REQUEST FOR BOARD ACTION

ITEM NO. 16.

DATE OF MEETING: June 17, 2013

REQUESTED BY: Mickey Duvall, County Manager/Butch Watson, Finance Officer

SHORT TITLE: Resolution Approving FY 13/14 Budget Ordinance Amendment

BACKGROUND: The purpose of this amendment is to transfer funds back to the Sheriff's Department from General Fund Contingency 999 to provide for the salary and benefits of Deputy Sheriff Chester Ward in the FY 13/14 Pender County Annual Budget. Mr. Ward serves as a County employee of the Pender County Sheriff's Department in addition to serving as a County Commissioner. Deputy Ward's salary and benefits have been subtracted from the Sheriff's Department FY 13/14 Budget Ordinance prior to being adopted by the Board of Commissioners, setting the annual budget and tax rate for FY 13/14. This amendment is being requested outside the scope of adoption of the FY 13/14 Budget Ordinance (which is less Deputy Ward's annual salary) to avoid potential conflict of interest issues with the North Carolina Constitution and North Carolina statutes, as Deputy Ward has been duly elected as a Pender County Commissioner and voting for his own salary and benefits when voting for the FY 13/14 Budget Ordinance could pose a potential conflict of interest. Thus, this amendment is proposed as a separate budget amendment, which is to transfer funding back from General Fund Contingency 999 for Deputy Ward's salary and benefits. It is recommended the Board of Commissioners vote to excuse Commissioner Ward from participating in the deliberation and voting on this amendment. After Deputy Ward's Salary is added back to the Sheriff's Department, the General Fund Amount will be $51,559,963.

SPECIFIC ACTION REQUESTED: To consider a resolution to recuse Commissioner Ward from voting on this resolution; and to adopt a resolution approving a FY 13/14 Budget Ordinance Amendment transferring $48,034 back to the Sheriff's Department Budget from General Fund Contingency 999.

COUNTY MANAGER'S RECOMMENDATION

Respectfully recommend approval.

Initial

RESOLUTION

NOW, THEREFORE BE IT RESOLVED by the Pender County Board of Commissioners that:

the FY 13/14 Budget Ordinance is hereby amended as follows to appropriate the salary and benefits of Commissioner Chester Ward: Transfer $48,034 from Contingency (999-499400) to the following line items in the Sheriff's Department.

510-400200 Salary	$34,055
510-400500 FICA	$ 2,605
510-400700 Retirement	$ 2,398
510-400800 401K	$ 1,703
510-400600 Insurance	$ 7,273

The Chairman/County Manager is authorized to execute any/all documents necessary to implement this resolution.

AMENDMENTS:

MOVED_____ SECONDED_____

APPROVED_____ DENIED_____UNANIMOUS

YEA VOTES: Brown___ Tate ___ Rivenbark ___ Ward _____ Williams ___

_____ 6/17/13
George R. Brown, Chairman Date

_____ 6/17/12
ATTEST Date