

**HERTFORD COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING
COMMISSIONER'S CHAMBERS/MULTI-PURPOSE ROOM – JUDICIAL CENTER**

Monday, May 16, 2022 – 7:00 PM

Present:

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

Also Present with the Board:


Mr. David B. Cotton, County Manager, Dr. Renee Tyler, Clerk to the Board, Attorney Maria Jones, Revelle & Lee Attorney Charles L Revelle, III, County Attorney

The following employees were present: Mrs. Leslie Edwards, Finance Director, Ms. Kelly Bowers, Economic Development Director and Sheriff Dexter Hayes.

Chairman Ronald J. Gatling called the meeting to order and Reverend Shirley G. Johnson, Pastor-New Beginnings Baptist Church, Murfreesboro provided the Invocation.

REQUEST APPROVAL OF NCVTS REFUND CAROLYN GATLING

On a motion by Com. William F. Mitchell, III and a second by Com. Andre` Lassiter, the Board approved the request the NCVTS Refund to Carolyn Gatling as follows:

		North Carolina Vehicle Tax System													
		NCVTS Pending Refund report													
		Report Date 5/16/2022													
Payee Name	Primary Owner	Address 1	Address 3	Refund	Bill #	Status	Transaction #	Refund Description	Refund Reason	Create Date	Tax Jurisdicti	Levy Type	Change	Interest Change	Total Change
GATLING, CAROLYN ELAINE	GATLING, CAROLYN ELAINE	143 BLUE FOOT RD	AHOSKIE, NC 27910	Pro ration	0061249285	PENDING	81462396	Refund Generated due to proration on Bill #0061249285-2020-2020-0000-00	Vehicle Totalled	04/04/2022	G01	Tax	(\$119.91)	\$0.00	(\$119.91)
														Refund	\$119.91

Vice-Chair John D. Horton entered the meeting at 7:04 PM.

**REQUEST APPROVAL OF AMENDMENT TO HERTFORD COUNTY BUDGET
ORDINANCE FISCAL YEAR 2021-2022 AMENDMENT #20**

On a motion by Com. Leroy Douglas and a second by Com. Mitchell the Board approved the Amendment to Hertford County Budget Ordinance fiscal year 2021-2022 Amendment #20 in the amount of \$226,967 as follows:

AMENDMENT TO HERTFORD COUNTY BUDGET ORDINANCE FISCAL YEAR 2021-2022

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, 2022:

REVENUE:

Department	Account Number	Account Description	Amount Increase	Amount Decrease
Health Department	100112-448500	Fund Balance Appropriation	\$ 2,120	
Sheriff	100060-414877	Earmarked Sheriff (Restricted)	\$ 7,500	
Sheriff	100060-414877	Earmarked Sheriff (Restricted)	\$ 1,300	
S	100063-418701	Low Income Home Energy Assist	\$ 216,047	
		Total Changes in Revenue	\$ 226,967	\$ -

Net Change in Revenue	\$ 226,967
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EXPENDITURE:

Department	Account Number	Account Description	Amount Increase	Amount Decrease
Health Department	104300-533100	Electricity	\$ 2,120.00	
Sheriff	104180-551002	Capital Outlay Equipment	\$ 7,500.00	
Sheriff	104180-551002	Capital Outlay Equipment	\$ 1,300.00	
S	104440-563001	Low Income Home Energy Assist	\$ 216,047.00	
		Total Changes in Expenditures	\$ 226,967	\$ -

Net Change in Expenditures	\$ 226,967
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Explanation:

- 20.00 Funds needed to cover the cost of Electricity for the Health Dept for the remainder of the fiscal year.
- 20.00 Funds received for USPCA K-9 Grant.
- 20.00 Funds received from Never Forget 911 Foundation and K-9 Donations.
- 5,047.00 Funds received for 4th allocation for the LIEAP Program Supplement

William A. Edwards 5.11.22
 Finance Director Date

Amendment # 20
 Approved: _____
 Posted: _____

REQUEST CONSIDERATION OF APPOINTMENT RECOMMENDATION TO THE HERTFORD COUNTY ECONOMIC DEVELOPMENT ADVISORY BOARD

On a motion by Com. Lassiter and a second by Com. Douglas, the Board approved the appointment of Dr. Murray J. Williams to the Hertford County Economic Development Advisory Board effective May 16, 2022 and expiring June 30, 2025.

PUBLIC COMMENT

No public comments were given.

REQUEST CONSIDERATION OF UPSET FORECLOSURE BID PROPOSAL AND ADVERTISING FOR PIN#5944-40-6085 (413 JIM HARDY ROAD)

After a brief discussion, on a motion by Com. Lassiter and a second by Com. Douglas, the Board approved for Attorney Revelle to proceed with the sealed bid process for advertising for Pin #5944-40-6085 413 Jim Hardy Road, and to refund all previous deposits to bidders.

HERTFORD COUNTY GOVERNMENT INTERNSHIP PROGRAM UPDATE

On a motion by Com. Lassiter and a second by Vice-Chair Horton, the Board approved the Hertford County Government Internship Program as follows:

- | | |
|----------------------|-----------------------------------|
| 1. Quadre Douglas | - NC A & T State University |
| 2. Aaliyah K. Eure | - NC Central University |
| 3. Demetrius Harris | - Winston Salem State University |
| 4. Jaylen Jacobs | - East Carolina University |
| 5. Ashton Lassiter | - NC A & T State University |
| 6. Jabria Lassiter | - Winston Salem State University |
| 7. Jasyah Nixon | - The University of NC Charlotte |
| 8. Jaylen Lee | - UNC Chapel Hill |
| 9. Ky'Ree Pitt | - Elizabeth City State University |
| 10. Keith Richard | - HCHS Student |
| 11. Tremod Winborne | - HCHS Student |
| 12. Jaylenn Outlaw | - NC A & T State University |
| 13. Antoine Lawrence | - NC A & T State University |

HERTFORD COUNTY COMMISSIONERS' SCHOLARSHIP APPLICATION PROCESS UPDATE

On a motion by Com. Lassiter and a second by Vice-Chair Horton, the Board approved to extend the Hertford County Commissioners' Scholarship deadline date to June 6, 2022.

On a motion by Com. Lassiter and second by Vice-Chair Horton, the Board moved to leave Regular Session to convene as the Board of Equalization & Review.

CONVENING AS THE BOARD OF EQUALIZATION & REVIEW

REQUEST BOARD OF E & R APPROVAL CONSIDERATION OF APRIL 4, 2022 & MAY 2, 2022 MINUTES

On a motion by Com. Lassiter and a second by Vice-Chair Horton, the Board approved the April 4, 2022 and May 2, 2022 Minutes as presented by Manager Cotton in the absence of Ms. Crystal Askew, Assistant Tax Assessor as follows:

Minutes
Hertford County Board of Equalization and Review Meeting
April 4, 2022

The Hertford County Board of Equalization and Review met on April 4, 2022 at 10:00 A.M., in the Multipurpose Room of the Courthouse (2nd floor); 119 Justice Drive, Winton, North Carolina.

Members present: Ronald J. Gatling, Chairman
 John D. Horton, Vice-Chairman
 Leroy Douglas, II
 Andre M. Lassiter
 William F. Mitchell, Jr.
 Emmett Curl, Clerk

Charles L. Revelle, III Attorney for Hertford County was also present.

On a motion to open the Board of Equalization and Review by William F. Mitchell, Jr. and seconded by Andre M. Lassiter, the meeting was called to order by Ronald J. Gatling, Chairman.

Emmett Curl, Clerk to the Board presented the following appeal for the property indicated as follows:

Wackenhut Corrections Corp. Pin # 5997-92-6741

Emmett Curl, Interim Tax Assessor and Clerk to the Board, reminded the Commissioners that the last revaluation was in 2019 and that the value of real property has to be as of that date, unless an exception under G.S. 105-287(a) is applicable, which in his opinion, is not the case in this appeal. He stated that anything that happens after that is not considered. Mr. Curl's recommendation was no change in value. Leroy Douglas, II asked if this was the same thing the Board was told last year and Mr. Curl replied yes.

Greg Bergdale, representing Wackenhut Corrections Corp. as Power of Attorney, presented his case concerning the value of the above referenced property. Mr. Bergdale shared with the Board that the prison has been vacant since the contract between Wackenhut Corrections Corp. and the Federal Government expired March 31, 2021 and was not renewed. Based on this information, Mr. Bergdale requested a reduction in the

appraised value, under the authority of G.S. 105-287(a)(2c), contending that the Biden administration's Executive Orders prevented the facility from being a "legally permitted use" as a detention center. A copy of G.S. 105-287 was presented to the Board. At this time, Mr. Bergdale thanked the Board for their time and consideration.

No decision was made at this time.

On a motion by Andre M. Lassiter and seconded by John D. Horton, Vice-Chairman, the Board of Equalization and Review is now in recess until Monday, May 2, 2022 at 10:00 A. M.

Emmett Curl
Clerk to Board of Equalization and Review

Ronald J. Gatling
Chair of the Board

Minutes
Hertford County Board of Equalization and Review Meeting
May 2, 2022

The Hertford County Board of Equalization and Review met on May 2, 2022 at 10:30 A.M., in the Multipurpose Room of the Courthouse (2nd floor); 119 Justice Drive, Winton, North Carolina.

Members present:

Ronald J. Gatling, Chairman
John D. Horton, Vice-Chairman
Leroy Douglas, II
Andre M. Lassiter
William F. Mitchell, Jr.
Crystal Askew, Clerk

Charles L. Revelle, III Attorney for Hertford County was also present.

On a motion to open the Board of Equalization and Review by Commissioner William F. Mitchell, Jr. and seconded by Commissioner Andre M. Lassiter, the meeting was called to order by Ronald J. Gatling, Chairman.

In regards to the Wackenhut Corrections Corp. appeal, Pin # 5997-92-6741, Crystal Askew, Assistant Tax Assessor and Assistant Clerk to the Board, presented a brief summary of the information shared with the Board at the meeting held on April 4th, 2022. Ms. Askew stated that in applying the general laws as cited by the Machinery Act the recommendation of the Tax Assessor's office is "No change in value" for tax year 2022. At that time, Ms. Askew requested for the Board to make a decision regarding this appeal.

Ronald J. Gatling, Chairman, asked for a motion. Andre M. Lassiter made the following motion: After review of the information provided by Mr. Greg Bergdale, representing Wackenhut Corrections Corporation and The GEO Group at a hearing on April 4, 2022, and after considering the contention of the taxpayer that a downward adjustment to the ad valorem tax value be made under G.S. 105-287(a)(2c) because the property was no longer legally permitted to be used as a detention facility due to actions of the Biden administration, and after considering the position of the Hertford County Tax Assessor that none of the exceptions of G.S. 105-287(a) are applicable;

The Hertford County Board of Commissioners finds that:

- (1) Although a Presidential Executive Order in January of 2021 directed the U.S. Attorney General to not renew U.S. Justice Department contracts with privately operated prisons, that Executive Order did not legally prohibit the use of the Winton GEO property as a detention facility, because the property could still be used as a detention facility under contract with other federal government agencies not under the Justice Department, such as the Department of Homeland Security, or under contract with state agencies, and furthermore, the Executive Order could be amended at any time;
- (2) A prior year adjustment of the valuation of this property was made by reason of an exemption under G.S. 105-287(a)(2), which is no longer applicable after the prior year adjustment;
- (3) None of the other exemptions under G.S. 105-287(a) are applicable for the 2022 tax year, as of January 1, 2022.

Therefore, the Hertford County Board of Commissioners, sitting as the Hertford County Board of Equalization and Renew, rejects the appeal for a change in the ad valorem tax value for PIN 5997-92-6741, and orders that the ad valorem tax value, and the fair market value, for said parcel, as of January 1, 2022, is \$52,219,088, unchanged from the prior year. Commissioner Leroy Douglas, II seconded the motion. The motion passed unanimously.

Since there were no further appeals, Crystal Askew requested for the Board of Equalization and Review to adjourn for the year 2022.

On a motion made by Commissioner William F. Mitchell, Jr. and seconded by Vice Chairman John D. Horton, the Board of Equalization and Review adjourned for the year 2022.

This the 2nd day of May, 2022.

Crystal Askew
Assistant Clerk to Board of Equalization and Review

Ronald J. Gatling
Chair of the Board

On a motion by Com. Mitchell and a second by Vice-Chair Horton, the Board approved to adjourn as the Board of E & R.

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

COMMISSIONERS' CHAMBERS RENOVATION & UPFIT

On a motion by Com. Lassiter and a second by Com. Mitchell, the Board approved the project scope as follows: raising the dias by 14" and relocating the dias along the wall opposite the exterior wall with windows, install ADA compliant access to the dias, install new carpet, R & R cove base, paint all interior walls (single coat), construct (2) 30" x 72" x 30" desk on casters to match the dias, relocate electrical receptacles and light switches as necessary and the utilization of ARPA proceeds to fund the cost of \$54,329.76 for the project and authorize the County Manager (with the advise and consent of the County Attorney) to execute all necessary documents associated with the project as presented by Manager Cotton. Manager Cotton informed the Board that multiple bids were solicited, but only one other bid for \$70,000.00 was submitted.

PRESENTATION OF HERTFORD COUNTY JUVENILE CRIME PREVENTION COUNCIL EXECUTIVE SUMMARY AND REQUEST FOR APPROVAL OF 2022-2023 JCPC CERTIFICATION

On a motion by Com. Douglas and a second by Com. Mitchell, the Board approved the JCPC Executive Summary and Request for Approval of the 2022-2023 JCPC Certification as presented by Ms. Hope Eley, JCPC County Chair and Mr. Mike Walston, Area Consultant.

COUNTY MANAGER'S COMMENTS

Manager Cotton commented that the Board of Commissioners upcoming Budget Workshop is scheduled for May 23, 2022 at 4:00 PM.

COMMISSIONERS' COMMENTS

The Commissioners commented as follows:

Chairman Gatling thanked everyone for their presence in the community and for attending conferences reminding everyone that it is good to be visible.

Vice-Chair Horton, Com. Douglas, Com. Mitchell and Com. Lassiter commented that it is good to see everyone in attendance.

CLOSED SESSION

On a motion by Com. Mitchell and a second by Com. Douglas, the Board unanimously approved to move to Closed Session as allowed under NCGS § 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 second by Com. Douglas, the Board unanimously approved to return to Regular Session.

ADJOURNMENT

On a motion by Com. Mitchell and a second by Com. Douglas, the Board adjourned the meeting.

APPROVED: July 18, 2022

Honorable Ronald J. Gatling, Chairman

Dr. Renee Tyler, Clerk