

Chowan County Board of Equalization and Review  
Meeting  
Monday April 20, 2015  
6:00pm  
**Chowan County Public Safety Center**  
**305 West Freemason Street**

**AGENDA**

At 6:00 PM a motion was made and seconded and the Board voted unanimously to convene the Chowan County Board of Equalization and Review for the 2015 tax year. At this time the Clerk to the Board of Commissioners, Mrs. Susanne Stallings, administered the oath per N.C.G.S. 105-322(c) to the Board. The Board swore and signed the oath. At this time the Tax Administrator, Hosea Wilson, stated that he had no appeals scheduled for this meeting and unless there were no unscheduled taxpayers that wished to present appeals to the board, there was no business for the Board to act on. Being none, Mr. Wilson advised the board of the scheduled meetings for the Board and made a recommendation to the Board that they recess until May 4<sup>th</sup>, 2015 at 6:00 PM. At 6:10 P.M. a motion was made to recess. The motion was voted unanimously to recess until May 4<sup>th</sup>, 2015 at 6:00 PM. The upcoming meeting schedule is listed below:

Monday, May 4<sup>th</sup>, 2015, 6:00 P.M.

Monday, May 18<sup>th</sup>, 2015, 6:00 P.M.

Monday, June 1<sup>st</sup>, 2015, 6:00 P.M.

Monday, June 15<sup>th</sup>, 2015, 6:00 P.M.

Regular Meeting  
Monday, April 20, 2015  
**Chowan County Public Safety Center**  
**305 West Freemason St.**  
**Edenton, NC**  
**6:00pm**

Present Chairman Jeff Smith, Commissioners Keith Nixon, Alex Kehayes, Ellis Lawrence, John Mitchener, Emmett Winborne and Greg Bonner.

Staff present County Manager Kevin Howard and Board Clerk Susanne Stallings.

**Regular Meeting**

Chairman Smith called the meeting to order and led all in attendance in the pledge of allegiance. Commissioner Kehayes then offered the invocation.

## **Approval of Agenda**

Mr. Howard requested that the Board amend the agenda to allow a presentation on the County's insurance for personnel, a Fire Alarm repair for COA. And addition of personnel to the closed session.

Commissioner Nixon moved to approve the agenda as amended. Chairman Smith asked for all in favor, the motion passed unanimously (7-0).

## **Public Comment**

Chairman Smith opened the floor to public comment in accordance with NCGS 153A-52.1

Harriett DeHart, 112 Horniblow Pt. Rd stated her concerns with the current wind energy facility ordinance. She stated her concern with the height of the proposed windmills and the proposed setbacks from property lines. She requested that the Board consider the revisions as recommended by the County Planning Board.

Angela Toppin, 3027 Rocky Hock Rd stated her concerns with potential conflicts of interest with Board members voting on a change in the ordinance text when they are a land owner who could potentially benefit from the wind project. She stated her concern with the height of the windmills. She stated her concern with the ordinance requiring fencing and cover for junk yards but not for 600' wind turbines. She requested that the Board look into impact on wildlife. She asked for clarification on the county's current fund balance.

Clark Wylde, 1748 Virginia Way stated his concern with the proposed windmill project. He stated his concerns with flicker and noise pollution that could be felt up to 8 miles away. He stated his concern with the effect on wildlife and citizens. He stated that these projects often get a discount on their taxes.

Patti Kersey 3065 Connors Drive stated that as the Vice Chair of the Planning Board and a member of the subcommittee she wanted the Board to be aware of the time constraints in drafting a revision to the ordinance text. She stated that the Planning Board may recommend an amendment to any ordinance as often as they feel it is appropriate and stated that the County is not liable for any changes made to the ordinance before a site plan is submitted. She stated that the members of the Planning Board Committee and the public were unclear about the direction from the Board of Commissioners at the last meeting. A copy of Ms. Kersey's statement is in the meeting file labeled April 20, 2015.

Liz Alons 1848 Paradise Rd. stated she has lived at this address for 29 years and is close to the proposed site of a wind farm. She stated that her concerns regarding setbacks were addressed in the Planning text amendment. She asked the Board to please not wait on making a decision regarding the text amendment recommended by the Planning Board. She stated her concerns with her property value decreasing.

Lucille Pesceovich 212 Mulberry Hill Lane stated her opposition to the current wind facility ordinance. She stated that a 600' wind turbine is the equivalent of a 60 story building. She stated

these turbines will be seen from miles away and stated her concern that the wind turbines would deter tourists.

Lyn Bond 667 Virginia Road asked the Board to consider the work of previous boards in preparing the zoning ordinance. He stated that the current text regarding wind energy facilities is not strong enough to protect the residents. He recommended that the County look into hiring a consultant to help the Board in developing a policy to address all of the issues and concerns being brought forward regarding the windmills.

Marie Crispen 128 Yellowhammer Road stated her concerns that the wind turbines will decrease property values and that the noise from them will affect negatively the health of wildlife. She asked the Board to consider the text amendment recommended by the Planning Board.

Joanie Evans 813 Johnston Street stated her concerns with the aesthetics of the windmills. She also stated her concerns over the disturbance of the surrounding wetlands.

James Young, 105 Morris Circle stated he was previously employed with Chowan County EMS. He stated that during his employment with the County he kept a journal of his experiences. He stated his concern with Mr. Ryan (Chowan EMS Director) not living in Chowan County and driving a County Vehicle to his home in Gates County. He questioned the integrity, honesty and fairness of Mr. Ryan as the director of EMS. A copy of Mr. Young's written statement was provided and is in the meeting file labeled April 20, 2015.

Brian Ferraraccio, 208 Rockfish Dr. stated his concerns with the performance of the County attorney. He stated that he did not feel that the attorney has the County's best interest at heart. He stated that a Board member who has a personal financial interest in a matter should not participate in a vote or decision that could impact them personally. He recommended that Commissioners participate in state ethics training and seek new counsel.

Warren Smith, 725 River Cottage Road stated he was in favor of the proposed text amendment proposed by the Planning Board.

There was no further public comment.

### **Consent Agenda**

*All items on the Consent Agenda are considered to be routine and may be enacted by one motion. If a County Commissioner requests discussion on an item, the item will be removed from the Consent Agenda and considered separately.*

Chairman Smith then presented the consent agenda.

**a. Budget Amendments**

**BA-1415-042**

Account Code	Description	Old	+ or (-)	New
11-3612-515-00	ARHS Grant - Master Plan	-	(9,000.00)	(9,000.00)
11-6132-620-03	ARHS Grant - Master Plan	-	9,000.00	9,000.00
		<b>Balanced:</b>	-	-
<b>Justification:</b>				
<i>Budgeting Recreation's Master Plan Grant</i>				

**BA-1415-043**

Account Code	Description	Old	+ or (-)	New
11-6130-321-00	Telephone & Postage	6,000.00	(125.00)	5,875.00
11-6130-125-00	Stipend - Cellphone	-	125.00	125.00
		<b>Balanced:</b>	<b>6,000.00</b>	<b>6,000.00</b>
<b>Justification:</b>				
<i>Employee chose to received a stipend rather than carry a county cellphone</i>				

Mr. Carawan provided a description for the two budget amendments.

Commissioner Winborne asked for clarification on the budget amendment for cellphone stipends.

Mr. Howard stated that the stipend has been offered to employees who currently have a County cellphone and are coming out of their contract. He stated that stipend is taxable income for the employee and is a savings to the County. He stated the stipend is a set amount.

Commissioner Nixon asked Mr. Howard to provide the Board with the cellphone policy and a list of the County issued cellphones. He stated he felt the Board should set the stipend amount annually as it could change with an increase or decrease in cellphone services.

Commissioner Nixon moved to approve the budget amendments as presented. Chairman Smith asked for all in favor, the motion passed unanimously (7-0).

### **Employee Health Insurance 2015 Presentation**

Donna Nixon with Pierce Group Benefits provided the Board with information on the County Employee Health Insurance Premiums projections for 2015-16. She stated the County is facing a possible increase in the premiums of 29.8%. She stated she is still waiting for quotes from another carrier and will report her findings back to the Board.

Commissioner Nixon (no relation) asked questions regarding HAS and PPO options. Ms. Nixon noted that some counties do provide these types of plans but fully funds these plans in their County.

There were no further questions from the Board.

### **Extension Introduction**

Travis Burke, North East District Director for North Carolina Cooperative Extension Service introduced Mary Morris the newly hired Chowan County Extension Director. Ms. Morris stated that she looked forward to working with the Commissioners in the future.

Board members welcomed Ms. Morris.

Chairman Smith called for a five minute recess. After five minutes Chairman Smith called the meeting back to order.

### **Albemarle Commission Report**

Albemarle Commission Director Cathy Davison provided the Board with an annual report from the Albemarle Commission. A copy of the PowerPoint is in the meeting file labeled April 20, 2015.

The Board discussed congregate meals. Ms. Davison stated she would provide additional information to the Clerk via email to forward to the Board.

### **Mobile Crisis Report**

Keith Hamm provide the Board with an information from the mobile Crisis Chowan County Unit. He stated that the mobile crisis team provides 24 hour support to the County. He stated he hoped to improve the working relationship with Chowan County (Sheriff's Office and EMS). He stated he wanted the Commissioners and County departments to know he is in the County and willing to help when needed.

## **Departmental Annual Report**

### Register of Deeds

Chowan County Register of Deeds, Lynn Gilliard provided the Board with the annual report from the Register of Deeds office. A copy of the PowerPoint is in the meeting file labeled April 20, 2015.

### Land Records

Land Records Director Julie Sharpe provided the Board with an update from the Land Records Department. A copy of the PowerPoint is in the meeting file labeled April 20, 2015

## **External Board/Committee Report**

Chairman Smith stated that the Board members are asked to report on the activities of the external boards to which they have been appointed.

Commissioner Mitchener provided information from the Destination Downtown Board.

Commissioner Lawrence provided a report on the Airport Commission and the COA Board.

## **Manager's Report**

### COA Fire Alarm Repair

County Manager Kevin Howard stated that COA has provided quotes to repair the fire alarm system at COA. He stated that the system is requiring repairs in the Admin, Culinary Arts and Industrial Technology Buildings. He stated the total repair is \$14,189.30.

Commissioner Mitchener moved to approve the request to repair the system as requested.

Chairman Smith asked if this is an increase to the budget.

Mr. Carawan stated no.

### Part-time Planner

Mr. Howard announced that Elizabeth Bryant has been hired as the County's part-time Planner.

### I-44 Meeting

Chairman Smith stated he attended a meeting on this topic and was informed that Congressman Butterfield has introduced legislation for the designation of I44 and stated that he has support from Virginia Congress as well.

### Hwy 17 Association

Commissioner Nixon stated that the Highway 17 Association has requested funding from the County in the past however Chowan participates as member but does not make an annual contribution. He asked if the manager would request that they make a presentation on their efforts to the Board of Commissioners.

Mr. Howard noted that County Assembly Day is May 6, 2015.

The Board decided to schedule the budget work session for April 29, 2015 at 9:00am.

### **Timely and Important Matters**

#### **Board Vacancies**

Ms. Stallings noted that there is currently a vacancy on the Planning Board and upcoming vacancies for the ABC Board and the Library Board. She asked the Board for clarification on the language it wished to use for the advertisement (with regards to the residency of the applicants).

After discussion on the Board's philosophy for Planning Board membership and representation, it was agreed by consensus that the advertisement would not specify an area of the County to be represented.

Additionally the Board requested that staff poll the 16 counties in the area and see how they appoint their Planning Boards.

Commissioner Kehayes stated his objection to an interview committee for the Planning Board.

#### **Closed Session**

Commissioner Nixon moved that the Board go into closed session, in accordance with NCGS 143-318 (11) (a) (5, 6) contract negotiations and personnel.

Chairman Smith asked for all in favor, the motion passed unanimously (7-0).

The minutes of the closed session are sealed.

Commissioner Nixon moved that the Board come out of closed session. Chairman Smith asked for all in favor, the motion passed unanimously (7-0)

#### **Adjourn**

Being no further business Commissioner Mitchener moved that the meeting be adjourned.

Chairman Smith asked for all in favor, the motion passed unanimously (7-0).

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Jeffery Smith, Chairman

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Susanne Stallings, Clerk