

Special Meeting
Monday, May 4, 2015
Chowan County Public Safety Center
305 West Freemason St.
Edenton, NC
5:00pm

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

Commissioners Greg Bonner and Ellis Lawrence were absent.

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

Closed Session

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

Chairman Smith asked for all in favor, the motion passed unanimously (5-0).

The minutes of the closed session are sealed.

Commissioner Kehayes moved that the Board come out of closed session. Chairman Smith asked for all in favor, the motion passed unanimously (5-0)

Adjourn

Commissioner Mitchener moved that the special meeting be adjourned. Chairman Smith asked for all in favor, the motion passed unanimously (5-0).

Chowan County Board of Equalization and Review
Meeting
Monday May 4, 2015
6:00pm
Chowan County Public Safety Center
305 West Freemason Street

AGENDA

At 6:00 PM a motion was made and the Board voted unanimously to convene the Chowan County Board of Equalization and Review. The Tax Administrator, Hosea Wilson, advised the Board that he had no scheduled appeals to come before the Board at this meeting. Mr. Wilson then inquired if anyone in the audience planned to make an appeal before the Board. The Chairman, Mr. Jeff Smith, also made the inquiry to the audience. No one approached the podium to make an appeal to the Board. The Tax Administrator then made the recommendation to the

Board that they recess until the May 18th meeting at 6:00 P.M. A motion was made and unanimously approved, 6-0, to recess until May 18th, 2015 at 6:00 P.M. Commissioner Lawrence was not in attendance for the meeting.

Regular Meeting
Monday, May 4, 2015
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 Finance Officer Willie Carawan 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 Nixon then offered the invocation.

Approval of Agenda

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

Bill Dunn 204 Powhatan Dr. thanked the Board for their funding for Hydrilla. He invited the Board to attend an event in Arrowhead beach on May 9th. He stated the County should be recognized for locating funds for Hydrilla treatment. He stated that he has some ideas with regards to additional funds to address the Hydrilla and offered his services.

James Young, 105 Morris Circle stated that on March 4th he was working for Chowan County EMS on a call when a second call went out. He stated that the EMS Director Colin Ryan acknowledged the call but did not respond. He stated that when he cleared the call he was on, he responded to the second call and while in route saw Mr. Ryan in the EMS parking lot visiting with his family.

Jack Gibson, 224 Mulberry Hill Ln stated his concern with the proposed wind project. He stated he felt the Board should consider adding language that requires decommissioning bonds.

County Manager Kevin Howard introduced the newly hired Veterans Service Office, Archie Aples.

Amelia Bond 667 Virginia Road asked the Board to consider the proposed text amendment for wind farms as proposed by the Planning Board.

Lynn Bond, 667 Virginia Road requested that the Board rescind the 2013 text for windfarms and consider the Planning Board recommendations for a text amendment.

Consent Agenda

Chairman Smith presented the consent agenda.

a. Minutes

Attached are the minutes of the April 6, 2015 meetings for the Board’s review and consideration.

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

b. Budget Amendments

BA1415-044

Account Code	Description	Old	+ or (-)	New
CENTRAL COMMUNICATIONS				
11-4270-121-00	Salaries & Wages - Regular	268,592.00	(10,000.00)	258,592.00
11-4270-183-00	Hospitalization	55,292.00	(4,000.00)	51,292.00
11-4270-352-00	Maint & Repair - Equipment	7,500.00	(1,000.00)	6,500.00
11-4270-122-00	Salaries & Wages - OT/Hol	45,000.00	12,000.00	57,000.00
11-4270-126-00	Salaries & Wages - PT	17,000.00	3,000.00	20,000.00
JAIL / SRO				
11-4320-695-00	Contr Svcs - Central Prison	19,630.00	(2,500.00)	17,130.00
11-4320-696-00	Contr Svcs - County Jail	29,670.00	(2,500.00)	27,170.00
11-4312-122-00	Salaries & Wages - OT/Hol	15,000.00	5,000.00	20,000.00
ANIMAL CONTROL				
11-4380-311-00	Travel	1,650.00	(656.96)	993.04
11-4380-550-00	Capital Outlay - Vehicle	21,741.88	656.96	22,398.84
	Balanced:	481,075.88	-	481,075.88
Justification:				
<i>Covering operational shortage & school events</i>				

BA1415-045

Account Code	Description	Old	+ or (-)	New
11-4910-126-00	Salaries & Wages - PT	5,352.00	(668.00)	4,684.00
11-4910-125-00	Cellphone - Stipend	-	60.00	60.00
11-4910-299-00	Departmental Supplies	-	608.00	608.00
Balanced:		5,352.00	-	5,352.00
Justification:				
<i>Opted for a Cellphone Stipend rather than carry a county cellphone and Labtop</i>				

Mr. Carawan explained each of the budget amendments.

Commissioner Nixon asked to separate each of the budget amendments for the vote.

Commissioner Winborne moved to approve BA1415-044. Chairman Smith asked for all in favor, the motion passed (5-1 Nixon)

Commissioner Bonner moved to approve BA1415-045. Chairman Smith asked for all in favor, the motion passed unanimously (6-0).

Mr. Howard also noted that the Board has been provided the County Cellphone Reimbursement Policy, Phone Agreement and Cellphone list.

Resolutions

Tax

Chairman Smith stated he has requested the Board consider a resolution based on the large amounts of The Board is asked to consider a resolution recommended by the Tax Administrator to allow the Tax Administrator to adjust small underpayments and overpayments of property tax.

Tax Administrator Hosea Wilson stated that currently he is unable to carry over credits administratively.

Commissioner Nixon stated his concern with writing the monies off and not crediting it to future bills.

Commissioner Winborne discussed underpayments and asked if the less than \$1 applies.

Mr. Wilson stated it would.

Commissioner Winborne discussed hypothetical scenarios about residents underpaying on their tax bill.

Mr. Wilson stated it was possible but highly unlikely.

Commissioner Smith noted that the problem has mostly been with the vehicle tax.

Commissioner Nixon stated he felt the resolution was worthy of more discussion.

Chairman Smith asked for all in favor, the motion passed (4-2 Winborne and Nixon).

RESOLUTION

AN ACT TO PERMIT THE GOVERNING BODY OF A TAXING UNIT TO ALLOW THE TAX COLLECTOR TO ADJUST SMALL UNDERPAYMENTS AND OVERPAYMENTS OF PROPERTY TAX

WHEREAS, House Bill 113 was ratified by the General Assembly of North Carolina on July 23, 1987, and appears in the 1987 Session Laws as Chapter 1987-661; and codified as NCGS 105-357(c); and

WHEREAS, this legislation authorizes the Chowan County Board of Commissioners, by resolution, to permit its tax collector to treat small underpayments of taxes as fully paid and not to refund small overpayments of taxes unless the taxpayer requests a refund before the end of the fiscal year in which the small overpayment is made; and

WHEREAS, a “small underpayment” is a payment made, other than in person, that is no more than one dollar (\$1.00) less than the taxes due on a tax receipt. A “small overpayment” is a payment made, other than in person, that is no more than one dollar (\$1.00) greater than the taxes due on a tax receipt; and

WHEREAS, this resolution will apply to the 2015-2016 fiscal year, and will apply to taxes levied for all previous fiscal years; and continue in effect until repealed or amended by resolution by the Chowan County Board of Commissioners.

NOW, THEREFORE be it resolved, that the Chowan County Board of Commissioners hereby authorize the Chowan County Tax Administrator to treat small underpayments of taxes of no more than one dollar (\$1.00) as fully paid and not to refund small overpayments of taxes of less than one dollar (\$1.00) as outlined in NCGS 105-357(c).

Merchant Marine

Chairman Smith stated that the Board is asked to consider a Resolution to support HR 1288 WW II Merchant Mariner Service Act

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

A RESOLUTION OF THE NORTH CAROLINA CHOWAN COUNTY BOARD OF COMMISSIONERS IN SUPPORT OF ALTERNATIVE METHOD OF RECOGNITION FOR VETERANS STATUS TO WW II COASTWISE MERCHANT MARINERS

Findings 1: Some US Merchant Marine Seamen of WW II gained veteran status under a court ruling via Schmacher, Willner, et al, V. Secretary of the Air Force Edward C. Aldridge, Jr 665 F Supp 41 (D.D.C 1987). The USCG later **required** they meet certain eligibility requirements.

Findings 2: Some 10,000 to 30,000 **coastwise** seagoing tug and barge merchant seamen have been or may be denied recognition upon application because actions taken by government agencies (prior to P. L. 95-202) have removed required eligibility records from being available to the veteran.

Findings 3: Commandant, USCG Ltr 5739 Ltr of 09 Apr 2010 states, **"The US Government did not issue mariner credentials to females during the World War II."**

Findings 4: USCG Information Sheet #77 (April 1992) identifies **acceptable forms of documentation** for eligibility meeting the requirements pursuant to Schmacher V. Aldridge, 655 41(D.D.C 1987)

- a. Certificate of Discharge (Form 718A)
- b. Continuous Discharge Books (ship's deck/engine logbooks. (Non-military document)
- c. Company letters showing vessel names and dates of voyages. (Non-military document)

Findings 5: Commandant USCG Order of 20 March, 1944 **relieves masters** of tugs, towboats and seagoing barges **of the responsibility of submitting reports of seamen shipped or discharged on forms 718A.** This action removes item (a) from the eligibility list in Findings 4.

Findings 6: USCG Information Sheet # 77 (April, 1992) further states "Deck logs were traditionally considered to be the property of the owners of the ships. After World War II, however, the deck and engine logbooks of vessels operated by the War Shipping Administration were turned over to that agency by the ship owners, and **were destroyed during the 1970s because they were too burdensome to keep and too costly to maintain.**" This action effectively eliminates item (b) from the eligibility list in Findings 4

Findings 7: Company letters showing vessel names and dates of voyages are highly suspect of ever existing due to the strict orders prohibiting even the discussion of ship/troop movement. Then consider item (c) of Findings 4 should be removed from the eligibility list. USCG Info Sheet # 77, page 2 refers

Findings 8: Excerpts from Pres. Roosevelt's fireside Chat 23: On the Home Front (Oct. 12, 1942):"In order to keep stepping up our production, we have had to add millions of workers to the total labor force of the Nation. "In order to do this, we shall be compelled to use **older men, and handicapped people, and more women, and even grown boys and girls,** wherever possible and reasonable, to replace men of military age and fitness; **to use their summer vacations, to work somewhere in the war industries.**" Underage combatants had served in all of America's wars from the time of the Revolution. The unknown number who served in the Second World War perpetuated that legacy. They served with distinction and valor, and indisputably demonstrated that, despite their age, they could serve as well as those around them.

Findings 9: Post the Revolutionary War; many Acts of Congress were enacted to provide pensions to those veterans applying for support. Thousands of servicemen were without documented service and remained without any viable means to prove service. Excerpts from documents retained at the NARA provide: **Generally the process required an applicant to appear before a court of record in the State of his or her residence to describe under oath the service for which a pension was claimed.** This establishes precedence for using certified oaths in conjunction with the Social Security documents as alternative documentation.

Findings (10): US CG Official Shipping/Discharge documents (Forms 718A) were obtained from the National Archives and Records Administration, Wash. DC that contained information proving Active Duty (AD) services for some WW II coastwise barge and tug Mariners. Together with information obtained via a FOIA request to the National Maritime Center, research brought forth additional information. **Research** conducted between **June-August 2013, in concert with the NMC**, using official records of 1172 coastwise mariners and the USCG Merchant Marine Casualties of WW II report of 1950 identified:

WW II Coastwise Mariners Listing: Excel Sheet #1

1172 Mariners identified via official USCG Shipping/Discharge Forms 718A
84 Mariners may be women according to their feminine sounding names; OR 7.2%
1058 Mariners' ages were specified. Ages ranged from 10 to 78.
583 Mariners identified within draft age and included those in 4F status; OR 55.1% of known ages.
525 Mariners identified at over the draft age of 37; OR 49.6% of known ages.
114 Mariners with age not specified; OR 09.7%
47 Mariners who served were under the age of 17; OR 4.4% of known ages.
16 Mariners KIA with 1 receiving DD Form 1300.

National Maritime Form DD 214 Listing: Excel Sheet #2

794 Mariners were identified on NMC Coastwise Mariners listing identifying Active Duty services.
291 Mariners on NMC listing had no USCG MMLD numbers listed; OR 36.6%
85 Mariners **issued** DD Form 214 from NMC listing, OR 10.7% of NMC; OR 7.2% of WW II CMM

Merchant Marine KIA & MIA Casualties from all causes = 9521 * (usmm.org, USCG, & Others)

5662 Mariner Casualties from USCG per 1950 Report * (USCG 1950 casualty report)
3859 Mariner Casualties from Other Sources * (Additional sources = Art. Moore and US Congress)

Merchant Marine Casualties recognized by all sources = 414

344 Mariner Casualties from USCG 1950 Casualty Report * (USCG 1950 casualty report)
70 Mariner Casualties from NMC report & not listed on USCG 1950 Casualty List * (NMC DD 1300 Report)
1 Mariner in NMC DD 1300 files as having received Form DD 1300 yet 16 identified on WW II CM listing

Rationale: 9521 Merchant Mariners KIA or MIA serving and **only 414** receiving Veteran status.

Findings 11: The USCG **cannot** provide a **true estimate** of merchant mariners serving in WW II. **GAO/HEHS-97-196R** refers. Estimates range from 250,000 to 840,000 from recognized historians and GAO audit... None of these historians were aware of these 10,000 to 30,000 coastwise merchant seamen where many served without proper credentials and were not included in above estimates. **Some were elderly handicapped; others women and some were school children** who served in billets, drew wages and paid taxes. They served on the same vessels in the same hostile war zones and performed the same services alongside others who were documented. **Yet, only about 91,000 merchant mariners have been recognized as veterans with just 1192 of these veterans in receipt of compensation or pension benefits the VA refers.** This is a vast disparity in ratio of the other service branches.

Findings 12: DOD and NARA Agreement **N1-330-04-1 of Jul, 08, 2004** puts in place a procedure to transfer military personnel files of individuals from all services, (including civilian personnel or contractual groups who were later accorder military status under the provisions of Schmacher, Willner, et al, V. Secretary of the Air Force Edward C. Aldridge, Jr 665 F Supp 41 (D.D.C 1987). This agreement affects military personnel records of individuals **62 years** after separation from service. Action has taken place for all **except** the US Merchant Marine IAW above stated court order. This **inaction** by the **Department of Homeland Security via (COMDT USCG)** has caused many of the mariners to have **gone unrecognized** for their services. Many seafarers have passed without ever gaining recognition or benefits and soon all will be History. National Personnel Records Center estimate there are between 1400 to 2500 Cubic feet of Shipping/Discharge documents being stored at the NARA district offices and NMC yet to be transferred to the National Personnel Records Center in St. Louis, Missouri. NMC cites **about 91,000 out of 250,000 to 840,000 have ever received recognition** as veterans; and, with many unable to gain access because of age and health condition requiring assistance for others outside family. Had compliance taken place, these records would have been available to all and providing the mariner a chance to being recognized many years ago and enjoying the benefits awarded to them via court order.

Whereas: (1) By court order, Schumacher v. Aldridge 665 F Supp 41 (D.D.C. 1987) **provided for veteran status** to certain US Merchant Marine seamen during WW II (07 December, 1941 to 31 December, 1946) with the same benefits accorded all veterans as administrated by the Veterans Administration. There were **no provisions** for the elderly handicapped, women or schoolchildren to even be considered for their services as mariners serving anywhere within the US Merchant Marine providing an avenue to veteran status.

Whereas: (2) The USCG Information Sheet #77 of Apr. 1992 identifies specific criteria to be used to prove active duty performed by an individual seaman for the purpose of attaining veteran status and findings (5), (6) & (7) identified specific **official government actions** that **removed** these particular documents from the reach of the mariner. This **clearly identifies the requirement** to put in place a method of utilizing **alternative** documentation and other approved methods to replace specific documents removed from use by the government actions cited elsewhere in this document.

Whereas: (3) Women **were removed** from ships at the onset of WW II and not allowed to serve in any capacity by direction of the War Shipping Administrator, Admiral Emory S. Land. The Captains of the Ports (USCG COTP) were given specific directions to **deny** official USCG maritime credentials to any woman requesting them. They **served but without official credentials** in every capacity on most vessels. Families were the sole crew on many barges throughout the WW II and afterwards. Companies **welcomed this** arrangement because **critical** crew replacements were **reduced** considerably. This allowed those barges to move the bulk war materials more quickly and freed the more abled bodied seaman to man the larger seagoing ships taking vital supplies to troops on all the fronts, keeping the enemy from our doors. A **win win** situation vital to war defense. **To date** there is **no law or other avenue** recognizing women as veterans of the US Merchant Marine during WW II

Whereas: (4) President Roosevelt's speech of 12 Oct, 1942 **puts in place the use of elderly and handicapped individuals, school children and women in an effort to support war efforts** by replacing men of military age and fitness, and in stepping up our production of war materials for those on the front lines. Because of this speech, women, the elderly disabled and schoolchildren entered the varied war defense plant services in droves and many found their way into the coastwise barge and tug trades as well.

Whereas: (5) DOD & NARA Agreement N1-330-04-1 of July 08, 2004 **provides for the transfer** of military records to the National Personnel Records Center, St. Louis, MO for use as archival records, open to the public. But **inaction by the DHS for the mariner in over 10** years has caused the veteran loss of due access of his records that may have accorded him recognition as a veteran. Recommend Congressional inquiry into delay of WW II Merchant Mariners personnel records.

Whereas: (6) Previously attempted bills, HR 1288 and S-1361, would have provided for **alternative records** to be used in place of **records lost, destroyed or denied** for coastwise seamen affected; and allowed women and school children be recognized for their services rendered for the first time ever. There are **no laws** in place to allow for resolution of this issue.

Whereas: (7) The elderly disabled, children and women have served in every war this nation has ever known. Most have served without recognition but history is replete with actions of young children stepping up to serve, some receiving our highest honors and others serving in our highest ranks of service, congress and the presidency; e.g. President Andrew Jackson (age **13**); America's first Admiral, David Glasgow Farragut was appointed a midshipman at (age **9**) by President James Madison; Willie Johnson (age **11**) was recipient of the Medal of Honor; Albert Cohen of Memphis TN who enlisted at age **11** & KIA age **15**. History is filled with children defending this nation and Coastwise Mariners had their fair share of them. **Findings #9 & #10 provide support** info.

Whereas: (8) Although they served gallantly and with honor, actions taken against those that were elderly and disabled, school children and women by denying them official credentials during WW II is considered **discrimination** today.

Whereas: (9) The process used to determine whether an individual performed service under honorable conditions that satisfies the requirements of a coastwise merchant seamen who is recognized as having

performed active duty service under the court ruling via *Schmacher, Willner, et al, V. Secretary of the Air Force Edward C. Aldridge Jr* 665 f Supp 41 (D.D.C.1987). There are no considerations in any **existing** legislation that provides for women who served, under aged schoolchildren or elderly handicapped seaman any avenue to attain veteran status. **Nor** is there a current avenue to use alternative methods of recognition or other actions that have proved effective in past wars for use in lieu of documents that were denied and/or destroyed by several specific official government actions.

The following actions are recommended:

(1) Initiate congressional actions to: Provide sufficient response to support Merchant Mariners' provisions of HR 1288 (with wording intact to insure all coastwise barge and tugboat mariners who served during WW II (regardless of age, gender or disability) are recognized as veterans in accordance with or similar to: court ruling via *Schmacher, Willner, et al, V. Secretary of the Air Force Edward C. Aldridge, Jr* 665 F Supp 41 (D.D.C 1987, **granting veterans status**

(2) Initiate congressional inquiry into: Delay of WW II Merchant Mariners personnel records movement to National Military Personnel Center.

(3) Initiate congressional actions to: Recognize WW II Mariners identified as KIA/MIA as Veterans of this Nation.

Now, therefore, be it resolved that the Chowan County, North Carolina Board of Commissioners hereby supports these efforts on behalf of the World War II Coastwise Merchant Mariners and urges our Representatives in the Senate (Senators Richard Burr and Thom Tillis) and in the House (Representatives Walter Jones and George K. Butterfield) to fully support and initiate all necessary actions , including full support of HR 1288, "WW II Merchant Mariners Service Act", to pass legislation approving the above findings and recommendations.

Workforce Development Consortium Resolution

Chairman Smith stated that the Board is asked to consider a request from the Workforce Development Board to support the Workforce Consortium Agreement.

Commissioner Kehayes stated his concern with the resolution regarding the statement on the County's liability for the repayment of funds.

Commissioner Mitchener recommended that Mr. Whitmer from the Albemarle Commission come to a future meeting and explain this statement.

Ms. Stallings noted that there is a time constraint for July 1, 2015 to adopt the resolution. She stated she would ask Mr. Whitmer to come to the May 18th meeting.

Commissioner Nixon moved to table the resolution to the May 18th meeting. Chairman Smith asked for all in favor, the motion passed unanimously (6-0).

Tipping Fee Extension

Dick Vale stated that Interfaith has requested an extension of the tipping fee waiver for Chowan County residents who are being assisted after the April 25, 2014 tornados.

Commissioner Nixon stated that he would recommend that the Board set a deadline of June 30, 2015.

Commissioner Nixon then moved to extend the tipping fee waiver to June 30, 2015 for the residents who are being served by the United Methodist Response Team.

The Board discussed the vegetative debris and containers that were previously designated for storm victims.

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

Sheriff Department Annual Report

Sheriff Dwayne Goodwin provided the annual report from the Sheriff's Office, Jail and Central Communications. A copy of the PowerPoint is in the meeting file labeled May 4, 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.

There were none reported.

Manager's Report

Chairman Smith stated that County Manager Kevin Howard will update the Board on any pending matters.

Mr. Howard stated that Pembroke Creek is still obtaining permits for access and piers. He stated the work is scheduled to be completed late summer or early fall.

Timely and Important Matters

- Schedule Next Budget Meeting
The Board agreed to schedule the next budget meeting for May 14, 2015 at 9:00am.

Chairman Smith asked that the Maintenance Director look at turning the blinds.

Closed Session

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

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

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 (6-0)

Resolution for Donation of Property

Commissioner Kehayes moved to approve the resolution to donate the parking lot to the Town of Edenton. Chairman Smith asked for all in favor, the motion passed unanimously (6-0).

CHOWAN COUNTY BOARD OF COMMISSIONERS

A RESOLUTION DONATING REAL PROPERTY TO THE TOWN OF EDENTON

WHEREAS, Chowan County owns real property located at 113 East King Street, Edenton, NC, also known as the former "Hotel Hinton" and "Former County Office Building" PIN 7804-07-68-8599 ; and

WHEREAS, Chowan County and the Town of Edenton are actively engaged in the promotion of economic development and historic preservation efforts in Chowan County; and

WHEREAS, the Chowan County Board of Commissioners approved an option to purchase contract between SAGA Corporation Incorporated and Preservation North Carolina for the purchase of only the 4 story building (Former Hotel Hinton and former County Office Building) and the footprint of the building on August 8, 2013; and

WHEREAS, SAGA Corporation Incorporated has indicated the building will be renovated and will serve as a hotel in Downtown Edenton; and

WHEREAS, the property located adjacent to the footprint of the hotel (parking lot) is useful to the preservation and economic development effort; and

WHEREAS, the Town of Edenton has indicated its interest in the ownership of the parking lot area located directly behind the 4 story building that is owned by Chowan County; and

WHEREAS, Chowan County wishes to convey the property to the Town of Edenton based on the following contingencies; and

WHEREAS, Chowan County agrees to pay all costs associated with new paving, landscaping and lighting at the initial transfer of the parking lot ownership to the Town of Edenton; and

WHEREAS, after initial parking lot improvements the property will be maintained by the Town of Edenton; and

WHEREAS, if the Town of Edenton ceases to utilize the property for parking or if the Town wishes to dispose of the property, Chowan County will have the first right of refusal to reclaim the property; and

WHEREAS, a survey for Chowan County prepared by Mark D. Pruden will be recorded to subdivide the Historic Jail and Jailers House from the parking lot; and

WHEREAS, this resolution and agreement is contingent on the successful completion of renovation of the Hotel Hinton; and

NOW THEREFORE BE IT RESOLVED, that the Chowan County Board of Commissioners, as provided for under Chapter 160A, Section 274 of the North Carolina General Statutes, does hereby Declares surplus and donates, pursuant to statute and this resolution, the parking lot area adjacent to the Hotel Hinton to the Town of Edenton.

Adjourn

Being no further business Commissioner Nixon 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