

**PASQUOTANK COUNTY, NORTH CAROLINA
FEBRUARY 26, 2007**

The Pasquotank County Board of Commissioners met today in a special meeting on Monday, February 26, 2007 in Courtroom C in the Pasquotank County Courthouse.

MEMBERS PRESENT: Cecil Perry, Chairman
Lloyd E. Griffin, III, Vice-Chairman
Matt Wood
Bill Trueblood
Marshall Stevenson
Jeff Dixon
Jimmie Harris

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 4:30 PM by Chairman Cecil Perry who welcomed everyone present. Commissioner Matt Wood gave the invocation and Vice-Chairman Lloyd Griffin led in the Pledge of Allegiance to the Flag.

Chairman Perry declared the meeting to be a public hearing on Rezoning Requests RR06-10 and RR06-11. Planning Director Shelley Cox stated that the applicant is the Elizabeth City-Pasquotank County Airport Authority. She outlined the requests and explained that RR06-10 is a request to rezone 60.67 acres on the south side of Consolidated Road from A-1 Agricultural, to O&I Office & Institutional (23 acres) and I-1 Industrial (40.66 acres). RR06-11 is to rezone 2.99 acres on the south side of Consolidated Road from A-1 Agricultural to O&I Office & Institutional. Surrounding land uses in this vicinity are the U.S. Coast Guard Base, TAMSCO, and the Elizabeth City-Pasquotank County Airport to the north which are not zoned by either the county or the city. Property to the south consists of woodland which is zoned R-15 Residential; property to the east is agricultural and is zoned A-1 Agricultural; and property to the west is residential and is zoned R-15 Residential. Ms. Cox stated that the area appears to be classified as Rural with Services according to the 1996 Land Use Plan which is the only officially adopted plan in effect at the current time. Because the 1996 plan is outdated, the 2005 Draft Land Use Plan is considered the more appropriate plan to use. The Draft Land Use Plan classifies the area as Rural Agricultural which does not specifically state that this type of use would be permitted. The area requested for rezoning is not within a Flood Hazard Area or the 100 Year Flood Zone according to FEMA maps. Weeksville Volunteer Fire Department currently provides fire services for this area. Access for this property is along Consolidated Road. Ms. Cox explained that these rezoning requests were originally reviewed by the Planning Board in December and the Planning Board tabled the requests to allow the Airport Authority an opportunity to discuss the concerns of adjoining property owners. On January 3, 2007 the Airport Authority held a meeting and invited the public to attend, ask questions, and express their concerns. On January 25, 2007 the Planning Board reviewed the rezoning requests and recommended denial by a four to one margin due to concerns from the public.

Ms. Cox advised that the state now requires the Board to make three findings of fact when approving or denying a rezoning request. She said staff has proposed the following recommendations in response to the findings:

Finding #1:

Compatibility with comprehensive plan

Staff Recommendation:

The proposed rezoning is classified "Rural with Services" in the adopted 1996 Land Use Plan and classified "Rural Agriculture" within the County's Draft Land Use Plan. Although the zoning proposed does not specifically appear to be consistent with the "Rural Agriculture" or "Rural with Services" classifications, it is reasonable to allow airport related uses in this vicinity due to its proximity with the U.S. Coast Guard Base and Elizabeth City-Pasquotank County Airport.

Finding #2:

Size of the Tract

Staff Recommendation:

The overall size of the tracts of land proposed for rezoning is reasonable when compared to the size of the zoning district in which the subject properties are located.

Finding #3:

Impact on adjacent property owners and surrounding community

Staff Recommendation:

The impact to the adjacent property owners and the surrounding community is reasonable, and the benefits of the rezoning outweigh any potential inconvenience or harm to the community.

Ms. Cox stated that these recommendations have been made in consideration of the fact that a master site development plan, if this is approved, would have to be submitted and go through a very thorough technical review by county staff, the county's stormwater consultant, DOT, and various federal and state agencies. She said a lot of the concerns noted by the residents and adjoining property owners will be addressed through the technical review. In addition, rezoning would be the first step in the plan for development of the site. Currently, the county's Zoning Ordinance does not have specific requirements or allowances for this type of development. In order for the project to proceed, a zoning text amendment will be needed that would place conditions to guide this type of development. Ms. Cox said staff would also recommend that if the text amendment were to go forward to allow this development that this type of development could only proceed with a conditional use permit which would be issued by the Board of Commissioners and would provide that the Board of Commissioners has the final authority to approve the master site plan that has been developed. She stated that through the technical review process and conditional use process all of the concerns could be addressed. Ms. Cox added that although staff recommends approval of this rezoning, if for some reason the Airport Authority is not able to follow through with their proposed plans in the future, staff recommends that the county consider initiating a rezoning of this site back to agricultural.

Commissioner Marshall Stevenson asked if it would not be reasonable to assume that all of the things mentioned such as zoning ordinance amendments, noise ordinance, and other items recommended be put in place before the property is rezoned. Ms. Cox said that rezoning is usually the first step in any development. She stated that a lot of time and expense go into creating a development plan, and site specific development plans are not normally seen with rezonings because this would be considered contract zoning which is not allowed. If the rezoning is approved, any issues with regard to noise, lights, drainage, and traffic could be addressed through the conditional use permit process when a master site plan has been created.

Chairman Perry asked for comments from the public. Ms. Pam Hall of 1191 Consolidated Road said the Airspace Transportation Advisory Subcommittee report dated June 15, 2006 established the noise capacity for airports with communities surrounding them at 65 decibels. She said currently there is no ordinance in Pasquotank County that would regulate noise except during nighttime hours. She stated that the noise in residential areas at night after 7:00 PM should be 45 decibels. She said a C-130 sitting on the apron at the end of the runway near her house is over 75 decibels and these aircraft sometimes run three or four hours. Ms. Hall pointed out that residents who are affected by noise levels greater than 65 decibels had increased blood pressure, increased cardiovascular disease, greater occurrences of depression, greater occurrences of infections, and greater occurrences of diabetes. She said the wildlife rely on their hearing to avoid predators, to obtain food, and to communicate with others in their species. She stated that noise levels greater than 45 decibels interfere with the daily functions for wildlife to survive. As a result, many species in the area suffer population declines. Ms. Hall added that the Planning Board did not recommend this rezoning. She also noted that her husband and his mother do not wish to sell their land which is phase two and phase three of this airport project.

Mr. Greg Kulbertis of 1523 Owens Drive said he is also concerned about the noise. He stated that he recently retired from 30 years of working with military aviation and knows the amount of noise these aircraft generate. He asked what kind of aircraft will be reworked in this air park and what kinds of engines they will be running because they will have to be tested behind the residential area.

Mr. Ken Bateman of 507 Small Drive advised that he currently farms the property requested for rezoning. He said the Planning Board voted to deny this rezoning request and he suggested that it go back before the Planning Board and the various committees rather than the Board overriding them. He said this project would disrupt traffic on Consolidated Road which is a two-lane road and there are a lot of property owners beyond this property that he believes should be notified and given an opportunity to express their opinions regarding this project. Mr. Bateman said he is also concerned about the noise level from the aircraft and the water runoff that will occur when farmland is replaced with buildings and parking lots. He also expressed concern regarding the implications of developing farmland because farmland supports fertilizer and chemical companies, banks, farm employees and others in the community in addition to providing food, biofuels, and other products.

Mr. John Ayers said the residents were originally told this project would consist of 60 acres, however it was recently reported in the newspaper that the project will eventually encompass 200 acres. He stated that the residents have asked that concerns about flooding be addressed, and that an EPA study be done, however neither of these have been done. He asked where the property to widen Consolidated Road will come from and who will be responsible for maintaining the road. He asked if FAA approval has been given to tap into the taxiway. Mr. Ayers stated that these are all questions the residents have been trying to get answered, and until they can get answers to these questions, he is opposed to this project.

Ms. Bonnie Stratton of 1015 Hockmeyer Drive stated that her question is what will happen with the flooding and the water. She said since the new TAMSCO hangar has been constructed she has seen water come across the road in front of her house. She is afraid that the problem will get much worse when more buildings and concrete are placed in the area. She said some of the runoff may contain chemicals which could contaminate the groundwater. Ms. Stratton stated that she is not opposed to the project, but she feels all of the studies need to be done first to protect the people in the surrounding residential areas.

Mr. Brian Bray of 1040 Crosswinds Drive stated that he lives across the property line from the proposed rezoning site. He said his property currently floods during a rainstorm and when 60 acres of farmland is paved, the flooding will be a lot worse. He stated that the Airport Authority does not have any answers regarding how drainage will be handled. He stated that he has learned that a parking lot will be going on the 2.9 acre site adjacent to his house and this is not even in the drawings he has seen. He said he is concerned about the noise and the effect on property values. He stated another concern is fire protection for this industrial site, who will provide it, and how it will impact the taxpayers. He said he understands that Weeksville Volunteer Fire Department will be responsible for fire protection. He stated that he is a member of this fire department and it does not have a ladder truck. He asked if the Board of Commissioners is prepared to purchase a ladder truck and provide the necessary training for the department to be able to fight an industrial fire.

Mr. William McKinley of 1041 Consolidated Road stated that he does not want the Crosswinds neighborhood to end up with flooding like the Oxford Heights neighborhood has experienced as a result of development.

Ms. Renee Wice of 1521 Owens Drive asked if Crosswinds will be annexed into the city if this aviation center is constructed. She asked the Commissioners to consider whether this aviation center is something they would like to have in their backyards before they cast their votes.

Airport Manager Scott Hinton, speaking on behalf of the Airport Authority, said he would like to assure the residents that their concerns have not been lost through the planning process for this aviation park. He said he would like to make it clear that what is being discussed today is phase one and the current needs are completely fulfilled in phase one. He explained that phase two and phase three would be dictated by the willingness of the land owners to sell their property, and by industry demand. He stated that stormwater is a huge concern for the Airport Authority as well and they cannot release the notice to proceed to the contracting firm that will provide stormwater master planning, site master planning, and an environmental assessment of the property until the rezoning is approved. Mr. Hinton said the Airport Authority is aware that stormwater will be a limiting factor in this project and that stormwater will determine how the property is developed. If they cannot meet the state's treatment standards as well as the county's stormwater containment and control standards, then the property would not be developed beyond the ability to meet those standards. Mr. Hinton advised that the county's stormwater engineer will be a part of the entire process throughout the planning stages. He said there are a number of different options in regard to fire protection, none of which present a problem that could not be solved.

Mr. Hinton stated that there is a lot of civic value in what they are trying to do from an education standpoint, from an economic development standpoint, and from a quality of life standpoint. He said first and foremost they want to be responsive to their neighbors in addressing their concerns. He responded to questions regarding noise concerns by stating that their engineering firm will be tasked with the development of covenants for the use of the property. Those covenants could contain quiet hour requirements and weekend work hour requirements. The concerns of the neighbors would be part of that process. He said they would work within the framework recommended by the FAA for noise decibel levels. He added that they intend to meet every contingency put on them by the FAA for development.

Mr. Ron Blackmon, Chief Academic Officer for Elizabeth City State University, stated that ECSU feels this is a project that will be valuable to the region. He said they understand there are concerns and they intend to allay the residents' fears as much as possible. He stated that in some ways the fact that this is a collaborative project and not a single entity is advantageous because in addition to the rules that will apply to the Airport Authority, the rules of the University of North Carolina System will also apply. Mr. Blackmon suggested that everyone view this in the broadest context and look at the advantages to the county, to the region, and the options that it will provide for students.

Mr. Billy Mercer of 638 Bayside Road stated that he and other farmers in the area produce food for the world. He said agricultural land is being lost rapidly and urban sprawl is farmers' greatest enemy. He stated that the land he farms and much of the surrounding area drains into this watershed, and the development of this airport park could have a catastrophic effect on the drainage. Mr. Mercer said there are already a lot of industrial parks in the county that are not filled and he does not believe another one is needed. He stated that the concerns of the residents have not been met and he does not feel the property should be rezoned until those concerns have been addressed.

Mr. Charlie Caddy of 1013 Hockmeyer Drive said he would echo the concerns of his fellow residents regarding flooding. He stated that the county already has many flooding problems and this has concerned the residents of Crosswinds because they feel their neighborhood will see more flooding problems if this complex is constructed. If the second and third phases are eventually constructed, it will only multiply the flooding problems the residents would see. Mr. Caddy said the initiative for the proposed institutional and office complex is a nice initiative, however there are other places this could be located. He stated that the proposed aviation education center is supposed to provide jobs for students when they graduate, however the reality is that for-profit companies coming into the area are not going to hire entry level unskilled students who have just graduated and then have the additional cost of putting them through technical skilled training. He said the companies will opt for retired military personnel who already have the training, education and experience they are looking for. Mr. Caddy asked that the Board take these issues into consideration.

Mr. Ray White, representing the Northeast North Carolina Regional Economic Development Commission, stated that the Coast Guard is the greatest economic development asset in Pasquotank County and Northeast North Carolina. He said he has been working on this project for over 18 months, and the companies that have shown interest in locating at this facility provide jobs that work hand-in-hand with the Coast Guard. He said without that asset and support, it could put the Coast Guard in a very vulnerable situation. He stated that this project will create good solid jobs for the area and will pay approximately 140% to 160% of what the average citizen in Pasquotank County and Northeast North Carolina makes now. Mr. White explained that there are thousands of citizens from Northeast North Carolina who travel to Virginia each day for good paying jobs. He said it should be a key mission of the community to provide good paying jobs to keep this talent in the area. He said both COA and Elizabeth City State University will be key partners in this venture and will provide training to help keep the youth in this area. The graduates from those programs will be doing internships with the companies that locate in the aviation park and many will have jobs waiting for them. Mr. White stated that this project will be a tremendous asset for Pasquotank County and for the region as a whole.

Mr. Doug Mercer of 628 Bayside Road said it seems that county officials are getting excited about a project that is not in their backyards, but is in the backyards of the people they are elected to represent. He said it is his understanding that Elizabeth City State University has 40 acres of land it is not using, yet it wants another 20 acres. He said with all of the vacant industrial land in the county, it does not seem reasonable to ever think of proceeding with the project at this location. He stated that many residents of the Crosswinds community have spoken

about the effects the new businesses will have on their lives including additional traffic and drainage problems. He asked that the Board take this into consideration and vote for the citizens of the community rather than a handful of elected officials who want this project.

Ms. Elizabeth Chepan stated that she is concerned that agricultural land is being taken up by houses and businesses. She said the agricultural land cannot be replaced. She stated that the project will bring more jobs, but more jobs means more houses and more farmland being taken to build those houses.

Ms. Carm Hooper stated that she and her husband own property at 1000 Crosswinds Drive. She said her concerns are planning and liability of the county. She said she was taught in her experience with planning that when a piece of property is rezoned, it is rezoned for its worse case scenario. She stated that the proposed zoning classification for the majority of this property would allow a slaughter house, a wastewater treatment plant, or a brewery or distillery. She stated that the property does not belong to the Airport Authority, but to an individual. She said if for any reason this project does not go forward and the Airport Authority does not purchase the property after it has been rezoned, it will be rezoned industrial and office & institutional and it will belong to a private owner who can sell it to anyone. She stated that the Planning Director has recommended that if the Airport Authority is not able to develop the property as proposed that the county should initiate a rezoning to zone it back to its original classification. She said this would be downzoning which is not allowed by state law. Ms. Hooper stated that the adopted county Land Use Plan does not support this use on this property. She said all of the properties in Crosswinds Subdivision will be drastically financially and physically impacted by the proposed development. She asked that the county not gamble with their lives and investments.

At the absence of further comments, the public hearing was closed. Chairman Perry asked if any Commissioners would like to comment on the proposed rezoning.

Commissioner Marshall Stevenson said he has heard a lot of concerns and when he was elected to be a County Commissioner, he was elected to try to vote for the people who voted for him and try to put himself in their situation. He stated that he lives in a small development and would not want this project to be constructed near him. He said that many problems have been stated tonight including drainage and noise, and it has been stated that there are other areas where this project could be located. He said that there is already enough property zoned industrial and commercial in the desert to build an airport. Commissioner Stevenson stated that he is concerned about the citizens of the county and has always tried to vote his conscience. He said he could not vote for something he himself would not want if he were in the same situation. He said he has not heard the Coast Guard say they need this facility, and the Coast Guard is not pushing this project publicly. He stated that he sees many problems with this project and he sees big money involved.

Commissioner Matt Wood stated that the Board has heard a number of serious concerns that are legitimate and need to be addressed. He said this is a situation where the good of the project needs to be balanced with the effect on the community. He said he would like to speak to some of the things that he thinks are good with this type of project. He stated that the reason for this project is its proximity to the Coast Guard Base and the airport. He said the largest employer in Northeastern North Carolina is the Coast Guard Base and the Repair Center and they can do much more as has been proven with the TAMSCO project. Commissioner Wood stated that he is familiar with some young people who are two-year degree graduates from COA who are working at TAMSCO and making a good living for their families. He said this is something he would like to see more of in this community so that young people can stay here and work here. He stated that he believes the Airport Authority needs to go slowly and look carefully at the noise, traffic, fire protection, and drainage concerns that have been raised before any final decisions are made about how the development would take place. Commissioner Wood added that he supports the zoning request.

Motion was made by Lloyd Griffin, seconded by Matt Wood to approve Rezoning Requests RR06-10 and RR06-11 and to adopt the staff report and recommended findings which address plan consistency and other matters, and that the concerns regarding buffers, drainage, traffic, noise, be addressed during the technical review process.

Discussion followed and Commissioner Bill Trueblood stated that through the Technical Review Committee process, there will be ample opportunity to address the residents' concerns prior to any construction taking place. He said there are a lot of steps to be taken before any dirt is

turned. He added that reviews by many agencies will also have to be done. He said if there are still concerns after the issues have been addressed by the Technical Review Committee or other agencies involved in the planning process, there would be opportunities for the residents to address the Board with their concerns. He said unless the drainage issues are addressed, no work will be done on this project. He stated that he also believes the aviation portion of this project can be situated such that the noise levels experienced by the neighborhood are no greater than the noise levels currently experienced. Commissioner Trueblood stated that the proposed industry will provide jobs and keep young people from having to leave the area to find work. He said he understands the concerns the farmers have expressed tonight, however he does not know of any other place in Pasquotank County adjacent to an airport where this type of industry would fit. He said he supports this project.

The motion carried by a five to two margin with Commissioners Stevenson and Harris voting against approval of the rezoning requests.

Motion was made by Marshall Stevenson, seconded by Jimmie Harris to adjourn the meeting. The motion carried unanimously and the meeting was adjourned at 5:50 PM.

CHAIRMAN

CLERK

**PASQUOTANK COUNTY, NORTH CAROLINA
MARCH 5, 2007**

The Pasquotank County Board of Commissioners met today in a regular meeting on Monday, March 5, 2007 in Courtroom C in the Pasquotank County Courthouse.

MEMBERS PRESENT: Cecil Perry, Chairman
Lloyd E. Griffin, III, Vice-Chairman
Bill Trueblood
Jeff Dixon
Jimmie Harris

MEMBERS ABSENT: Matt Wood (*Out of Town*)
Marshall Stevenson (*Out of Town*)

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. Leigh Gillis, Pastor of Cann Memorial Presbyterian Church, gave the invocation and Vice-Chairman Lloyd Griffin led in the Pledge of Allegiance to the American Flag. Chairman Perry welcomed everyone present.

1. COMMENTS FROM MR. JERRY CARTWRIGHT:

Chairman Perry recognized Mr. Jerry Cartwright of 493 Gumbridge Road. Mr. Cartwright said he is concerned about the agenda item regarding elimination of exemptions to the subdivision regulations relating to the one lot exemption and the gift of a lot to parent or child. He said in his situation he is land-locked which means he will need to use more than 10 acres anyway. He stated this is not a problem for him, however he would like to see the exemption continue rather than be eliminated.

2. UPDATE FROM COALITION TO END HOMELESSNESS:

Chairman Perry called on Ms. Ramona Gilbert who presented an update from the Albemarle Coalition to End Homelessness. Ms. Gilbert explained that the North Carolina Interagency Council for Coordinating Homeless Programs was created to advise the Governor and the Department of Health and Human Services on issues affecting people who are homeless or at risk of being homeless. One of its primary goals is to encourage local communities across the state to develop local 10 year plans to end homelessness. The Department of Housing and Urban Development also requires that states and localities create a written plan if they want to access federal dollars. Ms. Gilbert stated that homelessness is most pronounced in rural regions that are primarily agricultural, experience economic growth, and areas near urban centers that attract new businesses and higher income residents, thereby driving up taxes and living expenses. She said that Pasquotank County's shift from the agricultural to service-related industries has accelerated economic growth. In addition, its proximity to Virginia, which has already driven up taxes and living expenses, are all indicators that Pasquotank County will some day experience an increase in homelessness.

Ms. Gilbert said that Pasquotank County cannot and should not wait to address this issue. She stated that studies have shown that 90% of the homeless require short-term assistance and only utilize 18% of the system's resources. The remaining 10% are chronically homeless and utilize 82% of the system's resources. Ms. Gilbert pointed out that these resources are costly because: Emergency Shelter Grant facilities report an average daily operating cost of \$51, or \$18,615 annually per bed; homeless people spend an average of four days longer per hospital stay, which equates to approximately \$2,414; the average cost to cure an alcohol related illness is approximately \$10,660, and the cost of treating a substance abuser runs about \$8,360 to \$14,740; people who are homeless spend more time in jail or prison which could cost up to \$20,000 per year; because so many homeless children have such poor education experiences, their future productivity and career prospects may suffer which makes the effects of homelessness much longer, especially considering the fact that 38% of the people who are homeless are children.

Ms. Gilbert explained that the common needs of the homeless are help in finding a job, help to find affordable housing, and financial help to pay for the housing. She said the services most often received however are clothing, transportation assistance, and help in getting public benefits, while only a small percentage actually receive help in finding housing. She said nationwide there is an estimated total of 744,313 homeless individuals, and of this number 56,000 live in shelters or have short-term living arrangements with friends or family members. An estimated 44% are unsheltered. In North Carolina, according to recent counts, there are 11,165 homeless, and of this number, 64% were living in shelters and 36% were sleeping on the street. Of that group 45% were released from the criminal justice system, 37% from treatment programs, and 18% from healthcare systems.

Ms. Gilbert advised that Pasquotank County conducted its own count, and even through many sites were found where the homeless were staying, because of the frigid temperature, they did not get a good count of the number of actual homeless. She stated that they did find 18 people living on the street, 40 in shelters, and 91 temporarily housed with friends or family members. Of these 91 people, 61 were children. She said they plan to hold another count in May when the weather is warmer.

Ms. Gilbert stated that Pasquotank County took a major step in addressing the homeless problem by encouraging a coalition of community members. The result of that initiative is the Albemarle Coalition to End Homelessness (ACEH). This group of over twenty agency representatives has volunteered time and expertise to develop a ten-year plan to end homelessness. They will be using the ten step guide created by the United States Interagency Council on Homelessness. They have completed the first three steps and are working on steps 4 and 5. Ms. Gilbert advised that they are receiving help from a Homeless Policy Specialist who will assist in developing the ten-year plan and accessing HUD funding. She said they recently learned that Pasquotank County was allotted approximately \$46,000 in funding, but never applied for it. She stated they will be applying for the funding this year, but will have to get started on the ten-year plan. She said the ACEH will identify and apply for other federal and state funding to help implement the action items developed within the ten-year plan. Another objective will be to establish a referral center or a clearinghouse where anyone can call and get information on homelessness, the availability of shelters, the location of shelters, and any emergency assistance available. Ms. Gilbert stated that ACEH will also apply for 501(c)3 status which will allow access to funding. Their office will be located on the second floor of the Salvation Army headquarters.

Ms. Gilbert said at this time they are requesting the Board of Commissioners to support their request for funding. She stated that all of their partners are volunteers and there will be no salaries involved, however they will need money for office supplies, postage, printing & copying, grant-writing, and money to attend conferences, workshops, and grant funding training. She provided a copy of a projected budget with total operating expenses of \$11,500. She stated that the ACEH looks forward to working with the county on this ten-year plan and would appreciate the county's assistance in funding this initiative. She added that this will also be the region's first ten-year plan.

County Manager Randy Keaton commented that since the Board began this process last year and asked this coalition to form, much has been learned as all of the agencies came together and shared information. He stated that he learned there are so many different definitions of homelessness, and the typical homeless person is not what people tend to think of as homeless. He said there has been a lot of interest in this project as many did not realize this problem existed in the area.

Ms. Gilbert added that most people making minimum wage cannot afford an apartment. In order to afford a two bedroom apartment, an individual would need to make roughly \$11.07 per hour. She said there has to be some place for these people to go.

3. PUBLIC HEARING ON CLOSEOUT OF 2004 CDBG CAPACITY BUILDING GRANT:

Chairman Perry declared the meeting to be a public hearing on the closeout for the 2004 CDBG Capacity Building Grant. The recipient of the \$75,000 grant was Northeastern Community Development Corporation. Ms. Maria Garcia provided an update on the project. She explained that the grant has been closed and the Division of Community Assistance has made its final monitoring visit and there were no findings. She stated that through the grant a community task force was formed and they came up with an economic development project that would consist of a model learning center for childcare providers. She said this would also be an economic development tool because they are thinking of hiring about 30 people. She stated that this would

be a win-win situation for the community. Ms. Garcia advised that they have a business plan completed and are in the process of negotiating with a property owner on Weeksville Road to purchase an acre of land to begin construction of the center. She said the center will be about 10,000 square feet in size and will serve over 100 children and at the same time will provide training experiences for the childcare providers and teachers. She expressed appreciation for the county's support of the planning grant.

Chairman Perry asked if anyone would care to comment on the closeout of the grant. At the absence of comments, the public hearing was closed.

Motion was made by Lloyd Griffin, seconded by Jimmie Harris to approve the closeout of the 2004 CDBG Capacity Building Grant. The motion carried.

4. APPROVAL OF AMENDMENTS TO THE AGENDA:

Chairman Perry asked if there were any amendments to the agenda. It was requested that the following items be added to the agenda: 1) Approval of bid for financing COA project and Library renovation project; 2) Appointment of Frank Hiner as Social Services attorney; and 3) Approval of increase in meeting per diem to \$50 for Social Services Board members.

Motion was made by Lloyd Griffin, seconded by Jimmie Harris to approve the amendments to the agenda as presented. The motion carried.

These amendments will be added to the consent agenda.

5. APPROVAL OF CONSENT AGENDA:

The Board considered the following consent agenda:

a. Approval of Minutes of February 9, February 10, and February 19, 2007 Commissioner Meetings

b. Approval of Tax Releases and Refunds

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

Releases:

		County	City
1.	Jeffrey Allen Lanaville	130.87	
2.	Vince Darryl Ross	143.18	
3.	ToSharita Lawane White	124.58	99.37
4.	Macie Deanne Miller	104.21	
5.	Gregmor Inv LLC	144.96	
6.	Saddletree Investments LLC	960.44	
7.	James Patrick Dooley	325.42	264.56
8.	Jamicia T'Shawn Rice	110.78	
9.	James Garland Harris	191.25	
10.	Ashton Seafood	133.73	111.44
11.	River City Comm Dev Corp	1,039.68	866.40

Refunds:

1.	NMHG Financial Services Inc.	225.98	
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c. Approval of Memorandum of Understanding for Cooperative Extension Service

The Finance Committee has recommended approval of a memorandum of understanding with the Cooperative Extension Service and to retain the current system of payroll, which allows employees to receive a portion of their salary from the county and a portion from the state.

d. Approval of Refund for Purchase of Parcel at Tax Sale

The Finance Committee has recommended approval of a refund to Gregmor Investments, LLC in the amount of \$6,500 for the purchase of a parcel of property at a tax sale that was later determined not to exist. A mapping error had previously indicated that this property did exist.

e. Approval of Request for Leave without Pay for Water Department Employee

Mr. Carson Creef, a Water Department employee, has requested leave without pay for up to ten weeks due to back surgery. Due to previous health issues, he does not have the necessary leave time, therefore he is requesting leave without pay. The Water Department has recommended approval of the request. The Board must approve any request for leave without pay when it is beyond the normal amount of time that is guaranteed through the Family Medical Leave Act.

f. Approval of Bid for Financing COA Project and Library Renovation Project

The Finance Committee has recommended approval of the bid submitted by SunTrust Leasing Corporation in the amount of 4.32% for financing the COA addition and the Library renovation project.

g. Approval of Contract with Frank Hiner as DSS Attorney

The Social Services Board has recommended approval of a contract with Frank Hiner as attorney for the Department of Social Services.

h. Approval of Increase in Meeting Per Diem for Social Services Board

The Social Services Board has recommended approval of an increase in the meeting per diem to \$50 for members of the Social Services Board retroactive to November 1, 2006.

Motion was made by Bill Trueblood, seconded by Lloyd Griffin to approve the consent agenda as presented. The motion carried.

The following tax refunds less than \$100 have been approved by the Finance Officer:

1.	Joyce E. Eskins		95.04
2.	Joseph S. & Darla E. Semonich		95.04
3.	Associated Leasing LLC		96.00
4.	Maurice H. & Joyce Oliver		95.04

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
Zachariah Lewis	P30-36	Unoccupied since 1994

6. APPROVAL OF SUPPORT OF HOUSE BILL 125 TO APPROPRIATE ADDITIONAL FUNDS FOR LOCAL HEALTH DEPARTMENTS:

The Board considered a request from the Health Department to support House Bill 125 which will appropriate additional funds to improve the delivery of the ten essential public health services in all counties in the state. The Health Director had advised in his request that the passage of this bill would go a long way towards alleviating future funding increases in local funds for the Health Department.

Motion was made by Bill Trueblood, seconded by Jimmie Harris to support House Bill 125. The motion carried.

7. DISCUSSION ON PROPOSED REPEAL OF LOCAL LEGISLATION THAT CREATED EXEMPTIONS TO SUBDIVISION REGULATIONS:

Assistant County Manager Rodney Bunch stated that during the retreat the Board discussed the abuse of the exemptions to the subdivision regulations. He explained that local legislation for Pasquotank County exempts from the subdivision regulations the division of a tract of land when the lot fronts a state-maintained road, is served by a public water system, and is large enough to meet state and local health codes and other local ordinances. The legislation also exempts the gift by a property owner of a single lot to the property owner's child or parent or to each of the property owner's children or parents when the lot fronts a state-maintained road, is served by a public water system, and is large enough to meet applicable state and local health codes and other local ordinances. Mr. Bunch said these exemptions are abused and lots are created that are not used for the purpose intended, but rather for development purposes. He stated that the Board did not give firm direction whether to pursue legislation to have these exemptions withdrawn. Planning Director Shelley Cox stated as an alternative to having the exemptions in the state statute, local governments can implement a minor subdivision process that would allow for the gift lots to children. She said currently in order for the county to amend its ordinance with regard to these exemptions, it would take an act of the legislature. She said if the exemption is completely removed from the state statute, the county could amend its subdivision regulations to provide for minor subdivisions which would give the county more control. She stated by amending the subdivision regulations, it would allow the county to tighten the loopholes where developers are taking advantage of the situation. She provided examples of how the exemption for gift lots to children has been abused, and also provided examples of various options for amending the subdivision regulations.

Commissioner Bill Trueblood stated that he has a concern about eliminating the right of individuals to give lots to their children. He said however that he has a concern with someone

trying to circumvent the regulations for development purposes only. He said he is not in favor of asking legislators to do anything that would be harmful to the property owner who wants to give his child a lot. He stated that he agrees there needs to be a process to follow that would prevent abuse of the regulations. Ms. Cox explained that it is not being proposed to completely eliminate gift lots to children, but to narrow the number of loopholes. County Manager Randy Keaton said that staff met today and discussed family subdivision policies within the subdivision rules that would allow the legitimate property owner to give a lot to his or her child as long as it meets certain criteria. He stated that it is recommended to eliminate the exemptions, but to amend the subdivision regulations to provide guidelines that would allow the gift lots to children. He said this would provide the option, but would ensure it is a legitimate purpose.

After further discussion;

Motion was made by Bill Trueblood, seconded by Jeff Dixon to request Representative Bill Owens to introduce legislation in the General Assembly to repeal Pasquotank County's two exemptions to the subdivision regulations which allow the one lot exemption and the exemption for a gift of a lot to a parent or child. The motion carried.

8. PRESENTATION OF LOCAL BUSINESS PLAN FOR ALBEMARLE MENTAL HEALTH:

Chairman Perry recognized Ms. Sandra Jordan-Leigh to discuss the local business plan for Albemarle Mental Health Center. Ms. Leigh explained that Albemarle Mental Health Center, as part of mental health reform that has taken place over the last three to four years, is to have mental health centers almost divest of their current services. One of the requirements of the mental health reform bill is that mental health centers have a blueprint of how mental health will function over the next three years. Ms. Leigh reviewed the Local Business Plan for Albemarle Mental Health Center and requested approval from the Board of Commissioners. She said as part of the business plan, they will continue to provide services and serve as a safety net within the counties served by Albemarle Mental Health. In addition, they plan to continue to be a managed care entity to ensure that appropriate services by providers are being implemented. Ms. Leigh explained that the Albemarle Mental Health catchment area is in the process of merging with Tideland Mental Health Center and will incorporate four additional counties into their catchment area July 1, 2007, expanding to a ten county region. She stated that each of the counties is being requested to make note of their approval of the business plan within their minutes. She said the second portion of their request deals with the development of a crisis/detox facility.

Mr. Lee Walton stated that there is a need for a crisis/detox facility within the ten counties in the Albemarle Mental Health region. He said this is one of very few regions in the state that does not have the capability to provide crisis or detoxification services. He explained that they are proposing to the division a system of crisis services. This would include the 23-hour crisis service at Albemarle Hospital, a nine bed crisis/detox facility to be located in Martin County, as well as crisis clinics located in each of the ten counties. Mr. Walton said currently the closest facilities available to serve individuals in a residential setting are in Goldsboro or Greenville. He stated that one-time funding is needed to set up the crisis/detox facility and to set up outpatient offices in the four additional counties that do not have any outpatient offices now. The current six AMHC counties have outpatient offices where a crisis counselor will be headquartered. Mr. Walton stated that AMHC is requesting funding from the state to construct a nine-bed facility in Martin County which will cost about \$3 million. He said the Boards of Commissioners from all ten counties are being requested to send a letter of support to legislators for the construction of the crisis/detox facility. He stated that AMHC would be appreciative if the Board would be willing to send a letter supporting this facility to the legislators.

Chairman Perry asked Mr. Walton to explain how this facility might benefit Pasquotank County. Mr. Walton stated that this system would benefit Pasquotank County because they would be putting in a system of services. He said there would be no upfront costs to the citizens of Pasquotank County who would have access to a system of services. The first would be the 23-hour crisis service if appropriate, the inpatient facility next, if needed, and then follow up with outpatient services.

Vice-Chairman Lloyd Griffin expressed concern regarding the time and costs associated with transporting patients to Martin County since the facility will not be centrally located. Mr. Walton stated that there are currently staff who live in Martin County who could work in the facility and since this facility will be open 24 hours a day, seven days a week it would be more feasible for

the staff to live in the area. He added that within the plan, there will be transportation included to assist county sheriff departments. Chairman Perry stated that a committee made up of County Commissioners from each of the ten counties has been involved in the process of overseeing this project and moving Tideland over to Albemarle.

Motion was made by Jeff Dixon, seconded by Bill Trueblood to approve the local business plan for Albemarle Mental Health and to send letters of support for the crisis/detox facility to Senator Marc Basnight and Representative Bill Owens. The motion carried.

9. COUNTY MANAGER'S REPORT:

County Manager Randy Keaton provided the Board with a copy of a letter from the Department of Transportation to the Superintendent of Schools in response to the request for a traffic signal and turn lanes at Pasquotank County High School. He said DOT has reevaluated the need and will be requesting funds for installing and constructing the traffic signal and adding storage to the turn lanes at the middle school and high school driveway. DOT has advised that typically funding for these types of improvements at new schools come from the school system, however they will be requesting state funds. Since these funds are limited, DOT cannot provide a timetable as to when the work will be completed. They will advise once the funding is made available and spending authority is granted. The Department of Transportation also suggests that the school system reconsider previous recommendations concerning construction of a connector driveway for exiting elementary traffic to the middle/high school drive, constructing a driveway extension at the elementary school for parent traffic, and staggering the schools hours of the middle school and high school at least 20 to 30 minutes.

Mr. Keaton provided a copy of a letter from the Department of Environment & Natural Resources regarding the cleanup and redevelopment of old unpermitted landfill sites. He said Pasquotank County does not have one of these landfills, however they are located in 98 other counties in the state. The Governor has proposed in his budget a \$2.00 per ton disposal surcharge that would apply to every landfill or transfer station across the state. These funds would go to the state to create a cleanup fund for the old landfill sites. Mr. Keaton said if this passes, it would result in every county having to increase their tipping fees by \$2.00 per ton with this increase going to the state.

Mr. Keaton referred to a letter from Gold Key which accompanied a check for their monthly extension deposit for the Nags Head property. The letter indicated that a public hearing will be held this week on some of the zoning text changes they had requested that would allow them to move forward with the project.

Mr. Keaton reported that he has been advised that on March 3 a patron of the Newland Recycling Center had a seizure while still in her car. An ambulance was called and emergency technicians tried to revive her, however the individual died at the site.

10. ASSISTANT COUNTY MANAGER'S REPORT:

Assistant County Manager Rodney Bunch stated that several months ago the Board initiated a study for consideration of dredging some canals in Riverview Acres. Albemarle & Associates was hired to do a study to determine the costs. Mr. Bunch said the study has been completed and Albemarle & Associates has advised that there are approximately 5,000 linear feet of canals to be dredged and they have projected over 10,000 cubic yards of material will come out of the canals. They have also estimated a cost range of \$400,000 to \$500,000 to do this project. Mr. Bunch said that a potential funding source is a navigation grant from the Division of Water Resources which would pay 75% to 80% of the cost if obtained. This would leave approximately \$100,000 to \$125,000 to be paid by the property owners. Mr. Bunch stated that a meeting was held several months ago to inform the property owners in the development of the process. The property owners were advised that once the report was received another public meeting would be scheduled to inform them of the results of the study and the potential costs. Mr. Bunch stated that he intends to schedule another meeting with the property owners within the next four weeks.

11. REPORT FROM CLERK:

The Clerk provided Board members with a copy of the Department of Transportation Secondary Road Improvement Program for 2007. She said DOT officials will be present at the next meeting to present the program.

12. REPORTS FROM COUNTY COMMISSIONERS:

Commissioner Jeff Dixon informed the Board that the Department of Social Services was recently audited by the Division of Medical Assistance. He said the Social Services Director has reported that the department passed with flying colors, receiving a 100% compliance rating.

Vice-Chairman Lloyd Griffin reported that the Albemarle Commission has selected a new Executive Director. A public announcement will be made at the Commission's March 15 meeting.

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 Jimmie Harris, seconded by Jeff Dixon to adjourn the meeting. The motion carried and the meeting was adjourned at 8:45 PM.

CHAIRMAN

CLERK