

MINUTES  
REGULAR SCHEDULED MEETING OF THE BOARD OF COMMISSIONERS  
OF EDGEcombe COUNTY  
AUGUST 6, 2018 AT 7:00 P.M.  
IN THE 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, Mrs. Viola Harris and Mr. William Wooten.

MEMBERS ABSENT: Mr. Jonathan Felton, Mrs. Evelyn Powell, and Mr. Donald Boswell.

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

2. PRAYER.

Rev. Hines provided the prayer.

3. MINUTES OF PREVIOUS MEETINGS PRESENTED FOR APPROVAL.

Rev. Hines moved to approve the minutes of the July 2, 2018 and July 13, 2018 meetings as presented. Mrs. Harris seconded the motion, which carried by unanimous vote.

4. PUBLIC HEARINGS.

1. Mr. Wiggins called a public hearing to order to receive citizen comments and questions relative to a proposed Unified Development Ordinance text amendment to allow a horse race track in the AR-30 zoning district.

Mr. Peters read the public notice as published.

Mr. Wiggins called for public comment.

Mrs. Barbara Hendricks, 3122 Battleboro Leggett Road, Battleboro, NC, came forth to with her and other concerned citizens concerns about the proposed text amendment change. She provided correspondence to the Board from Robert and Barbara Hendricks and concerned citizens regarding the Horse Race Track Ordinance Amendment request by Mr. Styles. The correspondence contained reasons why the ordinance should not be amended and stated that the amendment opens the door to the reality of this horse race track being instituted without going before the Board of Adjustment, because the present ordinance states that Mr. Styles would need 40 acres for such an event and only owns 12.93 acres of land and his large house sits on part of it. Mrs. Hendricks stated that Mr. Styles operated a horse race track in Nash County and was were shut down for not being in compliance with zoning regulations. She stated that several neighbors witnessed public urination, excessive alcohol consumption, illegal betting, fights, large crowds, loud noise, even a peeping tom and drugs and it was not a professional race track. Mrs. Hendricks stated that the land surrounding the property of Mr. Styles is heavily hunted. That puts unnecessary fear in the hunters because of the location and the potential of doing unintentional harm. She requested that the request for the ordinance to be changed to allow a horse race track or the text amendment to decrease the acreage required be denied.

Mrs. Harris asked why this did not go to the Board of Adjustment and did the Planning Board feel that the 10 acres was enough versus 40 acres.

Mrs. Cynthia Jones, Planning Director, stated that the Planning Board recommended that it be forwarded to the Board of Adjustment; however, staff felt like, after doing research from other municipalities, that it would be best to send it back to the Board of Commissioners because the Board of Adjustment ordinance does not address horses, only address race tracks. Mrs. Jones stated that when the Commissioners asked staff to send it back to the Planning Board for a recommendation. She stated that the acreage was reduced down to 10 in their recommendation to the Board of Commissioners for the text amendment.

Mrs. Hendricks stated that at that particular Planning Board meeting the public was not allowed to speak.

**Mrs. Jones stated that the Planning Board has open meetings and at no time did staff indicate that the public could not speak.**

**Mr. Wiggins suggested that the Planning Board add to its agenda an item for petitions from the public so that the public will know that they have an opportunity to speak.**

**Mr. David Styles, 164 Pattie Lane, came forth stating that Mrs. Hendricks lives two miles from his property. He stated that he purchased the property because he was told horses were allowed. He stated that as far as fights and unruliness, he has not seen it happen.**

**After more discussion Mr. Wiggins suggested that this public hearing be recessed until the entire Board is present and more information is gathered.**

**Mrs. Harris moved to recess the public hearing until the September 4, 2018 Board of Commissioners meeting. Rev. Hines seconded the motion, which carried by unanimous vote.**

- 2. Mr. Wiggins called a public hearing to order to receive citizen comments and questions relative to a proposed Unified Development Ordinance text amendment to reduce the use separation for mining, quarrying, sand pits any mineral extraction from 300 ft. from property line to 100 ft. from any property line.**

**Mr. Peters read the public notice as published.**

**Mr. Evans stated that there was a case that went before the Planning Board for a variance and in considering ordinances in surrounding counties, none had as much as 300 ft. The Planning Board's recommendation is to make the text amendment down to 100 ft. and forwarded it with a favorable recommendation.**

**Mr. Wiggins called for public comment. There being none, the public hearing was adjourned.**

**Mrs. Harris moved to approve the UDO text amendment as recommended by the Planning Board. Rev. Hines seconded the motion, which carried by unanimous vote.**

- 3. Mr. Wiggins called a public hearing to order to receive citizen comments and questions relative to a proposed Special Use Permit request from Fern Solar, LLC for the construction of a solar energy system.**

**Mr. Peters read the public notice a published.**

**Mr. Evans stated that the Solar Energy System section of the UDO specifies certain criteria that has to be shown before development of a solar farm. It also requires that a Special Use Permit be granted before construction can start. It has gone before the Planning Board and they forwarded this request with a favorable recommendation.**

**Mr. Wiggins called for public comment.**

**Mr. Calvin Anderson, 2191 Speights Chapel Road, which is adjacent to the property that is under consideration to be purchased. He stated that he purchased his property for a specific purpose, when at that time his daughter, who is a veterinarian and was breeding horses was going to breed horses. He stated that he fenced in the property and his daughter, who is currently in Switzerland, will return and purchase the land and raise Arabian horses. He stated that he also purchased a historical home, which is less than 250 feet from this property and built in 1851 and he spent a considerable amount of money restoring the home and this proposed project would deprive any future use of his property regarding plans he has for it. He asked the Board for consideration and asked that they take another look at the project and see what is the advantage of putting a solar system on a small piece of land that will trap his land. He asked the Board to defer a decision on this tonight until they can get some additional information as to the advantage of a solar farm versus a multi property that can provide almost equal kinds of income down the road.**

**Mr. Phillip Harris, 4208 Six Forks Road, Raleigh, Attorney representing the applicant, Fern Solar, LLC, stated that he would be happy to discuss the application as well as concerns of Mr. Anderson. He stated that based on his read on the rules and procedures,**

the Special Use Permit requires a majority vote from the Board and there are three absences tonight. He stated that the numbers aren't in their favor. He asked the Board if there was any way to defer this until the September meeting.

Mr. Wiggins stated that he felt the Board would not have a problem deferring this, but he did have a question regarding Mr. Anderson's property being landlocked.

Mrs. Harris asked if Mr. Anderson spoke to the Planning Board about the land lock concern.

Mrs. Jones stated that he spoke with staff, but they were not aware of the land lock concern.

Ms. Kathy Stallings, 6541 Battleboro/Leggett Road, stated that she has lived in Edgecombe County over sixty years. She stated that she grew up on a farm that has been in her family since 1880 and now there is a fifth generation living on that same farm. Ms. Stallings stated that she understands the desire to pursue alternative energy forms and the desire to bring economic revitalization to the County, but she also understands that sometimes what looks good on paper is not necessarily as good as we think or we get swayed by a sales pitch. She stated that her initial question is what color green do you like, the color of dollar bills or the color of trees and grass. She proposed to the Board that they table this matter. She asked how many people will be impacted by the solar farm. How many will lose jobs and dollars spent in the county if solar farms come here. She expressed her concern of workers that are hired will not be from the County. She stated that no farmlands are being made and once farm land is gone it is gone.

After discussion Rev. Hines moved to recess the public hearing until September 4, 2018. Mrs. Harris seconded the motion, which carried by unanimous vote.

4. Mr. Wiggins called public hearing to order to receive citizen comments and questions relative to the proposed FY 2018-2021 Three-year Consolidated Plan and FY 2018 Annual Action Plan for the City of Rocky Mount and the Down East Home Consortium.

Mr. Peters read the public notice as published.

Mr. Evans stated that the County has had the opportunity to receive funds from a federal program called HOME through the Down East HOME Consortium in which the City of Rocky Mount is the lead agency. Each year they have to submit a plan as to how those funds are to be expended. They are having a series of public hearings to get citizens comments on their plans for expenditure for the funds. Mr. Evans introduced Ms. Cornelia McGee from the City of Rocky Mount to come forth and share information.

Ms. Cornelia McGee stated that as a recipient of HOME and Community Development Block Grant funds from the Department of Housing and Urban Development the Down East HOME Consortium is required to gather public comments for the use of those funds. Public comments are used to determine the needs of the area being served and the program that will be implemented. The Down East HOME Consortium expects to receive \$597,456.00 in HOME funds this upcoming year. The Consortium is comprised of 14 participating jurisdictions, which include the Town of Bailey, Conetoe, Dortches, Edgecombe County, Town of Middlesex, Nash County, Town of Nashville, Pinetops, Princeville, City of Rocky Mount, Town of Sharpsburg, Spring Hope, Tarboro and Whitakers. As the lead entity, the City of Rocky Mount is responsible for organizing and administering the program strategies outlined in the consolidated plan, which is a three year planning document that is required by the Department of Housing and Urban Development, a tool for assessing affordable housing and community development needs. It assist municipalities in recognizing market conditions. It also identifies housing and community development priorities.

Mr. Wiggins called for public comment. There being none, the public hearing was adjourned.

No action was needed.

5. SCHEDULED APPOINTMENT.

A. Mrs. Tarasa Lewis, Tax Administrator, presented the 2017 Annual Settlement:

Mrs. Lewis stated that the tax collection rate went from 94.84% (June 30, 2017) to

95.33% (June 30, 2018) a .49% increase. Motor vehicle collection rate for fiscal year 17-18 is 99.45%; Mrs. Lewis introduced the staff from the Tax Collections office.

Mr. Wooten moved to approve the Tax Collector's Settlement as of June 30, 2018. Mrs. Harris seconded the motion, which carried by unanimous vote.

Rev. Hines moved to recharge the Tax Collector with collecting taxes for years 2008 through 2018. Mrs. Harris seconded the motion, which carried by unanimous vote.

6. **PUBLIC PETITIONS.**

Mr. Jimmy Carson, 248 Clover Road, Rocky Mount, representing West Edgecombe Baptist Church thanked the Board and stated that the Church cares about Edgecombe County and it is their desire to be the number one county in the State. Along with the team of County Commissioners, County Manager and staff and God's wisdom and strength that is entirely possible. He stated that West Edgecombe Baptist is praying for all of Edgecombe County. Mr. Carson provided a prayer for the Board and entire County.

7. **OTHER BUSINESS:**

A. **Approval of budget amendments.**

Rev. Hines moved to approve the budget amendments as presented. Mr. Wooten seconded the motion, which carried by unanimous vote.

B. **Approval of Hazard Mitigation Grant Program (HMGP) Agreement for elevation project.**

Mr. Evans stated that the County received its second grant agreement under FEMA's Hazard Mitigation Program (HMGP). This agreement covers the mitigation of flooding through the elevation of 15 properties located in the unincorporated areas of the County. The grant total is \$1,782,554.

Mrs. Harris moved to accept the grant agreement and to adopt the grant project ordinance and budget amendment. Mr. Wooten seconded the motion, which carried by unanimous vote.

C. **Approval of contract with North Carolina Forestry Service.**

Rev. Hines moved to approve the contract with North Carolina Forestry Service as presented. Mr. Wooten seconded the motion, which carried by unanimous vote.

D. **Approval of Agreement with Edgecombe County Public Schools for the School Nurse Program.**

Rev. Hines moved to approve the agreement as presented. Mrs. Harris seconded the motion, which carried by unanimous vote.

E. **Approval of Community Benefit and Health Initiatives Grant with Vidant Health Foundation for the Cooperative Extension Office.**

Mr. Evans stated that the Cooperative Extension office has been awarded \$5,000 by the Vidant Health Foundation through the Community Benefit and Health Initiatives Grant. The purpose of the grant is to improve the outreach of the EFNEP (Expanded Foods and Nutrition Education Program). EFNEP strives to improve nutrition and increase physical activity for limited resources families.

Mrs. Harris moved to accept the grant award by adopting the project ordinance and budget amendment as presented. Rev. Hines seconded the motion, which carried by unanimous vote.

F. **Approval of Community Benefit and Health Initiatives Grant with Vidant Health Foundation for the Sheriff's Office.**

Mr. Evans stated that the Sheriff's office has been awarded \$10,000 by the Vidant Health Foundation through the Community Benefit and Health Initiatives Grant. The purpose of the grant is to purchase personal medication lockboxes, educational materials and naloxone.

Mrs. Harris moved to accept the grant award by adopting the project ordinance and budget amendment as presented. Rev. Hines seconded the motion, which carried by unanimous vote.

8. **APPOINTMENTS.**

**A. NEED, Inc. Board of Trustees.**

Rev. Hines moved to appoint Mrs. Viola Harris. Mr. Wiggins seconded the motion, which carried by unanimous vote.

**9. PLANNING BOARD REPORT.**

**1. New Business.**

**A. Special Use Permit request – Invenergy, LLC.**

Mr. Wooten moved to call for a public hearing at the September 4, 2018 Board of Commissioners meeting. Rev. Hines seconded the motion, which carried by unanimous vote.

**B. Minutes of the July 16, 2018.**

**10. AFTERLISTS AND RELEASES FOR REVIEW AND APPROVAL.**

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

**11. CONTRACTS FOR REVIEW AND/OR APPROVAL.**

Mrs. Harris moved to approve the contracts as presented. Rev. Hines seconded the motion, which carried by unanimous vote.

**12. DEPARTMENTAL REPORTS FOR REVIEW.\*\*\*Received\*\*\***

**A. Water Services.**

**B. Financial Summary Report.**

**C. Hurricane recovery update.**

**13. MANAGER'S REPORT.\*\*\*Received\*\*\***

**A. Economic and Workforce Indicators.**

**B. Carolinas Gateway Partnership update.**

**C. Update on Recreation Mini-Grants.**

**D. Midlakes Relocation Project update.**

**E. Animal Welfare Advisory Council update.**

Mrs. Harris moved to appoint Ms. Kathy Williams as Chairperson of the Animal Welfare Advisory Council. Mr. Wiggins seconded the motion, which carried by unanimous vote.

**F. Security upgrades in the County Administration Building.**

**14. COMMISSIONERS' REPORT.**

**A. NCACC voter designation.**

Rev. Hines moved to approve Mrs. Harris as the designated voter for the 2018 NCACC conference. Mr. Wiggins seconded the motion, which carried by unanimous vote.

**15. ATTORNEY'S REPORT.**

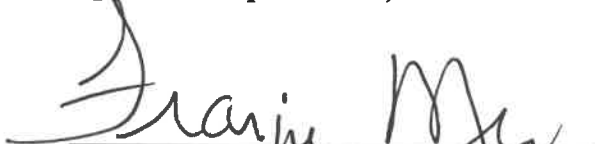
**16. CLOSED SESSION.**

Mr. Wooten moved to go into closed session to discuss economic development and legal matters. Rev. Hines seconded the motion, which carried by unanimous vote.

Mrs. Harris moved to go out of closed session and resume the regular meeting. Rev. Hines seconded the motion, which carried by unanimous vote.

**17. MR. WOOTEN MOVED TO ADJOURN THE MEETING UNTIL TUESDAY, SEPTEMBER 4, 2018 AT 7:00 P.M. (MONDAY, SEPTEMBER 3, 2018 IS LABOR DAY.) REV. HINES SECONDED THE MOTION, WHICH CARRIED BY UNANIMOUS VOTE.**

Approved September 4, 2018

  
Frangie Mungo, Clerk to the Board