
REGULAR MEETING
 September 5, 2017
 6:50 p.m.

The Perquimans County Board of Commissioners met in a regular meeting on Tuesday, September 5, 2017, at 6:50 p.m. in the Commissioners Room located on the first floor of the Perquimans County Courthouse Annex.

- MEMBERS PRESENT:** Kyle Jones, Chairman
 Joseph W. Hoffer
 Wallace E. Nelson
 Fondella A. Leigh, Vice Chair
 Edward R. Muzzulin
 Charles Woodard
- MEMBERS ABSENT:** None
- OTHERS PRESENT:** Frank Heath, County Manager
 Hackney High, County Attorney
 Mary Hunnicutt, Clerk to the Board

After the Chairman called the meeting to order, Commissioner Leigh gave the invocation and the Chairman led the Pledge of Allegiance.

PUBLIC HEARING

Conditional Use District No. CUD 17-01, requested by Kos S. Jackson

Chairman Jones opened the first Public Hearing stating that the purpose of this public hearing is to receive citizen's comments to consider Conditional Use District No. CUD 17-01, requested by Kos S. Jackson to operate an Automobile Sales Lot at 640 Woodland Church Road (Tax Map No. 4-0043-0028A). There were twenty (20) people present. In the absence of Sam Barrow, Mr. Jones recognized Rhonda Money, County Planner, who gave an overview of the request. She further stated that Kos Jackson and Milton Phelps were present to answer any questions. Chairman Jones asked if there were any questions. Commissioner Muzzulin asked how many cars would be displayed. Mr. Jackson said that, at this time, it would be five. The Planning Board approved the request at their meeting on August 8, 2017. There being no further questions, Chairman Jones closed the Public Hearing at 7:02 p.m. Chairman Jones explained that the Preliminary Plat Review for Conditional Use District No. CUD 10-01(a) did not require a public hearing so that will be discussed during New Business.

AGENDA

Joseph W. Hoffer made a motion to approve the Agenda as amended. The motion was seconded by Charles Woodard. The Board voted unanimously to approve the Agenda as amended.

CONSENT AGENDA

The following items were considered to be routine and were unanimously approved on motion made by Edward R. Muzzulin, seconded by Fondella A. Leigh.

1. **Approval of Minutes:** August 7, 2017 Regular Meeting and August 21, 2017 Work Session
2. **Personnel Matters:**

Employee Name	Employee Job Title	Action Required	Grade/Step	New Salary	Effective Date
Duncan Lane	EMT-B	Removal from Roster			08/16/2017
Tuesday White	P/T F/I Non-Certified Telecommunicator	Appointment	60/1	\$12.21/hr.	09/01/2017
Ashley Miller	P/T F/I Non-Certified Telecommunicator	Appointment	60/1	\$12.21/hr.	09/01/2017

3. **Step/Merit Increases:**

Employee Name	Employee Job Title	Grade /Step	New Salary	Effective Date
Jonathan A. Nixon	Emergency Services Director	76/16	\$74,126	07/01/2017
Kiera Hinton	IMC II	63/2	\$29,725	09/01/2017
Pamela Midgett	IMC III	65/4	\$34,084	09/01/2017
Brett Damron	EMT-B	63/2	\$14.29/hour	09/01/2017
Lisa Whidbee	EMT-I	66/3	\$16.71/hour	09/01/2017

4. **Budget Amendments:**

**BUDGET AMENDMENT NO. 4
 GENERAL FUNDS**

CODE NUMBER	DESCRIPTION OF CODE	AMOUNT	
		INCREASE	DECREASE
10-348-000	State Grants - Social Services	1,713	
10-610-193	Crisis Intervention	1,713	
EXPLANATION: To amend FY 17/18 budget to reflect actual crisis intervention funds as approved the State.			

**INTER-DEPARTMENTAL/BUDGET TRANSFER NO. 20001
 TOURISM DEVELOPMENT FUND**

CODE NUMBER	DESCRIPTION OF CODE	AMOUNT	
		INCREASE	DECREASE
45-682-142	TDA - Marketing		3,145.00
45-682-331	TDA - Grants		4,355.00
45-682-041	Part-Time Tourism Coordinator	7,500.00	
EXPLANATION: Revises TDA FY 17/18 Budget as requested and approved by TDA Meeting on 8/9/17.			

5. **Resolution:** The following Resolutions were unanimously approved by the Board:
 - **Fall Litter Sweep:** The Board adopted the following Resolution proclaiming September 16 – 30, 2017 Fall 2017 Litter Sweep in Perquimans County:

**RESOLUTION
 LITTER SWEEP FALL 2017
 IN PERQUIMANS COUNTY**

WHEREAS, the North Carolina Department of Transportation organizes an annual Fall statewide roadside cleanup to ensure clean and beautiful roads in North Carolina; and

WHEREAS, the Fall 2017 "Litter Sweep" roadside cleanup will take place September 16 - 30, 2017, and encourages local governments and communities, civic and professional groups, businesses, churches, schools, families and individual citizens to participate in the Department of Transportation cleanup by sponsoring and organizing local roadside cleanups; and

WHEREAS, Adopt-A-Highway volunteers, Department of Transportation employees, Department of Correction inmates and community service workers, local government agencies, community leaders, civic and community organizations,

businesses, churches, schools, and environmentally concerned citizens conduct annual local cleanups during “*Litter Sweep*” and may receive certificates of appreciation for their participation; and

WHEREAS, the great natural beauty of our State and a clean environment are sources of great pride for all North Carolinians, attracting tourists and aiding in recruiting new industries; and

WHEREAS, the cleanup will increase awareness of the need for cleaner roadsides, emphasize the importance of not littering, and encourage recycling of solid wastes; and

WHEREAS, the 2017 LITTER SWEEP cleanup will celebrate the 29th Anniversary of the North Carolina Adopt-A-Highway program and its approximate 6,000 volunteer groups that donate their labor and time year round to keep our roadsides clean.

WHEREAS, the LITTER SWEEP cleanup will be a part of educating the children of this Great State regarding the importance of a clean environment to the quality of life in North Carolina;

NOW, THEREFORE, BE IT RESOLVED that the Perquimans County Board of Commissioners do hereby proclaim September 16 - 30, 2017, as “*FALL LITTER SWEEP*” time in Perquimans County and encourage its citizens to take an active role in making our community cleaner and more beautiful.

ADOPTED the 5th day of September, 2017.

(SEAL)

T. Kyle Jones, Chairman
Perquimans County Board of Commissioners

ATTESTED:

Mary P. Hunnicutt, Clerk to the Board
Perquimans County Board of Commissioners

➤ **Surplus Property:** The Board adopted the following Resolution declaring telephone equipment as surplus equipment:

**RESOLUTION AUTHORIZING SALE
OF CERTAIN SURPLUS COUNTY PROPERTY**

WHEREAS, the Perquimans County Board of Commissioners desires to dispose of certain surplus property of the County:

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

1. The following described personal property is hereby declared to be surplus to the needs of the County:

- 50 – Nortel/Norstar Model T316E Telephones
 - 30 taken out of service February, 2013
 - 20 taken out of service August, 2017

2. The County Manager is hereby authorized and directed to proceed on behalf of the Perquimans County Board of Commissioners to sale these surplus items on GovDeals.

3. The County reserves the right to reject any or all bids and decide not to sell the property at any time during this process.

4. The County Manager, in accordance with State law, shall cause a summary of this resolution to be published once in a newspaper having general circulation in the County and place it on the County’s website. After not less than ten (10) days from the date of publication, the County Manager is authorized to sell the above-described property to the highest bidder.

Adopted this the 5th day of September, 2017.

T. Kyle Jones, Chairman

ATTEST:

Mary P. Hunnicutt, Clerk to the Board

6. **Board Appointments:** The following Board reappointments were approved by the Board:

NAME	BOARD	ACTION	TERM	EFFECTIVE DATE
Hobbs, Donald	Animal Control Board (at-large Comm. Appt.)	Reappointment	2 yrs.	09/01/2017
Thompson, Bethany	Animal Control Board (SPCA Representative)	Reappointment	1 yr.	09/01/2017
Knight, Marshall	Board of Adjustments	Reappointment	3 yrs.	09/01/2017
Hobbs, Benjamin C.	Board of Adjustments (alternate)	Reappointment	3 yrs.	09/01/2017
Eure, Sadie	Jury Commission - County Appointee	Reappointment	2 yrs.	09/01/2017
Lassiter, Brenda	Planning Board	Reappointment	3 yrs	09/01/2017

7. **Quarterly Fiscal Monitoring Reports:** The State requires that the Quarterly Fiscal Monitoring Report be presented to the Board for review. The report for period ending on June 30, 2017 was presented.

8. **Single Family Rehab Documentation:** The Board approved the following Single Family Rehab Grant Documentation and authorized the County staff to sign them: Assistance Policy; Procurement & Disbursement Policy; and Pre-Application Form.

INTRODUCTION OF NEW EMPLOYEES

The following employees were introduced to the Board:

1. **Bill Jennings, Tax Administrator:** Mr. Jennings introduced Sharon Cooper, Tax Clerk – DMV, who was appointed effective August 1, 2017.
2. **Jonathan Nixon, EMS Director:** Mr. Nixon introduced Caitlyn Colson - EMS Shift Supervisor (Paramedic) and Matt Leicester – EMS Shift Supervisor (Paramedic) who were appointed effective September 1, 2017.
3. **Shelby White, Sheriff:** Sheriff White introduced Brian Baker, Part-Time Animal Control Officer, and Damon Sizemore, Certified Deputy, who were appointed on August 1, 2017.

Chairman Jones welcomed them to the County.

MATTHEW CHEESEMAN, SUPERINTENDENT OF SCHOOLS

Mr. Cheeseman thanked the Board for allowing him to provide an update on the High School Athletic Complex. He explained that he is very proud of the progress that they have made on this Complex. He then introduced Jim Davison, Director of Maintenance for the School System. In Mr. Davison’s report, he provided the following information:

1. They have secured an architect, CHA.
2. Their first meeting was held about two weeks ago. The next meeting will be this Friday.
3. He presented the following timeline for the football field:

<p>2017 August 15th – September 1st – Initial planning for football field September 8th - 15th – Geotechnical surveying September 11th – September 29th - Schematic design October 2nd – October 20th – Design development October 23rd – November 22nd - Permitting process November 27th – December 15th - Construction documents</p>	<p>2018 December 18th – January 12th – Bid period February 1st – July 31st – Construction June 17th – Field ready for sod June 22nd – July 27th - Growing period July 31st – Phase I substantial construction completion August, 2018 – Open for football season</p>
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County Manager Heath asked Mr. Davison what Phase I actually included. Mr. Davison said that Phase I included: Football Field; Lighting; Clubhouse; Press Box; and 1,000 seating capacity on home side of the field. Mr. Cheeseman explained how they were planning on financing the project.

BILL JENNINGS, TAX ADMINISTRATOR

Mr. Jennings provided his monthly report and explained that the tax bills were dropped off at the Post Office on August 28th to be mailed. He further explained the personnel changes in his department due to the retirement of Debbie Stallings and promotion of Helen Hunter.

SUSAN CHANEY, SOCIAL SERVICES DIRECTOR

Ms. Chaney presented her monthly report. She also explained the personnel changes in her department.

COMMISSIONER'S CONCERNS/COMMITTEE REPORTS

The following item was discussed:

- **Chairman Jones:** Chairman Jones explained that a copy of a letter from Winfall Mayor Yates was distributed to them tonight. He noted that Mr. Yates is requesting a meeting with the Board regarding the Recreation Department. It was his suggestion that we appoint three Commissioners to attend the meeting with the Town of Winfall Council Members. This way, we would not be required to advertise the meeting and have minutes taken of the meeting. These appointees will listen to their concerns and bring it back to the full Board at their next meeting for any action needed. The Board agreed to appoint Commissioners Hoffer, Muzzulin, and Jones. The Chairman and County Manager will negotiate the date and time of the meeting and notify the Board.

UPDATES FROM COUNTY MANAGER

County Manager Heath presented the following updates:

- **Jack the Dog:** Mr. Heath explained again why he was showing a picture of Jack the Dog who was adopted from our Tri-County Animal Shelter. This will be last appearance of Jack the Dog.
- **Library Project:** Mr. Heath explained that we have about 45 days left on the construction.
- **Albemarle Commission:** Mr. Heath discussed the request from Albemarle Commission to the participating counties that they wish to have a new facility and asked the County to donate some land in the Commerce Centre. Ms. Davison has made presentations at all County Board of Commissioners' meetings. She will have to have a unanimous vote to proceed. Some counties expressed some concerns. More information will be provided as we receive it.
- **Lottery Funds:** Mr. Jones asked Mr. Heath about when the Board of Education's compliance requirements go into effect with regard to the class size requirement. Mr. Heath said that it would be next year. Mr. Jones asked about using the Lottery funds for the Athletic Complex when there is a chance we may need those funds to cover this compliance requirement. Mr. Heath responded.

RESPONSE – COMBINATION OF ADULT HOME CARE AND NURSING HOME ADVISORY COMMITTEES

In July, 2017, the Board authorized the County Manager to proceed with requesting that the Adult Home Care and the Nursing Home Care Advisory Committees be combined into one committee. The reason was the difficulty in finding qualified members for both committees. This would reduce the number of individuals needed to serve. On August 30, 2017, we were notified that our request had been approved. Therefore, no new members are needed at this time. This is for information purposes only.

PLANNING BOARD ITEMS

Chairman Jones stated that it was time to take action on the following Planning Board items:

Conditional Use District No. CUD-17-01 by Kos S. Jackson: A Public Hearing was held earlier in the meeting to receive citizens' comments to consider Conditional Use District No. CUD 17-01, requested by Kos S. Jackson to operate an Automobile Sales Lot at 640 Woodland Church Road (Tax Map No. 4-0043-0028A). The Planning Board, at their August 8, 2017 meeting, approved the Conditional Use District Rezoning application. The Planning Staff offers the following conditions for consideration:

1. Applicant shall submit a plan detailing the location and square footage of the space to be dedicated to Mr. Jackson's business venture. The plan should include interior space in the existing building and exterior space that will be used for displaying vehicles for sale.
2. The Board should consider implementing a limit on the number of vehicles allowed to be displayed for sale at the Subject Property.
3. The Board should consider requiring a diagram of the interior of the building to show how much space will be used.

Joseph W. Hoffer made a motion to approve Rezoning Request CUD 17-01(a), to rezone from RA Rural Agriculture to CR(CUD) Rural Commercial Conditional Use District, and to approve Conditional Use Permit CUD 17-01(b), to issue Mr. Kos Jackson a Conditional Use Permit to operate an Automobile Sales business on the +/- 1.81 acre lot located at 640 Woodland Church Road (Tax Parcel 4-0043-0028A), conditioned upon the conditions listed in the CUP) and adopting the following Findings to support the motion:

- (a) That the use will not materially endanger the public health or safety, if located according to the plan submitted and approved;
- (b) That the use meets all required conditions and specifications;
- (c) That the use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity; and
- (d) That the location and character of the use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located and in general conformity with the Perquimans County Land Use Plan.

The motion was seconded by Charles Woodard. The following Conditional Use Permit No. CUD 17-01(b) was unanimously approved:

CONDITIONAL USE PERMIT No. CUD-17-01(b)

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On the date(s) listed below, the Board of Commissioners for Perquimans County met and held a public hearing to consider the following application:

Applicant:

Kos S. Jackson
1148 Ocean Highway North
Hertford, NC 27944
(252) 264-2264

Property Owner: Milton M. Phelps and Betty R. Phelps
1124 New Hope Road
Hertford, NC 27944
(252) 264-3125

Property Location/Address: 640 Woodland Church Road

Tax Parcel No.: 4-0043-0028A

Zoning District: CR-CUD (Rural Commercial Conditional Use District)

Proposed Use of Property: To operate an automobile sales business according to the documents, materials, drawings, and narrative submitted to the county and contained within file number CUD 17-01(b)

Meeting & Hearing Dates: Planning Board on August 8, 2017; and
Board of Commissioners on September 5, 2017.

Having heard all the evidence and argument presented at the hearing(s), the Board finds that the application is complete, that the application complies with all of the applicable requirements of the Perquimans County Zoning Ordinance for the development proposed, and that therefore the application to make use of the above-described property for the purpose indicated is hereby approved, subject to all applicable provisions of the Zoning Ordinance pertaining to "Automobile Sales and Service" and subject to the following conditions:

CONDITIONAL USE PERMIT No. CUD-17-01(b)
Page 2 of 2

- (1) The Applicant shall conduct business operations strictly in accordance with the plans, narrative, and conditions submitted to and approved by this Board, a copy of which is filed with the Register of Deeds office.
- (2) If any conditions affixed hereto or any part thereof shall be held invalid or void, then this permit shall be void and of no effect.

IN WITNESS WHEREOF, Perquimans County has caused this permit to be issued in its name, and the undersigned, being all the authorized applicants, agents, representatives, or property owners of the property above described, do hereby accept this Conditional Use Permit, together with all its conditions, as binding on them and their successors in interest.

Attest:

_____ (Seal)

Perquimans County

By _____

I, _____, authorized Applicant, of the above identified property, does hereby acknowledge receipt of this Conditional Use Permit. The undersigned does further acknowledge that no work may be done pursuant to this permit except in accordance with all of its conditions and requirements and that this restriction shall be binding on them and their successors in interest.

Property Owner

The State of North Carolina
Perquimans County

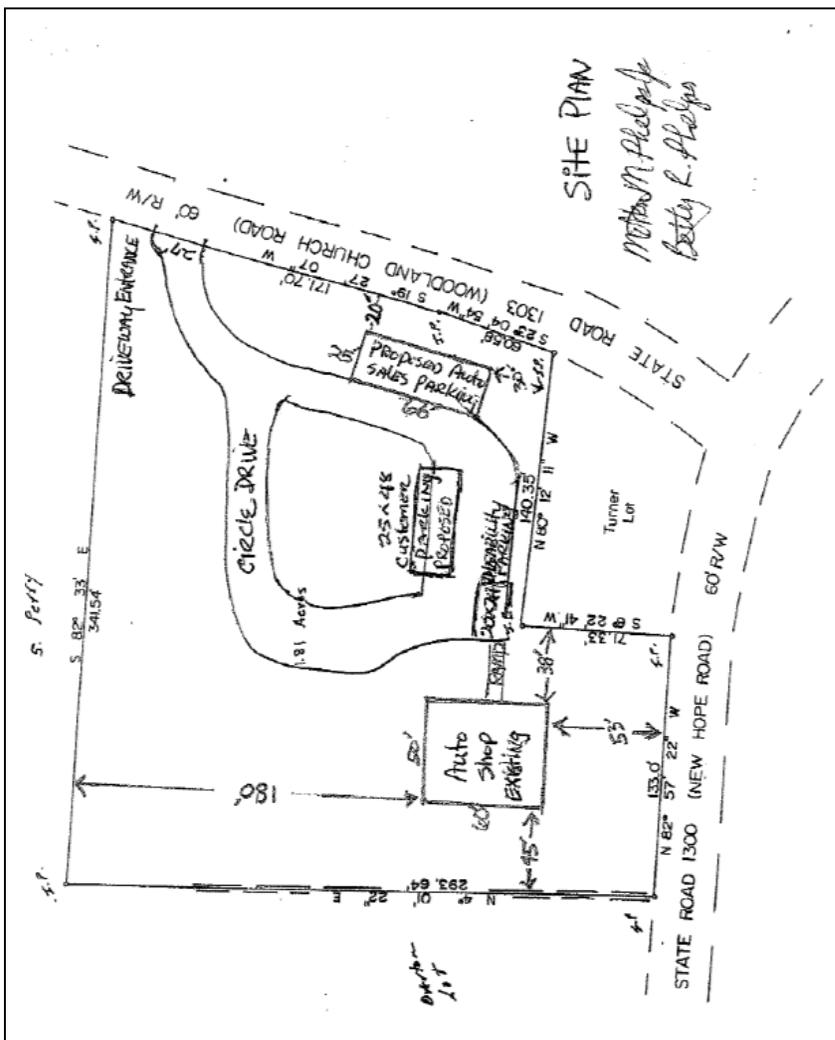
I, _____, a Notary Public in and for the said State and County, do hereby certify that _____ personally appeared before me this day and acknowledged the due execution of the forgoing instrument.

WITNESS my hand and notarial seal, this the _____ day of _____, 2017.

My Commission expires:

(Not valid until fully executed and recorded)

CONDITIONAL USE PERMIT No. CUP-17-01(b)
SITE PLAN



The Moorings Preliminary Plat: County Manager Frank Heath stated that the Board had the Staff Report in their packets and that Bruce Exum and Steve Janowski, the applicants, were present if the Board had any questions. Mr. Heath stated that the applicants have met all the requirements of the preliminary plat approval and he, along with the Planning Staff, recommends approval of the preliminary plat subject to the items listed below from Bill Diehl, County Water Engineer:

- The County obtain confirmation that the STEP systems will be maintained by the licensed operating entity for the wastewater system rather than the homeowner.
- The County obtain confirmation that a flow reduction was granted by DEQ for this development, with the confirmation stating the approved flowrates (in terms of gallons per day per residence or gallons per day per bedroom).
- The County obtain and review cost estimates for the wastewater treatment and disposal system, the wastewater collection system, the water system, and other planned improvements that may not be completed when the subdivider/developer seeks approval and recordation of the Final Plat. The cost estimates should be prepared by the Design Engineer of each system. Upon acceptance of the estimates by the County, the subdivider/developer should then furnish valid security bonds to the County, in the amounts of 1.30 times the accepted cost estimates.
- When the County reviews the HOA documents, the County should ensure the documents have the language required by the attached Operational Agreements, including any language the County wishes to add to make it abundantly clear that any costs associated with any future involvement of the County with the subject wastewater system will be entirely borne by the HOA through the HOA's fund reserves and special assessments.
- The County obtain confirmation that all documents that are to be recorded, are, in fact, recorded.
- The County consider drafting and requiring a Wastewater System Disclosure Statement, as previously described, be signed by each purchaser of a lot or home in The Moorings at Albemarle.
- The County revise the "Certificate of Approval of Sewage System" that is applied to the face of the Final Plat to reflect the proposed wastewater collection and disposal system and the correct permitting agency.

Mr. Exum provided additional information including the fact that Mr. Nichols, the original applicant, had passed away earlier this year. During his presentation, he reviewed the conditions of the permit and explained how they had accomplished each condition. Chairman Jones asked if there were any further questions or comments. There being none, Edward R. Muzzulin made a motion to approve the Preliminary Plat for The Moorings at Albemarle with the conditions listed above. The motion was seconded by Charles Woodard and unanimously approved by the Board.

BUDGET AMENDMENT NO. 5

Jonathan Nixon, Emergency Services Director, has been notified that the County has received a grant in the amount of \$2,000. The Grant is from the N.C. Department of Public Safety. On motion made by Edward R. Muzzulin, seconded by Fondella A. Leigh, the Board unanimously approved the following Budget Amendment No. 5 and authorized county chair and staff to sign the proper documentation to receive the funds:

**BUDGET AMENDMENT NO. 5
GENERAL FUNDS**

CODE NUMBER	DESCRIPTION OF CODE	AMOUNT	
		INCREASE	DECREASE
10-348-012	State Grants - Emergency Management	2,000	
10-530-338	State Grants - Hazardous Mat	2,000	
EXPLANATION: To amend FY 17/18 budget to include an awarded Emergency Management Grant.			

PUBLIC COMMENTS

There being no public comments.

ADJOURNMENT

There being no further comments or business to discuss, the Regular Meeting was adjourned at 7:40 p.m. on motion made by Charles Woodard, seconded by Joseph W. Hoffler.

T. Kyle Jones, Chairman

Clerk to the Board

**WORK SESSION
September 18, 2017
7:00 p.m.**

The Perquimans County Board of Commissioners met in a regular Work Session on Monday, September 18, 2017, at 7:00 p.m. in the Commissioners' Room located on the first floor of the Perquimans County Courthouse Annex.

- MEMBERS PRESENT: Kyle Jones, Chairman
Joseph W. Hoffler
Wallace E. Nelson
Fondella A. Leigh, Vice Chair
Edward R. Muzzulin
Charles Woodard
- MEMBERS ABSENT: None
- OTHERS PRESENT: Frank Heath, County Manager
Hackney High, County Attorney
Mary Hunnicutt, Clerk to the Board

After the Chairman called the meeting to order, Commissioner Nelson gave the invocation and the Chairman led the Pledge of Allegiance.

LARGE SOLAR FARM FACILITIES REVISIONS

Chairman Jones explained that their main objective tonight is to agree on any revisions needed for the large solar farm facilities section of our Zoning Ordinance. The current moratorium expires in October. Mr. Jones said that he is going to ask each individual commissioner to discuss their concerns with the current ordinance. The following concerns were discussed:

- **Commissioner Hoffler:** Chairman Jones asked Mr. Hoffler if he had any concerns. After County Manager Heath sent the Commissioners a copy of the proposed revisions, Mr. Hoffler asked to have time to review them before making comments. Mr. Jones moved on to the next Commissioner.
- **Chairman Jones:** Chairman Jones said that he was satisfied with what the Planning Board proposed along with the changes requested by the Board but would be open to whatever else the Board wishes to discuss.
- **Commissioner Nelson:** Commissioner Nelson discussed items B(1)(e), B(1)(f), the gate placement, and berm requirements. After County Manager Heath explained that these items are covered in the ordinance, Mr. Nelson was satisfied with the proposed changes.
- **Commissioner Muzzulin:** Mr. Muzzulin had no concerns and approves to move forward with these revisions.

- **Commissioner Leigh:** Ms. Leigh had no concerns and approves to move forward with these revisions.
- **Commissioner Hoffer:** After reviewing the copy of the proposed changes, Mr. Hoffer said that he had no problems with the revisions and approves to move forward with these revisions.
- **Commissioner Woodard:** Mr. Woodard said that Mr. Nelson brought up his concerns and he is satisfied with that now. He further stated that he likes the idea that the facility would be shut down if they do not comply with the conditions. He also discussed berm requirement, if needed

Chairman Jones asked Rhonda Money, Planner, if she had any concerns. She did not. County Manager Heath and County Attorney High discussed how to solve the issue of the project size discussed tonight. It was decided that County Manager Heath and County Attorney High would meet to revise these proposed revisions addressing the issues discussed tonight, prepare a new draft copy, and forward copies to the Commissioners for their review and comments.

OTHER ITEMS DISCUSSED

The Board discussed the following information: opioid

- **County Manager Heath:** Mr. Heath informed the Board that he had sent a letter on behalf of the Board to Trillium to take a greater role in coordinating a detox treatment center in our region.
- **Wallace Nelson:** Mr. Nelson made further comments on the Opioid issue, the Athletic Complex, and Resolutions being included in the Consent Agenda.
- **Charles Woodard:** Mr. Woodard made a few comments on the Opioid issue.
- **Chairman Jones:** Mr. Jones discussed the recent letter from the Town of Winfall about a meeting with their Council about some Recreation Department issues on September 26, 2017.

ADJOURNMENT

There being no further business to discuss, the Chairman adjourned the meeting at 7:40 p.m.

T. Kyle Jones, Chairman

Clerk to the Board

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