

MINUTES
REGULAR SCHEDULED MEETING OF THE BOARD OF COMMISSIONERS
OF EDGEcombe COUNTY
FEBRUARY 6, 2023 AT 7:00 P.M.
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, Mrs. Viola Harris, Mr. Donald Boswell, Mr. Ralph Webb, Mr. George Thorne and Mrs. Evelyn Powell.

MEMBERS ABSENT: None.

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

2. SAFETY INSTRUCTIONS.
Mrs. Bess provide safety instructions.

3. PRAYER.
Rev. Hine provided prayer.

4. MINUTES OF PREVIOUS MEETING PRESENTED FOR APPROVAL.
Rev. Hines moved to approve the minutes of the January 3, 2023 minutes as presented. Mrs. Powell seconded the motion, which carried by unanimous vote.

5. PUBLIC HEARING:
1. Mr. Wiggins called a public hearing to order to receive citizen comments relative to a Special Use Permit request from Roger Sauerborn to expand his permitted sand mine on NC Highway East.

Mr. Peters read the public notice as published.

Mr. Evans stated that Mr. Sauerborn submitted the application for this Special Use Permit. He reminded the Board and audience that this particular case (Special Use Permit), the public hearing is considered a quasi-judicial hearing and we have to handle it as such. Anyone who will come tonight to speak either for or against, as well as Mrs. Braswell, Planning Director, will have to be sworn in.

Swearing in of the participants was done by Mr. Peters.

Mr. Evans called on Mrs. Braswell to present the Staff Report.

Mrs. Katina Braswell, Planning Director (Sworn): *Staff report for case number 22-SUP02, February 6, 2023.*

Applicant request *A Special Use Permit to expand a sand mine operation*

Applicant/Owner *Roger Sauerborn*

Location: *NC 42 East, Tarboro near Thigpen Road*

Parcel Number *4755027894*

Acreage of sand mine: *Approximately 33.6 acres affected with 51 acres*

Permitted by **NCDENR**

Acreage of entire parcel *Approximately 126.38 acres*

Zoning District

*AR-30 (Rural Residential)
All adjacent properties zoned AR-30*

Background Information:

Mr. Sauerborn submitted a request to expand an existing sand mine off NC 42 East, Tarboro. The sand mine which consists of 5 acres was approved via a Conditional Use Permit in 2016, Case No. 16-CU-310. Per Section 1.11.5 B, Existing Development, Existing conditional use permits approved prior to November 1, 2021, are hereby converted to special use permits and shall continue to apply as approved. In the event an applicant seeks to revise development subject to a conditional use permit, all changes shall be considered in accordance with the requirements in Section 2.3.20, Special Use Permit.

Description of the proposed Special Use Permit:

Per UDO Table 4.2.1, all types of extractive industry are allowed in the AR-30 Zoning District with the approval of a special use permit. The Extractive Industry Use Category includes use types involving the extraction, removal, or basic processing of minerals, liquids, gases, or other natural resources. Such uses also include quarrying, well operation, drilling, mining, or other procedures typically done at an extraction site. UDO Development Standards pursuant to Section 4.3.33, Extractive Industry, apply.

Technical Review Committee comments: 1-Scott Kiser, Director of Edgecombe Soil and Water Department, stated based on soil type, it appears suitable for sand mining. Environmental and safety concerns should be addressed with the NC Division Land Quality Permit application process. He also noted planned ingress/egress appears to be between residential properties. 2-Sid Clark stated signs to notify public of trucks entering highway would be posted at the entrance on NC 42 East.

Decision:

The Board of Commissioners shall review the application and decide one of the following in

- 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*

We also have attachments. Are there any questions.

Mr. Wiggins: Are there any questions? This is to expand the existing sand mine. Is there anybody else to speak?

Matthew Riggs, Representative for Mr. Sauerborn, (Sworn): 2215 Porter Road, Greenville, NC 27834; I don't have any comments unless you all have any questions. I am representing Mr. Roger Sauerborn.

Mr. Wiggins: Are there any questions from the Board?

Mrs. Harris: We don't have any complaints from neighbors or anyone so it would be my motion to approve.

Mr. Wiggins: I think we have to approve the, we have to make sure that it:

- 1. Will not materially endanger the public health or safety if located where proposed;*
- 2. The use complies with all required standards, conditions, and specifications of this Ordinance;*
- 3. The use will not substantially injure the value of the abutting land, or the special use is a public necessity;*
- 4. The use will be in harmony with the area I which it is to be located;*

5. *The use is subject to a concept plan that accurately depicts the proposed use's Configuration
In doing so the motion would be to approve the application and that it has met the criteria. Is that correct Mr. Peters?*

Mr. Peters: *Yes*

Mr. Wiggins: *Would that be your motion?*

Mrs. Harris: *It would be.*

Mr. Wiggins: *Do we have a second?*

Mrs. Powell: *I second.*

The motion carried by unanimously vote.

6. SCHEDULED APPOINTMENTS.

A. Boy Scout Troop 587 Sponsored by West Edgcombe Ruritan Club – 10 members pursuing their Communication and Citizenship in the Community Merit Badges.

Mr. Evans stated that Boy Scout Troop 587, which is sponsored by the West Edgcombe Ruritan Club, have ten members who are pursuing their Communication and Citizenship in the Community Merit Badges. Mr. Evans invited the Troop to come up and he introduced them. Mr. Evans thanked Mr. Webb for bringing this to our attention. Mr. Evans introduced their Scout Master Ron Kanthak.

Mr. Wiggins asked Mr. Peters to explain to the troop what the Board just did regarding the Public Hearing.

Mr. Peters explained the quasi-judicial process.

B. Stuart Hill, Thompson, Price, Scott & Adams presented the Fiscal Year 2022 Audit.

Mr. Hill stated that the audit has been submitted to the Local Government Commission but not quite approved yet. Presented the Communication to Government letter that is required which explains what was good and what was not. There were a couple of findings, but all in all, it is much better than it has been in the past years. The findings are not really a huge deal. Mr. Hill stated that everything went smooth and encouraged staff and the Board to stay on course. He presented:

- Edgcombe County financial information for 5 years
- Analysis of fund balance is about \$32 million in 2022
- Analysis of fund balance available is 36.65% of general fund expenditures
- Analysis of unassigned fund balance as a percentage of general fund expenditures of 26.22%
- Analysis of revenues over/under expenditures before transfers
- Chart with analysis of cash and fund balances
- Property tax rates
- Collection percentages
- Debt analysis (excluding compensated absences & OPEB
- Break down of general fund revenues
- Break down of general fund expenditures
- Findings
 - ✓ Prior period adjustments
 - ✓ Budget violation

Mr. Hill answered questions from the Board.

C. Silvester and Eunice Hill, Hill Family Farm Education Center – Highlighting a Recreation Mini-grant success story.

Mr. Evans stated that for four years we have been doing our Recreation Mini-Grant Program. Over those years we have spent over \$70,000 in these \$2000 or less grants to make small investments with big efforts to help create the opportunities for our citizens to be able to have recreation. We have had a lot of great programs that have come across our table. We have built some good partnerships, made some friends through this process. Mr. Evans felt that it would be nice to highlight one of our greatest success stories. They were doing great work before we met them and we are happy to have been able to play a small part in that.

Mr. and Mrs. Hill, owners of the Hill Family Farm Center located in Whitakers, came forth. Mrs. Hill stated that they became a non-profit in 2018 and they have achieved so much in those years. She stated that the community they serve is low income and children with disadvantage, therefore it is hard to find volunteers to help. She presented the following:

- ✓ Their mission.
- ✓ Meet the team (Board members).
- ✓ Supporters.
- ✓ Programs.
- ✓ Seniors and Disabled Meals Program.
- ✓ Helping our Community Fuel their Bodies Well.
- ✓ Partner with Innovative Networking Group.
- ✓ Youth Summer Fun and Recreation.
- ✓ Youth Life Skills Academy.
- ✓ Implemented taekwondo with the mini-grant in 2021.
- ✓ 2022 mini-grant they did the Walking Classroom and they started flag football with 55 participants.
- ✓ Collaborated in the Black Farm Tour last year.
- ✓ Mobile Market.
- ✓ Currently in the process of getting a building on their property for the indoor Hill Family Farm Education Center and Recreation.

Several Board members commented.

Mr. and Mrs. Hill answered questions from the Board.

D. Dave Sharpe, Director – Tarboro/Edgecombe Chamber/TDA.
Mr. Sharpe presented on some of the things that the Chamber and Tourism are doing:

- ✓ Visiting Chamber members.
- ✓ Night Christmas parade with 89 registered participants.
- ✓ Farm City Breakfast.
- ✓ Working with Uplift NC, a group out of Appalachian State, to talk about what they can do to help market Edgecombe County as far as tourism.
- ✓ Cycle North Carolina coming to Tarboro and Edgecombe County.
- ✓ Currently in talks with the TV show American Pickers. There are two candidates down this way.
- ✓ Tractor Supply ribbon cutting.
- ✓ Attended the Rocky Mount Nash Edgecombe Economic Summit.
- ✓ Helped with the carriage rides.
- ✓ Helped with the Ball Drop on New Year's.
- ✓ The need to reestablish volunteer groups to help get the word out.
- ✓ The need to get a Young Professionals group.
- ✓ The need for a social media plan and marketing.

- ✓ The need to retain members and recruit new members.
- ✓ Food truck summit.
- ✓ Getting the Business After Hours program back together.
- ✓ Network with other chambers.
- ✓ Been on the radio several times.
- ✓ The need for the Chamber Banquet to get back to normal.

7. PUBLIC PETITIONS.

Alvin Joyner, 1271 Daughtridge Farm Road, came forth stating that there is a Guide Service at the end of his street where you pay money to go shoot deer. He stated that he can put up with the shooting, but asked if you could imagine having over 100 dead deer in an open pit within 16 yards of your house. It stinks. Mr. Joyner stated that he contacted Mr. Boswell and Mr. Boswell came out and witnessed the smell. The problem is there are no laws, no rules about wildlife animals. It is domestic animals. So, if you have cows, chickens, etc. there are rules and regulations on how you dispose of their carcasses. He stated that he even had the man from the Soil and Water Commission meet him at the house with the State Veterinarian and was told there is nothing they can do. If it was a dog or a chicken or something like that in that pit, they could shut it down. The Wildlife Agents will not do anything because the dumping is on his property. Mr. Joyner stated that it is a hardship on him and his neighbors. He does not know when he can go outside or when he cannot. He has to put tape on his windows and doors and burn scented candles in his house. He cannot even have any people over because he does not know if it is going to stink so bad. Other counties have stuff in place, ordinances, for hunting lodges, hunting camps, guide service and they have to abide by the ordinance to take care of the smell and the proper disposal of animal waste. He asked the Board to consider getting something done. He stated that he lives in the rural part of the County because he hunts and he had deer hounds and fox hounds and he purposely wanted to live somewhere that he would not bother none of his neighbors. Mr. Joyner stated that the gentleman has moved in town and he has been in contact with him several times, but he does not understand that he lives there and has to smell it. He stated that the owner just gives him excuses like "Oh, it needs to be a little colder" or "I'll put some chemicals on it and it will go away."

Mr. Wiggins asked Mr. Peters and Mr. Evans to look into this. He stated that it sounds like it might be a health issue and to see if the Health Department can get involved. He asked them to also see if there is anything that the Board can do. Check with other counties and see what they do. See if there is some type of ordinance that this Board can possibly take action on.

Mr. Evans stated that Scott Kiser, Soil and Water Director, started researching and talked to a couple of State agencies that we thought would have jurisdiction over this, State Wildlife Commission and Division of Water Quality. If you were burying livestock it would be Division of Water Quality. It seems to be one of those gray areas in between the two agencies. Mr. Evans stated that in follow-up conversations that Mr. Kiser has had, they now believe that it will fall under the Division of Water Quality and they are going to follow-up on that. He stated that his belief is that it is within City of Rocky Mount's extraterritorial jurisdiction and they are aware of it now as well. They may have some involvement with it.

Mr. Wiggin asked them to still look at what the Board can do because we might can expedite whatever it is they can do and asked Mr. Peters and Mr. Evans to see if they can prepare something that the Board can do, we will.

8. OTHER BUSINESS:

A. Approval of budget amendments.

Mr. Boswell moved to approve the budget amendments as presented.

Mrs. Harris seconded the motion, which carried by unanimous vote.

B. Approval of County vehicles and equipment to designate as surplus.
Mr. Boswell moved to approve designating the list as presented. Mrs. Powell seconded the motion, which carried by unanimous vote.

C. Approval of updated Ambulance Franchise Agreement for ECU East Care Transportation.

___Mr. Evans stated that they currently have the agreement but the name has changed from Vidant East Care.

Mr. Webb moved to approve the agreement as presented. Mr. Thorne seconded the motion, which carried by unanimous vote.

9. APPOINTMENTS:

A. Planning Board.

10. AFTERLISTS AND RELEASES FOR REVIEW AND APPROVAL.

Mrs. Harris moved to approve the afterlists and releases 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.

C. Social Services – Extra FNS Benefits for COVID ending March 2023.

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

A. Rocky Mount-Wilson Airport update.

B. TDA Financial Report.

C. Notice from NC Office of Archives and History re: Historical Marker.

D. Eastpointe's Mobile Care Centers.

E. Update on Countyline Merger.

F. Proposed dates for upcoming meetings.

Mr. Boswell moved to hold a Special Meeting on February 20, 2023 at 7:00 p.m. to discuss the broadband project. Mr. Thorne seconded the motion, which carried by unanimous vote.

G. Update on ARPA-Assisted Home Repair Program.

H. Renovations in Commissioners Room.

13. COMMISSIONERS' REPORT.

Mrs. Harris stated that being this is her 22nd year she still has not seen a Commissioners' workshop.

Mr. Evans stated that we are limited in space, but that is something that the Board wants and gives him direction we will make room.

Mr. Wiggins suggested that it be talked in the budget work session.

Mr. Webb stated that he serves on the UCP-COG. One issue is there are sixteen regions of government throughout the State. Alphabetically named A-R. These Council of Governments have served for a number of years. In the Legislature now, there is a bill that would change those areas around. Mr. Webb stated that if it is not broke let's not try to fix it. UCP-COG is the first of those sixteen to put in writing to our Legislature to leave it as it is. He stated that our five counties that serve each other do very well job. He stated that the Board may hear something but just wanted to let them know UCP-COG is opposed to it.

Mr. Wiggins stated that sometimes back a discussion about that came up regarding the Consortium and they were opposed to that too.

Mr. Boswell asked about the opening of the NC Driver's License Office and after discussion it was the Board's position to try and keep the NC Driver's License Office in Tarboro.

Mr. Thorne stated that he completed the Local Elected Leaders Academy at the end of January and completed his ethics for the year as a part of that process.

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. Personnel. [N.C.G.S. 143-318.11 (a)(3)]

Mrs. Powell seconded the motion, which carried by unanimous vote.

Mr. Boswell moved to go out of closed session and resume the regular meeting. Mrs. Powell seconded the motion, which carried by unanimous vote.

OPEN SESSION:

Mrs. Powell moved to approve the 2 ½ % salary increase for Mr. Peters. Rev. Hines seconded the motion, which carried by unanimous vote.

Rev. Hines moved to approve the 2 ½ % salary increase for Mr. Evans. Mrs. Powell seconded the motion. Motion carried by 5 for (Wiggins, Hines, Harris, Powell and Webb) and 2 against (Boswell and Thorne.)

Approval of update to the Pay Plan as recommended by the Personnel Committee.
Mr. Evans stated that in 2019, the Board agreed to transition Mr. Peters in-house and he became a full-time employee of the County, However, we did not at that time create a job description for that position. The Personnel Committee recommended that we draft that description for the Board's consideration, which is included in the agenda packet. Also, we currently have a Solid Waste Supervisor position that we recommend amending the description to better suit the needs of the department, as well as to move it from grade 10 to grade 14 on the pay scale.

Rev. Hines moved to approve both job descriptions of the County Attorney at grade 34 and the Solid Waste Supervisor at grade 14. Mrs. Powell seconded the motion, which carried by unanimous vote.

Approval of amendment to Personnel Policy to add Paid Bereavement Leave as recommended by the Personnel Committee.

Mr. Evans stated that currently our Personnel Policy allows staff to use up to 3 days sick leave for bereavement at the death of an immediate family member. At their last meeting, the Personnel Committee voted to recommend to the Board to amend the policy to offer 2 days paid leave for bereavement. The except from our Personnel Policy is included with the recommended amendment. He also included the section of our policy that defines immediate family.

Mrs. Harris moved to approve the amendment as presented. Rev. Hines seconded the motion.

Mr. Wiggins raised the questions regarding the possible abuse of the amendment. After discussion it was decided that staff will be made aware that if it is abused it will be adjusted.

The motion was carried by unanimous vote.

Mr. Evans stated that we have a RFPs out now for a lobbyist. They are due back next week. He has had conversation with the firm McGuire Woods that former Congressman Butterfield works with. They want to introduce themselves to let him know what services they provide and they requested a copy of the RFP.

16. MR. BOSWELL MOVED TO ADJOURN THE MEETING UNTIL MARCH 6, 2023 AT 7:00 P.M. MRS. POWELL SECONDED THE MOTION, WHICH CARRIED BY UNANIMOUS VOTE.

Approved March 6, 2023.



Frankie Mungo, Clerk to the Board