
REGULAR MEETING
 August 1, 2011
 7:00 p.m.

The Perquimans County Board of Commissioners met in a regular meeting on Monday, August 1, 2011, at 7:00 p.m. in the Commissioners' Room located in the Perquimans County Courthouse Annex.

MEMBERS PRESENT: Benjamin Hobbs, Chairman Sue Weimar
 Janice McKenzie Cole, Vice Chair Tammy Miller-White
 Mack E. Nixon

MEMBERS ABSENT: Edward R. Muzzulin

OTHERS PRESENT: Bobby C. Darden, County Manager Hackney High, County Attorney
 Mary Hunnicutt, Clerk to the Board

After the Chairman called the meeting to order, Mr. Hobbs gave the invocation and then led the Pledge of Allegiance.

AGENDA

Mary Hunnicutt, Clerk to the Board, notified the Chairman that Susan Chaney would not be at the meeting tonight. The Agenda, as amended, was unanimously approved on motion made by Mack E. Nixon, seconded by Tammy Miller-White.

CONSENT AGENDA

The following items were considered to be routine and were unanimously approved on motion made by Mack E. Nixon, seconded by Sue Weimar.

1. **Approval of Minutes:** July 5, 2011 Regular Meeting & July 25, 2011 Special Called Meeting
2. **Approval of Tax Releases:**

PERQUIMANS COUNTY TAX RELEASES:

- **Lamb, Katherine L.** **\$131.88**
 Vehicle located in Gates County. Account Number: 8081034.
- **Combs, Andrea T.** **\$164.49**
 Vehicle located in Pasquotank County. Account Number: 8077091.

PERQUIMANS COUNTY TAX REFUNDS:

- **Rose, Mark & Kay** **\$761.32**
 In error, square footage was listed as 5200 square feet; in reality, per appraisal, footage was 4520 square feet. Difference in value for 2008 appraisal is \$33,300. Difference in value for 2000 appraisal is \$26,000. Refund request includes total for five years, per statute. Account Number: 355942.

TOWN OF HERTFORD REFUNDS:

- **Rose, Mark & Kay** **\$604.45**
 In error, square footage was listed as 5200 square feet; in reality, per appraisal, footage was 4520 square feet. Difference in value for 2008 appraisal is \$33,300. Difference in value for 2000 appraisal is \$26,000. Refund request includes total for five years, per statute. Account Number: 355942.

3. **Board Appointment:**

NAME	BOARD	ACTION	TERM	EFFECTIVE DATE
Virgie Whitehurst	Economic Improvement Council	Reappointment	3 years	9/1/11

GEORGE BRIGHT, FOOD BANK OF THE ALBEMARLE

Mr. Bright explained that the Food Bank of the Albemarle serves all 15 counties of northeast North Carolina through more than 130 member agencies. September, 2011 has been proclaimed Hunger Action Month across the United States. He is requesting that all the County Commissioners throughout the 15-county region adopt a proclamation declaring September, 2011 as Hunger Action Month in their counties. On motion made by Tammy Miller-White, seconded by Sue Weimar, the Board unanimously adopted the following proclamation:

**Proclamation for
 HUNGER ACTION MONTH
 "30 Ways in 30 Days"
 September, 2011**

WHEREAS, Feeding America is the nation's leading domestic hunger-relief organization with a mission to feed and advocate for America's hungry through a nationwide network of member food banks; and

WHEREAS, the Food Bank of the Albemarle is a member of Feeding America and fights hunger and poverty in 15 northeast North Carolina counties by partnering with more than 130 local agencies to distribute food to the hungry; and

WHEREAS, both the Food Bank of the Albemarle and Feeding America seek to engage our citizens locally, statewide, and nationally in the fight to end hunger; and

WHEREAS, the number of people in the Albemarle area who need assistance is increasing as reflected in more households in poverty and more individuals being unemployed; and

WHEREAS, the fight against hunger is a fight that concerns each of us; and

WHEREAS, the contribution of our time, talent and treasure moves us ever closer to an answer to issues of hunger and poverty in our communities; and

WHEREAS, the citizens of Perquimans County can visit the Food Bank of the Albemarle's website (www.afoodbank.org) for ideas of ways to make a difference for local emergency feeding programs, for the Food Bank, and especially for our hungry and needy during these thirty days of opportunities;

NOW, THEREFORE, BE IT RESOLVED that I, Benjamin C. Hobbs, Chairman of the Board of Commissioners of Perquimans County do hereby proclaim September 2011 as Hunger Action Month - with the theme of "30 Ways in 30 Days" - in Perquimans County.

Adopted this 1st day of August, 2011.

 Benjamin C. Hobbs, Chairman
 Perquimans County Board of Commissioners

ATTEST:

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

HOWARD WILLIAMS, RECREATION DIRECTOR

Mr. Howard presented the following quarterly report:

<u>WINTER SPORTS</u>		<u>SPRING SPORTS</u>	
Starter League	48	Soccer	
Mite Girls (7-9 yrs)	18	U7 Soccer	63
Mite Boys (7-9 yrs.)	35	U10 Soccer	52
Midget Girls (10-12 yrs.)	30	U13 Soccer	45
Midget Boys (10-12 yrs.)	27	Volleyball	
Cheerleaders	13	U10 Volleyball	36
TOTAL	171	U12 Volleyball	21
		U16 Volleyball	21
		TOTAL	238
<u>SUMMER SPORTS</u>		<u>FALL SPORTS</u>	
Youth Baseball Teams	70	U7 Soccer	62
Girls T-ball Teams	52	U10 Soccer	45
Boys T-ball Teams	54	U13 Soccer	27
Girls 8U Coach Pitch Teams	44	Flag Football (6-8 years)	15
Boys 8U Coach Pitch Teams	54	Pee-Wee Football (9-10 years)	29
Girls 10U Teams	41	Midget Football (11-12 years)	21
Girls 12U Teams	23	Girls 10U Volleyball	27
Boys 13-15 yr Teams	25	Girls 12U Volleyball	30
Boys 16-18 yr Teams	0	Cheerleaders (ages 6-12)	20
TOTAL	363	3 Boys 8U Coach Pitch Teams	36
		3 Youth Baseball Teams	40
		TOTAL	352
Total participants for 2010-2011 year	1,124		

Deposits to the general fund increased from \$20,855 in 2010 to \$25,840 in 2011.
Largest increase was in the facility rentals which increased by \$3,450.

PERQUIMANS COUNTY COMMUNITY CENTER MONTHLY USAGE					
Month	Planned/Rented Functions*	Adult Activities**	Open Gym***	Youth Sports****	Totals
July-10	580	203	230	0	1,013
August-10	670	179	280	0	1,129
September-10	937	221	662	600	2,420
October-10	479	223	229	1300	2,231
November-10	434	375	265	341	1,415
December-10	1,165	242	204	874	2,485
January-11	1,263	285	276	2950	4,774
February-11	152	516	232	3400	4,300
March-11	655	348	333	1190	2,526
April-11	992	197	232	1450	2,871
May-11	1,032	255	214	25	1,526
June-11	811	283	301	0	1,395
Totals	9,170	3,327	3,458	12,130	28,085
Notes:					
* Planned/Rented functions include rentals for wedding receptions, birthday parties, meetings. These totals also include county functions (school, head start, landfill, DOT, EIC, etc.).					
** Adult Activities include Pilates, line dancing, Aerobics, Tai-chi, ZUMBA, and Yoga.					
*** Open Gym includes walkers, open gym basketball, and groups that come for free play (daycares, group homes).					
**** Totals include players for practices and games and estimated spectators for games.					
Totals do not include use of outside facilities (picnic shelter, baseball fields, soccer fields, skatepark, walking trails, etc.)					

Additional Youth Activities:

- Volleyball Camp led by Kristie Thach - 30 girls attended.
- Basketball Camp led by Allan Harris – 20 participants in (10-17 age group); currently registering for the 5-9 year old age group.
- British Soccer Camp – 19 participants (10 participants in 2010).
- Tennis Lessons – 6 participants
- ZUMBATIC – Every Wednesday, July 6th thru August 10th, - 12-15 weekly.
- Sports Camp sponsored by Up River Friends Meeting – 33 participants.
- Hosted the District 7 Tar Heel Leagues softball tournament for 8U, 10U, 12U and 17U as well as the Babe Ruth 13 year old district tournament. There were 2,000 people in attendance. Four teams from Perquimans advanced to state tournaments. The 10U Girls won the State Championship.

Adult Activities:

- ZUMBA – Year Round on Monday from 6-7 pm and Wednesday 10-11 am.
- Aerobic Kickboxing – Year round on Tuesday & Thursday from 6-7 pm.
- Tai Chi – 8 week sessions offered twice a year (Summer & Winter).
- Yoga – Tuesday and Thursday from 8:30 – 10:00 am September through May.
- Pilates – Year round on Monday & Friday from 9-10 am.
- Open Studio – one Friday a month.

HOMERIA JENNETTE, TELECOMMUNICATIONS

Ms. Jennette presented her monthly and quarterly reports. She also informed the Board that all but two of her staff has completed TTY/VCO/HCO Training for the hard of hearing.

SUSAN CHANEY, SOCIAL SERVICES

Ms. Chaney was unable to attend the meeting due to illness.

FRANK HEATH, TAX ADMINISTRATOR

Mr. Heath presented his monthly report and informed the Board that the tax bills will be mailed soon.

DWANE HINSON, WETLAND & WATER MANAGEMENT SPECIALIST

Mr. Hinson presented the following Perquimans Water Management Initiative Status Report:

November 2010

- Formed Water Management committee
- Formed Technical Committee
- Constructed GIS layers for all proposed Special Use Water Management Districts

December 2010

- Applied for several grants to promote and implement SUWMD's

January 2011

- Constructed GIS layers for all proposed Special Use Water Management Districts
- Discussed individual lot owner changes with Ralph Hollowell
- 2nd Water Management Committee Meeting

February 2011

- Established priority areas within county for examples of project planning & budget development.

March 2011

- Hertford Rotary Club
- Developed a plan & budget for Cove Road Watershed as an example to illustrate budget process and planning procedures for Water Management Planning Committee.
- Performed surveys and developed hydrologic evaluation for presentation to Water Management Committee.

April 2011

- Forestburg Ruritan Club
- Technical Committee Meeting

June 2011

- Presented plan & budget to A.O. Roberts for evaluation.
- Presented example plan, budget, and recommendations to Water Management Committee for evaluation and suggestions.

<u>EXPENDITURES:</u>	<u>\$4,177.00</u>
Program Coordination	\$450.00
Watershed Evaluation	\$1,910.00
Software	\$1,816.00

PENDING ACTIONS:

Establish Upper Perquimans, Mill Creek, Sutton, and Durants Neck Special Use Water Management Districts. Water Management Committee to discuss and recommend one of the following strategies to the Board of Commissioners:

Strategy #1

- **Establish four SUWMD's without an initial tax structure.**
- **County will budget planning cost.**
- Water management Committee will prioritize problem areas.
- Plans and budgets will be developed to address drainage issues.
- Grants sought to compliment water management plans.
- Taxation needs developed based on community support and budget requirements.

Strategy #2

- **Establish four SUWMD's with initial tax structure.**
- Tax structure used to cover planning cost and generate small maintenance activity as directed by the Water Management Committee.

Presentations:

- Forestburg Ruritan Club
- Hertford Rotary Club

Water Management Committee Meetings:

- November 4, 2010
- January 27, 2011
- June 7, 2011

<u>Water Management Committee:</u>		<u>Technical Committee:</u>	
Wayne Hurdle	Lewis Smith	Scott Alons	Donna Godfrey
A.O. Roberts	Wilbert Kemp	Carlton Davenport	Rhonda Money
Ed Nixon	Mack Nixon	Janet Stallings	Dwane Hinson
Julian Baker		Bobby Darden	

After presenting the report, the Board asked the following questions/comments:

- **Commissioner Nixon** made several comments supporting these Water Management Districts.
- **Commissioner Weimar** asked if their information could be useful in Zoning. Mr. Hinson said that if you are placing this information in for specific areas of flooding, this may occur. But, this would have to occur as a project. This would be a funding and planning issue. Commissioner Nixon explained that the flood maps were updated after Hurricane Isabel. Mr. Hinson also said that residents of the County know where there are problem areas that may not be included in the FEMA study and these areas could be handled as a project under this program.
- **Commissioner Miller-White** asked that, after their next meeting, will they present their recommendations to the Board so that the Board will know how to proceed with these projects. Mr. Hinson said that, with the help of the County Manager and County Attorney, the Committee will proceed with their recommendation.
- **County Manager Darden** asked if they would proceed with one of the two above strategies. Mr. Hinson said that they will need to sit down and discuss this to know how to proceed.

COMMISSIONER'S CONCERNS/COMMITTEE REPORTS

There were no Commissioners Concerns/Committee Reports.

UPDATES

County Manager Darden updated the Board on the following projects:

Water System Projects:

- **Bethel Water Treatment Plant:** County Manager Darden reported that the Board took a tour of the facility on July 25th to view the Pilot Project. He further explained that have been having some problems with scaling.

Jail Project: County Manager Darden stated that there was nothing to report. Commissioner Miller-White had given Mr. Darden information on the NCACC Jail Inmate Medical Cost Program. He will forward this to the proper people to research and let us know if it would be something beneficial to the County.

TRI-COUNTY ANIMAL SHELTER MEMORANDUM OF AGREEMENT DRAFT

County Manager Darden explained that the three counties had met and addressed all but one of the issues that Board had regarding the Tri-County Animal Shelter Memorandum of Agreement. The remaining issue is the \$75,000 capital payment that the County paid in to join with the Chowan-Gates Animal Shelter. It was decided that they would address that issue when they add on or have any other capital improvements to the Shelter. Commissioner Miller-White asked that, if we decide to terminate the agreement, will the County be refunded any of this initial capital payment. Mr. Darden said that at this time nothing will be returned to the County. Commissioner Nixon said that, when counties join Albemarle Regional Health Services (ARHS), they pay into ARHS. There is no building or land being purchased. The money becomes part of the fund balance. That is the way this buy in works. Mr. Darden said that being part of the Tri-County Animal Shelter is a lot cheaper than trying to run our own facility. Commissioner Weimar said that initiatives are in place to make conditions better at the shelter. There being no further discussion or questions, Sue Weimar made a motion to approve the

Memorandum of Agreement for the Tri-County Animal Shelter. The motion was seconded by Janice McKenzie Cole and unanimously approved by the Board. The approved document is as follows:

Tri County Animal Shelter
138 Icaria Rd. Tyner, NC

MEMORANDUM OF AGREEMENT

This agreement entered into by Chowan County; Gates County and Perquimans County.

WHEREAS, the operation and maintenance of the Tri County Animal Shelter, 138 Icaria Rd. Tyner, NC is of mutual interest and benefit to Chowan, Gates and Perquimans Counties, and;

NOW, THEREFORE, the parties hereto agree as follows:

- A. Chowan County will operate and maintain an Animal Shelter at 138 Icaria Rd. for use by the three counties, supervision, review and evaluation of shelter personnel will be done by the Chowan County Manager.
- B. The annual budget for the Tri County Animal Shelter will be requested by the Animal Shelter Department Head with input from the Tri County Animal Shelter Advisory Board. The Chowan County Manager, in conjunction with the County Managers from Gates and Perquimans Counties, will prepare a recommended budget for the Tri County Animal Shelter.
- C. All Capital Outlay Expenditures will be undertaken with approval of the Tri County Animal Shelter Advisory Board. The Advisory Board members must consist of a County Commissioner or their designee and the County Manager representing each of the three counties.
- D. Chowan County will invoice Gates and Perquimans bi-annually (July and January).
- E. Funding for the operation and maintenance (excluding capital improvements) will be based on a per capita (latest census data) of each County (i.e. population of the three counties will be totaled and budgeted accordingly) additionally a 3% administrative fee will be added to this figure. Capital Outlay expenses will be divided among the three counties by thirds. Any revenues specific to a county for animal reclamation will be credited to that County's operation and maintenance expenses.
- F. This Memorandum of Agreement may be terminated by either party upon one hundred twenty (120) days written notice.
- G. This Memorandum of Agreement shall become effective _____

Edward C. Goodwin, Chairperson
Chowan County Board of Commissioners

Susanne Stallings (ATTEST)

Graham L. Twine, Chairperson
Gates County Board of Commissioners

Diane Hendrix (ATTEST)

_____, Chairperson
Perquimans County Board of Commissioners

_____ (ATTEST)

WATER PURCHASE CONTRACT – PASQUOTANK COUNTY

County Attorney High reported that Pasquotank County Attorney, Mike Cox, did not have any problems with the changes that our Board has asked for in the Water Purchase Contract. They are meeting Wednesday to discuss it with the Water Committee & Commissioner. No action taken at this time.

BOARD APPOINTMENTS

➤ **Local Library Board:** On motion made by Mack E. Nixon, seconded by Tammy Miller-White, the Board unanimously approved the following recommendation of the Library Board:

NAME	BOARD	ACTION	TERM	EFFECTIVE DATE
George Koehl	Local Library Board	Reappointment	4 years	7/1/11
William Byrum	Local Library Board (replaced Lynwood Winslow, III)	Appointment	4 years	7/1/11

➤ **Recreation Advisory Board:** Clerk to the Board, Mary Hunnicutt, reported that the Recreation Advisory Board has no recommendation at this time. Commissioner Nixon said that he had given Howard Williams, Recreation Director, several names for consideration. The Board tabled this matter.

REQUEST FROM PASQUOTANK COUNTY FOR AMICUS BRIEF

County Attorney High explained that Mike Cox, Pasquotank County's Attorney, asked that several counties file amicus briefs on behalf of Pasquotank County in the *Williams V. Pasquotank Case*. As explained last month, an 18 year old man drowned at the county park a few years ago and the county was sued, argued governmental immunity and lost in superior court and court of appeals. Mr. High said that Pasquotank County is trying to gather support for their position in this lawsuit and is requesting the right to file the Amicus Brief. He further stated that it may not make any difference in the outcome but they are soliciting support for their position. The Board asked if there was going to be any cost to the County. Mr. High said that it would not and further stated that he would not recommend it if there was any cost involved. The Chairman polled the Commissioners asking if they had any objections to filing the Amicus Brief. There being none, the Chairman asked for a motion. On motion made by Mack E. Nixon, seconded by Tammy Miller-White, the Board authorized County Attorney High to proceed with working with Pasquotank County to file this Amicus Brief provided that there is no cost to the County. Due to a meeting that he needed to attend in Chowan County, County Attorney High had to excuse himself from our meeting. If the Board needed to reach him, he asked that County Manager Darden text him and he would contact the Board.

APPOINTMENT TO ATHLETIC FACILITY FUNDRAISING COMMITTEE

Commissioner Miller-White updated the Board on her request to appoint someone from Shirley Wiggins' family to this committee. Ms. Miller-White said that she had contacted the Chairman of the Committee, Charles Ward, who explained that the process will be inclusive and that they will be organizing subcommittees. As the committee gets more organized, there will be opportunities for the Wiggins' family to be included. She has talked to Shirley Wiggins' niece who was excited about assisting the committee. They have a meeting Thursday at 7:00 p.m. and anyone can attend since they are open meetings. No action was needed on this matter.

JIMMY "CATFISH" HUNTER MEMORIAL BRIDGE

For information purposes only, County Manager Darden explained that NCDOT had contacted his office to explain that the Hunter family has requested that no ceremony be held to officially name the

bridge and they are going to comply with their request. Signs are being prepared to be placed on the bridge in the near future.

PLANNING BOARD ITEMS

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

Request by William Wray & Ethel Chappell Regarding Road Maintenance: Donna Godfrey explained that William Wray & Ethel Chappell have requested that the Board approve a Private Road Maintenance Plan and release of Road Maintenance bond for Lauren Lane. Subject property is zoned RA, Rural Agriculture District, and is known as private drive providing access to Tax Parcel Nos. 4-D075-4001-OP; -4002-OP; -4003-OP; and -4004-OP. This request will vary the standard private road maintenance requirements for Lauren Lane which is located off Muddy Creek Road about 1.8 miles east of Sueola Beach Road and 300 feet west of Rocky Street. The Final Plat for Owasake Point Subdivision was recorded in the Register of Deeds Office on August 31, 2006 and included in the platting of 4 lots; and open space area for access to Muddy Creek; and a 5' Right-of-Way known as "Lauren Lane." Shortly thereafter, the Restrictive Covenants, Conditions and Restrictions for Owasake Subdivision were recorded to establish a mechanism for controlling Residential Uses, Type and Size of Construction, Nuisances and Pets, Fences, Pools, Sale of Unimproved Lots, Common Areas, Setback Restrictions, Utility Easements, Private Road Rights-of-Way, Rights of Use and Access to Muddy Creek, Maintenance of Road, and Duration of Restrictions. Mr. & Mrs. Chappell are proposing a "Private Road Maintenance Plan" for Lauren Lane which relies upon these private restrictions, especially Nos. 10 and 12, to carry out the "enforcement" of shared costs among the owner(s) of the four lots to repair any defects which may occur prior to the State accepting the road for maintenance purposes. Ownership of the four platted lots remains with Mr. & Mrs. Chappell and future lot buyers will be bound by these restrictions pursuant to the existing restrictive covenants. Under these terms, Planning staff has no objection to the request. Likewise, at its meeting on July 12th, the Planning Board unanimously recommended approval of the request. The Board's approval of this alternative approach to private road maintenance would serve as the basis for the County to release the Chappell's Road Maintenance Bond. The following questions/comments were made from the Board:

Commissioner Nixon asked if we should change the Ordinance prior to approving this request.

Commissioner Weimar stated that she did not understand the difference.

Donna Godfrey explained that we need to find a cap in order for us to amend the Ordinance for larger developments. The difference is the properties are owned by different individuals whereas these lots are owned by the Chappell's.

Chairman Hobbs and Commissioner Weimar asked if there had ever been a request like this before. Ms. Godfrey said that they had been none.

Commissioner Cole asked what was the County's position in the event that these roads are in disrepair.

Frank Heath, the Chappell's son-in-law and resident of Lauren Lane, said that it is a small road with a small number of homes. The Chappell's do not feel that the road maintenance bond is necessary. They feel that they should handle it through the Courts and not through the County.

There being no further discussion/comments, Mack E. Nixon made a motion to provide the Chappell's a 3-month Grace Period on the Road Maintenance Bond and have County Manager Darden and Donna Godfrey prepare an alternate language to amend the Ordinance prior to issuing approval of their request. The motion was seconded by Tammy Miller-White and unanimously approved by the Board.

SENIORS HEALTH INSURANCE INFORMATION PROGRAM (SHIIP) GRANT

The NC Department of Insurance has awarded Perquimans County \$3,850 to be used for the Perquimans County Extension Service work with the Seniors Health Insurance Information Program (SHIIP). Jewel Winslow and Delphine Barr are working with the grant project. County Manager Darden requested that the Board accept these funds and approve Budget Amendment No. 1. On motion made by Tammy Miller-White, seconded by Sue Weimar, the Board unanimously accepted the \$3,850 for the Perquimans County Extension Service Seniors Health Insurance Information Program Grant and to approve the following Budget Amendment No. 1:

**BUDGET AMENDMENT NO. 1
GENERAL FUND**

CODE NUMBER	DESCRIPTION OF CODE	AMOUNT	
		INCREASE	DECREASE
10-348-033	State Grants - Senior Medicare	978	
10-615-146	SHIIP (Senior Health Insurance Info)	978	

EXPLANATION: To budget total amount to receive in SHIIP for FY 2011-12.

TAX-EXEMPT LOAN: INTER-COUNTY FIRE DEPARTMENT

County Manager Darden explained that the Inter-County Volunteer Fire Department wants to construct a fire station and to apply for a Tax-Exempt Loan in the amount of \$200,000 with First Citizens Bank & Trust Company. On motion made by Mack E. Nixon, seconded by Tammy Miller-White, the Board unanimously approved the following Resolution approving their tax-exempt loan status for the loan that they were going to get with First Citizens Bank & Trust Company:

COUNTY APPROVAL

STATE OF NORTH CAROLINA

COUNTY OF PERQUIMANS

**CERTIFICATE OF CLERK RE
APPROVAL OF TAX-EXEMPT LOAN
TO VOLUNTEER FIRE DEPARTMENT
BY BOARD OF COMMISSIONERS**

The undersigned, being the duly qualified Clerk of Perquimans County, North Carolina, does hereby certify that the following is a true and accurate copy of a Resolution passed by the Board of Commissioners of Perquimans County, North Carolina, at its regular meeting on the 1st day of August, 20 11, which Resolution was duly introduced, seconded, and approved, and that said Resolution remains in full force and effect:

"NOW, THEREFORE, BE IT HEREBY RESOLVED, that the Board of Commissioners of Perquimans County, North Carolina does hereby approve (within the scope of the qualifying language set fourth below) a tax-exempt loan to the Inter-County Volunteer Fire Department (the "VFD") from First Citizens Bank & Trust Company in the principal amount of \$ 200,000.00, which loan is for the following purpose (check applicable purpose):

1. for the construction of a fire station for the VFD, (cross-out-the-following-if-not applicable).
2. the purchase by the VFD of a fire truck or fire trucks, and

which fire truck(s) or fire station will be owned and operated by the VFD at the following address:

118 Woodville Road
(street address)
Hertford, NC 27944
(city and state)

RESOLVED, FURTHER, that the approval of the loan to the VFD set forth above is given solely for purposes of the public approval requirements of tax-exempt financing applicable to the VFD because of Section 150(e) (3) and Section 147(F) of the Internal Revenue Code of 1986, as amended, and such approval does not obligate the County or its Board of Commissioners in any way regarding repayment of the debt.”

Duly certified by the execution hereof and the placing hereon of the seal of the said County, this the 1st day of August, 20 11.

CLERK
Perquimans County, North Carolina

(SEAL)

VOTING DELEGATE FOR NCACC CONFERENCE

Since Sue Weimar is the only Commissioner attending the NCACC Annual Conference on August 18th, Mack E. Nixon made a motion to appoint Sue Weimar as the Voting Delegate for the Annual Conference. The motion was seconded by Tammy Miller-White and unanimously approved by the Board.

SALE OF COUNTY OWNED PROPERTIES

County Manager Darden explained that, at their July Work Session, the Board discussed the selling of the County owned property located at 320 Dobbs Street. After talking with Frank Heath, Tax Administrator, they recommend that they handle the bid process through GovDeals. Commissioner Miller-White asked that, when we sell these properties, can we get more than the taxes due on them. Mr. Heath said that they would start the bids at the amount of taxes due and they can up the bids so we could very well receive more than what the taxes are. On motion made by Tammy Miller-White, seconded by Sue Weimar, the Board unanimously approved to proceed with whatever the process is to place these properties out for bid. Commissioner Cole asked that, at the Work Session, it was mentioned that Habitat for Humanity was interested in using the property to build one of their homes. Why did we decide not to give it to them for their home? Mr. Darden explained that they were going to be working on a Habitat for Humanity house in Edenton prior to building one in Hertford. It may be two years before they start. One of the first steps to proceeding with the sale of these properties is to adopt the following Resolution:

RESOLUTION AUTHORIZING AUCTION SALE

WHEREAS, the County of Perquimans owns three parcels of land indicated on Attachment A that are surplus to its needs; and

WHEREAS, North Carolina General Statute § 160A-270 permits the County to sell real property at public auction upon approval of the County Commissioners and after publication of a notice announcing the auction;

THEREFORE, THE BOARD OF COUNTY COMMISSIONERS OF PERQUIMANS COUNTY RESOLVES THAT:

1. The County Commission authorizes the sale at public auction of the three parcels of land indicated on Attachment A.
2. The auction will be conducted between 10:00 A.M., Friday, September 9, 2011, and Friday September 23, 2011 and will take place electronically through www.govdeals.com.
3. The terms of the sale are detailed on the website auction listing on www.govdeals.com.
4. After the auction, the high bid for each parcel shall be reported to the County Commissioners. The commission will accept or reject the bid within 30 days after the bid is reported to it. No sale may be completed until the commission has approved the high bid.
5. The County reserves the right to withdraw any listed property from the auction at any time before the auction sale of that property.

ADOPTED this the 1st day of August, 2011.

Benjamin C. Hobbs, Chairman
Perquimans County Board of Commissioners

ATTEST:

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

ATTACHMENT A.

PARCELS AVAILABLE FOR PUBLIC AUCTION

- 1- Lot 57, Section G of Snug Harbor, as further described in Deed Book 111, Page 675 of the Perquimans County Registry.
- 2- Lot 73, Section P of Holiday Island, as further described in Deed Book 314, Page 539 of the Perquimans County Registry.
- 3- Known as the vacant lot at 320 Dobbs Street, beginning on the north end of Dobbs Street at John Woods corner and running along said street westerly 40 feet; thence by a line at right angles with said street northerly to a point half way between Dobbs and Market Streets; thence by line at right angles with the last line easterly to said Woods line and along his line to the beginning, being the same lot conveyed to said J.W. Parker by Carlisle Alford and wife, on April 16, 1891.

PROMISSORY NOTE FOR DRINKING WATER LOAN

County Manager Darden presented the Board with the Final Maturity Schedule & Promissory Note for the \$2,795,220 Federal Revolving Loan (ARRA) for Project #DWSRF 1321 for Board action. This is for the ARRA Loan for the Winfall Water Plant improvements. The Annual Payments will be \$69,880.50. Mr. Darden explained that one part of this was a forgivable loan and the other part was for a low interest loan. On motion made by Mack E. Nixon, seconded by Sue Weimar, the Board unanimously approved the Final Maturity Schedule & Promissory Loan for \$2,795,220 Loan.

NC SINGLE FAMILY REHABILITATION GRANT DOCUMENTS

In January, 2011, the Board authorized County Manager Darden to apply for NC Single Family Rehabilitation Grant. Mr. Darden presented the Signatory Form & Certification Form and the Post-Approval Documentation for the grant. He also informed them that a copy of the Assistance Policy and the Procurement Policy had been placed at their seats so that the Board could review them to take action on them at a later date. The Board will need to authorize the Chairman and County Staff to sign the Signatory Form & Certification Form and the Post-Approval Documentation so that they can be forwarded to the State by August 3rd. On motion made by Mack E. Nixon, seconded by Tammy Miller-White, the Board unanimously authorized the Chairman and County Staff to sign these documents for this grant. Commissioner Miller-White asked Mr. Darden if the last four properties were successful. Mr. Darden said that they were. She asked if Wooten Company could come and give the Board a report showing before and after pictures. He said that he would ask them to do so.

RENEWAL OF CHILD SUPPORT LEASE

County Manager Darden reported that the lease agreement that the counties jointly have with LFM Properties, LLC for the child support office in Elizabeth City expired on June 30th. Mike Cox, Pasquotank County Attorney, explained that it was his understanding that the participating counties would need to have their individual Board authorize the extension of the current lease for the first renewal term – which is for five years. He thought that a letter from the County Manager or Chairman would be sufficient. Commissioner Nixon asked what was the square footage of the leased property. Later on in the meeting, Commissioner Cole reported that the lease agreement reported that it was 3,390 square feet. On motion made by Sue Weimar, seconded by Janice McKenzie Cole, the Board unanimously authorized County Manager Darden to send a letter to Pasquotank County agreeing to extend the lease agreement with LFM Properties, LLC.

COPIER LEASE WTH COASTAL OFFICE EQUIPMENT & COMPUTERS

County Manager Darden reported that the Coastal Office Equipment & Computers proposed the following services for our copiers:

Date: July 18, 2011

Perquimans County
 County Manager
 128 N. Church Street
 Hertford, NC 27944
 Attn: Bobby Darden

Proposed Package: Copier lease, and/or service coverage of 9 Copier’s beginning with term of 60 months.

- 2 ea. Used/Demo Black & White machines, 30 to 40 images per minute
- 1 ea. color machine as quoted previously
- Service coverage for 6 ea. existing copiers

During the lease term a copier will be replaced with a similar model (new, used/demo) with your approval each August of the following year and thereafter of which will require a one (1) year extension of lease terms for each year a machine is replaced. When a machine is accepted in August the lease is automatically extended 12 months.

PROPOSED COST	
Coastal Office Equipment Lease: 60 months	\$1,074.69 monthly
Black & White Images: 500,000 per year, with excess images billable at \$0.012 per image	
Color Images: billed @ \$0.06 per image quarterly in arrears.	

Notes:

- Pricing includes delivery, setup, connectivity, and training
- Pricing does not include applicable taxes
- Full Service Maintenance Agreement is inclusive of all Toner, Maintenance, Parts & Labor
- First & Last payment due upon delivery
- 1 time \$75.00 documentation fee

DONATION OF BUILDINGS BY VERIZON

County Manager Darden would like the Board to consider authorizing the Chairman to sign the documentation necessary to accept the donation of any buildings that Verizon is willing to donate. As of yesterday, they have offered us two 12’ x 16’ buildings. Our only cost will be to transport and to setup. He said that the building at the 500’ tower needed to be replaced and Richard Copeland said that one could be used as a storage building for the Bethel Water Plant. On motion made by Tammy Miller-White, seconded by Sue Weimar, the Board unanimously authorized the Chairman and/or County Staff to sign the documentation necessary to accept the donation of any buildings that Verizon is willing to donate.

RESOLUTION: REGIONAL ROAP PROGRAM

Herb Mullen, Inter-County Public Transportation Company, has negotiated with the State to have a Regional ROAP Program instead of each County having individual programs. He is asking that the Board adopt the following Resolution which needs to be forwarded to the State by the end of September:

Resolution for Albemarle Regional Health Services d/b/a Inter-County Public Transportation Authority to seek Legislation to amend N.C.G.S 136-44.27 North Carolina Elderly and Disabled Transportation Assistance Program.

A motion was made by Janice McKenzie Cole and seconded by Tammy Miller-White for the adoption of the following resolution, and upon being put to a vote was duly adopted.

WHEREAS, Albemarle Regional Health Services d/b/a Inter-County Public Transportation Authority is a Public Transportation Authority created under N.C.G.S 160-575, which serves the counties of Chowan, Perquimans, Pasquotank, Camden, and Currituck.

WHEREAS, this amendment will, by local resolution, allow the member counties of a Regional Public Transportation Authority created under N.C.G.S 160-575 to apply for the county’s Elderly & Disabled Transportation Assistance Program funding regionally through the Regional Public Transportation Authority and combine the funding to seamlessly serve the entire region.

WHEREAS, by assuming the responsibility of completing the grant application, directly receiving, and reporting on this funding regionally, the Regional Public Transportation Authority created under N.C.G.S 160-575 will assume all fiduciary, reporting, public notification, and audit requirements associated with the N.C.G.S 136-44.27.

WHEREAS, the purpose is to amend N.C.G.S 136-44.27 North Carolina Elderly and Disabled Transportation Assistance Program to accomplish the following objectives:

- ✓ Reduce the number of Rural Operating Assistance Program (ROAP) accounts ARHS-ICPTA manages from thirty (30) down to six (6).
- ✓ Allow a Regional Public Transportation Authority created under N.C.G.S 160-575 to leverage the region’s current EDTAP allocation against the FTA Section 5310 Grant for Elderly Individuals and Individuals with Disabilities created under SAFETEA-LU, which is a 50/50 grant.
- ✓ Reduce the number of grant applications and reports NCDOT will have to review concerning North Carolina’s ROAP program.

NOW, THEREFORE, be it resolved; that Albemarle Regional Health Services d/b/a Inter-County Public Transportation Authority will seek Legislation to amend N.C.G.S 136-44.27 North Carolina Elderly and Disabled Transportation Assistance Program.

I, Benjamin C. Hobbs do hereby certify that the above is a true and correct copy of an excerpt from the minutes of a meeting of the Perquimans County Board of Commissioners duly held on the 1st day of August, 2011.

Signature of the Chair of Perquimans County Board of Commissioners.

Subscribed and sworn to me (date) _____

Notary

Address

My Commission Expires (date)_____

On motion made by Janice McKenzie Cole, seconded by Tammy Miller-White, the Board unanimously approved the above Resolution.

PUBLIC COMMENTS

Donna Godfrey, County Planner, asked the Board for some clarification on their request to her regarding the release of the road maintenance bond for Mr. & Mrs. Chappell.

ADJOURNMENT

There being no further comments or business to discuss, the Regular Meeting was adjourned by the Chairman at 8:50 p.m.

Benjamin C. Hobbs, Chairman

Clerk to the Board
