

**MINUTES
REGULAR MEETING
HERTFORD COUNTY BOARD OF COMMISSIONERS
MULTI-PURPOSE ROOM -JUDICIAL CENTER
MONDAY, January 6, 2020
9:00 AM**

PRESENT:

Com. Ronald J. Gatling, Chairman
Com. John D. Horton, Vice-Chair
Com. Leroy Douglas
Com. Andre` Lassiter
Com. William F. Mitchell, Jr.

ALSO PRESENT WITH THE BOARD:

Mr. David Cotton, Interim County Manager
Dr. Renee Fleetwood, Clerk to the Board
Mr. Charles L Revelle, III, County Attorney

Ms. Maria R. Jones, Attorney ~ Revelle &
Lee, LLP

Chairman Ronald J. Gatling called the meeting to order at 9:03 a.m. and provided the Invocation.

CONSENT AGENDA

On a motion by Com. Andre` Lassiter and second by Vice-Chair John Horton, the Board unanimously approved the Consent Agenda as follows:

Approval of December 16 & December 23, 2019 Minutes

Approval of the following tax refunds:

Refund to Lloyd Thomas for \$180.00, he paid his taxes in full on 12/11/19; tax collector's office received a solid waste release on 12/12/19 to release \$180.00 from his tax bill. Payee: Vendor #901603 Amount: \$180.00

Refund to Joel D. Early for \$180.00, he paid his taxes in full on 12/09/19 an then tax collector's office received a solid waste release on 12/13/19 to release \$180.00 from his tax bill. Payee: Vendor #902303 Amount: \$180.00

Refund to Sandbox according to land records, this leasehold is not located in the city limits of Murfreesboro. Taxpayer requested refund of 2018 Murfreesboro town taxes paid. Payee: Vendor #14548 Amount: \$1598.47

Approval of December 2019 Tax Levy Releases

RELEASES FOR MONTH ENDING December 2019

		LEVY	VALUE	TAX
AHOSKIE TOWNSHIP	NAME	YEAR	RELEASED	RELEASED
Account#4902 Bill#5981186186 Property is not habitable or is unoccupied with no electrical service during the period of July 1 through June 30 th of the taxable year.	Early, Joel D.	2019		W01-\$90.00 W02-\$90.00
Account#45340 Bill # 19A45340.10 Taxpayer has current plates on vehicle Vehicle taxed in v-tax as well	Eley, Sheila	2019	4,285	G01-\$35.99

Account#39976 Bill#19A5992083689 Dwelling destroyed by fire on 8/21/18 according to incident investigation report. 2019 release due according to G.S. 105-381	Casey, Sharon P.	2019	207,486	G01-\$1742.89 C01-\$1680.64
Account#22225 Bill#19A5991256921 Property is not habitable or is unoccupied with no electrical service during the period of July 1 through June 30 th of the taxable year	Early, Ruth Heirs	2019		W01-\$90.00 W02-\$90.00
MURFREESBORO TOWNSHIP				
Account#39624 Bill#18A39624.40 Bill#17A39624.40 Taxpayer provided proof from town of Murfreesboro that business was closed as of Nov 2016.	Bolton, Christie	2018 2017	4,095 3,595	G01-\$34.40 C04-\$27.03 G01-\$30.20 C04-\$23.73
Account #17197 Bill # 19A5957387320 Property is not habitable or is unoccupied with no electrical service during the period of July 1 through June 30 th of the taxable year.	Lloyd, Thomas	2019		W01-\$90.00 W02-\$90.00
Account#36599 Bill#19A595839129201 According to land records this leasehold is not in city limits of Murfreesboro	Sandbox, LLC	2019	1,196,586	C04-\$7897.47
WINTON TOWNSHIP				
MANEY'S NECK TOWNSHIP				
Account#41524 Bill# 19A41524.30 Bill#18A41524.30 Taxpayer failed to take care of the listing mobile home was sold new owner will be sent a discovery letter for 1980 14x70 mobile home.	Gregory, Michelle	2019 2018	1,273 1,354	G01-\$10.69 W01-\$90.00 W02-\$90.00 G01-\$11.37 W01-\$75.00 W02-\$75.00
Account#11946 Bill#19A5969400964 Property is not habitable or is unoccupied with no electrical service during the period of July 1 through June 30 th of the taxable year.	Monger, Elsie B.	2019		W01-\$90.00 W02-\$90.00
ST. JOHN TOWNSHIP				
Account #26978 Bill# 19A5963542755 Property is not habitable or is unoccupied with no electrical service during the period of July 1 through June 30 th of the taxable year.	Harrell, Laura Jean	2019		W01-\$90.00 W02-\$90.00
HARRELLSVILLE TOWNSHIP				

TOTAL VALUE APPROVED THIS REPORT (2019 LEVY)	<u>\$ 1418674.00</u>
TOTAL TAX RELEASED THIS REPORT (2019 LEVY)	<u>\$ 11494.41</u>
TOTAL VALUE APPROVED THIS REPORT (PRIOR LEVY)	<u>\$ 9044.00</u>
TOTAL TAX RELEASED THIS REPORT (PRIOR LEVY)	<u>\$ 65.30</u>
TOTAL TAX RELEASED THIS REPORT (W01 COLL/RECYCLE SITE 2019)	<u>\$ 540.00</u>
TOTAL TAX RELEASED THIS REPORT (W02 LANDFILL OPERATON 2019)	<u>\$ 540.00</u>
TOTAL TAX RELEASED THIS REPORT (W01 COLL/RECYCLE SITE 2018)	<u>\$75.00</u>
TOTAL TAX RELEASED THIS REPORT (W02 LANDFILL OPERATION 2018)	<u>\$75.00</u>

Respectfully submitted, Tammy H. Eason

INTRODUCTION OF NEW HERTFORD COUNTY EMPLOYEES

Mr. David Cotton, Interim County Manager, introduced the new Hertford County Employees.

November New Hires

<u>Employees Hired</u>	<u>PT/FT</u>	<u>Department</u>	<u>Type</u>	<u>Date</u>
Judie Boone	PT	Detention Center	Detention Officer	11/18/2019
Nicholas Askew	FT	E-911	Dispatcher	11/18/2019
Sarah Del Valle	PT	EMS	EMT-B	11/18/2019
Kyle Smith	FT	Sheriff Department	Deputy Sheriff	11/18/2019

December New Hires

<u>Employees Hired</u>	<u>PT/FT</u>	<u>Department</u>	<u>Type</u>	<u>Date</u>
Crystal Hoggard	FT	Finance	Accounts Payable- Receivable Specialist	12/16/2019
Michael Brown, Jr.	PT	Detention Center	Detention Officer	12/16/2019
Jacqueline Sessoms	PT	Public Buildings	Housekeeper	12/16/2019

New Employees were welcomed and congratulated by the Board.

REQUEST APPROVAL OF AMENDMENT TO HERTFORD COUNTY BUDGET ORDINANCE FISCAL YEAR 2019-2020 AMENDMENT 11

On a motion by Com. Lassiter and second by Com. Mitchell, the Board unanimously approved the Amendment to Hertford County Budget Ordinance Fiscal Year 2019-2020 Amendment 11 to budget Tier II Grant Funding as presented by Mr. David Cotton, Interim County Manager/Interim Finance Director.

AMENDMENT TO HERTFORD COUNTY BUDGET ORDINANCE FISCAL YEAR 2019-2020

BE IT ORDAINED by the Governing Board of the County of Hertford, North Carolina, that the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2020:

REVENUE:

<u>Department</u>	<u>Account Number</u>	<u>Account Description</u>	<u>Amount Increase</u>	<u>Amount Decrease</u>
Revenues	100060- 413412	Tier II Commodity Flow Study	\$ 10,000.00	
Total Changes in Revenue			\$10,000.00	\$ -

Net Change in Revenue

\$10,000.00

EXPENDITURE:

Department	Account Number	Account Description	Amount Increase	Amount Decrease
Emergency Management	104200-527010	Tier II Commodity Flow Study Grant	\$ 10,000.00	
		Total Changes in Expenditures	\$ 10,000.00	

Net Change in Expenditures	\$10,000.00
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Explanation:

To budget Tier II Grant Funding

Amendment # 11
 Approved: _____
 Posted: _____

 Interim Finance Director

 Date

On a motion by Com. Lassiter and second by Com. Douglas, the Board unanimously approved to leave Regular Session to move to the Public Hearing on the Financing of the Acquisition, Construction and Equipping of a New Ahoskie Elementary School followed by the Public Hearing for the Amendment to the Hertford County Zoning Ordinance.

PUBLIC HEARING: FINANCING OF THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF A NEW AHOSKIE ELEMENTARY SCHOOL PURSUANT TO NCGS 160A-20; (A) PRESENTATION BY FINANCIAL ADVISOR DAVENPORT & COMPANY, LLC; (B) REQUEST APPROVAL OF RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION FOR APPROVAL OF AN INSTALLMENT FINANCING AGREEMENT AUTHORIZED BY NCGS §160A-20 AND MAKING CERTAIN FINDINGS REQUIRED BY NCGS §159-151

Mr. Ted Cole, Financial Advisor with Davenport & Company, made a presentation outlining the financial proposals that had been received. The two lowest proposals for a 10-year fixed rate loan were Zions Bank 2.18% and BB & T 2.22 %. Mr. Cole reported that the BB & T proposal had much more flexibility regarding collateral requirements including for requirement of title insurance and other Zion requirements that could result in additional time delays and costs. Davenport's recommendation was to select the BB & T proposal as it offered much more flexibility and fewer collateral requirements and potential time delays. Mr. Cole and Mr. Cotton presented an outline of the process moving forward which would involve transferring land to Hertford County and a lease back to the Hertford County Board of Education.

After the Board Chair announced that the hearing was open for further comments by anyone in attendance, there were no other comments given.

On a motion by Vice-Chair Horton and second by Com. Mitchell, the Board unanimously closed the AES Project Public Hearing.

PUBLIC HEARING: AMENDMENT TO THE HERTFORD COUNTY ZONING ORDINANCE

Mrs. Sara Turner, GIS & Planning Director stated there were three textual amendments. In summary: Proposed Amendment 1 dealt with situations in which a proposed use was not specifically listed and under the proposed change in the ordinance, such use could be allowed if there was a similar use that was allowed in the district; Proposed Amendment 2 was to require zoning compliance certification before issuance of a building permit; and Proposed Amendment Number 3 was to clear up internal contradictions in the Airport Zone district.

After the Board Chair announced that the hearing was open for further comments by anyone in attendance, there were no other comments given.

On a motion by Com. Douglas and second by Com. Lassiter the Board unanimously closed the Public Hearing to Amend the Hertford County Zoning Ordinance.

On a motion by Com. Mitchell and second by Com. Douglas the Board voted unanimously to return to Regular Session.

On a motion by Com. Mitchell and a second by Com. Douglas, the Board voted unanimously to approve the Amendments to the Hertford County Zoning Ordinance as attached.

Proposed Amendment 1

To amend Article V. District Regulations to add Section 5.01 (B)

- B. For the purpose of this ordinance, uses not specifically listed as a permitted use, a permitted use with restrictions, or a conditional use, in that district, shall be evaluated by the Zoning Administrator to determine if there is an analogous or similar use with nearly similar impacts; if there is an analogous or similar use, then the unlisted use may be allowed in the appropriate category. Some factors to be considered in considering the similarity of use include, but are not limited to the following:

- (1) type, density and intensity of development;
- (2) environmental effects;
- (3) anticipated amount of traffic, noise, light, vibration, or odor;
- (4) other impacts on neighbors and the community.

If there is not an analogous or similar use, then the unlisted use is prohibited. There may also be set forth, in this ordinance, specific uses that are prohibited in some or all districts.

Proposed Amendment 2

To amend the text Article X. Administration and Enforcement Section 10.02 (B) to include "Change of Use Permit" so all properties can be properly verified in zoning.

- B. No Zoning Permit/Certificate of Zoning Compliance shall be issued except in conformity with the provisions of this ordinance except after written order from the Board of adjustment. No Building Permit or Change of Occupancy Classification for the purpose of erection extension, or alteration of any building shall be issued before a Zoning Permit/Certificate of Zoning Compliance has been approved by authorized staff. A Zoning Permit shall be valid for twelve (12) months from the date of issue.

Proposed Amendments 3

To amend the text to Article V. District Regulations Section 5.09 AP Airport District to include

1. Section 5.09(B)4 – Public Utilities to include, but not limited to distribution lines, substations, transmission lines, water tanks and telecommunications exchanges subject to Airport Height Restriction Ordinance.
2. Section 5.09(B)6 – Towers are permitted, subject to Airport Height Restriction Ordinance, provided that all towers shall be set a minimum of fifty (50) feet from all exterior property lines. When the property abuts a Residential & Agriculture District

- (RA) or Riverside Residential & Camping District (RR&C) the minimum setback from that District shall be a minimum of two hundred (200) feet. Towers shall be fenced and have all necessary permits prior to construction.
3. Section 5.09(D) – Add 2. Height Restrictions – Height restrictions apply as outlined in the Tri-County Airport Height Restriction Ordinance.

REQUEST APPROVAL OF BOARD APPOINTMENTS

The Board approved the following Board Appointments:

On a motion by Com. Mitchell and second by Vice-Chair Horton, the Board unanimously approved the reappointment request of Gilda Marsh to the **Hertford County Library Advisory Board** for a six-year term to expire on June 30, 2026.

On a motion by Com. Lassiter and second by Com. Douglas, the Board unanimously approved the reappointment of Com. William F. Mitchell, Jr. to the **Hertford County Social Services Board** for an indefinite term to expire June 30, 2023.

ROANOKE CHOWAN PUBLICATIONS, LLC – CROSSROADS MAGAZINE PRESENTATION

On a motion by Vice-Chair Horton and a second by Com. Mitchell, the Board unanimously approved the annual request of the Roanoke Chowan Publications, LLC for Center Spread in the Crossroads 2020 for the amount of \$2,600.00 as presented by Ms. Dawn Mizelle, Roanoke Chowan News Herald Marketing Advisor.

HERTFORD HEALTH MAINTENANCE ALLIANCE OVERVIEW

Mayor Weyling White, Co-Chair of the Hertford Health Maintenance Alliance (HHMA), presented an overview on the HHMA's successes in addressing the needs of citizens in Hertford County. The current priority areas include: Infant mortality; Healthy Eating and Active Living (including Diabetes); Social Determinants of Health; and Taskforce on Aging. In addition, Mayor White shared that HHMA created the Hertford County Student Wellness Center, directed by Catherine Parker; transport uninsured or under-insured patients to their doctor's appointments in order to reduce the use of ED; and the next community partnership meeting is Monday, January 13, 2020, at 9:00 a.m. in the Cooperative Extension Center's Conference Room.

INTERIM COUNTY MANAGER'S COMMENTS

No comments were given by Interim County Manager Cotton.

COMMISSIONERS' COMMENTS

The Commissioners' comments were as follows:

Vice-Chair Horton, Com. Mitchell, Com. Lassiter, and Com. Douglas thanked the citizens for attending the meeting and wished them a Happy New Year.

Chairman Gatling announced the 2020 Vision and potential proposal for the County as follows: to strongly look at Economic Development and hiring a developer; establishing a Hertford County Tourism Commission, county partnership with Chowan University leaders; Board Annual Retreat on February 3, 2020 immediately following the Regular Board Meeting to discuss goals of the County and 2020-2021 budgeting needs; Riverview Elementary School Annual Easter Egg Hunt & Halloween Fun Festival; Special Olympics Event on May 1, 2020; and establishing a Hertford County Museum in the Old Board of Elections Office.

CLOSED SESSION

On a motion by Com. Mitchell and a second by Com. Lassiter, the Board unanimously approved to move to Closed Session as allowed under G.S. 143-318.11 (a) (3) to consult with the County Attorney.

Minutes of Closed Session are on file in the Office of the Clerk to the Board.

On a motion by Com. Mitchell and a second by Vice-Chair Horton, the Board voted unanimously to return to Regular Session.

On a motion by Com. Mitchell and a second by Com. Lassiter, the Board voted unanimously to approve the 10-year fixed rate loan with BB & T at 2.22 %.

On a motion by Com. Mitchell and a second by Com. Lassiter, the Board voted unanimously to approve the Resolution Authorizing the Filing of An Application for Approval of an Installment Financing Agreement Authorized by NCGS §160a-20 and Making Certain Findings Required by NCGS §159-151, as follows:



HERTFORD
C O U N T Y
North Carolina

**RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION FOR
APPROVAL OF AN INSTALLMENT FINANCING AGREEMENT
AUTHORIZED BY NORTH CAROLINA GENERAL STATUTES §160A-20 AND
MAKING CERTAIN FINDINGS REQUIRED BY NORTH CAROLINA GENERAL
STATUTES §159-151**

WHEREAS, the Board of Commissioners (the "Board") of the County of Hertford, North Carolina (the "County") desires to pursue the financing of the acquisition, construction and equipping of a new Ahoskie Elementary School located in the County (the "Project") pursuant to an installment financing agreement, as permitted under N.C. Gen. Stat. § 160A-20; and

WHEREAS, it is anticipated that the amount of financing required to pay costs of the Project and to pay issuance expenses in connection with the financing will not exceed \$5,000,000; and

WHEREAS, the installment financing agreement for the financing of the Project pursuant to N.C. Gen. Stat. § 160A-20 must be approved by the North Carolina Local Government Commission (the "LGC") and will only be approved if the findings of N.C. Gen. Stat. § 159-151(b) have been made;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Hertford County, North Carolina, as follows:

1. After consideration, the Board has determined that the most advantageous manner of financing the Project is by an installment financing contract pursuant to N.C. Gen. Stat. § 160A-20.
2. Pursuant to Section 160A-20, the County is authorized to finance the Project by entering into an installment financing contract and security agreement or other security instrument that creates a security interest in some or all of the property financed to secure repayment of such financing.
3. The proposed financing is necessary or expedient because it will provide a much-needed new elementary school for the County.
4. The proposed financing is preferable to a bond issue for the same purpose because of low fixed costs and favorable interest rates offered through installment contract financing compared to a bond issue, and because of the ability to complete the financing quickly in order to begin construction of the school.
5. The cost of the proposed undertaking exceeds the amount of funds that can be prudently raised from currently available appropriations, unappropriated fund balances, and nonvoted general obligation bonds that could be issued by the County in the fiscal year pursuant to Article V, Section 4, of the North Carolina Constitution.
6. The sums proposed to be provided under the financing are adequate and not excessive for the stated purpose of financing the Project.
7. The County's debt management procedures and policies are good and have been carried out in strict compliance with law and will henceforth be so carried out.
8. There will be no increase in taxes necessary to meet the sums to fall due under the proposed financing.
9. The County is not in default in any of its debt service obligations.
10. The attorney for the County will render an opinion that the proposed financing is authorized by law and is a purpose for which public funds may be expended pursuant to the Constitution and laws of North Carolina.
11. The County Manager and other appropriate officers of the County are hereby authorized and directed to proceed with the financing of the Project and the filing of an application with the LGC for its approval of such financing as described above for the financing of the Project in an amount not to exceed \$5,000,000, and the actions of any of the Chairman, the County Manager, and other officers of the County in connection therewith are hereby approved and confirmed.
12. All other acts of the Board and the officers of the County which are in conformity with the purposes and intent of this resolution and in furtherance of the financing of the Project are hereby ratified, approved and confirmed.
13. This resolution shall take effect immediately.

Signed, this the 6th day of January, 2019.

HERTFORD COUNTY BOARD OF COMMISSIONERS

Mr. Ronald J. Gatling, Chairman

ATTEST:

Dr. Renee Fleetwood, Clerk to the Board

The votes were as follows:

Ayes: Commissioners Ronald J. Gatling, John D. Horton, Leroy Douglas, Andre` Lassiter &
William F. Mitchell, Jr.
Nays: Commissioners N/A
Not voting: Commissioners N/A

On a motion by Com. Lassiter and second by Com. Mitchell, the Board voted unanimously to adjourn the meeting.