

**Regular Meeting**  
**Monday, March 4, 2019**  
**6:00pm**  
**Chowan County Public Safety Center**  
**305 West Freemason St.**  
**Edenton, NC**

*This meeting was recorded. A copy of the recording is in the meeting file labeled March 4, 2019.*

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

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

**Regular Meeting**

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

Commissioner Bonner then provided the invocation.

**Approval of Draft Agenda**

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

**Public Comment**

Chair Kersey opened the floor for public comment.

There was none.

**Consent Agenda**

**Minutes**

Minutes of February 12, 2019 (Retreat) and February 21, 2019 (Joint School Committee).

Ms. Stallings noted corrections to spelling in the February minutes.

**Tax Refunds/Releases**

White. D.	\$110.00	Paid Twice
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**Grant Application**

The Board will consider a request from Soil and Water Offices to apply for grants from three funding sources in the amounts of \$500, \$1,500 and \$2,000 for educational tools. The grants do not require a local match.

Commissioner Lawrence discussed his concern over items discussed at the retreat. He stated that these concerns are not considered in the budget. He asked the Board when these concerns will be addressed.

Chair Kersey stated she had questions about the grant application she asked if the items are jointly used by the schools.

Commissioner Kirby moved to approve the consent agenda. He then withdrew his motion.

Mr. Howard stated the items to be purchased with the grant are used in the schools but property of the County.

Chair Kersey asked about the cost for consumables.

Mr. Howard stated that cost is absorbed in the budget.

Commissioner Kirby moved to approve items 3a and 3b and asked to pull off 3c for further discussion. Chair Kersey asked for all in favor, the motion passed unanimously (7-0).

Being no further discussion on item 3c, Commissioner Kirby moved to approve item 3c. Chair Kersey asked for all in favor, the motion passed unanimously (7-0).

**Budget Amendments**

**BA-1819-051**

Account Number	Account Description	Revenue (Inc+/Dec-)	Expense (Inc+/Dec-)
<b>Social Services</b>			
12-5310-121-00	Salaries - Regular		(7,500.00)
12-5310-199-00	Professional Services		7,500.00
	Balanced	-	-
<b>Justification:</b>			
		<i>To amend the 2019 budget to cover additional Vanguard services while department is not fully staffed. Monies are being transferred between line items.</i>	

Chair Kersey asked how many vacancies there are in DSS.

DSS Director Christine Dowdell stated currently there are two.

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

**Memorandum of Understanding**

Doug Wassum the Resource Conservationist with NRCS will present the Board with a Memorandum of Understanding (MOU) between the United States Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) and the North Carolina Department of Agriculture and Consumer Service- Division of Soil and Water Conservation (DSWC) and the Chowan Soil and Water Conservation District (SWCD) and Chowan County. He stated the updated MOU reflects the name changes of the staff listed in the agreement.

Commissioner Kirby asked for clarification for the reference of Wake County in the signature block.

Mr. Howard stated he believes that was a typo and will need to be corrected to Chowan County.

Chair Kersey asked if we are updating this because there is a new Soil and Water Director.

Mr. Wassum stated that it has to be reviewed and updated every five years. He stated this does include updated personnel in the listing.

Commissioner Cummings moved to approve the MOU with the correction to the signature block. Chair Kersey asked for all in favor, the motion passed unanimously (7-0).

## **Tax Items**

### **Order to Advertise**

Tax Administrator Melissa Radke provided the Board with the Order to advertise the 2018 Tax Liens. She noted there are 1,183 delinquent real property parcels. She stated that is down from 1,183 last year. She stated the owners have until March 26<sup>th</sup> to pay without advertisement fees. She stated last year 813 parcels were advertised.

Commissioner Faircloth moved to approve the order to advertise pursuant to NCGS 105-369 (a). Chair Kersey asked for all in favor, the motion passed unanimously (7-0).

### **Foreclosed Property information**

Ms. Radke discussed the process for foreclosure of properties. She noted that when the taxes become due second notices are sent. She stated enforced collections begin. Staff attempts to locate any heirs. The forced collection methods are Debt Setoff. She stated the Town has an agreement that parcels have to be delinquent for one year before enforced collections begin. She stated for that first year the Delinquent Tax Collector works with the property owners to set up payment plans. She noted Zacchaeus Legal Services are the County's contact foreclosure attorney. She stated 308 parcels have been sent to Zacchaeus and 140 of them have been paid in full so far. She stated this is over \$540,000 in revenue. She noted 167 parcels remain in the foreclosure program to date. She stated that 123 of the parcels are vacant land and 44 are improved parcels.

Ms. Stallings noted the properties that do not sell at foreclosure are then property the County can decide if it wishes to sell the property or keep it. She noted that typically the two most popular methods for selling the property is sealed bids or upset bids.

Mr. Howard noted that sealed bids are less costly because the County has to continue to advertise the upset bids.

Ms. Stallings noted that the sale is advertised and she also makes the effort to mail a notice of the sale to the adjoining property owners as well.

The Board discussed the process and by consent agreed to have the manager form a recommendation for the minimum bid amount and bring it back for the full Board's consideration at a later time.

#### **Addendum to Albemarle Learning Center (ALC) Lease**

Mr. Howard presented the Board with an addendum to the lease of the Albemarle Learning Center Farm that is currently leased by Joseph Goodwin for hay production. He stated this lease will allow for horse shows on the property and will require the individuals to carry insurance for each event.

Commissioner McLaughlin moved to approve the lease addendum. Chair Kersey asked for all in favor, the motion passed unanimously (7-0).

#### **Elections Personnel Request**

Elections Director Terrence Meyers provided the Board with a request to create a second part time position at the Board of Elections. He stated this position will assist with the requirements of the New Voter ID law that requires the Board of Elections to issue ID badges to all voters who ask for them. The position will only be needed through the 2020 Presidential Election. Additionally a budget amendment is attached to cover the salaries in the part-time budget line item for the remainder of the current fiscal year.

**BA-1819-050**

Account Number	Account Description	Revenue (Inc+/Dec-)	Expense (Inc+/Dec-)
<b>Elections</b>			
11-4170-121-00	Salaries - Regular		(350.00)
11-4170-126-00	Salaries - Precinct		350.00
11-4170-491-00	Dues & Subscriptions		(26.35)
11-4170-183-00	Hospitalization		26.35
	Balanced	-	-
<b>Justification:</b>			
<i>To amend the 2019 budget to cover salaries for Precinct workers and benefit expenses. Monies are being transferred between line items.</i>			

Mr. Meyers stated that he has monies in the budget to cover the personnel however there will be additional expenses this fiscal year and next year for the additional elections.

Commissioner Kirby discussed the impact of another unfunded state mandate on the County. He asked what this cost will be to the County.

Mr. Meyers stated it would be \$1,800 this year and \$6,000 next year. He noted the state wants the County to pay the individual \$15 per hour.

Chair Kersey asked about a recent article in the Daily Advance noting that this program may not be implemented until 2020.

Mr. Meyers stated his office was told by the State to be ready May 1<sup>st</sup>.

Mr. Meyers discussed his current staffing and part time hours currently budgeted.

Board members discussed their concerns over the impact of this matter on the next fiscal year.

Commissioner Bonner discussed the impact of a motion on the next fiscal year.

Ms. Womble stated the Board could clarify in their motion that the matter would have to be revisited next fiscal year.

Commissioner Bonner moved to approve the request for this fiscal year (FY18-19).

The Board discussed the number of part time positions.

Mr. Howard noted that several departments utilize part time workers to fill the hours and often different part time personnel are utilized to fill the hours.

Commissioner Kirby restated his concern for funding an unfunded state mandate. Chair Kersey asked for all in favor, the motion passed (6-1 Kirby).

### **Register of Deeds Annual Report**

Register of Deeds Lynn Gilliard provided the Board with an annual activity report from the Register of Deeds Office.

### **Roofing Projects**

#### **Swain**

Mr. Howard provided the Board with a request to engage services to investigate the repairs needed for the Swain Auditorium Roof. He stated he would like to set aside \$25,000 to \$27,000 for the worst case scenario. He stated the slate repairs should be in the \$4,000 - \$5,000 range. He stated the guttering has failed and created several leaks and will also need to be repaired.

Commissioner McLaughlin asked if the roof sheathing was compromised.

Mr. Howard stated this is the only vendor in the area that does slate roofing. He stated that he will know more once the slate is removed. He stated the entire roof does not have to be replaced.

Commissioner Lawrence moved to approve the expense up to \$20,000.

Mr. Howard noted this work will be done while the machine is on site.

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

#### **DF Walker**

Mr. Howard asked that the Board consider a quote to repair the flat roof of the former DF Walker Highschool Gym and to install guttering on the gym. He stated the original roof quote did not include the roof over the locker room. He stated the additional quote is for this section.

Commissioner Kirby stated he would like more detail with a breakdown with the entire cost.

The Board consented for the manager to bring this back.

### **Finance Officer Report**

Finance Officer Cathy Smith provided the Board with financial reports through the month of January.

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

There were none.

### **Manager's Report**

County Manager Kevin Howard updated the Board on the following:

- Senior Center project is behind schedule, there may be penalties for being behind.
- Bennett's Millpond was cleaned up and the water is flowing.
- Bertie will host Martin and Chowan Counties for a joint meeting to discuss a potential jail partnership.
- Mr. Howard will send more information on a Harbor town Project upcoming meeting
- Met with Shannon Ray and Mark Powell on the Dillard's Millpond repair project. The project may not be permitted as there are concerns about matching monies for reimbursement. Shannon will bring more information to the next meeting. This millpond has been breached for two years.

### **Timely and Important Matters**

Ms. Stallings reminded the Board of the special meeting scheduled for Friday March 8<sup>th</sup> at 9:30am.

Commissioner Bonner asked if there are plans to address the driveway at COA.

Mr. Howard stated he is working with the Town to have that patched when they come.

### **Closed Session**

Commissioner McLaughlin moved that the Board go into closed session, in accordance with NCGS 143-318 (11) (a) (3 and 5) attorney client privilege and contract negotiations. Chair Kersey asked for all in favor, the motion passed unanimously (7-0).

The minutes of the closed session are sealed.

Commissioner McLaughlin moved to come out of closed session. Chair Kersey asked for all in favor the motion passed unanimously (7-0).

### **Amend Agenda**

Commissioner Lawrence moved to amend the agenda to consider a contract request from DSS. Chair Kersey asked for all in favor, the motion passed (6-1 Kirby).

### **DSS Contract**

Commissioner Cummings moved to cancel the legal services contact with Hiner Law and to hire the Twiford Law Firm to provide legal services to DSS. Chair Kersey asked for all in favor, the motion passed unanimously (7-0).

**Adjourn**

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

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Patti F. Kersey, Chair

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Susanne Stallings, Clerk