

Minutes  
Regular Meeting  
Hertford County Board of Commissioners  
County Commissioners' Meeting Room  
Monday, March 17, 2014  
7:00 P.M.

Present: William F. Mitchell, Jr., Ronald J. Gatling, Johnnie R. Farmer, Curtis A. Freeman, Sr., and Howard J. Hunter, III

Absent: None

Also Present with the Board: Loria D. Williams, County Manager; Charles L. Revelle, III, County Attorney; and Shelia W. Matthews, Clerk to the Board

Chairman William F. Mitchell, Jr., called the meeting to order.

The invocation for the meeting was provided by Commissioner Curtis A. Freeman, Sr.

**COMMISSIONERS**

On a motion by Freeman and a second by Gatling, the Board voted unanimously to amend the agenda to delete item #7951 regarding a foreclosure matter.

**MINUTES**

On a motion by Hunter and a second by Gatling, the Board voted unanimously to approve the following minutes:

- (1) January 06, 2014 – Regular Meeting
- (2) February 03, 2014 – Regular Meeting
- (3) February 17, 2014 – Regular Meeting

**TAX**

On a motion by Gatling and a second by Hunter, the Board voted unanimously to approve the following Tax Releases for the month of February, 2014:

TOTAL VALUE APPROVED THIS REPORT (2013 LEVY)	61,593.00
TOTAL TAX RELEASED THIS REPORT (2013 LEVY)	1,160.66
TOTAL VALUE APPROVED THIS REPORT (PRIOR LEVY)	58,980.00
TOTAL TAX RELEASED THIS REPORT (PRIOR LEVY)	549.97
TOTAL TAX RELEASED THIS REPORT (W01 COLL/RECYCLE 2013)	130.00
TOTAL TAX RELEASED THIS REPORT (W02 LANDFILL OPERATION 2013)	130.00
TOTAL TAX RELEASED THIS REPORT (W01 COLL/RECYCLE 2012)	62.50
TOTAL TAX RELEASED THIS REPORT (W02 LANDFILL OPERATION 2012)	62.50

TOTAL TAX RELEASED THIS REPORT (W01 COLL/RECYCLE 2011)	57.50
TOTAL TAX RELEASED THIS REPORT (W02 LANDFILL OPERATION 2011)	57.50
TOTAL TAX RELEASED THIS REPORT (W01 COLL/RECYCLE 2010)	115.00
TOTAL TAX RELEASED THIS REPORT (W02 LANDFILL OPERATION 2010)	115.00
TOTAL TAX RELEASED THIS REPORT (W01 COLL/RECYCLE 2009)	57.50
TOTAL TAX RELEASED THIS REPORT (W02 LANDFILL OPERATION 2009)	57.50
TOTAL TAX RELEASED THIS REPORT (W01 COLL/RECYCLE 2008)	57.50
TOTAL TAX RELEASED THIS REPORT (W02 LANDFILL OPERATION 2008)	57.50
TOTAL TAX RELEASED THIS REPORT (W01 COLL/RECYCLE 2007)	55.00
TOTAL TAX RELEASED THIS REPORT (W02 LANDFILL OPERATION 2007)	55.00
TOTAL TAX RELEASED THIS REPORT (W01 COLL/RECYCLE 2006)	50.00
TOTAL TAX RELEASED THIS REPORT (W02 LANDFILL OPERATION 2006)	50.00
TOTAL TAX RELEASED THIS REPORT (W01 COLL/RECYCLE 2005)	52.00
TOTAL TAX RELEASED THIS REPORT (W02 LANDFILL OPERATION 2005)	48.00
TOTAL TAX RELEASED THIS REPORT (W01 COLL/RECYCLE 2004)	52.00
TOTAL TAX RELEASED THIS REPORT (W02 LANDFILL OPERATION 2004)	48.00
TOTAL TAX RELEASED THIS REPORT (W01 COLL/RECYCLE 2003)	00.00
TOTAL TAX RELEASED THIS REPORT (W02 LANDFILL OPERATION 2003)	00.00

The FY 2013 CDBG Infrastructure Funding (Millennium Water) Public Hearing was delayed until later in the meeting.

**R-CCC**

Dr. Michael Elam, R-CCC President, and Mr. Strickland, R-CCC Facilities Director, were present requesting support from the Board for a Lease Purchase Agreement for an Energy Management System.

There was much discussion regarding the additional funding that R-CCC received last year.

On a motion by Gatling and a second by Hunter, the Board voted unanimously to support the Lease Purchase Agreement for an Energy Management System at a cost of \$319,495 (with a monthly payment of \$5,971).

At this time, Dr. Elam presented the Mid-Year Report for R-CCC to the Commissioners.

On a motion by Freeman and a second by Farmer, the Board voted unanimously to go into a Public Hearing per the following advertisement:

NOTICE OF PUBLIC HEARING  
RELATIVE TO APPLICATION  
BY HERTFORD COUNTY  
FOR FUNDING UNDER THE HOUSING AND COMMUNITY  
DEVELOPMENT ACT OF 1974, AS AMENDED

Notice is hereby given that Hertford County will conduct a public hearing on Monday, March 17, 2014, at 7:00 P.M., or as soon thereafter as the agenda will allow, at the County Office Building Number One, Room 222, next to the County Manager's Office located at 704 North King Street, Winton, NC, relative to the intention of the county to apply for FY2013 CDBG Infrastructure funding under Title I of the Housing and Community Development Act.

Hertford County intends to submit an application for a grant of approximately \$985,000 in CDBG Infrastructure funds to install water system improvements in and near the Millennium Community area.

The following is a tentative list of proposed activities and an estimated budget. The final application will be reviewed at the public hearing.

1 EA – 100,000 gallon Elevated Water Tank  
9,600 LF – 6-inch Water Main  
17 EA – Fire Hydrants

The estimated budget for these Water Improvements complete with all Technical Services and Grant Administration is \$985,000.

If additional information is needed, please contact the County Manager's Office at 252-358-7805. Formal written complaints or comments concerning the application process that are submitted to the County Manager's Office will be responded to within ten working days by the County Manager.

Persons with disabilities or who otherwise need assistance should contact Loria Williams at 252-358-7805 or [loria.williams@hertfordcountync.gov](mailto:loria.williams@hertfordcountync.gov) (TDD # 919-807-4420 or Relay North Carolina TTY # 1-800-735-2962) by Friday, March 14, 2014. Accommodations will be made for all who request assistance with participating in the public hearing.

This information is available in Spanish or any other language upon request. Please contact the County Manager's office, at 252-358-7805, or at 704 North King Street, Winton, NC, for accommodations for this request.

Esta informacion esta disponible en espaniol o en cualquier otro idioma bajo peticion. Por favor, pongase en contacto con County Manager's Office, al 252-358-7805, o en 704 North King Street, Winton, NC, de alojamiento para esta solicitud.

### **PUBLIC HEARING**

Mike Bradley, Public Works Director, and Leo Green, P.E., Green Engineering, were present to address the Board. This grant would be used to install water system improvements in and near the Millennium Community area. A second Public Hearing is required, at which time the estimated costs will be discussed. This is a 100% grant – no money is required for a match.

On a motion by Freeman and a second by Gatling, the Board voted unanimously to leave the Public Hearing and return to Regular Session.

## **REGULAR SESSION**

### **PUBLIC HEARING/MILLENNIUM WATER**

On a motion by Freeman and a second by Farmer, the Board voted unanimously to advertise the required second Public Hearing for April 7, 2014, at 9:30 A.M., for the FY 2013 CDBG Infrastructure Funding (Millennium Water) Grant Application.

Mike Vaughan, Millennium Fire Department Chief, and Mike Lassiter, Concerned Citizen, spoke about how old some of the water system is and thanked the Board for their assistance.

### **TAX**

Rev. Taylor Latham appeared before the Board on February 17, 2014, to appeal the 2013 tax bill for pin #5961-03-598101 due to the late application for exemption he submitted to the Tax Assessor's Office. For the tax year 2013, Millennium Christian Day Care, Inc. was billed at 50% complete, meaning the building was not in use as of January 1, 2013. Rev. Latham made application for tax exemption on September 30, 2013, which was not a timely application for tax year 2013, and the building was not occupied. Upon receipt of the application for 2014, Rev. Latham described the use of the building as a day care and requested the exemption under NCGS 105-278.3 (Religious Purposes). This statute states that the building and land must be wholly and exclusively used for religious purposes in order to qualify for the exemption. Therefore, the Tax Assessor's recommendation is to not release 2013 taxes nor exempt this property.

Sylvia Anderson, Tax Assessor, was present to answer any questions. Mrs. Anderson further explained that this day care is not owned by the church; nor is the day care in the church facility; which is the case with some other similar situations in the County.

Mrs. Evelyn Rawls, Millennium Pentecostal Holiness Church Treasurer, was present in the audience to answer any questions and shared Christian-based curriculum being followed in the day care.

After some discussion, on a motion by Hunter and a second by Gatling, the Board voted to approve the 2014 tax exemption for the Millennium Christian Day Care, based on their conclusion that the completed facility was wholly and exclusively used for religious and educational purposes; 2013 taxes were not released because the facility was not completed and being used, and the application was not timely. Commissioner Farmer abstained from voting, due to the fact that this is the church he attends.

## **RESOLUTIONS/REGISTER OF DEEDS**

On a motion by Gatling and a second by Hunter, the Board voted unanimously to approve the following resolution as presented by Melanie Storey, Register of Deeds:

**RESOLUTION AUTHORIZING REMOVAL OF CERTAIN PUBLIC RECORD BOOKS  
KEPT BY THE REGISTER OF DEEDS FOR THE PURPOSE OF  
REPAIR, RESTORATION AND REBINDING**

**WHEREAS**, N.C. Gen. Stat. 132-7 provides that books of public records should be copied or repaired, renovated or rebound if worn, mutilated, damaged or difficult to read; and

**WHEREAS**, there is identified certain books of public records maintained by the Register of Deeds in need of repair, restoration and rebinding; and

**WHEREAS**, Kofile Preservation, formerly known as Brown's River Records Preservation Services is under contract to provide repair, restoration and rebinding of those certain books of public records.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS FOR HERTFORD COUNTY, NORTH CAROLINA**, that:

**Section 1.** The Register of Deeds is authorized to remove or cause to be removed to the care and custody of Kofile Preservation, Document Preservation Specialists for repair, restoration and rebinding the following book of public records:

Deed Book B

**Section 2.** The books of public records listed in Section 1. Of this resolution may remain in the care and custody of Kofile Preservation, Document Preservation Specialist for the length of time required to repair, restore or rebind it.

**Section 3.** This resolution is effective upon its adoption.

Adopted the 17<sup>th</sup> day of March, 2014.

**TAX**

On a motion by Hunter and a second by Freeman, the Board voted unanimously to release a penalty of return check charge in the amount of \$565.20 as requested by Gay Sumner, Tax Collector. This penalty had been assessed on parcel 5992-38-6207, account 42495. G. S. 105-358(a) states the penalty does not apply if the taxpayer can provide proof that he/she did have sufficient funds available in an account; and, in this case, the taxpayer provided proof of available funds.

On a motion by Gatling and a second by Hunter, the Board voted unanimously to approve the following tax refunds totaling \$494.69 as presented by Gay Sumner, Tax Collector:

Tushanda Bunch (\$343.49)

232 Antler Drive

Murfreesboro, NC 27855

(Double listing of mobile home belonging to Eastern Homes. An after charge was applied for 2011 and the mobile home was listed for 2012.)

Delorse Lyles (\$151.20)

105 N. Academy Street, Apt. 120

Ahoskie, NC 27910

(Debt setoff sent payment on the 2012 taxes; the taxpayer had already paid personal property taxes.)

On a motion by Freeman and a second by Gatling, the Board voted unanimously to approve the following tax refunds totaling \$5,795.64 as presented by Gay Sumner, Tax Collector. These refunds are due because the taxpayers had already paid vehicle taxes before the Debt Setoff payments had been received.

<u>TAXPAYER</u>	<u>REFUND</u>
Chaniqua Rodgers	\$665.67
Inesia Harmon	\$169.95
Barbara Boone	\$196.06
Patrice Brooks	\$176.76
Nathaniel Clark	\$226.61
Wilhemenia Freeman	\$153.09
Marcia Hicks	\$135.37
Stephanie Horton	\$170.17
Shadona Ivey	\$202.05
Latony Lassiter	\$158.28
William Lewis, III	\$312.31
Evonne Mason	\$121.68
Alicia Mitchell	\$108.16
Demont Moore	\$119.27
Michelle Parks	\$286.92
Olivia Privott	\$170.99
Quinetta Rascoe	\$261.66
Latonia Simmons	\$336.67
Maxine Stroud	\$269.31
Henry Thomas	\$143.15
Tashi Valentine	\$179.23
Dennie Whitaker, Jr.	\$167.00
Tamanyika White	\$136.08
Angela Boone	\$149.78
James Chastain	\$176.07
Sharonda Freeman	\$295.29

**COURTHOUSE**

On a motion by Hunter and a second by Freeman, the Board voted unanimously to approve the Change Order for the Courthouse Project for construction of a turn lane on Hwy. 158. The cost of this turn lane totals \$87,876.65 and will come from contingency for the Courthouse Project.

**BOARD APPOINTMENTS****Hertford County ABC Board**

Commissioner Hunter nominated Larry Holloman to fill an unexpired term due to a recent resignation from the Board. Vice-Chairman Gatling nominated Roy Barnes.

On a motion by Hunter and a second by Freeman, the Board voted to appoint Larry Holloman to the Hertford County ABC Board to fill an unexpired term that will expire on January 31, 2015. Commissioners Hunter, Freeman, and Farmer voted in favor of this motion. Commissioners Gatling and Mitchell opposed.

**PUBLIC COMMENT PERIOD**

There was no one present who wished to speak during Public Comment Period.

**COUNTY MANAGER'S UPDATE**

- Update on liquidated damages for the Tunis Sewer Project
- Meeting was set up to discuss fixtures/furniture needs for the Courthouse/Administration Building Project
- Contractor on the Nutrition Site Renovation Project has found some rotten seals – there will be some unforeseen costs for this project
- Introduced Mr. Ray Wiggins, who started March 10 in the Assistant County Manager position
- Discussion was held regarding scheduling Budget Goal Setting Work Session as well as a meeting with the Board of Education

**COMMISSIONERS' COMMENTS**

- Commissioner Freeman still would like to have a Joint Meeting with the Towns
- Vice-Chairman Gatling shared the need for some drainage projects in the Weaver Subdivision and in the community behind Freeman Chevrolet. He also expressed the need for a Joint Meeting with the EDC Board.
- Commissioner Hunter announced that the NCACC Dues have decreased by 2.5% for the upcoming fiscal year. He also mentioned the upcoming District Meetings and Economic Development Symposium (both being held in April)
- Commissioner Farmer met with Secretary Tata while he was in Hertford County last week. Commissioner Farmer reminded the Board that TIP Projects will change in July, and we will have to compete with others in the region for improvements. He learned at his RPO Meeting that the Future I-44 connecting

Raleigh to Hampton Roads would be routed through Rocky Mount and Elizabeth City – totally going around Hertford County.

On a motion by Freeman and a second by Hunter, the Board voted unanimously to recess Regular Session to go into a scheduled Closed Session as allowed under G. S. 143-318.11 (a) (3) to consult with the County Attorney and (6) to discuss personnel matters.

**CLOSED SESSION**

Minutes of Closed Session are on file in the office of the Clerk to the Board.

**REGULAR SESSION**

On a motion by Gatling and a second by Freeman, the Board voted unanimously to adjourn the meeting.