

PUBLIC COMMENTS

County Manager Heath informed the Board that we closed on the second part of the refinancing of our two loans today.

ADJOURNMENT

There being no further business to discuss, the Regular Meeting was adjourned by the Chairman at 9:00 p.m.

Janice McKenzie Cole, Chair

Clerk to the Board

REGULAR MEETING

February 4, 2013

7:00 p.m.

The Perquimans County Board of Commissioners met in a regular meeting on Monday, February 4, 2013, at 7:00 p.m. in the Commissioners' Room located on the first floor of the Perquimans County Courthouse Annex.

MEMBERS PRESENT: Janice McKenzie Cole, Chair Edward R. Muzzulin, Vice Chair
Benjamin Hobbs Kyle Jones
Matthew Peeler Tammy Miller-White

MEMBERS ABSENT: None

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

After the Chair called the meeting to order, Commissioner Miller-White gave the invocation and the Chair led the Pledge of Allegiance.

AGENDA

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

CONSENT AGENDA

The following items were considered to be routine and were unanimously approved on motion made by Edward R. Muzzulin, seconded by Benjamin C. Hobbs.

- Approval of Minutes:** January 7, 2013 Regular Meeting
- Approval of Tax Release:**

PERQUIMANS COUNTY TAX RELEASES:

- **Sageser, Jonathan Wesley** \$147.47
Active Duty Military. Account Number: 8083671.
- **Vayda, Margaret**..... \$540.19
Per Department of Revenue, homeowner qualified for Senior Citizens Exemption. Account Number: 322770.

TOWN OF HERTFORD TAX RELEASES:

- **Vayda, Margaret**..... \$444.08
Per Department of Revenue, homeowner qualified for Senior Citizens Exemption. Account Number: 322770.

PERQUIMANS COUNTY TAX REFUNDS:

- **Lewis, Stanley & Faye** \$430.76 (2012)
Assessment modified to accurately reflect Land type. Account Number: 520193.
- **Lewis, Stanley & Faye** \$430.76 (2011)
Assessment modified to accurately reflect Land type. Account Number: 520193.
- **Lewis, Stanley & Faye** \$411.18 (2010)
Assessment modified to accurately reflect Land type. Account Number: 520193.
- **Lewis, Stanley & Faye** \$401.39 (2009)
Assessment modified to accurately reflect Land type. Account Number: 520193.

3. Personnel Matters:

Employee Name	Employee Job Title	Action Required	Grade/ Step	New Salary	Effective Date
Sandra Willard	IMC II	FMLA	7 weeks		3/18/13

- ECBH Quarterly Fiscal Monitoring Reports:** The State requires that the Quarterly Fiscal Monitoring Report be presented to the Board for review. The report for period ending on December 31, 2012 was presented.
- Beer & Wine Tax Distribution:** This report was approved which distributes the beer/wine excise tax for 2013.

JARVIS WINSLOW, EMERGENCY MANAGEMENT COORDINATOR

Mr. Winslow introduced the following individuals that were with him: Dianne Curtis, NCEM EBO Manager and Charles Tripp, NCEM Area Coordinator. He then presented his annual Emergency Management report to the Board. In addition to our Board, the following individuals were present for the presentation:

Fred Yates, Mayor of Winfall	Horace Reid, Mayor of Hertford
Preston White – Winfall Town Council	Ed Lane, Hertford Town Council
Jean Whidbee – Winfall Town Council	Carlton Davenport, Hertford Town Council
	Lillian Holman, Hertford Town Council
	Brandon Shoaf, Hertford Town Manager

After his presentation, he asked the Board if there were any questions. There being none, the Board thanked Mr. Winslow for the work that he is doing.

CHARLES WARD, ALCOHOL AT RECREATION CENTER

Mr. Ward thanked the Board for allowing him to come speak against the serving of alcohol at the Recreation Center. He along with a group that came with him is asking that this policy not be changed. He stated the following reasons for their request: (1) Once you open up this door, it is hard to close it; (2) We have the best Recreation Center in Eastern North Carolina and they hate to see us trying to train

these young people to be responsible citizens and serve alcohol within a few yards of their activities; and (3) There are legal ramifications. The Board was elected to do the right thing and he prays that they would do the right thing regarding this matter. He asked all those that came with him to stand and about 10-15 individuals stood in support of his request.

BERNIE WINSLOW, BELVIDERE-CHAPPELL HILL VFD

Mr. Winslow provided the Clerk to the Board a copy of an Addendum to the joint Resolution adopting an ordinance creating the Belvidere & Chappell Hill Volunteer Fire Department, Inc. Fire Insurance District of Perquimans County and Chowan County. Commissioner Peeler asked if it would put a strain on the Fire Department to take on the extra mile. Mr. Winslow said that it would not. On motion made by Benjamin C. Hobbs, seconded by Matthew Peeler, the Board unanimously approved the following Addendum:

**Addendum to:
A Joint Resolution Adopting an Ordinance Creating the Belvidere &
Chappell Hill Volunteer Fire Department Inc. Fire Insurance District of
Perquimans County and Chowan County**

WHEREAS Perquimans County and Chowan County previously adopted A Joint Resolution Adopting an Ordinance Creating the Belvidere & Chappell Hill Volunteer Fire Department Inc. Fire Insurance District of Perquimans County and Chowan County on April 5, 2004; and

WHEREAS the Chowan County Board of Commissioners at a meeting on November 5, 2012 approved new GIS maps and a resolution that expanded the existing 5 mile fire district to 6 miles; and

NOW THEREFORE BE IT RESOLVED that by joint resolution of the Perquimans County Board of Commissioners and Chowan County Board of Commissioners hereby adopts the 6 mile fire insurance districts in Chowan County as shown on the attached and incorporated map and FURTHER by act of the Chowan County Board of Commissioners only, the territorial limits of the Center Hill-Crossroads Volunteer Fire Department Rural Fire Insurance District is hereby reestablished in Chowan County as reflected on the attached and incorporated map.

Addendum Adopted January 22, 2013

D. Keith Nixon
Chairman, Chowan County
Board of Commissioners

Chairman, Perquimans County
Board of Commissioners

Attest: Susanne Stallings
Clerk to the Board

Attest: _____
Clerk to the Board

WILLIAM & JEANNE YOUNGER, FOSTERS LANE

Ms. Younger appeared before the Board to present her request to abandon a portion of Fosters Lane due to people trespassing and parking on her property. The portion of the road to be abandoned is 175.90' from end of Fosters Lane (SR 1318). The next step in the process is to have the Board adopt a Resolution to proceed with holding a Public Hearing in March. Donna Godfrey, County Planner, distributed a letter from her regarding this request. The Planning Board can look at this matter at their February meeting which will be prior to the Public Hearing in March. On motion made by Tammy Miller-White, seconded by Benjamin C. Hobbs, the Board unanimously approved the following Resolution moving forward with the Public Hearing in March:

**A RESOLUTION DECLARING THE INTENT TO CLOSE A SECTION OF FOSTERS
LANE AND CALLING FOR A PUBLIC HEARING ON THE QUESTION**

WHEREAS, the Perquimans County Board of Commissioners has received a request to permanently close the following section of Fosters Lane:

175.90' from end of Fosters Lane (SR 1318)

WHEREAS, North Carolina General Statute § 153A-241 requires that the Board of Commissioners hold a public hearing prior to the closing of any road to consider the effects of said closing on the public interest or on individual property rights;

BE IT THEREFORE RESOLVED that the Perquimans County Board of Commissioners hereby declares its intent to permanently close the section of Fosters Lane as outlined above.

BE IT FURTHER RESOLVED that the Perquimans County Board of Commissioners has set a public hearing for 6:55 p.m. on March 4, 2013 to consider said closing and to allow for the public to be heard on this matter.

This the 4th day of February, 2013.

Janice McKenzie Cole, Chair
Perquimans County Board of Commissioners

Sworn to and subscribed before me this
4th day of February, 2013.

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

HOMERIA JENNETTE, TELECOMMUNICATIONS

Ms. Jennette presented her monthly report.

SUSAN CHANEY, SOCIAL SERVICES DIRECTOR

Ms. Chaney was unable to attend the meeting.

BILL JENNINGS, TAX ADMINISTRATOR

Bill Jennings presented his monthly report.

DELORES CHAVIS, MEHERRIN-CHOWANOKE NATION

Ms. Chavis had contacted Chair Cole regarding the opportunity to meet with the Board to ask for support to have the Meherrin Chowanoke Indian Tribe recognized by the State. She said that the main purpose for this recognition is to be able to sell their crafts. This would aid in their commerce. Commissioner Hobbs asked about how many members are in her tribe. Ms. Chavis said that it was about 400. County Manager Heath asked how their roles were determined. Ms. Chavis said that a committee is established to review them. Commissioner Peeler asked about whether or not Meherrin and Chowanoke tribes are trying to obtain state recognition separately. Ms. Chavis said that she was not aware of any at this time. Commissioner Muzzulin asked if there was any land involved in this. Ms. Chavis said not as far as State recognition. Chair Cole asked if there were any other benefits other than Commerce. Ms. Chavis said that it was basically a sense of pride. There being no further questions,

Chair Cole asked the Board for a vote. On motion made by Edward R. Muzzulin, seconded by Tammy Miller-White, the Board approved the following letter of support by a vote of five (5) to one (1) with Commissioner Peeler voting against the motion:

February 7, 2013

To Whom It May Concern

We, the Perquimans County Board of Commissioners, would like to fully support the efforts of the Meherrin-Chowanoke Nation to obtain Federal and State recognition as a Native American Tribe. We would like to commend this group for all the work they have done to document their Native American heritage and to preserve their culture. We understand that many of the people that live in our county and neighboring counties can trace their family roots back to one of the many Native American Tribes that occupied our region of the American continent before settlers came to its shores from across the ocean. This group of citizens needs and deserves our support for their efforts.

Janice McKenzie Cole, Chairman
Perquimans County Board of Commissioners

Mary P. Hunnicutt, Clerk to the Board
JMC/mh

COMMISSIONER'S CONCERNS/COMMITTEE REPORTS

Chair Cole said that she had attended the 2013 Legislative Goals Conference and New Chair/Chairman School. Commissioners Jones and Peeler attended the 2013 Essentials of County Government Conference. Commissioner Peeler said that he recommends this to all new commissioners.

UPDATES

County Manager Heath updated the Board on the following projects:

Water System Projects: The Pasquotank County RO Pipeline Connection has been completed. It has been tested and is operational. The electrical work on the inside of the plant has begun. On the discharge side, we did receive our discharge permit from the State without the requirement to move it.

Jail Project: Chair Cole congratulated Commissioner Muzzulin on being elected Chairman of the Albemarle District Jail Board. Mr. Muzzulin then highlighted the following items: (1) Federal inmate count for January was 37 (there were 47 in December); (2) They have scheduled the School for Detention Officers on January 31, 2013 at the jail. It is a six-week course; and (3) the new officers are Ed Muzzulin, Chairman, and Joe Winslow, Jr., Vice Chairman. Mr. Muzzulin reported that the County had received their reimbursement money. Mr. Heath confirmed that the amount was \$73,500. This was money that the counties put up front to handle Albemarle District Jail's cash flow problem.

Senior Center Update: County Manager Heath explained that they did a walk-thru on Friday. They are beginning to do painting on the inside. They are continuing to move forward for a completion of Phase I in March, 2013.

CLAYTON GRIFFIN'S PROGRAM REQUEST

Last month, Commissioner Miller-White explained that funding for Clayton Griffin's programs are coming up short because he did not get one of his grants. Mr. Griffin came before the Board to explain his circumstances. He explained that last year he had to request assistance due to not receiving a grant and he repaid the funds. The same problem has happened this year so he is asking assistance from the Board again to assist him through June. Commissioner Miller-White asked if Mr. Griffin had a firm amount. Mr. Griffin said that it was \$15,100. Tammy Miller-White made a motion to fund the gap of \$15,100 to keep this program going through June, 2013. Edward R. Muzzulin seconded the motion. Commissioner Peeler asked if his letter to Ms. Hayes in November brought about any help. Mr. Griffin said that they are still working on this. He further asked how many children are involved in his program. Mr. Griffin said that there are 56 with a waiting list of 32. He also has a new program at Hertford Grammar with 18 children and the one at Perquimans Center has 12. County Manager Heath pointed out that we are funding February through June. This was confirmed with Finance Officer, Sharon Ward. There being no further discussion, the Board unanimously approved Mr. Griffin's request to fund his program from February through June for \$15,100.

TOURISM DEVELOPMENT AUTHORITY APPOINTMENTS

The following appointments are needed for the Tourism Development Authority (TDA):

- Hertford Appointee: Brandon Shoaf has provided a letter to the County recommending the reappointment of Connie Jaklic for a two year term.
- Matthew Peeler has volunteered to serve on this Authority for a two year term.
- The Tourism Development Authority has recommended the reappointment of Mary White as their Industry Representative for another two year term.

On motion made by Benjamin C. Hobbs, seconded by Tammy Miller-White the Board unanimously approved the reappointment of these individuals.

MINZIE'S CREEK BULK WATER AGREEMENT

County Manager Heath explained that a copy of the Agreement had been e-mailed to the Commissioners prior to tonight's meeting. He recommends the approval of this Agreement. Commissioner Peeler had a couple of items to change. Those changes were in item 4 which should read as follows:

4. That for the purposes of this Agreement, the following items from the current Policies, Rules and Regulations of the Perquimans County Water System are deleted: Sections 2; 3; 4; 5; 6; 7; 8; 10; 11: A, B and C; 12 and 13; 21: A and C; 24; 25: A, B, and C.

On motion made by Edward R. Muzzulin, seconded by Benjamin C. Hobbs, the Board unanimously approved the following Minzie's Creek Bulk Water Agreement incorporating the above referenced changes and requesting the calibration be tested before we proceed:

NORTH CAROLINA
PERQUIMANS COUNTY

SALE OF BULK WATER AGREEMENT
HOLIDAY ISLAND CAMPING SECTIONS

THIS AGREEMENT, made this the ____ day of _____, 2013 by and between PERQUIMANS COUNTY, a body politic and corporate of the State of North Carolina, (hereinafter sometimes referred to as "the County"), and MINZIE'S CREEK SANITARY SEWER DISTRICT, a sanitary sewer district organized under the North Carolina General Statutes and located in Perquimans County, North Carolina, (hereinafter referred to as MCSSD");
WITNESSETH

That the County has agreed to supply water to MCSSD for the Camping Sections, that is, Sections H, P and R of Holiday Island Subdivision as shown on the plat of said Sections in the Office of the Register of Deeds of Perquimans County, North Carolina and MCSSD has agreed to purchase said water from the County upon the following terms:

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1. MCSSD shall abide by and comply with the rules and regulations of the Perquimans County Water Systems except those regulations which are deleted by this Agreement. The County reserves the right to amend the rules and regulations of the Perquimans County Water Systems at any time and such rules and regulations shall be applicable to MCSSD, except as declared inapplicable by the County.

2. That MCSSD shall pay to Perquimans County Ten Dollars (\$10.00) per month for each metered camping section and shall pay to Perquimans County monthly Six Dollars (\$6.00) per thousand gallons for all consumption by MCSSD beyond one thousand gallons per camping section. The County shall have the right to amend its rate schedule at any time regarding this Agreement and the amended rate schedule shall become effective upon thirty (30) days written notice to MCSSD.

3. That MCSSD shall at all times keep its water lines and system properly maintained and repaired, but Perquimans County may at any time inspect the MCSSD System and may, at the expense of MCSSD, make such repairs as the County deems necessary or appropriate, but the County shall have no duty to make any repairs nor does the County make any warranties as to any such repairs. If MCSSD has a water loss due to a leak on the MCSSD side of the delivery point, the County reserves the right to either repair the leak at the expense of MCSSD, or to discontinue water service to MCSSD until the leak is repaired by MCSSD.

4. That for the purposes of this Agreement, the following items from the current Policies, Rules and Regulations of the Perquimans County Water System are deleted: Sections 2; 3; 4; 5; 6; 7; 8; 10; 11: A, B and C; 12 and 13; 21: A and C; 24; 25: A, B, and C.

5. That prior to extending its water distribution lines to serve undeveloped portions, MCSSD shall submit plans for review and approval by the County, its Engineer and the North Carolina Division of Health Services. MCSSD will install the lines only with approval of the County and State and only in accordance with the approved Engineering plans.

6. That whenever the word "consumer" is used in the applicable rules and regulations of the Perquimans County Water System, said word shall refer to MCSSD.

7. That the charges to MCSSD for services shall begin when metered water is made available to MCSSD by Perquimans County, whether it is used or not.

8. That all bills shall be due when rendered and shall become delinquent 10 days thereafter, whereupon a service charge of 10% will be added, and if the bill plus the service charge has not been paid within 30 days thereafter, service may be discontinued by the County.

9. That if MCSSD should default in the performance of any of the provisions of this Agreement, the County may at the expiration of the 30 days after such default, remove MCSSD's meter(s) and discontinue service. Upon discontinuance of service to MCSSD for non-payment of bills, the County may proceed to collect the bill in the usual way provided by law for the collection of debts. When service is discontinued for non-payment of bills, it will be restored only after bills are paid in full, plus a service charge of 10% of the amount owed by MCSSD.

10. County agrees to furnish Purchaser potable treated water meeting applicable purity standards of the Department of Environment and Natural Resources of the State of North Carolina at the point of delivery hereinafter specified as that existing water meter vault located off of Holiday Island Road at its intersection of Discovery Trail in Perquimans County, North Carolina, during the term of this contract or any renewal or extension thereof. Emergency failures of pressure or supply due to main supply line breaks, power failure, drought, flood, fire and use of water to fight fire, earthquake or other catastrophe shall excuse the County from this provision for such reasonable period of time as may be necessary to restore service.

11. MCSSD shall operate and maintain at its expense, the water metering equipment to be located at the point of delivery. MCSSD agrees to test and calibrate the water metering equipment at its expense whenever requested by County but not more frequently than once every twelve (12) months. In addition, County may test and calibrate the water metering equipment at its own expense as often as it deems necessary. A water meter registering not more than two percent (2%) above or below the test result shall be deemed to be accurate. The previous readings of any water meter disclosed by test to be inaccurate shall be corrected for the six (6) months previous to such test in accordance with the percentage of inaccuracy found by such tests. If any water meter fails to register for any period, the amount of water furnished during such period shall be deemed to be the amount of water delivered in the corresponding period immediately prior to the failure, unless County and MCSSD shall agree upon a different amount. An appropriate official of County, at all reasonable times, shall have access to the water meter for the purpose of verifying its readings.

12. County is only responsible for the quality of the water provided to MCSSD at the point of delivery. MCSSD assumes all responsibility for compliance with all Division of Environmental Health regulations and for any damage or injury arising after the water passes the point of delivery. MCSSD agrees to hold harmless and indemnify County, its agents, officers, managers, attorneys, commissioners and employees, for any injury or damages arising from the water beyond the point of delivery. MCSSD agrees to notify County within 24 hours, or sooner if possible, of any water quality violations that are known by MCSSD. The County makes no warranty as to the water pressure beyond the MCSSD delivery point. The County will endeavor to supply its usual water pressures at the point of delivery. Should MCSSD require higher or lower pressures beyond the delivery point, it will be the responsibility of MCSSD to provide appropriate measures to regulate the pressure to the desired pressure, with the proviso that any proposed measures to regulate the pressure by MCSSD will be subject to review and approval by the County prior to any such measures being installed and placed into operation.

13. Failure to Deliver. That the County will, at all times, operate and maintain its system in an efficient manner and will take such action as may be necessary to furnish MCSSD with their usual water supply, except as provided herein regarding emergency failures and payment default. Temporary or partial failures to deliver water shall be remedied with all possible dispatch. In the event of an extended shortage of water, or the supply of water available to the County is otherwise diminished over an extended period of time due to reasons beyond control of the County, the supply of water to MCSSD under this contract shall be reduced or diminished in the same ratio or proportion as the supply to other Perquimans County water consumers is reduced or diminished.

14. As stated in the Perquimans County Water Policy (Policy Number 14, see page 5), MCSSD will be required to install a backflow prevention device at its own costs. Said backflow prevention device must be installed at the time of the agreement and must be tested annually by MCSSD.

IN WITNESS WHEREOF, PERQUIMANS COUNTY and MINZIE'S CREEK SANITARY SEWER DISTRICT have caused this Agreement to be executed in duplicate originals.

PERQUIMANS COUNTY

MINZIE'S CREEK SANITARY SEWER DISTRICT

By: _____
Chairman, Board of Commissioners of Perquimans County

By: _____
President

ATTEST:

ATTEST:

Clerk to the Board of the Commissioners of Perquimans County

Secretary

STATE OF NORTH CAROLINA
COUNTY OF PERQUIMANS

I, _____, a Notary Public of the County and State aforesaid, certify that _____, personally came before me this day and acknowledged that she/he is the Clerk to the Board of Commissioner of Perquimans County, and that by authority duly given and as the act of said Board, the foregoing instrument was signed in its name by its Chairman, sealed with its corporate seal and attested by her as its Clerk.

Witness by hand and official stamp or seal, this _____ day of _____, 201_.

Notary Public
My Commission Expires: _____

STATE OF NORTH CAROLINA
COUNTY OF PERQUIMANS

I, _____, a Notary Public of the County and State aforesaid, certify that _____, personally came before me this day and acknowledged that she/he is the Secretary of the Minzie's Creek Sanitary Sewer District, and that by authority duly given and as the act of said Board, the foregoing instrument was signed in its name by its President, sealed with its corporate seal and attested by her as its Clerk.

Witness by hand and official stamp or seal, this _____ day of _____, 201_.

Notary Public
My Commission Expires: _____

AUDIT CONTRACT

A copy of the Audit Contract with Douglas A. Hollowell, P.C. to prepare the audit for FY 2012-2013 was included in the Commissioners' Agenda Packet. County Manager Heath, along with Sharon S. Ward, Finance Officer, highly recommends the award of this contract. The cost is \$19,000 for the audit and \$5,000 for the annual financial statements, which is the same as last year. On motion made by Tammy Miller-White, seconded by Matthew Peeler, the Board unanimously approved the Audit Contract with Douglas A. Hollowell, P.C. for FY 2012-2013 Audit. Commissioner Muzzulin asked how many years they have prepared our Audits. Mr. Heath said about four years. Ms. Ward said that this will be their sixth year. Donna Winborne has been the one that has presented the Audits in the past. Commissioner Hobbs said that they have always been on time.

RESOLUTION: CALLING FOR IMMEDIATE FUNDING FOR THE DRAINAGE OF OREGON INLET (DARE COUNTY)

County Manager Heath explained that we received a copy of this Resolution from Dare County and a copy was included in your packets. He further stated that part of the Emergency Supplemental Appropriations bill for Hurricane Sandy that did pass would be an avenue for some of this funding. Commissioner Miller-White asked how this would affect our Marine Industrial Park. Mr. Heath and Mr. Peeler said that, if it was not drained properly, it would be affect it in a negative way. Commissioner Peeler asked if Dare County was a team player with Perquimans County if and when we send out Resolutions for support. Chair Cole said that she personally feels that, if you send out a Resolution, you need to know how this will affect your county. Mr. Heath feels that it will be a great economic impact on our County. On motion made by Edward R. Muzzulin, seconded by Matthew Peeler, the Board unanimously adopted the following Resolution:

RESOLUTION CALLING FOR IMMEDIATE FUNDING FOR THE DREDGING OF OREGON INLET

WHEREAS, navigational access through Oregon Inlet is threatened by treacherous shoaling conditions that has resulted in a dangerous situation that threatens the lives and property of commercial and recreational vessels and jeopardizes the economy of the region; and

WHEREAS, many large vessels can no longer gain access to Wanchese Harbor because of the deplorable conditions at Oregon Inlet which have caused some marine related businesses to cease operations and forced commercial fishermen to land their catches at out of state markets, which increases their operating costs and deprives the State of North Carolina of valuable landing quotas in excess of \$1.9 million; and

WHEREAS, Oregon Inlet is a vital waterway that provides access to harbors of safety for commercial and recreational vessels on the North Carolina coast; and

WHEREAS, Oregon Inlet is crucial to the economy of the surrounding region with an annual documented economic impact of over \$682 million and generates over \$88 million in federal, state and local tax revenue; and

WHEREAS, without navigational access through Oregon Inlet key industries will continue to suffer irreparable harm including commercial fishing operations, seafood processing houses, boat builders, recreational fishing and charter boat operators, marine repairs facilities, and other local businesses that vitally depend on Oregon Inlet; and

WHEREAS, in addition to the adverse economic impact caused by Oregon Inlet shoaling, public safety is at risk due to shoaling that has prevented United States Coast Guard vessels stationed at Oregon Inlet from being able to use the channel to render emergency assistance to ships in distress off the coast of North Carolina.

NOW, THEREFORE, BE IT RESOLVED that the Perquimans County Board of Commissioners strongly renews its request that State and Federal agencies immediately begin the work necessary to clear the channel at Oregon Inlet and to appropriate ongoing funds to maintain safe and reliable access as a matter of economic necessity and public safety.

Adopted this the 4th day of February, 2013, in Perquimans County, North Carolina.

Janice McKenzie Cole, Chair
Perquimans County Board of Commissioners

ATTEST:

Mary P. Hunnicutt, Clerk to the Board

RESOLUTION: SUPPORTING LEGISLATIVE GOALS SET FOR 2013-14

Chair Cole said that we have received a Resolution from North Carolina Association of County Commissioners (NCACC) requesting that we support the Legislative Goals for FY 2013-14 that was prepared during the Legislative Goals Conference she attended last month. She further stated that she did not think that the Goals have changed much from the ones that she had provided the Commissioners earlier and that the top five goals remained the same, which are as follows:

Top Five Goals for 2013-14

1. Oppose shift of state transportation responsibilities to counties
2. Reinstate ADM and lottery funds for school construction.
3. Oppose unfunded mandates and shifts of state responsibilities to counties.
4. Ensure adequate mental health funding.
5. Preserve the existing local revenue base.

On motion made by Edward R. Muzzulin, seconded by Tammy Miller-White, the Board unanimously approved the following Resolution:

**RESOLUTION
IN SUPPORT OF LEGISLATIVE GOALS ADOPTED BY THE MEMBERSHIP
OF THE NORTH CAROLINA ASSOCIATION OF COUNTY COMMISSIONERS**

WHEREAS, the North Carolina Association of County Commissioners was founded in 1908 as a membership organization to represent the interests of counties before the General Assembly;

WHEREAS, all 100 counties are voluntary members of the North Carolina Association of County Commissioners, making the NCACC the official voice of North Carolina counties;

WHEREAS, every two years, the membership of the NCACC develops and approves a package of legislative proposals designed to protect and enhance the interests of county governments and the citizens who live in our 100 counties;

WHEREAS, the process to generate this package of legislative goals is deliberate and inclusive and provides extensive opportunities for counties to be involved;

WHEREAS, Perquimans County is an active participant within the NCACC and participated in the process to develop these legislative proposals;

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WHEREAS, more than 200 county officials representing 88 counties gathered in Durham County on Jan. 24-25, 2013, and debated and ultimately approved 60 proposals submitted by counties to be included in the legislative goals package;

WHEREAS, the attached proposals represent the collective wishes of all 100 counties;

NOW, THEREFORE, BE IT RESOLVED that the Perquimans County Board of Commissioners adopts this resolution in support of the legislative proposals adopted by the NCACC membership at its 2013 Legislative Goals Conference;

FURTHER BE IT RESOLVED that copies of this resolution be transmitted to the members of the General Assembly representing Perquimans County to let them know of our support for these issues.

Adopted this the 4th day of February, 2013.

Janice McKenzie Cole, Chair
Perquimans County Board of Commissioners

ATTEST:

Mary P. Hunnicutt, Clerk to the Board

Just as a side item, the attorney who was working at Public Safety that we initially contacted about the Juvenile Detention Center is now working for NCACC. Therefore, that matter will be moving rather slow since they will have to find a replacement for her. County Manager Heath said that he had received an e-mail from Raleigh and that we were waiting on a response from this attorney which now will be delayed.

ALBEMARLE COMMISSION: OFFICE SPACE REQUEST

County Manager Heath said that he had received a phone call from Bert Banks, Executive Director of Albemarle Commission, looking for additional office space. He inquired about the middle space of the Dobbs Street Building between Inspections Office and Planning Office. He needs about two or three offices. Currently, the space is unoccupied and that he would bring it before the Board at their February meeting. He said that the offices are about 13' x 13'. The current rental fee is \$10.50 per square foot. At this point, he is asking direction from the Board as to how he needed to proceed. Benjamin C. Hobbs made a motion to have Mr. Heath proceed to meet with Mr. Banks to find office space for Albemarle Commission staff. The motion was seconded by Edward R. Muzzulin. The Chair opened up for discussion. Commissioner Peeler asked if there was a parking issue there. Mr. Hobbs said that they were there before and were aware of the parking issues. Mr. Heath concurred and understands that there are only two employees so he did not think it would be a problem. Mr. Peeler said that he was more concerned about the customers that would visit them. Mr. Heath feels that it would be minimal. Chair Cole said that it would depend on what kind of operation is involved. Commissioner Miller-White asked which department was over there before. Mr. Heath said that it was the Nutrition office. There were some facility concerns which caused the previous employees some problems but we have corrected most of those issues. Mr. Heath said that he also offered the other spaces available but Mr. Banks was more interested in this site. There being no further discussion, the motion was unanimously approved by the Board.

PLANNING ITEMS

Donna Godfrey, County Planner, is returning to the Board after its action in November 2012 to conditionally approve Albemarle Plantation's request to release the Surety Bond posted for Belmont, Section JJ, Blocks 2, 3, and 4. Ms. Godfrey went out to view the site. In brief, several defects in the asphalt pavement were discovered after the Board of Commissioners' meeting in November. Since that time, a repair plan has been proposed by Kip Peregoy, General Manager of Albemarle Plantation, who is present tonight to answer any questions, with an Addendum to modify the original Road Maintenance Agreement (APPOA) as approved by the County Attorney. This essentially turns on APPOA's agreement to accept all of the roads in their present state of repair, as evidenced by the APPOA president's signature on the Road Maintenance Agreement and the Addendum. The reason that Ms. Godfrey is bringing this back to the Board of Commissioners is because Section 5 of the original Road Maintenance Agreement requires any change to the agreement to be in writing and executed in the same manner with approval of the Board of Commissioners. She is asking for that approval tonight. On motion made by Benjamin C. Hobbs, seconded by Tammy Miller-White, the Board unanimously approved the following Addendum to Road Maintenance Agreement for Albemarle Plantation, Belmont, Section JJ, Blocks 2, 3, and 4:

**ADDENDUM TO ROAD MAINTENANCE AGREEMENT FOR
ALBEMARLE PLANTATION – BELMONT (SECTION JJ), PHASE BLOCK 2,3,4**

RE: **Acknowledgement of defects/fractures in asphalt and repair/maintenance plan**

The purpose of this ADDENDUM is to document and acknowledge the following:

- 1) The existence of at least nine (9) asphalt defects/fractures discovered by Perquimans County staff in the roadways located throughout **Belmont, Section JJ, Block 2**, in November and December, 2012 and January, 2013, during three on-site visits, as depicted on attached map and photograph; and
- 2) Notwithstanding said defects, Perquimans County shall hereby release the Surety Bond currently being held by the County **for Albemarle Plantation – Belmont (Section JJ) Block 2, Block 3, and Block 4**, and the Albemarle Plantation Property Owners Association, Inc., shall hereby assume responsibility to repair these and any other defects found throughout the Belmont neighborhood in a timely manner to prevent further defects; and
- 3) Pursuant to **Section 5 of the ROAD MAINTENANCE AGREEMENT FOR ALBEMARLE PLANTATION – BELMONT (SECTION JJ) PHASE BLOCK 2, 3, 4**, this ADDENDUM augments the entire understanding and agreement between parties and may not be changed, altered or otherwise modified except when reduced to writing and executed in the same manner, with the approval of the Perquimans County Commissioners

IN WITNESS WHEREOF, the parties have executed this Agreement on this the _____ day of _____, 2013.

STATE OF NORTH CAROLINA
COUNTY OF PERQUIMANS

By: _____
W. Frank Heath, III, Perquimans County Manager

STATE OF NORTH CAROLINA
COUNTY OF PERQUIMANS

Subscribed, sworn to and acknowledged before me by W. Frank Heath, III, Perquimans County Manager, this _____ day of _____, 2013.

_____(Seal)
Notary Public
My Commission Expires:

ALBEMARLE PLANTATION PROPERTY OWNERS ASSOCIATION, INC.

By: _____, President

Print Name: _____

STATE OF NORTH CAROLINA
COUNTY OF _____

Subscribed, sworn to and acknowledged before me by _____, President of Albemarle Plantation Property Owners Association ____ day of _____, 2013.

_____(Seal)
Notary Public
My Commission Expires:

NCACC REQUEST FOR COUNTY FEDERAL ISSUES

Chair Cole stated that NCACC is requesting the Board to identify those federal issues of statewide importance to all counties to be presented to N.C. Congressional delegation during the NACO's Legislative Conference in March in Washington, D.C. Commissioner Miller-White stated that the two priorities from December 2012 list, Partnership for Medicaid and the Farm Bill, would be the two that would most affect our county and hopes that they will be addressed properly. No action is required at this time.

PUBLIC COMMENTS

Donna Godfrey: Ms. Godfrey brought to the Board's attention the flyer that she provided them about the Albemarle Regional Bicycle Plan.

Charles Tripp, NCEM Area Coordinator: Mr. Tripp wanted to take a moment to thank Mr. Jarvis Winslow for his diligent work that he does for the County's Emergency Management Program.

ADJOURNMENT

There being no further business to discuss, the Regular Meeting was adjourned by the Chairman at 8:20 p.m. on a motion made by Edward R. Muzzulin, seconded by Matthew Peeler.

Janice McKenzie Cole, Chair

Clerk to the Board
