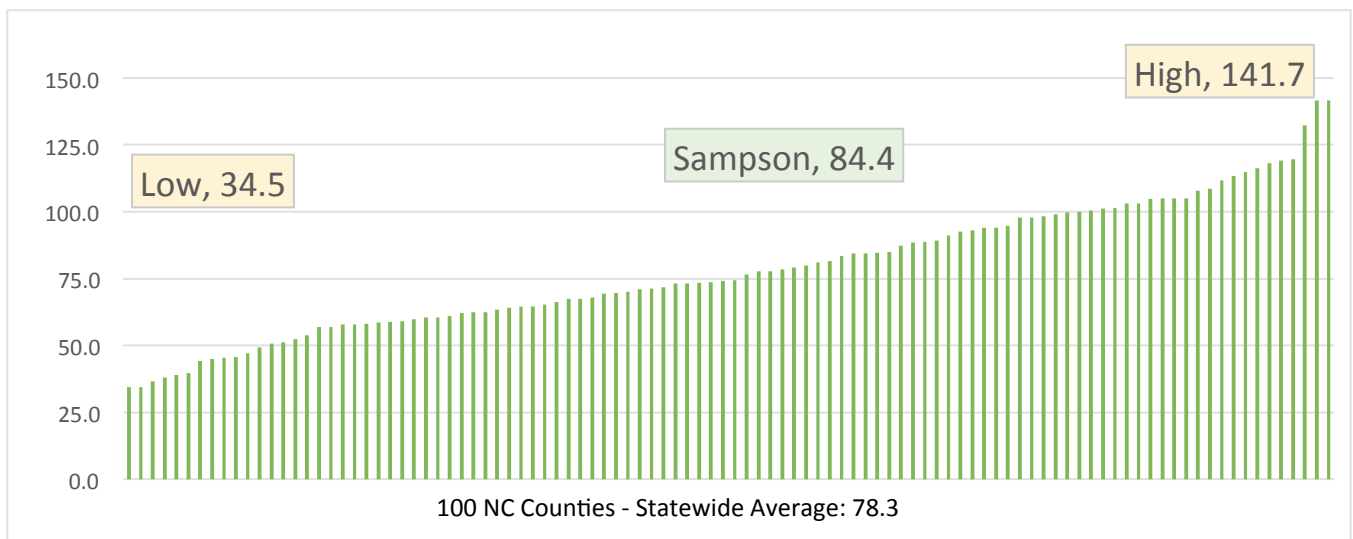
Prescription Opioid Poisoning Deaths



Opioid Prescriptions per Resident (2016)



Opioid Pills per Resident (2016)



Data on [Prescription Rates](#) and [Poisoning Deaths](#) courtesy of NC Dept. of Health and Human Services

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**SAMPSON COUNTY  
BOARD OF COMMISSIONERS**

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ITEM ABSTRACT

ITEM NO.     6    

Meeting Date: June 4, 2018

Information Only  
 Report/Presentation  
 Action Item  
 Consent Agenda

Public Comment  
 Closed Session  
 Planning/Zoning  
 Water District Issue

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INFORMATION ONLY

*For all Board Information items, please contact the County Manager's Office if you wish to have additional information on any of the following.*

- a. Draft Social Media Policy (provided to give the Board adequate time to review the policy prior to consideration for adoption in July)



# County of Sampson Social Media Policy

## **Purpose**

The role of technology in the 21st century workplace is constantly expanding and now includes social media communication tools that facilitate interactive information sharing, interoperability, and collaboration. Moreover, a social networking presence has become a hallmark of a government's vibrant and transparent communications strategy. Social networking improves interactivity between Sampson County and the public, and it reaches populations that do not consume traditional media as frequently as others do. Therefore, county agencies and departments of all types may choose to enhance their communications strategies by using social networking Web sites. In doing so, however, county agencies should take care to choose the types of social networks that make the most sense for their type of information and that give emphasis to tools that provide more information across multiple outlets to the broadest audience. All communication tools should be used in ways that maximize transparency, maintain the security of the network, ensure consistency and accuracy in dissemination of information, and are appropriately professional. Social media is no exception. Therefore, the application of social media within county agencies must be done thoughtfully and in a manner that will minimize risk. In addition, social media users should be aware that these types of communications are considered public records and, consequently, must be kept for a certain period of time in compliance with the public records law. This policy establishes guidelines and best practices for the use of social media in Sampson County government to ensure that county agencies' social networking sites are secure, and appropriately used and managed.

Sampson County recognizes that the Internet also provides employees unique opportunities to participate in interactive discussion and share information on particular topics using a wide variety of social media, and respects the employees' rights and abilities to use social media as a medium of self-expression and conversation. However, Sampson County has an overriding interest in and expectations for what is spoken on behalf of the County by personnel on County authorized social media sites. Moreover, employees' professional and personal use of social media can pose risks to the County's confidential and proprietary information, reputation and mission, and can jeopardize the County's compliance with applicable rules and laws. Therefore, in order to minimize these business and legal risks, to avoid loss of productivity and distraction from employees' job performance, and to ensure the County's IT resources and communications systems are used only for appropriate business purposes, this policy establishes the County's expectations for employee use of social media for work-related purposes, personal use of social media at work, and personal use of social media outside of work.

## **Scope**

This policy applies to all Sampson County departments and employees, approved volunteers, consultants, service providers and contractors performing business on behalf of a County department or agency. The policy is not applicable to elected officials.

## **Definition (see also Appendix \_\_\_\_)**

“Social media” is an umbrella term for various forms of communication consisting of user-created text, audio, video or other content published in a shared online environment, such as over the Internet or through mobile telephone networks. Different forms of social media generally have the common characteristic of allowing personal participation and feedback in a fast and informal manner. Social media is also typically open to vast multitudes of people to observe, copy, and use, often with few (if any) access restrictions.

Examples of social media tools include but are not limited to:

- Social network sites, such as Facebook and Google Plus
- Business networking services, such as LinkedIn
- Blogs and micro blogs such as Twitter
- Content-sharing services, such as YouTube, Instagram and Flickr
- Texts
- Internal forums/message boards
- Podcasts
- Wikis, such as Wikipedia

## **Policy Statements**

1. All use of social networking sites by local governments, including Sampson County, should be consistent with applicable state, federal and local laws, regulations, and policies including all information technology security policies (all official Sampson County presences on social media sites or services are considered an extension of the County’s information networks).
2. Communication through local government-related social media is considered a public record under GS 132 and will be managed as such. All comments or posts made to local government account walls or pages are public, not private. Account administrators who receive messages through a private message service offered by some social media sites should encourage users to contact them at a public email address maintained by the local government. These messages are considered public record; replies must be made using the government email account. All local government social media privacy settings will be set to public.
3. Local governments must assume responsibility for the collection and retention of information published or posted on social networking sites according to the administrative value of the record and permanently retain records with historical value. Applicable county

policies for retention and disposition of social media records will utilize guidelines available from the North Carolina Department of Cultural Resources.

4. The County Manager will review all requests to establish social media sites representing Sampson County government (per the procedure outlined in Section \_\_\_\_ ) and may delegate this review function to appropriate staff; however the content on County-authorized departmental sites is ultimately the responsibility of department heads.
5. Once the establishment of a social media site is approved, the Public Information Officer and IT Director will help departments develop appropriate uses for social media pursuant to the guidelines contained in this policy, identify the best social media tools to achieve their goals and define a strategy for engagement using social media.
6. The County must be mindful of how best to prevent fraud or unauthorized access to a County social media site or the government network. Thus, the County will provide training to educate authorized users about the risks of information disclosure when using social media, make them aware of what information can be shared and with whom it can be shared, and various information technology attack mechanisms. Authorized users will be educated about privacy requirements and restrictions, usage policies and privacy controls to project against inadvertent disclosure of sensitive information. Best practices to mitigate security risks are found in Appendix \_\_\_\_.

## **County-Authorized Social Media Site Usage**

### Permitted Uses

Not all forms of social media are appropriate for use by County departments. For defined and approved uses, departments, divisions and programs may be permitted, on a case-by-case basis, to use social media tools, including but not limited to:

- Wikis such as MediaWiki, Wikispaces, PBWorks
- Team and group sites such as Google Sites, SharePoint, Yahoo Groups
- Blogs such as WordPress
- Micro-blogs such as Twitter
- Social networking sites such as Facebook or MySpace
- Visual media sharing such as YouTube, Instagram, Flickr or Picasa

### Creation of Official County Social Media

Employees may only establish official sites, blogs, pages or accounts in their official capacity as County staff on social media with the authorization of their Department Head and after following this process:

1. Sampson County representatives who would like to use any social media tool should first discuss business reasons for using social media with their supervisor and/or department head.

2. After receiving department head approval, applicants should fill out the Social Media Project Request Form (Appendix \_\_\_\_ ) and forward to the Social Media Team. The Social Media Team shall consist of the Assistant County Manager/Public Information Officer, IT Director, Human Resources Director and Projects and Communications Specialist. The Social Media Project Request must include:
  - a. Purpose for the social media account; policy objectives to be achieved
  - b. Advantages of the particular choice of social media
  - c. Means for establishing authenticity of the site and maintaining site security
  - d. Process for reviewing and responding to comments
  - e. Moderation and privacy policies for the site
  - f. Records retention/archival procedures for the site
  - g. Assignment of social media administrators/coordinators and planned training thereof; expected time commitment for staff
3. The Social Media Team will review and recommend approval or denial of the request to the County Manager.
4. If request is approved, the Social Media Team will review the site scope and design with the department. A date will be set for training on the Social Media Policy and established guidelines for use of social media.
5. Denied requests will immediately be communicated to the department with supporting reasons.
6. Any modification or expansion of a preapproved social media accounts will be considered using the same process unless otherwise outlined in their approved scope document.

#### Acceptable Usage

1. Usage of social media tools must be restricted to the purpose for which permission is given. Departments that use social media are responsible for complying with applicable federal, state, and county laws, regulations, and policies. This includes adherence to established laws and policies regarding copyright, records retention, public record, First Amendment, privacy laws, Electronic Communications Policy, Cellphone Policy, and the Sampson County Personnel Resolution. Violation of these policies and guidelines can result in the removal of the assigned social media service and disciplinary action.
2. The County's website (<http://www.sampsonnc.com>) and any additional County-authorized websites will remain the County's primary and predominant Internet presence. Whenever possible, content posted to County-authorized social media sites will also be available on the County's main website. Content posted to County-authorized social media sites should refer users back to the County's official website or other County-authorized websites containing in-depth information, forms, documents or online services necessary to conduct business with Sampson County. Appropriate County uses of social media tools fall generally into three categories:

- a. As channels for disseminating time-sensitive information as quickly as possible (example: emergency information);
  - b. As marketing/promotional channels which increase the County's ability to broadcast its messages to the widest possible audience; or
  - c. As channels for engaging in dialogue with and gaining input from the public about various County projects and programs.
3. Each form of social media has its own Terms of Service (TOS) that regulates how users interact. Any staff member using a social media application must continually monitor the application's TOS in order to avoid violations. If the TOS contradicts County policy, then the County Attorney should be consulted to determine if the use of such social media is appropriate.
4. Official County social media accounts should not comment on, "follow," "like," or "share" private citizen or commercial profiles unless the citizen or commercial profiles are directly related to community service or outreach in the County.
5. Official County social media accounts should not comment on, "follow," "like," or "share" any political groups' or figures' profiles, nor make any political postings/comments.

#### Authorized Users

1. Department heads are responsible for determining who is authorized to use social media on behalf of the agency/department and for designating appropriate access levels. Social media network access shall be limited only to those with a clear business purpose to use the forum. Appropriate access levels include identifying what sites, or types of sites, the individual is approved to use, as well as defining capacity: publish, edit, comment or view only.
2. Department heads will authorize social media administrators responsible for the content and upkeep of any County-authorized social media sites their department may use or establish. A list of administrators will be provided to and maintained by the Social Media Team. Social media administrators must be permanent County employees (not a contracted employee or temporary employee), must be familiar with Sampson County policies, must understand the scope of responsibility and be appropriately trained to interact on behalf of the department. The County's Public Information Officer (and designated staff) and the IT Director must also have administrator rights to all social media sites. This ensures that the content of departmental sites is compliant with applicable law and policy, that the County's mission and messages are consistently articulated and aligned with other Web communication channels, and that security risks to the County's networks are minimized.

3. Approved users are required to establish accounts using only an official county email address. These accounts should only be used for County business, and should be separate from any personal email addresses or social media accounts. Login and password information for social media accounts must be secure, and copies of such must be provided to IT. The password used for a social media site must conform to any standards or policies set forth by IT and may not be the employee's official network password. Any time a password is changed or an administrator's authorization is revoked, the department head must notify the IT Director and Public Information Officer immediately. Users who are given administrator status should not change the administrative status of other users without permission from the Social Media Team.
4. Employees should not speak on behalf of the County or their department unless authorized to do so. Authorized users are expected to speak respectfully and professionally about the County and County-related matters and to identify themselves and their role with the County when speaking in any such capacity. When posting, employees must be transparent and honest, speak within their level of expertise, use credible sources and link back to primary websites when possible. Employees should never repeat rumors, post about personnel matters or post confidential information.
5. Employees who connect to social media sites using County-owned equipment, who are officially authorized to speak on behalf of the County or a department, or who may be perceived as speaking on behalf of the County or a department, are subject to all County policies and requirements regarding prohibited or inappropriate behavior in the workplace. The same standards, principles and guidelines that apply to Sampson County employees in the performance of their other assigned duties apply to employees' social media technology use. Profanity or obscenities are unacceptable.
6. Employees are expected to follow copyright, fair use, acceptable use, and financial disclosure laws when using online communications, as well as any records retention schedules for information posted on social media. The unlawful use of copyrighted materials, unfounded or derogatory statements, misrepresentation or the disclosure of confidential information can result in disciplinary action, up to and including termination.
7. As designated social media representatives, employees may not publish content to any official website or social media application that is unrelated to subjects associated with the County or that is not relevant to citizens. Downloads or application additions to social media accounts that would be considered non-business tools are prohibited (games, donations for a cause, quizzes, etc.).
8. Employees may not use social networking sites for political purposes, to conduct private commercial transactions or to engage in private business activities.
9. Authorized users shall not allow their personal social media accounts to interact with County-authorized social media accounts. Personal social media accounts should not be

used for work purposes. Personal email addresses shall not be used for County-authorized social media applications. Adding or following pages/profiles that are not work-related is prohibited (for example, a County-authorized Twitter account should not follow a favorite celebrity, politician or corporation).

10. Messages received via private social media messaging services should direct the user to contact the County at a public email address maintained by the County, and/or contact the appropriate staff member by telephone during regular business hours.

#### Official Site Content and Authenticity Guidelines

1. Official County agency/department social media sites shall contain visible elements that identify them as an official County site. Among other items, this includes official County name, seals and logos, agency/department brands, contact information and a link to department/County websites.
2. Agencies/departments must have measures for monitoring their social media applications to prevent inappropriate or technically harmful information and links.
3. Social media content shall fully comply with the County's eGovernment Appropriateness of Content Policy (Appendix \_\_\_\_). Sites which allow public comment or posts shall inform visitors of the intended purpose of the site and provide a clear statement of the discussion topic introduced for public comment so that the public is aware of the limited nature of the discussion and that inappropriate posts are subject to removal pursuant to the County's adopted content policy. Sites must include the disclaimer language included in the Content Policy, and a link to the full policy must be provided.
4. While the development of original content is desirable in many situations, County content authors are also encouraged to use existing text and language created and published to Sampson County web pages whenever possible. This practice enhances the County's ability to underscore key messages and draw social media users to more extensive content found on County web pages.
5. Tone is important. Content on social media is more conversational than other forms of local government communication, but must not offend or fail to accurately convey intent or information. No content or communication via social media should contradict other guidelines and policies in place. It should not include endorsements, opinions, perceptions of favoritism toward a specific organization, group or vendor or offer political statements.
6. Any photographs or videos to be posted by an authorized user on social media which use identifiable images of employees or members of the general public, especially those under age 21, require a signed release form. The form should be signed by the individual or the parent or guardian of anyone under 21. If using photos taken at an event where participants must register in advance, photo release language may be included in the event registration

form, but still must include the signature of the parent or guardian if the photo is of an individual under the age of 21.

Images of patients or those of identifying marks on vehicles (i.e., license plates) are prohibited on county-authorized social media sites.

7. Information posted to a social media site by the County, or a member of the public, may be considered a public record and subject to state laws regarding public records. Departments utilizing social media shall have procedures in place to preserve/archive social media content in compliance with law.
8. Agencies/departments with established social media applications shall monitor site activity and content for exploitation or misuse, take appropriate corrective actions upon occurrences and report such to the Social Media Team.

### **Employees' Personal Use of Social Media at Work**

Employees should have no expectation of privacy while using County email addresses, computer systems, mobile devices, cell phones, or any other communications device used to access any type of social media. Access and use of personal social media sites, outlets or accounts at work should be brief, should not detract from workplace responsibilities and productivity, should not violate existing personnel policies, and should not involve commercial, political or other prohibited activities. Social networking should be viewed as similar in nature to receiving a personal phone call, and thus should be of a reasonably limited duration. At no time should an employee use their County email address in conjunction with a personal social networking site.

On-the-job postings by employees are likely to be viewed by the public as expressions of the County government's point of view. Because County-authorized social media is directly related to the County's business concerns, employees are prohibited from expressing work-related complaints or criticisms on County-authorized social media sites. Employees are encouraged to submit work-related complaints directly to the appropriate department or their supervisor or in accordance with applicable County policies.

### **Employees' Personal Use of Social Media Outside Work**

The County respects employees' ability to use social media as a medium of self-expression and conversation, and this policy does not restrict an employee's ability to comment on matters of public concern as provided by law. However, social media sites have a significant communications potential, and can generally be accessed by anyone around the world indefinitely. Ultimately, the employee is responsible for what they post online and should be aware that anything posted on the Internet is not considered a private conversation. Before creating online content, employees should be mindful that any posting that adversely affects their job performance, the performance of fellow employees or otherwise adversely affects citizens, clients, vendors or contractors



or Sampson County's legitimate business interests may be grounds for disciplinary action up to and including dismissal. Therefore, employees shall adhere to the following guidelines when communicating or posting content about County-related subjects on social media sites in their capacity as private citizens on personal time:

1. Unless authorized to do so, never directly or indirectly represent yourself as a spokesperson for Sampson County or any department of Sampson County. This includes the use of the County seal or other official County logos, emblems or patches. If Sampson County government is the subject of the content you are creating, be clear and open about the fact that you are an employee and specify that the views expressed are yours alone and do not necessarily represent the views of the County, fellow employees, citizens, clients, vendors or people working on behalf of Sampson County. It is best to include a disclaimer such as "the postings on this site are my own and do not necessarily reflect the views of Sampson County government."
2. Refrain from disclosing confidential or proprietary information of which the County may be a custodian, including but not limited to private information about the County's citizens, customers, clients, patients (specifically health information protected by HIPAA), elected officials, employees (specifically personnel information), representatives, business partners, service providers and vendors, and non-public operational information and procedures.
3. Refrain from making statements that hinder or undermine the effective performance of County functions.
4. Refrain from using social media sites in a manner that may damage or reflect discredit to the County's good reputation by posting content created, owned, associated with or held as a custodian by the County, including but not limited to intellectual property, trademarks, logos, copyrighted material, or images depicting County uniforms, vehicles, facilities, or other items identified with the County or its business partners.
5. Refrain from making comments that threaten physical violence, harass, bully, discriminate, or retaliate against the County's customers, elected officials, officers, employees, representatives, business partners, vendors, or service providers.
6. Refrain from using social media to engage in abusive, defamatory, obscene, violent, maliciously false or otherwise egregious conduct or statements directed at or implicating the County, its citizens or customers, elected officials, employees, representatives, business partners, service providers, or vendors.
7. Refrain from linking a social media site to any of the County's internal websites or computer networks without County approval.
8. Ensure that personal social media use does not interfere with assigned work

responsibilities.

9. Remember that, in some cases, content about the conduct of County business published by employees on personal time may be subject to disclosure under North Carolina public records laws.
10. Refrain from establishing websites or other social media sites of any type that purport to represent the interests and views of Sampson County or any of its departments unless the creation of such sites has been specifically authorized by your department director, the County Manager or his designees.
11. Refrain from using any County email address to register on social networks, blogs or other online tools utilized for personal use.

### **Policy Enforcement**

The County requests and strongly encourages employees to report any violations or possible or perceived violations of this policy to the Department Head, Public Information Officer, or Human Resources Director. The County will investigate and respond to all reports of violations or perceived violations of this policy. Sampson County prohibits taking negative action against any employee for reporting a possible violation of this policy or cooperating in an investigation. Any employee who retaliates against another employee for reporting a possible violation of this policy or for cooperating in an investigation will be subject to disciplinary action, up to and including termination from employment with Sampson County.

Violations of this Social Media Policy may subject employees to disciplinary action up to and including termination from employment with Sampson County.

**APPENDIX \_\_\_\_\_**  
**SOCIAL MEDIA PROJECT REQUEST**

**(document to be created specific to Sampson County based upon sample)**

**APPENDIX \_\_\_\_\_**  
**eGOVERNMENT CONTENT POLICY**

**Responsibilities**

Once the establishment of a social media site is approved, departments are responsible for establishing and maintaining content posted on their media sites in compliance with the Social Media Policy and any other applicable County policies.

The Social Media Team has the authority to disable or remove assigned social media applications in response to violations of policy or in the event of a security concern. The County Manager, or designated representatives, reserves the right to delete content that is deemed in violation of the Social Media Policy.

**Required Content on County-Authorized Social Media**

Authentication

Official County agency/department social media sites shall contain visible elements that identify them as an official County site. Among other items, this includes the County name, official seals and logos, agency/department brands, contact information and a link to department/County websites.

Public Records Disclaimer

Communication via County-authorized social media is a public record. However, visitors may not be aware of the public records law. Therefore, all County-authorized social media must include the following statement (or some version of it) somewhere on their social-networking site: *Representatives of Sampson County communicate via this site. Consequently, any communication via this site (by government employee or the general public) may be subject to monitoring and disclosure to third parties.*

Posting Deletion Disclaimer

Each County-authorized site must display or link (to the County website) the following disclaimer for postings:

*By participating in any of our County-authorized social media sites, users must adhere to our posting guidelines. The (county/department) reserves the right to delete submissions or postings that:*

- *Contain vulgar language or content, personal attacks of any kind, or offensive comments that target or disparage others based on race, color, religion, sex, age, national origin, political affiliation, sexual orientation or disability;*
- *Are spam or include links to other sites;*
- *Are clearly off topic;*
- *Are commerce solicitations (advertising);*
- *Advocate illegal activity or compromise the safety and welfare of the public or public systems;*

- *Endorse, promote or oppose political organizations, candidates or platforms;*
- *Violate state or federal law (such as copyright, trademark or intellectual property laws, HIPPA or COPPA).*

*Users will be notified of any content removal. Repeat violators of this policy will be subject to being banned from all future posts.*

*Users of our county social media sites are fully responsible for the content they post, including their username and any information they provide. Statements, comments, views and opinions posted are strictly those of their authors and as such do not necessarily represent the views and opinions of Sampson County Local Government, officers, employees or agents. Sampson County does not guarantee the accuracy of users' postings.*

### **Guidelines for Contents on County-Authorized Social Media**

Content published on a County-authorized site by an authorized user must stay within their defined scope, area of expertise and provide unique perspectives on their departments' programs and services. All content must comply at all times with the Social Media Policy.

Social media training will include training on how to write and prepare effective social media messages. Content published on County-authorized social media should be:

- Relevant and Meaningful: information that helps citizens and pertains to their daily lives
- Timely: information about deadlines, upcoming events, news or related content
- Actionable: information to register, attend, go or do
- Factual accurate and honest: link only to reputable sources
- Conversational, but respectful in tone: courteous and professional, open and inviting response and comments. Not combative or argumentative. Avoid comments which site visitors, employees, customers, clients, and stakeholders may find offensive, obscene, insulting, sexist or discriminatory
- Respectful of proprietary information and confidentiality

Content which should not be published on County-authorized social media:

- Information regarding litigation or claims that could be brought against the County
- Non-public information of any kind;
- Intellectual, copyrighted or trademarked materials, without proper authorization
- Personnel, sensitive, or confidential information of any kind
- Medical information that violates a person's Health, Insurance Portability and Accountability Act (HIPAA) protections

Content published must not violate the Terms of Service (TOS) for social media application.

## **Responding to Public Commentary**

When a response is appropriate, comments must be replied to in a timely manner. The comment should refer the poster to the appropriate County employee or department who can then provide more detailed information or address the issue off social media. Do not respond to requests for service on social media. Use the Social Media Response Decision Guide and/or consult with the Public Information Officer as needed.

## **Monitoring, Modifying or Blocking/Removing Content**

Departmental social media administrators must frequently monitor their social media sites and take appropriate action when necessary to protect site visitors from inappropriate or technically harmful information. In addition, the Social Media Team will monitor sites for compliance with policy, effectiveness of social media outreach and potential security concerns.

If a mistake is made, admit it and be upfront and quick with correction. If you need to modify content, be transparent and obvious that modifications have been made to correct errors.

If a post or comment is found to be in violation of the County's posting guidelines/disclaimer (see above) and should be removed, follow the Social Media Response Decision Guide and consult with the Public Information Officer when necessary. Authorized users are responsible for documenting and retaining as a public record any blocked, hidden or removed content. Authorized users should take a screenshot of the comment/posting and send it to their Department Director and the Social Media Team, noting the reason the specific content is deemed not suitable.

Appropriate verbiage for informing a poster of removal of their content would be: *Your recent post is in violation of the posting guidelines for Sampson County social media sites and has been removed. Please refrain from posting inappropriate content in the future. If you do not refrain from posting such content, we will regretfully have to block you from future posts. Thank you for understanding.*

Advice from the County Attorney should be sought before users are blocked from County-authorized social media sites.

## **Emergency or Evolving Incidents**

During emergencies or evolving incidents, all social media content and postings must be coordinated through the Public Information Officer (or incident PIO) as part of the County's Emergency Operations Plan. Depending upon the incident, social media administrators may be directed to point to specific social media sites that will serve as the main source of information. All incidents evolve over time and the County may need to change how social media assets are being used from strategic and tactical perspectives. Examples of such actions:

- Activation of a Joint Information Center (JIC)
- Posting of incident-related information by PIO on all departmental social media accounts
- Un-scheduling of posts so content is not insensitive or untimely due to emergency
- Establishment of required hashtags for storm- or event-related messages
- Requirement for time-stamping of information in storm- or event-related messages
- Establishment of new, temporary storm- or event-related social media as necessary

## APPENDIX \_\_\_\_ DEFINITIONS

**Approved County social networking site:** Refers to social networks that have been assessed and approved for use pursuant to the Sampson County Social Media Policy.

**Comment:** A user submitted response to an administrator post.

**Copyrighted material:** Includes materials that may be protected by Copyright Law (for example, a cartoon, article, or excerpt from a book). If the material is copyrighted, it may not be publicly circulated without proper authorization from the copyright holder.

**Cross-Site Scripting (XSS):** A security vulnerability which allows attackers to insert code into a target user's web page.

**E-mail message:** A single electronic mail message sent directly to another user.

**Identity Spoofing:** Involves one person, system, or website successfully masquerading as another by falsifying identity-related information and thereby being treated as a trusted user or system by another user or program.

**Official County email account:** An email account provided by a department mail system or approved external mailbox that is used for official County business.

**Post:** An administrator submitted message/blog in the form of, but may not be limited to, text, videos, photographs, graphics, links (hyperlinks), documents, computer applications, etc.

**Record:** Data or information in a fixed form that is created or received in the course of individual or institutional activity and set aside (preserved) as evidence of that activity for future reference. A record has fixed content, structure, and context. (SAA Glossary)

**Retention and disposition schedule:** A document that identifies and describes an organization's records, usually at the series level, provides instructions for the disposition of records throughout their life cycle. (SAA Glossary)

**Social engineering:** An attack that involves gathering and using personal information about a target in a deceitful manner in order to convince the target to provide the attacker permission to obtain or access restricted information.

**Social networking:** The use of a variety of Web sites that allow users to share content, interact, and develop communities around similar interests.



**Social Media:** Various activities that integrate technology, social interaction, and content creation. Through social media, individuals or groups can create, organize, edit, or comment on, combine or share content. Social media uses many technologies and forms, including social-networking, blogs, wikis photo-sharing, video-sharing, podcasts, social bookmarking, mash-ups, widgets, virtual worlds and microblogs. Not all forms of social media are appropriate for use by County departments.

**Social Media Administrator:** The administrator of a social media account is designated by the department head, or his/her designee, and has authority to use social media on behalf of the department and responsibility to ensure the appropriateness of the content and compliance with the Social Media Policy.

**Spam:** Spam is an abuse of electronic messaging systems by sending unsolicited bulk messages.

**Spear phishing:** An attack targeting a specific user or group of users, attempting to deceive the user(s) into performing a routine action, such as opening a document or clicking a link, which the phisher has booby-trapped to launch an attack.

**Terms of Service (TOS):** Rules by which one must agree to abide in order to use a service. It is generally assumed such terms are legally binding.

**URL Spoofing:** An attack in which a legitimate web page is reproduced on a server under the control of the attacker and then a target is directed to this site, thinking that they are on the legitimate site.

**Web Applets:** Code routines, scripts or utilities that interact dynamically with web pages to provide additional functionality to the user.

## **APPENDIX \_\_\_\_\_**

### **SECURITY BEST PRACTICES**

From a security standpoint, departments should be mindful of how to best prevent fraud or unauthorized access to either the social media site or the county network. In almost every case where an attacker accesses a system without authorization, they do so with the intent to cause harm. The harm intended may be mild, such as:

- making unofficial posts, tweets or messages—possibly of an embarrassing nature—that will be seen by the public as official messages;
- using the compromised site to spread malware;
- redirecting users to sites that look like county sites but are used to gather data that could be used for unauthorized purposes (i.e. phishing); or
- encouraging users to either click links or download unwanted applications that the attacker has added to the site.

In some cases, the intended harm may be more serious. For instance, attackers could access the network and obtain information that could be used to compromise or disable the county system, county employees, or citizens. In this scenario, attackers could acquire information such as:

- confidential information about County employees or citizens;
- sensitive security information;
- data about public safety plans; or
- defenses currently in place against attacks on public facilities.

Thus, security is an ever-present concern that must be addressed.

#### **Methods Used to Breach IT Security**

It is important to note that security related to social media is fundamentally a behavioral issue, not a technology issue. In general, employees unwittingly providing information to third parties pose a risk to the core county network. Consequently, employees should know the major threats they may face and how to avoid falling prey. Prevalent social media security risks include third-party spear phishing, social engineering, spoofing, and web applet attacks. See Appendix \_\_\_\_\_, for definitions of these terms.

Consequently, due to the relative vulnerability of social media sites to these security exploits, it is important to be cautious when using such sites. In order to prevent potential harm, users of social networking sites should minimize the amount of information an attacker is likely to gain from a successful attack. For example, individual user IDs and passwords should not be duplicated across multiple sites. In this way, if one site is compromised, the attacker cannot also gain access to other sites for which the user is authorized. In particular, because of the importance of proper operation of the County network and the sensitivity of information stored on County systems within the network, a

County employee must never use a current county password as a password on any other site.

If agencies participate in social networking, agencies should:

- ensure that employees are made aware of which information to share, with whom they can share it, and what not to share;
- provide security awareness and training to educate users about the risks of information disclosure when using social media, and make them aware of various attack mechanisms as described in this document;
- ensure employees are aware of Privacy Act requirements and restrictions. Educate users about social networking usage policies and privacy controls to help them better control their own privacy in any profile they use for work-related activities and more effectively protect against inadvertent disclosure of sensitive department information; and
- educate users about specific social media threats before they are granted access to social media websites.

#### **Strategies to Minimize Risk of Misuse of Social Media Accounts**

- Follow the password policy guidelines established by IT when setting passwords for social media sites.
- Do not use automated login options on social media pages, such as Facebook's "Keep me logged in" feature.
- Never leave station unattended or unlocked when logged on to a social media account.
- Only Department Heads, or their designees, the department's social media administrator and the County's Social Media Team should know login and password to social media account(s).
- At least two people must have access to login credentials.
- If a social media administrator changes, the login and password should also be changed.

#### **Actions in the Event of Compromise of Social Media Account**

Even with these measures, sites are not immune from attacks. One sign of intrusion is defacement, in which the social media page is replaced with the attacker's message. Another indicator might be complaints of e-mails containing a virus or a fraudulent message coming from a County social media account.

In the event that social media use is compromised, the Department should immediately:

- Reporting the incident immediately to IT, the Public Information Officer and the Office of the County Manager.
- Reporting the incident to Human Resources and Risk Management if there is any indication of compromise of employee or other personal information or if any financial loss is implicated.
- If possible, change login and password information immediately.
- Acknowledge the security breach to social media followers in consultation with the IT Director and Public Information Officer.
- Look for signs of damage, making necessary corrections.

## POLICIES AND PROCEDURES REGARDING PUBLIC COMMENT

A period reserved for comments from the public on topics not otherwise included on that evening's agenda will be included as an item of business on all agendas of regularly-scheduled Board of Commissioners meetings and shall be deemed the "Public Comment" segment of the agenda. The Public Comment segment of the agenda will be placed at the end of the agenda, following the conclusion of all other open session business.

As with Public Hearings, the Chair (or presiding officer) will determine and announce limits on speakers at the start of the Public Comment period. Generally, each speaker will be allocated five (5) minutes. **Speakers may not allocate their time to another speaker.** The Chairman (or presiding officer) may, at his discretion, decrease this time allocation, if the number of persons wishing to speak would unduly prolong the meeting.

The Public Comment period shall not exceed a total of thirty (30) minutes unless the Board entertains a successful majority vote to extend this period.

An individual wishing to address the Board during the Public Comment period shall register with the Clerk or Deputy Clerk to the Board prior to the opening of the meeting by signing his or her name, address and a short description of his or her topic on a sign-up sheet stationed in the lobby of the County Auditorium.

If time allows, those who fail to register before the meeting may speak during the Public Comment period. These individuals will speak following those who registered in advance. At this time in the agenda, an individual should raise his or her hand and ask to be recognized by the Board Chair (or presiding officer) and then state his or her name, address and introduce the topic to be addressed.

Items of discussion during the Public Comment segment of the meeting will be only those appropriate to Open Meetings. Closed Meeting topics include, but are not limited to, such subjects as personnel, acquisition of real property, and information protected by the client-attorney privilege. Closed Meeting subjects will not be entertained.

Because subjects of Special and Emergency Meetings are often regulated by General Statutes, there will be no Public Comments segment reserved on agendas of these meetings; however, Special and Emergency Meetings are open for public attendance.

The Public Comments segment of the agenda is intended to provide a forum for the Board of Community to listen to citizens; **there shall be no expectation that the Board will answer impromptu questions.** However, Board members, through the presiding officer, may ask the speaker questions for clarification purposes. The Board will not take action on an item brought up during the Public Comments segment of the agenda and, when appropriate, items will be referred to the Manager or the proper Department Head.