

**Special Meeting**  
**Monday February 5, 2024**  
**5:00pm**  
**Chowan County Public Safety Center**  
**305 West Freemason St.**  
**Edenton, NC**

Present: Chair Bob Kirby, Commissioners, Ron Cummings, Chris Evans, Larry McLaughlin, Alex Kehayes and Ellis Lawrence.

Commissioner Tray Taylor was absent.

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

**Closed Session**

Commissioner Cummings moved to go into closed session in accordance with NCGS 143-318-11 (a) (3 and 5) attorney client and contract negotiations. Chair Kirby asked for all in favor, the motion passed unanimously (6-0).

The minutes of the closed session are sealed.

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

**Adjourn**

Commissioner Kehayes moved to adjourn. Chair Kirby asked for all in favor, the motion passed unanimously (6-0).

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Bob Kirby, Chairman

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Susanne Stallings  
Clerk

**Chowan County Board of Commissioners**  
**Regular Meeting**  
**Monday, February 5, 2024**  
**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 February 5, 2024.*

Present: Chair Bob Kirby, Commissioners, Ron Cummings, Alex Kehayes, Ellis Lawrence, Tray Taylor, Larry McLaughlin and Chris Evans.

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

**Regular Meeting**

Chair Kirby called the regular meeting to order and led in the pledge.

Commissioner Evans then offered the invocation.

**Approval of Agenda**

Ms. Stallings noted a request to amend the agenda to add consideration of approval of an MOU between the County, Schools and Boys and Girls Club for use of shared space at the former DF Walker school (Oakum St.)

Commissioner Cummings moved to approve the agenda as amended.

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

**Public Comment**

Chair Kirby opened the floor for public comment.

Jiridiana Bustos 359 Mexico Rd. stated that they wished to use a property on Rocky Hock Rd. as commercial however the property is zoned residential. She asked the Board what could be done to use the property as commercial.

Mr. Howard stated that he would recommend setting up a meeting with the Planner to go over the issue.

Marvin Strzyzewski 937 Soundside Rd. stated he wished to state his support of the recreation bond and in particular the inclusion of an indoor swimming pool in the bond referendum.

Susan Inglis 101 E Water Street stated she wished to speak in support of the efforts of the presentation regarding Bennett's Millpond by the Edenton Chowan Environmental Group.

## **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.

## **Minutes**

The Board will review and consider approval of the January 8, 2024 and January 22, 2024 Regular and Special Meetings

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

## **Chowan Edenton Environmental Group – Bennett’s Millpond Presentation**

Colleen Karl representing the group provided the Board with a presentation on the development of Bennett’s Millpond as a county recreation and tourism location. She provided a handout to the Board which is included in the meeting file labeled February 5, 2024. Additionally, she provided a PowerPoint presentation on the plan this is also included in the February 5, 2024 meeting file. The presentation included information the role of the Environmental group at the Millpond and improvements that the group would like to see including:

- Raising public awareness of the Millpond opportunities (photo contest)
- Improving and implementing signage and brochures on the millpond
- Structural repairs to the walkways, spillway area and pavilion
- Enhancement to historical photos of the millpond and reconstruction of historical structures such as reassembly of the millhouse
- Research of algal blooms in the millpond

Ms. Karl stated the group is willing to assist with grant writing, seek donations from local groups and plan future programming.

Commissioner McLaughlin stated his support of efforts to enhance the millpond.

Ms. Karl discussed a grant opportunity from NCDEQ that only requires a 10% match from a tier one county. She stated that some of the match could be in-kind. She stated she felt that electricity or utilities added to the site would be beneficial.

Commissioner McLaughlin discussed the condition of the road to get to the millpond as well as safety hazards at the entrance.

Chair Kirby stated this project could cost the County millions and stated he felt this work should be included in the bond referendum.

Ms. Karl stated she felt a tiered approach to addressing repairs would be best.

Recreation Department Co-director Brian Chappell thanked the Environmental Group for their work at the millpond and their efforts. He stated he would like to request permission from the Board to look further into pursuing these grant opportunities. He stated once they have investigated available grants he can come back to the Board with information on figures for the repairs. He stated that by this time, the Master Plan will also provide information on public support regarding the millpond enhancements.

Commissioner McLaughlin moved to allow the Recreation Department to investigate available grant opportunities for repairs to Bennett's Millpond and bring this information back to the Board for future consideration.

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

### **Tax Items**

#### **2023 Report of Unpaid Taxes and Order to Advertise the 2023 Tax Liens**

Tax Administrator Chris Hill provided the report on unpaid real property and personal property taxes to the Board and requested approval of the order to advertise. Copies of the reports are in the meeting file labeled February 5, 2024.

Commissioner McLaughlin stated the list seemed longer than usual. He asked if there is a reason for this.

Mr. Hill stated over 3,000 notices have been sent out. He stated the advertisement is the third notice the property owner receives. He stated that the property owner receives one last notice giving them notice of the intention to advertise and a specific date to pay in full in order to avoid advertising and the advertising fee.

Commissioner McLaughlin asked if any of these accounts are paid in escrow.

Mr. Hill stated no. He noted that last year's delinquent amount was higher than the current year.

Commissioner McLaughlin noted that there are several accounts with amounts under \$100.

Mr. Hill stated most of those are personal property and could include elderly or disabled exempt accounts.

Commissioner Evans moved to approve the order to advertise as presented. Chair Kirby asked for all in favor, the motion passed unanimously (7-0).

### **Tax Release**

Mr. Hill provided the Board with a request for the release of 2023 taxes for Elliott Enterprises LLC. He noted that the taxpayer has provided evidence that his business was dissolved in January 2023 and that he would recommend approval of the release in the amount of \$845.50.

Commissioner Kehayes asked for clarification if this was the Tax Administrators recommendation.

Mr. Hill stated yes, the business was dissolved and was not operational for that year.

Commissioner Kehayes moved to approve the release as presented. Chair Kirby asked for all in favor, the motion passed unanimously (7-0).

### **EMS Radio Replacement**

EMS Director Colin Ryan provided the Board with a quote to replace EMS radios. He noted that \$67,311 was included in the CIP for the year for this purchase. He stated that the quote he has provided the Board is from Motorola in the amount of \$81,051.83. He stated that these radios have proven to be more reliable and durable.

Ms. Smith noted that she has included in the Board packet a budget amendment for the Board to consider if the request is approved.

Mr. Howard noted the amount budgeted in the CIP was for a different brand of radio.

Mr. Ryan stated they tried to use a cheaper radio however the handheld radios did not work properly and the Motorola's have lasted longer.

Commissioners asked the finance officer to explain the budget amendment that was presented.

Ms. Smith noted that this is how the entries for the transfers have to be keyed into the system in both funds.

Commissioner McLaughlin moved to approve the request as presented and to approve the budget amendment BA2024-043.

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

Account Number	Account Description	Revenue (Inc+/Dec-)	Expense (Inc+/Dec-)
<b>Capital Projects</b>			
32-3810-033-00	Transfer from Capital Reserve	81,051.83	
32-8100-614-00	EMS - Radio Replacement		81,051.83
<b>Capital Reserve</b>			
33-3990-990-00	Fund Balance Appropriation	81,051.83	
33-9800-980-32	Transfer to Capital Projects		81,051.83
	Balanced	162,103.66	162,103.66
<b>Justification:</b>			
	<i>To amend the 2024 budget to include Radio Replacement project for Emergency Medical Services. Project was included (\$67,311) in the CIP funding schedule approved by the BOC on 08/07/23.</i>		

**Bond Counsel for Recreation Bond Referendum**

Mr. Howard provided the Board with proposals for Bond Counsel. He noted that two proposals were received one from Parker Poe and McGuire Woods. He noted that no proposal was submitted from Sanford Holshouser. He stated that he recommends going with the McGuire Woods proposal which is \$7,500 if the referendum fails and not to exceed \$52,500 if the referendum passes.

Commissioner McLaughlin asked for clarification on the bond process.

Mr. Howard discussed the process.

Commissioner Cummings asked if the referendum passes do that automatically mean the County has to take on the debt.

Mr. Howard stated the Board will have an option to not do a bond. He noted if the Board does go with a bond they have up to 10 years total to issue it.

Chair Kirby noted the Board will have restrictions with regards to promoting the referendum.

Mr. Howard stated that was correct however the County can provide general information to the public.

Commissioner McLaughlin moved to approve the proposal from McGuire Woods. Chair Kirby asked for all in favor, the motion passed unanimously (7-0).

**EMS/Fire Unit 3 Repairs**

Mr. Howard requested that the Board consider approval of a budget for capital repairs at the Unit 3 building. He noted that the total estimates provided to the Board total \$21,897.59 He stated he requests that the Board approve up to \$25,000 for the project as there are more repairs needed in the future.

Chair Kirby stated his concern that Carrera Painting did not submit a bid.

Commissioner Evans moved to approve a project budget of \$25,000 as presented. Chair Kirby asked for all in favor, the motion passed unanimously (7-0).

The Board discussed that homeowners will have to notify their insurance companies of the substation once it is online in order to realize the benefit of the fire substation at the Unit 3 building.

Mr. Howard stated he hoped to have the station online by the end of the month.

### **Jail Assessment**

Mr. Howard presented the Board with a proposal from Moseley Architects to provide a Needs Assessment Study for the Chowan County Detention Center. He stated the monies for the assessment will be paid from the capital fund. The cost is \$39,875.

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

### **Memorandum of Understanding (Boys and Girls Club, Chowan County and Edenton Chowan Board of Education)**

Mr. Howard presented the Board with the proposed MOU between the Boys and Girls Club, Chowan County and Edenton Chowan Board of Education for temporary use of the first floor of the former DF Walker Elementary School Building. He stated that he would recommend that the County Attorney have final review and approval of the document before signed.

Commissioner Lawrence moved to approve the MOU subject to final review and approval of the County Attorney. Chair Kirby asked for all in favor, the motion passed unanimously (7-0).

A copy of the final approved MOU is in the meeting file labeled February 5, 2024.

### **Financial Items**

Ms. Smith presented the following:

- a. 2024 Budget Amendments  
2024-041

Account Number	Account Description	Revenue (Inc+/Dec-)	Expense (Inc+/Dec-)
<b>E-911 Fund</b>			
24-3431-361-00	2023 Portable Radio PSAP Grant - Rev	24,992.67	
24-4325-524-01	2023 Portable Radio PSAP Grant - Exp		24,992.67
	Balanced	24,992.67	24,992.67
<b>Justification:</b>			
		<p><i>To amend the 2024 budget to include 2023 Portable Radio PSAP Grant received from the NC 911 Board for purchase of three Motorola radios. There are no matching funds required.</i></p>	

2024-042

Account Number	Account Description	Revenue (Inc+/Dec-)	Expense (Inc+/Dec-)
<b>TDA Fund</b>			
51-8150-691-00	Promotional/Ambassadors		(1,078.00)
51-8150-993-00	Designated Future Appropriations		(14,922.00)
51-8150-440-00	Contract Services - Website		16,000.00
	Balanced	-	-
<b>Justification:</b>			
		<p><i>To amend the 2024 budget to include Placer.ai contract for TDA. Contract was approved by TDA Board at meeting dated 11/21/23. This is a transfer between line items and requires no use of Fund Balance.</i></p>	

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

Financial Report December 2023

Finance Officer Cathy Smith will provide the Board with financial reports for December 2023.

A copy of the report is in the meeting file labeled February 5, 2024.



### **External Board/Committee Report**

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

There were no reports.

### **Manager's Report**

County Manager Kevin Howard updated the Board on the following:

- Bids will be received in early March for the Ag Building bridge work.
- Updates on the Library project including the windows

### **Timely and Important Matters**

Ms. Stallings noted the board retreat is scheduled for March 20<sup>th</sup>. She also noted the joint meeting with the Planning Board on March 26<sup>th</sup>.

### **Adjourn**

Being no further business Commissioner Cummings moved that the meeting be adjourned. Chair Kirby asked for all in favor, the motion passed unanimously (7-0).

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Bob Kirby, Chairman

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Susanne Stallings  
Clerk