

**Chowan County Board of Commissioners**  
**Special Meeting**  
**Tuesday October 9, 2007**  
**9:00am**  
**1767 Chowan County Courthouse**  
**117 East King Street**

**MINUTES**

The Chowan County Board of Commissioners held a special meeting on Tuesday, October 9, 2007, at 9:00 am in the upstairs meeting room of the 1767 Chowan County Courthouse, 117 East King Street.

Present: Jimmy Alligood, Ralph Cole, Bill Gardner, Kenny Goodwin, Jerry Downum, Louis Belfield and Harry Lee Winslow. Also present were County Manager, Cliff Copeland; County Attorney, Peter Rascoe and County Clerk, Susanne Stallings.

Chairman Cole called the meeting to order offered the invocation.

**2007-08 Secondary Road Improvement Program**

Jerry Jennings, DOT Engineer, said that he was representing Anthony Roper who was unable to attend the meeting. He also introduced Darrick Lee to entertain any questions.

Mr. Jennings said that the majority of un-paved roads in Chowan County have been paved. He said that the majority of the funds in this program are available for paving these unpaved roads. He said remaining monies are used for improvement of unpaved roads. He said the program for 2007-08 will pave Hidden Cove Rd (\$20,000), Pasquenoke Tr. (\$38,000), Oneida Tr. (\$20,000), Pima Tr. (\$20,000), and Drummonds Point Rd (\$217,000). He said the remaining monies will be for surveying (\$10,000), Stabilization, Road Improvements, pipe and pave (\$30,000) and Contingency costs (\$10,000) for a total cost of \$365,000.

Mr. Jennings said other projects not funded under secondary road construction but planned and budgeted are Rocky Hock Intersection re-alignment (\$200,000), Virginia Rd three lane construction (\$1,700,000), Virginia Rd widening and resurfacing (\$3,500,000), Indian Trail resurfacing (\$690,000) and access road to Airport Industrial Park (\$350,000). A total of \$6,640,000.

Mr. Jennings shared a priority list of unfunded projects including Sycamore Rd., Sandy Point Rd., Paradise Spur, Harrell Rd. and Long Beach Road. He also shared a hold list of roads that have undetermined right-of-way. Lester Ln., New Rd., St. John's Rd., Emperor Landing Rd., Greenfield Rd., Eason Rd., Hobbs Ln., Fork Rd., Sub Station Rd., Paxton Ln. and Winslow Mill Rd.

Mr. Jennings said that the funding is not consistent year to year for each County.

Commissioner Goodwin and Commissioner Winslow expressed concern about mowing of secondary roads and NC 32.

Darrick Lee said that the contracted mowing schedule is on a 6 times per year cycle and that the mowing was currently behind.

Chairman Cole then asked for any public comment.

David Barrett, citizen, expressed his concerns on ponding, speed limit, directional signage and paving of the last two miles of Drummonds Point Road.

Darrick Lee said he would check into the questions posed by Mr. Barrett and contact him personally with some answers.

There being no further public comment. Chairman Cole asked for a motion of approval of the secondary roads program plan for 2007-08. Commissioner Alligood moved that the program be approved. Chairman Cole asked for all in favor, the motion carried unanimously (7-0).

### **Resolution**

WHEREAS, the Chowan County Board of Commissioners, meeting in special session on Tuesday, October 9, 2007, met with representatives of the North Carolina Department of Transportation; and,

WHEREAS, the DOT representatives presented the proposed Secondary Roads Improvement Program for 2007-08, including improvements to Hidden Cove Rd (\$20,000), Pasquenoque Tr. (\$38,000), Oneida Tr. (\$20,000), Pima Tr. (\$20,000), and Drummonds Point Rd (\$217,000); and, monies will be for surveying (\$10,000), Stabilization, Road Improvements, pipe and pave (\$30,000) and Contingency costs (\$10,000) for a total cost of \$365,000.

NOW THEREFORE BE IT RESOLVED, the Chowan County Board of Commissioners, by this Resolution, approves the 2007 Secondary Roads Program as submitted by North Carolina Department of Transportation.

County Manager, Cliff Copeland presented photos of Long Beach, Harrell and Paradise Spur Roads. He said that in the future, the Board may wish to make a request that these roads not be paved. Several of the Commissioners indicated that they wished to speak with their constituents before making such recommendation. Mr. Copeland said that this would tentatively be scheduled for the November agenda.

#### **Albemarle Commission – Rural Planning (RPO), MOU presentation**

Adrian Cox, RPO with the Albemarle Commission presented the following Memorandum of Understanding as prepared by the RPO members.

### **MEMORANDUM OF UNDERSTANDING FOR COOPERATIVE, COMPREHENSIVE AND CONTINUING TRANSPORTATION PLANNING AND THE ESTABLISHMENT OF A RURAL TRANSPORTATION PLANNING ORGANIZATION**

**FOR**

**The Counties of Camden, Chowan, Currituck, Dare, Gates, Hyde, Pasquotank, Perquimans, Tyrrell, and Washington** and the municipalities therein, and the **North Carolina Department of Transportation**.

**WITNESSETH**

**Whereas**, section 135 of Title 23, United States Code, declares that it is in the national interest to encourage and promote the development of transportation systems embracing various modes of transportation in a manner that will serve all areas of the State efficiently and effectively; and

**Whereas**, North Carolina General Statute 136-18 was amended by the North Carolina General Assembly by ratification of Senate Bill 1195 on July 6, 2000, and this same bill was signed by the Governor on July 14, 2000, and subsequently Chaptered, and which Chaptered statute provides for the establishment of Rural Transportation Planning Organizations (RPO), similar in concept to Metropolitan Planning Organizations (MPO), for transportation planning in North Carolina's urban areas; and

**Whereas**, the establishment of a Rural Transportation Planning Organization (RPO), similar in concept to the urban Metropolitan Transportation Planning Organizations (MPO) would provide rural areas the opportunity to work in partnership with the North Carolina Department of Transportation toward development of sound, short and long-range transportation planning for rural areas; and,

**Whereas**, the establishment of a Rural Transportation Planning Organization for the ten counties in the Region R area would assist the North Carolina Department of Transportation in complying with the provisions of the Transportation Equity Act for the 21st Century (TEA 21), enacted June 9, 1998, relative to the participation of local officials and the public in the transportation planning process; and,

**Whereas**, it is the desire of these local governments and agencies to establish a continuing, comprehensive, cooperative transportation planning process with the establishment of a Rural Transportation Planning Organization for the ten-county Region R Planning Area.

**Now, therefore**, the following memorandum of understanding is made this the 13<sup>th</sup> day of September, 2007.

**Section 1.** It is hereby agreed, that the County of Camden, the County of Chowan, the County of Currituck, the County of Dare, the County of Gates, the County of Hyde, the County of Pasquotank, the County of Perquimans, the County of Tyrrell and the County of Washington, and the North Carolina Department of Transportation intend to establish and participate in a Rural Transportation Planning Organization created for the general purposes and responsibilities outlines in the following:

1. To develop long-range local and regional multi-modal transportation plans in cooperation with the North Carolina Department of Transportation.

2. To provide a forum for public participation in the rural transportation planning process.
3. To develop and prioritize suggestions for transportation projects, which the Rural Transportation Planning Organization believes, should be included in the State Transportation Improvement Program.
4. To provide transportation-related information to local governments and other interested organizations and persons.
5. To conduct transportation related studies and surveys for local governments and other interested entities/organizations.
6. To undertake mutually agreed upon transportation related tasks to enhance transportation system development, coordination and efficiency.

**Section 2.** It is hereby further agreed that transportation plans and programs and land use policies and programs for the Rural Transportation Planning Organization will be coordinated by the Region R Council of Governments, an agency selected on behalf of participating local governments and the North Carolina Department of Transportation, to be the administrative entity and to serve as the lead local planning agency for coordinating transportation planning in the ten county planning area. The RPO hereby authorizes the Albemarle Commission to be the recipient of any funds appropriated to the RPO by the North Carolina Department of Transportation pursuant to NC General Statute 136-213 (c).

**Section 3.** Establishment of Rural Transportation Advisory Committee (RTAC). A Rural Transportation Advisory Committee (RTAC) is hereby established with the responsibility for serving as a forum for cooperative transportation planning decision making for the Rural Transportation Planning Organization (RPO). The Rural Transportation Advisory Committee (RTAC) shall have the responsibility for keeping the policy boards informed of the status and requirements of the transportation planning process; to assist in the dissemination and clarification of the decisions, inclinations, and policies of the policy boards; and to help ensure meaningful public participation in the rural transportation planning process.

1. The TAC will be responsible for carrying out the following:
  - A. Establishment of goals, priorities, and objectives for the rural transportation planning process.
  - B. Endorsement and review of changes to adopted transportation plans within the RPO.

C. Endorsement, review, and approval of a Planning Work Program (PWP) for transportation planning which defines work tasks and responsibilities for the various agencies participating in the RPO.

D. Endorsement, review, and approval of transportation improvement projects that support and enhance both regional and local transportation in the four county RPO

2.

The membership of the Rural Transportation Advisory Committee shall consist of the following:

- A. One County Commissioner (or designee) representing the County of Camden.
- B. One County Commissioner (or designee) representing the County of Chowan. One municipal elected official (or designee) from the local government in Chowan County.
- C. One County Commissioner (or designee) representing the County of Currituck
- D. One County Commissioner (or designee) representing the County of Dare. One municipal (or designee) elected official from each municipal local government in Dare County.
- E. One County Commissioner (or designee) representing the County of Gates. One municipal elected official (or designee) from the municipal local government in Gates County
- F. One County Commissioner (or designee) representing the County of Hyde.
- G. One County Commissioner (or designee) representing the County of Pasquotank. One municipal elected official (or designee) from the municipal local government in Pasquotank County.
- H. One County Commissioner (or designee) representing the County of Perquimans. One municipal elected official (or designee) from each municipal local government in Perquimans County.
- I. One County Commissioner (or designee) representing the County of Tyrrell. One municipal elected official (or designee) from the municipal local government in Tyrrell County.

- J. One County Commissioner (or designee) representing the County of Washington. One municipal elected official (or designee) from each municipal local government in Washington County.
  - K. One member of the Region R Council of Governments Executive Board.
  - L. One member of the North Carolina Board of Transportation representing the Department of Transportation Division 1.
3. The County Commissioner representing each County on the RTAC shall be elected every two years by the Board of County Commissioners of each County in regular session. The municipal RTAC representative shall be selected by the municipal elected board of each municipality in regular session every two years. The term of office for all seats on the RTAC is two years. Re-appointment is possible.
  4. To facilitate staggered terms and thereby promote continuity, the initial appointments of the Camden, Chowan, Currituck and Dare RTAC members shall be for one (1) year. All subsequent appointments shall be for two (2) years.
  5. An RPO TAC membership roster will be compiled, and updated at least annually, listing each attendee and alternate, if applicable, for each member county or municipality. The membership of a county or municipality member who fails to send the appointee or alternate to three consecutive RPO meetings will be designated as a vacant seat and will not count towards quorum. Attendance at future meetings will reinstate the member.
  6. The Rural Transportation Advisory Committee (RTAC) will meet as often as it is deemed necessary, appropriate and advisable. On the basis of majority vote of its county representatives (Ref. 2. - A. through J.), the Rural Transportation Advisory Committee may appoint a member of the committee to act as chairperson with the responsibility for coordination of the committees activities. In all regards, voting privileges shall be limited to the ten county commissioners (or designee) representing their respective counties and the member of the North Carolina Board of Transportation representing DOT Division I.
  7. The Transportation Planner of the Region R Council of Governments will serve as staff to the RTAC.

**Section 4.** Establishment of Rural Transportation Coordinating Committee (RTCC). A Rural Transportation Coordinating Committee shall be established with the responsibility of general review, guidance, and coordination of the transportation planning process for the Rural Transportation Planning Organization (RPO) and the responsibility for making recommendations to the respective local, state, and federal governmental agencies and the Rural Transportation Advisory Committee (RTAC) regarding any necessary actions relating to the continuing transportation planning process.

1. The RTCC shall be responsible for development, review, and recommendation for approval of the rural transportation planning work program for the RPO, the Transportation Improvement Program, and revisions to the Transportation Improvement Program.
2. Membership of the Rural Transportation Coordinating Committee (RTCC) shall include technical representatives from all local and state governmental agencies directly related to and concerned with the transportation planning process for the RPO planning area. Initially, the membership shall include, but may not be limited to, the following:
  - A. County Manager (or his/her designee) from each of the ten counties of the RPO planning area.
  - B. The Chief Administrative Official (or his/her designee) from each municipality in the Region R RPO planning area.
  - C. Division Engineer serving the 1st Division of Highways, North Carolina Department of Transportation, or his/her designated representative.
  - D. Manager, Statewide Planning Branch, Planning and Environment, North Carolina Department of Transportation, or his/her designated representative.
  - E. Area Traffic Engineer, Division of Highways, Traffic Engineering Branch, North Carolina Department of Transportation.
3. The Rural Transportation Coordinating Committee shall meet when it is deemed necessary, appropriate and advisable. The Rural Transportation Coordinating Committee will be staffed by the Region R Transportation Planner who will assist the Chairperson with the responsibility for coordinating the committee's activities. Membership of the Rural Transportation Coordinating Committee may be altered on the basis of a majority vote of its membership and approval of the Rural Transportation Advisory Committee of the RPO.
4. An RPO TCC membership roster will be compiled, and updated at least annually, listing each attendee and alternate, if applicable, for each member county or municipality. The membership of a county or municipality member who fails to send the appointee or alternate to two consecutive RPO meetings will be designated as a vacant seat and will not count towards quorum. Attendance at future meetings will reinstate the member.
5. The Rural Transportation Coordinating Committee (RTCC) will meet as often as it is deemed necessary, appropriate and advisable. On the basis of majority vote of its county representatives (Ref. 2. - A. through J.), the Rural Transportation Coordinating Committee may appoint a member of the committee to act as chairperson with the responsibility for coordination of the committees activities.

6. The Transportation Planner of the Region R Council of Governments will serve as staff to the RTCC.

**Section 5.** It is further agreed that all participating agencies will assist in the rural transportation planning process by providing planning assistance (where possible), data, and inventories in accordance with the approved PWP.

**Section 6.** Each county and its RPO member jurisdictions shall have the support of the RPO staff in developing local transportation projects and priorities. Each member agrees to coordinate its transportation plans with those of other RPO members. Additionally, by consensus, the RPO may identify projects of a regional nature for development and presentation to NCDOT for consideration.

**Section 7.** Parties to this Memorandum of Understanding may terminate their participation in the continuing transportation planning process by giving 90 days written notice to the other parties to the date of termination.

**Section 8.** Municipalities desiring to join the RPO following the signing of this Memorandum of Understanding must do so no later than 90 days after the date given below in Section 10, by submitting a fully-executed Municipal Statement of Adoption. Any municipality desiring to join the RPO after the initial 90-day period must notify the lead planning agency and the other members of the RPO in writing of its intent to join, and provide each with a copy of a fully-executed Municipal Statement of Adoption. New memberships will become effective on July 1<sup>st</sup> of each year.

**Section 9.** This Amended Memorandum of Understanding supersedes and replaces any prior memorandum(s) of understanding between the Parties regarding the RPO.

**Section 10.** In witness whereof, the Parties have been authorized by appropriate and proper resolutions, and/or legislative authority to sign this Amended Memorandum of Understanding, this the 9<sup>th</sup> day of September, 2007.

Commissioner Belfield asked who served as the Chowan County Representative.

Mr. Cox said currently Elizabeth Bryant.

Clerk to the Board, Susanne Stallings said that Ms. Bryant has indicated her desire to be removed from the Board due to her work schedule being part-time. Commissioner Belfield then moved that the Board appoint the County Manager or his designee to the RPO. Chairman Cole asked for all in favor, the motion carried unanimously (7-0).

Commissioner Downum moved that the Board accept the M.O.U. Chairman Cole asked for all in favor, the motion carried unanimously (7-0).

**Public Comment**

Chairman Cole asked for any public comment, there was none.

There being no further business before the Board, the meeting was adjourned.

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Ralph V Cole  
Chairman

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L. Susanne Stallings  
Clerk to the Board

(SEAL)