

Chowan County Board of Commissioners
Regular Meeting
Monday, October 2, 2023
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 October 2, 2023.

Present: Chair Bob Kirby, Commissioners 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. Johnny Hallow was present to represent the County Attorney.

Regular Meeting

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

Commissioner Kehayes 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.

John Dowd 114 Kimberly Drive discussed his concerns regarding public use of the courthouse parking lot. He stated he was notified by the County Clerk of Court that the parking lot was not available for public parking from 7am to 5pm on weekdays. He stated this change would impact his business. He stated the public has used the parking lot at the courthouse for 45 years. He stated that his office only uses three of the parking spaces. He stated most of the parking lot is open and vacant. He stated prohibited use of the parking lot would be detrimental to his business. He acknowledged on the days of superior court the lot is full. He stated he would suggest putting up temporary signage on days where there is court but to otherwise allow taxpayers to use the parking lot for purposes other than courthouse business. He noted his business utilizes services from within the courthouse such as deeds and land records but does most of its searches online.

Chris Ford 119 Heritage Point Dr. stated his agreement with the comments from Mr. Dowd and stated that the parking lot has always been open to the public. He encouraged the Board to keep the parking open to the public. He noted that taxpayers have a right to use the parking lot.

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. Approval of Minutes
Minutes of the August 21, 2023 Regular Meeting; August 30, 2023 Joint School Committee Meeting; September 5, 2023 Regular and Special Meetings; September 18, 2023 Regular Meeting and the September 25, 2023 Special Emergency Meeting.

- b. Tax Refund and Release Report

Riddick, D	\$229.46	Billed Twice
Russell, A.	\$191.73	Vehicle not listed in Chowan County

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

Broadband Items

Update from Focus Broadband

Jody Heustess present to the Board an update from Focus Broadband and the status of the Chowan County Broadband project. He stated the program is to impact 1,641 addresses and cover 99 miles of Chowan County. He stated the total project cost is \$4,729,500. He stated that \$4 million of the project is covered with grant funds and Chowan County is contributing \$350,000. He stated that Focus Broadband will provide the additional funds. He noted the grant was awarded July 22, 2022 however they could not begin work until the documentation was provided to them. He updated the Board on the status of DOT approvals for the project noting that the OLT site that the Board approved at DF Walker Elementary School was a very important part of the project. He stated they are working with Albemarle Electric on pole attachment agreements. He stated that 37 packets were submitted and Albemarle Electric has approved 17 so far. He stated that Focus will be one of the first tenants in the Airport Industrial park. He stated he anticipates work to begin on the ground in the next 5-6 months. He stated once the OLT site is up and running people will be connected automatically. He stated the first project will be completed by the end of 2024. He stated that NCDIT requires a maximum 2 year build out of the project once the grant is awarded. He stated that construction has to start by March of 2024. He stated that they were awarded a second grant in 2023 for \$3.771 million project. He stated the grant was for \$3 million and Chowan County is contributing \$250,000 and Focus Broadband will cover the remaining costs. He stated the buildout of the second grant will overlap with the build out of the first grant. He stated the second grant is to be built out by the end of 2025.

Commissioner Lawrence asked for clarification on the process for getting fiber to the home. He noted his concern with any fiber being overhead on power lines.

Mr. Heustess stated that putting the fiber on the poles in some areas is the only way to run it. He stated in areas where there are no EMC poles the fiber will be buried. He noted the fiber would run directly to the home and the homeowner will determine the means for connection (wireless router or ethernet) in the home.

Mr. Heustess discussed reduced cost programs that will be available to Chowan County homeowners. He noted that there are various qualifiers to determine if a resident is eligible for reduced cost plans.

Commissioner Kehayes discussed the proposed coverage area map and discussed the lack of coverage in his area of the County.

Mr. Heustess stated that at the time of the grant award the coverage was based off of NCDIT maps and census blocks. He recommended that anyone in attendance who wanted to know if they would be included in the expanded coverage could visit fasterchowan.com to determine if they are included in the expansion areas. He noted that additional funding sources may become available to allow even further expansion in Chowan County.

Chair Kirby asked if it was correct that phase I construction would begin in December 2023/January 2024 with the first group of customers online by as early as June 2024 and everyone else in phase one would be serviced by the end of 2024.

Mr. Heustess stated that was correct and noted that the dates for the second grant are pending.

The Board thanked Mr. Heustess for the information.

Grant Exhibit

Mr. Howard presented the Board with a request of approval of Exhibit J of the grant package. This exhibit will allocate ARPA funds for the second GREAT grant. A copy of the exhibit is in the meeting file labeled October 2, 2023.

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

Appointment

Jury Commission

Ms. Stallings noted that the Chowan County Clerk of Court Dwayne Goodwin requests the reappointment of Denise Bunch to the Chowan County Jury Commission.

Commissioner Taylor moved to reappoint Ms. Bunch to the Jury Commission. Chair Kirby asked for all in favor, the motion passed unanimously (7-0).

NCACC Steering Committee

Chair Kirby provided the Board with information as FYI on the new procedures for applying for Steering Committees through the NCACC. He encouraged Board members that were interested in serving to put their name in for consideration.

Surplus Property – 149 Green Road

Ms. Stallings noted that this property is a tax foreclosure which did not sell during the foreclosure process. If the property does not sell, the County takes ownership, forgives the taxes owed and pays attorney fee and suit costs. Staff has determined the property is of no use for the County and recommends that the properties be sold via upset bid outlined in the general statutes (NCGS §153A-176 and §160A-269).

The Board is asked to consider the following:

- Declare the property as surplus
- If the Board wishes to establish a minimum bid it will be in order to note the minimum bid amount at this time.

149 Green Road Real property owned by Chowan County located at 149 Green Road. (PIN 6981-00-88-5366) Property consists of a parcel of vacant land of approximately .52 acres as described in Deed Book 573 pages 225 of the Chowan County Public Registry. The minimum bid at foreclosure was \$2,285.48 which includes taxes owed and fees, this bid was not met. There is currently no pending bid on this property.

Commissioner McLaughlin moved to declare the property as surplus and authorize the sale of the property via upset bids. Chair Kirby asked for all in favor, the motion passed unanimously (7-0).

Commissioner McLaughlin moved to set the minimum bid for the property at \$200. Chair Kirby asked for all in favor, the motion passed unanimously (7-0).

Courthouse Parking

Clerk of Court Dwayne Goodwin discussed his concerns over the lack of available parking spaces at the courthouse because of non-courthouse business parking. He provided the Board with a GIS image of the parking lot noting that after the 12 employees park there are 62 spaces remaining. He noted that 4 spaces are handicapped access only. He stated that this is not an everyday problem however when there is court, the situation is bad. He noted that at times there are almost 158 cases on the court docket for one session. He stated that superior court is worse. He stated the parking lot is for courthouse parking and not for public parking. He noted there are 39 District Court dates scheduled per year. He stated he would like for the County to look into working out an arrangement with Creswell Furniture for use of their parking area. He stated he did not know how to allow for some businesses to use the parking lot for non-courthouse business but not allow others. He stated he would like guidance from the Board on how to best handle this situation.

Mr. Howard provided the Board with a copy of the general statutes which require the County to adopt an ordinance that regulates parking of vehicles on county-owned property. He stated the County Attorney is looking into the matter. He stated such an ordinance would require advertisement and a public hearing. He stated that parking will be allowed until the Board decides how to proceed.

Mr. Howard will discuss Courthouse parking lot and use of the parking spaces during business hours for non-court related uses.

Financial Items

Ms. Smith presented the following:

Financial Report August 2023

A copy of the report is in the meeting file labeled October 2, 2023.

External Board/Committee Report

Commissioner Lawrence reported on the Airport Board.

Manager's Report

County Manager Kevin Howard updated on the following:

- Courthouse Parking Lot is paved
- The County received \$30 million from the State for the Reverse Osmosis Project which is estimated to cost the County \$62 million
- He will be bringing back proposals for repairs in the DF Walker Gym.

Timely and Important Matters

Ms. Stallings noted the following:

- The new County website is up and running
- She has tickets for Board members to purchase to attend the Emergency Services Banquet.

Commissioner Cummings noted that board members should provide the Manager with nominations for the water rate study committee so that a meeting can be scheduled.

Chair Kirby noted the Edenton Tea Party 250th anniversary is coming up and the Board will consider a resolution to celebrate it at the next meeting.

Chair Kirby thanked Mr. Hallow for attending.

Commissioner Cummings thanked EMS for their service when he recently needed it. He stated the staff was professional and caring.

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).

Bob Kirby, Chairman

Susanne Stallings, Clerk