

Regular Meeting
Monday, August 19, 2019
Chowan County Public Safety Center
305 West Freemason Street
6:00pm

This meeting was recorded. A copy of the recording is in the meeting file labeled August 19, 2019.

Present Chair Patti Kersey, Commissioners Greg Bonner, Ron Cummings, Don Faircloth, Larry McLaughlin, Bob Kirby and Ellis Lawrence

Staff present County Manager Kevin Howard, Board Clerk Susanne Stallings, Finance Officer Cathy Smith and County Attorney Lauren Arizaga-Womble.

Call To Order

Chair Kersey called the regular meeting to order and led all in the pledge of allegiance.

Commissioner Bonner offered the invocation.

Approval of Draft Agenda

Finance Officer Cathy Smith requested that the Board amend the agenda to add consideration of the BB&T resolution to approve financing terms.

Commissioner Kirby moved to approve the draft agenda with the amendment. Chair Kersey asked for all in favor, the motion passed unanimously (7-0).

Public Comment

Melody Wilkins Director of the Albemarle Commission provided the Board with updates from the Albemarle Commission. Additionally she provided the Board members with a handout of upcoming events. A copy of the handout is in the meeting file labeled August 19, 2019. Ms. Wilkins provided the Board with her contact information and encouraged the Board members to reach out to her with any questions.

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.

a. **Minutes**

Minutes of July 11, 2019, July 15, 2019, August 1, 2019 Joint Committee and August 5, 2019 meetings.

b. **Tax Refund/Release Report**

Swisher, E.	\$205.80	Overpaid
White, C.	\$188.11	Paid twice
Burch, E.	\$1,100	Occupancy Tax Information Submitted
Burchett, M.	\$1,100	Occupancy Tax Information Submitted
Mears, B.	\$1,050	Billed Twice
Skinner, J.	\$165.60	Listed in IL not NC

Town of Edenton Nuisance Fee Releases – Duplicated from previous years carry over in system

ASKEW, MINNIE B (HEIRS)	1,520.00
ASKEW, MINNIE B (HEIRS)	1,520.00
BAKER, SALLY HALSEY	14,472.53
BARRINGTON, WALTER M	970.00
BARRINGTON, WALTER M	970.00
BASNIGHT, DONNA JOLLY	1,525.00
BENNETT, COMFORT (HEIRS)	1,125.00
BENNETT, COMFORT (HEIRS)	1,125.00
BOYCE, NELLIE D BLOUNT	375.00
BRADLEY, MARY ANN	325.00
CARTER, CATHERINE L	350.00
DREW, LULA MAE	5,586.00
DUGGINS, RANDY	1,590.00
ETHERIDGE-EDWARDS, LINDA EZELIA	3,550.00
GIANNONE, GIULIANO	350.00
GILSDORF, ALBERT PHILLIP III	700.00
GILSDORF, ALBERT PHILLIP III	700.00
HARVEY, VERNETTA BARNES	2,910.00
HECKSTALL, MONICA HUDSON	5,645.07
HOWELL, MARY T	290.00
HOWELL, MARY T	290.00
JENKINS, JACKIE	450.00
JOHNSON, ALEXANDER, JR (HEIRS)	2,275.00
KEMP, ANGELA	3,575.00
LUTON, HELEN L	2,035.00
MILLSAP, RUBY J	580.00
MIZZELLE, PERCY J	400.00
MULLINS, THABA E	850.00
NGUYEN, HUNG VAN	350.00
PERRY, JERALD I	850.00
SHARPE, DOROTHY W	750.00
SKINNER, J E ESTATE	1,140.00
SKINNER, J E ESTATE	1,140.00
SKINNER, JAMES P (HEIRS)	1,125.00
SKINNER, JAMES P (HEIRS)	1,125.00
TABB, JOSLIN	550.00
TABB, JOSLIN	550.00
TURNER, PAULINE BADHAM (HEIRS)	325.00
WHITE, CODY A	750.00

Commissioner Bonner moved to approve the consent agenda as presented. Chair Kersey asked for all in favor, the motion passed unanimously (7-0).

Budget Amendments

MBA-1819-078

Account Number	Account Description	Revenue (Inc+/Dec-)	Expense (Inc+/Dec-)
Governing Body			
11-4110-121-00	Salaries & Wages		1,100.00
11-4110-181-00	Fica Expense		83.95
11-4110-191-00	Professional Services - Audit		(1,183.95)
Finance			
11-4120-121-00	Salaries & Wages		(815.54)
11-4120-125-00	Stipend - Cellphone		180.00
11-4120-183-00	Hospitalization		6.60
11-4120-261-00	Office Supplies		609.52
11-4120-299-00	Departmental Supplies		7.92
11-4120-491-00	Dues & Subscriptions		11.50
Tax Department			
11-4140-182-00	Retirement		80.25
11-4140-126-00	Salaries & Wages - PT		(80.25)
Elections			
11-4170-121-00	Salaries & Wages		180.20
11-4170-122-00	Salaries & Wages - PT		(180.20)
Register of Deeds			
11-4180-121-00	Salaries & Wages		3,370.08
11-4180-181-00	Fica Expense		114.78
11-4180-182-00	Retirement		344.84
11-4180-183-00	Hospitalization		3.56
11-4180-299-00	Departmental Supplies		(1,500.00)
11-4180-341-00	Printing		(1,500.00)
11-4180-352-00	Maint & Repairs - Equipment		(833.26)
Senior Center			
11-4268-125-00	Stipend - Cellphone		300.00
11-4268-126-00	Salaries & Wages - PT		(300.00)
Sheriff's Department			
11-4310-121-00	Salaries & Wages		(6,990.06)
11-4310-122-00	Salaries & Wages - OT		4,589.79
11-4310-126-00	Salaries & Wages - PT		1,510.01
11-4310-184-00	Supplemental Retirement		890.26
SRO			
11-4312-121-00	Salaries & Wages		(921.33)
11-4312-122-00	Salaries & Wages - OT		921.33
Central Comm & Jail			
11-4270-121-00	Salaries & Wages		(10,829.52)
11-4320-121-00	Salaries & Wages		1,071.98
11-4320-122-00	Salaries & Wages - OT		4,185.73
11-4320-126-00	Salaries & Wages - PT		4,565.02
11-4320-181-00	Fica Expense		304.78
11-4320-182-00	Retirement		690.33
11-4320-183-00	Hospitalization		11.68
Building Inspection			
11-4350-121-00	Salaries & Wages		(42.94)
11-4350-182-00	Retirement		39.38
11-4350-183-00	Hospitalization		3.56
Animal Control			
11-4380-126-00	Salaries & Wages - PT		(23.08)
11-4380-182-00	Retirement		21.56
11-4380-183-00	Hospitalization		1.52
Planning			
11-4910-121-00	Salaries & Wages		(116.52)
11-4910-125-00	Stipend - Cellphone		115.00
11-4910-183-00	Hospitalization		1.52
Recreation			
11-6130-121-00	Salaries & Wages		(314.04)
11-6130-126-00	Salaries & Wages - PT		305.40
11-6130-183-00	Hospitalization		8.64
After School Progra			
11-6131-181-00	Fica Expense		47.14
11-6131-499-00	Restitution Bank		(47.14)
Central Services			
11-8200-183-00	Hospitalization - Retiree		(563.50)
11-8200-183-01	Hospitalization - Commission (Broker Fees)		563.50
DSS			
12-5310-121-00	Salaries & Wages		(60.00)
12-5310-122-00	Salaries & Wages - On Call		60.00
Fire District			
23-4340-185-00	Unemployment		(640.00)
23-4340-213-00	Uniforms		(15,000.00)
23-4340-251-00	Automotive Supplies		(900.00)
23-4340-352-00	Repairs & Maint - Equipment		(1,000.00)
23-4340-392-00	Laundry & Dry Cleaning		(1,000.00)
23-4340-395-00	Employee Training		(210.00)
23-4340-491-00	Dues & Subscriptions		(600.00)
23-4340-510-00	C/O - Equipment		19,350.00
Reval Fund			
25-4140-696-00	Contract Services - Vincent Valuations		20,000.00
25-4140-823-00	Revaluation Reserve		(20,000.00)
EMS			
60-4370-121-00	Salaries & Wages		(59,849.89)
60-4370-126-00	Salaries & Wages - PT		59,849.89
Tax Department			
11-3346-105-00	Attorney Fees	1,871.62	
11-4140-199-00	Professional Services - Legal		1,871.62
Sheriff's Department			
11-3431-891-00	Concealed Weapon Permit Revenue	2,240.00	
11-4310-498-00	Concealed Weapon Permit Exp		2,240.00
Cooperative Extensi			
11-4953-448-00	*4-H Fees Discretionary		5,895.00
11-3990-990-06	FB Appropriation - Coop	5,895.00	
	Balanced	10,006.62	10,006.62
Justification:			
<i>Budget Clean-up FY 2019</i>			

MBA-1819-079

Account Number	Account Description	Revenue (Inc+/Dec-)	Expense (Inc+/Dec-)
Tax Department			
11-3346-105-00	Attorney Fees	3,839.88	
11-4140-199-00	Professional Services - Legal		3,839.88
11-4140-121-00	Salaries & Wages		(648.09)
11-4140-126-00	Salaries & Wages - PT		(1,986.75)
11-4140-181-00	Fica Tax		(991.77)
11-4140-191-00	Professional Services - Tax Audit		458.40
11-4140-199-00	Professional Services - Legal		2,176.96
11-4140-311-00	Travel		895.90
11-4140-321-00	Telephone		95.35
Register of Deeds			
11-3418-412-00	State Conveyance Tax	4,335.00	
11-4180-497-00	Conveyance Tax		4,335.00
Health Building			
11-4244-351-00	Maint & Repairs - Building		800.00
Agriculture Building			
11-4245-352-00	Maint & Repairs - Equipment		(800.00)
Senior Center			
11-4268-126-00	Salaries & Wages - PT		(221.09)
11-4268-251-00	Automotive Supplies		92.46
11-4268-299-00	Departmental Supplies		128.63
Central Comm			
11-4270-121-00	Salaries & Wages - Regular		(24,625.60)
11-4270-122-00	Salaries & Wages - OT		(1,531.27)
11-4270-126-00	Salaries & Wages - PT		(13,765.42)
11-4270-181-00	Fica Tax		(4,735.89)
11-4270-182-00	Retirement		(2,876.28)
11-4270-183-00	Hospitalization		(8,580.62)
Sheriff			
11-3431-891-00	Concealed Weapon Permits	335.00	
11-4310-498-00	Concealed Weapon Permits		335.00
11-3431-240-00	*Project Lifesaver	1,005.00	
11-4317-298-00	*Project Lifesaver		1,005.00
11-4310-181-00	Fica Tax		(1,118.97)
11-4310-183-00	Hospitalization		(8,306.30)
11-4310-251-00	Automotive Supplies		1,022.86
11-4310-321-00	Telephone		5,117.91
11-4310-352-00	Maint & Repairs - Equipment		24.43
11-4310-440-00	Contract Services		3,260.07
Jail			
11-4320-193-00	Professional Services - Medical		50,037.18
11-4320-213-00	Uniforms		64.86
11-4320-261-00	Office Supplies		39.40
11-4320-299-00	Departmental Supplies		2,582.96
11-4320-695-00	Contract Services - Central Prison		3,390.68
Street Signs			
11-4510-299-00	Departmental Supplies		(902.04)
Health			
11-4710-499-00	Health Septic Fees		902.04
Recreation			
11-6131-126-00	Salaries - PT		3,600.00
11-6131-181-00	Fica Expense		311.00
11-6130-126-00	Salaries - PT		(3,600.00)
11-6130-181-00	Fica Expense		(311.00)
Fire District			
23-4340-251-00	Automotive Supplies		(242.00)
23-4340-299-00	Departmental Supplies		(3,315.00)
23-4340-510-00	C/O - Equipment		3,557.00
EMS			
60-4370-510-00	C/O - Equipment		(1,013.50)
60-4370-550-00	C/O - Vehicle		1,013.50
Water Dept			
61-3839-892-00	NCDOT Reimbursement	37,930.00	
61-7120-351-01	Maint & Repair - Water Line Repairs		37,930.00
	Balanced	47,444.88	47,444.88
Justification:			
<i>Budget Clean-up FY 2019</i>			

MBA-1819-080

Account Number	Account Description	Revenue (Inc+/Dec-)	Expense (Inc+/Dec-)
Register of Deeds			
11-3418-415-00	*Preservation/Automation	1,559.34	
11-4180-298-00	*Dept Supplies - Auto/Pres		519.78
11-4180-440-00	*Contr Svcs - Automation/Pres		519.78
11-4180-511-00	*C/O - Auto / Pres		519.78
Sheriff's Office			
11-3431-233-00	*State Special Funds	77.95	
11-4317-441-00	*State Special Expense		77.95
11-3431-243-00	*KIDS & COPS	150.00	
11-4317-443-00	*KIDS & COPS Expense		150.00
Animal Shelter			
11-3438-894-00	*Donations - Chowan	505.00	
11-3438-894-01	*Donations - Gates	90.00	
11-3438-894-02	*Donations - Perquimans	65.00	
11-3438-894-03	*Donations - Other	350.00	
11-4381-600-00	*Donation - Expense		1,010.00
11-3438-895-00	*Adoption - Chowan	495.00	
11-3438-895-01	*Adoption - Gates	80.00	
11-3438-895-02	*Adoption - Perquimans	225.00	
11-3438-895-03	*Adoption - Other	960.00	
11-4381-441-00	*Contr Svcs - Spay/Neuter		1,760.00
Cooperative Ext:			
11-3495-370-00	*AG Program Fees Discretionary	125.00	
11-4953-440-00	*Ag Program Discretionary		125.00
11-3495-378-00	*4-H Fees Discretionary	920.00	
11-4953-448-00	*4-H Fees Discretionary		920.00
11-3495-379-00	*Livestock Program	36,921.50	
11-4953-449-00	*Livestock Program		36,921.50
11-3495-380-00	*ECA Discretionary	325.00	
11-4953-450-00	*ECA Discretionary		325.00
Recreation			
11-3612-487-00	*Recreation Donations	1,410.00	
11-6130-299-01	*Donations - Dept Supplies		1,410.00
Senior Center			
11-3616-533-00	*Reg Fees - Trips	228.00	
11-4268-312-00	*TRIPS - Senior Citizens		228.00
11-3616-533-01	*Registration Fees Activities	66.00	
11-4268-299-01	*Activities - Dept. Supplies		66.00
11-3616-535-03	*Healthways	1,192.00	
11-4268-352-02	*Healthways		1,192.00
	Balanced	45,744.79	45,744.79
	Total Discretionary Income Received FYE 2019	348,593.75	
Justification:			
	<i>Budget Clean-up FY 06/30/19 - Discretionary Income through June 2019</i>		

MBA-1819-081

Account Number	Account Description	Revenue (Inc+/Dec-)	Expense (Inc+/Dec-)
Soil & Water			
11-3473-368-00	Stream Debris Removal Grant	46,650.15	
11-4730-608-00	Stream Debris Removal Grant		46,650.15
Jail Building			
11-4265-331-00	Utilities		4,618.16
Public Safety Center			
11-4252-331-00	Utilities		(4,618.16)
Courthouse			
11-4261-351-00	Maint & Repairs - Buildings		(1,000.00)
11-4261-352-00	Maint & Repairs - Equip		(1,135.60)
Swain Building			
11-4266-210-00	Pest Control		(836.00)
11-4266-331-00	Utilities		1,916.74
11-4266-351-00	Maint & Repairs - Buildings		408.88
11-4266-352-00	Maint & Repairs - Equip		556.00
11-4266-440-00	Contract Services - Alarm		89.98
Animal Shelter			
11-4381-600-00	*Donations Expense		(7,053.76)
11-4381-580-00	Capital Outlay - Building		7,053.76
Tax			
11-4140-181-00	Fica Tax		(62.53)
11-4140-183-00	Hospitalization		(5.65)
11-4140-521-00	C/O - Software		(903.30)
11-4140-440-00	Contracted Service		971.48
Sheriff			
11-4310-121-00	Salaries - Regular		(229.36)
Emergency Mgmt			
11-4330-121-00	Salaries - Regular		1,084.08
11-4330-181-00	Fica Tax		33.76
11-4330-182-00	Retirement		54.52
11-4330-183-00	Hospitalization		0.82
11-4330-184-00	Supplemental Retirement		(229.20)
11-4330-311-00	Travel		(317.14)
11-4330-321-00	Telephone		(32.48)
11-4330-325-00	Postage		(50.00)
11-4330-370-00	Advertising		(200.00)
11-4330-395-00	Employee Training		(65.00)
11-4330-491-00	Dues & Subscriptions		(50.00)
Tax			
11-4140-440-00	Contracted Service		2,615.52
Land Records			
11-4190-121-00	Salaries - Regular		(2,615.52)
E-911 Fund			
24-4325-200-00	911 Trunk Line		(11.21)
24-4325-201-00	Call Position Adm		(844.08)
24-4325-202-00	Interpretive Services		(283.23)
24-4325-203-00	ALI Provisioning		(2,760.00)
24-4325-203-02	ALI Provisioning - Maint		(250.00)
24-4325-204-00	Data Connections		(214.70)
24-4325-206-01	911 Telephone Equipment		(3,200.00)
24-4325-400-02	CAD - Maintenance		(987.00)
24-4325-401-02	GIS - Maintenance		(951.50)
24-4325-402-02	MSG Switch Software - Maint		(36.00)
24-4325-413-02	Paging Software - Maint		(47.00)
24-4325-503-01	Voice Logging Server		(10,000.00)
24-4325-507-02	UPS - Maintenance		(6,000.00)
24-4325-510-02	Radio Network Switching		(8,557.00)
24-4325-513-01	Radio Console Disp Station		(5,200.00)
24-4325-600-00	Staff Development		(37.54)
24-4325-513-02	Radio Console - Maint		11,667.59
24-4325-300-01	Telecommunicator Furniture		27,711.67
24-4325-300-01	Telecommunicator Furniture		19,471.35
24-3990-990-00	Fund Balance Appropriations	19,471.35	
	Balanced	66,121.50	66,121.50
Justification:			
<i>Budget Clean-up FY 2019</i>			

MBA-1819-082

Account Number	Account Description	Revenue (Inc+/Dec-)	Expense (Inc+/Dec-)
Animal Shelter			
11-4381-600-00	*Donations Expense		7,053.76
11-4381-580-00	Capital Outlay - Building		(7,053.76)
11-4381-121-00	Salaries - Regular		(465.71)
11-4381-126-00	Salaries - PT		(2,397.36)
11-4381-181-00	Fica Tax		(1,306.39)
11-4381-182-00	Retirement		(1,075.40)
11-4381-183-00	Hospitalization		(716.27)
11-4381-213-00	Uniforms		(313.40)
11-4381-221-00	Food & Provisions		(779.23)
11-4381-580-00	Capital Outlay - Building		7,053.76
Senior Center			
11-3616-537-00	Albemarle Comm - Health Promotion	20.00	
11-4268-601-00	Albemarle Comm - Health Promotion		20.00
ABC			
11-3838-310-00	ABC Bottle Tax	1,292.15	
11-5210-440-00	ABC Bottle Tax		1,292.15
Tax			
11-4140-195-00	Professional Services - DMV		2,777.71
Land Records			
11-4190-121-00	Salaries - Regular		(2,777.71)
Public Health			
11-5110-312-00	Chowan Life HCCBG Grant		238.00
11-5110-313-00	ICPTA Title III Match		167.00
Central Services			
11-8200-183-00	Hospitalization - Retirees		(405.00)
Debt Service Fund			
30-3980-980-60	Transfer from EMS Fund	299.13	
30-9200-720-12	2019 BBT Ambulance Note		299.13
EMS Fund			
60-4370-440-00	Contract Services Billing		(307.53)
60-4370-699-00	Contract Services Lease Payment		8.40
60-9800-980-30	Transfer to Debt Service		299.13
Water Fund			
61-7120-191-00	Professional Services - SOC		(10,000.00)
61-7120-351-00	Maintenance & Repairs - Buildings		(12,257.37)
61-7120-193-00	Professional Services - Water Samples		443.00
61-7120-442-00	Contract Services Total Billing		2,278.45
61-7120-881-00	Purchases for Inventory		19,535.92
Sheriff			
11-4317-440-00	*Donations Expense		(60.00)
11-4317-443-00	*Kids & Cops Expense		60.00
	Balanced	1,611.28	1,611.28
Justification:			
<i>Budget Clean-up FY 2019</i>			

MBA-1819-083

Account Number	Account Description	Revenue (Inc+/Dec-)	Expense (Inc+/Dec-)
Solid Waste			
62-4710-299-01	Departmental Supplies - Signs		392.00
62-4710-413-00	Rent - Convenience Sites		100.00
62-4710-690-00	Cont Regional Authority		18,248.00
62-4710-690-01	Cont to PCG Landfill		50,286.77
62-4710-822-00	Contract Services - Recycling		17,351.09
62-4710-510-00	C/O - Equipment		(56,000.00)
62-4710-599-00	C/O - Other Improvements		(30,377.86)
	Balanced	-	-
Justification:			
<i>Budget Clean-up FY 2019</i>			

MBA-1819-084

Account Number	Account Description	Revenue (Inc+/Dec-)	Expense (Inc+/Dec-)
Solid Waste			
62-4710-690-00	Cont Regional Authority		19,899.48
62-4710-690-01	Cont to PCG Landfill		5,198.80
62-4710-599-00	C/O - Other Improvements		(25,098.28)
	Balanced	-	-
Justification:			
<i>Budget Clean-up FY 2019</i>			

FY 2019-20 Budget Amendments

BA-1920-006

Account Number	Account Description	Revenue (Inc+/Dec-)	Expense (Inc+/Dec-)
Capital Water Fund			
43-3981-001-00	NCDOT Reimbursement	429,757.09	
43-7120-191-00	Professional Services - Engineering		111,188.09
43-7120-440-00	Contract Services (Construction Fees)		316,569.00
43-7120-199-00	Legal Fees		2,000.00
	Balanced	429,757.09	429,757.09
Justification:			
<i>To amend the budget to include the NC Hwy 32/NC Hwy 37 Intersection Realignment Water Main Relocation project. Project was approved by BOCC at 08/05/19 meeting. Cost of project will be reimbursed by Department of Transportation.</i>			

Chowan County Project Ordinance

Fiscal Year 2019-2020

BE IT ORDAINED by the Board of Commissioners of Chowan County, North Carolina that pursuant to Section 13.2 of Chapter 159 of General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

Section 1.

The project authorized is the relocation of existing 8", 6" and 4" water mains along NC Highway 32, NC Highway 37, and Indian Trail Road in Chowan County associated with the North Carolina Department of Transportation (NCDOT) TIP No. W-5701E, WBS Element No. 44847.1.5, Federal Aid No. HSIP-0032(010), NC Highway 32 / NC Highway 37 Intersection Realignment.

Section 2.

The officers of this unit are hereby directed to proceed with the capital project within the terms of the budget contained herein.

Section 3.

The following revenues are anticipated to be available to complete the project.

Capital Water Fund (43)

REVENUES

NCDOT REIMBURSEMENT

429,757.09

TOTAL REVENUES:

429,757.09

Likewise, the following amounts are appropriated for the project:

EXPENDITURES

PROFESSIONAL SERVICES - ENGINEERING

111,188.09

PROFESSIONAL SERVICES - LEGAL FEES

316,569.00

CONTRACT SERVICES - CONSTRUCTION FEES

2,000.00

TOTAL EXPENDITURES:

429,757.09

Section 4.

Copies of this capital project ordinance shall be furnished to the Clerk of the Governing Board, the Budget Officer and the Finance Officer for direction in carrying out this project.

BA-1920-007

Account Number	Account Description	Revenue (Inc+/Dec-)	Expense (Inc+/Dec-)
Sheriff's Office			
11-3431-232-00	*Sheriff Donations	73.00	
11-4317-440-00	*Donation - Expense		73.00
11-3431-233-00	*State Special Funds	57.79	
11-4317-441-00	*State Special Expense		57.79
11-3431-243-00	*KIDS & COPS	1,375.00	
11-4317-443-00	*KIDS & COPS Expense		1,375.00
Animal Shelter			
11-3438-894-00	*Donations - Chowan	295.00	
11-3438-894-01	*Donations - Gates	290.00	
11-3438-894-02	*Donations - Perquimans	225.00	
11-3438-894-03	*Donations - Other	225.00	
11-4381-600-00	*Donation - Expense		1,035.00
11-3438-895-00	*Adoption - Chowan	500.00	
11-3438-895-01	*Adoption - Gates	260.00	
11-3438-895-02	*Adoption - Perquimans	75.00	
11-3438-895-03	*Adoption - Other	200.00	
11-4381-441-00	*Contr Svcs - Spay/Neuter		1,035.00
Cooperative Ext:			
11-3495-370-00	*AG Program Fees Discretionary	268.43	
11-4953-440-00	*Ag Program Discretionary		268.43
11-3495-378-00	*4-H Fees Discretionary	1,352.00	
11-4953-448-00	*4-H Fees Discretionary		1,352.00
11-3495-379-00	*Livestock Program	3,575.00	
11-4953-449-00	*Livestock Program		3,575.00
Recreation			
11-3612-487-00	*Recreation Donations	1,070.00	
11-6130-299-01	*Donations - Dept Supplies		1,070.00
Senior Center			
11-3616-533-00	*Reg Fees - Trips	378.00	
11-4268-312-00	*TRIPS - Senior Citizens		378.00
11-3616-533-01	*Registration Fees Activities	218.00	
11-4268-299-01	*Activities - Dept. Supplies		218.00
11-3616-535-03	*Healthways	657.00	
11-4268-352-02	*Healthways		657.00
11-3616-541-00	*Fundraiser	25.00	
11-4268-604-00	*Fundraiser		25.00
DSS			
12-3531-230-14	*DSS Special Events	320.95	
12-5310-450-00	*DSS Special Events		320.95
EMS			
60-3839-891-00	*Donations - Rescue Squad	150.00	
60-4370-499-00	*Donations - Rescue Squad		150.00
	Balanced	11,590.17	11,590.17
	Total Discretionary Income Received FYE 2020	11,590.17	
Justification:			
	<i>To amend the 2020 budget to include Discretionary income received through July 2019.</i>		

BA-1920-008

Account Number	Account Description	Revenue (Inc+/Dec-)	Expense (Inc+/Dec-)
TDA			
51-8150-261-01	Office Supplies - Co-op		2,601.49
51-8150-370-01	Advertising - Co-op		1,439.25
51-3990-990-00	FB Appropriation	4,040.74	
	Balanced	4,040.74	4,040.74
Justification:			
<i>To amend the 2020 budget for TDA to include Co-op carry-forward balances from 2019</i>			

Chair Kersey asked about the procedure for the budget year end clean up.

Ms. Smith stated that they are on schedule and will be in before the audit. She noted that a lot of this is monies that are received later.

Commissioner Kirby moved to approve all the budget amendments and project ordinance as presented. Chair Kersey asked for all in favor, the motion passed unanimously (7-0).

NCDOT

Sterling Baker, Deputy Division Engineer with NCDOT introduced Marshall Gill the new District Engineer and the new County Engineer Jim Hoadley. He discussed current financial issues with the DOT maintenance budget related to some settlement payouts. He noted this pay out from the litigation has greatly impacted the maintenance budget.

Commissioner Kirby discussed his concerns over the mowing schedule for the roadways.

Mr. Baker stated that this is a direct result of the reduction in the number of annual cuts being reduced as well as the increased rainy season.

Chair Kersey asked for more information on the Map Act Settlement.

Mr. Baker stated that in the late 80s large areas were reserved for future road development. He stated for various reasons these areas were never developed and the courts ruled that DOT had to pay out the land owners and over \$300 million have been paid from these settlements. Because of this many pending projects are being pushed back.

Commissioner Cummings asked about potholes and road maintenance.

Mr. Baker stated that he is working on a map to send to the Board to show the current maintenance schedule to show what maintenance is currently under contract.

Board Appointment
ABC Appointment

Chair Kersey noted that Haywood Coston has requested reappointment to the Chowan County ABC Board.

Ms. Stallings noted that there are no other applications on file, this vacancy has not been advertised however Mr. Coston is eligible for reappointment.

Commissioner Faircloth moved to reappoint Mr. Coston to the ABC Board. Chair Kersey asked for all in favor, the motion passed unanimously (7-0).

ABC Request

Haywood Coston presented the Board with a proposal to upgrade the point of sale system at the ABC Store. He noted the current system is over 10 years old. He stated that the proposed new system will improve ordering, payment processing and reporting. He provided the Board with quotes from Macro Systems and Carolina Data Systems. He noted that currently the ABC Board uses Carolina Data Systems and recommends going with their proposal of \$30,000. The second request is to establish a capital reserve account for the ABC Board. The building is aging and will need a new roof in the coming years along with other capital upgrades. He stated a capital reserve fund will allow the ABC Board to address the needs in the future. He stated the ABC Board proposed to withhold \$20,000 per year for five (5) years from the ABC profits that are distributed to the County for a maximum reserve fund of \$100,000. He invited the Board members to come and visit the store to learn more about the ABC operations.

Mr. Howard provided the Board with information on the ABC revenues for 2017, 2018 and 2019. He noted that withholding this money would not be any significant impact to what the County budgets for ABC revenues.

Chair Kersey asked if there is anything significant about the need for \$100,000.

It was noted this would help pay for the cost of a roof.

Commissioner Kirby asked if the monies withheld would be above the \$80,000 that the County budgets annually.

Mr. Coston stated he did not think it would impact what is given to the County annually.

Mr. Howard stated the County currently receives the profits from the sales. He stated the last payment is based on what they have already given. They will withhold on the last payment. He noted they will be able to purchase additional inventory when products are on sale and make additional profits.

Commissioner Faircloth moved to approve the request as presented. Chair Kersey asked for all in favor, the motion passed unanimously (7-0).

Second Amendment Sanctuary County Resolution

Commissioner Cummings requested the Board consider a resolution declaring Chowan County a Second Amendment Sanctuary similar to the resolution provided by Rutherford County. He stated that if Chowan County does not adopt this resolution the County will have to uphold the state laws and with the Governor currently proposing changes to the laws he feels this is an important matter. He noted that some states are pushing gun control and some are declaring their cities sanctuary cities for illegal immigrants. He stated that when cities and states begin taking away the rights of its citizens he feels it is important to support this type of resolution. He provided the Board members with a handout on all amendments to the US Constitution. A copy of the handout is in the meeting file labeled August 19, 2019.

Commissioner Kirby stated that he supports the 2nd amendment however he has had trouble with the language in the resolution. He stated that he reached out to the County Attorney for a legal opinion on the language to determine if there are any legal ramifications for adopting the resolution.

Ms. Womble stated the County does take on some liability if it adopts this resolution. She stated specifically she is concerned that the County is waiving its sovereign immunity and that is a concern for her. She that opens the County up for liability. She discussed trends of sanctuary counties and cities in the US but are of particular concern to our State Legislature. She discussed House Bill 135, which is currently being reviewed in the Senate regarding sanctuary cities with regard to immigration. She noted part of the new law would create a waiver of sovereign immunity by a local government or “alien crimes committed.” In addition, it will remove funding and other State programs from the local government in violation, it would also make the offending local government liable for all legal fees associated with the State’s filing of injunctions, etc. for enforcement. She noted that NCGS 153A-145.5 prohibits local governments from adopting any policy, ordinance or procedure that limits or restricts the enforcement of federal immigration laws to less than the full extent permitted by federal law. Ms. Womble further noted that some may say immigration and gun rights are apples and oranges, from a legal perspective it doesn’t matter what state and/or federal law you claim your will not enforce, it is all the same. NCGS 153A-145.5 and House Bill 135 are all precedent that will leave the County wide open for liability and other funding issues. She stated she feels it will only be a matter of time before the parallel is drawn in a court case. She stated she certainly does not want Chowan County to be the subject of such litigation, but a gun sanctuary resolution just begs for trouble now and in the future. On a final note, something the Board needs to consider some of the language in the resolutions says things like laws that are “unnecessary and unconstitutionally restrict,” she stated her question is this, who will make that determination? Who will determine what state and/or federal laws the County will or will not support? She provided an example of a convicted felon who thinks its “unnecessary” for him to be “restricted” from possessing a firearm? She stated she also advised Commissioner Kirby that he does have a duty to vote on all matters before the Board.

Commissioner Cummings stated he feels that the Board should support the constitution in its entirety.

Ms. Womble discussed the legal process for changing or preventing laws that infringe on rights.

Commissioner Cummings asked how the Governor can be stopped from changing the laws.

Ms. Womble stated that the Attorney General is elected to oversee this.

Commissioner Cummings stated that he understands from a legal standpoint the resolution is not worthwhile.

Commissioner Bonner asked if the resolution is premature.

Commissioner Cummings stated he did not feel it was premature he stated he has concerns based what is going on currently in other areas of the Country.

Commissioner McLaughlin stated he spoke with Commissioner Cummings about the resolution and he feels that federal law trumps the state laws. He stated he strongly supports the 2nd amendment and stated at that this time he did not see the need to adopt this resolution.

Commissioner Cummings stated that he would withdraw the resolution from consideration.

WWI Monument Request

Mr. Howard noted the County received an invoice in the amount of \$1,000 requesting financial assistance to building two WWI monuments, one at the State Capitol and another in Nauroy France along with a request for 8oz of soil from Chowan County. This request was forwarded to all County Manager’s in North Carolina. The Project information is attached as FYI.

Ms. Stallings stated that other Counties have been polling on the list serve to see who has decided to fund this request. At the time of the agenda, only Camden County had decided to participate. Many Counties said no, others had it on their agenda for consideration.

Commissioner Cummings stated that nationwide many statutes are being torn down, He stated this was a concern to contribute financially to this at this time.

Mr. Howard stated if he receives any more information on the request, he will bring it back to the Board.

RFP – Bond Counsel

Mr. Howard provided the Board with a proposed RFP for Bond Counsel for High school Construction/Renovation. Bond Counsel will advise on the processes necessary for the County to pursue a referendum for general obligation bond. He stated that they will help the County to determine a time frame for the referendum for getting it on a ballot. He noted that another county paid around \$12,000 for bond counsel.

Commissioner Lawrence asked what happens if the County does not hire bond counsel.

Mr. Howard stated the County has to get Bond Counsel at the onset of this project to receive LGC approval.

Commissioner Lawrence noted the Board does not have a choice.

Mr. Howard stated the Board is only approving the RFP, the proposals will come back at a later time.

Commissioner Lawrence moved to approve the RFP as presented. Chair Kersey asked for all in favor, the motion passed unanimously (7-0).

Jail- Feasibility Study Agreement

Mr. Howard stated that the Jail Study Committee met and of the three proposals recommended Mosely Architecture. He noted that Martin County approved the total cost was \$74,750. \$48,750 was for Mosely services, \$20,000 for Davenport's financial analysis and \$6,000 for travel related expenses. He stated that Bertie will want to hold another joint meeting before they will approve the Feasibility Study Agreement concerning the possible expansion of the Bertie-Martin Regional Jail Partnership and Facility. He noted that this only commits Chowan to participate in a study not to go into a partnership.

Commissioner Cummings moved to approve the proposal.

Mr. Howard noted he only provided the Board with the summary however he will provide it at the next meeting for the Board to consider. He noted there is still time.

Commissioner Cummings withdrew his motion.

BB&T Resolution to Approve Financing Terms

Finance Officer Cathy Smith provided the Board with a resolution from BB&T for the financing of the former DF Walker School renovation project. She noted the project is for \$1.65 million at 2.93% for 15 years.

Ms. Womble noted a correction to the name of the school in the first paragraph to include "former" DF Walker School as this is for the space to be occupied by the Boys and Girls Club.

Commissioner Kirby moved to approve the resolution with the modification as recommended. Chair Kersey asked for all in favor, the motion passed unanimously (7-0).

Resolution Approving Financing Terms

WHEREAS: Chowan County ("County") has previously determined to undertake a project for the financing of renovations of the former D.F. Walker School, and the Finance Officer has now presented a proposal for the financing of such Project.

BE IT THEREFORE RESOLVED, as follows:

1. The County hereby determines to finance the Project through Branch Banking and Trust Company ("BB&T"), in accordance with the proposal dated July 10, 2019. The amount financed shall not exceed \$1,650,000, the annual interest rate (in the absence of default or change in tax status) shall not exceed 2.93%, and the financing term shall not exceed fifteen (15) years from closing.
2. All financing contracts and all related documents for the closing of the financing (the "Financing Documents") shall be consistent with the foregoing terms. All officers and employees of the County are hereby authorized and directed to execute and deliver any Financing Documents, and to take all such further action as they may consider necessary or desirable, to carry out the financing of the Project as contemplated by the proposal and this resolution.
3. The Finance Officer is hereby authorized and directed to hold executed copies of the Financing Documents until the conditions for the delivery of the Financing Documents have been completed to such officer's satisfaction. The Finance Officer is authorized to approve changes to any Financing Documents previously signed by County officers or employees, provided that such changes shall not substantially alter the intent of such documents or certificates from the intent expressed in the forms executed by such officers. The Financing Documents shall be in such final forms as the Finance Officer shall approve, with the Finance Officer's release of any Financing Document for delivery constituting conclusive evidence of such officer's final approval of the Document's final form.
4. The County shall not take or omit to take any action the taking or omission of which shall cause its interest payments on this financing to be includable in the gross income for federal income tax purposes of the registered owners of the interest payment obligations. The County hereby designates its obligations to make principal and interest payments under the Financing Documents as "qualified tax-exempt obligations" for the purpose of Internal Revenue Code Section 265(b)(3).
5. The County intends that the adoption of this resolution will be a declaration of the County's official intent to reimburse expenditures for the project that is to be financed from the proceeds of the BB&T financing described above. The County intends that funds that have been advanced, or that may be advanced, from the County's general fund, or any other County fund related to the project, for project costs may be reimbursed from the financing proceeds.
6. All prior actions of County officers in furtherance of the purposes of this resolution are hereby ratified, approved and confirmed. All other resolutions (or parts thereof) in conflict with this resolution are hereby repealed, to the extent of the conflict. This resolution shall take effect immediately.

Finance Officer Report

Finance Officer Cathy Smith provided the Board with financial reports through the month of July. A copy of the report is in the meeting file labeled August 19, 2019.

External Board/Committee Report

Chair Kersey called for any external Board or Committee reports, there were none.

Manager's Report

County Manager Kevin Howard reported on the following:

- On Tuesday he is meeting in Raleigh with Senator Steinburg regarding the National Guard restructuring.
- The County was notified of \$10,400,000 of school capital monies and he is looking to see if this can be spent on the initial project costs of the high school project (design etc.).

Timely and Important Matters

Chair Kersey noted that COA Board has narrowed the presidential candidates down to three finalists. She stated that next week (Tuesday, Wednesday and Thursday) from 8am to 9am the candidates will be at the Edenton Campus and encouraged the Board and the public to come and meet the candidates and show enthusiasm for the Edenton campus.

Adjourn

Commissioner Faircloth moved that the meeting be adjourned. Chair Kersey asked for all in favor, the motion passed unanimously (7-0)

Patti F. Kersey, Chair

Susanne Stallings, Clerk