

**PASQUOTANK COUNTY, NORTH CAROLINA  
APRIL 20, 2009**

The Pasquotank County Board of Commissioners met today in a regular meeting on Monday, April 20, 2009 in Courtroom C in the Pasquotank County Courthouse.

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

**MEMBERS ABSENT:** Jeff Dixon

**OTHERS PRESENT:** Randy Keaton, County Manager  
Rodney Bunch, Assistant County Manager  
Karen Jennings, Clerk to the Board

The meeting was called to order at 7:00 PM by Chairman Marshall Stevenson. Commissioner Matt Wood gave the invocation and Vice-Chairman Lloyd Griffin led in the Pledge of Allegiance to the American Flag.

**1. COMMENTS FROM MARGARET TWIFORD REGARDING NATIONAL DAY OF PRAYER:**

Chairman Stevenson recognized Mrs. Margaret Twiford, Area Coordinator for the National Day of Prayer. Mrs. Twiford said she would like to invite the Commissioners to the National Day of Prayer activities on May 7<sup>th</sup>. She explained that the day will begin with a Prayer Breakfast at 7:00 AM at the Wings of Faith Memorial Chapel at the US Coast Guard Base. At 12:00 noon a program will be held in Courtroom A in the Pasquotank County Courthouse. Mrs. Twiford stated that on Saturday, May 9<sup>th</sup> at 7:00 PM a God and Country Rally will be held at the COA Auditorium with special music and a special message. She added that in conjunction with the National Day of Prayer a gingerbread cookie and a letter will be given to over 1,100 volunteers expressing appreciation for what they do and inviting them to the Day of Prayer events. She invited the Commissioners to attend any and all of these events.

The Board thanked Mrs. Twiford and her husband for their hard work in coordinating the National Day of Prayer activities.

**2. PUBLIC HEARING ON CONDITIONAL USE PERMIT REQUEST CUP 09-03 TO PERMIT AN AUTOMOBILE/BOAT REPAIR BUSINESS IN THE I-1 ZONING DISTRICT:**

Chairman Stevenson declared the meeting to be a public hearing on Conditional Use Permit Request CUP 09-03.

Planning Director Shelley Cox explained that this request for a conditional use permit is for 770 Pitts Chapel Road. The site was formerly Climatemasters which has relocated and the owner is attempting to lease the building. The site is currently zoned I-1 Industrial and 4 T's Properties LLC is requesting to allow an automobile repair and towing business to locate at that site. The site includes a 5,000 square foot building that was constructed in 2007 that is proposed to be utilized along with twelve parking spaces. The applicant also plans to utilize an existing chain link fence and install vinyl slats in order to make the fence appear opaque. The total site area is 43,137 square feet. Access to the property will be provided via Pitts Chapel Road. Ms. Cox stated that in March the Board of Commissioners approved a text amendment that would permit this type of business in the I-1 district with the issuance of a conditional use permit subject to the following requirements:

- a. All new sites shall be no less than 43,000 square feet in size;
- b. Structures shall have minimum side and rear yards of thirty (30) feet and a minimum front yard of forty (40) feet; and

- c. A buffer may be required along all property lines as determined by the Board of Commissioners. The Board shall consider among other things:
  1. Aesthetics;
  2. Compatibility with surrounding land uses; and
  3. Parcel size and location of garage and parking.
- d. All storage of wrecked or inoperable vehicles shall be enclosed by a six (6) foot high opaque fence.
- e. No wrecked or inoperable vehicles may be stored for more than one hundred twenty (120) days from the date the vehicle is accepted for repair.

Ms. Cox advised that the Board may impose additional conditions they deem reasonable and appropriate. She said adjoining property owners were notified of this request and an advertisement was run in the local newspaper and on the local cable channel as required by the zoning ordinance, and no comments or concerns have been received from any of the property owners. She stated that the Board must make four findings of fact in order to issue or deny a conditional use permit. She said the Planning Board made the four findings and voted to recommend approval of the conditional use permit. Ms. Cox stated that staff believes the request meets or can meet all of the required conditions and therefore recommends approval.

Chairman Stevenson asked if anyone would care to comment on Conditional Use Permit Request CUP 09-02. Mr. Tom Nash, representing the applicant, explained that 4 T's Properties LLC is the owner of the property on Pitts Chapel Road. 4 T's was composed of Roger Turner and his wife, and Richard Twiddy and his wife, Natalie. Roger Turner is now deceased. Climatedmasters was the tenant at that location and has now been purchased by B&M Contractors and moved to the B&M building. Since that time the remaining members of 4 T's have attempted to lease the property and have been able to find a tenant, Pro Tow & Recovery, whose principal is Mike Weisz. Mr. Nash said the applicants are requesting a conditional use permit to allow automobile/boat repair to be utilized in this particular location. He stated that the property meets the requirements of the zoning ordinance, and the four findings that are required for a conditional use permit have been found by the Planning Board. He said the property itself and the use being requested are appropriate.

Chairman Stevenson noted that he read a requirement that no vehicle be stored more than 120 days. He asked Mr. Weisz if he would be storing vehicles that will be there as a result of an accident. Mr. Weisz responded that it is very uncommon for him to store a vehicle for more than 120 days. He said when a vehicle is involved in an accident he stores it until the insurance adjuster looks at the car. If it is totaled the insurance company takes the vehicle; if it is not totaled it is taken to a body shop. Mr. Weisz said there is a daily fee for storage of vehicles, so they are not generally left there any longer than necessary. In the event a vehicle must be stored for more than 120 days he would store the vehicle inside the building.

Vice-Chairman Griffin asked if the conditional use permit is approved whether there is a timeline imposed for complying with the conditions set forth in the permit before an occupancy permit is issued. Ms. Cox responded that the facility would have to be in compliance before the conditional use permit is issued.

At the absence of further comments, the public hearing was closed and Chairman Stevenson asked for a motion from the Board.

Motion was made by Jimmie Harris, seconded by Bill Trueblood to approve Conditional Use Permit Request CUP 09-02 based on the following four findings of fact:

1. The use will not materially endanger the public health or safety if located where proposed and approved;
  - *The Board finds that the building is located on a public road, the use is in compliance with the setback, there is an existing driveway entrance, it does not appear to endanger adjoining properties; the use is for an automobile repair, storage and towing business.*

2. The use meets all required conditions and specifications;
  - *The Board finds that the proper square footage exists in excess of 43,000 sq ft, setback requirements are met, the fence is existing, the screening of the fence will be in compliance upon approval of the permit.*
3. The use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity; and
  - *The Board finds that the adjoining properties are all commercial and industrial operations, the property fronts a state road with open land in front; appears the use is in harmony with the area.*
4. The location and character of the use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is located and in general conformity with the plan of development for Pasquotank County.
  - *The Board finds that the use is allowed as a conditional use; the use is in harmony with the plan of development since the use is in the same classification as surrounding properties.*

The motion carried.

**3. AMENDMENTS TO THE AGENDA:**

Chairman Stevenson asked if there were any amendments to the agenda. County Manager Randy Keaton asked that the agenda be amended to include approval to surplus and sell various computer equipment on Govdeals.com.

Motion was made by Bill Trueblood, seconded by Lloyd Griffin to amend the agenda to add to the consent agenda approval to surplus and sell computer equipment on Govdeals.com. The motion carried.

**4. APPROVAL OF CONSENT AGENDA:**

The Board considered the consent agenda. Chairman Stevenson requested that *Approval of Glass Disposal Services Agreement* be removed from the consent agenda and considered separately. There being no objection, the agreement will be considered separately.

*a. Approval of Minutes of March 30 and April 6, 2009 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.	Sun Crest Builders, Inc.	122.25	
2.	Luke Van Voorhees	117.59	
3.	Kaitlyn Marie Juanita Webb	144.21	122.99
4.	Donald Kelly Hansen, Jr.	164.35	144.47
5.	Steven Michael Forbes	137.40	

Refunds:

1.	Woodyworks, LLC	239.80	196.20
2.	Lincoln & Shirley Spence	451.39	
3.	Lincoln & Shirley Spence	410.35	
4.	Lincoln & Shirley Spence	393.94	

*c. Approval of Family Subdivision Request FS 09-02 by Jeff Spence for Approval of a One Lot Family Subdivision at 369 Long Lane*

Staff has recommended approval of Family Subdivision Request FS 09-02 by Mr. Jeff Spence to create a gift lot for a child in accordance with Article 5, Section 303 of the Pasquotank County Subdivision Ordinance. The proposed lot will have 196.84 feet of road frontage along Long Lane. Total lot area proposed is one acre for the gift lot and 57± acres for the residual tract. Mr. Spence has owned the property since 1991 and is requesting to give a lot to his daughter, Katie Spence Harris. Documentation has been provided that the plat qualifies as a family subdivision and an improvement permit has been issued by Albemarle Regional Health Services. Staff has advised that Mr. Spence's application meets all of the requirements of the Family Subdivision Ordinance.

d. Approval of Family Subdivision Request FS 09-03 by Douglas Pike for Approval of a One Lot Family Subdivision at 774 Halls Creek Road

Staff has recommended approval of Family Subdivision Request FS 09-03 by Mr. Douglas Pike to create a gift lot for a child in accordance with Article 5, Section 303 of the Pasquotank County Subdivision Ordinance. The proposed lot will have 150.03 feet of road frontage along Halls Creek Road. The total lot area proposed is 1.48 acres for the gift lot and two acres for the residual tract. Mr. Pike has owned the property since 1978 and is requesting to give a lot to his son, Brian Pike. Documentation has been provided that the plan qualifies as a family subdivision and an improvement permit has been issued by Albemarle Regional Health Services. Staff has advised that Mr. Pike's application meets all of the requirements of the Family Subdivision Ordinance.

e. Approval to Surplus and Sell Computer Equipment

The IT Department has requested approval to surplus and sell the following computer equipment on Govdeals.com: 16 computer units with monitor, keyboard, and mouse, 2 laptop computers, an IBM printer, network switches, client terminals, and a projector.

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

The following tax releases and refunds have been approved by the Finance Officer:

Releases:

		County	City
1.	Jane Overton Beamon	28.00	22.91
2.	Jess Paul Lopez	52.75	
3.	Margaret D. Rogerson	5.12	
4.	Allie L. Cartwright	52.90	
5.	Larry J. Seymour	60.67	50.85
6.	Brady Scheib	35.53	
7.	Michael Andrew Lacharite	67.60	60.31
8.	Michael Andrew Lacharite	74.53	65.98
9.	First Flight Machine Corp.	49.25	40.30
10.	Jeffrey A. Danner	82.34	
11.	Elias Palmer Delosreyes	30.80	
12.	James Walter Rountree	7.07	
13.	Harold William Winkelman	7.63	6.26
14.	Melvina Angela Mercer	33.60	27.56
15.	Jeremy Wayne Humphreys	84.54	
16.	Richard Paul Woodward II	39.44	
17.	Kathryn Morgan	25.05	25.54
18.	David Keith Teague	39.11	
19.	Darlene Loretta Lemons	1.75	1.44
20.	Clifford Kirkland	53.13	39.61
21.	James Melvin Owens, Jr.	66.06	
22.	Elizabeth Juanita Grosch	86.68	75.92
23.	James Reginald Holly, Jr.	63.97	47.69
24.	Harry Lee Raper	40.88	39.72
25.	Harry Lee Raper	26.49	27.02
26.	Ike Christopher Okechukwu	8.25	6.77
27.	Essie Marie Thompson	16.34	13.37
28.	Bridgett Denise Jones	23.21	18.99
29.	Cora Lynn Nance		63.68
30.	Weldon Lee James	6.82	
31.	Charles Stanmore Nichols	22.11	
32.	Frank Joseph Caruso, Jr.	37.02	35.29
33.	Lester Vaughn Jones	49.72	40.68
34.	Ronvair Tyshawn Bell	45.93	37.58
35.	Damon Allen Frazier	23.71	
36.	Theratha Sutton Freshwater	10.75	8.82
37.	Jamie Lynn Hasty	13.42	15.98
38.	Thomas Patrick Sayman	70.13	62.38
39.	David Reed Moore	27.72	
40.	Tejwant Singh Chandi	89.60	73.31
41.	Jeremiah Eugene Shue	17.38	19.22
42.	Edward Alexander	68.75	

43.	Jason Theodore Fletcher	7.32	
44.	Kay Eason Brinson	23.82	19.49
45.	Jerry Wayne Perry	19.61	
46.	Diana Echevania Etheridge	61.00	55.02
47.	Lilia Gonzalez Olan	8.25	

Refunds:

1.	Mary Elizabeth Bundy Estate	27.52	
2.	Mary Elizabeth Bundy Estate	26.88	
3.	Mary Elizabeth Bundy Estate	50.88	
4.	Mary Elizabeth Bundy Estate	53.00	
5.	Mary Elizabeth Bundy Estate	58.30	
6.	Lincoln & Shirley Spence	44.72	
7.	Lincoln & Shirley Spence	43.68	

**5. MR. JEFF SPENCE:**

Chairman Stevenson stated that the Board would like to take the opportunity to thank Mr. Jeff Spence for his many years of service. He said he has served 12 years as the Soil Conservation Service District Manager in Pasquotank County, during which time he served as liaison between the Soil Conservation Service, the Newland Community, and the County Commissioners in the establishment of the Newland Watershed District. He was also appointed to the Newland Water Management and Watershed Improvement Advisory Board and served for 10 years. In addition, he regulates the gate for the Newland Dike to control discharge from heavy rains west of the dike and has worked with other land owners to maintain the dike and to improve his community. Chairman Stevenson stated that on behalf of the Board of Commissioners he would like to extend to Mr. Spence the Board's thanks for a job well done and for his service to his community and his county.

**6. CONSIDERATION OF GLASS DISPOSAL SERVICES AGREEMENT:**

The Board considered a recommendation from the Solid Waste Commission to approve an agreement between Pasquotank County and Elizabeth City Glass Company Inc. for disposal of recycled glass materials. Chairman Stevenson said he has some problems with this proposed agreement because it was written by Elizabeth City Glass and totally favors Elizabeth City Glass and looks after their interests. He stated that he sees no advantage to the county signing this agreement because it operates without a contract now and has operated in the past without a contract with other vendors. He said the contract does not set a definite cost and has a range from a negative figure to a positive figure so it is not known what the exact cost will be. He stated that he feels the county should not enter into a contract that does not look after the county. After questions and discussion;

Motion was made by Lloyd Griffin, seconded by Bill Trueblood to refer the proposed glass disposal services agreement to the County Attorney for review and clarification for the next meeting. The motion carried.

**7. APPROVAL OF THREE WATER AGREEMENTS WITH CITY OF ELIZABETH CITY:**

The Board reviewed and discussed the proposed Water Boundary Agreement with the City of Elizabeth City. It was requested that the signature pages be corrected to reflect a new Chairman and a new Mayor since the last draft. County Manager Randy Keaton reviewed that changes that have been made to reflect recent discussions by the city and the county. He said this agreement defines the territories and will also include a map of the territories. The agreement is for a period of twenty years and provides that each party has the exclusive right to serve water to all customers at its option within its water territory as defined by the map. In the event one party has an area within its territory and it chooses not to serve water, then that party can request the other party to serve the customers. The party receiving the request is not required to provide water. After lengthy discussion;

Motion was made by Matt Wood, seconded by Lloyd Griffin to approve and authorize the Chairman to sign the proposed Water Boundary Agreement so it can be forwarded to City Council for approval. The motion carried.

The Board discussed the proposed Water Purchase Contract. County Manager Randy Keaton outlined the changes that have been made in the proposed contract since the last draft. After brief discussion;

Motion was made by Bill Trueblood, seconded by Lloyd Griffin to approve and authorize the Chairman to sign the proposed Water Purchase Contract so it can be forwarded to City Council for approval. The motion carried by a five to one margin with Commissioner Harris voting against approval.

The Board reviewed the Halstead Boulevard Extension Area Agreement. Mr. Keaton also reviewed the changes that have been made in this proposed contract. After discussion and a minor revision;

Motion was made by Lloyd Griffin, seconded by Matt Wood to approve and authorize the Chairman to sign the proposed Halstead Boulevard Extension Area Agreement so it can be forwarded to City Council for approval. The motion carried.

**8. RECOMMENDATIONS FROM APPOINTMENTS COMMITTEE:**

Commissioner Trueblood stated that the Appointments Committee would like to make the following recommendations:

American Red Cross Board of Directors – Recommend the appointment of William Kruse.

Elizabeth City-Pasquotank County Airport Authority – Reappoint Commissioner Lloyd Griffin; recommend appointment of Orestos Gooden as the county's fourth appointee.

Keep Pasquotank Beautiful Committee – This committee is no longer functioning and it is suggested that the committee be dissolved.

**9. REPORTS FROM COMMISSIONERS:**

Commissioner Cecil Perry stated that it has been expressed to him that a lot of people feel the Airport Authority is not providing the kind of information the community deserves concerning jobs. He said although all of the jobs at DRS are not necessarily Airport Authority jobs, the majority of the people supplying information about the jobs are representatives on the Airport Authority.

Commissioner Matt Wood commented that he met with the Economic Developer and two of the captains at the Coast Guard Base and they talked a lot about jobs. He said the Coast Guard is interested in doing a better job of channeling local citizens into jobs provided by the contractors at the base and also the Coast Guard Repair Center itself. He said COA is moving toward getting a two year degree certification program, so it will be very clear to local high school students what a potential path would be in order to be considered for the jobs that are being created. He stated that he believes the development of this program will be done in the next 18 months to two years which should bring some positive results.

Vice-Chairman Lloyd Griffin stated that it is not the Airport Authority's responsibility to get these job openings out in the public. He said the Airport Authority has provided a conduit for the contractors to build buildings and put jobs in the community. He stated that the Airport Authority has been very proactive in making opportunities available to the community that have never before been available because of the joint public partnership with the Coast Guard, DRS, and the other contractors at the base. He said this is a community issue and not just an Airport Authority issue.

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

Assistant County Manager Rodney Bunch reported that last week he and Ms. Carolyn Morris met with Ms. Valerie Moore from the Division of Community Assistance to review the closing documents for the CDBG scattered site project. He said the meeting went very well and the project was completed ahead of schedule. There is the strong possibility of obtaining additional grant funds to complete more renovation work in the remaining time period.

**11. REPORT FROM CLERK:**

The Clerk to the Board advised that the North Carolina Association of County Commissioners will be sponsoring County Assembly Day in Raleigh on April 29. Three Commissioners will attend on behalf of Pasquotank County.

The Clerk provided a copy of the notice that will be placed in the newspaper advertising the public forum on hunting deer with dogs scheduled for May 11.

**12. CLOSED SESSION TO DISCUSS A PERSONNEL MATTER:**

Chairman Stevenson asked if there was any further business to come before the Board in Regular Session. There being no further business, he asked for a motion that the Board enter Closed Session to discuss a personnel matter.

Motion was made by Lloyd Griffin, seconded by Bill Trueblood that the Board enter Closed Session to discuss a personnel matter. The motion carried.

Upon the end of Closed Session:

Motion was made by Matt Wood, seconded by Bill Trueblood that the Board return to Regular Session. The motion carried.

**13. APPOINTMENT OF REGISTER OF DEEDS:**

Motion was made by Cecil Perry, seconded by Matt Wood to appoint Joyce Pritchard to the position of Register of Deeds effective June 1, 2009 at pay grade 29, step 2, due to the retirement of Dollie Summerour. The motion carried.

At the absence of further business;

Motion was made by Jimmie Harris, seconded by Bill Trueblood to adjourn the meeting. The motion carried and the meeting was adjourned at 8:30 PM.

---

CHAIRMAN

---

CLERK

**PASQUOTANK COUNTY, NORTH CAROLINA  
APRIL 27, 2009**

The Pasquotank County Board of Commissioners met today in a budget work session on Monday, April 27, 2009 in the Commissioners Board Room in the Pasquotank County Courthouse.

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

**MEMBERS ABSENT:** None

**OTHERS PRESENT:** Randy Keaton, County Manager  
Rodney Bunch, Assistant County Manager  
R. Michael Cox, County Attorney

The work session was called to order at 5:00 PM. County Manager Randy Keaton presented information regarding projected revenue shortfalls. He explained that with cuts already made and a three-cent tax increase there would still be a deficit of approximately \$800,000 without any increases in expenditures over the current 2008-09 fiscal year. The Board discussed possible ways to cut expenses. The meeting was adjourned at 7:00 PM.

---

CHAIRMAN

---

CLERK