

MINUTES
REGULAR SCHEDULED MEETING OF THE BOARD OF COMMISSIONERS
OF EDGEcombe COUNTY
OCTOBER 3, 2022 AT 7:00 P.M.
IN THE JONATHAN FELTON COMMISSIONERS ROOM
COUNTY ADMINISTRATIVE BUILDING
TARBORO, NORTH CAROLINA

1. MEETING CALLED TO ORDER BY CHAIRMAN LEONARD WIGGINS AT 7:00 P.M.

MEMBERS PRESENT: Mr. Leonard Wiggins, Chairman, Rev. E. Wayne Hines, Vice-Chairman, Mr. Donald Boswell, Mr. William Wooten, Mrs. Evelyn Powell, Mr. Ralph Webb and Mrs. Viola Harris (virtual).

MEMBERS ABSENT: None.

OTHERS PRESENT: Mr. Eric Evans, County Manager, Mr. Michael Peters, County Manager, and Ms. Frangie Mungo, Clerk to the Board.

2. SAFETY INSTRUCTIONS.

Safety instructions provided by Mr. Evans.

3. PRAYER.

Prayer provided by Rev. Hines.

4. MINUTES OF PREVIOUS MEETING PRESENTED FOR APPROVAL.

Rev. Hines moved to approve the minutes of the September 6, 2022 meeting as presented. Mr. Boswell seconded the motion, which carried by unanimous vote.

5. PUBLIC HEARINGS:

1. Mr. Wiggins called a public hearing to order to receive citizen comments relative to the proposed amendment to the Noise Ordinance.

Mr. Peters read the public notice as published.

Mr. Evans stated that after some discussion at a previous meeting regarding a noise complaint he, along with Mr. Peters, reviewed the County's Noise Ordinance and noticed that there is a misdemeanor for a violation of our noise ordinance, but there is no civil penalty included. Mr. Evans stated that the recommendation is, in order to add another tool for enforcement, that language be added to include a civil penalty of up to \$500. He stated that the proposed changes are noted in the attachment in the agenda package.

Mr. Wiggins called for public comments.

Mr. Evans read the following comment sent via email:

From: Susan Webb

To: Public Comments

Cc: Ralph Webb

Mon 10/3/2022 11:36 AM

Please allow Commissioner Ralph Webb be my voice so that my comments will be heard concerning the Noise Ordinance. If for any reason Mr. Webb is not available it will be an honor to have someone from the board be my voice. I chose Mr. Webb because his grandchildren are baseball players as mine are, and his parents are elderly as mine. With that said allow me to move forward with my statement. As I read the proposed amendment, Section 10-81 Prohibited Acts or Noises. (a) it seems to me that the noise violation is focused on loud music. Then it goes on to say "or other sounds that tend to annoy, disturb, or frighten any

person." (b) list acts of noises that are all music related. I don't recall loud music frightening though it certainly. I do recall as well as witnessed injuries that accrued in small

children and our elderly population that were frightened by the sound of screaming Crotch Rockets, Motorcycles and Supped-up Engines revving up and down. The slow down roll overs that were put around town ball fields and town parks were intended for safety to make drives slow down. They are misused for burnouts and revving engines which is louder and more frighten than music and the cause of injuries. A small child frightened, running for their mother falling face down receiving scraps, cuts, even broken arms. Elderly who are unstable on their feet using walkers jump from the noise and lose their balance causing them to fall, receiving cuts, fractures, even broken hips. If you can list certain musical items I would like to see items listed such as these that cause injuries when the loud noise frightens others.

Thank you for time.

Susan K Webb

There being no other comments, the public hearing was adjourned.

Mr. Boswell moved to approve the amendment to the Noise Ordinance as presented. Mrs. Powell seconded the motion, which carried by unanimous vote.

2. Mr. Wiggins called a public hearing to order to receive citizen comments relative to the Special Use Permit request to operate a motocross track submitted by Gina Andrews.

Mr. Peters read the public notice as published.

Mr. Evans stated that the Board has in their agenda package a report from the Planning Director. Mr. Evans read the following report for the record:

Applicant Request:	A Special Use Permit to operate a motocross track
Applicant/Owner:	Gina Ann Andrews
Location:	Andrews Ln, off Stallings Rd in Macclesfield
Parcel Number:	472204989900
Acreage of motocross track area:	Approximately 4.1963 acres
Acreage of entire parcel:	Approximately 18.69 acres
Zoning District:	AR-30 (Rural Residential)
	All adjacent properties zoned AR-30

Background Information:

Ms. Andrews submitted a request for a Unified Development Ordinance (UDO) Text Amendment to decrease minimum lot area requirements and fencing for a race track. The Planning Board tabled the request due to implementation of the revised UDO. While awaiting revisions, Planning Staff received a complaint which implied Ms. Andrews was operating the motocross track without proper zoning approval. Staff issued a Notice of Violation and Ms. Andrews ceased operation as requested. Clarity of race track standards was provided upon adoption of the revised UDO. Ms. Andrews withdrew her Text Amendment application and submitted a Special Use Permit application.

Description of the proposed Special Use Permit:

Per UDO Table 4.2.1, motocross tracks are allowed in the AR-30 Zoning District as a Recreation-Related Use/Outdoor Recreation, Commercial. The Recreation-Related Use Category is characterized by use types that provide recreational, amusement, and entertainment opportunities that are privately-owned and commercial in nature. Uses may be either indoors, outdoors, or both. UDO Development Standards pursuant to Section 4.3.73 apply.

Decision:

The Board of Commissioners shall review the application and decide one of the following in accordance with Section 2.3.20 F, Review Criteria:

- 1-Approval of the special use *and* concept plan as proposed;
 - 2-Approval of a revised special use and concept plan; or
 - 3-Denial of the special use and concept plan
- *Development must undergo site plan review following approval of the special use

Mr. Wiggins stated that this being a quasi-judicial process all participants have to be sworn in and he asked them to come forward.

Swearing in was done by Mr. Peters.

Gina Ann Andrews, Applicant (Sworn): *I would like to speak on behalf of trying to have a motocross track out on Stallings Road on my property. We've had a lot of interest of young people that wanted to ride their bikes. They have no where in Edgecombe County to ride. Dirt bikes are not allowed on highways. A lot of farmers don't allow them on their farms because of their crops and we understand that. So, I wanted to share my property that I and my son, grandsons and all take good care of and have to out to be able to ride, enjoy themselves, and just help the kids in Edgecombe County and surrounding areas. Provide them with a safe environment. A sport that they would like, just like football, baseball, it's a sport. It's really a big sport now. We just want to be able to provide children, adults, anybody that would like to come out to ride. So that's about, basically all I need to say. Kids don't have any where to go anymore and if we can keep them out of trouble and keep them off the streets this is one way because dirt bikes are very expensive and parents are really putting their money into this to keep their kids off the streets and off of drugs and it's really helping. And I thank you for your time.*

Mr. Boswell: *Help me out. Is this something that will be free for everybody. I'm just curious.*

Ms. Andrews: *Anybody that wants to come out. Spectators, people that ride. I've got a granddaughter that is nine years old. She's been riding since she was four and she looks forward to riding her dirt bike. She even cries to come to the house to be able to ride her dirt bike. It's a means of keeping the kids off the highways, off the streets, drugs. Anything that we can help kids do, we would like to try.*

Mr. Wiggins: *Any other questions?*

Mr. Peters: *Any other interested parties who may oppose it have the opportunity to ask Ms. Andrews questions.*

Mr. Wiggins: *Any body here opposing that would like to ask Ms. Andrews a question? Here and none, thank you Ms. Andrews.*

Mr. Webb: *Mrs. Andrews this is not a business, correct? Not a business setup? Just more community oriented for kids to come over.*

Ms. Andrews: *It is community oriented. Maybe twice or three times a year there will be a race where there are different levels of ages. Not a race every day, not a race every weekend.*

Chris Andrews (Sworn): *The events that you are asking, I don't know if you all have ever heard of AMA. It's called American Motorcycle Association. You see it all over the United States, Europe and everything. They hold sanctioned events all over everywhere. Actually in North Carolina it is called District 29. They hold races in everywhere and we are trying to get involved with them. They also, we will be doing training out there for kids learning basic needs up to professional level. I have been racing for 40 years. I got 4 kids that race. We got probably here just in Edgecombe County probably about 20 kids that actually race this series. Matter of fact one of them works..one of the kids father works here, Scott Kiser. I don't know if you all know him. Got a couple of deputies that their kids race. Some paramedics and firefighters' kids come out there and race. Nurses. It's not just coming out there and ride. It's actually learning. Learning self-control.*

Rev. Hines: *Is there a charge?*

Mr. Andrews: *It would be a fee during, like training sessions and stuff like that and during events.*

Mr. Webb: *Chris, I want you to know I support you wholeheartedly. Hours of operation and you know I think its kind of, I don't know if it's ironic or just fate that it comes up at the same time that a noise ordinance tonight. You know where I am headed before even asking. Again, in regards to hours of operation. I am serving as your commissioner down in that end of the County. So, before I get bombarded I just got to ask that question. When we look at hours of operation, do you kind of have some idea when, what time those events may take place.*

Mr. Andrews: *Most of the times the events start about 9 o'clock in the morning and end within 4 or 5 o'clock that evening. 90% of the time. Like she was saying, maybe three events a year. Like I said, training, I have a few bikes out there, but during events you could have any where from 50 bikes to 200 bikes. It just depends.*

Mr. Webb: *So, here's the real question. At this point and time, I know you've got something going on now. You don't have a lot of complaints?*

Mr. Andrews: *No. I think we've had one and people who complained and actually do not live in that area anymore.*

Mr. Webb: *Okay. Thanks.*

Mr. Peters: *Mr. Webb, to your point, the ordinance requires that the property cannot be used in that way 10 pm until 8 am.*

Mr. Wiggins: *Is there anybody else to speak?*

Caroline Cusick Crawford (Sworn): *Attorney for King Law Firm. Our office is in Rocky Mount and I am here representing Mr. Carlton Hudson who is a neighbor, adjacent to this property where they are proposing this Special Use Permit. We would ask that the Board decline the request for use of this permit for two reasons. One, that you have discussed, is the noise. My client owns the property directly adjacent to this already existing motocross track and as the people before me mentioned, this could be, on certain events, anywhere up to 200 motorcycles. And they mentioned that perhaps only 10% of the time will there be noise, but 10% of the time, if you were to have 200 motorcycles outside of your residential window, you can imagine that would be very disruptive for 10% of the days that you have off to have up to 200 motorcycles next door to*

you right outside of your bedroom window as early as 9 am on weekends. That would be very disruptive. So, we request that you would decline the use of this special permit. This is a residential area. The second reason that we request that you decline this is because the current position of this motocross track is obstructing already the access and the easement from the State road to my client's property. It's obstructing his ability to drive from the State road to the land that he owns. Two the place where he has a residence there that he's trying to live in and he would like to occupy it full time, but is not able to do so because, as you can see on the GIS. Does on the report that was distributed to the Board can you see the GIS images.

Mr. Evans: Yes.

Caroline Cusick Crawford: *Mr. Hudson's property is behind the proposed site for the motocross track. You can see that the lines there where the motocross track is already obstructing and the path that he was previously deeded, accompanying the deed when he purchased that property has now been completely removed and covered with piles of dirt and ruts that he can no longer drive down the easement to get to the land that he owns. So, for those reasons we would ask that you would decline this request.*

Mr. Wiggins: *Any questions?*

Mr. Boswell: *Can you explain a little bit more about the path that's blocked. It's just an easement, though right?*

Caroline Cusick Crawford: *You say Just an easement? It is the only access that my client has to get from Stallings Road to his residence. To the land where he owns. I have a copy of the plat that was recorded, that shows where that easement and that pathway is supposed to cross over track one. He owns a three-acre parcel.*

Mr. Boswell: *I am just confused. He has a legal easement it's already a problem.*

Caroline Cusick Crawford: *Say that again.*

Mr. Boswell: *I said I am confused. Because if there is a legal easement he's already got a problem. Is that right?*

Caroline Cusick Crawford: *Yes.*

Mr. Boswell: *Okay.*

Caroline Cusick Crawford: *That's why I am involved.*

Mr. Wiggins: *The easement is not an issue is it?*

Mr. Peters: *The issue before the Board tonight is if the application complies to the requirements of the ordinance. Separate issues between the landowners. The issue before this Board is whether the application complies with the requirements of ordinances.*

Caroline Cusick Crawford: *The easement on the recorded plat shows that there is supposed to be a drivable path from Stallings road along the edge all the way back to his property and his residence. He is not able to access it. There was a path that would have crossed this section here (pointing out on map) when he purchased the property and it's since been removed and replaced*

with this motocross track. And the noise from the motocross track as it is now already disrupts his ability to comfortable live and enjoy his home.

Mr. Wiggins: *Any questions?*

Mr. Wooten: *Well I don't know if it would be to you, it's about subdividing the current property so that the motocross track is not necessarily adjacent to the easement or adjacent to that other gentleman's property. They submitted that the entire parcel be a Special Use Permit for that purpose. Correct? Did they have the legal right to come back and amend that and say that they would move the motocross track a way from the boundary lines and resubmit.*

Mr. Peters: *They have to submit it, the plans site plan that would state where the...*

Mr. Wooten: *So, they have to go through this process first and then who would approve the site plan from this point forward? I am asking about relocating the track away from the house and the easement.*

Mr. Wiggins: *Whose responsibility is it to maintain the easement? So that I can go down my easement.*

Mr. Peters. *There is an issue between those two property owners.*

Mr. Wiggins: *That's not the question to the Board?*

Caroline Cusick Crawford: *Our request to the Board is that you deny her request to have this Special Use in this location because it is a residential location for my client and the noise is bothersome.*

Mr. Wiggins: *And I guess that's the reason that they are requesting a Special Use Permit so they can do it in the zone. AR -30 is a zone that they can do this in?*

Mr. Peters: *Yes, with a Special Use Permit.*

Mr. Wiggins: *And that is with the requirement of our ordinances, right?*

Mr. Peters: *Yes sir.*

Mr. Wiggins: *So why don't we let Mrs. Braswell (Planning Director) speak. She might be able to help us.*

Steve Spruell (Sworn): *I live in Greenville. I am the surveyor for this project. In fact, I did the original survey when Ms. Andrews bought the property. I wanted to point out a couple of misconceptions that were just presented here. Number one on the map you have of this concept plan it shows the ten feet easement going down what would be the bottom line on this property, or the east line. There is a ten feet easement set aside that goes all the way through the area that they are contending the dirt track. That is not where the dirt track is going through. That were they have that little notch up there at the top, use to be a dirt track in years gone by. If you will notice the star on the screen there, that is about were the dirt track is going to be. It's not going to be impeding the easement at all. It's not even going to be in that little notch or property that sticks out where you can see the little swirly mark back there. It will be a way from that easement by a least 400-500 feet away from the easement. To my knowledge, the last time I was there the easement was not impeded or blocked in any form or fashion. The other thing I wanted to point*

out is to my knowledge no one lives back on this property that Mr. Hudson owns. There may be a home back there but it certainly appears dilapidated to me. So, to my knowledge there is no one living on that property at this time. I could be wrong about that. I just wanted to point out those couple of things and call your attention to the fact that the dirt bike track she wants to use is this 4.19 acres that's way over on the west side, adjacent to the branch and really 400-500 feet away from his property and from the easement that goes into his property. You had asked about the maintenance of these. To my knowledge, I don't know if there is anything set in writing about that. That easement was put in when re-mapped it to provide access to the property in the back. Ms. Andrews owned it at one time and sub-divided it out and sold it off. So, if anybody's got any questions I will be glad and try to answer them.

Mr. Wiggins: *Any questions?*

Katina Braswell (Sworn) Planning Director: *I would like to reiterate the statement in your packet. Section F. This is the reviewed criteria that should be used in making your decision. One through six, those are the things that should be used to determine whether to approve or deny.*

Mr. Wiggins: *It's in our agenda package?*

Mrs. Braswell: *Yes.*

Mr. Wiggins: *It's not in the agenda package. I think it is something we should have before us.*

Mr. Peters provided a copy for the Board.

Mr. Wiggins: *No. 1: Will not materially endanger the public health or safety if located where proposed. 2. Complies with all required standards, conditions, and specifications of this ordinance. 3. Will not substantially injure the value of the abutting land, or the special use is a public necessity. 4. Will be in harmony with the area in which it is to be located; 5. Is in general conformity with the County's adopted policy guidance; and 6. Is subject to a concept plan that accurately depicts the proposed use's configuration.*

Mr. Wiggins: *Is staff in a position to say that this is in compliance?*

Mrs. Braswell: *That would be making a recommendation and because it is a quasi-judicial hearing the decision should be based on evidence and testimony.*

Mr. Wiggins. *Any questions from the Board?*

Evelyn Powell: *Just for clarity. It was stated earlier that he was having a problem getting to his property. What is the problem?*

Caroline Cusick Crawford: *The obstruction is the motocross track. It is currently. It has taken the place of the road that he would have driven down to get from Stallings Road to his land. That 3-acre parcel behind the motocross track. Now, instead of having a ten-foot-wide path that he can drive with an automobile, now he drives, if he is able to drive part of the way, then there are ditches. There are piles of dirt. The motocross track itself is in the place where his path was in the past and that path is no longer there.*

Mr. Wooten: *Have you or your client factored a dollar value of how much the property may or may not be improved in value or decreased in value?*

Caroline Cusick Crawford: *We believe the property has decreased in value. We are in the process of identifying an exact amount for that. That is something that is going to be forth coming in the future. We would like for the Special Use request be denied at this time until we can work through that. A criteria on your list is the value of land adjacent to this property where they are requesting this Special Use. I believe that one of the key factors in determining the value of land is where is it. Location, location, location. To have residential property that is located adjacent to a motocross track is certainly going to affect its value as opposed to being in an isolated, off the street, in a quiet area. and that certainly is going to impact the value of this residential lot that Edgecombe County has already, previously zoned and allowed in the place 3 wells and 3 septic tanks back there for himself and additional family members to live back there. There's that 3-acre parcel that's already had 3 wells and three septics and he is not able to take to additional level back there for his family. Just set up to live in. That is not the issue for today. The issue for today is we are requesting that you decline this Special Use permit because it is impeding with the neighbors.*

Rev. Hines: *Are you saying that Stallings Road has been blocked by dirt.*

Caroline Cusick Crawford: *No. Stallings Road is fully intact. That is the entry point into this pathway that he would travel from Stallings Road. Stallings Road is down here and that entry one right there is where you would access this 10-foot-wide path up the side of what they call Andrews Lane, pass over the dirt bike path to the section where there are tress and a mobile home behind it.*

Wiggins: *Any other questions or comments from the Board?*

Mr. Wooten: *With the concept plan, is the proposed access to the proposed motocross site using the same easement or is it going to be another access point to the proposed motocross site?*

Steve Spruell: *Actually, the easement is upon the land of Ms. Andrews. It was put there for the use of Mr. Hudson and others to get through her property to get to their property. To my knowledge that area that looks like a motocross track that they are alluding is the current track has not been used in over a year according to Ms. Andrews' report to me. The map that was recorded and Mr. Hudson's deed gives him access rights through her property to get to his property and as such he has the right to maintain and keep those clear if he sees fit. My understanding from Ms. Andrews is they have not impeded that 10-foot easement that goes down beside her property line to his property it is still intact and usable. I have personally not been to that part of the farm and looked at it so I can't speak personally on that.*

Mr. Wiggins: *Any other questions from the Board?*

Gina Andrews: *The grated area there that was a little track my granddaughters and grandson rode on does not exist now. It is completely grown up with grass and all. I actually have pictures of it on my phone today. That tract does not exist. The track is going to be where the star is. I sold those 3 acres to Ms. Hudson back in 2011. She put three septic tanks out there based on the planning zone told her not to put them out there, because they would not permit her to have but one house out there. So, they denied her ever having but one house out there. She never did anything to the house. She let it grow up. There're trees that grew up in it. In 2017 her son took over. They have never come out there and cut that grass. They have never hauled a load of rocks in the path. They have never kept the snakes out of the barns. They brought junk*

cars, junk trailers out there. I told them that is not what this property is for. You don't bring junk out here. No one has ever lived on that property when I sold it in 2011. There is a mobile home back there. You can't see it now because it is completely grown up. It's got trees that has grown right up into the middle of the floor and that was before he took it over it had completely grown up. That goes to show you that nobody is going to take care of it back there. I am not going back there in a snake place. He has access. Ten feet access down the path. It is perfectly graveled. It is maintained. It is cut every week my me, a 71-year-old woman. The whole 19 acres, I take care of it by myself. Nobody helps me. He has never been out there to cut the first grass or tree in his property that he took over from his mother. Thank you.

Mr. Wiggins: *Any questions? Anybody else to speak?*

Mr. Peters swore in Carlton Hudson.

Carlton Hudson (Sworn): *When I bought this property, I hired a lawyer to get the right-of-way straightened out. Make sure it was good, and I was told it was good. I went out there to get the land straightened out. I was told I did not have an easement. The law was called on me. They told me not to come back until I got the easement straightened back out. That is the reason why the land is in the predicament it is in now. When my mother owned it, I cut that grass every two weeks during the summer time until I got ran off by Ms. Andrews. I was on the property one time cutting the grass. Her son come up and dug the ditch back up so I could not get back across. If I was able to get on that land I would be on it tonight. I have not been able to get on that piece of land for the last 3 plus years since I've owned it. Right now, I am paying over \$1200 a month in rent because I cannot get on my land. I do not want to listen to a motorcycle every day, every night or on the weekend. I have six kids that's got to live in a trailer park because I am not allowed on my piece land. I own a company. I am one of the best plumbers in Tarboro. I have to rent a shop. I got to pay rent to a shop because I cannot build a shop on my land. I am just so frustrated with it. It's unreal.*

Mr. Wiggins: *Any questions? Anybody else to speak? Here and none I would like to adjourn the public hearing. The action is consideration of approval of the Special Use Permit. What is the pleasure of the Board?*

Mr. Wooten moved to deny the Special Use Permit. **Mr. Boswell** seconded the motion.

Mr. Wiggins stated that the criteria that has been presented has been satisfied. He stated that he believed that the Board should approve it. He asked **Mr. Peters** if he could amend that motion.

Mr. Peters stated that there is a motion on the floor. He stated that regardless of whether the Board votes to approve or deny, it would be best to have a reason in the record of why you are approving or denying it. Either you do believe it meets the requirements or you do not and which one.

Mr. Wooten wanted to amend his motion for recommending denial and **Mr. Boswell** withdrew his second.

Mr. Wooten moved to deny the Special Use Permit under the lack of harmony with the area which is to be located and the substantial injure the value of abutting land. **Mr. Boswell** seconded the motion.

Mr. Wiggins stated that he would like to substitute this motion to approve the Special Use Permit because the criteria has been met.

There being no second, the motion failed.

Mr. Wiggins stated that Mr. Wooten's motion is to deny the request based on the facts stated in his motion. Mr. Wiggins stated that his comments would to ask the Board to vote against that. Mr. Wooten's motion failed by a vote of 5 against (Wiggins, Hines, Powell, Webb and Harris); 2 for (Wooten and Boswell).

Mr. Wiggins made a motion to approve the Special Use Permit based on the meeting the criteria in the UDO. Mrs. Powell seconded the motion. The motion passed by a vote of 5 for (Wiggins, Hines, Powell, Webb and Harris. 2 against (Wooten and Boswell)

7. **PUBLIC PETITIONS.**

Kathy Williams, thanked the Board for passing the Spay and Neuter Program last month. She stated that it will do good for our community. The implementation process has started. One Vet in Tarboro has agreed to participate and another Vet in Williamston that has agreed to participate. Ms. Williams stated that due to the size of our existing shelter, dogs and cats have been euthanized simply because of no space. There are some animals that need to be euthanized. They have seen some very sick animals and some very mean animals. So, it does happen. She stated that during Hurricane Matthew they had over 200 animals at a shelter that holds 20 dogs. She stated that if there would be a disaster next week, we have no where for these animals to go. There is no plan. Will people have to leave the animals there to just drown or starve? Ms. Williams stated that in August 123 animals were brought into the shelter. Of those, 43 were euthanized. Ten were dogs that had to be put to sleep because there was no space for them. In September 104 animals came into the shelter and 74 of those were euthanized. She stated that she realizes that the cost of a shelter is not cheap, but it is disheartening when you have this love for animals and there is nothing you can do. She stated that she felt the Board should hear the numbers and statistics.

Mr. Evans reminded that the Board of their approval of a contract and an architect is under contract now to determine what the needs are. We are now waiting on that concept plan to come back and we will have a better idea of costs.

8. **OTHER BUSINESS:**

A. **Approval of budget amendments.**

Mr. Boswell moved to approve October budget amendments #1 through 15 as presented. Mrs. Powell seconded the motion, which carried by unanimous vote.

B. **Approval of adding two position to our Pay Scale System - Administrator Position in the IT Department and Administrative Officer I – Solid Waste Position.**

Mr. Evans stated that our IT Department currently has a Senior Tech Support Analyst position open. Jayson Webb, Chief Information Office, has requested to not fill that position, but to add a System Administrator position. This new position will better serve that department and our organization. Mr. Evans presented a copy of the job description. He stated that we also have an open Administrative Assistant position in solid Waste. The duties of the previous staff member far outgrew the job description. To better align the position to the duties needed, Gloria Mosely, Solid Waste Director, recommends adding an Administrative Officer I – Solid Waste. Mr. Evans presented a copy of the job description.

Mrs. Powell moved to approve the addition of a System Administrator position at a grade 21 and the Administrative Officer I-Solid Waste at a grade 14 as recommended. Mr. Webb seconded the motion, which carried by unanimous vote.

C. Approval of amendment to Heavy Equipment Operator job description.

Mr. Evans stated that currently our Heavy Equipment Operator position requires the completion of the C&D Landfill Certification and Transfer Station Certification within three years. Gloria Moseley, Solid Waste Director, believes that one year is more than enough time to complete both certifications and is needed much sooner than three years. Mr. Evans recommended that the Board approve the amendment of the Heavy Equipment Operator description to change that requirement to one year.

Mrs. Powell moved to approve the amendment to the job description as presented. Rev. Hines seconded the motion, which carried by unanimous vote.

D. Approval of resolutions related to the loan closing for Water & Sewer District #4.

Mr. Webb moved to recess as Board of Commissioners and to Convene as Governing Body of Water and Sewer District #4 to consider the approve of resolutions. Rev. Hines seconded the motion, which carried by unanimous vote.

Mr. Evans stated that the Local Government Commission has approve the loan closing and sale of revenue bonds for the Speed Sewer project. The total project was \$6,739,569. Of that \$2,981,569 was a CDBG-Infrastructure grant, \$3,255,000 was a USDA-Rural Development grant, and \$503,000 is the USDA loan for which we are seeking your approval o close. The USDA funding was received in two separate phases. Therefore, the loan documents show the issuance debt in the amounts of \$410,000 and \$93,000 separately.

Mr. Boswell moved to approved the resolutions and related documents as presented. Mrs. Powell seconded the motion, which carried by unanimous vote.

Rev. Hines moved to adjourn as Governing Body of Water and Sewer District #4 and resume regular meeting of the Board of Commissioners. Mrs. Powell seconded the motion, which carried by unanimous vote.

9. AFTERLISTS AND RELEASES FOR REVIEW AND APPROVAL.

Mr. Boswell moved to approve the afterlists and releases as presented. Mrs. Powell seconded the motion, which carried by unanimous vote.

10. APPROVAL AND/OR REVIEW OF CONTRACTS.

Mr. Wooten moved to approve the contracts as presented. Mrs. Powell seconded the motion, which carried by unanimous vote.

11. DEPARTMENTAL REPORTS FOR REVIEW.*Received*****

- A. Water and Sewer update.
- B. Monthly Financial Summary.

12. MANAGER'S REPORT.*Received*****

- A. Introduction of our new Emergency Services Director.
Mr. Evans introduced Mr. Antwan Brown.
- B. Workforce Development indicators.
- C. TDA FY-22 financial report.

13. COMMISSIONERS' REPORT.

Mr. Boswell stated that he would like to see the ordinance in front of the Board for any further cases that come before the Board.

14. **ATTORNEY'S REPORT.**

None.

15. **CLOSED SESSION.**

Rev. Hines moved to go into closed session to discuss:

A. Economic Development. [N.C.G.S. 143-318.11 (a)(4)]

B. Legal Matter. [Per N.C.G.S 143-318.11(a)(3)]

- To consult with the attorney to preserve attorney-client privileged information, including receiving advice regarding JoeRoam Myrick, as an Individual and as Representative on behalf of all others similarly situated v. Cleveland Atkinson, Jr., as Sheriff of Edgecombe County; County of Edgecombe.

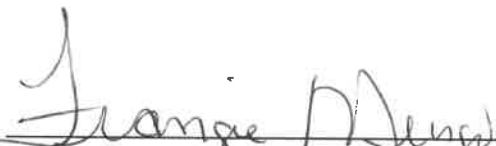
Mr. Wooten seconded the motion, which carried by unanimous vote.

Mr. Wooten moved to approve the County Manager's job description as presented.

Mr. Boswell seconded the motion, which carried by unanimous vote.

16. **REV. HINES MOVED TO ADJOURN THE MEETING UNTIL MONDAY, NOVEMBER 7, 2022 AT 7:00 P.M. MRS. POWELL SECONDED THE MOTION, WHICH CARRIED BY UNANIMOUS VOTE.**

Approved November 7, 2022.


Frankie Mungo, Clerk to the Board