

November 6, 2023

The Washington County Board of Commissioners met in a regular meeting on Monday, November 6, 2023, at 6:00 PM in the Commissioners' Room, 116 Adams Street, Plymouth, NC. Commissioners Tracey A. Johnson, Ann C. Keyes, Carol V. Phelps, John C. Spruill and Julius Walker, Jr. were present. Also present were County Manager/County Attorney Curtis Potter, Clerk to the Board Julie J. Bennett and County Finance Officer Missy Dixon.

Chair Walker called the meeting to order. Commissioner Spruill gave the invocation and Phelps led the pledge of allegiance.

ADDITIONS/DELETIONS: None.

**Commissioner Keyes made a motion to approve the Agenda for tonight's meeting as corrected. Commissioner Phelps seconded. Motion carried unanimously.**

CONSENT AGENDA:

- a) Regular Session Minutes: August 7, 2023, September 5, 2023, and October 2, 2023; Special Called Meeting Minutes: August 28, 2023, September 26, 2023, October 24, 2023, and November 1, 2023  
Closed Session Minutes: July 5, 2022, August 1, 2022, September 6, 2022, October 3, 2022, November 7, 2022, December 5, 2022, January 2023, February 6, 2023, March 6, 2023, April 3, 2023, May 1, 2023, June 5, 2023, August 2023, and October 23, 2023
- b) Tax Refunds & Releases & Insolvent Accounts
- c) RESO 2023-034 Surplus Real Property—519 Jefferson Ave.
- d) RESO 2023-035 Surplus Real Property—305 E. Fourth St.
- e) RESO 2023-036 Surplus Real Property—West Main St.
- f) Proclamation 2023-037: Veterans Day 2023

Commissioner Spruill mentioned he was not a Commissioner when some of the Closed Session meetings were held and did not think he should vote to approve those minutes. Mr. Potter said he could still legally vote on those Closed Session minutes.

**Commissioner Spruill made a motion to approve the Consent Agenda. Commissioner Keyes seconded. Motion carried unanimously.**

PUBLIC FORUM: Mr. Lloyd Jones, 8042 Gourd Neck Road, Roper, stated that whoever is mowing the grass on the side of the road he travels on going to church is doing a lousy job. They are throwing trash all over the road.

Ms. Sandra Floyd, 30 Golden Lane, Roper asked for a follow-up on the part-time position for the Animal Shelter. She asked if Mr. Potter could get a job description on the County website. Mr. Potter said we are working on it. He also said he has had a conversation with the Sheriff on this. There is not a job description yet. Personnel is working on it. Ms. Floyd asked would it be ready this year. Mr. Potter

said he hopes it will be out before Thanksgiving. Ms. Floyd noted that there is only one (1) volunteer at the shelter now and it is a lot of work for one person. She would like to see someone else volunteer.

Mr. Harry Ford stated he was running for Mayor. He spoke about the platform he is running on. If he is elected Mayor, he will be back to see how we can work together and share resources such as getting better water for all our citizens.

DEPARTMENTAL INFORMATION UPDATE: Ms. Rebecca Liverman, Cooperative Extension Director & her staff gave the Board their yearly “Report to the People”. Staff members Ginny Mason, Gene Fox, and Jaylynne Ward attended with her. Ms. Liverman handed out popcorn to the Commissioners. She then started with “superlatives” of each member of her team. Commissioners and staff each read “cards” and had to guess which staff members each pertains to. Communication, building relationships within the community, they all bring different things to the office, have delightful stories to tell, and cooks well were some of the superlatives for Ms. Liverman and her staff and the Commissioners agreed.

Commissioner Keyes also mentioned that Cooperative Extension does a great job of helping citizens with their Medicare benefits through SHIP.

4 LIFE AWARENESS TRAINING IN WASHINGTON COUNTY: Ms. Annette Ward, EMS Deputy Director gave the following presentation to the Board. Ms. Katherine (Kat) Williams, Paramedic, was also with Ms. Ward. Ms. Ward explained that this trail program is for seven (7) years, and we are two (2) years into it. EMS is spreading the word about CPR into the community, also when and how to use an EPI pen, Narcan administration, etc. They will come to any group to give this presentation. Ms. Ward said she wants to educate 50% of the community in these seven (7) years. She is also trying to get AEDs into the County facilities and firetrucks. She said that 1 minute = 10% loss of brain function for each minute that CPR is not administered.

## **RACE CARS Trials**

WASHINGTON & TYRRELL COUNTIES



**Did you know?**

**10%**

**of Cardiac Arrest victims survive.**

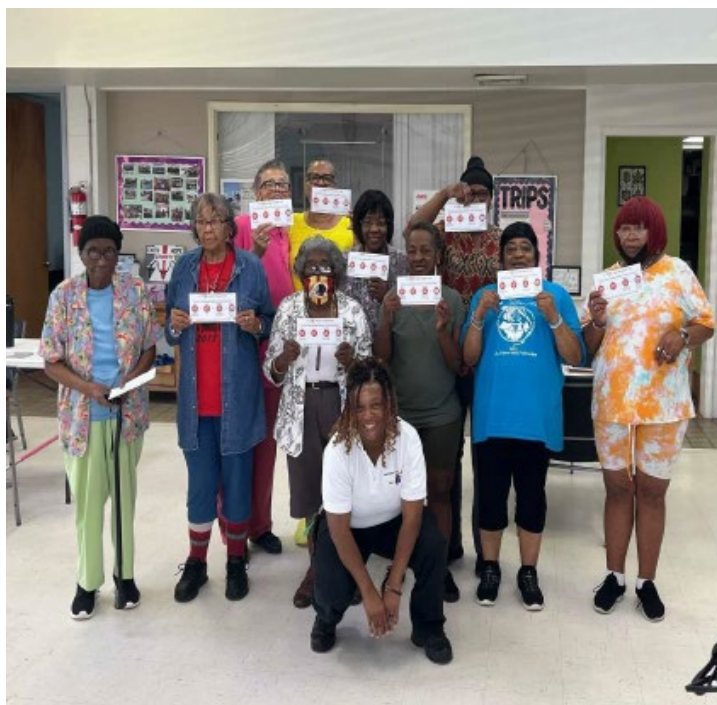
Currently in our communities in 2023 out of 19 dispatched codes 3 have survived

## **RANdomized Cluster Evaluation of Cardiac ARrest Systems**

- A new Duke Clinical Research Institute (DCRI)-led pragmatic cluster-randomized trial will test the implementation of community interventions to improve survival for people with cardiac arrest.
- The trial is one of the most innovative randomized trials to be done in the US. RANdomized Cluster Evaluation of Cardiac ARrest Systems (RACE-CARS) is the first U.S. fully “registry-based” trial.
- The trial builds on a rich history of Duke studies to implement guideline-based treatments in acute cardiovascular care.

## Cardiac Arrest

- Approximately 350,000 people suffer out-of-hospital cardiac arrest (OHCA) per year in the US, and only 8% to 10% survive to hospital discharge.
- Nationally, less than 40% of patients receive bystander CPR and 29% have an AED applied prior to paramedic arrival.
- Median time from 911 call to paramedic arrival is more than 7 minutes, and more than 70% of patients do not receive timely defibrillation.
- Little evidence that these statistics have substantially improved despite 30 years of work.



...improved rates of bystander CPR and first responder defibrillation, associated with an observed 37% increase in survival...



# CPR

4 Life training "hands on CPR" is designed to make everyone feel more comfortable with doing chest compressions. Everyone can help to save a life; it just takes a little training and confidence.

## 4-Life Training



We have had many classes and are planning many more!



Roper Vol. Fire Dept.

1d · 🌐

We want to Thank Washington - Tyrell EMS and Firefighter Cliff Everett for working hard and advocating for Fire Departments in Washington County. Tonight Firefighter Cliff Everett presented Chief Spruill with a DONATED AED!

Thank you all for your hard work!!



Median time from 911 call to first CPR is approximately **6 minutes** and time to first defibrillation is approximately **12 minutes**.

# AED

The quick ability to apply an AED to a patient has a better chance of shocking their heart into a rhythm.

We have already had 3 donated and working for many more!

## Donated AED's

- The first three donated AEDs went to Plymouth FD and Roper FD
- We are working on getting more AEDs through other donations.
- Goal is to put them in all Fire Depts, Law enforcement cars, and in public places such as parks and recreation areas.



## Time frames

The faster "hands on CPR" and AEDs are applied the better chance the patient has.

With more people in the community with the ability to assist the better the chances are of life saves.

3 minutes without air to the brain begins cellular damage to the brain. We **MUST** make every second count!



# So, I bet you are asking “what do you want?”

WE NEED YOUR SUPPORT! WITH EVERY SECOND COUNTING WE NEED ALL HANDS-ON DECK.

WE ARE ASKING THAT YOU MAKE IT MANDATORY FOR ALL COUNTY EMPLOYEES TO HAVE HANDS ON CPR TRAINING. OF COURSE, WE ARE HAPPY TO TEACH EVERYONE.

**Thank you!**



Mr. Potter asked Ms. Ward: “What do you want?” Ms. Ward said she would like a strong recommendation for all county department heads and employees to learn CPR. She will teach them.

Commissioner Spruill asked if a policy could be created for all employees to learn CPR. Mr. Potter said he will talk to HR about it along with customer service training at the upcoming Department Head meeting. Chair Walker asked for an update on this at the next meeting.

REZONING PUBLIC HEARING: Mr. Potter wanted the Board to know that this is not a quasi-judicial hearing. Mr. Potter also handed out a land survey that was omitted from the Board package. Mr. Potter went over the following information.



COUNTY OF WASHINGTON  
BOARD OF COMMISSIONERS

COMMISSIONERS:  
JULIUS WALKER, JR., CHAIR  
ANN C. KEYES, VICE-CHAIR  
TRACEY A. JOHNSON  
JOHN C. SPRULL  
CAROL V. PHELPS



POST OFFICE BOX 1007  
PLYMOUTH, NORTH CAROLINA 27962  
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ADMINISTRATION STAFF:  
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FINANCE OFFICER  
mdixon@washconc.org

JULIE J. BENNETT, MMC, NCMCC  
CLERK TO THE BOARD  
jbennett@washconc.org

**AGENDA ITEM MEMO**

**MEETING DATE:** November 6<sup>th</sup>, 2023 **MEMO Date:** November 3, 2023  
**SUBJECT:** Rezoning Application Z090723-01 from Jernigan Properties, Inc.  
**DEPARTMENT:** Planning  
**FROM:** Curtis S. Potter, County Manager/County Attorney (CM/CA)

**ATTACHMENTS:**

- A- Planning Board Recommendation (1pg)
- B- Planning Board Minutes excerpts re 10/19/23 Public Hearing for Rezoning Application (7pgs)
  - Includes Chronological Timeline presented at hearing
  - Includes Statement of Reasonableness and Consistency with the Washington County Land Use Plan presented at hearing
  - Includes full list of current permitted uses of CC zoned property
- C- Published Notice of Hearing verification (1pg)
- D- Mailed Notice of Hearing list and verification (1pg)
- E- Surrounding Landowners List (2pgs)
- F- Article IV, Section B: Applicant's written responses to statements of purpose, feasibility and justification of the proposed amendment (3pgs)
- G- Rezoning – Staff Overlay Map (for illustrative purposes showing proposed rezoning area) (1pg)
- H- Draft Ordinance to Amend the Official Zoning Map (2pgs)
- I- Boundary and Recombination Survey dated 8/16/23 (1pg)

**PURPOSE:** To conduct a public legislative hearing to consider an application submitted by Jernigan Properties Inc. to rezone 10.427 acres as shown in a plat entitled "Boundary and Recombination Survey for Jernigan Properties Inc." prepared by Paul J. Toti Land Surveying, PC. Dated 8/16/2023 project # 23042, from its current R-A (Residential Area Single Family District) to C-C (Corridor Commercial/Retail Commercial District).

**BACKGROUND:**

- A. Refer to the Planning Board Public Hearing Minutes (including a staff created timeline and reasonableness statement) along with the other attached materials (including the applicant's written responses to information requested pursuant to Article IV, Section B of the Washington County Zoning Ordinance, and the Survey and staff created Overlay Map illustrating the location of the proposed rezoning.

- B. Adam Lovelady of the UNC School of Government provides a good general overview of the procedures for legislative development decisions in the following Coates' Canons Blog Post:  
<https://canons.sog.unc.edu/2021/10/procedures-for-legislative-development-decisions/>

**ANALYSIS:**

- A. **Zoning Map Amendments:** A request to rezone certain property is treated the same as a request to amend the zoning ordinance itself, and is considered a legislative decision making process rather than a quasi-judicial decision making process. Such zoning amendments are governed by the applicable provisions of NCGS 160D and the Washington County Zoning Ordinance including without limitation Article IV thereof entitled "Zoning Amendments".
- B. **Legislative Public Hearing Procedures:** Per NCGS 160D-601 "before adopting, amending, or repealing any ordinance or development regulation... the governing board shall hold a legislative hearing." A legislative hearing is a hearing to solicit public comment on a proposed legislative decision. These hearings have commonly been referred to as public hearings and notably, are different from quasi judicial or other evidentiary hearings.
- i. A formal legislative hearing on a proposed amendment is a chance for citizens to make their views known directly to the governing board. Because a legislative hearing is not an evidentiary hearing, there is no need to have sworn testimony. (Evidentiary hearings are required for appeals, variances, and special use permits).
  - ii. In a legislative hearing, citizens are free to offer their personal opinions and views in the hearing and to lobby board members before and after the hearing. The board need not make any formal findings of fact at the conclusion of the hearing, though a written statement briefly setting out the board's rationale for its decision on any zoning amendment is required.
  - iii. Nevertheless, it is important that these legislative hearings to conducted fairly. Reasonable rules may be established to limit the number of speakers, the amount of time each speaker is given, and the overall length of the hearing. The board is not obligated to allow everyone present to speak. Speakers can also be required to limit their remarks to the subject of the hearing.
- C. **Consistency Statement:** Per NCGS 160D-605 to amend the zoning ordinance, the governing board must approve a statement describing whether that action is consistent or inconsistent with the jurisdiction's adopted comprehensive or land use plan. That statement need not be long but should briefly describe how the decision is or is not consistent with the plan.
- D. **Reasonableness Statement:** Per NCGS 160D-605 for zoning map amendments (rezonings), the governing board must also adopt a statement of reasonableness for the rezoning. This statement can be combined with the consistency statement if desired and approved in the same motion as the final decision or action taken or separately. In considering reasonableness, the board may consider, among other factors,
- i. The size, physical conditions, and other attributes of the area proposed to be rezoned,
  - ii. The benefits and detriments to the landowners, the neighbors, and the surrounding community,
  - iii. The relationship between the current actual and permissible development on the tract and adjoining areas and the development that would be permissible under the proposed amendment;
  - iv. Why the action taken is in the public interest; and
  - v. Any changed conditions warranting the amendment.

- E. Scope of Review & Impact of Decision: It is also important to remember that although the application for rezoning includes certain site specific information about potential plans for development, the legislative review process should not be focused on any site specific details (which are tentative plans and are not guarantees or conditions), but should instead be focused on the potential impacts of changing the zoning upon the property in question regardless of what its eventual use or site development might actually turn out to be. If the property is rezoned, the current or future owner of the property could ultimately develop it into any other use which is permitted under the new zoning district without recourse. Any further development of the property will remain subject to applicable building permit approval and/or site approval requirements of NCGS 160D and/or the Washington County Zoning Ordinance.

**FINANCIAL IMPACT**: No known direct financial impacts. Indirectly rezoning of this property to C-C could potentially lead to its commercial development and corresponding property tax base growth.

**RECOMMENDATION(S)**: After reviewing the attached materials, staff recommends:

A. **CONDUCT a PUBLIC LEGISLATIVE HEARING ON THIS MATTER**

- i. Open the public hearing
- ii. Announce any rules applicable to public hearing participation (sign up, time limits, etc)
- iii. Staff presentation of the Application and Planning Department Recommendation
- iv. Hearing Participant Comments (in signup sheet order)
- v. Board Questions & Discussions

J- Consistency with current plans

K- Reasonableness

- vi. Close the public hearing

B. **MOTION TO:**

- i. Continue the public hearing to another specific date/time/location if desired;

or

- ii. Deny the application;

or

- iii. Approve the application by adopting the attached Ordinance Amending the Official Zoning Map of Washington County

**Planning Board Recommendation by Motion:**

Recommend to the Washington County Board of Commissioners to conduct a public hearing and consider **approval** of the request on behalf of Jernigan Properties to change the zoning designation of a 10+ acre parcel from R-A Residential Area Single Family District to C-C Corridor Commercial/Retail Commercial District, based on Article 4 of the Washington County Zoning Ordinance, Reasonableness and Consistency with the Washington County Land Use Plan, and in accordance with NC G.S. 160D.

**Members :**

Katie Walker, Chair Katie Walker

Mary Barnes, Vice-Chair Mary Barnes

Charles Weathersbee Charles Weathersbee

Thomas Patrick Thomas Patrick

Estelle Sanders excused prior to meeting

Keith Davenport Keith Davenport

Marty Swett excused prior to meeting

Allen Pittman, Director Allen Pittman

Ann Keyes, Commissioner Representative \_\_\_\_\_

October 19, 2023

#Z090723-01

Jernigan Properties, Inc.

Washington County Planning Board  
PUBLIC HEARING  
MINUTES and NOTES  
OCTOBER 19, 2023

**Timeline – Zoning Amendment – Planning Board**  
**Z090723-01 Jernigan Properties, Inc.**

9/7/2023 Re-zoning application submitted for (c) the zoning district classification of property **Article 4, Section A.3.** Petition of the contract purchaser with the owner's written consent, or the owner's agent with the owner's written consent, or the property which is the subject of the proposed amendment

9-7-2023 9:30am Zoning **Article 4: C** Pre-application Conference Requirement with Planning Coordinator and Staff Review Committee

9-11-2023 **Article 4 Section D.1** Planning Coordinator has 14 days to determine completeness and respond to applicant. Correspondence should outline any deficiencies in application to be corrected. No further action until completed application is approved by Planning Coordinator.

9-18-2023 **Article 4 Section D.2** Planning Coordinator has 30 days from receipt of complete application to prepare a staff report outlining the review findings and other relevant comments and recommendations related to amendment and forward to the Planning Board for review – prior to the first public meeting scheduled.

09-21-2023 10-19-2023 scheduled **Article 4: Section E . 1 – 3.** After a review of a *complete* application on the proposed amendment by Planning Board, set Legislative Public Hearing date on proposed amendment.

10-4-23 and 10-11-2023 Roanoke Beacon **Article 4: Section E.3** Notice of hearing shall be published two consecutive calendar weeks; the first time not less than 10 days prior to the hearing date. Notice shall contain all pertinent information related to the change, indicating the area affected by recognizable landmarks and the exact change being requested and citing the ordinance affected. Mailed first class letter to all adjoining landowners with notice of hearings.

10-5-2023 **Article 4: Section F. 1-3** PUBLIC NOTICE sign indicating zoning case number and other information shall be placed on the property *fourteen (14) days prior to the public hearing* and shall remain until action by the Board of Commissioners

10-19-2023 **Article 4: Section E.3** After the hearing, the Planning Board shall prepare and by motion adopt its recommendation, which may include changes to the original proposal resulting from the hearing and shall report such recommendations, together with any explanatory material to the Board of Commissioners.

*cab 10/23/23* **Article 4: Section E.4.** The Planning Board must report to the Commissioners within 35 days (October 26, 2023) of the date of the first Planning Board meeting on this request or it shall be deemed a recommendation for approval, unless the application has been withdrawn.

**PUBLIC HEARING**  
**LEGISLATIVE HEARING FOR REZONING APPLICATION**

**Chair Walker** called for a motion to move the Planning Board into a public hearing:

Motion: Mary Barnes

Second: Keith Davenport

**\*\*The Board Chair shall call the hearing to order and proceed to allow public input in accordance with adopted rules...**

**Chair Walker:** The Public Hearing on the matter of a zoning classification change from R-A ( residential Area single Family Residential District) to C-C (Corridor Commercial retail Commercial District) is now open. The information this Board can consider in the deliberation can be found in Article 4: Zoning Amendments of the Washington County Zoning Ordinance, and Article 6 of NC GS 160D. The zoning classification is not site plan specific, and follows the land.

The Washington County Planning Board was established to advise the Board of Commissioners on all matters related to the orderly growth and development of Washington County. NC G.S. 160D-301 outlines the duties of the Planning Board to include:

*To advise the governing board concerning the implementation of plans, including, but not limited to, review and comment on all zoning text and map amendments as required by G.S. 160D-604.*

The Planning Board shall advise and comment in writing on whether the proposed action is consistent with any comprehensive plan or land use plan that has been adopted. This recommendation is not binding upon the governing board(Commissioners).

The hearing mandated prior to the governing board action on a zoning change is a legislative hearing. Public Hearings on legislative zoning decisions must be conducted in a fair and impartial manner designed to receive citizens' comments on the substance of the proposed action. The purpose of the hearing is to secure

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broad public comment on the proposed action; the Planning Board is hearing comments, not hearing evidence. This hearing does not require speakers to be sworn in.

Each speaker will, however, sign the sheet provided and provide their name and address. Time for speaking is limited to three minutes or less, and participants are required to act in a fair and reasonable fashion. Has everyone who wishes to speak signed the roster? If not, please do so now. If so, we will begin the hearing.

**Chair Walker:** Mr. Pittman, will you please read the information pertinent to this request for a zoning amendment?

Mr. Pittman handed the members of the Board a copy of the survey map, the application, and supporting documents to review before he began. These documents were reviewed at the September 21 meeting as a reference before setting the hearing date.

#### **Timeline – Zoning Amendment – Planning Board Z090723-01 Jernigan Properties, Inc.**

9/7/2023 Re-zoning application submitted for (c) the zoning district classification of property **Article 4, Section A.3.** Petition of the contract purchaser with the owner's written consent, or the owner's agent with the owner's written consent, or the property which is the subject of the proposed amendment

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9-11-2023 **Article 4 Section D.1** Planning Coordinator has 14 days to determine completeness and respond to applicant. Correspondence should outline any deficiencies in application to be corrected. No further action until completed application is approved by Planning Coordinator. **NO DEFICIENCIES -**

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Chair Walker: Who represents the application? Please state your name and address. Will you provide comments?

Mr. Pittman stated The Planning Department will represent the application, since rezoning is legislative in nature, and the facts to be considered are found in the zoning ordinance and the General Statutes under 160D. The property, once rezoned for Commercial will be subject to Washington County Zoning Ordinance, and details of a plan for construction, although provided and required for the application, is not to be considered in the outcome of the recommendation for zoning classification. He read the following:

**Zoning Change/Amendment Application**

**#Z090723-01**

**Jernigan Properties, Inc.  
P.O. Box 688  
Ahoskie NC 27910**

### **Statement of Reasonableness and Consistency with the Washington County Land Use Plan**

On September 7, 2023, Jernigan Properties, Inc. presented a Petition of Zoning Change/Amendment of Zoning Ordinance for the purpose of changing the zoning classification of a 10 acre parcel of property located on Highway 45 N from RA (Residential Area Single Family Residential District) to C-C (Corridor Commercial Retail Commercial District).the intent for this property rezoning is to construct and operate a truck stop/gas station/convenience store/food service partner. The application met all the requirements



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B. Permitted Uses

- a. Automobile and light vehicle dealerships and retail sales establishments (with service and repair facilities as an ancillary use).
- b. Banks and Financial institutions
- c. Business services and office supply establishments
- d. Car Washes
- e. Churches and places of worship
- f. Convenience stores (with or without gasoline sales)
- g. Fast-food restaurants
- h. Funeral Homes
- i. Gasoline sales establishments with no repair services and no vehicle storage
- j. Health club, spa, or fitness center
- k. Hotels and motels
- l. Commercial Kennels
- m. Laundromats/Dry Cleaners
- n. Light intensity wholesale trade
- o. Medical office facilities
- p. Mini-Storage warehouses, with no exterior storage
- q. Movie theaters
- r. Offices (general and professional)
- s. Parking lots (public and private)
- t. Personal service establishments; i.e. hair salons, barber shops (adult businesses are prohibited)
- u. Plant nurseries
- v. Private post office and delivery services
- w. Public uses
- x. Repair service
- y. Restaurants
- z. Retail sales and leasing establishments aa. Shopping Centers bb. Veterinary Clinics (with no outdoor kennels)

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C. ~~Special~~ Special Use Permits

- a. Any use incorporating a drive-thru facility
- b. Auction establishments
- c. Bed and Breakfast, inn or tourist home
- d. Communication towers and antennas
- e. Commercial recreation facilities (indoor and outdoor)
- f. Conference Centers
- g. Frozen food lockers
- h. Hospitals and health care facilities (inpatient and out-patient services)
- i. Light warehousing

- j. Research and Development activities
- k. Daycare (Adult and Child)
- l. Private clubs and lodges
- m. Schools, colleges and universities (public or private)

**Chair Walker:** May I have the list of speakers? **THERE WERE NO SPEAKERS**

**Chair Walker:** Does any member of the Board have any comments or questions for the applicant with regard to the request as it pertains to the Washington County Ordinance Section 4 or Section 6 in the General Statute 160D?

**NONE STATED**

**CHAIR WALKER:** If there is nothing further, do I hear a motion to close the Public Hearing:

Motion: Mary Barnes

Second: Thomas Patrick

VOTE: all present voted yes; the motion carried

**\*\*Chair Walker:** The legislative Public Hearing on the matter of a zoning classification change from R-A to C-C on a 10 + acre tract located at NC 45 N and US 64 E in the Plymouth township is now closed.

Thank you for your comments and questions.

NOTICE OF PUBLIC HEARING:

The Washington County Planning Board will conduct a public hearing on the matter of a request for a change in zoning classification from R-A: Rural Areas Single Family Residential District, to C-C: Corridor Commercial Retail/Commercial District. The Hearing will be conducted on Thursday, October 19, 2023 at 1:00pm in the Washington County Commissioner's Room at 116 Adams Street in Plymouth.

Subject Property is a 10.427 acre tract consisting of a combination of all or parts of multiple parcels in the Plymouth township under the Washington County zoning authority and described as follows:

*Beginning at southwest corner of intersection of NC Highway 45 and Us Highway 64. Thence running with and along the northern right of way of Highway 64 in a westerly direction to an iron rod set at the newly established corner of this tract and the Kevil Arnold property. Thence along a newly established line with Arnold in northerly direction 685.54 feet to an existing iron rod on the boundary line of Nancy Ward, thence in an easterly direction with Ward 663.74 feet to an iron rod set on the western right of way of NC Highway 45. Thence in a southerly direction with and along the right of way and its various courses to the point of beginning. The plat entitled "Boundary and Recombination Survey for Jernigan Properties, Inc." prepared by Paul J. Toti Land Surveying, PC dated August 16, 2023 can be viewed in the Washington County Planning and Inspections office.*

References for the initial hearing by the Planning Board are found in the Washington County Zoning Ordinance Article 4: Zoning Amendments; Article 3: Zoning Districts; NC G.S. 160D Article 6: Development Regulation.

Pursuant to G.S. 160D-601, and Washington County Zoning Ordinance Article 4, Section G, the Washington County Governing Board (Commissioners) shall hold a Public Hearing in conjunction with their regularly scheduled meeting on Monday, November 6, 2023 at 6:00pm in the Commissioner's Room at 116 Adams Street in Plymouth to determine the outcome of this application requesting a change in zoning classification.

**Verified from Roanoke Beacon on October 4 and again on October 11, 2023  
10-4-2023 Mailed to list of adjoining landowners and businesses via first class mail**

**Connie Barnes  
Planning Staff**



# WASHINGTON COUNTY

PLYMOUTH, NORTH CAROLINA

*mailed to adjoining  
landowners by selling  
parties 10/4/23  
cab*

P.O. BOX 1007  
27962

## NOTICE OF PUBLIC HEARING:

The Washington County Planning Board will conduct a public hearing on the matter of a request for a change in zoning classification from R-A: Rural Areas Single Family Residential District, to C-C: Corridor Commercial Retail/Commercial District. The Hearing will be conducted on Thursday, October 19, 2023 at 1:00pm in the Washington County Commissioner's Room at 116 Adams Street in Plymouth.

Subject Property is a 10.427 acre tract consisting of a combination of all or parts of multiple parcels in the Plymouth township under the Washington County zoning authority and described as follows:

*Beginning at southwest corner of intersection of NC Highway 45 and Us Highway 64. Thence running with and along the northern right of way of Highway 64 in a westerly direction to an iron rod set at the newly established corner of this tract and the Kevil Arnold property. Thence along a newly established line with Arnold in northerly direction 685.54 feet to an existing iron rod on the boundary line of Nancy Ward, thence in an easterly direction with Ward 663.74 feet to an iron rod set on the western right of way of NC Highway 45. Thence in a southerly direction with and along the right of way and its various courses to the point of beginning. The plat entitled "Boundary and Recombination Survey for Jernigan Properties, Inc." prepared by Paul J. Toti Land Surveying, PC dated August 16, 2023 can be viewed in the Washington County Planning and Inspections office.*

References for the initial hearing by the Planning Board are found in the Washington County Zoning Ordinance Article 4: Zoning Amendments; Article 3: Zoning Districts; NC G.S. 160D Article 6: Development Regulation.

Pursuant to G.S. 160D-601, and Washington County Zoning Ordinance Article 4, Section G, the Washington County Governing Board (Commissioners) shall hold a Public Hearing in conjunction with their regularly scheduled meeting on Monday, November 6, 2023 at 6:00pm in the Commissioner's Room at 116 Adams Street in Plymouth to determine the outcome of this application requesting a change in zoning classification.

*Equal Opportunity Employer*

Adjoining Landowners  
45/64 RE-Zoning for Jernigan

*mailed  
first class  
mail*  
*10/4/23  
Cowan  
Barrow*

Charles and Virginia ✓ H. Roberson	<del>2985</del> 2914 <del>2928</del> US Hwy 64 East	Plymouth NC	6787.00-29-1956 and 6787.00-29-3851
Maurlio Taxtho-Perez ✓	2940 US Hwy 64 East	Plymouth NC	6787.00-29-4852
3MR LTD Partnership ✓	2640 Old Bailey Hwy	Nashville NC 27856	6787.00-47-0624
Edward Briley ✓	120 Hillard Drive	Plymouth NC 27962	6787.00-29-7758
Dorothy Hawkins Heirs c/o Deborah Brown ✓	2929 US Hwy 64 East	Plymouth NC 27962	6788.00-20-3023
Weyerhaeuser ✓	205 Perry Lane Road	Brunswick GA 31525	6787.00-75-2688
Coast Properties, Inc. ✓	P.O. Box 67	Hertford NC 27944	6787.00-39-0419
Hollingshead Material LLC ✓	1000 Hollingshead Circle	Murfreesboro TN 37129	6767.00-39-3835
Nancy Ward ✓	P.O. Box 67	Plymouth NC 27962	6788.00-11-2278
Wash Co Bd of Education (PK- 12 3177 US Hwy 64 East) ✓	802 Washington Street	Plymouth NC 27962	6788.00-30-4504
Washington County (Health Department 198 NC 45 N)	116 Adams Street	Plymouth NC 27962	6788.00-31-3118
REBA Phelps ✓	2849 US Hwy 64 East	Plymouth NC 27962	6788.00-10-8147
Lisa Johnson ✓	2867 US Hwy 64 E	Plymouth NC 27962	6787.00-29-0975
Washington County ✓	P. O. Box 1007	Plymouth NC 27962	6788.00-51-0563
<del>Nancy B. Ward duplicate</del>	<del>P.O. Box 67</del>	<del>Plymouth NC 27962</del>	<del>6788.00-11-2278</del>
Kevil Arnold ✓	19618 Chaparral Berry Drive	Cypress TX 77433	6788.00-20-4055
Modlin Rentals, LLC ✓	2525 Grey Farm Road	Jamesville NC 27846	6788.00-20-4055

Adjoining Landowners  
45/64 RE-Zoning for Jernigan

<b>LANDOWNERS:</b>			
Kevil Arnold ✓	19618 Chaparral Berry Dr	Cypress TX 77433	6788.00-20-3353 and 6788.00-20-8460
Robin Bond ✓	3023 US Hwy 64 East	Plymouth NC 27962	6788.00-20-8460
Nancy Ward ✓	P.O. Box 67	Plymouth NC 27962	6788.00-11-2278
Modlin Rentals, LLC ✓	2525 Grey Farm Road	Jamesville NC 27846	6788.00-20-9194

**Article IV, Section B**

**7. Statement of purpose, feasibility and justification of the proposed amendment, to include:**

**a. A statement addressing the relationship of the proposed zoning to the Land Use Plan or any adopted Ordinance, land use plan, facility plan or other County document which may be related to the application.**

The site is located at a major intersection of Hwy 45 and Hwy 64. A vast number of 18-wheeler traffic travels Hwy 45 South through this intersection to Hwy 64 West in route to Weyerhaeuser each day, year round. During the summer months, there is a heavy volume of traffic traveling Hwy 64 to the Outer Banks. During the winter months, many locals travel through this intersection on the way to the local K-12 school (currently being re-built). As being on a major thoroughfare, this site will utilize the existing Land Use Plan of providing a service to the community and businesses in the area. The development will provide jobs and convenience of fueling and an eating establishment.

**b. A statement addressing the physical, transportation, public infrastructure, community facilities, schools and environmental impact of the proposed land use(s) for the property to be rezoning.**

The site is proposing two driveways into the site for ease of access and exit onto heavily traveled highways. A turn lane along Hwy 45 into the site is proposed to allow traffic to easily maneuver off Hwy 45 into the site without impeding traffic flow to the intersection. This driveway is currently located adjacent to the existing driveway of the school. With the new school being built, we plan to work with the NCDOT and Planning Board to adjust the driveway location with the new site plan of the school as much as possible. This will help ensure that traffic flowing from the site to the school has easy access. Land area has been set aside on-site for a stormwater system to ensure no negative environmental impacts of stormwater run-off.

**c. Description of areas having environmental or historic significance.**

Site is outside of any environmental or historic significance.

**d. Description of proposed development, including a statement addressing the impact of the development on adjoining properties and neighborhoods.**

The proposed commercial development will consist of a convenience store with both gas and diesel fueling stations, a food partner (type to be determined) and 18-wheeler parking. This development will bring a convenience to both the local residents, as well as, the heavy truck traffic and beach traffic traveling along Hwy 45 and US 64. The truck parking will allow an area for truckers to park instead of using local abandoned parking lots and businesses that they should not be parking in within the County and Town of Plymouth. With businesses located both directly across US 64, the new school being built directly across Hwy 45 and the Health Department across Hwy 45, we will blend with the existing developments in place. These businesses will have a place to get gas and food close to their offices as well as school traffic during the year. The use of a 6' high privacy fencing along the western and northern boundary lines that abut residential zoning will provide a nice, clean screening to the adjacent properties so that they will not be adversely affected with the development. Store managers and owners will ensure the property is kept clean and safe for everyone.



**Article IV, Section B**

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I, J. Michael Harrell, President of Kernigan Properties, Inc., attest that no member of the Planning Board or the County Board of Commissioners has any interest in the land to be rezoned either individually, by ownership of stock in a corporation owning such land, partnership, as the beneficiary of a trust, or the settler of an Irrevocable trust or whether any member of their immediate household has any such interest in the outcome of the decision.

Signed: J. Michael Harrell, President

Dated: 8-29-23

State of North Carolina

County of Hertford

I certify that the following person personally appeared before me this day, acknowledging to me that he signed the forgoing document J. Michael Harrell.  
(Name of Principal)

Date: 8-29-23

Deborah L. Jones  
Official Signature of Notary

Deborah L. Jones, Notary Public  
Notary's printed or typed name

My commission expires: 2-1-25





COUNTY OF WASHINGTON  
BOARD OF COMMISSIONERS

COMMISSIONERS:

JULIUS WALKER, JR., CHAIR  
ANN C. KEYES, VICE-CHAIR  
TRACEY A. JOHNSON  
JOHN C. SPRULL  
CAROL V. PHELPS



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ADMINISTRATION STAFF:

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cpotter@washconc.org

CATHERINE "MISSY" DIXON  
FINANCE OFFICER  
mdixon@washconc.org

JULIE J. BENNETT, MMC, NCMCC  
CLERK TO THE BOARD  
jbennett@washconc.org

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**ORDINANCE 2023-001**

**TO AMEND THE OFFICIAL ZONING MAP OF WASHINGTON COUNTY  
TO REZONE MULTIPLE PARCELS AT THE INTERSECTION OF US64 AND NC45**

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**WHEREAS**, Jernigan Properties, Inc. requests that the Official Zoning Map of Washington County be amended by rezoning multiple parcels of land, from the R-A (Rural Area Single Family Residential District) to the C-C (Corridor Commercial/Retail Commercial District); and

**WHEREAS**, the impacted parcels (or portions thereof) include the following: 6788.00-20-8460; 6788.00-11-2278; 6788.00-20-9194; 6788.00-20-3353; and 6788.00-20-4055; and

**WHEREAS**, a legislative public hearing was conducted on November 6<sup>th</sup>, 2023 in consideration of this request; and

**WHEREAS**, the Washington County Planning Board considered this proposed map amendment, identified as Z090723-01 at another legislative public hearing held on October 19<sup>th</sup>, 2023 and unanimously recommended approval; and

**WHEREAS**, in accordance with NCGS 160D-605, the Washington County Board of Commissioners finds the following:

1. That the proposed zoning map amendment is consistent with the Washinton County Land Use Plan; and
2. That the proposed zoning map amendment is deemed reasonable in light of the facts and circumstances presented.

WHEREAS, the Washington County Board of Commissioners, after hearing all persons wishing to comment on this request, desires to approve said request.

**NOW, THEREOFRE, BE IT ORDAINED BY THE WASHINGTON COUNTY BOARD OF COMMISSIONERS THAT:**

1. The Official Zoning Map of Washinton County is hereby amended to rezone all of that property more particularly described within a plat entitled "Boundary and Recombination Survey for Jemigan Properties Inc." prepared by Paul J. Toti Land Surveying, PC. Dated 8/16/2023 project # 23042 attached hereto and incorporated herein by reference from the R-A (Rural Area Single Family Residential District) to the C-C (Corridor Commercial/Retail Commercial District);
2. This Ordinance shall become effective upon the recordation of a deed actually combining such property into a single parcel by Jemigan Properties Inc. or its successors in interest at any time prior to December 31<sup>st</sup>, 2025. If no such action has occurred by such date, this Ordinance shall be deemed null and void.

Adopted this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Julius Walker, Jr.      Chair  
Washington County Board of Commissioners

ATTEST:

\_\_\_\_\_  
Julie J. Bennett, MMC, NCCCC  
Clerk to the Board

**Legal Description**

Subject property is in Washinton County , NC. Plymouth Township.

Subject property is a 10.427 acre tract consisting of a combination of all or parts of multiple parcels and is described as follows.

Beginning at southwest corner of intersection of NC Highway 45 and US Highway 64. Thence running with and along the northern right of way of Highway 64 in a westerly direction to an Iron rod set at the newly established corner of this tract and the Kevil Arnold property. Thence along a newly established line with Arnold in northerly direction 684.54' feet to an existing iron rod on the boundary line of Nancy Ward, thence in an easterly direction with Ward 663.74' to an Iron rod set on the western right of way of NC Highway 45. Thence in a southerly direction with and along the right of way and its various courses to the point of beginning. For a more detailed described see plat intituled "Boundary and Recombination Survey for Jernigan Properties Inc." prepared by Paul J. Toti Land Surveying , PC. Dated 8/16/2023 project # 23042.

**Commissioner Johnson made a motion to open the public hearing. Commissioner Keyes seconded; motion carried unanimously.**

Mr. Pittman spoke to the Commissioners about a recommendation from the Planning Board. The Planning Board received a Petition for a Zoning Change Order/Amendment of Zoning Ordinance from Jernigan Properties, Inc. to rezone an area from RA (Residential) to CC (Commercial). It is consistent with current Land Use Plan.

Commissioner Johnson asked why the Health Department did not check off on the paperwork. Mr. Pittman said this hearing is for changing the zoning from RA to CC. The Health Department would sign off on the project during the permitting process. Mr. Potter said he talked with the Town of Plymouth regarding the lift station around that area and there were no concerns.

Commissioner Spruill asked said if the Board were to rezone this area, what would happen to those properties. Mr. Pittman said they will remain as is for now. The developer has a certain period of time to reach out to the homeowners. The homeowners are required to get their lot lines straight and recorded.

Ms. Robin Bond, 3023 Hwy 64, Plymouth, did not want to sell her property, but she lost three dogs because the highway is so much busier than it was when she was growing up. She was worried about her grandchildren wandering onto the highway. She said she moved a month ago to somewhere quieter.

**Commissioner Keyes made a motion to adjourn the Public Hearing. Commissioner Phelps seconded. Motion carried unanimously.**

**Commissioner Keyes made a motion to approve the application by adopting the attached Ordinance Amending the Official Zoning Map of Washington County through the adoption of the draft ordinance. Commissioner Spruill seconded. Motion carried unanimously.**

EXEMPT FLEX TIME OFF POLICY: Mr. Curtis Potter, CM/CA, spoke to the Board on this matter and the went over the information below.

COUNTY OF WASHINGTON  
BOARD OF COMMISSIONERS

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ANN C. KEYES, VICE-CHAIR  
TRACEY A. JOHNSON  
JOHN C. SPRULL  
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CLERK TO THE BOARD  
jbennett@washconc.org

**AGENDA ITEM MEMO**

**MEETING DATE:** November 6<sup>th</sup>, 2023 **MEMO Date:** October 31, 2023  
**SUBJECT:** Flexible Time Off Policy for Exempt County Employees  
**DEPARTMENT:** Human Resources  
**FROM:** Curtis S. Potter, County Manager/County Attorney (CM/CA)

**ATTACHMENTS:**

**A- Proposed Resolution 2023-038(2pgs)**

**PURPOSE:** To adopt a resolution amending the Washington County Personnel Policy to establish a formal policy permitting exempt employees that regularly work overtime hours, to earn and accumulate a certain number of hours credit for that time, for future use toward time off requests, in a similar manner as compensatory time off is earned and used by non-exempt employees.

**BACKGROUND:**

- A. Diane Juffras UNC School of Government Blog Post: <https://canons.sog.unc.edu/2013/02/the-mysteries-of-comp-time-revealed/> provides a great broad overview of comp time, including a specific analysis of "Overtime or Comp Time for Exempt Employees" just before its conclusion which may prove useful for background and analysis purposes of this topic.
- B. Overtime (OT) is traditionally measured as the number of hours worked over 40 on a weekly basis.
- C. Compensatory time off ("Comp Time") is an alternative form of compensating non-exempt public employees uniquely available only to public employers. However, many private employers deliberately but mistakenly use this same term to refer to various time off systems which can cause confusion about the term's use and actual legal meaning.
- D. County employees track & report their total time worked using a monthly pay period/timesheet.
  - i. OT is calculated and reflected for each week in each monthly pay period/timesheet.
  - ii. Weeks are frequently split between two monthly pay periods/timesheets requiring constant carryover reconciliation from month to month.



- E. Non-Exempt (Most) Employees: Depending on the department and/or regular work schedule, non-exempt employees are compensated for OT worked by either being paid actual OT wages, or by being paid with Comp Time. Both methods are earned at a 1:1 rate for 37.5 hour employees until they reach 40 hours in a week, and then at a 1.5:1 or “time and a half” rate for all hours worked over 40 each week. Comp Time is also subject to certain legal limitations and regulations such as maximum caps on the amount that can be earned at any one time, reasonable use requirements, and cash out value upon separation.
- F. Exempt Employees: Unlike non-exempt employees, an employer is not legally required to pay any extra compensation to exempt employees for actual OT hours worked, but may do so voluntarily if desired. Due largely to the traditionally monthly format of county timesheets, and the lack of a clear policy about how exactly exempt employees should track and apply any actual OT worked against time off that is taken, different methods for doing so have periodically arisen and caused confusion for employees and the payroll office alike. Trying to determine a fair and consistent method for how many hours of actual time vs. sick or vacation time an exempt employee should be required to apply within each week, month, or year has been a persistent challenge in the absence of clear policy guidance on this matter. This is particularly true for those exempt employees who consistently work excessive amounts of overtime each week or month.

ANALYSIS:

- A. Extensive administrative discussions have been held over the years with HR, Finance, and some of the more frequently impacted departments including Finance, EMS, and DSS. From these discussions three primary alternative policy choices have been identified and further evaluated as follows:
  - i. Weekly Basis: Require exempt employees (and HR) to track, calculate, and apply any OT worked each week toward any other time taken off that same week. Under this method an employee might work sixty or more actual hours of overtime in a monthly pay period, but would still have to apply and use sick or vacation time in a single week in which they did not actually work the full number of hours that week. Not recommended.
  - ii. Monthly Basis: Require exempt employees (and HR) to track, calculate, and apply any OT worked each monthly pay period/timesheet toward any other time taken off during that same monthly pay period/timesheet. This method is much easier to track and account for due primarily to not having to make weekly calculations, and relying instead on monthly calculations which are more readily reflected in the same monthly pay period/timesheet format already in countywide use. It is also more flexible for the employee within an individual monthly pay period, but there may still be occasions when an employee ends up working an excessive amount of OT in their monthly pay period, or over several monthly pay periods, without any real opportunity to apply that time toward any sick or vacation time taken in those same pay periods. This could also result inadvertently from the often unforeseeable timing of illness and OT work schedules.
  - iii. Rollover Basis: Permit exempt employees (and HR) to track, calculate, and apply any OT worked each monthly pay period/timesheet toward any other time taken off in the same pay period/timesheet; and also to carryover the remaining balance of OT hours worked (up to a set limit to limit the value and potential abuse of this policy) to future pay periods/timesheets to be used for the same purpose of offsetting time taken off by the employee. The monthly timesheet format is already well suited to easily track and account for such time, in a similar manner as the county already currently tracks and carries over comp time balances for non-exempt employees.

This approach was also considered by staff to be the most flexible and equitable to balance the employers and employees needs while attempting to sustain employee morale and retention for the most impacted employees who consistently work OT hours every pay period/timesheet without additional compensation. Recommended.

- The proposed Resolution attached to this Memo sets out to establish this third policy by: Permitting exempt employees to accumulate up to one regular work week's worth of time credit (depending upon their regular weekly schedule of 37.5 or 40 hours) to be referred to as "Exempt Flex Time" and earned at a flat 1:1 basis (not 1:1.5 or time and a half). Flex Time will be tracked and useable by exempt employees in the same manner as non-exempt employees currently track and use Comp Time. However, unlike Comp Time, Flex Time shall have no independent monetary value, and shall be forfeited and lost upon an exempt employees separation or termination without any further compensation owed as a result of such loss.

**FINANCIAL IMPACT:** Nominal indirect expenses associated with potentially higher sick and vacation accrual values for impacted employees is technically possible. However, management believes the risk limitations created by virtue of the one week's worth of time limitation and non-payout provision will limit such risks. Management also believes the potential nominal risks are firmly outweighed by the higher value of maintaining uniformity in overall countywide time off practices and procedures, and in maintaining positive morale among critical exempt employees regularly working long uncompensated OT hours on a repetitive weekly and/or monthly basis.

**RECOMMENDATION(S):**

- 1. MOTION TO VOTE approving the attached Resolution 2023-038 as presented.**

COUNTY OF WASHINGTON  
BOARD OF COMMISSIONERS

COMMISSIONERS:  
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ANN C. KEYES, VICE-CHAIR  
TRACEY A. JOHNSON  
JOHN C. SPRULL  
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JULIE J. BENNETT, MMC, NCMCC  
CLERK TO THE BOARD  
jbennett@washconc.org

**RESOLUTION 2023-038**

**TO AMEND THE WASHINGTON COUNTY PERSONNEL POLICY  
TO INCLUDE A LIMITED FLEXIBLE TIME OFF POLICY FOR EXEMPT EMPLOYEES**

WHEREAS, the County Manager has recently recommended that certain revisions be made by amendment to the current Washington County Personnel Policy (the "policy") to more clearly address and guide employees and administrative staff in uniformly interpreting and implementing the terms and conditions of that policy under certain circumstances; and

WHEREAS, the Board desires to approve and make such recommended amendments to certain portions of the Washington County Personnel Policy as more particularly described below.

**NOW THEREFORE, BE IT RESOLVED AS FOLLOWS:**

1. That Article IV: Compensation; Section 2: Compensatory Time/Overtime of the Washington County Personnel Policy is hereby amended, revised and restated in its entirety as follows:

**Section 2: Overtime, Compensatory Time Off & Exempt Flex Time Off**

This policy shall not contravene the provisions of the Federal Fair Labor Standards Act (FLSA).

2. That a new section entitled "Exempt Flex Time" shall be inserted within and become a part of Article IV of the Washington County Personnel Policy as follows:

**Section 2D: Exempt Flex Time Off**

A regular exempt full time employee may be granted exempt flex time off at the rate of one hour per hour worked over their regularly scheduled number of hours (37.5 or 40) in a single workweek.

Similar to the use of compensatory time off, exempt flex time off may be used by eligible employees in lieu of vacation or sick time in the same pay period. Unused exempt flex time may also accumulate and carry forward for use in future pay periods, up to a maximum balance equal to the same number of regularly scheduled workweek hours for each eligible employee (37.5 or 40).

However, exempt flex time off has no equivalent monetary value, and no employee shall be paid for any unused exempt flex time off upon separation or for any other reason. Exempt flex time off is a voluntarily extended benefit subject to modification or rescission by the County at any time without further compensation.

The County Manager is also hereby authorized to adopt uniformly applicable limits on the maximum amount of exempt flex time off employees may use in any annual period.

3. Except as specifically stated and amended herein, the Washington County Personnel Policy, as previously modified or amended from time to time, and currently in effect as of the date of this Resolution shall remain in full force and effect hereafter.

Adopted this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Julius Walker, Jr., Chair  
Washington County Board of Commissioners

ATTEST:

\_\_\_\_\_  
Julie J. Bennett, MMC, NCMCC  
Clerk to the Board

Commissioner Spruill asked for an example. Mr. Potter said an employee would be able to bank up to one week for the next time period. It also said there is a provision to make sure this is not abused.

**Commissioner Phelps made a motion to approve the RESO 23-0038 to amend the Washington County Personnel Policy to include a limited flexible time off policy for exempt employees. Commissioner Keyes seconded. Motion carried unanimously.**

BOARDS & COMMITTEES:

**BEAUFORT COUNTY COMMUNITY COLLEGE (BCCC) BOARD OF TRUSTEES**

Ms. Bennett spoke to the Board about this. The Commissioners need to appoint a new additional trustee to the BCCC Board of Trustees. Currently, Ms. Linda West occupies one seat.

A Commissioner can hold this additional position.

**Commissioner Johnson made a motion to approve the appointment of Commissioner Julius Walker, Jr. to the BCCC Board of Trustees. Commissioner Keyes seconded.** Commissioner Spruill asked if Chair Walker wanted the position and Chair Walker replied that he did. **Motion carried unanimously.**

FINANCE OFFICER'S REPORT: Ms. Dixon went over the budget transfers and budget amendments that were in the Commissioners' Agenda Package.

Washington County  
**BUDGET TRANSFER**

**To:** Board of Commissioners  
**From:** Curtis Potter, County Manager  
Missy Dixon, Finance Officer  
**Date:** October 2, 2023  
**RE:** Facility Services

**BT #: 2024 - 037**

Please authorize the finance officer to make the following budgetary adjustments:

Account Code	Description	Old	+ or (-)	New
10-4265-601	Facility Services-Contracted Services-Security System	3,400.00	(900.00)	2,500.00
10-4265-602	Facility Services-Contracted Services-Exterminating	7,200.00	900.00	8,100.00
<b>Facility Services</b>		<b>10,600.00</b>	<b>-</b>	<b>10,600.00</b>

**Justification:**

This transfer is to correct the movement of monies on BT# 2024-032 within the Facility Services Department budget. I inadvertently transferred the monies from the Contracted Services Security System line instead of the Exterminating line.

**Budget Officer's Initials** CSG

**Approval Date:** 10/2/23

<b>Initials:</b>	<u>CSG</u>
<b>Batch #:</b>	<u>2024-037</u>
<b>Date:</b>	<u>10/2/2023</u>

Washington County  
**BUDGET TRANSFER**

**To:** Board of Commissioners  
**From:** Curtis Potter, County Manager  
Missy Dixon, Finance Officer  
**Date:** October 16, 2023  
**RE:** Airport

**BT #: 2024 - 038**

Please authorize the finance officer to make the following budgetary adjustments:

Account Code	Description	Old	+ or (-)	New
39-4530-550	Airport - Capital Outlay - Equipment	25,000.00	(422.00)	24,578.00
39-4530-450	Airport - Insurance	4,000.00	422.00	4,422.00
<b>Airport</b>		<b>29,000.00</b>	<b>-</b>	<b>29,000.00</b>

**Justification:**

This transfer is to move monies from Capital Outlay Equipment to the Insurance line to pay for an unanticipated increase in the Property/Liability Insurance for the Airport.

Budget Officer's Initials CSB

Approval Date: 10/16/23

Initials: CSB  
Batch #: 2024-038  
Date: 10/16/2023

Washington County  
**BUDGET TRANSFER**

**To:** Board of Commissioners  
**From:** Curtis Potter, County Manager  
Missy Dixon, Finance Officer  
**Date:** October 30, 2023  
**RE:** Water Operations/Treatment

**BT #: 2024 - 039**

Please authorize the finance officer to make the following budgetary adjustments:

Account Code	Description	Old	+ or (-)	New
35-7130-200	Water Operations-Supplies & Materials	25,000.00	(750.00)	24,250.00
35-7130-315	Water Operations-Training	2,000.00	(1,000.00)	1,000.00
35-7135-200	Water Treatment-Supplies & Materials	7,500.00	(750.00)	6,750.00
35-7135-315	Water Treatment-Training	2,500.00	(2,000.00)	500.00
35-7130-540	Water Operations-Capital Outlay-Vehicle	40,000.00	4,500.00	44,500.00
<b>Water Operations/Treatment</b>		<b>77,000.00</b>	<b>-</b>	<b>77,000.00</b>

**Justification:**

This transfer is to move monies in the Water Department Budget from various lines to Capital Outlay Vehicles to purchase a new truck that was approved during the budget planning process. Once the quotes were obtained, prices came in higher than expected, therefore resulting in this transfer.

Budget Officer's Initials CP

Approval Date: 10/30/23

Initials:	<u>MD</u>
Batch #:	<u>2024-039</u>
Date:	<u>10/30/2023</u>



Washington County  
**BUDGET AMENDMENT**

**To:** Board of Commissioners

**BA #: 2024- 040**

**From:** Curtis Potter, County Manager  
Missy Dixon, Finance Officer

**Date:** November 6, 2023

**RE:** Managers Office/Contingency/GF Fund Balance/Facility Services/Sheriff/Senior Center/Cooperative Extension/Recreation

Please authorize the finance officer to make the following budgetary adjustments:

Account Code	Description	Old	+ or (-)	New
10-3415-000	ABC Profit Distribution	(25,000.00)	(21,088.00)	(46,088.00)
10-3990-000	Appropriated Fund Balance-GF	(1,966,460.00)	13,138.00	(1,953,322.00)
10-4120-381	Managers Office-LOST Ref-Education	-	5,000.00	5,000.00
10-9990-000	Contingency	37,050.00	2,950.00	40,000.00
<b>Managers Office/Contingency/Fund Balance</b>				
10-3353-000	Insurance Proceeds	(14,902.00)	(32,133.00)	(47,035.00)
10-4265-256	Facility Services-Insurance Claims	21,964.00	32,133.00	54,097.00
<b>Facility Services</b>				
10-3540-070	Donations-Animal Control	-	(9.00)	(9.00)
10-4310-601	Donations-Animal Control	3,375.00	9.00	3,384.00
10-3542-000	Sheriff-ABC Board Funding	(2,400.00)	(3,980.00)	(6,380.00)
10-4310-602	Sheriff-ABC Board Funding	22,278.00	3,980.00	26,258.00
10-3540-020	Gun Permits Discretionary-County Portion	(1,430.00)	(680.00)	(2,110.00)
10-4310-611	Gun Permits Discretionary-County Portion	43,860.00	680.00	44,540.00
10-3540-030	Gun Permits-State Portion	(1,670.00)	(785.00)	(2,455.00)
10-4310-612	Gun Permits-State Portion	3,700.00	785.00	4,485.00
10-3540-040	Finger Printing	(340.00)	(130.00)	(470.00)
10-4310-613	Finger Printing	6,005.00	130.00	6,135.00
<b>Sheriff</b>				
10-3509-010	Senior Center Trips	(726.00)	(663.00)	(1,389.00)
10-5150-380	Senior Center Trips	1,549.00	663.00	2,212.00
<b>Senior Center</b>				
10-3500-270	Grant-SHIIP-Senior Health Insurance Information	(5,129.00)	(2,689.00)	(7,818.00)
10-6050-999	Grant-SHIIP-Senior Health Insurance Information	5,129.00	2,689.00	7,818.00
<b>Cooperative Extension</b>				
10-3360-000	Recreation-Donations	(195.00)	(804.00)	(999.00)
10-6120-650	Recreation-Donations	3,469.00	804.00	4,273.00
<b>Recreation</b>				
<b>Balanced:</b>		<b>(1,869,873.00)</b>	<b>-</b>	<b>(1,869,873.00)</b>

**Justification:**

This amendment is to do the following: increase the budget for the ABC Profit Distribution due to receiving more monies than originally budgeted-in doing this, we are budgeting monies for the Local Option Sales Tax Education not originally budgeted for, bringing our Contingency Budget back up to \$40,000 which was the original budget prior to having to use \$2,950 of those funds and we are reducing the fund balance appropriation with the remaining \$13,138; budget for additional insurance proceeds received for the lightning strike to the landfill scales and the final monies received for the totalled EM Truck; budget for additional revenues received for Animal Control Donations, ABC Board Funding, Gun Permitting and Finger Printing in the Sheriffs Budget; budget for additional revenues collected for Senior Center Trips; budget additional monies awarded to the Cooperative Extension for the SHIIP (Senior Health Insurance Information Program) Grant; and to budget for additional monies received for Recreation Donations.

**Approval Date:** \_\_\_\_\_

**Bd. Clerk's Init:** \_\_\_\_\_

<b>Initials:</b>	_____
<b>Batch #:</b>	_____
<b>Date:</b>	_____

Washington County  
**BUDGET AMENDMENT**

**To:** Board of Commissioners

**BA #: 2024- 041**

**From:** Curtis Potter, County Manager  
Missy Dixon, *Finance Officer*

**Date:** November 6, 2023

**RE:** School Capital Outlay/Water/Opioid/Projects and Grants/EMS

Please authorize the finance officer to make the following budgetary adjustments:

Account Code	Description	Old	+ or (-)	New
21-3230-402	Truist PK-12 Financing-Earned Income	(56,791.39)	(47,569.03)	(104,360.42)
21-5912-701	Truist PK-12 Loan-Earned Income	142,970.43	47,569.03	190,539.46
<b>School Capital Outlay</b>				
35-3810-000	DOT Utility Relocation Reimbursements	(176,600.00)	(1,490.00)	(178,090.00)
35-7130-380	DOT Utility Relocation Fees (100% Reimbursable)	176,600.00	1,490.00	178,090.00
<b>Water Operations</b>				
50-3290-000	Opioid-Interest Earned	(213.30)	(35.96)	(249.26)
50-9990-000	Opioid-Contingency	84,907.55	35.96	84,943.51
<b>Opioid</b>				
58-3290-000	Projects and Grants-Interest Earned	(4,491.68)	(755.01)	(5,246.69)
58-4100-001	Expenditure of Interest Earned	4,491.86	755.01	5,246.87
<b>Projects and Grants</b>				
37-3490-021	UNC PECC+ Program Grant	(300.00)	(300.00)	(600.00)
37-4330-653	UNC PECC+ Program Grant	6,625.00	300.00	6,925.00
<b>EMS</b>				
<b>Balanced:</b>		<b>177,198.47</b>	<b>-</b>	<b>177,198.47</b>

**Justification:**

This amendment is to do the following: increase the budget for additional Earned Income in the School Capital Outlay fund; increase the budgeted amount for the DOT Utility Relocations after receiving a more firm quote from the Engineer; increase the budget for additional Interest Earned in the Opioid Fund and the Projects/Grants Fund; and to increase the budget for the PECC+ Program in EMS after receiving a grant payment.

**Approval Date:** \_\_\_\_\_

**Bd. Clerk's Init:** \_\_\_\_\_

**Initials:**

**Batch #:**

**Date:**

Ms. Dixon apologized for omitting the extra report she promised during the Commissioners at the last meeting.

**Commissioner Phelps made a motion to approve the budget transfers/ amendments as presented. Commissioner Keyes seconded. Motion carried unanimously.**

Chair Walker thanked Ms. Dixon for all she does. Ms. Dixon said she is only one of many that keeps things going.

OTHER ITEMS BY CHAIR, COMMISSIONERS, COUNTY MANAGER/ COUNTY ATTORNEY OR CLERK:

Commissioner Johnson said today was an eventful day. She introduced guest speaker, Luke McGowan, Senior Advisor in the Office of Intergovernmental Affairs at The White House, during the general session of the upcoming RAC symposium. She said she also talked to him about the issues in Washington County. She now has his personal email and cell phone number to be able to continue their conversation.

Commissioner Spruill said he appreciated all the joint meetings we had with the three towns. He hopes the County can follow up to help them with some issues. He also said the new school is progressing nicely.

Commissioner Phelps said the Veterans Day Service will be held in front of the Creswell Town Hall and if it is raining it will be moved to the Ruritan Building. It will be Saturday, November 11 @ 11:00 AM. He also said he noticed the green light on the porch of the County Admin Building in support of the Veterans. He also agreed with Commissioner Spruill that the joint meetings were productive. He said water was a consistent issue with all three towns.

Commissioner Keyes agreed with the other Commissioners about the joint meetings. She also said she was appointed as the chair of the NCACC General Government Steering Committee. She noted there will be a food drop on Wed, 11/8 @ 10:00 am @ 101 June Street in Roper.

Commissioner Walker agreed with the other Commissioners about the joint meetings. He has seen some of the town council members since that meeting and they feel the same.

- a) Travel Per Diem Policy, Mr. Curtis Potter will bring to the next meeting. He also noted we are 10 days away from the start of a new Assistant County Manager.

Mr. Potter stated he had no legal issues so there is no need for a Closed Session.

With no further business to discuss, **Commissioner Spruill made a motion to adjourn. Commissioner Phelps seconded. Motion carried unanimously.**

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Julius Walker, Jr.  
Chair

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Julie J. Bennett, MMC, NCMCC  
Clerk to the Board