

CLOSED SESSION: PERSONNEL MATTER

The Chairman explained that the Board needed to go into Closed Session to discuss a personnel matter.

On motion made by Mack E. Nixon, seconded by Sue Weimar, the Board approved the motion to go into closed session to discuss a personnel matter.

The Closed Session was adjourned and the Special Called Meeting reconvened on motion made by Tammy Miller-White, seconded by Edward R. Muzzulin, and unanimously passed. The following action was taken after the Closed Session.

INTERIM COUNTY MANAGER APPOINTMENT & SALARY

On motion made by Janice McKenzie Cole, seconded by Sue Weimar, the Board unanimously appointed Frank Heath as Interim County Manager at a salary of Grade 83/Step 3 at \$67,186 for 120 days. After the 120 days, the Board will reevaluate the salary and make a recommendation regarding his appointment as County Manager. During these 120 days, Mr. Heath has agreed to handle the Tax Administrator's position.

ADJOURNMENT

There being no further business to discuss, the Special Called Meeting was adjourned by the Chairman at 7:55 p.m. and the Board took a tour of the Perquimans 20/20 Building with the Senior Advisory Board to review their proposals for the new Senior Center.

Benjamin C. Hobbs, Chairman

Clerk to the Board

REGULAR MEETING
November 7, 2011
6:40 p.m.

The Perquimans County Board of Commissioners met in a regular meeting on Monday, November 7, 2011, at 6:40 p.m. in the Commissioners' Room located in the Perquimans County Courthouse Annex.

- MEMBERS PRESENT: Benjamin Hobbs, Chairman Sue Weimar
Janice McKenzie Cole, Vice Chair Tammy Miller-White
Mack E. Nixon Edward R. Muzzulin
- MEMBERS ABSENT: None
- OTHERS PRESENT: Bobby C. Darden, County Manager Hackney High, County Attorney
Mary Hunnicutt, Clerk to the Board

After the Chairman called the meeting to order, County Manager Darden gave the invocation and the Chairman led the Pledge of Allegiance. Chairman Hobbs proceeded with the Public Hearings.

PUBLIC HEARINGS

No Wake Zone – Town of Hertford

Chairman Hobbs opened the first Public Hearing stating that the purpose of the public hearing was to receive public comments on the proposed No Wake Zone in the Town of Hertford. There were nineteen (19) people present. County Manager Darden explained where the No-Wake Zone was going to be. The Chairman opened the meeting for public comments. The following comments/questions were made:

- **Chairman Hobbs:** Mr. Hobbs asked how fast boats can go in the No-Wake Zones. County Attorney High said that it depended on the size of the boat.
- **Jerry Butler:** Mr. Butler asked if the No-Wake Zones applied to sailboats. Chairman Hobbs said that N.C. Wildlife Commission is the ones that will be enforcing the No-Wake Zones so it would be up to them.
- **Emerson Cullins:** Mr. Cullins said that, in Snug Harbor, there are eight (8) No-Wake Zones and they made a big difference with recreational vehicles and fishermen. He said that, without the No-Wake Zones, it is like people speeding in a parking lot. The buoys help to enforce it.
- **Commissioner Weimar:** Ms. Weimar explained a situation that occurred recently with her.
- **Jerry Butler:** Mr. Butler said that the training officers of the N.C. Wildlife Commission encourage their trainees to enforce the No-Wake Zones.

The Chairman asked if there were any more comments on this item. Their being none, he closed that Public Hearing and explained that the CDBG Funds – Albemarle Commission Public Hearing was postponed because they did not advertise the public hearing in a timely manner. Therefore, it has been postponed until the December meeting. The Public Hearing was closed at 7:00 p.m.

AGENDA

The Agenda, as amended, was unanimously approved on motion made by Sue Weimar, seconded by Edward R. Muzzulin.

CONSENT AGENDA

The following items were considered to be routine and were unanimously approved on motion made by Mack E. Nixon, seconded by Tammy Miller-White.

1. **Approval of Minutes:** October 3, 2011 Regular Meeting, October 19, 2011 Special Called Meeting, & October 24, 2011 Special Called Meeting
2. **Approval of Tax Releases:**
PERQUIMANS COUNTY TAX RELEASES:
 - **Schultz, Brooke Lee**\$122.51
Active duty military. Account Number: 8082035.
 - **Hurst, Judith Lee**\$116.96
Vehicle sold, and plates turned in. This is for an 11 month proration. Account Number: 8071655.
- PERQUIMANS COUNTY TAX REFUNDS:
 - **Fisher, Walter & Nancy**.....\$105.00
Overpaid 2011 taxes; leaving a credit balance. Account Number: 0257206.
 - **Bottoms, Stanley & Karen**.....\$106.44
Overpaid 2011 taxes; leaving a credit balance. Account Number: 0429337.

- **Clevenger, Michael & Karen** \$246.84
 In error, the square footage of the house was listed as 2,550; the correct square footage is \$1,704. Difference in value = \$56,100. Account Number:

3. Personnel Matters

Employee Name	Employee Job Title	Action Required	Grade/ Step	New Salary	Effective Date
James R. Fowden	Bailiff/Transport	Appointment		\$12.98/hour	10/13/11
James R. Fowden	Deputy Sheriff (Certified)	Appointment	65/1	\$28,972	11/1/11
Jonathon Stevenson	EMT – EMS-Fill-In	Appointment	63/1	\$12.75/hour	11/1/11

4. Budget Amendments:

**BUDGET AMENDMENT NO. 4
N.C. HOUSING FINANCE FUND**

CODE NUMBER	DESCRIPTION OF CODE	AMOUNT	
		INCREASE	DECREASE
10-672-020	Mentoring Focus - Salaries		3,360
10-672-040	Mentoring Focus - Professional		32,000
10-672-110	Mentoring Focus - Telephone		500
10-672-140	Mentoring Focus - Travel		1,800
10-672-141	Mentoring Focus - Travel Services		3,000
10-672-143	Mentoring Focus - Educational		4,000
10-672-260	Mentoring Focus - Advertising		1,500
10-672-330	Mentoring Focus - Supplies		700
10-672-470	Mentoring Focus - Food & Provisions		2,000
10-672-540	Mentoring Focus - Insurance		550
10-348-001	State Grants - OJJ		49,410
EXPLANATION: Perquimans County not awarded Mentoring Focus Funds for FY 2011-12.			

**BUDGET AMENDMENT NO. 5
GENERAL FUND**

CODE NUMBER	DESCRIPTION OF CODE	AMOUNT	
		INCREASE	DECREASE
10-399-000	Fund Balance Appropriated	10,000	
10-672-020	Mentoring - Salaries	10,000	
EXPLANATION: This is this Board's contract with Clayton for July - October (4 months at \$2,500) which needs to be cleared up this month.			

5. Resolutions: The following Resolutions were presented for approval:

RESOLUTION PROVIDING FOR ELECTRONIC LISTING AND EXTENDING THE TIME FOR FILING ELECTRONIC LISTINGS OF BUSINESS PERSONAL PROPERTY FOR PROPERTY TAX PURPOSES

WHEREAS, North Carolina General Statute § 105-304 authorizes Counties to permit electronic listing of business personal property, and

WHEREAS, North Carolina General Statute § 105-307 permits the Board of County Commissioners to extend the deadline for filing electronic listings of business personal property under G.S. § 105-304 to June 1, and

WHEREAS, North Carolina General Statute 105-311(b) authorizes electronic signature of business personal property listings which are submitted electronically,

NOW THEREFORE BE IT RESOLVED as follows:

Section 1. **Perquimans** County Board of Commissioners hereby authorizes business personal property listings to be submitted and signed electronically, and extends the deadline for receiving electronic business personal property listings to and until May 15 of any tax year.

Sec. 2. The following procedures will apply to electronic tax filings. Electronic listings must be submitted online, facsimiles will not be accepted as electronic listings. In order to file electronically, the taxpayer must use an electronic listing application hosted by the County or approved by the North Carolina Department of Revenue and contracted with the County to provide such a service. To request an extension to file business personal property listings after January 31, the taxpayer must file an online request for extension of time during the month of January and must provide an Account ID provided by the County and associated with the business location for which the extension is requested. Electronic filings must be received by the **Perquimans** County Assessor no later than May 15 in order to avoid late list penalties.

Sec. 3. This resolution shall be recorded in the minutes of the **Perquimans** County Board of Commissioners and notice of the procedure and extension of time for electronic filing of business personal property listings shall be published as required by G.S. § 105-296(c).

Sec. 4. This resolution is effective for all tax years after its adoption and at such time as the Assessor has the ability to implement a system for electronic listing.

Adopted this 7th day of November, 2011.

Benjamin C. Hobbs, Chairman
Perquimans County Board of Commissioners

Attest: _____
Mary P. Hunnicutt, Clerk to the Board
Perquimans County Board of Commissioners

**RESOLUTION HONORING
JEFF PROCTOR, FIRE CHIEF**

Whereas, *Jeff Proctor* has announced his stepping down as Fire Chief of the Bethel Fire Department, ending twenty-four years of exemplary service as Fire Chief to the people of the Bethel Community and Perquimans County; and

Whereas, *Jeff Proctor*, during his years as Fire Chief has dedicated himself to the betterment of the Bethel Community and Perquimans County and the advancement of the Fire Department; and

Whereas, during his thirty years of service, *Jeff Proctor* has risen through the ranks of the Fire Department, assuming the position of Fire Chief in 1987, and always contributing positively to the professional development of those around him; and

Whereas, *Chief Jeff Proctor* has overseen the significant growth of the Bethel Fire Department through the expansion of services, development of relationships with other departments, involvement of new firefighters and the acquisition of an impressive number of new apparatus; and

Whereas, during all of his endeavors both in and outside the Fire Department *Jeff Proctor* has brought honor and respect to himself and the Bethel Community and Perquimans County by his actions and his fair treatment of all persons; now

Now Therefore Be It Resolved, that the Perquimans County Board of Commissioners, on this day, November 7, 2011, do hereby commend *Jeff Proctor* for his dedicated public service as Fire Chief of the Bethel Fire Department and his wonderful reputation as a man of impeccable integrity;

PRESENTED, this the 7th day of November, 2011.

Benjamin C. Hobbs, Chairman
Perquimans County Board of Commissioners

ATTEST:

Mary P. Hunnicutt, Clerk to the Board
Perquimans County Board of Commissioners

6. Board Appointments:

NAME	BOARD	ACTION	TERM	EFFECTIVE DATE
Cole, Janice	Chowan/Perquimans Multi-County LEPC	Reappointment	1 yr.	11/1/2011
Bielski, Jim	Chowan/Perquimans Multi-County LEPC	Reconfirmed	1 yr.	11/1/2011
Brittingham, Richard	Chowan/Perquimans Multi-County LEPC	Confirmed	1 yr.	11/1/2011
Chaney, Susan	Chowan/Perquimans Multi-County LEPC	Reconfirmed	1 yr.	11/1/2011
Christian, Gerald	Chowan/Perquimans Multi-County LEPC	Reconfirmed	1 yr.	11/1/2011
Forehand, Chris	Chowan/Perquimans Multi-County LEPC	Reconfirmed	1 yr.	11/1/2011
Griffin, C. T.	Chowan/Perquimans Multi-County LEPC	Confirmed	1 yr.	11/1/2011
Harrell, Michael	Chowan/Perquimans Multi-County LEPC	Reconfirmed	1 yr.	11/1/2011
Harrison, Jimmy	Chowan/Perquimans Multi-County LEPC	Confirmed	1 yr.	11/1/2011
Lafon, David	Chowan/Perquimans Multi-County LEPC	Reconfirmed	1 yr.	11/1/2011
Lawrence, Grady	Chowan/Perquimans Multi-County LEPC	Reconfirmed	1 yr.	11/1/2011
Madry, Patty	Chowan/Perquimans Multi-County LEPC	Reconfirmed	1 yr.	11/1/2011
McKeever, Jim	Chowan/Perquimans Multi-County LEPC	Reconfirmed	1 yr.	11/1/2011
Overton, Jr., Clyde	Chowan/Perquimans Multi-County LEPC	Reconfirmed	1 yr.	11/1/2011
Palmer, Cordell	Chowan/Perquimans Multi-County LEPC	Reconfirmed	1 yr.	11/1/2011
Ponte, Tom	Chowan/Perquimans Multi-County LEPC	Reconfirmed	1 yr.	11/1/2011
Ryan, Colin	Chowan/Perquimans Multi-County LEPC	Reconfirmed	1 yr.	11/1/2011
Scott, Stuart	Chowan/Perquimans Multi-County LEPC	Reconfirmed	1 yr.	11/1/2011
Smith, Lewis	Chowan/Perquimans Multi-County LEPC	Reconfirmed	1 yr.	11/1/2011
Smith, Tim	Chowan/Perquimans Multi-County LEPC	Confirmed	1 yr.	11/1/2011
Spruill, Mary	Chowan/Perquimans Multi-County LEPC	Reconfirmed	1 yr.	11/1/2011
Stoop, Ashley	Chowan/Perquimans Multi-County LEPC	Reconfirmed	1 yr.	11/1/2011
Symons, Mark	Chowan/Perquimans Multi-County LEPC	Reconfirmed	1 yr.	11/1/2011
Tilley, Eric	Chowan/Perquimans Multi-County LEPC	Reconfirmed	1 yr.	11/1/2011
Tynch, Aubrey	Chowan/Perquimans Multi-County LEPC	Reconfirmed	1 yr.	11/1/2011
Value, Jason	Chowan/Perquimans Multi-County LEPC	Reconfirmed	1 yr.	11/1/2011
VanDuyn, T. Gwen	Chowan/Perquimans Multi-County LEPC	Reconfirmed	1 yr.	11/1/2011
Watson, Clarence	Chowan/Perquimans Multi-County LEPC	Confirmed	1 yr.	11/1/2011
Wilson, Cathy	Chowan/Perquimans Multi-County LEPC	Reconfirmed	1 yr.	11/1/2011
Winslow, Harry	Chowan/Perquimans Multi-County LEPC	Reconfirmed	1 yr.	11/1/2011
Winslow, Jarvis	Chowan/Perquimans Multi-County LEPC	Reconfirmed	1 yr.	11/1/2011

7. Appointment: Alternate Subdivision Review Officer/Plat Review Officer

1. Alternate Subdivision Review Officer: Currently, Donna Godfrey is serving as primary Subdivision Review Officer and County Manager Darden is secondary Subdivision Review Officer. With Mr. Darden leaving on November 11, 2011, the Board will appointed Frank Heath, III as secondary Subdivision Review Officer effective November 12, 2011.
2. Plat Review Officer:

**RESOLUTION
PLAT REVIEW OFFICER**

WHEREAS S.L. 1997-309 (S875) made a number of significant changes in the procedures for recording maps and plats; and

WHEREAS NCGS 47-30.2 requires the Board of County Commissioners in each County, by Resolution, to appoint a person or persons to serve as Review Officer(s) to review each plat prior to it being recorded and to certify that it meets the statutory requirements for recording; and

WHEREAS it is the desire of the Perquimans County Board of County Commissioners to insure expeditious review of all maps and plats as required by NCGS 47-30.2; and

WHEREAS Beverly Gregory and Kimberly A. Bray, both of the Perquimans County Tax Office, have served and it is the desire of the Perquimans County Board of Commissioners that they continue to serve in the capacity of Primary Review Officer and Alternate Review Officer for all Plats/Maps to be recorded in the Perquimans County Register of Deeds' Office since April 25, 2005, and

WHEREAS in order to insure continuous and prompt service to persons or entities seeking review of plats or maps, the Board of Commissioners wishes to authorize Frank Heath, Interim County Manager, to serve as Alternate Review Officer under NCGS 47-30.2.

NOW, THEREFORE BE IT RESOLVED that Beverly Gregory and Kimberly A. Bray shall continue to serve as Primary Review Officer and Alternate Review Officer for all plats or maps to be recorded in the Perquimans County Registry and that Frank Heath, Interim County Manager, is hereby appointed to serve as Alternate Review Officer under NCGS 47-30.2, when needed.

BE IT FURTHER RESOLVED that a copy of this Resolution designating the Review Officer(s) shall be recorded in the Perquimans County Register of Deeds' Office and indexed in the name of the Review Officers.

ADOPTED this the 7th day of November, 2011.

Benjamin C. Hobbs, Chairman
Perquimans County Board of Commissioners

ATTESTED:

Mary P. Hunnicutt, Clerk to the Board
Perquimans County Board of Commissioners

8. Planning Item – William Wray & Ethel Chappell Request Regarding Road Maintenance:

- The Board approved the request by William Wray & Ethel Chappell to approve a Private Road Maintenance Plan and release of Road Maintenance Bond for Lauren Lane. The subject property is zoned RA, Rural Agriculture District, and known as private drive providing access to Tax Parcel Nos. 4-D075-4001-OP; -4002-OP; -4003-OP; and -4004-OP.

BOARD PRESENTATIONS

Chairman Hobbs presented a Resolution honoring Jeff Proctor, Bethel Fire Chief, who retired on November 1, 2011 after serving 24 years as Fire Chief. Mr. Proctor said a few words after the presentation.

Chairman Hobbs presented a plaque to County Manager Darden who is leaving the County after serving Perquimans County a total of nine years. Mr. Darden said a few words after the presentation.

CLAYTON GRIFFIN, MENTORING GRANT & RESTITUTION

Mr. Griffin explained to the Board that his Perquimans County Mentoring Focus Group grant with the Department of Juvenile Justice and Delinquency Prevention (DJJDP) - American Recovery Reinvestment Act of 2009 Gang Grant ended June 30, 2011. The Board had agreed to support the Mentoring Focus Group through October 31, 2011 awaiting approval of the DJJDP grant. Mr. Griffin informed the Board that his DJJDP grant was not approved. Therefore, he is asking that the Board front him the remaining funds to complete this fiscal year. He has already received commitments for approximately \$14,500. Mr. Griffin had several individuals who wanted to address the Board in support of the Mentoring Program:

- **Da'quen Armstrong:** Mr. Armstrong had been in the program and feels that it has helped him a great deal and hoped that the Commissioners would consider continuing the program.
- **Da'Sheika Spence:** Ms. Spence also explained that she had been in the program and feels that it has helped her in many ways and further added that she hoped that the Commissioners would consider continuing the program.
- **Robert Hickson:** Mr. Hickson is a parent of one of the children and feels that it is nice to have someone who really cares for these children and that is exactly what Mr. Griffin does. He makes the children feel that they are loved.
- **Commissioner Miller-White:** Ms. Miller-White stated that she wished that the County had the resources to help Mr. Griffin and wanted to make a motion to that effect.
- **Commissioner Nixon:** Mr. Nixon reminded her that, due to Board Policy, they could not take action on a request for funding until next month. He asked Mr. Griffin if he was asking the Board to draw down the funds for the month of November. Mr. Griffin said that he was.

There being no further comments, Tammy Miller-White made a motion to extend Mr. Griffin's contract for the Mentoring Focus Group for another 30 days and to place the item on next month's Agenda for consideration. The motion was seconded by Edward R. Muzzulin and unanimously approved by the Board.

HOMERIA JENNETTE, TELECOMMUNICATIONS

Ms. Jennette presented her monthly and quarterly reports.

SUSAN CHANEY, SOCIAL SERVICES DEPARTMENT

Ms. Chaney presented her monthly report. She explained that the only major increase was in food stamp applications. Commissioner Miller-White asked if there was any state standards for determining how many employees are needed to handle these applications. Ms. Chaney said that she did not think so. In addition to her monthly report, Ms. Chaney explained that a committee had been established several months ago for handling emergency services in the County. They went to training for donations management. With the experiences that the Emergency Management Services had with the tornadoes in Bertie County and Hurricane Irene, they feel that some type of donations management is needed. Carl Terranova has volunteered his warehouse on Don Juan Road to house these donations free of charge. What Ms. Chaney is asking for tonight is their approval to proceed with their efforts in the matter of donations management. Commissioner Weimar asked that, even though this will only be used during disasters, is there any requirements for insurance. Ms. Chaney said that we will need to check on that. It was the consensus of the Board to have her proceed with these efforts. The last item that she wanted to discuss was the change in Low Income Assistance Program. She said that now the checks for emergency energy assistance will be written to the vendor not the individual. The individuals have to come into Social Services to apply. She said that they are concentrating on assisting seniors and disabled individuals with income/reserve limits.

FRANK HEATH, TAX ADMINISTRATOR

Mr. Heath presented his monthly report. Commissioner Nixon asked Mr. Heath about the number of foreclosures in Perquimans County. Mr. Heath said that they are still pretty strong. There have been a number posted at the Courthouse outside the Clerk of Court's door.

COMMISSIONER'S CONCERNS/COMMITTEE REPORTS

Commissioner Cole addressed the following matters:

- Since the employees have not received any raises in a while, she was wondering if the County would consider doing something for them at Thanksgiving or at Christmas, e.g., voucher for a free turkey or ham. Mr. Darden explained that we have done something for them in the past. The Board will discuss this at their November Work Session.
- Ms. Cole asked that, when the Board first discussed using the Perquimans 20/20 Building for the Senior Center and they began working on the contract, it was her understanding that Perquimans 20/20 would maintain control of the office space for rental at least until June 30, 2012 with future decisions on whether this space would be needed for expansion of the Senior Center. Somewhere in time, this has been shifted. Now it is her understanding that the Senior Advisory Board has been given the authorization to take over the entire building with the exception of the office for Leo Higgins. The way that she found out was in an e-mail that she recently received from Bobby Darden stating that the Senior Advisory Board was coming over to the building to look at all the space, the office space as well. This matter has really impacted Ms. Cole financially. She felt that, as a sitting Commissioner, she should have been extended some type of courtesy to let her know what was happening instead of just an e-mail indicating that her office space would be part of the renovations. She has found another space but it will need to be renovated and there will be an increase in rent and utilities. She has made plans to move at the end of November. She feels that, when she brought this idea to the County to help them save money by not having to build an entire new building, it should not have ended up costing her money. She just wanted her feelings to be placed on the record. Commissioner Miller-White asked if there was anything that would prevent us from honoring the original agreement. It was the feeling of the entire Board that the agreement should be honored and that the limited availability of funding for renovations would not make it possible for the Seniors to expand into that office space for some time. Ms. Cole said that she did not bring this up for this action. She just wanted to let the Board know how she felt. Mr. Darden said that he apologized if he created the confusion and he did not see that it would be a problem. It was the feeling of the entire Board that if it was not too late for Commissioner Code to change her plans to move, that she remain in the building at this time. They feel that maybe the Senior Citizens Board may have jumped the gun. Commissioner Nixon feels that we need to sit down with the Senior Advisory Board during a Work Session to discuss how they will proceed with this project.

UPDATES

County Manager Darden updated the Board on the following projects:

Water System Projects:

- **Pasquotank RO Plant:** County Manager Darden reported that we have received the last permit approval from the State for the equipment for the Pasquotank RO Plant. The State did not want to issue that permit approval until Pasquotank County and Perquimans County had a signed Agreement. Mr. Darden said that he explained to the State that it was out of our control and we do not know when we will have the signed Agreement. Pasquotank County finally stated that they are in contract negotiations and that it was their intent to sell Perquimans County 150,000 gallons of water. The State seemed to be satisfied with that and issued the permit approval. To date, Mr. Darden had not heard anything from Pasquotank County regarding the Water Agreement.
- **Bethel Water Treatment Plant:** County Manager Darden reported that he still had not received the official lab results for the Pilot Project. They should be finished this week.

Jail Project: Commissioner Muzzulin highlighted four (4) items from his report: (1) There are 54 Federal inmates at Albemarle District Jail; (2) They have not heard anything from Chowan County that they are wanting to join with the Albemarle District Jail; (3) the request to transfer the old jail to Pasquotank County has been approved; and (4) the County Safekeeper Inmate Reimbursement Rate to State Prisons is increasing from \$18 per day per inmate to \$40 per day per inmate. After Commissioner Nixon stated that the physical real estate and building belonged to Pasquotank County per our agreement, he asked about the refrigeration inside and some of the items remaining in the building. Mr. Muzzulin said that some of the items were donated. Mr. Nixon asked if that was through Albemarle District Jail. Mr. Muzzulin said that it was. Mr. Nixon said that basically those items belonged to all three counties and that he had mentioned this a year ago that those properties should have been auctioned off and sold and distributed per capita just like paid jail fees are distributed.

Laptop for Commissioners: Frank Heath reported that he has been working with Jesse Stallings, a computer technician that helps with the county's computer needs. Mr. Heath said that Mr. Stallings has been working with Camden County on a similar project. He is putting in a system whereby they use iPad tablets with cradles. The clerk from Camden County is getting some financial information together about their project. In addition, Pitt County has a Content Management System that they can give to counties for free to help set up Agenda information. This software is called Agenda Information Management where all departments can submit their information electronically. Commissioner Weimar asked if we could obtain these iPads through the state contract. Mr. Heath will be checking and comparing prices.

WATER PURCHASE CONTRACT – PASQUOTANK COUNTY

County Manager Darden said that there was no new information on the Water Purchase Contract with Pasquotank County. No action taken.

RESOLUTION: NO WAKE ZONE – TOWN OF HERTFORD

County Manager Darden reported that the public hearing was held earlier in the meeting. Chairman Hobbs said that we need to make sure that we make it clear, as we have done in the past, that the County is not responsible to buy, install, and maintain the buoys and signage. They further stated that the County is not responsible to enforce the No-Wake Zone. On motion made by Sue, Weimar, seconded by Tammy Miller-White, the Board unanimously approved the following Resolution with the understanding that the County is not responsible for the purchase, installation, and maintenance of the buoys/signage and the enforcement of the No-Wake Zone:

**NORTH CAROLINA
COUNTY OF PERQUIMANS**

RESOLUTION OF THE BOARD OF COMMISSIONERS OF PERQUIMANS COUNTY

WHEREAS under authority of North Carolina General Statutes Section 75A-15(a) any subdivision of the State of North Carolina may at any time, after public notice, make formal application to the Wildlife Resources Commission for special rules and regulations with reference to the safe and reasonable operation of vessels on any water within its territorial limits.

WHEREAS the Perquimans River in and around the Town of Hertford is within the territorial limits of Perquimans County, and

WHEREAS the safety for property owners adjacent to the current no-wake zone has come into question by those citizens and other concerned with wakes created by boats and personal watercraft operating at high speeds, and

WHEREAS the narrow portion of the Upper Perquimans River that flows through the area referenced in this resolution makes it dangerous for canoers and kayakers who use the Town Launch sites in this area, and swimmers, to be in such close contact with power boaters operating their vessels at higher than necessary speeds, and

WHEREAS the Board of Commissioners of Perquimans County has received a Resolution by the Town Council of Hertford requesting to increase the existing no-wake zone, and

WHEREAS the Board of Commissioners of Perquimans County wishes to increase the No-Wake zone adjacent to the "S" Bridge and the town docks per the attached map or as described as follows:

- A. 75 yards north of the Perquimans River Bridge on US 17 Business also known as the Hertford S-Shaped Bridge.
- B. 550 yards south of the Perquimans River Bridge on USS 17 Business also known as the Hertford S-Shaped Bridge.

BE IT RESOLVED that in accordance with G.S. 75A-15, the Board of Commissioners of Perquimans County requests the North Carolina Wildlife Resources Commission to promulgate special rules and regulations with reference to safe and reasonable operation of vessels on the waters of the areas listed above and noted on the attached map located in said County, the pertinent substance of which proposed regulations is as follows: a "No-Wake" Zone to be established from 75 yards north of the S-Shaped Bridge to 550 yards south of the S-Shaped Bridge as shown on the attached map which falls within the limits and regulations of the N.C. Wildlife Commission.

BE IT FURTHER RESOLVED that the said Board of Commissioners request that said Commission to promulgate regulations fully implementing the Uniform Waterway Marker System in all of the waters of the said County.

ADOPTED this the 7th day of November, 2011.

SEAL

By: _____
Benjamin C. Hobbs, Chairman
Perquimans County Board of Commissioners

CERTIFICATION

This is to certify that the above is a true and exact copy of a resolution adopted by the Perquimans County Board of Commissioners at the regular meeting held in the Perquimans County Courthouse Annex on November 7, 2011. The same appears on record in Minute Book 14, Page _____ of the said Commission and filed in the Perquimans County Registry.

Clerk to the Board of Commissioners of
Perquimans County

LEASE AGREEMENT – US 17 NORTH CONVENIENCE SITE

County Manager Darden reported that, as he discussed last month, John Bray, Jr. - owner of the property that US 17 North Convenience Site is located on, wants to renegotiate the lease agreement for that site. Mr. Darden presented the proposed lease terms for the US 17 North Site:

\$1,500 Annual Lease 3% per annum increase 5-year lease Year to year renewal 6-month notice by either party to terminate

On motion made by Tammy Miller-White, seconded by Janice Cole, the Board unanimously authorized Mr. Darden to proceed with these lease terms for the US 17 North Convenience Site with John Bray, Jr.

PERQUIMANS COUNTY TRAILBLAZERS' REQUEST

Commissioners Muzzulin and Weimar reported that the nine Fitness Stations have been installed at the Recreation Center. The Trailblazers have tried to obtain the necessary funds to pay for the concrete to install these stations but with no success. They paid the \$975.12 out of the Trailblazers bank funds but it about emptied the account. They are asking that the County consider reimbursing the Trailblazers for this cost in order for them to proceed with their normal services for the balance of this fiscal year. Commissioner Nixon asked if there was any way they can collect funds from individuals that use the camping platforms because sometime in the future these platforms are going to need repair. Ms. Weimar said that she understands that and they have tried to do this by partnering with Roanoke Rivers for reservations but that did not happen. Mr. Nixon said that the Trailblazers need some kind of plan to cover these maintenance expenses. With regard to the request of \$975.12, the Board could not take any action on this request so it was tabled until next month.

CAPITAL PROJECTS ORDINANCE – SINGLE FAMILY REHABILITATION PROGRAM

On motion made by Sue Weimar, seconded by Tammy Miller-White, the Board unanimously approved the following Capital Projects Ordinance placing the grant money received for the Single Family Rehabilitation Program into the Budget:

**PERQUIMANS COUNTY
CAPITAL PROJECTS ORDINANCE
FOR
NC HOUSING FINANCE AGENCY
SINGLE FAMILY REHABILITATION PROGRAM**

Section 1: **APPROPRIATIONS** - The following amounts are hereby appropriated in this Capital Projects Ordinance beginning July 1, 2011 and ending June 30,2012

Administration	\$	14,500
Rehabilitation		127,500
Program Costs		18,000
TOTAL CAPITAL RESERVE	\$	160,000

Section 2: **REVENUES** - It is estimated that the following revenues will be available for appropriation in the Capital Projects Ordinance beginning July 1, 2011 and ending June 30, 2012.

State Grants	\$	160,000
TOTAL CAPITAL PROJECTS FUND	\$	160,000

Benjamin C. Hobbs, Chairman
Perquimans Co. Board of Commissioners

NC DIVISION OF FORESTRY

County Manager Darden explained that he had received the following information from the NC Division of Forestry:

Yearly Accomplishment Report for FY 2010-2011: Each year, the NC Division of Forestry provides an annual report for Board review. This was included in their November packets.

2011-2012 County Cooperative Agreement: On motion made by Tammy Miller-White, seconded by Edward R. Muzzulin, the Board unanimously approved the County Cooperative Agreement with Division of Forest Resources for FY 2011-2012 and authorized the Chairman and County Staff to sign the Agreement.

911 GRANT NOTIFICATION & CONTRACT

County Manager Darden explained that the County had been awarded the E-911 grant in the amount of \$279,460 for the Perquimans County E-911 Enhancement/Replacement Program. He further explained that these funds along with the \$50,000 currently existing in the E-911 Fund Account will be used to enhance the 911 System that will be established in the new building. This did not fund any building or capital improvements. Homeria Jennette, Chief Telecommunicator, gave an overview of what the grant will cover. On motion made by Edward R. Muzzulin, seconded by Janice Cole, the Board approved the receipt of these funds and authorized the Chairman and County Staff to sign the contract.

PERQUIMANS COUNTY CHRISTMAS PARADE

The Chamber’s Christmas Parade is scheduled for December 3, 2011 at 2:00 p.m. and they are asking if any of the Commissioners would be interested in riding in the parade. At the time, no Commissioners were interested.

N.C. AGRICULTURE DEVELOPMENT & FARMLAND PRESERVATION TRUST FUND

The County received the \$4,000 grant for the Perquimans County VAD Project which will be used to encourage the preservation of qualifying agricultural, horticultural and forestlands to foster the growth, development and sustainability of family farms. Mr. Darden presented the contract between N.C. Department of Agriculture & Consumer Services and Perquimans County for this grant. On motion made by Tammy Miller-White, seconded by Mack E. Nixon, the Board approved the receipt of these funds and authorized the Chairman and County Staff to sign the contract. Commissioner Nixon asked if there had been any new Voluntary Ag Districts (VAD) added to the program. Mr. Darden and Ms. Godfrey said that they had not heard of any.

NORTHEAST AG EXPO REQUEST

In 1994, Cooperative Extension crops agents in Camden, Chowan, Currituck, Gates, Pasquotank, and Perquimans Counties formed what is known as the Northeast Ag Expo. Their goal is to combine their resources and conduct on-farm testing that would benefit the farmers in this region, other areas of the state, and southeastern Virginia. Each year, they will hold a one-day large field day. During the Expo, the agents will conduct Expo field trials and on-farm tests throughout the six counties. In order to do that they had to rely heavily on specialists and farms to provide the equipment for preparing land and planting the various crops. About two years ago, the six-county Extension Agents began discussing the possibility of getting their own equipment. Last year, they were able to purchase a used tractor from DOT surplus and a test plot seed drill that is used for wheat and soybean plots. This was funded through grants, state commodity associations, and contributions from farm-related industry. They were able to receive funding from the N.C. Small Grains Producers Association to purchase a trailer to transport this equipment which would be assigned to the N.C. State Crop Science Department who would obtain insurance and permanent license. Since then, issues of liability arose since the trailer would be in the counties and not under the direct supervision of the corn specialist. Therefore, they request that Perquimans County allow Northeast Ag Expo to insure and license this trailer under the county insurance policy with no cost to the county. Also, in the future, they are planning on purchasing a truck to pull the trailer which would need to be added to the county’s insurance, again at no cost to the County. Mr. Darden has talked with our Insurance Provider and they said that it would be okay and that the cost would be \$264 per year beginning next fiscal year. This would be reimbursed by Northeast Ag Expo. Our insurance agent also asked how much risk you are willing to take. Commissioner Nixon asked about the liability issues and why is Perquimans County being chosen to do this. Mr. Darden said that it was probably because Lewis Smith is the Extension agent. Mr. Nixon asked if they were a 501C group. Mr. Darden said that he did not think so, just a non-profit organization. County Attorney High

feels that there could be legal and practical concerns. How much risk is the County willing to accept? He feels that we need to wait and ask if there was a time restraint. Edward R. Muzzulin made a motion to table this matter. There being no second to the motion, the motion died. Commissioner Nixon and County Attorney High asked why the Northeast Ag Expo could not get their own insurance. Frank Heath, Interim County Manager, will get more information and bring it back to the December meeting.

SEWER DISTRICT DISCUSSION

County Attorney High was asked by the Chairman to look into the sewer district for the Holiday Island sewer system. At some point in time, there was a group of people that proposed to the County to establish a Sewer District. Mr. High said that he has talked with an attorney from Windsor by the name of Cliff Smith who is advising some of the individuals in Holiday Island. With regard to the cost, Mr. High could not determine at this time the cost. He further explained that Mr. Smith and his clients would be shouldering much of the load on the documents which County Attorney High would be reviewing. Therefore, there would be some costs associated with that process. Mr. High is asking the Board for direction on how to proceed with this matter. Commission Muzzulin asked what a Sewer District was. Mr. High said that a Sewer District is like another entity that would operate sewer functions within a particular geographic area and be responsible for it. Commissioner Miller-White, if this was a new subdivision, would there be any cost to the County. The only costs to the County would be the establishment of the Sewer District. Commissioner Nixon asked why we need a sewer district. Clay Helm who owns the property located at 147 W. Hidden Valley Trail, Hertford NC but lives in Rocky Mount) is the part-time Plant Operator for Wastewater Treatment Plant that serves the Holiday Island camping areas. He explained that he has 90 to 100 customers with 25 to 30 customers being full-time residents. The Holiday Island Homeowners Association has decided not to operate the plant any longer. They are planning on closing the utility company which means that water and sewer will be cut off to the camping section. The County Health Department would not allow people to live there without water and sewer. One option that they have is to have the customers in this area form a company and buy the utility company from the Homeowners' Association for a nominal fee and to operate the plant. Mr. Helm does not feel that this is a plausible option because of the limited financial resources of the residents in that area. The Sewer District would give them the ability to go for grants and other funding to purchase and maintain the plant. The Sewer District has to be approved by the County Board of Commissioners. He stated that today he was not making a formal request because other things need to be done prior to making that request. Another requirement is that 51% of the property owners in the boundary of the district would need to approve. He said that they are working on that now. Once the district is approved, the County Board of Commissioners would appoint the first board of the district. After that, the Board will be elected on two/four year schedule and would be part of the County's election process. Beyond that, the County has no liability and they are not looking for any donations or large sums of money. Commissioner Nixon stated that there is always some amount of liability involved citing Currituck County as an example. If these districts fail, the County has to take them over. There are 611 lots in this area. Commissioner Nixon said that he feels that we need to talk about this further during their November Work Session.

AEMC LIGHT UP CHRSTIMAS PROGRAM

Commissioner Miller-White presented this request from Estelle Felton to partner with Albemarle EMC to make sure that children in Perquimans County would have Christmas. Chairman Hobbs feels that items like this should be handled through our Social Services Department and the local churches. Although it is a noble cause, Commissioner Weimar feels that this should be handled through private donations. She refers to the summer program the County did several years ago using County funds. Commissioner Nixon said that the Toys for Tots Program is still in existence and is handled through the Mustang Club. Commissioner Weimar asked if they had talked to other groups in the area. Ms. Miller-White said that, per Estelle Felton, the funds are low and it was not enough to meet the needs that they have been given by the Perquimans County school system. Commissioner Cole feels that this is not a function of the government. No action was taken at this time.

BUDGET AMENDMENT NO. 6

County Manager Darden explained that this Budget Amendment budgets for the Emergency Services Building payment for FY 2011-2012 that is due in March, 2012. On motion made by Mack E. Nixon, seconded by Edward R. Muzzulin, the Board unanimously approved the following Budget Amendment No. 6:

**BUDGET AMENDMENT NO. 6
GENERAL FUND**

CODE NUMBER	DESCRIPTION OF CODE	AMOUNT	
		INCREASE	DECREASE
10-850-850	Principal - Emerg. Services Building	49,000	
10-850-860	Interest - Emerg. Services Building	12,200	
10-399-000	Fund Balance Appropriated	61,200	
EXPLANATION: To budget for payment due in FY 2011-12 (March).			

BUDGET AMENDMENT NO. 7

County Manager Darden explained that, with the change in the copier maintenance agreements for FY 2011-2012, the budget needs to be amended to reflect this change. On motion made by Mack E. Nixon, seconded by Sue Weimar, the Board unanimously approved the following Budget Amendment No. 7:

**BUDGET AMENDMENT NO. 6
GENERAL FUND**

CODE NUMBER	DESCRIPTION OF CODE	AMOUNT	
		INCREASE	DECREASE
10-615-740	Extension - Capital Outlay		7,761
10-420-160	County Manager - Maint. & Equip.	352	
10-420-160	Finance - Maint. & Equip.	1,612	
10-660-160	Senior Center - Maint. & Equip.	1,171	
10-430-160	Election - Maint. & Equip.	1,402	
10-685-160	Recreation - Maint. & Equip.	1,612	
EXPLANATION: To reflect changes in copier maintenance agreements for FY 2011-12 per contract with Coastal Office Equipment dated 10/24/11.			

SIGNATURE CARDS

With the changes in the County Manager, the Board will need to authorize the Chairman and County staff to sign new signature cards for the following accounts: RBC Bank Signature Card & Resolution/Agreement; Single Family Rehab Grant; and Public School Building Capital Fund. On motion made by Mack E. Nixon, seconded by Tammy Miller-White, the Board unanimously authorized the Chairman and County staff to sign new signature cards for the following accounts: RBC Bank Signature Card & Resolution/Agreement; Single Family Rehab Grant; and Public School Building Capital Fund.

PUBLIC COMMENTS

There were no comments from the public.

ADJOURNMENT

There being no further business to discuss, the Regular Meeting was adjourned by the Chairman at 8:40 p.m.

Benjamin C. Hobbs, Chairman

Clerk to the Board

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