

The Sampson County Board of Commissioners convened for their regular meeting at 6:00 p.m. on Monday, September 14, 2020. Because the State and the County were under a State of Emergency during the COVID-19 pandemic, the meeting was conducted virtually via Zoom and broadcast via YouTube, proper notice of the virtual environment and broadcast information having been duly posted. Members present via virtual means, as verified by the Clerk's roll call were: Chairman Clark Wooten, Vice Chairperson Sue Lee, and Commissioners Harry Parker, Jerol Kivett and Thaddeus Godwin.

Chairman Wooten called the meeting to order and acknowledged Vice Chairperson Lee who then led the invocation and the Pledge.

Approval of Agenda

Upon a motion made by Vice Chairperson Lee and seconded by Commissioner Kivett, the Board voted unanimously to approve the agenda with the following additions: Item 4 (m) Sheriff's Office Budget Amendment for the purchase of a new canine and associated costs, and the shelter for the MRAP vehicle; and request to declare the canine "surplus" and authorize its retirement and transfer of ownership to handler Timothy Bass, effective December 1, 2020. Such votes confirmed by Clerk's roll call.

Item 1: Planning and Zoning Items

Approval of Final Plat for Goose Creek Subdivision (17 lots, Plainview Township) Senior Planner Anita Lane reviewed the request for approval of the final plat for the 17-lot Goose Creek Subdivision. The preliminary plat was reviewed and approved by the Planning Board and the Board of Commissioners on July 15, 2019 and August 5, 2019, respectively, contingent upon the completion and receipt of NCDOT Driveway Permit, Erosion Control Plan, Encroachment Permit-Piedmont Natural Gas, and a permit from Sampson County Public Works. Ms. Lane reported that the subdivision had met all requirements listed in the Subdivision Ordinance. Upon a motion made by Commissioner Godwin and seconded by Commissioner Parker, the Board voted unanimously to approve the final plat for Goose Creek Subdivision (17 lots, Plainview Township), such votes confirmed by Clerk's roll call.

Approval of Final Plat for Timberlake Subdivision Section Twenty (13 lots, North Clinton Township) Senior Planner Anita Lane reviewed the request for approval of the final plat for the 13-lot Timberlake Subdivision Section

Twenty. The preliminary plat was reviewed and approved by the Planning Board and the Board of Commissioners on May 18, 2020 and June 1, 2020, respectively, contingent upon a subgrade compaction test and an asphalt thickness verification prepared by a third-party soils testing engineering firm, which was provided by Senior Engineer David T. Cunningham of S&ME, Inc. Upon a motion made by Vice Chairperson Lee and seconded by Commissioner Godwin, the Board voted unanimously to approve the final plat for the Timberlake Subdivision Section Twenty (13 lots, North Clinton Township), such votes confirmed by Clerk's roll call.

Item 2: Public Hearings

Public Hearing Regarding Proposed Expenditure for Economic Development Purposes (Acquisition of Berry Property) The Chairman opened the hearing and acknowledged County Attorney Joel Starling who reviewed the details of the proposed expenditures pertaining to Sampson County Parcel No. 12-0265560-02, a 62.736-acre property located in the Sampson Southeast Business Center in Clinton. He also noted the proposed purchase price of \$1,097,880, with closing costs not to exceed \$7,500, which will be funded from the Economic Development Reserve Fund and the General Fund. The Chairman asked the Clerk to read public comments received, and the Clerk reported none had been received. The Chairman closed the public hearing. In compliance with the public hearing requirement set forth in G.S. 158-7.1(c) the Board deferred action to the September 17, 2020 recessed meeting.

Public Hearing Regarding Proposed Expenditure for Economic Development Purposes (Acquisition of Carr/Gearing Property) The Chairman opened the hearing and acknowledged County Attorney Joel Starling who reviewed the details of the proposed expenditures pertaining to Sampson County Parcel No. 12-0192880-05, a 59.588-acre property located in the Sampson Southeast Business Center in Clinton. The proposed purchase price is \$1,042,790, with closing costs not to exceed \$7,500, which will be funded from the Economic Development Reserve Fund and the General Fund. The Chairman asked the Clerk to read public comments received, and the Clerk reported none had been received. The Chairman closed the public hearing. In compliance with the public hearing requirement set forth in G.S. 158-7.1(c) the Board deferred action to the September 17, 2020 recessed meeting.

Public Hearing Regarding Naming of Private Roads The Chairman opened the hearing and called upon Assistant County Manager Susan Holder who reviewed the recommendations for naming certain private roads as follows:

PVT 1254 1487
PVT 1615 1088

Honeybee Lane
Goose Creek Circle

The Chairman asked the Clerk to read public comments received, and the Clerk reported none had been received. The hearing was closed. In compliance with the public hearing requirement set forth in G.S. 158-7.1(c) the Board deferred action to the September 17, 2020 recessed meeting.

Item 3: Action Items

911 and Emergency Services Facilities Project - Grant Acceptance and Supplemental Funding Financing County Manager Ed Causey announced that the County has been awarded grant funding in the amounts of \$1,000,000 from Golden Leaf and \$5,571,543 from the 911 Board, giving a grant funding total to date of \$10,071,543, including the \$3,500,00 grant previously awarded by OSBM. He noted that the latest project estimate was \$18,500,000, and staff hoped the Board would authorize the pursuit of loan funding to finance the remainder of the estimated cost, which would be finalized by March 2021. Finance Officer David Clack noted that the Local Government Commission would require the adoption of a resolution regarding financing or refinancing projects that include improvement or construction affecting real property, and which sets forth certain findings and determinations the Board has authorized staff to file an application. Mr. Clack advised the Board that the process would include soliciting bids from local banks, and that staff had received quotes, one of which was a 20-year term at 2.5% or 15-year term at 1.5%, (the Board would determine which term). He noted that the estimated yearly cost of the 15-year loan is not significantly higher than the 20-year term loan, and the 15-year loan would provide a \$1,200,000 savings over the life of the loan. He noted that rates will likely change prior to the finalization of the loan agreement, which is expected to be processed in December 2020 or January 2021, to be completed near March 2021. Commissioner Kivett noted his observations of the conditions under which emergency services personnel and county employees had to work serving the citizens of the County during a disaster and the impact that made on his consideration of the matter, in addition to the available \$10 million grant resources that are so hard to come by. Thus, he was in favor of the needed facility. Upon a motion made by Commissioner Kivett and seconded by Commissioner Godwin, the Board voted unanimously to adopt the resolution authorizing the Board Chairman, County Manager, Clerk to the Board, and County Finance Officer to execute any and all documents necessary for the proper effectuation of the Golden LEAF and 911 Board grants upon review of and concurrence with any such documents by the County Attorney, such votes confirmed by Clerk's roll call. Upon a motion made by Vice Chairperson Lee and seconded by Commissioner Godwin, the Board voted unanimously to adopt the resolution approving the financing of an amount not to exceed \$8.5 million for the construction of the emergency services facilities, such votes confirmed by Clerk's roll call. (Copy of the resolution filed in Inc. Minute Book _____, Page _____).

Water District – Authorize Submission of Funding Applications Public Works Director Lin Reynolds presented three separate resolutions for the Keener Well and Water Main Extension (Project Cost: \$2,000,000), South Eldridge and Governor Moore Road Water Main Extensions (Project Cost: \$987,000), and the Harrells Interconnection project (\$3,321,000). Upon a motion made by Vice Chairperson Lee and seconded by Commissioner Parker, the Board voted unanimously to adopt the enclosed resolutions authorizing the submission of funding applications, authorizing the County Manager to sign the application and fund transfer certifications and the Finance Officer to sign the financial information forms, such votes confirmed by Clerk’s roll call. (Copies filed in Inc. Minute Book ____ Page ____).

Clement FD – Firefighter’s Relief Fund Trustees Upon a motion made by Vice Chairperson Lee and seconded by Commissioner Kivett, the Board voted unanimously to appoint Kendall Marley to the Clement Fire Department Firefighter’s Relief Fund Trustees, such votes confirmed by Clerk’s roll call.

Item 4: Consent Agenda

Upon a motion made by Commissioner Kivett and seconded by Commissioner Godwin, the Board voted unanimously to approve the Consent Agenda as amended, such votes confirmed by Clerk’s roll call:

- a. Approved the minutes of the August 18, 2020 and August 20, 2020 meetings
- b. Adopted the Capital Project Ordinance Concerning Airport Construction (State Aid to Airports Grant – Airport Layout Plan) (Copy filed in Inc. Minute Book ____ Page ____.)
- c. Approved the execution of contracts between Sampson County (DSS) and service providers: Drake Maynard/DBA DMHR Services, LLC; Sampson Area Transportation; Carolina Care & Counseling, Inc.; Vanguard Professional Staffing, Inc.; The Gardens of Roseboro; The Magnolia; and Sampson Home Health (Copies filed in Inc. Minute Book ____ Page ____.)
- d. Accepted and authorized execution of task order to proceed with Clinton-Sampson Airport FBO Apron Rehabilitation Project (Copy filed in Inc. Minute Book ____ Page ____.)
- e. Adopted a resolution authorizing Chairman to execute Satisfaction of Security Instrument – Bobby & Barbara Webb (Copy filed in Inc. Minute Book ____ Page ____.)
- f. Authorized submission of the application for Evidence Based Health Promotion Funding in the amount of \$3,000 (Copy filed in Inc. Minute Book ____ Page ____.)

- g. Scheduled a public hearing regarding the County's intent to apply for grants from the NC Department of Transportation for FY22: CTP/5311 (Administrative expenses), 5310 Elderly/Disabled (to provide transp. services), Capital (replace 2 transit vans and camera system), and a Rural Expansion
- h. Authorized the execution of Memorandum of Understanding between Sampson County and the Sampson County History Museum (Copy filed in Inc. Minute Book ____ Page ____.)
- i. Adopted the resolution supporting allocation of State funding for planning for Spring Lane in the Ivanhoe community (Copy filed in Inc. Minute Book ____ Page ____.)
- j. Approved late applications for disabled veterans tax exclusion for Tommy E. Ammons and Robert L. Rich
- k. Approved tax refunds and releases as submitted:

#9365	Donna Bass	\$193.28
#9334	Casey Rogers	\$145.48
#9348	Sandra Autry	\$127.71
#9359	Leila Schreiber	\$212.61
#9338	Hannah Bryant	\$360.17
#9343	Barbara Hope	\$105.61
#9350	Toni White	\$229.17
#9353	Larry and Mary Harrington	\$443.54
Tax Release	Ronald Pleasant	\$279.84
Tax Release	Michael and Deborah Sutton	\$771.84
Tax Release	Michael and Deborah Sutton	\$194.59
Tax Release	Betty Holland	\$446.02
Tax Release	Howard Faircloth, Jr.	\$231.25
Tax Release	Fausto Vera	\$254.69
Tax Release	Freddie Williford	\$367.20
Tax Release	Green on the Go Vending	\$351.12
Tax Release	Rommie A. Melvin	\$1,560.73
Tax Release	Sue Smith	\$1,091.95
Tax Release	Ronald Pleasant	\$1,383.82

- l. Approved budget amendments as submitted:

<u>EXPENDITURE</u>		Transportation		
<u>Code Number</u>		<u>Description (Object of Expenditure)</u>	<u>Increase</u>	<u>Decrease</u>
16145000	525100	Gas, oil, Tires	\$180,000.00	
16145000	512100	Salaries	\$139,303.00	
16145000	512600	Part Time Salaries	\$93,600.00	
16145000	535300	Maint/Repair Vehicles	\$70,000.00	

16145000	526200	Dept Supplies	\$4,500.00	
16145000	519100	Professional Services	\$1,953.00	
<u>REVENUE</u>				
<u>Code Number</u>		<u>Source of Revenue</u>	<u>Increase</u>	<u>Decrease</u>
16134500	403611	Cares Act	\$489,356.00	
<u>EXPENDITURE</u>				
<u>Code Number</u>		<u>Description (Object of Expenditure)</u>	<u>Increase</u>	<u>Decrease</u>
05558310	561008	JUV Treatment Intervention	\$1,000.00	
<u>REVENUE</u>				
<u>Code Number</u>		<u>Source of Revenue</u>	<u>Increase</u>	<u>Decrease</u>
05435831	303615	JCPC Juvenile Psychological	\$1,000.00	
<u>EXPENDITURE</u>				
<u>Code Number</u>		<u>Description (Object of Expenditure)</u>	<u>Increase</u>	<u>Decrease</u>
12551630	526200	Department Supplies	\$1,200.00	
12551630	526201	Department Supplies Equipment	\$5,904.00	
12551630	538100	Data Processing	\$396.00	
<u>REVENUE</u>				
<u>Code Number</u>		<u>Source of Revenue</u>	<u>Increase</u>	<u>Decrease</u>
12535163	404000	State Assistance	\$7,500.00	
<u>EXPENDITURE</u>				
<u>Code Number</u>		<u>Description (Object of Expenditure)</u>	<u>Increase</u>	<u>Decrease</u>
05558320	518200	Retirement	\$396.00	
05558320	521100	Janitorial Supplies	\$150.00	
05558320	522100	Food & Provisions	\$985.00	
05558320	526200	Departmental Supplies	\$751.00	
05558320	544000	Contracted Supplies	\$1986.00	
05558320	519900	Other Professional Supplies		\$8.00
05558320	525100	Gas, Oil, and Tires		\$138.00
05558320	531100	Travel		\$18.00
05558320	535300	Maintenance/Repair Vehicles		\$200.00
05558320	539500	Employee Training		\$286.00
05558320	539900	Restitution Bank		\$760.00
<u>REVENUE</u>				
<u>Code Number</u>		<u>Source of Revenue</u>	<u>Increase</u>	<u>Decrease</u>
05035832	303612	DIV human RES	\$2,858.00	
<u>EXPENDITURE</u>				
<u>Code Number</u>		<u>Description (Object of Expenditure)</u>	<u>Increase</u>	<u>Decrease</u>
05558330	512600	Part Time Salaries	\$260.00	

05558330	518100	FICA	\$16.00
05558330	518120	Medicare FICA	\$3.00
05558330	518200	Retirement	\$54.00
05558330	518300	Group Insurance	\$23.00
05558330	522100	Food and Provisions	\$576.00
05558330	525100	Gas, oil, and Tires	\$455.00
05558330	526200	Department Supplies	\$852.00
05558330	531100	Travel	\$1,344.00
05558330	54400	Contracted Services	\$1,990.00

REVENUE

<u>Code Number</u>		<u>Source of Revenue</u>	<u>Increase</u>	<u>Decrease</u>
05035833	303612	Rev-Juvenile Innovations	\$5,573.00	

EXPENDITURE

<u>Code Number</u>		<u>Description (Object of Expenditure)</u>	<u>Increase</u>	<u>Decrease</u>
		Aging		
02558790	526200	Info/Case Asst – Dept Supplies	\$100.00	
02558790	526201	Info/Case Asst – Dept Supplies - Equi	\$1,300.00	
02558790	544000	Info/Case Asst – Contracted Services	\$1,600.00	

REVENUE

<u>Code Number</u>		<u>Source of Revenue</u>	<u>Increase</u>	<u>Decrease</u>
02035879	403602	Info/Case Asst – Health Promotion	\$3,000.00	

EXPENDITURE

<u>Code Number</u>		<u>Description (Object of Expenditure)</u>	<u>Increase</u>	<u>Decrease</u>
		Aging		
12551230	512100	Salaries	\$20,000.00	
12551230	518100	FICA	\$1,240.00	
12551230	518100	Medicare FICA	\$290.00	
12551230	518200	Retirement	\$1,512.00	
12551230	518300	Group Insurance	\$805.00	
12551230	518400	Dental Insurance	\$30.00	
12551230	518901	401K	\$1,500.00	
12551230	526200	Department Supplies	\$1,018.00	
12551230	532100	Telephone & Postage	\$1,000.00	
12551230	529702	Lab Services	\$4,000.00	
12551230	531100	Travel	\$1,000.00	

REVENUE

<u>Code Number</u>		<u>Source of Revenue</u>	<u>Increase</u>	<u>Decrease</u>
12535192	404000	State Assistance	\$32,395.00	

EXPENDITURE

<u>Code Number</u>		<u>Description (Object of Expenditure)</u>	<u>Increase</u>	<u>Decrease</u>
		Various Appointments		
11243200	535100	Maint Repair Bldgs and grounds	\$26,046.00	

11243100	554000	Capital Outlay Vehicles	\$64,868.00
11142600	535123	Maint Repair Special Projects	\$92,425.00

REVENUE

<u>Code Number</u>		<u>Source of Revenue</u>	<u>Increase</u>	<u>Decrease</u>
11039999	409800	Fund Balance Approp Encumbrances	\$183,339.00	

m. (WALK ON) Declared canine “Bink” as “surplus”, authorizing his retirement and transfer of ownership to handler Timothy Bass, effective December 1, 2020. Approved the budget amendment request allocating funds for the purchase of a replacement canine and the associated training and equipment costs; and the costs for sheltering for the current MRAP vehicle.

<u>EXPENDITURE</u>		Sheriff		
<u>Code Number</u>		<u>Description (Object of Expenditure)</u>	<u>Increase</u>	<u>Decrease</u>
11243100	555000	Capital outlay Other	\$16,5000.00	

REVENUE

<u>Code Number</u>		<u>Source of Revenue</u>	<u>Increase</u>	<u>Decrease</u>
11034310	402603	Federal Asset Funds	\$16,500.00	

Item 5: County Manager’ Report

Mr. Causey lauded the work and partnership of the many employees, board members, and architects who have worked hard on the 911 building project.

Item 6: Public Comments

Assistant County Manager Susan Holder read the following written public comments:

Michael J. White: Please hear my words, because it took me five days to make this letter. Because I wanted to use the right words to express the emotion and feelings a lot of the people including I felt on August 20th, 2020 when the Board voted to remove the monument and the pedestal that is structurally sound at the courthouse in Clinton, Sampson County. Let me start with this, I counted the number of people who wrote a letter and talked for and against the removal of the monument that was read out and them who spoke and it was 8 for the removal and 8 x 2 for it to stay. Congratulations for y’all are the example of why Pres. Donald J. Trump was elected in to office. Y’all are not our leaders of our community, y’all are our representatives of the community and to represent our feelings and to go about helping our community in that way. But with this, y’all turned a deaf ear to them who y’all are supposed to be representing. The majority of the community of Sampson County wanted that memorial/monument to stay where it was at. I ask this, how would y’all feel if I wnet to the graveyard and kicked over and destroyed y’all family headstones going all the way back. I would

guess y'all would not be happy, but guess what? That is what y'all are doing by removing that memorial/monument. Because it was against the law for the people of Sampson County to removal their family remains of their love ones who died and fell in combat in another state. That's why that memorial/monument went up because you won't find their names in a graveyard!!! Whatever happened to "Love your neighbor as yourself"? That pedestal is structurally sound by law, it is safe and not a danger to anyone, so by removing it y'all are breaking the law. Y'all should be ashamed of yourselves!! And I hope God would forgive you when it's your time to see him, and He ask you why you did not love your neighbor? Y'all can stop this! By the powers we the people of Sampson County of North Carolina and the state delegated to you has the Sampson County Board of Commissioners body. May God forgive y'all if y'all don't stop and reverse y'all decision. Sincerely, Michael J. White.

Donald Herndon: My name is Donald Herndon. My address is 5061 Cornwallis Road, Turkey, NC 28393. Because of the Chinese virus pandemic, the Sampson County Board of Commissioners continues to hold 'virtual' monthly meetings rather than their regular publicly attended meetings. Due to this, public comments must be submitted prior to the 'virtual' meeting and are read into the record at the end of that meeting. The following are comments/questions, and answers, I am requesting be read into the record near the end of the September 8, 2020 meeting: At your August 3, 2020 meeting I provided public comments to the Sampson County Board of Commissioners requesting the Commissioners adopt and pass 'A Resolution Recognizing and Supporting the Sampson County Sheriff's Department and the County Criminal Justice System'. I provided adequate background and reasoning as to why I felt this was appropriate and, needed at this time, considering both State and Nationwide calls for De-Funding the Police amid riots, looting and violence by domestic terror groups such as Black Lives Matter and Antifa, among others. Our Law Enforcement and Criminal Justice System must know that their elected Leaders will not waver in their support for them and will ensure adequate funding remains available in order for them to provide the level of Protection and Safety & Security to all people of/in Sampson County. That there will NO De-funding of the Sheriff's Department or Criminal Justice System. Included in my comments was a request for a response regarding your consideration for adoption and passage of my proposed resolution, within 2 weeks. I have not received my requested response. I again ask for you to pass a resolution in Support of Law Enforcement and the Criminal Justice System, whether mine or one of your own making. A second copy is attached which I would like to be read into the record. It is needed now more than ever. I look forward to your response. In addition, to allay concerns of the people of Sampson County regarding the safety of themselves and their property, I am requesting Chairman Wooten, on behalf of the Board of Commissioners, and please others weigh in as well, answer the following 2 questions during tonight's meeting: Do you/will you reject any proposal or discussion regarding De-funding the Sheriff's Department or Criminal Justice System? Do you fully and completely support the Sampson County

Sheriff's Department and the Criminal Justice System? Again, I look forward to your prompt response. Thank you for your time.

(The sample resolution Mr. Herndon provided is transcribed below.)

A RESOLUTION RECOGNIZING AND SUPPORTING THE SAMPSON COUNTY SHERIFF'S DEPARTMENT AND THE COUNTY CRIMINAL JUSTICE SYSTEM

Whereas, Federal, State, and local police officers, sheriffs, and other law enforcement officers across the United States serve with valor, dignity, and integrity; and

Whereas, law enforcement officers and Criminal Justice System are charged with pursuing justice for all individuals, while performing their duties with fidelity to the constitutional and civil rights of the public they serve; and

Whereas, law enforcement officers swear an oath to uphold the public trust even though, through the performance of the duties of a law enforcement officer, the officers may become targets for acts of violence; and

Whereas, law enforcement officers have bravely continued to meet the call of duty to ensure the security of their neighborhoods and communities at the risk of their own personal safety in the time of a viral pandemic and racial unrest; and

Whereas, the resolve to service is clearly demonstrated by law enforcement officers across the country who have tragically fallen ill or passed away in the line of duty; and

Whereas, officers who behave in ways contrary to their oaths or betray the public trust should be held fully accountable and face the consequences therefore; but at the same time, the overwhelming majority of decent, honorable and selfless law enforcement officers should not be judged by the actions of a few; and

Whereas, the Sampson County Sheriff's Department recognize the worth and diversity of individuals and cultures, showing neither undue favor or bias; exercising just practices in all they do; and

Whereas, the Sampson County Sheriff's Department has an outstanding and recognized record of police service and being on the front lines of crime prevention, investigations, and arrests; and

Whereas, law and order in any community must be a collaboration between the citizens of that community, the police and elected officials; and

Whereas, recent experience has shown that crime will begin to rise as officers become less willing to initiate contacts with the public due to lack of community and official support; and

Whereas, Sheriff & Sheriff's Deputies must have the backing of their community and elected leaders to do their job effectively;

Now therefore;

Be It Resolved, by the Board of Commissioners of Sampson County of North Carolina as follows:

This Board, on behalf of the County of Sampson:

- 1) expresses unwavering support for law enforcement officers of the Sampson County Sheriff's Department & the Criminal Justice System and across the United States who act ethically and with integrity in the pursuit of preserving safe and secure communities; and
- 2) recognizes the need to provide adequate funding of the Sampson County Sheriff's Department to ensure that law enforcement officers have the equipment, training, and resources that are necessary in order to provide for the Safety and Security of people and their property and to protect the health and safety of the officers; and
- 3) recognizes the law enforcement community for continual unseen acts of sacrifice and heroism, especially in the midst of current issues faced by the United States; and
- 4) acknowledges that the Sheriff & Sheriff's Deputies and other law enforcement personnel, especially those who have made the ultimate sacrifice, should be remembered and honored; and
- 5) expresses condolences and solemn appreciation to the loved ones of each law enforcement officer who has made the ultimate sacrifice in the line of duty; and
- 6) expresses its strong support for the dedication of the Sampson County Sheriff's Department to respect all individuals regardless of race or culture, and to adopt and emphasize constitutional, ethical, and unbiased law enforcement practices; and
- 7) encourages the citizens of Sampson County and people of the United States to remain aware of the essential mission that law enforcement personnel undertake in service to their communities and to honor and respect the ongoing efforts of the overwhelmingly decent and honorable members of the law enforcement community in furtherance of that mission, even at risk of their own personal safety.

Recess to Reconvene

Upon a motion made by Chairman Wooten and seconded by Commissioner Godwin, the Board voted unanimously to recess to reconvene on September 17, 2020, at 6:00 p.m., such votes confirmed by Clerk's roll call.

/signed copy on file in Clerk's Office

Clark H. Wooten, Chairman

/signed copy on filed in Clerk's Office

Susan J. Holder, Clerk to the Board