

A G E N D A
Perquimans County Board of Commissioners
REGULAR WORK SESSION
Meeting Room – Perquimans County Library
August 21, 2023
7:00 p.m.

- I. **Call to Order**
- II. **Prayer & Pledge**
- III. **Work Session**
 - A. Animal Tethering
 - B.
 - C.
- IV. **Adjournment**

A G E N D A
REGULAR WORK SESSION
August 21, 2023
7:00 p.m.

- III.A. **Enclosures.** At the August 7, 2023 meeting, Commissioner Corprew expressed his concerns about animal tethering. Chairman Nelson stated that the Board will discuss that at the Work Session. The Board considered this matter in November, 2017 and, at their August 6, 2018 meeting, the Board voting against amending the current Animal Control Ordinance. Copies of the Minutes from the meetings that the Board discussed this amendment are attached along with the draft copy of the Amended to the Animal Control Ordinance No. 63.

PUBLIC COMMENTS

The following comments were made:



Mary Vidauri: Ms. Vidauri came before the Board to express her concerns about dog tethering. She stated that her, along with other Perquimans County residents, are concerned about the abuse of dogs that are tethered and the public safety issues associated with this terrible practice. She requested that the Board consider adding Section Two to the current County's Animal Control Ordinance which provides for the humane treatment of animals, outlines owner responsibilities, addresses nuisance situations, and prohibits tethering. The current ordinance is Section One which addresses only dangerous dogs. The Town of Hertford had just amended their ordinance in May, 2017. She requested that the Board take into consideration what she has requested. The Commissioners had no questions at this time and would discuss it at their next Work Session.

Commissioner Hoffer: Mr. Hoffer expressed his concerns about Olga Simpson experience with the 2014 Single Family Rehab Grant Program. After expressing his concerns, Ms. Simpson then made a few comments.

Olga Simpson: Ms. Simpson made her comments until her time was up. Chairman Jones stated that the Board would not solve problems tonight but will take it up at our Work Session on November 20, 2017.

Ernie Brown: Ms. Brown asked about what the County was going to do with the old Library building. She asked that they consider giving it to the Boy's Club so that they can establish a Boy's Club in Perquimans County. She had been working with Dave Goss on this program. Chairman Jones stated that the Board will take it under consideration during their Work Session on November 20, 2017.

Terry Swopp: Mr. Swopp, a new resident of Perquimans County, spoke in support of Ms. Vidauri's request to revise our current ordinance to include prohibiting tethering.

Frank Norman: Mr. Norman asked the Board to consider giving \$35,000 to the 350th Anniversary of the Albemarle area. Chairman Jones stated that they would take it under advisement.

John Whidbee: Mr. Whidbee explained about a flooding problem within the Chapanoke area. The problem has arisen due to a logging company cutting down trees on neighbor's property next to his property leaving some debris in the ditch not allowing the water to flow causing it to flood. Chairman Jones said that he would talk to Vice Chair Leigh who pastor's a church in that area.

ADJOURNMENT

There being no further comments or business to discuss, the Regular Meeting was adjourned at 7:55 p.m. on motion made by Fondella A. Leigh, seconded by Edward R. Muzzulin.

T. Kyle Jones, Chairman

Clerk to the Board

WORK SESSION
November 20, 2017
7:00 p.m.

The Perquimans County Board of Commissioners met in a regular Work Session on Monday, November 20, 2017, at 7:00 p.m. in the Commissioners' Room located on the first floor of the Perquimans County Courthouse Annex.

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|------------------|-------------------------------|------------------------------------|
| MEMBERS PRESENT: | Fondella A. Leigh, Vice Chair | Joseph W. Hoffer |
| | Edward R. Muzzulin | Wallace E. Nelson |
| | Charles Woodard | |
| MEMBERS ABSENT: | Kyle Jones, Chairman | |
| OTHERS PRESENT: | Frank Heath, County Manager | Mary Hunnicutt, Clerk to the Board |
| | Hackney High, County Attorney | |

After the Vice Chair called the meeting to order, Commissioner Hoffer gave the invocation and the Vice Chair led the Pledge of Allegiance. For the record, Vice Chair Leigh explained that Chairman Jones had recently been in an auto accident and is still recuperating from it.

ANIMAL TETHERING

Vice Chair Leigh recognized County Manager Heath to explain about the proposed changes to the County's Animal Control Ordinance regarding animal tethering. Mr. Heath stated that he had provided copies of Ordinances via e-mail from Gates County, Currituck County, and Dare County. Included in their packets was a copy of the County's current Ordinance that Ms. Mary Vidauri had provided a proposed amendment. Tonight, at their seats, a copy of the Town of Hertford's Ordinance regarding animal tethering (chaining) was included. Mr. Heath also talked with Sheriff White to obtain his recommendations. After some discussion, it was the consensus of the Board to take time to review these sample ordinances and bring a recommendation at a later meeting. At that time, we should have Sheriff White's recommendations also. County Attorney High said that he probably would not have an ordinance ready by the December meeting. Before adopting the amendment to the Ordinance, we would have to hold a public hearing which would require advertising it.

OLGA SIMPSON SINGLE FAMILY REHAB CASE

Vice Chair Leigh recognized Olga Simpson who presented her case regarding the rehabilitation of her home processed under the Single Family Rehab Grant was not completed to her satisfaction. Vice Chair Leigh asked if the Board had any questions for Ms. Simpson. County Attorney High asked Ms. Simpson if she could provide him a copy of her pictures to add to his file so he could begin his investigation. After answering several questions, Mr. Holley, contractor, responded to her allocations. He stated that he had several of his subcontractors that were witnesses. After his comments, Vice Chair Leigh asked the Board if they had any questions. The Board asked several questions and it was the consensus of the Board and County Attorney High that they would research the matter and discuss it as a legal action in Closed Session.

DAVE GOSS/ERNELLE BROWN - BOYS & GIRLS CLUB REQUEST

Vice Chair Leigh recognized Dave Goss, Economic Development Consultant, who presented a PowerPoint presentation on Boys & Girls Clubs of America. After his presentation, he asked the Board if they had any questions. Mr. Goss then asked if any of his supporters would like to make further comments. There being none, Mr. Goss asked if the Board would consider allowing them to use the

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Clerk to the Board

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MEMBERS PRESENT:	Fondella A. Leigh, Vice Chair	Joseph W. Hoffer
	Edward R. Muzzulini	Wallace E. Nelson
	Charles Woodard	
MEMBERS ABSENT:	Kyle Jones, Chairman	
OTHERS PRESENT:	Frank Heath, County Manager	Mary Hunnicutt, Clerk to the Board
	Hackney High, County Attorney	

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ADJOURNMENT

There being no further comments or business to discuss, the Special Called Meeting was adjourned and the Work Session began at 7:35 p.m. on motion made by Joseph W. Hoffer, seconded by Edward R. Muzzulin.

Wallace E. Nelson, Chairman

Clerk to the Board

WORK SESSION

February 19, 2018

7:00 p.m.

The Perquimans County Board of Commissioners met in a Work Session on Monday, February 19, 2018, at 7:00 p.m. in the Commissioners Room located on the first floor of the Perquimans County Courthouse Annex.

MEMBERS PRESENT: Wallace Nelson, Chairman Fondella Leigh, Vice Chair
Joseph W. Hoffer Edward R. Muzzulin
Charles Woodard

MEMBERS ABSENT: T. Kyle Jones

OTHERS PRESENT: Hackney High, County Attorney Mary P. Hunnicutt, Clerk to the Board
Frank Heath, County Manager

The following matters were discussed during the Work Session:

REPORT FROM ALBEMARLE REGIONAL HEALTH SERVICES (ARHS)

Chairman Nelson discussed the following information from the ARHS Board:

- > Hertford County Request to Join ARHS: Chairman Nelson explained that Hertford County desires to join ARHS. Once the ARHS Board receives their formal written request, each participating county within ARHS will need to adopt a resolution to consider this request. This acquisition can only occur at the beginning of each fiscal year. Hertford County will have to buy in on a per capita basis. The changes would be take place on July 1st. He further explained how the buy in would work.
- > Albemarle Home Health Care: Chairman Nelson gave an update on the funds received from the sale of Albemarle Home Health Care.

ANIMAL CONTROL ORDINANCE CHANGES

County Manager Heath explained the changes that they are proposing for the Animal Control Ordinance amendment.

BUDGET PROCESS

County Manager Heath discussed the budget process matters:

- > Joint Meeting with Board of Education: County Manager Heath reported that the Board of Education is requesting a joint meeting with the Commissioners prior to our March Work Session. They would like to speed up the budget process to help them prepare their budget request.
- > Department Heads: The Department Heads will be provided their budget worksheets so that they can have them back to Mr. Heath by March 31st.
- > Board Retreat: Mr. Heath stated that he is still working on setting up the Board Retreat in late March. He will be sending out an e-mail soon with the details. Some of the Board members will be requested to meet with the facilitator prior to the retreat.
- > Computer Software: Mr. Heath explained that they will not have the new software for the finance and tax departments ready before the budget meetings. They have made some upgrades on our current computer system.

UPDATES

- > Camp Cale: County Manager Heath reported that Camp Cale will be bringing their request for a Conditional Use Permit in March to build two bunk houses that would have 48 beds each.
- > Grant Updates: Last week, the County filed an application with USEDA for \$3 million for the Marine Park Basin. He is also working with Golden Leaf to apply for a \$1.5 million grant for the Marine Park Basin and \$500,000 for the Board of Education.

ADJOURNMENT

There being no further comments or business to discuss, the Work Session was adjourned at 7:55 p.m. on motion made by Edward R. Muzzulin and seconded by Charles Woodard.

Wallace E. Nelson, Chairman

Clerk to the Board

REGULAR MEETING

March 5, 2018

6:50 p.m.

The Perquimans County Board of Commissioners met in a regular meeting on Monday, February 5, 2018, at 6:50 p.m. in the Commissioners Room located on the first floor of the Perquimans County Courthouse Annex.

MEMBERS PRESENT: Wallace E. Nelson, Chairman Fondella A. Leigh, Vice Chair
Joseph W. Hoffer Kyle Jones
Edward R. Muzzulin 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, he Jones gave the invocation and led the Pledge of Allegiance.

Wallace E. Nelson, Chairman
ATTEST:

Mary P. Hunnicutt, Clerk to the Board

8. **Amendment to Home & Community Care Block Grant (HCCBG):** The Board authorized the Chairman and county staff to sign the documents reflecting the changes in the HCCBG grant programs for FY 2017-18.

INTRODUCTION OF NEW EMPLOYEES

The following employees were introduced to the Board:

1. **Frank Heath:** County Manager Heath was going to introduce Caitlin Joyner, newly appointed District Technician for Chowan/Perquimans Soil & Water Conservation who replaced Scott Alons. Since she was not present, he will introduce her next month.
2. **Bill Jennings:** Bill Jennings, Tax Administrator, introduced Wilma Robbins, Tax Clerk, who was appointed on January 1, 2018. Ms. Robbins thanked the Board for the opportunity to work for the County.
3. **Susan Chaney:** Ms. Chaney introduced Syreeta Cullins, IMC I working toward IMC II (appointed 11/1/2017) and Kathleen Brooks, IMC I working toward IMC II (appointed 1/1/2018). Natalie Verner and Alice Copeland were unable to attend tonight so she will introduce them next month.

Chairman Nelson welcomed them to the County.

JONATHAN NIXON, EMERGENCY SERVICES DIRECTOR

Mr. Nixon presented the Emergency Management Public Officials Conference. The purpose of this presentation was to provide details about our current Emergency Services program and to receive feedback from our elected officials. In addition to the Board of Commissioners, the Town Councils from Hertford and Winfall were invited to attend. No representatives from the Town Councils were present. This event is an activity for our Emergency Management Performance Grant. These funds are used to support the Emergency Management Program for all of Perquimans County. After his presentation, Mr. Nixon asked if there were any questions. Their being none, Chairman Nelson thanked him for his service to Perquimans County residents and proceeded with the next appointment.

BILL JENNINGS, TAX ADMINISTRATOR

Mr. Jennings presented his monthly report and an update on the program software upgrades.

SUSAN CHANEY, SOCIAL SERVICES DIRECTOR

Ms. Chaney presented her monthly report.

COMMISSIONER'S CONCERNS/COMMITTEE REPORTS

The following item was discussed:

- > **Commissioner Hoffer:** Mr. Hoffer asked where we stood with the Olga Simpson matter. Mr. Hoffer stated that he had forwarded an e-mail to Chairman Nelson but had not received a response. Mr. Nelson said that he had wanted to talk with him prior to the meeting but Mr. Hoffer arrived late so he would talk to him after the meeting.

UPDATES FROM COUNTY MANAGER

County Manager Heath presented the following updates:

- > **Library Project:** Mr. Heath reported that the Open House for the Library has been scheduled for March 22, 2018.
- > **Fire Departmentals:** Mr. Heath explained that they had a large fire in River Cove and thanked the fire departments for their service to the County and preventing the fire to spread causing a more serious situation.
- > **Budget Update:** Mr. Heath informed the Board that the Budget Packets had been delivered to the Department Heads on March 28th. They are to be returned by the first part of April.



AMENDMENT TO ANIMAL CONTROL ORDINANCE

County Manager Heath explained that, in November, 2017, Mary Vidaurri presented a request to the Board to amend the current Animal Control Ordinance to include tethering of dogs. The Board has discussed this during several Work Sessions. He further explained that he, Chairman Nelson, and County Attorney High have discussed the suggestions to amend the Animal Control Ordinance. Mr. Heath presented the following draft copy of the amendment to the Board:

SECTION TWO HUMANE TREATMENT OF ANIMALS

2.01 Definitions. For purposes of this section, the words and phrases below shall have the following meanings:

Animal: Includes dogs, cats or other domesticated animals.

Outside Enclosure: A structure, built of chain link or comparable material with a solid roof, used to house an animal and protect it from the weather. The structure must be large enough that the shelter provided within the enclosed area shall not exceed more than twenty five percent (25%) of the enclosed area.

Tethering: The act of tying, chaining or restraining a dog to a fixed object with a rope, chain or other device in order to keep the dog confined. This term does not include restraining a dog on an attended leash.

2.02 Responsibilities of Owners.

A. Owners of dogs kept outside shall provide an outside enclosure that ensures humane and sanitary shelter from heat, cold, rain, wind and snow and shall provide food and water adequate to keep the dog in good health and comfort.

B. Animals shall not be kept on any lot unless the owner or keeper of the animal occupies the property where the animal is kept. The provisions of this subsection shall not apply to animals involved in the activities described in N.C.G.S. 14-360(e)(1) and (e)(2n).

C. Pursuant to N.C.G.S. 14-361.1, no person shall willfully and without justifiable excuse abandon or cause to be abandoned any animal and such statute is incorporated herein.

2.03 Cruelty to Animals. Pursuant to N.C.G.S. 14-360, no person shall intentionally overdrive, overload, wound, injure, torment, kill or deprive of necessary sustenance any animal and such statute is incorporated herein.

2.04 Tethering. Permanent tethering of dogs is prohibited. No dog shall be permanently tied, chained, fastened or otherwise tethered to any inanimate stationary object as a means of confinement of the dog to property.

2.06 Violations. Any violations of this section shall be considered a Class III Violation as outlined in Section One and civil penalties shall be levied accordingly. Violations shall subject the violator to all other remedies provided by law.

He asked the Commissioners to review this amendment so that we can hold a Public Hearing prior to April meeting and take action on the amendment.

PLANNING BOARD ITEMS

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

2.04 Tethering. Permanent tethering of dogs is prohibited. No dog shall be permanently tied, chained, fastened or otherwise tethered to any inanimate stationary object as a means of confinement of the dog to property.

2.06 Violations. Any violations of this section shall be considered a Class III Violation as outlined in Section One and civil penalties shall be levied accordingly. Violations shall subject the violator to all other remedies provided by law.

There were thirty-seven (37) people present. The following comments were made:

- > **Rynn Woodell:** Mr. Woodell expressed his opposition to several parts of this amendment and cited those concerns and feels that these matters are covered in the N.C. General Statutes. He urged the Board to vote down this amendment.
- > **Henri McClees:** Ms. S. Henri McClees, McClees Consulting, Inc., explained that she is a lobbyist for the N.C. Sporting Dog Association and she expressed her opposition of this amendment. She also cited examples of why she was opposing this amendment.
- > **Bobby Harris:** Mr. Harris explained why he was in opposition of this proposed amendment to the Animal Control Ordinance.
- > **Phil Riddick:** Mr. Riddick explained why he opposed this this proposed amendment.
- > **Mary Vidaurri:** Ms. Vidaurri thanked the Board for their diligence in preparing this proposed amendment and spoke in support of this amendment.
- > **Daniel Farquharson:** Mr. Farquharson expressed his opposition to the proposed amendment.

There being no further questions or comments from the public or from the Board of Commissioners, Chairman Nelson closed the public hearing at 7:08 p.m. and proceeded with the regular meeting. Mr. Nelson asked Commissioner Leigh to give the invocation and Commissioner Hoffer to lead the Pledge of Allegiance.

AGENDA

Edward R. Muzzulin made a motion to approve the Agenda. The motion was seconded by Charles Woodard and unanimously approved the Agenda.

CONSENT AGENDA

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:** March 5, 2018 Regular Meeting & March 19, 2018 Joint Work Session with Board of Education/ Work Session.
2. **Tax Refund Approval:**
PERQUIMANS COUNTY TAX REFUND:
 Salley, Wayne Brown 5176.32
 Vehicle was sold, 10-month refund. Account No. 0038839043.

3. **Personnel Matters:**

Employee Name	Employee Job Title	Action Required	Grade/Step	New Salary	Effective Date
Caitlyn Gardner	IMC I working toward IMC II	Appointment	61/1	\$26,556	4/09/2018
Donna Critcher	IMC I working toward IMC II	Appointment	61/1	\$26,556	4/09/2018
Katherine Weiss	Certified Part-Time/Fill-In Telecommunicator	Promoted	62/2	\$13,677/hr	4/01/2018
Darlens Lind	Certified Part-Time/Fill-In Telecommunicator	Promoted	62/2	\$13,677/hr	4/01/2018
Katie Spreight	Part-Time/Fill-In Non-Certified Telecommunicator	Declined Job Offer			3/03/2018
Patricia Sawyer	Part-Time/Fill-In EMT	Declined Job Offer			3/08/2018
DeeDee Barrera	Part-Time/Fill-In Paramedic	Declined Job Offer			3/08/2018
Chris Duly	Part-Time/Fill-In Paramedic	Removed from Roster			3/19/2018

4. **Merit Increases:**

Employee Name	Employee Job Title	Grade/Step	New Salary	Effective Date
Sue Ann Cestaro	Full Time Certified Telecommunicator	62/2	\$28,443	4/01/2018
C.J. Wilson	Full-Time EMT-I	66/5	\$36,486	4/01/2018
Rebecca Corprew	IMS II	67/4	\$37,221	4/01/2018

5. **Budget Amendments:**

**BUDGET AMENDMENT NO. 21
TOURISM DEVELOPMENT AUTHORITY FUNDS**

CODE NUMBER	DESCRIPTION OF CODE	AMOUNT	
		INCREASE	DECREASE
45-385-003	Riverbush Fund Raiser	1,000	
45-682-332	Riverbush Supplies	1,000	
EXPLANATION: To budget funds for the Riverbush celebration - (they are doing fundraiser selling yard signs . . . Any funds raised will go into planning/preparing for the event.)			

**BUDGET AMENDMENT NO. 24
GENERAL FUNDS**

CODE NUMBER	DESCRIPTION OF CODE	AMOUNT	
		INCREASE	DECREASE
10-348-033	State Grants - Senior Medicare	2,000	
10-615-146	SHHP Funds	2,000	
EXPLANATION: To budget additional SHHP funding for FY17/18. (SHHP - Senior Health Insurance Information Program)			

**BUDGET AMENDMENT NO. 25
GENERAL FUNDS**

CODE NUMBER	DESCRIPTION OF CODE	AMOUNT	
		INCREASE	DECREASE
10-672-040	Mentoring Focus - Professional Services		1,400
10-672-110	Mentoring Focus - Postage		189
10-672-141	Mentoring Focus - Travel Services		3,743
10-690-915	Education Program OI/STOP Program	5,332	
EXPLANATION: To transfer unused/unallocated funds from the mentoring program to the school program. This is to show line item adjustment to match the state Allies system for FY17/18.			

6. **Board Appointments:** The following Board reappointments were unanimously approved by the Board:

NAME	BOARD	ACTION	TERM	EFFECTIVE DATE
Winstow, Jewel	Agricultural Advisory Board - ex officio (Extension)	Removed		4/01/2018
Lilley, Dylan	Agricultural Advisory Board - ex officio (Extension)	Appointment	Unlimited	4/01/2018
Alons, Scott	Agricultural Advisory Board - ex officio (NCRA/SWCD)	Removed		4/01/2018
Joyner, Caitlyn	Agricultural Advisory Board - ex officio (NCRA/SWCD)	Appointment	Unlimited	4/01/2018
Roberts, A.O.	Agricultural Advisory Board - Farm Bureau	Removed		4/01/2018
Outley, Aubrey	Agricultural Advisory Board - Farm Bureau	Appointment	3 yrs	4/01/2018
Perry, Gene	Agricultural Advisory Board - Hertford	Removed		4/01/2018

SUSAN CHANEY, SOCIAL SERVICES DIRECTOR

Ms. Chaney presented her monthly report.

COMMISSIONER'S CONCERNS/COMMITTEE REPORTS

There were no Commissioner's concerns or committee reports.

UPDATES FROM COUNTY MANAGER

County Manager Heath presented the following updates:

- > Library Project: Mr. Heath reported that the Library Project has been completed and that the Open House was held on March 22, 2018.
- > Board Retreat: The Commissioners' Board Retreat was held on March 27, 2018 and a summary of the meeting will be prepared soon.
- > Budget: Mr. Heath reported that the Budget Requests from the department heads have been turned in and the budget presentations to the Board will begin this week.

PERQUIMANS COUNTY AGRICULTURAL DEVELOPMENT PLAN

County Manager Heath explained that at the Board's March 19, 2018 Work Session, Stan Dixon and Ed Emory, retired Extension County Directors from Mount Olive University, presented the Perquimans County Agricultural Development Plan for the Board to review. They asked that the Board accept the development plan at their next regular meeting. On motion made by T. Kyle Jones, seconded by Charles Woodard, the Board unanimously approved the Agricultural Development Plan as presented on March 19, 2018.



ANIMAL CONTROL ORDINANCE AMENDMENT

Chairman Nelson opened up the meeting for any Board questions or comments. T. Kyle Jones stated that he opposed the proposed Animal Control Ordinance Amendment but would make a motion to approve the amendment for Board discussion and questions. Edward R. Muzzulin seconded the motion. Chairman Nelson opened up for questions and discussion. The following comments/questions were made:

- > Charles Woodard: Mr. Woodard said that they have heard from the public and feels that we need to take more time to discuss and address these concerns presented tonight.
- > Joe Hoffer: Mr. Hoffer also feels that the Board needs more time to discuss it and that he feels they need to come up with a compromise.
- > Kyle Jones: Mr. Jones said that, as a prosecutor, no change or time will make this Ordinance any more enforceable than it is now. This is a very hard issue to enforce and he feels that the State General Statutes already address this issue.
- > Fondella Leigh: Ms. Leigh felt that the Board also needed more time to discuss the matter further.
- > Chairman Nelson: Mr. Nelson said that, when they met and deliberated over this proposed Ordinance, they had no intention to hurt hunting animals. There are issues that need to be addressed and we have concerns from both sides.

Edward R. Muzzulin made a motion to table the motion on the proposed amendment to the Perquimans County Animal Control Ordinance until a future date. Joseph W. Hoffer seconded the motion which passed by a vote of five (5) to one (1) with Commissioner Jones voting against the motion.

BOARD OF EDUCATION'S REQUEST – BUDGET AMENDMENT NO. 23

Chairman Nelson recognized Mr. James Davison who explained what had happened to get them to the point where they need to replace the HVAC System at the Perquimans Central School and the Perquimans Grammar School. The costs will be \$56,329.19. Commissioner Jones asked several questions about why they did not request the lottery funds for this expense. Commissioner Muzzulin asked several questions about the types of equipment they are using. Joseph W. Hoffer made a motion to approve this emergency funding request and approve the following Budget Amendment No. 23:

BUDGET AMENDMENT NO. 23
GENERAL FUNDS

CODE NUMBER	DESCRIPTION OF CODE	AMOUNT	
		INCREASE	DECREASE
10-399-000	Fund Balance Appropriated	56,330	
10-310-002	Capital Outlay (County)	56,330	
EXPLANATION: To budget funds for emergency replacement of HVAC system at Perquimans Central & Grammar Schools.			

The motion was seconded by Edward R. Muzzulin and the motion was passed by a vote of five (5) to one (1) with Commissioner Jones voting against the motion.

PUBLIC SCHOOL BUILDING CAPITAL FUND NORTH CAROLINA EDUCATION LOTTERY / BUDGET AMENDMENT NO. 26

Mr. James Davison explained the Lottery Fund Application for \$125,229 for the purchasing and installing of the LED lighting system for the new Charles H. Ward football field at the Nixon Athletic Complex. County Manager Heath said that a corrected application was at their seats tonight. Edward R. Muzzulin made a motion to approve the following lottery application and to authorize the Chairman to sign the Budget Amendment for this funding:

APPLICATION
PUBLIC SCHOOL BUILDING CAPITAL FUND
NORTH CAROLINA EDUCATION LOTTERY

Approved: _____
Date: _____

County: PERQUIMANS
LEA: 220 Perquimans County
Address: P.O. Box 45 Hertford, NC 27944

Contact Person: Tracy Mathews
Title: Finance Officer
Phone: (252) 326-8484

Project Title: Purchase and install LED lighting system at new football field
Location: South Edison Road St. Hertford, NC
Type of Facility: Nixon Athletic Complex (Perquimans County High School)

North Carolina General Statutes, Chapter 18C, provides that a portion of the proceeds of the North Carolina State Lottery Fund be transferred to the Public School Building Capital fund in accordance with G.S. 115C-564.2. Further, G.S. 115C-564.2 (d) has been amended to include the following:

(3) No county shall have to provide matching funds. . .
(4) A county may use monies in this Fund to pay for school construction projects in local school administrative units and to retire indebtedness incurred for school construction projects.

NCACC CONFERENCE VOTING DELEGATE

County Manager Heath stated that, at this time, Wallace Nelson, Charles Woodard, and Joseph Hoffer were planning to attend. On motion made by Charles Woodard, seconded by Joseph W. Hoffer, the Board unanimously appointed Wallace E. Nelson as the Voting Delegate to the 2018 NCACC Conference in August.

STEP/MERIT INCREASES

County Manager Heath explained that several of our department heads were on vacation and were not able to get their Employee Action Forms signed and forwarded to Mary Hunnicutt before the Agenda Packets were e-mailed. Therefore, they could not be included under the Consent Agenda. On motion made by Charles Woodard, seconded by Joseph W. Hoffer, the Board unanimously approved the following step/merit increases:

Employee Name	Employee Job Title	Grade/ Step	New Salary	Effective Date
Brian Pauli, Jr.	EMT-B	63/2	\$14,720/yr	7/01/2018
Tracy Hunter	Technician II	60/7	\$30,301	7/01/2018
Kathy Matthews	Water Clerk	61/10	\$34,081	7/01/2018
Kelvin Roberson	Water Plant Operator	64/18	\$46,116	7/01/2018
Arnold White	Backhoe Operator	63/10	\$40,640	7/01/2018

BOARD APPOINTMENTS

County Manager Heath explained that the following Board appointment/reappointment was received after the Agenda Packets were e-mailed:

NAME	BOARD	ACTION	TERM	EFFECTIVE DATE
Dillard, Brenda	Social Services Board – Local DSS Board Appointment	Appointed	3 yrs.	7/01/2018
Holman, Lillian	Senior Tribal Regional Advisory Board	Reappointment	1 yr.	7/01/2018

On motion made by Edward R. Muzzulin, seconded by Fondella A. Leigh, the Board unanimously approved this Board appointment and reappointment. Commissioner Jones commended Teressa Blanchard for her effective, insightful, and reasonable leadership and that she served the County well.

PUBLIC COMMENTS

There were no public comments.

CLOSED SESSION: ECONOMIC DEVELOPMENT MATTER & CLOSED SESSION MINUTES

Pursuant to NC General Statute 143-318.11(4), Edward R. Muzzulin made a motion to go into Closed Session to discuss an economic development matter and to approve closed session minutes. The motion was seconded by Charles Woodard and unanimously approved by the Board.

The Closed Session was adjourned and the Regular Meeting reconvened on motion made by Edward R. Muzzulin, seconded by Charles Woodard, and unanimously approved by the Board. The following action is required from the Closed Session:

Resolutions Supporting Department of Commerce Grants: Edward R. Muzzulin made a motion to authorize Chairman Nelson and County Manager Heath to execute the required Resolutions for the purpose of securing grants for Project Color, if necessary, to meet application deadline. The motion was seconded by Charles Woodard. The motion passed by a vote of five (5) to one (1) with Commissioner Jones voting against the motion. Commissioner Jones stated that he appreciates all the work that has been done with this project but he does not know enough about this to vote for the motion.

ADJOURNMENT

There being no further comments or business to discuss, the Regular Meeting was adjourned at 8:20 p.m. on motion made by Edward R. Muzzulin, seconded by Charles Woodard.

Wallace E. Nelson, Chairman

Clerk to the Board

WORK SESSION

July 18, 2018

7:00 p.m.

The Perquimans County Board of Commissioners held a Work Session on Monday, June 18, 2018, at 7:00 p.m. in the Commissioners Room located on the first floor of the Perquimans County Courthouse Annex.

MEMBERS PRESENT: Wallace E. Nelson, Chairman
Joseph W. Hoffer
Charles Woodard
Fondella A. Leigh, Vice Chair
Edward R. Muzzulin

MEMBERS ABSENT: Kyle Jones

OTHERS PRESENT: Frank Heath, County Manager/Deputy 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 matter was discussed during the Work Session.

ANIMAL TETHERING

Chairman Nelson explained that the main purpose of this meeting was to discuss the humane treatment of animal's ordinance that we considered and held a public hearing. This is an opportunity for the Board to review the changes made during the meeting between the Chairman, County Attorney, and County Manager. This is a Work Session so no public comments will be accepted tonight but asks that you listen to the direction the Board is moving toward and, if anyone in the public needs to discuss this propose ordinance, contact the Commissioners and express your concerns. He opened the meeting up



to receive comments from the Board. Mr. Nelson and County Manager Heath explained basically, the Board has four (4) options to consider tonight:

1. Do nothing and leave current ordinance as is.
2. Adopt ordinance as presented at public hearing
3. Adopt ordinance with exception to hunting dogs.
4. Add one line to the existing ordinance (Section One) that prohibits the permanent tethering of dogs as indicated in Section 2.04.

The following comments were made by the Commissioners:

- > **Commissioner Hoffer:** Mr. Hoffer stated that he supports Option No. 3 because we will probably not reach any agreement unless we exempt hunting dogs because owners of hunting dogs will take care of their dogs,
- > **Commissioner Leigh:** Ms. Leigh asked about a discussion from the Sheriff's Department. Have we received any further comments from the Sheriff's Department? Mr. Heath said that they had not received any further communication from them. She also asked if the invisible electric fences have any effects on the animals. Chairman Nelson said that, if the Board wanted to add that into the ordinance, they could.
- > **Commissioner Woodard:** With regard to the outside enclosure, he assumes that would mean a dog house. He questioned about enclosures that just had something draped over the pen to see if this would sufficient. Mr. Heath said that it could be a dog house or cover as long as it meets the 25% enclosed area requirement. He further asked that, if the owner had an animal that stayed inside and takes it outside and ties it up for it to use the restroom, would that be considered permanent tethering. Mr. Heath said that it would not and explained that, in his opinion, permanent tethering is where the animal is permanently tied up and never let go. Mr. Heath further stated that this is where the problem of enforcement lies. This will be complaint driven. When complaints come to the Sheriff's Department, the officers will investigate it. Mr. Woodard supports Option No. 3 also.
- > **Commissioner Muzzulini:** Mr. Muzzulini supports Option No. 3.
- > **Chairman Nelson:** Mr. Nelson discussed invisible fences. He feels that Option No. 3 would be the best way to go.
- > **County Attorney High:** Since we have only made minor changes to the proposed Ordinance presented at the April 2, 2018 Public Hearing, he feels that it would not be necessary to hold another public hearing.
- > **Chairman Nelson:** Mr. Nelson said that it was his impression that a majority of the Board were in agreement to present Option No. 3 with some tweaking of language regarding outside enclosures to make it a little clearer. Mr. Woodard also asked County Attorney High about the ability to prosecute. Mr. High feels that there may be some challenges for the Sheriff's Department which may require some revisions but, in general, he thinks this will be enforceable.
- > **Commissioner Leigh:** She stated that the Sheriff's Department is doing an excellent job and is concerned with the ability to enforce this. It was the consensus of the Board that it would be enforceable and that it will be complaint driven.

County Manager Heath summarized the Board's intentions by saying that they were in agreement with the document that he presented to night which was like the proposed Ordinance presented at the April 2, 2018 meeting with adding the exception of hunting dogs. The Board agreed that was what their intentions were. Chairman Nelson concluded by asking the public to make sure that, if they have any questions or concerns, please contact the Commissioners for clarification. This item will be placed on the August 6, 2018 agenda for action.

★
ENDS

ADJOURNMENT

There being no further comments or business to discuss, the Work Session was adjourned at 7:30 p.m.

Wallace E. Nelson, Chairman

Deputy Clerk to the Board

SPECIAL CALLED MEETING
July 23, 2018
5:00 p.m.

The Perquimans County Board of Commissioners held a Special Called Meeting on Monday, July 23, 2018, at 5:00 p.m. in the Commissioners Room located on the first floor of the Perquimans County Courthouse Annex.

MEMBERS PRESENT:	Wallace E. Nelson, Chairman	Joseph W. Hoffer
	Kyle Jones	Edward R. Muzzulini
	Charles Woodard	
MEMBERS ABSENT:	Fondella A. Leigh, Vice Chair	
OTHERS PRESENT:	Frank Heath, County Manager	Mary Hunnicutt, Clerk to the Board

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

AGENDA

Edward R. Muzzulini made a motion to approve the Agenda. The motion was seconded by Joseph W. Hoffer. The Board voted unanimously to approve the Agenda.

RESOLUTION: USDA GRANT

County Manager Heath explained that the USDA Business Rural Development Grant was applied for on April 30, 2018 for \$97,000. The purpose of the grant was to work with local citizens of Hertford to develop an economic development strategic plan and to prepare specific market studies to determine what businesses would be successful in the Town of Hertford. We have been notified that we received \$14,000. Part of the grant process is to adopt a Resolution to allow County Manager Heath execute the documents to accept the grant funds which needs to be done before the end of this month. County Manager Heath presented the following Resolution for Board action:

discussed the reasons for these three cases. Our percentage for the month was 13.5%. This is where Ms. Chaney is concerned about and hopes that further discussions will be made to improve this.

COMMISSIONER'S CONCERNS/COMMITTEE REPORTS

The following commissioner's concerns/committee reports were given:

- **Commissioner Muzzulin:** Mr. Muzzulin asked what was happening with the old library building. County Manager Heath stated that, at their retreat, the Board said to clean it out and get it ready to sell.
- **Commissioner Nelson:** Mr. Nelson provided the following July Regional Trillium Meeting Update:

Budget

- FY 2018-2019 single stream funding for Trillium were eliminated, including recurring reductions
- First time since 2015 we will receive our full allocation

House Bill 631

- Significant changes to the Involuntary Commitment Laws
- MCO develops a "local/regional area crisis plans with community stakeholders (Magistrates, Hospitals, Law enforcement, providers)
- Licensed Clinicians will be trained to do the first commitment exam along with a Health Screening.
- Purpose of legislation- to keep people out of the ED who have been involuntarily committed (introduced by NC Healthcare Association.)
- Law Enforcement who are transporting IVC's must consult the local area crisis plan to identify the location of first commitment examiner.
- Allows respondents to be detained in an area facility if available, clinic or private hospital, in his home but not in jail or penal facility until commitment exam is available.
- Legislation also requires that a transportation agreement must be developed and all parties must agree and sign off.

Columbus County

- Columbus County officially joined Trillium effective July 1, 2018. So far all is running smoothly.

Trainings in the Northern Region

- For FY 2017-2018 we have had 9 Crisis Intervention Trainings for Law Enforcement also including EMS in these trainings.
- Have provided Youth Mental Health First Aid Training to 5 of our School Triand Bertie. Already have additional upcoming trainings scheduled

House Bill 403

- Establishes the framework for the Standard and Tailored Plans.
- Managed Care Organizations (CO's) will be the only applicants for the Tailored Plans for the first four years.
- After 4 years, RFP will be put out for bid and only MCO's and nonprofit agencies will be allowed to submit bids.
- Time frame for Tailored Plans should be around July 1, 2021.

Social Determinants of Health

- Social Determinants of Health (SDoH) are a major part of the Tailored Plan implementation.
- The following SDoH are identified by the Secretary: Housing, Food, Transportation, Employment, and Personal Safety.
- When basic needs are not met, then our members symptoms usually increase and higher cost services are accessed.
- If SDoH are addressed, then our members can concentrate on their Recovery, treatment and other supportive services
- We are seeking input from our Regional Boards, Community Collaboratives, and other Stake holder groups on suggestions of how this will be addressed.

UPDATES FROM COUNTY MANAGER

County Manager Heath presented the following updates:

- **Annual Report from Cooperative Extension:** Mr. Heath explained that, prior to our August 20, 2018 Work Session, Cooperative Extension has invited the Board for a picnic at the Extension office at 3:30 p.m. to provide the Board with their Annual Report.
- **Golden Leaf Grant:** Today, Mr. Heath attended a meeting with the Golden Leaf representatives to discuss the upcoming Golden Leaf Grant process. The County is asking for \$1.5 million for the Boat Basin and the School System is asking for \$5 million for some Literacy Initiatives they have. The Letter of Inquiry is due by September 7th. Once the Letter of Inquiry is approved, Golden Leaf will ask us to submit a full proposal for the grant.
- **Hilltop Sherrings:** On Thursday, Mr. Heath will meet with Hillary Sherrin of USEDA about a grant to complete the Boat Basin. We are asking for approximately \$2 million. We have already received \$3 million from the General Assembly for this project.
- **Building Initiatives:** On August 30th, Mr. Heath and Ms. Chaney are going to meet with the architect about a new Social Services Building.
- **Broadband:** Recently, the Legislature designated approximately \$10 million to Broadband Infrastructure Improvements. Allowing local electric cooperatives through the state were included in applying for these funds. Mr. Heath and Mr. Nelson are trying to set up a time to talk with Albemarle Electric Membership Corporation (AEMC) to see if they would be willing to partner with the County to extend it to the in-mile locations through the County.
- **Assisted Living Facility:** There is a plan to open a 30,000-square foot assisted living facility with 500 beds in front of the new library. It will be great to provide services to our community. Prior to our meeting in September, a public hearing will have to be held in order to get financing (bonds from a public entity) for this facility.

ANIMAL CONTROL ORDINANCE AMENDMENT



Chairman Nelson explained that the Board has been reviewing this for several months and are presenting the following proposed Ordinance Amendment to our Animal Control Ordinance:

PROPOSED ORDINANCE NO. 99

AMENDMENTS TO ORDINANCE NO. 63:

PERQUIMANS COUNTY ANIMAL CONTROL ORDINANCE

AMENDMENT NO. 1, DATED APRIL 2, 2018

The following text added to the Perquimans County Animal Control Ordinance (Ordinance No. 63) was unanimously approved by the Perquimans County Board of Commissioners at their Regular Meeting on August 6, 2018 as recorded in their Minute Book No. 15, page _____.

SECTION TWO

HUMANE TREATMENT OF ANIMALS

2.00 Exemption. The provisions of this section shall not apply to dogs used for lawful hunting purposes.

2.01 Definitions. For purposes of this section, the words and phrases below shall have the following meanings:

Animal: Includes dogs, cats or other domesticated animals.

Outside Enclosure: A structure with a solid roof, used to house an animal and protect it from the weather. If the structure is located within a confined space such as a kennel or fence, the structure must not take up more than 25% of the confined area.

Tethering: The act of tying, chaining or restraining a dog to a fixed object with a rope, chain or other device in order to keep the dog confined. This term does not include restraining a dog on an attended leash.

2.02 Responsibilities of Owners.

- A. Owners of dogs kept outside shall provide an outside enclosure that ensures humane and sanitary shelter from heat, cold, rain, wind and snow and shall provide food and water adequate to keep the dog in good health and comfort.
- B. Animals shall not be kept on any lot unless the owner or keeper of the animal occupies the property where the animal is kept.
- C. Pursuant to N.C.G.S. 14-361.1, no person shall willfully and without justifiable excuse abandon or cause to be abandoned any animal and such statute is incorporated herein.

2.03 Cruelty to Animals. Pursuant to N.C.G.S. 14-360, no person shall intentionally overdrive, overload, wound, injure, torment, kill or necessary sustenance any animal and such statute is incorporated herein.

2.04 Tethering. Permanent tethering of dogs is prohibited. No dog shall be permanently tied, chained, fastened or otherwise tethered to any inanimate stationary object as a means of confinement of the dog to property.

2.05 Violations. Any violations of this section shall be considered a Class III Violation as outlined in Section One and shall be levied accordingly. Violations shall subject the violator to all other remedies provided by law.

Upon motion of _____ and second of _____ all of the aforesaid amendment to Ordinance No. 63 was adopted unanimously by the Perquimans County Board of Commissioners at its Regular Meeting on the 6th day of August, 2018 to be effective immediately and as recorded in their Minute Book No. 15, page _____.

Wallace E. Nelson, Chairman
Perquimans County Board of Commissioners

ATTEST:

SEAL

Mary P. Hunicutt, Clerk to the Board
Perquimans County Board of Commissioners

From the discussion at the Board's Work Session, it was the consensus of the Board to include a section that excludes dogs used for lawful hunting purposes and to simplify/clarify the outside enclosure language. County Manager Heath said that these were the only items that were added to the above proposed Amendment to the Animal Control Ordinance. He further explained the process of adopting an Ordinance. After explaining that we had received several e-mails in support of the original proposed Ordinance in April, Chairman Nelson asked if there was a motion. For the purpose of discussion, T. Kyle Jones made a motion to adopt ordinance as proposed. Charles Woodard seconded the motion. Chairman Nelson asked if there was any discussion. The following matters were discussed:

- > Commissioner Jones: Mr. Jones explained that, as he has mentioned before, his personal belief is that we should limit our ordinances to those matters that affects a person's use and enjoyment of property. He further stated that, when we get into issues like this, it's borderline morality. For that reason, he will vote against the Amendment. In addition, he stated that he had never owned a dog that was tethered and feels that no one on the Board has either unless it was a hunting dog. He continued to state that, as a matter of policy, it is advisable to try to adopt things that are based on logic and reason and not trying to appease people. He noted that some of the people that were for it previously are now opposed to what we are trying to do tonight. In addition, as the Sheriff has stated, it is unenforceable because you cannot explain what "permanent" is. He further commended County Attorney High for his diligent work on this. He has accomplished the task that the Board had asked him to do. If it isn't enforceable, what is the purpose of having it. This is his personal opinion.
- > Commissioner Woodard: Commissioner Woodard asked County Attorney High what his comments are with regard to Commissioner Jones' comments. County Attorney High explained that lack of proof that the animal was not tethered the entire 24 hours would make it difficult to enforce this ordinance. This puts a burden on the Sheriff's Department and the private citizen making the complaint to prove "permanent".
- > Commissioner Jones: Mr. Jones stated that sometimes he does not articulate his point as well as he should but he wanted to go on record that he is not for tethering. His objection is that, when you adopt an ordinance, it needs to be based on logic and reason not just to make people happy.
- > Commissioner Woodard: Mr. Woodard does not agree with cruelty to animals. Will this amendment help prevent this? How to control that puts a lot of strain on the people making the complaint and our Sheriff's Department.
- > Commissioner Leigh: At the Work Session, Ms. Leigh said that her concern was how the Sheriff's Department will enforce this ordinance. Chairman Nelson said that he feels that it will have to be public complaint driven. Ms. Leigh agreed.
- > Commissioner Muzzulin: Mr. Muzzulin said that the only complaint he received was that hunting dogs were exempted from this ordinance.
- > Chairman Nelson: The only comment he has received was the question, should we have a statement like that at the top that the hunting dogs were exempt from this Amendment.
- > Commissioner Jones: Mr. Jones said, in closing, with regard to Mr. Woodard's question about stopping cruelty to animals, the State Statute criminalizes this and lays out the specifics in that Statute. Mr. Jones asked Mr. High how many of these cases had he seen in his career. They both said that there had been very few cases. This is because it is very difficult to prove.

Commissioner Woodard asked them to review the process to adopt an Ordinance again. County Attorney High explained that, at the first reading, if the Ordinance did not pass unanimously but by a majority, it would be voted on again at the next meeting. At that time, a simple majority would pass it. County Manager Heath said that, if it does not pass tonight, then he thinks that this ends tonight. If the Board wants to present another version, we should have a public hearing and start the process over again. Commissioner Jones asked that, if we continue to work on this, will the County Attorney get paid for his work. Mr. Heath said yes. There being any further discussion, the motion died by a vote of two (2) to three (3) with Commissioners Muzzulin, Jones, and Leigh voting against the motion.

PERQUIMANS COUNTY ESFRP1719 BID AWARD

County Manager Heath explained that on July 5, 2018, bids were opened from contractors that wanted to work on the five dwellings that qualified for the Single Family Rehabilitation Grant. After finding out that an interested contractor was left off the bid list, the project was rebid and the bids were opened on July 26, 2018. The bids received were as follows:

Contractor	Case #02 207 S Conroy Garden St Hertford	Case #04 147 Bethany Church Rd Hertford	Case #05 211 S Cavert Garden St Hertford	Case #07 304 S Church St Hertford	Case #08 113 King St Hertford
Blair Shores Builders	\$21,908	\$24,700	\$15,375	\$24,900	\$24,650
B&B Construction	\$23,850	\$21,850	\$18,850	\$22,700	\$21,650
William Holley Construction	\$22,370	\$26,325	\$18,700	\$24,875	\$19,800

The low bids are highlighted. Edward R. Muzzulin made a motion to award the bids to the low bidders. The motion was seconded by Charles Woodard. Chairman Nelson asked if there were any questions or comments. Commissioner Leigh asked if William Holley Construction is related to the Holly

ORDINANCE NO. 99

AMENDMENTS TO ORDINANCE NO. 63:

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B. Animals shall not be kept on any lot unless the owner or keeper of the animal occupies the property where the animal is kept.

C. Pursuant to N.C.G.S. 14-361.1, no person shall willfully and without justifiable excuse abandon or cause to be abandoned any animal and such statute is incorporated herein.

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2.05 Violations. Any violations of this section shall be considered a Class III Violation as outlined in Section One and shall be levied accordingly. Violations shall subject the violator to all other remedies provided by law.

Upon motion of _____ and second of _____ all of the aforesaid amendment to Ordinance No. 63 was adopted unanimously by the Perquimans County Board of Commissioners at its Regular Meeting on the 6th day of August, 2018 to be effective immediately and as recorded in their Minute Book No. 15, page _____.

Wallace E. Nelson, Chairman
Perquimans County Board of Commissioners

ATTEST:

SEAL

Mary P. Hunnicutt, Clerk to the Board
Perquimans County Board of Commissioners