

The Closed Session was adjourned and the Regular Called Meeting reconvened on motion made by Charles Woodard, seconded by Fondella A. Leigh and unanimously approved by the Board.

No action was required from the Closed Session

ADJOURNMENT

Prior to adjourning the meeting, Commissioner Woodard asked about honoring the Perquimans County High School Girls' Volleyball Team who came in second place for the State Championship. It was the consensus of the Board to send a note to the school congratulating the girls for their win. County Manager Heath will check into this and handle it. There being no further comments or business to discuss, the Regular Meeting was adjourned at 8:15 p.m. on motion made by Joseph W. Hoffer, seconded by Charles Woodard.

Wallace E. Nelson, Chairman

Clerk to the Board

WORK SESSION
November 21, 2022
7:00 p.m.

The Perquimans County Board of Commissioners Work Session on November 21, 2022 was cancelled.

REGULAR MEETING
December 5, 2022
7:00 p.m.

The Perquimans County Board of Commissioners met in a regular meeting on Monday, December 5, 2022, at 7:00 p.m. in the Meeting Room of the Perquimans County Library located at 514 S. Church Street, Hertford, NC 27944.

- MEMBERS PRESENT: Wallace E. Nelson, Chairman Fondella A. Leigh, Vice Chair
Thelma Finch-Copeland Joseph W. Hoffer
T. Kyle Jones Charles Woodard
- MEMBERS ABSENT: None
- OTHERS PRESENT: Frank Heath, County Manager Mary Hunnicutt, Clerk to the Board
Hackney High, County Attorney

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

AGENDA

Chairman Nelson stated that a copy of the Agenda was at their seats tonight. Fondella A. Leigh made a motion to approve the Agenda as presented. The motion was seconded by Charles Woodard and unanimously approved by the Board.

CONSENT AGENDA

Chairman Nelson asked if there were any items that the Board wished to remove from the Consent Agenda to discuss. There being none, the following items were considered to be routine and were unanimously approved on motion made by Charles Woodard, seconded by Thelma Finch-Copeland.

- Approval of Minutes:** November 7, 2022 Regular Meeting, November 21, 2022 Work Session (cancelled) were approved.
- Personnel Matters:**

Employee Name	Employee Job Title	Action Required	Grade/Step	New Salary	Effective Date
Lindsey Fields	Full-Time Certified Telecommunicator	Promotion	62/4	\$34,618	11/01/2022
Mary P. Hunnicutt	Clerk to the Board	Retirement			03/01/2023
Robert Farrar	Deputy / Code Enforcement Officer	Retirement			02/20/2023
Phillip Lane, III	Deputy	Resignation			11/21/2022
Krystal Tutwiler	911 Certified Telecommunicator Shift Supervisor	Resignation			11/30/2022
Krystal Tutwiler	Part-Time/Fill-In Certified Telecommunicator & Shift Supervisor	Reclassification	68/7	\$23.31/hr.	12/01/2022
Brandon Melton	Part-Time/Fill-In Telecommunicator	Resignation			11/18/2022
Codi Griggs	Part-Time/Fill-In AEMT	Retirement			11/20/2022
Kimberly Macias	Part-Time/Fill-In Paramedic	Resignation			11/17/2022
Jennifer Feltner	Part-Time/Fill-in Non-Certified Telecommunicator	Removed from Roster			11/14/2022
Samuel Spear	Part-Time/Fill-in Non-Certified Telecommunicator	Removed from Roster			11/14/2022
Cheyenne Umphlette	Part-Time/Fill-in Non-Certified Telecommunicator	Removed from Roster			11/14/2022
Na'Kindra Downing	911 Shift Supervisor	Promotion	67/2	\$41,089	12/01/2022

- Step Increases:**

Employee Name	Employee Job Title	Grade/Step	New Salary	Effective Date
Kylie Felton	Part-Time Certified Telecommunicator	62/3	\$16.24 per hr.	12/01/2022
Logan Hogge	Permanent Part-Time Certified Telecommunicator	62/2	\$15.85 per hr.	12/01/2022
Clifton Beaman, Jr.	Paramedic	68/2	\$20.64 per hr.	12/01/2022

Employee Name	Employee Job Title	Grade/ Step	New Salary	Effective Date
Amy Bojo	Paramedic	68/2	\$20.64 per hr.	12/01/2022
Tantina Copeland	AEMT	66/2	\$18.90 per hr.	12/01/2022
Logan, Hogge	EMT	63/2	\$16.57 per hr.	12/01/2022
Heidi Russell	EMT	63/2	\$16.57 per hr.	12/01/2022
Martin Surface	Paramedic	68/2	\$20.64 per hr.	12/01/2022
Dana Wavra	EMT	63/2	\$16.57 per hr.	12/01/2022
Dustin Winslow	Paramedic	68/2	\$20.64 per hr.	12/01/2022
Jessica White	Paramedic	68/2	\$42,938	12/01/2022
Brian Watson	Deputy Sheriff / SRO (Certified)	65/5	\$40,472	12/01/2022
Kylie Felton	Part-Time Certified Telecommunicator	62/3	\$16.24 per hr.	12/01/2022

4. **Board Reappointment:** The following board reappointment was approved by the Board:

Name	Board/Committee	Action Taken	Term	Effective Date
Joe Towe White	Town of Hertford Extra-Territorial Representative	Reappointment	3 yrs.	01/01/2023

5. **Enclosures:** The following miscellaneous document was approved by the Board:

a. **Revised Resolution for No-Wake Zone Extension Request from Town of Hertford:** The Board approved the following revised Resolution and map as presented:

RESOLUTION REQUESTING THE PERQUIMANS COUNTY BOARD OF COMMISSIONERS TO APPLY TO THE NORTH CAROLINA WILDLIFE RESOURCES COMMISSION TO EXPAND THE PERQUIMANS RIVER NO-WAKE ZONE

Resolution No. 2022-11-14

WHEREAS under authority of North Carolina General Statute § 75A-15(b) any subdivision of the State of North Carolina may make formal application to the North Carolina Wildlife Resources Commission for rules pertaining to the safe and reasonable operation of vessels on waters within the subdivision's territorial limits; and

WHEREAS, under authority of 15A NCAC 10F.0355(d) the Board of Commissioners of Perquimans County shall be designated for placement of markers implementing this Rule; and

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

WHEREAS, the Wildlife Enforcement Division of the Wildlife Resources Commission has completed an assessment of several hazards that exist in the Town of Hertford, near the S shaped bridge north and east of the current no-wake zone and determined that the flow of boat traffic in the area as the result of the new bridge is hazardous because of insufficient water depth and shoaling.

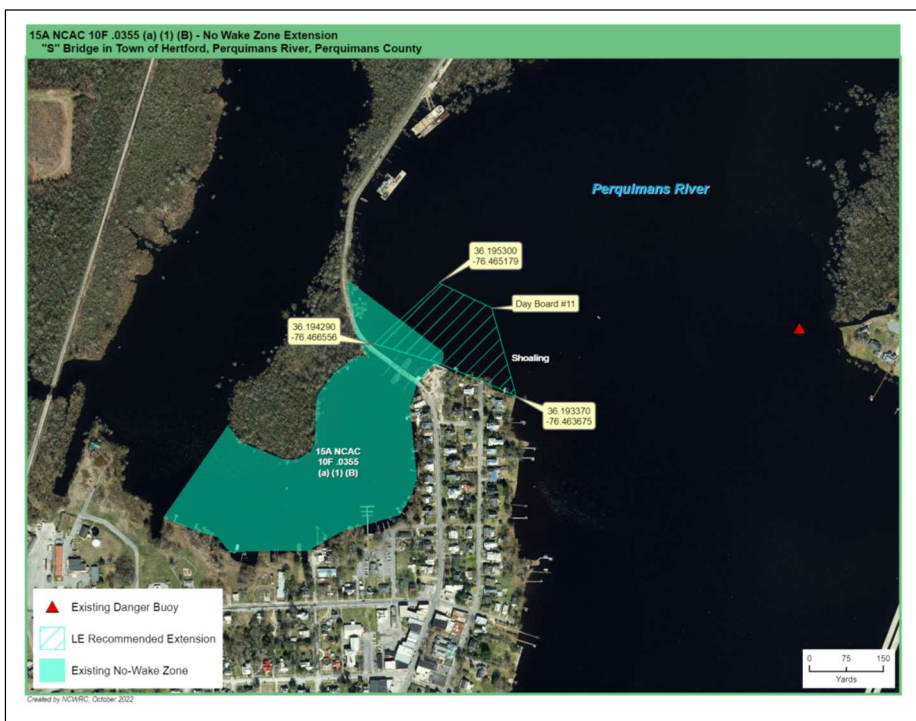
NOW THEREFORE, BE IT RESOLVED that the Hertford Town Council requests that the Perquimans County Board of Commissioners submit an application for rulemaking to the North Carolina Wildlife Resources Commission to expand the no-wake zone per the attached map as needed for boater safety as determined by the Wildlife Enforcement Division.

Adopted this 14th day of November 2022

Earnell Brown
Earnell Brown, Mayor

ATTEST:

Gina Durante
Gina Durante, Town Clerk



b. **Resolution to Sale Vehicle on GovDeals:** The Board approved the following Resolution to declare ambulance as surplus equipment and sell on GovDeals:

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:

- The following described vehicle is hereby declared to be surplus to the needs of the County:

<u>Model Year</u>	<u>Make</u>	<u>Model</u>	<u>VIN</u>
2007	Ford	E-350 AEV Ambulance	1FDWE35P77DA87719

2. The County Manager is hereby authorized and directed to proceed on behalf of the Perquimans County Board of Commissioners to sell these vehicles on GovDeals.
3. The County reserves the right to reject any or all bids and decide not to sell the vehicles 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 5th day of December, 2022.

 Chairman
 Perquimans County Board of Commissioners

ATTEST:

 Mary P. Hunnicutt, Clerk to the Board

SEAL

- c. **Resolution – Approval of the Performance Bond for Sheriff:** NC General Statute #162-8 requires that the Board of County Commissioners provide a performance bond in the amount not to exceed \$25,000. The following resolution was approved to authorize the \$10,000 performance bond with Western Surety Company effective December 3, 2022 through December 3, 2026. This bond will remain in the Clerk of Superior Court’s Office:

RESOLUTION TO APPROVE THE BONDING OF SHERIFF

WHEREAS, North Carolina General Statutes §105-349(c) requires a Sheriff to provide a performance bond in such amount as the governing body may prescribe;

WHEREAS, North Carolina General Statutes §159-29(b) requires each officer, employee or agent of a local government who handles or has in his custody more than one hundred dollars (\$100) of the unit’s funds at any one time to provide a performance bond in an amount to be determined by the Governing Board;

WHEREAS, North Carolina General Statutes §162-8 requires the Sheriff to provide a performance bond in an amount determined by the Board of County Commissioners but shall not exceed \$25,000;

WHEREAS, North Carolina General Statutes §58-72-55 requires the Clerk to the Board of Commissioners to record in the proceedings the names of those Commissioners who are present at the time of approval of the official bonds and who voted for such approval; and

WHEREAS, North Carolina General Statutes §58-72-55 further provides that any Commissioner may cause their written dissent to an official bond to be entered into the records of the Board.

NOW, THEREFORE, the Board of Commissioners of Perquimans County hereby resolves as follows:

1. That is Board hereby unanimously accepts and approves bonds for the Sheriff as follows:

Shelton Ray White, Jr., Sheriff, \$10,000 with Western Surety Company
2. That pursuant to North Carolina General Statutes §58-72-55, the Clerk is hereby instructed to record the names of all Commissioners present at this meeting and who voted in favor of this resolution.
3. That pursuant to North Carolina General Statutes §58-72-55, any Commissioner who votes against this resolution may cause their written dissent to be entered into the record of the Board.
4. All acts and doings of officers, employees and agents of the County, whether taken prior to, on, or after the date of this Resolution that are in conformity with and in the furtherance of the purposes and intents of this Resolution as described above shall be, and the same hereby are, in all respects ratified, approved and confirmed.
5. Any prior resolutions or parts thereof of the Board in conflict with the provision herein contained are, to the extent of such conflict, hereby superseded and repealed.
6. That this resolution is effective upon adoption.

ADOPTED this the 5th day of December, 2022.

 Wallace E. Nelson, Chairman
 Perquimans County Board of Commissioners

ATTEST:

 Mary P. Hunnicutt, Clerk to the Board

SEAL

Western Surety Company
 CONTINUATION CERTIFICATE

Western Surety Company hereby continues in force Bond No. 72097732 briefly described as SHERIFF COUNTY OF PERQUIMANS for SHELTON RAY WHITE, JR., as Principal, in the sum of \$ TEN THOUSAND AND NO/100 Dollars, for the term beginning December 03, 2022, and ending December 03, 2026, subject to all the covenants and conditions of the original bond referred to above.

This continuation is issued upon the express condition that the liability of Western Surety Company under said Bond and this and all continuations thereof shall not be cumulative and shall in no event exceed the total sum above written.

Dated this 8th day of August, 2022.

WESTERN SURETY COMPANY
 By Paul T. Bryant
 Paul T. Bryant, Vice President

THIS "Continuation Certificate" MUST BE FILED WITH THE ABOVE BOND.

Form 90-A-8-8012

RECOGNITION OF DECEMBER RETIREES INTRODUCTION OF NEW EMPLOYEES

A. Recognition of December Retirees:

1. **Valerie Price, Water Department:** County Manager Heath presented a picture of Valerie Price receiving her plaque for retiring from the Water Department after 40 years of service.
2. **Joe Anne White, Social Services:** Mr. Heath stated that Joe Anne White will be having her retirement party on Wednesday, December 7th, at which time Mr. Heath will present her plaque honoring her after 26 years of service in the Social Services Department.

B. The following new employee were introduced to the Board:

1. **Jonathan Nixon, Emergency Services Director:** Mr. Nixon introduced Robert M. Watkins, Full-Time Paramedic, who was hired on September 1, 2022. After providing personal information on Mr. Watkins, the Mr. Watkins thanked the Board for the opportunity to work in his local county. The Board congratulated Mr. Watkins and welcomed him to the County.

THOMPSON, PRICE, SCOTT, ADAMS & CO., PA, AUDITOR

Chairman Nelson explained that Austin Eubanks of Thompson, Price, Scott, Adams & Co., PA will present a virtual report on the FY 2021-2022 Audit. After Mr. Eubanks presented an overview of the audit, he explained the findings that they found which were as follows:

Federal Award Finding:

- **US Department of Health & Human Services passed through the NC Department of Health & Human Services – Program Name was Medical Assistance Program (Medicaid; Title XIX) CFDA #93.778.**

Significant Deficiency/Noncompliance

Finding: 2022 – 001

Eligibility

- **Criteria:** Medicaid for Aged, Blind and Disabled case records should contain documentation that verifications were done in preparation of the application/recertification and these items will agree to reports in the NC FAST system. In this process, documentation should be present and agree back to the records in the NC FAST system. Any items discovered in the process should be considered in regards to a specific eligibility requirement and explained within the documentation.
- **Condition:** There were twenty-two (22) technical errors discovered during our procedures that verifications in the county documentation and the representative data contained in NC FAST were not the same amounts or files containing policy requirements were not properly documented to be considered in compliance with program control requirements. The errors were as follows: Two (2) failed to run the Work Number income verification for all individuals with the potential of earned income, One (1) was improperly forced with no supporting documentation, Two (2) had self-attestation evidence incorrectly input into NC FAST, Three (3) lacked evidence/filer consent resulting in a lack of online verifications for some participants, Eight (8) did not have accurate resource calculations, and Six (6) did not have accurate budget calculations in NC FAST.
- **Questioned Costs:** There was no affect to eligibility and there were no questioned costs.
- **Context:** We examined 60 Medicaid applicants to re-determine eligibility and determined one applicant received assistance for which they were not eligible. These findings were disclosed in a separately issued spreadsheet to the North Carolina Department of Health and Human Services and are being reported with the financial statement audit as it relates to Medicaid administrative cost compliance audit.
- **Effect:** For those certifications/re-certifications there was a chance that information was not properly documented and reconciled to NC FAST which affected countable resource and a participant could have been approved for benefits that they were not eligible. One applicant received assistance for which they were not eligible.
- **Cause:** Ineffective record keeping and ineffective case review process, incomplete documentation, and incorrect application of rules for purposes of determining eligibility.
- **Recommendation:** Files should be reviewed internally to ensure proper documentation is in place for eligibility. Workers should be retrained on what files should contain and the importance of complete and accurate record keeping. We recommend that all files include online verifications, documented resources of income and those amounts agree to information in NC FAST.
- **Views of responsible officials and planned corrective actions:** The County agrees with the finding. Supervisors will perform second party reviews to ensure proper documentation is contained in files to support eligibility determinations. Workers will be retrained on what information should be maintained in case files, the importance of complete and accurate record keeping, and reserve calculations. The County finance office will also participating in the review process.

- **US Department of Health and Human Services passed through the NC Dept. of Health and Human Services - Program Name was Medical Assistance Program (Medicaid; Title XIX) CFDA # 93.778**

Significant Deficiency/Noncompliance

Finding: 2022 – 002

Eligibility

- **Criteria:** Medicaid for Aged, Blind and Disabled case records should contain documentation that verifications were done in preparation of the application/recertification and these items will agree to reports in the NC FAST system. In this process, documentation should be present and agree back to the records in the NC FAST system. Any items discovered in the process should be considered in regards to a specific eligibility requirement and explained within the documentation.
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Financial Statement Findings:

- **2022 – 003 Restatement of previously issued financial statements to reflect the correction of a misstatement.**

Significant Deficiency

- **Criteria:** Within the General Fund EMS receivable and corresponding allowance for doubtful accounts were not recorded resulting in a prior period adjustment.
- **Condition:** The balance sheet of the General Fund was not properly presented.

- **Effect:** Fund Balance was understated for those receivables in prior years.
- **Cause:** Condition was created due to various conditions and interpretation of how management selected to report those items.
- **Recommendation:** The County will consider new methods of determining how receivables are analyzed.
- **Views of responsible officials and planned corrective actions:** The County agrees with this finding and will address this issue.

Mr. Eubanks concluded by saying that this was their first year of performing the audit and the staff felt that the County staff was doing a good job and that the audit was good. After his presentation, Chairman Nelson asked if the Board had any questions or comments. The following comments were made:

- **County Manager Heath:** Mr. Heath asked Mr. Eubanks if he had the amount of the Social Services error that he mentioned in the audit. He did not have the exact figure. Mr. Heath said that the amount of the above deficiencies in the Social Services Department involved one eligibility error in the amount of \$422.78. He further stated that all the findings have been addressed and has been discussed with the supervisor.
- **Chairman Nelson:** Mr. Nelson thanked the firm for their timely audit. Mr. Nelson encouraged the Board to take time to review the audit and, should they have any questions or comments, please let Mr. Heath know and he will try to get the answer for them.

There being no further comments or questions, Chairman Nelson asked for a motion to accept the FY 2021-2022 Audit as presented by Mr. Eubanks. On motion made by T. Kyle Jones, seconded by Joseph W. Hoffler, the FY 2021-2022 audit was unanimously approved by the Board.

SOLAR REPRESENTATIVES FOR PENDER ROAD SOLAR FARM

Chairman Nelson recognized Rhonda Repanshek who explained that the only remaining uninstalled large scaled solar farm is permitted on the north end of Pender Road. They originally obtained a special use permit in September, 2019 with a construction deadline of December 31, 2020 (year one). They received a two-year extension in December 2020 to go through December 31, 2022 (year three). Tonight they are requesting another two-year extension. Should the Board of Commissioners approve their request tonight, their five-year invested interest will be completed the end of this extension. Ms. Repanshek introduced Julianne Wooten and Mikala Newsom, representatives from Pinegate Renewables, who presented a PowerPoint presentation which provided an update on the Pender Road Solar Farm #SUP-19-03. The last slide that Ms. Newsom was about the vegetative screening of the solar farm. After her Ms. Newsom's presentation, she explained that they are requesting a two year extension to the Pender Road Solar Farm #SUP-19-03. She then asked if there were any questions or comments from the Board. County Manager Heath asked that, should the vegetative screening for the solar farm fail, the County will be contacting them promptly. Ms. Newsom said that they understand that and she has talked with Rhonda to find out what screening works best in this area and they will be using that type of vegetation to screen this solar farm. Mr. Heath and Chairman Nelson asked them to check out the screening at the Belvidere Road site. Their screening seems to be working. Mr. Heath also asked, once they start the project, what is the anticipated completion date. She said that it will be about nine months. Six months of that time will be the upgrades that Dominion has requested them to do. They are looking at the first quarter of 2024. On motion made by T. Kyle Jones, seconded by Joseph W. Hoffler, the Board unanimously approved the two-year extension of the #SUP-19-03.

COMMISSIONER'S CONCERNS/COMMITTEE REPORTS

The following comment was made:

- **Commissioner Hoffler:** Mr. Hoffler said that he has some concerns but that will be delayed for a couple of months. Tonight is a night to honor Commissioner Leigh and Commissioner Finch-Copeland. He thanked Ms. Finch-Copeland for standing in as a commissioner when Commissioner Lennon resigned and moved away. She has served with grace and dignity. He also thanked Commissioner Leigh for taking him under her wings and helped him learn as a new commissioner. She knew everyone in the County. She also has a commitment to her duty. Last but not least, he also said that Ms. Leigh's negotiating skills to cross the lines will be missed.

UPDATES FROM COUNTY MANAGER

County Manager Heath presented the following updates:

- **Hertford Christmas Parade:** Mr. Heath said that the parade last Saturday was a success. They had a great turnout even with the threat of bad weather.
- **The Festival of Lights:** Mr. Heath said that the Festival of Lights began on Friday night after the Grand Illumination. He has had many positive responses for the event. It will continue through December each night between 5:00 and 10:00 p.m.
- **Tennis Court Construction Update:** Mr. Heath reported that site work on the tennis courts at the Recreation Center has begun.
- **Marine Basin Construction Update:** Mr. Heath stated that the construction of the Marine Basin continues to progress. He shared several pictures of the site. There may be a little slow down in the construction when the cold weather comes in. There have been some questions about shoreline stabilization adjacent to the basin construction. There will be rift raft along the sides of the basin construction.
- **Clerk to the Board:** As reported in the Consent Agenda, our Clerk to the Board, Mary Hunnicutt, is retiring on March 1, 2023 but will continue to work part-time until a permanent replacement can be made. More information will be reported later as the time nears her retirement date. Chairman Nelson thanked Ms. Hunnicutt for all she does and for agreeing to continue to work with the Board until her replacement has been found.

AMENDMENT TO FY 2021-2022 AUDIT CONTRACT

County Manager Heath reported that the County has been notified by our auditors, Thompson, Price, Scott, Adams & Co., PA, which the Local Government Commission (LGC) asked that our FY 2021-2022 contracts be amended to show the additional Medicaid fee of \$3,000. The original fee was \$44,500 which is being amended to \$47,500. County staff recommends the approval of this amendment. On motion made by Fondella A. Leigh, seconded by Charles Woodard, the Amendment to Contract to Audit Accounts (*See Attachment A*) was unanimously approved by the Board.

MARINE PARK MEMORANDUM OF UNDERSTANDING

At their August 15, 2022 Work Session, County Manager Heath presented the Marine Park Memorandum of Understanding (MOU) between Perquimans County and the North Carolina Marine Industrial Park Authority (NCMIPA). On September 6, 2022, the Board approved the MOU between Perquimans County and NCMIPA to assist with marketing our Marine Park pending review and approval of the attorney for each entity. County Attorney High said that there was only one provision

that Mr. High and Mr. Heath consulted with the Authority’s attorney and that was a paragraph in the MOU that states that we, the County, is responsible for any expenses incurred by their consultants or representatives that at first glance caused them some concerns. The Authority has offered their consultants or representatives’ help whenever they can assist the County. Their expenses (travel) which would not be a runaway expense would be covered. Should there be any other expenses that they incur with the marketing and other items like that, it would have to be by our agreement and by our request. Therefore, we dug a little deeper and had that discussion with the Authority’s attorney and we no longer have that concern because any expenses will be at our request. We would know what they were and would be approving them to prevent any surprises. The County staff is recommending the approval of this MOA. On motion made by T. Kyle Jones, seconded by Joseph W. Hoffler, the following MOU between Perquimans County and NCMIPA was unanimously approved:

MEMORANDUM OF UNDERSTANDING

This MEMORANDUM OF UNDERSTANDING (“MOU”) is entered into as of the last date set forth in the signature blocks below by and between PERQUIMANS COUNTY, a body politic of the State of North Carolina (hereinafter the “County”) and the NORTH CAROLINA MARINE INDUSTRIAL PARK AUTHORITY, an entity created and existing pursuant to Article 23C of Chapter 113 of the North Carolina General Statutes, (hereinafter the “Authority”);

WITNESSETH:

THAT WHEREAS, pursuant to Chapter § 113-315.28 of the North Carolina General Statutes, the Authority was created for purposes that include fostering and stimulating the growth of marine-related industries in the State of North Carolina, encouraging and developing the general maritime and marine-related industries and activities at or in the vicinity of marine industrial parks, performing any act or function which may tend to be useful toward the development and improvement of such parks in the State of North Carolina, and increasing the movement of waterborne marine commerce, foreign and domestic, to, through and from marine industrial parks; and

WHEREAS, the Authority has the power to enter into contracts and agreements in order to carry out the purposes set forth in Chapter § 113-315.28 of the North Carolina General Statutes; and

WHEREAS, the County owns that certain parcel or tract of land (the “Property”) lying and being in Bethel Township, Perquimans County, North Carolina, containing 71.64 acres, more or less, and being more particularly described in a deed dated April 17, 2018, recorded in Book 476, Page 110, Perquimans County Registry; and

WHEREAS, the County intends to develop the Property into a marine-related industrial park, hereinafter referred to as the Perquimans Marine Industrial Park or the “PMIP”; and

WHEREAS, the Authority has previously assisted in obtaining permits needed for the construction of a basin on the Property for the PMIP; and

WHEREAS, the County has requested that the Authority further assist in the development, operational planning and growth of the PMIP; and

WHEREAS, the Authority has agreed to provide such assistance on the terms and conditions set forth in this MOU; and

WHEREAS, at a meeting held in Wanchese, North Carolina, on the ____ day of _____ 2022, the Board of the Authority approved the execution of this MOU for the purposes set forth herein; and

WHEREAS, at a meeting held in Hertford, North Carolina, on the 5th day of December 2022, the County’s Board of the Commissioners approved the execution of this MOU for the purposes set forth herein.

NOW, THEREFORE, for and in consideration of the mutual promises and covenants contained herein the County and the Authority agree as follows:

1. The recitals stated above are substantive and are incorporated in full by this reference.
2. Subject to the availability of staff and other resources to the Authority for these purposes, if requested by the County, the Authority agrees to:
 - a. Provide advice to County officials and staff on the general design and construction of the PMIP basin.
 - b. Provide advice to County officials and staff on the general development, management and operational strategies for the PMIP, including, without limitation, site planning, shared basin access, parcel and basin maintenance, rate structures for rentals and sales, restrictive covenants, policies, rules and regulations.
 - c. Cooperate with County officials and staff in their efforts to market and promote the development, occupancy and growth of the PMIP. By way of example, such cooperation may include assisting in the design of advertising, pursuing potential tenants, participating in site visits with prospective companies and attending trade shows.
3. The Authority shall not be required to incur any out of pocket cost or expense in connection with any advice, cooperation or assistance provided to the County pursuant to this MOU. Notwithstanding the foregoing, the County agrees to reimburse the Authority for any costs and expenses the Authority may incur in fulfilling its commitments under this MOU. Any travel expenses for the assistance provided by Authority personnel hereunder are subject to travel policies governing employees of the State of North Carolina. The County agrees that upon written request and the receipt of all necessary documentation required for local government financial accountability it will reimburse the Authority for all reasonable expenses incurred by the Authority pursuant to this MOU.
4. To the extent covered by any insurance policy, the County agrees to save the Authority harmless from and against any and all loss, damage, claim, demand, liability, or expense, including reasonable attorney fees, which may arise or be claimed to have arisen out of or as a result of this MOU, except where such loss or damage arises from the willful or negligent misconduct of the Authority its agents or employees. No provision hereof shall be construed as constituting a waiver of the County’s or the Authority’s sovereign, governmental, or statutory immunity or any other legal or equitable defense otherwise available pursuant to law.

[signatures on following page]

PERQUIMANS COUNTY

By: _____

Print Name: Wallace E. Nelson

Title: Perquimans County Board of Commissioners

Date: December 5, 2022

NCMIPA:

NORTH CAROLINA MARINE INDUSTRIAL PARK AUTHORITY

By: _____

Edward Lee Mann, Chair

ATTEST:

(CORPORATE SEAL)

Print Name: _____

Title: _____

Date: _____

PRESENTATION OF PLAQUES: FONDELLA A. LEIGH & THELMA FINCH-COPELAND

Chairman Nelson presented a plaque to Thelma Finch-Copeland thanking her for stepping up to the plate to complete Commissioner Lennon's term. Ms. Finch-Copeland thanked the Board and said that it was her pleasure to serve in this capacity. The following comments were made from the Commissioners:

- **Commissioner Jones:** "For the first time since I've been on the Board, we had the unique opportunity to fill an open seat. And I can tell you that this Board's goal in filling that seat was not helping out any potential-candidate's political ambitions, but instead doing what was best for the County. And that's what we did. When a 30-year veteran of the classroom, with County-wide name recognition, universal respect, and an insightful mind is willing to step up and serve - clearly without an ounce of selfish ambition - and then allow the residents of this County to pick who fills the seat on a permanent basis... that's a deal I'll take all day every day. Thelma has served honorably, faithfully, and been a valued member of this Board, both behind the scenes and at meetings, and our Retreat. I know that she's ready to go back to spending more time with her husband, grandson and granddaughter, and maybe her sons. And so Thelma, for your time and effort these past eight months, we thank you."
- **Commissioner Woodard:** He said that he enjoyed sitting next to her since she has been on the Board. It is great to have these two ladies try to keep him straight. She has done a good job and she will be missed. He further stated that he served on several other committees with her and she did a wonderful job. He feels that the Board made a good choice in appointing her.
- **Commissioner Leigh:** She thanked her for her willingness and eagerness to serve and for her commitment to the Board. She continued to say that it was good to have another woman to come sit on the Board and keep her and Ms. Mary company. She continued to say that she was glad that she sat next to Commissioner Woodard so she and Ms. Hunnicutt could help keep him straight and keep Ms. Harriett informed as to what was going on.
- **Chairman Nelson:** Mr. Nelson thanked her for stepping up and serving on the Board of Commissioners for the past eight months and said that she was a wonderful person and did a great job.
- **Commissioner Hoffer:** Mr. Hoffer made his comments under Commissioners Concerns.

Chairman Nelson presented the plaque to Fondella A. Leigh. The following comments were made from the Commissioners:

- **Chairman Nelson:** Mr. Nelson said that he was happy and privileged to serve with Fondella. He continued his comments by saying that he had the honor of serving sixteen years with her father, Walter Leigh, on the Board of Education. He considered Mr. Leigh to be an unbelievable man and a wonderful person to serve with and he meant a lot to him. Mr. Nelson felt that he had a good working relationship with Mr. Leigh. He continued saying that he has found so many qualities in Fondella that he saw in Mr. Leigh. She was solid, even keel, very insightful, thoughtful and looked at the big picture and she came up with good decisions. As he continued, he said that it was easy to work with her just like her dad. Ms. Leigh said that she was not sure about that. Mr. Nelson said that he considered Mr. Leigh a wonderful friend and feels that he can now call Fondella a wonderful friend.
- **Commissioner Jones:** "Fondella has listened to me before drone on about how I feel about her personally, how we have family friendships that go back generations, how proud I am that she is the officiant's name on my marriage license, etc., but tonight I wanted to make sure the public knows what I know about her. For eight years, I have served alongside Fondella, my fellow New Hope commissioner. The casual observer of this Board would notice that Fondella is one of the more quiet Commissioners. This could easily be mistaken as her not having a strong opinion on matters. But spend five minutes paying attention to national or state politics, and you will find that there aren't many quiet people. Not coincidentally, both national and state politics are characterized by partisan gridlock, backstabbing, a lack of compromise, and certainly no shortage of vocalized, strong opinions. In contrast, this Board with Fondella Leigh as a member has remained for eight years cordial, collegial, and characterized by getting things done. She shows up prepared, knowledgeable about the business at hand, and as Frank, Mary, and every Board member she's served with can tell you, she's never seen a 'reply all' button on her email that she didn't click on. She never puts anyone down, and has the most unimpeachable character, and the purest motives of any person I have ever served on a board or committee with. She has earned, and kept, the trust of her colleagues on this Board, as evidenced by the fact that she has been our Vice Chair for six consecutive years. It is obvious to anyone that knows her, that she is not in this for herself. She has been here these last eight years because she loves Perquimans County, and I, both as a Commissioner and as a County resident, am grateful for the selfless service, and personally the ongoing friendship, of Fondella Leigh".
- **Commissioner Finch-Copeland:** She thanked the Board for their confidence in her to appoint her to this position and thanked Fondella, Kyle, Charles, Wallace, and Joe for their guidance while she served on the Board. She was a little reluctant in serving but Fondella and Kyle helped her in many ways. She thanked the Board for supporting her and making her feel a part of this team.
- **Commissioner Woodard:** He said that he enjoyed working with her and sitting between her and Mary at the meetings but then she became Vice Chair and they moved her away from him. She could not handle me so they moved her to the head table. She gave up on him. Fondella said that she hadn't given up on him. She listens to both sides and makes the right decision when the time comes.
- **Commissioner Hoffer:** The tempo of this Board revolved around Fondella. She was always cool and calm. She respected each of the commissioners. He will miss her for obvious reasons.

SWEARING-IN

Todd Tilley, Clerk of Superior Court, gave the Oath of Office to newly elected Commissioners Timothy J. Corprew and James W. Ward and re-elected Wallace E. Nelson.

ELECTION OF CHAIRMAN/VICE CHAIR

Hackney High, County Attorney, acting as Temporary Chairman of the meeting, opened the floor for nominations for Chair/Chairman of the Board. Charles Woodard nominated Wallace E. Nelson as Chairman. There being no other nominations, Mr. High closed the nominations and would entertain a motion and second for election of Wallace E. Nelson as Chairman. Joseph W. Hoffer made a motion to approve the election of Wallace E. Nelson as the Board Chairman. The motion was seconded by James W. Ward and unanimously approved by the Board. Mr. High, opened the floor for nominations for Vice Chairman of the Board. Joseph W. Hoffer nominated Charles Woodard as Vice Chairman. There being no other nominations, Mr. High closed the nominations and would entertain a motion and a second for election of Charles Woodard as Vice Chairman. T. Kyle Jones made a motion to elect Charles Woodard as the Board Vice Chairman. The motion was seconded by Timothy J. Corprew and unanimously approved by the Board. Mr. High turned the meeting back over to Chairman Nelson.

INTRODUCTION OF NEW EMPLOYEES

Earlier in the meeting, Jonathan Nixon, Emergency Services Director, was scheduled to introduce a new employee, Jared Turner. Mr. Turner was out on a call and just arrived at the meeting. Therefore, Chairman Nelson asked Mr. Nixon to introduce Jared Turner who was appointed as a Paramedic in the Emergency Medical Services Department on September 1, 2022. Mr. Turner thanked the Board for allowing him to work for Perquimans County and the Board welcomed him to Perquimans County.

PUBLIC COMMENTS

The following public comments were made:

- **Paul Gregory:** Mr. Gregory congratulated Charles Woodard on being elected Vice Chairman. He further said that Mr. Woodard usually takes the Vice Chairman when he knows that the Chairman is not going anywhere. Mr. Gregory began his remarks by saying that the Board has had a number of positive things tonight but he wanted them to take this as positive even though it will have some negative words in it. He fully realized that times change and that he may be in a minority in the issue he was about

to speak on. However, to respect our past and gentlemen you have really messed up our historic courthouse or have allowed it to be messed up. He does not know if the Board had a hand in it or if someone else did it but you have allowed it to happen. During the Christmas season here, he feels like he has a right to speak on this issue as he was the second County Manager and he served for over 18 years. At the direction of the County Commissioners back then, he typically preserved the courthouse as it was for fifty generations. This Christmas lighting of the courthouse as it has been done this year is a travesty. It degrades the historical value of the courthouse that the county board of commissioners preserved in the past. It should not have been turned into a circus or a carnival as it has been. The courthouse in the past made it simple – lights in the windows, large wreaths on the doors, flood lights on the building, It was seen as an historic building in downtown Hertford that was built in the early 1800’s that we could all be proud of. We can still be proud of that building if it is kept unless there is some things that need to be done on the inside or he asked Frank if it had been done. Mr. Heath asked Mr. Gregory to be more specific. The front of the courthouse just about looks like it did back in the 1800’s. It hasn’t changed. The changes in the courthouse which needed to be done have added to the court system and added to the Register of Deeds. These changes were done to help to give the public better services. He just wanted to give his opinion on the lighting and asked that it be turned down a little bit. He thanked the Board for allowing him to say what he needed to say about the lighting and hopes that something is done about it and that maybe next year this is not done this way. Thank you.

- **Pete Perry:** Mr. Perry agreed with the previous comments about the lighting being a travesty. Otherwise, not willing to get heartburn over the season of good will, he wished everyone a Merry Christmas and a Happy New Year.

CLOSED SESSION: TO CONSULT WITH OUR ATTORNEY REGARDING REAL PROPERTY AND CLOSED SESSION MINUTES

Chairman Nelson stated that, pursuant to NC General Statute 143-318.11(5), the Board went into Closed Session to consult with our attorney regarding real property and to approve closed session minutes. On motion made by Charles Woodard, seconded by Joseph W. Hoffler, the Board unanimously voted to go into Closed Session.

The Closed Session was adjourned and the Regular Called Meeting reconvened on motion made by Charles Woodard, seconded by Joseph W. Hoffler and unanimously approved by the Board.

No action was required from the Closed Session

ADJOURNMENT

There being no further comments or business to discuss, the Regular Meeting was adjourned at 8:45 p.m. on motion made by Charles Woodard, seconded by Timothy J. Corprew.

Wallace E. Nelson, Chairman

Clerk to the Board

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ATTACHMENT A

LGC-205 Amendment **AMENDMENT TO CONTRACT TO AUDIT ACCOUNTS** Rev. 10/2021

Whereas	Primary Government Unit Perquimans County
and	Discretely Presented Component Unit (DPCU) (if applicable)
and	Auditor Thompson Price Scott Adams & Co., PA

entered into a contract in which the Auditor agreed to audit the accounts of the Primary Government Unit and DPCU (if applicable)

for	Fiscal Year Ending 06/30/22	and originally due on	Audit Report Due Date 10/31/22
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hereby agree that it is now necessary that the contract be modified as follows.

<input type="checkbox"/> Modification to date	Original due date 10/31/22	Modified due date
<input checked="" type="checkbox"/> Modification to fee	Original fee \$ 44,500.00	Modified fee \$ 47,500.00

Primary (choose 1)	Other (choose 0-2)	Reason(s) for Contract Amendment
<input type="radio"/>	<input type="checkbox"/>	Change in scope
<input type="radio"/>	<input type="checkbox"/>	Issue with unit staff/turnover
<input type="radio"/>	<input type="checkbox"/>	Issue with auditor staff/workload
<input type="radio"/>	<input type="checkbox"/>	Third-party financial statements not prepared by agreed-upon date
<input type="radio"/>	<input type="checkbox"/>	Unit did not have bank reconciliations complete for the audit period
<input type="radio"/>	<input type="checkbox"/>	Unit did not have reconciliations between subsidiary ledgers and general ledger complete
<input type="radio"/>	<input type="checkbox"/>	Unit did not post previous years adjusting journal entries resulting in incorrect beginning balances in the general ledger
<input type="radio"/>	<input type="checkbox"/>	Unit did not have information required for audit complete by the agreed-upon time
<input type="radio"/>	<input type="checkbox"/>	Delay in component unit reports
<input type="radio"/>	<input type="checkbox"/>	Software - implementation issue
<input type="radio"/>	<input type="checkbox"/>	Software - system failure
<input type="radio"/>	<input type="checkbox"/>	Software - ransomware/cyberattack
<input type="radio"/>	<input type="checkbox"/>	Natural or other disaster
<input checked="" type="radio"/>	<input type="checkbox"/>	Other (please explain)

Plan to Prevent Future Late Submissions

If the amendment is submitted to extend the due date, please indicate the steps the unit and auditor will take to prevent late filing of audits in subsequent years. Indicate NA if this is an amendment due to a change in cost only.

Additional Information

Please provide any additional explanation or details regarding the contract modification.

Medicaid compliance testing fee of \$3000.00 added

By their signatures on the following pages, the Auditor, the Primary Government Unit, and the DPCU (if applicable), agree to these modified terms.

SIGNATURE PAGE

AUDIT FIRM

Audit Firm*	
Thompson Price Scott Adams & Co., PA	
Authorized Firm Representative* (typed or printed)	Signature*
Gregory S Adams, CPA	
Date*	Email Address
	gadams@tpsacpas.com

GOVERNMENTAL UNIT

Governmental Unit*	
Perquimans County	
Date Primary Government Unit Governing Board Approved Amended Audit Contract* (If required by governing board policy)	
Mayor/Chairperson* (typed or printed)	Signature*
Wallace Nelson, Chairman	
Date	Email Address
	wallacnelson@perquimanscountync.gov

Chair of Audit Committee (typed or printed, or "NA")	Signature
NA	
Date	Email Address

GOVERNMENTAL UNIT – PRE-AUDIT CERTIFICATE
ONLY REQUIRED IF FEES ARE MODIFIED IN THE AMENDED CONTRACT
(Pre-audit certificate not required for hospitals)

Required by G.S. 159-28(a1) or G.S. 115C-441(a1)

This instrument has been pre-audited in the manner required by The Local Government Budget and Fiscal Control Act or by the School Budget and Fiscal Control Act.

Primary Governmental Unit Finance Officer*	Signature*
Tracy Mathews, Finance Officer	
Date of Pre-Audit Certificate*	Email Address*
	tmathews@perquimanscountync.gov

SIGNATURE PAGE – DPCU
(complete only if applicable)

DISCRETELY PRESENTED COMPONENT UNIT

DPCU	
Date DPCU Governing Board Approved Amended Audit Contract (If required by governing board policy)	
DPCU Chairperson (typed or printed)	Signature
Date	Email Address

Chair of Audit Committee (typed or printed, or "NA")	Signature
NA	
Date	Email Address

DPCU – PRE-AUDIT CERTIFICATE
ONLY REQUIRED IF FEES ARE MODIFIED IN THE AMENDED CONTRACT
(Pre-audit certificate not required for hospitals)

Required by G.S. 159-28(a1) or G.S. 115C-441(a1)

This instrument has been pre-audited in the manner required by The Local Government Budget and Fiscal Control Act or by the School Budget and Fiscal Control Act.

DPCU Finance Officer (typed or printed)	Signature
Date of Pre-Audit Certificate	Email Address