



- (4) 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.

Mr. Hester concluded his remarks stating that this project would not substantially injure the value of adjoining or abutting property, or the use is a public necessity and that the location and character of the use, would be in harmony with the area in which it is to be located. Mr. Jones asked if there were any questions from the Board. There being none, Mr. Finkelstein called his next witness, Webb Fuller. Prior to his testimony, Mr. Finkelstein explained that Mr. Fuller had to do something at 7:00 p.m. and, should he be still testifying at 7:00 p.m., they would have to interrupt it. He also explained the Mr. Brown, the landowner, asked for a court reporter to be present and introduced her to the Board. He then proceeded with the testimony from Mr. Fuller. Mr. Fuller, owner and manager of JWF, LLC, a consulting company for local governments primarily focused on issues of land use, financial accountability and personnel issues, explained his education and training. Mr. Finkelstein asked that Mr. Fuller be approved as an expert witness in planning, land use, conformity of uses to land use regulations. Mr. Jones accepted Mr. Fuller as an expert witness. Mr. Fuller continued his testimony addressing the following conditions:

- (2) That the use meets all required conditions and specifications;
- (4) 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.

Mr. Fuller concluded his remarks stating that he believes that this project meets all the required conditions and specifications and that the location and character of the use will be in harmony with the area. Mr. Jones asked if there were any questions from the Board. There being none, he asked Mr. Finkelstein if he had any other witnesses. Mr. Finkelstein said that Brian Plumlee, attorney representing applicant, Robert Brown, made a few comments about the project. Chairman Jones checked to see if there were any opposing parties present. There being none, he waived the closing arguments. Commissioner Nelson asked the following questions:

- (1) In the materials that the Board received showed a different layout with regard to the cut off section. The site plan discussed tonight is different than the one that they received. Which map did the Planning Board review and approve. Mr. McLaughlin and Ms. Money answered his question. Mr. McLaughlin said that the Planning Board had more concerns about the road front buffer.
- (2) Mr. Nelson asked if the land swap has been completed. Mr. McLaughlin said that basically it is a contractual agreement between two landowners that, if the Conditional Use Permit is approved, the land swap would be completed. He further stated that there were some contingencies included.
- (3) Mr. Nelson asked about the Bond that Mr. Brown had established regarding the buffering being in placed prior to the solar farm becoming operational. Mr. McLaughlin explained how it worked.
- (4) Mr. Nelson asked about their using fixed panels or other types. Mr. McLaughlin said that this occurred because the size of the farm changed.

There being no further comments or questions, Chairman Jones closed the first Public Hearing and proceeded with the second Public Hearing.

Conditional Use Permit No. CUP-17-03, requested by Ismael Melendez on behalf of Island Christian Fellowship

Chairman Jones opened the Second Public Hearing stating that the purpose of this public hearing is to receive comments to consider Conditional Use Permit No. CUP-17-03, requested by Ismael Melendez on behalf of Island Christian Fellowship, to construct a church on Tax Parcel Nos. 2-D082-O046-HI and 2-D082-J001-HI. Chairman Jones presented the procedure for handling this Conditional Permit. There were twenty (20) people present. Chairman Jones called for Rhonda Money, GIS Coordinator/Planner, to come forward and be sworn in. After Ms. Money was sworn in, she proceeded to provide an overview of this project. During her report, Ms. Money explained that she did receive one phone call from James and Garlon Withrow, 114. Discovery Court, Hertford, NC. They were unable to attend the meeting tonight but notified Ms. Money that they did not mind the church being built on the property directly adjacent to their property. The Planning Board at their May 9<sup>th</sup> meeting approved the Conditional Use Permit as presented. Ms. Money said that Mr. Ismael Melendez was present if they had any questions. Mr. Jones asked if there was anyone in the audience that had standing in this matter and wished to speak. Mr. Melendez asked to speak. Commissioner Nelson had a question for Mr. Melendez. Mr. Jones asked him to come forward to be sworn in. Mr. Nelson asked Mr. Melendez about their running across the run and if they are planning on a crossing that would go across the run. Mr. Melendez said that they would after they erect the church building. There being no further questions or comments, Chairman Jones closed the Public Hearings at 7:15 p.m.

AGENDA

Joseph W. Hoffler made a motion to approve the Agenda as amended. The motion was seconded by Edward R. Muzzulin. Because Jonathan Nixon did not receive the Emergency Management Contracts in time (Item X.E.), the Board needed to make a motion to amend Mr. Hoffler's motion to remove Item X.E. from the Agenda. On motion made by Charles Woodard, seconded by Fondella A. Leigh, the Board unanimously approved the amendment to Mr. Hoffler's motion to remove Item X.E. The Board then voted unanimously to approve the amended motion to approve the Agenda as amended.

CONSENT AGENDA

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

- 1. **Approval of Minutes:** May 1, 2017 Regular Meeting, May 15, 2017 Budget Presentations & Work Session, May 18, 2017 Budget Work Session, and May 24, 2017 Budget work Session.

2. **Tax Refund Approvals:**

PERQUIMANS COUNTY TAX REFUNDS:

Riddick, Patty JoAnn ..... **\$152.97**  
Surrendered tag; 7 month refund. Abstract #0034862181.

TOWN OF HERTFORD REFUND:

Riddick, Patty Jo Ann ..... **\$126.13**  
Surrendered tag; 7 month refund. Abstract #0034862181.

3. **Personnel Matters:**

Employee Name	Employee Job Title	Action Required	Grade/Step	New Salary	Effective Date
Tashara Gramby	Tax Clerk - Collections	Appointment	58/1	\$23,270	6/1/2017
Debbie Lyman	EMT-I - Fill-In (Rescue)	Appointment	66/4	\$17.12/hr.	5/1/2017

4. **Step/Merit Increases:**

Employee Name	Employee Job Title	Grade/Step	New Salary	Effective Date
Sherry Schrodt	SW III	69/2	\$38,708	6/1/2017
Joe Ann White	Social Worker III	69/5	\$41,636	6/1/2017
Christopher Murray	Deputy Sheriff	65/2	\$32,460	6/1/2017
Amanda Layden	Administrative Assistant - Recreation	58/6	\$26,299	6/1/2017

5. The following Board appointments/reappointments/resignations were approved by the Board:

NAME	BOARD	ACTION	TERM	EFFECTIVE DATE
Wallace Nelson	COA Board of Trustees	Appointment	4 yrs.	07/01/2017
Lillian Holman	Senior Tarheel Regional Advisory Board	Reappointment	1 yr.	07/01/2017
Dianne Layden	Social Services Board	Reappointment	3 yrs.	07/01/2017
Kyle Jones	Recreation Advisory Committee - Commissioner	Resignation		07/01/2017
Fondella Leigh	Recreation Advisory Committee - Commissioner	Appointment	3 yrs.	07/01/2017
Rodney Lassiter	Recreation Advisory Committee - Belvidere	Reappointment	3 yrs.	07/01/2017
April Smith	Recreation Advisory Committee - Parksville	Appointment	3 yrs.	07/01/2017
Jeff Proctor	Recreation Advisory Committee - Bethel	Reappointment	3 yrs.	07/01/2017

6. Budget Amendments:

**BUDGET AMENDMENT NO. 19  
GENERAL FUNDS**

CODE NUMBER	DESCRIPTION OF CODE	AMOUNT	
		INCREASE	DECREASE
10-610-740	DSS - Capital Outlay		4,000
10-610-320	Inventory Item		4,000

**EXPLANATION:** To cover inventory item expenses FY 16/17.

**BUDGET AMENDMENT NO. 20  
GENERAL FUNDS**

CODE NUMBER	DESCRIPTION OF CODE	AMOUNT	
		INCREASE	DECREASE
10-510-531	Sheriff - Drug Defense		5,000
10-690-938	Drainage Study		5,000
10-690-997	Transfer to TDA	10,000	4,000

**EXPLANATION:** To correct budget to allow funds to be transferred to GDA for FY 16/17.

7. Resolutions: The following Resolutions were unanimously approved by the Board:

- **VAR Technology Finance:** The Board of Education has requested that the Board adopt the following Resolution continuing the contract with VAR Technology Finance for the school computers:

**RESOLUTION**

**PERQUIMANS COUNTY BOARD OF COMMISSIONERS**

**WHEREAS**, the Perquimans County Board of Education wishes to enter into a continuing contract for capital outlay under N.C. Gen. Stat. § 115C-528 with VAR Technology Finance for the acquisition of certain computer hardware, software, and/or related equipment to be used for public school purposes; and

**WHEREAS**, the contract will require the Perquimans County Board of Education to pay VAR Technology Finance a maximum price, including taxes, of Four Hundred Seventy Six Thousand One Hundred Eighty Six Dollars and Thirteen Cents (\$476,186.13) over the 2017-18, 2018-19, 2019-2020 fiscal years, as reflected in more detail on the proposed contract; and

**WHEREAS**, the contract may be a continuing contract for capital outlay subject to the provisions of N.C. Gen. Stat. § 115C-441(c 1) and 115C-528; and

**WHEREAS**, the Perquimans County Board of Commissioners intends to fund the above acquisition.

**NOW, THEREFORE, BE IT RESOLVED**, that the Perquimans County Board of Commissioners agrees to appropriate sufficient funds to the Perquimans County Board of Education in the ensuing fiscal years to meet the VAR Technology Finance contract obligations, so long as the amount the Perquimans County Board of Education shall be obligated to pay under the contract shall not exceed the amounts recited above.

Resolved, this 5<sup>th</sup> day of June, 2017, by the Perquimans County Board of Commissioners.

\_\_\_\_\_  
T. Kyle Jones, Chairman  
Perquimans County Board of Commissioners

**SEAL**

\_\_\_\_\_  
Clerk to the Board

- **Resolution Opposing Mandatory Regionalization of Social Services Departments:** The Board adopted the following Resolution opposing the mandatory Regionalization of Social Services Department:

**RESOLUTION**

House Bill 608/Senate Bill 594 Family/Child Protection and Accountability Act

**WHEREAS**, protecting children from maltreatment is of the utmost importance and is a primary function of County Departments of Social Services; and

**WHEREAS**, House Bill 608/Senate Bill 594 (Family/Child Protection & Accountability Act), Regional Social Services Departments; Working Group, calls for the development of a plan to regionalize the County Departments of Social Services into 30 or fewer Regional Social Services; and

**WHEREAS**, thousands of children, families, and adults are served each year by the Perquimans County Department of Social Services; and the Perquimans County Department of Social Services, the Consolidated Human Services Board, and the Perquimans County Board of Commissioners have worked consistently to improve and develop a level of excellence in Perquimans County's DSS child welfare programs; and

**WHEREAS**, the Board of County Commissioners attests that positive results for families and children in Perquimans County have been achieved through collective County vision, commitment and persistence, and through vital community partnerships; and

**WHEREAS**, we believe the child welfare/protection system in Perquimans County is functioning well and undergoes continuous improvement for which it is accountable; and

**WHEREAS**, the Board of County Commissioners wants what is best for Perquimans County's children and families; we support a thorough and inclusive study, as is routinely done, to determine the most effective approach(s) for our State as a whole; we urge you to consider that perhaps one size does not fit all; and

**WHEREAS**, changing the administrative structure of Social Services within our State is not a small endeavor; we must thoroughly study and evaluate what will be the best structural model(s) for our State; we believe all stakeholders such as County Directors of Social Services, Representatives from County Boards of Social Services and/or Consolidated County Human Services Boards, Social Services Attorneys, County Commissioners, and County Managers should be included in determining the best model for Social Services Administration in our State; and

**NOW, THEREFORE, BE IT RESOLVED** that we, the Perquimans County Board of Commissioners, implore the State of North Carolina and the members of the North Carolina General Assembly (NCGA) to be diligent, thoughtful, proactive, and open-minded regarding possible service delivery models for Social Services Administration.

**BE IT FURTHER RESOLVED**, that the Perquimans County Board of Commissioners hereby urges you to support amendments to Part 1 of House Bill 608/Senate Bill 594 which would call for a study commission to thoroughly evaluate all possible models of Social Services Administration and include all stakeholders in the study process prior to a decision being made regarding any model of forced regionalization.

Adopted this the 5<sup>th</sup> day of June, 2017.

T. Kyle Jones, Chairman  
Perquimans County Board of Commissioners

(SEAL)

ATTEST:

Clerk to the Board

8. **Juvenile Crime Prevention (JCPC) Documentation:** The Board approved the following JCPC documents, in addition to the Juvenile Crime Prevention Council County Plan for FY 2017-18:

NC Department of Public Safety, Division of Juvenile Justice  
Juvenile Crime Prevention Council Certification

Fiscal Year: 2017 -2018

County: Perquimans	Date: 5/12/17
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**CERTIFICATION STANDARDS**

**STANDARD #1 - Membership**

- A. Have the members of the Juvenile Crime Prevention Council been appointed by county commissioners? yes
  - B. Is the membership list attached? yes
  - C. Are members appointed for two year terms and are those terms staggered? yes
  - D. Is membership reflective of social-economic and racial diversity of the community? yes
  - E. Does the membership of the Juvenile Crime Prevention Council reflect the required positions as provided by N.C.G.S. §143B-846? yes
- If not, which positions are vacant and why?

**STANDARD #2 - Organization**

- A. Does the JCPC have written Bylaws? yes
  - B. Bylaws are  attached or  on file (Select one.)
  - C. Bylaws contain Conflict of Interest section per JCPC policy and procedure. yes
  - D. Does the JCPC have written policies and procedures for funding and review? yes
  - E. These policies and procedures  attached or  on file. (Select one.)
  - F. Does the JCPC have officers and are they elected annually? yes
- JCPC has:  Chair;  Vice-Chair;  Secretary;  Treasurer.

**STANDARD #3 - Meetings**

- A. JCPC meetings are considered open and public notice of meetings is provided. yes
- B. Is a quorum defined as the majority of membership and required to be present in order to conduct business at JCPC meetings? Yes
- C. Does the JCPC meeting bi-monthly at a minimum? Yes
- D. Are minutes taken at all official meetings? Yes
- E. Are minutes distributed prior to or during subsequent meetings Yes

**STANDARD #4 - Planning**

- A. Does the JCPC conduct an annual planning process which includes a needs assessment, monitoring of programs and funding allocation process? yes
- B. Is this Annual Plan presented to the Board of County Commissioners and to DPS? yes
- C. Is the Funding Plan approved by the full council and submitted to Commissioners for their approval? yes

**STANDARD #5 - Public Awareness**

- A. Does the JCPC communicate the availability of funds to all public and private nonprofit agencies which serve children or their families and to other interested community members?  RFP, distribution list, and article attached) yes
- B. Does the JCPC complete an annual needs assessment and make that information available to agencies which serve children or their families, and to interested community members? yes

**STANDARD #6 — No Overdue Tax Debt**

- A. As recipient of the county DPS JCPC allocation, does the County certify that it has no overdue tax debts, as defined by N.C.G.S. §105-243 (1), at the Federal, State, or local level? yes

Briefly outline the plan for correcting any areas of standards non-compliance.

Having complied with the Standards as documented herein, the Juvenile Crime Prevention Council may use up to \$15,500 of its annual Juvenile Crime Prevention fund allocation to cover administrative and related costs of the council. Form JCPC/OP 002 (b) JCPC Certification Budget Pages detailing the expenditure budget must be attached to this certification.

The JCPC Certification **must be received by June 30, 2017.**

**JCPC Administrative Funds  
SOURCES OF REVENUE**

<b>DPS JCPC</b> <small>Only List requested funds for JCPC Administrative Budget.</small>	<u>0</u>
<b>Local</b>	<u>                    </u>
<b>Other</b>	<u>                    </u>
<b>Total</b>	<u>0</u>

<u>Gail White</u>	<u>5/15/17</u>
JCPC Chairperson	Date
Chairman, Board of County Commissioners	Date
DPS Designated Official	Date

Juvenile Crime Prevention Council Certification (cont'd)

Perquimans County FY 2017-18

Instructions: N.C.G.S. § 14313-846 specifies suggested members be appointed by county commissioners to serve on local Juvenile Crime Prevention Councils. In certain categories, a designee may be appointed to serve. Please indicate the person appointed to serve in each category and his/her title. Indicate appointed members who are designees for named positions. Indicate race and gender for all appointments.

Specified Members (G.S. 147-33.61)	Name	Title	Designee	Race	Gender
1) School Superintendent or designee	James Bunch	Assistant Superintendent	<input type="checkbox"/>	w	m
2) Chief of Police	n/a		<input type="checkbox"/>		
3) Local Sheriff or designee	Shelby White	Sheriff	<input type="checkbox"/>	w	m
4) District Attorney or designee	n/a		<input type="checkbox"/>		
5) Chief Court Counselor or designee	Lagreshia Bates-Harley	Chief	<input type="checkbox"/>	b	f
6) Director, AMH/DD/SA, or designee	Tracey Webster	SOC Coordinator	<input type="checkbox"/>	b	f

Specified Members (G.S. 147-33.61)	Name	Title	Designee	Race	Gender
7) Director DSS or designee	Susan Chaney	Director	<input type="checkbox"/>	w	f
8) County Manager or designee	Frank Heath	County Manager	<input type="checkbox"/>	w	m
9) Substance Abuse Professional	n/a		<input type="checkbox"/>		
10) Member of Faith Community	Rev. Ann Vaughn	Minister	<input type="checkbox"/>	b	f
11) County Commissioner	Kyle Jones	Commissioner & Ass't DA	<input type="checkbox"/>	w	m
12) Two persons under age 18 (State Youth Council Representative, if available)	tbd		<input type="checkbox"/>		
	tbd		<input type="checkbox"/>		
13) Juvenile Defense Attorney	n/a		<input type="checkbox"/>		
14) Chief District Judge or designee	Hon. Meader Harriss	District Court Judge	<input type="checkbox"/>	w	m
15) Member of Business Community	Deb Burroughs	APRC	<input type="checkbox"/>	w	f
16) Local Health Director or designee	Rebecca Cook	Triple P	<input type="checkbox"/>	w	f
17) Rep. United Way/other non-profit	Latoria Johnson	Hopeline	<input type="checkbox"/>	w	f
18) Representative/Parks and Rec.	Howard Williams	Director	<input type="checkbox"/>	w	m
19) County Commissioner appointee	Gail White	Housing Authority Director	<input type="checkbox"/>	w	f
20) County Commissioner appointee	Wonder Lewis	Library	<input type="checkbox"/>	b	f
21) County Commissioner appointee	Michelle Lawrence	Librarian	<input type="checkbox"/>	w	f
22) County Commissioner appointee	Donna Jones	Mentoring Focus Director	<input type="checkbox"/>	b	f
23) County Commissioner appointee	Markeeta Littlejohn	Court Counselor	<input type="checkbox"/>	b	f
24) County Commissioner appointee	Eva Anderson	Court Counselor	<input type="checkbox"/>	b	f
25) County Commissioner appointee	Ed Hall	CC Supervisor	<input type="checkbox"/>	b	m

## INTRODUCTION OF NEW EMPLOYEES

The following introductions to the Board were made:

- **Maintenance Supervisor:** County Manager Heath introduced Robin Trueblood who was appointed as Maintenance Supervisor effective May 15, 2017.
- **Deputy Sheriff:** Sheriff Shelby White introduced Johnathan Miller who was appointed as Deputy Sheriff effective April 1, 2017.

## SHELBY WHITE, SHERIFF

Mr. White Lawrence explained that he has been working on applying for several grants to work alongside the Hertford Police Department. This grant will be used to fight the heroin, opium, and methamphetamines epidemic in our area. It will be used for equipment, control buys, and possible overtime. It is around \$25,000 to \$50,000 and possibly higher. The Hertford Police Chief will be writing the grant for us. July 10<sup>th</sup> is the deadline for the grant application. County Manager Heath said that Mr. White will be bringing information to the Board as he receives the approval of the grant, the grant agreement, and any other documents that need Board approval. After Mr. White's presentation, Commissioner Nelson mentioned that he had a Commissioners' Concern which related to this issue too. Mr. Nelson asked Mr. White if he had ever heard the Step Up Initiative. In August, 2015, the NCACC had requested the County to adopt a Resolution which we did. Mr. Nelson had received a call from Bland Baker who was the Trillium representative for this area. Mr. Baker told Mr. Nelson that the NCACC had contacted him about what we had done for the Step Up Initiative. Thus far, the County has not done anything. This initiative is to try to keep mentally ill people out of jail and try alternate areas of help. Mr. Nelson asked Mr. White if he had heard anything like this. Mr. White explained what is done now is through the courts and Mobile Crisis. He said that they are experiencing more and more situations like this now.

## BILL JENNINGS, TAX ADMINISTRATOR

Mr. Jennings presented his monthly report.

## SUSAN CHANEY, SOCIAL SERVICES DIRECTOR

Ms. Chaney presented her monthly report and thanked the Board for adopting the Resolution opposing the Regionalization of the Social Services Departments.

## PRESENTATION OF FY 2017-2018 BUDGET

County Manager Heath presented the following FY 2017-2018 Budget Message:

June 5, 2017

To: The Honorable Chair, Board of Commissioners, and taxpayers of Perquimans County

I respectfully submit the proposed budget for Perquimans County for the Fiscal Year 2017-2018. The budget has been prepared in accordance with the North Carolina Local Government Budget and Fiscal Control Act. The budget identifies the estimated revenues and expenditures for the Fiscal Year 2017-2018.

### Proposed Tax Rate

As in years past, the County's budget process calls for department heads and other agencies to submit budget requests to the County Manager. In total, the requests amounted to approximately \$16.4 million. That's almost \$2 million dollars more than anticipated revenues for the upcoming fiscal year. The tax rate would have to be 73 cents to fully fund all requests of Perquimans County for the next year.

Total taxable value increased from \$1,295,330,502 to \$1,304,892,862, or 0.74%. On top of that, an additional \$202,280,804 in value was added due to the Desert Wind project. After first year depreciation and the grant agreement with the County, the net gain in value would be \$66,943,508, or a five percent increase to the County's total value. I have estimated an additional \$350,000 in revenue for FY 17-18 as a result. We have also experienced gains primarily in sales tax revenues, and this in combination with the use of fund balance allocations will allow us to propose a budget that remains at a rate of 57 cents per hundred dollars of value. Also of note is that I project that we're not going to use any of the budgeted fund balance appropriation from last fiscal year of \$754,668.

This is due to better than projected revenues, and controlling spending versus budgeted amounts for 16-17. If we utilize the full \$915,773 I project for fund balance allocations for this new budget, our fund balance would still be in the 28 percent range.

When compared to other Counties in the region, Perquimans' tax rate will remain among the lowest in eastern North Carolina:

Perquimans-	57 cents per hundred
Gates-	68 cents per hundred
Camden-	68 cents per hundred
Chowan-	74 cents per hundred
Pasquotank-	76 cents per hundred

While the tax rate is one of the lowest in the region, this budget still provides adequate funding for services that we have historically provided, enhances some services, and provides benefits for the County employees.

**General Fund Budget Summary**

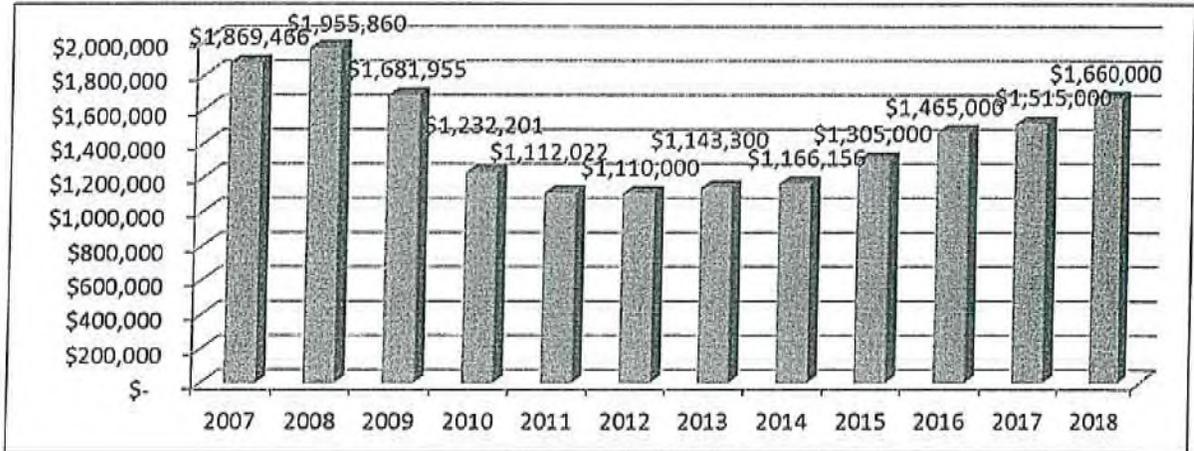
The General Fund budget is \$15,293,430 for 2017-2018, up \$124,983 from the current year's amended budget of \$15,168,447. To enable us to maintain a significant commitment to school current expense and increased capital requests, and increased expenditures for public safety departments such as 911 Communications, Fire Departments and EMS, this budget designates \$915,773 of general fund balance to be utilized. Even with this amount of fund balance used, we will still maintain a fund balance of over 28%, much more than the 8% recommended by the Local Government Commission. Perquimans has a history of controlling spending below budgeted amounts, so it is unlikely that we will have to utilize the full amount of fund balance listed.

**General Fund Revenues**

Property taxes account for the vast majority of general fund revenues, and I've already mentioned the conditions as it relates to real property taxation. We are projecting that motor vehicles tax collections will improve for the upcoming fiscal year.

Sales tax revenues are the second largest source of County general fund revenues. Based on good returns from this fiscal year, sales tax revenues are projected to grow by a total of \$145,000. The chart below shows the history of sales tax revenues since 2007.

**County Sales Tax Revenues**



An additional \$351,504 is forecast to be added to Perquimans' sales tax allocation to reflect the additional services taxed by the General Assembly in 2016. In addition to the sales tax revenues, there are three other important sources of revenues that provide insight to the strength of the local county economy. They are Building Inspection Fees, Register of Deed Fees, and Land Transfer Tax Revenues. While sales taxes reflect retail sales, these other revenues are construction and real estate based. Expected Land Transfer Tax revenues in FY 2017-18 are \$265,000, \$15,000 more than last year, but well below the FY 2006-07 total of \$1,188,541. Building Inspection Fees and Register of Deed Fee revenues remain at among the lowest levels in over a decade, projected at \$225,000 combined, reflecting no change in revenue for these two fees for FY 2017-2018.

A continuing, but declining revenue for this budget year will be a projected \$276,040 Medicaid hold-harmless allocation from the State.

**General Fund Expenses**

Most of the departmental operating budgets remain fairly static compared to the current budget year. By way of comparison, the five largest General Fund expenses by department or agency are as follows:

Department/Agency	Proposed FY 17 Funding	% of Total GF Budget
Perquimans County Schools	\$4,009,103	26%
Social Services	\$2,437,003	16%
Emergency Medical Services	\$1,423,547	9%
Sheriff Department	\$1,178,339	8%
Albemarle District Jail	\$836,577	6%

**School Funding**

As presented by the Board of Education and school staff earlier this spring, the Perquimans County School System has requested \$3,275,810 for school current expense, an increase of \$500,810 over last year's County appropriation of \$2,775,000. This represents a 18% increase from the previous fiscal year.

The proposed FY 2017-18 County budget maintains the local current expense budget at \$2,775,000, despite a marginal decline in the school system's enrollment. This continues a significant commitment by the County Board of Commissioners to increase teacher supplements and classified position salary adjustments. The school capital outlay budget increases to \$397,500, or a 9.3% increase. This capital allocation will allow for the continuation of the 1:1 technology initiative, as well as other capital outlay items presented by the Superintendent.

**Building and Facility Initiatives**

Perquimans County will engage in several new facility projects in FY 2017-18. The Perquimans County Library will be complete by September, 2017. The debt service for that facility begins this year, at a cost of \$330,856. We will begin renovations on the ARPDC building, which is currently occupied by the Albemarle Commission and Farm Service Agency. We will make bathroom improvements at the Perquimans County Recreation Center. We will pay our proportionate share of costs for an addition to the Tri-County Animal Shelter. We will make security improvements to Court facilities by adding security cameras and keypad entries. The County will make various parking lot improvements at its facilities this year.

**Capital Outlay**

Outside of the normal replacement of electronic items such as computers and copy machines, the major capital items included in the FY 2017-18 budget are the replacement of two Sheriff Department vehicles, bullet proof vests, GPS tracker, portable radios, software upgrades for the tax and finance departments, painting the Winfall tower to meet FAA requirements, decommissioning the tower at the High School site, and the equipment necessary for Perquimans County to practice at the Paramedic level for EMS.

**Personnel**

Perquimans County participates in the State Health plan, and health insurance rates are projected to increase from \$506 per employee per month to \$540. This increase causes approximately a \$25,000 negative impact to our budget. The rate of \$540 monthly includes a projected 5% increase in rates and \$25 per month per employee that the State will begin charging employees for the base 70-30 plan. The County will pick up this \$25 per month charge when rates are expected to be revised beginning in January, 2018.

Retiree health coverage is becoming an increasing burden on the County. We have been advised by our provider to estimate a 30 percent increase in coverage costs. With the addition of several new retirees and the increase in costs, we are expecting a \$64,000 increase in costs in FY 17-18.

As a result of these increased health care costs, the proposed FY 2017-18 budget contains no cost of living adjustment for County employees, but maintains merit and salary step increases for those employees who qualify. Employees received a 3 percent cost of living adjustment in last fiscal year's budget.

The North Carolina Local Government Employees Retirement System employers' contribution will be 7.6% for FY 17-18.

This budget includes converting a tax clerk/finance assistant position to a Finance/HR assistant, one additional school resource officer, one Medicaid Supervisor, designation of a chief deputy within the Sheriff's office, and designation of an Assistant Register of Deeds. It also funds the necessary staffing changes required for Perquimans County EMS to increase its service to the Paramedic level of care.

\$15,000 has been allocated to the Tourism Development Authority to continue to fund a part-time tourism director, in coordination with the Towns.

**Other Noteworthy Items**

- Funding for the County Fire Departments increases to \$70,000 each, up from \$67,500 for each department last year.
- Funding for the Perquimans County Library increases to \$175,000.
- Tri-County Animal Shelter operational funding remains at \$60,000.
- Albemarle District Jail remains a considerable expenditure, at \$836,577.

**Water Fund**

Perquimans continues to make significant investment in its overall ability to provide water to its customers. Our system is an aging one, with infrastructure aged at over 30 years old in some places. This means that the County makes ongoing repairs to the lines in the system as needed throughout the year. Perquimans continues to purchase 150,000 gallons of reverse osmosis water from Pasquotank County that services customers on the Winfall plant side. The bulk water rate that Pasquotank County charges is expected to remain \$6.00 per thousand gallons. Also, Perquimans is investing on the Bethel plant side, as we have purchased the Manley well site, and will allocate \$150,000 for continued work on that location in the upcoming fiscal year. We will also allocate \$100,000 for the replacement of aging water meters throughout our system. The total water fund budget for the Fiscal Year 2017-18 is \$2,281,140. The water rates for Perquimans County will remain unchanged for the upcoming fiscal year.

**Solid Waste Fund**

The proposed solid waste fee for FY 17-18 is \$140, a \$10 increase from last fiscal year, but less than \$12 a month per household. This fee covers the cost of operating the five Convenience Site locations, the County's portion of the Perquimans-Chowan-Gates Transfer Station operating cost, and the tipping fee for the County's solid waste at the private landfill in Bertie County. We've made significant capital improvements to our sites, including paving and additional compactors. ARHS, which serves as the fiscal agent for our operations, is predicting a 15 percent increase in costs for the upcoming year. The total solid waste fund budget is projected at \$973,000.

**Conclusion**

As indicated earlier, this budget focuses on maintaining an increased level of historical spending for schools, despite declining enrollment numbers. We have covered increased health care costs for County employees and retirees, and maintained merit and step increases for those who qualify. We have increased funding for emergency services agencies by providing the paramedic level of EMS care to our citizens and increased our funding for local volunteer fire departments. We have committed monies to various building and capital projects as already stated. Lastly, we have continued to fund services despite cuts in State funding with no reductions in mandates.

I'd like to thank the Department Heads for their stewardship in this budget process and their consideration of the marginal increase in County revenues. I would also like to thank the Board of Commissioners for your involvement in the budget process and for making difficult, but important decisions on behalf of the citizens of Perquimans County. Finally, I'd like to thank County staff: Tracy Mathews- Finance Officer, Mary Hunnicutt- Clerk to the Board, and Debbie Stallings-Assistant Tax Administrator, for their assistance and guidance in this process.

I thank each of you for your consideration of this proposal and welcome any changes the Board deems appropriate.

At the request of the Chairman and Board of Commissioners, a public hearing has been scheduled for Monday, June 19, 2017, at 7:00 p.m. in the Commissioners' Room of the Courthouse Annex for public comment and to consider adoption of the budget.

Submitted by:

---

W. Frank Heath, III  
County Manager/Budget Officer

**COMMISSIONER'S CONCERNS/COMMITTEE REPORTS**

The following Commissioners' Concerns/Committee Reports were discussed:

- **Commissioner Nelson:** Commissioner Nelson discussed his concerns under scheduled appointments with Sheriff Shelby White. The County many need to make some strides to work with the Step Up Initiative. They discussed what other counties are doing and what NCACC is looking for the Counties to do. County Manager Heath will check on this and bring information to the Board.
- **Commissioner Hoffer:** Commissioner Hoffer expressed a concern that he had with regard to the Recreation Department and began to discuss personnel matters with respect to relationship between the black community and the Recreation Department. Chairman Jones explained that, if this is regarding employee conduct, it would need to be discussed during Closed Session. County Attorney High said that, since we already have a Closed Session scheduled tonight, the Board could amend the Agenda and add it to this Closed Session. Therefore, Mr. Jones asked that the Board make a motion to amend the Agenda to add Personnel Matter under Closed Session. On motion made by Edward R. Muzzulin, seconded by Charles Woodard, the Board unanimously approved the motion to amend the Agenda by adding Personnel Matter under Closed Session.
- **Commissioner Muzzulin:** Commissioner Muzzulin expressed concerns about the Solar Farm located off Snug Harbor Road. County Manager has contacted representatives from Phoenix Solar, who now controls the property, to contact him. He also updated the Board on the buffering problem. They have agreed to come back to improve the buffering at great expense to them.

**UPDATES FROM COUNTY MANAGER**

County Manager Heath presented the following updates:

- **Jack the Dog:** Mr. Heath explained again why he was showing a picture of Jack the Dog who was adopted from our Tri-County Animal Shelter. Every time Jack's picture is shown at a Commissioners' meeting, the Tri-County Animal Shelter would receive \$200 from Jack's owner. These funds will be used to expand the Tri-County Shelter facility.
- **Boat Ramp Project:** Mr. Heath reported that the Boat Ramp opened on May 24<sup>th</sup>. A ribbon cutting will be held on June 23<sup>rd</sup>. He was informed that it was very busy during the Memorial Day Holiday weekend.
- **Library Project:** Mr. Heath explained that the project is still on schedule and on budget (actually under budget). Opening date is scheduled for September 1<sup>st</sup>. If interested on a tour, please call him.
- **Post Office:** They have a contract in place to fix the dip in the parking lot. They are still considering changing the business hours.

**BOARD APPOINTMENTS: NURSING HOME ADVISORY COMMITTEE**

Mary Hunnicutt, Clerk to the Board, explained that Brandi Jordan, Region R Long-Term Care Ombudsman, is scheduled to meet with the Board during their July 3<sup>rd</sup> meeting. She has been informed that Mettha Davenport will be resigning from the Adult Home Care Committee soon. The reason she wants to meet with the Board is that there is a chance that they can combine the Adult Home Care and the Nursing Home Care Advisory Committees which would mean fewer appointments to the Board. Therefore, the matter can be tabled until the July meeting.

**PLANNING ITEMS**

The following Planning Items were presented for Board action:

- **Conditional Use Permit No. CUP-17-02 - (Brown Family Sun Farm) requested by Heath McLaughlin on behalf of Blue Green Energy, LLC:** A Quasi-Judicial Hearing was held earlier for Conditional Use Permit No. CUP-17-02. Before they proceed with the discussion of the Section 903 findings, Chairman Jones asked if there were any questions. Commissioner Woodard asked Mr. McLaughlin where Blue Green Energy is located. Mr. McLaughlin said that they are located in Raleigh, NC. Mr. McLaughlin lives in Florida but most of his time is spent in Northeast North Carolina. He further asked if Mr. McLaughlin has twelve solar farms and if he cuts the grass at all the farms. Mr. McLaughlin said that he does not but negotiates contracts to hire companies to cut the grass. He further stated that he cuts the grass so that he can know what can

happen when the grass is cut. Mr. Woodard concurs with Mr. Nelson about the buffering being in place before the solar farm is operational. Chairman Jones clarified with County Attorney High that this information just provided cannot be considered during the vote because it occurred after the Quasi-Judicial Hearing was concluded. Mr. High said that Mr. Jones was correct. Chairman Jones stated that it was now time for the Board to approve or deny the request. The first step is to address each of the following finds in Section 903:

- (a) Wallace E. Nelson made a motion that this use will not materially endanger the public health or safety, if located according to the plan submitted and approved. The motion was seconded by Joseph W. Hoffer. Chairman Jones opened the floor up for discussion. There being none, the motion was unanimously approved.
- (b) Joseph W. Hoffer made a motion that this use meets all required conditions and specifications. The motion was seconded by Edward R. Muzzulin. Commissioner Nelson explained that the applicant's witnesses presented evidence that the application was complete and the stipulations were met and he did not hear any evidence rebutting that testimony. The motion was unanimously approved.
- (c) Wallace E. Nelson made a motion that the use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity. The motion was seconded by Edward R. Muzzulin. Mr. Woodard said that he liked the way that Mr. McLaughlin has worked with the property owners, etc. He feels that it shows good faith on his part. Wallace E. Nelson feels that, per the evidence presented tonight, this solar farm would not substantially injure the value of adjoining or abutting property. Chairman Jones said that there was not opposition to the project. There being no further questions, the motion was unanimously approved.
- (d) Fondella A. Leigh made a motion 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. The motion was seconded by Joseph W. Hoffer. Chairman Jones opened the floor up for discussion. Commissioner Nelson said that these projects are already being developed in the area so there was no evidence contrary. Chairman Jones said that Mr. Hester and Mr. Fuller gave evidence to support this finding. There being no further comments or discussion, the motion was unanimously approved.

Commissioner Nelson further commented that he came to the meeting tonight with the intent to require a berm instead of a vegetative buffer. But, if the vegetative buffer lines up with no gaps between the trees, he did not have a problem with this. Also, he feels that, with it being 1,000 feet off the road, the vegetative buffer would be okay if it is done properly and done prior to the solar farm becoming operational. Commissioner Woodard concurred with Commissioner Nelson and was leaning toward the berm buffering but will agree with the vegetative buffer if all is prepared properly. They discussed whether or not these conditions needed to be approved prior to the approval of the Conditional Use Permit. County Manager Heath said, per our Zoning Regulations, the conditions would be discussed after the permit is approved. Chairman Jones stated that, now that the Section 903 Findings have been acted upon, he would ask for a motion to approve or deny the Conditional Use Permit No. 17-02. Wallace E. Nelson made a motion to approve Conditional Use Permit No. CUP-17-02: to establish a 5 Megawatt Large Scale, ground-mounted Solar Energy System on a portion of Tax Parcel No. 2-0069-0013J, occupying approximately 45 acres within the +/-60-acre subject property proposed, located on the east side of Ocean Highway South (US Hwy 17) approximately 3,000 ft. south of Perry Long Road conditioned upon the final conditions contained in the DRAFT Conditional Use Permit, adopting the following Section 903 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.

The motion was seconded by Edward R. Muzzulin and Conditional Use Permit No. CUP-17-02 was unanimously approved by the Board (**See Attachment A**).

Commissioner Nelson also addressed the land swap stating that the approval of the project would be contingent on the land swap being completed. It was discussed that this condition should be added to the list of conditions: *As a condition of this conditional use permit, the proposed land swap needs to be finalized and proper documentation recorded before proceeding with the project.* It was the consensus of the Board to add this wording into the conditions of Conditional Use Permit No. CUP-17-02.

**➤ Conditional Use Permit No. CUP-17-03 - requested by Ismael Melendez on behalf of Island Christian Fellowship:** A Quasi-Judicial Hearing was held earlier for Conditional Use Permit No. CUP-17-03. Chairman Jones explained that this matter would allow a simpler procedure. Therefore, Mr. Jones called for a motion to approve or deny Conditional Use Permit No. CUP-17-03. Fondella A. Leigh made a motion to find proposed Conditional Use Permit No. CUP-17-03 to be consistent and in harmony with the existing development pattern in and around 315 Holiday Lane; and made a motion to approve Conditional Use Permit No. CUP-17-03 requested by Ismael Melendez on behalf of Island Christian Fellowship, to construct a church on current combined Tax Parcel Number 2-D082-0059-HI zoned RA-25, conditioned upon the list of conditions contained in the Conditional Use Permit, adopting the following Section 903 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.

The motion was seconded by Edward R. Muzzulin and Conditional Use Permit No. CUP-17-03 was unanimously approved by the Board (**SEE ATTACHMENT B**).

**AMENDMENT TO THE PERSONNEL POLICY: RETIREE INSURANCE BENEFIT**

County Manager Heath explained that, during the Budget Process, the Board realized that this benefit was not cost effective. Therefore, it was his recommendation to amend the Personnel Policy but effective June 5, 2017. Any employees hired prior to June 5<sup>th</sup> would still fall under the previous policy but new hires after June 5, 2017 will not have this benefit. On motion made by Joseph W. Hoffer, seconded by Charles Woodard, the following amendment was unanimously approved to the Personnel Policy effective June 5, 2017:

**Retiree Health Insurance**

The County will provide medical and dental insurance coverage up to age 65 for retirees, hired prior to June 5, 2017, from Perquimans County with 20 continuous years of service with Perquimans County who are eligible for an unreduced service retirement benefit from the Local Government Retirement System. Employees hired June 5, 2017 or after, will not be eligible for this employee benefit.

**SALE OF SURPLUS EQUIPMENT**

On motion made by Edward R. Muzzulin, seconded by Fondella A. Leigh, the Board unanimously approved the following sale of surplus equipment to GovDeals:

BUYER	VEHICLE	DATE SURPLUSED	START BID	SOLD AMOUNT	GOVDEALS FEE	NET RESULTS
Bobby Askew	CISCO Unified Communications 500 Series Phone System 14 CISCO IP Phones – Model PC-7942G	3/6/17	\$200	\$311.00	\$15.55	\$295.45

**SINGLE FAMILY REHAB GRANT DOCUMENTATION**

On motion made by Charles Woodard, seconded by Fondella A. Leigh, the Board unanimously approved the Amendment No. 2 of Agreement for FY 14 NNCHFA-SFRLP Agreement for Professional Services and the 2017 Agreement for Professional Services between Perquimans County and the Wooten Company, pending County Attorney High approval.

**2017 MEMORANDUM OF PARTICIPATION FOR SEPARATION ALLOWANCE BENEFIT**

County Manager Heath explained that, since we have had the Sheriff retire this year, we need to contract with a company to prepare our disclosures required under GASB Statement No. 73 for the Special Separation Allowance for Law Enforcement Officers. Tracy Mathews, Finance Officer, and County Manager Heath recommend Cavanaugh Macdonald Consulting LLC. On motion made by Wallace E. Nelson, seconded by Charles Woodard, the Board unanimously approved the following 2017 Memorandum of Participation with Cavanaugh Macdonald Consulting LLC:

**2017 MEMORANDUM OF PARTICIPATION  
FOR SEPARATION ALLOWANCE BENEFIT**



COUNTY: Perquimans County

MAILING ADDRESS: P.O. Box 45

CITY: Hertford ZIP CODE: 27944

NAME: Frank Heath

TITLE: County Manager

PHONE #: ( 252 ) 426-8484

EMAIL ADDRESS: frankheath@perquimanscountync.gov

On behalf of the unit government noted above, we agree to engage Cavanaugh Macdonald Consulting, LLC to prepare the disclosures required under GASB Statement No. 73 for the Special Separation Allowance for Law Enforcement Officers,

I have read the terms listed on the cover memorandum that outlines conditions and fees .of the contract related to reporting requirements under GASB Statement No. 73. Should my unit of government determine at any point that we do not want to continue our participation in the Actuarial Study Program, we will notify Cavanaugh Macdonald Consulting by letter of our desire to cancel. The new standard requires a considerable amount of additional work. In order to complete the report in time for Fiscal Year 2017 reporting, CMC will need to receive **all requested information no later than May 15, 2017:**

I understand that **we will be billed directly by Cavanaugh Macdonald Consulting, LLC** and copies of the actuarial report will be emailed to our office by Cavanaugh Macdonald Consulting by July 31, 2017.

By signing this document I have accepted the terms and conditions outlined in the cover memorandum and agree to pay Cavanaugh Macdonald Consulting upon the completion of all work.

Signed this 5<sup>th</sup> day of June, 2017.

\_\_\_\_\_  
(SIGNATURE)  
County Manager  
(TITLE)

Cavanaugh Macdonald Consulting, LLC  
3560 Busbee Parkway, Suite 250, Kennesaw, GA 30144  
[NCSSALEO@CavMacConsulting.com](mailto:NCSSALEO@CavMacConsulting.com)

**COASTAL RESOURCES ADVISORY COUNCIL MEMBER NOMINATIONS & WISH LIST**

County Manager Heath reported that the County has received an e-mail from Coastal Resources Advisory Council (CRAC) requesting the Board's input relating to two important matters: (a) wish list; and (b) CRAC member nominations. Chairman Jones asked if anyone was interested. There being none, he tabled the matter until the next Board meeting.

**PUBLIC COMMENTS**

Chairman Jones stated that we have come to the part of the meeting where the public can make comments. He asked Ms. Hunnicutt if anyone had signed up to speak. She said that two people had signed up and passed the signup sheet to him. The following comments were made:

- **Quinton Jackson:** Mr. Jackson stated that he would like to speak about the Recreation Activities and the black community. He addressed the following issues:
  1. He requested that the Board fix up the basketball court on King Street and to install lights at the court.
  2. Open gym on Tuesday and Thursday is held at the Recreation Center for adults – keep it open after 4:00 p.m. because people work. In addition, the times are cancelled if another activity is scheduled.
  3. Basketball court on Grubb Street is closed at 5:00.
  4. Howard Williams, Recreation Director, will not let other groups use their facilities.
  5. Nowhere in the County is there a place where the black community can play basketball or football. There are plenty of baseball fields and other facilities but no basketball courts or football facility for the black community.
  6. He is asking for the basketball courts to be fixed, keep the open gym open longer, and equal opportunity for members of the black community at the Recreation Department.
  7. He also talked about the use of the County Recreation van.

Several Commissioners made comments about Mr. Jackson's request. The Board recommends County Manager Heath to look into these items that need to be repaired.

- **Gary Lowry:** Mr. Lowry made comments about getting the EMT's to Paramedic levels is very important. He further asked if the Board needed any additional information to act on their request for an Ordinance to allow Golf Carts in Snug Harbor. Mr. Jones said that they discussed this during the Work Session and that there was no appetite for that Ordinance but that was his opinion. Mr. Lowry asked if that was the opinion of all the Board. Mr. Jones said that it was up to each Board member to decide. Mr. Lowry was going to contact the members personally.

There were no further public comments or unscheduled appointments.

**CLOSED SESSION: LEGAL MATTER, CLOSED SESSION MINUTES, & PERSONNEL MATTER**

Pursuant to NC General Statute 143-318.11(3)(6) Wallace E. Nelson made a motion to go into Closed Session to discuss a legal matter, Closed Session Minutes, and a personnel matter. The motion was seconded by Edward R. Muzzulin and unanimously approved by the Board.

The Closed Session was adjourned and the Regular Meeting reconvened on motion made by Edward R. Muzzulin, seconded Joseph W. Hoffler and unanimously approved by the Board. There was no action needed after the Closed Session.

**ADJOURNMENT**

There being no further comments or business to discuss, the Regular Meeting was adjourned at 9:23 p.m. on motion made by Charles Ward, seconded by Wallace E. Nelson.

T. Kyle Jones, Chairman

Clerk to the Board

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**ATTACHMENT A**

**Do NOT record this page**

-Beginning of Proposed Conditional Use Permit No. CUP-17-02 to be recorded by Blue Green Energy, LLC

for

**Large scale, ground-mounted Solar Power Energy System**

**located on the east side of Ocean Hwy South (US Hwy 17) approximately 3,000 ft south of Perry Long Road on property owned by Robert L. Brown, Tax Parcel # 2-0069-00013J**

**Changes from BCC Meeting June 5, 2017:**

Added condition "V" on page 6 of 8: The proposed land swap shall be finalized and proper documentation recorded before start of construction.

**Do NOT record this page**

**CONDITIONAL USE PERMIT No. CUP-17-02**

**Page 1 of 8**

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

- Authorized Applicant:** Blue Green Energy, LLC/Heath McLaughlin, Member  
176 Mine Lake Court, Suite #100  
Raleigh NC 27615
- Property Owners:** Robert L. Brown  
304 Meadow Creek Drive  
Chesapeake, VA 23323
- Site Location:** Portion of 60 +/- acre parcel located on the east side of Ocean Highway South (US Hwy 17) approximately ,000 feet south of Perry Long Road.
- Tax Parcel Nos:** 2-0069-0013J
- Zoning Districts:** RA, Rural Agriculture
- Proposed Use of Property:** To construct and operate a Large-Scale ground-mounted Solar Power Energy System on property located in Perquimans County, as described herein and depicted on the attached Site Plan. As stated by the Applicant in his Statement of the nature of the proposed use:

*"The proposed nature of this Conditional Use Permit is to develop and construct a 5 mega-watt solar farm on approximately 45 acres owned by Robert L. Brown. The proposed solar farm will consist of low-profile ground-mount racking with pilings driven into the ground to an engineered depth well suited for coastal conditions. The racking technology will be a single-axis tracker ground-mount rack system oriented north/south for maximum clean energy power production during the daylight period. The solar power system will not exceed 15' in height with minimal to no security lighting required for near silent operation both day and night. Sight impact to public right-of-way on US Hwy 17 will be minimal as the system will be set back outside of 500'*

**CONDITIONAL USE PERMIT No. CUP-17-02**

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*CH Highway Business Corridor with a 20' vegetative buffer and screening that will satisfy the required screening found in the Perquimans County Zoning Ordinance in Article XVIII, Sections 1802 and 1803. Solar farm operations and maintenance will also be minimal post construction with very little traffic, noise, or additional county services required. All federal, state and local building permits will be satisfied prior to start of construction and in compliance with NC state building codes and national electric codes with UL approved electrical system components."*

**Meeting & Hearing Dates:** Planning Board on 4-11-17 & 5-9-2017 ; & Board of County Commissioners on 6-5-2017 .

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 pertaining to "Solar Farm (Large-scale, ground-mounted Solar Power Energy System)" and other conditions as follows:

- A. The Applicant, heirs and assigns shall conduct operations in accordance with the plans and application materials submitted to and approved 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. 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 significant change in land use, and/or change in the project boundary or property boundary and/or any 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 Solar Farm as shown on the attached Site Plan may require adjustments in the exact location of the equipment, pending the outcome of final survey, wetlands delineation, storm water permits, Army Corp of Engineers requirements, and maximization of solar energy production, as applicable. Minimum setbacks and buffering must comply with Section 907.28 of the Perquimans County Zoning Ordinance. In addition, adjustments may be needed in the final locations of access roads within the overall subject property.
- B. The approved Site Plan includes a total 5 Mega-watts (AC) of solar power production throughout the subject property. The facility will generate power which will be sold directly to the Power Company servicing the facility. The Solar Farm will consist of a single phase of construction.

**CONDITIONAL USE PERMIT No. CUP-17-02**

**Page 3 of 8**

- C. The main point of ingress and egress for the facility will be directly off of U. S. Highway 17 South) with an assigned 911 address of \_\_\_\_\_ Ocean Highway South, Hertford, NC 27944. For both aesthetics and safety, the driveway entrance leading from the public highway shall be surfaced with asphalt or six inches (6") of concrete as measured from the edge of the road for at least 30 feet to facilitate site access in coordination with the NCDOT District Engineer's Office. The remainder of the access or service roads will be constructed of 6" of size 12 crushed stone compacted in native soil to a width of 20 feet with a minimum 30-foot radius of curvature. The Access Roadway is further defined as: "A road bed having a width of 20 feet with a paved entrance apron a minimum of 30 feet long and a minimum 30-foot centerline radius of curvature, with 6" inches of size 13 gravel compacted on native soil in order to provide reliable site access for site construction, maintenance, and emergency vehicles. Said roads must be

maintained by the Applicant, heirs and assigns to allow access for emergency vehicles. The access roadway shall be located as specified on the proposed CUP Site Plans.

- D. Prior to final project approval and issuance of a Zoning Permit, the Applicant must apply for and obtain a Driveway Permit from the North Carolina Department of Transportation (NCDOT).
- E. No occupied building structures are anticipated for the solar facility at this time; however, any future proposal to construct an Accessory Building on the property will require the Applicant, heirs and assigns to first apply for and obtain Zoning and Building Permits in compliance with minimum design standards and may require review by the Planning Board to determine if the proposed improvement constitutes a Major Modification. Prior to issuance of a Zoning Permit for any new building, the Applicant, heirs and assigns must provide a Site Plan detailing the existing and proposed site improvements, pursuant to Section 509 of the Perquimans County Zoning Ordinance.
- F. The Solar Energy System equipment and any potential future buildings or structures, shall be secured and screened from routine view from public rights-of-way, existing residential uses and adjacent properties, through compliance with Sections 907.28B(3)(a) and (b), 1802 and 1803.
- G. More specifically, all solar panels and related equipment will meet all required buffering and setbacks along property or leased project boundary lines. The buffering will consist of a security fence plus screening, as required by Sections 907B(3)(a) and (b), 1802 and 1803, and will be continuous around those portions of the perimeter of the project which are not shielded by existing woods or which are interrupted by vehicular access roads. Mounting structures and solar panels will not exceed the maximum height of 15'. Outdoor lighting is expected to be minimal. Standard access gates will be used for any entrances to the Solar Farm and will be kept locked and secured at all times when authorized personnel are not occupying the property. The Facility will meet all Local, State and Environmental requirements.

**CONDITIONAL USE PERMIT No. CUP-17-02**

**Page 4 of 8**

- H. The Solar Farm shall be enclosed with a 6' security fence with 1' of barbed wire with a minimum height of seven (7) feet and screened with either a minimum three foot (3') wide strip planted with dense evergreen vegetation such as Wax Myrtle, Wax-Leaf Ligustrum or other suitable plant material with an initial height of at least five feet (5') with expected growth of at least seven (7) feet in height within three (3) years or a twenty (20) foot wide strip of natural wooded area. Minimum setbacks and buffering must comply with Section 907.28 of the Perquimans County Zoning Ordinance.
- I. Vegetative Buffer Bond: Applicant shall produce a \$20,000 cash bond (or other security) to be held in escrow until such time as the buffer screening requirements in the approved CUP are satisfied. Upon issuance of a Certificate of Zoning Compliance or other final inspection to confirm compliance with CUP requirements, such bond or other security shall be released or cancelled within (10) ten days thereafter. Vegetative buffer must be completed and approved prior to commercial operation date.
- J. The Applicant, heirs and assigns shall take every precaution to ensure there is no increased stormwater directed onto adjacent properties resulting from new construction and development on the subject property. Should unforeseen stormwater problems occur, the Applicant, heirs and assigns shall take immediate action to rectify the situation in coordination with the owner of any adjacent property adversely impacted by stormwater runoff.
- K. The Applicant, heirs and assigns shall submit a drainage plan for review by the Perquimans County Soil & Water Conservation District Office to confirm acceptance of proposed culverts and compliance with storm drainage requirements of the NCDEQ.
- L. Applicant's Obligation to Restore the Property at the end of the Lease Term: The Applicants, heirs and assigns shall do the following with respect to any portions of the Property disturbed in the course of Solar Operations:
  - 1) Within six (6) months after completion of construction of the solar project, the Applicant, heirs and assigns, shall restore such portions of the Property to a condition reasonably similar to its condition on June 5, 2017, except for any parts of the Property that the Applicant determines it needs for continuing Solar Operations; and
  - 2) Within twelve (12) months after the expiration, surrender or termination of the Lease between Robert L. Brown and Blue Green Energy, LLC, the Applicants, heirs and assigns shall restore the Site to substantially its RA (Rural Agricultural) condition as of the CUP approval date using prudent engineering practices where applicable, including, without limitation, the removal of (i) all improvements and solar farm related alterations on the

**CONDITIONAL USE PERMIT No. CUP-17-02**

**Page 5 of 8**

subject Tax Parcel, without limitation, all fencing, roads, solar panels, racking, and pilings, and other improvements or alterations, and shall rough grade the Site to the same condition of level as existed as of the CUP approval date, and (ii) any electrical or communication or other utility poles, lines and connections (unless such lines, equipment, and connections are used in connection with subject Tax Parcel and Property Owner elects to allow such lines and connections to remain); provided, however, that Applicant shall not be obligated to replant any crops or plants, and (iii) remove from such portions of the Property any Solar Energy System owned or installed by Applicant thereon, and (iv) restore, in a commercially reasonable manner and to commercially reasonable standards, such portions of the Property to a condition reasonably similar to its condition as of June 5, 2017, specifically to a farmable condition.

- M. The Conditional Use Permit is approved and recorded with the Applicants' conceptual Site Plans, to become the basis for the Zoning Permit issued by the Planning & Zoning Office upon submittal and approval of a final Site Plan. If the Conditional Use Permit is not recorded in the Register of Deeds Office by the Applicant, heirs and assigns within three (3) months from the date of BCC approval, the BCC may revoke the Conditional Use Permit.
- N. Annual Reports: The Planning Board and Board of County Commissioners hereby acknowledge the Applicant's intent to complete construction of the Solar Farm in 2017. During construction of the project, the Applicant, heirs and assigns shall provide the County with annual reports outlining progress to date along with circumstances that may result in delays. In the event construction will be delayed beyond (June 5, 2018), the Applicant, heirs and assigns shall formally request an extension be granted by the Board of County Commissioners; otherwise the BCC may revoke the Conditional Use Permit.
- O. Prior to the issuance of a Certificate of Zoning Compliance, the Applicant, heirs or assigns shall provide certified "as built drawings" to the County showing the locations of the solar panel farm location, roads, transmission lines, equipment, components, and all related improvements. Operation of the entire facility or any individual component of the facility may be delayed at the discretion of the Planning & Zoning Administrator to allow for the review and issuance of said certificate which is based upon determination by County staff or its outside consultants, of compliance with the CUP and other applicable zoning standards.
- P. Pursuant to Section 509 of the Perquimans County Zoning Ordinance, no Certificate of Zoning Compliance will be issued until all required site improvements have been completed and an appropriately licensed person submits an "as built" plan, where deemed necessary. No Final Building Inspection will be conducted and no Certificate of Occupancy will be issued until a Certificate of Zoning Compliance has been issued.

**CONDITIONAL USE PERMIT No. CUP-17-02**

**Page 6 of 8**

- Q. Continued Access and Inspections: For a period of up to 12 months after the Applicant, heirs and assigns submits the certified "as built" drawings, County staff may confirm compliance with the specifications determined to be within compliance according to the Perquimans County Zoning Ordinance, Sections 907.28B.(1)-(8), as amended.
- R. Cultural Resources: The Applicant, heirs and assigns shall inform the County about any historical or archaeological resources found within the project boundaries and provide an opportunity for the County to document said resources. In addition, the Applicant, heirs and assigns shall submit a copy to the County of any inventory, study, plan, etc., required or prepared by State or Federal regulations or agencies which documents historical or archaeological resources found within the project boundaries.
- S. Sign Permits: A separate Sign Permit must be obtained from the Planning & Zoning Office and the Building Inspections Department for any sign not exempted or otherwise required by local, State or Federal law.
- T. Applicant, heirs and assigns shall accommodate and support and hold training sessions for emergency service personnel if requested by the Emergency Services Director with adequate advanced notice.
- U. The access point from Ocean Highway South and the point of interconnection and related attachment facilities and appurtenances are approved for certain portions of the subject property (known as Tax Parcel No. 2-0069-0013J) which are zoned CH and RA as per the



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-End of Proposed Conditional Use Permit No. CUP-17-02  
to be recorded by Blue Green Energy, LLC-

for

**Large scale, ground-mounted Solar Power Energy System**

**located on the east side of Ocean Hwy South (US Hwy 17) approximately 3,000 ft south of Perry Long Road on property owned by Robert L. Brown, Tax Parcel # 2-0069-00013J**

**Changes from BCC Meeting June 5, 2017:**

Added condition "V" on page 6 of 8: The proposed land swap shall be finalized and proper documentation recorded before start of construction.

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**ATTACHMENT B**

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-Beginning of Proposed Conditional Use Permit CUP-17-03  
to be recorded by Island Christian Fellowship

**to construct a church at 315 Holiday Ln  
in Holiday Island subdivision**

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**CONDITIONAL USE PERMIT No. CUP-17-03**

**Page 1 of 4**

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

- Authorized Applicant:** Ismael Melendez for Island Christian Fellowship Church  
121 Clubhouse Road, Hertford NC 27944
- Site Location:** 315 Holiday Lane, Hertford NC 27944
- Tax Parcel No:** 2-D082-0059-HI (re-combination April 20, 2017; Deed Bk 462, pg 649)
- Zoning District:** RA-25, Residential & Agriculture

**Proposed Use of Property:** Construction of a 36' X 66' Church Building (to include a 45' X 36' sanctuary for 70 persons and onsite parking as shown on attached Site Plan to serve as a permanent home for Island Christian Fellowship Church (ICF) to hold weekly Sunday Worship Services, Sunday School for all ages, Monday morning prayer service and committee meetings for a variety of services and programs in the church. Entrance and exit to church parking will utilize a two-way driveway onto Holiday Lane. In addition to the 1,620 square foot sanctuary, additional space will be allocated to two bathrooms, a stage area, an office and storage areas. ICF plans to have two paved handicapped parking spaces (14'x18') near the entrance alongside three reserved parking spaces. The parking areas will be gravel. Proposed construction is subject to the conditions listed in the Minutes of the Board of County Commissioners and in accordance with all applicable Federal, state and local permits, licenses and other approvals required for a church building.

**Meeting & Hearing Dates:** Planning Board on 5/9/17 & Board of Commissioners on 6/5/2017.

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 pertaining to "Churches and their customary uses" and subject to the following conditions:

**CONDITIONAL USE PERMIT No. CUP-17-03**

**Page 2 of 4**

- (1) Applicant shall conduct operations strictly in accordance with the plans and application materials submitted to and approved by the Board of Commissioners (BCC), a copy of which is contained in the County Planning Office and filed with Register of Deeds office. Any major modification proposed to the approved plans shall require reapplication and approval by the BCC;
- (2) County staff to confirm compliance with conditions stated at Section 907.15 (regarding additional building setbacks for accessory buildings; screening and buffering of buildings, parking lots and intensive recreational uses, and vehicular access and traffic circulation), as well as general compliance with Section 509 (site improvements, surfacing materials) and Article XIX (other parking lot requirements);
- (3) The main entrance and exit of the Church property shall be via Holiday Lane. Oak Ridge may serve only as a secondary point of ingress and egress; however, the Church will make every effort to minimize vehicular traffic on Oak Ridge which is a local residential road with the primary function of providing access to single family residences;
- (4) The Holiday Lane driveway located on the south side of the property as shown on the attached Site Plan shall be surfaced with asphalt or six inches (6") of concrete for a distance of fifteen (15) feet back from the edges of the paved public road (Holiday Lane). This will function as an apron to prevent excessive wear and tear to the edge of the pavement;
- (5) Driveway Permits or Encroachment Permits from NCDOT shall be obtained by the Applicant prior to commencing above-noted work within State right-of-way;
- (6) At least 18 parking spaces shall be appropriately demarcated with wheel stops, painted lines, landscape timbers, railroad ties or other markings;
- (7) The number of handicapped parking spaces required by the State Building Code must be marked in accordance with any additional State law which may apply, in coordination with the Planning & Zoning Office and Inspections Department for applicable Sign Permit (issued separately from the Zoning Permit);
- (8) Any additional improvement required for compliance with State law to serve the handicapped parking space, such as an all-weather surface path leading from parking space to the church;
- (9) Directional signage and/or painted arrows for traffic flow; and
- (10) Prior to construction of site plan "Future Parking" on previous lot O-46, a detailed Drainage Plan prepared with professional assistance will need to be provided to the satisfaction of the Soil and Water Conservation District Office along with a bona fide Site Plan to meet Section 509 of the Zoning Ordinance and to mitigate adverse impacts to adjacent properties. At that time, the Applicant will also delineate the actual types and locations of shrubs along the boundaries of the "Future Parking" site, other landscaping of the parking lot and a "typical"

**CONDITIONAL USE PERMIT No. CUP-17-03**

**Page 3 of 4**

parking space as to length, width, wheel stop, etc., in compliance with Article XIX Parking Lot Standards.

- (11) Applicant shall provide approval of project by the Holiday Island Property Owner's Association or other governing body such as the Architectural Control Committee.

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.

IN WITNESS WHEREOF, Perquimans County has caused this permit to be issued in its name, and the undersigned, being all the authorized applicants, agents, representatives, or 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.

T. Kyle Jones, Chair, Board of Commissioners \_\_\_\_\_ Date

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

I, (We) \_\_\_\_\_, authorized Applicant(s), of the above identified property, do hereby acknowledge receipt of this Conditional Use Permit. The undersigned does 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(s) \_\_\_\_\_ Date

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

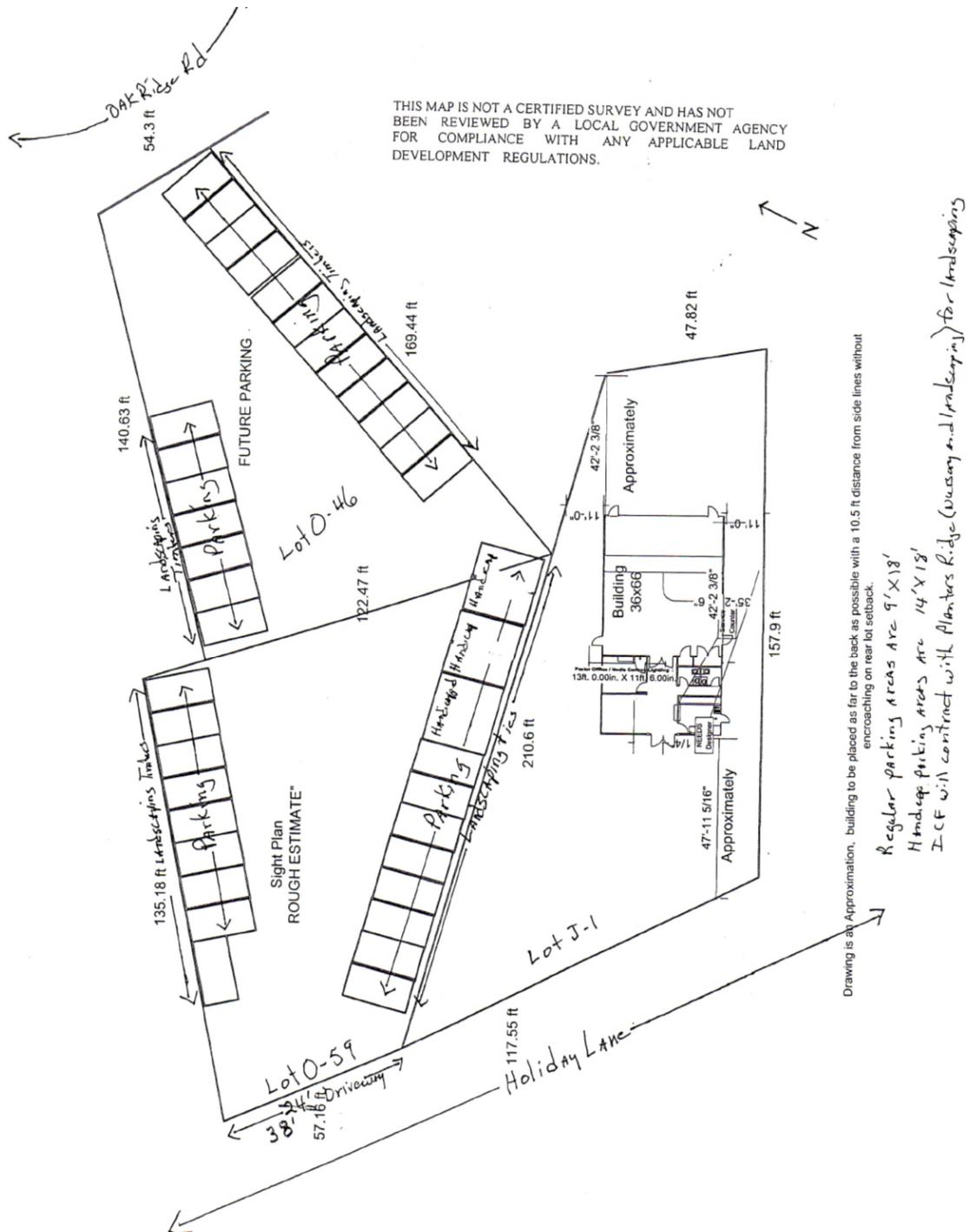
My Commission expires: \_\_\_\_\_

(Not valid until fully executed and recorded)

**CONDITIONAL USE PERMIT No. CUP-17-03**  
**Page 4 of 4**

Insert Here Site Plan(s) no larger than 8.5" X 14"  
 which bear(s) the following statement:

*"THIS MAP IS NOT A CERTIFIED SURVEY  
 AND HAS NOT BEEN REVIEWED BY A  
 LOCAL GOVERNMENT AGENCY FOR  
 COMPLIANCE WITH ANY APPLICABLE  
 LAND DEVELOPMENT REGULATIONS."*



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End of Proposed Conditional Use Permit CUP-17-03  
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**to construct a church at 315 Holiday Ln  
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**Do NOT record this page**

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