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

Monday, October 4, 2021 – 9:00 AM


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

The following employees attended the meeting: HR Director Kimberly Turner, Tax Collector

Chairman Ronald J. Gatling called the meeting to order at 7:02 PM and Reverend Dorian Daniels, Pastor New Ahoskie Baptist Church, Ahoskie provided the invocation.

CONSENT AGENDA

On a motion by Com. Andre’ Lassiter and a second by Com. William F. Mitchell, Jr., the Board approved the Consent Agenda as follows:

Approval of Minutes September 7, 2021

Approval of September 2021 Tax Payer Releases

<table>
<thead>
<tr>
<th>RELEASING FOR MONTH ENDING</th>
<th>LEVY</th>
<th>VALUE</th>
<th>TAX</th>
</tr>
</thead>
<tbody>
<tr>
<td>September 2021</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>AHOSKIE TOWNSHIP</td>
<td>NAME</td>
<td>YEAR</td>
<td>RELEASED</td>
</tr>
<tr>
<td>MURFREESBORO TOWNSHIP</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>WINTON TOWNSHIP</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>MANEY’S NECK TOWNSHIP</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ST. JOHN TOWNSHIP</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bill#00000000027-2021-2021 Property is not habitable or is unoccupied with no electrical service during the period of July 1, through June 30th of the taxable year.</td>
<td>Lassiter Melissa H.</td>
<td>2021</td>
<td>W01-$95.00</td>
</tr>
</tbody>
</table>
INTRODUCTION OF SEPTEMBER AND OCTOBER 2021 NEW HERTFORD COUNTY EMPLOYEES

Ms. Kimberly Turner, Director of Human Resources/Risk Management presented the following new Hertford County Employees to the Board as follows:

Hertford County Personnel Report
September 2021

<table>
<thead>
<tr>
<th>Employees Hired</th>
<th>PT/FT</th>
<th>Department</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ashley Moore</td>
<td>FT</td>
<td>DSS</td>
</tr>
<tr>
<td>Ashley Askew</td>
<td>FT</td>
<td>Finance</td>
</tr>
</tbody>
</table>

Hertford County Personnel Report
October 2021

<table>
<thead>
<tr>
<th>Employees Hired</th>
<th>PT/FT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Quaesha Price</td>
<td>FT</td>
</tr>
<tr>
<td>Stevie Owens</td>
<td>PT</td>
</tr>
<tr>
<td>Joycetine Boone</td>
<td>PT</td>
</tr>
<tr>
<td>Quonita Tuggles</td>
<td>FT</td>
</tr>
<tr>
<td>Sandi Goolsby</td>
<td>FT</td>
</tr>
</tbody>
</table>

Chairman Gatling and the Board welcomed the new employees to Local Government.

REQUEST APPROVAL OF ORDER TO COLLECT ALL REAL, PERSONAL AND PUBLIC SERVICE COMPANY TAXES FOR THE 2021-2022 LEVY YEAR, PER NCGS § 105-321(B)

On a motion by Com. Mitchell and a second by Com. Leroy Douglas, the Board approved the Order to Collect All Real, Personal and Public Service Company Taxes for the 2021-2022 Levy Year, Per NCGS § 105-321(b) as requested by Mrs. Tammy Eason, Tax Collector.
REQUEST APPROVAL OF AMENDMENT TO HERTFORD COUNTY BUDGET
ORDINANCE FISCAL YEAR 2021-2022 AMENDMENT #5

On a motion by Com. Lassiter and a second by Com. Mitchell, the Board approved
the Amendment to the Hertford County Budget Ordinance Fiscal Year 2021-2022 Amendment
#5 for the amount of $428.00 for donation of funds from Hertford County citizens as presented
by Mr. David B. Cotton, County Manager and attached.
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:**

<table>
<thead>
<tr>
<th>Department</th>
<th>Account Number</th>
<th>Account Description</th>
<th>Amount Increase</th>
<th>Amount Decrease</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aging</td>
<td>100080-527012</td>
<td>Earmarked Funds Aging</td>
<td>$428.00</td>
<td></td>
</tr>
</tbody>
</table>

| Total Changes in Revenue | $428.00 | |

**EXPENDITURE:**

<table>
<thead>
<tr>
<th>Department</th>
<th>Account Number</th>
<th>Account Description</th>
<th>Amount Increase</th>
<th>Amount Decrease</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aging</td>
<td>104380-527000</td>
<td>Earmarked Funds Aging</td>
<td>$428.00</td>
<td></td>
</tr>
</tbody>
</table>

| Total Changes in Expenditures | $428.00 | |

**Net Change in Revenue**

Net Change in Expenditures

$428.00

**Explanation:**

Donation Funds from HC Citizens.

Finance Director
Date

Amendment # 5
Approved:
Posted:
REQUEST APPROVAL OF THE HERTFORD COUNTY BOARD OF COMMISSIONERS' RESOLUTION OPPOSING REDUCTION OF COUNTY AUTHORITY TO ADOPT POLICIES THAT BEST REPRESENT NEEDS OF COUNTY COMMUNITIES

On a motion by Com. Mitchell and a second by Com. Douglas, the Board approved the Hertford County Board of Commissioners’ Resolution Opposing Reduction of County Authority to Adopt Policies that Best Represent Needs of County Communities as presented by Manager Cotton.

RESOLUTION OF THE HERTFORD COUNTY BOARD OF COMMISSIONERS OPPOSING REDUCTION OF COUNTY AUTHORITY TO ADOPT POLICIES THAT BEST REPRESENT NEEDS OF COUNTY COMMUNITIES

WHEREAS, the North Carolina General Assembly's proposed 2021 Appropriations Act includes law that if enacted will reduce county authority to adopt policies that best represent the needs of communities within counties and reflect values of a county’s citizens as expressed through a county's land use plan, land use regulations and actions of the duly elected county governing boards; and

WHEREAS, the proposed reduction in local control and authority includes removing local authority to determine the location of relocated billboards; limiting local authority to establish storm water regulations essential for the maintenance of water quality and flood prevention; preemption of local authority on the placement of schools and prevention of local government adoption of ordinances related to the removal of trees; and

WHEREAS, the limitation or removal of local control over the cited matters would, in Hertford County, require ending local practices long accepted, expected and in some instances demanded over time by its citizens; and

WHEREAS, of particular concern is prohibiting a county's regulation of storm water more restrictively than provided in state or federal regulations will require Hertford County to repeal its existing storm water regulation that will then decrease by one-half the amount of storm water that development must contain on its property, allow faster release of storm water downstream, further exacerbate flooding and end the county's plan to further reduce storm water
impact on property outside of development by requiring upstream and downstream analysis of storm water facilities and outfalls; and

WHEREAS, requiring a county to ignore storm water infrastructure policy and needs specific to its topography will frustrate resiliency efforts that to date are endorsed and encouraged by the state government that now seeks to impede those efforts and result in further inundation of homes and property with flood waters and interference with private property rights.

NOW, THEREFORE, BE IT RESOLVED by the Hertford County Board of Commissioners that:

Section 1. Hertford County is opposed to language in the 2021 Appropriations Act further reducing local control and requests that the North Carolina General Assembly, and in particular the county's legislative delegation Senator Bob Steinberg and Representative Howard J. Hunter, III, oppose any language in the final 2021 Appropriations Act that further reduces local authority and control over the public's health, safety and welfare.

Section 2. The Clerk to the Board of Commissioners is directed to forward a copy of this resolution to the Honorable Tim Moore, Speaker of the House of Representatives, the Honorable Phil Berger, President Pro Tempore of the Senate, Senator Bob Steinberg and Representative Howard J. Hunter, III.

Adopted this the 4th day of October 2021.

________________________________________
The Honorable Ronald J. Gatling, Chairman

Attest:

Dr. Renee Tyler, NCCC
Clerk to the Board

REQUEST APPROVAL OF RESOLUTION ESTABLISHING A HOME PROGRAM HOUSING CONSORTIUM

On a motion by Com. Douglas and a second by Com. Mitchell, the Board approved the Resolution Establishing a Home Program Housing Consortium as presented by Manager Cotton.

RESOLUTION

Establishing a HOME Program Housing Consortium

WHEREAS, the County of Hertford has determined that the health and welfare of the citizens within the jurisdiction may benefit from increasing the availability of safe, affordable and standard housing; and

WHEREAS, the County of Hertford has determined that providing safe, affordable and standard housing will benefit workforce productivity and area economic development; and
WHEREAS, a Consortium of local governments will be entitled to receive funds from the United States Department of Housing and Urban Development, which the local governments would be ineligible to receive individually; and

WHEREAS, the Cranston-Gonzalez National Affordable Housing Act of 1990, as amended, makes provisions whereby units of general government may enter into cooperative agreements and form Consortiums to undertake affordable housing pursuant to the HOME Investment Partnership Program; and

WHEREAS, the County of Bertie, County of Caswell, County of Edgecombe, County of Halifax, County of Martin, County of Northampton and the municipalities contained therein (Consortium membership), desires to establish the Choanoke Area Housing Consortium to undertake affordable housing initiatives under the Cranston-Gonzalez National Affordable Housing Act of 1990; and

WHEREAS, Article 20, Chapter 160A of the North Carolina General Statutes authorizes units of local government to enter into interlocal agreements with each other in order to execute an undertaking such as the contemplated Choanoke Area Housing Consortium;

NOW, THEREFORE BE IT RESOLVED, by the County of Hertford Board of Commissioners that:

I. The County of Hertford hereby supports the establishment of the Choanoke Area Housing Consortium.
II. The County Manager is hereby authorized to pursue a Cooperation Agreement with the Consortium membership and present the proposed agreement to the Board of Commissioners for ratification.

BE IT FURTHER RESOLVED, that this resolution shall be in full force and effect from and after its adoption this the 4th day of October 2021.

Attest:

The Honorable Ronald J. Gatling, Chairman

Dr. Renee Tyler, CMC Clerk to the Board

Com. Gatling requested for Manager Cotton to provide bylaws for review of the consortium.

Manager Cotton advised Chairman Gatling and the Commissioners that the bylaws will be provided by the consortium after submission of the resolution.

**Request Approval of Resolution of the Hertford County Board of Commissioners Expressing Concern with Unfunded and Underfunded State Mandates for Public Education**

On a motion by Vice-Chair Horton and a second by Com. Douglas, the Board approved the Resolution of the Hertford County Board of Commissioners' Expressing Concern with Unfunded and Underfunded State Mandates for Public Education as presented by County Manager Cotton.

**RESOLUTION OF THE HERTFORD COUNTY BOARD OF COMMISSIONERS EXPRESSING CONCERN WITH UNFUNDED AND UNDERFUNDED STATE MANDATES FOR PUBLIC EDUCATION**

WHEREAS, Article IX, §2 of the North Carolina Constitution provides "[T]he General Assembly shall provide by taxation and otherwise for a general and uniform system of free public schools, which shall be maintained at least nine months in every year, and wherein equal opportunities shall be provided for all students."; and

WHEREAS, there has been a long tradition and partnership and cost sharing between the State and counties to fund public education operations and facilities; and

WHEREAS, it is becoming a State practice, no matter how well meaning, to reduce State spending by shifting to counties unfunded or underfunded mandates for the improvement of public education as exemplified by requiring that local school systems reduce the size of K-3 elementary school classes; and

WHEREAS, because of these unfunded or underfunded mandates, Hertford County is faced with expending millions of local taxpayer dollars for capital improvements and additional funding for teachers and other school operational costs; and

WHEREAS, Hertford County opposes state unfunded mandates and requiring county funding of State responsibilities without revenue to cover a county's cost of such funding.

NOW, THEREFORE, BE IT RESOLVED by the Hertford County Board of Commissioners that the North Carolina General Assembly, and in particular the County's legislative delegation, take no action that places additional financial burden on counties and that the State of North Carolina assume the unfunded and underfunded mandates placed upon counties.

Adopted this the 4th day of October, 2021.

HERTFORD COUNTY BOARD OF COMMISSIONERS

Attest:

The Honorable Ronald J. Gatling, Chairman

Dr. Renee Tyler, NCCCC
Clerk to the Board

NORTH CAROLINA PORTS OVERVIEW

Ms. Kelly Bowers introduced Mr. Aaron Bro tts, Economic Developer from North Carolina Ports to present the North Carolina Ports Overview. Mr. Bro tts shared FY21 Performance Highlights, fast facts, the capitol improvements plan, advantages, NC Ports Economic Development Alignment, Carrier Services and Market Reach.

After a brief discussion with Mr. Bro tts, Chairman Gatling and the Board thanked him for his presentation.

Request Approval of Resolution Authorizing Removal of Real Estate Book 93 (1929) & Two Birth and Death Index Books (1913-1924 and 1925-1938)

REQUEST CONSIDERATION OF FORECLOSURE BID PROPOSALS FOR ADVERTISING:

On a motion by Com. Mitchell and a second by Vice-Chair Horton, the Board approved to advertise PIN# 690313-4333 VIP Road & Lincoln Avenue for the Foreclosure Bid offer of $2,500.00 as presented by Attorney Charles Revelle, III, County Attorney.

On a motion by Com. Mitchell and a second by Com. Douglas, the Board approved to advertise PIN# 5993-61-1310 318 Snipes Street for the Foreclosure Bid offer of $3,000.00 as presented by Attorney Charles Revelle, III, County Attorney.

On a motion by Com. Mitchell and a second by Vice-Chair Horton, the Board approved to advertise PIN# 5993-61-1378 316 Snipes Street for the Foreclosure Bid offer of $1,000.00 as presented by Attorney Charles Revelle, III, County Attorney.

COUNTY MANAGER'S COMMENTS

County Manager Cotton commented he would hold his comments for the Work Session following the Board meeting.

COMMISSIONERS' COMMENTS

The Commissioners commented as follows:

Vice-Chair Horton commented thanking everyone for sacrificing their time to attend the meeting.


Chairman Gatling announced and invited everyone to the October 30th Halloween Fun Festival starting at 4 PM – 8:PM; encouraged departments to be involved with the County Sponsors as a united effort.

CLOSED SESSION

On a motion by Com. Mitchell and a second by Com. Lassiter, the Board moved 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 a second by Com. Douglas, the Board unanimously approved to return to Regular Session.
CONSIDERATION OF EXCLUSIONARY ENDORSEMENT TO HERTFORD COUNTY'S NCACC/LPP INSURANCE COVERAGE

On a motion by Com. Lassiter and a second by Com. Mitchell the Board unanimously agreed to the Exclusionary Endorsement to the Hertford County's NCACC/LPP Insurance Coverage as attached.
ENDORSEMENT
Attachment A

GEO AND ICE INTERGOVERNMENTAL AGREEMENT, DETENTION AND CORRECTIONAL FACILITY EXCLUSION

This Endorsement modifies coverage provided under the following:

SECTION II: GENERAL LIABILITY COVERAGE
SECTION III: BUSINESS AUTO COVERAGE
SECTION IV: CRIME COVERAGE
SECTION V: PUBLIC OFFICIALS LIABILITY COVERAGE
SECTION VI: LAW ENFORCEMENT LIABILITY COVERAGE
SECTION VII: EMPLOYMENT PRACTICES LIABILITY COVERAGE
SECTION VIII: ENVIRONMENTAL IMPAIRMENT LIABILITY COVERAGE
SECTION IX: PRIVACY OR SECURITY EVENT LIABILITY OR EXPENSE COVERAGE

It is understood and agreed that coverage shall not apply under any of the above referenced forms as follows:

- arising out of or in any way related to the Intergovernmental Services Agreement (IGSA) entered into between Hertford County (Hertford), U.S. Immigration and Customs Enforcement (ICE) and/or The GEO Group, Inc. (GEO) and/or any further agreements which are or might be entered into as between Hertford, ICE and/or GEO.

- to Hertford, its officials, employees, elected sheriff and/or deputies with regard to any claim or suit arising out of or in any way related to the existing detention facility located at 145 Parkers’ Fishery Road, Winton, North Carolina 27986.

- to ICE and/or GEO.

It is expressly understood and Hertford hereby agrees that GEO has agreed to assume liability and be entirely responsible for any liabilities relating to the IGSA and/or Hertford's, ICE's and GEO's operation of the detention facility located at 145 Parker's Fishery Road, Winton, North Carolina 27986, by Hertford and that GEO has procured a policy of insurance as set forth in the IGSA which names Hertford as an additional insured of insurance.

While the IGSA provides for GEO to procure insurance coverage for Hertford, nothing in this exclusion is meant to be conditioned on the procurement of said coverage. Rather, Hertford specifically acknowledges and agrees that no coverage will be afforded to it, GEO, and/or ICE for any claim or suit arising out of or in any way related to the IGSA and/or the operation of a detention facility at 145 Parker’s Fishery Road, Winton, North Carolina 27986.

NCACC RMP IGSA ENDORSEMENT EDITION
7/1/2021
Modification of 2021-2022 NCACC/LPP Contract

Following discussion regarding an upcoming anticipated material change in risk associated with county operations, NCACC/LPP and Hertford County have agreed to modify the NCACC/LPP 2021-2022 Contract with the County. In exchange for NCACC/LPP’s agreement to maintain coverage for the County despite the anticipated material change in risk, the County agrees that the ENDORSEMENT - GEO AND ICE INTERGOVERNMENTAL AGREEMENT, DETENTION AND CORRECTIONAL FACILITY EXCLUSION (Attachment A) shall be added to the 2021-2022 Contract with the County.

Acknowledged and agreed to this ______ day of October, 2021.

By: __________________________
Title: _________________________
HERTFORD COUNTY

By: __________________________
Title: _________________________
NCACC/LPP
REQUEST APPROVAL OF 2021 HERTFORD COUNTY FIRE DEPARTMENT CONTRACTS

On a motion by Com. Mitchell and a second by Com. Lassiter, the Board approved the 2021 Hertford County Fire Department contracts as presented by Mr. Chris Smith, Hertford County Emergency Management Director.

RECESS MEETING

On a motion by Com. Mitchell and a second by Com Lassiter, the Board unanimously approved to recess the meeting to move to the informal Work Session.

ADJOURN MEETING

On a motion by Com. Lassiter and a second by Com. Mitchell, the Board unanimously adjourned the Informal Work Session.

Approved November 1, 2021

Ronald J. Gatling, Chairman                                     Dr. Renee Tyler, Clerk to the Board