

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

Monday, February 20, 2023 - 7:00 PM

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

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: Director Kimberly Turner, Director Kelly Bowers, Ms. KaWania Parker, Public Information Officer, and Sheriff Dexter Hayes and Director Stanley Lassiter.

Chairman Andre` M. Lassiter, Sr. called the meeting to order and Reverend Paul Moore, Pastor of The Rock Church, Ahoskie, NC & St. Mark Missionary Baptist Church, Colerain, NC provided the Invocation.

On a motion by Vice-Chairman William F. Mitchell, Jr. and second by Com. John Horton, the Board approved to amend the Agenda to add to Memo #10071, Request Approval of Board Appointment Recommendations: Murfreesboro Planning Board, Parks & Receptions Advisory Commission, Hertford County Economic Development Advisory Board, and Hertford County Planning Board and Hertford County Zoning Board of Adjustment.

CONSENT AGENDA

On a motion by Vice-Chairman Mitchell and second by Com. Douglas, the Board approved the Consent Agenda as follows:

* Approval of February 6, 2023 Minutes

* Approval of NCVTS Refunds: Melvin Ray Nicholes, Earl Westley Simmons, Brandon Matthew Warren:

North Carolina Vehicle Tax System																		
NCVTS Pending Refund report																		
Report Date																		
Payee Name	Primary Owner	Secondary Owner	Address 1	Address 2	Address 3	Refund Type	Bill #	Status	Transaction #	Refund Description	Refund Reason	Create Date	Tax Jurisdi	Levy Type	Change	Interest Change	Total Change	
NICHOLE S. MELVIN RAY	NICHOLE S. MELVIN RAY		331 NC 42 W		AHOSKIE NC 27910	Proration	0050055907	PENDING	1.79E-08	Refund Generated due to proration on Bill #0050055907-2022-2022-0000-00	Tag Surrender	01/18/2023	G01	Tax	(\$130.45)	\$0.00	(\$130.45)	
													F01	Tax	(\$6.21)	\$0.00	(\$6.21)	Refund
SIMMONS, EARL WESTLEY	SIMMONS, EARL WESTLEY		119 E TELLE LA WRENCE RD		MURFREESBORO NC 27855	Proration	0064010193	PENDING	89475813	Refund Generated due to proration on Bill #0064010193-2021-2021-0000-00	Vehicle Sold	01/18/2023	G01	Tax	(\$105.04)	\$0.00	(\$105.04)	
																	Refund	\$105.04
WARREN, BRANDON MATTHEW	WARREN, BRANDON MATTHEW	WARREN, MICHELLE BRITT	206 JAY TRL		MURFREESBORO NC 27855	Proration	0050487223	PENDING	2.66E-08	Refund Generated due to proration on Bill #0050487223-2022-2022-0000-00	Vehicle Sold	01/27/2023	G01	Tax	(\$173.12)	\$0.00	(\$173.12)	
													CO4	Tax	(\$136.03)	\$0.00	(\$136.03)	
													CO4	Vehicle Fee	(\$10.00)	\$0.00	(\$10.00)	Refund

BLACK HISTORY MONTH RECOGNITIONS

On behalf of the Board, Chairman Lassiter shared he felt honored to reflect upon five individuals who have served our community with honor and distinction in various capacities from education, civic duties to voter registration. The Black History recognitions were made as follows:

The Honorable Judge Cy A. Grant (North Carolina Superior Court Senior Resident Judge)- Honored for his many years of devotion, dedication, hard work, and exemplary service protecting and improving the lives of Hertford County citizens.

Dr. Viola Vaughan-Holland (Educator) - Honored for her many vital contributions promoting and endorsing education, administrative leadership, cultural and economic life of Hertford County.

Mr. Yahmale Vaughan (Founder and President of the Murfreesboro Raiders Youth Program) - Honored for his dedication to helping the youth of the community realize their full potential.

Mrs. Barbara Price Sessoms- Honored for her dedication to helping members of the community.

Ms. Lillie Owens-White- Honored for her many vital contributions promoting Democratic Party Voter Equality Rights.

All recipients thanked the Board for recognizing them.

**REQUEST APPROVAL OF BOARD APPOINTMENT RECOMMENDATIONS:
MURFREESBORO PLANNING BOARD, PARKS & RECREATIONS ADVISORY
COMMISSION, HERTFORD COUNTY ECONOMIC DEVELOPMENT ADVISORY
BOARD, HERTFORD COUNTY PLANNING BOARD AND THE HERTFORD COUNTY
ZONING BOARD OF ADJUSTMENT**

The Board made the following appointments:

On a motion by Com. Douglas and a second by Com. Horton, the Board approved the appointment of Gregory Devon Brooks to the **Murfreesboro Planning Board** for a three-year term commencing February 20, 2023 and expiring December 30, 2026.

On a motion by Com. Gatling and a second by Vice-Chairman Mitchell, the Board approved the appointment of Yahmale Vaughan to the **Parks & Recreation Advisory Commission for Murfreesboro** for a three-year term commencing February 20, 2023 and expiring December 30, 2026.

On a motion by Com. Douglas and a second by Com. Douglas, the Board approved the appointment of Joseph Fleetwood Lowe to the **Hertford County Economic Development Advisory Board** for an unexpired 3-year term commencing February 20, 2023 and expiring December 30, 2024.

On a motion by Com. Gatling and a second by Com. Horton, the Board approved the appointment of Com. Leroy Douglas to the **Hertford County Planning Board of Adjustment** for a three-year term commencing February 20, 2023 and expiring December 30, 2025.

On a motion by Com. Gatling and a second by Com. Horton, the Board approved the appointment of Com. Leroy Douglas to the **Hertford County Zoning Board of Adjustment** as Alternate # 2 for a three-year term commencing February 20, 2023 and expiring December 30, 2025.

PUBLIC COMMENT

There were no public comment

**REQUEST APPROVAL OF AMENDMENT TO HERTFORD COUNTY BUDGET
ORDINANCE FISCAL YEAR 2022-2023 AMENDMENT # BA-15**

On a motion by Com. Gatling and a second by Vice-Chairman Mitchell, the Board approved the Amendment to the Hertford County Budget Ordinance Fiscal Year 2022-2023 Amendment #BA-15 totaling \$54,668.00 as follows:

AMENDMENT TO HERTFORD COUNTY BUDGET ORDINANCE FISCAL YEAR 2022-2023

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, 2023:

REVENUE:

Department	Account Number	Account Description	Amount Increase	Amount Decrease
DSS	100063-419105	LIEAP CAA LIHWAP	\$ 54,668	
		Total Changes in Revenue	\$ 54,668	\$ -

Net Change in Revenue	\$54,668
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EXPENDITURE:

Department	Account Number	Account Description	Amount Increase	Amount Decrease
Governing Body <i>Wolfe in General</i>	104110-569000	Contracted Services	\$ 7,753	
General Fund	109900-599101	Contingency		\$ 7,753
DSS	104440-569113	LIEAP CAA LIHWAP	\$ 54,668	
		Total Changes in Expenditures	\$ 62,421	\$ 7,753

Net Change in Expenditures	\$54,668
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Explanation:

Funds needed to cover new lobbying contract. Enough to cover FY22-23
 DSS received an additional allocation for LIHWAP funds in the amount of \$54,688

Julie A. Edwards
 Finance Director 02-16-23
 Date

Amendment # 15
 Approved: _____
 Posted: _____

On a motion by Com. Gatling and a second by Vice-Chairman Mitchell, the Board moved to leave the Regular session of the Hertford County Board of Commissioners and convene as the Board of the Northern and Southern Rural Water District.

CONVENING AS THE BOARD OF THE NORTHERN & SOUTHERN RURAL WATER DISTRICT:

Mr. Stanley Lassiter, Public Works Director, addressed the Board requesting approval of a Hydraulic Water Model for the Northern & Southern Rural Water sharing as follows: The Hydraulic Water Model will analyze the system under average / daily demand and maximum daily demand. It will allow you to pinpoint areas of low pressure and the appropriate placement of additional storage tank(s). It will allow analysis of system loops on water age, residual disinfection, and the elimination of dead-end lines. The Model will also allow you to analyze the impacts of adding additional service lines for both residential and new or increased demand from commercial /industrial connections.

On a motion by Com. Gatling and a second by Com. Douglas, the Board approved Municipal Engineering, Inc. engineering proposal for services for the preparation of a Hydraulic Water Model for both the Northern and Southern Rural Water Districts.

On a motion by Com. Gatling and a second by Vice-Chairman Mitchell, the Board returned to the Regular Session.

REQUEST APPROVAL TO DECLARE BADGE AND SERVICE WEAPON SURPLUS AUTHORIZING AWARD OF BADGE AND SALE OF SERVICE WEAPON TO RETIRING LAW ENFORCEMENT OFFICER

On a motion by Vice-Chairman Mitchell and a second by Com. Gatling, the Board approved the Special Separation Allowance for Local Officers for Chief William Liverman in accordance with the NCGS § 143-166.42 as presented by Sheriff Dexter Hayes.

On a motion by Vice-Chairman Mitchell and a second by Com. Douglas, the Board approved to declare badge and service weapon surplus authorizing award of badge and sale of service weapon to retiring Law Enforcement Officer, William Liverman in accordance with the Hertford County Personnel Ordinance, Section VII.8, Law Enforcement Officer Weapons as presented by Sheriff Hayes.

REQUEST APPROVAL OF RESOLUTION AUTHORIZING EXECUTION OF OPIOID SETTLEMENT AND APPROVING SUPPLEMENTAL AGREEMENT FOR ADDITIONAL FUNDS

After a brief discussion between Manager Cotton and the Board, on a motion by Com. Douglas and a second by Vice-Chairman Mitchell, the Board approved the Resolution Authorizing Execution of Opioid Settlement and approving the Supplemental Agreement for additional funds between the State of North Carolina and Local Governments on proceeds relating to the Settlement of Opioid Litigation as presented by Manager Cotton.

COUNTY MANAGER'S REPORT

Manager Cotton provided updates as follows: Chowan University with Secretary of State (Feb. 24th); Ahoskie Chamber of Commerce Banquet (Feb. 23rd); and Tar Heel Legislature Forum – RCCC (Feb. 23rd).

BOARD CHAIR'S/CLERK'S REPORT

Clerk to the Board, Renee Tyler, provided a report of upcoming events for February and March 2023, announced the Parks & Recreation Meeting on February 23, 2023, at 6:30 PM at the Hertford County High School Gym, the Hertford County Planning and Zoning called meeting February 21, 2023 at 7:30 PM, NCACC 2023 116th Annual Conference August 24 – 26, 2023 in Wake County, and NACo upcoming 2023 Annual Conference – July 21 – 24, 2023 in Travis County/Austin, Texas.

COMMISSIONERS' COMMENTS

The Commissioner's commented thanking everyone for attending the meeting and encouraged the youth in attendance from RCCC to write their own history by the way they lived their lives.

RELEASE OF PORTION OF JANUARY 17, 2023 CLOSED SESSION MINUTES



RESOLUTION OF THE HERTFORD COUNTY BOARD OF COMMISSIONERS

WHEREAS, the Office of the State Auditor (“OSA”) contacted Hertford County in February 2022 to initiate an investigation involving allegations regarding a personal business owned or controlled by former Chairman of the Board, Commissioner Ronald J. Gatling, and services rendered to the Hertford County Board of Elections Office (an independent board);

WHEREAS, the OSA has completed its investigation and provided an Investigative Report (“Report”) to the Hertford County Board of Commissioners (“HBCOC”);

WHEREAS, the Hertford County Board of Commissioners desires to enact the Resolution hereinbelow as part of its Response to the OSA Investigative Report;

NOW THEREFORE, BE IT RESOLVED:

- (1) Other than Commissioner Gatling, the other members of the Hertford County Board of Commissioners and the Hertford County Manager were not aware of any of the actions or activities referred to in the Report, until being contacted by the OSA.

- (2) In addition to the current Hertford County Director of Elections, the Report is critical of the former Hertford County Finance Officer and former Chairman Gatling of the Board of Commissioners, related to violations of County policy.
- (3) Despite their lack of awareness of the prior actions referenced in the Report, the HCBOC and the County Manager have accepted a responsibility to strengthen policies and procedures to prevent such a situation from occurring in the future, and steps to do so have already been put in place, as outlined in the County's Response to the Report.
- (4) The HCBOC hereby expresses its displeasure in the circumstances outlined in the Report, and does not condone the actions of Commissioner Gatling in this matter.
- (5) This Resolution is hereby enacted, in Closed Session, on January 17, 2023, upon motion of Commissioner Leroy Douglas, Jr. second by Vice-Chairman William F. Mitchell, Jr., and approved with the following votes:
Ayes: Chairman Andre` M. Lassiter, Sr., Vice-Chairman William F. Mitchell, Jr., Commissioner Leroy Douglas, Jr., Commissioner Ronald J. Gatling, and Commissioner John D. Horton
Nays: _____;
 and it is directed that this Resolution be released to the public as part of Hertford County's Response to the Report, and that the Resolution be placed in the Open Session minutes of the HCBOC meeting immediately following the public release of the Report.

CLOSED SESSION

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

On a motion by Vice-Chair Mitchell and second by Com. Douglas, the Board unanimously moved 1) to approve the contract between ASP Riversedge LLC and Hertford County to purchase 152.5 Acres in Winton Township for \$700,000.00, on substantially the terms contained in an Offer To Purchase In Contract submitted by the County Attorney, contingent upon approval of the contract and the grant from the North Carolina Department of Commerce to reimburse the purchase price and closing costs; 2) to authorize a \$1,000.00 earnest money deposit to bind the ASP Contract; 3) to authorize the County Manager to sign the ASP Contract; 4) to authorize the County Manager or Board Chair to sign any Department of Commerce grant documents or contracts, following review by the County Attorney.

ADJOURN

On a motion by Com. Gatling and second by Vice-Chairman Mitchell, the Board adjourned the meeting.