

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

Monday, May 2, 2022 – 9:00 AM

Present: Com. Ronald J. Gatling, Chairman, Com. John D. Horton, Vice-Chair, Com. Leroy Douglas, and 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 Charles L Revelle, III, County Attorney
Attorney Maria Jones, Revelle & Lee

The following employees were present: Mrs. Leslie Edwards, Finance Director, Mrs. Sarah Turner, GIS & Planning Director, Ms. Deidre Evans, Office of Aging Director, Mr. Robert Mizelle, Inspections and Zoning Director, Ms. Kelly Bowers, Economic Development Director, Ms. Kimberly Turner, Human Resources Director/Risk Management, Mrs. Felicia Gaston, E-911 Communications Director and Sheriff Dexter Hayes.

Chairman Ronald J. Gatling called the meeting to order and Reverend Derik Davis, Pastor Winton Baptist Church, Winton provided the invocation.

CONSENT AGENDA

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

- Approval of April 18, 2022 Minutes

- Approval of Taxpayer Refund:

\$154.99- Perdue-Vendor #3348 employer overpaid on taxpayers account (Stacy Moore).

INTRODUCTION OF MAY 2022 NEW HERTFORD COUNTY EMPLOYEES

Ms. Kimberly Turner, Director of Human Resources/Risk Management, presented the following May 2022 New Hertford County Employees:

**Hertford County Personnel
Report**

May 2022

Employees Hired	PT/FT	Department
Gregory Lassiter	PT	EMS
JoAnne Powell	FT	Aging
Mechelle Otten	PT	EMS
KeAsia Cumbo	PT	EMS
Sharon Deloatch	PT	Public Buildings
Carolyn Askew	PT	Public Buildings
Devonte Dudley	PT	Public Buildings
Andrina Lee	FT	Detention Center
Destiny Everett	FT	Detention Center

**REQUEST APPROVAL OF AMENDMENT TO HERTFORD COUNTY BUDGET
ORDINANCE FISCAL YEAR 2021-2022 AMENDMENT #19**

On a motion by Com. Mitchell and a second by Com. Douglas, the Board approved the Amendment to Hertford County Budget Ordinance Fiscal Year 2021-2022 Amendment #19 presented by Mrs. Leslie Edwards, Finance Director, 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
Solid Waste	620105-000000	Proceeds from Debt	\$ 154,543	
Sheriff	100060-414877	Earmarked Sheriff (Restricted)	\$ 5,000	
Sheriff	100080-527000	Earmarked Sheriff (Unrestricted)	\$ 2,050	
Sheriff	100112-448500	Fund Balance Appropriated	\$ 10,000	
		Total Changes in Revenue	\$ 171,593	\$ -

Net Change in Revenue	\$ 171,593
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EXPENDITURE:

Department	Account Number	Account Description	Amount Increase	Amount Decrease
Solid Waste	624690-551002	Capital Outlay - Equipment	\$ 154,543.00	
Sheriff	104180-551002	Capital Outlay - Equipment	\$ 5,000.00	
Sheriff	104180-527000	Earmarked Sheriff - Expense	\$ 2,050.00	
Sheriff	104180-519302	PSYC Medical Services	\$ 10,000.00	
		Total Changes in Expenditures	\$ 171,593	\$ -

Net Change in Expenditures	\$ 171,593
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Explanation:

\$154,543 Debt proceeds for front end loader for Solid Waste
 \$5,000 and \$2,050 Funds received for National Night Out donations and funds from Ahoskie K-9 purchase
 \$10,000 FMRT contract approved by the Board on 04/18/22. Funds to pay for Psyc. Evaluation as require by new law.

Heslie A. Edwards 4/27/22
 Finance Director Date

Amendment # 19
 Approved: _____
 Posted: _____

**REQUEST APPROVAL OF THOMPSON, PRICE, SCOTT, ADAMS & CO., P.A.
CONTRACT TO AUDIT ACCOUNTS**

On a motion by Com. Mitchell and a second by Com. Douglas, the Board approved the Contract to Audit Accounts by Thompson, Price, Scott, Adams & Co., P.A. as presented by Mrs. Edwards, Finance Director.

**REQUEST APPROVAL OF RECOMMENDATION TO THE HERTFORD COUNTY
COMMISSIONERS' ADVISORY BOARD ON AGING**

On a motion by Com. Douglas and a second by Com. Mitchell, the Board approved the appointment of Jon Quintin Woodard to the Hertford County Commissioners' Advisory Board on Aging effective May 2, 2022 and expiring June 30, 2026.

**PUBLIC HEARING: HERTFORD COUNTY PLANNING BOARD REQUEST TO
REZONE PROPERTY LOCATED AT 851 US HWY. 13 S., AHOSKIE FROM
RESIDENTIAL AGRICULTURAL (RA-30) TO COMMERCIAL HIGHWAY (CH)**

Ms. Sara Turner, GIS/Planning Director addressed Chairman Gatling and the Board and provided the following information: On March 8 2022 the Hertford County Planning Board held a Public Hearing regarding the request from Lee O. Brooks, Jr. to rezone his property from Residential Agricultural (RA-o30) to Commercial Highway (CH) approximately 4.24 acres identified in Hertford County Land Records as PIN#5995-40-8856 addressed as 851 US Hwy 13, South, Ahoskie, NC. Ms. Turner shared that eleven surrounding property owners attended the meeting to voice disapproval and one call-in voicing disapproval.

Ms. Turner read "Description and Summary Notes" from the March 8, 2022 meeting of the Hertford County Planning Board, including the "Findings" of the Planning Board.

After a brief discussion, Chairman Gatling called for public comments.

Bradley Keene shared his concern with the noise level, smell of smoke, and safety of his neighborhood.

Lee Brooks shared with the Board when he purchased the property he operated it as a Barber Shop Academy. He indicated that his proposed Event Center was not under either residential or commercial uses in the current RA-30 zone, and that his hands would be tied if rezoning was not allowed, and he would have to sell the property. He mentioned that maybe the County could purchase it for a playground.

There being no further comments, the Public Hearing was adjourned.

The Commissioners discussed whether such a rezoning would be consistent with the County Land Use Plan.

On a motion by Vice-Chair Horton and a second by Com. Mitchell, the Board unanimously approved to accept the Findings of the Hertford County Planning Board.

On a motion by Vice-Chair Horton and a second by Com. Mitchell, the Board unanimously approved to deny the rezoning request of Mr. Brooks based on the Findings and inconsistency with the Hertford County Land Use Plan.

REQUEST APPROVAL OF CONTRACT WITH PROFESSIONAL STAFFING SOLUTIONS AND HERTFORD COUNTY

On a motion by Com. Lassiter and a second by Com. Mitchell, the Board approved the Contract with Professional Staffing Solutions and Hertford County as presented by Ms. Kimberly Turner.

OFFICE OF AGING REQUEST APPROVAL OF PROCLAMATION DECLARING MAY 2022 AS OLDER AMERICANS MONTH

On a motion by Com. Douglas and a second by Com. Lassiter, the Board approved the Office of Aging Proclamation Declaring May 2022 as Older Americans Month as presented by Ms. Deidre Evans, Office of Aging Director as follows:



HERTFORD
C O U N T Y
North Carolina

HERTFORD COUNTY
BOARD OF COMMISSIONERS

Ronald J. Gatling, Chair

John D. Horton, Vice-Chair

Leroy Douglas

Andre' Lassiter

William F. Mitchell, Jr.

David B. Cotton, County Manager

Charles L. Revelle, III, County Attorney

Renee Tyler, Clerk to the Board

Older Americans Month 2022
A PROCLAMATION

WHEREAS, Hertford County, North Carolina includes a growing number of older Americans who contribute their strength, wisdom, and experience to our community; and

WHEREAS, communities benefit when people of all ages, abilities, and backgrounds are welcomed, included, and supported; and

WHEREAS, the Hertford County Board of Commissioners recognizes our need to create a community that provides the services and supports older Americans need to thrive and live independently for as long as possible; and

WHEREAS, Hertford County can work to build an even better community for our older residents by:

- Planning programs that encourage independence.
- Ensuring activities are responsive to individual needs and preferences.
- Increasing access to services that support aging in place.

NOW, THEREFORE, we, the Board of Commissioners of Hertford County, North Carolina do hereby proclaim May 2022 to be Older Americans Month. We urge every resident to recognize the contributions of our older citizens, help to create an inclusive society, and join efforts to support older Americans' choices about how they age in their communities.

IN WITNESS WHEREOF, I have hereunto set my hand and have caused the Seal of Hertford County, North Carolina to be affixed on this the second day of May, two thousand twenty-two.

Hertford County Board of Commissioners

The Honorable Ronald J. Gatling, Chairman

(SEAL)

ATTEST:

Dr. Renee Tyler, NCCCC
Clerk to the Board

COUNTY MANAGER'S COMMENTS

County Manager David B. Cotton recognized the volunteer committee for the Annual Easter event and Ms. Kimberly Turner and Mrs. Felicia Gaston for organizing the County Government Week events.

COMMISSIONERS' COMMENTS

The Commissioners commented as follows:

Commissioner Douglas and Com. Mitchell thanked everyone for attending the meeting.

Com. Lassiter commented that Ms. Turner and Mrs. Gaskins did an excellent job and encouraged them to keep up the good work, thanked Mr. Keene, Mr. Brooks, and Dr. Williams for attending the meeting and thanked Pastor Davis for the invocation.

Vice-Chair Horton thanked everyone for being a part of the local government week events.

Chairman Gatling and the Commissioners thanked everyone for attending the meeting as well as for participating in the Easter events planned by the County and others in the community.

On a motion by Com. Mitchell and a second by Com. Lassiter, the Board left the Regular Meeting to convene as the Board of Equalization and Review.

CLOSED SESSION

On a motion by Vice-Chair Horton and a second by Com. Mitchell, the Board approved to move to Closed Session.

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

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

CONVENING AS THE BOARD OF EQUALIZATION & REVIEW TO HEAR TAXPAYER'S APPEALS

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.

On a motion by Vice-Chair Horton and a second by Com. Douglas, the Board returned to the Regular meeting.

RECESS

On a motion by Com Lassiter and a second by Com. Douglas, the Board unanimously approved to recess the meeting to move to the Called Board Budget Work Session in the Government Center Conference Room.

APPROVED: June 6, 2022

Honorable Ronald J. Gatling, Chairman

Dr. Renee Tyler, Clerk