

**A G E N D A**  
Perquimans County Board of Commissioners  
**SPECIAL CALLED MEETING & REGULAR WORK SESSION**  
Commissioners' Room - Courthouse Annex  
January 17, 2017  
7:00 p.m.

**ACTION  
REQUIRED**

- I. **Prayer & Pledge**
- II. **Approval of Agenda**
- III. **Consent Agenda**
  - A. Personnel Matter
    - 1. Resignation: EMT-I
- IV. **Special Called Meeting**
  - A. **Closed Session:** Personnel Matters
  - B. Personnel Matters
- V. **Adjournment of Special Called Meeting**
- VI. **Work Session**
  - A. Committee Appointments
  - B. Golf Carts – Snug Harbor
  - C. Noise Ordinance
  - D. Joint Work Session with Planning Board/February 20<sup>th</sup>
  - E.
  - F.
  - G.
- VII. **Adjournment**

**COUNTY MANAGER NOTES**  
**Perquimans County Board of Commissioners**  
**SPECIAL CALLED MEETING & REGULAR WORK SESSION**  
**Commissioners' Room - Courthouse Annex**  
**January 17, 2017**  
**7:00 p.m.**

III.A. **Enclosure.** The following personnel matter will need to be considered and acted on:

Employee Name	Employee Job Title	Action Required	Effective Date
Chadd Trotman	EMT-1	Resignation	02/28/2017

IV.A. Pursuant to NC General Statute 143-318.11(6), the Board will need to go into Closed Session to discuss personnel matters. After the Closed Session, the Board may take action on any related personnel matter discussed during Closed Session.

VI.A. **Enclosure.** With the change in Board members, the Board will need to rearrange the Committees/Boards appointments to replace Janice Cole and Matt Peeler. Action will be taken at the February meeting.

VI.B. During the January 3, 2017 meeting, Gary Lowry of Snug Harbor presented information to request the Board consider adopting an Ordinance for Snug Harbor only to allow Golf Carts on private roads within the Snug Harbor Subdivision. ***Be sure and bring your copy of the packet he presented at the January 3<sup>rd</sup> meeting.*** He had samples of ordinances in his packet that the Board will need to discuss.

VI.C. **Enclosures.** At the January 3, 2017 meeting, Brittany Jacobs appeared before the Board to request that they look at the current Noise Ordinance to see if they could make it more enforceable. She mentioned the Town of Edenton's Noise Ordinance which Chairman Jones will be providing a copy for the Commissioners.

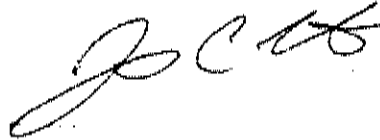
VI.D. The Planning Board has requested a Joint Work Session with the Board of Commissioners. We are tentatively scheduling it for our February 20<sup>th</sup> Work Session. County Manager Heath will be asking if you would be able to attend on February 20<sup>th</sup>.

Jonathan Nixon

January 11, 2017

This letter is to inform you of my resignation which will occur following my last scheduled work day in February, 2017. I would like to share my thanks to Perquimans County for almost 12 years of employment.

James C Trotman

A handwritten signature in black ink, appearing to read "J C Trotman". The signature is written in a cursive style with a large initial "J" and "T".

## LIST OF BOARD MEMBERS

AS OF 1/11/2017

Name	Board/Committee	Term	Appt.	Expire
Cole, Janice	Chowan/Perquimans Multi-County LEPC	1 yr.	1/1/2015	12/31/2015
Cole, Janice	Court Security Committee	unlimited	2/1/2011	unlimited
Cole, Janice	East Carolina Behavioral Health Area Board	unlimited	5/3/2010	unlimited
Cole, Janice	Housing Committee	unlimited	2/1/2011	unlimited
Cole, Janice	Communications Advisory Board - County	2 yrs.	2/1/2015	1/31/2017
Cole, Janice	Senior Citizens Advisory Board	2 yrs.	2/1/2015	1/31/2017
Jones, Kyle	Court Security Committee	unlimited	1/5/2015	unlimited
Jones, Kyle	Home & Community Care Block Grant	unlimited	12/3/2012	unlimited
Jones, Kyle	Inter-Agency Council - Commissioner	1 yr.	7/1/2016	6/30/2017
Jones, Kyle	Recreation Advisory Committee - Commissioner	3 yrs.	1/5/2015	6/30/2017
Jones, Kyle	Social Services Board ( <i>as long as Commissioner</i> )	3 yrs.	7/1/2016	6/30/2019
Leigh, Fondella	Albemarle Commission ( <i>1st term of 2 successive terms</i> )	2 yrs.	1/1/2015	12/31/2016
Leigh, Fondella	Housing Committee Chairman	unlimited	1/5/2015	unlimited
Leigh, Fondella	Water Committee	unlimited	1/5/2015	unlimited
Leigh, Fondella	WIA/JTPA Chief Elected Official	unlimited	1/5/2015	unlimited
Leigh, Fondella	Northeastern Workforce Development Consortium	unlimited	2/1/2015	unlimited
Muzzulin, Edward	Board Trustees for Bethel Fire Dept.	1 yr.	10/1/2016	9/30/2017
Muzzulin, Edward	Chamber of Commerce Board	unlimited	2/7/2011	unlimited
Muzzulin, Edward	Economic Development Commission - County	2 yrs.	2/1/2015	1/31/2017
Muzzulin, Edward	EMS Advisory Board	2 yrs.	1/5/2015	1/31/2017
Muzzulin, Edward	Hertford Step Community Program	unlimited	2/1/2011	unlimited
Muzzulin, Edward	Historic Hertford, Inc.	3 yrs.	7/1/2014	7/1/2017
Muzzulin, Edward	Perquimans/Chowan/Gates Landfill Committee	indefinite	1/5/2015	indefinite
Muzzulin, Edward	RPO Transportation Advisory Committee	2 yrs.	2/1/2015	1/31/2017
Muzzulin, Edward	Tourism Development Authority (Commissioners)	2 yrs.	2/1/2016	1/31/2018
Muzzulin, Edward	Albemarle Hospital Board of Trustees	3 yrs.	1/1/2016	12/31/2019
Muzzulin, Edward	Agricultural Advisory Board - Commissioner	3 yrs.	2/1/2014	1/31/2017
Muzzulin, Edward	Albemarle District Jail Commission	2 yrs.	2/1/2015	1/31/2017
Nelson, Wallace	Albemarle Regional Health Services	indefinite	1/5/2015	unlimited
Nelson, Wallace	Economic Development Commission - County	2 yrs.	2/1/2015	1/31/2017
Peeler, Matthew	Albemarle Regional Landfill Authority	4 yrs.	1/5/2015	1/31/2017
Peeler, Matthew	Economic Development Commission - County	2 yrs.	2/1/2015	1/31/2017
Peeler, Matthew	Nursing Home Advisory Committee - ex-officio	unlimited	12/3/2012	unlimited
Peeler, Matthew	Perquimans/Chowan/Gates Landfill Committee	indefinite	12/3/2012	indefinite
Peeler, Matthew	RPO Transportation Advisory Committee - Alternate	2 yrs.	12/1/2014	11/30/2016
Peeler, Matthew	Tourism Development Authority (Commissioners)	2 yrs.	2/1/2015	1/31/2017
Peeler, Matthew	Tri-County Shelter Advisory Committee Board	unlimited	2/1/2013	unlimited
Peeler, Matthew	Water Committee	unlimited	12/3/2012	unlimited

\* Commissioner

\*\* Initial Appointment

**ORDINANCE #14**

**LOUD AND DISTURBING NOISE**

1. The creation or production of any unreasonably loud and disturbing noise of such character, intensity and duration in Perquimans County between the hours of 11:00 p.m. and 6:00 a.m. from the activities hereinafter described so as to be detrimental to the health, safety or welfare of any person in Perquimans County is prohibited.

2. The following acts are declared to be unreasonably loud and disturbing in violation of this ordinance:

(a) The playing of any radio, phonograph, musical instrument or apparatus producing musical sounds in such manner or with such volume as to unreasonably annoy or disturb the quiet, comfort or repose of any person in any dwelling or other type of residence.

(b) The use of any automobile, motorcycle or other motor vehicle in such a manner as to create loud noise for an unreasonable period of time.

3. If any person shall violate this ordinance, he or she shall be guilty of a misdemeanor and shall be fined not more than \$50.00 or imprisoned for not more than 30 days, as provided in N.C.G.S. 14-4.

4. This ordinance shall take effect on January 1, 1992 at 11:59 p.m.

Adopted this 16<sup>th</sup> day of December, 1991.

Mack E. Nixon

Mack E. Nixon, Chairman  
Perquimans County Board of Commissioners

ATTEST:

Sharon S. Ward

Clerk to the Board

**From:** "W. Hackney High, Jr" <[whigh@highandcrowe.com](mailto:whigh@highandcrowe.com)>  
**To:** 'Frank Heath' <[frankheath@perquimanscountync.gov](mailto:frankheath@perquimanscountync.gov)>  
**Sent:** 1/11/2017 4:13 PM  
**Subject:** Edenton Noise Ordinance

Frank,

I have forwarded you the Edenton Noise Ordinance below. Although I am of the opinion that parts of the ordinance may be vague, other parts of the ordinance are specific enough that they should withstand challenge. I believe subsection B(2) is the subsection that the Town of Edenton Police Department uses to cite persons who are playing music too loud. Violation of this subsection is tied to something which is measurable, i.e. if you can hear the music from 30 feet away then it is too loud. As I recall from 10-15 years ago, the problem with the County ordinance was that it was too vague and was not tied into something which was measurable. Please pass this along to Kyle and also let me know what else you need from me at this time. Thanks.

#### § 130.10 NOISES ENUMERATED.

(A) It shall be unlawful to create or assist in creating any unreasonably loud, disturbing and unnecessary noise in the town. Noise of a character, intensity and duration as to be detrimental to the public health, welfare and peace is hereby prohibited.

(B) The following acts, among others, are hereby declared to be loud, disturbing and unnecessary noises in violation of this section, but the enumeration shall not be deemed to be exclusive:

(1) The sounding of any horn or signal device on any automobile, motorcycle, bus or other vehicle, except as a danger signal, so as to create any unreasonably loud or harsh sound, or the sounding of the device for an unnecessary and unreasonable period of time, or the use of any gong or siren upon any vehicle, other than police, fire or other emergency vehicle;

(2) Unless permitted by an amplified permit issued by the town, the use of any electronic devices which project sound that is clearly audible at a distance of not less than 30 feet.

(3) The keeping of any animal or bird which, by causing frequent or long continuous noise, shall disturb the comfort and repose of any person in the vicinity;

(4) The use of any bicycle, skateboard or similar vehicle which creates an unreasonably loud, annoying, disturbing or frightening noises. The use of any motor vehicle, motorcycle or other vehicle (a) equipped with special or custom muffler, exhaust or other noise control equipment/system; or (b) not equipped with normal, factory issue muffler, exhaust or other noise control equipment/system in good repair; or (c) in jackrabbit starts, spinning tires, racing engines, or other operations so as to create unreasonably loud, annoying, disturbing or frightening noises.

(5) The blasting of any steam whistle attached to any stationary boiler or engine, except to give notice of the time to begin or stop work or as a warning of danger;

(6) The sounding of any bell, gong or any type horn or siren, attached to any building or premises which disturbs the quiet or repose of persons in the vicinity thereof;

(7) The conducting, operating or maintaining of any garage or service station in any residential area so as to cause loud or offensive noises to be emitted therefrom between the hours of 10:00 p.m. and 7:00 a.m. on weekdays or on Sundays;

(8) The erection of any excessive noise on any street adjacent to any school or institution of learning while the same is in session which unreasonably and unnecessarily interferes with the working of the institution, provided conspicuous signs are displayed in the streets indicating that the area is in a school area;

(9) The erection of any excessive noise on Sundays on any street adjacent to any church, provided conspicuous signs are displayed in the streets adjacent to churches indicating that the same is a church street;

(10) The erection, including excavation, demolition, alteration or repair of any building in a residential or business district other than between the hours of 7:00 a.m. and 6:00 p.m. Monday through Saturday and 9:00 a.m. through 5:00 p.m. on Sunday, except in the case of urgent necessity in the interest of public safety and then only with the permit from the Building Inspector, which permit may be renewed for a period of three days or less while the emergency continues;

(11) The use of any mechanical device operated by compressed air unless the noise created thereby is effectively muffled and reduced;

(12) The shouting and crying of peddlers barkers, hawkers and vendors which disturb the quiet and peace of the neighborhood;

(13) The use of any drum, loudspeaker or other instrument or device for the purpose of attracting attention by creation of noise to any performance, show or sale or display of merchandise;

(14) The use of any mechanical loudspeaker or amplifiers on trucks or other moving vehicles for advertising purposes or other purposes except where specific license is received from the city manager; and/or

(15) Shouting, fighting or creating noise through loud or boisterous speech or singing so as to be audible off the premises upon which the activities and noise occur if so loud as to disturb the peace and tranquility of persons occupying residences, motel, hotels, rest homes, nursing homes or hospitals in the vicinity.

(C) This section shall not apply during any period directly after the announcement of any potential, impending disaster.

(Prior Code, § 16-17) (Ord. passed 12-11-1990; Ord. passed 6-10-2014) Penalty, see § 130.99

***Statutory reference:***

*Authority of city to regulate noise, see G.S. § 160A-184*

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