MINUTES
SPECIAL MEETING OF THE BOARD OF COMMISSIONERS OF EDGECOMBE COUNTY
TUESDAY, MAY 31, 2016 AT 10:00 A.M.
IN THE COMMISSIONERS ROOM OF THE COUNTY ADMINISTRATION BUILDING
201 SAINT ANDREW STREET, TARBORO, NORTH CAROLINA

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1. **Meeting called to order by Chairman Leonard Wiggins at 10:00 a.m.**

   Members present: Mr. Leonard Wiggins, Chairman, Mr. Jonathan Felton, Vice-Chairman, Rev. E. Wayne Hines, Mr. Donald Boswell, Mr. William Wooten, Mrs. Viola Harris, and Mrs. Evelyn Powell.

   Members absent: None.

   Others present: Mr. Eric Evans, County Manager, Mr. Mahlon DeLoatch, County Attorney and Ms. Frangie Mungo, Clerk to the Board.

2. **Prayer.**
   Rev. Hines provided the prayer.

3. **Consideration of revised proposal from the Nash County Board of Commissioners regarding the Nash-Rocky Mount Public Schools funding.**
   Mr. Wiggins stated that at the last committee meeting some agreed to the proposed agreement and some did not so it is being brought back to the full Board for consideration.

   A. **Overview of the latest proposed agreement from Nash County and the Committee's response at the meeting with Nash County Committee members were presented by Mr. Evans.**

   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 twenty-five percent 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.**

      Response
      Edgecombe County is willing to compromise on the reasonable points set forth in this agreement in order to avoid a school split. However, we are not able to agree to phasing in our coverage of the gap payment currently paid by Rocky Mount. Considering the fact that doing wo would obligate us to proportionately raise the current expense allocation to Edgecombe Schools, and the financial liability we are putting on ourselves by agreeing to a proportionate share of new capital expenditures, we maintain our proposal to pay

the differential, if our current expense appropriation is lower than that of Nash County starting in five years.

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.**

   Response
   Agreed.

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 eleven percent of the students that attend the School Unit reside in Edgecombe County, then the Edgecombe County Commissioners shall be responsible for funding eleven percent of all capital expenses as defined for the School Unit.**

   Response
   Agreed. However, we ask that the language of the bill to include a provision that would require the Nash-Rocky Mount School Board to annually submit a proposed budget to the Edgecombe Board of Commissioners, and be given the opportunity to review and make recommendations.

4. **In addition, all (*should read "a proportionate share of all other"*) 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 for capital school funding shall be paid to the School Unit in accordance with Section 20 of SB 612.**

   Response
   Language should also be added to create a process to resolve any disagreements that may arise on the computation of the amounts to be paid under current expense or capital expenditures.

5. **The School Unit shall be prohibited from filing any legal action under N.C.G.S. 115C-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.**

Response
The Edgecombe County Board does not agree to this provision and it should be removed. We believe that if the Nash County Board feels they need this provision, and it does not involve the Edgecombe County Commissioners, then they should seek this independent of this agreement.

6. The School Unit will continue to retain the same geographic boundary as established in July 1, 1992.

Response
Agreed.

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

Response
Our Board does not agree with this point. Also, considering that this has never come up in previous discussions, and was only brought to our attention by the Nash County Board two days prior to this meeting, Chairman Wiggins feels like it is unreasonable to ask us to consider this matter now, or for it to hold up an agreement on the other terms.

Mr. Evans stated that at the meeting there was considerable discussion on points 1, 5 and 7. The Nash County Commissioners called for a recess of their committee. When they came back Commissioner Robbie Davis was called on by Chairman Belfied to speak on behalf of the Board with their revisions proposed to the Edgecombe County Board of Commissioners. Their proposed revisions were:

- No phase-out of Rocky Mount's gap payment; Edgecombe to take over the gap in year 4, in exchange for:
  - Leaving in the provision to prohibit a lawsuit from Nash-Rocky Mount Schools, and;
  - Leaving in the provision to change the name of Nash-Rocky Mount Schools to "Nash School Administrative Unit", to take place in year 4

B. Board Discussion.

Mr. Wiggins asked for comments from the Board.

Rev. Hines asked who has the authority to propose that Rocky Mount gets out of the school funding and how does Nash County dictate to Rocky Mount and Edgecombe County on how to educate their children. He stated that he has been asked these questions on numerous occasions.

Mr. Wiggins stated that it is a request from Nash County and they have the authority to ask for it.

Mr. Boswell stated that this has been going on for three years and we do not want to be forced into a situation by State law that makes us do what

we have to do. He stated that it is better for us to come to the table and compromise as we have, than to get ourselves into a war. We are where we are today because we have come to a compromise that seems to be reasonable. Mr. Boswell stated that rather than focusing on the past, we need to look to the future and try to resolve this issue.

Mr. Felton stated that we have worked hard to get to this point. We have basically gotten what we have asked for and we are ready to move on from it now.

Mr. Wooten stated that we have all worked hard and we have come to a time where we have an agreement in hand that each party has given ground on. He stated that the question regarding the lawsuit will be decided on in the General Assembly and not by the Commissioners. The changing of the name of the school system could have occurred any time prior to today or in the future. He stated that if we do not come to an agreement today and the bill passes in the General Assembly the name would change upon that passing. He stated that he was fine with the name changing in four years and Rocky Mount no longer being a funding partner. Mr. Wooten stated that in the benefit of keeping the school system together and the community together, for financial consideration we should adopt the proposed agreement with the revisions that are recommended by the Nash County Board of Commissioners and move on.

Mr. Boswell stated that we should come to a very reasonable compromise to take Rocky Mount out of the name in four years since they would no longer be a funding partner.

Mrs. Harris felt that the Board of Commissioners of Edgecombe should not be the body to make that decision about taking the name Rocky Mount out, and this issue should not be the holdup since Edgecombe has agreed to what Nash originally came to the table with, which was to take Rocky Mount out of the funding process.

Mr. Wooten stated that to avoid a school split we should go ahead with the compromise that is on the table. We should not let a name break up these families and this community.

Mr. Wiggins stated that why would Nash County put into a bill for Edgecombe County to agree to that a city's name be taken off. He felt that this issue should be another single legislation.

After further discussion Mr. Wiggins proposed that Edgecombe County send its original proposal back to Nash County to put on the table.

C. <u>Consideration of action by the Board</u>.

Mr. Wooten moved to accept the agreement as proposed with the three revisions, numbers one, five and seven. Mr. Felton seconded the motion. The motion failed by a 3 for the motion, Mr. Wooten, Mr.

Felton and Mr. Boswell and 4 against the motion, Mr. Wiggins, Rev. Hines, Mrs. Harris and Mrs. Powell.

Rev. Hines moved to send Edgecombe County's original proposal back to Nash County for consideration. Mrs. Harris seconded the motion. Voting for the motion were Mr. Wiggins, Mrs. Harris, Rev. Hines and Mrs. Powell. Voting against the motion were Mr. Felton, Mr. Boswell and Mr. Wooten. The motion carried by a vote of 4 for and 3 against.

Mr. Felton shared a letter to the Board from the Cobb family thanking the Board for the resolution presented to them at the April 4, 2016 meeting in memory of Mr. John Vines Cobb, Jr.

4. Adjournment.

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

Adopted July 5, 2016.

Frangie Mungo

Frangie Mungo, Clerk to the Board