

Regular Meeting  
May 5, 2003

The Chowan County Board of Commissioners met in regular session on Monday, May 5, 2003 at 9:00 am in the Commissioners Room, Courthouse.

Present: Jimmy Alligood, Louis Belfield, Ralph Cole, Jerry Downum, Wayne Goodwin, George Jones, Harry Lee Winslow.

Prior to the 9:00am meeting, the Board of Commissioners attended the Chowan County Extension and Community Association's Breakfast at the Chowan County Agriculture Center.

Chairman Belfield called the meeting to order and Commissioner Jones presented the invocation.

#### Consent Agenda

By motion of Commissioner Alligood, the Consent Agenda, including the following budget amendments and tax reliefs and the April meeting minutes, was approved.

ayes 7  
no 0

#### Tax Reliefs

|             |          |                         |
|-------------|----------|-------------------------|
| CD Capehart | \$119.79 | listed in Bertie Co     |
| RS Mizell   | \$162.55 | vehicle traded          |
| MA Reid     | \$139.73 | billed to wrong account |

#### Budget Amendments

|          |          |        |  |
|----------|----------|--------|--|
| 5231 DSS | decrease | \$2500 | budget cuts-Gov's Crime<br>Commission Kindergarten Readiness |
| 5321 DSS | decrease | \$9142 | budget cut-State Adult Day<br>Care Funding                   |

The regular meeting was recessed and a Public Hearing opened to receive comment on the proposed Secondary Roads Program.

#### Public Hearing - Secondary Roads Program

Division Engineer Don Connor presented the proposed Secondary Roads Program, comprised of continuation work on West Bear Swamp Road, in the amount of \$204,600. The contingency plan if funds become available are completion of West Bear Swamp Road \$75,000; Sycamore Road \$280,000; and Sandy Point Road, \$120,000.

No public comment was offered.

The public hearing was adjourned and the regular meeting reconvened.

Commissioner Cole made a motion that a resolution be approved to accept the State's proposed plan.

ayes 7  
no 0

#### RESOLUTION

WHEREAS, the Chowan County Board of Commissioners, meeting in regular session on Monday, May 5, 2003, met with representatives of the North Carolina Department of Transportation; and,

WHEREAS, the DOT representatives presented the proposed Secondary

Roads Improvement Program for 2002-2003, including improvements to West Bear Swamp Road, Sycamore, Road and Sandy Point Road; and,

WHEREAS, the Board of Commissioners conducted a public hearing to receive comment on the proposed 2002-2003 Secondary Roads Program as advertised.

NOW, THEREFORE, the Chowan County Board of Commissioners, by this resolution, approves the 2002-2003 Secondary Roads Program as submitted by the North Carolina Department of Transportation. Resolved today, May 5, 2003.  
Nancy B. Morgan, County Clerk

County Manager Cliff Copeland thanked Mr. Connor and his staff for their response to the County's frequent requests for assistance.

Request for Addition to the State Road System

By motion of Commissioner Alligood, the following resolution was approved, requesting the NCDOT to investigate Benbury Drive for addition to the State Road System.

ayes 7

no 0

#### Resolution

North Carolina  
County of Chowan  
Road Description Benbury Drive

WHEREAS, a petition from the landowners has been filed with the Board of County Commissioners of the County of Chowan requesting that Benbury Drive, be added to the Secondary Road System; and,

WHEREAS, the Board of County Commissioners is of the opinion that Benbury Drive should be added to the Secondary Road System, if the road meets minimum standards and criteria established by the Division of Highways of the Department of Transportation for the addition of roads to the System.

NOW, THEREFORE, be it resolved by the Board of County Commissioners of the County of Chowan that the Division of Highways is hereby requested to review Benbury Drive, and to take over the road for maintenance if it meets established standards and criteria. Resolved today, May 5, 2003.  
Nancy B. Morgan, County Clerk

Request for Addition to State System - Dean's Farm Road

Commissioner Winslow moved that the County approve the following resolution to accept a petition for addition to the State Highway System from landowners along Dean's Farm Road for submission to the NCDOT.

ayes 7

no 0

RESOLUTION

North Carolina  
County of Chowan

Road Description                      Dean's Farm Road

WHEREAS, a petition from the landowners has been filed with the Board of County Commissioners of the County of Chowan requesting that Dean's Farm Road, be added to the Secondary Road System; and,

WHEREAS, the Board of County Commissioners is of the opinion that Dean's Farm Road should be added to the Secondary Road System, if the road meets minimum standards and criteria established by the Division of Highways of the Department of Transportation for the addition of roads to the System.

NOW, THEREFORE, be it resolved by the Board of County Commissioners of the County of Chowan that the Division of Highways is hereby requested to review Dean's Farm Road, and to take over the road for maintenance if it meets established standards and criteria. Resolved today, May 5, 2003.

Nancy B. Morgan  
County Clerk

Drainage Concerns

Two areas with drainage problems, one on Sandy Ridge Road and a second in Cape Colony, were reported to the DOT requesting their assistance.

The regular meeting was recessed and a public hearing was declared to receive comment on the proposed Greenways Plan.

Public Hearing - Greenways Plan

Planner Chad Sary presented the proposed Greenways Plan for Chowan County and Edenton, using the corridors of Pembroke Creek, Queen Anne Creek, Rocky Hock Creek and Indian Creek. The Cannon's Ferry Park and Riverwalk and the Bennett's Millpond will become a part of the system as it is developed.

Adjoining counties also developing greenways and Chowan could link systems for even greater impact. Trails will include paved, unpaved, and water areas. Local counties could also develop links with the East Coast Trailway which stretches from Maine to Florida. The first phase will be inside Edenton linking areas across Town for biking and walking, at an estimated cost of \$300,000. DOT grants are available to assist. There is considerable money for such projects available from State and Federal programs.

In public comment, Jim Leggett supported the program noting how such a program would encourage activity and exercise and also the advantage of linking communities. He mentioned the possibility of converting the abandoned railroad track space that runs from in Town through the Cape Colony area to the Sound.

Robbie Laughton reported the tremendous amount of public interest in the greenways program and noted the leisure/recreational and economic contribution it will be to the community.

The public hearing was closed and the regular meeting reconvened. Commissioner Alligood made a motion that the Greenways Plan be adopted by the following resolution.

ayes 7  
no 0

#### RESOLUTION

WHEREAS, the Chowan County Board of Commissioners has expressed the need for a Greenways & Open Space Plan that provides documentation and maps identifying parcels and corridors of land that are in need of protection and conservation measures in relation to the Edenton-Chowan Land Use Plan and Comprehensive Master Plan for Parks and Recreation; and,

WHEREAS, the plan establishes a comprehensive approach that will link green space lands and corridors to residential, commercial, institutional and downtown business areas of the community and to define a concise set of strategies for protecting and conserving these corridors and the same time developing public use facilities that would provide residents with access to these lands and corridors; and,

WHEREAS, the 2002-03 grant received by the Town of Edenton and Chowan County on behalf of the Coastal Area Management Act for the funding of the Edenton-Chowan County Greenways & Open Space Plan requires an official public hearing and adoption which was held on Monday, May 5, 2003.

NOW, THEREFORE, be it resolved by the Chowan County Board of Commissioners:

That the Town of Edenton and Chowan County will arrange for the implementation and development of the Edenton-Chowan County Greenway & Open Space Plan; and

That the Town of Edenton and Chowan County have substantially complied or will substantially comply with all Federal, State and local laws, rules, regulations and ordinances applicable to the projects and to the grants pertaining thereto.

Adopted today, May 5, 2003.  
Nancy B. Morgan, County Clerk

The regular meeting was again recessed to conduct a public hearing on the proposed Hazard Mitigation Plan.

#### Hazard Mitigation Plan

Planner Chad Sary and EMS Coordinator Doug Belch presented Chowan County's proposed Hazard Mitigation Plan as required by Senate Bill 300. Eric Weatherly of Hobbs Upchurch presented data compiled in the study identifying and analyzing hazards such as flood areas, hurricane risks, storm surge data, tornado and drought data, nor'easter risks and severe winter storm data and vulnerability. Chowan County has approximately 1700 homes in the 100-year flood zone. Development trends, land use, industrial development and procedures to reduce damage and potential destruction were analyzed. Public awareness is a priority in all categories.

No public comment was offered.

The public hearing was adjourned and the regular meeting reconvened. Commissioner Winslow made a motion that the Hazard Mitigation Plan be

approved as presented to be submitted to the State, by the following resolution.

ayes 7

no 0

#### Resolution

WHEREAS, the North Carolina General Assembly passed Senate Bill 300: An Act to Amend the Laws Regarding Emergency Management, as recommended by the Legislative Disaster Response and Recovery Commission where among other provisions, this Bill requires that local governments have an approved hazard mitigation plan in order to receive state public assistance funds (effective for State-declared disasters after November 1, 2004); and,

WHEREAS, in October of 2000, the President of the United States signed into law the Disaster Mitigation Act of 2000 (Public Law 106-390) to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988 which reinforces the importance of pre-disaster mitigation planning, establishing a requirement that local governments adopt a mitigation plan in order to be eligible for hazard mitigation funding; and,

WHEREAS, both Senate Bill 300 and the Disaster Mitigation Act of 2000 set forth certain requirements for local governments to have an approved hazard mitigation plan; and,

WHEREAS, the Chowan County Board of Commissioners clearly recognizes the importance of local mitigation planning and the urgency to complete the task of developing plans that not only meet minimum criteria, but work toward reducing the County's vulnerability to natural hazards; and,

WHEREAS, the 2002-03 grant received by the Town of Edenton and Chowan County on behalf of the State of North Carolina, Department of Crime Control and Public Safety, Division of Emergency Management for the funding of the Edenton-Chowan County Hazard Mitigation plan requires an official public hearing and adoption which was held by the Chowan County Board of Commissioners on Monday, May 5, 2003.

NOW, THEREFORE, be it resolved by the Chowan County Board of Commissioners: that the Town of Edenton and Chowan County will arrange for the implementation and development of the Edenton-Chowan County Hazard Mitigation Plan; and, that the Town of Edenton and Chowan County have substantially complied or will substantially comply with all Federal, State and local laws, rules, regulations and ordinances applicable to the projects and to the grants pertaining thereto.

Adopted today, May 5, 2003.

Nancy B. Morgan, County Clerk

Public Hearing - Rural Operating Assistance Program. The regular meeting was recessed to convene a public hearing to receive comment on the proposed Rural Operating Assistance Program.

County Manager Cliff Copeland explained that Chowan County's allocation of \$63,471 in EDTAP, RGP and WorkFirst funds will be assigned to the County's InterCounty Public Transportation Authority.

No public comment was offered.  
The public hearing was closed and the regular meeting reconvened.

Commissioner Jones moved that the County approve the ROAP plan as submitted.  
ayes 7  
no 0

#### Public Safety Committee Report

Commissioner Alligood reported that Animal Control Supervisor Mary Bass presented an overview of the Animal Control Ordinance for the Tri-County Animal Shelter (when Perquimans joined Chowan and Gates in July 2002) and the Chowan County Animal Control, explaining euthanasia procedures using injection and disposal methods. Other topics included how nuisance calls are handled, how dangerous animals are handled and court proceedings.

Other than reclaim fees, the Shelter currently has no fines for violations. During the budget process, the department and County Manager will examine that issue.

EMS Coordinator Doug Belch reviewed the recently enacted HIPPA federal guidelines (patient privacy) and Sheriff Fred Spruill demonstrated the new weapons being used by the Sheriff's Department.

#### Human Services Committee Report

Commissioner Cole reported that DSS Supervisor Sherry Jordan presented the Child Protection Team Annual Report, receiving 88 reports of which 51 were substantiated and formally investigated. He noted the excellent job performed with such a small staff. The Chowan County Teen Court has also produced positive results. Mr. Copeland reported that the County continues to work with the Baptist Children Homes to confirm property for the local project.

#### Chowan Beach

Commissioner Goodwin requested that the County investigate ways to assist Chowan Beach in its efforts to improve its community through cleanup of problem areas. By motion of Commissioner Goodwin, the Board of Commissioners agreed to assist through Code Enforcement/Building Inspections and Planning Board investigations of the problems, including examining the idea of zoning for the community.

ayes 7  
no 0

#### Manager's Report

Mr. Copeland reported that the Junk Car Task Force will make a presentation to the General Assembly about how the pilot program has worked in Chowan, Gates and Perquimans Counties.

#### Library Expansion

The County Manager also reported that the Library Board has prepared a more traditional design for the library expansion that will be presented to the Town committees for review.

#### Planner

Planner Chad Sary has resigned to take a position in Myrtle Beach, SC. Mr. Copeland stated that Mr. Sary has done an excellent job for the County and Town, completing several important plans and assisting the County and Town through several major projects during his tenure with

the County.

Elizabeth Bryant has been hired to fill the position.

#### Albemarle Commission

Commissioner Belfield, speaking for The Albemarle Commission Board, requested that the Commissioners join the support for the House Bill to fund local juvenile crime prevention councils. This money helps to fund several successful programs in the northeast aimed at at-risk youth and their families. Commissioner Alligood made a motion that the Commissioners contact its Legislators in support of this funding.

ayes 7

no 0

#### No Wake Zone

Mr. Copeland reported on his meeting with representatives of the landowners and skiers on Pembroke Creek to compromise on the question of the no wake zone. He presented a revised map with a more limited area, just at the most dangerous area along side Dillard's Island. Commissioner Jones moved that the revised map and request for a no wake zone be forwarded to Representative Culpepper for his consideration.

ayes 7

no 0

#### Foreclosed Property Sale

Tax Administrator Lynda Hendricks requested that the Board approve the sale of five parcels of foreclosed property. Commissioner Goodwin made a motion that the following resolution be approved authorizing the sale.

ayes 7.

no 0

### RESOLUTION

WHEREAS, Chowan County, a body politic organized and existing under the laws of the State of North Carolina, has acquired a surplus of real property as a result of foreclosure, sales having been conducted by the local taxing unit; and,

WHEREAS, said surplus of real property has created a need that the property be sold at public auction on the Courthouse steps in Chowan County.

NOW, THEREFORE, be it resolved that pursuant to NCGS Sections 105-374, 105-377, 153A-163 and 160A-270, the County shall sell at public auction on Monday, June 23, 2003 at 9:00am on the steps of the Chowan County Courthouse in Edenton, Chowan County, North Carolina, those certain lots or parcels of land described below. Said sale shall be made subject to all outstanding city and county taxes and all local improvement assessments against the property listed. No warranties shall be made as to the title or matters of survey. The properties shall be sold separately and "AS IS", with minimum bids of not less than \$100 each. Any offer or bid submitted must be accepted and confirmed by the Board of Commissioners before the sale

will be considered effective.

1. All of Lot 32 in Block 306 Cape Colony, PIN#7813-11-66-5701 at 431 White Oak Drive.
2. All of Lot 33, Block 306, Cape Colony, PIN#7813-11-66-5627 at 433 White Oak Drive.
3. All of Lot 10, Block 303, PIN#7813-10-46-4771 at 218 Willow Drive.
4. All of tract or parcel, PIN#7805-19-50-7200 at 208 W. Gale Street.
5. All of tract or parcel, PIN#7805-20-81-6236 at 204 E. Hicks Street.

Adopted today, May 5, 2003, by the Chowan County Board of Commissioners.  
Nancy B. Morgan, County Clerk

The regular meeting was adjourned.

Nancy B. Morgan, County Clerk

#### Board of Equalization and Review

A meeting of the Board of Equalization and Review was convened. The Clerk received oaths from the Commissioners and Tax Administrator Lynda Hendricks moderated the meeting.

One case was reviewed which is reported by the Tax Administrator.

T. A. Lemmond - No Change