

have been here tonight to address this but they had a funeral visitation to attend which prevented them from attending tonight. A motion to approve the contract with Douglas A. Hollowell, P.C. was made by Matthew Peeler and seconded by Edward R. Muzzulin. Commissioner Miller-White asked what the best practice was with regard to how long an entity should keep the same auditor. Mr. Heath said that there is no set time. It is up to that entity to decide. Considering the fact that this firm has done a good job for us in the past and does several other entities in our area, he recommends the approval of this contract. The motion was unanimously approved by the Board and the contract was awarded to Douglas A. Hollowell, P.C. for \$26,500.

PUBLIC COMMENTS

There were no public comments.

ADJOURNMENT

There being no further comments or business to discuss, the Regular Meeting was adjourned at 8:10 p.m. on motion made by Edward R. Muzzulin, seconded by Matthew Peeler.

Janice McKenzie Cole, Chair

Clerk to the Board

REGULAR MEETING
March 3, 2014
6:45 p.m.

The Perquimans County Board of Commissioners met in a regular meeting on Monday, March 3, 2014, at 6:45 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 Chairman
 Kyle Jones (*arrived at 7:10 p.m.*) Benjamin Hobbs
 Matthew Peeler
- MEMBERS ABSENT: Tammy Miller-White
- OTHERS PRESENT: Frank Heath, County Manager 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

Conditional Use Permit No. CUD-14-01, Kathryn M. Stevenson

Chair Cole opened the Public Hearing stating that the purpose of the public hearing was to receive citizens' comments to consider a Conditional Use Permit No. CUD-14-01, requested by Kathryn Stevenson, to operate a Convenience Store with Gas Pumps at the existing store located at 2152 New Hope Road (SR 1300). The site is zoned CR(CUD), Rural Commercial Conditional Use Permit and known as Parcel No. 4-0064-0040A. There were five (5) people present. The Chair recognized Donna Godfrey, County Planner, who gave an overview of the Conditional Use Permit. At their February 11, 2014 meeting, the Planning Board recommended approval of the proposed Conditional Use Permit (CUP), conditioned upon the Draft CUP and adopting the following findings to support the motion:

- (a) That the use will not materially endanger the public health or safety, if located according to the plan submitted and approved;
- (b) That the use meets all required conditions and specifications;
- (c) That the use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity; and
- (d) That the location and character of the use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located and in general conformity with the Perquimans County Land Use Plan.

Ms. Godfrey further explained that this application requires that it be considered under "Quasi-Judicial Procedures" which was included in the Board's Agenda Packets. Reference is made to the Draft No. 2B Conditional Use Permit which was provided to the Board tonight. This includes several changes to the proposed Conditional Use Permit and is ready for the Chair's and applicant's signatures should the Board decide to approve it tonight. After Ms. Godfrey gave further information about the request, she informed the Board that the applicant, Kathryn Stevenson, was present to answer any questions that the Board had. Chair Cole asked if the applicant had anything further to add and if there were any questions/comments from the public. There being none, Chair Cole closed the Public Hearing at 6:55 p.m. Due to the inclement weather, Ms. Cole continued with the meeting.

AGENDA

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

CONSENT AGENDA

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

1. **Approval of Minutes:** February 3, 2014 Regular Meeting
2. **Tax Releases Approvals:**

PERQUIMANS COUNTY TAX REFUND:

Hansen, Malvin----- \$192.99
 Double wide was doubled taxed – listed as both real and personal; Account No. 245681.

PERQUIMANS COUNTY TAX RELEASES:

Winslow, Donald----- \$131.58
 Hasn't owned for 3-6 years; Account No. 0356505.

Riddick, Larry----- \$101.90
 Active Duty Military; Account No. 8089151

3. **Personnel Matter:**

Employee Name	Employee Job Title	Action Required	Grade/ Step	New Salary	Effective Date
James Farrar	Part-time Animal Control Officer	Resignation			2/24/2014

4. Budget Amendments:

**BUDGET AMENDMENT NO. 17
GENERAL FUNDS**

CODE NUMBER	DESCRIPTION OF CODE	AMOUNT	
		INCREASE	DECREASE
10-348-023	State Grant - Law Enforcement	5,568	
10-510-740	Sheriff - Capital Outlay	5,568	
EXPLANATION: To budget grant funds for copier in FY 2013-14.			

**BUDGET AMENDMENT NO. 19
GENERAL FUNDS**

CODE NUMBER	DESCRIPTION OF CODE	AMOUNT	
		INCREASE	DECREASE
10-690-921	Juvenile Detention	10,000	
10-690-996	Senior Center Renovation		10,000
EXPLANATION: To budget additional funds needed in juvenile detention line (invoice this month \$4,880 - put extra \$5,000 for next month).			

**BUDGET AMENDMENT NO. 20
GENERAL FUNDS**

CODE NUMBER	DESCRIPTION OF CODE	AMOUNT	
		INCREASE	DECREASE
10-348-000	State Grants - Social Services	124	
10-610-198	Low Income Energy (LIEAP)	124	
EXPLANATION: To budget exact amount of State Funds for FY 2013-14.			

5. Board Appointment/Resignation:

NAME	BOARD	ACTION	TERM	EFFECTIVE DATE
Jackie Hobbs	Tourism Development Authority (Industry Rep)	Reappointment	2 yrs	4/1//2014
Kyle Jones	Child Fatality Prevention Team – DSS Board Member	Resignation		1/31/2014

- 6. **Beer & Wine Tax Distribution:** This report was approved which distributes the beer/wine excise tax for 2014.
- 7. **Resolution:** The following Resolution was approved by the Board:

**RESOLUTION
LITTER SWEEP SPRING 2014
IN PERQUIMANS COUNTY**

WHEREAS, the North Carolina Department of Transportation organizes an annual Spring statewide roadside cleanup to ensure clean and beautiful roads in North Carolina; and

WHEREAS, the Spring 2014 *“Litter Sweep”* roadside cleanup will take place April 26 – May 10, 2014, and encourages local governments and communities, civic and professional groups, businesses, churches, schools, families and individual citizens to participate in the Department of Transportation cleanup by sponsoring and organizing local roadside cleanups; and

WHEREAS, Adopt-A-Highway volunteers, Department of Transportation employees, Department of Correction inmates and community service workers, local government agencies, community leaders, civic and community organizations, businesses, churches, schools, and environmentally concerned citizens conduct annual local cleanups during *“Litter Sweep”* and may receive certificates of appreciation for their participation; and

WHEREAS, the great natural beauty of our State and a clean environment are sources of great pride for all North Carolinians, attracting tourists and aiding in recruiting new industries; and

WHEREAS, the cleanup will increase awareness of the need for cleaner roadsides, emphasize the importance of not littering, and encourage recycling of solid wastes; and

WHEREAS, the 2014 LITTER SWEEP cleanup will celebrate the 26th Anniversary of the North Carolina Adopt-A-Highway program and its over 5,760 volunteer groups that donate their labor and time year round to keep our roadsides clean.

WHEREAS, the LITTER SWEEP cleanup will be a part of educating the children of this Great State regarding the importance of a clean environment to the quality of life in North Carolina;

NOW, THEREFORE, BE IT RESOLVED that the Perquimans County Board of Commissioners do hereby proclaim April 26 – May 10, 2014, as *“SPRING LITTER SWEEP”* time in Perquimans County and encourage its citizens to take an active role in making our community cleaner and more beautiful.

ADOPTED the 3rd day of March, 2014.

(SEAL)

Janice McKenzie Cole, Chair
Perquimans County Board of Commissioners

ATTESTED:

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

BILL JENNINGS, TAX ADMINISTRATOR

Mr. Jennings presented his monthly foreclosure report. He also explained that he had sent out revaluation proposals to three (3) companies which were due today. He has received three (3) proposals and he will meet with Frank Heath, County Manager, to review them and make a recommendation to the Board. Chair Cole asked about the time frame. Mr. Jennings said that it is usually an 18-month process. The revaluations will start in May, 2014 and notices will be sent out beginning November the year before revals which would be November, 2015. The new valuations will be effective January 1, 2016.

COMMISSIONER'S CONCERNS/COMMITTEE REPORTS

Commissioner Miller-White: Although Ms. Miller-White was not at the meeting, she had forwarded copies of two reports in the Agenda Packet from her Emerging Issues Forum and NCACC Joint Steering Committee Meetings.

UPDATES FROM COUNTY MANAGER

County Manager Heath presented the following updates:

- **Golden Leaf Grant Application:** County Manager Heath reported that last Friday he submitted the final application for the Golden Leaf Grant for the Boat Ramp Project. Commissioner Peeler asked about the One-On-One Initiative and if this was included in his Golden Leaf application. Mr. Heath said that the Board of Education is handling this part of the grant application.
- **Well Option – Bethel Side:** Mr. Heath stated that we have a verbal agreement for a proposed well site on the Bethel WTP side. He hopes to have the paperwork ready to present to the Board in April.

- **Budget Process:** At their March Work Session, Mr. Heath will be discussing the schedule for Budget Meetings and will present his goals for the upcoming Fiscal Year.
- **Board Retreat Report:** Commissioner Muzzulin asked if the report from Mr. Lacefield will be posted on the County's website. Mr. Heath and Chair Cole feels that they need to wait until after Mr. Lacefield presents it to the entire Board in April.

PLANNING BOARD ITEMS

Donna Godfrey, County Planner, presented the following item for Board action:

Conditional Use Permit No. CUD-14-01, Kathryn M. Stevenson: A Public Hearing was held earlier in the meeting to receive citizens' comments to consider a Conditional Use Permit No. CUD-14-01, requested by Kathryn Stevenson, to operate a Convenience Store with Gas Pumps at the existing store located at 2152 New Hope Road (SR 1300). The site is zoned CR(CUD), Rural Commercial Conditional Use Permit and known as Parcel No. 4-0064-0040A. Ms. Godfrey explained that there were two parts to the approval. Chair Cole asked if there were any questions or concerns about the Conditional Use Permit request. There being none, she asked for a motion for the first step. Benjamin C. Hobbs made a motion to find proposed Conditional Use Permit No. CUD-14-01 to be consistent and in harmony with the existing development pattern in and around 2152 New Hope Road (SR 1300) in Hertford, NC, pursuant to Sections 903 (a) through (d) and Section 907.17 of the Zoning Ordinance. The motion was seconded by Edward R. Muzzulin. The motion was unanimously approved by the Board. Chair Cole asked for a motion for the second step. Matthew Peeler made a motion to approve Case No. CUD-14-01, amending Conditional Use Permit No. CUD-09-04(a), to operate a Convenience Store with Gas Pumps at 2152 New Hope Road (SR 1300), known as Tax Parcel No. 4-0064-0040A, conditioned upon the conditions listed in the attached Conditional Use Permit (See Attachment A) and based upon Findings contained in Sections 903 (a) through (3) and 907.17. The motion was seconded by Edward R. Muzzulin and unanimously approved by the Board.

NC SINGLE FAMILY REHABILITATION GRANT DOCUMENTS

County Manager Heath informed the Board that the NC Single Family Rehabilitation Grant had been approved for an amount not to exceed \$170,000. Mr. Heath feels that we would still be able to handle rehab for about 3 houses. He presented the SFRLP14 Funding Agreement for Board consideration. On motion made by Benjamin C. Hobbs, seconded by Edward R. Muzzulin, the Board unanimously approved the SFRLP14 Funding Agreement and authorized County Manager to sign the documents.

YOUNG/WILLIAMS CHILD SUPPORT SERVICES CONTRACT RENEWAL

YoungWilliams Child Support Services contract was first approved in March, 2010. It is now due to be renewed. YoungWilliams provided a letter proposing the following for the upcoming state fiscal years 2014-15, 2015-16, 2016-17; and 2017-18. The fixed fees are as follows: Contract Year 1 - \$132,300; Contract Year 2 - \$134,615; Contract Year 3 - \$136,971; and Contract Year 4 - \$139,368. Matthew Peeler made a motion to approve this proposal for the three one-year price proposal with three one-year renewals with YoungWilliams Child Support Services. The motion was seconded by Edward R. Muzzulin. Commissioner Peeler asked that, if the other counties do not agree with this pricing, will our Board have another opportunity to vote on the new proposals. Mr. Heath said that, from his correspondence from other counties, he feels that all the counties are in agreement with these figures. There being no further discussion, the motion was unanimously approved by the Board.

PUBLIC COMMENTS

Commissioner Hobbs talked about Albemarle Regional Health Services having a problem with Sentara taking some of the Albemarle Hospice business over when Sentara merges with Albemarle Hospital. Jeff Dixon and Lloyd Griffin of Pasquotank County made sure that Albemarle Hospice was being protected. This is something that will need to be watched. On the same subject, Chair Cole asked Commissioner Muzzulin if the Albemarle Hospital Board has been given any indication as to whether or not the current Board will remain in charge or if a new Board will be established. Mr. Muzzulin said that they will be appointing their own Board. Mr. Hobbs asked if he knew when that would happen. Mr. Muzzulin said that they have not been given that information yet and stated that the current Board is still meeting.

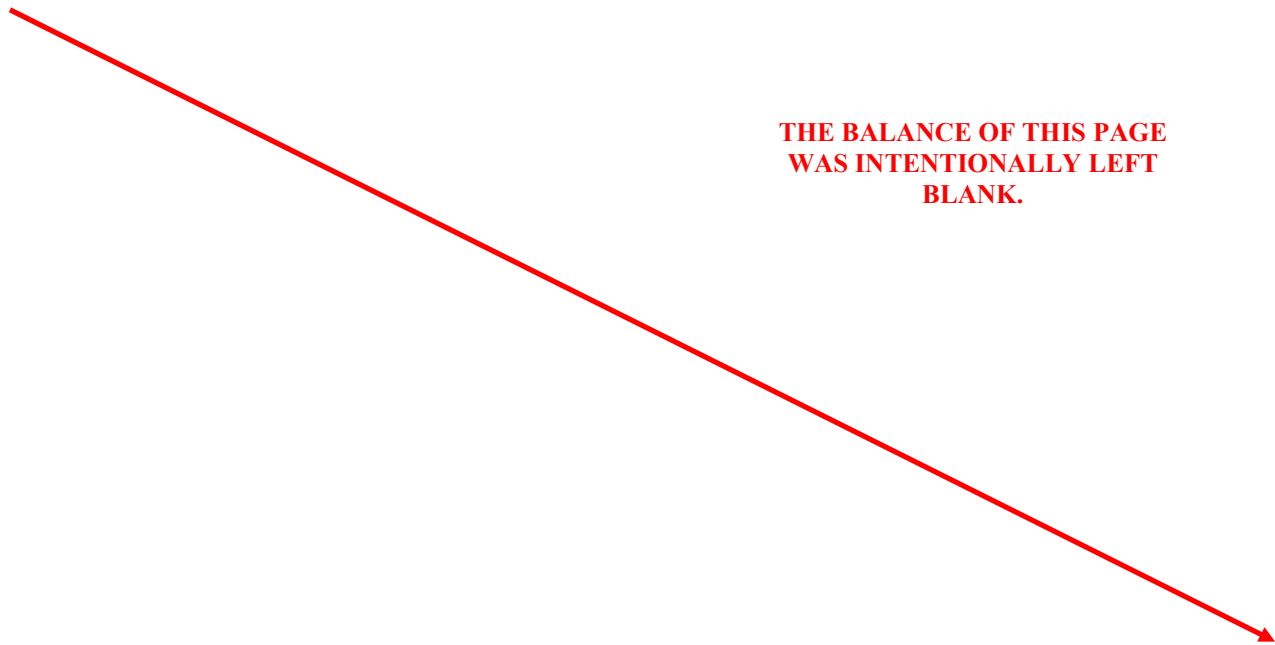
ADJOURNMENT

There being no further comments or business to discuss, the Regular Meeting was adjourned at 7:15 p.m. on motion made by Matthew Peeler, seconded by Edward R. Muzzulin.

Janice McKenzie Cole, Chair

Clerk to the Board

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ATTACHMENT A

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-Beginning of Draft 2B: CUD-14-01 to be recorded-
Proposed changes to Case No. CUD-09-01(a)

by Kathryn Stevenson

Convenience Store with Gas Pumps
in CR(CUD) Rural Commercial District
at 2152 New Hope Road

Notes:

- 1) Draft No. 2 includes textual changes made to Draft No. 1 for clarification and to reflect the Planning Board’s recommendation to include the remaining Conditions contained in the original Conditional Use Permit (No. CUD-09-04[a]) and thereby replace it;
- 2) This Draft No. 2B is a “finished” version which, if approved, is ready for signatures by the BCC Chair and Applicant. It differs from Draft No. 2 as follows:
 - (a) All notations to Draft No. 2 text changes have been removed, including italics, shading, highlights, strikethroughs, underlines, etc.; and
 - (b) Condition No. 4A(2) now refers to Condition No. 5B.
 - (c) Removed Colan Cooper’s name from page 1.
 - (d) Changed signature lines from “Owner” to “Authorized Applicant.”

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CONDITIONAL USE PERMIT No. CUD-14-01

Page 1 of _____

On the date(s) listed below, the Board of Commissioners for Perquimans County met and held a public hearing to consider the following application:

- Owner: Little River Woodworks, Inc., William T. Burroughs
5 Dover Place
St. John’s NL
A1B2P4 Canada
- Authorized Applicant: Kathryn Stevenson
265 Boat Ramp Road
Hertford NC 27944
- Property Location: Tax Map 4 Block 0064 Lot 0040A
- Street Address: 2152 New Hope Road, Hertford, NC 27944.
- Zoning District: CR(CUD), Rural Commercial Conditional Use District (per Case No. CUD-09-04[a]), which reverted Woodworking Business back to original use as a Convenience Store (without Gas Pumps).
- Proposed Use of Property: As a Convenience Store with (1) Regular Gas Pump and (1) Diesel Pump.
- Meeting and Hearing Dates: Planning Board on 2-11-14 & Board of Commissioners on 3-3-14.

Having heard all the evidence and argument presented at the hearing(s), the Board finds that the application is complete, that the application complies with all of the applicable requirements of the Perquimans County Zoning Ordinance for the development proposed, and that therefore the application to make use of the above-described property for the purpose indicated is hereby approved, subject to all applicable provisions of the Zoning Ordinance and the following conditions:

CONDITIONAL USE PERMIT No. CUD-14-01

Page 2 of _____

- 1. This Conditional Use Permit No. CUP-14-01 shall replace and supercede No. CUD-09-04(a). As such, the Applicants shall conduct operations in accordance with the following:
 - A. Section 907.17, Convenience Stores (including self-service pumps), included herein as Condition Nos. 4A (1), (2) and (3); B, C, D(1), (2) and (3), below.;
 - B. The new plans and application materials submitted to and approved herein by the Board of Commissioners (BCC), a copy of which is contained in the County Planning & Zoning Office and recorded with the Register of Deeds Office; and
 - C. Additional Considerations which were previously required by the CR(CUD) Conditional Use District created for this property and which are restated herein as Conditions 2, 3, and 5A, B, C, D and E, below.

Any Major Modification proposed to the approved plans shall require reapplication and approval by the Board of County Commissioners. “Major Modification” is defined as any departure from the conditions contained herein as well as “Any significant change in land use, and change in in the project boundary and/or change that results in an increase in the density or intensity of the project, as shown and described in the approved Conditional Use Permit and Site Plans.” However, it is understood that the conceptual layout of the parking and other site improvements as shown on the Site Plan may require adjustments in the exact location of the parking spaces, screening, fencing, and operational considerations which must comply with Section 907.17 of the Perquimans County Zoning Ordinance pertaining to Convenience Store (including self-service pumps).

- 2. Applicant shall conduct operations strictly in accordance with plans and narrative submitted to and approved by the Board of Commissioners.
- 3. If any of the conditions affixed hereto or any part thereof shall be held invalid or void, then this permit shall be void and of no effect.
- 4. Verification and acknowledgement of the extent of the approved Convenience Store (including self-service pumps) subject to certain Site Considerations, Screening, Required Plan, and Operational Considerations, such as those listed in Section 907.17 as follows:
 - A. Site Considerations:
 - (1) The subject property is not located within a residential subdivision, apartment complex or manufactured home park;
 - (2) A maximum of three thousand (3,000) square feet of gross floor area shall be permitted. Any such future expansion of the building would be subject to compliance with additional parking spaces and related site improvements and a new Site Plan and Zoning Permit (see also Condition No. 5B);
 - (3) Fuel sales shall be located no less than a minimum distance of thirty (30) feet from any street right-of-way and forty (40) feet from any (other) property line;
 - B. Screening: A buffer meeting the requirements of the County’s Zoning Ordinance, Article XVIII (Buffers and Screening), shall be installed along any property line abutting property used or zoned for residential purposes. In this case, the existing seven (7) foot wood plank fence may be maintained to meet the intent of these Screening requirements for most of the southeastern property line and new screening along the southwestern and northwestern property lines are still needed to comply with this requirement;

CONDITIONAL USE PERMIT No. CUD-14-01

Page 3 of ____

- C. Required Plan: The Applicant’s attached Site Plan is considered conceptual and was accepted for the purpose of processing the Conditional Use Permit. Said Conceptual Site Plan demonstrates the ability of the subject property to generally comply with the minimum design standards of the County’s Zoning Ordinance. Prior to the installation of any parking space or other site improvement, the Applicant shall apply for a Zoning Permit which shall be issued based upon compliance with this Conditional Use Permit as well as a final Site Plan which provides more detailed information as required by Section 509 as well as the scaled locations of all fuel pumps and other site improvements noted herein. In six to twelve months, the Applicant shall meet with the Planning & Zoning and Soil & Water Conservation District staff to re-evaluate whether additional Parking Spaces are needed and if determined to be needed, such improvements shall be made by the Applicant within ninety days.
- D. Operational Considerations:
 - (1) The use shall be limited to providing convenience food sales and gasoline sales to the surrounding residential and agricultural areas;
 - (2) Other vehicular services, such as tire sales and service, auto repair, sale of auto accessories and supplies, etc., shall not be permitted, though an automated car wash shall be permitted.
 - (3) No outdoor storage of materials shall be permitted with the exception of merchandise normally displayed or stored outside (e.g. ice, fire wood, bottled gas, Christmas trees, beverage and snack machines, newspaper stands and the like).
- 5. Additional Considerations derived in part from CUD-09-04(a):
 - A. No food preparation will take place on the premises;
 - B. No structural changes or additions to the building will take place except in compliance with Condition 4A(2) herein and other State building code requirements, as applicable;
 - C. The seven foot wood plank fence on the south side property line will be maintained and extended pursuant to Condition No. 4B and landscaping added to beautify the front of the property;
 - D. One handicapped parking space and all-weather surface path will be provided in accordance with State Building Code;
 - E. Three (3) additional parking spaces will be provided on the north side of the building with railroad ties used for wheel stops;
 - F. Any expansion or change of the approved uses or enlargement/replacement of the store building will require a new application and public hearing pursuant to Article XIV of the Perquimans County Zoning Ordinance and based upon Article IX findings.

CONDITIONAL USE PERMIT No. CUD-14-01

Page 4 of ____

IN WITNESS WHEREOF, Perquimans County has caused this permit to be issued in its name, and the undersigned, being all the property owners of the property above described, do hereby accept this Conditional Use Permit, together with all its conditions, as binding on them and their successors in interest.

Janice McKenzie Cole, Chair, Board of County Commissioners Date

Attest: _____
 (Seal) Mary P. Hunnicutt, Clerk to the Board Date

We, _____, owner(s) of the above identified property, do hereby acknowledge receipt of this Conditional Use Permit. The undersigned Owner(s) does/do further acknowledge that no work may be done pursuant to this permit except in accordance with all of its conditions and requirements and that this restriction shall be binding on them and their successors in interest.

Authorized Applicant

The State of North Carolina
Perquimans County

I, _____, a Notary Public in and for the said State and County, do hereby certify that _____ personally appeared before me this day and acknowledged the due execution of the forgoing instrument.

WITNESS my hand and notarial seal, this the _____ day of _____, 20____.

Notary Public

My Commission expires: _____ (Not valid until fully executed and recorded)

The State of North Carolina
Perquimans County

The foregoing certificate of _____, a Notary Public of _____ County, _____ is certified to be correct. This instrument was registered at the date and time and in the book and page shown on the first page hereof.

This _____ day of _____, 20____.

Jacqueline S. Frierson
Register of Deeds

BY _____
Deputy

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by Kathryn Stevenson

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