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WORK SESSION  
February 21, 2022  
7:00 p.m.

The Perquimans County Board of Commissioners met in a regular Work Session on Monday, February 21, 2022, at 7:00 p.m. in the Meeting Room of the Perquimans County Library located at 514 S. Church Street, Hertford, NC 27944.

- MEMBERS PRESENT: Wallace E. Nelson, Chairman                      Fondella A. Leigh, Vice Chair  
Joseph W. Hoffer    T. Kyle Jones  
Alan Lennon    Charles Woodard
- MEMBERS ABSENT: None
- OTHERS PRESENT: Frank Heath, County Manager                      Mary Hunnicutt, Clerk to the Board  
Hackney High, County Attorney

After the Chairman called the meeting to order, Commissioner Leigh gave the invocation and the Chairman led the Pledge of Allegiance. The following matters were discussed.

CENTURYLINK PRESENTATION

County Manager Heath explained that Ted M. Hankins, Government Affairs Director with CenturyLink, presented a virtual presentation about the GREAT Grant to extend broadband services in rural areas. Each project has a funding of \$4.0 million per application and should be finalized by August 2022. They have evaluated three different projects but he was only going to discuss Project A tonight, which includes the following:

- The target is 2,650 living units or premises in the project area.
- The total cost of the project is \$7.13 million, which makes it \$2,694 per living unit or premise.
- They will be installing over 100 miles of fiber.
- They are applying for \$4.0 million. As a County partner, the County would need to contribute \$250,000. LUMEN Technologies will be contributing \$2.88 million to the project.
- The area that encompasses the Town of Hertford and moving up to the Town of Winfall is covered under the CenturyLink’s Bright Speed Project. Mr. Heath and Mr. Hankins explained that the following areas will be included in this project: a good part of Snug Harbor, Albemarle Plantation area, some of Holiday Island, sections of Harvey Point Road, Durant’s Neck area (Deep Creek Road, Woodville Road, Whitehat Road, section of New Hope Road), Lake Road, and Swing Gate Road. Mr. Heath asked that, if CenturyLink is awarded the \$4.0 million GREAT Grant, will this speed up the Town of Hertford and Town of Winfall project. Mr. Hankins said that it would because Bright Speed would have to complete their project first.
- Once the grant is awarded, they will have two years to complete the project.

After Mr. Hankins discussed Project A, he briefly explained the other two projects, which will be considered later. These projects will be more costly, require more miles of fiber installation, and doubles the cost to the County and increases Bright Speed’s contribution as well. Mr. Heath stated that one reason for the increase in costs is the living units or premises in these areas would double thus causing a larger County contribution.

CenturyLink will be the applicant but the County will have to provide a county match. Mr. Heath explained that, in order for CenturyLink to receive the maximum points needed for approval, a Memorandum of Understanding would be required. It would also help to receive letters of support from the community, the school system, mayors, business owners, etc. Mr. Heath asked about the type of fiber optics that they would be installing. Mr. Hankins said that it would be a much better product than what they are using today with the possibility of being able to increase internet speeds in the future. After Mr. Hankins completed his presentation, County Manager Heath asked the Board if they had any questions. The following questions were asked:

- **Commissioner Lennon:** Mr. Lennon asked if there were any plans to expand the project boundaries to cover other areas of the County. Mr. Hankins said that there would be other opportunities for other grants in the future.
- **Chairman Nelson:** Ms. Nelson asked if CenturyLink would have sufficient capital for other grants here or would they look for another location. Mr. Hankins said that he did not think this would be a problem as long as the projects make economic sense.

Mr. Hankins left the meeting by thanking the Board for allowing him to make his presentation. Mr. Heath made the following additional comments:

- **County Manager Heath:** Mr. Heath added these comments about the advantages of GREAT Grant:
  - Funding would allow you to engage more than one provider.
  - Allows multiple providers to apply.
  - He does expect other companies to make a presentation like this in the future.
  - The Memorandum of Understanding would be considered at the March meeting for action.
- **Commissioner Woodard:** Mr. Woodard asked if they would have problems like Mediacom had today with outages through the northeast. Mr. Heath said that they could not guarantee that will not happen.
- **Commissioner Jones:** Mr. Jones asked if this would add better internet service for those customers who currently have internet service over those that do not have it now. Mr. Heath feels that they would offer the Broadband service to their current customers too.

There being no further comments or questions, Chairman Nelson thanked Mr. Hankins for his presentation and feels that it is the consensus of the Board to proceed with considering the project and grant application.

TOWN OF HERTFORD REQUEST

Mayor Pro Tem, Ashley Hodges, explained that the Town of Hertford was recently applied for a USDA grant. The purpose of the bilateral grant is: (1) Community Plan and (2) Riverfront Concept Plan. The purpose of this presentation tonight is to review the Hertford Community & Waterfront Plans and let the Board know where they are and where they are going next. He reviewed each section of the plans as follows:

- **Residential Rehabilitation:** They are looking at rehabbing as many existing dwellings as possible and to assist families financially in upgrading their properties. Looking at vacant lots to see what they can do to fix them up.
- **Further Housing Possibilities:** Looking at vacant lots to see what they can do to fix them up and put them to good use.
- **Community Plan – Downtown Area:** Assisting business in downtown area with fixing up their storefronts.
- **Riverfront Development Plan:** Projects included under this plan: placing the S-Bridge Truss at Missing Mill Park to be used as a fishing pier or other events at Missing Mill Park; install an elevated walkway along the riverbank; install an inland retaining wall to assist flooding in that area; etc.
  - **What is the potential results of this project:** An economic feasibility study shows that, at the end of this project, the town would have an additional 110,000 square footage property; add \$11.5 million to their tax base; add \$130,000 to their revenues annually; and increase their sales tax revenues.
  - **Implementation of this Plan:** The Hertford Town Council approved The Plan last year. Town of Hertford leadership met with County leadership last week and talked about going to Raleigh to advocate for the project as a whole. They are in the planning stages right now. They are looking for other grant funding for items like infrastructure in the town, etc.
  - **Building the Retaining Wall:** This is the main purpose of this grant. We cannot proceed with further development until this wall is built.

After reviewing their time chart and showing where they are at this moment, Mr. Hodges explained the purpose of his meeting with the Board of Commissioners tonight was to request assistance with the match for this grant to build the retaining wall. The match is 20% match which should be somewhere around \$120,000 to \$130,000. County Manager Heath stated that the Town of Hertford is asking the County for one-half of the match for the construction of the wall, which is around \$120,000. The following questions were asked:

- **Commissioner Lennon:** Mr. Lennon asked Mr. Hodges if he roughly knew what their grant matches are. Mr. Hodges stated that they had budgeted \$87,000 for grant matches this fiscal year.
- **Town Manager Janice Cole:** Ms. Cole stated that they had applied for DEQ grant that they have used for the studies on this project required a match \$15,000. Mr. Hodges stated that with the DEQ grant match and the \$60,000 for this match, their matching funds would pretty well use \$87,000 budgeted for matching grant funds.
- **County Manager Heath:** Mr. Heath asked if Mr. Hodges had a timeline as to any future matching grants. Mr. Hodges stated that he did not know because there are many variables included in this project process.
- **Chairman Nelson:** Mr. Nelson asked about their timeline for this grant. Town Manager Cole stated that she did not have an idea but at least, if we know the commitment from the County is there, they can proceed with the project because they know that the matching funds are available.

County Manager Heath stated that the Board will take action on this request at their March 7, 2022 Regular meeting. Chairman Nelson thanked the Town of Hertford for their update.

## ALAN LENNON

Commissioner Lennon said that he had some bittersweet news to report to the Board. He notified the Board that he had committed to a job outside the state, which would require him and his family to move. Therefore, he would have to resign his seat on the Board of Commissioners because he will no longer be a County resident shortly. He thanked the Board for the opportunity to serve with them and gained much knowledge while serving on the Board. He also wanted to thank Perquimans County for giving him the opportunity to serve the County as a Commissioner. After his comments, each commissioner made comments and thanked Mr. Lennon for his faithful service on the Board and on the Tourism Development Authority especially on the new Perquimans County History Museum. Chairman Nelson stated that he hated to move forward with the meeting to discuss appointment of his replacement but we are on a timetable to get this handled. Because Mr. Lennon had informed Mr. Nelson that he was leaving, Mr. Nelson asked County Manager Heath and County Attorney High to discuss the procedure to fill Commissioner Lennon's vacant seat. Chairman Nelson turned the meeting over to County Attorney High to explain the process. Mr. High explained that NC General Statute 153A-27 addresses the filling of vacancies on the Board of Commissioners which states:

### **§ 153A-27. Vacancies on the board of commissioners.**

- (a) If a vacancy occurs on the board of commissioners, the remaining members of the board shall appoint a qualified person to fill the vacancy. If the number of vacancies on the board is such that a quorum of the board cannot be obtained, the chairman of the board shall appoint enough members to make up a quorum, and the board shall then proceed to fill the remaining vacancies. If the number of vacancies on the board is such that a quorum of the board cannot be obtained and the office of chairman is vacant, the clerk of superior court of the county shall fill the vacancies upon the request of any remaining member of the board or upon the petition of any five registered voters of the county. If for any other reason the remaining members of the board do not fill a vacancy within 60 days after the day the vacancy occurs, the clerk shall immediately report the vacancy to the clerk of superior court of the county. The clerk of superior court shall, within 10 days after the day the vacancy is reported to him, fill the vacancy.
- (b) If the member being replaced was serving a two-year term, or if the member was serving a four-year term and the vacancy occurs later than 60 days before the general election for county commissioner held after the first two years of the term, the appointment to fill the vacancy is for the remainder of the unexpired term. Otherwise, the term of the person appointed to fill the vacancy extends to the first Monday in December next following the first general election for county commissioner held more than 60 days after the day the vacancy occurs; at that general election, a person shall be elected to the seat vacated, either to the remainder of the unexpired term or, if the term has expired, to a full term.
- (c) To be eligible for appointment to fill a vacancy, a person must (i) be a member of the same political party as the member being replaced, if that member was elected as the nominee of a political party, and (ii) be a resident of the same district as the member being replaced, if the county is divided into electoral districts. The board of commissioners or the clerk of superior court, as the case may be, shall consult the county executive committee of the appropriate political party before filling a vacancy, but neither the board nor the clerk of the superior court is bound by the committee's recommendation.

Mr. High explained the General Statutes as follows:

- The Board of Commissioners shall appoint a successor.
- It requires that the vacancy be filled within 60 days of the date that Mr. Lennon resigned which will be February 21, 2022.
- The person appointed must be the same party as the party Mr. Lennon was elected on which was Libertarian.
- In most cases, the County would contact the party committee to make a recommendation but, since we do not have a Libertarian Committee, we cannot do that. The General Statute does give the Board the option not to accept their recommendation.
- Since there is no Committee, the Board will have to see a qualified person who is a Libertarian to appoint to replace Mr. Lennon.
- A replacement needs to be appointed 60 days after Mr. Lennon announced his resignation. If this does not happen, then the Clerk of Court will appoint the replacement within 10 days from the date that they were notified the a replacement has not been made.

County Manager Heath made these comments:

- Mr. Heath has contacted the State Board of Elections to determine if we have a Libertarian Committee in Perquimans County. They informed us that we did not have an organized Libertarian Committee. Since a Libertarian Committee does not exist, the Board does not have to follow this recommendation. There are 54 registered Libertarian voters in Perquimans County.
- The County will need to advertise and request that, if there are any Libertarians interested in being appointed to the Board of Commissioners to complete Mr. Lennon's term, please provide the County Manager's Office with a letter of intent giving their qualifications.

- In order to shall appoint a successor by the deadline, we will need to have the applicants to return their letter of intent by March 14, 2022.
- County Manager Heath will bring the applications back to the Board for action. We will possibly have to hold a Special Called Meeting.

It was the consensus of the Board to move forward to advertise for the vacancy, receive the letters of intent, review the letters and/or applications, and have a Special Called Meeting to review them and to take action on appointing Mr. Lennon's replacement on March 21, 2022.

UPCOMING DATE FOR BOARD RETREAT

County Manager Heath asked the Board to check their calendars to see if April 20 or April 21 would be available for their Board Retreat. He asked that they let him know as soon as possible so that he could arrange a facilitator.

ADJOURNMENT

There being no further comments or business to discuss, the Regular Meeting was adjourned at 8:05 p.m. on motion made by Joseph W. Hoffler, seconded by Charles Woodard.

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Wallace E. Nelson, Chairman

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Clerk to the Board

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