

**NORTHAMPTON COUNTY  
REGULAR SESSION  
December 5, 2016**

Be It Remembered that the Board of Commissioners of Northampton County met on December 5, 2016 with the following present: Fannie Greene, Chester Deloatch, Joseph Barrett, Virginia Spruill and Robert Carter.

Others Present: Kimberly Turner, Scott McKellar, Leslie Edwards, Nathan Pearce, and Komita Hendricks

**Agenda Work Session:**

A work session was held to discuss today's agenda items. Chairwoman Greene called upon County Manager Kimberly Turner for input. Ms. Turner had no changes. Chairwoman Greene called upon Commissioners for input. Commissioners had no changes. County Manager Kimberly Turner advised the Board about the yearly appointments of the County Attorney and Clerk to the Board can be done continuous or annually according to UNC School of Government.

**Regular Session:**

Chairwoman Greene called the meeting to order, welcomed everyone, and announced when citizens could make comments. Chairwoman Greene gave the Invocation and the Pledge of Allegiance was recited.

**Approval of Regular Session Minutes for November 21, 2016:**

A motion was made by Chester Deloatch and seconded by Virginia Spruill to approve the Regular Session Minutes for November 21, 2016. **Question Called:** *All present voting yes.* **Motion carried.**

**Approval of Closed Session Minutes for November 21, 2016:**

A motion was made by Virginia Spruill and seconded by Chester Deloatch to approve the Closed Session Minutes for November 21, 2016. **Question Called:** *All present voting yes.* **Motion carried.**

**Approval of Agenda for December 5, 2016:**

A motion was made by Joseph Barrett and seconded by Robert Carter to approve the agenda for December 5, 2016. **Question Called:** *All present voting yes.* **Motion carried.**

**Budget Amendments:**

Ms. Leslie Edwards, Finance Director, appeared before Board to obtain approval of Budget Amendment #28, #29, #30, #31 and #66.

A motion was made by Robert Carter and seconded by Joseph Barrett that Budget Amendments #28, #29, #30, #31 and #66 be adopted. **Question Called:** *All present voting yes.* **Motion carried.**

**PLEASE SEE SCANNED DOCUMENTS WHICH ARE  
HEREBY MADE A PART OF THESE MINUTES:**

### BUDGET AMENDMENT

DATE 02/19/16 JE-NO 28

GENERAL LEDGER ACCOUNT NUMBER		DEBIT		TO AMEND BUDGET	CREDIT	
				<b>Rural Public Transportation</b>		
				Revenue:		
113310	451909	10,819	00	DOT-Rural Public Transportation		
				Expenditures:		
113990	499000			Fund Balance App.	10,819	00
				Grant received from ROAP was less than the amount budgeted.		
		10,819	00		10,819	00

PREPARED BY Mary Bradley POSTED BY Mary Bradley APPROVED BY *Kimberly R. De...*  
 DATE 02/19/16 02/19/16 BOARD APPROVED \_\_\_\_\_

### BUDGET AMENDMENT

DATE 02/19/16

JE-NO 29

GENERAL LEDGER ACCOUNT NUMBER		DEBIT		TO AMEND BUDGET	CREDIT	
				<b>Rural Public Transportation</b>		
				Revenue:		
113990	499000			Fund Balance Appropriation	51,181	00
				Expenditures:		
115190	561900	51,181	00	Rural General Transportation		
				Increase budget to reflect revenue received.		
		51,181	00		51,181	00

PREPARED BY Mary Bradley

POSTED BY Mary Bradley

APPROVED BY *Kimberly R. Jones*  
11/30/16

DATE 02/19/16

02/19/16

BOARD APPROVED \_\_\_\_\_

## BUDGET AMENDMENT

DATE 02/11/16

JE-NO 30

GENERAL LEDGER ACCOUNT NUMBER		DEBIT		TO AMEND BUDGET	CREDIT	
				<b><u>5110-Miscellaneous Revenue</u></b>		
				Revenue:		
113450	438390			Misc. Revenue	2,700	00
				Expenditures:		
115110	529011	2,500	00	Other Supplies - QI		
115110	529011	200	00	QI Grant Travel		
				Received grant funding from Quality improvement.		
		2,700	00		2,700	00

PREPARED BY Cheryl Warren

POSTED BY Mary Bradley

APPROVED BY *Mary Bradley* 11/24/16

DATE 02/11/16

02/26/16

BOARD APPROVED \_\_\_\_\_



### BUDGET AMENDMENT

DATE 06/30/16

JE-NO 66

GENERAL LEDGER ACCOUNT NUMBER		DEBIT		TO AMEND BUDGET	CREDIT	
				<b>JCPC Funds</b>		
114370	554005	315,006	00	Capital Outley Vehicles		
114310	554005	29,912	00	Capital Outley Vehicles		
113910	491100			Receipt of Bank Financing	344,918	00
				Received Bank Financing for 15-16 Vehicles.		
		344,918	00		344,918	00

PREPARED BY Leslie Edwards

POSTED BY Mary Bradley

APPROVED BY *Kimberly L. J.*  
11/29/16

DATE 11/28/16

BOARD APPROVED \_\_\_\_\_

**Management Matters:**

Ms. Kimberly Turner, County Manager, appeared before the Board to get approval of Northampton County's Four Factor Analysis and Language Access Plan for Limited English Proficiency Persons (LEP).

A motion was made by Robert Carter and seconded by Virginia Spruill to approve Northampton County's Four Factor Analysis and Language Access Plan for Limited English Proficiency Persons (LEP). **Question Called: All present voting yes. Motion carried.**

Ms. Kimberly Turner, County Manager, appeared before the Board to get approval to change public hearing date and time for a special use permit from January 18, 2017 at 6:05 p.m. to January 4, 2017 at 10:05 a.m.

A motion was made by Chester Deloatch and seconded by Virginia Spruill to approve the change of public hearing date and time for a special use permit from January 18, 2017 at 6:05 p.m. to January 4, 2017 at 10:05 a.m. **Question Called: All present voting yes. Motion carried.**

Ms. Kimberly Turner, County Manager, appeared before the Board to get approval for Central Elementary School Pre-K Department to use Northampton County Cultural Wellness Center as an evacuation site in an emergency situation.


A motion was made by Joseph Barrett and seconded by Virginia Spruill to allow Central Elementary School Pre-K Department to use Northampton County Cultural Wellness Center as an evacuation site in an emergency situation. **Question Called: All present voting yes. Motion carried.**

**PLEASE SEE SCANNED DOCUMENTS WHICH ARE  
HEREBY MADE A PART OF THESE MINUTES:**



**DECISION PAPER**

**TO:** The Northampton County Board of Commissioners

**FM:** Ms. Kimberly L. Turner, County Manager 

**DT:** December 5, 2016

**RF:** Four-Factor Analysis and Language Access Plan

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**PURPOSE:**

To obtain the Board's approval of Northampton County's Four Factor Analysis and Language Access Plan for Limited English Proficiency Persons (LEP).

**FACTS:**

1. USDA is requiring all entities that have received or will receive federal funding to adopt a Four-Factor Analysis and Language Access Plan for Limited English Proficiency Persons (LEP).
2. The purpose of this plan is to comply with Title VI of the Civil Rights Act of 1964, in which programs that are normally provided in English should be accessible to LEP persons as well in order to not discriminate based on national origin.
3. Because Northampton County does not meet the 1,000 or five percent LEP persons threshold for any languages or languages identified, our plan is basic.
4. Departments that have frequent contact with the LEP community already utilize telephone language access services.

**DISCUSSION:**

This plan is being presented for adoption by the Board due to a requirement of the federal government in an effort to comply with Title VI of the Civil Rights Act of 1964.

**RECOMMENDATION:**

That the Board of Commissioners approve the Northampton County Four-Factor Analysis and Language Access Plan for Limited English Proficiency Persons (LEP).

Action by the Commissioners:

Approved: \_\_\_\_\_  
Disapproved: \_\_\_\_\_  
Other: \_\_\_\_\_



**Northampton County**

**Four-Factor Analysis**

**And**

**Language Access Plan**

**For Limited English Proficiency Persons (LEP)**



**Purpose:**

In compliance with Executive Order 13166, Northampton County has developed the following Language Access Plan (LAP) for Limited English Proficiency (LEP) persons.

**History:**

Title VI of the Civil Rights Act of 1964 is the federal law which protects individuals from discrimination on the basis of their race, color, or national origin in programs that receive federal financial assistance. In certain situations, failure to ensure that persons who have limited English proficiency can effectively participate in, or benefit from, federally assisted programs may violate Title VI's prohibition against national origin discrimination.

Persons who, as a result of national origin, do not speak English as their primary language and who have limited ability to speak, read, write, or understand English may be entitled to language assistance under Title VI in order to receive a particular service, benefit, or encounter.

**Northampton County 4-Factor Analysis:**

The following 4-Factor Analysis will serve as the guide for determining which language assistance measures Northampton County will undertake to guarantee access to the programs provided by Northampton County.

1. The Number and Proportion of LEP Persons Served or Encountered in the Eligible Service Population.
  - *Northampton County utilized ([www.lep.gov](http://www.lep.gov)): LEP Mapping Tools, American Community Survey (ACS) 2012 Language Map, State of North Carolina, Total Persons 5 Years and Over Who Speak a Language Other Than English at Home and Speak English Less than "Very Well". Based on this data, Northampton County does not meet the 1,000 or 5% LEP persons threshold for any languages or Language(s) identified.*
  - *Northampton County also formed a table with the Languages spoken in the county as well as the percentage that cannot speak English at all or less than "Very Well". This information was gathered and revised from ([www.factfinder.census.gov](http://www.factfinder.census.gov)).*

Language	Estimate	< Well	%
Total	20,211		
English Only	19,734		97.64%
Spanish or Spanish Creole	371	148	0.73%
French Creole	33	33	0.16%
German	40	11	0.05%
Arabic	2	2	0.01%

2. The frequency with which the LEP persons come into contact with the program.

- *Our USDA Rural Development funded projects include the Department of Social Services (building), the Wellness Center (recreational building and facilities), EMS Equipment, Emergency Operations Center (building) and Water projects (Public Works).*
- *The Department of Social Services, the Wellness Center and the Emergency Operations Center provides direct assistance to individuals. As a result, LEP persons may come into direct contact with these services. The other funded projects do not provide direct assistance to the LEP persons, therefore LEP persons do not come into direct contact with the projects.*
- *It is important to note that the Health Department also has frequent contact with LEP persons, but this is not a USDA Rural Development funded service.*

3. The Importance to LEP Persons of the RD Program, Activities and Services.

- *Our USDA Rural Development funded projects (DSS, the Wellness Center and Emergency Operations Center) provide direct assistance to individuals. As a result, LEP persons may have interactions with the services provided, thus showing the importance of the activities and services provided by these departments.*
- *Our USDA Rural Development funded projects (EMS Equipment and Water upgrade projects from Public Works) do not provide direct assistance to individuals. As a result, LEP persons rarely come into contact with these funded projects. However, all citizen participations activities are open to the general public.*

4. The Resources Available to the Recipient and Costs

- *Currently the Departments that have the most frequent contact with the LEP community are utilizing telephone interpreter/translator services to communicate with the individuals. For example, the Health Department uses **Language Services Associates** to communicate with these individuals while the Department of Social Services uses **Fluent Language Solutions**. Both of these services provide a variety of languages to the departments to communicate with the LEP community. Both of these programs are paid for by the Departments.*
- *Departments also use Language Identification Flash Cards to determine what language is being spoken by the individual. After the Language is determined, the Department contacts a telephone interpreter/translator service.*
- *With that being said, limited LAP measures are reasonable given the resources available from these Departments and the limited population of the LEP community within the county.*

**Northampton County Language Access Plan:**

As a result of the 4-Factor Analysis shown above, Northampton County has identified the following types of language assistance to be provided on an as needed basis by the County throughout the implementation of our Federally Assisted Programs.

**Purpose:**

In compliance with Executive Order 13166, Northampton County has developed the following Language Access Plan (LAP) for Limited English Proficiency (LEP) persons.

Title VI of the Civil Rights Act of 1964 is the federal law which protects individuals from discrimination on the basis of their race, color, or national origin in programs that receive federal financial assistance. In certain situations, failure to ensure that persons who have limited English proficiency can effectively participate in, or benefit from, federally assisted programs may violate Title VI's prohibition against national origin discrimination.

Persons who, as a result of national origin, do not speak English as their primary language and who have limited ability to speak, read, write, or understand English may be entitled to language assistance under Title VI in order to receive a particular service, benefit, or encounter.

**Plan Summary:**

Northampton County has developed this LAP/LEP to help identify reasonable steps for providing language assistance to persons with limited English proficiency who wish to access services provided by the County. As described in Executive Order 13166, LEP persons are those who do not speak English as their primary language and have limited ability to read, speak, write or understand English.

1. Identifying LEP Individuals Who Need Language Assistance

- *As seen in the 4-Factor Analysis shown above, Northampton County's LEP community is less than 1% of the total population in the county. The languages spoken by the LEP community consist of **Spanish, French Creole, German and Arabic**. There is not a specific location in the county where there is an accumulation of the LEP community. The LEP individuals are spread throughout the county.*
- *The two main services that the LEP community come in contact with in the county are the Health Department and the Department of Social Services. These Departments have interactions with the LEP community on a weekly to monthly basis.*

2. Language Assistance Measures

- *The language services provided through these Departments are **Fluent Language Solutions** and **Language Assessment Services**. These two services are both telephone interpreter/translator services. The two services provide a variety of languages including the languages spoken by Northampton County's LEP community. Both of these services are free to the LEP community as the Departments pay for them.*
- *If any written documentation is brought in by an LEP individual, the Department would use the computer to try and help translate the document using the free [translation.com](http://translation.com) website. If this cannot be done, the LEP individual will be connected to a telephone interpreter/translator to help translate the document. The Language spoken by the LEP individual would be determined by using the **Census Language Identification Flashcard**.*
- *If a LEP individual calls one of the Departments, they will be connected with one of the telephone interpreter/translator services listed above.*
- *With face to face contact between the LEP individual and one of the Department staff members, the **Census Language Identification Flashcard** would be used to determine what language the individual was speaking. After that is confirmed, a telephone interpreter/translator service would be used to communicate.*

3. Training Staff

- On October 25, 2016, Nathan Pearce (Assistant County Manager) attended a webinar titled, The RD LEP Implementation Strategy for Assisted Programs. It outlined a step-by-step approach to comply with the LEP requirements. It guided in collecting information relating to the LEP, conducting the Four-Factor Analysis and developing the Language Access Plan.
  - An email will be sent to all Department Heads advising of the LAP/LEP.
  - A copy of the Four-Factor Analysis and LAP will be available to all employees.
  - Language Identification Flashcards will be presented to all Department Heads
  - Telephone interpreter/translator contact information will be provided to each Department.
  - ALL employees will be advised to document any requests for any type of language assistance.

4. Vital Document Translations

- *"If a recipient provides written language services under the conditions identified in the below table, such action will be considered strong evidence of compliance with written translation obligations under Title VI".*

1,000 or more in the eligible population in the market area or among current beneficiaries	Translated vital documents
5% or more of the eligible population or beneficiaries <i>and</i> 50 or more in number	Translated vital documents
5% or more of the eligible population or beneficiaries <i>and</i> fewer than 50 in number	Translated written notice of right to receive free oral interpretation of documents
Less than 5% of the eligible population or beneficiaries and less than 1,000 in number	No written translation is required

- *Northampton County falls into the last row of that table, with less than 5% of the population being LEP individuals, meaning that no written translation is required.*

5. Providing Notice to LEP Persons

- With the LEP population being so little in the County, we will base our providing of public notices on an as needed basis. We will be prepared to translate any public notices in any of the languages that our LEP community speaks. We will do so by using Language Identification Flashcards to determine what language is needed. After that is determined, we will use freetranslation.com to convert the requested notice in the desired language of the LEP persons.
- These notices would be posted in high traffic areas of the county if needed.

6. Monitoring and Updating the Language Access Plan

- *Northampton County will continue to monitor the LEP population as well as the frequency with which the LEP community comes in contact with the Departments and services of the county.*
- *Northampton County will also stay up to date on the telephone interpreter/translator services provided. Northampton County will also stay aware of any other technological advances that may be beneficiary for the Departments and LEP community.*
- *An annual review will be conducted via U.S. Census updates to determine the following:*
  - *Determine the current LEP population in the County*
  - *Determine if the needs of translation services have changed based on the LEP population*
  - *Determine if the needs of the LEP community have been addressed and if the LAP has been effective.*
  - *Document any complaints or requests that have been presented by the LEP population.*
  - *Determine if interactions and contact has increased or decreased between the County services and the LEP population.*
- *The plan will be updated at a minimum of every 5 years*

**Submitted and Approved by:**

\_\_\_\_\_  
Chairman to the Board of Commissioners'

\_\_\_\_\_  
Date

\_\_\_\_\_  
Clerk to the Board

\_\_\_\_\_  
Date



**Presentation to Outgoing Commissioners:**

Chairwoman Greene made a presentation of a plaque to Vice-Chairman Barrett and Commissioner Spruill.

*Chairwomen Greene called for 5 minute break.*

*Vice-Chairman Joseph Barrett and Commissioner Virginia Spruill left the meeting at this time.*

*Meeting was moved to Superior Court Room.*

**Swearing in of Elected Officials/Commissioners:**

Chairwoman Greene called the meeting to order and welcomed everyone.

Mrs. Laquitta Greene-Cooper, Clerk of Court, administered the oath of office to Mrs. Robin Williams, Register of Deeds.

Mrs. Laquitta Greene-Cooper, Clerk of Court, administered the oath of office to Mrs. Geneva Riddick-Faulkner, District 2 Commissioner.

Mrs. Laquitta Greene-Cooper, Clerk of Court, administered the oath of office to Mr. Charles R. Tyner, District 1 Commissioner.

*Chairwomen Greene called for 10 minute break.*

*Meeting was reconvened in Commissioners Room.*

*Commissioner Faulkner and Commissioner Tyner joined the meeting at this time.*

**Approval of 2017 Commissioners' Meeting Calendar:**

A motion was made by Chester Deloatch and seconded by Robert Carter to approve the 2017 Commissioners' Meeting Calendar. **Question Called: All present voting yes. Motion carried.**

**PLEASE SEE SCANNED DOCUMENTS WHICH ARE  
HEREBY MADE A PART OF THESE MINUTES:**

The Northampton County Board of Commissioners will hold its regularly scheduled meetings on the following dates and times *(unless otherwise posted)* in the Commissioners' Meeting Room located at 100 West Jefferson Street Jackson, North Carolina.

<u>DATE</u>	<u>TIME</u>
January 4, 2017 (Wednesday)	10:00 a.m.
January 18, 2017 (Wednesday)	6:00 p.m.
February 6, 2017	10:00 a.m.
February 20, 2017	6:00 p.m.
March 6, 2017	10:00 a.m.
March 20, 2017	6:00 p.m.
April 3, 2017	10:00 a.m.
April 17, 2017	6:00 p.m.
May 1, 2017	10:00 a.m.
May 15, 2017	6:00 p.m.
June 5, 2017	10:00 a.m.
June 19, 2017	6:00 p.m.
July 3, 2017	10:00 a.m.
July 17, 2017	6:00 p.m.
August 7, 2017	10:00 a.m.
August 21, 2017	6:00 p.m.
September 6, 2017 (Wednesday)	10:00 a.m.
September 18, 2017	6:00 p.m.
October 2, 2017	10:00 a.m.
October 16, 2017	6:00 p.m.
November 6, 2017	10:00 a.m.
November 20, 2017	6:00 p.m.
December 4, 2017	10:00 a.m.
<b>No Third Monday Meeting</b>	

*Komita Hendricks*  
Komita Hendricks, Clerk to the Board



**COUNTY OBSERVED HOLIDAYS**

Jan. 2, 2017	New Year's Day	Sept. 4, 2017	Labor Day
Jan. 16, 2017	Martin Luther King's Birthday	Nov. 10, 2017	Veterans' Day
April 14, 2017	Good Friday	Nov. 23 & 24, 2017	Thanksgiving
May 29, 2017	Memorial Day	Dec. 22, 25 & 26, 2017	Christmas Holiday
July 4, 2017	Independence Day		

"Calendar for Commissioner Meetings for 2017"

**Election of Chair and Vice-Chair for Board of Commissioners:**

Mr. Scott McKellar, County Attorney, opened the floor for nominations for Chairperson and Vice-Chairperson of the Northampton County Board of Commissioners for the calendar year 2017.

A motion was made by Fannie Greene and seconded by Chester Deloatch to nominate Commissioner Robert Carter as Chairman of the Northampton County Board of Commissioners for the calendar year 2017. **Question Called: All present voting yes. Motion carried.**

A motion was made by Charles Tyner and seconded by Robert Carter to nominate Commissioner Chester Deloatch as Vice-Chairman of the Northampton County Board of Commissioners for the calendar year 2017. **Question Called: All present voting yes. Motion carried.**

Chairman Carter thanked the Board for their confidence that they have in trusted in him to lead this Board for the next 12 months at least. He stated he would like for this Board to be transparent and to assure you that we will operate by General Statues and move Northampton County forward.

Chairman Carter welcomed Commissioner Faulkner and Commissioner Tyner to this Board.

Commissioner Greene thanked the Board for allowing her to serve as Chair for the two years. She stated it has been a great experience; we have made some strides and hope to continue to make strides. She thanked the Board and citizens for their support.

Vice-Chairman Deloatch thanked the Board for electing him as Vice-Chair.

**Appointment of County Attorney**

Ms. Kimberly Turner, County Manager, appeared before the Board to get appointment of the County Attorney. County Manager Turner stated the UNC School of Government recommends that the Board appoint the County Attorney and Clerk to the Board on continuous basis.

A motion was made by Geneva Faulkner and seconded by Fannie Greene to approve the recommendation from the UNC School of Government to appoint Mr. Scott McKellar continuous as the Northampton County Attorney. **Question Called: All present voting yes. Motion carried.**

**Citizens/Board Comments:**

*Chairman Carter called for Citizens Comments.*

Mr. Tony Burnette, citizen, appeared before the Board to ask if the Board plans on spending 2 million dollars on the Old DSS buildings for renovations.

Chairman Carter stated that there has been discussion and the Board has approved to move forward in that direction.

Commissioner Tyner asked if the Board has approved for 2 million dollars to be spent on the Old DSS buildings.

County Manager Kimberly Turner stated funding for the project has not been approved by the Board, but the plans for the project have been approved. She also stated that the 2 million dollars does include security renovations for courthouse.

Mr. Albert Vann, citizen, welcomed Commissioner Tyner and Commissioner Faulkner. He stated “We have a problem in our schools here in Northampton County; we have students that are leaving Northampton County and never returning”. He also stated in order for companies to want to come to Northampton County, we need a good school system and a trainable workforce.

Commissioner Tyner stated Mrs. Faulkner and himself are both educators and the school system has been a concern of theirs. He also stated that there is going to be some kind of communication between the two Boards to make a change. He stated that Mrs. Faulkner and himself are going to do everything they can to make a change.

***Chairman Carter called for Board Comments.***

Vice-Chairman Deloatch stated he would like to welcome the new commissioners to this Board.

Commissioner Faulkner stated she is just happy to be a part of a Board that’s going to work together to move Northampton County forward and keep the citizens on the forefront of all our decisions.

Commissioner Greene stated she also would like to welcome the new commissioners and looks forward to working with everyone. Commissioner Greene reminded the Board of the Legislative Goals Meeting.

Commissioner Tyner stated he looks forward to working with this Board for the next four years to make necessary changes in Northampton County.

Chairman Carter stated to the citizens and Board that listening to Mr. Burnette there is some misleading information in the community about County Government and he plans to have town hall meetings to possibly answer concerned citizens’ questions after the holidays.

A motion was made by Chester Deloatch and seconded by Fannie Greene to adjourn. **Question Called: All present voting yes. Motion carried.**