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REGULAR MEETING

August 5, 2019  
6:50 p.m.

The Perquimans County Board of Commissioners met in a regular meeting on Monday, August 5, 2019, at 6:50 p.m. in the Commissioners Room located on the first floor of the Perquimans County Courthouse Annex.

MEMBERS PRESENT: Wallace E. Nelson, Chairman      Fondella A. Leigh, Vice Chair *(arrived at 7:02 p.m.)*  
Joseph W. Hoffler      T. Kyle Jones  
Alan Lennon      Charles Woodard

MEMBERS ABSENT: None

OTHERS PRESENT: Frank Heath, County Manager      Mary Hunnicutt, Clerk to the Board  
Hackney High, County Attorney

The meeting was called to order by Chairman Nelson. Commissioner Woodard gave the invocation and the Chairman led the Pledge of Allegiance. Afterwards, the Chairman explained that the first item of business was to hold a public hearing to receive citizens' comments to consider the Resolution authorizing the exchange of property with NCDOT.

**PUBLIC HEARING**

**Resolution Authorizing Exchange of Property with NCDOT**

Chairman Nelson opened the Public Hearing restating that the purpose of this public hearing to receive citizens' comments to consider the Resolution authorizing the exchange of property with NCDOT. There were fourteen (14) people present. After Chairman Nelson provided a brief overview of the transfer, he asked if anyone from the public had signed to speak. There being no comments from the public and no questions/comments from the Board, Chairman Nelson closed the Public Hearing at 7:00 p.m. and proceeded with Regular Meeting.

**AGENDA**

Chairman Nelson said that a copy of the amended Agenda was at their seats tonight. Charles Woodard made a motion to approve the Agenda, as amended. The motion was seconded by Joseph W. Hoffler and unanimously approved by the Board.

**CONSENT AGENDA**

The following items were considered to be routine and were unanimously approved on motion made by T. Kyle Jones, seconded by Alan Lennon.

1. **Approval of Minutes:** July 1, 2019 Regular Meeting & July 15, 2019 Work Session Minutes
2. **Tax Refund Approvals:**

**PERQUIMANS COUNTY TAX REFUNDS:**

<b>Strauss, Kenneth &amp; Arlene</b> .....	<b>\$512.43</b>
Description of house was changed during reval and should not have been. For 2018. Account Number 257321.	
<b>Strauss, Kenneth &amp; Arlene</b> .....	<b>\$512.43</b>
Description of house was changed during reval and should not have been. For 2017. Account Number 257321.	
<b>Strauss, Kenneth &amp; Arlene</b> .....	<b>\$512.43</b>
Description of house was changed during reval and should not have been. For 2016. Account Number 257321.	
<b>Riggins, Gertrude</b> .....	<b>\$101.32</b>
Turned vehicle in to Wells Fargo. Account Number 0042042348.	
<b>Miller, Bradley Scott</b> .....	<b>\$112.19</b>
Vehicle transferred to Germany. Account Number 0048355060.	

3. **Personnel Matters:**

Employee Name	Employee Job Title	Action Required	Grade/Step	New Salary	Effective Date
Amanda Richardson	Part-Time Certified Telecommunicator	Moving from FI to PT	62/1	\$14.04/hr.	08/01/2019
Barry Overman	Part-Time Fire Marshal	Appointment	70/18	\$30.18/hr.	08/01/2019
Stacey Edwards	Certified Deputy/SRO	Appointment	65/8	\$39,477	08/01/2019
Hunter Saberon	Deputy Register of Deeds	Resignation			08/02/2019
Cheryl Downing	Housekeeping Assistant	Retirement			11/01/2019
Patricia Serino	IMC I working toward IMC II	Termination			07/26/2019
Alan Smith	Part-Time/Fill-In Paramedic	Resignation			07/29/2019
Sean Tripp	Part-Time/Fill-In EMT-B	Removed from Roster			07/29/2019
Heather Nash	Part-Time/Fill-In EMT-I	Removed from Roster			07/29/2019
James Davenport	Part-Time/Fill-In Paramedic	Appointment	68/1	\$18.25/hr.	08/01/2019
Chelsea Dunn	Part-Time/Fill-In EMT	Appointment	63/1	\$14.65/hr.	08/01/2019
Brian Hickman	Part-Time/Fill-In AEMT	Appointment	66/1	\$16.72/hr.	08/01/2019
Morgan Lilly	Part-Time/Fill-In EMT	Appointment	63/1	\$14.65/hr.	08/01/2019
Cody Griggs	AEMT	Certification	66/1	\$16.72/hr.	07/01/2019

4. **Step/Merit Increases:**

Employee Name	Employee Job Title	Grade/Step	New Salary	Effective Date
Samantha Farrar	Office Assistant III	57/5	\$25,793	08/01/2019
James Grosjean	EMS Compliance Officer	68/7	\$43,952	08/01/2019
Tori Arroyo	Deputy Sheriff / SRO (Certified)	65/2	\$34,102	08/01/2019
Brian Baker	P/T Animal Control Officer	58/4	\$12.65/hr.	08/01/2019
Brian Gregory	Part-Time Deputy Sheriff	65/4	\$17.22/hr.	08/01/2019
Damon Sizemore	Deputy Sheriff (Certified)	65/3	\$34,934	08/01/2019
Tiffany Haynes	Certified Telecommunicator	62/2	\$14.37/hr.	08/01/2019

5. **Resolution/Letter of Recommendation:** The following Resolution & Letter of Recommendation was unanimously approved by the Board:

**RESOLUTION AUTHORIZING SALE  
OF CERTAIN SURPLUS COUNTY PROPERTY**

WHEREAS, the Perquimans County Board of Commissioners desires to dispose of certain surplus property of the County:

NOW, THEREFORE, BE IT RESOLVED by the Perquimans County Board of Commissioners that:

1. The following described property is hereby declared to be surplus to the needs of the County:

2. The County Manager is hereby authorized and directed to proceed on behalf of the Perquimans County Board of Commissioners to sale this surplus property on GovDeals.

3. The County reserves the right to reject any or all bids and decide not to sell the property at any time during this process.

4. The County Manager, in accordance with State law, shall cause a summary of this resolution to be posted on bulletin board at Courthouse and place it on the County's website and Facebook page. After not less than ten (10) days from the date of publication, the County Manager is authorized to sell the above-described property to the highest bidder.

Adopted this the 5<sup>th</sup> day of August, 2019.

Wallace E. Nelson, Chairman

ATTEST:

Mary P. Hunnicutt, Clerk to the Board

July 5, 2019

Governor Roy Cooper  
North Carolina Office of the Governor  
20301 Mail Service Center  
Raleigh, NC 27699-0301

**RE: LONG LEAF PINE AWARD  
SID ELEY**

Dear Governor Cooper:

We have been requested to present a letter of recommendation for Sid Eley for the Long Leaf Pine Award. On behalf of the Perquimans County Board of Commissioners, it is our pleasure to recommend Mr. Eley for this award. Mr. Eley has faithfully served our community as an instructor and coach in the Perquimans County School System, as Mayor and Councilman of the Town of Hertford, as a fireman for 49 years for the Hertford Volunteer Fire Department, and has recently retired as Executive Director of the Perquimans County Chamber of Commerce.

Mr. Eley loves what he does and he loves the Town of Hertford and enjoys talking to visitors that come to Hertford, NC. Because Mr. Eley has a long record of extraordinary service to the Town of Hertford and Perquimans County, the Perquimans County Board of Commissioners recommend Mr. Eley for the Long Leaf Pine Award.

If you need any additional information or have any questions, please contact me.

Sincerely yours,

Wallace E. Nelson, Chairman  
Perquimans County Board of Commissioners

WEN/mh

**6. Miscellaneous Documents:** The following miscellaneous documents were unanimously approved by the Board:

- **County Cooperative Agreement with N.C. Forest Services:** The Board unanimously approved the County Cooperative Agreement with Division of Forest Resources for FY 2019-2020 and authorized the Chairman and County Staff to sign the Agreement. The costs will be \$137,131 being divided between the State at \$89,135 (65%) and the County at \$47,996 (35%).
- **Letter of Intent to Contract with Trillium:** Trillium is asking for the County's participation in the partnership with Trillium to provide services to Medicaid beneficiaries eligible for Behavioral Health Intellectual Developmental Disability Tailored Plan. Board unanimously approved their request.
- **Home & Community Care Block Grant Documentation:** The County has been approved to receive funds from the Home & Community Care Block Grant (HCCBG). The Board unanimously authorized the Chair and County Staff to sign the request documentation to receive these funds.

**INTRODUCTION OF NEW EMPLOYEES**

The following employee/staff was introduced to the Board:

1. **Robert Smith:** Nick Lories, Water Supervisor, introduced Robert Smith who was appointed as a Water Technician I on July 1, 2019.
2. **Julie Solesbee:** Jonathan Nixon, Emergency Services Director, introduced Julie Solesbee who was promoted from Part-Time/Fill-In AEMT to PIO/Grants Manager/AEMT on July 1, 2019.

Chairman Nelson welcomed them to Perquimans County.

**JANICE MCKENZIE COLE**

Ms. Cole made the following remarks regarding the issue of using lottery funds for the Athletic Complex:

Statement of Janice Mckenzie Cole  
Board of Commissioners Meeting  
August 5, 2019

This evening you will consider a request made by the school system for the release of lottery funds to pay for the concession stand at the Athletic Complex. It is my understanding that there is currently about \$200,000 in the lottery fund and \$146,000 is being requested which will leave a balance of \$54,000. So far approximately \$400,000 of lottery funds have been released to the school system for the athletic complex to pay for the concrete slab for the grandstand, the purchase and installation of the bleachers, LED lighting and the irrigation system for the football field.

This new construction is certainly an authorized use of the lottery funds, BUT the problem as I see it is that this money that is being used to construct the athletic complex which if I read the newspaper correctly, will be used for four football games this year, is not available for the improvements to school buildings that our children, teachers and staff occupy 5 days a week when school is in session. And, in fact, the same night that the school officials came before you in April of last year to request the bulk of that \$400,000 they also requested \$56,000 to fix the HVAC system at one of the schools and that money which you approved had to be paid out of the general fund—our tax dollars because there was not enough left in the lottery fund to pay that too. It seems like our general fund will be used to pay for what the school system needs and the lottery fund is to be used for what they want. My point is that we the residents of Perquimans County seem to be the victims of a backdoor plan to have us foot the bill for the major expense of the athletic complex.

That was not the initial vision of how it was to be funded. It was supposed to be a privately funded project. Committees were formed to try to raise the money. The first committee was chaired by Charles Ward himself. And anyone who knew Charles Ward knew how tightly he held on to the County's funds. Granted, raising the private money proved to be difficult. But who made the decision and when was it made that if not private then public funds would be used. Is the plan to continue to drain the lottery funds to complete the project? Is the school system engaged in ongoing fundraising?

The County gets about \$120,000 a year from the lottery. In the past we have been able to allow those funds to accumulate so that we had \$338,000 available in 2014 to renovate the entrance at the Hertford Grammar school to make the school more secure, and before that, we were able to use a total of \$630,000 toward the new gym at the high school and one year to help toward the debt. There is no accumulation now and at this rate, it does not look like there is going to be because the athletic complex is not complete. Today it is the

concession stand. But the field house is not complete, there is no ticket booth, there is no parking lot yet. How long before the school system comes before you to say that it is not safe for people to have to park at the high school and cross the street to get to the field.

You just voted a 2 cent increase in the property tax to stabilize the County fund balance, which in the last couple of years has been steadily falling. We have gone from a fund balance of 29.45% to 23.4% last fiscal year when \$732,000 had to be taken out of fund balance to balance our budget. And this year another \$600,000 will have to be taken out of the fund balance, bringing it down to 20%.

But you have greatly improved our services. Since 2016 the allocation for the Sheriff's Department and EMS have each increased to over \$200,000 a year and the allocation to the school system has increased by half a million.

Perquimans County to the best of my knowledge has never neglected its schools. During the real estate boom prior to 2008, unlike many other counties, Perquimans put money into our school buildings. Over the years with the exception of one \$400,000 in FY 2011 to help pay the debt on the high school which I mentioned earlier, this and prior Boards have paid the \$836,000 annual debt on the gym and associated renovations to that building out of the general fund. Lottery funds could be used to pay that debt, but to your credit you and prior commissioners have chosen not to use that money even though legally they could. The County pays the bulk of the costs to have a school resource officer at each of our four schools to the tune of about \$125,000 a year. In addition to the \$2.9 million that you allocate to the school system each year, you give the schools an additional \$475,000 each year for their capital outlay budget.

But in addition to this, will the County property owners still be asked to pay for more needed repairs on school buildings out of our tax dollars while the drain on the lottery funds continues to pay for the athletic complex. If that's what you decide you want to do then I think as good stewards of our money, you owe us transparency as to how the initial \$600,000 bequeathed by Charles Ward was spent and the projected costs to complete this athletic complex. At very least, I submit that the school system should have to present to you their financial plan for completing that athletic complex and if their only plan is to use lottery funds, then at least we will know that upfront and not through the backdoor.

**SUSAN CHANEY, SOCIAL SERVICES DIRECTOR**

Ms. Chaney was not present to give her monthly report.

**COMMISSIONER'S CONCERNS/COMMITTEE REPORTS**

The following commissioner's concern/committee report was given:

- **Commissioner Hoffler:** Mr. Hoffler thanked the County Manager and the Sheriff's Department on the recent drug bust but last week. By getting these individuals off the street, our County is much safer. County Manager Heath stated that he did not personally have anything to do with this event other than the budget.

**UPDATES FROM COUNTY MANAGER**

County Manager Heath presented the following updates:

- **New Social Services Building:** Mr. Heath explained that the architect will be at our next Work Session meeting to discuss the plans for the new Social Services Building. The drawings were from the previous budget but are now just being completed.
- **August 6<sup>th</sup> National Night Out:** Mr. Heath reminded everyone to attend this event from 4:00 – 8:00 p.m. at the Recreation Center.
- **Commerce Centre Property:** Mr. Heath reported that the property that was once owned by the Wooddisse family has been recently sold to another party. It consists of one building and about ten acres. The Company is a steel fabrication and barge company. They will have five (5) initial employees and eventually as many as thirty (30). We will then have a fully active marine business in the Commerce Centre site.

**RESOLUTION AUTHORIZING EXCHANGE OF PROPERTY**

A Public Hearing was held earlier in the meeting. There being no questions or comments from the Board, County Manager Heath recommends the approval of this Resolution. On motion made by T. Kyle Jones, seconded by Charles Woodard, the Board unanimously approved the following Resolution to authorize the exchange of property with N.C. Department of Transportation:

**RESOLUTION AUTHORIZING EXCHANGE OF REAL PROPERTY  
BETWEEN PERQUIMANS COUNTY AND THE STATE OF  
NORTH CAROLINA PURSUANT TO N.C.G.S. 160A-271**

WHEREAS Perquimans County (the "County") owns a 3.00 acre tract of land, known and identified as Parcel 5 on that survey entitled "Recombination Survey For Perquimans County and North Carolina Department of Transportation" by Paul J. Toti, Professional Land Surveyor, dated February 28, 2006 which said property is located on Main Street Extended (N.C.S.R. 1220) and located in the County adjacent to property owned by the State of North Carolina for its Department of Transportation Maintenance Yard, which said property has an approximate value of \$30,000.00; and

WHEREAS The State of North Carolina (the "State") owns a 5.03 acre tract of land, known and identified as Perquimans County PIN 7950-55-7893, and further shown on that survey entitled "Map of Property of North Carolina Department of Transportation" by Ralph S. Jarvis, Professional Land Surveyor, dated December 31, 2002, which said map is recorded at Plat Cabinet 2 Slide 132-8 in the Perquimans County Registry and which is bounded by Main Street Extended (N.C.S.R. 1220), Melton Grove Road and Ocean Highway (U.S. Highway 17), which said property has an approximate value of \$50,000.00; and

WHEREAS the County and the State have agreed and wish to make an even exchange of the two described properties described above; and

WHEREAS North Carolina General Statute § 160A-271 authorizes the County to make such an exchange if authorized by the County Board of Commissioners by a resolution adopted at a regular meeting of the board upon at least 10 days' public notice; and

WHEREAS the County has given the required public notice and the County Board of Commissioners is convened in a regular meeting.

THEREFORE THE BOARD OF COMMISSIONERS OF PERQUIMANS COUNTY RESOLVES THAT:

1. The exchange of properties described above is authorized.
2. The appropriate county officials are directed to execute the appropriate instruments necessary to carry out the exchange authorized by this resolution.
3. That a copy of this resolution be placed in the minutes of the August 5, 2019 meeting of the Perquimans County Board of Commissioners

This the 5<sup>th</sup> day of August, 2019

\_\_\_\_\_  
Wallace E. Nelson, Chairman  
Perquimans County Board of Commissioners

\_\_\_\_\_  
Clerk to the Board

**ECONOMIC DEVELOPMENT CONSULTANT CONTRACT**

County Manager Heath explained, last month at our Commissioners' Meeting, Commissioner Lennon requested that the Economic Development Consultant Contract be moved to the July Work Session for discussion. The Board discussed the matter during the July Work Session and County Manager Heath is recommending the approval of the contract. On motion made by T. Kyle Jones,

seconded by Charles Woodard, the Board unanimously approved the following month to month contract with Dave Goss to handle Economic Development matters:

**DAVID N. GOSS**  
**Economic Development Consultant**  
 125 Cashie Drive  
 Hertford, NC 27944

June 17, 2019

Frank Heath  
 County Manager  
 Perquimans County  
 P.O. Box 45  
 Hertford, NC 27944

Dear Frank,

From all current indications, it appears that FY 2019-20 will be a transitional year for the County's Economic Development program. For example, (1) if the Inland Basin receives proper funding, there will be the need for someone to become a manager of the Marine Industrial Park; or (2) if the Marine Industrial Park is sold to a private sector entity, the need for an Economic Development Consultant will be diminished; or (3) if the Inner Basin is not properly funded, there will be the need for a new economic development vision for the County. Whatever option becomes the reality, I believe it is the proper time for me to step aside as the County's Economic Development Consultant.

I am willing to work on a month-to-month basis during FY 2019-20 until the new economic development strategy becomes apparent and/or for as long as my consultant services will be of continuing value to the County. I envision one of my most important activities during the next fiscal year would be to assure smooth regional and state relationship transitions for any new economic development person. I have discovered that these relationships are critical for maximizing Perquimans County's economic development potential. Hopefully, I will also be able to provide valuable assistance in the development of the revised bidding process for the Inland Basin (if it is funded) and sale of the Lansing Building.

I am very appreciative of the support both you and the County Commissioners have given me during my tenure as the County's Economic Development Consultant. I truly believe that this support will pay many dividends in future years as the County's current economic development strategy becomes a reality.

Sincerely,

David N. Goss

**LARGE SCALE PRIVATE EVENTS**

Chairman Nelson recognized County Attorney High who provided the background for this document. A couple of months ago, Sheriff White and Jonathan Nixon appeared before the Board to discuss large scale private events. Mr. High has been working with them to prepare the first draft of the document that the Board could review and take action on in the future. Tonight, this is basically presented for information purposes only.

**SCHOOL LOTTERY FUND APPLICATION**

Chairman Nelson recognized Superintendent Tanya Turner who formally presented the following Lottery Fund Application:

<b>APPLICATION</b>	Approved: _____
<b>PUBLIC SCHOOL BUILDING CAPITAL FUND</b>	Date: _____
<b>NORTH CAROLINA EDUCATION LOTTERY</b>	
County: <u>Perquimans County</u>	Contact Person: <u>Jim Davison</u>
LEA: <u>Perquimans County</u>	Title: <u>Director of Maintenance</u>
Address: <u>411 Edenton Road St Hertford, NC 27944</u>	Phone: <u>(252) 425-2511</u>
Project Title: <u>Athletic Complex Restroom/concession</u>	
Location: <u>Perquimans County High School Athletic Complex</u>	
Type of Facility: <u>Athletic Complex Restroom/concession</u>	

North Carolina General Statutes, Chapter 18C, provides that a portion of the proceeds of the North Carolina State Lottery Fund be transferred to the Public School Building Capital Fund in accordance with G.S. 115C-564.2 Further, G.S. 115C-546.2 (d) has been amended to include the following:

- (3) No county shall have to provide matching funds. . .
- (4) A county may use monies in this Fund to pay for school construction projects in local school administrative units and to retire indebtedness incurred for school construction projects.
- (5) A county may not use monies in this Fund to pay for school technology needs.

As used in this section, "Public School Buildings" shall include only facilities for individual schools that are used for instructional and related purposes, and does not include central administration, maintenance, or other facilities. ***Applications must be submitted within one year following the date of final payment to the Contractor or Vendor.***

Short Description of Construction Project: Building is for public restrooms and concessions for the Perquimans County High School athletic complex.

Estimated Costs:

Purchase of Land _____	\$ _____
Planning and Design Services _____	_____
New Construction _____	_____
Additions / Renovations _____	_____
Repair _____	_____
Debt Service / Bond Payment _____	<u>146,029.00</u>
<b>TOTAL</b> _____	<b>\$ <u>146,029.00</u></b>

Estimated Project Beginning Date: 4/23/2018 Est. Project Completion Date: 4/1/2019

We, the undersigned, agree to submit a statement of state monies expended for this project within 60 days following completion of the project.

The County Commissioners and the Board of Education do hereby jointly request approval of the above project, and request release of \$ 146,029.00 from the Public School Building Capital Fund (Lottery Distribution). We certify that the project herein described is within the parameters of G.S. 115-C-546.

(Signature – Chair, County Commissioners)	(Date)
<u>Anne White</u>	<u>06/28/19</u>
(Signature – Chair, Board of Education)	(Date)

She further stated that she understands the concerns of the Commissioners, County Manager, and other members of our community. She, along with those that were in attendance, share those same concerns. Since coming on staff on May 1<sup>st</sup>, she feels that they have been transparent about what we found to be an error on the School System's part in regards to the expenditures for the Athletic Complex. As soon as they discovered the error, they met with County Manager Heath to let him know what they had found. And then came before the County Commissioners to let them know what was discovered. That wasn't something that they wanted to do but they wanted to be open and honest with their partnership with the County and maintain the relationship that has been built over the years. She stated that the Board of Education appreciates the support that the County has provided them over the years and understands that this has taken away from what we need to do in the schools to support our children. She further explained that they have no plans to spend any more funds on the Athletic Complex once this money is spent to complete the restrooms and concession stand. The unfortunate situation is that funds have already been spent that needs to be paid for. They are trying to make this right and move forward and spend the money as the Commissioners have entrusted them to do which will improve the education for our children. Ms. Turner thanked Mr. Blanchard, newly hired Finance Director, for all he has done and he is going to share with the Commissioners a report that he has prepared that further clarifies what has happened, why it happened, and will be available to answer any of the Board's questions. Ms. Turner introduced the new Finance Officer, Rube Blanchard, who presented a report of Capital Outlay Revenues and Expenditures for FY 2018-19. He further explained that they are requesting these funds due to the over spending of \$146,029 of the Capital Outlay Funds. He assured the Board that processes and procedures have been made to see that this does not happen again. After reviewing his report, Chairman Nelson asked the Board if they have any questions. The following questions were asked:

- **Commissioner Jones:** Mr. Jones asked when this report was completed. Mr. Blanchard stated that it was an on-going process for the past three weeks but finished it up today. Mr. Jones asked Mr. Blanchard if, just in FY 2018-19, they used \$259,748.04 fund balance. Mr. Blanchard said that it was for July expenditures for the construction process. Mr. Jones stated that he was bad in math so he wanted to clarify what the budget was for that period of time and how was that exceeded. Mr. Blanchard explained that the expenditures that the County paid on behalf of the school system was \$397,830. Those expenditures needed to be booked on the School System books. When they booked those expenditures, those funds had already been spent. He further explained that several of those expenditures had been transfer to Local Funds from Capital Outlay because of that over extension.
- **Commissioner Leigh:** Ms. Leigh also stated that she was not good in math and wanted to know what the total budget for the Athletic Complex. Mr. Blanchard stated that it was \$1,408,438.87.
- **Commissioner Lennon:** Mr. Lennon asked if he was referencing the total complex expenditures. Mr. Lennon stated that they are trying to find out what the total budget was for the project not what was actually spent. He was trying to figure out how they could overspend \$146,029. Mr. Blanchard explained that the \$397,830 that the County paid on their behalf should have been booked on their books as they incurred. However, based on the General Ledger based on the Budget, they did not realize that this \$397,830 was paid by the County and did not book it in their books until the middle of June at which point they discovered the overage. That is why new procedures have been in place to prevent this from happening again. He will be contacting the County each month to determine what they had spent and he would be giving Ms. Mathews a report of what they have spent.
- **Commissioner Leigh:** Ms. Leigh asked Mr. Blanchard, in layman's terms, please explain how you had a budget and you overspent that budget by \$146,029 requiring you to ask the County to approve this \$146,029 to replace the funds that were overspent. Mr. Blanchard explained what happened, how it happened, and what they have done to alleviate it happening again.
- **County Manager Heath:** Mr. Heath asked Mr. Blanchard what "Transferred to Local Funds" means. After Mr. Blanchard explained, Mr. Heath asked if it was basically transferred to County funds to be used for the Athletic Complex expenditures that the County had budgeted for other Capital Outlay projects. Mr. Blanchard said that was true. Mr. Blanchard explained again that they have now established different procedures to prevent this from happening again. He also explained that they had opened a separate Capital Outlay account to handle their Capital Outlay projects.
- **Commissioner Woodard:** Mr. Woodard confirmed that he was talking about a new account just for Capital Outlay projects. Mr. Blanchard said that it was. Mr. Woodard said that would help them keep track of what they have available to spend.
- **Commissioner Hoffer:** Mr. Hoffer asked Mr. Blanchard if these expenditures were for just the football field not the entire Athletic Complex? Mr. Blanchard explained that the same process will have to be done for the track and the soccer field. Ms. Tucker said that, unless some more donations come in, there will be no more work done on the Athletic Complex. They will wait until the funds are available to do so. There are more important projects that need their Capital Outlay funds for our children.
- **Commissioner Jones:** Mr. Jones asked how much progress has been made on the track. Ms. Turner said that no work had been done for that thus far because this was just Phase I. Dr. Anne White, Chair of the Board of Education, reminded the Board that there were two phases to this project. The football field was for Phase I.
- **Dr. Anne White, Chair of Board of Education:** Dr. White said that she wanted to provide some clarification to this matter. She discussed her math teacher and how she did not learn enough about math but she did learn a lot about public relations. She begged the Board for the approval of the lottery funds because they have a team of leaders in the Administration Office and in the various schools that is second to none. None of these leaders were involved in the mistakes that were made or in the hiring of the individuals that made the mistakes. Those people are gone and now our current administration is being held accountable for. We now have people that are excited about the new school year and are anxious to get things started. She is asking the Board to approve this lottery application so that we can repair the mistakes that were made and move forward with the new school year. She further stated how Perquimans County School System was recently honored at one of their conferences. She further explained the sound financial service for the past 25 years that was provided in years past under the leadership of Frances Hammer and Cathy Tilley.
- **Commissioner Jones:** Mr. Jones stated that, knowing the County budget situation in that we do not have a lot of excess money to spend, maybe our problem was pushing the Athletic Complex in the first place. Dr. White agreed with Mr. Jones. She asked what the Board could do to help them get out of the hole that someone else dug so we can begin this school year.
- **Chairman Nelson:** Mr. Nelson had a couple of questions. He wanted to know if all the vendors up to this point have been paid. Ms. Turner said that they still have to pay for the goal post, the time clock, the concrete around the concession stand, and moving the bleachers plus the signage that we are responsible for putting it in place. She further stated that the \$12,000 that they have left there should cover these remaining items lacking only \$3,000, with the exception of the signage (which will be around \$10,000) they are required to do. Once these items are completed, this phase would be completed and no more funds will be spent on this until they have the funds available but they can play football on the field this fall. We will not build the ticket booth and field house. Chairman Nelson wanted to clarify that these \$146,029 lottery funds will be going back into the school Capital Outlay fund to pay for the items that were discussed during the Budget process because, due to these errors in posting, they had to use some of their Capital Outlay funds to cover the overage in the Athletic Complex funds. These funds will be used for their projects for the Capital Outlay projects as budgeted. Chairman Nelson explained that the application stated that it was for the public restrooms and concessions for the athletic complex. Ms. Turner explained why they wrote the application up that way.
- **Commissioner Hoffer:** Mr. Hoffer asked about the signage that they are required to do. Assistant Superintendent Bunch explained how the signage would be. Mr. Jones asked if it had to be this way. Mr. Bunch said that, after review of the information regarding the complex, there was an understanding discussed previously what it required. Mr. Jones asked Mr. Bunch if these mandates were put in place prior to the property being donated by Mr. Nixon. Mr. Bunch stated that he was aware of the things Mr. Jones talked about but he had not read the documentation stating those mandates.

Chairman Nelson asked if there were any further questions or comments from the Board of Education or from the Commissioners. Superintendent Turner explained that they would appreciate their consideration of this approval of this lottery fund application and that they have tried to be as transparent as they possibly could be with regard to this error on their part.

- **Commissioner Hoffler:** Mr. Hoffer said that his question is on a different matter than the athletic complex. He asked them if they are still trying to get the fire truck from the Town of Hertford. Mr. Bunch said that he was and that he met with the Hertford Town Council earlier this summer. He requested them to basically give them the fire truck and requested that they eliminate or reduce the tap fee for the Athletic Complex. Their response was for the school to pay \$7,000 for the fire truck which was their normal annual payment and there would be no more payments and there would be no relief on the tap fee for the Athletic Complex.
- **Commissioner Woodard:** Mr. Woodard asked what would happen if the School Board did not receive the lottery funds. Ms. Turner said that they would have to put off doing the budgeted projects because they want to make sure that they have funding for any emergencies which come up during the year. This money will go into the Capital Outlay funds not the Athletic Complex funds. They would put them off until closer to the end of the year so that they would not run out of funds before the projects are completed. She said that, should they get the money, they would begin working on these Capital Outlay projects that need to be done.

Chairman Nelson asked if there were any further questions or comments. There being none, he said that we could do one of two things: (1) take action on this matter tonight or (2) postpone the vote since we received new information tonight and hold a Special Called Meeting on August 19<sup>th</sup> or wait until the September 3<sup>rd</sup> meeting to take action. County Manager Heath stated that they could table action tonight or take action on it tonight. It is up to the Board. Commissioner Woodard said that he would be agreeable to table it. Commissioner Jones stated, for him, he did not know what benefit it would be to table action on this. Commissioner Lennon said that he did not think it would be necessary to put it off and made a motion to approve the application for \$146,029 Lottery Funds. Joseph W. Hoffer seconded the motion. The motion died due to a vote of three (3) to three (3) with the vote being as followings: Yeas were Commissioners Lennon, Hoffer, and Woodard and Nays were Commissioners Nelson, Leigh, and Jones.

**APPOINTMENT: THE HIGHWAY 17/64 ASSOCIATION BOARD OF DIRECTORS**

County Manager Heath explained that the Board appropriated funds in the FY 2019-20 budget to the Highway 17/64 Association. The County has been asked to appoint a representative to their Board of Directors. It can be a commissioner or a non-commissioner. Commissioner Lennon asked how often they met and where did they meet. Mr. Heath stated that he thought it was quarterly and they meet somewhere locally. It was the consensus of the Board to table the matter.

**PETITION: CEDARWOOD VILLAGE**

County Manager Heath explained that Tildon Whitehurst, developer of Cedarwood Village Subdivision, is requesting that NCDOT add the roads in Cedarwood Village to the State Road Maintenance System. On motion made by T. Kyle Jones, seconded by Alan Lennon, the Board unanimously approved to forward the petition to add roads in Cedarwood Village Subdivision to NCDOT State Maintenance System.

**PUBLIC COMMENTS**

The following public comments were made:

- **Olga Simpson:** Ms. Simpson reviewed her situation regarding the Single Family Rehab Grant Program and asked the Board for an update on the situation.
- **Mark McDaniels:** Mr. McDaniels stated that he lives next to the Race Track and he wanted to address our Noise Ordinance. He wanted to know if the Board could update our current Noise Ordinance because, whenever he calls about the noise, law enforcement tells them that the current Noise Ordinance is unenforceable because there is no definition of noise limits within the ordinance. He had a copy of Currituck County's Ordinance and it had more limits on noise in it so that it could be enforced. Commissioner Jones made a few comments with regard to problems with enforcing any Noise Ordinance. County Manager Heath made a few comments about equipment to establish noise readings and that Race Tracks in existence of the current Noise Ordinance is exempted from the Ordinance. Chairman Nelson stated that they would take it under advisement.

**CLOSED SESSION: CONSULT WITH ATTORNEY REGARDING A LEGAL MATTER & CLOSED SESSION MINUTES**

Pursuant to NC General Statute 143-318.11(3), T. Kyle Jones made a motion to go into Closed Session to consult with attorney regarding a legal matter and to approve closed session minutes. The motion was seconded by Joseph W. Hoffer and unanimously approved by the Board.

The Closed Session was adjourned and the Regular Meeting reconvened on motion made by Fondella A. Leigh, seconded by Charles Woodard, and unanimously approved by the Board. No action required from the Closed Session.

**ADJOURNMENT**

There being no further comments or business to discuss, the Regular Meeting was adjourned at 9:15 p.m. on motion made by Charles Woodard, seconded by Fondella A. Leigh.

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Wallace E. Nelson, Chairman

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Clerk to the Board

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**WORK SESSION**  
August 19, 2019  
7:00 p.m.

The Perquimans County Board of Commissioners met in a Work Session on Monday, August 19, 2019, at 7:00 p.m. in the Commissioners Room located on the first floor of the Perquimans County Courthouse Annex.

MEMBERS PRESENT:      Wallace E. Nelson, Chairman                      Fondella A. Leigh, Vice Chair  
   Joseph W. Hoffer    Kyle Jones  
   Alan Lennon    Charles Woodard

MEMBERS ABSENT:      None

OTHERS PRESENT:      Frank Heath, County Manager                      Mary Hunnicutt, Clerk to the Board

Chairman Nelson called the meeting to order. Commissioner Jones gave the invocation and the Chairman led the Pledge of Allegiance.