

Regular Meeting
Monday, October 7, 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 October 7, 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 Faircloth then offered the invocation.

Approval of Draft Agenda

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

Public Comment

Marie Perry 106 West Church Street Edenton spoke regarding her history of meetings with the manager and staff regarding issues at the Library. She stated she hoped the Board would find a way to address the issues at the Library.

Carlette Pruden 351 Soundside Road Edenton stated the Library is a unique and valuable resource. She stated that the librarian is also an asset to the community and she hoped the Board would make more of a commitment to the Library.

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 September 16, 2019.

b. **Tax Refund/Release Report**

Riversound POA	\$1,301.40	Overpayment
Jones, D.	\$1,000.00	Occupancy Tax

c. **Surplus**

Request to declare the following items as surplus and authorize the disposal of the items on Gov Deals:

- Desk from DSS asset tag #0138
 - Mixer from Commissioner podium removed from service September 2019- Eurorack UB244FX PRO
- ** A sale of all the pending items has been scheduled for October 25, 2019, if approved these items will be included in the fall sale***

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

Budget Amendments

Finance Officer Cathy Smith presented the following budget amendments for the Board’s review and consideration:

BA1920-012

Account Number	Account Description	Revenue (Inc+/Dec-)	Expense (Inc+/Dec-)
Sheriff			
11-3493-890-00	Insurance Proceeds	1,731.15	
11-4310-353-00	Maint & Repairs - Vehicles		1,731.15
	Balanced	1,731.15	1,731.15
Justification:			
		<i>To amend the budget to include insurance proceeds for repairs to county vehicle as a result of motor vehicle accident on 08/29/19.</i>	

BA1920-013

Account Number	Account Description	Revenue (Inc+/Dec-)	Expense (Inc+/Dec-)
Register of Deeds			
11-3418-415-00	*Preservation/Automation	1,439.68	
11-4180-298-00	*Dept Supplies - Auto/Pres		479.89
11-4180-440-00	*Contr Svcs - Automation/Pres		479.89
11-4180-511-00	*C/O - Auto / Pres		479.90
Sheriff's Office			
11-3431-232-00	*Sheriff Donations	50.00	
11-4317-440-00	*Donation - Expense		50.00
11-3431-233-00	*State Special Funds	1.26	
11-4317-441-00	*State Special Expense		1.26
11-3431-235-00	*Sheriff Executions	190.00	
11-4316-440-00	*Sheriff Executions		190.00
11-3431-243-00	*KIDS & COPS	575.26	
11-4317-443-00	*KIDS & COPS Expense		575.26
11-3431-244-00	*Diving Donations	100.00	
11-4317-444-00	*Diving Donations Expense		100.00
Animal Shelter			
11-3438-894-00	*Donations - Chowan	785.00	
11-3438-894-01	*Donations - Gates	190.00	
11-3438-894-02	*Donations - Perquimans	200.00	
11-3438-894-03	*Donations - Other	150.00	
11-4381-600-00	*Donation - Expense		1,325.00
11-3438-895-00	*Adoption - Chowan	520.00	
11-3438-895-01	*Adoption - Gates	350.00	
11-3438-895-02	*Adoption - Perquimans	280.00	
11-3438-895-03	*Adoption - Other	500.00	
11-4381-441-00	*Contr Svcs - Spay/Neuter		1,650.00
11-3438-897-00	*A.W.A.R.E. Reimbursement	2,972.00	
11-4381-601-00	*A.W.A.R.E. Reimbursement		2,972.00
11-3438-898-00	*Donations from Advertising	226.00	
11-4381-602-00	*Donations from Advertising		226.00
Cooperative Ext:			
11-3495-370-00	*AG Program Fees Discretionary	1,211.66	
11-4953-440-00	*Ag Program Discretionary		1,211.66
11-3495-378-00	*4-H Fees Discretionary	6,325.00	
11-4953-448-00	*4-H Fees Discretionary		6,325.00
11-3495-379-00	*Livestock Program	1,275.00	
11-4953-449-00	*Livestock Program		1,275.00
11-3495-380-00	*ECA Discretionary	705.00	
11-4953-450-00	*ECA Discretionary		705.00
Recreation			
11-3612-487-00	*Recreation Donations	1,150.00	
11-6130-299-01	*Donations - Dept Supplies		1,150.00
11-3612-504-00	*Recreation Special Events	600.00	
11-6132-453-00	*Recreation Special Events		600.00
Senior Center			
11-3616-533-00	*Reg Fees - Trips	7,705.00	
11-4268-312-00	*TRIPS - Senior Citizens		7,705.00
11-3616-533-01	*Registration Fees Activities	583.00	
11-4268-299-01	*Activities - Dept. Supplies		583.00
11-3616-535-03	*Healthways	1,788.00	
11-4268-352-02	*Healthways		1,788.00
	Balanced	29,871.86	29,871.86
	Total Discretionary Income Received FYE 2020	41,462.03	
Justification:			
	<i>To amend the 2020 budget to include Discretionary income received through September 2019.</i>		

BA1920-014

Account Number	Account Description	Revenue (Inc+/Dec-)	Expense (Inc+/Dec-)
TDA			
51-3815-530-00	Co-Op Monies	253.92	
51-8150-261-01	Office Supplies - Co-op		253.92
51-3832-530-00	Co-Op Advertising	2,000.00	
51-8150-370-01	Advertising - Co-op		2,000.00
	Balanced	2,253.92	2,253.92
Justification:			
<i>To amend the 2020 budget for TDA to include Discretionary and Co-Op Income through September 2019</i>			

FY2018-19 Clean up amendment BA1819-086

Account Number	Account Description	Revenue (Inc+/Dec-)	Expense (Inc+/Dec-)
Hurricane Recovery			
41-4930-356-00	Repair Senior Center		(140,446.90)
41-4930-386-00	Repair Health Department		(10,989.66)
41-4935-355-00	Repair Senior Center - Contents		25,077.34
41-4935-391-00	Repair - Public Safety Center		(420.06)
41-4935-355-01	Repair Senior Center - Building		126,779.28
41-3301-230-00	FEMA Reimbursement	107,913.00	
41-4930-393-00	Repairs Bennett's Millpond		107,913.00
41-3493-890-00	Insurance Proceeds	171,745.95	
41-4935-355-01	Repair Senior Center - Building		171,745.95
	Balanced	279,658.95	279,658.95
Justification:			
<i>Budget Clean-up FY 2019</i>			

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

Presentation/Recognition

911 Director Herman Weiss presented dispatcher Alanna Parks with the stork pen for her recent handling of a 911 call where a baby girl was delivered by the father during the 911 call. During the call the caller advised that the head was showing and the head was coming out and in the background you hear a baby girl crying. Paramedics were soon on scene. Mr. Weiss also gave thanks to dispatcher

Tammy Smith who assisted directing EMS to the house while Ms. Parks assisted the caller. The family Cassi Wright Morris and John Holcomb the father were also at the meeting.

Chowan C.A.R.E.S. Presentation

Dr. Allan Smith provided the Board with a presentation from Chowan C.A.R.E.S. (Children's Alliance to Realize Educational Success) on the work being done in Chowan County and to discuss future plans to address pressing issues for families in Chowan County. A copy of the PowerPoint presentation is in the meeting file labeled October 7, 2019. Additionally Board members were provided a copy of a book entitled The Deepest Well by Nadine Burke Harris, MD. A copy of this book is also in the meeting file. It was noted that Commissioner Kirby is serving on the Chowan C.A.R.E.S Board and Dr. Smith asked that the Board look at other County Departments or Agencies to become involved with Chowan C.A.R.E.S.

Tax Items

Tax Administrator Melissa Radke presented the Board with the following appeal recommendations:

Timmco Holdings LLC – Reduction of \$343,600 in value, \$2,783.16 reduction from tax revenue for double taxation

East Atlantic Aviation LLC – Reduction \$252,329 in value, \$2,914.40 from tax revenue as the plane value was not depreciated according to actual engine hours.

Flint and Cynthia Harding – Reduction of \$16,823 in value, \$194.30 reduction from tax revenue for error in taxation of the residential dwelling fixtures as rental income.

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

Declaration of Surplus Property

Mr. Howard noted that following a foreclosure sale, the county acquired a property that did not sell on the Courthouse steps. He stated that the County has received an offer to purchase property located at 821 Cabarrus Street in the amount of \$3,000. He stated that if the Board wishes to consider the offer, it is in order for the Board to declare the property surplus and authorize staff to begin the 10 day upset bid advertisement process. He noted that the property record card, Ariel photo and sample advertisement is attached along with the offer to purchase.

Commissioner Kirby discussed that he feels that there may be other properties on the County books that are unutilized and he stated he would suggest the Board appoint a committee to review the properties. He stated he was confused about the legal method for disposal of the property and wanted to consistent.

Chair Kersey stated she did not have experience with disposal of real property and wanted to look more into the property value to better understand the process.

Ms. Radke stated that the County acquired the property because the taxes were not paid. She stated the tax foreclosure program was restarted back in 2017. She stated that there have been letters and garnishments and payment plans put in place to offer options for families. She stated that a property does not go into foreclosure until it has been delinquent for one year. She stated that many of the foreclosure properties are heir properties. She stated the County currently owns 5 properties that did not sell and will own about five more by the first part of the year. She stated there are about 300 properties in foreclosure.

Board members discussed the foreclosure process.

Ms. Stallings noted that the County does not own the property until it does not sell at the courthouse steps sale. She stated at this point the property is then listed with her office.

Mr. Howard noted that staff has been working on this list and had planned to bring a list of properties to the Board the first part of the year however this property received an offer and he brought it to the Board for consideration.

Commissioner Bonner discussed the length of time the property was delinquent.

Ms. Radke stated this property has been delinquent since 2012.

Ciera Cofield requested the opportunity to address the Board, she stated she is the real estate broker which is representing the buyer who made the offer. She noted that her client has a contract on the adjoining property currently.

Commissioner Kirby moved to that the chair appoint a special committee of the Board of Commissioners to work with the County Manager for the purpose of surveying the use of all County properties, and to report back to this board with recommendations for disposal of any properties considered to be in excess of County needs, and further that the County Planner provide recommendations on procedures for real property disposal to this board which we can adopt into a formal ordinance. Finally, I move that consideration of the sale of 821 Cabarrus Street be placed in abeyance pending the report of the special committee and recommendations of the County Planner.

Commissioner Kirby stated he wanted a consistent approach.

Board members discussed Commissioner Kirby's motion.

Commissioner McLaughlin stated that he felt the efforts of the Tax office are adequate and the establishment of a committee would be redundant.

Chair Kersey asked if the Tax Administrator handles this sale.

Mr. Howard stated she handles the foreclosure sale and once the property is owned by the County it is handled by Administration.

Commissioner McLaughlin asked if properties are ever sold on Gov Deals.

Ms. Stallings stated she has not used Gov Deals for the sale of real property. She stated that staff has looked into a vendor for this type of sale but currently the method the County has used in the past when she was responsible for selling surplus real property was through an upset bid process. She noted that the adjoining property owners are notified and the ad with the bid notice is placed in the local paper. She stated that often the County will receive more than one bid and the process goes back and forth until the highest bid is received. Then the highest bid comes back to the Board for final approval. She provided some examples of acreage and values of previous sales of County foreclosure property. It was noted that there are only two other foreclosure properties on the books at this time.

Ms. Radke stated that the County often wishes to get these properties back on the books to have the tax revenue coming in again.

Commissioner Kirby re-read his motion. Chair Kersey asked for all in favor, the motion failed (2-5 Faircloth, McLaughlin, Bonner, Kersey and Lawrence).

Commissioner Faircloth noted that the tax foreclosure sale at the Courthouse steps did not sell the properties at the tax value.

Commissioner Lawrence moved to declare the property surplus and authorize the advertisement of the draft bid of \$3,000 to begin the upset bid process.

Ms. Radke noted that the county has lost \$2,065 in tax revenue and \$1,915.10 in attorney's fees. She noted that the Town spent \$12,225. In nuisance fees to demolish the house.

Chair Kersey asked for all in favor, the motion passed (6-1 Kirby).

Dillard's Mill Berm Repair Project Bid

Mr. Howard noted that staff held a bid opening on Wednesday, October 2, 2019 for the repairs to the berm at Dillard's Millpond. Staff recommends the low bidder, Saunders and Son's in the amount of \$80,695. He noted that while the bid packet notes that the low bidder did not have the certificate of insurance at the bid opening, it was provided within thirty minutes of the bid opening and was in place since March. He stated that the attorney has determined this was not a material deviation.

Commissioner Kirby stated his concern was with the bidder not following instructions in the bid.

Ms. Womble stated that from a legal standpoint the Board is ok to accept the bid.

Mark Powell with USDA stated that he has worked with the contractor previously and is familiar with him and his work.

Commissioner Kirby stated that should not be a consideration if you know the contractor.

Commissioner McLaughlin asked for clarification on how long it took to get the certificate from the bidder.

Mr. Powell stated they had it within 30 minutes.

Commissioner Cummings asked how long the work will take.

Mr. Howard stated that the work is to be done by the end of December.

Commissioner McLaughlin moved to accept the bid from Saunders and Sons. Chair Kersey asked for all in favor, the motion passed (6-1 Kirby).

Appointment

Ms. Stallings noted that the Clerk of Court has requested that the Board of Commissioners reappoint Denise Bunch as the County appointee on the Jury Commission.

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

2020 Census Resolution

Mr. Howard stated that the Board will consider a resolution that officially creates 2020 Census Complete Count Committee and states that Chowan County will support/partner for the 2020 Census.

He stated he hoped to have a committee in place by the end of October.

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

2020 Census Partnership

WHEREAS the U.S. Census Bureau is required by the U.S. Constitution to conduct a complete count of the population and provides a historic opportunity to help shape the foundation of our society and play an active role in American democracy;

WHEREAS Chowan County is committed to ensuring every resident is counted;

WHEREAS federal and state funding is allocated to communities, and decisions are made on matters of national and local importance based, in part, on census data and housing;

WHEREAS census data help determine how many seats each state will have in the U.S. House of Representatives and are necessary for an accurate and fair redistricting of state legislative seats, county and city councils and voting districts;

WHEREAS information from the 2020 Census and American Community Survey is vital for economic development and increased employment;

WHEREAS the information collected by the census is confidential and protected by law;

WHEREAS a united voice from business, government, community-based and faith-based organizations, educators, media and others will enable the 2020 Census message to reach more of our residents;

WHEREAS the Census count requires extensive work, and the Census Bureau requires partners at the state and local level to insure a complete and accurate count;

WHEREAS Chowan County and its appointed Complete Count Committee will bring together a cross section of community members who will utilize their local knowledge and expertise to reach out to all persons of our community;

Now, therefore, **BE IT RESOLVED** that Chowan County is committed to partnering with the U.S. Census Bureau and the State of North Carolina and will:

1. Support the goals for the 2020 Census and will disseminate 2020 Census information;
2. Encourage all County residents to participate in events and initiatives that will raise the overall awareness of the 2020 Census and increase participation;
3. Provide CCC members and Census advocates to speak to County and Community Organizations;
4. Support census takers as they help our County complete an accurate count; and,
5. Strive to achieve a complete and accurate count of all persons within our borders.

Adopted this the 7th day of October, 2019.

Bond Counsel Services

Mr. Howard stated that staff sent out an RFP for Bond Counsel Services for the high school project. He stated that five responses were received. He stated that staff recommends Parker Poe because they handled the County's debt refinancing and they are familiar with the County and they have worked with Counties similar to the size of Chowan.

Chair Kersey asked about the pricing.

Mr. Howard stated this is negotiable that with a GO (General Obligation Bond) the price is negotiated at the end of the process. He stated the other prices do not apply.

Commissioner McLaughlin discussed his concerns over hiring the bond counsel now while there has not been a decision made on what to build or if to renovate or to tear the school down.

The Board discussed historical discussions from previous presentations from architects and noted that the costs for the construction/renovation would be around \$40 million.

Commissioner McLaughlin asked if this time schedule for a bond referendum is realistic.

Commissioner Cummings stated that he feels this is moving quickly. He stated that the school board has not said yet if their desire is to not move. He stated the public comments want the school to stay in town and many do not want much done to the building. He stated the law says the school board tells the County how much of the project they want to spend and where they want to go.

Mr. Howard stated he thinks they are in the process of obtaining a construction management firm.

Commissioner McLaughlin asked when the next meeting date of the joint committee will be.

Mr. Howard stated he thinks it is the 29th of October.

Chair Kersey stated that the Board will have to work together to campaign for the bond.

Commissioner McLaughlin stated that with no package in place to give to the public it seems like a rush.

Commissioner Kirby noted the County is still paying down its debt.

Commissioner Faircloth agreed and stated he has said from the beginning that if the public does not buy into it the project will not make it. He stated he feels Mr. Howard has been realistic with the School Board about the County's current debt situation.

Mr. Howard stated that there are several County buildings with maintenance issues that cannot be addressed. He noted that the County will also need a financial advisor in addition to the bond counsel.

Ms. Womble noted that the Board is not agreeing to putting the bond on the ballot but to selection of counsel.

Commissioner Kirby noted the estimated cost of the counsel \$30,000 as opposed to the estimated \$13,000.

Mr. Howard stated that is the cost through issuance.

Commissioner Kirby asked when this will be paid from the budget.

Mr. Howard stated it will be 2-3 years before the County will have to pay for the Counsel. He stated the Financial Advisor will be the same way.

Commissioner McLaughlin stated he feels the Board needs more information from the schools.

Mr. Howard asked if the Board wishes to approve Parker Poe as counsel but not proceed with the contract until we are ready.

Ms. Womble stated the Board can decide who they want to represent them and not engage their services until you get more information from the school board.

Commissioner Kirby moved that the Board adopt the recommendation of the attorney and approve the recommendation of Parker Poe as the bond counsel and enter into the contract at an appropriate time. Chair Kersey asked for all in favor, the motion passed unanimously (7-0).

Finance Officer Report

Finance Officer Cathy Smith provided the Board with financial reports through the month of August. A copy of the report is in the meeting file labeled October 7, 2019.

External Board/Committee Report

Chair Kersey stated that the 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:

- **Building Maintenance Update**

Mr. Howard provided an updated list of Library work orders. He noted the deadlines have been updated.

Commissioner McLaughlin noted that dormers and windows will not be addressed until next year.

Mr. Howard stated the CIP Committee could move that up if they chose to.

Chair Kersey stated she was disappointed the Committee has not met quarterly. She asked that staff get a meeting scheduled. She thanked the maintenance Director for the work he has going on the projects listed.

Mr. Howard stated that the Maintenance Director is spending a day each week at each county building and Monday is the day he will be at the Library. He stated he will be working with the department heads to ensure that work orders are being entered in the Dude Solutions correctly.

Librarian Jennifer Finlay thanked Donald Wheeler and Davis for their work on the electrical and plumbing needs at the Library.

Mr. Howard stated that the Director is working on the list of building needs to be done.

Mr. Howard stated that there is an issue with finding contractors to perform work on projects under \$10,000 when the County requires workers comp insurance. He stated he will provide a request to waive that requirement for contracts under \$10,000.

- Review of preliminary project tracking spreadsheet

Mr. Howard presented the list of projects.

Chair Kersey stated she would like to see the black columns filled out with estimated completion dates.

Mr. Howard asked if the Board wants more information. He stated this will be updated on the first meeting of each month.

Timely and Important Matters

School Financing Class

Commissioner Cummings provided the Board members with a handout from the class he and Commissioner McLaughlin recently attended.

Commissioner McLaughlin stated that it is important to maintain good working relationships with the Board of Education members.

Fire Project

Commissioner Faircloth stated he is working with the Fire Services in the northern part of the County to look at a six mile fire district agreement with Hobbsville Volunteer Fire Department. He will have more information at a later meeting.

Closed Session

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

The minutes of the closed session are sealed.

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

Adjourn

Commissioner McLaughlin 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