

**PASQUOTANK COUNTY, NORTH CAROLINA
MAY 5, 2008**

The Pasquotank County Board of Commissioners met today in a regular meeting on Monday, May 5, 2008 in Courtroom C in the Pasquotank County Courthouse.

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

MEMBERS ABSENT: Jimmie Harris (*Due to Illness*)

OTHERS PRESENT: Randy Keaton, County Manager
Rodney Bunch, Assistant County Manager
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. Commissioner Matt Wood gave the invocation and Vice-Chairman Marshall Stevenson led in the Pledge of Allegiance to the American Flag. Chairman Perry welcomed everyone present.

1. PUBLIC HEARING ON PROPOSED COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION IN THE HOUSING DEVELOPMENT CATEGORY:

Chairman Perry declared the meeting to be a public hearing on a proposed CDBG application in the housing development category. He recognized Ms. Traci Dusenbury, representing Douglas Development who proposed that the county submit a Community Development Block Grant application this week for infrastructure improvements for a 56 unit apartment community at River's Edge at Elizabeth Crossing. Ms. Dusenbury said the amount of the proposed CDBG grant is \$120,000 and they are requesting that \$108,000 be loaned or granted to Douglas Development. The remaining \$12,000 will be used by the county to pay an administrator to oversee the project. If a loan were approved by the Board, the terms of the loan would be 2% interest with a 20 year term, repayable annually. The funds would be used to assist with the cost of sewer lines, water lines, fire hydrants, and an emergency access. Ms. Dusenbury requested that the Board allow them to proceed with submission of the CDBG application.

Chairman Perry asked if anyone else would like to address the Board regarding the proposed Community Development Block Grant application. Mr. Bert Banks, Executive Director of Albemarle Commission, stated that he supports the grant application and Albemarle Commission is interested in administering the grant for Pasquotank County. He introduced Mr. Keith Howell, the new director for community development at Albemarle Commission. Mr. Howell stated that he has worked in the housing field for about 40 years and believes this project would provide an excellent opportunity for the city and the county to create affordable housing for its citizens so the people who work here could also afford to live here. At the absence of further comments, the

public hearing was closed and Chairman Perry asked for comments or questions from members of the Board.

Commissioner Bill Trueblood asked if this project will receive any tax-exempt status. Ms. Dusenbury responded that it will be owned by a for-profit corporation and will be fully taxed. Commissioner Wood said he understands there is pending legislation to provide tax credits for projects such as this to allow them to lower their costs.

Commissioner Lloyd Griffin asked Ms. Dusenbury if Douglas Development is requesting a loan or a grant. Ms. Dusenbury said they are asking for a loan or a grant in the amount of \$108,000, but would prefer a loan. As long as the annual payback is under \$25,000, the county could keep the funds and use them for other local CDBG projects.

Commissioner Jeff Dixon asked if the project will go through the city's TRC. Assistant County Manager Rodney Bunch said that all of the plan review will be by the city since the project is in the city's jurisdiction and the county is only involved in the grant application. County Manager Randy Keaton added that the county will be the conduit through which the money will flow. Commissioner Dixon asked what the estimated tax value of the project will be at buildout. Ms. Dusenbury said the project will be valued at a little over \$4 million and annual taxes will be approximately \$29,000.

Vice-Chairman Marshall Stevenson asked if any money out of the county's general fund would be loaned for the project. Mr. Keaton said no county tax dollars would be involved. The county would receive a Community Development Block Grant in the amount of \$120,000, and \$108,000 of that money would be loaned to Douglas Development. The county would use \$12,000 of the grant for administration. Once the \$108,000 is loaned, Douglas Development would repay that money to the county and the county could spend that money on any other Community Development Block Grant related projects. Ms. Dusenbury said the amount of the annual payments would be about \$6,500.

Motion was made by Lloyd Griffin, seconded by Matt Wood to approve submission of a Community Development Block Grant application in the amount of \$120,000 in the housing development category for infrastructure improvements and other costs related to a 56 unit apartment community being developed by Douglas Development, with \$108,000 being loaned to Douglas Development to be repaid over a period of 20 years. The motion carried.

Mr. Bunch noted that staff would like to recommend that Albemarle Commission be utilized for administration of the grant. Mr. Keaton stated that since Albemarle Commission is a governmental agency, an RFP for administration of the grant is not required in this case. He said they are also very familiar with this type of project and can turn it around quickly.

Motion was made by Lloyd Griffin, seconded by Matt Wood to utilize Albemarle Commission to administer the CDBG housing development grant. The motion carried.

2. BOARD OF EQUALIZATION AND REVIEW:

The Clerk to the Board administered the oath to members of the Board of Commissioners to serve as the Board of Equalization and Review for 2008 to hear appeals from taxpayers regarding their tax assessments. Tax Administrator Bill Stevens reported that no appeals have been scheduled for this year. In addition, no one from the public asked to address the Board of E&R.

Motion was made by Matt Wood, seconded by Lloyd Griffin to adjourn the Board of Equalization and Review for 2008. The motion carried.

3. **CONSIDERATION IN THE MATTER OF AN APPEAL BY DAUN DIMERY REGARDING SHERIFF'S DETERMINATION OF A POTENTIALLY DANGEROUS DOG:**

Motion was made by Matt Wood, seconded by Marshall Stevenson to amend the agenda to allow the Board to hear an appeal by Daun Dimery regarding the Sheriff's determination of a potentially dangerous dog. The motion carried.

County Attorney Mike Cox explained that the Board of Commissioners will be sitting as the Animal Control Board this evening. He referred to a letter from Sheriff Cartwright as well as an appeal from Ms. Daun Dimery regarding an incident that occurred at 948 U.S. Hwy 158 South. Mr. Cox stated that Sheriff Cartwright determined that two pit bulls owned by Ms. Dimery were potentially dangerous dogs under the county Animal Control Ordinance. He stated that there is a question as to Mr. Clare's ownership of the dogs which needs to be addressed. Mr. Cox also advised that everyone who plans to speak during this hearing needs to be sworn in. He said this is a quasi-judicial proceeding and all parties have the right to cross-examine the other party. The Board of Commissioners will be sitting as the judges in this matter and will need to determine whether to affirm or deny the Sheriff's findings, or whether to make modifications.

The Clerk to the Board administered the oath to all individuals who could potentially testify in this matter.

Sheriff Randy Cartwright presented the following statement and findings of fact as served on Ms. Dimery and Mr. Clare:

On the afternoon of March 18, 2008 animal control received a call to 948B US 158, Elizabeth City, NC 27909, in reference to two aggressive pit bulls that would not let a subject out of his vehicle. Animal Control Officer B.T. Onley arrived on the scene and observed a pit bull at the driver side and passenger side doors of a vehicle occupied by Carlton White and Dave Griffin. Animal Control Officer Onley opened his door and both pit bulls ran towards him in an aggressive manner barking and growling. While Animal Control Officer Onley was trying to contain the dogs, the two dogs saw an orange cat sitting beside Mr. White's shed. The two dogs went after the cat. The bigger pit bull got a hold of the cat and slammed it into the ground and then threw it up in the air. The bigger pit bull caught the cat in his mouth and began to tear it apart viciously. Animal Control Officer Onley took the animal catch pole out and the younger pit bull came at Animal Control Officer Onley viciously and tried to bite and attack Animal Control Officer Onley. The bigger pit bull then came at Animal Control Officer Onley in a vicious manner and pinned him against the tailgate of his truck trying to bite him. Animal Control Officer Onley tried to use the catch pole to fight the animals off until he could get back

in the truck. Animal Control Officer Onley called for assistance from Animal Control Officer Fightmaster, Deputy Morrison, Deputy Vessey, and Deputy Nolan. Animal Control Officer Onley loaded his tranquilizer dart gun, Animal Control Officer Fightmaster had arrived by this time and he tranquilized the bigger pit bull. Animal Control Officers Fightmaster and Onley loaded two more darts to tranquilize the other pit bull. Animal Control Officers Fightmaster and Onley went and picked up the sedated pit bull and placed it in the back of the truck. They tried to sedate the small pit bull but it ran off into the woods. Once in the woods the small pit bull came back at the officers again and they fired another dart. They followed the dog into the woods until they were able to sedate and catch the dog. Both dogs were carried to the SPCA to be held because Animal Control deemed both dogs aggressive and very dangerous animals. Mr. White and Mr. Griffin did not sustain any injuries in this incident. Animal Control Officers Fightmaster and Onley tried to obtain information on who owned the cat. The only remains found of the cat were fur. The cat was torn to pieces or eaten. Ms. Dimery and Mr. Clare were both charged with the dogs being a public nuisance because both were claiming ownership of the dogs. Both Ms. Dimery and Mr. Clare were given copies of the Pasquotank County ordinance on potentially dangerous and dangerous animals as soon as they returned home. At the time of this incident, Ms. Dimery was in Rhode Island working and she called and talked with Sheriff Cartwright about the incident once she had learned of it. Mr. Clare had received a notice from Animal Control, left on the door, in reference to this incident. Sheriff Cartwright informed Ms. Dimery there was a criminal summons for both of them on Pasquotank County ordinance for public nuisance and they came in and received their summons on March 25, 2008. Both Ms. Dimery and Mr. Clare pleaded guilty for violation of the public nuisance law. Sheriff Cartwright instructed Ms. Dimery that if the District Court Judge made no determination or finding of facts on the dogs, if they were potentially dangerous or dangerous animals, then the Sheriff's office would have to proceed on the county ordinance to determine if the dogs are potentially dangerous or dangerous animals. After a thorough review of the facts and evidence of the case and examination of the scene of this incident, Sheriff Cartwright determined on the 24th day of March, 2008, that the dogs met the criteria of being potentially dangerous under the Pasquotank County Ordinance. On this same date, Sheriff Cartwright spoke with Ms. Dimery at the SPCA and by phone and advised her of the findings and the appeal process. Sheriff Cartwright advised Ms. Dimery that the written findings would be available to her on Monday, April, 28, 2008 but because Ms. Dimery would not provide her current address, because she no longer lives at the address on this letter, she would have to call the Sheriff's Office so that she could be hand-delivered copies of the written findings.

Sheriff Cartwright noted that he developed his findings of fact from written reports by the animal control officers and from visiting the scene. He stated that the larger pit bull had an incident while he was at the SPCA and had to have surgery. Since the dog was sedated he was not able to evaluate it any further.

Commissioner Jeff Dixon asked if this incident on March 18 occurred on Ms. Dimery's property. Sheriff Cartwright said it occurred on a neighbor's property.

Commissioner Stevenson asked what the incident was that occurred at the SPCA. Sheriff Cartwright stated that the SPCA had put a tennis ball in the larger pit bull's pen and the dog chewed up the tennis ball and swallowed it causing a blockage in its intestines. The tennis ball had to be surgically removed from the dog's intestines.

Sheriff Cartwright stated that he interviewed the shelter manager who advised that when the dogs first arrived at the shelter they were very aggressive, however during his most recent visit to the shelter, the female was not as aggressive as she was at first.

Commissioner Trueblood asked the Sheriff if he knows why the dogs were loose on March 18. Sheriff Cartwright said he did not know why the dogs were not restrained.

Commissioner Stevenson asked if the area where the incident occurred is a residential area or a rural area. Sheriff Cartwright said it is a rural area down a long path off of U.S. Highway 158. He said there are three doublewide mobile homes side by side back off of the road.

Commissioner Griffin asked whose property the dogs were on when the animal control officer arrived. Sheriff Cartwright stated that he believes they were on Mr. White's property. They were in the truck sitting in the driveway when the dogs would not let them out of the truck.

County Attorney Mike Cox asked Mr. Matthew Clare if he has any ownership in the two dogs. Mr. Clare stated that he does not have any ownership in the dogs and was just watching the dogs while Ms. Dimery was out of town.

Ms. Daun Dimery asked Sheriff Cartwright why he did not go to the Animal Hospital to see her dog. Sheriff Cartwright said after reviewing the incident reports, he determined the incident met the criteria of a potentially dangerous or dangerous dog without him seeing the dog. Ms. Dimery asked the Sheriff if he had said the cat was torn to pieces and eaten. Sheriff Cartwright said this was according to the report submitted by animal control officers. He said since they could not find the owner of the cat they did not proceed with charges related to the cat. Ms. Dimery asked the Sheriff if he is aware that domesticated dogs do not eat cats, but will kill them.

Animal Control Officer Brad Onley explained the incident to the Board. He said he received a call that a man could not get out of his vehicle because he was trapped inside by dogs. He stated that when he arrived on the scene that is exactly what he saw—two dogs trapping him and the other person in a pickup truck. He said when he tried to open the door of his truck to assist, the dogs ran after him and blocked him from getting out of his truck. This is when he saw the cat get attacked by the dogs.

Commissioner Dixon asked Officer Onley if he felt threatened by the dogs. Officer Onley responded that he feared for his life.

Commissioner Griffin asked Officer Onley if there were any signs of the cat being dead. Officer Onley said he and the other animal control officer looked for the remains of the cat in the woods behind the houses, but could not find anything due to the thick brush. Commissioner Griffin also asked Officer Onley how he was pinned against his vehicle. Officer Onley said he was up against the tailgate of the truck and had the catchpole in front of him. He said the dogs were barking and jumping at his feet and he was fighting them off with the catchpole while trying to get back inside the truck.

Ms. Dimery asked Officer Onley where Mr. White and Mr. Griffin were when he arrived at the property. Officer Onley said they were in a vehicle parked in their driveway. Ms. Dimery asked if Officer Onley had any pictures of the dogs with blood on them due to killing the cat.

Animal Control Officer Katherine Fightmaster explained that she was at the office when she received a call from Officer Onley informing her that he was in dire need of backup because the dogs had pinned him against the back of his truck. She said he was genuinely in fear of being injured, and that he had just seen the dogs tear a cat to shreds and he could not get out of the truck for fear that the two dogs would come after him. She said she and several deputies proceeded to the scene. By the time they got there Officer Onley had managed to dart the larger of the two pit bulls and it was in a sedated state going down. While it was going down, they started to secure it with the catchpole. During that time, the other dog came running out, barking and growling and lunging at them to the point they had to pull their tasers thinking the dog was going to attack them while they were trying to secure the dog that was sedated. They were able to get the sedated dog into the back of one of the animal control vehicles. They then went after the second dog which again lunged at one of the officers. They fired a dart, and the dog turned and ran into the swamp. Officer Fightmaster said because of the behavior of the dog, they did not feel they could leave it running loose because it was within walking distance of the recycling center and several other houses. They proceeded into the swamp after the dog and after a certain amount of time, they were able to sedate the dog, secure it and take it to the animal shelter.

Commissioner Stevenson asked Officer Fightmaster whether she would have felt threatened if she had not had a weapon or something with which to sedate the dog. Officer Fightmaster stated that she felt threatened even with a weapon.

Commissioner Trueblood asked Officer Fightmaster who was present on scene besides her, Officer Onley, the three deputies, and the two men in the pickup truck. Officer Fightmaster said these were the only people present and the only witnesses.

Commissioner Griffin asked Officer Fightmaster if they have had previous calls to this property. Officer Fightmaster said they have had calls to the property, however there was no specific complaint at the time and the call came in as an anonymous welfare check on the animals because of concerns about the conditions they were living in. She said she checked on the animals and requested that they get a kennel license and rabies vaccinations.

Ms. Dimery presented pictures of the two dogs. She said when she returned from Rhode Island she went directly to the SPCA. She stated that one of the dogs tends to be a chewer and she brought him a special non-destructible dog bone. She told the shelter manager not to give him any toys because he was very destructive. She said the shelter gave him a tennis ball which he chewed up and which ended up in his stomach and his intestines making him very sick. She was told that she could take the dog to the vet with an animal control escort, but that she would be liable for the bill. After surgery the dog was taken back to the animal shelter the following day, but the day after that it had to be taken back to Pasquotank Animal Hospital because it had developed an infection. Ms. Dimery said this is where her animal still resides today. She showed a clasp that the SPCA took off of her dog when he arrived at the shelter. She said this clasp was attached to a tow chain and was very secure and she does not know how the dog got loose because he has never gotten off the chain unless she let him off to play with him. She said someone must have let him off of the chain. Ms. Dimery stated that the property where she lives has three doublewides on it and is one big piece of property. She said she has filed police reports against one of her neighbors for stealing parts from her fiance's truck and she never heard anything from that report. Ms. Dimery said when the case went to court on April 21, Judge

Barnes asked for evidence that the dogs had killed a cat and animal control had absolutely no evidence. Judge Barnes asked how many times animal control had been called to the property at 948B US 158 and animal control advised they had been there several times, but they had nothing to document how many times they had been to the property. Ms. Dimery said animal control advised that they had been to the property to check on the welfare of the animals. She stated that they also checked for kennel license and all of her dogs were legal, she just did not have the paperwork handy when animal control was there. She said that the animal control ordinance lists the definition of a dangerous dog as, "Any dog without provocation that has killed or inflicted severe injury on a person or domestic animal". She stated that she still has not seen any evidence that a cat was killed. Ms. Dimery said these are not vicious dogs. She stated that she had Jason Sample do an evaluation of the dogs and she read portions of his report. She also read a letter from the Goose Creek Animal Hospital indicating that her male dog had been at the clinic twice for rabies vaccinations and that no aggression was shown; and from Pasquotank Animal Hospital stating that the male dog showed no signs of aggressive behavior during his stay, even during painful procedures that were performed. She said the SPCA also provided a letter stating that both of the dogs had been easygoing and great dogs during their stay at the shelter. Ms. Dimery stated that her dogs are not aggressive and there is no evidence of them killing a cat. She said she is having to pay to board a dog which she could do herself, and her dog that had surgery could have problems later on because the shelter gave him toys against her instructions. She said she wants her dogs back.

Chairman Perry asked Ms. Dimery when the pictures of her dogs she presented were taken. Mr. Dimery responded that the pictures were taken about ten months ago.

Commissioner Griffin asked if the dogs are normally on a chain. Ms. Dimery said the dogs are always restrained. She stated that she does not understand why the dogs were not restrained on March 18, the day of the incident. She said there may have been some tampering.

Mr. Matthew Clare stated that he was in charge of the dogs while Ms. Dimery was out of town. He said he normally leaves for work at 4:00 AM and checks each animal every morning before he leaves and every evening when he returns to make sure they are secure. He stated that he also believes their chains and clasps were tampered with because the dogs have never before gotten loose. He also said he believes the dogs were antagonized on March 18. Mr. Clare said on March 19 he actually saw the cat that animal control said was killed by the dogs on March 18. He said the cat had a few puncture wounds, but was okay.

The Board concurred to end the testimony at this point so a decision can be made in this matter. County Attorney Mike Cox advised that the Sheriff has made a determination that these are potentially dangerous dogs and the Board needs to affirm, deny, or modify that decision.

Commissioner Wood asked what the implications would be if the Board decides to affirm the Sheriff's decision. Mr. Cox said if the Board agrees with the Sheriff, the potentially dangerous dogs have to be kept secured and restrained while on the real property of the owner in a special pen and must carry a \$100,000 liability insurance policy. Commissioner Wood said the dangerous dog ordinance was developed for this type of situation and he supports the Sheriff's decision.

Motion was made by Matt Wood, seconded by Jeff Dixon to affirm the Sheriff's

findings that Ms. Daun Dimery's two dogs should be classified as potentially dangerous dogs based on the testimony heard tonight. The motion carried by a five to one margin with Commissioner Griffin voting against the motion.

The County Attorney will prepare an order to be delivered to Ms. Dimery tomorrow.

4. APPROVAL OF CONSENT AGENDA:

The Board considered the following consent agenda:

a. Approval of Minutes of April 21 and 22, 2008 Commissioner Meetings

b. Approval of Tax Releases

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

Releases:

		County	City
1.	Bradford J. Esslinger	117.00	100.94
2.	Julian Maxwell	161.55	
3.	Joanna Easter Delavergne	119.95	
4.	Edward William Ahlstrand	107.83	93.42
5.	Jason McKall Stephens	102.85	

c. Approval of Budget Amendments

The Finance Committee has recommended approval of the following budget amendments:

E911 to General Fund

Increase	022.0991.4991.00	Fund Balance Appropriated	1,036,350.00
Increase	022.4326.5980.10	Transfer to General Fund	1,036,350.00
Increase	010.0700.4981.22	Transfer from E911	1,036,350.00
Increase	010.6600.5980.21	Transfer to Capital Reserve	961,885.00
Increase	010.4195.5500.00	Capital Outlay	74,465.00

Capital Reserve

Increase	021.0700.4981.00	General Fund Transfer	961,885.00
Increase	021.8200.5980.42	Transfer to Capital Projects-Public Bldgs	501,000.00
Increase	021.8200.5960.01	Reserve Funds-Unallocated	385,220.00
Increase	021.8200.5960.03	Reserve-Public Safety	75,665.00

C/P-Public Buildings

Increase	042.0700.4981.21	Capital Reserve Transfer	501,000.00
Increase	042.8163.5194.00	Engineering	51,564.00
Increase	042.8163.5395.00	Issuance Cost	1,000.00
Increase	042.8163.5499.00	Miscellaneous Expense	100,351.00
Increase	042.8163.5520.01	Technology	46,920.00
Increase	042.8163.5575.00	Land	13,781.00
Increase	042.8163.5590.00	Construction	175,960.00
Decrease	042.0200.4840.02	Sales Tax Refund	111,424.00

Commerce Park

Increase	010.0240.4380.16	Grant Funds IDF-U-345	192,664.00
Increase	010.4920.5594.00	Commerce Park-Drainage	192,664.00

General Fund

Increase	010.0700.4981.40	Transfer from School Capital Project	891,680.00
Increase	010.6600.5980.40	Transfer to School Capital Project	567,950.00
Decrease	010.0700.4981.21	Transfer from Capital Reserve	323,730.00

Capital Reserve

Decrease	021.8200.5980.10	Transfer to General Fund	323,720.00
Increase	021.8200.5960.01	Capital Reserve-Unallocated	323,720.00

C/P-Schools

Increase	040.0500.4831.00	Interest Earned	187,730.00
Decrease	040.8915.5991.00	Contingency	136,000.00
Increase	040.0700.4981.00	General Fund Transfer	567,950.00
Increase	040.8900.5980.10	Transfer to General Fund	891,680.00

d. Approval of Request from Joint Redevelopment Commission for Additional Funding

The Finance Committee has recommended approval of the appropriation of \$12,500 to the Joint Redevelopment Commission for additional expenses.

e. Appointments to Boards and Commissions

The Appointments Committee has recommended approval of the appointment of Alice Stallings to the Social Services Board and Andy Montero to the Tourism Development Authority.

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

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

Releases:

		County	City
1.	Porfirio Jimeney	4.95	4.05
2.	Marvin Ray Twiford		14.18
3.	Timothy Joseph Fitzpatrick, Jr.	41.45	
4.	Debra Spivey Evans	7.05	
5.	Shields Robert Theron Gore	43.70	40.83
6.	Dwayne Watson Lewis	18.45	20.13
7.	Andrew Kenneth Light	12.80	
8.	George Francis Gragg	49.85	
9.	John Frederick Fowlds, Jr.	30.30	
10.	William Gerald McDowell	9.99	
11.	Shawn Noland Caselman	97.70	
12.	Decarolo T. Sykes	19.54	21.28
13.	Daniel Lee Kochan	2.48	
14.	Laura Burdick Roach	37.45	
15.	Adam Christopher Moss	70.61	
16.	John Robert Adkins	39.10	

17.	Jason Liam Cochrane	79.75	
18.	Essie L. Norman	84.20	
19.	Jennifer Dawn Wilson	5.93	4.86
20.	Roy Lee Moore, Jr.	9.80	8.04
21.	Shomekra Raahnay Cunningham	16.50	13.53
22.	Martin Gerard Wygant	37.82	36.52
23.	James Reginald Holley, Jr.	8.35	6.85
24.	Marina Edith Decker	20.36	
25.	Edward Alexander	47.75	
26.	Edward Alexander	24.05	
27.	Casey Louise Cook	20.25	
28.	Pedro Martinez Pablo	87.45	71.71
29.	Kyle Nan Williams	75.90	
30.	Douglas Wayne Siedenburg	14.60	
31.	Tracy Lewis	27.26	27.72
32.	Natalie Felicia Lewis	2.21	1.84
33.	Kraft Wyatt Williams	56.16	
34.	Doris Suyapa Garcia	50.33	
35.	Larry James	3.09	2.53
36.	Darrell Richard Linders	75.60	66.99
37.	Jonathan Edward Denson	58.40	52.89
38.	Nakeshia Shonett Barrett	31.28	26.06
39.	Rickey Lee Stickle	61.50	
40.	Stephen Michael Tisdale	48.88	40.08
41.	Stephen Michael Tisdale	7.35	6.12
42.	Lisa Michelle O'Quinn	4.88	4.00

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

OWNER'S NAME	PARCEL ID NUMBER	REASON FOR RELEASE
Lou Carvell Ricks	P108-40	Unoccupied for 3 years

5. CONSIDERATION OF SIGN FOR MONEYSWORTH LINEN SERVICE

The Board considered a proposed sign for the building being constructed by MoneysWorth Linen Service on Lot 10 in the Pasquotank County Commerce Park. Assistant County Manager Rodney Bunch said the Board has to approve all signage within the Commerce Park. He stated that he sees no problem with the sign and would recommend approval.

Motion was made by Bill Trueblood, seconded by Marshall Stevenson to approve the proposed sign for MoneysWorth Linen Service. The motion carried.

6. APPROVAL OF INTERLOCAL AGREEMENT FOR STORMWATER LOBBYIST:

County Manager Randy Keaton explained that at the last meeting the Board approved a contribution for the stormwater lobbyist. He said the proposed interlocal agreement before the Board tonight designates Beaufort County as the lead agency and they will bill each county for its proportional share at the conclusion of the project. He stated that one of the first actions of the lobbyist will be to have legislation introduced in the first thirty days of the General Assembly

Session that would delay implementation of the stormwater rules proposed by the Division of Emergency Management and provide more time to make a case with the General Assembly that the rules are not a “one size fits all” approach and to show evidence as to why this area should not be included in those rules.

Motion was made by Matt Wood, seconded by Lloyd Griffin to approve the proposed Interlocal Agreement for a Stormwater Lobbyist as presented. The motion carried.

7. REPORT FROM COUNTY MANAGER:

County Manager Randy Keaton reported that he and Chairman Perry attended a meeting today with Department of Transportation representatives, and the chairmen and managers from Camden County, Currituck County, Elizabeth City, and Pasquotank County. He said they discussed several ongoing projects including the correction of sight triangle problems at the U.S. 158/Millpond Road intersection; the proposed paving of Sandy Road; issues regarding the bridge opening going into Camden; and the proposed paving of Roanoke Avenue and widening it from the railroad tracks out to Halstead Boulevard. Mr. Keaton said they thanked DOT for the work they have done including: getting railroad tracks paved over; installing a stoplight at Forest Park Road; and installing a leading green at the River Road intersection.

8. REPORTS FROM COMMISSIONERS:

Vice-Chairman Marshall Stevenson said it has been requested that a bridge be designated as a memorial to Trooper R.P. Cooke. He stated that this request was made to Commissioner Harris from a family member of Trooper Cooke. The bridge they would like to designate is the bridge over the Little River on the U.S. 17 Bypass at the Perquimans/Pasquotank County Line. Vice-Chairman Stevenson stated that a lot of bridges in the state are designated as memorials to troopers. He said Trooper Cooke was a patrolman in Pasquotank County for many years and was well-respected, and once he retired he worked as a magistrate. Vice-Chairman Stevenson said he would like to request that the County Manager submit the necessary forms to the Department of Transportation requesting that the bridge at the Perquimans/Pasquotank County Line be designated as a memorial to Trooper R.P. Cooke.

Motion was made by Marshall Stevenson, seconded by Bill Trueblood to request the County Manager to prepare the proper paperwork to request DOT to designate the bridge over the Little River at the Pasquotank/Perquimans County Line as a memorial to Trooper R.P. Cooke. The motion carried.

Vice-Chairman Stevenson stated that he would like to thank Assistant County Manager Rodney Bunch for his memo to the Board clarifying some of the issues regarding Strawberry Acres.

Commissioner Griffin stated that the Airport Authority reviewed the draft interlocal agreement for transfer of the Aviation Park property at its meeting last week. He stated that Mr. Rodney Bunch has provided a copy of the agreement and has indicated that he and the County Manager have some concerns regarding the agreement. Commissioner Griffin stated that the Airport Manager is to meet with Gateway Bank about the financing to replace the county’s bridge loan. He has also submitted an application to the Local Government Commission for approval of the financing.

Commissioner Wood stated that in the correspondence from the owner of Strawberry Acres his name was mentioned several times. He said he had an extensive conversation with the owner regarding the issues and hopefully he now understands the process better. He stated that he did not speak for the Board although he has a difference of opinion regarding how the second \$6,000 deposit for drainage reviews should be used and he expressed that at the last meeting and his motion did not get a second, therefore he will support the Board's decision.

Commissioner Wood suggested that the Building and Grounds Committee look at the library parking issue in regard to the reserved spaces. He said it has been requested that the signs be changed to clarify that the spaces are reserved for county employees Monday thru Friday 8:00 AM until 5:00 PM so it will be clear to the public that they can park in the spaces after hours and on weekends.

Chairman Perry said one other thing that needs to be considered about the library parking is to possibly have the entrance into the parking lot at the second driveway instead of the first driveway.

Commissioner Trueblood reminded everyone that Election Day is tomorrow and the polls will open at 6:30 AM. He urged everyone to turn out and vote for the candidates of their choice.

Chairman Perry said he attended some of the National Day of Prayer activities and Mrs. Margaret Twiford did an excellent job organizing the events. He suggested that the Board send Mrs. Twiford a note of thanks.

9. RECOMMENDATIONS FROM APPOINTMENTS COMMITTEE:

Vice-Chairman Stevenson presented the following recommendations from the Appointments Committee:

Elizabeth City Board of Zoning Adjustment – Reappoint Dennis Gordon and Lemuel Lamb to the Elizabeth City Board of Adjustment.

Motion was made by Marshall Stevenson, seconded by Jeff Dixon to make the reappointments as recommended by the Appointments Committee. The motion carried.

10. REPORT FROM COUNTY ATTORNEY:

County Attorney Mike Cox stated that a couple of meetings ago the Board approved the transfer of the SPCA property from the SPCA to the county. He said while doing the title search he noticed a clause in the deed to the SPCA stating that in the event the SPCA shall permanently dissolve, the title to the property shall revert to the grantor or her heirs. He stated that he will be trying to determine the names of the heirs.

Mr. Cox stated that he will be in the process of developing a recommendation to the Board to possibly create a smaller Animal Control Board to prevent the full Board from having to take up meeting time to hear appeals to the Animal Control Ordinance.

There being no further business;

Motion was made by Matt Wood, seconded by Bill Trueblood to adjourn the meeting. The motion carried and the meeting was adjourned at 8:52 PM.

CHAIRMAN

CLERK

**PASQUOTANK COUNTY, NORTH CAROLINA
MAY 8, 2008**

The Pasquotank County Board of Commissioners met today in a budget work session on Thursday, May 8, 2008 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
Jeff Dixon

MEMBERS ABSENT: Jimmie Harris *(Due to Illness)*

OTHERS PRESENT: Randy Keaton, County Manager
Rodney Bunch, Assistant County Manager
R. Michael Cox, County Attorney
Sheri Small, Finance Officer

The work session was called to order at 1:00 PM. The Board reviewed budget requests from several county departments and the Elizabeth City-Pasquotank Public Schools. The Board also reviewed projected revenues. The meeting was adjourned at 6:30 PM.

CHAIRMAN

CLERK