

**PASQUOTANK COUNTY, NORTH CAROLINA
AUGUST 4, 2008**

The Pasquotank County Board of Commissioners met today in a regular meeting on Monday, August 4, 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
Jimmie Harris

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 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. COMMENTS FROM BILL ASHBURN:

Chairman Perry recognized Mr. Bill Ashburn of 1531 Northside Road. Mr. Ashburn stated that he is bringing before the Board of Commissioners a problem that he does not know where else to take. He explained that his house is directly across from the driveway of Dixieland Speedway. He said this past weekend there was a national ATV motocross event at the speedway and the participants came to the event in motor homes and trailers. He stated that when he returned home around 11:00 PM Saturday night he noticed two wet streaks on the road in front of his driveway that smelled like sewage. Mr. Ashburn said this is not the first time this has happened as it happens quite frequently during ATV events, and it happens periodically during the Dixieland car races. He said some of the vehicles are exiting the speedway driveway and pulling the wastewater valves on their tanks and strewing raw sewage down the road 50 to 100 yards. Mr. Ashburn stated that he has previously made this complaint to the Sheriff's Department and it was written up as littering. The complaint also went to the Health Department and nothing has happened. He said when these events occur, the people come in on Thursday or Friday and camp out for four or five days. Mr. Ashburn advised that he chaired the Planning Board for awhile and while he was on the Planning Board, camping was not a permitted use in a commercial area. He stated that he does not know where else to go with this complaint as he has seen no enforcement from the Sheriff's Department and the Health Department. He said he is looking to the Board for some help.

Commissioner Lloyd Griffin stated that the county needs to ensure that the owner of the speedway is in compliance with the county's land use ordinances. He suggested that this matter be referred to the Special Projects Committee for review. Chairman Perry suggested that the Sheriff's Department get involved because it is illegal to dump sewage on the roads.

Mr. Ashburn added that if the Board of Commissioners cannot handle this problem, he can.

2. PUBLIC HEARING ON AMENDMENT TO ANIMAL CONTROL ORDINANCE:

Chairman Perry declared the meeting to be a public hearing on an amendment to the Animal Control Ordinance. County Attorney Mike Cox explained that the amendment will clarify that the Animal Control Board is the Board of Commissioners. Chairman Perry asked if there were any comments regarding the proposed amendment. There being no comments, the public hearing was closed.

Commissioner Bill Trueblood asked if it had been resolved that any hearings of the Animal Control Board would be held independently of a regular meeting, or whether the Board would be restricted by the ordinance as to when the hearings would be held. Mr. Cox responded that the

hearings would be held at the Board's pleasure, however there is a requirement that any appeals be heard within ten days of submission.

Motion was made by Lloyd Griffin, seconded by Marshall Stevenson to approve the amendment to the Animal Control Ordinance to state that the Animal Control Board is the Board of Commissioners. The motion carried unanimously.

3. 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) Recommendation from Finance Committee to approve change order for library renovation project; 2) Recommendation from Finance Committee to approve revised school budget; and 3) Approval of petition requesting the addition of Scotland Drive to the state system for maintenance

Motion was made by Matt Wood, seconded by Jeff Dixon to amend the agenda to add the three items listed above to the consent agenda. The motion carried unanimously.

4. APPROVAL OF CONSENT AGENDA:

The Board considered the following consent agenda:

a. Approval of Minutes of July 21, 2008 Commissioner Meeting

b. Approval of Tax Releases and Refunds

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

Releases:

		County	City
1.	David Thomas Cornelius	112.00	
2.	Mario Jorge Alvarez	203.45	
3.	Lukes D. Naftal	142.20	
4.	Billy Thomas Duncan, II	132.85	
5.	Hamid Nun Sinclair	109.70	
6.	Clarence Preston Hempton	115.05	
7.	GE Commercial Finance	1,440.95	1,178.96
8.	BB&T Equipment Finance Group		635.76
9.	DVA Health Renal Care Inc.	184.00	151.20
10.	Falcon Video Communications	184.03	
11.	TCE Manufacturing LLC		196.22
12.	Hattie L. Harris	423.40	
13.	Christine Frost-Johnson	493.25	366.75
14.	Ransom C. Price, Jr.	272.98	186.53
15.	Barbara Balance	278.48	191.03
16.	Jeffrey A. Spence & Erma K.	120.00	
17.	Lawrence N. Larabee	480.00	
18.	James W. & Janet Conner	662.85	480.15
19.	Joseph & Candace Johnson	364.10	
20.	Ollie Sharp Heirs	148.50	121.50
21.	Michael D. Wanas	143.55	117.45
22.	Charles J. Wallen	120.00	
23.	Roy L. Moore	622.50	472.50
24.	Robert A. Lang & Gail E. Barkley	640.10	
25.	Isabella Evans Skinner	168.48	101.03
26.	C.C. & Velma B. Jackson	341.73	242.78
27.	Elaine H. Van Duren	245.75	164.25
28.	Sandra E. White	219.63	142.88
29.	Roy Lee Stokely Heirs	497.20	
30.	City of Elizabeth City	120.00	36.00
31.	Karsan Development LTD	1,536.25	
32.	City of Elizabeth City	120.00	
33.	Coston S. & Debbie W. Sawyer	120.00	
34.	Michael Engle Stevens	105.35	86.39
35.	Ersal Overton, III & Jill A.	677.15	
36.	Marie S. Williams	120.00	

Refunds:

1.	Faithway Church Etal	118.80	
2.	Faithway Church Etal	118.80	
3.	Faithway Church Etal	107.00	
4.	Faithway Church Etal	107.00	
5.	Darrell Reed House	186.42	
6.	Michael & Patricia A. Wanas	129.19	105.94
7.	BB&T Equip Finance Group		641.68
8.	Geraldine Spence	128.44	
9.	Geraldine Spence	366.32	
10.	Geraldine Spence	366.32	

c. Adoption of Resolutions for \$500,000 Rural Center Grant for RO Plant

The Board needs to adopt the following resolutions as part of the requirements for receiving the \$500,000 grant from the Rural Center for the Reverse Osmosis Water Treatment Plant. The first resolution states the county’s compliance with the contractual requirements of the Rural Center and the second resolution confirms that the county’s water rates are higher than .75% of the median household income for Pasquotank County residents.

**RESOLUTION FOR CLEAN WATER PARTNERS
SUPPLEMENTAL GRANT REQUIREMENTS
FOR THE PASQUOTANK COUNTY REVERSE OSMOSIS WATER TREATMENT PLANT**

This resolution does confirm support and compliance with the contractual requirements of the Rural Center by the County of Pasquotank. This resolution is made in recognition of the following:

WHEREAS, the County of Pasquotank has determined the need for the reverse osmosis water plant; and

WHEREAS, the County of Pasquotank has received a commitment for financial assistance from the Rural Center Water Partners to construct the reverse osmosis water treatment plant; and

WHEREAS, the County of Pasquotank Water System will finance the balance of the funds needed to construct the reverse osmosis water treatment plant; and

WHEREAS, the County of Pasquotank will treat the construction of the reverse osmosis water treatment plant as a Capital Project.

ADOPTED by the Pasquotank County Board of Commissioners this 4th day of August, 2008.

**RESOLUTION FOR CLEAN WATER PARTNERS
SUPPLEMENTAL GRANT REQUIREMENTS
FOR THE PASQUOTANK COUNTY REVERSE OSMOSIS WATER TREATMENT PLANT**

This resolution does confirm the support and contractual requirements for the Rural Center. This resolution is made in recognition of the following:

- The Rural Center funding eligibility requirements stipulate that the water/sewer rates for a customer with 5,000 gallons usage within the project area must exceed 1.5% of the most recent Census MHI for water and sewer combined or 0.75% of MHI if only one service is provided;
- The proposed Pasquotank County Reverse Osmosis Water Treatment Plant project area lies in the counties of Pasquotank and Perquimans and the City of Elizabeth City;
- The U.S. Census Bureau determined that the 2004 Census Median Household Income for Pasquotank County was \$33,535 – so the 0.75% Median Household Income threshold limit for water only would be \$251.51/year (\$20.96/month);
- The proposed Pasquotank County Reverse Osmosis Water Treatment Plant project will make water service only available to potential water customers within the project area and those customers will be subject to the Pasquotank County Water System rate structure;
- The Pasquotank County Water System existing rate structure within the project area would allow a 5,000 gallon water customer to have a monthly water bill of \$26.50;

- The Pasquotank County Board of Commissioners affirms that the above items demonstrate that the proposed project does comply with the Rural Center’s grant eligibility requirements with respect to the project area rates.

Adopted by the Pasquotank County Board of Commissioners this 4th day of August, 2008.

d. Appointment of Gwendolyn Sanders to Tourism Development Authority

The Appointments Committee has recommended the appointment of Gwendolyn Sanders to the Tourism Development Authority to replace Jacqueline Gilchrist who has resigned. This position is a city appointee, however the Board of Commissioners must make the actual appointment.

e. Approval of Change Order for Library Renovation Project

The Finance Committee has recommended approval of a change order for the Library renovation project in the amount of \$5,713.98. This includes three change order requests: one already approved by the Board for \$1,575.23 to reroute a roof drain; one for \$2,225.25 to insulate the existing roof drain pipes which run above the ceiling; and one for \$1,913.50 to insulate the exterior walls with R-11 insulation to improve energy efficiency. This change order would take the contingency from \$45,637 to \$32,609.

f. Approval of Revised School Budget

The Finance Committee has recommended that the Board approve a revision in the school budget to reduce capital outlay by \$55,520 and increase current expense by the same amount.

g. Adoption of Resolution Requesting Addition of Scotland Drive to the State System for Maintenance

The developer of Nixonton Terrace Subdivision has submitted a petition requesting the addition of Scotland Drive to the state system for maintenance. Scotland Drive is 0.32 mile in length and has six occupied homes with street frontage. A petition requesting the addition of Scotland Drive had previously been submitted, however DOT has advised the developer that he must resubmit the petition due to the length of time since the first submission. The Board needs to adopt a resolution requesting the North Carolina Department of Transportation to add Scotland Drive to the state system.

Motion was made by Matt Wood, seconded by Marshall Stevenson 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.	Leslie H. Miller	38.67	
2.	Murphy Oil USA	9.13	7.47
3.	Tameka Cunningham	55.85	46.55
4.	Tameka Cunningham	55.66	45.63
5.	Geraldine Spence	68.01	
6.	Heide L. Twiford		18.72
7.	Melvin Ray Hopkins	7.79	6.37
8.	Steven Douglas Williams	72.16	59.04
9.	Loretta Garrett Whidbee	17.85	19.64
10.	Bermar Gas Service, Inc.	41.03	
11.	Richard Eugene Boyce, Jr.	28.00	22.96
12.	Faith & Victory Christian Center	7.05	
13.	Ismael M. Zanabua	12.88	10.56
14.	Bettye W. Murphy	2.20	
15.	Isaac Cabrera-Perez	6.73	5.52
16.	Kyle Taman Hillard	22.90	
17.	Winston Clinton Speight	1.75	1.44
18.	G.E. Capital Info Tech Solutions	93.06	76.14
19.	Edmond F. Lamb Heirs	27.50	
20.	Curtis Ryan Stephens	89.60	78.47
21.	Ronald Clyde Adkins	5.40	4.43
22.	Anne Abbott Gaddy	22.00	18.04
23.	Vernon Lee Clark	34.85	28.58
24.	Christopher Louis Harvie	53.55	48.91
25.	Christopher Louis Harvie	42.75	40.06

26.	Janet S. Cooper		36.00
27.	Melvina Angela Mercer	50.45	46.37
28.	Benita Venette Jones	33.40	
29.	Amanda Lee Duprat	8.35	6.85
30.	Buford Bennett Arthur III	18.70	
31.	Robert Lee Hood, Jr.	29.93	24.54
32.	Michael Gerard Jordan	32.30	
33.	Phillip D. Walker, Jr.	91.20	
34.	Anthony Thomas Cavallaro	39.50	
35.	Kristie Sawyer Forbes	6.98	
36.	Johnny Wade Spicer	13.55	
37.	Jearld Irvin Robinson	10.80	
38.	Matthew John McQuirk	14.10	11.57
39.	Matthew Joshua Smock	9.29	
40.	Advance Stores Co. Inc.	40.70	33.30
41.	Tammie Renae Foreman	3.00	2.46
42.	Katherine Rose Lezama Jimenez	45.15	37.03
43.	Randall Wayne Edwards	2.80	2.30
44.	Kay N. Weeks	73.44	
45.	Donald Christopher Roberts	11.45	14.39
46.	David Janson Harrell	47.75	
47.	David Janson Harrell	47.95	
48.	Martha Anne Johnson	24.30	19.93
49.	Debra Denise Mitchell		41.61
50.	Steven Michael Forbes	8.98	
51.	Richard Lee Hull	22.51	
52.	Richard Hull	25.70	
53.	Casey Richard Kretschmar	85.10	74.78
54.	Casey Richard Kretschmar	50.85	46.70
55.	Kristin Anne Hull	84.70	
56.	Derek Charles Wheatley	18.60	15.26
57.	Anthony Eugene Kee	48.60	
58.	Kenneth Alvin Sweatman	12.27	10.04
59.	Penelope Spence Raby	27.35	
60.	Horace C. Pritchard	44.00	
61.	Donna S. & Horace C. Pritchard	21.45	
62.	Wilton B. Forbes, Jr.	90.00	
63.	Michael Craig Waff	4.15	3.41
64.	Carlas Hernandez	91.00	
65.	David Earl Johnston	54.50	44.69
66.	David E. Johnston	74.00	65.68
67.	David Earl Johnston	88.20	77.32
68.	Jason Eugene Evans	65.90	
69.	Steven John Southall	11.05	14.06
70.	Michael Patrick Gormley	43.30	
71.	Thomas P. Sayman	70.45	62.77
72.	Jess Paul Lopez	62.55	
73.	Steven Mercury Morris Young	11.40	14.35
74.	Kara Cullipher Stoughton	93.65	
75.	Shane Nicholas Stoughton	23.50	
76.	Gwendolyn Leona Wilson	4.70	
77.	Gabriel Salvador Soto Lopez	3.55	2.92
78.	William Neil Provost	12.15	
79.	Sheva Latonya Coleman	1.95	1.60
80.	Edward Lerico Baker	2.08	1.71
81.	Deontae Jamal Williams	12.80	
82.	Debra Denise Mitchell	15.10	
83.	Judy Guillett Thorne	31.95	26.20
84.	Steven Lloyd Potter	62.25	
85.	Phillip A. & Betty B. Spruill	7.48	6.12
86.	Richard Thurston Harvey	34.65	
87.	S.L. Keaton	28.60	
88.	J. Craig & Anna Kay Laughton	57.75	
89.	Shelia Ann Sawyer	85.25	

90.	Chrisie Danise Dillard	12.20	
91.	Britton Jacob Overton	23.30	
92.	Victor Paone	1.15	

Refunds:

1.	Phillip Spruill	15.23	10.97
2.	Phillip Spruill	14.85	11.57
3.	Phillip Spruill	14.13	11.27
4.	Phillip Spruill	7.73	6.44
5.	Phillip Spruill	7.86	6.44
6.	Edna Dewald	26.68	
7.	Geraldine Spence	24.33	
8.	Geraldine Spence	16.82	

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
William E. & Edla F. Stevens	P88-12	Unoccupied since Nov. 2006
Alan E. Stewart	P111-2	Unoccupied for five+ years
Charles H. Higgins	51-C-3B-4-5-6AB	Unoccupied since 1989
Leona Loretta Taylor	50-N-23A	Unoccupied since 2005
Henry Whitehurst Heirs	P142-9	Unoccupied for several years
Linwood Walker Heirs	28-F-2	Unoccupied since 2007
Emily M. Pritchard Reid Lf Est	P89-116	Unoccupied since 2004
Eudora B. Harvey	26-A-4	Unoccupied for over one year
Eudora B. Harvey	29-D-24	Unoccupied for several years
Eudora B. Harvey	P122A-70	Unoccupied for several years
Jordan Thornton Heirs	P112-62	Unoccupied for 10 years

5. CHANGE IN SEPTEMBER MEETING SCHEDULE:

The Board considered changing the September meeting schedule since the first Monday falls on Labor Day.

Motion was made by Lloyd Griffin, seconded by Marshall Stevenson to move the September 1, 2008 Commissioner meeting and committee meetings to Tuesday, September 2, 2008. The motion carried unanimously.

6. REPORT FROM COUNTY MANAGER:

County Manager Randy Keaton reported that he will be on vacation next week. He said that staff will be putting together the agenda for the next meeting.

7. REPORTS FROM COMMISSIONERS:

Commissioner Bill Trueblood reported that he attended the Coast Guard Day activities today and helped serve a wonderful lunch. He said the County Manager and the Assistant County Manager were also in attendance. He added that there was a tremendous turnout.

Commissioner Lloyd Griffin said he would like to apologize for not communicating that he would miss the last meeting. He noted that he has participated in an event on this same Monday in July for the past 20 years.

8. RECOMMENDATIONS FROM APPOINTMENTS COMMITTEE:

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

Senior Citizens Advisory Board – Recommend appointment of Ernest Anderson to replace Walter R. Berry who is not eligible for reappointment.

Pasquotank County Child Fatality Prevention Team – Recommend appointment of Jeannie Hansford to fill the position of “parent of a deceased child”.

These appointments will be on the next agenda for final approval.

9. REPORT FROM COUNTY ATTORNEY:

County Attorney Mike Cox reported that he spoke at a recent County Attorneys Conference about the Tontier litigation. He said some of the other counties have the same type of situation and their county attorneys were very interested.

Chairman Perry asked if there was any further business to come before the Board. There being no further business;

Motion was made by Lloyd Griffin, seconded by Matt Wood to adjourn the meeting. The motion carried unanimously and the meeting was adjourned at 7:21 PM.

CHAIRMAN

CLERK