
REGULAR MEETING

February 7, 2011

6:45 p.m.

The Perquimans County Board of Commissioners met in a regular meeting on Monday, February 7, 2011, at 6:45 p.m. in the Courtroom located in the Perquimans County Courthouse Annex.

MEMBERS PRESENT: Benjamin Hobbs, Chairman Mack E. Nixon
Janice McKenzie Cole, Vice Chair Sue Weimar
Edward R. Muzzulin Tammy Miller-White (arrived @ 6:50 p.m.)

MEMBERS ABSENT: None

OTHERS PRESENT: Mary Hunnicutt, Clerk to the Board Will Crowe, County Attorney

After the Chairman called the meeting to order and gave the invocation. He then led the Pledge of Allegiance. Chairman Hobbs proceeded with the Public Hearings.

PUBLIC HEARINGS

Planning & Zoning Items

Conditional Use Permit No. CUP 10-04

Chairman Hobbs opened the first Public Hearing stating that the purpose of the first public hearing was to receive comments on the Conditional Use Permit No. CUP-10-04, by Takia Wiggins to allow the operation of a Childcare Center at 154 Old US Hwy. 17 Road, known as Tax Parcel No. 4-0036-0153. There were nine (9) people present. The following questions/comments were made:

- Sue Weimar: Ms. Weimar asked how many individuals would be on her staff...
Cathy Wilson: Ms. Wilson asked where the place was located...
Edward Muzzulin: Mr. Muzzulin asked Ms. Godfrey about the Planning Board...

The Chairman asked if there were any further comments or questions from the Board or the public. There being none, the Chairman opened the second Public Hearing.

Administrative Text Amendment No. TXT-10-10

Chairman Hobbs opened the second Public Hearing stating that the purpose of the second public hearing was to receive comments on the Administrative Text Amendment No. TXT-10-10, to amend Article XX of the Zoning Ordinance to increase the height, display area and building setback for Monument Signs for schools, churches, hospitals, government buildings and other institutions, to correct typographical errors and reformat two tables. There were nine (9) people present. The Chairman recognized Donna Godfrey, County Planner, who presented the following Text Amendment:

ORDINANCE NO. 75

AN ORDINANCE OF PERQUIMANS COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF NORTH CAROLINA, AMENDING, ADDING AND REPEALING SECTIONS OF THE PERQUIMANS COUNTY ZONING ORDINANCE AS ADOPTED BY ORDINANCE NO. 35, AS PREVIOUSLY AMENDED; THIS ORDINANCE AMENDS ARTICLE XX TO INCREASE THE HEIGHT, DISPLAY AREA AND BUILDING SETBACK FOR MONUMENT SIGNS FOR SCHOOLS, CHURCHES, HOSPITALS, GOVERNMENT BUILDINGS AND OTHER INSTITUTIONS AND TO CORRECT TYPOGRAPHICAL ERRORS AND TO REFORMAT TWO TABLES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OR PERQUIMANS COUNTY, NORTH CAROLINA THAT:

Section 1. Perquimans County Ordinance No. 35 (Zoning Ordinance), as previously amended, is hereby amended by revising Article XX to increase the height, display area and building setback for monument signs for schools, churches, hospitals, government buildings and other institutions, and to correct typographical errors and to reformat two tables, and by adding and substitution excerpts of Article XX attached hereto as Exhibits A-1, A-2 and A-3 and incorporated herein by reference, in its stead;

Section 2. Severance Clause. It is the intent of the Board of County Commissioners of Perquimans County, North Carolina, and it is hereby provided, that if any section, subsection, sentence, clause, phrase or provision of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining provisions of this Ordinance; and

PASSED AND ENACTED by the Board of County Commissioners of Perquimans County, North Carolina, this 7th day of February, 2011.

BOARD OF COUNTY COMMISSIONERS
PERQUIMANS COUNTY, NORTH CAROLINA

By: Benjamin Hobbs, Chairman

ATTEST:

Mary P. Hunnicutt, Clerk to the Board

Effective Date:

EXHIBIT "A-1"

Section 2013. Institutional Signs

Signs erected by schools, churches, hospitals, government buildings, and other institutions are permitted in all districts, but the size of any such signs shall not be in excess of twenty (20) thirty-two (32) square feet. If such a sign is freestanding, it shall be a monument type sign and not be closer than ten (10) fifteen (15) feet from any property line and shall not project higher than four (4) six (6) feet above ground level. These signs shall be so located so as not to infringe upon proper sight distance for traffic and illumination shall be restricted to indirect white lighting.

EXHIBIT "A-2"

Section 2024. Signs Permitted in Residential and Agricultural Districts

- (a) Permanent freestanding monument identification signs for subdivisions, multifamily, and planned developments shall be limited to one (1) sign at each major entrance to the development, not exceeding twenty (20) square feet in display surface area, located on private property no closer than fifteen (15) feet to any property line or street right-of-way, not exceeding four (4) feet in height above ground level, and illumination shall be restricted to indirect white lighting. A multifamily residential development may have an identification sign of the same dimensions flat-mounted on a wall of an apartment building instead of a freestanding sign, but not both.
(b) Permanent freestanding identification signs for mobile home parks and campgrounds shall be limited to one (1) sign at each major entrance to the development, not exceeding twenty (20) square feet in display surface area, located on private property no closer than fifteen (15) feet from any property line and shall not project higher than four (4) six (6) feet above ground level. These signs shall be so located so as not to infringe upon proper sight distance for traffic and illumination shall be restricted to indirect white lighting.

feet to any property line or street right-of-way, not exceeding four (4) feet in height above ground level, and illumination shall be restricted to indirect white lighting.

- (c) Only one (1) permanent identification wall sign for nonresidential and noninstitutional uses may be erected, provided that, together with any freestanding sign, it does not exceed the total allowable sign area.
- (d) One (1) permanent freestanding identification sign for nonresidential and noninstitutional uses is permitted, provided there is at least one hundred (100) feet from any property line or street right-of-way. There is no minimum street frontage requirement for properties zoned RA.

If such a sign is a monument sign, it shall not exceed four (4) feet in height above ground level, and illumination shall be restricted to indirect white lighting. The display surface area shall not exceed twenty (20) square feet and, together with all wall signs, shall count toward the total allowable sign area.

If a pole sign, it shall not exceed twenty feet in height and twenty-five (25) square feet of display surface area per side. As with the monument sign, this sign, together with all wall signs, shall count toward the total allowable sign area.

- (e) For all residential and agricultural zoning districts except the RA Zoning district, one (1) identification sign for each home occupation shall be permitted, but shall not be closer than fifteen (15) feet to any property line or street right-of-way, shall not project higher than three (3) feet above ground level, and shall not exceed two (2) square feet in area.

For home occupations/businesses in the RA Zoning District, one (1) identification sign shall be permitted, and shall not exceed ten (10) feet in height and twenty (20) square feet per display surface, nor shall it be closer than fifteen (15) feet to any property line or street right of way. These signs must be independently freestanding signs (not attached to a tree or other living plant material, utility pole, or building), shall not be located in the right-of-way, shall be located so as not to infringe upon proper sight distance for traffic, and illumination shall be restricted to indirect white.

- (f) No other signs are permitted.

EXHIBIT "A-3"

Table XX.1: TOTAL ALLOWABLE SIGN AREA TABLE

Zoning District	Total Allowable Sign Area ¹ (Square feet per Lineal Foot of Building Wall Facing the Street)
All Residential and Agricultural Districts	One-Half (1/2) square foot
CN, Neighborhood Commercial District Shopping Center Sign	One (1) square foot One-half (1/2) square foot
CR, Rural Commercial District Shopping Center Sign	One (1) square foot One-half (1/2) square foot
CH, Highway Commercial District Shopping Center Sign	One (1) square foot One-half (1/2) square foot
IL and IH, Light and Heavy Industrial Districts	One (1) square foot

¹ Including all freestanding and wall signs. Five or more wall signs including displayed on or through facade windows, reduce the allowable sign area by twenty (20) percent per wall sign over four (not including CR Zoning District).

Table XX.2: DIMENSIONAL REQUIREMENTS FOR FREESTANDING SIGNS

Zoning Districts	Setbacks Property Lines	From Streets ¹	Maximum Height	Maximum Area
Residential and Agricultural Districts ²				
Pole Sign ³	15 feet	15 feet	20 feet	25 sq ft
Monument Sign	15 feet	15 feet	4 feet	20 sq ft
Mobile Home Park Sign	15 feet	15 feet	4 feet	20 sq ft
Campground Sign	15 feet	15 feet	4 feet	20 sq ft
Home Occupations	15 feet	15 feet	3 feet	2 sq ft
RA and HA, Rural Agricultural and Historic Agricultural Districts				
Pole Sign ⁴	15 feet	15 feet	20 feet	25 sq ft
Monument Sign	15 feet	15 feet	4 feet	20 sq ft
Mobile Home Parks	15 feet	15 feet	4 feet	20 sq ft
Campgrounds	15 feet	15 feet	4 feet	20 sq ft
Home Occupations/Business	15 feet	15 feet	10 feet	20 sq ft
Freestanding Sign ⁵ (2 nd off-premise, single bus) ⁶	None None	None None	6 feet 6 feet	16 sq ft 16 sq ft
CN, Neighborhood Commercial District				
Pole Sign	15 feet	10 feet	20 feet	25 sq ft
Monument Sign	15 feet	15 feet	4 feet	32 sq ft
Not Primary Entrance ⁷	20 feet	20 feet	6 feet	32 sq ft
Shopping Center Sign – 1 ⁸	30 feet	20 feet	20 feet	100 sq ft
Shopping Center Sign – 2 ⁹	30 feet	50 feet	20 feet	150 sq ft
Shopping Center Sign – 3 ¹⁰	30 feet	100 feet	20 feet	200 sq ft

¹ Street rights-of-way.

² Not including the RA Zoning District.

³ Nonresidential and noninstitutional uses only. Wall sign may be used in lieu of freestanding sign.

⁴ Nonresidential and noninstitutional uses only. Wall sign may be used in lieu of freestanding sign.

⁵ Off-premise advertising, single business.

⁶ For lots of five (5) acres or more in size and having a street frontage greater than four hundred (400) feet.

⁷ With a front yard depth of at least fifty (50) feet.

⁸ In a shopping center.

⁹ With minimum setbacks and minimum size.

¹⁰ With at least a fifty (50) foot setback and medium size allowed.

Table XX.2: DIMENSIONAL REQUIREMENTS FOR FREESTANDING SIGNS, cont'

Zoning Districts	Setbacks Property Lines	From Streets ¹	Maximum Height	Maximum Area
CR, Rural Commercial District				
Pole Sign	15 feet	10 feet	30 feet	36 sq ft
Monument Sign	15 feet	10 feet	4 feet	32 sq ft
Not Primary Entrance ¹¹	30 feet	20 feet	6 feet	32 sq ft
Shopping Center Sign – 1 ¹²	30 feet	20 feet	20 feet	100 sq ft
Shopping Center Sign – 2 ¹³	30 feet	50 feet	20 feet	150 sq ft
Shopping Center Sign – 3 ¹⁴	30 feet	100 feet	20 feet	200 sq ft
IL, Light Industrial District				
Pole Sign	30 feet	30 feet	20 feet	50 sq ft
Monument Sign – 1 ¹⁵	30 feet	20 feet	6 feet	32 sq ft
Monument Sign – 2 ¹⁶	30 feet	100 feet	10 feet	50 sq ft
Industrial Park Sign	30 feet	20 feet	10 feet	50 sq ft
Not Primary Entrance ¹⁷	30 feet	20 feet	6 feet	32 sq ft
Billboard Sign	30 feet	30 feet	30 feet ¹⁸	250 sq ft

Zoning Districts	Setbacks Property Lines	From Streets	Maximum Height	Maximum Area
IH, Heavy Industrial District				
Pole Sign	30 feet	30 feet	20 feet	50 sq ft
Monument Sign – 1 ¹⁹	30 feet	20 feet	6 feet	32 sq ft
Monument Sign – 2 ²⁰	30 feet	100 feet	10 feet	50 sq ft
Industrial Park Sign	30 feet	20 feet	10 feet	50 sq ft
Not Primary Entrance ²¹	30 feet	20 feet	6 feet	32 sq ft
Billboard Sign	30 feet	30 feet	30 feet ²²	250 sq ft

- ¹ Street rights-of-way.
- ¹¹ In a shopping center.
- ¹² With minimum setbacks and minimum size.
- ¹³ With at least a fifty (50) foot setback and medium size allowed.
- ¹⁴ With over a one hundred (100) foot setback and largest size allowed.
- ¹⁵ With minimum setbacks and minimum size.
- ¹⁶ With over a one hundred (100) foot setback and largest size allowed.
- ¹⁷ In an industrial park.
- ¹⁸ Above ground level or street level, whichever is lower.
- ¹⁹ With minimum setbacks and minimum size.
- ²⁰ With over a one hundred (100) foot setback and largest size allowed.
- ²¹ In an industrial park.
- ²² Above ground level or street level, whichever is lower.

Chairman Hobbs asked if there were any further questions or comments from the Board or the public. There being none, the Chairman closed the Public Hearings at 7:00 p.m.

AGENDA

The Agenda, as amended, was unanimously approved on motion made by Mack E. Nixon, seconded by Tammy Miller-White.

CONSENT AGENDA

Commissioner Cole asked that the Approval of Minutes be removed from the Consent Agenda. On motion made by Janice McKenzie Cole, seconded by Edward R. Muzzulin, the Board unanimously approved the Consent Agenda, less the Approval of Minutes:

2. Approval of Tax Releases:

PERQUIMANS COUNTY TAX RELEASES:

- > **Chapley, Thomas W.** \$115.30
Vehicle sold and plates turned in; 11 month release. Account Number: 8072221.
- > **Turner, Arthur** \$144.74
Vehicle totaled and tag turned in; 9 month release. Account Number: 8077974.

3. Budget Amendment:

**BUDGET AMENDMENT NO. 12
GENERAL FUND**

CODE NUMBER	DESCRIPTION OF CODE	AMOUNT	
		INCREASE	DECREASE
10-348-000	State Grants - DSS	18,056	
10-610-192	CRISIS Intervention	18,056	
EXPLANATION: To budget additional funds received from State for CRISIS for FY 2010-2011.			

4. Resolution: The following Resolution was presented for approval:

RESOLUTION OF SUPPORT

WHEREAS, Albemarle RC&D Council, Inc. is a local non-profit tax exempt charity serving the Albemarle region which includes Perquimans County, and

WHEREAS, Albemarle RC&D Council, Inc. has a mission to promote environmental quality and conservation while working to ensure sustained economic development, and

WHEREAS, Albemarle RC&D Council, Inc. has completed over 89 region-wide projects and 63 projects within our County since 1972 benefitting the citizens in the Perquimans County service area, and

WHEREAS, Albemarle RC&D Council, Inc. is committed to continuing to serve the citizens in the Perquimans County service area, and

WHEREAS, All programs and services of Albemarle RC&D Council, Inc. are offered on a non-discriminatory basis, without regard to race, color, national origin, religion, sex, sexual orientation, age, marital or family status, disability or political beliefs.

BE IT RESOLVED that we, the Perquimans County Commissioners fully support Albemarle RC&D Council, Inc. and the work this organization does to make our communities better places in which to live and work.

BE IT FURTHER RESOLVED that this resolution be spread upon the Meeting Minutes of the Perquimans County Board of Commissioners as a permanent record of the achievements of Albemarle RC&D Council, Inc.

Benjamin C. Hobbs, Chairman
Perquimans County Board of Commissioners

ATTEST:

Mary P. Hunnicutt, Clerk to the Board

APPROVAL OF MINUTES: JANUARY 3, 2011 REGULAR MEETING

Janice McKenzie Cole asked about the Board Appointments on page 2411 of the January 3, 2011 Regular Meeting Minutes. She said that her appointment to the Inter-Agency Council was listed twice with different appointment and expiration dates. After clarifying the matter, Janice McKenzie Cole made a motion to approve the January 3, 2011 regular Meeting Minutes as follows:

Name	Board/Committee	Term	Appt.	Expire
Cole, Janice	Communications Advisory Board - County	2 yrs.	02/01/2011	01/31/2013
Cole, Janice	Chowan/Perquimans Multi-County LEPC	1 yr.	08/01/2010	07/31/2011
Cole, Janice	Senior Citizens Advisory Board	2 yrs.	02/01/2011	01/31/2013
Cole, Janice M. (Chairman)	Strategic Plan Committee	unlimited	04/06/2009	unlimited
Cole, Janice McKenzie	Board Trustees for Belvidere/Chappell Hill Fire Dept.	1 yr.	10/01/2010	09/30/2011
Cole, Janice McKenzie	Court Security Committee	unlimited	10/1/2006	unlimited
<i>Cole, Janice (complete term)</i>	<i>Inter-Agency Council - Commissioner Appointment</i>	<i>1 yr.</i>	<i>7/1/2010</i>	<i>6/30/2011*</i>

The motion was seconded by Tammy Miller-White and unanimously approved by the Board.

ROY WILSON & PATTY JOYNER, EAST CAROLINA BEHAVIORAL HEALTH (ECBH)

Mr. Wilson introduced Ms. Joyner and thanked the Board's participation and support of ECBH. Ms. Joyner presented the December, 2010 Quarterly Fiscal Monitoring Report. The Board asked the following questions:

- **Mack Nixon:** Mr. Nixon asked about how far behind is the billing for provider services. It shows that you have expended \$21,429,492 as of December 31, 2010. Ms. Joyner said that the providers are paid within two weeks of ECBH receiving the bill. He asked if there was a seasonal thing about the billing. Ms. Joyner said that it isn't and that they are trying to improve this.
- **Ms. Joyner:** Ms. Joyner explained that, in Perquimans County, ECBH has a Wilson Grant to the School System in the amount of \$77,000 to provide school-based mental health services. They also support ACT which is Act Teen which helps with crisis services. They are also in the process of planning two camps at the 4-H Center in Columbia and other services. The services will be in Pasquotank County and Dare County but will serve the entire region.
- **Tammy Miller-White:** Ms. White asked about the amount provided for ACT services. Ms. Joyner did not have that total but would get that information for her. She further asked if this is a regional program too. Ms. Joyner said that it was handled through RESTART which is a provider here and that it probably is not regional. Ms. Joyner said that their Requests for Proposals have just been approved.
- **Janice McKenzie Cole:** Ms. Cole asked how many providers they had in Perquimans County. Ms. Joyner said that she would have to get that figure for her.
- **Mack Nixon:** Mr. Nixon asked how many employees ECBH has. Ms. Joyner said they had about 90 employees. He also asked if ECBH gets any kind of Medicaid cost settlement. Ms. Joyner said that they do not that it all goes to the providers.
- **Benjamin Hobbs:** Mr. Hobbs explained that Mr. Wilson is going to arrange for the Commissioners to take a tour of the Mental Health Building in Perquimans County. Mr. Hobbs will let the Board know when all the details have been worked out. The Board also discussed if there were any providers in that building and if they pay any rent. Mr. Wilson said that there were a couple that were using it but that they work with them in order to provide services to the small counties. They do not pay any rent.
- **Sue Weimar:** Ms. Weimar explained that the College of the Albemarle (COA) entitled Computer & More that allows for mentally challenged adults who can come to the college to teach them basic skills. She thinks that this program has been running for about 20 years. The College has now been notified by ECBH that the program is cancelled because it is double dipping. Ms. Weimar said that it isn't double dipping because the College does not charge for their services. She asked Mr. Wilson and Ms. Joyner to research this and let her know why the program was cancelled. Mr. Wilson said that he would be happy to do that.

SUSAN CHANEY, SOCIAL SERVICES DEPARTMENT

Ms. Chaney presented her monthly report.

UPDATES

In County Manager Darden's absence, Chairman Hobbs updated the Board on the following projects:

Water System Projects: Mr. Hobbs reported that the Winfall Water Treatment Plant Renovations are 100% completed. Pasquotank County is now asking that a small committee be set up with both entities to discuss our concerns about the RO Plant Agreement.

Jail Project: Commissioner Muzzulin read his report from the Albemarle District Jail meeting. Commissioner Miller-White would like to get a copy of the Financial Report so that the Board could review them at the next Work Session. Commissioner Nixon also inquired about the one-page report that the Commissioners use to receive. Mr. Muzzulin will check into this. Commissioner Miller-White also asked about how individuals who are arrested end up back on the street in about a week. She was wondering if the understaffing of Albemarle District Jail was the reason for this. County Attorney Crowe and Commissioner Cole addressed her question. Commissioner Miller-White also asked about the projection of costs for Perquimans County for the end of this fiscal year.

LANGUAGE ACCESS PLAN (CDBG)

Chairman Hobbs presented the Language Access Plan for the CDBG Funds and explained that in order to receive current or future funding, the County would need to adopt this plan. Janice McKenzie Cole made a motion to approve the Language Access Plan and Tammy Miller-White seconded the motion. On page 2 of the plan, Commissioner Cole said that a sign should be placed in the Perquimans County Health Department and asked that this be added. Commissioner Miller-White asked if there were any additional costs. Chairman Hobbs said that Mr. Darden had said that this would be paid out of the CDBG funding. Commissioner Nixon said that he thought that there was a sign at the Health Department. The Board asked if there was a sign at the Courthouse. Mary Hunnicutt said that she did not think it was. After some discussion, the following Language Access Plan was approved by the Board by a vote of five (5) to one (1) with Commissioner Nixon voting against the Plan:

Language Access Plan
4-1

PERQUIMANS COUNTY

The purpose of this Policy and Plan is to ensure compliance with Title VI of the Civil Rights Act of 1964, and other applicable federal and state laws and their implementing regulations with respect to persons with limited English proficiency (LEP). Title VI of the Civil Rights Act of 1964 prohibits discrimination based on the ground of race, color or national origin by any entity receiving federal financial assistance. Administrative methods or procedures, which have the effect of subjecting individuals to discrimination or defeating the objectives of these regulations, are prohibited.

In order to avoid discrimination on the grounds of national origin, all programs or activities administered by the County of Perquimans must take adequate steps to ensure that their policies and procedures do not deny or have the effect of denying LEP individuals with equal access to benefits and services for which such persons qualify. This Policy defines the responsibilities the agency has to ensure LEP individuals can communicate effectively.

This policy and plan is effective February 7, 2011.

I. Scope of Policy

These requirements will apply to the County of Perquimans (**herein referred to as "the agency"**) including subcontractors, vendors, and subrecipients.

The agency will ensure that LEP individuals are provided meaningful access to benefits and services provided through contractors or service providers receiving subgrants from the agency.

II. Definitions

- A. Limited English Proficient (LEP) individual – Any prospective, potential, or actual recipient of benefits or services from the agency who cannot speak, read, write or understand the English language at a level that permits them to interact effectively with health care providers and social service agencies.
- B. Vital Documents – These forms include, but are not limited to, applications, consent forms, all compliance plans, bid documents, fair housing information, citizen participation plans, letters containing important information regarding participation in a program; notices pertaining to the reduction, denial, or termination of services or benefits, the right to appeal such actions, or that require a response from beneficiary notices advising LEP persons of the availability of free language assistance, and other outreach materials.
- C. Title VI Compliance Officer: The person or persons responsible for compliance with the Title VI LEP policies.
- D. Substantial number of LEP: 5% or 1,000 people, whichever is smaller, are potential applicants or recipients of the agency and speak a primary language other than English and have limited English proficiency.

III. Providing Notice to LEP Individuals

- A. The agency will take appropriate steps to inform all applicants, recipients, community organizations, and other interested persons, including those whose primary language is other than English, of the provisions of this policy. Such notification will also identify the name, office telephone number, and office address of the Title VI compliance officer(s).

List the current name, office telephone number and office address of the Title VI compliance officers:

Bobby Darden
P.O. Box 45
128 North Church Street

Hertford, NC 27944
252-426-8484

(Note: The agency must notify the DCA compliance office immediately of changes in name or contact information for the Title VI compliance officer.)

- B. The agency will post and maintain signs in regularly encountered languages other than English in waiting rooms, reception areas and other initial points of contact. These signs will inform applicants and beneficiaries of their right to free language assistance services and invite them to identify themselves as persons needing such services.

Identify areas within the agency where these signs will be posted:

County Manager's Office, Town of Hertford Town Office, Town of Winfall Town Office, Perquimans County Tax Office, Perquimans County Library, Perquimans County Department of Social Services, Perquimans County Health Department

- C. The agency will include statements of the right to free language assistance in Spanish and other significant languages in all outreach material that is routinely disseminated to the public (including electronic text).
- D. The agency will also disseminate information in the following manner:

Information will be disseminated by the use of pamphlets explaining the rights in this policy indicating compliance with Title VI of the Civil Rights Act of 1964, and other applicable federal and state laws and their implementing regulations with respect to persons with limited English proficiency (LEP).

IV. Provision of Services to LEP Applicants/Recipients

A. Assessing Linguistic Needs of Potential Applicants and Recipients

1. The agency will assess the language needs of the population to be served, by identifying:
 - a. the language needs of each LEP applicant/recipient
 - b. the points of contact where language assistance is needed; and
 - c. the resources needed to provide effective language assistance, including location, availability and arrangements necessary for timely use.
 - d. Other (*describe*):

2. Determining the Language Needs of the Population to be Served

The agency is responsible for assessing the needs of the population to be served. Such assessment will include, but not be limited to the following:

- a. The non-English languages that are likely to be encountered in its program will be identified.
 - b. An estimate of the number of people in the community for whom English is not the primary language used for communication will be completed and updated annually. To identify the languages and number of LEP individuals local entities should review:
 - i. census data
 - ii. school system data
 - iii. reports from federal, state, and local governments
 - iv. community agencies' information, and
 - v. data from client files
 - vi. Other (*specify*):
 - c. The points of contact in the program or activity where language assistance is likely to be needed will be identified.
- ##### 3. Determining the Language Needs of Each Applicant/Recipient

The agency will determine the language needs of each applicant/recipient. Such assessment will include, but not be limited to the following:

- a. At the first point of contact, each applicant/recipient will be assessed to determine the individual's primary language.

Check all methods that will be used:

 - multi-language identification cards, a poster-size language list, or the use of "I speak" peel-off language identification cards for indicating preferred languages
 - English proficiency assessment tools, provided they can be administered in a manner that is sensitive to and respectful of individual dignity and privacy
 - Other (describe):
- b. If the LEP person does not speak or read any of these languages, the agency will use a telephone interpreting service to identify the client's primary language.
- c. Staff will not solely rely on their own assessment of the applicant or recipient's English proficiency in determining the need for an interpreter. If an individual requests an interpreter, an interpreter will be provided free of charge. A declaration of the client will be used to establish the client's primary language.
- d. When staff place or receive a telephone call and cannot determine what language the other person on the line is speaking, a telephone interpreting service will be utilized in making the determination.
- e. If any applicant/recipient is assessed as LEP, they will be informed of interpreter availability and their right to have a language interpreter at no cost to them with a notice in writing in the languages identified in Section C. Provisions of Written Translations.

B. Provision of Bilingual/Interpretive Services

1. The agency will ensure that effective bilingual/interpretive services are provided to serve the needs of the non-English speaking population. The provision of bilingual/interpretive services will be prompt without undue delays. In most circumstances, this requires language services to be available during all operating hours.

This requirement will be met by:

Perquimans County has no bilingual staff. The Department of Social Services has a bilingual person on contract or retainer as needed

2. The agency will provide language assistance at all level of interaction with LEP individuals, including telephone interactions.

Describe how this requirement will be met:

Perquimans County has no bilingual staff. The Department of Social Services has a bilingual person on contract or retainer as needed. The contracted Project Administrator's Assistant for the CDBG Scattered Site Project is bilingual and has agreed to make herself available to the County if necessary. Additionally, the County will rely on telephone interpreter services if needed.

3. Interpreter Standards

- a. Those providing bilingual/interpretive services will meet the linguistic and cultural competency standards set forth below. The agency will ensure that interpreters and self-identified bilingual staff, have first been screened to ensure that the following standards are met before being used for interpreter services:

- i. Can fluently and effectively communicate in both English and the primary language of the LEP individual
- ii. Can accurately and impartially interpret to and from such languages and English
- iii. Has a basic knowledge of specialized terms and concepts used frequently in the provision of the agency's services
- iv. Demonstrates cultural competency
- v. Understands the obligation to maintain confidentiality
- vi. Understands the roles of interpreters and the ethics associated with being an interpreter

Describe how the agency ensures the competency of bilingual staff and interpreters:

Since we have no bilingual staff, Perquimans County will rely on telephone interpreter services, if necessary and the Department of Social Services have a bilingual person on contract or retainer as needed.

- b. When staff members have reason to believe that an interpreter is not qualified or properly trained to serve as an interpreter, the staff member will request another interpreter.

4. Using Family Members or Friends as Interpreters
 - a. Applicants/recipients may provide their own interpreter; however the agency will not require them to do so.
 - b. The agency will first inform an LEP person, in the primary language of the LEP person, of the right to free interpreter services and the potential problems for ineffective communication. If the LEP person declines such services and requests the use of a family member or friend, the agency may utilize the family member or friend to interpret only if the use of such person would not compromise the effectiveness of services or violate the LEP person's confidentiality. The agency will monitor these interactions and again offer interpreter services, if it appears there are problems with this arrangement.
 - c. The agency will indicate in the LEP individual's file that an offer of interpreter services was made and rejected; that the individual was informed of potential problems associated with using friends or family members and the name of the person serving as an interpreter at the LEP individual's request.
 - d. Only under extenuating circumstances shall the agency allow a minor (under the age of 18 years) to temporarily act as an interpreter. The agency will keep a written record of when it has used a minor as an interpreter, and this information will be shared with the DCA upon request.
 5. The agency will **not** require the applicant/recipient to pay for bilingual/interpretive services.
- C. Provision of Written Translations
1. The agency must provide written materials in languages other than English where a substantial number or percentage of the population eligible to be served or likely to be directly affected by the program needs services or information in a language other than English to communicate effectively.
 2. Translation of Vital Documents
 - a. The agency will ensure that vital documents for locally designed programs are translated into Spanish.
 - b. When DCA forms and other written material contain spaces in which the local entity is to insert information, this inserted information will also be in the individual's primary language. When such forms are completed by applicants/recipients in their primary language, the information must be accepted.
 - c. If, as a result of the local language assessment, it appears there are a substantial number of potential applicants or recipients of the agency (defined as 5% or 1,000 people whichever is less) who are LEP and speak a language other than Spanish, the agency will translate and provide vital documents in the appropriate language.
 - d. The agency will keep a record of all vital documents translated, and will submit this information to DCA at their request.
 3. If the primary language of an LEP applicant or recipient is a language other than Spanish AND the language does not meet the threshold for translation as defined in the preceding paragraph, the LEP individual will be informed in their own language of the right to oral translation of written notices. The notification will include, in the primary language of the applicant/recipient, the following language: **IMPORTANT: IF YOU NEED HELP IN READING THIS, ASK THE AGENCY FOR AN INTERPRETER TO HELP. AN INTERPRETER IS AVAILABLE FREE OF CHARGE.**
- D. Documentation of Applicant/Recipient Case Records
1. The agency will maintain case record documentation in sufficient detail to permit a reviewer to determine the agency's compliance with this policy.
 2. The agency will ensure that case record documentation, including computerized records if appropriate, identifies the applicants/recipient's ethnic origin and primary language. In those cases where the applicant/recipient is non-English speaking, the agency will:
 - a. Document the individual's acceptance or refusal of forms or other written materials offered in the individual's primary language.
 - b. Document the method used to provide bilingual services, e.g., assigned worker is bilingual, other bilingual employee acted as interpreter, volunteer interpreter was used, or client provided interpreter. When a minor is used as interpreter, the agency will document the circumstances requiring temporary use of a minor and will provide this information to DCA upon request.
 3. Consent for the release of information will be obtained from applicants/recipients when individuals other than agency employees are used as interpreters and the case record will be so documented.
- E. Staff Development and Training
1. The agency will provide staff training at new employee orientation and continuing training programs. The training will include, but not be limited to:
 - a. Language assistance policies and procedures, resources available to support such procedures, methods of effective use of interpreters, and familiarization with the discrimination complaint process.
 - b. Cultural awareness information, including specific cultural characteristics of the groups served by the agency to provide a better understanding of, and sensitivity to, the various cultural groups to ensure equal delivery of services.
 2. The agency will provide or ensure training is provided for bilingual staff and interpreters employed or utilized by the agency. This includes the ethics of interpreting, including confidentiality; methods of interpreting; orientation to the organization; specialized terminology used by the agency; and cultural competency.
 3. The agency will ensure that applicable grantees, contractors, cooperative agreement recipients and other entities receiving state or federal dollars are trained in the requirements of this policy.
Describe how this provision will be met: On a case by case basis
 4. The agency will collect and maintain the following information about training provided to staff: the date(s) of such training, the content of such training, the number and types of credit hours awarded; and the names and identifying information of each attendee at the training. The agency will ensure that grantees, contractors, cooperative agreement recipients and other applicable funded entities collect and maintain such information as well.
- V. Compliance Procedures, Reporting and Monitoring
- A. Reporting
1. The agency will complete an annual compliance report and send this report to DCA. (Format will be supplied by DCA)
- B. Monitoring
1. The agency will complete a self-monitoring report on a quarterly basis, using a standardized reporting system providing by the DCA. These reports will be maintained and stored by the Title VI compliance officer and will be provided to the DCA upon request.
 2. The agency will cooperate, when requested, with special review by the DCA .
- VI. Applicant/Recipient Complaints of Discriminatory Treatment
- A. Complaints
1. The agency will provide assistance to LEP individuals who do not speak or write in English if they indicate that they would like to file a complaint. A complaint will be filed in writing, contain the name and address of the person filing it or his/her designee and briefly describe the alleged violation of this policy.
 2. The agency will maintain records of any complaints filed, the date of filing, actions taken and resolution.
 3. The agency will notify the appropriate agency or Division within DCA of complaints filed the date of filing, actions taken and resolution. This information will be provided within 30 days of resolution.
- B. Investigation

1. The DCA Compliance Office will conduct an investigation of the allegations of the complaint. The investigation will afford all interested persons and their representatives, if any, an opportunity to submit evidence relevant to the complaint.
 2. The investigation will not exceed 30 days, absent a 15-day extension for extenuating circumstances.
- C. Resolution of Matters
1. If the investigation indicates a failure to comply with the Act, the local unit of government, agency Director or his/her designee will so inform the recipient and the matter will be resolved by informal means whenever possible within 60 days.
 2. If the matter cannot be resolved by informal means, then the individual will be informed of his or her right to appeal further to the Department of Justice. This notice will be provided in the primary language of the individual with Limited English Proficiency.
 3. If not resolved by DCA, then complaint will be forwarded to DOJ, HUD Field Office.

SUBMITTED AND APPROVED BY:

Benjamin C. Hobbs, Chairman
Perquimans County Board of Commissioners

February 7, 2011
Date

APPOINTMENT: SELECTIVE SERVICE BOARD

On motion made by Mack E. Nixon, seconded by Tammy Miller-White, the Board unanimously approved the appointment of Bradford Keith Frierson to the Selective Service Board effective as soon as the approval process has been done and serve as long as he desires with a maximum term of 20 years.

RESOLUTION: PERQUIMANS COUNTY JUVENILE DETENTION CENTER

Since we have received notification from the State that they are not planning to close the Perquimans County Juvenile Detention Center, the Board took no action on this matter.

HIGH SCHOOL ELECTRIC BILL

Chairman Hobbs explained that a settlement has been made for the approximate \$258,000 under billing for the high school. The recommendation from the negotiating teams is that the County agrees to pay \$195,000. At their meeting, the Commissioners stressed that the schools would have started implementing energy savings earlier had the town properly billed them from the start, and therefore, the amount owed would be less than \$258,000. By implementing energy saving measures, the schools have already reduced their monthly bill by about \$4,500 per month during this 14-month period. The total savings would be \$63,000. \$258,000 less the \$63,000 would equal \$195,000. The Hertford Town Council is scheduled to officially accept this proposal at their meeting on February 14th. On motion made by Janice McKenzie Cole, seconded by Tammy Miller-White, the Board agreed to pay the \$195,000 and approved the following Budget Amendment to cover this non-budgeted expense:

**BUDGET AMENDMENT NO. 13
GENERAL FUND**

CODE NUMBER	DESCRIPTION OF CODE	AMOUNT	
		INCREASE	DECREASE
10-399-000	Fund Balance	195,000	
10-500-132	High School Utility - One-Time Expense	195,000	
EXPLANATION: To budget one-time utility expense to the Town of Hertford for the Perquimans County High School under billing.			

PLANNING BOARD ITEMS

Donna Godfrey, County Planner, presented the following items for Board action:

Conditional Use Permit No. CUP-10-04 – Takia Wiggins: A Public Hearing was held earlier in the meeting. Mack E. Nixon made a motion to approve Takia Wiggins’ proposed Conditional Use Permit No. CUP-10-04 to operate a Childcare Center at 154 Old US Highway 17 Road (between US Highway 17 North (Ocean Highway) and Body Road (State Road 1305) and known as Tax Parcel Nos. 4-0036-0153, subject to the conditions listed in said Conditional Use Permit, Narrative and Site Plan and with any additions, deletions and/or revisions as noted herein, adopting Findings to support the motion:

- 1) That the CUP will not materially endanger the public health or safety, if located according to the plan submitted and approved;
- 2) That the use meets all required conditions and specifications;
- 3) That the use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity; and
- 4) That the location and character of the use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located and in general conformity with the Perquimans County Land Use Plan.

The motion was seconded by Tammy Miller-White and unanimously approved by the Board.

Administrative Text Amendment No. TXT-10-10 – Article XX: A Public Hearing was held earlier in the meeting. Considering the following Policy Guidelines to support the motion, Sue Weimar made a motion to approve Administrative Text Amendment No. TXT-10-10 to amend Article XX of the County’s Zoning Ordinance to increase the height, display area and building setback for Monument Signs for schools, churches, hospitals, government buildings and other institutions and to correct typographical errors and to reformat tables.

- 1) The proposal will place all property similarly situated in the same category or in appropriate complementary categories.
- 2) There is convincing demonstration that all uses permitted under the proposed district classification would be in the general public interest and not merely in the interest of an individual or small group.
- 3) There is convincing demonstration that all uses permitted under the proposed district classification would be appropriate in the area included in the proposed change. (*When a new district designation is assigned, any use permitted in the district is allowable, so long as it meets district requirements and not merely uses which applicants state that they intend to make the property involved.*)
- 4) There is convincing demonstration that the character of the neighborhood will not be materially or adversely affected by any use permitted in the proposed change.
- 5) The proposed change is in accord with the Land Use Plan and sound planning principles.

The motion was seconded by Edward R. Muzzulin and Ordinance No. 75 (See Attachment A) was unanimously approved by the Board.

BOARD APPOINTMENTS

Northeast Workforce Development Board:

On motion made by Tammy Miller-White, seconded by Edward R. Muzzulin, the Board unanimously approved the recommendation of the Perquimans County Chamber of Commerce to appoint Joanne Jones as the Perquimans County private sector representative and Zach Bray as the Consortium’s appointee to the Northeast Workforce Development Board. In

addition, the Board requested that the Northeast Workforce Development Board provide written or oral quarterly reports to the Commissioners and at least one oral presentation.

Chamber of Commerce Board:

Due to a conflict in schedule, Commissioner Weimar has requested that she be replaced as an ex-officio member on the Chamber of Commerce Board. Chairman Hobbs explained that Edward R. Muzzulin has agreed to serve on this Board. On motion made by Mack E. Nixon, seconded by Sue Weimar, the Board unanimously approved the appointment of Edward R. Muzzulin to the Chamber of Commerce Board effective immediately and continuing as long as he is a Commissioner.

NCDOT DISTRICT ONE REPRESENTATIVE TO THE N.C. BOARD OF TRANSPORTATION

Chairman Hobbs notified the Board that there are several individuals that are seeking this position. The Board took no action at this time.

SURPLUS VEHICLES

On motion made by Mack E. Nixon, seconded by Sue Weimar, the following vehicles were deemed surplus and authorized County Manager Darden to advertise for sale:

YEAR	MAKE	MODEL	VIN #	Mileage	SERIAL #	DEPARTMENT
1978	Reid	Backhoe Trailer	8051		788051	Water Dist.
1999	Ford	F-150 Pickup	1FTZF1727XNB01584	146,115		Water Plant
2002	Ford	F-150 Pickup	1FTRF1725NB72484	185,071		Water Dist.
2004	Ford	Explorer	1FMZU72K34UA24080	152,250		Emer. Mgmt
2004	Ford	Crown Victoria	2FAFP71W74X100420	188,062		Sheriff
2001	Ford	Crown Victoria	2FAFP71W21X113779	150,000		Sheriff
2003	Mercury	Sable	1MEFM50U23A623812	97,000		Sheriff
2005	Nissan	Maxima	1N4BA41E65C841209	123,267		Sheriff

N.C. NORTHEAST STATE OF THE REGION MEETING

The Commissioners have been invited to the N.C. Northeast State of the Region Meeting on February 25th at 9:00 a.m. in Williamston, NC. County Manager Darden has reserved the Senior van to transport the Commissioners to Williamston. Registrations need to be in by February 18th. All the Commissioners, except Janice McKenzie Cole, said that they would be going. Ms. Cole will let Mary Hunnicutt know before February 18th.

RESOLUTION: AMENDMENT TO N.C.G.S. 136-44.27 NORTH CAROLINA ELDERLY & DISABLED TRANSPORTATION ASSISTANCE PROGRAM

Chairman Hobbs explained that the Commissioners have been asked to support Albemarle Regional Health Services d/b/a Inter-County Public Transportation Authority efforts to seek Legislation to amend N.C.G.S 136-44.27 North Carolina Elderly and Disabled Transportation Assistance Program. He recognized Commissioner Nixon who explained this request further. On motion made by Sue Weimar, seconded by Mack E. Nixon, the Board unanimously approved the following Resolution:

Resolution for Albemarle Regional Health Services d/b/a Inter-County Public Transportation Authority to seek Legislation to amend N.C.G.S 136-44.27 North Carolina Elderly and Disabled Transportation Assistance Program

A motion was made by Sue Weimar and seconded by Mack E. Nixon for the adoption of the following resolution, and upon being put to a vote was duly adopted.

WHEREAS, Albemarle Regional Health Services d/b/a Inter-County Public Transportation Authority is a Public Transportation Authority created under N.C.G.S 160-575, which serves the counties of Chowan, Perquimans, Pasquotank, Camden, and Currituck.

WHEREAS, this amendment will, by local resolution, allow the member counties of a Regional Public Transportation Authority created under N.C.G.S 160-575 to apply for the county's Elderly & Disabled Transportation Assistance Program funding regionally through the Regional Public Transportation Authority and combine the funding to seamlessly serve the entire region.

WHEREAS, by assuming the responsibility of completing the grant application, directly receiving, and reporting on this funding regionally, the Regional Public Transportation Authority created under N.C.G.S 160-575 will assume all fiduciary, reporting, public notification, and audit requirements associated with the N.C.G.S 136-44.27.

WHEREAS, the purpose is to amend N.C.G.S 136-44.27 North Carolina Elderly and Disabled Transportation Assistance Program to accomplish the following objectives:

- ✓ Reduce the number of Rural Operating Assistance Program (ROAP) accounts ARHS-ICPTA manages from thirty (30) down to six (6).
- ✓ Allow a Regional Public Transportation Authority created under N.C.G.S 160-575 to leverage the region's current EDTAP allocation against the FTA Section 5310 Grant for Elderly Individuals and Individuals with Disabilities created under SAFETEA-LU, which is a 50/50 grant.
- ✓ Reduce the number of grant applications and reports NCDOT will have to review concerning North Carolina's ROAP program.

NOW, THEREFORE, be it resolved; that Albemarle Regional Health Services d/b/a Inter-County Public Transportation Authority will seek Legislation to amend N.C.G.S 136-44.27 North Carolina Elderly and Disabled Transportation Assistance Program.

I, Benjamin C. Hobbs do hereby certify that the above is a true and correct copy of an excerpt from the minutes of a meeting of the Perquimans County Board of Commissioners duly held on the 7th day of February, 2011.

Signature of the Chair of Perquimans County Board of Commissioners.

Subscribed and sworn to me (date) _____

Notary

Address

My Commission Expires (date) _____

AUDIT CONTRACT

A copy of the Audit Contract with Douglas A. Hollowell, P.C. to prepare the audit for FY 2010-2011 was included in the Commissioners' Agenda Packet along with a letter from Sharon S. Ward, Finance Officer recommending the award of this contract. The cost is \$19,000 for the audit and \$5,000 for the annual financial statements. On motion made by Mack E. Nixon, seconded by Edward R. Muzzulin, the Board unanimously approved the Audit Contract with Douglas A. Hollowell, P.C. for FY 2010-2011 Audit.

PUBLIC COMMENTS

Their being no comments from the public, Chairman Hobbs proceeded with adjourning the meeting.

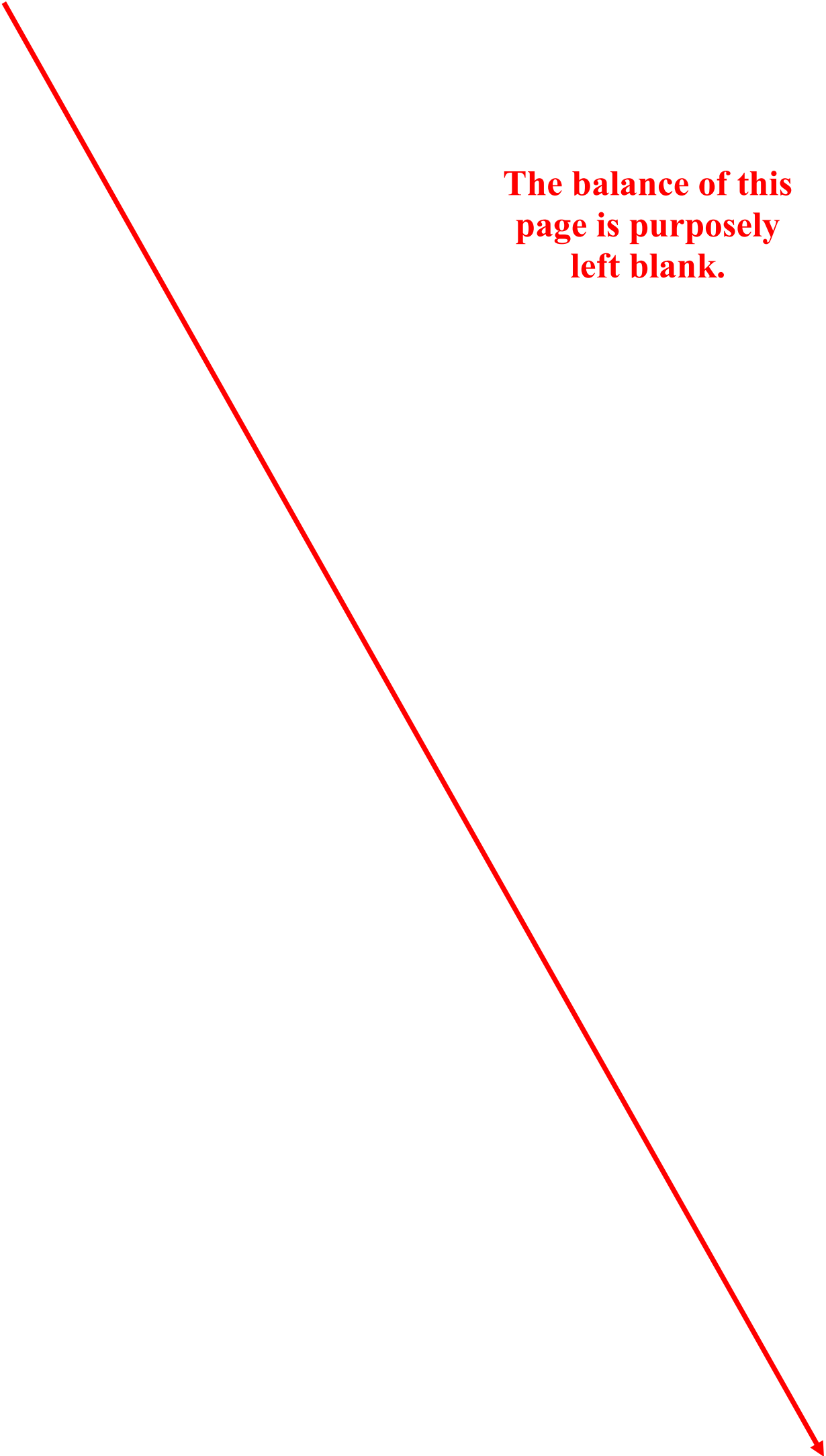
ADJOURNMENT

There being no further business to discuss, the Regular Meeting was adjourned by the Chairman at 8:30 p.m.

Benjamin C. Hobbs, Chairman

Clerk to the Board

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ATTACHMENT A

ORDINANCE NO. 75

AN ORDINANCE OF PERQUIMANS COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF NORTH CAROLINA, AMENDING, ADDING AND REPEALING SECTIONS OF THE PERQUIMANS COUNTY ZONING ORDINANCE AS ADOPTED BY ORDINANCE NO. 35, AS PREVIOUSLY AMENDED; THIS ORDINANCE AMENDS ARTICLE XX TO INCREASE THE HEIGHT, DISPLAY AREA AND BUILDING SETBACK FOR MONUMENT SIGNS FOR SCHOOLS, CHURCHES, HOSPITALS, GOVERNMENT BUILDINGS AND OTHER INSTITUTIONS AND TO CORRECT TYPOGRAPHICAL ERRORS AND TO REFORMAT TWO TABLES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OR PERQUIMANS COUNTY, NORTH CAROLINA THAT:

Section 1. Perquimans County Ordinance No. 35 (Zoning Ordinance), as previously amended, is hereby amended by revising Article XX to increase the height, display area and building setback for monument signs for schools, churches, hospitals, government buildings and other institutions, and to correct typographical errors and to reformat two tables, and by adding and substitution excerpts of Article XX attached hereto as Exhibits A-1, A-2 and A-3 and incorporated herein by reference, in its stead;

Section 2. Severance Clause. It is the intent of the Board of County Commissioners of Perquimans County, North Carolina, and it is hereby provided, that if any section, subsection, sentence, clause, phrase or provision of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining provisions of this Ordinance; and

PASSED AND ENACTED by the Board of County Commissioners of Perquimans County, North Carolina, this 7th day of February, 2011.

**BOARD OF COUNTY COMMISSIONERS
PERQUIMANS COUNTY, NORTH CAROLINA**

By:

Benjamin Hobbs, Chairman

ATTEST:

Mary P. Hunnicutt, Clerk to the Board

Effective Date: _____

EXHIBIT "A-1"

Section 2013. Institutional Signs

Signs erected by schools, churches, hospitals, government buildings, and other institutions are permitted in all districts, but the size of any such signs shall not be in excess of ~~twenty (20)~~ **thirty-two (32)** square feet. If such a sign is freestanding, it shall be a monument type sign and not be closer than ~~ten (10)~~ **fifteen (15)** feet from any property line and shall not project higher than ~~four (4)~~ **six (6)** feet above ground level. **These signs shall be so located so as not to infringe upon proper sight distance for traffic and illumination shall be restricted to indirect white lighting.**

Exhibit "A-2"

Section 2024. Signs Permitted in Residential and Agricultural Districts

- (a) Permanent freestanding monument identification signs for subdivisions, multifamily, and planned developments shall be limited to one (1) sign at each major entrance to the development, not exceeding twenty (20) square feet in display surface area, located on private property no closer than fifteen (15) feet to any property line or street right-of-way, not exceeding four (4) feet in height above ground level, and illumination shall be restricted to indirect white lighting. A multifamily residential development may have an identification sign of the same dimensions flat-mounted on a wall of an apartment building instead of a freestanding sign, but not both.
- (b) Permanent freestanding identification signs for mobile home parks and campgrounds shall be limited to one (1) sign at each major entrance to the development, not exceeding twenty (20) square feet in display surface area, located on private property no closer than fifteen ~~(15)~~ **(15)** feet to any property line or street right-of-way, not exceeding four (4) feet in height above ground level, and illumination shall be restricted to indirect white lighting.
- (c) Only one (1) permanent identification wall sign for nonresidential and noninstitutional uses may be erected, provided that, together with any freestanding sign, it does not exceed the total allowable sign area.
- (d) One (1) permanent freestanding identification sign for nonresidential and noninstitutional uses is permitted, provided there is at least one hundred (100) feet from any property line or street right-of-way. There is no minimum street frontage requirement for properties zoned RA.

If such a sign is a monument sign, it shall not exceed four (4) feet in height above ground level, and illumination shall be restricted to indirect white lighting. The display surface area shall not exceed twenty (20) square feet and, together with all wall signs, shall count toward the total allowable sign area.

If a pole sign, it shall not exceed twenty feet in height and twenty-five (25) square feet of display surface area per side. As with the monument sign, this sign, together with all wall signs, shall count toward the total allowable sign area.

- (e) For all residential and agricultural zoning districts except the RA Zoning district, one (1) identification sign for each home occupation shall be permitted, but shall not be closer than fifteen (15) feet to any property line or street right-of-way, shall not project higher than three (3) feet above ground level, and shall not exceed two (2) square feet in area.

For home occupations/businesses in the RA Zoning District, one (1) identification sign shall be permitted, and shall not exceed ten (10) feet in height and twenty (20) square feet per display surface, nor shall it be closer than fifteen (15) feet to any property line or street right of way. These signs must be independently freestanding signs (not attached to a tree or other living plant material, utility pole, or building), shall not be located in the right-of-way, shall be located so as not to infringe upon proper sight distance for traffic, and illumination shall be restricted to indirect white.

- (f) No other signs are permitted.

EXHIBIT "A-3"

Table XX.1: TOTAL ALLOWABLE SIGN AREA TABLE	
Zoning District	<u>Total Allowable Sign Area¹</u> (Square feet per Lineal Foot of Building Wall Facing the Street)
All Residential and Agricultural Districts	One-Half (1/2) square foot
CN, Neighborhood Commercial District Shopping Center Sign	One (1) square foot One-half (1/2) square foot
CR, Rural Commercial District Shopping Center Sign	One (1) square foot One-half (1/2) square foot
CH, Highway Commercial District Shopping Center Sign	One (1) square foot One-half (1/2) square foot
IL and IH, Light and Heavy Industrial Districts	One (1) square foot

¹ Including all freestanding and wall signs. Five or more wall signs, including displayed on or through façade windows, reduce the allowable sign area by twenty (20) percent per wall sign over four (not including CR Zoning District).

Table XX.2: DIMENSIONAL REQUIREMENTS FOR FREESTANDING SIGNS

Zoning Districts	Setbacks Property Lines	From Streets ¹	Maximum Height	Maximum Area
Residential and Agricultural Districts²	15 feet	15 feet	20 feet	25 sq ft
Pole Sign ³	15 feet	15 feet	20 feet	20 sq ft
Monument Sign	15 feet	15 feet	4 feet	20 sq ft
Mobile Home Park Sign	15 feet	15 feet	4 feet	20 sq ft
Campground Sign	15 feet	15 feet	4 feet	20 sq ft
Home Occupations	15 feet	15 feet	3 feet	2 sq ft
RA and HA, Rural Agricultural and Historic Agricultural Districts				
Pole Sign ⁴	15 feet	15 feet	20 feet	25 sq ft
Monument Sign	15 feet	15 feet	4 feet	20 sq ft
Mobile Home Parks	15 feet	15 feet	4 feet	20 sq ft
Campgrounds	15 feet	15 feet	4 feet	20 sq ft
Home Occupations/Business	15 feet	15 feet	10 feet	20 sq ft
Freestanding Sign ⁵	None	None	6 feet	16 sq ft
(2 nd off-premise, single bus) ⁶	None	None	6 feet	16 sq ft
CN, Neighborhood Commercial District				
Pole Sign	15 feet	10 feet	20 feet	25 sq ft
Monument Sign	15 feet	15 feet	4 feet	32 sq ft
Not Primary Entrance ⁷	20 feet	20 feet	6 feet	32 sq ft
Shopping Center Sign - 1 ⁸	30 feet	20 feet	20 feet	100 sq ft
Shopping Center Sign - 2 ⁹	30 feet	50 feet	20 feet	150 sq ft
Shopping Center Sign - 3 ¹⁰	30 feet	100 feet	20 feet	200 sq ft

¹ Street rights-of-way.

² Not including the RA Zoning District.

³ Nonresidential and noninstitutional uses only. Wall sign may be used in lieu of freestanding sign.

⁴ Nonresidential and noninstitutional uses only. Wall sign may be used in lieu of freestanding sign.

⁵ Off-premise advertising, single business.

⁶ For lots of five (5) acres or more in size and having a street frontage greater than four hundred (400) feet.

⁷ With a front yard depth of at least fifty (50) feet.

⁸ In a shopping center.

⁹ With minimum setbacks and minimum size.

¹⁰ With at least a fifty (50) foot setback and medium size allowed.

Table XX.2: DIMENSIONAL REQUIREMENTS FOR FREESTANDING SIGNS.**cont'**

Zoning Districts	Setbacks Property Lines	From Streets ¹	Maximum Height	Maximum Area
CR, Rural Commercial District				
Pole Sign	15 feet	10 feet	30 feet	36 sq ft
Monument Sign	15 feet	10 feet	4 feet	32 sq ft
Not Primary Entrance ¹¹	30 feet	20 feet	6 feet	32 sq ft
Shopping Center Sign – 1 ¹²	30 feet	20 feet	20 feet	100 sq ft
Shopping Center Sign – 2 ¹³	30 feet	50 feet	20 feet	150 sq ft
Shopping Center Sign – 3 ¹⁴	30 feet	100 feet	20 feet	200 sq ft
IL, Light Industrial District				
Pole Sign	30 feet	30 feet	20 feet	50 sq ft
Monument Sign – 1 ¹⁵	30 feet	20 feet	6 feet	32 sq ft
Monument Sign – 2 ¹⁶	30 feet	100 feet	10 feet	50 sq ft
Industrial Park Sign	30 feet	20 feet	10 feet	50 sq ft
Not Primary Entrance ¹⁷	30 feet	20 feet	6 feet	32 sq ft
Billboard Sign	30 feet	30 feet	30 feet ¹⁸	250 sq ft
IH, Heavy Industrial District				
Pole Sign	30 feet	30 feet	20 feet	50 sq ft
Monument Sign – 1 ¹⁹	30 feet	20 feet	6 feet	32 sq ft
Monument Sign – 2 ²⁰	30 feet	100 feet	10 feet	50 sq ft
Industrial Park Sign	30 feet	20 feet	10 feet	50 sq ft
Not Primary Entrance ²¹	30 feet	20 feet	6 feet	32 sq ft
Billboard Sign	30 feet	30 feet	30 feet ²²	250 sq ft

¹ Street rights-of-way.¹¹ In a shopping center.¹² With minimum setbacks and minimum size.¹³ With at least a fifty (50) foot setback and medium size allowed.¹⁴ With over a one hundred (100) foot setback and largest size allowed.¹⁵ With minimum setbacks and minimum size.¹⁶ With over a one hundred (100) foot setback and largest size allowed.¹⁷ In an industrial park.¹⁸ Above ground level or street level, whichever is lower.¹⁹ With minimum setbacks and minimum size.²⁰ With over a one hundred (100) foot setback and largest size allowed.²¹ In an industrial park.²² Above ground level or street level, whichever is lower.