

Special Meeting
Monday March 18, 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. County Attorney Lauren Arizaga-Womble was present via conference call.

Closed Session

Commissioner Cummings moved to go into closed session in accordance with NCGS 143-318-11 (a) (3) attorney client. 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).

Bob Kirby, Chairman

Susanne Stallings
Clerk

Chowan County Board of Commissioners
Regular Meeting
Monday, March 18, 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 March 18, 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, Finance Officer Cathy Smith and Board Clerk Susanne Stallings

Regular Meeting

Chair Kirby called the regular meeting to order and led in the pledge. He then offered the invocation.

Approval of Agenda

Commissioner Cummings moved to approve the agenda as presented.

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

Public Comment

Chair Kirby opened the floor for public comment.

Betty Graves, 304 Pamlico Trail spoke about her concerns regarding a dog bite incident and the manner in which it was handled by Animal Control. She provided the Board with photos of the injuries as well as the incident report from Animal Control and the rabies tag information. She spoke regarding her concerns over the level of training for staff. She asked that the Board look into her complaint and act.

Chowan County Tax Administrator Chris Hill stated he wished to inform the Board that the Board of Equalization and Review would convene on Monday April 1, 2024 and recess on Monday, May 6, 2024. It was noted the hearing dates have been advertised.

It was noted that Representative Ed Goodwin and Warren White had signed up to speak but wished to speak during the agenda item regarding the bridge renaming.

Chair Kirby called for any further public comment, there was none.

Fybe Presentation

Sarah Tinkham, Community and Government Relations for Fybe Internet provided the Board with a PowerPoint update on the progress of broadband internet installation in Chowan County. A copy of the PowerPoint presentation is in the meeting file labeled March 18, 2024.

Resolution in Support of Naming Bridge on Mexico Road over Pembroke Creek in Memory of Sterling Baker

Chair Kirby noted that friends of Sterling Baker have contacted NCDOT to request approval of the naming of the bridge on Mexico Road in memory of Sterling Baker who, at the time of his passing served as NCDOT Division One Engineer. He noted that an application to request the bridge naming has been submitted by Warren White. If the resolution is approved by the Board of Commissioners the application and resolution will be submitted to NCDOT for final review and approvals. Consideration of this resolution does not require a public hearing, however NCDOT requires that public input be allowed before the Commissioners vote on the resolution.

Chair Kirby then opened the floor for public comment on the resolution and application.

Representative Ed Goodwin stated that Sterling Baker was born and raised in Chowan County and was a good man. He named various projects in Chowan County that Sterling managed during his career including several bridge replacement projects. He urged the Board to support the resolution in support of the bridge naming adding that he could not think of anyone more deserving. He added that he felt the Board of Commissioners should pay the \$2,000 application fee as another measure of support for the request. He stated he missed Sterling's assistance as he was always his "go to guy" for any DOT issues or questions. He encouraged the Board to approve the resolution and to fund the application fee.

Chair Kirby noted that the request to fund the application was not included on the agenda and would require an amendment to the agenda.

Commissioner Evans moved to amend the agenda to consider funding of the application in addition to the resolution. Chair Kirby asked for all in favor, the motion passed unanimously (7-0).

Warren White stated that Sterling Baker was a life long friend and stated he supports and agrees with the remarks made by Representative Goodwin. He stated that in order to proceed with the application a resolution is needed.

Chair Kirby asked for any further public comment, there was none.

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

RESOLUTION
IN SUPPORT OF NAMING BRIDGE
LOCATED ON MEXICO ROAD OVER PEMBROKE CREEK
IN MEMORY OF STERLING D. BAKER

WHEREAS, Sterling D. Baker was born in 1971 and was raised in Chowan County; and

WHEREAS, Sterling was a devoted and loving husband, son, brother, uncle, friend; and

WHEREAS, Sterling served a distinguished career with the North Carolina Department of Transportation; and

WHEREAS, Sterling was a graduate of North Carolina State University and began his career with NCDOT as a summer intern directing traffic and testing asphalt temperatures in Division One; and

WHEREAS, Sterling progressed through his career with NCDOT serving in roles as Staff Engineer, Division Design and Construction Engineer, District Engineer, Division Maintenance Engineer, Multi-modal and Facilities Director, Deputy Division Engineer and at the time of his passing served as Division One Engineer where he was responsible for supervising 14 counties; and

WHEREAS, during his career, Sterling completed the requirements to become a Professional Engineer (PE) in Civil Engineering and utilized his skills in designing, planning and maintenance of bridges and roads in Chowan and surrounding counties; and

WHEREAS, Sterling died on April 20, 2022 after a courageous battle with cancer; and

WHEREAS, Sterling, throughout his health decline continued to work until his health would no longer allow him to do so; and

WHEREAS, Sterling worked closely with the public, county staff and elected officials to resolve issues and answer questions always with a smile and pleasant disposition; and

WHEREAS, Sterling, in his role as Division One Division Engineer was involved in the planning, design and construction of the bridge replacement on Mexico Road in Chowan County; and

WHEREAS, efforts to memorialize Sterling's life, love of community and dedication to community service, friends of Sterling as well as other community and state leaders have stated their support in honoring his service by naming a bridge in his honor; and

WHEREAS, Junius Warren White has completed a Road, Bridge, Ferry Naming or Designation Application which has been submitted to the North Carolina Department of Transportation.

NOW THEREFORE, BE IT RESOLVED that the Chowan County Board of Commissioners supports the naming of the Mexico Road (NC 1200) Bridge over Pembroke Creek, in Memory of Sterling D. Baker.

Adopted this the 18th day of March, 2024.

Commissioner Evans stated that he was raised in Rocky Hock with Sterling Baker and it was an honor to move that Chowan County appropriate the \$2,000 to pay for the bridge naming application. Chair Kirby asked for all in favor, the motion passed unanimously (7-0).

DSS Items

Foster Care Funding BA2024-053

DSS Director Tyeshia Phelps presented the Board with a request for approval of a budget amendment for an increase in foster care rates. She stated that an increase that came in out in June of 2023 was not included in the budget. The request is for \$75,000 for 13 children in foster care. She stated that \$56, 250 will be reimbursed to the County leaving the County responsible for \$18,750.

Finance Officer Cathy Smith noted the budget amendment is included in the Board packet.

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

BA2024-053

Account Number	Account Description	Revenue (Inc+/Dec-)	Expense (Inc+/Dec-)
Fund Balance			
11-3990-990-00	Fund Balance Appropriated	18,750.00	
11-9800-980-12	Transfer to Social Services Fund		18,750.00
DSS			
12-3531-230-04	Foster Care IV-E - Revenue	56,250.00	
12-3980-980-11	Transfer from General Fund	18,750.00	
12-5380-539-16	IV-E Foster Care - Exp		75,000.00
	Balanced	93,750.00	93,750.00
Justification:			
	<i>To amend the 2024 budget to include additional funding for Foster Care services.</i>		

Retention Incentive

DSS Director Tyeshia Phelps presented the Board with a proposal for a retention incentive for DSS Staff utilizing lapse salaries. She noted that this policy would hopefully encourage employees to remain with the County as additional duties have been placed upon all units over the past two years due to high turnover. She stated that the agency does not have difficulty in getting people to apply for jobs with DSS but there is difficulty in getting them to stay after they have been trained. She stated that this incentive would show appreciation to staff for sticking out the difficult demands that have been put on DSS by the State. She stated that the funding for the incentive would be used from lapse salaries and includes a policy that would be implemented to retain employees. She stated the funding she would use in lapse salaries would be \$45,000.

Commissioner Taylor asked for clarification on the funds to pay for the incentive.

Ms. Smith noted that DSS is projected to have over \$300,000 remaining in lapsed salaries and the request is for \$45,000.

Commissioner Evans asked if other County departments who have retention concerns would want the same policy.

Mr. Howard stated that there are a few departments who have traded employees with neighboring counties for years now.

Ms. Phelps stated her personal experience where she came to Chowan and then transferred to another County and has now come back to Chowan to serve as the Director.

Commissioner Kehayes stated that DSS is getting good reviews from the State regarding performance. He stated it appears the work is getting done. He stated he supports the request for the incentive to help with staff retention.

Mr. Howard noted that during the budget process, the Board asked DSS to come up with a way to retain staff. He noted that Ms. Phelps was not yet hired as the Director during that time and this is her solution for retention.

Commissioner Lawrence stated he felt this incentive was a good idea. He then moved to approve the policy.

Chair Kirby noted that the policy would have to be approved by the DSS Board however the Board of Commissioners could approve the funding for the request.

Mr. Howard noted that staff has a few suggested revisions to the policy and asked that staff be allowed to make these corrections before the policy is adopted by the DSS Board.

Commissioner Lawrence stated he wished to amend his previous motion to approve the requested funding for the retention incentive and to allow staff to work with DSS to amend the policy prior to DSS Board approval.

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

Extension Items

Grant Pre-Application – Story Walk

Camaryn Byrum and Kellie Binnicker presented the Board with a request to apply for a grant to seek funding to establish a Story Walk in the Ag Center's Arboretum. The project cost is \$5,000 and the grant funds would cover the costs. She provided the Board with an informational handout on the nature walk signs. A copy of the handout is in the meeting file labeled March 18, 2024.

Commissioner Kehayes asked where is the arboretum located at Extension.

Ms. Binnicker stated that it is located at the corner of Granville St. and Highway 32.

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

Grant Pre-Application – Shred-A-Thon

Gail Spiewak stated that Extension would like to hold a Shred-A-Thon event for residents to for citizens, small businesses and local government employees. The total cost is \$2,800 and the grant request is for \$2,800. She stated that this event would educate residents as well as help reduce fraud.

Commissioner McLaughlin stated he would be curious to see how much local participation there is.

Ms. Spiewak stated this event was held in Tyrell County and was heavily attended by residents. She stated she hoped the event in Chowan would be similar.

Commissioner Kehayes asked where the event will be held.

Ms. Spiewak stated she hoped to have it at the Ag Extension building.

Commissioner Cummings moved to approve the grant pre application request as presented. Chair Kirby asked for all in favor, the motion passed unanimously (7-0).

Elections Budget Amendment – Second Primary Election- BA2024-052

Elections Director Kristi Nixon stated that a state-wide second primary is required. The 2023-24 budget did not include the need for a second primary, staff requests approval of a budget amendment to cover the costs of the second primary.

Commissioner Kehayes asked if all precincts would be open for the special election.

Ms. Nixon stated that the County could only reduce to 3 locations and voters would have to be notified, so she recommends that based on costs for notification to have all the standard precincts open.

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

BA2024-052

Account Number	Account Description	Revenue (Inc+/Dec-)	Expense (Inc+/Dec-)
Fund Balance			
11-3990-990-00	Fund Balance Appropriated	5,899.48	
Elections			
11-3417-890-00	Town of Edenton - Election Revenue	5,089.92	
11-4170-121-00	Salaries - Reg		(1,676.00)
11-4170-122-00	Salaries - PT		2,600.00
11-4170-126-00	Salaries - Precinct Workers		7,105.00
11-4170-181-00	Fica Expense		(1,000.00)
11-4170-182-00	Hospitalization		(1,700.00)
11-4170-299-00	Departmental Supplies		300.00
11-4170-311-00	Travel		231.00
11-4170-325-00	Postage		154.40
11-4170-341-00	Printing		4,250.00
11-4170-370-00	Advertising		725.00
	Balanced	10,989.40	10,989.40
Justification:			
	<i>To amend the 2024 budget to include second Primary election.</i>		

Animal Shelter Software

Animal Shelter Director Dana Comer provided the Board with a request for approval of a contract with Shelter Luv. Currently staff utilizes the Pet Point system for intakes. Currently the paperwork for intakes and adoptions is lengthy and time consuming for staff as most of the paperwork is hand written. She stated that the software will streamline the process and also allow the Shelter to begin taking credit card payments for adoptions and donations to the shelter through the software.

Ms. Smith noted that she has forwarded the draft contract to the County Attorney for review.

Commissioner Kehayes asked if there is no upfront cost.

Ms. Comer stated no there is not.

Chair Kirby asked if any other agencies are using this software.

Ms. Comer stated that Portsmouth Humane Society uses this software.

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

Emergency Lighting for Valhalla Radio Tower

Mr. Howard stated that the Board is asked to approve a request for the purchase of a new lighting system at the Valhalla tower. The replacement lighting will be LED and approved by the FAA. He stated that 2-3 weeks ago it was noted that there were issues with the current lighting. He reviewed the safety protocol put in place by the FAA until new lighting could be secured.

Ms. Smith noted that ARPA/LATCF funds could pay for the work. She stated the total of those funds to be used is \$22,260.

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

PCG Landfill Tower Lease and Resolution

Mr. Howard noted the Board previously approved the lease however the Board will review and consider approval of a resolution authorizing a 99 year lease of County property to Perquimans County for the location of an Emergency Services Communication Tower at the PCG Landfill. He stated that Gates and Perquimans have been notified of the resolution requirement as well.

Ms. Stallings noted that Perquimans County will provide the plat book and slide number to complete the resolution.

Commissioner Cummings moved to approve the lease and resolution with the information on the plat and slide information to be inserted. Chair Kirby asked for all in favor, the motion passed unanimously (7-0).

RESOLUTION AUTHORIZING EXECUTION OF A NINETY-NINE (99) YEAR LEASE FOR COUNTY PROPERTY TO PERQUIMANS COUNTY TO FOR THE LOCATION OF AN EMERGENCY SERVICES COMMUNICATION TOWER.

WHEREAS, Chowan County is a member of the PCG LANDFILL COMMISSION; and

WHEREAS, PGC LANDFILL COMMISSION is comprised of Perquimans County, Chowan County and Gates County; and

WHEREAS, PGC LANDFILL COMMISSION owns certain property located at 759 Perry’s Bridge Road, Belvidere, NC 27919 (“PGC Property”);

WHEREAS, Perquimans County was awarded a grant to construct an emergency communications tower and desires to construct said tower on a portion of PGC’s property as set forth and more particularly described and identified on the plat of Thomas A. Stokely, Reg. Surveyor, entitled “Minor Subdivision for Perquimans County, Chowan County and Gates County, Portion of PID: 1-0015-0019A, “dated February 8, 2024, a copy of which is recorded at Plat Book 4 Slide 317 of the Perquimans County Registry attached hereto as “Exhibit A”; and

WHEREAS, the proposed tower will be owned and maintained solely by Perquimans County;

WHEREAS, the proposed tower will serve a public purpose in that it will be used to facilitate the VIPER Public Safety Radio Communications Equipment which is utilized by Chowan County Law Enforcement and Emergency Services; and

WHEREAS, pursuant to N.C.G.S. §§ 153A-176 and 160A-274, Chowan County has the authority to grant the Lease to Perquimans County; and

WHEREAS, the expansion and improvement of VIPER Public Safety Radio Communications in rural areas of Chowan County will serve a public purpose as it will promote public health and safety by enhancing emergency services to rural areas of Chowan County.

WHEREAS, the County staff reports that it does not have a need for the property set forth in Exhibit A for County purposes during the term of the proposed Lease and recommends that the Board of County Commissioners authorize execution of the Lease;

WHEREAS, a copy of the proposed lease is attached hereto as “Exhibit B.”

NOW, THEREFORE, THE CHOWAN COUNTY BOARD OF COMMISSIONERS RESOLVES THAT:

The Chairman of the Board of Commissioners is hereby authorized to execute a Lease with terms as set forth in Exhibit B to Perquimans County, for the above-described property.

Adopted this the 18th day of March 2024.

Ryland Road Convenience Site Lease

Chair Kirby noted that the Board will review and consider approval of a lease between Chowan County and Dwayne and Kristie Goodwin for the use of the Ryland Road Convenience Site, the annual rental will be \$2,800.

Ms. Stallings noted one correction to the lease with regards to the amount, she clarified it will be two thousand eight hundred dollars.

Commissioner Taylor moved to approve the lease as corrected. Chair Kirby asked for all in favor, the motion passed unanimously (7-0).

Financial Items

Ms. Smith presented the following:

- a. 2024 Budget Amendments
2024-051

Account Number	Account Description	Revenue (Inc+/Dec-)	Expense (Inc+/Dec-)
Register of Deeds			
11-3418-415-00	*Preservation/Automation	614.02	
11-4180-298-00	*Dept Supplies - Auto/Pres		204.67
11-4180-440-00	*Contr Svcs - Automation/Pres		204.68
11-4180-511-00	*C/O - Auto / Pres		204.67
Sheriff's Office			
11-3431-232-00	*Sheriff Donations	100.00	
11-4317-440-00	*Donation - Expense		100.00
11-3431-235-00	*Sheriff Executions	1,869.00	
11-4316-440-00	*Sheriff Executions		1,869.00
Animal Shelter			
11-3438-894-00	*Donations - Chowan	925.00	
11-3438-894-02	*Donations - Perquimans	1,050.00	
11-3438-894-03	*Donations - Other	375.00	
11-4381-600-00	*Donation - Expense		2,350.00
11-3438-895-00	*Adoption - Chowan	900.00	
11-3438-895-01	*Adoption - Gates	580.00	
11-3438-895-02	*Adoption - Perquimans	500.00	
11-3438-895-03	*Adoption - Other	1,000.00	
11-4381-441-00	*Contr Svcs - Spay/Neuter		2,980.00
11-3438-897-00	*A.W.A.R.E. Reimbursement	5,545.00	
11-4381-601-00	*A.W.A.R.E. Reimbursement		5,545.00
Animal Control			
11-3439-364-00	*Donations - Animal Control	500.00	
11-4380-601-00	*Donations Expense		500.00
Senior Center			
11-3616-532-00	*Donations - Home Del Meals	1,500.00	
11-4268-904-01	*Donations - Home Del Meals		1,500.00
11-3616-533-00	*Reg Fees - Trips	3,294.00	
11-4268-312-00	*TRIPS - Senior Citizens		3,294.00
11-3616-533-01	*Registration Fees Activities	365.00	
11-4268-299-01	*Activities - Dept. Supplies		365.00
11-3616-535-04	*Silver Sneakers	615.00	
11-3616-535-05	*Silver & Fit	120.00	
11-3616-535-06	*Renew Active	270.00	
11-4268-352-02	*Healthways		1,005.00
DSS			
12-3531-230-14	*DSS Special Events	188.00	
12-5310-450-00	*DSS Special Events		188.00
	Balanced	20,310.02	20,310.02
	Total Discretionary Income Received FYE 2024	276,556.44	
Justification:			
	<i>To amend the 2024 budget to include Discretionary income for February 2024.</i>		

Account Number	Account Description	Revenue (Inc+/Dec-)	Expense (Inc+/Dec-)
DSS			
12-5310-121-00	Salaries - Regular		(30,000.00)
12-5310-198-00	Prof Services - Temp Agency		30,000.00
	Balanced	-	-
Justification:			
<i>To amend the 2024 budget for Social Services to include additional staffing from Vanguard Professional Staffing. This is a transfer between line items and no additional funding is being requested.</i>			

2024-055

Account Number	Account Description	Revenue (Inc+/Dec-)	Expense (Inc+/Dec-)
Solid Waste			
62-3471-530-00	Scrap Tire Tax Distribution - Rev	6,568.51	
62-4710-694-00	Scrap Tire Tax Distribution - Exp		6,568.51
62-3471-531-00	White Goods Tax Distribution - Rev	2,634.78	
62-4710-695-00	White Goods Tax Distribution - Exp		2,634.78
	Balanced	9,203.29	9,203.29
Justification:			
<i>To amend the 2024 budget for Solid Waste to include Scrap Tire and White Goods tax distributions.</i>			

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

External Board/Committee Report

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

Commissioner McLaughlin reported on the Town’s litter task force upcoming cleanup activities.

Chair Kirby shared about a recent visit to COA with the state Community College President. He updated on the ECP Board that has a new Chair. He reminded the Board of the retreat on Wednesday March 20th.

Manager's Report

County Manager Kevin Howard updated the Board on the following:

- Unit 3 building is almost complete the fire truck is on site.

Timely and Important Matters

Commissioner Cummings asked about safe guards in place for local and state governments with regards to the federal debt.

Commissioner Taylor asked that staff look into changing the lighting in the meeting room.

Adjourn

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

Bob Kirby, Chairman

Susanne Stallings
Clerk