

- 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. Hoffer, seconded by Charles Woodard.

Wallace E. Nelson, Chairman

Clerk to the Board

REGULAR MEETING
March 7, 2022
7:00 p.m.

The Perquimans County Board of Commissioners met in a regular meeting on Monday, March 7, 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
 Charles Woodard
- MEMBERS ABSENT: Alan Lennon *(resigned February 21, 2022)*
- OTHERS PRESENT: Frank Heath, County Manager Mary Hunnicutt, Clerk to the Board
 Hackney High, County Attorney

Chairman Nelson called the meeting to order. Commissioner Woodard gave the invocation and Chairman Nelson led the Pledge of Allegiance.

AGENDA

Chairman Nelson stated that a copy of the Agenda was at their seats tonight. Fondella A. Leigh made a motion to approve the Agenda as presented. The motion was seconded by Charles Woodard and unanimously approved by the Board.

CONSENT AGENDA

Chairman Nelson asked if there were any items that the Board wished to remove from the Consent Agenda to discuss. There being none, the following items were considered to be routine and were unanimously approved on motion made by Joseph W. Hoffer, seconded by Charles Woodard.

- Approval of Minutes:** February 7, 2022 Regular Meeting and February 21, 2022 Work Session were approved.
- Tax Refund Approval:**
Kathy Suntato----- \$174.05
Sold vehicle; 12-month refund. Account #51282379.
Tax Release Approvals:
Christine Camilleri ----- \$289.57
Incorrect assessment. Account #263846.
Chad White----- \$156.16
Billed in error. Out of business in 2021. Account #247079.

3. **Personnel Matters:**

Employee Name	Employee Job Title	Action Required	Grade/ Step	New Salary	Effective Date
Christina Turner	IMC I Working Against IMC II	Appointment	61/3	\$31,381	03/01/2022
Robert Elliott	Equipment Operator	Job Reclassification	58/16	\$37,775	03/01/2022
Jennifer Ayers	PT/FI Certified Telecommunicator	Resignation			02/08/2022
Chris Wharton	Water Plant Operator	Resignation			02/28/2022
Casey Forward	Business Personal Property Clerk	Resignation			02/28/2022
Nicole Elliott	Administrative Officer I	Retirement			05/01/2022
Kathy Matthews	Water Clerk	Retirement			06/30/2022

4. **Merit Increase:**

Employee Name	Employee Job Title	Grade/ Step	New Salary	Effective Date
James Fowden	Investigator	68/5	\$44,839	03/01/2022

5. **Budget Amendments:**

**BUDGET AMENDMENT NO. 25
GENERAL FUNDS**

CODE NUMBER	DESCRIPTION OF CODE	AMOUNT	
		INCREASE	DECREASE
10-362-000	Senior Center Donations	1,500	
10-660-331	Senior Center Donations	1,500	

EXPLANATION: To amend FY 21/22 budget to include senior center donations.

**BUDGET AMENDMENT NO. 26
GENERAL FUNDS**

CODE NUMBER	DESCRIPTION OF CODE	AMOUNT	
		INCREASE	DECREASE
10-351-003	NCDPS - Law Enforcement Allocation	84,270	
10-510-430	NCDPS - Law Enforcement Allocation	84,570	
EXPLANATION: To amend FY 21/22 budget to include NCDPS grant allocation for law enforcement to be used by the Sheriff's Office for law enforcement expenses.			

**BUDGET AMENDMENT NO. 27
GENERAL FUNDS**

CODE NUMBER	DESCRIPTION OF CODE	AMOUNT	
		INCREASE	DECREASE
10-348-012	State Grants - Emergency Management	10,000	
10-530-339	EM - Drills/Exercises	10,000	
EXPLANATION: To amend FY 21/22 budget to include grant funding for emergency training/exercises - this one is specific to the Active Shooter Drill at the Courthouse/Annex Buildings.			

**BUDGET AMENDMENT NO. 28
GENERAL FUNDS**

CODE NUMBER	DESCRIPTION OF CODE	AMOUNT	
		INCREASE	DECREASE
10-359-000	RACE - CARS Trail	7,300	
10-592-744	RACE - CARS Trail	7,300	
EXPLANATION: To amend FY 21/22 budget to include RACE - CARS Trail funds. (Randomized Cluster Evaluation of Cardiac Arrest Systems) Funds to be used for training/treating cardiac patients.			

**BUDGET AMENDMENT NO. 29
GENERAL FUNDS**

CODE NUMBER	DESCRIPTION OF CODE	AMOUNT	
		INCREASE	DECREASE
10-335-000	Misc. Revenue	28,616	
10-500-130	Building - Utilities	552	
10-511-020	Dispatch - FT Salaries	13,500	
10-511-030	Dispatch - PT Salaries	14,564	
EXPLANATION: To amend FY 21/22 budget to include Gates County 911 reimbursement for the 911 Center.			

6. **Board Resignation:** The following board resignation was approved by the Board:

Name	Board/Committee	Action Taken	Term	Effective Date
Lynn Mathis	Trillium Northern Region Advisory Board	Resignation		02/10/2022

7. **Miscellaneous Documents:** The following miscellaneous documents were unanimously approved by the Board:

a. **Resolution Authorizing Sale of Certain Surplus County Equipment:** The following Resolution to dispose of certain surplus property of the County and authorize the sale of this vehicle on GovDeals:

**RESOLUTION AUTHORIZING SALE
OF CERTAIN SURPLUS COUNTY PROPERTY**

WHEREAS, the Perquimans County Board of Commissioners desires to dispose of certain surplus property of the County:

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

1. The following described personal property is hereby declared surplus to the needs of the County:

- 1 – Siemon 1066 Telephone Punch Panel
- 2 – Spectracom Antenna Radio Wire
- 6 – Intrado Phone Equipment & Various Wires – Model No. 220P000080-401
- 2 – Unity Rectifier Power Supplies – Rack Mount – Model No. UR48-3
- 2 – Blackbox RJ-11 Data Broadcast Unit – Model No. TL159A
- 3 – West Telephone Gateway Shell Enclosure – Model No. 912800

2. The County Manager is hereby authorized and directed to proceed on behalf of the Perquimans County Board of Commissioners to sell these surplus items on GovDeals.

3. The County reserves the right to reject any or all bids and decide not to sell the property at any time during this process.

4. The County Manager, in accordance with State law, shall cause a summary of this resolution to be posted on bulletin board at Courthouse and place it on the County's website and Facebook page. After not less than ten (10) days from the date of publication, the County Manager is authorized to sell the above-described property to the highest bidder.

Adopted this the 7th day of March, 2022.

Wallace E. Nelson, Chairman
Perquimans County Board of Commissioners

ATTEST:

Mary P. Hunnicutt, Clerk to the Board

SEAL

STEVE LANE, INTELIPORT

Mr. Lane came before the Board to request that they partner with him to provide Broadband Internet to areas in the county that are currently unserved and/or under served as outline in the NC GREAT Grant Program. His requested grant amount will be for \$2.2 million plus a 30% match, which will be \$250,000. He is requesting that the County supply the matching funds. He further explained that he would be installing 60+ miles of fiber to the homes in the affected area. After making his full presentation, he ask the Board to sign a Document of Partnership stating that they would partner with him and provide the match fund of \$250,000. Chairman Nelson asked if there were any questions. There being none, T. Kyle Jones made a motion to authorize County Manager Heath to prepare the Letter of Partnership including the matching funds and to authorize Chairman Nelson to sign the document. Charles Woodard seconded the motion, which was unanimously approved by the Board.

JONATHAN NIXON, EMERGENCY SERVICES DIRECTOR

Mr. Nixon, along with Julie Solesbee, Public Information Officer/Grant Manager/AEMT, presented their annual Public Officials Conference to the Board of Commissioners and to the following public officials from the Towns of Hertford and Winfall and the School System:

TOWN OF HERTFORD

Earnell Brown, Mayor
Janice Cole, Town Manager
Ashley Hodges, Councilman
Jerry Mimlitsch, Councilman

TOWN OF WINFALL

Fred Yates, Mayor
Preston White, Councilman

PERQUIMANS COUNTY SCHOOL SYSTEM

Tanya Turner, Superintendent
James Bunch, Assistant Superintendent

Mr. Nixon and Ms. Solesbee covered the following items:

- Overview of accomplishments
- Overview of grants applied for and/or received
- Overview of the County Debris Contracts
- Review of local and regional assets
- Boards and Support Groups

After their presentation, they asked if there were any questions from the Board, the Town public officials and members of the Perquimans County School System. Their being none, Mr. Nixon stated that he had two items that required Board action. They were as follows:

- **Debris Contracts:** Mr. Nixon stated that the Board needed to approve a letter of intent to renew the post-storm debris contracts. On motion made by Fondella A. Leigh, seconded by Charles Woodard, the Board unanimously approved the letter of intent to renew the debris contracts for another five (5) years.
- **Gates County Reimbursements:** As the Board is aware, Perquimans County 911 has been assisting Gates County 911 for the last couple of months. The County has received the first reimbursement check from Gates County for the 911 Center and submitted the second invoice for payment. The first invoice was for \$20,769.84 and the second invoice was for \$7,846.38 making it a total of \$28,616.22 for the two months that Perquimans County hosted/provided support for the Gates County 911 at our 911 Center. Mr. Nixon provided the following recommendations on how to disburse these revenues to offset the expenses/work associated with hosting Gates 911:
 - Utilities: Appropriate \$522.54 to line #10-500-130 Utilities (based on invoice amounts)
 - Payroll: Appropriate \$13,500.00 to Line Items #10-511-020 Full-time Salaries and \$14,563.68 to line item #10-511-030 Part-time Salaries
 - Included with this appropriation would be a one-time stipend (to be paid to staff in their April payroll) for all 911 Division employees that worked during the time we hosted Gates (December 17, 2021 – February 17, 2022).
 - * There were two shifts where there were no Gates Telecommunicators (TC’s) and we provided a third TC to backfill their open spot.
 - * There were multiple shifts where there was no EMD certified Gates TC
 - * During the two winter events we staffed up a third TC
 - * The two 911 Shift Supervisors and Grant Manager were instrumental behind the scenes to make the equipment work, coordinate with Gates, and coach our staff
 - * The bulk of the call-taking and dispatching was absorbed by the TC’s on shift

	NUMBER OF EMPLOYEES	STIPEND REQUEST	TOTAL AMOUNT
Full-Time TC’s, 911 Supervisors, & Grants Manager	9	\$500.00	\$4,500.00
Perm. Part-Time TC’s	2	\$250.00	\$500.00
Part-Time TC’s	9	\$200.00	\$1,800.00
Total			\$6,800.00

Mr. Nixon asked the Board if they had any questions. Chairman Nelson stated that he felt that we should add Jonathan Nixon to the above list. There being no further comments or questions, Joseph W. Hoffer made a motion to approve Mr. Nixon’s recommendation adding Jonathan Nixon to the list of recipients. The motion was seconded by Charles Woodard and unanimously approved by the Board. Chairman Nelson thanked Mr. Nixon and his staff for a job well done.

PERQUIMANS COUNTY SCHOOL SYSTEM

Tanya Turner, School Superintendent, and James Bunch, Assistant School Superintendent, were present to discuss a grant opportunity. Ms. Turner made the presentation. Ms. Turner thanked the Board for allowing them to come and speak about improving the facilities in Perquimans County Schools. The School System recently was made aware of a 2021-2022 needs based public schools capital fund grant that is available for this school year. The total amount of this funding is \$395 million. Ms. Turner explained that this grant was established to assist counties with building needs. The funds for this grant are received from the revenues from the NC Education Lottery fund and the grants are available to eligible counties for construction of new buildings and additions and/or repairs and renovations of existing school facilities.

Ms. Turner explained the requirements of the grant application. There is no deadline to use or encumber the funds. There is no pre-requisite for the application other than an agreement with the County Board of Commissioners. They do require that the Board of Education Chair and the Board of Commissioners Chairman sign the signature page which she had available tonight should the Board approve to partner with the Board of Education. The grant maximums that are available is as follows: \$30,000,000 Elementary Schools; \$40,000,000 Middle Schools; and \$50,000,000 High Schools. Counties that receive the grant are required to provide local matching funds from the County funds or other non-state funds or a combination of both resources in accordance to NCGS #115C-546. Local matching funds range from 0% to 35% of the grant amount. However, Perquimans County has a 0% match requirement. Therefore, the County would have to pay no matching funds for this grant if awarded. The applications are evaluated as follows:

- Critical Needs
- Tier Designation (we currently are Tier 2) with Tier 1 counties receiving highest priority.
- Application Status means that, if the County has not received a grant in the last three years, they would have a better opportunity of receiving this grant.
- Facility Construction & Replacement Needs, which means that they look at the proposed projects and those that combine two schools into one facility would receive higher consideration.
- Critical Deficiencies which is the ratio of debt to revenues, the ability to generate tax revenues, and budget details

Based on all this information, Ms. Turner said that the Board of Education felt that it would be more beneficial for the County to apply for a \$40,000,000 grant that would be used for the construction of a grade 3 to 5 school (Hertford Grammar School) in combination with a grade 6 to 8 school (Perquimans Middle School) within one building. When you combine schools, you will receive the highest grant amount. The schools will be separate but they will be housed under the same structure. The grant application is due on March 15, 2022 with an award announcement date scheduled by April 12, 2022.

Although the School System has not had the opportunity to gather details with regard to new construction, they probably will not do that until they receive the grant funds. Then, they would partner with the County. She further explained that the opportunity to receive a \$40 million grant to construct a new facility with no county match requirement is an opportunity that does not come along very often.

Tonight, she is asking for the support of the Board of County Commissioners in applying for the needs based public schools capital fund grant and, if the funds are received, the Perquimans County School System will work with the County Commissioners to construct this facility.

Chairman Nelson asked if there were any questions or comments. The following questions and/or comments were made:

- **Chairman Nelson:** Mr. Nelson asked if the Board of Education had approved the application. Ms. Turner stated that they had unanimously approved the application.
- **Commissioner Jones:** Mr. Jones asked if the county has applied for a grant in the last three years. Ms. Turner said that we have not. She further added that we fluctuate between Tier 1 and Tier 2. She believes that we are a Tier 2 county now.
- **County Manager Heath:** Mr. Heath asked how much state grant funding was available. Ms. Turner stated that it is \$395 million this year but she understands that it will be offered again next year but she does not know the amount for that grant yet. If the School System does not get the grant this year, they are planning on applying again next year. Mr. Heath said that he recommends that they keep the total project within the \$40,000,000.

Chairman Nelson asked if there were any further questions or comments. There being none, he asked for a motion. Charles Woodard made a motion to support the application for \$40,000,000. The motion was seconded by Joseph W. Hoffler and unanimously approved by the Board.

COMMISSIONER'S CONCERNS/COMMITTEE REPORTS

The following commissioners' concerns or committee reports were made:

- **Chairman Nelson:** Mr. Nelson explained that he had received a phone call regarding a Resolution for catch quotas for Striped Bass. A copy of Dare County's resolution was placed at your seats tonight. Mr. Nelson further explained that they are asking the counties around the sounds to ask the NC Department of Marine Fisheries to revisit the numbers. After some discussion, Mr. Nelson asked if the Board wanted to move forward or take no action on the matter. He said that they were meeting the end of the month to make a decision. It was the consensus of the Board to table the matter until the Special Called Meeting on March 21, 2022.
- **Commissioner Jones:** Mr. Jones asked Mr. Heath if the Special Called Meeting on March 21, 2022 was to find a replacement for Commissioner Alan Lennon who resigned on February 21, 2022. Mr. Heath and Mr. Nelson stated that it was. A question was asked if we had received any letters of intent. Mr. Heath said that they had received one but have received several phone calls about it.

UPDATES FROM COUNTY MANAGER

County Manager Heath presented the following updates:

- **Cooperative Extension Director:** Mr. Heath reported that he had received a copy of a letter from Art Bradley welcoming Jared Harrell as the new Perquimans County Cooperative Extension Director. Mr. Heath thanked Ms. Moore for serving as the Interim Director since Jewel Winslow retired in August, 2021. Mr. Harrell is scheduled to come to the April meeting to greet the Board and give an update on Extension Department.
- **Perquimans County High School Baseball Team:** Mr. Heath informed the Board that the championship rings were presented to the Perquimans County High School Baseball Team last week. The Board contributed to the purchase of these rings and the School System, coaches, and team members thanked the Board for their support.
- **Arnold White:** Mr. Heath reported that Arnold White retired from the Water Department on March 1, 2022 after 30 years of service. Mr. Heath showed a picture of Mr. White receiving his plaque at his retirement party on February 24, 2022.
- **Hertford American Legion Post #126:** American Legion Post #126 will be hosting a Commemoration post open house marking the 50th anniversary ending of the Vietnam War and to honor the service of all Vietnam War veterans. The event will occur on March 26, 2022 from 12:00 noon to 3:00 p.m. at the American Legion Post 126 Hall located at 111 West Academy Street in Hertford. The Board is invited to attend. Invitations were placed at their seats tonight.

REQUEST FOR DEPUTY DIRECTOR OF ELECTIONS

Chairman Nelson recognized Kathy Treiber who gave a brief overview of their request at the February 7, 2022 meeting. They are requesting a new position entitled Deputy Director of Elections to begin working on April 1, 2022. This employee will work as the Deputy Director until August 1, 2022 when he/she will become Director of Elections and Ms. Treiber will become the Deputy Director until her retirement on November 1, 2022. As reported last month, the funds to cover the new position has been pulled from other areas of the budget so there will be no additional funds needed for this fiscal year. However, for the next fiscal year, they would need to appropriate the funds for future fiscal years. On motion made by Joseph W. Hoffler, seconded by T. Kyle Jones, the Board unanimously approved the new position of Deputy Director.

PLANNING ITEM: PRELIMINARY PLAT REVIEW OF ALBEMARLE PRESERVE – PHASE 1A

Chairman Nelson recognized Rhonda Repanshek, County Planner, who provided the following summary of this request:

Thank you Chairman Nelson. Albemarle Preserve is the new name for the 1500 acre Planned Unit Development, now known as a Conditional Zone District, that was rezoned in 2019 and stretches from Albemarle Plantation, goes across Holiday Island Rd. and Harvey Point Rd. all the way to the Perquimans River.

Preliminary plat review of Albemarle Preserve phase 1A is an administrative decision that does not require a public hearing. NC General Statutes Chapter 160D-801 states that decisions on approval or denial of preliminary plats may be made only on the basis of standards explicitly set forth in the subdivision ordinance.

This preliminary plat is for the first 46 lots of the Conditional Zone. As noted on the plat cover sheet, total area of lots is 66.28 acres, common space is approximately 60 acres, and right-of-way is 7½ acres. Only residential housing is proposed for this phase.

Subdivision Regulation Sections 305.1 and 306.7 are two checklists outlining what is required in a preliminary plat and they are in tonight's meeting packet. Conditions for this Conditional Zone recorded in Deed Book 494, page 775 lists several other items to be completed prior to Preliminary Plat approval. Board members should use the two checklists and conditions to determine plat approval.

Per section 305.4 "A preliminary plan of subdivision must not be approved unless the Board of Commissioners determine that the proposed subdivision will not exceed the county's ability to provide adequate public facilities,..." And section 701, which requires a water access lot, is satisfied by a lot east of lot number 33 which has an upland entrance off a half cul-de-sac with the remainder of the lot being wetland swamp available for a boardwalk.

Technical Review Committee comments are in the staff report for your reading pleasure. Ms. Repanshek is only pointing out two; our Water Dept. Director questioned some numbers in the potable water line data and our District Soil and Water Technician stressed the importance of DOT maintaining the culvert that goes under Harvey Point Road because it drains a big portion of what is going to be developed.

Analyzing this against the recorded Conditions:

Condition A7) discusses setbacks. There are two different sets of setbacks; waterfront lots get smaller setbacks due to their narrow lot widths.

Condition D1) states that a Traffic Impact Analysis (TIA) shall be reviewed by NCDOT and a report provided for County Commissioners **prior to preliminary plat**. Planning staff is still waiting for NCDOT comments on ANY of the phase 2's 1500-acre development proposal. The applicant and myself have both reached out to NC DOT and received no response back.

Condition E2) is about water hydrants. They appear to be properly spaced.

Condition F1) states, “Prior to approval of a Preliminary Plat, the Developer shall obtain County Attorney approval of the Articles of Incorporation for the Property Owners Association or Homeowners Association and Restrictive Covenants for Albemarle Plantation Phase 2 PUD. There were two things the document needed to include. This document was not available at the time of the Planning Board meeting, but it was supplied in a timely manner afterward and our County Attorney had adequate time to review it and approve its wording.

Condition F2) states that accompanying an application for Preliminary Plat approval, the Developer shall make a payment to the County to allow the County to retain engineering services to review the adequacy of plans and installation of water and wastewater systems, roads, stormwater drainage, etc. No fees were charged because there is so very little to review.

Section 306.7 preliminary plat checklists items, which are not present, are as follows:

- Street names which can be remedied in a ½ hour of research for suggested names
- With regard to the balance of these items, the Board will need to ask the applicant for answers to these items:
 - Plans for utility layouts including sanitary sewers or sewerage disposal systems, water distribution lines and electric service
 - Letter of tentative approval of water supply and sewage disposal plans by appropriate county and state authorities
 - Letter of applicability of a Stormwater Drainage Plan from NC DEQ
 - Certificate of approval from NCDOT as to proposed roadway alignment and construction
 - Letter from NC DEQ Division of Energy, Mineral and Land Resources approving the Sedimentation and Erosion Control Plan
- County Subdivision Regulations section 108 requires proposed subdivisions to comply with the locally adopted Land Use Plan and if you read the CAMA Land Use Compatibility Policies then #2 states that, the County shall review the Land Suitability Analysis map as a source of information for determining the general suitability of land for the proposed development. Staff referenced the Map (Exhibit VII-C, p. VII-5) and found that most of proposed phase 1A is in a ‘moderate suitability for development’ area, but the east side is in a ‘low suitability for development’ area most likely due to poor soils.
- Land Use Compatibility Policies #3, 11 and 32 encourage cluster type residential subdivision development, planned unit developments in harmony with adjoining land uses, and subdivisions with lots fronting on internal streets as opposed to lots with State road frontage.

Recommendations:

Planning Board unanimously approved the plat with two conditions. The first condition was that our County Attorney would have 3 weeks prior to the Commissioners’ meeting to review all documents relating to Restrictive Covenants and the Articles of Incorporation for the Property Owners Association. County Attorney High has accomplished this condition. The second condition was to recommend that, to completely satisfy the Subdivision Regulation section 701 requirement for a Water Access Lot, the applicant should actually construct a boardwalk prior to the first issuance of a zoning permit for a principal residential structure.

The reasoning behind the second condition is because the Planning Board’s interpretation of section 701 wording was that reserving a parcel of swamp land is not the same as reserving water access to the residents. They felt that the boardwalk would need to be installed and fully useable to be considered as reserving water access for landowners of interior lots. Originally they wanted that condition prior to final plat approval but that would mean a boardwalk would require a Major CAMA permit which takes many months, but if you wait until *after* final plat approval then a boardwalk would only require a Minor CAMA permit which can be obtained within a month.

Which leads to the consideration that this is a review of the *preliminary* plat, so if you were considering the boardwalk condition after final plat then you have the option to think about it until a final plat comes to the Board and put it as a condition on final plat approval at that time.

The applicant, Mr. Bobby Masters and their engineer Mr. Dave Klebitz from Bissell Professional Group are here to offer explanations and answer questions. Woody Perry is also in attendance tonight.

After completing her presentation, Ms. Repanshek asked the Board if they had any questions or comments. The following questions and/or comments were made:

- **Commissioner Jones:** Mr. Jones asked about the items that were not met yet. How does this relate to tonight’s action? Ms. Repanshek said that the preprimary plat that the Board is considering tonight may not have all the conditions but the Planning Board will be considering them tomorrow night at their meeting. She said that the engineer could explain it better.
- **Chairman Nelson:** Mr. Nelson asked where the lot they are talking about is located. Ms. Repanshek showed where the lot is located on the map that was on the television screen.
- **Commissioner Hoffer:** Mr. Hoffer asked if they were going to keep the name Albemarle Preserve. The applicant stated that it was going to remain Albemarle Preserve.
- **County Manager Heath:** Mr. Heath asked about the water department concerns and if they had been resolved yet. Mr. Klebitz stated that they had not but he was going to explain things further.

Mr. Klebitz explained each of the above conditions and what they are doing to correct them. The items covered were: storm water, sewer, water, and erosion. There being no further comments or questions, Chairman Nelson asked for a motion. T. Kyle Jones made a motion to approve the Preliminary Plat Phase A1 of Albemarle Preserve with the conditions mentioned above and to approve its consistency with the County CAMA Land Use Plan. Fondella A. Leigh seconded the motion and the Board unanimously approved the motion.

PERQUIMANS COUNTY DIGITAL INCLUSION PLAN

County Manager Heath explained that a copy of the Perquimans County Digital Inclusion Plan was included in their Agenda Packets. This document was formulated by the County and is suggested for many broadband grants. He reviewed the following goals:

- Goal 1. Improve broadband connectivity and access throughout the county.
- Goal 2. Improve digital literacy skills among various communities in the county.
- Goal 3. Integrate digital inclusion strategies into community and economic development efforts.

Mr. Heath recommends the approval of this document. On motion made by Charles Woodard, seconded by Joseph W. Hoffer, the Board unanimously approved the Perquimans County Digital Inclusion Plan.

CENTURYLINK MOU-GREAT GRANT

County Manager Heath presented the Memorandum of Understanding for CenturyLink who made a presentation at their February 21, 2022 Work Session to partner with the County to apply for the GREAT Grant to extend broadband services throughout the County. He recommends approval of this Memorandum of Understanding. On motion made by Joseph W. Hoffer, seconded by T. Kyle Jones, the Board unanimously approved the following CenturyLink Memorandum of Understanding for the GREAT Grant:

MEMORANUM OF UNDERSTANDING

The parties to this Memorandum of Understanding (“MOU”) are Perquimans County, North Carolina (“Perquimans County”) and Connect Holding II, LLC d/b/a Brightspeed (“Brightspeed”). The purpose of this MOU is to establish a commitment by the parties to partner in the North Carolina Growing Rural Economies with Access to Technology (“GREAT”) program established by the North Carolina Broadband Infrastructure Office (“Broadband Office”). Although a partnership

between Perquimans County and Brightspeed has not yet been formalized for Brightspeed – Perquimans County Fiber Project (“Project”), which Project is described more specifically below, both parties are anticipating to collaborate on a contract (“Contract”) to be executed if the Broadband Office awards a GREAT Grant to Brightspeed for the project during the supplemental round of applications due on April 4, 2022. The Contract would require Brightspeed to complete the Project and would require Perquimans County to pay Brightspeed a portion of the costs associated with the Project. Neither party would be under any obligation to the other: (1) If Brightspeed is not awarded the Project by the Broadband Office; or (2) if, in Brightspeed’s sole discretion, Brightspeed chooses not to submit an application to the Broadband Office for the Project; or (3) if the change in control of the holding company ownership of Brightspeed to Connect Holding, LLC, expected to close in the third quarter of 2022, fails to close. The various obligations in the Contract contemplated by the parties are summarized below:

If Brightspeed is awarded the Project by the Broadband Office, Brightspeed would commit to:

- a. Execute a five-year service agreement with the Broadband Office for the Project, which will deploy fiber-to-the-home service to approximately 2,648 locations with a total Project cost of approximately \$7,130,000;
- b. Draft and submit to Perquimans a draft Contract once advised by the Broadband Office of a successful application and anticipated award.
- c. Execute a Contract with Perquimans County to formalize a partnership whereby Brightspeed, under the ownership of Connect Holding, LLC will complete the Project and Perquimans County will pay a portion of the Project costs as described below and in the Contract;
- d. Complete all Grant Activities to be described in the Contract.
- e. Provide a copy of any required Progress Report to Perquimans County on the status of the Project;
- f. Notify Perquimans County if assistance is needed with the project;
- g. Submit requests for payment Perquimans County when the Project is completed, or earlier at the request of Perquimans County;
- h. Complete all Project work within the required timeframe;
- i. Provide Perquimans County information on the locations where broadband had been enabled as part of the Project;
- j. Prepare and execute any required nondisclosure agreements related to the Project; and
- k. Include this MOU in its application to the Broadband Office for the Project.

Perquimans County would commit to:

- a. Execute a Contract with Brightspeed, if Brightspeed is awarded the Project by the Broadband Office. The Contract will formalize a partnership whereby Brightspeed will complete the Project and Perquimans County will remit \$250,000 to Brightspeed at the conclusion, as addressed in this MOU and the Contract;
- b. Include, as part of the remittance of the \$250,000, any American Rescue Plan Act (“ARPA”) funding;
- c. Obtain all necessary approvals to enter the Contract and remit \$250,000 to Brightspeed at the conclusion of the Project;
- d. Process requests for payment for the Project pursuant to the Contract in a timely manner;
- e. Provide assistance with the Project in accordance with the Contract within the scope of Perquimans County’s authority;
- f. Execute any necessary non-disclosure agreement related to the Project;
- g. Provide information about the Project on the Perquimans County Broadband Initiative website;
- h. Assist in publicizing the Project to Perquimans County residents; and
- i. Allow Brightspeed to include this MOU in its application to the Broadband Office for the Project.

Connect Holding II, LLC d/b/a Brightspeed
 Name (printed): _____
 Title: _____
 Signature: _____
 Date: _____

PERQUIMANS COUNTY
 Name (printed): Wallace E. Nelson
 Title: Chairman
 Signature: _____
 Date: March 7, 2022

HERTFORD GRANT MATCH REQUEST

Chairman Nelson explained that at the February 21, 2022 meeting, the Town of Hertford presented a request for \$60,000, which is one-half of the matching funds for their grant. Mr. Nelson asked Ashley Hodges, Hertford Mayor Pro Tem, to give a brief review of their request. After his presentation, Mr. Nelson asked if there were any questions or comments from the Board. County Manager Heath stated that, should the Board decide to approve their request, the motion should state that they approve to provide up to \$60,000 and to approve Budget Amendment No. 30 to cover this match out of their Fund Balance line item. There being no further questions or comments, Fondella A. Leigh made a motion to provide one-half of the matching funds in the amount of \$60,000 and to approve the following Budget Amendment No. 30 taking the funds from our Fund Balance. The motion was seconded by Joseph W. Hoffler. Chairman Nelson asked if there was any further questions or discussion. Commissioner Jones stated that he seems to remember that, should this request gets approved tonight, the Town of Hertford would be coming back to request more matching funds. Mr. Hodges asked Mr. Jones if this was in terms of the drawing phase. Mr. Jones said that was correct. County Manager Heath stated that, at the March 7, 2022 meeting, he asked the question that, after they get all the drawings done and the engineering done, and they begin the construction phase, would they come back to ask for additional matching funds for the construction phase. Mr. Hodges stated that the Town of Hertford would do whatever they could to raise the funds to cover the match at that point. There being no further questions or discussion, Chairman Nelson called for a vote. The motion was approved by a vote of five (4) to one (1) with Commissioner Jones voting against the motion.

**BUDGET AMENDMENT NO. 30
 GENERAL FUNDS**

CODE NUMBER	DESCRIPTION OF CODE	AMOUNT	
		INCREASE	DECREASE
10-399-000	Fund Balance Appropriated	60,000	
10-690-982	Waterfront Grant Match - Hertford	60,000	
EXPLANATION: To amend FY 21/22 budget to include a grant match for the Waterfront Project - Town of Hertford as approved at the 3/7/2022 BOC meeting.			

DOCUMENTATION FOR RECREATION PARTF GRANT

At their February 7, 2022 meeting, County Manager Heath reported that the Recreation Department had received the Recreation PARTF Grant in the amount of \$65,600 to building tennis court at the Recreation Center. This month, we received the documentation that we need to sign to accept the funds. On motion made by Charles Woodard, seconded by Fondella A. Leigh, the Board unanimously authorized the Chairman to sign this documentation.

PUBLIC COMMENTS

The following public comment was made:

- **Pete Perry:** Mr. Perry said that he had no comments since the Board had already taken action on the matter he was going to talk about.

ADJOURNMENT

There being no further comments or business to discuss, the Regular Meeting was adjourned at 9:06 p.m. on motion made by Charles Woodard, seconded by Joseph W. Hoffler.

Wallace E. Nelson, Chairman

Clerk to the Board
