

P E R Q U I M A N S C O U N T Y
C A P I T A L P R O J E C T S O R D I N A N C E
A R P A F U N D S

This Capital Projects Ordinance is being authorized for the ARPA Funds.

Section 1: APPROPRIATIONS - The following amounts are hereby appropriated in this ARPA Funds beginning July 1, 2022, and ending June 30, 2023.

Investment Earnings	\$	2,000
ARPA Funds		1,307,515
TOTAL ARPA Funds	\$	1,309,515

Section 2: REVENUES - It is estimated that the following revenues will be available for appropriation in the ARPA Funds beginning July 1, 2022, and ending June 30, 2023.

ARPA Carry Forward	\$	2,000
Transfer to General Fund		1,307,515
TOTAL ARPA Funds	\$	1,309,515

Wallace E. Nelson, Chairman
 Perquimans Co. Board of Commissioners

WORK SESSION
 June 20, 2022
 7:00 p.m.

The Perquimans County Board of Commissioners Work Session on June 20, 2022 was cancelled.

REGULAR MEETING
 July 5, 2022
 6:45 p.m.

The Perquimans County Board of Commissioners met in a regular meeting on Tuesday, July 5, 2022, at 6:45 p.m. in the Meeting Room of the Perquimans County Library located at 514 S. Church Street, Hertford, NC 27944.

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

Chairman Nelson called the meeting to order. Commissioner Jones gave the invocation and Chairman Nelson led the Pledge of Allegiance. Mr. Nelson explained that the first item of business was to hold a public hearing.

Rezoning Request No. REZ-22-01, requested by The Moorings of the Albemarle

Chairman Nelson opened the Public Hearing stating that the purpose of this public hearing is to receive citizens' comments to consider: (1) Rezoning Request No. REZ-22-01, requested by The Moorings at Albemarle, LLC to rezone approximately 93.36 acres from RA-15 (CUD), Residential and Agricultural Conditional Use District to RA-15, conventional Residential and Agricultural District. Subject property extends in all directions from the intersection of Muddy Creek Road, Hoyle Jones Road, and Cross Neck Road. Subject property is also known as Tax Parcel Nos. 4-0076-0026, 4-D076-2601-TM1, 4-D076-2602-TM1, 4-D076-2603-TM1, 4-D076-2604-TM1. (2) Preliminary Plat review of Major Modification of The Moorings at Albemarle. There were eighteen (18) people present. Rhonda Repanshek, Planner, presented the following overview of their request:

Re-Zoning: Thank you, Chairman Nelson. Let me clarify the agenda. The Public Hearing is only for the rezoning request part. The public has the right to speak about the rezoning. Preliminary Plat review is administrative and therefore should not be discussed in depth until after the rezoning is actually voted on.

Re-zoning is a legislative decision, so although Commissioners have discretion in the decision-making, such land use decisions must be reasonable, grounded in land use considerations, and in keeping with the statutory purposes of development regulations.

Landowners within 150 feet of the project boundary were notified via postal mail, and the general public was notified via local newspaper notice 2 consecutive weeks and signs were posted on-site in accordance with County Zoning Ordinance section 302 and State General Statutes. The Planning Office had two general requests for additional information from the public, but no specific opinions were expressed.

History and WHY the Re-zoning is Needed: County Commissioners zoned this project RA-15 (CUD) in January of 2011. It has a list of special conditions that go with it in the form of a Special Use Permit that is recorded in Register

of Deeds. A couple of the conditions in that permit are: #1) that it allows up to 140 lots and #2) that it *requires* the installation and operation of a community sewer collection system and treatment and disposal facilities. Almost 5 years ago, in September, 2017, County Commissioners approved a preliminary plat for this project that proposed 108 lots. The new proposal is for approximately 46 residential lots ranging in size from ¼ acre to almost 18 acres and using individual septic systems on each lot. Therefore, that is a substantial modification and the conditions in the Special Use Permit need to be changed, which requires the same legislative public hearing process as is required for a rezoning. So it was decided that a conventional zone would be the simplest approach based on proposed ideas.

General Info: The current proposal is being designed to have a total of approximately 46 residential lots out of the whole 93 acres. West of the subject property is a neighborhood established in 1961 called Longbeach Estate, which is, zoned RA-25, a residential zone. All other surrounding properties are zoned RA, which is a rural agriculture zone and are predominantly row crops and some woodland.

RA-15 zones are established for the principal use of single-family dwellings, duplexes and agricultural uses. The specific intent of these districts is to encourage the construction of single-family houses and prohibit commercial and industrial uses.

Uses allowed in an RA-15 district include athletic fields/playgrounds, churches by Special Use Permit, duplexes, fire stations, schools by Special Use Permit, libraries, and several other residential related uses that can be found in Zoning Ordinance Article 8 Table of Uses.

RA-15 zones require smaller setbacks than larger numbered residential zones; 5 ft. less on front, 10 ft. less on rear and 3 ft. less on side property lines.

Consistency with Land Use Plan: According to the Projected Future Land Use map on page IX-36 of CAMA’s Land Use Plan (LUP) Update, the subject area is zoned *Residential*.

Page IX-28 of the LUP lists appropriate and inappropriate uses for **Residential**, which corresponds to Zoning District **RA-15**

“The County’s goals and policies support the use of land in medium/high density classified areas for single family, mixed-use, and planned unit development where adequate public utilities and roads are available or can be upgraded to support higher residential densities.”

Appropriate Uses: Variety of low-density single-family and agricultural uses.

Inappropriate Uses: Commercial and industrial development.

Recommendation Procedure: There is no grid table to read from anymore. You do need to make a statement about the rezoning’s consistency with the CAMA Land Use Plan, then you add to that sentence a ‘statement of reasonableness’ for the rezoning. The statement of reasonableness is where you consider factors such as size, or physical condition of the site, whether it is a benefit or hardship for the neighbors and whether the action taken is in the public interest.

When you vote you will have two (2) motions to make. The first motion can say why the action is consistent or not with the CAMA Land Use Plan and the second part of the first motion can include a statement of reasonableness. Then you have the second motion where you approve or deny the re-zoning.

Planning Board unanimously recommended approval to find the proposed Rezoning to be consistent and in harmony with the county Land Use Plan and they found the rezoning to be reasonable because the overall density and intensity are decreased. They also unanimously recommended approval of the rezoning request to change it from RA-15 (CUD) to conventional RA-15.

Ms. Repanshek stated that the co-owners, Bruce Exum, Sr. and Bruce Exum, Jr. were present along with Tim Newell of Rivers & Associates if the Board had any questions for them.

After her presentation, Chairman Nelson asked if the applicants would like to add anything to her report. He recognized Tim Newell, Rivers & Associates who provided additional information on the project. He stated that he was the representative for The Moorings of the Albemarle and then introduced Bruce Exum, Sr., and Bruce Exum, Jr., owners of The Moorings of the Albemarle. With there being no further comments from the Planning Staff or the owners, Chairman Nelson asked Ms. Hunnicutt if anyone had signed up to speak. Ms. Hunnicutt said that no one had signed up to speak. Mr. Nelson then asked if there was anyone in the public that would like to speak on this request. The following individuals made comments or asked questions:

- **Ed Bennett:** Mr. Bennett asked if this was going to be multi-family dwellings or single-family dwellings. Mr. Newell said that they would be single-family dwellings.
- **Bill Ricks:** Mr. Ricks asked if the infrastructure would be available to handle a subdivisions of this size. County Manager Heath stated that, from the county’s perspective, there would be adequate water and drainage for this subdivision. These requirements are handled through Planning & Zoning approval process. He also stated that he feels that they are adequate. Mr. Newell answered that, before final plat approval is requested, they have to have this approved by the county and state agencies that oversee these areas.

Chairman Nelson asked if the Board had any questions for any of these witnesses. There being none, he closed the Public Hearing at 7:07 p.m. and proceeded with the Regular Meeting.

AGENDA

Chairman Nelson stated that a copy of the Agenda was at their seats tonight. Charles Woodard made a motion to approve the Agenda as presented. The motion was seconded by Joseph W. Hoffer 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 Fondella A. Leigh, seconded by Joseph W. Hoffer.

1. **Approval of Minutes:** Approval of Minutes for June 6, 2022 Regular Meeting, June 20, 2022 Special Called Meeting, and June 20, 2022 Work Session (cancelled) were approved.
2. **Tax Refund Approvals:**

Estes, Matthew Clayton	\$194.44
Vehicle sold; 10-month refund. Account No. 59476609.	
Riddick, LuAnn Stallings	\$176.19
Vehicle sold; 11-month refund. Account No. 66516447.	
Francis, William Thomas	\$147.17
Vehicle sold; 8-month refund. Account No. 64894843.	
Cotterell, Linda Mcentee	\$261.93
Vehicle sold; 10-month refund. Account No. 66048764.	

3. Personnel Matters:

Employee Name	Employee Job Title	Action Required	Grade/Step	New Salary	Effective Date
Alyssa Williams	Water Clerk I	Appointment	61/8	\$36,525	08/01/2022
Stacey Layden	Tourism/Museum Director	Appointment	n/g	\$23.15/hr.	07/01/2022
Lindsay Brothers	Part-Time/Fill-In EMT	Appointment	63/1	\$16.16/hr.	07/01/2022
LuRee Sawyer	Part-Time Data Entry Mgr./Senior Center Ass't.	Appointment	n/g	\$17.00/hr.	07/01/2022
Sean Tripp	Full-Time Paramedic	Appointment	68/1	\$20.14/hr.	07/01/2022
Jackie Green	Director – Board of Elections	Promotion	67/3	\$42,090	07/01/2022
Kathryn Treiber	Director – Board of Elections	Resignation			07/01/2022
Kathryn Treiber	Board of Elections Fill-In	Appointment	n/g	\$10.54/hr.	07/01/2022
Ashley Mikus	PT/FI Certified Telecommunicator	Removed from Roster			06/29/2022
Anmarie Shine	PT/FI Certified Telecommunicator	Removed from Roster			06/26/2022
Carla Godwin	Part-Time/Fill-In Paramedic	Resignation			06/30/2022
Zachary Crowe	Part-Time/Fill-In Paramedic	Removed from Roster			07/01/2022

4. Step Increases:

Employee Name	Employee Job Title	Grade/Step	New Salary	Effective Date
Frank Heath	County Manager	83/17	\$119,781	07/01/2022
Mary Hunnicutt	Secretary/Clerk to the Board	65/15	\$51,652	07/01/2022
Helen L. Hunter	Finance/HR Specialist	61/12	\$42,268	07/01/2022
Tracy Mathews	Finance Officer	72/15	\$70,293	07/01/2022
Charles Lories	Supervisor – Water Department	74/14	\$74,935	07/01/2022
Jonathan A. Nixon	Emergency Svcs. Director/AEMT	76/18	\$90,222	07/01/2022
Andrea Stoner	911 Shift Supervisor I	68/4	\$45,086	07/01/2022
Krystal Tutwiler	911 Shift Supv. II / Training Off.	68/7	\$48,494	07/01/2022
Marleny Garcia	Public Information Assistant IV	59/2	\$28,892	07/01/2022
Wayne Jordan	EMS Shift Supervisor (Paramedic)	70/3	\$48,032	07/01/2022
Brian Pauli, Jr.	AEMT	66/3	\$19.37/hr.	07/01/2022
Maria Schwartz	Paramedic	68/3	\$21.15/hr.	07/01/2022
Julie Solesbee	Ass't. EM/PIO/Grant Mgr./AEMT	70/4	\$49,236	07/01/2022
Mark Symons	EMT	63/5	\$17.82/hr.	07/01/2022
Sharon Cooper	Office Manager	62/6	\$36,351	07/01/2022
Erle Solesbee	Assistant Building Inspector	67/2	\$41,089	07/01/2022
John Downum, Jr.	Athletic Program Supervisor	64/3	\$36,882	07/01/2022
Donna Phelps	Assistant Register of Deeds	60/10	\$36,701	07/01/2022
Ray Fesperman, Jr.	Sergeant	67/10	\$49,943	07/01/2022
James Fowden	Investigator	68/7	\$48,494	07/01/2022
Kendall Harrell	Sergeant	67/11	\$51,162	07/01/2022
David Murray	Sergeant of SRO's	67/8	\$47,565	07/01/2022
Dean Polumbo, Jr.	Certified Deputy	65/3	\$38,543	07/01/2022
Thomas Reid	Chief Deputy	72/5	\$55,075	07/01/2022
Lacy Robeson, III	Investigator	68/10	\$52,191	07/01/2022
Jacob Sikes	Certified Deputy	65/2	\$37,626	07/01/2022
Preston Ward, Jr.	Investigator	68/10	\$52,191	07/01/2022
LeAnne Wynne	Office Manager	62/10	\$40,078	07/01/2022
Janet Stallings	Secretary/Technician	61/9	\$37,417	07/01/2022
Kimberly A. Bray	Assistant Tax Administrator	66/13	\$51,407	07/01/2022
Robert Smith	Technician I	58/3	\$28,324	07/01/2022
Bea Spaeth	Fill-In Water Department	64/3	\$17.73/hr.	07/01/2022
Frank Heath	County Manager	83/17	\$119,781	07/01/2022

5. Budget Amendments:

BUDGET AMENDMENT NO. 1
GENERAL FUNDS

CODE NUMBER	DESCRIPTION OF CODE	AMOUNT	
		INCREASE	DECREASE
10-348-000	DSS State Grants	25,200	
10-610-198	DSS - Emergency Assistance	25,200	

EXPLANATION: To amend FY 22/23 budget to correct requested/approved allocation.

BUDGET AMENDMENT NO. 2
GENERAL FUNDS

CODE NUMBER	DESCRIPTION OF CODE	AMOUNT	
		INCREASE	DECREASE
10-348-014	Foundation Grant EMS	5,000	
10-592-742	EMS - Foundation Grant Expense	5,000	

EXPLANATION: To amend FY 22/23 budget to include the unencumbered FY 21/22 boat sale funds to be used to repair the current boat.

BUDGET AMENDMENT NO. 3
GENERAL FUNDS

CODE NUMBER	DESCRIPTION OF CODE	AMOUNT	
		INCREASE	DECREASE
10-348-000	DSS State Grants	1,328	
10-610-338	DSS - APS Essential Services	1,328	

EXPLANATION: To amend FY 22/23 budget to include additional funding for APS Essential Services as awarded through ARPA.

BUDGET AMENDMENT NO. 4
GENERAL FUNDS

CODE NUMBER	DESCRIPTION OF CODE	AMOUNT	
		INCREASE	DECREASE
10-348-000	DSS State Grants	38,009	
10-610-204	DSS - Adoption Promotion Fund	38,009	

EXPLANATION: To amend FY 22/23 budget to include additional funding through Adoption Promotion Fund as awarded by the State.

BUDGET AMENDMENT NO. 5
GENERAL FUNDS

CODE NUMBER	DESCRIPTION OF CODE	AMOUNT	
		INCREASE	DECREASE
10-360-005	Opioid Settlement Fund	88,523	
10-592-745	Opioid Settlement Fund	88,523	

EXPLANATION: To amend FY 22/23 budget to include National Opioids Settlement Funds awarded to Perquimans County for FY 22/23.

**BUDGET AMENDMENT NO. 6
GENERAL FUNDS**

CODE NUMBER	DESCRIPTION OF CODE	AMOUNT	
		INCREASE	DECREASE
10-348-018	EM - CBC Grant - EPC	323,800	
10-530-344	EM - CBC Grant - EOC	323,800	
EXPLANATION: To amend FY 22/23 budget to include additional EM Fund as awarded through the EM Capacity Building Competitive Grant.			

**BUDGET AMENDMENT NO. 7
GENERAL FUNDS**

CODE NUMBER	DESCRIPTION OF CODE	AMOUNT	
		INCREASE	DECREASE
10-348-017	EM - DPR Grant	35,823	
10-530-333	EM - DPR Grant	35,823	
EXPLANATION: To amend FY 22/23 budget to include the FY 21/22 unencumbered balance for the DPR Grant.			

**BUDGET AMENDMENT NO. 8
GENERAL FUNDS**

CODE NUMBER	DESCRIPTION OF CODE	AMOUNT	
		INCREASE	DECREASE
10-348-012	EM - State Grants	22,000	
10-530-333	EM - Performance Grant	22,000	
EXPLANATION: To amend FY 22/23 budget to include the unencumbered FY 21/22 boat sale funds to be used to repair the current boat.			

6. **Enclosures:** The following miscellaneous documents were approved by the Board:
- Senior Nutrition Contract:** This contract is between Perquimans County and Albemarle Commission to handle the Senior Nutrition Program at the Senior Center. The cost is \$12,457,53 for 999 for FY 2022-2023.
 - Home & Community Care Block Grant (HCCBG) Contract:** The County has been approved to receive funds from the Home & Community Care Block Grant (HCCBG). The Board unanimously authorized the Chair and County Staff to sign the required documentation to receive these funds.

PRESENTATIONS & INTRODUCTION OF NEW EMPLOYEES

- A. The following presentation was made:
- Recognition of Service:** Beginning last month, the Board recognized employees that have reached their 5th, 10th, 15th, etc. year with the County. Tonight, Mr. Heath recognizes Helen Hunter, Tax/Finance Specialist, who is celebrating her 15th year. The Board thanked Ms. Hunter for her service. Ms. Hunter thanked the Board for the opportunity to work for the County.
 - Recognition of Retirement:** County Manager Heath explained that this month we had two employees to retired. They were Kathy Matthews, Water Clerk, who retired on July 1, 2022 after thirty years of service in the Water Department, and Jim Grosjean, EMS Compliance Officer/AEMT, who retired on July 1, 2022 after thirteen years of service in the Emergency Medical Services.
- B. Introduction of New Employees: The following new employees were introduced to the Board:
- Susan Chaney, Social Services:** Susan Chaney, Social Services Director, introduced Sarah Ownley, IMC I Working Against IMC II – Adult Medicaid Unit, who was hired on June 1, 2022.
 - Shelby White:** Shelby White, Sheriff, introduced Macey Stockwell, Administrative Assistant for the Sheriff’s Office, who was hired on June 1, 2022.

Each new employee made a few comments and the Chairman and the Board welcomed them to Perquimans County.

BLAND BAKER, TRILLIUM

Mr. Baker presented a PowerPoint Presentation, which detailed the projects of interest in the mental health field. After his presentation, he asked if the Board had any questions. The following questions were asked:

- **Commissioner Woodard:** Mr. Woodard asked if there was any chance that they will increase the Medicaid age. Mr. Bland said that there is some talk and it would help the consumer but he was not sure what was going to happen with that.
- **Chairman Nelson:** Mr. Nelson wanted to know if Mr. Bland had any per capita figures so that they could compare the surrounding counties to Perquimans County. Mr. Bland said that he did not have them but would be happy to provide them to Mr. Nelson. Mr. Nelson said that he would be interested in seeing them.

There being no further questions from the Board, Chairman Nelson thanked Mr. Baker for coming and proceeded with the rest of the meeting.

BILL JENNINGS, TAX ADMINISTRATOR

Chairman Nelson recognized Bill Jennings who distributed his final collection percentage for FY 2021-2022 which was .9755 and explained about the 2024 Revaluation. They had forward a Request for Bid to three companies. Piner Appraisal was the lowest bidder. County Attorney High has been provided a draft copy of the contract to review. County Manager Heath asked Mr. Jennings to update the Board on the duties of the company that performs our revaluations. Mr. Jennings did so and told the Board that the Piner’s bid was \$350,000. The only other bid that we received was from Pearson Appraisal whose bid was \$359,815. On motion made by T. Kyle Jones, seconded by Charles Woodard, the Board unanimously approved to authorize the Chairman and County staff to execute the contract with Piner pending review of County Attorney High.

COMMISSIONER’S CONCERNS/COMMITTEE REPORTS

There being no commissioner’s concerns or committee reports, Chairman Nelson moved forward with the meeting.

UPDATES FROM COUNTY MANAGER

- County Manager Heath presented the following update:
- **Lights at Boat Ramp Site:** Mr. Heath reported that, with the assistance of the Town of Hertford, they were able to install a light at the Boat Ramp Site.

PLANNING BOARD ITEMS

Chairman Nelson stated that it was time to take action on the following Planning Board items:

- **Rezoning Request No. REZ-22-01, requested by The Moorings at Albemarle:** A Public Hearing was held earlier in the meeting to receive citizens' comments to consider: (1) Rezoning Request No. REZ-22-01, requested by The Moorings at Albemarle, LLC to rezone approximately 93.36 acres from RA-15 (CUD), Residential and Agricultural Conditional Use District to RA-15, conventional Residential and Agricultural District. Subject property extends in all directions from the intersection of Muddy Creek Road, Hoyle Jones Road, and Cross Neck Road. Subject property is also known as Tax Parcel Nos. 4-0076-0026, 4-D076-2601-TM1, 4-D076-2602-TM1, 4-D076-2603-TM1, 4-D076-2604-TM1. After making several personal comments in favor of this request, T. Kyle Jones made a motion to find the proposed Rezoning No. REZ-22-01 to be consistent and in harmony with the county comprehensive Land Use Plan existing development pattern because the proposed area of map Exhibit IX-B, "Projected Future Land Use Unincorporated Portions of Perquimans County", shows the subject area labeled as residential which includes RA-15 zones and that the rezoning is reasonable because the overall density and intensity of the project are decreased by approximately half which decreases the environmental burden on the land and public services. The motion was seconded by Joseph W. Hoffler and unanimously approved by the Board. Fondella A. Leigh made a motion to approve Rezoning Request REZ-22-01 to rezone from RA-15 (CUD) Residential and Agriculture District with conditions to RA-15 conventional Residential and Agriculture District for Tax Parcel numbers 4-0076-0026, 4-D076-2601-TM1, 4-DO76-4-D76-2602-TM1, 4-D076-2603-TM1, and 4-D076-2604-TM1. The motion was seconded by Thelma Finch-Copeland and unanimously approved by the Board.
- **Preliminary Plan Review of Major Modification of The Moorings at Albemarle:** Chairman Nelson recognized Rhonda Repanshek, Planner, who presented the following overview of the Preliminary Plat Review request:

SIDE NOTE:

Planning Board is studying Highway Corridor Commercial Building Design standards in the Zoning Ordinance, and they are also reviewing and proposing edits to the Subdivision review process in our Subdivision Regulations. The Planning Department will present proposed amendments at a Commissioner Work Session soon.

Preliminary Plat Review

Thank you, Chairman Nelson. Preliminary plat review 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.

Commissioners should only approve a preliminary plat if they determine that the project will not exceed the County's ability to provide adequate public facilities, including schools and emergency services.

Background: The preliminary plat is for the first 15 lots, 6 of which have waterfront Sound frontage. Total area of lots in phase one is 15.65 acres including 0.7 acre of open space. Minimum lot size is 32,500 square feet and only residential housing is proposed.

A checklist of Section 305.1 requirements is included in your packet to be used to verify compliance with the Subdivision Regulations.

The Water Access requirement in Section 701 is satisfied by a 0.71 acre water access lot between proposed phase one lots 3 and 4. The existing boat ramp is to be filled in and closed, but the shoreline is directly touching the Albemarle Sound and has an existing pier and a well maintained bulkhead.

Technical Review Committee Comments: The Postmaster supplied two documents of the US Postal Service policy and requirements for new subdivisions to be built with centralized delivery. The applicant added a 16-unit Cluster Mailbox to preliminary plat page 2 (serving PH 1) and reflected related information in note #4 on plat page 1.

Albemarle EMC's Manager of Engineering sent the following email, "Albemarle EMC will not have any problems meeting the needs of this development as proposed and thus approves it as is. We would just like to make the developer aware that some of the materials required to provide the power to this development (if underground will be requested as usual) are currently experiencing much longer than normal lead times to obtain, and as such we would encourage them to give plenty of advanced notice prior to being ready for the installation of these facilities. Thanks." The applicant added Note #5 on plat page 1 which states all electrical lines within the subdivision will be underground. The Regional Engineer and Department Head in Washington Regional Office of NC Department of Environmental Quality, in the Division of Energy, Mineral, and Land Resources said that the applicant will need a new Stormwater permit even though the number of lots is being greatly reduced. He also noted that Erosion and Sedimentation Control Permits expire after three years if no activity takes place on site, and they are required prior to any disturbance of greater than one acre. The applicant added notes #6 & #7 to preliminary plat page 1 stating that the previous erosion and sedimentation control permit and the storm drainage narrative will be updated and resubmitted.

Water Department Director sent the following email—"It appears that the preliminary plat for the Moorings Subdivision will total less than half of the lots previously approved for County water, therefore Perquimans County will have no problem servicing the capacity needed for Phase 1."

District Planner for NC Division of Coastal Management emailed that:

- This area has a 75-foot CAMA Area of Environmental Concern (AEC) and would require permitting for the closing off of the existing boat ramp.
- Any filling or grading within 75 feet will also need CAMA permitting, the type would depend on the amount of land to be filled if it's over an acre then a CAMA Major Permit will be needed.
- Work on the bulkheaded area if it exceeds 500 linear feet would also need to go through a CAMA Major Permit.

Applicant added notes #9 through #11 to preliminary plat page 1 in response to these comments and stated that no fill is anticipated except in the existing boat ramp area and the only bulkhead work will be spanning the gap at the existing boat ramp which is less than 20'.

Planning Staff Comments were that some Section 306.7 Plat Requirement Checklists items were not present even though they had old versions from 2017 so they added notes #6, #7 & #8 to the plat and emailed a generic style draft of the covenants.

The Moorings also submitted 15 individual perc. tests from Albemarle Regional Health Services for Phase 1 lots and all but one require "sand line trench system—shallow placement".

Compliance with CAMA Land Use Plan

County Subdivision Regulations require subdivisions to comply with the Land Use Plan.

Future Land Use Compatibility Matrix on page IX-35 of the CAMA Land Use Plan lists 2 residential dwelling units per acre average density as generally consistent for future land use and the Future Land Use Map labels the subject area as residential.

Fondella A. Leigh made a motion to approve the Preliminary Plat and approve the consistency with the County Land Use Plan. The motion was seconded by T. Kyle Jones and unanimously approved by the Board.

PERQUIMANS MARINE INDUSTRIAL PROJECT DOCUMENTATION

Chairman Nixon recognized County Manager Heath to give an update on the Perquimans Marine Industrial Project. He asked that the Board take action on the following items: (1) Resolution to request the \$1,500,000 funds from the Department of Commerce Grant; and (2) Approve the contract with S. J. Hamill Construction Contract to build the Marine Basin at a cost of \$6,979,075. He further asked for a Change Order in the amount of \$1,480,000 to build an additional 75 feet of bulkhead frontage on the basin. This will leave approximately \$400,000 in contingency funds, should we need it. The project will begin in September or October. The following action was taken by the Board:

1. **Resolution:** On motion made by Charles Woodard, seconded by Fondella A. Leigh, the Board unanimously adopted the following Resolution:

RESOLUTION

BE IT RESOLVED, that a grant from the Department of Commerce through the County of Perquimans be made to assist the Perquimans Marine Park Basin project.

3824 July 5, 2022 continued

BE IT FURTHER RESOLVED, that Perquimans County will administer this grant in accordance with the rules and regulations of the Department of Commerce.

BE IT FURTHER RESOLVED, that the County will administer this grant through the County Finance Office.

BE IT FURTHER RESOLVED, that the grant will be monitored quarterly to assure compliance with this proposal and the Department of Commerce regulations.

BE IT FURTHER RESOLVED, that the amount of the grant application will be \$1,500,000.

ADOPTED this 5th day of July, 2022.

Wallace E. Nelson, Chairman
Perquimans County Board of Commissioners

ATTEST:

Mary P. Hunnicutt, Clerk to Board

- 2. **S. J. Hamill Construction Contract:** On motion made by Joseph W. Hoffler, seconded by T. Kyle Jones, the Board unanimously approved the contract with S. J. Hamill Construction to construct the Marine Basin at a cost of \$6,979,075. In addition, the motion included the approval of a Change Order in the amount of \$1,480,000 to build an additional 75 feet of bulkhead frontage on the basin and to leave approximately \$400,000 in contingency funds, should we need it. The project will begin in September/October, 2022.

MOTOROLA SOLUTIONS LEASE AGREEMENT

Chairman Nelson recognized County Manager Heath who explained the proposed Lease Agreement #25273 for the acquisition of the Equipment or other personal property described in the Lease between Perquimans County (Lessee) and Motorola Solutions Inc. (Lessor). On motion made by T. Kyle Jones, seconded by Charles Woodard, the Board unanimously approved the following Certified Lessee Resolution and Municipal Lease #25283 with Motorola Solutions Inc. at a cost of \$318,538.84 plus \$42,375.25 interest (\$318,538.84 x 4.25% interest over three to five years).

CERTIFIED LESSEE RESOLUTION

At a duly called meeting of the Governing Body of the Lessee (as defined in the Lease) held on July 5, 2022, the following resolution was introduced and adopted.

BE IT RESOLVED by the Governing Board of Lessee as follows:

- 1. Determination of Need. The Governing Body of Lessee has determined that a true and very real need exists for the acquisition of the Equipment or other personal property described in the Lease between Perquimans County (Lessee) and Motorola Solutions, Inc. (Lessor).
- 2. Approval and Authorization. The Governing body of Lessee has determined that the Lease, substantially in the form presented to this meeting, is in the best interests of the Lessee for the acquisition of such Equipment or other personal property, and the Governing Board hereby approves the entering into of the Lease by the Lessee and hereby designates and authorizes the following person(s) referenced in the Lease to execute and deliver the Lease on Lessee’s behalf with such changes thereto as such person deems appropriate, and any related documents, including any escrow agreement, necessary to the consummation of the transactions contemplated by the Lease.
- 3. Adoption of Resolution. The signatures in the Lease from the designated individuals for the Governing Body of the Lessee evidence the adoption by the Governing Body of this Resolution.

Wallace E. Nelson, Chairman
Perquimans County Board of Commissioners

ATTEST:

Mary P. Hunnicutt, Clerk to Board

SEAL

VOTING DELEGATES

Chairman Nelson stated that they needed to appoint the Voting Delegates for the NCACC Annual Conference on August 11-13, 2022 and the NCACC Legislative Goals Conference on November 16-17, 2022. At this time, Mary Hunnicutt, Clerk to the Board, reported that Commissioners Hoffler, Nelson, and Woodard were planning on attending the NCACC Annual Conference. Mr. Hoffler stated that his travel plans have changed and that he may not be able to attend the Conference. Commissioner Woodard stated that he felt that the Chairman of the Board, Wallace Nelson, should be the Voting Delegate. On motion made by Fondella A. Leigh, seconded by Joseph W. Hoffler, the Board unanimously appointed Wallace Nelson to be the voting delegate and Charles Woodard to be the alternate voting delegate. The Board tabled the appointment of the voting delegate for the NCACC Legislative Conference in November.

PUBLIC COMMENTS

There were no public comments.

ADJOURNMENT

There being no further comments or business to discuss, the Regular Meeting was adjourned at 8:00 p.m. on motion made by Charles Woodard, seconded by Fondella A. Leigh.

Wallace E. Nelson, Chairman

Clerk to the Board
