

QUASI-JUDICIAL HEARING

Conditional Use Permit No. CUP-16-01, by Timbermill Wind, LLC, c/o Apex Clean Energy Holdings, LLC.

After the Chair called the quasi-judicial hearing to order, she noted that we had a quorum and that the purpose of the Quasi-Judicial Hearing was to consider Conditional Use Permit No. CUP-16-01, by Timbermill Wind, LLC, c/o Apex Clean Energy Holdings, LLC, for a Large Wind Energy Facility in the Bear Swamp and Centerhill Communities [to include Tax Parcel Nos. 3-003900011B; 3-0047-00001, -00002, -00014 and -00028; 3-0048-00001 and -00003; 3-0049-00009, -00024A, -00025, -00026, -00038 and -00039(part); 3-0058-00004(part), -00007 and -00013; and 3-0059-00012A(part)], and extending west into Chowan County.

She further stated that the purpose of the quasi-judicial hearing is to consider competent material and substantial evidence on the application of the Ordinance to the CUP submitted by Timbermill Wind, LLC. The two attorneys gave opening statements and the following list of witnesses gave testimony:

- Donna Godfrey, Perquimans County Planner
- Don Giecek, Senior Development Manager of Apex Energy
- Tracy Butler, Senior Manager of Optimization & Civil Design for Apex Clean Energy, Inc.
- Mark Bastasch, Project Manager & Principal Acoustical Engineer at CH2M HILL

ADJOURNMENT

There being no further comments or business to discuss, the Quasi-Judicial Hearing was continued to August 25, 2016 at 5:30 p.m.

Janice McKenzie Cole, Chair

Clerk to the Board

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CONTINUED QUASI-JUDICIAL HEARING
August 25, 2016
5:30 p.m.

The Perquimans County Board of Commissioners met to continue a Quasi-Judicial Hearing on Thursday, August 25, 2016, at 5:30 p.m. in the upstairs Courtroom of the Perquimans County Courthouse Annex Building.

MEMBERS PRESENT:	Janice McKenzie Cole, Chair Fondella Leigh Wallace Nelson	Kyle Jones, Vice Chairman Edward R. Muzzulin Matthew Peeler
MEMBERS ABSENT:	None	
OTHERS PRESENT:	Frank Heath, County Manager Hackney High, County Attorney	Mary P. Hunnicutt, Clerk to the Board

CONTINUED QUASI-JUDICIAL HEARING

Conditional Use Permit No. CUP-16-01, by Timbermill Wind, LLC, c/o Apex Clean Energy Holdings, LLC.

Chair Cole opened up the meeting and asked the applicant's attorney to call his next witness. The following list of witnesses gave testimony:

- John D. Hecklau, Executive Vice President of Environmental Design & Research, Landscape Architecture, Engineering & Environmental Services
- Robert D. O'Neal, Principal of Epsilon Associates
- Kendra L. Kallevig-Childers, Project Analyst, Environmental & Permitting Services
- Charles J. Moody, III, Realty Services of Eastern Carolina, Inc.

ADJOURNMENT

There being no further comments or business to discuss, the Quasi-Judicial Hearing was continued to a date and time to be determined later.

Janice McKenzie Cole, Chair

Clerk to the Board

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REGULAR MEETING
September 6, 2016
7:00 p.m.

The Perquimans County Board of Commissioners met in a regular meeting on Tuesday, September 6, 2016, at 7:00 p.m. in the Commissioners Room located on the first floor of the Perquimans County Courthouse Annex.

MEMBERS PRESENT:	Janice McKenzie Cole, Chair Fondella Leigh Wallace Nelson	Kyle Jones, Vice Chairman Edward R. Muzzulin Matthew Peeler
MEMBERS ABSENT:	None	
OTHERS PRESENT:	Frank Heath, County Manager Will Crowe, County Attorney	Mary Hunnicutt, Clerk to the Board

After the Chair called the meeting to order, Commissioner Peeler gave the invocation and the Chair led the Pledge of Allegiance.

AGENDA

On motion made by Matthew Peeler, seconded by Edward R. Muzzulin, the Board unanimously approved the Agenda as amended.

CONSENT AGENDA

The following items were considered to be routine and were unanimously approved on motion made by Matthew Peeler, seconded by Edward R. Muzzulin.

1. **Approval of Minutes:** August 1, 2016 Regular Meeting, August 15, 2016 Work Session, August 24-25, 2016 Quasi-Judicial Hearing Minutes
2. **Personnel Matters:**

Employee Name	Employee Job Title	Action Required	Grade/Step	New Salary	Effective Date
Roy Alons	Water Plant Operator	Appointment	64/4	\$41,626	9/1/2016
Paul Loughlin	Bailiff	Appointment		\$14.18/hr.	9/1/2016
Holly Hunter	Part-Time/Fill-In Board of Elections	Appointment		\$9.09/hr.	8/30/2016
Sabrina Albietz	Part-Time/Fill-In Board of Elections	Termination			8/29/2016
Jessica Hassell Velvin	EMT-I	Certification	66/1	\$15.91/hr.	8/1/2016
Brandon Lindstrom	EMT-I	Resignation			8/19/2016
Kimberly Whitehurst	EMT-I	Resignation			8/25/2016

3. **Step/Merit Increases:**

Employee Name	Employee Job Title	Grade /Step	New Salary	Effective Date
Howard Williams	Director	70/9	47,969	9/1/2016
Jackie Frierson	Register of Deeds	70/7	45,685	9/1/2016
Anthony Johnson	Lead Telecommunicator	62/8	32,929	9/1/2016
Kay Hall	Social Worker II	67/6	39,078	9/1/2016
Kiera Hinton	IMC II	63/1	28,999	9/1/2016
Shannon Howell	Social Worker IA&T	70/4	42,475	9/1/2016
Gwen Hudson	IMC III (Adult Med. Lead Worker)	67/5	38,127	9/1/2016
Pamela Midgett	IMC III	65/3	33,251	9/1/2016
Banks, Sydni	Supervisor	64/5	33,410	9/1/2016

4. **Board Appointments:** The following Board appointments were approved by the Board:

NAME	BOARD	ACTION	TERM	EFFECTIVE DATE
Darlene Harrell	Senior Tar Heel Legislature Delegate (Alternate)	Appointment	1 yr.	9/1/2016
Markeeta Littlejohn	At-Large Member to JCPC Council	Appointment	1 yr.	9/1/2016
Joan Mansfield	Nursing Home Advisory Committee	Appointment	*	9/1/2016

**She will complete Gene Boyce's term which expires on 9/30/2017. We still have 2 openings.*

INTRODUCTION OF EMPLOYEE

- **Jewel Winslow:** Ms. Winslow, Extension Director, introduced Perquimans County's new Crop Agent, Dylan Lilley. He began working on September 1, 2016.

Chair Cole welcomed him to the County.

VIRGIL PARRISH & ERNIE SWANNER, BUILDING INSPECTIONS

Mr. Parrish, Chief Building Inspector, explained that, on behalf of Perquimans County, he was going to apply for a grant to assist with cleaning up the run-down mobile homes in Perquimans County. They will receive \$1,015 per site to help clean it up. Chowan County is also using this grant. He then introduced Ernie Swanner, to explain it further. Mr. Swanner explained that there were two ways to apply: (a) apply for the planning grant now for \$2,500 and apply for a full two-year grant after six months for \$12,000; or (b) apply for the full grant now for \$14,500 with two-year completion deadline. He further explained that we are past the application deadline for 2016 but there are three slots that are still available for funding this year that can be applied for on a first come, first serve basis. With regard to how it will affect the budget, Mr. Swanner explained that contract deconstruction of the units is at \$2,500 each, plus estimated tipping fees of \$1,000 making a total maximum cost of \$3,500 per unit. The County will be required to clean up eight units during this contract cycle. That makes the total grant cycle expense \$28,000 plus \$2,500 preparation and miscellaneous costs making a total cost of \$30,500. From this grant, the County will receive a reimbursement of \$2,500 plus \$12,000 grant allowance making total revenue of \$14,500. The County will spend \$30,500 minus \$14,500 grant which leaves eight units cleaned up for \$16,000. The balance due over the grant could be handled through mitigation through voluntary payment, tax liens, and property liquidation. The first step to the application is to receive approval from the governing body. Therefore, he is requesting that the Board adopt the resolution included in their Agenda Packets. After the Board asked several questions, Chair Cole asked if there was a motion to adopt the resolution. On motion made by Edward R. Muzzulin, seconded by Matthew Peeler, the Board unanimously adopted the following Resolution supporting their application for the NC Department of Environmental Quality, Abandoned Mobile Home Cleanup Grant Program:

AMH Grant RESOLUTION OF SUPPORT - COUNTY

**Board of Commissioners
Perquimans County**

Resolution

A RESOLUTION to the extent permitted by law, Authorizing Participation in the North Carolina Department of Environmental Quality, Abandoned Mobile Home Cleanup Grant Program.(AMH program)

The Board of Commissioners of Perquimans County met in a regular session on the 6th day of **September**, 2016 in the Commissioners Room of the Perquimans County Board of Commissioners with the following members present:

- [x] Chair Janice McKenzie Cole
- [x] Vice Chair Kyle Jones
- [x] Board Member Mathew Peeler
- [x] Board Member Edward Muzzulin
- [x] Board Member Fondella Leigh
- [x] Board Member Wallace Nelson

Edward R. Muzzulin moved for adoption of the following Resolution:

WHEREAS, on the 6th day of **SEPTEMBER**, 2016 the Board of Commissioners of **Perquimans County** received a request from **Ernie Swanner** as Code Enforcement Officer and **Virgil Parrish** as Inspection Department Head, for support of their application to the State of North Carolina, Department of Environmental Quality for reimbursement grant funding for developing an Abandoned Manufactured Homes Cleanup Program in Perquimans County.

BRIEF SUMMARY:

- Apply for a planning grant for \$2500 for expenses (dedicated computer, software, database, AMH mapping, equipment and supplies, time and fuel.)
- County provide for these expenses now, to be reimbursed after six months.
- Apply for a two year cleanup grant for \$12,000 within one year from issue of planning grant.
- County provide for cleanup of eight units within two years and receive reimbursement upon completion.
- Apply for next \$12,000 cycle with same conditions.

WHEREAS, the Board of Commissioners of Perquimans County have reviewed this request and determined that certain aesthetic regulations are necessary and in the public interest in order to prevent land uses which are inharmonious or incongruent with the existing visual character of areas within the jurisdiction of the County of Perquimans; and The County of Perquimans has determined that aesthetic and appearance regulations are necessary and beneficial to The County of Perquimans and its citizens in that such regulations will protect property values, promote tourism, at least indirectly protect public health and safety, preserve the character and integrity of neighborhoods and the general community, and promote the comfort, happiness, and emotional stability and general welfare of all citizens.

WHEREAS, be it resolved that all formal actions of the board relating to the adoption of this resolution were taken in an open meeting of the board in compliance with all legal requirements.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Board of Commissioners of Perquimans County supports the above application.

Matthew Peeler seconded the motion and the roll was called. The vote was as follows:

ROLL CALL VOTE:

<u>Name</u>	<u>Vote</u>	
Janice McKenzie Cole - Chair	Yes <u>X</u>	No ___;
Kyle Jones – Vice Chair	Yes <u>X</u>	No ___;
Mathew Peeler – Member	Yes <u>X</u>	No ___;
Edward Muzzulin - Member	Yes <u>X</u>	No ___;
Fondella Leigh - Member	Yes <u>X</u>	No ___;
Wallace Nelson - Member	Yes <u>X</u>	No ___;

- _____ Chair
- _____ Vice Chairman
- _____ Commissioner
- _____ Commissioner
- _____ Commissioner
- _____ Commissioner

ATTEST: I hereby certify that this resolution authorizing Participation in the Abandoned Mobile Home Cleanup Grant Program is a true and exact copy of the resolution adopted by the Board of County Commissioners on the 6th day of September, 20 16.

 Mary Hunnicutt, Clerk
 Board of County Commissioners
 Perquimans County, North Carolina

BILL JENNINGS, TAX ADMINISTRATOR

Mr. Jennings stated that he did not have a monthly report since the tax bills were mailed out on August 26, 2016. His office has been busy with handling a lot of phone calls regarding their bills. He also updated the Board on Mr. Hoffman’s request at the Board of Equalization & Review to reduce his appraisal for a vacant lot in Albemarle Plantation. They have a meeting scheduled in Raleigh with Property Tax Commission. Information has been provided to County Attorney High to present at the meeting on behalf of the County in October.

COMMISSIONER’S CONCERNS/COMMITTEE REPORTS

Chair Cole asked if there were any Commissioner’s Concerns or Committee Reports. The following concerns and reports were made:

- **Chair Cole:** Ms. Cole mentioned that there has been some interest in the residents of Perquimans County to move the Hertford Post Office. There are a lot of safety and flooding issues with the current location. She said that, even though that was not within our jurisdiction, she will be doing research and will probably be bringing a resolution which will be forwarded to our congressional representatives. The resolution will be presented at the meeting next month for Board consideration and action. She just wanted to bring it to the Board’s attention.
- **Commissioner Leigh:** Ms. Leigh gave a report from the NCACC Annual Conference in August.

There being no further Commissioners’ concerns or committee reports, the Chair proceeded with the meeting.

UPDATES FROM COUNTY MANAGER

County Manager Heath presented the following updates:

- **Hurricane Hermine:** Mr. Heath explained that the County only experienced minor leaks from the storm and a portion of the pier at the Recreation Center was damaged when a tree fell on it.
- **Library Project:** Mr. Heath explained that the Library Project was moving right along. They held the groundbreaking ceremony on August 29, 2016. Tildon Whitehurst is handling the site work for the building which should take about another week or so.
- **S-Bridge Replacement:** Mr. Heath explained that the NC Department of Transportation has designated Alternate B as the preferred option for the replacement of the S-Bridge. This was the option the Board of Commissioners, Town Council of Hertford, and Town Council of Winfall supported even though it was the most costly option. Mr. Heath did express the County’s concern to Rep. Steinburg and NCDOT officials regarding the time that the bridge will be closed. They have assured him that they will expedite it as much as possible.
- **Feasibility Study for Interstate 87:** Mr. Heath explained that a feasibility study for Interstate 87, which links Norfolk to Raleigh along the US Highway 17 and 64, is underway.
- **Library Construction Updates:** Chair Cole was pleased with the updates that they are receiving from the contractor of the Library Project. Mr. Heath said that he was told that he would be receiving them every week.

- **Elevation of the Library Site:** Commissioner Nelson asked about the elevation of the library site. Mr. Heath explained that it was outside of the flood plain.

COUNTY COOPERATIVE AGREEMENT WITH N.C. FOREST SERVICE

On motion made by Edward R. Muzzulin, seconded by Matthew Peeler, the Board unanimously approved the County Cooperative Agreement with Division of Forest Resources for FY 2016-2017 and authorized the Chairman and County Staff to sign the Agreement. The costs will be \$130,106 being divided between the State at \$84,569 (65%) and the County at \$45,537 (35%).

DSS CONTRACT WITH MAXIMUS

County Manager Heath presented the renewal contract for DSS Cost Report with Maximus for a three-year term. The fee will remain at \$2,900 per year. Susan Chaney, Social Services Director, has reviewed the contract and is aware that it is being brought before the Board for consideration. On motion made by Matthew Peeler, seconded by Edward R. Muzzulin, the Board unanimously approved the three-year contract with Maximus to prepare the DSS Cost Report.

SURPLUS VEHICLE BIDS

The bid period for one of our surplus vehicles with GovDeals closed today at 3:00 p.m. Frank Heath presented the following high bid from GovDeals for our surplus vehicle:

BUYER	VEHICLE	START BID	SOLD AMOUNT	BUYER'S PREMIUM	GOVDEALS FEE
Garry Zipper	1998 Ford Crown Victoria	\$100.00	\$212.77	\$15.96	\$10.64
TOTAL		\$100.00	\$212.77	\$15.96	\$10.64

On motion made by Wallace E. Nelson, seconded by Edward R. Muzzulin, the Board authorized Mr. Heath to proceed with the transfer of the title to this individual after receiving payment.

EMERGENCY MANAGEMENT CONTRACTS

Jonathan Nixon, Emergency Services Director, explained that the following contract and Memorandum of Understanding which has been reviewed by County Attorney High and is ready for Board action:

Debris Contract: On motion made by Matthew Peeler, seconded by Edward R. Muzzulin, the Board unanimously approved the final year of the Debris Contract with Unified Recovery Group, LLC., as follows:

ADDENDUM II

Owner: Perquimans County and the Towns of Hertford and Winfall, North Carolina
 Provider: Unified Recovery Group, LLC
 Contract: Agreement for Debris Management and Removal Services dated July 2, 2012
 Subject: One year extension of Contract

As required in paragraph III of the above mentioned contract titled, "Agreement for Debris Management and Removal Services", by and between Perquimans County, North Carolina, the Town of Hertford, North Carolina and the Town of Winfall, North Carolina, referred as the "Owner" and Unified Recovery Group, LLC, referred as the "Provider", mutually agree to extend the contract for the period of one year. The parties also agree that in the event a Notice to Proceed is issued, all contractual obligations shall be assigned to and performed by Green Co Services, LLC, PO Box 111, Foley, AL 36536 with a physical location of 21602 Doc McDuffie Rd., Foley, AL 36535.

IN WITNESS WHEREOF, the parties have set their hands and seals on this 6th day of September, 2016.

Perquimans County, North Carolina, OWNER By and through its <u>Chair</u>	Attest: _____
Town of Hertford, North Carolina, OWNER By and through its _____	Attest: _____
Town of Winfall, North Carolina, OWNER By and through its _____	Attest: _____
Unified Recovery Group, LLC, PROVIDER By and through its <u>Member</u>	Attest: _____
Green Co Services, LLC, PROVIDER By and through its <u>Owner</u>	Attest: _____

Monitoring Contract: On motion made by Wallace E. Nelson, seconded by Fondella A. Leigh, the Board unanimously approved the following Memorandum of Understanding with Sentara Albemarle Medical Center to provide temporary morgue for Perquimans County when needed:

Memorandum of Understanding For Use of Sentara Albemarle Medical Center As The Perquimans County Temporary Morgue

This Memorandum of Understanding (MOU) is by and between Sentara Albemarle Medical Center, 1144 North Road Street, Elizabeth City, NC and the County of Perquimans, 159 Creek Drive, Hertford, NC.

WHEREAS, Pursuant to North Carolina G.S. §130A-381 each county shall provide for an appropriate facility where bodies can be stored pending a decision on death investigation, examination by the medical examiner, transportation to an autopsy facility, notification of next of kin or arrangements for final disposition,

WHEREAS, Sentara Albemarle Medical Center, located in the Albemarle community, partners with local governments in providing comprehensive emergency services to the community and has in the past given verbal agreement for the use of Sentara Albemarle Medical Center's morgue and is currently providing the area for this use,

WHEREAS, the designated location of a "county morgue" must be provided to the North Carolina Department of Health and Human Services, Office of Chief Medical Examiner,

The parties hereby agree to the following:

1. Sentara Albemarle Medical Center will provide temporary storage of bodies at their facility pending a decision on death investigation, examination by the medical examiner, transportation to an autopsy facility, notification of next of kin, or arrangements for final disposition.
2. The Hospital morgue will be used to store bodies whose deaths are under Medical Examiner jurisdiction as well as those bodies whose natural deaths do not fall under Medical Examiner jurisdiction.

- 3. In the event the number of bodies being stored in the Hospital morgue should exceed its capacity, the County will assist in finding alternative resources to expand the storage capacity.
- 4. Nothing in this MOU shall alter the Parties' respective responsibilities under N.C. Gen. Stat. Chapter 130A, Article 16 (postmortem investigation and Disposition, N.C. Gen. Stat. §130A-421) or under 10A NCAC 44.0101 through 10A NCAC 44.0501.

This MOU shall become effective upon signature by authorized officials from Sentara Albemarle Medical Center and the County of Perquimans and will remain in effect until terminated by one or both of the partners or modified by mutual consent.

This Memorandum of Understanding (MOU) is made and entered into as of this 6th day of September, 2016.

Contact Information

Partner name: Sentara Albemarle Medical Center
 Position: Coleen Santa Ana, President
 Address: 1144 N. Road Street
Elizabeth City, NC 27909
 Telephone: 252-335-0531
 E-Mail: jhammond@albmearlehealth.org

 Partner Signature

 Date

Partner name: Perquimans County
 Position: Chair
 Address: P.O. Box 45
Hertford, NC 27944
 Telephone: 252-426-8484
 E-Mail: frankheath@perquimanscountync.gov

 Partner signature

September 6, 2016
 Date

PUBLIC COMMENTS

There were no public comments.

ADJOURNMENT

There being no further comments or business to discuss, the Regular Meeting was adjourned at 7:40 p.m. on motion made by Matthew Peeler, seconded by Edward R. Muzzulin.

 Janice McKenzie Cole, Chair

 Clerk to the Board

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