

**Regular Meeting**  
**Tuesday, September 3, 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 September 3, 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 she then offered the invocation.

**Approval of Draft Agenda**

Ms. Stallings noted there is a request to amend the agenda to include a discussion on a budget amendment for any necessary expenses for Hurricane Dorian and a Resolution for the regional water study.

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

**Public Comment**

Librarian Jennifer Finlay provided the Board with information on the Wi-Fi hotspots that were recently purchased for school age children to check out as needed from the library. The spots can be used 4 months at a time with a referral from the Middle School.

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 August 19, 2019 meeting

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**

Attached to this agenda packet are the following budget amendments for the Board's review and consideration:

**BA1920-009**

Account Number	Account Description	Revenue (Inc+/Dec-)	Expense (Inc+/Dec-)
<b>Agriculture Extension</b>			
11-3495-368-00	Hospital Foundation Grant	2,500.00	
11-4952-600-00	Hospital Foundation Grant		2,500.00
11-3495-381-00	Community Benefit Grant	1,500.00	
11-4953-451-00	Community Benefit Grant		1,500.00
11-3495-382-00	Grow to Eat Grant	1,000.00	
11-4953-452-00	Grow to Eat Grant		1,000.00
11-3495-384-00	Vidant Master Food Grant	1,000.00	
11-4953-454-00	Vidant Master Food Grant		1,000.00
<b>Recreation</b>			
11-3612-499-01	Vidant Water Cubbies Grant	5,000.00	
11-6132-450-01	Vidant Water Cubbies Grant		5,000.00
<b>Senior Center</b>			
11-3616-537-00	Albemarle Comm - Health Promotions	1,732.00	
11-4268-601-00	Albemarle Comm - Health Promotions		1,732.00
<b>Solid Waste</b>			
62-3471-530-00	Scrap Tire Grant	5,170.80	
62-4710-694-00	Scrap Tire Grant		5,170.80
	Balanced	17,902.80	17,902.80
<b>Justification:</b>			
<i>To amend the budget to include grant funding for FY 06/30/20</i>			

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

### **Forestry Annual Report**

Chowan County Ranger Rick Long provided the Board with the Annual Chowan County Forestry Report. A copy of the report is in the meeting file labeled September 3, 2019.

### **NC32/37 Project Contract Amendment**

Water Department Director David Tawes noted that NCDOT NC32/37 has requested revisions to the utility agreements previously approved by the Commissioners at the August 5, 2019 meeting. He stated the changes to the scope of work are all agreeable.

Chair Kersey asked if the numbers changed on the cost.

Mr. Tawes stated the cost was reduced they did not have to obtain the easements. He discussed the depth change of the design.

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

## Architectural Standards

Commissioner McLaughlin requested that the Board discuss information he asked the Clerk to forward in August regarding Architectural Standards. He stated that he recommends the Board ask the Planner to look into what other Counties are doing and bring back a recommendation to the full Board. He would like for the Planner to look into what is possible for the County to do. He stated that he provided several links of pictures of properties of Dollar Generals that have been built around other Counties. He stated that there are ways to dress up these box stores and that Dollar General is willing to meet some of these standards. He stated that when these buildings are dressed up there is certain appeal and could be a tourist attraction. He stated he would like for the Planner to look at what other Counties have done to see what Chowan can do.

Commissioner Kirby provided the Board with a copy of a map from the Land Use Plan detailing "Rural Centers" that have been designated. He stated the four rural centers he feels would be good areas to identify for architectural standards. He stated that he feels standards should be quantifiable and not about personal taste.

Commissioner Bonner stated that he did not feel the box buildings are inconsistent with the area in which they are built in. He stated he did not want to be unfair to businesses. He stated the area is rural and he stated he did not think it would be good to set a standard in that area.

Commissioner Lawrence stated he did not wish to add additional cost to a business to build a beautiful building for someone to come to take pictures of it.

Commissioner Faircloth stated that he understands the intent of Architectural Standards. He stated the retail market has tight lines and if they cannot make money they do not come to the area. He asked will the County make all types of businesses do this or will the County target only certain businesses. He stated he was concerned about running the costs up for businesses. He stated that he was concerned that there were comments made about making a next step with regards to other standards. He stated that this area is rural and this concerns him.

Commissioner McLaughlin stated that a bell tower on a Dollar General or a gable and porch would make it stand out. He stated that they will build a square box in a Tier I county. He stated that he envisions the materials to be inexpensive and thematic and to add attractiveness in the County. He stated he is not interested in adding any standards to residential construction.

Chair Kersey stated she did not see any problem with having the Planning Board look into what other Counties are doing.

Planner Brandon Shoaf stated he has looked into this matter regionally excluding Dare and Currituck Counties. He stated that Camden is the only one with architectural standards.

Commissioner Kirby asked if this would be directed at all businesses.

Mr. Shoaf stated that he would look at retail commercial development he stated this type of standard is difficult for local owned family businesses to do.

Commissioner McLaughlin added that the John Deere building on Church Street was built before the Town put Architectural Standards in place and that is a good example of not being a box building.

Chair Kersey asked if Mr. Shoaf polled about minimum distance between the commercial retail.

Mr. Shoaf stated this is not regulated as these types of stores business model is to replace the mom and pop type of stores.

Chair Kersey discussed the information online about healthy food options for these types of stores.

Commissioner McLaughlin moved to ask the County Planner and Planning Board to look into architectural standards for rural centers as identified in the land use plan.

Chair Kersey asked for all in favor, the motion failed (2-5 Faircloth, Cummings, Bonner, Kersey and Lawrence).

### **WWI Monument Request**

Mr. Howard noted that the County received an invoice in the amount of \$1,000 requesting financial assistance to building two WWI monuments, one at the State Capitol and another in Nauroy France along with a request for 8oz of soil from Chowan County. This request was forwarded to all Counties in North Carolina. Since this request was presented at the August 19, 2019 meeting staff has been provided additional information which is attached. He stated the Town has agreed to contribute \$500. He added there is information in the packet on one individual from Chowan County who died in this battle.

Chair Kersey asked where the monies will come from.

Mr. Howard stated he will look for savings within the budget. He noted that they will want the soil if the county does not participate financially.

Commissioner Kirby noted that monuments are being torn down all the time. He stated there were many atrocities from WWI and he could imagine at some point there being issue with a monument which memorializes perceived war criminals.

Chair Kersey stated she would like to support the request.

Commissioner McLaughlin stated he felt this was worth supporting.

Commissioner Kirby moved to support the request in the amount of \$500. Chair Kersey asked for all in favor, the motion passed (6-1 Cummings).

### **Jail- Feasibility Study Agreement**

Mr. Howard stated that Martin County has approved a Feasibility Study Agreement concerning the possible expansion of the Bertie-Martin Regional Jail Partnership and Facility. He stated that Bertie has not approved it but has mentioned it may request a meeting. He stated that due to short staffing at the jail this may get pushed off. He stated he recommends that Chowan approves the agreement pending the other two counties approval.

Commissioner Kirby asked how much is Chowan spending.

Ms. Womble stated that there is an agreement in place that the counties will each pay 1/3 of the cost the final amount has to be approved.

Mr. Howard discussed the Board will be informed of all the requirements if they decide to buy in after the study is complete.

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

### **Resolution- Regional Water Study**

Mr. Howard stated that this resolution gives authority for Chowan County to be the applicant for a \$50,000 grant for a regional water study. He stated the Town of Edenton and Perquimans County have agreed to participate but are not obligated in this study. All possibilities will be looked at.

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

## **RESOLUTION BY GOVERNING BODY OF APPLICANT**

WHEREAS, The Federal Clean Water Act Amendments of 1987 and the North Carolina Water Infrastructure Act of 2005 (NCGS 159G) have authorized the making of loans and grants to aid eligible units of government in financing of public water and wastewater systems, and

WHEREAS, Chowan County has need for and intends to conduct an regionalization feasibility study project for future water supply, and

WHEREAS, Chowan County intends to request state grant assistance for the project,

### **NOW THEREFORE BE IT RESOLVED, BY THE BOARD OF COMMISSIONERS OF THE CHOWAN COUNTY:**

That Chowan County, the **Applicant**, will arrange financing for all remaining costs of the project, if approved for a State grant award.

That the **Applicant** will adopt and place into effect on or before completion of the project a schedule of fees and charges and other available funds which will provide adequate funds for proper operation, maintenance, and administration of the system.

That the **Applicant** will provide for efficient operation and maintenance of the project on completion.

That Kevin Howard, County Manager, the **Authorized Official**, and successors so titled, is hereby authorized to execute and file an application on behalf of the **Applicant** with the State of North Carolina for a grant to aid in the financing of the project described above.

That the **Authorized Official**, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project: to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

That the **Applicant** has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto.

Adopted this the 3rd day of September, 2019 at Edenton, North Carolina.

Commissioner Kirby asked if this will impact the Rivers work on the SOC.

Mr. Howard stated that Rivers will continue under the SOC deadline and if the County receives the grant we will notify them.

### **Hurricane Dorian Budget Amendment**

Mr. Howard noted that the Control Group has been meeting to monitor Hurricane Dorian. He stated that a State of Emergency Ordinance was put in place at 12 noon on that same day. He stated the State

of Emergency starts the clock for any reimbursement should the County meet the threshold. He noted the County did not get there with Hurricane Florence. He stated he is asking for \$100,000 and any unspent monies will be moved back. He provided updated information from the National Weather Service on the forecasted track of the storm.

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

Account Number	Account Description	Revenue (Inc+/Dec-)	Expense (Inc+/Dec-)
<b>Hurricane Recovery</b>			
41-3983-011-02	Transfer from General Fund - Dorian	100,000.00	
41-9930-995-02	Designated for Future Approp. - Dorian		100,000.00
<b>General Fund</b>			
11-3990-990-00	Fund Balance Appropriation	100,000.00	
11-9800-980-41	Transfer to Hurricane Recovery		100,000.00
	Balanced	200,000.00	200,000.00
<b>Justification:</b>			
	<i>To amend the 2020 budget to include preparation for Hurricane Dorian</i>		

### **Finance Officer Report**

Finance Officer Cathy Smith provided the Board with financial reports through the month of June. A copy of the report is in the meeting file labeled September 3, 2019.

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

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

Commissioner Lawrence reported on the Senior Center Board.

Commissioner Faircloth reported on the TDA Board and Destination Downtown Edenton Board.

Commissioner Cummings reported on the Health Department Board.

Commissioner Kirby reported on the recent Algal Bloom seminar.

### **Manager's Report**

County Manager Kevin Howard updated the Board on the following:

- A complete Count Committee will need to be established by October, send your suggestions to Mr. Howard.

### **Timely and Important Matters**

Commissioner Kirby discussed his concerns over the three bridges being closed during the Hurricane. He stated he felt this is a safety issue.

Chair Kersey thanked the Board members and the public for their participation in the recent COA forum for presidential selection. She noted a candidate should be announced later in September.

**Adjourn**

Commissioner Faircloth moved that the meeting be adjourned. 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