

**MONDAY, MARCH 26, 2007 9:00 AM
SPECIAL CALLED MEETING
ALTERNATIVE VOTING**

The Beaufort County Board of Commissioners held a special called meeting Monday, March 26, 2007, 9:00 am, the Beaufort County Administrative Office, 121 West Third Street, Washington, NC, with the following commissioners present:

Chairman Jay McRoy,
Commissioner Hood Richardson
Commissioner Ed Booth
Commissioner Stan Deatherage

Vice Chairman Jerry Langley,
Commissioner Robert Cayton
Commissioner Al Klemm

The Chairman called the meeting to order.

VOTING ALTERNATIVE DISCUSSION

The Commissioners met to discuss the possible alternative to the current method of limited voting for commissioners. That means one voter gets to vote for one candidate.

County Manager Paul Spruill said after Commissioner Rev. David Moore resigned he came back to the Board with an alternative voting plan.

Professor Theodore (Ted) Arrington, (Political Science) from the UNC Charlotte was introduced by the County Manager. He came before the Board to listen to discussion and offer assistance of an alternative voting method to limited voting (which is limited voting) in Beaufort County.

Professor Arrington said there are two kinds of assistance he can provide.

- 1) draw maps
- 2) conduct a voter polarization study when if approved change some of the chance of getting it through the Justice Department for pre-clearance.

Commissioners Booth and Langley were not in favor of changing the voting method for fear that it would discourage or stop the election of blacks to the Board.

Professor Arrington noted in Rev. David Moore's map the river splits the County, thus making the current districts not contiguous. He believes he can show the Commissioners a way to change the method and not affect the black candidates. In 1965 voting act challenged and settled on voting arrangement that we have now which is limited voting. He said a judge can enter an order only with the agreement of the Commissioners. This plan would have to be accepted by the black communities.

He believes a plan that would get through pre-clearance but the Commissioners would have to know legally how to get out of the limited voting and make the change. Perhaps they could go to the Legislature for a special bill.

**MONDAY, MARCH 26, 2007 9:00 AM
SPECIAL CALLED MEETING
ALTERNATIVE VOTING**

Continuing Professor Arrington said the voting standard is fairly simple; all people must be able to participate legally. The next consideration is the Shaw cases: Whites can sue in federal court to challenge the districts drawn to protect minorities under the VRA.

Commissioner Booth said if you draw a district that stretches like a rubber band it will not work. The votes are going to be where the larger masses are.

Professor Arrington said he understood there was some interest within the Board in increasing the actual number of votes an individual can cast in an election.

Commissioner Richardson said he believed the citizens would like to vote for more than one commissioner candidate and preserve racial equality.

Professor Arrington said that if you try to vote for two commissioners per citizen in seven districts, it will not pass pre-clearance due to the twenty-eight percent population. He said if the goal of the Commissioners is to be able to vote for more than two candidates you do not want a seven district plan.

Chairman McRoy said he does not hear anyone from the public saying the votes should be reduced; if anything increase the number of candidates a registered voter can vote for.

Commissioner Klemm said he would like to vote to vote for more candidates.

The Manager said the public wants seven districts and want to know who represents them or they want to increase the number of candidates they can vote for.

The County Manager proposed there are more creative ways to accomplish this other than the Radar Map that comes to mind.

Professor Arrington said he could try to draw a seven district map, but doubts it can include two minority districts.

Kellie Hopkins, Supervisor of the Board of Elections, said even with nine districts you couldn't draw it. It was almost impossible when the School Board tried it. They have three minorities with a nine member board.

Commissioner Deatherage supports the Radar plan. That plan would satisfy the two minorities and vote for the one candidate.

Commissioner Cayton said that sounded like taxation without representation.

The County Manager said a registered voter would get to vote for two of the seven member commissioner board.

**MONDAY, MARCH 26, 2007 9:00 AM
SPECIAL CALLED MEETING
ALTERNATIVE VOTING**

The Professor said that there are two possible solutions: 1) to increase the number of votes per person or 2) draw three double majority black districts then each district elect one at large and all vote for three candidates. That is four years at staggered terms.

Ms. Hopkins said that would be highly unlikely to be drawn.

Commissioner Booth agreed with Ms. Hopkins. He said annexation would apply.

Professor Arrington said this did not have to involve the drawing of districts. When electing in 2008 citizens vote could increase from one to two. He suggested conducting the polar study and the mathematics.

The County Manager said that was the same system as we have now but will increase the actual number of votes per voter.

Commissioner Booth said if they had districts and candidates were up for reelection, you could get another black and increase the voting strength tremendously. The PACs could recruit a minority. In the precinct where Commissioner Booth lives with the current voting now there is not a guarantee a minority can win.

The County Manager said it seemed on creative ideas outlined the risk of Commissioner Booth is minimized in the sketch of three districts with four and two votes.

Commissioner Deatherage said he had eleven years of the inequity of limited voting. He wants to give each voter two votes and use staggered terms. He says if the minority is a good candidate he will draw in the white votes. He said we should give the public the best way to elect commissioners, that what we have now is more of a "rigged election".

Chairman McRoy said that no candidate will get more than fifty percent of the total votes.

Commissioner Richardson said he did not buy into mandates. He said because you get more votes does not necessarily mean that you are the best man out there. He has looked at this for years. He is looking for an alternative to the current voting method. He wants what is fair to all. He said districts are not fair and have special interests. He doesn't want to endorse or vote for a plan now, but wants more information and a proposal. Do all the background work now.

Professor Arrington said until he does the preliminary work he will not know if the votes can increase from one to two per voter. He used the example that four is more than one-half of seven.

Commissioner Klemm asked what the study would cost.

Professor Arrington said if he did not draw the districts that would decrease the costs. He will do the polarization study.

**MONDAY, MARCH 26, 2007 9:00 AM
SPECIAL CALLED MEETING
ALTERNATIVE VOTING**

The Manager asked if it was the consensus of the Board to have Professor Arrington do the work and give us a not to exceed over \$15,000 figure.

The Professor said he could live with that if the Board did not bring him back too often.

On motion by Commissioner Richardson, seconded by Commissioner Deatherage, the Board voted to contract with Professor Theodore Arrington to conduct a polar study and a study of literature of limited voting to demonstrate there is a reasonable possibility to elect minorities but increase limit of going from one to two votes per voter.

VOTING YES

Richardson

Cayton

McRoy

Klemm

Deatherage

VOTING NO

Langley

Booth

The motion passed.

The Board then took a ten minute recess.

HEALTH CONTRACT

The Manager noted that we have estimated numbers for the Health Department Contract a little ahead of time this year.

Commissioner Klemm asked if he could get a copy of the Health Department budget.

The County Manager will provide this on Thursday at the joint meeting with the Board of Health.

Commissioner Richardson requested the total budget for the Health Department (example used was maternal health) , not just the state, federal and County. He also wants the reported funds collected from the public. The contract says that money the Health Department collects will be returned to that program.

Chairman McRoy stated funds collected by the Health Department comes to Administration and goes through the County Finance Department.

Commissioner Klemm asked if the contract increased yearly.

The Manager said most account do but we hold it as close as we can.'

Chairman McRoy said the County's contribution goes mostly for staff salaries.

**MONDAY, MARCH 26, 2007 9:00 AM
SPECIAL CALLED MEETING
ALTERNATIVE VOTING**

The County Manager said the net is County dollars, affected by unmandated issues and funding.

Commissioner Richardson said we should look at the policy issues as well.

The Manager said the contract has something to do with local spending, whether or not as a group the Commissioners agree to provide these services and accept the funding from State to do so with the matches all of which are built into this document. Thursday presentation will provide an answer for you and all you need to do is decide "does the County need the services that are proposed in the contract". The State expects you to provide the services or make the service available elsewhere in the county.

Commissioner Richardson said when the Commissioners votes to approve this budget they have locked the County into filling the positions and denied the citizens of the County on the services.

The Manager said that the Commissioners do have a degree of control next year, but you do not give away all of your control.

The County Manager will provide the funding information for the prior year and this year. He will have it at the Thursday Meeting. There will be about eight weeks to thoroughly explore that data.

Commissioner Klemm asked if the Commissioner have a right to say how many people you can employ in a certain sector such as maternal health and are all of them County employees.

The Manager said the truth is somewhere in the middle. The Board of Health hires the Health Director. They compile a budget and send it to the Commissioners for approval. He said for the past three years the Health Department Staff has been helpful to his staff supplying information for the budget.

Commissioner Richardson said sometimes things are not as they seem. They may tell you there is no maternal health care in Beaufort County other than what they provide. This is not always true.

Commissioner Richardson felt the contract was approved last year before it was totally debated and policy discussed.

The Manager stated on Tuesday, April 3, 2007, 4:30 – 6:30 there is an OLF Information Review and the official OLF Public Hearing. The meeting to be held at the Beaufort County Community College in Building #10. He asked the Board to let their thoughts be known. He asked the Board to approve the following resolution and have it read into the record. The newspaper will send out coverage on this now and that is why we are not doing it on Thursday.

**MONDAY, MARCH 26, 2007 9:00 AM
SPECIAL CALLED MEETING
ALTERNATIVE VOTING**

The Manager said the resolution is meant to criticize the preferred alternative. A separate resolution will specify this and we can read it at the hearing.

Commissioner Richardson said Site E should be included in the resolution as well as Site C. He said Open Grounds Farms and Oak Grove should be mentioned and note Beaufort County's preference.

The Chairman suggested that those items be included in the resolution proposed today for approval.

The Board agreed.

The County Manager reminded the Board when they met with the Washington County Commissioners and we said we're in this fight with you. Now they must support us if the site is proposed in Beaufort County.

The Manager said when BRAC came to North Carolina at the risk of losing military installations. The Governor of Military Affairs lobbied for a positive relationship to preserve military relationships. North Carolina survived BRAC and now the Governor of North Carolina has taken a firm stand.

The Board reviewed the following resolution. It will be discussed again at the public hearing on Tuesday, April 3, 2007.

OUTLYING LANDING FIELD (OLF)

On motion by Commissioner Langley, seconded by Commissioner Richardson, the Board voted unanimously approving the following resolution regarding Outlying Landing Field.

**RESOLUTION PROMULGATING BEAUFORT COUNTY'S CONTINUING
OPPOSITION TO THE UNITED STATES NAVY'S PREFERENCE FOR
CONSTRUCTION OF AN OUTLYING LANDING FIELD IN WASHINGTON AND
BEAUFORT COUNTIES AFTER THE PUBLICATION OF THE COURT ORDERED
DRAFT SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT**

WHEREAS, the United States Navy (the Navy) has published a court ordered Draft Supplemental Environmental Impact Statement (DSEIS) that identifies a land area of approximately 30,000 acres located in Washington County and Beaufort County, North Carolina identified by the Navy as Site C as its preferred site to construct an Outlying Landing Field (OLF); and

WHEREAS, Washington County will suffer significant permanent losses to its revenue generating tax base, ad valorem taxes, personal property taxes, sales taxes and other related taxes in excess of \$1 million annually which is a significant impact to the economic viability of the county; and

**MONDAY, MARCH 26, 2007 9:00 AM
SPECIAL CALLED MEETING
ALTERNATIVE VOTING**

WHEREAS, Beaufort County's would suffer less substantial losses in the form of ad valorem, personal property, and sales taxes, but would suffer greatly from the lack of flexibility among its farmers to plant certain crops that will likely be restricted by the presence of the landing field; and

WHEREAS, the Navy would attempt at Site C to acquire in fee simple at least 2,000 acres of private owned land at market price and potentially would place over 25,000 acres of land under mandatory restrictive use easements; and

WHEREAS, approximately 12 residential homes are located in the core area of Site C and would have to be relocated and approximately an additional 50 residential homes would be located in the "buffer area" of the OLF and would be exposed to increased noise levels which might force the relocation of the homes; and

WHEREAS, the relocation of the homes will not allow the property owners peace and enjoyment of their currently owned property which is a Constitutional right of the citizens of the United States of America; and

WHEREAS, the DSEIS does not address the amount of compensation for the mandatory restrictive use easements that should be paid to the land owners; and

WHEREAS, a more equitable method to potentially purchase land in fee simple should be calculated on replacement cost value for the land taken and not the fair market value method as described in the DSEIS; and

WHEREAS, approximately 2,000 acres of agricultural land in the core area would be converted to "turf grass" and the income producing value of that land will be permanently loss with no future on-going compensation to the land owners for the lost income; and

WHEREAS, approximately 22,000 acres of agricultural land might include restrictive easements which would prevent the production of corn, soybeans and wheat and result in agricultural income loss because the easements will allow only production of less profitable crops; and

WHEREAS, the annual agricultural income losses to property owners and farm workers will be between \$3.8 million and \$6.9 million; and

WHEREAS, the Navy proposes to establish Class D airspace around the OLF which will have a detrimental impact on the airspace use and flight operations associated with the Plymouth Municipal Airport; and

WHEREAS, the construction of an OLF at Site C will cause Donald's Air Park, a private owned business to be relocated or closed with no stated compensation to Donald's Air Park in the DSEIS; and

**MONDAY, MARCH 26, 2007 9:00 AM
SPECIAL CALLED MEETING
ALTERNATIVE VOTING**

WHEREAS, The Pocosin Lakes National Wildlife Refuge is an internationally renowned wildlife refuge that was created by the United States of America in 1990 to provide habitat for migratory waterfowl and other birds, to protect and enhance habitats for endangered species and to provide opportunities for wildlife-oriented interpretation, outdoor recreation and environmental education which will suffer adverse harm if the OLF is constructed and the waterfowl and other endangered species relocate to other habitats; and

WHEREAS, migratory waterfowl including up to 100 thousand tundra swans and snow geese which utilize the Pocosin Lakes National Wildlife Refuge as their winter home will be adversely impacted by the degradation of their habitat, destruction of portions of their foraging areas, the removal of food sources and the potential for extermination of the waterfowl through the use of various chemical repellents, poisons and gunfire; and

WHEREAS, if the OLF is constructed at Site C and the waterfowl, other birds and wildlife are displaced due to the degrading of their natural habitat a severe adverse impact to the ecotourism industry will occur and result in over \$100 thousand in annual lost income to this industry; and

WHEREAS, the Navy's "Comparative Airfield Analysis: Case Studies at Existing Military and Civilian Airfields and Military Training Ranges" was used to support the assessment of construction and operations of an OLF on migratory waterfowl populations in Northeastern, North Carolina and with the United States Fish and Wildlife Service (USFWS) as a cooperating agency commented that these studies made it difficult to determine the real impacts on migratory waterfowl; and

WHEREAS, the USFWS has responded to the Navy that bald eagles and the red wolf now use OLF Site C for their natural habitat or foraging area and no prudent measures have been identified to mitigate any potential adverse impacts on these life forms; and

WHEREAS, the proposed OLF at Site C is inconsistent with North Carolina's Coastal Management Plan, Washington County's CAMA Land Use Plan, and Beaufort County's CAMA Land Use Plan by diminishing the region's ability to maintain the biological, aesthetic, economic, and agricultural uses of lands near Lake Phelps, Lake Pungo and the immediate surrounding region; and

WHEREAS, the DSEIS does not adequately address the impacts on over 100 thousand waterfowl in this ecologically valuable region and it diminishes the extreme peril to human life (both pilots and civilian) and military aircraft;

WHEREAS, the Navy continues to refuse to explore alternative locations that could meet their needs with considerably less impacts on the environment, human life and economic development including but not limited to Open Grounds Farm and Oak Grove OLF.

**MONDAY, MARCH 26, 2007 9:00 AM
SPECIAL CALLED MEETING
ALTERNATIVE VOTING**

NOW THEREFORE BE IT RESOLVED that the Beaufort County Board of Commissioners categorically proclaims its continued opposition to the construction of an OLF at Site C because, among other reasons, the DSEIS fails to explain the Navy's preference to locate the OLF at this site.

BE IT FURTHER RESOLVED that the Beaufort County Board of Commissioners concludes the DSEIS fails to adequately and objectively satisfy and address the inevitable possibility of bird and aircraft collisions, the devastation it will wreak on the environment, the Pocosin Lake Natural Wildlife Refuge and the permanent economic distress that it will place on Washington County and its citizens.

FURTHERMORE, BE IT RESOLVED that the Beaufort County Board of Commissioners requests that the North Carolina delegation to the United States Congress (the Congress) working in a bi-partisan manner call for the Congress to suspend funding for the Navy's proposed OLF at Site C and to require an independent environmental impact statement be prepared by a third party to provide appropriate information to ensure a correct decision is made before the Navy proceeds with a record of decision regarding the location of the OLF.

ADOPTED this the 26th day of March, 2007.

Jay McRoy, Chairman
Beaufort County Board of Commissioners

Sharon C. Singleton
Clerk to the Board

COMMISSIONER CALENDAR EVENTS

Thursday, March 29, 2007, 6:00 pm. Joint Meeting at the Health Department to review and discuss the consolidated contract between the Beaufort County Health Department and North Carolina Department of Health and Human Services Division of Public Health.

Monday, April 2, 2007, 5:00 pm, Regular Monthly Meeting

Tuesday, April 3, 2007, 4:30 – 6:30 OLF Information Review and the official OLF Public Hearing. Meeting to be held at the Beaufort County Community College in Building #10 in Washington.

Wednesday, April 4, 2007, 4:30 – 6:30 OLF Information Review and the official OLF Public Hearing. Meeting to be held at the Vernon James Center in Williamston.

On motion by Commissioner Cayton, seconded by Commissioner Richardson, the Board voted unanimously to recess their meeting until Thursday, March 29, 2007, at 6:00 pm for a joint meeting with the Health Board at the Health Department on Highland Drive.

**MONDAY, MARCH 26, 2007 9:00 AM
SPECIAL CALLED MEETING
ALTERNATIVE VOTING**

Chairman Jay McRoy

ATTEST:

Sharon C. Singleton, Clerk to the Board