

**PASQUOTANK COUNTY, NORTH CAROLINA  
JANUARY 9, 2006**

The Pasquotank County Board of Commissioners met today in a regular meeting on Monday, January 9, 2006 in Courtroom C in the Pasquotank County Courthouse.

**MEMBERS PRESENT:** Cecil Perry, Chairman  
Lloyd E. Griffin III, Vice-Chairman  
Matt Wood  
Bill Trueblood  
John "Hank" Krebs  
Marshall H. Stevenson, Jr.  
Jeff Dixon

**MEMBERS ABSENT:** None

**OTHERS PRESENT:** Randy Keaton, County Manager  
Rodney Bunch, Asst. County Mgr. for Planning & Econ. Dev.  
R. Michael Cox, County Attorney  
Karen Jennings, Clerk to the Board

The meeting was called to order at 7:00 PM by Chairman Cecil Perry. The Rev. Charles E. McKenzie, Pastor of City Road United Methodist Church, gave the invocation and Vice-Chairman Lloyd Griffin led in the Pledge of Allegiance to the American Flag.

**1. QUESTIONS FROM BY MR. HEZEKIAH BROWN :**

Chairman Perry recognized Mr. Hezekiah Brown of 106 Terrilynn Way who said he moved to this area about two years ago and would like to raise three issues that concern him. Mr. Brown stated that the drainage system is very poor in the Peartree Place area where he lives. He asked who is responsible for making sure the ditches are dug out correctly and the drainage is maintained to insure an even flow of water. Chairman Perry advised Mr. Brown that there are regulations that govern the development of subdivisions to insure the drainage is installed correctly. He said if the lot is on a state-maintained road, the North Carolina Department of Transportation is responsible for maintaining the road and the ditches. He added that if the ditch is on the boundary between two properties, it would be the responsibility of the property owners to maintain the drainage.

Mr. Brown said there is a large pothole at the corner of Terrilynn Way and Pitts Chapel Road. He asked who would be responsible for repairing the pothole. Assistant County Manager Rodney Bunch advised if this is a DOT road, the pothole should be reported to the maintenance staff at the North Carolina Department of Transportation.

Mr. Brown stated that his last issue is in regard to contractors who commit to build a house within a certain period time and then take much longer to complete the job. He noted examples of contractors taking longer than the length of time promised when building his house and houses for his neighbors. He said it should not be up to the homeowner to harass a contractor if they give their word that they will do something. He suggested that there be some regulations put in place to require contractors to complete a job within a reasonable timeframe. Chairman Perry stated that this is something that would be between the homeowner and the contractor.

**2. PRESENTATION OF PINS TO EMPLOYEES FOR YEARS OF SERVICE:**

Chairman Perry called on the following county employees to receive pins recognizing their years of service to Pasquotank County:

Linda Bean, 20 years  
Donald Banks, 20 years  
Pam Collins, 15 years  
Mary Ann Aydlett, 15 years  
Ronald Collins, 10 years

The Board congratulated and thanked the employees for their service.

**3. PUBLIC HEARING ON REZONING REQUEST RR05-07 TO REZONE 148 ACRES OF LAND ON MAIN STREET EXTENDED FROM A-1 TO R-35A:**

Chairman Perry declared the meeting to be a public hearing on Rezoning Request RR05-07 to rezone 148 acres on Main Street Extended from A-1 to R-35A. He asked if anyone would care to address the Board regarding this rezoning request. At the absence of comments, the public hearing was closed. Assistant County Manager Rodney Bunch outlined the request by Mr. Glen Colson. He said the 1996 Land Use Plan classifies this parcel as conservation which is generally associated with natural areas, however some development is allowed which is intrinsically suitable to the area. The draft Land Use Map projects future mixed residential growth in this portion of the county. Mr. Bunch said the project is surrounded by farmland and scattered single family dwellings. The parcel requested for rezoning is a heavily wooded tract and is in flood zone X. Mr. Bunch explained that the current A-1 classification is defined as large, open land areas and the regulations are designed to retain the open characteristics of the land. The requested R-35A classification is for low-density residential areas and other open areas where similar development would be viable. The minimum lot size in the R-35A district would be 43,000 square feet, and mobile homes, manufactured homes, and manufactured homes-class A would not be permitted. Mr. Bunch said the site has about 1,550 feet of frontage along Main Street Extended. The N.C. Department of Transportation has suggested that all lots be accessed internally rather than fronting on Main Street Extended and that each parcel be limited to one street access to minimize the impacts to the roads. DOT would review the traffic impacts further when specific subdivision proposals are submitted. The site has been evaluated by the Health Department and it was found acceptable for the development of onsite wastewater treatment systems. The Army Corps of Engineers has also evaluated the site and determined that there are a few small areas that may be classified as wetlands, however the majority of the property would not be classified as wetlands. Mr. Bunch said there is an existing sixteen inch water main along Main Street Extended that would provide water service to the site. He stated that Dwane Hinson, District Conservationist, has reviewed the site and has no specific comments at the present time, but he noted that potential drainage issues would be addressed during the subdivision process.

Mr. Bunch stated that the Planning Board considered this zoning request several months ago on September 22, 2005 and heard comments from neighboring property owners regarding the impacts of the rezoning. The Planning Board voted to recommend denial of the rezoning request based upon heavy traffic flow, school capacities, concerns of neighboring land owners, and compatibility with surrounding land uses. Mr. Bunch noted that considerable time has passed since the Planning Board considered the request. He said the request to the Board of Commissioners was delayed due to the Board's decision to delay action on a rezoning request approximately  $\frac{3}{4}$  mile from this site in order to implement subdivision text amendment changes that required buffers for farming operations, interior streets for new subdivisions, and to insure that pre and post development runoff is considered in storm water design for subdivisions. Mr. Bunch stated that these issues have been addressed with new requirements for buffers for farming operations, requirements for subdivisions to have interior streets for all lots, and to ensure that drainage designs look at pre and post development.

Chairman Perry asked for comments from Commissioners. Commissioner Bill Trueblood stated that he is a proponent of the Land Use Plan and this parcel is located in an area where growth is being promoted. He said the concerns that were addressed by the Planning Board have been addressed through new regulations and he will support the rezoning request.

County Attorney Mike Cox reminded the Board that new planning laws have gone into effect that require the Board, prior to adopting or rejecting any zoning amendment, to adopt a statement describing whether its action is consistent with the adopted comprehensive plan and explaining why the Board considers the action being taken reasonable and in the public interest.

Commissioner Jeff Dixon said this is the fourth rezoning request within a one mile radius and he is getting concerned with the traffic on Main Street Extended. He stated that Main Street Extended is slated in the DOT Transportation Improvement Plan to become another connector road for the U.S. 17 Bypass and although a specific route has not been selected, this area may be impacted.

Commissioner Matt Wood stated that he would agree access is going to be an issue, however he feels that the Planning Board's issues have been addressed regarding agricultural buffers, interior streets, and drainage design with the changes that have just been made, therefore he will support the rezoning request. He added that he is concerned that the Board has never identified exactly where the second connector road should be located and he feels the Board should take some

definitive action on the connector road and begin getting aggressive about where it wants the road to go. He noted that if pressure continues to be put on Main Street Extended, there will soon have to be some relief for the traffic.

Chairman Perry stated that he feels the rezoning request complies with the Land Use Plan and is in an area where the Board has indicated it wants development to occur. He noted that the new regulations should address the concerns of the neighboring property owners and he will therefore vote in favor of the rezoning request.

Commissioner Hank Krebs stated that the Technical Review Committee could be requiring some easements along Main Street Extended so that when it is widened or a turn lane needs to be constructed the land will be available. Mr. Rodney Bunch explained that the Technical Review Committee could make recommendations for such, but it would have to be required during preliminary review by the Board of Commissioners. Mr. Joe Anlauf, engineer for the developer, explained that it is very typical for the North Carolina Department of Transportation, when applications are made for a driveway or road access onto a road such as Main Street Extended, to require turn lanes or deceleration lanes in order to work within the right of way, and he feels it will be required in this case. He added that a solution can be engineered for any of these traffic concerns.

Commissioner Marshall Stevenson stated that he has some concerns about the Main Street Extended corridor and the traffic on that road. He said the homes have not been built in the areas which have already been rezoned and he is not sure how many homes will be located in this area, however there could be as many as 250 to 300 additional homes with the five subdivisions that are going in. He asked what impact it would have on Main Street Extended when these subdivisions are built out and what impact it would have on the schools. He said the Board of Education is already asking for a new elementary school and a second one might be required as a result of the new construction. Commissioner Stevenson said the county has to foot the bill to build the schools and the taxpayers have to pay that bill. He added that the houses will not pay their way. He said at this time he is not in favor of the rezoning request until he can get some answers regarding these issues.

Motion was made by Hank Krebs, seconded by Matt Wood to approve Rezoning Request RR05-07 based on the current ordinances that have recently been adopted to address concerns regarding development, and also due to the fact this area will be designated for growth in the new Land Use Plan.

Discussion followed and Vice-Chairman Griffin expressed concerns regarding the impacts on Main Street Extended. Commissioner Dixon pointed out that this parcel is between two curves which could make ingress and egress dangerous. Ms. Bunch stated that the access point would be determined during the subdivision design process and could be located to provide for proper sight distance. Commissioner Stevenson noted that if another connector road to the bypass is being considered and if it goes near or through this parcel that is being requested to be rezoned, it would be hard to locate the road there once houses are built. He said he would like for the Board to consider where it would like for the connector road to be located before making a decision on this rezoning request. Commissioner Krebs stated that he would not want to see someone be punished because of the Board's failure to develop a proposal for the Transportation Improvement Plan.

The motion to approve Rezoning Request RR05-07 carried by a five to two margin with Commissioners Griffin and Stevenson voting against approval of the request.

#### **4. COMMENTS REGARDING JUNK VEHICLES:**

Chairman Perry recognized Mr. Dan Wendell of 411 Pineview Drive. Mr. Wendell stated that he is concerned with all of the junk vehicles in the county. He said wherever he goes in the county he sees junk vehicles, junk farm equipment, and buildings falling down. He stated that it is nonsense for neighboring property owners to have to put up with this because it decreases the value of their property and also causes infestation of rats and snakes. Mr. Wendell said on Pineview Drive there are seven vehicles that are not registered on which the county is receiving no tax revenue. He said there are probably 200 to 300 such vehicles in the county. He asked that the Board of Commissioners adopt an ordinance to prohibit junk vehicles and clean up the county.

Mr. Carl Estus of 412 Pasquotank Station Road said he would like to point out that getting rid of a vehicle is extremely hard. He stated that there are very few places in the county that will take old vehicles. He said abandoned vehicles are not being picked up along the roadways either in a timely manner.

Mr. Estus stated that he had previously discussed with the Board some traffic conditions in the county, however he had neglected to mention that the exits from the Halstead connector road to the bypass are hard to see at night, especially if it is raining. He suggested that the Department of Transportation be requested to place street lights at these exits. Commissioner Dixon said he would agree with Mr. Estus that this is a dark and dangerous intersection at night.

Commissioner Krebs stated that he would like to address the junk vehicle issue. He said there has been some discussion among members of the Board regarding junk vehicles. He suggested that regulations be developed to address junk vehicles and other junk and trash in yards. He stated that the Board needs to do something to clean up the county. He recommended that the Board instruct the County Attorney to bring to the Special Projects Committee some regulations or ordinances that can be used to address these problems. County Attorney Mike Cox stated that regulations have been drafted and are ready for the Special Projects Committee to review. He noted that General Statutes do not allow counties to take any action if there is a single vehicle on a piece of property. He explained that the Solid Waste Ordinance includes provisions to address trash in yards and the county Solid Waste Department staff and Planning Department staff are currently taking enforcement action at some locations.

Mr. Wendell stated that the City of Elizabeth City has an ordinance that prohibits junk vehicles in yards and he asked why the county does not have such an ordinance. The County Attorney advised that cities and counties have different authority in certain areas.

Commissioner Krebs suggested that the county identify and determine whether unlicensed vehicles have been listed and taxes paid on them.

Commissioner Wood reminded the Board that the position of enforcement officer was proposed in last year's budget to identify junk vehicles and eyesores, however this position was removed from the budget, therefore some of the responsibility for junk vehicles falls on the Board. It was suggested that this position be included in the upcoming budget.

Chairman Perry asked that the Special Projects Committee develop recommendations and guidelines in regard to junk vehicles and the possible hiring of an enforcement officer for the Board's consideration.

## **5. AMENDMENTS TO THE AGENDA:**

The Board considered the following amendments to the agenda:

### **a. Approval of Purchase of New Voting Equipment**

The Finance Committee has recommended approval of a request from the Pasquotank County Board of Elections to purchase new optical scan voting equipment from Election Systems & Software at a cost not to exceed \$193,789, the amount of the HAVA Election Fund grant.

Motion was made by Jeff Dixon, seconded by Matt Wood to approve the purchase of new optical scan voting equipment from Election Systems & Software at a cost not to exceed \$193,789. The motion carried unanimously.

### **b. Acceptance of Offer for Nags Head Property**

The Finance Committee has recommended that the Board accept the offer from Ocean Beach Club, LLC to purchase the 10.51 acre tract of land in Nags Head for \$9,450,050, along with the amended marketing fee that was reached between Advantis and Ocean Beach Club, LLC. The Board had previously proposed to accept an offer for the property and several upset bids were received. The last bid from Ocean Beach Club, LLC was not upset after the 10-day upset bid period and the Board can take final action to accept or reject the offer.

Motion was made by Bill Trueblood, seconded by Matt Wood to accept the offer of \$9,450,050 from Ocean Beach Club, LLC for the purchase of the 10.51 acre tract of land in Nags Head.

Discussion followed and Commissioner Krebs stated that this property belongs to Pasquotank County and does not belong jointly to anyone else. He said the county has no business giving a non-profit almost \$5 million when it has \$16 million in construction going on now. He stated that the county cannot even give the people north of town a football stadium and athletic fields for the high school and new middle school, but plans to give almost \$5 million to a non-profit corporation. Commissioner Krebs said he will be voting against accepting this offer.

Commissioner Stevenson asked if a public hearing is required in order to sell this property. Mr. Cox stated that public notice was given each time there was an upset bid. This process is authorized by General Statute as the negotiated offer and upset bid procedure. No further notice is required to sell the property once the ten-day upset bid period has expired.

The motion to accept the \$9,450,050 carried by a four to three margin with Commissioners Krebs, Griffin and Stevenson voting against the motion.

*c. Approval of Cost of Living Increases*

The Board considered a recommendation from the Finance Committee concerning cost of living salary increases for county employees.

Motion was made by Matt Wood, seconded by Jeff Dixon to approve cost of living salary increases up to 3% for county employees based on performance appraisal scores, and for the County Manager to bring back a recommendation for higher increases once Dr. Archer's formula is applied to the scores. The motion carried by a six to one margin with Commissioner Krebs voting against the motion.

**6. APPROVAL OF CONSENT AGENDA:**

The Board considered the following consent agenda:

*a. Approval of Minutes of December 19, 2005 Commissioner Meeting*

*b. Approval of Tax Releases*

The Finance Committee has recommended approval of the following tax releases:

		<b>County</b>	<b>City</b>
1.	Roscoe Poole, Jr.	170.01	145.61
2.	Colter Paul Blackford	238.06	
3.	Charlotte Marie Patterson		145.97
4.	Alvin Scott Obrien	145.43	109.84
5.	Courtesy Ford	150.55	120.07
6.	Courtesy Ford	150.53	120.07
7.	Courtesy Ford	150.53	120.07
8.	Courtesy Ford	160.02	127.64
9.	Courtesy Ford	160.02	127.64
10.	Courtesy Ford	104.63	83.45
11.	Courtesy Ford	102.36	81.64
12.	Courtesy Ford	134.78	107.51
13.	Courtesy Ford	159.94	127.57
14.	Courtesy Ford	134.78	107.51
15.	Courtesy Ford	119.83	95.58
16.	Courtesy Ford	115.13	91.83
17.	Robinson Mfg. Co.	214.00	
18.	Matthew S. Price		123.15
19.	Geoffrey Michael Barela	208.64	
20.	Shannon T. Flicker	138.72	105.01
21.	Frances T. Schenk	246.62	
22.	Birble Williams	148.00	
23.	Macie Deanne Miller	219.32	
24.	Melissa Ann Gibbs	145.91	121.38
25.	Scot Robert Hardwick	260.06	217.43
26.	Glennie Whidbee	275.60	194.30
27.	Kevin Johnathan Culley	178.92	
28.	James V. Farrell, Jr.		134.79

29.	Brian Robert Wilson	206.81	169.95
30.	Everett Rule Slagle	123.39	
31.	Amy Lynn Hamlett	105.34	
32.	George Willie Johnikins	226.55	185.70
33.	Sean Robey		218.89
34.	Chelsa Jo Williamson		107.11
35.	Larry Dyrone James		113.88
36.	Kim Wester Forbes	120.54	101.15
37.	Evan Nilsen	172.37	147.49
38.	Brian Ray Scull	261.66	218.71

Motion was made by Hank Krebs, seconded by Bill Trueblood to approve the consent agenda as presented. The motion carried unanimously.

The following tax releases and refunds less than \$100 have been approved by the Finance Officer since the last meeting:

Releases:

		County	City
1.	Arthur N. Johnson	43.89	
2.	Courtesy Ford, Inc.	81.06	64.66
3.	Courtesy Ford Inc.	81.05	64.66
4.	Michael Anthony Leis	41.03	32.73
5.	John Jernigan	48.32	
6.	Alexis Nicole Barrington	16.68	12.99
7.	Stacey Lemoyne Blankenship	31.25	
8.	Rose N. Gregory	3.61	2.81
9.	Jerry Demant Glasper, Jr.	45.92	35.77
10.	Venture 1 Property Management	7.39	5.89
11.	Sue Forbes Lee	7.09	5.66
12.	Marvin Douglas Harris	3.92	
13.	Patsy Williams Degroot	62.75	55.05
14.	Kristine M. Kreider	37.46	
15.	Irvin Thomas Huggins	13.80	10.75
16.	Donald L. Jones, Jr.	13.86	
17.	Donald Lee Barclift, Jr.	15.30	
18.	Lenard Jamal Griffin	19.48	15.54
19.	Timmy Alan Dewald	22.72	
20.	Thomas J. Henderson	27.67	22.07
21.	Brandon Allen Scott		71.00
22.	Jerry Lee Gaster	6.93	5.52
23.	Michael Conner Kurz	25.39	20.25
24.	James Ed Schiffbauer, Jr.	33.93	
25.	Neva Norfleet Hilts	80.84	67.98
26.	Rose Ann Beasly	4.49	
27.	Sean Alexander Collins	43.34	39.57
28.	Nataya Myers Harris	4.66	3.71
29.	Robert Kelley Upton		27.04
30.	Sarah Lynn Bonham	8.34	6.49
31.	Ronald Alonzo Wilson	13.33	10.38
32.	Keith Lonardo Smith	14.44	11.52
33.	Centura Bank Leasing	39.58	31.57
34.	Dianne G. Fletcher & Thomas J. Henderson etal.	19.32	15.41
35.	Joyce Bright	70.56	
36.	Katie Felton Ruffen	22.47	17.92
37.	Torreon Navon Creekmore	36.96	
38.	Shivonne Marie Mann	19.19	15.30
39.	Lantic Company, Inc.	26.37	21.03
40.	Barry Christopher Lowry	39.13	
41.	Leslie Kenneth Dunn		43.12
42.	Aaron Joseph Zahorski	41.54	
43.	H&H Ventures	75.94	
44.	Raymond Martin Potts	18.82	
45.	James Louis Brickhouse	2.10	
46.	Brenda Rebecca Jackson	39.61	
47.	Shields Robert Theron Gore	73.42	
48.	Ronnie Daniel Barefoot		86.18

49.	Todd Allen Crone	34.61	
50.	John Reed Bannow	41.97	
51.	Frank L. Hinson	11.95	
52.	Brandon Kyle Overman	7.94	
53.	J.W. Jones Lumber Co.	32.81	
54.	Robert C. Morris	34.18	

Refunds:

		County	City
1.	Lorion Thomas Ledkins	92.36	
2.	Timothy Edward Talbott	42.83	
3.	Tommy Eugene & Gloria Marie Hall	6.88	
4.	Tommy Eugene & Gloria Marie Hall	6.72	
5.	Craig Michael Frana		91.64

The following requests for release or refund of the solid waste availability fee have been approved by the Tax Administrator:

OWNER'S NAME	PARCEL ID NUMBER	REASON FOR RELEASE
Harold S. & Ann Chambers	P35-56	Uninhabitable for 6 years+
Roberta Baker Heirs	39-A-3	Unoccupied since 2002
Dixie G. Harrell	P126-58	Unoccupied since 1995
M.H. Stevenson, Jr.	P36-41	Unoccupied since 2004
Ruth W. Fodrey Lf Est.	40-A-454	Unoccupied for four years
Elnora G. Johnson	P110-69	Unoccupied since 1990's

#### **7. CONSIDERATION OF FINAL PLAT FOR MATTHEWS ACRES, PHASE 2:**

The Board considered the final plat for Matthews Acres, Phase 2 consisting of 19 lots on Stedman Lane East. Mr. Rodney Bunch explained that all outstanding items have been addressed and the plat has been signed by the Health Director. He advised that irrevocable standby letters of credit has been submitted in the amount of \$39,104 to guarantee street paving, and in the amount of \$47,061 to guarantee street maintenance. He stated that staff would recommend final plat approval.

Motion was made by Hank Krebs, seconded by Matt Wood to approve the final plat for Matthews Acres, Phase 2 as presented. The motion carried unanimously.

Vice-Chairman Griffin asked if there would be connectivity of water lines between the cul-de-sac and the tee in the road to increase water pressure and fire hydrant flow. Engineer Sean Robey explained that this section of the subdivision would not have a connection out of the cul-de-sac back to one of the other sections. He said this was not requested by the Water Department at the time the subdivision was designed. He stated that this ties into the existing water line on Lover's Lane.

Commissioner Wood noted that he continues to hear that contractors from Virginia are buying their materials in Virginia for jobs in North Carolina and are not paying the proper sales tax. He asked who is responsible for regulating this and how it is regulated. County Manager Randy Keaton explained that the end-user, for example the contractor who is building a house, is responsible for ensuring the taxes are paid. If the contractor picks up the materials in Virginia, he pays Virginia sales tax. If he has the items delivered to North Carolina, either the vendor who sells the items is supposed to charge North Carolina sales tax, or he himself is supposed to submit a form to the North Carolina Department of Revenue and pay the sales tax. Commissioner Wood asked if there is any systematic format for this to be reviewed. Mr. Keaton said there is no systematic method to regulate the payment of North Carolina sales tax on materials delivered from Virginia and enforce the penalties. He stated that he understands the Department of Revenue does however audit the firms regularly. Commissioner Wood suggested that Senator Marc Basnight be requested to help counties develop a better system of ensuring that these contractors pay North Carolina sales tax. Commissioner Krebs suggested that the Inspections Department ask to see receipts to show where products are purchased since they are on the job sites regularly. Mr. Keaton said it would be a question of what authority the county would have in this regard. He suggested that a representative from the North Carolina Department of Revenue come and explain to the Board what the laws are and how they can be enforced. The Board concurred with the recommendation.

**8. DISCUSSION ON SCOPING COMMENTS FOR WIDENING OF U.S. 158 FROM MORGAN'S CORNER TO SUNBURY:**

County Manager Randy Keaton explained that the North Carolina Department of Transportation has begun its project development and environmental engineering studies to evaluate the potential impacts of the widening of U.S. 158 from Morgan's Corner to Sunbury. The Department of Transportation has requested comments from the county regarding the potential impacts. Mr. Keaton said the Board has previously been interested in the drainage pipes under U.S. 158 and this might be an opportunity to include those comments as DOT considers widening the road to multi-lane. Commissioner Stevenson said he would agree with including the request for drainage pipes under U.S. 158 in the comments to DOT. He said this would help prevent another situation similar to the flooding that occurred following Hurricane Floyd when the water went over the Newland Dike. He explained that the pipes could even be configured in a manner so the water would have to get up to a certain level before it would spill into the pipes and empty onto the Perquimans side. He stated that he would encourage the Board to vote to have this included and to make a case for the pipes under the road in the comments to DOT. Commissioner Dixon asked if any information has been provided as to what type of road is being planned because the county's future Land Use Plan calls for commercial development on part of the road and if a limited access road were constructed it would affect commercial businesses. Mr. Keaton responded that the road would be a four-lane divided section with a wide grassy median, however the information from DOT does not specify whether it would be limited access. He said he would try to obtain this information. Commissioner Dixon said there are some fairly large farms in this area that are split by U.S. 158. He stated that if a farmer needs to move equipment from one side of the road to the other side, a limited access highway or a highway with a median would restrict this somewhat. Mr. Keaton noted that right of way acquisition for the road is scheduled in the year 2011 with construction in post years after 2012.

Commissioner Krebs stated that Greenways have expressed an interest in possibly acquiring enough right of way for a bike trail to be added to the U.S. 158 project. He asked if this could be included in the comments to DOT. He noted that there are some members of the Newland Drainage Committee present who may want to comment on the proposed widening project. Mr. Paul Stallings stated that property owners would like to know where the road is proposed to go. Mr. Keaton said this is not yet known, however it appears the road would parallel the existing road.

The Board concurred to send scoping comments to the Department of Transportation regarding the widening of U.S. 158 from Morgan's Corner to Sunbury to include a request for drainage pipes under U.S. 158 to relieve pressure on the Newland Dike and to include a request for possible right of way for a bike trail.

**9. REPORT FROM ASSISTANT COUNTY MANAGER:**

Mr. Rodney Bunch reported that he received a memorandum from CAMA announcing that there will be grants available this year for public beach or coastal waterfront access projects. The primary objective of the grants is to provide pedestrian access to public trust waters. Approximately \$3 million is available for the 20 coastal counties. Mr. Bunch asked if members of the Board are aware of possible projects that might qualify that they notify him before the application deadline. He said the application must be submitted by April 28.

**10. APPOINTMENTS TO BOARDS AND COMMITTEES:**

Commissioner Marshall Stevenson reported that the Appointments Committee met today and voted to recommend the following appointments:

Adult Care Home Community Advisory Committee – Reappoint Vandora Saunders to an additional three-year term.

Farmers Market Advisory Committee – Reappoint Douglas Swain and Roberta Manzer to additional three-year terms.

EIC Board – Reappoint Lenora Spence to an additional four-year term.

Adult Care Home Community Advisory Committee – Reappoint Mary Bumgardner to an additional three-year term.

City Recreation Advisory Committee – Reappoint Colbert Respass to an additional four-year term.

Nursing Home Community Advisory Committee – Reappoint Gladys B. Griffin to an additional three-year term.

Motion was made by Lloyd Griffin, seconded by Matt Wood to approve the appointments to boards and committees as recommended by the Appointments Committee. The motion carried unanimously.

**11. REPORTS FROM COUNTY COMMISSIONERS:**

Commissioner Hank Krebs reported that the Albemarle Economic Development Commission Legislative Committee is planning another trip to Washington, DC in early March. They also plan to meet with Coast Guard officials.

Commissioner Krebs stated that concerns have been expressed to him regarding property owners dividing single family homes within the county and putting several families in one home. He asked if this is something the county should address. Mr. Rodney Bunch said if this is being done, the property owner should be getting building permits. He added that there are very few places in the county that allow multi-family homes.

Commissioner Krebs reminded everyone of the Dr. Martin Luther King, Jr. celebrations scheduled for the upcoming weekend and he urged everyone to participate in the march on Monday.

Commissioner Bill Trueblood asked if a time has been established for the meeting with the Board of Education scheduled for January 23. The Board agreed to try to schedule the meeting for 4:30 or 5:00 PM.

Chairman Perry asked that Board Members forward to the County Manager possible agenda items for the next joint meeting with the City Council to be held on January 30 at 6:00 PM.

Vice-Chairman Griffin pointed out that the report on building permits from 1999 through 2005 shows a downward trend beginning in 2001 and 2002 in the number of manufactured home permits issued in relation to the number of permits issued for residential homes. He said this was probably due to the Board implementing new regulations prohibiting manufactured homes older than ten years from being brought into the county, and regulations requiring masonry curtain walls. He said he would commend the Board for implementing those standards which have resulted in a better quality of housing stock.

Vice-Chairman Griffin asked if a steel gate could be installed at Richardson Street in the Fairgrounds Area to prohibit dumping. The County Manager said he and the County Attorney have discussed the possibility of clearing out the undergrowth and then gating off the back streets. Mr. Griffin said this redevelopment project was supposed to have been completed two years ago. Commissioner Trueblood suggested that the county proceed with clearing and bulldozing all of the properties the county has acquired and going around those properties that are still being contested. He said this is a blighted area and there will continue to be problems until it is cleaned up. Vice-Chairman Griffin stated that he understands there have been inquiries regarding the possible purchase of the property, however until the condemnations have been completed and all of the property has been acquired, the property cannot be sold. The County Manager noted that the Redevelopment Commission actually owns the property, therefore the Redevelopment Commission would need to take the action. He added that since the Redevelopment Commission is jointly administered by the city and county, it will probably require the appropriation of additional funds by the city and county to complete this project. It was suggested that discussion of this project be included on the agenda for the joint city-county meeting.

Vice-Chairman Griffin advised that the Airport Authority met recently with the Division of Aviation in Raleigh trying to encourage more economic development at the Airport. He said they plan to have a follow-up meeting with the Division of Aviation and the Department of Commerce on January 24.

Vice-Chairman Griffin pointed out that information has been received regarding the division of a parcel of land on Nixonton Road into fifteen ten-acre lots in order to circumvent the subdivision regulations. He asked if the county could require that the fifteen lots all be moved to one side of the property with the remainder as conservation easements maintained by the homeowners. The

County Attorney advised that when the parcels are ten acres or more, the county has no jurisdiction. It was suggested that this be discussed at the retreat since it is a wide-ranging topic.

Commissioner Dixon asked the status of Adelpia Cable Communications' bankruptcy situation. The County Manager stated that he received some information today regarding Adelpia Cable however he has not yet had an opportunity to read it. He said he would update the Board when new information is available.

Chairman Perry said he has been contacted by businesses in the vicinity of the Courthouse regarding the parking situation during the county's construction project. He stated that he understands there is sometimes no place to park, especially on court days. He suggested that employees be encouraged to use the First Baptist Church parking lot in which the county has leased spaces so as to not take up parking spaces that can be used by customers of the businesses. The County Manager advised that courthouse employees have been given plenty of alternative parking places. He noted that he has asked the city to step up enforcement of parking violations along Elliott Street and Colonial Avenue and to ticket those who refuse to park where they have been given an opportunity to park. He added that he has also informed businesses around the Courthouse that they are to no longer park in the county parking lot, however some of those businesses are still parking in the county parking lot. He advised that Elliott Street should soon be opened up and will provide additional parking and better access and traffic flow around the downtown area.

Chairman Perry reported that he rode with the Water Superintendent to the sewer plant today to see the problem with trash from the prison getting into the lagoon. He said it appears the trash is coming from the individual prison cells.

**12. REPORT FROM COUNTY ATTORNEY:**

County Attorney Mike Cox updated the Board on research regarding a proposed water agreement with the city.

Chairman Perry asked if there was any further business to come before the Board. There being no further business, he asked for a motion to adjourn the meeting.

Motion was made by Hank Krebs, seconded by Lloyd Griffin that the meeting be adjourned. The motion carried unanimously and the meeting was adjourned at 9:00 PM.

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CHAIRMAN

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CLERK

**PASQUOTANK COUNTY, NORTH CAROLINA  
JANUARY 23, 2006**

The Pasquotank County Board of Commissioners met today in a special joint meeting with the Elizabeth City-Pasquotank Board of Education on Monday, January 23, 2006 at the School Administration Building.

**MEMBERS PRESENT:** Cecil Perry, Chairman  
Lloyd Griffin, Vice-Chairman  
Matt Wood  
Bill Trueblood  
John "Hank" Krebs  
Marshall H. Stevenson, Jr.  
Jeff Dixon

**MEMBERS ABSENT:** None

**OTHERS PRESENT:** Randy Keaton, County Manager  
Rodney Bunch, Asst. County Mgr. for Planning & Econ Dev.  
R. Michael Cox, County Attorney  
Sheri S. Bulman, Finance Officer

Also present were members of the Board of Education, the Superintendent, and school staff. The meeting was called to order at 4:30 PM by Board of Commissioners Chairman Cecil Perry and Board of Education Chairman LaVera Burnim who welcomed everyone.

**1. PRESENTATION REGARDING PROPOSED STADIUM FOR PASQUOTANK HIGH SCHOOL:**

Dr. Tony Stewart, Superintendent of Schools, presented a sketch of a proposed athletic stadium for Pasquotank County High School that he said is formally being requested by the Board of Education. He provided a breakdown of the projected costs of the stadium totaling \$812,500. Dr. Stewart said there is an urgent need for the stadium, especially since the new middle school is being constructed on the same grounds. The two boards held discussion regarding the stadium costs, possible sources of funding, and other needs of the school system. Commissioner Hank Krebs recommended that the Board take action today to approve this project. Chairman Perry suggested that it would be appropriate for the Board of Commissioners to discuss this request as a Board before taking action. He added that there are a lot of issues that need to be taken into consideration before funds are committed for this project.

**2. DISCUSSION ON UNEXPECTED EXPENSES FOR CURRENT EXPENSE FOR THE NEXT FISCAL YEAR:**

Dr. Stewart provided copies of a chart showing major budget changes for the 2006-07 fiscal year that are projected by the school system based on reductions in revenue and increases in expenditures during the current year. He noted that some of these changes may not happen, but the Board of Education is in the process of putting together the proposed budget for the schools and wants the Board of Commissioners to be aware of what could happen in terms of additional expenses.

County Manager Randy Keaton provided copies of the Local School Finance Study Report from the Public School Forum that ranks counties annually on their relative and actual effort to fund public schools. He noted that Pasquotank County again is ranked as third in the state in relative effort even though its ability to pay is ranked at 76<sup>th</sup>. He said in actual effort, the actual dollars that are spent per student, Pasquotank County is 24<sup>th</sup> in the state even though it has a relatively low tax base and ability to pay.

At the absence of further business, the meeting was adjourned at 5:45 PM.

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CHAIRMAN

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CLERK

