

**PASQUOTANK COUNTY, NORTH CAROLINA
MAY 31, 2011**

The Pasquotank County Board of Commissioners met today in a special joint meeting with the City Council of Elizabeth City on Monday, May 31, 2011 at Arts of the Albemarle Maguire Theater.

MEMBERS PRESENT: Lloyd E. Griffin, III, Chairman
Jeff Dixon, Vice-Chairman
Bill Trueblood
Cecil Perry
Dr. William R. Sterritt
Gary G. White
Joseph S. Winslow, Jr.

MEMBERS ABSENT: None

OTHERS PRESENT: Randy Keaton, County Manager
Rodney Bunch, Assistant County Manager
R. Michael Cox, County Attorney
Sheri Small, Finance Officer
Randy Cartwright, Sheriff
Karen Jennings, Clerk to the Board

Also present were members of the City Council, Mayor Roger McLean, the City Finance Director, the Deputy City Clerk, and other city department supervisors. Following dinner and a presentation by the children involved in The Center Players, the business meeting was called to order at 6:35 PM by Mayor Roger McLean and Chairman Lloyd Griffin. Councilwoman Betty Meiggs gave the invocation and everyone recited the Pledge of Allegiance to the American Flag.

1. PRESENTATION BY COMMUNITY RELATIONS COMMISSION:

Mayor McLean called on Miss Mary Sharpe, Chairman of the Elizabeth City-Pasquotank County Community Relations Commission, to make a presentation. Miss Sharpe explained that the Community Relations Commission was established in 2003 by the city and county. The mission of the commission is to promote and conduct activities that foster mutual respect and understanding, to study problems of discrimination, to encourage fair treatment of all citizens, to protect basic human and civil rights, and to create an atmosphere to promote relationships among citizens using education, communication, and collaboration with other organizations. The commission's purpose is to promote the equal treatment of all individuals; to discourage discrimination based on race, color, sex, national origin, age, disability, family status, and veteran status; to protect each person's lawful interest and their personal dignity; and to promote harmony and equal opportunities among all people. Miss Sharpe stated that eight members of the commission are appointed by the Mayor and seven members are appointed by the Chairman of the Board of Commissioners. Members serve a three year term not to exceed three terms. Miss Sharpe stated that the CRC has established an annual Witherspoon-Harris Community Service Award to honor an outstanding citizen who exemplifies service as it relates to being a good neighbor. She highlighted the activities of the CRC over the past few years.

Mr. Hermon Brown stated that the Community Relations Commission is working on a Human Relations Conference which will be sponsored by the city and the county. He said the CRC is requesting that the Board of Commissioners and the City Council appoint at least two of their members to serve on the planning committee for this conference. He said the committee would be comprised of a cross-section of people from the community. He stated that a number of ideas have been presented to the committee and these will be discussed more at the committee's next meeting on June 29. Mr. Brown also asked that the city and county provide funds to assist the CRC so that members do not have to use their personal funds because they are volunteering their time. He said they have requested a total of \$2,600 from the city and the county. Mr. Brown noted that some members of the Board of Commissioners and the City Council do not have a clear understanding of what the Community Relations Commission is supposed to be doing. He said they intend to provide everyone with a copy of the working document from their retreat.

Councilman Tony Stimatz stated that the reality is that the city and county need to tell the Community Relations Commission what they want the commission to do. Commissioner Cecil Perry agreed that it is the responsibility of the city and county to give the commission a function.

Chairman Griffin advised that the Board of Commissioners' Appointments Committee will be considering appointments to the planning committee.

2. AMENDMENT TO PARKS AND RECREATION INTERLOCAL AGREEMENT:

The Board considered a proposed amendment to the Parks and Recreation Interlocal Agreement to add a seventh member. Both boards approved the addition of a seventh member at the January 31, 2011 joint meeting. The amendment provides for the appointment of a seventh member who would be a joint appointee of the city and county upon the recommendation of the Recreation Advisory Committee. It also sets out the initial terms of the current members and establishes two year terms after the initial terms so as to have staggered terms.

After lengthy discussion;

Motion was made by Jeff Dixon, seconded by Bill Trueblood to approve the amendment to the Parks and Recreation Interlocal Agreement as presented to provide for the joint appointment of a seventh member to the Recreation Advisory Committee, and to establish two-year terms, with a maximum of three terms. The motion carried unanimously.

The City Council passed the same motion with one dissenting vote.

3. REPORT ON JOINTLY FUNDED ENTITIES:

The City Council and Board of Commissioners reviewed a list of entities that are jointly funded by the city and the county.

Commissioner Bill Trueblood said there was a lot of discussion by the Recreation Advisory Committee regarding grass-mowing. He stated that he has seen some areas mowed by the Parks and Recreation Department that do not have anything to do with Parks and Recreation. He said one of these areas was a center strip in Williams Circle where there was no recreation. He explained that the county is funding 55% of the Parks and Recreation budget and he has to ask why mowing that has nothing to do with Parks and Recreation is done by the Parks and Recreation Department. Parks and Recreation Director Bobbi White explained that the city inherited these other areas and she does not know how many years the Parks & Recreation Department has been mowing these areas. She said they also mow several lots and substations in the city, probably six or seven areas that are not recreation sites. Commissioner Trueblood said he believes the Parks & Recreation Department has enough to do in handling Parks and Recreation programs without having to be in charge of these additional grass mowing projects. Mrs. White added that the biggest increases in the Parks and Recreation budget are the result of the River Road Sports Complex and the South Park Sports Complex coming online and the cost of equipment and personnel needed to maintain those sites.

County Manager Randy Keaton outlined the funding splits for joint programs that involve Camden County, such as Central Communications and Emergency Management. He said the new census numbers have had an effect on the funding formulas.

4. DISCUSSION REGARDING INVOLUNTARY COMMITMENTS:

The boards were advised of questions regarding who is responsible to monitor a person who is undergoing an evaluation to determine if they need to be involuntarily committed. The North Carolina General Statute that addresses this issue provides that the city has a duty to provide transportation of a respondent who is a resident of the city or who is taken into custody in the city limits. The county has the duty to provide transportation for a respondent who resides in the county outside the city limits or who is taken into custody outside the city limits. It is however unclear who is to transport a county resident taken into custody inside the city limits. Sheriff Randy Cartwright and Lt. John Etheridge each commented on this issue. Sheriff Cartwright said this is a major expense and a drain of law enforcement personnel when an officer has to stay with a mental patient while being evaluated at Albemarle Hospital for involuntary commitment. After discussion, it was the consensus to have the Sheriff, the Police Chief, the City Attorney, the County Attorney, the County Manager, and the City Manager meet and try to work on a solution and to provide a report at the next joint meeting.

5. COMMENTS FROM COUNTY COMMISSIONERS AND CITY COUNCILORS:

Commissioner Bill Sterritt said he would like to compliment the city for the outstanding job they did organizing the Memorial Day celebration yesterday.

Councilman Johnnie Walton stated that he would like to mention to the Commissioners that increases in property taxes are a burden on the community. He said raising taxes will not solve all the problems.

Councilwomen Jean Baker said she thought tonight's meeting was very good. She reminded everyone that hurricane season starts tomorrow.

Chairman Lloyd Griffin noted that Councilman Tony Stimatz has asked in the past about the establishment of an interlocal agreement for 911 and Emergency Management. Councilman Stimatz stated that he has been pushing this issue for four years because he has a problem paying \$500,000 for a service when there is no contract in place.

At the absence of further business;

Motion was made by Bill Trueblood, seconded by Joe Winslow to adjourn the meeting. The motion carried and the meeting was adjourned at 8:28 PM.

CHAIRMAN

CLERK TO THE BOARD

**PASQUOTANK COUNTY, NORTH CAROLINA
JUNE 6, 2011**

The Pasquotank County Board of Commissioners met today in a regular meeting on Monday, June 6, 2011 in Courtroom C in the Pasquotank County Courthouse.

MEMBERS PRESENT: Lloyd E. Griffin, III, Chairman
Jeff Dixon, Vice-Chairman
Bill Trueblood
Cecil Perry
Dr. William R. Sterritt
Gary G. White
Joseph S. Winslow, Jr.

MEMBERS ABSENT: None

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 Lloyd Griffin. Dr. Travis Burke gave the invocation and the Pasquotank Youth Council led in the Pledge of Allegiance to the Flag.

1. PRESENTATION BY PASQUOTANK YOUTH COUNCIL:

Chairman Griffin called on Dr. Travis Burke who introduced the Pasquotank Youth Council and Ms. Leslie Otts, their advisor. He said this has been an outstanding group of young people and several will be going on to college in the fall. He stated that tonight the Youth Council will be presenting the findings of a study on youth activity and youth habits across the country.

Jinger Russell stated that the purpose of the study was to collect data on youth development behaviors, not only in the nation, but the state and the counties. She explained that 33 states participated in this national study. She said the Positive Youth Development Study builds upon the five C's: competence, confidence, connection, character, and caring.

Bobby Harris presented a chart comparing North Carolina to the national in the five C's plus a sixth C, contribution. He pointed out that North Carolina ranked below the national average in each of the five C's. He presented charts comparing Pasquotank County to North Carolina and he said that Pasquotank County is pretty much in line with North Carolina's average and below the national average.

Joey Anderson presented graphs showing self-perceived academic experience and future academic expectations. He said in most areas North Carolina was above the national average except for the expectation of earning a degree after college.

Lee Jones referred to a chart showing peer and community support. He stated that North Carolina is actually much higher than national in this category. He presented a graph comparing North Carolina and national in participation in out of school time activities. He noted that North Carolina competes in most categories except personal activities which include work, dance, music, and friends. He presented a chart showing participation in science, engineering and computer technology activities. He said that North Carolina is well above national statistics. He noted that in performance in science, engineering and computer technology subjects, North Carolina is just below national statistics in science and engineering subjects, but is even with the national average in computer technology subjects. He presented a chart comparing North Carolina with the national average on plans to take science, engineering, and computer technology courses after high school. In this category, North Carolina was at or below the national average with the exception of science courses where it was slightly above the national statistics.

Tony Royal presented a graph comparing North Carolina to national on personal characteristics such as social acceptance, athletic competence, self-worth, depression, and leadership. He said North Carolina is pretty much even with the national average in most categories. He said in the

family and mentoring graph, North Carolina ranked high, but below the national average in positive interaction with a significant adult. In the negative interaction with significant adult category, North Carolina ranked higher than the national average, but still very low. Mr. Royal presented a graph showing the percentage that participated in risk behaviors. He pointed out that a higher percentage in North Carolina smoked cigarettes than the national average. He said it appeared that a smaller number drank alcohol and used illicit drugs, but he felt this percentage would be higher if more students had participated in the survey. He added that the percentage of those who had been bullied was very low for both the state and national average. He presented graphs breaking down the race/ethnicity, living environments and geographic distribution in the sample. Mr. Royal stated that the study is significant in that it identifies youth “risk behaviors”, identifies facts regarding youth, compares the state to the nation’s youth, and identifies the areas needing improvement.

Chairman Griffin suggested that the Youth Council attend the next joint meeting of the Board of Commissioners and Board of Education to discuss the Positive Youth Development Study.

Bobby Harris advised that next week the 4-H will be attending a three-day conference in Raleigh on North Carolina Citizenship Focus. He said the Youth Council has been given an opportunity to attend, even though they are not 4-H members, and take part in that conference. He stated that on Monday and Tuesday they will attend leadership and citizenship seminars and on Wednesday morning they will have breakfast with legislators and then will be meeting with them in their offices at the General Assembly.

After questions and discussion, the Board thanked the Youth Council for what they are doing and commended them on their presentation.

2. AMENDMENTS TO THE AGENDA:

Chairman Griffin asked if there were any amendments to the agenda. Vice-Chairman Jeff Dixon requested that the agenda be amended to add the following items recommended by the Finance Committee to the consent agenda: 1) Approval of Change Order #6 for RO Project; and 2) Approval of reduction in retainage percentage for Mid-Eastern Builders. The County Attorney requested that the Board also consider a waiver request from an attorney.

Motion was made by Jeff Dixon, seconded by Cecil Perry to amend the agenda to add items #1 and #2 to the consent agenda, and to consider the waiver request during the County Attorney’s reports. The motion carried unanimously.

3. COMMENTS FROM TOM MEMOLO:

Chairman Griffin recognized Mr. Tom Memolo. Mr. Memolo said he is retired from the Navy and is speaking on behalf of a lot of the residents in Peartree Place regarding their taxes. He stated that his military check is now being eroded by property taxes. He explained that he is paying taxes on a house whose value has now dropped 50%. He said he is on a fixed income, has not had a cost of living increase for the past three years, and cannot afford to pay additional taxes. He asked that the Board not raise property taxes.

4. APPROVAL OF CONSENT AGENDA:

The Board considered the following consent agenda.

a. Approval of Minutes of May 16, 18, 23 and 26, 2011 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.	Robert Thomas McCarty	203.16	161.15
2.	Michelle Norin Tanner-Hextell	149.86	
3.	Eric Mark Wood	123.78	

c. Approval of Recommendation for Funding from Pasquotank County Juvenile Crime Prevention Council

The Juvenile Crime Prevention Council has requested that the county approve its share of matching funds for its various programs for the upcoming year. The total funding from the state

is \$132,974 and Pasquotank County's cash match is 10% or \$13,296. The funds are proposed for allocation to Project Uplift and Teen Court which are administered through the school system, and the Youth Empowerment Program which provides services for out-of-school suspension and the Restitution Program that are administered through the Housing Authority. The matching funds are included in the county's proposed 2011-12 budget, however approval of the funding is needed now so that contracts can be signed and there will not be any disruption in the programs' funding cycle.

d. Approval of Capital Project Ordinance

The Board needs to adopt the following capital project ordinance for the Scattered Site Community Development Block Grant Project:

CAPITAL PROJECT ORDINANCE

BE IT ORDAINED by the Board of Commissioners of Pasquotank County, North Carolina, that, pursuant to N.C. Gen. Stat. §159-13.2, the following Capital Project Ordinance is hereby adopted:

Section 1. The project authorized is the Scattered Site Community Development Block Grant Project.

Section 2. The officers of this unit are hereby directed to proceed with the capital project within the terms of the grant documents and the budget contained herein.

Section 3. The following amounts are appropriated for the project:

Planning	\$ 7,000
Rehabilitation	353,000
Administration	<u>40,000</u>
Total	<u>\$ 400,000</u>

Section 4. The following revenues are anticipated to be available to complete this project:

Scattered Site CDBG 10C2172	\$ 400,000
Total	<u>\$ 400,000</u>

Section 5. The Finance Officer is hereby directed to maintain within the Capital Project Fund sufficient specific detailed accounting records to satisfy federal regulations and the terms of the bond order.

Section 6. Funds may be advanced from the Construction Fund for the purpose of making payments as due. Reimbursement requests should be made to the trustee in an orderly and timely manner.

Section 7. The Finance Officer is directed to report, on a quarterly basis, on the financial status of each project element in Section 3.

Section 8. The Budget Officer is directed to include a detailed analysis of past and future costs and revenues on this capital project in every budget submission made to this Board.

Section 9. Copies of this Capital Project Ordinance shall be furnished to the Clerk to the Governing Board, and to the Budget Officer and the Finance Officer for direction in carrying out this project.

ADOPTED this the 6th day of June, 2011.

e. Approval of Solid Waste Disposal and Transfer Agreement with Waste Industries, LLC

The Board has previously approved the concept of an agreement with Waste Industries for hauling waste to the Bertie Landfill. A copy of the final contract between Pasquotank County and Waste Industries was provided for the Board's approval.

f. Approval of Change Order #6 for RO Project

The Finance Committee has recommended that the Board approve Change Order #6 for the RO Project in the amount of \$7,878. The change order is for additional slope stabilization at the treatment plant and additional undercut due to unsuitable soils at the plant.

g. Approval of Reduction in Retainage Percentage for Mid-Eastern Builders, Inc.

The Finance Committee has recommended approval of a reduction in the retainage percentage for Mid-Eastern Builders, Inc. from 5% to 2.5% so they can pay their subcontractors.

Motion was made by Joe Winslow, seconded by Gary White to approve the consent agenda as amended. The motion carried.

5. DISCUSSION ON JULY MEETING SCHEDULE:

The Board reviewed the July meeting calendar. Due to the fact that July 4th falls on the first Monday, the Board was asked to possibly consider holding only one meeting in July on the second Monday, July 11th. The Board had already agreed to hold a special meeting on July 11th to complete the conditional use permit process for Iberdrola.

Motion was made by Gary White, seconded by Joe Winslow to cancel the regularly scheduled Commissioner meetings on July 4th and July 18th and to hold only one regular meeting in July on Monday, July 11th at 7:00 PM. The motion carried unanimously.

6. ADOPTION OF RESOLUTION AUTHORIZING CONVEYANCE OF AN EASEMENT TO THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION:

The Finance Committee has recommended approval of an easement with the N.C. Department of Transportation for the Elizabeth Street Project for a total compensation of \$192,760. County Attorney Mike Cox noted that the Finance Committee's recommendation was that the property remain unencumbered so as to not preclude future recreational purposes. The Board needs to adopt the following resolution authorizing the County Manager to execute the easement:

RESOLUTION

The County Commissioners of Pasquotank County, North Carolina, at their Board meeting on June 6, 2011, discussed the business of conveying an Easement to the North Carolina Department of Transportation, an agency of the State of North Carolina. The following was offered by Bill Trueblood, seconded by Joe Winslow, and being put to a vote, was carried by a unanimous vote.

WHEREAS the construction of the State Highway Project 35742.2.1 (U-4338) makes it necessary for the North Carolina Department of Transportation to acquire a right of way from Pasquotank County.

NOW, THEREFORE, be it resolved and by this resolution the Pasquotank County Board of Commissioners does hereby authorize Randy Keaton to execute the necessary papers on behalf of Pasquotank County.

Adopted this 6th day of June, 2011.

Motion was made by Bill Trueblood, seconded by Joe Winslow to adopt the proposed resolution authorizing the County Manager to execute the necessary easements on behalf of Pasquotank County for the Elizabeth Street Project contingent upon the property remaining unencumbered so as to not preclude the future use of the property for recreational purposes. The motion carried unanimously.

7. CONSIDERATION OF REQUEST FROM AMEN MINISTRIES, INC. FOR USE OF FORMER ALBEMARLE DISTRICT JAIL PROPERTY:

The Board discussed a request from Lennie Hughes, Attorney for Amen Ministries, Inc., that the county transfer the former Albemarle District Jail to Amen Ministries to use as a housing facility for homeless persons. The County Manager asked the Board how it would like to respond to this request. After discussion, members of the Board agreed to hear the proposal from Amen

Ministries, but to look at all options and determine the potential value of the facility. It was suggested that the Board have its June 20th work session at the former jail so that Board members will have an opportunity to look at the building.

8. PRESENTATION OF PROPOSED FY 2011-12 COUNTY BUDGET:

Chairman Griffin called on County Manager Randy Keaton to present the proposed budget for FY 2011-12. Mr. Keaton reviewed the pie charts showing the sources of revenue and how it is spent. He noted that property taxes are still the largest source of revenue at 57% and then sales tax at 17%. The largest portion of the budget is spent for education at 39.5%, followed by public safety at 30.5%. Mr. Keaton reviewed property valuations and stated that the tax base has grown by .54% over last year. One penny in taxes generates \$317,200 in revenue. Mr. Keaton read the budget message indicating that the budget as currently proposed includes a 4¢ increase in ad valorem taxes and a \$12 increase in the solid waste fee to \$144 per year. He said most departmental budgets are flat with the exception of fixed costs such as increases in health insurance premiums and mandated increases in retirement costs. The largest increases in the budget are for jail operations due to increased debt costs and the reduction in estimated revenues from federal inmates for the operation of the jail. Mr. Keaton reviewed the various funds within the county budget. He stated that a public hearing on the proposed budget will be held at the next regular meeting on June 20. The Board can adopt the budget anytime after the public hearing, but must adopt it by June 30. He suggested that the Board may want to schedule another budget work session before the public hearing is held. The Board agreed to schedule a work session on Monday, June 13 at 8:30 AM. Commissioner Trueblood suggested that Commissioners provide any ideas they might have regarding the budget to the County Manager before Friday. He said the Board needs to make some hard decisions.

9. REPORT FROM COUNTY ATTORNEY:

County Attorney Mike Cox reminded the Board that the conditional use permit hearing for the Desert Wind Power Project will be held tomorrow afternoon beginning at 3:00 PM.

Mr. Cox advised that an attorney by the name of John Cook with Womble Carlyle would like to represent a Mr. Sullivan in a zoning matter. He said the Womble Carlyle firm has in the past and is currently representing the county in another matter. He stated that Mr. Cook has requested a waiver from the Board to represent this gentleman.

Motion was made by Gary White, seconded by Joe Winslow to not allow a waiver for John Cook and the Womble Carlyle Law Firm to represent Mr. Sullivan in a zoning matter. The motion carried unanimously.

10. REPORTS FROM COMMISSIONERS:

Commissioner Gary White asked if the Board needs to direct the County Manager on cuts they want to make in the proposed budget. The County Manager said he would welcome and appreciate any suggestions and ideas.

Commissioner William Sterritt said as a new member of the Board he does not feel he is in a position to make a valid recommendation regarding the budget, however he believes a 4¢ tax increase is too much because a lot of people in the community cannot afford a tax increase.

Commissioner Jeff Dixon commented that the downtown was great this weekend. He said the weather was great, the Farmers Market was open with fresh vegetables and fruit, and the boat races were going on. It was noted that Harbor Nights and the Art Walk were also happening Friday night.

Chairman Lloyd Griffin advised that he has spoken to Representative Owens regarding Mr. Earl Rountree's redistricting proposal at the May 16 meeting. He said Representative Owens felt that the request would fall upon deaf ears and that the Republicans who are in charge of redistricting have already made up their minds.

Chairman Griffin said he had a conversation with a Mr. Clayton Brooks a couple of weeks ago who was soliciting a resolution for the County Commissioners to consider about the current budget being debated in the General Assembly. A copy of this resolution would be sent to both Representative Owens and Senator White for their consideration as they continue crafting the state budget. He said since the budget has already been approved by the General Assembly, the resolution is now on hold.

11. CLOSED SESSION TO PRESERVE THE ATTORNEY CLIENT PRIVILEGE:

Chairman Griffin asked for a motion that the Board enter Closed Session to preserve the attorney client privilege.

Motion was made by Bill Trueblood, seconded by Gary White that the Board enter Closed Session to preserve the attorney client privilege. The motion carried unanimously.

Upon the end of Closed Session;

Motion was made by Joe Winslow, seconded by Jeff Dixon that the Board return to Regular Session. The motion carried unanimously.

There being no further business;

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

CHAIRMAN

CLERK TO THE BOARD