

**PASQUOTANK COUNTY, NORTH CAROLINA
MARCH 19, 2007**

The Pasquotank County Board of Commissioners met today in a regular meeting on Monday, March 19, 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 7:00 PM by Chairman Cecil Perry. The Rev. Dr. Walter L. Smith, Pastor of Cornerstone Missionary Baptist 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. PRESENTATION OF PROCLAMATION FOR FAIR HOUSING MONTH:

Chairman Perry called on Ms. Linda Barrett to accept a proclamation declaring April as Fair Housing Month. He read and then presented to Ms. Barrett the following proclamation:

**PROCLAMATION FOR
FAIR HOUSING MONTH
APRIL 2007**

WHEREAS, April 2007 marks the 39th anniversary of the Federal Housing Act of 1968 and the 24th anniversary of the North Carolina Fair Housing Act. Both laws prohibit discrimination in housing because of race, color, sex, religion, national origin, handicap and familial status; and

WHEREAS, the Northeastern Community Development Corporation, Elizabeth City State University Community Development Program, River City Community Development Corporation, the Albemarle Area Board of Realtors, Elizabeth City Neighborhood Corporation, county and local governments, concerned citizens, and the housing industry are working to make fair housing opportunities possible for all our citizens. Through their efforts, they are encouraging others to abide by the letter and the spirit of the fair housing laws; and

WHEREAS, one of the most important concerns of Pasquotank County citizens is the availability of housing to them as individuals and families. By supporting and promoting fair housing and equal opportunity, we are contributing to the health of our County and our State;

NOW, THEREFORE, The Pasquotank County Board of Commissioners, hereby proclaims April 2007 as **“Fair Housing Month”** in Pasquotank County, and urges our citizens to rededicate themselves to ensuring that fair housing laws are always upheld and citizens are protected against discrimination.

ADOPTED, this 19th day of March, 2007.

Mr. George Bright, speaking on behalf of all the agencies, thanked the Board for proclaiming April as Fair Housing Month. He said it has been 39 years since the Fair Housing Act was first implemented. He stated that to this very day discrimination is still experienced in all of the various areas including sex, national origin, familial status, etc. He said all of the agencies included in the resolution work on a day to day basis to make sure that fair housing is a reality in Elizabeth City and Pasquotank County. He added that these organizations are cooperating to put on two identical workshops on April 3 and April 5 that will discuss the issue of fair housing, how someone can recognize if they are being discriminated against, and what someone can do if they are the victim of discrimination related to housing.

2. COMMENTS FROM MR. CARL ESTUS:

Chairman Perry recognized Mr. Carl Estus, President of the SPCA. Mr. Estus stated that three times a year the SPCA hosts a rabies clinic. He said usually they have 50 or 60 pet owners bring in about 100 animals. He reported that on February 24 their rabies clinic hosted 80 people with 149 animals. He said in February the SPCA also participated in the Doris Day Spay Day Program and issued over 100 spay or neuter vouchers at an estimated cost of over \$4,000. He stated that the Animal Shelter expansion is moving along, but slowly.

Mr. Estus said as a private citizen he would like to note that the intersection crossing at Halstead Boulevard and Forest Park Road is very awkward for vehicles going straight across or making a left turn from Forest Park Road. He stated that since Department of Transportation officials are in attendance at tonight's meeting, he would like to make them aware of this situation.

3. COMMENTS FROM MR. LARRY LARABEE:

Chairman Perry recognized Mr. Larry Larabee who stated that he owns land, swamps, and timberland, and understands the drainage problems the county is experiencing. He said he has looked at the Knobbs Creek area and noticed that the area that was thick with standing trees 50 years ago has not been managed. Due to Hurricane Isabel and other events over the years there are only sparse trees standing while the others have been blown over and are lying in the swamp catching limbs, leaves and debris. Since water cannot drain, it rises and causes flooding. Mr. Larabee said the drainageways need to be opened and he suggested cleaning them out, but not digging them out.

4. COMMENTS FROM MR. JIMMIE WINSLOW:

Chairman Perry called on Mr. Jimmie Winslow who said he is concerned about the \$78,000 the county is considering spending for a drainage study. He explained that the problem is with drainage in the swamps and not with the new construction. He said he has worked with drainage all of his life and areas that he cleaned out 48 years ago still have good drainage. He suggested that the Board put the expenditure of \$78,000 on hold until talking with the Army Corps of Engineers and other agencies. He said in areas around Virginia Beach, they are using a crane on a barge to clean out the swamps and dig out the channels and haul away the spoils. Another idea would be to dig a canal around the edge of the swamps so the spoils could be thrown on high ground. Mr. Winslow stated that the swamps in the area have not been cleaned out in years and he would like to encourage the Board to put this study on hold and to try cleaning out the swamps.

5. PRESENTATION OF SECONDARY ROAD IMPROVEMENT PROGRAM FOR 2007 BY THE N.C. DEPARTMENT OF TRANSPORTATION:

Chairman Perry called on Mr. Anthony Roper, Department of Transportation Division Engineer, to present the Secondary Road Improvement Program for Pasquotank County for Fiscal Year 2007. Mr. Roper outlined the new Fiscal Year 2007 projects to be funded in the program as follows:

						Fiscal Year 2006 Allocations	\$602,489.35
SR No.	Local Name	Length	From	To	Proposed Improvements	Estimated Construction Cost	
					Countywide Surveys	\$15,000.00	
					Spot Stabilization	72,522.32	
					Contingency/Overdrafts	14,967.03	
SR 1109	Harris Road	0.49	NC 344	End	Grade, Drain, Base & Pave	125,000.00	
SR 1337	Pritchard Road	0.35	SR 1333	End	Grade, Drain, Base & Page	100,000.00	
SR 1144	Forman Bundy Rd.	3.9	US 17 Overpass	Perq. Co.	Complete Funding	275,000.00	
Total New Project Funding for Fiscal Year 2006-2007 Allocation							\$602,489.35

Mr. Roper also provided a list of projects in Pasquotank County that have been funded with other sources besides secondary road construction money that will be completed in calendar year 2007 totaling \$1,655,000. These projects are as follows:

SR Number	Local Name	Length	From	To	Proposed Improvements	Estimated Cost to Complete	Amount Authorized to Spend in 2007
SR 1158	Carver Street	0.2	SR 1139	End	Resurface	\$30,000.00	\$30,000.00
SR 1154	Celeste Street	0.1	SR 1139	End	Resurface	25,000.00	25,000.00
SR 1155	Lowry Street	0.1	SR 1139	End	Resurface	30,000.00	30,000.00
Various					Redesign & upgrade 5 signals	50,000.00	50,000.00
SR 1101	Turnpike Road	2.7	SR 1356	Perq. Line	Resurface	205,000.00	205,000.00
SR 1333	Main St. Extended	2.1	SR 1335	SR 1338	Resurface	135,000.00	135,000.00
SR 1416	Northside Road	1.47	US 17	SR 1333	Resurface	110,000.00	110,000.00

SR 1220	Dances Bay Road	1.7	SR 1100	End	Resurface	90,000.00	90,000.00
SR 1374	Mt Herman Church Rd.	0.29	SR 1144	SR 1300	Resurface	70,000.00	70,000.00
	Elizabeth City				Streetscape Improvements	650,000.00	650,000.00
	SR 1334 & SR 1334				Drainage Improvements	85,000.00	85,000.00
	District Jail Access	0.4	SR 1464	End	Construct Access Road	175,000.00	175,000.00
Total for Projects Authorized During 2006-07							\$1,655,000.00

Board Members asked questions regarding roads that are on the hold list due to right-of-way problems and asked Mr. Roper to provide the names of the property owners who will not provide right-of-way that would allow the roads to be paved.

The Board asked the status of the route for a second connector road. Mr. Roper advised that DOT is in the process of conducting a Comprehensive Transportation Plan which will help determine the best route for the second connector road.

The Board also asked the status of several other pending projects. Commissioner Stevenson stated that a left turn signal is badly needed at the intersection of River Road and Weeksville Road. He stated that this was requested two years ago and the last report from DOT advised that DOT was still studying it. He said that parents delivering their children to school are not able to make a left turn due to the heavy traffic. Mr. Roper stated that significant development is taking place along River Road and as a result a traffic impact analysis was required. One of the recommendations was that there be a protected left turn signal included as part of that development. As the developer gets the driveway permit approvals, this will be one of the requirements. Mr. Roper stated that he will follow-up with the District Engineer's Office to check on the status of the driveway permit application.

Commissioner Stevenson stated that the Board has previously asked that the railroad tracks on Peartree Road be paved over. He said every time the road is paved, the dip at the tracks becomes a lot greater. He stated that the railroad tracks on Pitts Chapel Road were paved over, yet the District Engineer has informed the county that the tracks on Peartree Road cannot be paved over without permission from the railroad. Mr. Roper said that paving over the Pitts Chapel Road railroad tracks was a mistake. He stated that DOT has been in contact with the railroad to request that they post the tracks are out of service, however the railroad has not been cooperative. Commissioner Stevenson asked if DOT is not willing to pave over the railroad tracks whether it would consider undercutting Peartree Road to make it level with the tracks to remove the traffic hazard. Mr. Roper stated that DOT would look at it to determine whether the road at the railroad tracks could be milled.

Commissioner Stevenson said there was recently another accident at the Rabbit's Corner Road intersection. He said there have been several accidents at this intersection resulting in deaths and injuries. He asked if the traffic light at this intersection could be reversed. Mr. Roper stated that DOT plans to conduct traffic counts and if the counts indicate that the other direction is the major traffic volume, they will look at what changes need to be made.

Commissioner Stevenson asked if DOT has any plans to put a stoplight at the intersection of Forest Park Road and Halstead Boulevard Extended. Mr. Roper stated that DOT hopes to pursue spot safety funds in April. The Board of Transportation would act upon the request in July and if approved DOT plans to have at least some temporary signals in place in four to six months.

Commissioner Dixon asked the status of the replacement of the Pasquotank River bridge in the TIP Plan. Mr. Roper said he believes it is scheduled in 2012 or 2013. He stated that repairs for Elizabeth Street are also in the planning phase and it has been decided that the bridge replacement and Elizabeth Street improvements will become one large project to keep from disrupting the traffic in this area more than once. Mr. Roper said although there have been discussions regarding designing the bridge to not have a draw span, he does not foresee this happening.

Commissioner Dixon asked why the first cloverleaf overpass coming into the county from U.S. 17 has a sign directing traffic to Okisko Road, but does not have a sign directing traffic to Halls Creek Road. He also said on the northern end of the bypass there is a sign directing traffic to Hertford and Edenton, but the sign does not indicate access to the south side of Elizabeth City through the Halstead connector road. He suggested that DOT take a look at these signs.

Commissioner Trueblood stated that he has received a special request from residents of Lady Patricia Drive which is not on the state system. He said two school buses travel the road each

day and the road needs some “crush and run”. He asked if DOT might be able to accommodate this request.

County Manager Randy Keaton asked the status of the stoplight on Northside Road at Pasquotank County High School. Mr. Roper said DOT is pursuing spot safety funds for this stoplight. He asked the Commissioners to encourage the Board of Education to consider the recommendations from DOT’s Municipal Transit and School Review Team, such as staggering the school start time and other things short of signalization that would improve the traffic flow.

Chairman Perry and the Board thanked Mr. Roper for his report and for the many good things the Department of Transportation does for Pasquotank County and its citizens.

Motion was made by Lloyd Griffin, seconded by Matt Wood to adopt the following resolution approving the Department of Transportation Fiscal Year 2007 Secondary Road Improvement Program. The motion carried unanimously.

**RESOLUTION OF APPROVAL
SECONDARY ROAD IMPROVEMENT PROGRAM
FISCAL YEAR 2007**

WHEREAS, the North Carolina Department of Transportation has presented and recommended to Pasquotank County a Secondary Road Improvement Program for Fiscal Year 2007 with an allocation of \$602,489.35 in new project funding; and

WHEREAS, the Pasquotank County Board of Commissioners agrees with the total proposed Secondary Road Improvement Program for the county as presented;

NOW THEREFORE BE IT RESOLVED this the 19th day of March, 2007, that Pasquotank County hereby approves and adopts the Secondary Road Improvement Program for Pasquotank County for Fiscal Year 2007 as presented.

6. PUBLIC HEARING ON 2007 CDBG SCATTERED SITE APPLICATION:

Chairman Perry declared the meeting to be a public hearing on the 2007 CDBG Scattered Site Application. He recognized Ms. Carolyn Morris, housing consultant, who explained that this is the second of two required public hearings for submission of the 2007 scattered site housing application to the Department of Commerce Division of Community Assistance. She stated that the amount of the grant application is \$400,000. Activities eligible under this grant application are acquisition, clearance, relocation, rehabilitation, and urgent repairs. Ms. Morris said both the City of Elizabeth City and Pasquotank County will be participating in this application. She thanked county staff for their assistance in providing information necessary to prepare the application. She also thanked all those who have agreed to serve on the Scattered Site Housing Selection Committee. She said the committee will consist of the following individuals:

Vincent Mani, City of Elizabeth City Community Development Officer
James Flowers, Pasquotank County Code Enforcement Officer
Cecil Perry, Board of Commissioners Chairman
Rodney Bunch, Assistant County Manager
Janice Cockrell, Former CDBG Recipient

The committee will review the applications/referrals for assistance and select those homes to be replaced or rehabilitated through the grant. She stated that many applications for assistance have been received, however some of the property owners, particularly the elderly ones, did not want to agree to the repair of their homes because of the CDBG requirement that an eight year lien would be placed on the house. If the individual ceases to occupy the home for any reason within the eight year period, the balance of the grant for the remaining years would have to be paid back to the county.

Ms. Morris added that her fee for grant preparation will not have to be absorbed by the county and will come from the CDBG grant planning line.

Chairman Perry asked if anyone would like to comment on the 2007 CDBG Scattered Site Application. At the absence of comments, the public hearing was closed.

Commissioner Dixon stated that he understands there are still people in Pasquotank County who have outhouses. He said he feels that ensuring that every citizen in Pasquotank County has an

indoor bathroom should be a priority. Ms. Morris noted that a lot of people have outhouses by choice.

Commissioner Dixon asked if any of the emergency funds could be used to assist the residents in Oxford Heights who were impacted by flooding. Ms. Morris said that area would not qualify for urgent repair funds under this project.

7. PUBLIC HEARING ON ZONING TEXT AMENDMENT ZTA 07-01 TO REQUIRE THAT DEVELOPABLE LOTS CONTAIN ROAD FRONTAGE AND CENTRALIZED PUBLIC WATER:

Chairman Perry declared the meeting to be a public hearing on Zoning Text Amendment ZTA 07-01. Planning Director Shelley Cox explained that this text amendment would require 50 feet of minimum road frontage on a state maintained road or a road that has been approved in accordance with the Pasquotank County Subdivision Ordinance, and lots have to be served by public water. If approved, this requirement would be part of the Zoning Ordinance rather than the Subdivision Ordinance. Ms. Cox stated that the reason this text amendment was proposed is because of the number of complaints the Planning Department has been receiving mainly from people who have purchased ten acre lots and are expecting a certain level of services they do not think they are getting. She said road maintenance becomes an issue after awhile and those who purchase the lots often have no concept that the county is not responsible for the maintenance of their roadway or that the state is not going to pave their road. Another complaint she receives is addressing because if there are a large number of lots being accessed off of this access way, there are not enough numbers off the main road that the access way serves to give each lot its own number. As a result the lots are given a number and a letter which becomes a problem for mail services. Many of the property owners are also concerned that EMS will have trouble locating their homes if there is an emergency. Ms. Cox stated that she has discussed this issue with the Fire Marshal who said he is concerned because since there are no fire hydrants, water would have to be transported by a tanker truck from the main road wherever the closest fire hydrant is down the access way to the structure. Depending on the condition of the access way, the fire department has had trouble getting tankers to where they needed to be to fight fires. Ms. Cox said the Draft Land Use Plan is now encouraging most of the development in the "Golden Triangle" area of the county which she believes is now pushing the creation of these ten acre type subdivisions in the Newland and Weeksville areas. She stated that if the county follows the Draft Land Use Plan and continues to deny residential rezonings in these areas, she thinks it is reasonable to anticipate that in the future these types of subdivisions will increase since it is a way to get around the county's Subdivision Regulations or Zoning Regulations without any county approvals. She encouraged members of the Board to visit some of these subdivisions and see the conditions of the roadways. She noted that regardless of the road maintenance issues, the county still has a responsibility to provide emergency services. She added that farm buildings would be exempt from this requirement as they are exempt from the State Building Code. In addition, this proposal would not affect existing lots, but only lots that would be created in the future. Ms. Cox advised that the Planning Board reviewed this proposal during its last meeting and voted to recommend denial.

After questions from members of the Board, Chairman Perry asked if anyone from the public would care to comment on the proposed zoning amendment.

Mr. Grover Sanders, Jr. of Blount Road asked how the county can tell someone who owns land that they have to have county water in order to build a house on that land. He said they should be able to use a water pump if they elect to.

Mr. H.V. Cole stated that 20 years ago when the county first adopted zoning, the public was assured that county zoning would not hurt the average person. He said zoning has done some good and has done some bad. He stated that what the county is considering now is bad because it is taking away the rights of property owners. He said that buyers know what they are getting into when they buy a ten-acre parcel of land and he suggested that the county stop trying to "hold everybody's hand".

Mr. Jerry Cartwright of Gumbridge Road stated that he lives 1,100 feet from a state right-of-way. The property is divided into two 10-acre tracts and one 40-acre tract. He said as he understands it, the 40-acre tract could only have one house on it which would totally restrict him. He stated that his parents bought this land in 1938 and he does not feel that people like himself should be penalized because of developers trying to circumvent the subdivision regulations.

Mr. Larry Larabee stated that people do not buy 10-acre lots with their eyes closed. He said it is not so costly to put rocks and build a road. He stated that a lot of people want to live off of the roads, away from the people and the congestion. He said he has some land that he would like to give to his children, however the county is restricting him so that the property is worthless.

Mr. Dudley Weeks of Firetower Road said he is in the process of developing a 10-acre parcel now and he does not know whether the county will stop him. He asked what the difference is in a 50-foot right-of-way and a 25-foot right-of-way when both would accommodate two cars meeting each other. He said he is against the zoning amendment the county is considering.

Mr. Horace Pritchard of North Road Street said he was on the Board of Commissioners when zoning was first adopted and at that time the Board felt it was doing something that would help people. He stated that he does not think adopting zoning regulations to take away a right that was given by the state is quite right. He said the county is hurting a lot of people who are not developers by trying to close a loophole for developers.

Mr. Carl Estus of Pasquotank Station Road said it seems to him that a prime consideration should be the access by emergency services. He added that he feels a 50-foot right-of-way is wide and he thinks an 18-foot road surface with a ditch to carry the water away would be adequate.

At the absence of further comments, the public hearing was closed.

Assistant County Manager Rodney Bunch asked to address some of the concerns that have been expressed. He said it has been expressed that a property owner has to connect to the public water system. He noted that the language states that the lots shall have access to the public water system so they would have the option to connect to it. He said if the Health Department approves a well and the property owner would prefer to have a well, that would be allowed according to the proposed language. Mr. Bunch asked the Board to keep in mind that there are no reviews whatsoever for the 10-acre or larger parcels including review of layout or drainage reviews. He said a lot of people buy the large tracts of land and have no idea what they are getting into.

Vice-Chairman Lloyd Griffin asked why the Planning Board denied the zoning text change. Ms. Cox stated that several individuals spoke against the text amendment at the Planning Board meeting. She said the Planning Board, in its motion, noted the concerns addressed during the public hearing, including concern about the requirement for the access to public water, and concern that the text amendment was being rushed through and was being done without many people knowing about it.

Vice-Chairman Griffin asked why the minimum of 50-foot road frontage for developable lots was proposed. Ms. Cox said that this is the minimum road frontage that is currently in the Subdivision Ordinance.

Commissioner Wood stated that he has a lot of respect for many of the individuals who have spoken tonight in opposition to this proposed zoning text amendment, however during his years as a Commissioner he has seen a lot of abuse of the regulations and the residents. He said the county needs to have better planning to ensure that this abuse does not continue. He stated that he has looked in neighboring Camden County at the 10-acre lots that have been created and he is not proud of the way those subdivisions look. He stated that he is concerned about backdoor development that is not part of the county's subdivision and zoning process. He said he will support the text amendment.

Commissioner Dixon said at the Board's retreat, the board asked staff to come back with a proposal to address the 10-acre lots. He stated that he does not feel this is quite the right plan and needs further research. He said there should be other solutions and other ways to restrict rogue developers. He stated that he cannot support this proposal because it will restrict a lot of property owners who want to follow the rules. He suggested that developers and staff work together to come up with a compromise plan.

Commissioner Stevenson stated that he does not disagree with the effort to try to close loopholes where the 10-acre rule is being abused, however in trying to close those loopholes the county will be hurting the little person who wants to do something for his children and does not have the

means to develop the property. He said there must be another way to close the loopholes besides what is being proposed tonight.

Vice-Chairman Griffin said the concern is about a loophole that has allowed backdoor development. He stated that the loophole is allowing developers to divide property into 10-acre parcels without some type of infrastructure, accessibility, and guidance as to how the property will be developed. He said he understands that those who purchase these 10-acre lots need to be protected. He stated that citizens are however concerned about gifting of land to family members who want to build a home.

Chairman Perry stated that the Board needs to take a good look at the proposed regulations. He said the county needs to prevent developers from developing 10-acre lots in order to make money, but needs to protect families and the small property owner.

Commissioner Trueblood said he is very concerned about the division of property that does not have any guidelines relating to drainage that might impact people upstream and downstream of the property. He stated that he appreciates all staff has done to come up with this proposed text amendment, however he feels there must be a means to help the person who has property to give to his children.

Motion was made by Bill Trueblood, seconded by Jimmie Harris to delay action on Zoning Text Amendment ZTA 07-01 for 60 days while staff and the Board try to work at length to come up with a compromise that would address the concerns of staff, the Board, and constituents. The motion carried by a six to one margin with Commissioner Dixon voting against the motion.

8. PUBLIC HEARING ON SUBDIVISION TEXT AMENDMENT STA 07-01 TO REQUIRE SUBMISSION OF FINAL PLATS AT LEAST TWENTY-ONE DAYS PRIOR TO REVIEW BY THE BOARD OF COMMISSIONERS:

Chairman Perry declared the meeting to be a public hearing on Subdivision Text Amendment STA 07-01. Ms. Shelley Cox explained that currently there is a deadline that final plats must be submitted at least fifteen days prior to review by the Board of Commissioners. She said staff has recommended that this be lengthened to twenty-one days. She stated that the current fifteen days includes the amount of time that it takes staff to write up the analysis and send it to the Board. She said especially now with all of the drainage issues, final plats are requiring a lot of review and staff must perform several site visits for each final plat to make sure everything has been installed correctly. She stated that twenty-one days would provide an opportunity for staff to more thoroughly review the final plats that are submitted to the Planning Department. In addition, twenty-one days would allow time for the county's engineering consultant to adequately review the projects and address any questions or problems that may arise. Ms. Cox advised that the Planning Board reviewed this amendment at the last meeting and voted to recommend approval.

Chairman Perry asked if anyone would care to comment on the proposed Subdivision Text Amendment. At the absence of comments, the public hearing was closed.

Motion was made by Matt Wood, seconded by Jimmie Harris to approve Subdivision Text Amendment STA 07-01 as proposed. The motion carried unanimously and Section 306 of the Subdivision Ordinance was amended as follows:

Section 306 Final Plat Review

General

Upon completion of the installation or an arrangement for the improvements shown on the approved preliminary plat for the whole or in a portion of the subdivision that is acceptable to the Planning Board and County Commissioners, the applicant shall submit a final plat ~~45~~ **21** days prior to the regular meeting of the Board of Commissioners showing the areas covered by such improvements. A final plat for the first phase of subdivision shall be submitted not more than 24 months after the date on which the preliminary plat was approved; otherwise preliminary approval shall be null and void, unless a written extension of this limit is granted by the County Board of Commissioners on or before the 24th month anniversary of the preliminary plat approval. Subsequent phases shall be submitted not more than 24 months after the date of the final plat approval for the prior phase of development; otherwise preliminary approval shall be null and void, unless a written extension of the limit is granted by the County Board of Commissioners on or before the 24th month anniversary of the previous final plat approval. **{Amended 01-20-04}**

9. **PUBLIC HEARING ON PROPOSED INSTALLMENT FINANCING AGREEMENT IN THE AMOUNT OF \$6.3 MILLION FOR ADDITION TO COLLEGE OF THE ALBEMARLE AND RENOVATIONS TO FORMER PASQUOTANK COUNTY LIBRARY BUILDING, AND ADOPTION OF RESOLUTIONS RELATED TO FINANCING:**

County Manager Randy Keaton reviewed resolutions from the county's bond counsel related to the proposed installment financing agreement in the amount of \$6.3 million to finance the addition to College of The Albemarle and the renovations to the old library building.

* * * * *

Commissioner Lloyd Griffin introduced the following resolution, a copy of which had been provided to each Commissioner and which was read by its title:

RESOLUTION MAKING CERTAIN DETERMINATIONS CONCERNING A PROPOSED INSTALLMENT FINANCING AGREEMENT TO FINANCE THE COST OF VARIOUS PROJECTS AND APPROVING CERTAIN ACTIONS RELATING THERETO.

WHEREAS, the County of Pasquotank, North Carolina (the "County") is considering entering into an installment financing agreement and certain related documents pursuant to G.S. §160A-20, as amended, for the purpose of providing funds in an amount not to exceed \$6,300,000, with other available funds, for the acquisition, construction and installation of the Project hereinafter defined, and it is necessary to take certain related actions at this time;

NOW, THEREFORE, BE IT DETERMINED AND RESOLVED by the Board of Commissioners for the County, as follows:

Section 1. The Project consists of the COA Project hereinafter defined and the County Project hereinafter defined (collectively, the "Project"). The COA Project includes the acquisition, construction and installation of a two-story 24,000 square-foot addition to Building A on the Elizabeth City campus of the College of The Albemarle on a site to be sold by The Board of Trustees of College of The Albemarle to the County that is adjacent to such Building A to provide two additional chemistry and biology laboratories, a 120-seat tiered lecture hall, student common areas and additional offices, record rooms and storage facilities (the "COA Project"). The County Project includes (a) the renovation of the former Pasquotank County Library to provide space for the Tax Office, Register of Deeds Office and GIS Department of the County and the replacement of all heating, ventilating, air conditioning, mechanical and electrical systems therein and (b) if funds are available therefor, the renovation of the Pasquotank County Courthouse to accommodate the Clerk of Court and the Planning and Inspections departments of the County (the "County Project").

The Board of Commissioners for the County (the "Board of Commissioners") hereby finds and determines in connection with such proposed agreement that (a) the proceeds of such proposed agreement will be used to finance a portion of the cost of the Project to meet an urgent need for improved community college and public administrative facilities constituting the Project to serve the residents of the County and, accordingly, such proposed agreement is necessary or expedient for the County, (b) such proposed agreement, under current circumstances, is preferable to a bond issue of the County for financing the same purpose because there is not adequate time to hold a bond referendum, (c) the sums estimated to fall due under such proposed agreement are adequate and not excessive for its proposed purpose because they are based upon construction bids received by the County with respect to portions of the Project or the County's best estimate of the cost of portions of the Project, (d) the County's debt management procedures and policies are good and its debt will continue to be managed in strict compliance with the law, (e) any increase in taxes necessary to meet the sums estimated to fall due under such proposed agreement will not be excessive because the County does not expect that it will be necessary to increase taxes in order to provide funds to pay such sums and (f) the County is not in default regarding any of its debt service obligations.

Section 2. The actions of the County Manager of the County in calling a public hearing on such proposed agreement and publishing a notice of such public hearing in The Daily Advance, in accordance with the provisions of G.S. §160A-20, as amended, are hereby approved, ratified and confirmed.

Section 3. The County Manager, the Finance Officer and the County Attorney of the County are each hereby designated as a representative of the County to file an application for approval of such proposed agreement with the Local Government Commission of North Carolina and are authorized to take such other actions as may be advisable in connection with the negotiation of such proposed agreement and the development of the related financing; and all other actions heretofore taken by any of such officers or any other officer of the County relating to such matter on behalf of the County are hereby approved, ratified and confirmed.

Section 4. The Board of Commissioners hereby requests the Local Government Commission of North Carolina to approve such proposed agreement under Article 8 of Chapter 159 of the General Statutes of North Carolina, as amended.

Section 5. The law firm of Robinson, Bradshaw and Hinson, P.A., Charlotte, North Carolina, is hereby appointed special counsel to the County in connection with such proposed agreement.

Section 6. This resolution shall take effect immediately upon its passage.

Upon motion duly made and seconded, the foregoing resolution was passed by the following vote:

Ayes: Commissioners Cecil Perry, Lloyd E. Griffin III, George Matthew Wood, Bill Trueblood, Marshall Stevenson, Jeff Dixon, and James G. Harris.

Noes: None.

Thereupon, the Chairman of the Board of Commissioners for the County of Pasquotank, North Carolina (the "County") announced that this was the hour, day and place fixed for the public hearing for the purpose of considering (a) whether the Board of Commissioners for the County should approve a proposed installment financing agreement and certain related documents pursuant to G.S. §160A-20, as amended, for the purpose of providing funds in an amount not to exceed \$6,300,000, with other available funds, for the acquisition, construction and installation of the Project hereinafter defined and (b) whether the County should acquire an interest in the real and personal property included in the COA Project hereinafter defined, including specifically the site of the COA Project and the improvements thereon, for use by the College of The Albemarle in order to proceed with a plan by the County and The Board of Trustees of College of The Albemarle (the "Board of Trustees") for the financing of a portion of the cost of the COA Project. The County would secure the repayment by it of moneys advanced pursuant to such proposed agreement by granting a security interest in all or some portion of the COA Project and certain related property.

The Project consists of the COA Project and the County Project hereinafter defined (collectively, the "Project"). The COA Project includes the acquisition, construction and installation of a two-story 24,000 square-foot addition to Building A on the Elizabeth City campus of the College of The Albemarle on a site to be sold by the Board of Trustees to the County that is adjacent to such Building A to provide two additional chemistry and biology laboratories, a 120-seat tiered lecture hall, student common areas and additional offices, record rooms and storage facilities (the "COA Project"). The County Project includes (a) the renovation of the former Pasquotank County Library to provide space for the Tax Office, Register of Deeds Office and GIS Department of the County and the replacement of all heating, ventilating, air conditioning, mechanical and electrical systems therein and (b) if funds are available therefor, the renovation of the Pasquotank County Courthouse to accommodate the Clerk of Court and the Planning and Inspections departments of the County (the "County Project").

Notice of this public hearing was published in The Daily Advance not less than 10 days before the date of this public hearing.

The County Manager and the Finance Officer of the County then described the Project as currently proposed and the current plan of the County to finance a portion of the cost of the Project.

The County Manager and the Finance Officer of the County then presented and described a proposal to finance a portion of the cost of the Project, dated February 28, 2007, which the County had received from SunTrust Leasing Corporation in response to the County's request for such a

proposal to finance a portion of the cost of the Project which it had sent to a number of financial institutions. Such proposal appears to be the most appropriate of the proposals received by the County to meet its needs under existing circumstances and constitutes the proposed agreement that is the subject of this public hearing.

The Chairman of the Board of Commissioners for the County (the "Board of Commissioners") then announced that the Board of Commissioners would immediately hear anyone who might wish to be heard on such matters.

No one appeared, either in person or by attorney, to be heard on such matters and the Clerk to the Board of Commissioners announced that no written statement relating to such matters had been received.

Thereupon, upon motion of Commissioner Matt Wood, seconded by Commissioner Jimmie Harris, the Board of Commissioners determined (a) to proceed with the proposed financing of a portion of the cost of the Project and approve on a preliminary basis such proposed agreement to finance a portion of the cost of the Project in an amount not to exceed \$6,300,000 substantially as presented and (b) to acquire an interest in the real and personal property included in the COA Project, including specifically the site of the Project and the improvements thereon, for use by the College of The Albemarle in order to proceed with a plan by the County and the Board of Trustees for the financing of the cost of a portion of the COA Project. Such motion was approved by the following vote:

Ayes: Commissioners Cecil Perry, Lloyd E. Griffin III, George Matthew Wood, Bill Trueblood, Marshall Stevenson, Jeff Dixon, and James G. Harris.

Noes: None.

Thereupon, the Chairman of the Board of Commissioners announced that the public hearing was closed.

Thereupon, Commissioner Bill Trueblood introduced the following resolution, a copy of which had been made available to each Commissioner and which was read by its title:

RESOLUTION OF THE BOARD OF COMMISSIONERS FOR THE COUNTY OF PASQUOTANK, NORTH CAROLINA, DECLARING ITS INTENTION TO REIMBURSE SAID COUNTY FROM THE PROCEEDS OF A TAX-EXEMPT FINANCING FOR CERTAIN CAPITAL EXPENDITURES

WHEREAS, the County of Pasquotank, North Carolina (the "County"), is a political subdivision organized and existing under the laws of the State of North Carolina; and

WHEREAS, the County or The Board of Trustees of College of The Albemarle (the "Board of Trustees") has paid, beginning no earlier than January 18, 2007, and will pay, on and after the date hereof, certain expenditures in connection with certain projects defined, collectively, as the Project in a resolution passed by the Board of Commissioners for the County (the "Board") on March 19, 2007 and entitled "RESOLUTION MAKING CERTAIN DETERMINATIONS CONCERNING A PROPOSED INSTALLMENT FINANCING AGREEMENT TO FINANCE THE COST OF VARIOUS PROJECTS AND APPROVING CERTAIN ACTIONS RELATING THERETO"; and

WHEREAS, the Board has determined that certain moneys previously advanced no earlier than January 18, 2007 and to be advanced on and after the date hereof by the County or the Board of Trustees to pay such expenditures in connection with the Project (the "Expenditures") are available only for a temporary period and it is and will be necessary to reimburse the County for the Expenditures from the proceeds of a tax-exempt financing in the form of an installment financing pursuant to Section 160A-20 of the North Carolina General Statutes, as amended (the "Tax-exempt Financing");

NOW, THEREFORE, BE IT RESOLVED by the Board as follows:

Section 1. The Board hereby declares the County's intent to reimburse the County with the proceeds of the Tax-exempt Financing for the Expenditures made on and after January 18, 2007, which date is no more than 60 days prior to the date hereof. The County reasonably expects

on the date hereof that it will reimburse the Expenditures with the proceeds of the Tax-exempt Financing.

Section 2. Each Expenditure was or will be (a) of a type properly chargeable to a capital account under general federal income tax principles (determined in each case as of the date of the Expenditure), (b) a cost of issuance with respect to the Tax-exempt Financing, (c) a nonrecurring item that is not customarily payable from current revenues or (d) a grant to a party that is not related to or an agent of the County or the Board of Trustees so long as such grant does not impose any obligation or condition (directly or indirectly) to repay any amount to or for the benefit of the County or the Board of Trustees.

Section 3. The maximum principal amount of the Tax-exempt Financing expected to be entered into with respect to the Project is \$6,300,000.

Section 4. The County will make a reimbursement allocation, which is a written allocation by the County that evidences the County's use of proceeds of the Tax-exempt Financing to reimburse an Expenditure, no later than 18 months after the later of the date on which the Expenditure is paid or the Project is placed in service or abandoned, but in no event more than three years after the date on which the Expenditure is paid. The County recognizes that exceptions are available for certain preliminary expenditures, costs of issuance, certain de minimis amounts, expenditures by small issuers (based on the year of entering into a financing and not the year of expenditure) and expenditures for construction projects of at least five years.

Section 5. This resolution shall take effect immediately upon its passage.

Thereupon, upon motion of Commissioner Bill Trueblood, seconded by Commissioner Matt Wood, the foregoing resolution was passed by the following vote:

Ayes: Commissioners Cecil Perry, Lloyd E. Griffin III, George Matthew Wood, Bill Trueblood, Marshall Stevenson, Jeff Dixon, and James G. Harris.

Noes: None.

10. 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 a recommendation from the Finance Committee to accept a proposal from Patton Harris Rust & Associates, PC to perform a study of the Knobbs Creek Drainage Basin; and 2) Discussion of a resolution regarding the location of a proposed Navy outlying landing field.

Motion was made by Matt Wood, seconded by Lloyd Griffin to amend the agenda to include the two items requested above. The motion carried.

11. APPROVAL OF CONSENT AGENDA:

The Board considered the following consent agenda:

a. Approval of Minutes of February 26 and March 5, 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.	Kathy Ross Riddick	108.44	
2.	Harlon A. Parchment, Jr.	193.30	
3.	Carl Sherrad Hayes	166.91	
4.	Alan Todd Keyes	116.00	
5.	George William Lane	143.23	
6.	Donald Vincent Williams, Jr.	123.56	103.56
7.	Mark B. Barnett	112.81	
8.	Mark Anthony Caltagrione	119.57	104.64
9.	William Charles Markee, Jr.	118.80	104.00
10.	BB&T Leasing Corporation	122.19	101.82
11.	BB&T Leasing Corporation	122.19	101.82

Refunds:

1.	Marie G. Moore Lf Est	229.05	
2.	Joyce Marilyn Etheridge	446.95	
3.	Joyce Marilyn Etheridge	183.02	
4.	Joyce Marilyn Etheridge	202.40	
5.	Joyce Marilyn Etheridge	232.45	

Motion was made by Matt Wood, seconded by Jimmie Harris to approve the consent agenda as presented. The motion carried.

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

Releases:

1.	Bonny Lou Schallock	54.06	43.12
2.	Andrew Steven Troeger	79.25	
3.	Michael Gerard Jordan	40.08	
4.	Cynthia Marie Morris	27.56	21.98
5.	Donald Lee Jamison	3.66	2.92
6.	George & Carolyn McKecuen		96.00
7.	Michael Blaine O'Brien	53.57	49.64
8.	Vinicuis Freire Cainneiro	23.36	18.63
9.	Deborah Ann Blanchard	18.00	15.00
10.	Michael Robert McKnight	15.99	
11.	Edward Alexander	55.82	
12.	Edward Alexander	80.40	
13.	Edward Alexander	22.18	
14.	Sperry Culler Storm, Jr.	70.70	
15.	Andrew Roland Poulin	20.93	22.44
16.	Eric Arnold Pearson	79.25	
17.	Lillie Mae Weston		52.87
18.	Lillie Mae Weston		35.85
19.	Daniel James Hillman	86.78	
20.	Timothy Rolph Arn	20.74	22.28
21.	Damon Keith Raley	90.58	
22.	Ray Douglas Brickhouse	51.55	
23.	Ray Douglas Brickhouse	45.32	
24.	Julie Elizabeth Schanno	34.44	
25.	Frederick Earl Melton	18.72	15.60
26.	Harry Kellog, Jr.	1.59	1.32
27.	Frank Joseph Caruso, Jr.	42.24	40.20
28.	Kevin Randall Speaks, Jr.	19.78	21.48
29.	Brady Thomas Scheib	64.90	
30.	Michell Ferebee Lewis	15.84	13.20
31.	Michell Ferebee Turner	4.59	3.82
32.	Vincent Mark Logsdon	83.24	
33.	Jess Paul Lopez	73.01	
34.	Adrian L. Blachuta	59.76	54.80
35.	Casey Richard Kretschmar	32.02	31.68
36.	John Marshall Duhaine	58.46	53.72
37.	Michael Alan Taylor	79.30	68.25
38.	Shawn Patrick Garrigan	36.72	
39.	Shawn Patrick Garrigan	53.34	
40.	Shawn Patrick Garrigan	92.62	
41.	Domingo Acevedo Gonzalez	36.86	
42.	Brittany Danielle Competrello	16.72	
43.	Geoffrey Phillip	75.00	62.50
44.	Mark Daniel Ward	87.94	78.28
45.	Matthew Wayne Wall	6.28	
46.	Marcia Mardean Quinn	31.68	
47.	Patrick Joe Quinn	7.10	
48.	Wesley Hyatt Hester	64.66	
49.	Douglas Robert Hansen	59.47	
50.	Velma Louise Brown	12.18	
51.	Freedon Washington Shaw	51.94	
52.	Rena Old Clark	11.91	
53.	Bruce Douglas Freeman	67.06	

54.	Lori Ann Forbes	3.60	
55.	Alberto Enrico Nogueras	1.94	1.55
56.	Marvin Henry Gortsch	7.20	
57.	Carol Josephine Davis	28.90	24.08
58.	Edwin Lee Hannah	15.12	
59.	Joseph Michael Platter	21.75	
60.	Kristin Elyse Wynkoop	58.99	
61.	Steven Jay Wynkoop, Jr.	35.18	
62.	Curtis Joe Bryant	47.76	44.80
63.	Earmon Dale Horn, Jr.	31.01	
64.	Angela Magdalean Poole	3.74	2.99
65.	John Arthur Roberts	42.24	40.20
66.	Robyn Giles Eure	4.49	
67.	Georgia Armstrong Alford	32.39	25.83
68.	Erin Ann Richardson	19.16	15.28
69.	Sperry Culler Storm	8.55	
70.	Sperry Culler Storm	58.16	
71.	Richard T. Raymond, Jr.	62.45	
72.	Jeffrey Lee Perdue	40.46	
73.	Jerry Lynn Johnson	17.32	18.76
74.	Vinicius Freire Carneiro	5.19	4.32
75.	Contemporary Cybernetics	53.50	44.58
76.	Justin Joseph Cimbak	36.96	
77.	David Dwaine Browning	74.16	
78.	Mataria Jahri White	8.57	6.84
79.	James Michael Meads		35.88
80.	Sylvia Sawyer Morris	34.03	
81.	Lynda Carol Horton	14.86	
82.	Nina Douglass Wakefield	5.67	4.72
83.	Ernest Lay Harrell	47.48	
84.	Margaret Bell Overton	19.35	16.12
85.	Harry Fraser Cobb	6.05	

Refunds:

1.	Billy T. Duncan II	71.78	
2.	Tri B Construction		15.24
3.	Willard W. Newbern, Jr.	14.24	

12. APPROVAL OF PROPOSAL FROM PATTON HARRIS RUST & ASSOCIATES, PC FOR DRAINAGE STUDY OF THE KNOBBS CREEK DRAINAGE BASIN:

The Board considered a recommendation from the Finance Committee to accept a proposal submitted by Patton Harris Rust & Associates, PC to conduct a study of the Knobbs Creek Drainage Basin for an estimated fee of \$77,899.00.

Motion was made by Matt Wood, seconded by Bill Trueblood to accept the proposal from Patton Harris Rust & Associates, PC to conduct a study of the Knobbs Creek Drainage Basin at an estimated cost of \$77,899.00.

Discussion followed and Commissioner Stevenson requested that the motion be amended to delay action on this proposal to allow time to investigate the information received from the public tonight. Commissioner Trueblood stated that the county cannot just go into the swamps and start digging without something to base it on. He said it would take something from an engineer to go forward to the Corps of Engineers. He stated that the county would also have to obtain permission to go into the swamps and start digging. Commissioner Trueblood added that he believes the engineering study would be the first step to address the problem. Commissioner Wood noted that the county must have a scientific study done to show what will mitigate the problem. He said he believes the study will be a very wise use of taxpayers' money. Assistant Manager Rodney Bunch noted that the study is not for the sole purpose of trying to correct an existing condition, but will provide information to help the Board in reviewing future projects to determine the amount of runoff. Commissioner Stevenson stated that he was only looking for additional time to ensure that letters sent to federal and state representatives had made it to those representatives, and that other options had been exhausted before going into a study that will take four months. He said the study itself will not fix the problem, but will only provide an idea of where the problem is. He said if there are others ways to fix the problem without spending the money, he would be in favor of it. Commissioner Dixon stated that he feels that \$78,000 will be just a drop in the bucket compared to what the true cost of the repairs will be. County Manager

Randy Keaton noted that this study will give the county more information to take to the federal government with a specific plan to correct the problem.

The motion carried by a six to one margin with Commissioner Stevenson voting against the motion.

13. CONSIDERATION OF SKETCH PLAN FOR EQUESTRIAN ESTATES, PHASE IV, CONSISTING OF 35 LOTS OFF OF MAIN STREET EXTENDED:

The Board reviewed the sketch plan for Equestrian Estates, Phase IV, consisting of 35 residential lots off of Main Street Extended. Planning Director Shelley Cox explained that the property is zoned R-35A and lot sizes range from 43,000 square feet to almost 200,000 square feet. Under the current school districting, students generated from this development would attend Northside Elementary School, Elizabeth City Middle School, and Pasquotank County High School. Providence Volunteer Fire Department provides fire protection for this area and the area is served by Pasquotank County Water System. Ms. Cox stated that Mr. Ralph Hollowell of Albemarle Regional Health Services has reviewed and approved this proposal, however he has noted that some lots will require pre-treatment. The area is located within flood zones X and Shaded X. Ms. Cox said the Technical Review Committee met on February 7 and reviewed the proposal, and the sketch plan has been modified to reflect the concerns noted by the TRC. She stated that there will be no access to Main Street Extended, however access will be provided through Equestrian Estates, Phase 3 via Pritchard Road. She advised that the Planning Board reviewed this request at its March 1 meeting and voted to recommend approval of the sketch plan.

Mr. Joe Anlauf, engineer for the project, addressed questions from the Board regarding drainage, and regarding the roadway including the need for turn lanes on Main Street Extended and for easements in the event DOT determines to four-lane Main Street Extended.

Motion was made by Lloyd Griffin, seconded by Jimmie Harris to approve the sketch plan for Equestrian Estates, Phase IV, contingent upon the engineer redrawing the lots before preliminary plat submittal to provide right-of-way should DOT in the future decide to four-lane Main Street Extended. The motion carried unanimously.

14. APPROVAL OF 12-MONTH EXTENSION FOR LLOYD E. GRIFFIN, JR. TO SUBMIT PLANS FOR IMPROVEMENTS TO LOT IN COMMERCE PARK:

The Board considered a recommendation from the Commerce Park Ad Hoc Committee to approve a request from Lloyd E. Griffin, Jr. for a 12-month extension of time to submit plans and specifications for improvements to the lot he purchased in the Commerce Park. He has paid the 5% fee required for a 12-month extension. Vice-Chairman Lloyd Griffin asked that he be excused from considering this request.

Motion was made by Matt Wood, seconded by Bill Trueblood to excuse Commissioner Lloyd Griffin from considering the request for a 12-month extension of time for Lloyd E. Griffin, Jr. to submit plans and specifications for improvements to the lot he purchased in the Commerce Park. The motion carried.

Motion was made by Matt Wood, seconded by Bill Trueblood to approve a 12-month extension for Lloyd E. Griffin, Jr. to submit plans for improvements to the lot he purchased in the Commerce Park. The motion carried.

15. ADOPTION OF RESOLUTION REGARDING OUTLYING LANDING FIELD:

The Board reviewed a resolution adopted in December, 2003 opposing the location of a Navy outlying landing field. It was suggested that the Board re-adopt the resolution for presentation at a public hearing later this week in Perquimans County.

Motion was made by Matt Wood, seconded by Lloyd Griffin to re-adopt a resolution opposing the location of a Navy outlying landing field. The motion carried unanimously and the following resolution was adopted.

**A RESOLUTION
SUPPORTING GOVERNOR EASLEY IN OPPOSING AN OUTLYING LANDING FIELD AT
ANY SITE THAT IS UNACCEPTABLE TO THE STATE OF NORTH CAROLINA**

WHEREAS, the Commander in Chief of the U.S. Atlantic Fleet wrote a letter, dated October 30, 2000 indicating the search for an Outlying Landing Field (OLF) site was predicated precisely because of community concerns about jet noise in the Norfolk, Virginia area, not national defense, operational requirements, needs of the navy, homeland security nor training necessity; and

WHEREAS, the Navy has selected an OLF site known as the Washington/Beaufort County site; and

WHEREAS, the Navy's strategy to take in excess of 30,000 acres, equaling approximately 50 square miles, of prime farmland surrounding the OLF site, in both counties, by fee-simple transactions or condemnation, will affect an estimated one hundred seventy-one persons and seventy-four households, many who are 4th to 7th generation landowners; and

WHEREAS, Executive Order 12898 requires each federal agency to make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies and activities on minority populations and low-income populations in the United States; and

WHEREAS, the North Carolina Department of Commerce has determined Washington County to be a Tier I county, having 20.7% of the total population living in poverty and 30.3% of persons under 18 years of age living in poverty, as indicated in the U.S. Census Bureau 1995 County Estimate of Poverty and approximately 50% of Washington County residents are minority; and

WHEREAS, the environmental impacts of an OLF violate Executive Order 12898; and

WHEREAS, the OLF site is located immediately adjacent to an international treasure of wildlife known as the Pocosin Lakes National Wildlife Refuge, home to over 100,000 migratory birds, including snow geese, tundra swan and Canada geese, for six months of every year; and

WHEREAS, the U.S. Fish and Wildlife Service "strongly recommended against building an OLF close to a National Wildlife Refuge"; and.

WHEREAS, a scientist who worked for the Navy's own contractor that conducted the bird study, has come forward in strong opposition to this site as being one of the most dangerous locations in the country for Bird Aircraft Strike Hazards; and

WHEREAS, Governor Easley opposes this OLF site and any other OLF site which would have such severe negative impacts and which would be unacceptable to the State of North Carolina.

NOW, THEREFORE, BE IT RESOLVED THE PASQUOTANK COUNTY BOARD OF COMMISSIONERS SUPPORTS GOVERNOR EASLEY IN OPPOSING AN OUTLYING LANDING FIELD AT ANY SITE THAT IS UNACCEPTABLE TO THE STATE OF NORTH CAROLINA.

Duly adopted this 19th day of March, 2007 at the regular meeting of the Board of Commissioners of Pasquotank County, North Carolina. Present and voting for seven and against none.

16. REPORTS FROM COUNTY COMMISSIONERS:

Commissioner Trueblood stated that Commissioners have received a letter from Extension Director Travis Burke reminding them that Dr. John Ort, Director of North Carolina Cooperative Extension Service will be at the local Extension Office on Thursday, March 22 and would like to meet with members of the Board of Commissioners. He also reminded the Board of the annual luncheon and staff reports at the Extension Service on Monday, March 26 at 12:00 noon.

Commissioner Trueblood stated that the Board has been provided information regarding the NACo Conference which will be held in Richmond, Virginia this summer. He asked that those who plan to attend notify the Clerk so that arrangements can be made.

The Clerk noted that the NCACC District Meeting will be held in Williamston on April 3. She asked that those who plan to attend let her know.

Chairman Perry stated he will be looking at making assignments to members of the Board to visit some of the schools and other places during the month of April to promote County Government Week.

17. RECOMMENDATIONS FROM APPOINTMENTS COMMITTEE:

Commissioner Marshall Stevenson stated that the Appointments Committee met today and would like to recommend the appointments of Carlton Lamb and David Taylor to the Farmers Market Advisory Committee. This item will be placed on the next Commissioner meeting agenda for final approval to provide an opportunity for the Board to review their applications. He added that the Tourism Development Authority is looking for someone to fill a vacancy on its board. This recommendation would go to the City Council for approval and then to the Board of Commissioners for appointment.

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 Marshall Stevenson to adjourn the meeting. The motion carried and the meeting was adjourned at 9:55 PM.

CHAIRMAN

CLERK

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

The Pasquotank County Board of Commissioners met today in a special meeting on Monday, March 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
Lynn Scott, Asst. Clerk to the Board

The meeting was called to order at 7:00 PM by Chairman Cecil Perry who welcomed everyone present. Commissioner Lloyd Griffin gave the invocation and led in the Pledge of Allegiance to the Flag. Commissioner Perry stated that the purpose of tonight's meeting is to receive comments from the general public on proposed uses of the former Elizabeth City Middle School Building. Commissioner Trueblood stated that the meeting is to receive public input only and a decision will not be made until the April 16, 2007 commissioner meeting.

Chairman Perry called on Ms. June Overman of 980 Ham Overman Road. She stated that it is her wish that the county considers the youth of our community when making a decision about the use of the former Elizabeth City Middle School. She said that in the interest of the youth of Elizabeth City and the increase in youth crime, she would hope that the county seriously consider letting some part of the building be used for the Elizabeth City Boys Club and the Police Athletic League.

Chairman Perry called on Mr. John Young of 906 W. Church Street. Mr. Young stated that he would like to speak about two entities that have an interest in the old middle school building. First, he stated is the Police Athletic League (PAL). He explained that the police department started this program about three years ago and has already touched over eight hundred children in Elizabeth City. He stated that the league has put on dances and had a football program, with the help of the Boys and Girls Club. With the Boys Club sold, there is no longer anywhere to do these activities he explained. Secondly, he stated he recently started a gang task force through the Elizabeth City Police Department. He stated that there is a gang problem in Elizabeth City and if anyone needs proof to come see him. He explained that if children are taken away from the gangs we need to be prepared to give something back to them. He pointed out that PAL had just recently received a grant. He said that they are thinking about adding two tackle teams and eight flag teams, but there is nowhere for them to do this. He stated they would also like to try to get a wrestling program, a boxing program, and a weight lifting program started. He added that PAL has had a basketball program through the Parks and Recreation program for the last several years and has also sponsored 15-18 year old Babe Ruth baseball, but they need a building/gym and field to facilitate their activities and he cannot think of a better location than a school. He added that to get some of these children off the street and into somewhere that there is a positive influence, he feels sure that some of them can be reached.

Commissioner Griffin asked Mr. Young to explain the grant money and the operational expenses and how the county can be assured that it will not be responsible. He explained that there are 350 PAL units across the United States and six in North Carolina, and the Elizabeth City chapter happens to be one of the largest. He stated they have applied for two grants, one through the Department of Justice and another through the NFL Players and Coaches Association and they have received both of them. He stated that the Police Athletic League is a very opportune place to receive grants. He said their motto is "Filling playgrounds, not prisons". He said the organization is made up of the police department and the sheriff's department. He said they also accept children from Camden. When asked by Commissioner Stevenson how much of the

school the League is interested in using, he stated that he is interested in the gymnasium, the wrestling room, two class rooms, and the field area behind the school.

Chairman Perry called on Mrs. Jeannie Young of 906 W. Church Street. She added that PAL also needs a place to keep their equipment. She stated that when the grant money was received a lot of football equipment was purchased and they need a permanent building to keep it in to keep it safe. She gave an example of a child's life that has been touched through PAL and stated that PAL is all that some children have.

Chairman Perry called on Mr. Reginald Edlow of 204 Melonie Drive. Mr. Edlow stated that his proposal is for a faith based group called the Highland Fellowship's Albemarle Children's Center, which needs a place to house children. He stated that as Senior Pastor of the Highland Fellowship Church, one of the original chaplains for the police department, and also as a Guardian Ad Litem for North Carolina, he sees a place that is much needed for children in this county. He stated that not only do children need a place where they can have constructive activity, but a place also to house them. He stated that we no longer have orphanages, but something to that effect is needed in this portion of North Carolina. He stated that he had spoken with Governor Easley's office and they are willing to help with grants. He also has spoken to senators and congressmen and everyone seems to be on board, but the only problem is they do not have a building or a place to house the children. He commented that he is proposing a coalition of all the efforts to come together. He explained that they would primarily need the second floor to house the children and the PAL would be a constructive place for the children to play. He explained that if a coalition can be put together of different agencies around the city and come together in one accord he believes they can do something great for Elizabeth City and for the children who are out there with no place to go after school. He stated that the Department of Social Services has been trying to get him to get this established, because it is so needed. Currently, children are being sent all the way to Rocky Mount and we need a place right here in Elizabeth City. When asked how many children he expects to impact with this group he answered, "Currently, we are impacting about 25 children here in Elizabeth City". He explained that they have worked with other churches and facilities. In addition, he said they put together picnics, basketball games, go fishing, and bowling and do small things that mean a lot to these children.

Chairman Perry called on Mr. Phil Donahue of 909 Courthouse Lane. He pointed out that there are eight organizations currently that he is representing, which include Smart Start, College of the Albemarle, Elizabeth City State University, Albemarle Hospital Foundation, Northeastern Community Development Corporation, River City CDC, The Boys' Club, and PAL. He stated that they have been meeting for about nine months, putting together a plan as to how they can take over the building and use it for a community resource center. He said that he feels everyone agrees the organizations currently involved are all organizations with solid reputations in the community and are doing a lot of good, especially with the underserved.

Mr. Donahue presented a PowerPoint presentation articulating the organizations that will be involved. He stated that their vision is to have an Albemarle Community Resource Center (ACRC) and even though there are only eight organizations involved currently, they plan to bring on other entities in the community that can meet the criteria needed. He said it will be a family driven center that will serve families by providing training and education. The Albemarle Hospital Foundation will house a community care clinic. The current clinic he explained serves several thousand people a year and the building only covers 1,000 square feet. There are currently ten employees working in this limited space. He stated the clinic is free and he feels they have had a huge impact on the health of the underserved and uninsured in the community. He said the foundation would take over the cafeteria and remodel it. He added that \$75,000 in funding has already been received from the State to help refurbish the site, which would be a great start.

He stated that the Northeastern Community Development Corporation has served 398 clients by housing counselors. They also work with financial literacy he explained. The corporation does a lot of work with the Hispanic population, with after school, with summer programs, and with skills training. He stated that he had met with Mrs. Lynne Bunch, President of College of the Albemarle, and she plans to utilize two or three classrooms. He stated that she would like to have a classroom with English as a second language. He explained that with the clinic and with the Community Development Corporation they are going to be able to get a lot of the Hispanic population enrolled in these classes. He explained that COA is also planning on doing some workforce development and skills training. ECSU is looking at possibly relocating their HUD

and their community redevelopment office to the building he stated. Smart Start is looking to move their entire operation from their current location and therefore they will actually be utilizing the largest space in the building. He said that Smart Start serves over 1,200 children and they have a great deal of success with their program. PAL has 550 current members. They serve children between the ages of six and eighteen and they provide athletics, school studies, and mentoring. The Elizabeth City Boys' & Girls' Club would continue their work with disadvantaged youth. He added that River City CDC will probably utilize two classrooms.

Mr. Donahue stated that the goal for the resource center is to restore the school, which is a historic site, and make it an attractive facility for the public. He said they are looking at rehabilitating the building using grants, possible legislative funds, tax credits, and community donations. He asked that the building be leased to the organization for \$1 per year. He stated that they would be serving a diverse population that lives in surrounding communities and they would provide a multi-purpose, centrally located community resource center where high use services are easily accessible. The rehabilitation he stated will come from the efforts of the ARCS. The building will house a number of advocacy groups involved in improving the lives of the poor and underserved. He said that this has been thought through pretty well and that we know the organizations we are dealing with and we know what they contribute to the community. He pointed out that having all of the organizations in one building would be advantageous to the people in the community.

Mr. Donahue explained that they are looking at forming a nonprofit corporation. The eight entities that are at the table currently would be the management of the organization. He added that there are a lot of things that the organization still has to address such as security, maintenance, and how to equitably charge utilities to each facility when some may be operating two hours at night and others are operating all day and utilizing more space. Also, they have to make sure that each organization is committed to doing this for the long term, that their boards are committed to it and that they have the financial stability to be able to make it happen. Another issue is where do they come up with the approximately \$1M to do the rehabilitation to make the building attractive. He stated that they have several strategies to do so such as: 1) they have a lot of grant writing experience amongst the organizations, 2) the legislative route, and 3) they can campaign within the community. He said that the one thing that he needs to stress to the Board is there are many things that have to come together to make this happen. All of the people at the table have to be able to appropriate the money they are going to need up front and if that does not happen, then they are not going to be able to do this. He said that the National Boys' Club group will be touring the building tomorrow and if they do not think it is something the Boys' Club can do and they decide they are not going to be a partner, it will be a big "blow" to what they are trying to put together. But so far, everyone has been very enthusiastic and he believes it can be done. He stated that if the county is willing to do this they can start putting together the business plan and getting some better data.

Commissioner Stevenson asked about long term maintenance costs. Mr. Donahue answered that maintenance costs would be divided amongst the entities involved. He went on to say that the lease would be written to include any and all maintenance. He stated that it is their intent to do a long term lease. Commissioner Wood asked what kind of timeline they were looking at and Mr. Donahue answered he could not give a definitive answer, but he believes they would probably be able to have their plan solidified within 60 days. He stated that if they are required to bring the building up to code, they will not be able to afford to do so. Commissioner Trueblood asked Mr. Young how much of the land behind the school he would be utilizing, because if all the property were not being utilized there would be the option of selling the remaining land for revenue to pay for the demolition of the annex building. Mr. Young stated it would take the majority of the area for a football field. Commissioner Griffin asked why PAL could not play their football games at Sheep Harney or Memorial Field. He answered that they could. County Manager Randy Keaton told Mr. Young that the River Road facility, which has lighting, can be utilized for games also. Commissioner Wood stated that the property on Pearl Street would probably not have much value.

Mr. Donahue asked the Board if they had addressed the plans for the annex, because he said they will not be utilizing it. Commissioner Wood asked if they planned on the county paying for the demolition of the annex. Mr. Donahue stated he did not know who was going to pay for the annex, but they have no intention of paying to have it removed. Commissioner Griffin asked if Mr. Russ Haddad's presentation was a part of the ACRC. Commissioner Dixon stated that it was not and it will have to be reviewed at another time, since Mr. Haddad is not available to present it. Commissioner Trueblood stated that he, Commissioner Griffin, and Commissioner Dixon

will meet sometime in the next week and come up with a proposal to present to the full Board for their consideration. He asked Mr. Keaton in the meantime to see if he can get an estimate for removing the annex. There was discussion regarding using the area for parking for both the center and for downtown.

Commissioner Griffin stated that the taxpayers of Pasquotank County have to pay the Sheriff's office a lot of money to transport youth from here to Winfall, Goldsboro, or Charlotte and also it costs between \$25K and \$40K per year to house each one of these children. He stated that if all the programs he is hearing about today can save 40 children, that is \$160K per year that the taxpayers of Pasquotank County will be saving from having to depend upon Social Services, the Sheriff's Office, and Police Department trying to give these children an opportunity to better themselves and provide some kind of mentoring. He stated that the collective group here today seems to offer opportunities that can support some programs both financially, as well as provide our youth an opportunity down the road to have a job and have some creativity to become a taxpayer and not become a burden on our society. Commissioner Wood asked Mr. Jim Overman if he could take a look at all the entities that would be utilizing the gym and see if there are some gaps somewhere that some other groups could fill.

Mr. Donahue thanked the Board for their time and for their thoughts.

Mr. Keaton asked the Board if they would be interested in having a field trip and workshop on Monday, April 2, 2007 at 10:30AM before their regular meeting to discuss current changes to the subdivision rules. The Board agreed upon this date and time.

Motion was made by Lloyd Griffin, seconded by Bill Trueblood that the Board enter Closed Session to preserve the Attorney Client privilege. The motion carried.

Upon the end of Closed Session;

Motion was made by Cecil Perry, seconded by Jeff Dixon that the Board return to Regular Session. The motion carried.

Motion was made by Matt Wood, seconded by Jeff Dixon to adjourn the meeting. The motion carried and the meeting was adjourned at 8:40PM.

CHAIRMAN

ASSISTANT CLERK