

**NORTHAMPTON COUNTY
REGULAR SESSION
April 17, 2017**

Be It Remembered that the Board of Commissioners of Northampton County met on April 17, 2017, with the following present: Fannie Greene, Chester Deloatch, Charles Tyner, and Robert Carter.

Others Present: Kimberly Turner, Scott McKellar, Nathan Pearce, Leslie Edwards and Komita Hendricks

Absent: Geneva Faulkner

Chairman Carter called the meeting to order.

A motion was made by Chester Deloatch and seconded by Fannie Greene to enter into closed session for the purpose of G.S. 143-318.11 (a)(5). **Question Called: All present voting yes. Motion carried.**

A motion was made by Fannie Greene and seconded by Chester Deloatch to adjourn closed session. **Question Called: All present voting yes. Motion carried.**

Agenda Work Session:

A work session was held to discuss today's agenda items. Chairman Carter called upon County Manager Kimberly Turner for input. Ms. Turner had no changes. Chairman Carter called upon Commissioners for input. Commissioners had no changes. County Manager Kimberly Turner provided the Board with a copy of an email for their consensus on allowing the Army to come into the County to perform emergency management drills. County Manager Turner also stated that this drill has been done in Halifax County and this can possibly help with grant funding for the County. Chairman Carter stated in response to our letters to Northampton County Board of Education; they will not provide any further information until a Joint Meeting is held. County Manager Turner suggested holding the meeting before budget sessions are complete. Chairman Carter stated the date for the Joint Meeting will be scheduled at the May 1st Commissioners Meeting.

Regular Session:

Chairman Carter called the meeting to order, welcomed everyone, and announced when citizens could make comments. Chairman Carter gave the Invocation and the Pledge of Allegiance was recited.

Approval of Regular Session Minutes for April 3, 2017:

A motion was made by Chester Deloatch and seconded by Fannie Greene to approve the Regular Session Minutes for April 3, 2017. **Question Called: All present voting yes. Motion carried.**

Approval of Closed Session Minutes for April 3, 2017:

A motion was made by Fannie Greene and seconded by Chester Deloatch to approve the Closed Session Minutes for April 3, 2017. **Question Called:** *All present voting yes.* **Motion carried.**

Approval of Agenda for April 17, 2017:

A motion was made by Charles Tyner and seconded by Chester Deloatch to approve the agenda for April 17, 2017. **Question Called:** *All present voting yes.* **Motion carried.**

Budget Amendments:

Ms. Leslie Edwards, Finance Director, appeared before the Board to obtain approval of Budget Amendments #12 to 23 for Fiscal Year 2015-2016.

A motion was made by Chester Deloatch and seconded by Fannie Greene that the Budget Amendments #12 to 23 be adopted. **Question Called:** *All present voting yes.* **Motion carried.**

**PLEASE SEE SCANNED DOCUMENTS WHICH ARE
HEREBY MADE A PART OF THESE MINUTES:**

BUDGET AMENDMENT

DATE 09/28/16

JE-NO 12

GENERAL LEDGER ACCOUNT NUMBER		DEBIT		TO AMEND BUDGET	CREDIT
				Fund - 11	
				<u>Revenue - Insurance Proceeds</u>	
113830	438360			Insurance Proceeds	1,410 00
114310	554005	1,410	00	Vehicles Over \$5000.00	
				Sheriff Vehicle Insurance Reimbursement	
				2004 Ford Crown Vic	
		1,410	00		1,410 00

PREPARED BY Leslie Edwards POSTED BY Mary Bradley APPROVED BY _____

DATE 09/28/16

09/28/16

BOARD APPROVED

BUDGET AMENDMENT

DATE 09/29/16

JE-NO 13

GENERAL LEDGER ACCOUNT NUMBER		DEBIT		TO AMEND BUDGET	CREDIT
				Fund - 61	
				<u>Revenue - Insurance Proceeds</u>	
613710	438360			Insurance Proceeds	12,964 00
617110	554005	9,144	00	Vehicles Over \$5000.00	
617110	535201	3,820	00	Repairs to Pumps	
				Lighning Damage and Total Loss on Vehicle	
				2014 Ford F150 Insurance Reimbursement	
		12,964	00		12,964 00

PREPARED BY Leslie Edwards POSTED BY Mary Bradley APPROVED BY _____

DATE 09/29/16

09/28/16

BOARD APPROVED

BUDGET AMENDMENT

DATE 09/29/16

JE-NO 14

GENERAL LEDGER ACCOUNT NUMBER		DEBIT		TO AMEND BUDGET	CREDIT	
				115147 - STD Prevention		
113330	451470			STD Prevention	3,000	00
115147	523805	1,200	00	Lab Services		
115147	539500	1,800	00	Training/Schools		
				Received additional State Funding.		
		3,000	00		3,000	00

PREPARED BY Leslie Edwards POSTED BY Mary Bradley APPROVED BY _____

DATE 09/28/16

09/29/16

BOARD APPROVED

BUDGET AMENDMENT

DATE 09/29/16

JE-NO 15

[illegible]

PREPARED BY Leslie Edwards POSTED BY Mary Bradley APPROVED BY

DATE 09/28/16

09/29/16

BOARD APPROVED

BUDGET AMENDMENT

DATE 10/28/16

JE-NO 16

[illegible]

PREPARED BY Leslie Edwards POSTED BY Mary Bradley APPROVED BY _____

DATE 10/28/16

10/28/16

BOARD APPROVED

BUDGET AMENDMENT

DATE 11/30/16

JE-NO 17

[illegible]

PREPARED BY Leslie Edwards POSTED BY Mary Bradley APPROVED BY _____

DATE 12/15/16

12/15/16

BOARD APPROVED

BUDGET AMENDMENT

DATE 12/16/16

JE-NO 18

[illegible]

PREPARED BY Leslie Edwards POSTED BY Mary Bradley APPROVED BY _____

DATE 12/16/16

12/16/16

BOARD APPROVED

BUDGET AMENDMENT

DATE 04/12/17JE-NO ~~18~~ 19

GENERAL LEDGER ACCOUNT NUMBER		DEBIT		TO AMEND BUDGET	CREDIT	
				<u>Health - 115123 CCP</u>		
113450	451230	290,802	95	Carolina Access III Reimbursement		
115123	512100			Salaries	208,150	10
115123	518100			FICA	12,905	35
115123	518200			Retirement	14,062	49
115123	518300			Co Share Hospitalization	37,380	00
115123	518600			Workmans Compensation	512	00
115123	518800			Medicare	3,018	41
115123	518900			Life Insurance	778	11
115123	526100			Office Supplies	200	00
115123	531100			Travel	9,837	70
115123	532100			Telephone	185	00
115123	532500			Postage	200	00
115123	537100			Advertising	400	00
115123	539500			Training/Schools	2,000	00
115123	543200			Leases/Schools	398	79
115123	544000			Maintenance of Equipment	275	00
115123	545100			Liability Insurance	500	00
				Contract Terminated-Program Ended		
		290,802	95		290,800	95

PREPARED BY Leslie Edwards

POSTED BY _____

APPROVED BY _____

DATE 04/12/17

BOARD APPROVED _____

BUDGET AMENDMENT

DATE 02/20/17

JE-NO 20

[illegible]

PREPARED BY Leslie Edwards POSTED BY _____ APPROVED BY _____

DATE 04/12/17

BOARD APPROVED

BUDGET AMENDMENT

DATE 03/03/17

JE-NO 21

[illegible]

PREPARED BY Leslie Edwards POSTED BY _____ APPROVED BY _____

DATE 04/12/17

BOARD APPROVED

BUDGET AMENDMENT

DATE 04/06/17

JE-NO 22

[illegible]

PREPARED BY Leslie Edwards POSTED BY _____ APPROVED BY _____

DATE 04/12/17

BOARD APPROVED

Appointment to the NC Senior Tar Heel Legislator:

Mrs. Joslyn Debraux-Reagor, Aging Director, appeared before the Board to obtain approval of the appointment of Peggy Cary, as an alternative to the Senior Tar Heel Legislator.

A motion was made by Fannie Greene and seconded by Chester Deloatch to appoint Peggy Cary as an Alternate for the Senior Tar Heel Legislator. **Question Called:** *All present voting yes.*

Motion carried.

**PLEASE SEE SCANNED DOCUMENTS WHICH ARE
HEREBY MADE A PART OF THESE MINUTES:**

DECISION PAPER

To: Northampton County Board of Commissioners
From: Office on Aging
Date: March 30, 2017
Re: Appointment to the North Carolina Senior Tar Heel legislator

Purpose: To obtain the Board's approval of recommendations to the Senior Tar Heel Legislator.

Facts: The Northampton County Home and Community Care Block Grant Advisory Committee By-Laws require that there be a delegate and alternate for each county for representation to speak on behalf of the senior's interests and needs. The Committee has voted and has nominated Peggy Cary as Alternate.

Discussion: The Committee ask that the Alternate for the Senior Tar Heel be approve for Mrs. Peggy Cary due to the resignation of Mrs. Vivian Hunter.

Conclusion: Approval of Mrs. Perry Cary as Alternate Delegate for the North Carolina Senior Tar Heel Legislator.

Recommendation: That the Board of Commissioners approves the recommendation of Peggy Cary as Alternate for the North Carolina Senior Tar Heel Legislator.

Respectfully Submitted,



Joslyn Debraux-Reagor
Office on Aging Director

STATE OF NORTH CAROLINA

P.O. Box 808
Jackson, NC 27845
(252) 534-2501 - Fax (252) 534-1166

COUNTY OF NORTHAMPTON

Return to: Clerk to the Board

Application for: Authorities, Board, Commissions and Committees

Please Note: All information on this document will be released to the public on request.

Name: Peggy Cary
Phone: Home: 539-4433 Work: (252) 696-5282 Cell: (252) 696-5282 Fax:
Northampton County Address: 401 E. Jackson St.
Mailing Address (if different): P.O. Box 254
Email Address: Psmith.cary@yahoo.com

ETHNIC BACKGROUND: African American ☒ Caucasian ☐ Hispanic ☐ Native American ☐ Other ☐

Sex: Male ☐ Female ☒ Age: Under 18 ☐ 18-30 ☐ 31-50 ☐ 51-65 ☐ Over 65 ☐

Are you a full-time resident of Northampton County: Yes ☒ No ☐ Township: Rich Square

Do you live within any corporate or town limits: Yes ☒ No ☐ Town:

Employer Name and Address: Retired

Name of Authority/Board/Commission/Committee you are interested in:

List any qualifications and why you are interested in serving on the Authority/Board/Commission/Committee:

To support the elder population in Northampton. And help them get much need support.

List any Northampton County Authority/Board/Commission/Committee on which you presently serve:

Northampton Council on Aging

Are your Northampton County property listing(s) and all county taxes up to date: Yes ☒ No ☐

Other Information you feel pertinent to your appointment:

Business Management Skills from Running Day Care in Northampton County for 35 years. "Rich Square Child Dev.

Signature: Peggy Cary

Date: 10/1/15

Ad Valorem Tax Appeals:

Mrs. Cathy Allen, Tax Administrator, appeared before the Board's to obtain approval to release or refund Ad Valorem taxes assessed in the amount of \$626.44 on 4 appeals.

A motion was made by Charles Tyner and seconded by Fannie Greene that the Board approve the request for release of the Ad Valorem tax appeals submitted herewith in the amount and for the reasons stated on the listings. **Question Called:** *All present voting yes.* **Motion carried.**

Motor Vehicle Refunds:

Mrs. Cathy Allen, Tax Administrator, appeared before the Board to obtain approval to release or refund Ad Valorem taxes assessed in the amount of \$1,793.67 on 40 appeals.

A motion was made by Chester Deloatch and seconded by Fannie Greene that the motor vehicle refunds be approved as submitted. **Question Called:** *All present voting yes.* **Motion carried**

**PLEASE SEE SCANNED DOCUMENTS WHICH ARE
HEREBY MADE A PART OF THESE MINUTES:**

DECISION PAPER

TO: NORTHAMPTON COUNTY BOARD OF COMMISSIONERS

FM: Cathy B. Allen, Tax Administrator

RE: Ad Valorem Tax Appeals

DT: April 11, 2017

THIS IS A DECISION PAPER.

PURPOSE: To obtain the Board's approval to release or refund Ad Valorem taxes assessed in the amount of **\$626.44** on four (4) appeals.

FACTS: Attached hereto is a listing of property owners who have requested that I appeal to the Board of Commissioners on their behalf for a release or refund of tax to which they seek relief as provided in G.S. 105-381.

DISCUSSION: G.S. 105-381 Provides that a taxpayer asserting a valid defense to the enforcement of the collection of a tax assessed upon his property may appeal to the Board of Commissioners for relief of such tax. Such appeal must be presented within five years after the tax first became due or within six months after the payment of such tax, whichever is later.

The Board of Commissioners may, upon receiving a taxpayer's written statement of a valid defense, release or refund such tax if the valid defense is one of the following:

- (1) A tax imposed through clerical error
- (2) An illegal tax
- (3) A tax levied for an illegal purpose

CONCLUSION: The Board of Commissioners have the authority to grant, release, or refund due to the above three reasons.

RECOMMENDATION: That the Board of Commissioners approve the request for release or refund of the Ad Valorem Tax appeals submitted herewith in the amounts and for the reasons stated on the listings.

Respectfully submitted,

CATHY B. ALLEN
TAX ADMINISTRATOR

ACTION BY THE BOARD OF COMMISSIONERS:

APPROVED _____
DISAPPROVED _____
OTHER _____

SIGNATURE & DATE: _____

April 11, 2017

Ad Valorem Tax Appeals

NAME	ACCOUNT	ACTION	AMOUNT	REASON
Corner Café (The)	128822	Release	\$ 506.00	Illegal Tax
Derrick M Bennett Construction	113345	Refund	31.77	Illegal Tax
Herbert, Tarzan	76643	Release	23.05	Illegal Tax
Saunders, Charles	128962	Release	65.62	Illegal Tax
TOTAL REFUNDS/RELEASES			\$ 626.44	

Respectfully submitted,

CATHY B. ALLEN
TAX ADMINISTRATOR

CBA/br

Cc: Board of Commissioners (7)
County Manager (1)
Clerk to Board (6)

DECISION PAPER

TO: NORTHAMPTON COUNTY BOARD OF COMMISSIONERS

FROM: CATHY B. ALLEN, TAX ADMINISTRATOR

RE: AD VALOREM TAX APPEALS

DATE: APRIL 17, 2017

THIS IS A DECISION PAPER

PURPOSE: To obtain the Board's approval to release or refund Ad Valorem taxes assessed in the amount of \$1793.67 on forty (40) appeals.

FACTS: Attached hereto is a listing of property owners who have requested that I appeal to the board of Commissioners on their behalf for a release or refund of tax to which they seek relief as provided in G.S. 105-381.

DISCUSSION: G.S. 105-381 Provides that a taxpayer asserting a valid defense to the enforcement of the collection of a tax assessed upon his property may appeal to the Board of Commissioners for relief of such a tax. Such appeal must be presented within five years after the tax first became due or within six months after the payment of such tax, whichever is later.

The Board of Commissioners may, upon receiving a taxpayer's written statement of a valid defense, release or refund such tax if the valid defense is one of the following:

- (1) A tax imposed through clerical error
- (2) An illegal tax
- (3) A tax levied for an illegal purpose

CONCLUSION: The Board of Commissioners have the authority to grant, release, or refund due to the above three reasons.

Respectfully submitted,

CATHY B. ALLEN

TAX ADMINISTRATOR

ACTION BY THE BOARD OF COMMISSIONERS:

APPROVED _____

DISAPPROVED _____

OTHER _____

DATE _____

SIGNATURE _____

March 2017 refund					
AD VALOREM TAX APPEALS					
MOTOR VEHICLE REFUND ADJUSTMENTS					
NAME	ACTION	AMOUNT	REASON		
SHANICE DASHAWN ARCHIE	REFUND	\$30.95	SITUS ERROR		
MARY ANN BAKER	REFUND	\$16.04	VEHICLE SOLD		
BARBARA ANN BEAVER	REFUND	\$1.15	VEHICLE SOLD		
JAMES DUNCAN BRIDGERS, JR	REFUND	\$24.72	VEHICLE SOLD		
WENDELL CREWS CLAIBORNE, JR	REFUND	\$8.14	VEHICLE SOLD		
JOSEPH MCDANIEL CLAYTON	REFUND	\$85.55	VEHICLE SOLD		
DANA ERIC COLEMAN	REFUND	\$9.05	VEHICLE TOTALLED		
BARRINGTON KEITH DAVIS	REFUND	\$66.93	VEHICLE SOLD		
THOMAS MICHAEL DEATHERAGE	REFUND	\$14.52	VEHICLE TOTALLED		
DEBRA BOWEN DELOATCH	REFUND	\$16.28	VEHICLE SOLD		
LINDA ANN DELOATCH	REFUND	\$11.87	SITUS ERROR		
BENJAMIN DEAN DRAPER	REFUND	\$16.71	VEHICLE SOLD		
TONY EUGENE EVANS	REFUND	\$110.36	VEHICLE SOLD		
WANDA MARIE GALLOWAY	REFUND	\$24.72	VEHICLE SOLD		
DENISHA MAQUILLA GARNER	REFUND	\$48.72	SITUS ERROR		
WALLACE RANDOLPH GARNER	REFUND	\$48.11	INSURANCE LAPSE		
ANDREW DONALD GREEN	REFUND	\$14.84	VEHICLE SOLD		
DOROTHY MALLORY GREENE	REFUND	\$50.70	VEHICLE SOLD		
PAUL RIDDICK HARRELL	REFUND	\$23.75	VEHICLE TOTALLED		
AMANUEL HARRISON	REFUND	\$26.94	VEHICLE SOLD		
STEPHANIE MAE HELMKAMP-PARKER	REFUND	\$155.10	SITUS ERROR		
BERTINA GARNER HIGH	REFUND	\$50.16	VEHICLE TOTALLED		
ELSIE BARNES HILLIARD	REFUND	\$40.17	VEHICLE SOLD		
JAMES MONTGOMERY HUX	REFUND	\$18.22	VEHICLE SOLD		
GARRY RUDOLPH JACOBS	REFUND	\$6.90	REG OUT OF STATE		
KEE BUILDERS	REFUND	\$104.60	ASSESSED IN ERR		
ALFRED WILEY KWASIKPUI	REFUND	\$40.67	MILEAGE ADJUSTMEN		
GLORIA TANN MANEY	REFUND	\$13.68	VEHICLE SOLD		
CHRISTI LEE MATHES	REFUND	\$8.42	VEHICLE TOTALLED		
JENNIFER HARGROVE MOORE	REFUND	\$16.65	VEHICLE SOLD		
PHILIP MICHAEL MOORE	REFUND	\$26.39	VEHICLE SOLD		
DAVID ALAN PARKER	REFUND	\$176.03	REG OUT OF STATE		
YVONNE TURNER PATILLO	REFUND	\$19.55	SITUS ERROR		
WALLACE CONNELL RANSOM	REFUND	\$35.35	SITUS ERROR		
JOHN THOMAS ROOK	REFUND	\$25.32	VEHICLE SOLD		
ELLEN GERTRUDE SHEARIN	REFUND	\$169.30	VEHICLE SOLD		
SHAWN PATRICK SMITH	REFUND	\$23.05	VEHICLE SOLD		
THE ELIZABETH BARNES FAMILY LLC	REFUND	\$110.58	ASSESSED IN ERR		
RICHARD EUGENE TOWNSEND, JR	REFUND	\$95.02	VEHICLE SOLD		
JAMES E WHITE	REFUND	\$8.46	VEHICLE SOLD		
TOTAL REFUND AMOUNT		\$1,793.67			
Respectfully submitted,					
CATHY B. ALLEN					

TAX ADMINSTRATOR						
CBA/epj						
CC: Board of Commissioners (7)						
County Manager (1)						
Clerk to Board (6)						

Lake Gaston Clean-up Day Resolution:

Ms. Kimberly Turner, County Manager, appeared before the Board with a Resolution in Support of Take Pride in Lake Gaston Clean-Up Day 2017.

A motion was made by Fannie Greene and seconded by Chester Deloatch to approve the resolution for Lake Gaston Clean-Up Day for 2017. **Question Called:** *All present voting yes.* **Motion carried.**

Contribution to July 4th Celebration:

Ms. Kimberly Turner, County Manager, presented a request from the Northampton County Chamber of Commerce asking for support in contributing \$1,950 towards the cost of fireworks for the 4th of July Celebration.

A motion was made by Fannie Greene and seconded by Chester Deloatch to approve the contribution of \$1,950 towards the cost for the July 4th Celebration. **Question Called:** *Yes (Commissioners Carter, Deloatch, and Greene); no (Commissioner Tyner).* **Motion carried.**

Management Matters:

Ms. Kimberly Turner, County Manager, appeared before the Board to obtain approval of Mr. Nathan Pearce, Assistant County Manager, as an alternate for the UCPCG Executive Committee.

A motion was made by Charles Tyner and seconded by Fannie Greene to appoint Mr. Nathan Pearce as an alternate for the UCPCG Executive Committee. **Question Called:** *All present voting yes.* **Motion carried.**

County Manager Turner stated on May 3, 2017 at 6:30 pm at the J. W. Faison Auditorium, there will be a Public Forum on Solar Farms. She also provided the Board with an informational paper about the current programs offered through the Recreation Department.

**PLEASE SEE SCANNED DOCUMENTS WHICH ARE
HEREBY MADE A PART OF THESE MINUTES:**

Northampton County
"A GREAT PLACE TO RAISE FAMILIES, PROFITS AND EXPECTATIONS"
BOARD OF COMMISSIONERS
P. O. BOX 808
JACKSON, N. C. 27845
PHONE (252) 534-2501 • FAX (252) 534-1168

Resolution in Support of Take Pride in Lake Gaston Clean-Up Day 2017

WHEREAS, there is a need to improve the appearance of Lake Gaston by removing litter and debris that create eyesores and harm the environment; and

WHEREAS, a clean Lake Gaston environment positively impacts water safety, economic development, travel, tourism and quality of life; and

WHEREAS, the Lake Gaston Association is sponsoring Take Pride in Lake Gaston clean-up of the lake on May 20, 2017 in an effort to educate citizens on the harmful effects of litter; and

WHEREAS, there is a need for citizen participation in maintaining the beauty of our county, and

WHEREAS, it is in the interest of Northampton County to support our volunteers in efforts to improve the appearance of the county;

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of Northampton County, NC that it endorses and supports the Take Pride in Lake Gaston Clean-Up Day 2017 initiative.

Adopted this the ____th day of _____, 2017.

Robert Carter, Chairman

Northampton County Board of Commissioners

Komita Hendricks, Clerk

Northampton County Board of Commissioners

Northampton County Chamber of Commerce

127 W. Jefferson Street
Jackson, North Carolina 27845
Tel: 252-534-1383
Fax: 252-534-1739
e-mail: jcolliernhcoc@embarqmail.com
Web Page: <http://www.northamptonchamber.org>

Northampton County
Board of Commissioners
P.O. Box 808
Jackson, NC 27845

April 4, 2017

Dear Commissioners:

Thanks to your support our 2016 July 4th Celebration was a huge success.

We are in the process of planning our sixth July 4th Celebration. Last year was a huge success with an attendance of approximately 4000 citizens. The celebration will be in the late afternoon of July 4th with Fire Works, Entertainment (Strictly Bizzness Band) and Inflatables for the children plus food at the Cultural and Wellness Center. This is a central location that will better service our citizens.

The cost of the "Fire Works" will be \$6000.00 which is an increase from last year. The Chamber is asking for you to contribute \$1950.00 towards the cost. The balance will be paid from contributions by our Municipalities and individual sponsors. If you would let the Chamber know of your decision as soon as possible it would be greatly appreciated.

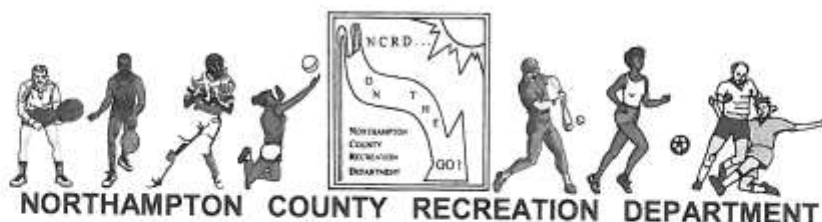
Thank you in advance for your support and generosity.

Sincerely


Judy Collier
Executive Director

CC: Kimberly Turner, County Manager





April, 11, 2017

We currently offer the following programs:

List Programs:

Softball ages 7-12 - Registration begins February 11th – March 9th Games start in April
Games played in Jackson and Roanoke Rapids

Softball ages 13-18 - Registration begins April 1st – May 5th Games start in June – July
Games played in Jackson and Roanoke Rapids

T-ball and coach-pitch ages 4-8 - Registration begins March 1st – April 7th. Games start in late April - June
Games played in Jackson

Baseball ages 9-15 - Registration begins May - June Games start in late June – August
Games played in Jackson

Football camp ages 7-12- Registration begins April 1st – June 23rd. Camp starts July 10th -14th.
Camp held in Jackson

Adult Softball Registration begins May 22 – June 16. Games start in July – September.
Games played in Jackson

Cheerleading ages 5-12 - Registration begins June 1st – July 7th. Practices starts in late July.

Youth Football ages 7-12 - Registration begins in May 1 – June 30. Practice begins in July and games start in August- Nov. Games played in Jackson, Gaston, Garysburg, Scotland Neck and Roanoke Rapids football field.

Basketball ages 5-15 - Registration begins October 1st – October 31st Games start in November
Practices are held at Willis Hare Elementary School and games are played at Conway Middle School.

The youth in our area seems to enjoy football, baseball, and basketball. Programs and camps in these sports would most likely be popular. However; due to budget and staff constraints, running these programs would, in all probability, be difficult. We currently employ only enough to run the programs which we now offer. In addition, we would also need to use the local school's facilities, which would require working closely with their schedule. Organized sports would be difficult to run due to the fact of limited youth in specific areas; i.e.: if a program is being held in Rich Square, there is a limited number of youth to form several teams. At the present, I am looking into the possibility of opening local school gyms in the County during times of the day or evening a few days a week. Once again, it would require additional staff and equipment. At the time, my current staff and I are busy every day mowing and maintaining the grounds and fields at the Recreational Complex and Cultural and Wellness Center. It is a daily task which runs from March through October. After running the numbers, I believe it would take a minimum of 3 - 4 part-time new staff at @ \$8.50 to 9.50/hr. depending upon qualification with at least 19 hours per week (increase the part-time budget by a minimum of \$8,000.00). Travel may also have to be increased for employees. Along with salary and budget increases, we will need to look into the County's liability policy.

The possibility of offering additional programs in different areas of the County through the school system was discussed at the New Commissioner's Orientation. I am currently working on the estimated costs to open and run the gym for approximately 4 - 5 hours a few days a week. I did mention the requirement for additional staff and funds.

Public Hearing-Rezoning:

Chairman Carter recessed the regular session to go into a Public Hearing.

Mr. William Flynn, Planning and Zoning Director, stated the purpose of this public hearing is to receive and consider public input regarding a re-zoning request that, if granted, will rezone the subject property from Light Industrial (LI) to Agricultural Residential (AR).

Chairman Carter called for Commissioners question for Mr. Flynn.

Commissioner Tyner asked if the land was located in the Town of Seaboard.

Mr. Flynn stated no.

Commissioner Tyner also asked if the applicant has considered rezoning just a portion of the land.

Mr. Flynn stated that's a question for the applicant who is here today.

Commissioner Greene asked why are we talking about solar farms.

Mr. Flynn stated that most of the time rezoning is done for a specific reason.

Commissioner Greene asked what illegal spot zoning was.

Mr. Flynn stated the difference between spot zoning and illegal spot zoning.

Chairman Carter asked the applicant if she had any questions for Mr. Flynn.

Mrs. Mary Frommer, applicant, stated no.

Chairman Carter called for Mrs. Mary Frommer to present evidence to the Board.

Mrs. Mary Frommer, applicant, stated the purpose of her being here today is to represent her family; whom grew up in Seaboard. She stated that she has been made aware that farmers are having a hard time making the kind of money they did 2 or 3 years ago and if this happens it's going to make it harder for them to pay their rent to landowners. She also stated that she is 3 centuries old and it's getting harder for her to come back to Northampton County to conduct farm business. She stated that the tax money that will be received from the solar company would far exceed the amount they currently pay for farm land.

Mrs. Frommer stated that Sun Energy 1 is the company that approached her family. They assure the family that the energy generated from this particular farm will stay here in North Carolina. She also read a letter from Sun Energy 1. In closing, Mrs. Frommer stated that this will benefit more than just her, her brother and her sister; it will benefit their children and grandchildren.

Chairman Carter called for Commissioners questions for Mrs. Frommer.

Commissioner Tyner asked Mrs. Frommer who the owners were and where they lived.

Mrs. Frommer stated she is the owner, but has a sister in California and brother in Washington.

Chairman Carter called for public comments.

Mrs. Mary Bridgers, citizen, stated comments in reference to preserving farm land.

Mrs. Debbie Davis, citizen, stated comments referencing facts that she had received from NC State and why we need to preserve farm land.

Mr. Albert Vann, citizen, stated comments in reference to solar farms.

Mr. Tim Hollowell, citizen, stated comments in reference to being told what can and can't be done with land that you own.

Chairman Carter closed the Public Hearing to enter into regular session.

A motion was made by Charles Tyner and seconded by Chester Deloatch to deny the request for rezoning from Light Industrial to Agricultural-Residential. **Question Called:** *All present voting yes.* **Motion carried.**

**PLEASE SEE SCANNED DOCUMENTS WHICH ARE
HEREBY MADE A PART OF THESE MINUTES:**

DECISION PAPER

TO: The Northampton County Board of Commissioners
FROM: William Flynn, Northampton County Planning and Zoning Director
DATE: April 17, 2017
SUBJECT: Requested rezoning of property from Light Industrial to Agricultural-Residential
APPLICANT: Mary Frommer

PURPOSE:

The purpose of this public hearing is to receive and consider public input on a rezoning request that, if granted, will rezone the subject property from Light Industrial (LI) to Agricultural-Residential (AR)

FACTS:

1. The property is 327.17 acres in size
2. The tax parcel number is 08-02598
3. It is located approximately ¼ mile south of Seaboard, NC on the east side of NC 305.
4. The parcel is currently zoned as Light Industrial (LI)
- 5.
6. The Northampton County Planning Board passed along a decision of "No Recommendation" to the Board of Commissioners.

DISCUSSION:

Items that must be considered by the Board of Commissioners for a re-zoning request:

RELATIVE SIZE OF THE PROPERTY:

The subject property is 327 acres in size and one can easily tell from the included map that is it similar, if not slightly larger, in size to similarly zoned properties and the surrounding properties. The size of the property alone makes it suitable for possible future industrial uses.

DISPARITY OF USES:

Obviously the uses in a Light Industrial (LI) zoning district are different than the uses allowed in an Agricultural-Residential (AR) zoning district. That's what different zoning districts are for, to separate uses. However, the Board of Commissioners are required to weigh the differences between the two districts against one another. This should be done by looking at exactly how different the uses are. For example.....the differences between an AR-1 zoning district and an AR zoning district aren't that great, in fact, they share a lot of common uses. However, the differences between a LI district and an AR district are vast. They share things like farming activities, placement of accessory buildings and a few other uses but there isn't very much that is similar between the two.

BENEFITS AND DETRIMENTS:

This boils down to who may benefit and who may suffer if the land is re-zoned. The reason for the re-zoning request is to allow the property owners to be able to place a solar farm on the property. If the property were to be re-zoned to AR there is little benefit, to the community and/or County. The electricity produced by the solar farm would likely benefit areas of larger electrical demand (larger cities) than it would the local residences and would provide essentially no jobs in the area. The largest benefactor of a re-zoning and the construction of a solar farm would be the individual owners of the property. The per acre rent price for a solar farm is substantially larger than the per acre rent price for a crop farm.

DOES THE PROPOSED RE-ZONING FIT WITH THE COUNTY'S LAND USE PLAN:

Northampton County has been using the zoning ordinance in conjunction with the zoning map as a land use plan since 1994. The land use plan is a projected growth plan for the County. It is clear to see that the County intended for this property to be available for potential industrial growth. From a planning standpoint it's easy to see why. The property is easily large enough in size to accommodate any of the uses listed in the Light Industrial section of the zoning ordinance, it's along a major thoroughfare and has what would be considered easy access to Interstate-95, it is near a major railroad and it has access to public water with three phase power nearby. Re-zoning this property would not make it available to industrial uses.

CONCLUSION:

It is obvious that the property in question is suitable in size for any light industrial use that may occur in the future and oversize for any of the uses listed in an Agricultural Residential (AR) zoning district. To re-zone the property to AR would take this large parcel out of consideration for light industrial uses.

There is a large difference in the uses allowed between the two zoning districts. As a general rule of re-zoning, the larger the difference in uses in the opposing districts, the more likely it is that the re-zoning action would be considered illegal spot zoning.

Also, another general rule is that the smaller the number of benefactors from the re-zoning, the more likely the action would be considered illegal spot zoning. The re-zoning of this property stands to benefit only a small number of people. Leaving the property zoned for light industrial uses allows the potential for more jobs to come to the County thereby potentially benefitting a larger number of people in the community.

It is clear to the planning and zoning staff that the re-zoning of this property does not fit with the County's land use plan. Likely due to its size and location to proper infrastructure, this property was earmarked by the Northampton County Board of Commissioners at the time the zoning ordinance was adopted in 1994 as a potential light industrial site. To change that to strictly Agricultural-Residential uses goes against the plan as established.

Taking into account the reasons listed above, staff is of the opinion that the re-zoning of this property would be considered illegal spot zoning and recommends against rezoning this parcel of land from Light Industrial to Agricultural-Residential.

AGRICULTURAL –RESIDENTIAL USES

ARTICLE II

DISTRICT REGULATIONS

Section II-1 Agricultural-Residential District (AR)

This district is established to promote a compatible mixture of agricultural, forestry, conservation, and very low-density residential uses where few public services will be available. Protection of the environment, preservation of prime farmland, and the continuation of rural lifestyles are goals this district seeks to attain.

A. Permitted Uses

1. Accessory buildings and uses that are customary and incidental to uses permitted in this district.
2. Bona fide farms
3. Cemeteries-church and family
4. Churches
5. Customary home occupations
6. Dwelling-single-family and two-family
7. Family care homes, provided that no such home be located within one-half (1/2) mile radius of an existing family care home.
8. Minor and major residential subdivision in accordance with Article III, Section III-1 of this ordinance and the Northampton County Subdivision Ordinance
9. Mobile home individual
10. Schools, public and private
11. Sign, in compliance with Northampton County outdoor Advertising Sign Ordinance.
12. Government office buildings (March 1, 2010)
13. Solar Power Generation Facilities for commercial power generation only with the following restrictions: (1/1/16)

- a. All structures and security fencing must meet a 100 foot front setback measured from the edge of the rights of way and a 50 foot side and rear setback;
- b. A landscape buffer / screen along all exterior sides of the security fence must consist of a double row or off-set evergreens, absent mature vegetation, installed at a height of 5 feet achieving opaqueness and a minimum height of 10 feet in 5 years;
- c. All solar panels must be constructed to minimize glare or reflection onto adjacent properties and adjacent roadways and must not interfere with traffic or create a safety hazard;
- d. The applicant must provide written authorization from local utility company acknowledging and approving connection to the utility company's grid;
- e. Power transmission lines must be located underground to the extent practical;
- f. A security fence equipped with a gate and a locking mechanism must be installed at a minimum height of six (6) feet topped with one foot of barbed wire along all exterior sides of the solar farm;
- g. Landscape buffer / screens, ground cover, security fences, gates and warning signs must be maintained in good condition until the solar farm is dismantled and removed from the site;
- h. The zoning permit is subject to revocation if the Planning and Zoning Department is not notified when the solar farm company holding the permit sells or otherwise transfers its interest to another entity or individual.

13-1 REMOVAL OF THE SOLAR FARM EQUIPMENT AND RESTORATION:

- i. The application must include decommissioning plans that describe the anticipated life of the solar farm, the estimated decommissioning cost in current dollars, the method for ensuring funds will be available for decommissioning and restoration, and the anticipated manner in which the solar farm project will be decommissioned and the site restored. For the purposes of this section, site restoration and having the site restored, shall mean returning the site to its original condition prior to the development of the solar power generation facility. This includes, but not limited to, grading, seeding, etc;
- ii. Following a continuous 6 month period in which no electricity is generated and transferred to the grid, the permit holder will have 6 months to complete decommissioning of the solar farm unless the site is damaged due to natural causes, in which the operator will have twelve (12) months to get the solar power generation facility back on-line. Decommissioning includes removal of, but not limited to, solar panels, buildings, cabling, electrical components, and any other associated facilities below, and above, grade as described in the approved decommissioning plan.
- iii. Prior to the issuance of a Zoning Permit, the applicant must provide the County with a performance guarantee as provided in subsection (4) below. The amount of the guarantee shall be 1.25 times the estimated decommissioning cost minus

the salvageable value, or \$50,000, whichever is greater. Estimates for decommissioning the site and salvage value shall be determined by a North Carolina licensed engineer or a licensed contractor. It is the responsibility of the applicant to provide the County with the certified cost estimate.

13.2 PERFORMANCE GUARANTEES:

The following types of performance guarantees are permitted:

1. A surety or performance bond that renews automatically, includes a minimum 60-day notice to the County prior to cancellation, is approved by the Planning Director, and is from a company on the U.S. Department of Treasury's Listing of Certified Companies. A bond certificate must be submitted to the Planning Department each year verifying the bond has been properly renewed; or
2. A certified check deposited with the county finance director, as escrow agent, who will deposit the check in an interest-bearing account for the County, with all interest accruing to the applicant. Funds deposited with the county finance director will be returned when the solar farm is decommissioned and all site restoration is completed; or
3. A no-contest irrevocable bank letter of credit from a banking corporation licensed to do business in the State of North Carolina. The terms of the letter must include the absolute right of the county finance manager to withdraw funds from the bank upon certification by the county manager that the terms and conditions of the performance guarantee have been breached. The letter of credit must be valid up to 12 months from the date the performance guarantee was approved and shall be renewed annually.
4. The full amount of the bond, certified check, or letter of credit must remain in full force and effect until the solar farm is decommissioned and all site restoration is completed.
5. The land owner or tenant must notify the County when the site is abandoned.

B. Dimensional Requirements

Minimum Lot Area

30,000 square feet (1/1/16)

20,000 square feet if the lot has public water and public sewage (1/1/16)

Ref Article I-20 for additional requirements

Minimum Lot Dimensions

Residential Width 100 ft.

Non-Residential Width 150ft.

Minimum Yards

Residential Front 30 ft. on secondary roads

Front 40 ft. on US & NC roads

Rear 25 ft.

Side 10 ft.

Non-Residential Front 40 ft.

Rear 50 ft.

Side 30 ft.

Maximum Building Height

Residential and Non-Residential 35 ft.

C. Conditional Uses

The following uses may be permitted upon the approval of the Northampton County Board of Adjustment, in accordance with Article X of this ordinance.

Unless otherwise specified, any conditional use granted by the Board of Adjustment shall expire if the applicant does not obtain a Building Permit or Certificate of Occupancy for such use within six (6) months from the date of the decision.

1. Public and private country clubs, golf courses (exclusive of miniature golf courses and three part golf courses), swimming clubs, and homes for the aged, provided that all buildings and swimming pools be set back a minimum of fifty (50) feet from all exterior property lines.
 2. Fire stations, provided that all buildings shall be set back a minimum of thirty (30) feet from all exterior property lines and that off-street parking area, at least twice as large as the floor area in the fire station, be provided on the lot.
 3. Radio, television, and microwave towers and relay stations, offices and studios in conjunction with these. These uses may be permitted as conditional uses provided that all buildings and towers shall be set a minimum of thirty (30) feet from all exterior property lines and that towers shall be set back one (1) additional foot from all exterior property lines for each one (1) foot in height over one hundred (100) feet.
 4. Commercial cemeteries, where lots are sold and title is given, provided that all graves and crypts shall be set back at least thirty (30) feet from all exterior property lines or public roads.
 5. Day nurseries and kindergartens provide that they meet all state and county regulations and that the water supply and sewerage provisions made for the day nurseries and kindergartens are approved by the Northampton County Health Department
 6. Riding stables provided that all stables and exercise yards shall be set back at least thirty (30) feet from all exterior property lines.
 7. Mobile home parks and travel trailer parks.
 8. Kennels (with a minimum of five (5) acres)
 9. Blacksmith or horse shoeing shops
-

10. Rest homes
11. Campgrounds in compliance with Article II, Section III-3
12. Existing structures of sound physical condition that have at any time, been in operation as a commercial/business use for a purpose listed as a permitted or conditional use in the Neighborhood Business District, will be allowed to be used for commercial/business purposes upon approval of the Northampton County Board of Adjustment, provided the following conditions are met:

Minimum lot area: Minimum lot area shall be the same as required for other permitted uses in the district. Lots recorded with the Register of Deeds at the time of adoption of the Northampton County Zoning Ordinance, may be used for any of the permitted uses of the Neighborhood Business District.

Parking: Shall conform to Article IV, Off-Street Parking and Loading Requirements.

Screening: Shall conform to Article I-11, Buffer Strips.

Lighting: Lighting shall be such that it does not shine directly onto any adjacent residential lot or on any public roadway.

Expansion: Any expansion of the principal building shall not exceed fifty (50) percent of the existing gross floor area, and shall not encroach on the setbacks of the Neighborhood Business District.

13. Bed and breakfast which meet the following:
 - a. Located on a lot one (1) acre or larger.
 - b. No more than five (5) guest rooms.
 - c. Owner/manager live on site.
 - d. Compatible with neighborhood.
 - e. Off-street parking at one (1) per guest room and one (1) for owner/manager.
 - f. Meet all applicable local and state health and building code requirements.
 14. Beauty and barbershops
Craft and gift shop, florist

Convenience and grocery stores.

Restaurants and grills
-

Small, low-impact offices

Agricultural supply sales.

Indoor recreation facilities provided such uses meet the following minimum conditions:

- a. Minimum lot area: Minimum lot area shall be the same as required for no-residential uses in the district.
- b. Parking: Shall conform to Article IV, Off-Street Parking and Loading Requirements.
- c. Screening: Shall conform to Article I-10, Buffer Strips.
- d. Lighting: Lighting shall be such that it is not directed onto any adjacent residential lot.
- e. Outdoor storage: Shall conform to Article II-6 Standards for Outdoor Storage.

15. Conference center/retreat for a corporation, business, religious or non-profit group, which meet the following:

- a. Minimum lot size: Five (5) acres
- b. Parking: Shall be provided in accordance with Article IV, Off-Street Parking and Loading Requirements.
- c. Compatible with the neighborhood
- d. Screening: Will be provided in accordance with Article I-10, Buffer Strips.
- e. All structures used for meeting rooms and classrooms shall conform to all applicable local and state health and building code requirements.
- f. No environmentally damaging or hazardous materials allowed.

16. Public utilities other than distribution line, to include but not limited to, electrical substations, water tanks and towers, and telephone exchanges.

17. Retail plant nurseries/lawn and garden stores

18. Agricultural buying stations provided that they are at least five hundred (500) feet from any habitable residence.
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19. Hunting and fishing clubs/lodges, private and commercial.
20. Club or lodge provided the following minimum requirements are met:
 - a. Minimum lot size: Forty thousand (40,000) square feet
 - b. Property line setback: All structures shall be located at least thirty (30) feet from all property lines.
 - c. Parking: Shall be provided in compliance with Article IV. Further, parking shall not be located in the front yard, except when the lot is eighty-thousand (80,000) square feet or larger parking may be allowed in front of structures on the lot but may not be located in the required front yard minimums.
 - d. Buffer: A minimum vegetative buffer of ten (10) feet, comprised of non-deciduous trees and shrubs shall be established and maintained on the sides and rear of the property.
 - e. Storage: No outdoor storage shall be located on the site.
 - f. No outdoor public address system shall be allowed.

D. Special Uses

The following uses may be permitted upon the approval of the County Board of Commissioners in accordance with Article I, Section I-14, Conditional Uses.

1. Community, county, or municipal sewage treatment plans, water treatment plans, sanitary landfills, provided that all buildings, structures, tanks, and pits be set back at least one hundred (100) feet from all exterior property lines, that a natural buffer at least fifty (50) feet in width separate all such uses from all exterior property lines, and that a non-climbable fence, at least six (6) feet in height, completely enclose such uses.
 2. Community, county or municipal water or sewage pumping stations, provide that they be enclosed by an appropriate fence or that they be housed in a building that is compatible with the character of the surrounding development.
 3. Planned unit development in accordance with Article III
 4. Mining of gold and silver ores (104 SIC)
 5. Bituminous coal and lignite mining (121 SIC)
 6. Crude petroleum and natural gas (131 SIC)
 7. Nonmetallic minerals, except fuels (12 SIC) including:
 - Dimensional stone (141 SIC)
 - Crushed and broken stone (142 SIC)
-

Crushed and broken granite (143 SIC)
Crushed and broken stone (not elsewhere classified 144 SIC)
Sand and gravel (145 SIC)
Clay, ceramic, and refractory minerals (146 SIC)
Chemical and fertilizer mining (147 SIC)

8. Fuel oil, kerosene, and other flammable liquids storage and distribution facilities
 9. Garbage and waste incinerators
 10. Gases and liquefied petroleum gases storage and facilities
 11. Grounds and facilities for open-air games and sporting events
 12. Airports and landing fields for fixed-wing and rotary wing aircraft
 13. Automobile and other salvage and recovery yards
 14. Demolition landfill – publicly or privately operated, provided:
 - a. That all buildings, structures, tanks, and pits be set back at least one hundred (100) feet from all exterior property lines;
 - b. that a natural landscaped buffer at least fifty (50) feet in width separate all such uses from all exterior property lines;
 - c. that a non-climbable fence, at least six (6) feet in height, completely enclose such uses;
 - d. that the landfill be restricted to items allowed by the State of North Carolina in a demolition landfill, specifically to exclude sanitary landfill uses, chemical/toxic waste, and nuclear waste products;
 - e. that prior to issuance of a zoning permit and/or building permit, the site must be approved by the North Carolina Division of Environmental Management for such a use, and meet all the state requirements for such a use.
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LIGHT INDUSTRIAL USES

Section II-6 Light Industrial District (LI)

The purpose of this district is to establish and protect industrial areas for the use of light manufacturing operations and for the distribution of products at wholesale. The following standards are established for this district and designed to promote sound permanent light industrial development, and to protect nearby areas from undesirable aspects of industrial development:

- (1) all assembly and/or manufacturing be confined within the building;
- (2) all outdoor storage be screened from public view by opaque fencing, screening, or landscaping, limited to rear and side of the principal building, if hazardous and/or unsafe, shall meet all local, state and federal environmental requirements, and must be one the premises of the business, and
- (3) any one applying for a LI permit must demonstrate that no adverse impacts such as noise, groundwater, air, pollution, and vibrations are created by the proposed use, beyond the lot boundaries of the use. This district shall be located adjacent to and/or with direct access to thoroughfare roads or streets.

A. Permitted Uses

1. Accessory buildings and uses that are customary and incidental to uses permitted in this district.

2. Agricultural uses

Assembly and packaging operations including mail order houses (1/1/16)

4. Bakeries and food products preparation

6. Bottling works

Clothing, curtain and linens manufacturing (NAICS 314120) (1/1/16)

8. Cosmetics manufacturing

9. Dairy processing and distribution

11. Electrical appliance manufacturing

12. Electrical machinery manufacture and/or assembly

15. Government buildings: buildings used by the federal,, state, county or city government for public purposes

16. Governmental protective services (police and fire stations), rescue squads and volunteer fire departments
-

17. Industrial supplies and equipment services
 18. Industrial trade schools
 19. Jewelry manufacture
 20. Laboratories for research testing
 21. Leather products and luggage manufacturing, excluding tanning and curing of hides
 22. Machine tool manufacturing
 - Machine welding shops and metal fabrication, excluding foundry and stamping (1/1/16)
 23. Off-street parking and loading in accordance with Article IV
 24. Offices that generate low to medium traffic volumes and have no adverse impacts beyond lot boundaries
 27. Precision instrument manufacturing
 28. Printing and publishing
 - Radio and television studios
 29. Railroad stations and yards
 30. Research facilities, including manufacturing incidental to same
 31. Sign painting and fabrication shop
 32. Distribution centers
 33. Wooden product manufacturing
 34. Signs, in accordance with Northampton County Outdoor Advertising Sign Ordinance
 35. Underground low or high voltage electric power distribution lines, telephone lines, water or sewer lines, low or medium pressure gas distribution, underground liquid fuel transmission lines.
 36. Water and/or wastewater collection and transmission lines, pumping stations, meter vaults and other appurtenances required as a part of such utility systems.
 37. Electric substations
-

38. Warehousing and other storage facilities

39. Wholesale and jobbing establishments

B. Dimensional Requirements

Minimum Lot Area	80,000 sq. ft.
Minimum Lot Size – Width	150 ft.
Minimum Yards – Front	100 (Amended Nov. 11, 2007)
Rear	75 ft.
Side	25 ft.
Maximum Building Height	60 ft.

C. Conditional Uses

The following uses may be permitted upon the approval of the Northampton County Board of Adjustment, in accordance with Article X.

Unless otherwise specified, any conditional use granted by the Board of Adjustment shall expire if the applicant does not obtain a Building Permit or Certificate of Occupancy for such use within six (6) months from the date of the decision.

1. Mobile Home (Individual) for Temporary Use as Office and/or Exhibition

Minimum Lot Area – None

Parking – Six (6) spaces for each person employed in office in any given time during a twenty-four (24) hour period.

Office and Exhibition:

A temporary Certificate of Occupancy/Compliance allowing mobile homes used solely as offices for purposes of exhibition, or for a caretaker or night watchman, to be temporarily parked, maintained, and/or occupied on a designated lot or land location, may be issued by the Zoning Administrator or his authorized agent where the Board of adjustment finds as a fact that the use of such mobile home does not violate the county or state building code or health regulations. All such Certificates of Occupancy/Compliance shall be valid for a period of twelve (12) months, after which they may be renewed for a period of twelve (12) months.

Notwithstanding the foregoing, a Certificate of Occupancy/Compliance may be issued for a mobile home for use as a temporary field office for contractors by the Zoning Administrator, or his authorized agents, without approval of the Board of Adjustment, if it meets the following:

- a. The structure under construction is located on the same property;
- b. It is not moved to the site more than thirty (30) days prior to construction and is removed no later than thirty (30) days after construction has been completed;
- c. It is not used for any other purpose than that connected with on-site construction;
- d. It is justified by the size and nature of the construction project;
- e. It is for a period not to exceed twenty-four (24) months;
- f. It is utilized only incidental to on-site construction and not for residential living quarters;
- g. It is parked in a location approved in advance by the Zoning administrator or his authorized agent; and
- h. Its sanitary facilities are approved by the County Health Department.

Also, notwithstanding the foregoing, a Certificate of Occupancy/Compliance may be issued for a mobile home for use as a mobile classroom by a public or private school, school administrative mobile home, and for a mobile home sales office without approval of the Board of Adjustment if:

- a. The sanitary facilities are approved by the Health Department
-

- b. The electrical facilities are connected in compliance with regulations set forth in the current National Code.
2. Public utility substations, electric power plants, transmission towers, elevated water tanks, sewage treatment plants, and sanitary landfills.
3. Day nurseries and kindergartens – provided that they meet all applicable state and county regulations and that the water supply and sewerage system is approved by the Northampton County Health Department or the NC Division of Environmental Management.

D. Special Uses

The following uses may be permitted upon the approval of the County Board of Commissioners in accordance with Article I, Section I-14, Conditional / Special Uses.

1. Airports and Landing fields
 2. Fiberglass products manufacture
 3. Farm machinery assembly and repair
 4. Mining of gold and silver ores (104 SIC)
 5. Bituminous coal and lignite mining (121 SIC)
 6. Crude petroleum and natural gas (131 SIC)
 7. Non-metal minerals, except fuels (14 SIC) extraction
 - a) Dimensional stone (141 SIC)
 - b) Crushed and broken stone (142 SIC)
 - c) Crushed and broken granite (142 SIC)
 - d) Crushed and broken stone (not elsewhere classified 144 SIC)
 - e) Sand and gravel (145 SIC)
 - f) Clay, ceramic, and refractory minerals (1436 SIC)
 - g) Chemical and fertilizer mining (147 SIC)
 8. Demolition landfill – publicly or privately operated, provided:
 - a. that all buildings, structures, tanks, and pits be set back at least one hundred (100) feet from all exterior property lines;
 - b. that a natural landscaped buffer at least fifty (50) feet in width separate all such uses from all exterior property lines;
 - c. that a non-climbable fence, at least six (6) feet in height, completely enclosed such uses;
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d. that the landfill be restricted to items allowed by the State of North Carolina in a demolition landfill, specifically to exclude sanitary landfill uses, chemical/toxic waste, and nuclear waste products;

e. that prior to issuance of a Zoning Permit and/or Building Permit, the site must be approved by the North Carolina Division of Environmental Management for such a use, and met all the state requirements for such a use.

9. Adult entertainment establishment provided:

A. The establishment must be situated not less than one thousand (1000) feet* from all of the following:

1. a church, synagogue or regular place of worship;
2. a public or private school;
3. a publicly owned library, publicly owned art gallery, publicly owned theater, or other publicly owned entertainment facility or place of assembly, welcome/visitors center;
4. a public park, playground or athletic field or a privately owned park, playground athletic field, or recreational area which is commonly utilized by a group of homeowners; a civic, religious or fraternal organization, non-profit, or other institutional group or assembly;
5. a child daycare or nursery facility;
6. any business or facility the use or purpose of which is primarily oriented towards children;
7. any building used as a dwelling (residence); and,
8. a boundary of any residential zoning district.

*Note: For the purposes of this section, measurements shall be made in a lineal/straight line from the nearest portion of the lot line on which the adult entertainment establishment is proposed/located to the nearest lot line of the premises of any use listed above.

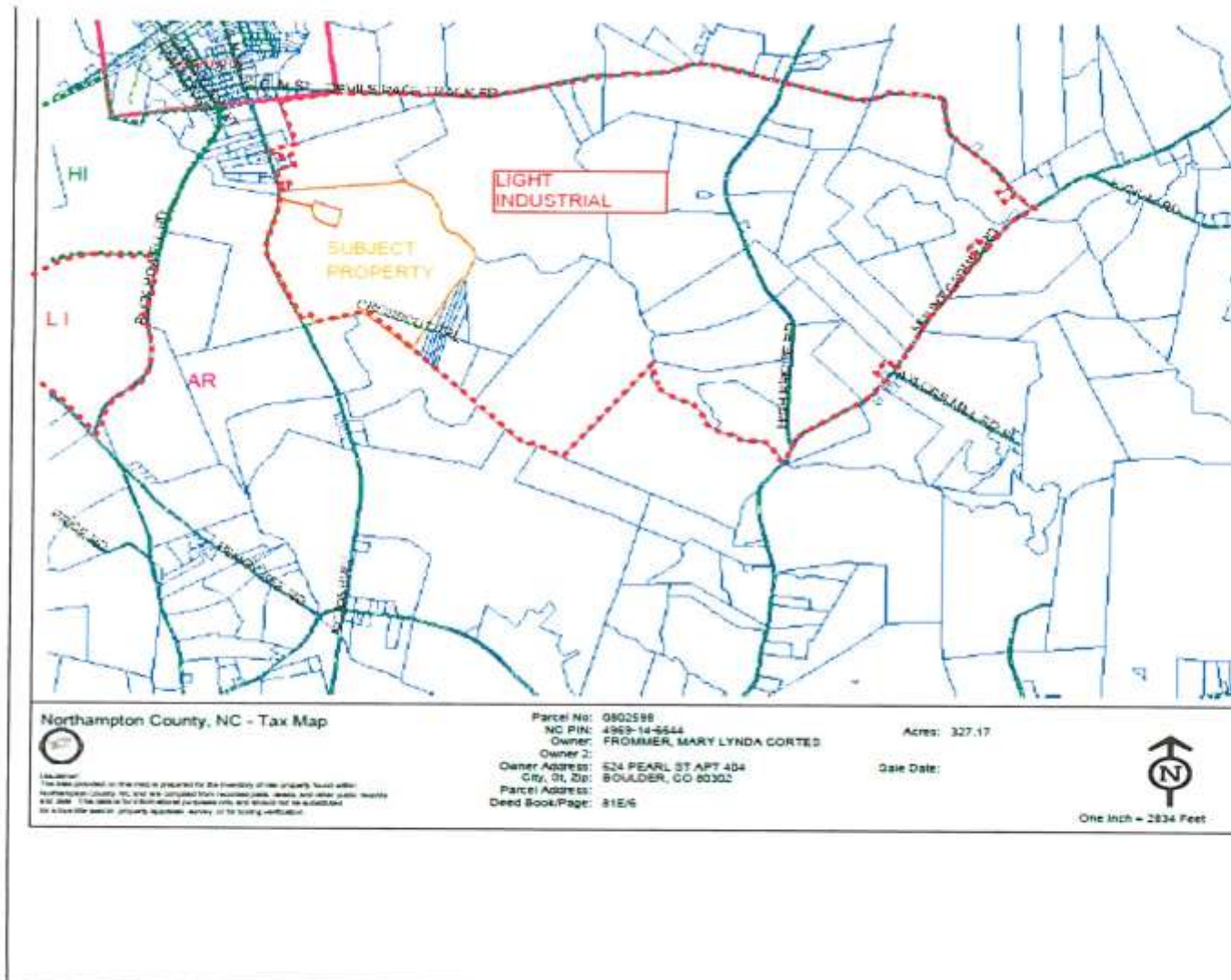
B. No sign, emblem, character, figure, symbol or manifestation depicting or referencing the human form or any part of the human body; nor any sign, emblem, or manifestation containing any sexually explicit or allusive language shall be displayed on the exterior of the establishment.

C. One (1) non-automated sign depicting the name of the establishment, which shall not exceed five (5) feet in height nor twelve (12) feet in length and which shall not extend above the roof line of the principal building may be placed on the exterior of the building parallel with the front wall. No other advertising sign may be located on the lot.

D. The lot on which the adult entertainment establishment is proposed/located shall be surrounded on three (3) sides by a buffer of not less than twenty-five (25) linear feet beginning at the adjoining side(s) and rear property lines such that at least three (3) rows of non-deciduous foliage overlap is provided from the ground to a height of six (6) feet within six (6) years. Buffers shall contain non-deciduous natural vegetation which typically grows to a height of at least twenty (20) feet.

E. The use must comply with all other provisions of this Ordinance as well as any other local, state, or federal ordinance governing the operation of adult entertainment facilities as defined herein.

10. Automobile and other salvage and recovery yards.



Citizens/Board Comments:

Chairman Carter called for Citizens Comments.

None heard.

Chairman Carter called for Board Comments.

Commissioner Tyner made comments in reference to the Health Department and water surveys.

Vice-Chairman Deloatch had no comments.

Commissioner Greene made comments in reference to the number of solar farm requests in Northampton County and encouraged Board members to attend any Board/Committee meeting that they may be assigned to.

Chairman Carter made comments in reference to the Public Forum regarding Solar Farms on May 3 at the J.W. Faison Auditorium.

A motion was made by Chester Deloatch and seconded by Fannie Greene to adjourn. **Question Called: All present voting yes. Motion carried.**

Komita Hendricks, Clerk to the Board
“r.m. 04-17-17”