

Specified Members (G.S. 147-33.61)	Name	Title	Designee	Race	Gender
2) County Commissioner appointee	Clayton Griffin	Director, Restitution/MF	<input type="checkbox"/>	b	m
23) County Commissioner appointee	Peter Leroy	Chairman, Perquimans 20/20	<input type="checkbox"/>	w	m
24) County Commissioner appointee	Eva Anderson	Court Counselor	<input type="checkbox"/>	b	f
25) County Commissioner appointee			<input type="checkbox"/>		

On motion made by Benjamin C. Hobbs, seconded by Edward R. Muzzulin, the Board unanimously approved the FY 2013-2014 JCPC Certification and the Juvenile Crime Prevention Council Members.

**ECONOMIC IMPROVEMENT COUNCIL (EIC) BOARD MEMBER RESIGNATION**

County Manager Heath presented the letter of resignation from Virgie Whitehurst effective July 18, 2013. Ms. Whitehurst’s three-year term is due to expire on August 31, 2014. The Board will need to accept her resignation and, if possible, appoint someone else to her seat. On motion made by Benjamin C. Hobbs, seconded by Edward R. Muzzulin, the Board unanimously accepted Ms. Whitehurst’s resignation from EIC and appointed Tammy Miller-White to complete her term which expires on August 31, 2014.

**ADJOURNMENT**

There being no further comments or business to discuss, the Special Called Meeting was adjourned and the Regular Work Session began on motion made by Edward R. Muzzulin, seconded by Matthew Peeler.

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Janice McKenzie Cole, Chair

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Deputy Clerk to the Board

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**REGULAR MEETING**  
August 5, 2013  
6:55 p.m.

The Perquimans County Board of Commissioners met in a regular meeting on Monday, August 5, 2013, at 6:55 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 Hackney High, County Attorney  
Mary Hunnicutt, Clerk to the Board

After the Chair called the meeting to order, she gave the invocation and led in the Pledge of Allegiance.

**PUBLIC HEARING**

**No Wake Zone – Bethel Creek**

Chair Cole opened the Public Hearing stating that the purpose of the public hearing was to receive public comments on the consideration of Perquimans County’s intent to make application to the North Carolina Wildlife Commission for the investigation into the need for an adoption thereafter, if warranted, of a “NO-WAKE” Zone for part of the body of water known as Bethel Creek located off Yeopim River in Bethel Township. There were sixteen (16) people present. The Chair recognized asked if there were any public comments. There being no comments or questions from the public or the Board, the Chair closed the Public Hearing at 7:00 p.m.

**AGENDA**

The Agenda, as amended, was unanimously approved on motion made by Benjamin C. Hobbs, seconded by Edward R. Muzzulin.

**CONSENT AGENDA**

The following items were considered to be routine and were unanimously approved on motion made by Edward R. Muzzulin, seconded by Tammy Miller-White.

1. **Approval of Minutes:** July 1, 2013 Regular Meeting and July 15, 2013 Special Called Meeting
2. **Tax Releases Approvals**

**PERQUIMANS COUNTY TAX REFUND:**

**Nixon, Jr., Willis E.**----- \$129.14  
Per DMV Investigator, Hardy Gilliam, this plate should not have been issued. Account Number: 8088179.

**Thompson, Arnold W.**----- \$116.20  
Vehicle sold. Plate turned in on 6/28/13; Plate expires 4/30/14; 10-month release. Lic. #VW1907; 2005 Ford HC. Account Number: 8066776.

3. **Personnel Matters:**

Employee Name	Employee Job Title	Action Required	Grade/ Step	New Salary	Effective Date
Debbie Reed	Register of Deeds	Resignation			9/1/2013
James Lawson II	EMT-I Fill-In	Appointment	66/1	\$14.85/hour	8/1/2013

4. **Budget Amendments:**

**BUDGET AMENDMENT NO. 2  
GENERAL FUNDS**

CODE NUMBER	DESCRIPTION OF CODE	AMOUNT	
		INCREASE	DECREASE
10-348-010	State - Rural Center	1,250	
10-420-042	Internship Program	1,250	
<b>EXPLANATION:</b> To bring forward remaining budget funds for SECU Internship Program.			

**BUDGET AMENDMENT NO. 3  
N.C. HOUSING FINANCE FUND**

CODE NUMBER	DESCRIPTION OF CODE	AMOUNT	
		INCREASE	DECREASE
59-348-000	Single Family Rehab		16,032
59-500-341	SFR - Rehabilitation		16,032
<b>EXPLANATION:</b> To adjust budget to reflect exact amount for FY 2013-14 in Single-Family Fund.			

**BUDGET AMENDMENT NO. 4  
USDA RESERVE FUND**

CODE NUMBER	DESCRIPTION OF CODE	AMOUNT	
		INCREASE	DECREASE
20-680-720	Transfer to General Fund	202,620	
20-399-000	Fund Balanced Appropriated	202,620	
<b>EXPLANATION:</b> To close USDA Reserve Fund. These Funds will be transferred to the General Fund.			

**JEWEL WINSLOW, SHIIP GRANT**

Ms. Winslow presented information on how many people have been helped throughout the County as a result of the SHIIP Grant. This year, the County has been approved to receive \$2,646 which is less than what we received last year. On motion made by Tammy Miller-White, seconded by Edward R. Muzzulin, the Board unanimously approved the receipt of these funds and authorized the Chair and County staff to sign the contract.

**SUSAN CHANEY, SOCIAL SERVICES**

Ms. Chaney could not give a full report since the information was not available yet but did give a quick overview of the programs. She also informed the Board as to the changes that are taking place in her department.

**BILL JENNINGS, TAX ADMINISTRATOR**

Bill Jennings presented his monthly report. Mr. Jennings further stated that the tax bills will be mailed out the end of this month. He also explained that there were going to be three (3) in rem foreclosure cases that will be sold the end of August. After his tax report, he gave an update on the Water Department move to the EMS Building.

**COMMISSIONER'S CONCERNS/COMMITTEE REPORTS**

**Tammy Miller-White:** Commissioner Miller-White reminded the Board to review the PowerPoint presentation that she e-mailed them regarding NCDOT.

**UPDATES**

County Manager Heath updated the Board on the following projects:

**Minimum Housing – Enforcement Procedures:** County Attorney High presented information that the Board had requested at their last Work Session. He stated that the County could place a lien on the property like a tax lien if the landowner does not bring the property up to minimum standards per the Building Inspector's request. You can either: (1) go through the legal process to collect those funds, if you chose too, or (2) force a sale to collect your funds. He further stated that, if a landlord does not come into compliance, the property would be condemned which would not allow him/her to lease the property. This should force the landlord to bring the property into compliance. His concern is about the current tenant and what would happen to that tenant if the property was condemned. Mr. High wants to clean up some other items in our proposed ordinance before the Board takes a vote on it. The following questions were asked and answered:

- **Commissioner Muzzulin:** Mr. Muzzulin wanted to know if we could have a menu of enforcement procedures in our ordinance. Mr. High said that we could.
- **Commissioner Hobbs:** Mr. Hobbs did not think that the County wanted to get into the business of repairing these properties because you never know what you will be getting into until you start the repairs. He said that he feels that we might want to keep that authority in the ordinance or delete it altogether. Mr. High said that he felt that we should use that authority loosely.
- **County Manager Heath:** Mr. Heath wanted to know if we could fine an owner if he does not bring the property up to the ordinance requirements.
- **Commissioner Hobbs:** Mr. Hobbs feels that the County should begin charging fees if the Building Inspector has to keep going back to the same property and nothing being done.
- **Commissioner Peeler:** Mr. Peeler is concerned with the County getting into a civil matter that laws are already in place for.

County Attorney High had to leave the meeting due to a previous meeting in Chowan County. He said that he would make these revisions on the Minimum Housing Standards Ordinance and provide copies for the Commissioners for them to take action on.

**Water System Projects:** County Manager Heath reported that the Water Office move to the Emergency Services Building is moving along good and should be done by September 2, 2013. The County has been taking on 50,000 gallons per day from the Pasquotank County RO Plant to make sure that it is working well. We officially accept water beginning September 1, 2013.

**Jail Project:** Commissioner Muzzulin highlighted the following items on his Albemarle District Jail (ADJ) Report: (1) Federal inmate count for July was 48 (there were 48 in June); (2) The new chiller is running well and the next step is to have the controls programmed; (3) The repairs to the rear gate will start tomorrow, August 6<sup>th</sup>; and (4) The Department of Corrections School was scheduled for June 28<sup>th</sup> through August 2<sup>nd</sup>. When this class is finished, the staffing level there will be one open position.

**Courthouse Landscaping:** County Manager Heath reported that, using Court Facilities & General Fund monies, the County was able to complete the landscaping of the Courthouse lawn. They have installed sodding, removed old plantings and replaced them with new plantings, installed irrigation system, completed brick walkways to the monuments, and other upgrades. The comments have been very favorable with these changes. He encouraged everyone to take an opportunity to look at it.

**NO WAKE ZONE – BETHEL CREEK RESOLUTION**

County Manager Heath reported that the public hearing was held earlier in the meeting. The next step to proceed with establishing the No Wake Zone – Bethel Creek is to adopt a Resolution and forward that along with the Form D-1 to the N.C. Wildlife Commission. Chair Cole noted that there were some changes to the Resolution: (1) description should be "part of the body" instead of "total body" and (2) in first "BE IT RESOLVED", we should change "total body" to "part of the body". On motion made by Benjamin C. Hobbs, seconded by Tammy Miller-White, the Board unanimously approved the following Resolution, with the changes, and authorized Chair to sign the Resolution and Form D-1 and forward it to N.C. Wildlife Commission:

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF PERQUIMANS COUNTY**

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

**WHEREAS** the Bethel Creek in and around the Bethel Township is within the territorial limits of Perquimans County, and

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

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

WHEREAS the Board of Commissioners of Perquimans County has received a signed petition by the residents along the Bethel Creek requesting to establish a no-wake zone, and

WHEREAS the Board of Commissioners of Perquimans County wishes to establish the No-Wake zone per the attached map or as described as follows:

To establish a No-Wake Zone for the part of the body of water known at Bethel Creek located off Yeopim River in Bethel Township starting at N 36°05.720 W 76°28.705 (near the mouth of the Yeopim River) to 36°06.315 W 76°28.840.

BE IT RESOLVED that in accordance with G.S. 75A-15, the Board of Commissioners of Perquimans County requests the North Carolina Wildlife Resources Commission to promulgate special rules and regulations with reference to safe and reasonable operation of vessels on the waters of the areas listed above and noted on the attached map located in said County, the pertinent substance of which proposed regulations is as follows: a No-Wake Zone for the part of the body of water known at Bethel Creek located off Yeopim River in Bethel Township starting at N 36° 05.720 W 76° 28.705 (near the mouth of the Yeopim River) to 36° 06.315 W 76° 28.840 as shown on the attached map which falls within the limits and regulations of the N.C. Wildlife Commission.

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

ADOPTED this the 5th day of August, 2013.

SEAL

By: Janice McKenzie Cole, Chair
Perquimans County Board of Commissioners

CERTIFICATION

This is to certify that the above is a true and exact copy of a resolution adopted by the Perquimans County Board of Commissioners at the regular meeting held in the Perquimans County Courthouse Annex on August 5, 2013. The same appears on record in Minute Book 14, Page 2802 of the said Commission and filed in the Perquimans County Registry.

Clerk to the Board of Commissioners of Perquimans County

COUNTY COOPERATIVE AGREEMENT WITH N.C. FOREST SERVICE

On motion made by Edward R. Muzzulin, seconded by Matthew Peeler, the Board unanimously approved the County Cooperative Agreement with Division of Forest Resources for FY 2013-2014 and authorized the Chairman and County Staff to sign the Agreement.

LOTTERY APPLICATION FOR PERQUIMANS CENTRAL, PERQUIMANS MIDDLE, & PERQUIMANS HIGH SCHOOLS

On July 22, 2013, the Board of Education Chairman signed this request. On motion made by Tammy Miller-White, seconded by Matthew Peeler, the Board unanimously approved the following Application for Public School Capital Building Fund for the North Carolina Education Lottery Fund to be used for the Perquimans Central School, Perquimans Middle School, and Perquimans High School:

APPLICATION PUBLIC SCHOOL BUILDING CAPITAL FUND NORTH CAROLINA EDUCATION LOTTERY
Approved:
Date:
County: PERQUIMANS
LEA: 720 Perquimans County
Address: P.O. Box 45 Hertford, NC 27944
Contact Person: Sharon S. Ward
Title: Finance Officer
Phone: (252) 426-8484
Project Title: Redesign Front Entrances to schools for security
Location: 181 Winfall Boulevard / 312 W. Main Street / 305 S. Edenton Road St.
Type of Facility: Perq. Central School / Perq. Middle School / Perquimans High School

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: The intent of this project is to advance security and control non-student entry at the above referenced schools by remodeling the front entrances.

Table with 2 columns: Item, Amount. Rows include Purchase of Land, Planning and Design Services, New Construction, Additions / Renovations (85,000.00), Repair, Debt Service / Bond Payment, and TOTAL (85,000.00).

Estimated Project Beginning Date: 07/23/13 Est. Project Completion Date: 10/23/13

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 \$ 85,000,000 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) 8/5/13 (Date)
Walter L. Leigh 7/22/13 (Date)
(Signature - Chair, Board of Education)

**PROCLAMATION FOR NATIONAL LONG TERM-CARE RESIDENTS' RIGHTS**

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

**National Long Term-Care  
Residents' Rights Month 2013  
Proclamation  
Speak Out Against Elder Abuse**

*Whereas*, there are more that 1.5 million individuals living in 16,000 nursing homes; and 1 million individuals living in 50,000 board and care/assisted living facilities in the U.S. with the number of residents expected to almost double by 2030; and

*Whereas*, the federal Nursing Home Reform Act of 1987 guarantees residents their individual rights in order to promote and maintain their dignity and autonomy; and

*Whereas*, all residents should be aware of their rights so they may be empowered to live with dignity and self-determination; and

*Whereas*, we wish to honor and celebrate these citizens, to recognize their rich individuality, and reaffirm their sense of safety, as well as the right to have a say in their care; and

*Whereas*, individual and groups across the country will be celebrating Resident's Rights Month with the theme – "Speak Out Against Elder Abuse" – to emphasize the importance of recognizing and addressing this serious issue through immediate action, facility practices, public policy and resident-centered decision-making.

*Now, therefore*, Perquimans County does proclaim October 2013 as **National Long-Term Care Residents' Rights Month**, and encourages all citizens to join in these important observances.

Signed this 5<sup>th</sup> day of August, 2013

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Janice McKenzie Cole,  
Chair, Board of County Commissioners

**ATTEST:**

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Mary P. Hunnicutt, Clerk to the Board

**SEAL**

**TRANSFER OF OLD SENIOR CENTER PROPERTY**

County Manager Heath explained that, since we have built our new Senior Center on Harvey Point Road, we no longer need to lease the Senior Center property on W. Grubb Street from the Town of Hertford. Therefore, we need to transfer the property back to the Town of Hertford. On motion made by Edward R. Muzzulin, seconded by Benjamin C. Hobbs, the Board unanimously approved to transfer the Senior Center property back to the Town of Hertford.

**SCHOOL SRO OFFICER**

County Manager Heath presented a letter from the Board of Education requesting assistance with placing a SRO Officer in the Perquimans Central and Perquimans Middle Schools. In addition, they requested that the County consider paying the SRO Officer's salary and benefits for the two months when the employee would not be needed by the school district but would be utilized by our Sheriff's Department. Sheriff Tilley was present to answer any questions that the Board had. He did give a little further explanation of the request. On motion made by Tammy Miller-White, seconded by Edward R. Muzzulin, the Board unanimously approved the Board of Education's request to pay the SRO Officer's salary and benefits for the two months when the employee would not be needed by the school district but would be utilized by our Sheriff's Department.

**N.C. DEPARTMENT OF PUBLIC SAFETY GRANT**

Mr. Heath asked Mr. Tilley to present his request for the NC Department of Public Safety Grant. Mr. Tilley explained that his office needed a new copier. The first estimate for the new copier was over \$8,000. This grant is for \$5,600 which should cover a large portion of this expense. Benjamin C. Hobbs made a motion to approve the grant which was seconded by Tammy Miller-White. Chair Cole said that we need to approve Budget Amendment No. 5 also and asked if Mr. Hobbs and Ms. Miller-White if they would be willing to amend their motion to include that approval also. Mr. Hobbs and Ms. Miller-White agreed to amend their motion to approve the grant and Budget Amendment No. 5. The motion was unanimously approved by the Board. Budget Amendment No. 5 is as follows:

**BUDGET AMENDMENT NO. 5  
GENERAL FUNDS**

CODE NUMBER	DESCRIPTION OF CODE	AMOUNT	
		INCREASE	DECREASE
10-510-740	Sheriff - Capital Outlay	5,625	
10-348-023	State Grant - Law Enforcement	5,625	
<b>EXPLANATION:</b> To budget grant for copy machine in amount of \$5,625 from NCDPS.			

**APPOINTMENT OF REGISTER OF DEEDS**

In the Consent Agenda, the Board approved the retirement of Debbie Reed, Register of Deeds, effective September 1, 2013. Since she is an elected official, the Board needed to receive a letter from the Democrat Party making a recommendation for her replacement. We received a letter from Ms. Jacqueline Frierson requesting that the Board consider her for this position which was concurred by a letter from the Democratic Party. On motion made by Tammy Miller-White, seconded by Edward R. Muzzulin, the Board unanimously approved the appointment of Jacqueline Frierson to complete Debbie Reed's term as Register of Deeds effective September 1, 2013.

**COPIER FOR REGISTER OF DEEDS' OFFICE**

Debbie Reed, Register of Deeds, was planning on presenting this request to the Board but had a death in the family and could not attend the meeting. County Manager Heath presented her request to lease a copier for their office. Their current copier has broken down. Since they will be saving some funds from the salary line item with Ms. Reed's retirement, Ms. Reed and Mr. Heath feel that they would be able to cover this added expense for this fiscal year. This will be a 60-month lease with Coeco Office Systems for a Canon IRC2230 at a rate of \$235 per month plus applicable taxes. After several questions, Tammy Miller-White made a motion, which was seconded by Edward R. Muzzulin, to proceed with the lease agreement for the Canon IRC2230 copier from Coeco Office Systems for 60 months at a

rate of \$235 per month plus applicable taxes and to approve Budget Amendment No. 6. The Board unanimously approved the motion and the following Budget Amendment No. 6:

**BUDGET AMENDMENT NO. 5  
GENERAL FUNDS**

CODE NUMBER	DESCRIPTION OF CODE	AMOUNT	
		INCREASE	DECREASE
10-480-020	Register of Deeds - Salary		2,500
10-480-740	Capital Outlay	2,500	
<b>EXPLANATION:</b> To budget funds to lease copy machine in Register of Deeds Office for FY 2013-14.			

**PUBLIC COMMENTS**

The following public comments were made:

**County Property in the Town of Hertford:** Mr. David Donahue explained that he and the other residents present tonight were here to discuss the County Property located at the Senior Center, Library, Tennis Courts, and Basketball Courts. There have had problems here before but it seems like things have escalated in the last few months especially since the Senior Center has moved. Mr. Donahue introduced Mr. Don Matthews who has researched the problem and is presenting his report. Mr. Matthews presented a written report to the Board and the Chair asked Mr. Matthews to give them some time to review the report before making any comments. After the Board took time to read his complaint, Mr. Matthews elaborated on some of the events. He further stated that he was told by the Town of Hertford that they needed to come talk to the Commissioners first so that is what they were doing tonight. Sheriff Tilley also made some comments. After all comments were made, Chair Cole said that they would take this under advisement and County Manager Heath will talk with the Town Manager and we would see about changing the times for the Basketball Courts and Tennis Courts. Ms. Cole further advised them to meet with the Town Council explaining their situation. Mr. Matthews invited the Commissioners to go by the area after the meeting to see what they have had to endure over the years.

**CLOSED SESSION: PERSONNEL MATTER & CLOSED SESSION MINUTE APPROVAL**

On motion made by Edward R. Muzzulin, seconded by Tammy Miller-White, the Board unanimously approved the motion to go into closed session to discuss a personnel matter and to approve Closed Session Minutes.

The Closed Session was adjourned and the Regular Meeting reconvened on motion made by Edward R. Muzzulin, seconded by Benjamin C. Hobbs. The following action was taken after the Closed Session.

**SALARY FOR NEW REGISTER OF DEEDS APPOINTEE**

On motion made by Tammy Miller-White, seconded by Edward R. Muzzulin, the Board unanimously approved to pay Jacqueline Frierson, effective September 1, 2013, \$41,414 per year which is Grade 70/Step 5.

**ADJOURNMENT**

There being no further comments or business to discuss, the Regular Meeting was adjourned at 8:45 p.m. on motion made by Tammy Miller-White, seconded by Edward R. Muzzulin.

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Janice McKenzie Cole, Chair

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Clerk to the Board

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