MINUTES
JOINT SPECIAL MEETING OF THE EDGECOMBE COUNTY BOARD OF COMMISSIONERS AND THE NASH COUNTY BOARD OF COMMISSIONERS
MAY 23, 2016 AT 3:00 P.M.
427 FALLS ROAD, ROCKY MOUNT, NORTH CAROLINA

MEETING CALLED TO ORDER BY CHAIRMAN LEONARD WIGGINS AND CHAIRMAN FRED BELFIELD, JR.

EDGECOMBE COUNTY BOARD OF COMMISSIONERS PRESENT: Mr. Leonard Wiggins, Chairman, Mr. Jonathan Felton, Vice-Chairman, Mrs. Evelyn Powell, Rev. E. Wayne Hines, Mr. William Wooten, Mr. Donald Boswell and Mrs. Viola Harris.

EDGECOMBE COUNTY BOARD OF COMISSIONERS ABSENT: None.

OTHERS PRESENT FOR EDGECOMBE COUNTY: Mr. Eric Evans, County Manager, Mr. Mahlon DeLoatch and Michael, County Attorneys, and Ms. Frangie Mungo, Clerk to the Board.

NASH COUNTY BOARD OF COMMISSIONERS PRESENT: Mr. Fred Belfield, Chairman, Mr. Billy Morgan, Vice-Chairman, Ms. Lou Richardson, Ms. Lisa Barnes, Mr. Wayne Outlaw, Ms. Mary Wells and Mr. Robbie Davis.

NASH COUNTY BOARD OF COMMISSIONERS ABSENT: None.

OTHERS PRESENT FOR NASH COUNTY: Mr. Zee Lamb, County Manager, Ms. Rosemary Dorsey, Assistant County Manager, Vince Durham, County Attorney, Donna Webb, Finance Director and Janice Evans, Clerk to the Board

INVOCATION.
Ms. Mary Wells provided the invocation.

OPENING REMARKS – Leonard Wiggins, Edgecombe County Chairman.
Mr. Wiggins stated that on May 13, 2016 he sent a letter to the Chairman and Nash County Commissioners on behalf of the Edgecombe County Board of Commissioners to request a meeting to further discuss the Nash-Rocky Mount School System issue. He stated that he sent another letter out on May 18, 2016 to correct some language in the first letter. Mr. Wiggins asked Mr. Evans, County Manager, to speak on behalf of the Board. To consider some items they thought would resolve the issue.

Mr. Evans stated that he has been asked by the Edgecombe County Manager to describe points of their offer to settle with an agreement that will keep Nash-Rocky Mount Schools intact.

Mr. Evans stated that our Board strongly opposes a split. It is our desire to seek a negotiated compromise with Nash County to avoid such an action. Edgecombe County Commissioners has made it clear in multiple meetings their determination to keep Nash-Rocky Mount School District as it currently exist to avoid the disruption it would cause those children and families. In that effort our board has committed to the following:

1. **Edgecombe County Commissioners are committed to ensuring our fair share of capital cost is provided. We have committed to paying our proportionate share of capital funding annually based on the percentage of Edgecombe County residents attending the NRMS. We are prepared to do so beginning immediately.**

2. **Edgecombe County agrees to a withdrawal of the participation of Rocky Mount in covering the gap between Edgecombe's and Nash's current expense appropriation to begin in five years, which will be school year 2020 - 2021. We agree to pay the differential if our current appropriation is lower than that of Nash County and acknowledge that the amount to be paid will be based on appropriations and student enrollment in year 4 (2019-2020).**

3. **Mr. Evans stated that Edgecombe County Commissioners recognize the importance of having good schools in both Counties and is committed to working with Nash County Commissioners and both School Boards to insure quality education for all our children.**

We hope that Nash County Commissioners will see the commitment and sacrifices we are willing to make in order to avoid a split of the NRMS system. We think this offer addresses the points of contention you have raised over the school system and will accomplish what you have publicly stated you hope to happen, which is to keep the School system intact. If your Board is in agreement, then we stand ready to work out the details and to work with the appropriate legislative delegates to assist with drafting or amending a bill to codify our settlement.

PRESENTATION OF PROPOSED DRAFT AGREEMENT – Fred Belfield, Nash County Chairman.

Mr. Belfield stated that the Nash County Board of Commissioners developed a Proposed Agreement made and entered into on the 23rd of May, 2016 by and between the Nash County Board of Commissioners and the Edgecombe County Board of Commissioners. Mr. Belfield read the agreement as follows:

The purpose of this agreement is to set forth the terms of an agreement that has been mutually agreed upon by the county boards related to the proposed changes to Sb 612 originally enacted by the North Carolina Legislature in 1991 merging the Nash County Administrative Unit and the City of Rocky Mount Administrative Unit, as of July 1, 1992. It is duly acknowledge and agreed by both counties that certain changes are needed to the original legislation after almost twenty-four years.

The parties hereby agree as follows:

1. **Beginning with fiscal year 2017-2018, it is agreed that the amount of current expenditure differential in funding between Nash and Edgecombe Counties that has been provided by the City of Rocky Mount to the School Unit on behalf of the students residing in Edgecombe County as set forth in Section 21 of SB 612 shall be reduced by 25% each year such that after the 2020-2021 fiscal year, the City of Rocky Mount will no longer provide any current expenditure differential funding to the School Unit.**
2. **Beginning with fiscal year 2021-2022, the Edgecombe County Commissioners shall appropriate the current per pupil expenditure for students in the School Unit residing in Edgecombe county in the same annual amount as the current per pupil expenditures as determined and appropriated by the Nash County Board of Commissioners.**
3. **The Edgecombe County Commissioners hereby agree to fund all new capital expenditures, including new schools, additions, renovations, existing and future debt service, all yearly capital outlay and all other capital expenditures of the School Unit in a percentage that is equal to the percentage of students residing in Edgecombe County that attend the School Unit. For example, if 11% of the students that attend the School Unit (based on the previous year's ADM as certified by NCDPI) reside in Edgecombe County, then the Edgecombe County Commissioners shall be responsible for funding of 11% of all capital expenses as defined above for the School Unit, (irrespective of where the capital expense is incurred.)**
4. **In addition, all capital funds, including statewide or local bonds or notes or appropriations from the state or federal government (i.e. lottery proceeds, sales tax, profits from ABC stores, fines and forfeitures, etc.) coming into the possession of Edgecombe County or capital school funding shall be paid to the School Unit in accordance with Section 20 of SB 612.**
5. **The School Unit shall be prohibited from filing any legal action under NCGS 112C-426, 115C-431 or 115C-432 challenging the sufficiency of the funds appropriated by the Nash or Edgecombe County Board of Commissioners to the local expense fund, the capital outlay fund or both.**
6. **The School Unit will continue to retain the same geographic boundary as established in July 1, 1992.**

7. **Upon the effective date of the new legislation amending SB 612 the name of the School Unit shall become "Nash School Administrative Unit."**

This agreement has been approved by a majority vote of both Boards of Commissioners at a joint meeting of the respective Boards and shall be submitted to the North Carolina General Assembly to amend 1991 Session Law – 391(SB 612) to be effective on July 1, 2016.

DISCUSSION

Mr. Wiggins stated that Nash Commissioners have had time to look over Edgecombe's proposal and Nash has presented Edgecombe with a legal document that they have not have time to review. He stated that he would not ask the Board to address a legal document that Edgecombe's attorney has not reviewed.

After discussion on the need for time to review the proposed agreement both Boards agreed to appointing a committee consisting of the County Managers, County Attorneys, and three Commissioners from each Board to meet on May 25, 2016 at 10:00 to iron out the details. Mr. Wooten made the motion that a committee consisting of the Edgecombe County Manager, the Edgecombe County Attorney and three Edgecombe County Commissioners be appointed to meet with Nash County's committee. Mr. Boswell seconded the motion, which carried by unanimous vote.

ADJOURNMENT

Mr. Wooten moved to adjourn the meeting. Mr. Boswell seconded the motion, which carried by unanimous vote.

Frangie Mungo, Clerk to the Board