

Chowan County Board of Equalization and Review
Meeting
Monday May 2, 2016
6:00pm
Chowan County Public Safety Center
305 West Freemason Street

AGENDA

At 6:00 PM the Board convened the Chowan County Board of Equalization and Review. The Interim Tax Administrator, Pete Rodda, advised the Board that he had one appeal for a late penalty. He stated that the taxpayer Fayetteville Lithotrippers Edenton, NC is requesting a reduction of their penalty. He noted the County's portion of the penalty is \$674.11 and the Town's is \$311.16. If reduced to 10% of the fee the County would receive \$67.41 and the Town will receive \$31.16. Board members asked for clarification on the error. Mr. Rodda noted this was a listing error. He stated the taxpayer is willing to pay the discovery however is asking for a reduction on the penalty. Mr. Rodda stated that typically he recommends a reduction of the penalty when the taxpayer is penalized for their first offense. He noted the value of the discovery is \$3,591.39. The Board discussed precedence with the reduction of fees. Commissioner Nixon stated his concern with being consistent with all appeals. Commissioner Bonner moved to approve the staff recommendation for the reduction of the penalty to 10% of the total penalty. Chairman Smith asked for all in favor of the motion, the motion passed (4-2 Nixon and Winborne). Mr. Rodda noted he will bring a proposed policy to the Board if they desire it regarding the reduction of the penalty for first time offenses. The Tax Administrator then made the recommendation to the Board that they recess until the June 6th meeting at 6:00 P.M. A motion was made and unanimously approved, 6-0, to recess until June 6th, 2016 at 6:00 P.M. Commissioner Lawrence was not in attendance for the meeting.

Regular Meeting
Monday, May 2, 2016
Chowan County Public Safety Center
305 West Freemason St.
Edenton, NC
6:00pm

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

Staff present County Manager Kevin Howard County Attorney Lauren Arizaga-Womble and Board Clerk Susanne Stallings.

Commissioner Lawrence was absent.

Regular Meeting

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

Approval of Agenda

Chairman Smith noted an amendment to the agenda to add a request for a refund request for Tax. Commissioner Bonner moved to approve the agenda as amended. Chairman Smith asked for all in favor, the motion passed unanimously (6-0).

Public Comment

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

Harriett DeHart, 112 Horniblow Point Rd. stated her concerns regarding a hearing recently heard by the Planning Board for a Special Use Permit where the public hearing was not held in accordance with the zoning ordinance. She stated the fact that the findings of fact were omitted from the process is illegal. She stated that the County Attorney has ruled that the County has stated the County does not have any course of action. She stated she disagreed with the opinion of the County Attorney she stated the only legal remedy for the County in her opinion is to hold another Special Use Permit hearing.

(Ms. DeHart's time expired, the next speaker, Mr. Hardy Gilliam gave his time to speak to Ms. DeHart).

Ms. DeHart stated she would like for the Planning Board and the County to follow the example of Currituck County in a recent suit.

Consent Agenda

Chairman Smith presented the consent agenda.

a. Budget Amendments

BA1516-016

Account Code	Description	Old	+ or (-)	New
11-6131-126-00	Salaries and Wages-Parttime	11,910.00	3,050.00	14,960.00
11-6131-181-00	Fica Tax	912.00	250.00	1,162.00
11-6131-221-00	Food & Provisions	720.00	98.00	818.00
11-6131-311-00	Travel/Trtansportation	4,092.00	(1,430.00)	2,662.00
11-6131-390.00	Restitution	1,300.00	(400.00)	900.00
11-6131-391-00	Cont Svcs-Psychological	1,385.00	(1,000.00)	385.00
11-6131-392-00	Cont Svcs-Strengthening Families	1,610.00	(470.00)	1,140.00
				-
Balanced:		21,929.00		22,027.00

Justification:

Need for increased restitution supervision has caused a deficit in the salary line.

Commissioner Nixon moved to approve BA1516-016. Chairman Smith asked for all in favor, the motion passed unanimously (6-0).

Surplus Property

Ms. Stallings noted that staff has requested that a 2007 Net Clock with Ethernet connection that was removed from service in 2014 when the 911 equipment was upgraded. She stated that staff has requested permission from the Board to surplus the property (which has already depreciated from fixed assets) and donate it to Perquimans County Central Communications.

Mr. Howard noted this equipment is being traded for a fingerprint machine.

Commissioner Mitchener moved to declare the equipment as surplus and donate it to Perquimans County. Chairman Smith asked for all in favor, the motion passed unanimously (6-0).

Refund Request

Mr. Rodda provided the Board with a request to refund Mr. Jimmy Ashley \$2,133.70. He stated that Mr. Ashley was billed for a 2nd story to his home which was incorrectly listed. He stated the calculation is based in the billing for 2014 and 2015 bills. He stated that he is not able to approve the refund however he does agree because it was not caught by staff in previous inquiries by Mr. Ashley.

Commissioner Kehayes moved to approve the refund of \$2,133.70 to Jimmy Ashley.

Chairman Smith asked for all in favor, the motion passed unanimously (6-0).

Update from Airport Commission

Representatives from the Edenton Regional Airport provided the Board with a PowerPoint presentation from the Airport. A copy of the report is in the meeting file labeled May 2, 2016.

COA Success Story

COA Board member Sally Francis Kehayes, Edenton Chowan Campus Dean Charles Purser introduced the Board of Commissioners to Daniel Midgett and congratulated him on his completion of his senior year upcoming graduation from John A. Holmes High School with an Associate's Degree. It was noted that Mr. Midgett is the first student to complete high school having taken advantage of the early college classes offered through the partnership of Edenton-Chowan Schools and COA.

Planning Board Appointment

Chairman Smith noted the Board has two applications received for appointment to Area A of the Chowan County Planning Board.

Commissioner Winborne stated that his brother is one of the two applicants and questioned if needed to be recused. He requested to be recused from the vote.

The Board discussed Commissioner Winborne's request with the County Attorney, Ms. Womble.

Commissioner Mitchener moved to excuse Commissioner Winborne from the vote.

Commissioner Winborne stated he did not want his vote for selection of his brother to be an issue.

Chairman Smith noted he was of the impression unless there is a clear conflict of interest, it is Commissioner Winborne's duty to vote.

Commissioner Bonner stated he would like for the County Attorney to look into the matter.

Commissioner Nixon stated he was of the same impression as Chairman Smith.

Commissioner Mitchener then asked to withdraw his motion to allow the County Attorney time to research the question and bring it back to a later meeting.

Older Americans Month Proclamation

Chairman Smith noted the Albemarle Commission has requested its member counties adopt a proclamation declaring May 2016 as Older Americans Month.

Commissioner Nixon moved to approve the proclamation as presented. Chairman Smith asked for all in favor, the motion passed unanimously (6-0).

Older Americans Month 2016

A PROCLAMATION

Whereas, Chowan County includes a community of older Americans who deserve recognition for their contributions to our nation; and

Whereas, Chowan County recognizes that older adults are trailblazers—advocating for themselves, their

peers, and their communities—paving the way for future generations; and

Whereas, Chowan County is committed to raising awareness about issues facing older Americans and helping all individuals to thrive in communities of their choice for as long as possible; and

Whereas, we appreciate the value of inclusion and support in helping older adults successfully contribute to and benefit from their communities; and

Whereas, our community can provide opportunities to enrich the lives of individuals of all ages by:

- Promoting and engaging in activity, wellness, and social involvement.
- Emphasizing home- and community-based services that support independent living.
- Ensuring community members can benefit from the contributions and experience of older adults.

Now therefore, The Chowan County Board of Commissioners of Chowan County do hereby proclaim May 2016 to be Older Americans Month. The Chowan County Board of Commissioners urge every resident to take time this month to acknowledge older adults and the people who serve them as powerful and vital individuals who greatly contribute to our community.

Dated this 28th day of April, 2016

Schedule Budget Meeting

Chairman Smith discussed scheduling a budget meeting. Mr. Howard noted he planned to present the proposed FY 2016-17 budget at the May 16th meeting. Ms. Stallings stated she would contact Board members to select the first budget meeting date.

External Board and Committee Reports

Commissioner Mitchener reported on the activities of Destination Downtown Edenton.

Commissioner Nixon reported on the activities of the Health Department Board and the Tourism Development Authority.

Commissioner Kehayes stated he would like for the Board to look into the use of the bottle tax for Mental Health services within the County instead of sending the monies to Trillium.

Manager's Report

Mr. Howard reported that the RPO met and has identified 5 projects in 10 counties. He noted no projects are selected for Chowan.

Timely & Important Matters

Long Leaf Pine

Commissioner Winborne requested that the Clerk prepare recognition for Mr. Jack Evans who was presented the award of the Long Leaf Pine.

Teacher Appreciation Week

Commissioner Winborne requested that staff recognize teacher appreciation week.

Planning Board

Commissioner Winborne stated he would like for staff to look into the authorities of the Planning Board.

EMS

Chairman Smith thanked EMS for their recent work when his brother was involved in an accident where he fell.

Closed Session

Commissioner Mitchener moved that the Board go into closed session in accordance with NCGS 143-318.11.a.6 Personnel. Chairman Smith asked for all in favor, the motion passed unanimously (6-0).

The minutes of the closed session are sealed.

Commissioner Mitchener moved to come out of closed session. Chairman Smith asked for all in favor, the motion passed unanimously (6-0).

Amend Agenda

Commissioner Mitchener moved to amend the agenda to include a salary adjustment for the Manager. Chairman Smith asked for all in favor, the motion passed unanimously (6-0).

Manager's Salary

Commissioner Bonner moved to adjust the County Manager's salary to \$93,500. Chairman Smith asked for all in favor, the motion passed unanimously (6-0).

Adjourn

Being no further business Commissioner Kehayes moved that the meeting be adjourned. Chairman Smith asked for all in favor, the motion passed unanimously (6-0).

Jeffery Smith, Chairman

Susanne Stallings, Clerk