

**PASQUOTANK COUNTY, NORTH CAROLINA
FEBRUARY 4, 2008**

The Pasquotank County Board of Commissioners met today in a regular meeting on Monday, February 4, 2008 in Courtroom C in the Pasquotank County Courthouse.

MEMBERS PRESENT: Cecil Perry, Chairman
Marshall Stevenson, Vice-Chairman
Matt Wood
Bill Trueblood
Jeff Dixon
Jimmie Harris

MEMBERS ABSENT: Lloyd E. Griffin III (*Out of Town*)

OTHERS PRESENT: Randy Keaton, County Manager
Rodney Bunch, Asst. Manager for Planning & Economic 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. Pastor Phil Dowdy of New Life Family Center gave the invocation and Vice-Chairman Marshall Stevenson led in the Pledge of Allegiance to the American Flag. Chairman Perry welcomed everyone present including Dr. Travis Burke and members of the Pasquotank County Youth Council.

1. COMMENTS FROM SUSAN MATOUSEK:

Chairman Perry asked if anyone would care to address the Board. He recognized Ms. Susan Matousek of 403 Princess Anne Circle who said she would like to discuss with the Board hospitality. She said to be hospitable means to be kind to visitors, and warm and receptive to people who move here. She stated that this is not a hospitable community, and violations of civil and constitutional rights are daily occurrences for her. She said she has also experienced false bannings, violation of the ADA, and illegal imprisonments and is considering many lawsuits. She stated that now is time for unity and resolution of the issues she has discussed.

2. INTRODUCTION OF SOIL CONSERVATION TECHNICIAN:

Chairman Perry recognized Mr. Steve Harris. Mr. Harris stated that tonight he comes before the Board as the Soil & Water Supervisor for the purpose of introducing Miss Amber Reid, the newly hired Soil & Water Technician. He said she is working with Camden and Pasquotank Counties and has been on the job since October 1. He stated that she is still in training which will be ongoing. Mr. Harris said they are happy to have Miss Reid and he appreciates the Board agreeing to hire her and purchase a vehicle for her to drive through a cost-share arrangement with Camden County. He said one of her first projects in Pasquotank County will most likely be the Little River Project.

Mr. Harris also announced that Mr. Dwane Hinson, District Conservationist, retired on January 31st. He invited Commissioners to attend the Soil & Water Supervisors meeting this Thursday night at 7:00 PM at the Weeksville Lions Club where Mr. Hinson will be honored.

3. PRESENTATION OF DRAINAGE STUDY AND DRAINAGE BASINS BY HOBBS UPCHURCH & ASSOCIATES:

Chairman Perry recognized Ms. Morella Sanchez-King with Hobbs Upchurch & Associates to make a presentation on the countywide drainage study. Ms. King said the objectives of the countywide drainage study were: 1) Defining the watershed management districts and their critical drainage areas; 2) Identifying funding sources for improvement of drainage ways; and 3) Correcting the watershed management boundaries. She stated that her presentation tonight will focus on the correction of the watershed management boundaries. She explained that the boundary corrections were corroborated using LIDAR data, site visits and personal interviews with water management representatives. Ms. King outlined the corrections for each district and presented maps showing the final corrected boundaries for each district. The corrected watershed management districts are comprised of the following acreage:

| | | | |
|------------------|--------------|--------------------|--------------|
| Newland | 21,179 acres | Knobbs Creek | 19,392 acres |
| Perquimans | 9,088 acres | Lower Little River | 19,764 acres |
| Upper Pasquotank | 21,882 acres | Flatty Creek | 9,409 acres |

Ms. King stated that the citizen representatives from each district were crucial in developing these districts and their assistance is most appreciated. They were Reuben Earl James, Maurice Berry, Pat McDowell, Steve Harris, Grayling Riddick, and John Spence.

Commissioner Bill Trueblood, Chairman of the Stormwater Management Committee, thanked Ms. King and Mr. Ed Lawler for their work on this project. He said identifying these districts is the first step the county is taking in a process to address citizens' concerns regarding drainage issues throughout the county.

Commissioner Matt Wood suggested that a letter be sent to the citizens who worked on the committee thanking them for their assistance.

4. APPROVAL OF AMENDMENTS TO THE AGENDA:

Chairman Perry asked if there were any amendments to the agenda. It was requested that the agenda be amended to add the following items: 1) Recommendation from Finance Committee to approve a proposal for transporting and disposing of solid waste; 2) Recommendation from Finance Committee to accept recommendations from Personnel Committee regarding inclement weather pay and update of pay for operation of the water plant on weekends and holidays; 3) Recommendation from Finance Committee to approve sole source purchase of lights for River Road sports complex; 4) Recommendation from Finance Committee to accept the low bid for the RO plant site work; and 5) Recommendation to propose to accept a bid and begin the upset bid process on the Nags Head property.

Motion was made by Jeff Dixon, seconded by Jimmie Harris to amend the agenda to add the five additional items to the consent agenda. The motion carried unanimously.

5. APPROVAL OF CONSENT AGENDA:

The Board considered the following consent agenda:

a. Approval of Minutes of January 7, 2008 Commissioner Meeting

b. Approval of Tax Releases

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

Releases:

| | | County | City |
|-----|-------------------------------|--------|--------|
| 1. | Elton Cornell Poole Etal | 694.00 | |
| 2. | Christopher Eric Cable | 141.36 | 127.80 |
| 3. | Khary Claymont Miller | 145.15 | 129.03 |
| 4. | Willie Ruby Moore | 141.25 | |
| 5. | Sunshine of Eliz City LLP | 771.46 | |
| 6. | Caterpillar Financial | 141.90 | 116.35 |
| 7. | Adam L. Kerr | 107.85 | |
| 8. | Mark Gerard Stewart | 101.95 | |
| 9. | Steve McQueen Gonzalez | 124.15 | 106.80 |
| 10. | RO Givens Grandchildren Trust | 600.00 | |

c. Approval of Fair Housing Plan for CDBG Project

The Board was asked to adopt the Fair Housing Plan for the 2007 Scattered Site Community Development Block Grant Project.

d. Approval of Additional Vehicles for Surplus and Sale on Govdeals.com

The Board needs to declare the following vehicles surplus so that they can be advertised for sale on Govdeals.com:

| Make and Model | VIN Number |
|--------------------------|-------------------|
| 1974 Chevy Motor Home | CPL374V317535 |
| 1999 Ford Crown Victoria | 2FAP71W4XX191439 |
| 1995 Ford Crown Victoria | 2FALP74W95X155379 |
| 1998 Ford Crown Victoria | 2FALP71W2WX132324 |
| 1994 Ford Crown Victoria | 2FAFP71W6RX183493 |
| 2004 Dodge Intrepid | 2B3HD46V94H701513 |
| 2004 Ford Crown Victoria | 2FAHP71W84X156620 |
| 2000 Ford Crown Victoria | 2FAFP71W4YX144977 |

e. Approval of Proposal for Transportation and Disposal of Solid Waste

The Finance Committee has recommended that the Board approve a contract for disposal of garbage at the Atlantic Waste Disposal site in Waverly, Virginia. The Finance Committee has also approved the purchase or lease of equipment for the county to haul garbage using county staff. The combination of these two proposals will save the county an estimated \$382,000 per year when compared to the cost of the current waste disposal contract.

f. Approval of Recommendations from Personnel Committee

The Finance Committee has recommended approval of two proposals from the Personnel Committee. The first is a policy for inclement weather pay. This would provide that employees would continue to be paid if county offices are closed due to inclement weather, however those employees who are required to work will receive one hour of additional vacation time for each hour they are required to work during inclement weather. The Finance Committee has recommended that this policy be retroactive to the Tropical Storm Ernesto event.

The Finance Committee has also recommended that the pay for operation of the water plant by the water superintendent, assistant superintendent, and senior plant operator on weekends and holidays be updated from the current \$100 per day to \$150 per day. It is recommended that this adjustment be retroactive to July 1, 2007.

g. Approval of Sole Source Purchase of Lights for River Road Sports Complex

The Finance Committee has recommended approval of a sole source purchase of lights for the River Road Sports Complex for the five soccer fields that will be built on the site. The quote from Musco Lighting is for \$224,750 for the same type lights that were installed last year for the River Road baseball and softball fields. If all of the lights are the same brand, they can be operated from a common control point.

h. Approval of Bid for RO Site Work

The Finance Committee has recommended that the Board approve award of a contract to C&L Concrete Works, Inc. for the site work at the RO plant for \$290,000.

i. Approval to Begin Upset Bid Process for Nags Head Property

The Finance Committee has recommended that the Board begin the upset bid process pursuant to G.S. 160A-269 for the Nags Head parcel based on an offer of \$7,250,000 from R.V. Owens III. The offer contains a 180 day due diligence period and a \$50,000 refundable deposit if the property is not deemed feasible.

Motion was made by Jeff Dixon, seconded by Jimmie Harris to approve the consent agenda as amended. The motion carried unanimously.

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 |
|-------------------------|-------------------------|---------------------------|
| Lenton Rueben Griffin | P80-34A | Unoccupied since 2001 |
| Jeff Overton, Jr. Heirs | P67-44 | Unoccupied since 1979 |

6. CONSIDERATION OF MEMORANDUM OF UNDERSTANDING WITH ELIZABETH CITY-PASQUOTANK BOARD OF EDUCATION FOR TRANSFER OF THE OLD ELIZABETH CITY MIDDLE SCHOOL BUILDING:

The Board reviewed a proposed Memorandum of Understanding that was prepared by the Board of Education for transfer of the old Elizabeth City Middle School building from the Board of Education to Pasquotank County. County Manager Randy Keaton explained that the

memorandum of understanding would need to be approved by the Board prior to execution of an agreement with other parties for acquisition of the building.

Motion was made by Matt Wood, seconded by Marshall Stevenson to approve the Memorandum of Understanding with the Elizabeth City-Pasquotank Board of Education for transfer of the old Elizabeth City Middle School Building to Pasquotank County. The motion carried unanimously.

7. REPORTS FROM COUNTY MANAGER:

County Manager Randy Keaton reported that he, Sheriff Cartwright, and some of the Commissioners have received emails regarding a sign in the Public Safety Building directing those registering as sex offenders and those applying for gun permits to the same window. He stated that several people have taken offense to this sign although no offense was intended. He said when the signage plan for the building was being developed, these were the most used services of the Sheriff's Department and were included together on the same sign. Mr. Keaton stated that a letter to the editor appeared in the newspaper last week expressing displeasure regarding the sign, and subsequently this information spread around the country which resulted in many emails. He said he has responded to all of the people who have emailed him and others of their concerns and he informed them that the county will be working to address their concern and come up with a different sign.

Mr. Keaton stated that he has provided Board Members with a copy of the Local School Finance Study that is published each year by the Public School Forum. He said he is proud of the fact that Pasquotank County has ranked within the top four of five counties in relative effort for ten years or more.

Mr. Keaton referred to two reports in the agenda packets regarding significant new construction items totaling \$20,280,000 that will be on this year's tax rolls, and additional airplanes at the regional airport increasing the assessed value of the planes by \$6,045,500.

Mr. Keaton stated that the Pasquotank County ABC Board has also provided a report highlighting the 2007 fiscal year and comparing sales and profits over the last five years. He said there has been a fairly significant increase in sales and distributions to the city and county during that period of time.

Mr. Keaton reported that advertisements for bids for the renovations to the old library appeared in the Sunday newspaper. He said bids will be opened in early March for the renovation work. He stated that bids will also be opened on February 19 for the remainder of the U.S. 17 North sewer line project which includes the section of line on Knobbs Creek Drive and the two lift stations.

Chairman Perry asked the County Manager if he has received any information concerning counties being responsible for county roads. Mr. Keaton responded that this was a topic of discussion at the regional county managers meeting last week. He said there are concerns if the legislation is passed that the secondary road program may eventually be turned over to the counties. Commissioner Matt Wood added that the concept being discussed in Raleigh is that local property taxes should be tapped to pay for local roads.

Mr. Keaton advised that a public meeting on the Transportation Improvement Plan will be held on February 13 from 2:00 PM until 4:00 PM at College of The Albemarle, Building B, Room 202.

Mr. Keaton reviewed with the Board the proposed agenda for the upcoming Board Retreat which will be held February 8-9.

8. DISCUSSION REGARDING DRAINAGE DISTRICTS:

Commissioner Bill Trueblood asked County Attorney Mike Cox to follow up on the presentation by Hobbs Upchurch & Associates tonight regarding drainage districts. He asked Mr. Cox to explain what the next step would be as far as implementation of a service district and a fee. Mr. Cox stated that he has had discussions with representatives from the School of Government regarding the possible options. He said some of the options for the Board to consider at this point are: whether to continue to focus on the Knobbs Creek area and use general funds;

whether to create a service district for the Knobbs Creek area; and whether to look at a countywide fee. The Board will discuss this issue further at its retreat this week.

9. AUDIO/VISUAL EQUIPMENT:

Assistant County Manager Rodney Bunch commented that tonight is the first time the new audio and visual equipment has been used. He said that Vicom should be recognized for their work installing the equipment. He also said that Collin Flatness, Karen Jennings, and the maintenance staff should be thanked for their assistance on this project. The County Manager added that he would also like to thank Rodney Bunch for all of his work on the project. Chairman Perry thanked everyone involved for their assistance.

10. REPORT FROM COUNTY ATTORNEY:

County Attorney Mike Cox reported that he will be attending the County Attorneys Conference this Friday and Saturday in Chapel Hill.

11. APPOINTMENTS TO BOARDS AND COMMITTEES:

Vice-Chairman Marshall Stevenson reported that the Appointments Committee met today and would like to make the following recommendations:

Tourism Development Authority – Confirm reappointment of Councilman Kirk Rivers as the City Councilor representative for an additional two year term.

Farmers Market Advisory Committee – Reappoint Kelly Lubinger Greenwell for an additional three year term.

Nursing Home Community Advisory Committee – Reappoint Betty Jones for an additional three year term.

Criminal Justice Partnership Advisory Board – Reappoint Robert Burkhard for an additional three year term.

Motion was made by Marshall Stevenson, seconded by Matt Wood to make the reappointments to boards and committees as recommended by the Appointments Committee. The motion carried.

Vice-Chairman Stevenson stated that the Appointments Committee has also recommended that Thom Spagnol be appointed to the Tourism Development Authority to fill the unexpired term of Bruce Biggs who has resigned. This appointment will carry over to the next meeting.

Vice-Chairman Stevenson said the Appointments Committee would also like to recommend the following slate of appointments:

Home & Community Care Block Grant Advisory Committee – Reappoint Brenda Rose, Jill Jordan, Jerry Parks, Jean Allen, Rev. Bill Bailey, Betty Turner, Paulette McCoy, Sabrina Sanders, Susan Scurria, and Lynne Raisor.

Motion was made by Marshall Stevenson, seconded by Bill Trueblood to approve the reappointments to the Home & Community Care Block Grant Advisory Committee as recommended. The motion carried.

12. REPORTS FROM COUNTY COMMISSIONERS:

Commissioner Matt Wood reported that he will be attending a meeting of the NCACC Board of Directors this week in Raleigh.

Chairman Perry reported that next week he will represent Pasquotank County as a participant in the Teaching Fellows selection process in Greenville. He also provided a list of meetings and events he has attended during the past month on behalf of Pasquotank County.

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 Bill Trueblood, seconded by Matt Wood to adjourn the meeting. The motion carried and the meeting was adjourned at 8:12 PM.

CHAIRMAN

CLERK