

**Windsor, North Carolina**  
**February 10, 2020**  
**REGULAR MEETING**  
**Powellsville, NC**

The Bertie County Board of Commissioners met for its regularly scheduled meeting today inside the Powellsville Community Center, 105 W. Main Street, Powellsville. The following members were present or absent:

Present: Ronald "Ron" Wesson, I  
Greg Atkins, District II  
Tammy A. Lee, District III  
John Trent, District IV  
Ernestine (Byrd) Bazemore, District V

Absent: None

Staff Present: Interim County Manager Juan Vaughan, II.  
County Attorney Lloyd Smith  
Clerk to the Board Sarah Tinkham  
Finance Officer William Roberson  
Economic Development Director Steve Biggs  
TGOW Project Consultant Robin Payne  
Board of Elections Director Sheila Holloman  
Register of Deeds Annie Wilson  
Tax Administrator Jodie Rhea  
Sheriff John Holley  
Deputy Tahj Smallwood  
Deputy Tim Hardy

Gene Motley from the Roanoke-Chowan News Herald and Thadd White from the Bertie Ledger-Advance were present from the media.

**REMARKS FROM JAMES PEELE, MAYOR OF POWELLSVILLE**

Mayor Peele welcomed all of those present. He recognized several of his Town Council members in the room, and he thanked everyone here for their participation in tonight's meeting.

## **CALL TO ORDER**

Chair Wesson called the meeting to order. He thanked all of those present for their attendance, and gave thanks to the Town of Powellsville for hosting tonight's meeting. He reminded the audience that the County has made it a priority once again to visit various communities as part of the regular meeting schedule.

## **INVOCATION/PLEDGE OF ALLEGIANCE**

Commissioner Bazemore gave the Invocation/Pledge of Allegiance.

## **PUBLIC COMMENTS**

Pastor James Barber was present to discuss his feelings on the 2<sup>nd</sup> Amendment resolution being proposed tonight on the Board's agenda. In summary, he stated that the resolution passed in 2013 should suffice for now since he felt that there were no current threats to the 2<sup>nd</sup> Amendment in the State of North Carolina.

Dr. Nayland Collier expressed his concerns about the state of the road within the Creekside Subdivision. Specifically, Pintail Drive and how this area is caught "in the twilight zone" between the Town of Windsor and the unincorporated area of Bertie County. Several challenges and frustrations among homeowners in the area stem from the current ETJ in place. He inquired if the County had discussed with NCDOT on their behalf to have the roads in this subdivision paved to make the area more accessible.

Vice Chair Lee noted that we would be discussing this issue tonight, and Chair Wesson continued and noted that the Road Safety & Maintenance Ordinance is a way for the County to address roads that are no longer accessible to emergency vehicles. He encouraged Dr. Collier to work with the road owner directly to try and address the current road situation.

Willard Carney of Merry Hill came forward to put his concerns on record about the 2<sup>nd</sup> Amendment resolution being proposed on tonight's agenda. He commended the Bertie County Sheriff's Office for keeping the County safe. Mr. Willard noted that he felt safe in the County, and for those that did not, he recommended that they consider going through the appropriate channels to obtain a concealed weapons permit.

Garry Terry, President of the Bertie County Republican Party, came forward to state that he and his Party strongly supported the 2<sup>nd</sup> Amendment.

A citizen residing on Center Grove Road came forward to inquire why only part of this road was paved. Chair Wesson noted that one citizen on this road was not in favor of paving it as it would interfere with private property. He suggested the land owners in the area work to complete the appropriate NCDOT application to petition that the road become a State road. Chair Wesson noted that the road would need to be brought up to State standards first before NCDOT could take it over.

### **APPOINTMENTS & REPORTS**

#### **(1) Public Hearing: Amendment of Road Safety & Maintenance Ordinance as advertised**

This public hearing was advertised twice per State statute. Chair Wesson also read the advertisement into the record:

<p><b>NOTICE OF PUBLIC HEARING</b> <b>Monday, February 10, 2020 6:00PM</b> <b>Ordinance to Admend the Bertie County Road Safety and Maintenance Ordinance</b></p> <p>The Bertie County Board of Commissioners will hold a public hearing to provide citizens an opportunity to comment on a proposed amendment to the Road Safety and Maintenance Ordinance concerning a change to Section 305 that allows road owners who are in violation and either live outside of Bertie County or live inside the County but against whom personal service by Sheriff is unsuccessful to be served by any of the acceptable means of service set forth and approved in Rule 4 of the North Carolina Rules of Civil Procedure as long as the property is also posted with a notice of the violation by the Sheriff's department of Bertie County when any of these means of service are used. The public hearing has been set for Monday, February 10, 2020 at 6:00 PM and will be held in the Powellsville Town Hall, 160 East Main Street, Powellsville North Carolina.</p>
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At this time, Chair Wesson opened the public hearing. The Chair called for public comments.

Hearing no public comments, Chair Wesson closed the public hearing, and called for a motion to approve the amendment as proposed.

Commissioner Trent made a **MOTION** to approve the proposed amendment. Commissioner Atkins **SECONDED** the motion. The **MOTION PASSED** 4-1 with Commissioner Bazemore voting against.

## **(2) Presentation by ABC Board Chair, Michael Freeman**

Bertie County ABC Board Chair, Michael Freeman, came forward to recognize his other Board members present including Miles Davis, James Pugh, and ABC Store General Manager, Clint Freeman.

Mr. Freeman informed the Board that he was here tonight to present the Board with a check for approximately \$12,000 in profit from the Bertie County ABC Board. He also noted that a check would also be presented to the Bertie County Sheriff's Office in the amount of \$169. He also noted that a \$269 check would be presented to the Bertie County Board of Education at an upcoming meeting for the educational component involved in the ABC Board. Lastly, he noted he would present a final check to the Town of Windsor.

Chair Wesson thanked the ABC Board for their diligence and recognized Miles Davis as the current president of the State ABC Board Association.

## **(3) Education Center Proposal by Dr. Stan Riggs**

Dr. Stanley Riggs of NCLOW was present to discuss his proposal for an education center to be built on the property of the Salmon Creek Natural Area. The center could serve as a central location for students and visitors to visit before their exploration of the 1500 square acre state park. The center would also serve as a cultural tribute to those native to the area.

He is requesting that a "skeleton" of his plan be approved tonight, as well as the appointment of Commissioner Ernestine Bazemore to serve on a project committee that will work with the State of North Carolina to get this project off the ground.

Chair Wesson discussed the plans the County had to develop it's 147 acre "Tall Glass of Water" property which his located next door to the Salmon Creek Natural Area. He noted that the partnership the County now has with the NC Land Trust is crucial to the development of this area.

Chair Wesson opened the floor to a motion. Commissioner Lee made a **MOTION** to appoint Commissioner Ernestine Bazemore to this project. Commissioner Trent **SECONDED** the motion. The **MOTION PASSED** unanimously.

**(4) Standards of Care for Dogs in Bertie County by Rachel Bellis & Heather Johnson, PETA**

Rachel Bellis and Heather Johnson from PETA were present to provide a short PowerPoint presentation of various photos of chained dogs in Bertie County. They also detailed their work within the County providing pet owners with resources to better care for their dogs including dog houses, access to veterinary care, purchasing of dog food, food bowls, and any other needed supplies for families with dogs in need.

Low to no cost spay and neutering is also coordinated for interested dog owners.

It was the recommendation of PETA for the Board to consider strengthening their Animal Ordinance to outlaw the use of chains.

Ms. Bellis also fielded questions from the Board and audience present as needed.

**(5) Request for Support of the 2<sup>nd</sup> Amendment by Lynne Hughes & Andrew Ownbey**

Vice Chair Lee read the proposed resolution which is included in the Board's packet for tonight's meeting.

Lynne Hughes came forward to open this portion of the meeting, and she acknowledged the thoughts and concerns already shared tonight about the 2<sup>nd</sup> Amendment resolution being presented tonight. She noted that this resolution was designed to send a message to Raleigh that citizens would not stand for a reduction in their rights as American citizens.

She also commended local law enforcement, but noted that, "this is a big county, and there are only so many [officers]." At this time, she turned the presentation over to Andrew Ownbey.

Mr. Ownbey thanked the Board for the opportunity to speak, and for their consideration of this matter. He recognized the 2013 resolution that the County passed about public records and concealed carry permit holders. Mr. Ownbey emphasized that the resolution on the Board's agenda tonight would align Bertie County with about 50% of other NC counties. The resolution is a combination of resolutions passed by Surry, Bladen, and Lincoln Counties.

Commissioner Lee made a **MOTION** to approve the proposed resolution. There was no second. Chair Wesson clarified that without a second, the Board could not take a vote on the resolution at this time.

Mr. Ownbey asked why there was not an opportunity given for he or other members to propose a resolution that served as a compromise. In reply, Chair Wesson said that this would be possible, and Mr. Ownbey could do that if he so chose.

Chair Wesson opened up the floor to his fellow Commissioners for their thoughts on the matter.

Commissioner Atkins noted that he was in support of the 2<sup>nd</sup> Amendment, but that he did not believe the Board could legally enforce the resolution as proposed. He would like to see the Board have additional discussion with the County Attorney and the Board before considering another resolution related to this topic.

Commissioner Trent echoed the same sentiments and that the language within the resolution about “withholding funding” presented a “deep concern” for him. He did not feel that this was enforceable in the event of a new state law.

Commissioner Bazemore noted that she was also in favor of the 2<sup>nd</sup> Amendment, but that she did not understand how stricter background checks would turn into fear about guns being taken away. She noted that her concern was for everyone in the County and not just one particular group.

It was noted by Commissioner Lee that she had hoped to have received more responses via email from the Board so that the language of the resolution could have been ironed out before tonight’s meeting.

There was additional discussion between the Board and audience members present.

To conclude, Chair Wesson left the door open for the Board to consider any other versions of a 2<sup>nd</sup> amendment resolution that might be presented to the Board at a later date.

## **BOARD APPOINTMENTS**

### **Nursing Home/Adult Care Advisory Council**

Commissioner Lee made a **MOTION** to appoint Caroline Young (Askew) to the Nursing Home/Adult Care Advisory Council. Commissioner Trent **SECONDED** the motion. The **MOTION PASSED** unanimously.

## CONSENT AGENDA

### **1. Approve Minutes for Regular Session 1-6-20, Closed Session 1-6-20, and Work Session 1-22-20**

Commissioner Lee made a **MOTION** to approve the minutes listed above. Commissioner Bazemore **SECONDED** the motion. The **MOTION PASSED** unanimously.

### **2. Approve Register of Deeds Fees Report – January 2020**

Commissioner Bazemore made a **MOTION** to approve the Register of Deeds Fee Report for January 2020. Commissioner Trent **SECONDED** the motion. The **MOTION PASSED** unanimously.

### **3. Budget Amendments**

Commissioner Trent made a **MOTION** to approve tonight's Budget Amendments. Commissioner Bazemore **SECONDED** the motion. The **MOTION PASSED** unanimously.

### **4. Tax Release Journal – December 2019**

Commissioner Bazemore made a **MOTION** to approve the Tax Release Journal for December 2019. Commissioner Lee **SECONDED** the motion. The **MOTION PASSED** unanimously.

## DISCUSSION

### **Elections Update by Board of Elections Director, Sheila Holloman**

Ms. Holloman addressed concerns about voting machines that are set up at various precincts during the elections. The computers are not connected to the internet and are not vulnerable to interference. She also noted that all poll workers are specifically trained before each election.

She also provided a copy of the early voting schedule and noted the two (2) different voting locations. Citizens may vote during the Early Voting window at the Bertie County Board of Elections Office in Windsor, or at the Powellsville Town Hall in the Town of Powellsville until February 29<sup>th</sup>. Early Voting also allows citizens the opportunity to register and vote at the same time, if needed. Voting must take place the day of registration during the Early Voting window.

Ms. Holloman answered questions from the Board and audience.. It was clarified that if a citizen took advantage of voting during the Early Voting window, they would not need to vote again until November 2020. The purpose of the primary is to narrow down the candidates to then make way for the two top candidates for each elected position in November.

Chair Wesson also noted that there are several ballots that a voter may receive depending on how they are registered. You may select to be designated in North Carolina as a Libertarian, Unaffiliated, Democrat, or Republican. Depending on how you are designated in the State system, you will receive that corresponding ballot.

Ms. Holloman also announced that citizens may receive a letter from a third-party, voter participation group about the status of their voter registration. If there is any confusion, the public is encouraged to contact the Bertie County Board of Elections Office at 794-5306.

### **Economic Development Updates by Director, Steve Biggs**

Mr. Biggs discussed a hold up in CDBG funding due to a discrepancy in the wording of the grant and the availability of vendors who supply a specific kind of pole used in already establish broadband projects.

He also noted that the event committee will be meeting tomorrow to begin planning the County's annual beach event tentatively slated for June 6, 2020.

Mr. Biggs announced that Trader's Furniture had just taken up residence in Windsor Square in the former Walgreens/Kerr Drug unit.

He also discussed a new barbershop that recently opened in Windsor, and that he was in discussion now with a shed building company.

### **Register of Deeds Update by NC Association of Registers of Deeds President, Annie Wilson**

Before Ms. Wilson came forward, Chair Wesson noted that she is the current President of the NC Association of Register of Deeds for 2020.

In her reports, she noted the various technological advancements that have been made to her department over the last several years including the ability to request respective birth certificates for citizens not born in the County. Electronic requests can now also be made online for birth certificates, as well as electronic recording of deeds and vital records.

Credit card payments are now being accepted at the Register of Deeds Office as well. This has been in place since 2019. Also, the Office had just finished an initiative to create more space in the vault room by adjusting the placement of deed books.

She also announced a new project that she is working to bring to Bertie which is the ability to process and issue passport applications. It was noted that she had limited staff, and that specific training is needed which would take one of her staff members off of vital records. The completion of passport applications is more time consuming, but it would bring additional revenue to the County.



### **Follow Up on Petitions for DOT Road Additions**

The Board was updated on the latest responses from NCDOT related to Chowan Shores and the Creekside Subdivision.

A number of items would be required of homeowners to add these particular roads to the secondary road system.

### **Bertie-Martin Regional Jail Feasibility Study**

Interim County Manager, Juan Vaughan, II noted that the Board agreed to move forward with a feasibility study for the addition of Chowan County to the Bertie-Martin Regional Jail. However, apart of that approval was for the Board to be informed again when the cost of the study was determined.

Commissioner Trent made a **MOTION** to move forward with the feasibility study as proposed. Commissioner Lee **SECONDED** the motion. The **MOTION PASSED** unanimously.

### **Beach Day 2020 – Confirmation of June, 6, 2020**

There was consensus from the Board for the event committee to move forward with the planning of a beach event on June 6, 2020. Hours of the event will be 9:00 AM to 4:00 PM.

The event committee will also come back to the Board with a budget proposal in mid-March.

## **Junior Commissioners' Reports**

### **Qudre Joyner**

Mr. Joyner that he participated in the recent TGOW Input Committee meeting and is looking forward to seeing how the project evolves.

Mr. Joyner expressed his disagreement with the 2<sup>nd</sup> Amendment resolution presented tonight.

### **Alexis Parker**

Ms. Parker had no reports at this time.

## **Commissioners' Reports**

### **Commissioner John Trent**

Commissioner Trent reported an update from the NC Army Corps of Engineers specifically relating to Weeping Mary Road, and those that are similar, which flooded out nine (9) times in the last several years.

### **Commissioner Ernestine Bazemore**

Commissioner Bazemore reiterated to all of those present that the quarter cent sales tax referendum was on the March 2020 primary ballot. The initiative would create an additional \$175,000 in revenue for public education supplements.

She also alerted that the 2020 Census was coming, and that she wanted to see Bertie County as eligible as possible for grant funding for the next ten years. She encouraged all of those present to participate and that their participation is paramount.

### **Vice Chair Tammy Lee**

The Vice Chair noted that the Tri-County Airport terminal is being replaced thanks to a 0% local match grant. She also noted that she had the opportunity to attend an Advanced Leadership Corps training in Chapel Hill recently, and noted that Commissioners Wesson and Bazemore also completed the class in the past.

### **Commissioner Greg Atkins**

Commissioner Atkins had no reports at this time.

### **Chairman Ronald Wesson**

Chair Wesson noted that Bertie County is now the 6<sup>th</sup> most impoverished county in the State, and the unemployment rate is now below 5% which is lower than other counties in our region.

He also noted that he attended a NCACC session that discussed funding still available to those who are recovering from Hurricane Matthew. He is currently coordinating a presentation that will be given to the Board at their upcoming work session on February 18<sup>th</sup>.

Lastly, he strongly encouraged every citizen in the County to complete the Census because for every person that does not complete it, \$1600 is lost in needed funding. If citizens are proactive, and complete their Census surveys as soon as they receive notification, they would not receive a visit from a Census taker.

### **Interim County Manager's Reports**

Interim County Manager Vaughan echoed the same sentiments about the 2020 Census and the quarter cent sales tax initiative. He reminded the public that the TGOW Input Committee would be accepting public input on the development of the property on the evening February 18<sup>th</sup>, 6:00 PM, Bertie County Senior Center.

### **County Attorney's Reports**

County Attorney, Lloyd Smith, discussed the latest updates with the Carolina Rebuilders Ministry lease. An updated copy and additional items of note would be made available at the Board's work session on February 18.

A citation of statutory authority was requested by Commissioner Bazemore regarding a civil penalty as it related to the Road Maintenance and Safety Ordinance. The statutes did not specify any particular limits to the civil penalty. A concern was raised by Commissioner Bazemore about where in the statute gives the County the authority to fix a private road in the event that they do not comply with said ordinance. A decision on that matter was expected by the Honorable Cy Grant in the coming months.

Mr. Smith also discussed the drafted agreement for archeological findings at the TGOW property. This agreement noted that anything found would be considered the property of Bertie County. All control would be in the hands of the County.

Lastly, he noted that he had reviewed a number of sets of Closed Session minutes, and that Cliff Smith would be present at the Board's work session on February 18<sup>th</sup>.

### **Public Comments Continued**

Earl Hoggard of Windsor came forward to ask that the Board assist Mr. Ownbey to contact the 50 counties who have already passed a 2<sup>nd</sup> Amendment resolution. He asked that the Board stand up and support the 2<sup>nd</sup> Amendment right of the citizens.

Mr. Ownbey came forward again to state that he would be back with a different resolution for the Board to consider.

Pastor James Barber came forward again with additional suggestions that could be made directly of State legislatures related to background checks.

Shirley Taylor came forward with several questions about the Creekside Subdivision decision made by NCDOT. She noted her frustration because she is not receiving satisfactory assistance from neither the Town of Windsor or County about this issue. After a brief discussion, Commissioner Bazemore strongly suggested that the Board of Commissioners initiate a meeting with the Town of Windsor to better assist this group of citizens as she did not feel it was fair that the members of this division be caught in the middle of the ETJ.

**ADJOURN**

Chair Wesson called more a motion to **ADJOURN**. Commissioner Lee made the motion to **ADJOURN**. Commissioner Trent **SECONDED** the motion. The **MOTION PASSED** unanimously.

The meeting **ADJOURNED** the approximately 9:00pm.

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Ronald Wesson, Chairman

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Sarah Tinkham, Clerk to the Board