

**PASQUOTANK COUNTY, NORTH CAROLINA  
SEPTEMBER 17, 2007**

The Pasquotank County Board of Commissioners met today in a regular meeting on Monday, September 17, 2007 in Courtroom C in the Pasquotank County Courthouse.

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

**MEMBERS ABSENT:** None

**OTHERS PRESENT:** Randy Keaton, County Manager  
Rodney Bunch, Asst. Manager for Planning & Economic Dev.  
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 Lloyd Griffin led in the Pledge of Allegiance to the American Flag. Chairman Perry welcomed everyone present.

**1. PRESENTATION FROM ELIZABETH CITY-PASQUOTANK COUNTY  
COMMUNITY RELATIONS COMMISSION:**

Chairman Perry recognized Dr. Reed Adams to present a report from the Elizabeth City-Pasquotank County Community Relations Commission. Dr. Adams stated that he is pleased to report that the community has a good impression of race relations and ethnic relations. He said although problems have been identified by their research, this community feels that significant strides have been made in the right direction. He stated that their research was a scientifically credible random stratified sample of 500 to 600 citizens in the city and the county. He acknowledged the Z. Smith Reynolds Foundation for providing \$10,000 in grant funds and thanked the city and county for their assistance as well. Dr. Adams explained that the people they surveyed believe there has been less discrimination in employment, in housing, education, public safety, and medical care than in the past. He said this is not to say they have not identified some problems. He stated they have identified a moral and ethical pattern exemplified by the leaders of this community in ways that will lead to even better race and ethnic relations. He said they feel there are important things that need to be done and important programs that need to be addressed such as affirmative action, and racial conflict in the schools, in housing, and in medical care. He stated that the majority of those surveyed felt that public safety services are delivered fairly. Dr. Adams stated that he will provide to the County Manager an abstract of the report to review. He said the Community Relations Commission would like to encourage the city and the county to adopt their six recommendations, the most important being the affirmation of their mission. He stated that the primary finding in their conclusion section involves the receptivity of the community to broad social acceptance of all social groups, tolerance, love of neighbors, diversity, and a willingness to address remaining problems. He said there is reason to be proud, but there is much yet to do.

Chairman Perry thanked Dr. Adams for his report and for the work of the Community Relations Commission.

**2. REPORT ON AIRPORT AVIATION CENTER:**

Assistant County Manager Rodney Bunch explained there has been some progress towards creating a layout for the aviation industrial park, and a sketch plan was submitted to the Planning Department and reviewed by the Technical Review Committee. Since that has been submitted and knowing the interest of the Board in this project, he requested that City Manager Rich Olson make a presentation to the Board of Commissioners.

Mr. Olson reported that the city has the property under contract for ±63 acres which includes the Hollowell Family Trust property and the Gaines property. He said they anticipate closing on the property by November 1, 2007. The contract was a contingent contract which has been fulfilled

with the exception of the environmental assessment. The environmental assessment has been completed and is now in the public comment period. Copies can be reviewed in the City Manager's Office, the County Manager's Office, the Library, and the Airport. Mr. Olson stated that a site plan has been submitted to the county by city staff. He advised that 20 acres will be provided to Elizabeth City State University Foundation, DRS will be securing approximately six acres for additional parking, and the remaining parcels will be used for commercial development. The taxiway will cross Consolidated Road at a signalized crossing and a licensing agreement has been requested from the Coast Guard to cross their property.

Mr. Olson stated that a 100 foot obstruction free zone will run parallel to the property to provide the necessary 260 foot clear zone for C-130 aircraft. The city intends to put a sewer line and drainage improvements in this obstruction free zone. Mr. Olson explained that meetings have been held with the property owners to discuss the purchase of the additional 100 feet that will be needed and three out of the four property owners have agreed in principle. He said the city has retained the services of an engineer to do the actual design work for water, sewer, streets, curb and gutter, and other improvements. The city will consider a contract at its meeting next week for the actual design work associated with the taxiway. Mr. Olson said the city does need to acquire the additional 100 foot strip for the obstruction free zone to address drainage issues and the sewer line and sewer pump station.

Commissioner Jimmie Harris asked Mr. Olson why the city needs to acquire the additional 100 feet it wants to condemn. Mr. Olson responded that they found out after the design of the project began that the project would have to be shifted 100 feet to accommodate the 100 foot drainage easement that runs around the entire property. He said in addition to addressing drainage-related improvements, the additional property is needed to accommodate the wing span and prop wash of the C-130's. Commissioner Harris stated that he does not believe condemnation is the way to go. Mr. Olson said the city is still hopeful they can work with the adjacent property owners to acquire the 100 feet, however they may be forced to use eminent domain because of some of the ownership-related issues.

Commissioner Marshall Stevenson said the wingspan of a C-130 is 132 feet and he asked why 260 feet is required for a taxiway. Mr. Olson said these are FAA requirements for the obstruction free zone associated with this type of runway. Commissioner Stevenson said if 260 feet are needed, then the runway should be moved over. He also suggested that the sewer line should go down the middle of the property to service all of the buildings that will be there rather than be constructed in the 100 foot obstruction free zone. He suggested that the entire project could be constructed within the current footprint of the property without having to take additional land.

Chairman Perry recognized Mrs. Linda Mercer who read an article that was published a year ago in the *Southeast Farm Press* entitled "Farming – Much Too Valuable to Just Give Away". She said it is wrong to take land from farmers if they are not willing to sell it.

Mrs. Pam Hall said she has gotten the feeling that the Airport Authority thinks she and her family are "poor dumb farmers" and can be pushed around. She stated that they may be poor, but they are not dumb, and they are not finished, and the decision to condemn their property will affect her life forever. She said she and her husband have worked hard and long for that land and they do not take it lightly. She stated if the land is condemned and the property is developed she will never again have the opportunity to watch the wildlife on the property. She asked that the members of the Board put themselves in her place and consider whether they would like the city to bully them and take their land from them. She said her family does not care about the money, but cares about the land.

Mr. Randy Hall said this farmland has been in his family since the 1900's and his grandson will be the sixth or seventh generation. He stated that most of the members of the Board have been associated with farming. He pointed out that the dispute over the proposed outlying landing field in Hyde and Washington Counties has been fought and won by farmers. Mr. Hall said he was a farmer for 27 years and has sometimes wondered where his next dime would come from. He stated that the city has been bullying his mother into selling her land and she does not want to sell it. He said he believes the Board of Commissioners has been sold a bill of goods.

Mr. Ken Bateman stated that he is currently renting the property the Airport Authority has a contract to purchase. He said when the Board voted to approve the rezoning of the property several months ago, the residents of Crosswinds were very concerned about stormwater runoff.

He stated that the proposed stormwater buffer will take all of the stormwater to the residents' property and he has a problem with this. He said it is draining to the main canal that surrounds the Coast Guard Base. He noted that a large culvert will have to be installed under Consolidated Road for the planes to taxi across and this culvert will act as a dam during heavy rains and cause the residents to be flooded out. Mr. Bateman asked why Elizabeth City State University must have 20 acres of land rather than 18 or 19 acres to make this project work within the property available. He advised that people doing the environmental study drove into his corn field without his permission. He said they only went on one cut of land and did not go over the entire piece of property. He stated that he does not understand how an environmental assessment could be completed without more studies.

Mr. Billy Mercer stated that he rents the farm from the Hall's and has been doing so for 10 years since the Hall's retired from farming. He said the 100 feet the city is trying to take is where the Halls' stormwater actually drains to and if the city takes the 100 feet, the Hall's will have to reconstruct their drainage at more expense. Mr. Mercer said the city is bullying the farmers and the farmers are here tonight to represent themselves. He stated that farming is the largest industry in North Carolina and something should be done to help the farmers and protect their rights. He said the city is trying to take the farmers' land, but they do not want to sell it.

Mr. Douglas Mercer said he has lived in this community for 61 years and the city wants to take land that does not belong to them. He stated that the Hollowell's have plenty of land on the west side of Weeksville Road that could be used for the airport project and this location would not affect the property owners in Crosswinds. He said if the city takes 100 feet, that would only be the beginning of it and they will eventually take more and more property. He stated if the farmers lose their land, they will not get back the money they have invested in equipment.

Mr. Bryan Bray stated that in a meeting in February the Airport Manager assured the residents of Crosswinds that they wanted to be a good neighbor. He said about a dozen residents spoke regarding their concerns about the environment, flooding, noise, etc. He stated that he understands the environmental study has been completed, however he has not received any word as to the outcome of the study. He said there is supposed to be a 30 foot buffer zone between his property and the airport property, however he has been told that the county has an ordinance requiring a 70 foot buffer. Mr. Bray said he sees that on the other side of the 30 foot buffer there will be a 100 foot stormwater area. He stated that he is concerned this will cause additional flooding. He said he has found out that he will now have a parking lot next to his property where DRS employees will be parking. He stated that the Airport Manager assured him that this parking area would be a campus like community, however he does not think this will be the case. He asked that the county do anything it can to help the residents.

Commissioner Marshall Stevenson made the following statements and requested that his comments be included verbatim in the minutes.

- *Mr. Chairman in my humble opinion Eminent Domain is immoral and at all cost must not be used for private gain. This is the law in North Carolina.*
- *Eminent Domain should only be used for public gain when there are no other alternatives. There are many alternative in the case before us tonight.*
- *In my mind, the lowest thing public officials can do is to threaten and intimate an individual to either sell or face a take-over of their property via Eminent Domain.....especially an elderly individual both verbally and in writing. This makes me sick to my stomach.*
- *Most landowners and individuals in this part of the world have worked hard for what they have, and know a quality of life that many will never experience. They are not willing to be steam rolled by zealous individuals hungry to build their resume. Public officials take an oath to promote the safety and well-being of citizens they represent. I for one will not stand by and say nothing when a wrong is being done. I have to place myself in their position, and say my land is my land and no one will take it. We still live in a free nation founded under God; with free speech and property rights...we must all fight such Communistic tactics, especially when private gain is involved.*
- *It has been said that this industrial complex will promote growth, will create 500 new jobs, and pump \$150 Million into the local economy within the next 5 years.*
- *Who said that? Is it fact? Or was it the zealous individuals, anxious to get their way? What about the quality of life of those families who have lived and worked their land for centuries in this part of the world? Does greed always trump the rights of the average citizens of this nation who have worked hard for what they have? Does living in peace and harmony always take a back seat to greed? I say No!*

- *The track of land that has been sold by the Hollowell's to the Airport Authority is the footprint that must be used....not additional property boundaries....Not an additional 100 Ft. unless the owners are willing to sell but the current property boundaries must be used.*
- *This property, and only this property has been re-zoned by the county for Industrial use....Additional property has not and may not be re-zoned....The Industrial complex now on the drawing boards must fit within the current property lines....There are many options.*
- *Therefore, Mr. Chairman I make a motion tonight that the commissioners go on record in protest of any Eminent Domain takeover relative to Airport Authority expansion projects....This motion will require that a letter and a resolution be formulated to communicate this protest, and requires the letter and resolution be forwarded to: The Governor of this great State of North Carolina, the North Carolina Department of Commerce, Representative Owens, Senator Basnight, the City of Elizabeth City,....and the Airport Authority.*
- *Mr. Chairman I respectfully submit this motion and sincerely trust that my fellow Commissioners will support it as the moral and honorable thing to do for the citizens of this county.*

The motion was seconded by Commissioner Jimmie Harris.

Discussion followed and Commissioner Dixon asked if the county really has any control over this project or authority to stop the condemnation. County Manager Randy Keaton explained that the city is acting as the agent for the Airport Authority because the Airport Authority does not have the legal authority to condemn property. The city is also the agent for the Department of Commerce grant. He said the plan is the Airport Authority's and in formatting the plan it was determined that an additional 100 feet would be needed for the taxiway. Mr. Keaton stated that the county has one-half of the voting seats on the Airport Authority and the city has one-half, and the city is proceeding to make the project go forward. Commissioner Stevenson said someone has the authority to pull the grant back if the county is not satisfied with what is going on. He added if the county votes in favor of the protest he would hope that the Department of Commerce, Senator Basnight, and Representative Owens would inform the city that if they intend to acquire land in this manner, then the funds may be pulled back. He said somehow the City Manager has maneuvered the city into getting control of this property.

Commissioner Trueblood stated that he is going to support the motion, but he is concerned that it has gotten this far. He said he believes the Airport Authority should find a way to make the project fit within the bounds of the 60 acres of property they have purchased.

Vice-Chairman Griffin explained that in trying to conform with the setbacks for stormwater drainage the project has been pushed outside of the 60 acres which have been acquired. He stated that the legislation introduced by Representative Owens to provide funds for the airport project included a provision that 20 acres of the property would be dedicated to Elizabeth City State University. To make the four building sites in the airport project and the crossover fit within the property footprint, the university would have to give up a portion of their 20 acres.

Commissioner Wood stated that the Board has heard from a lot of people tonight, however there are many people who have not had an opportunity to voice their opinions. He explained that the Hollowell Family did make a decision to sell the 60 acres and the taxpayers of North Carolina are funding the Department of Commerce grant. DRS has employed many people from the community and has bettered their lives and they could negatively be affected by this sort of move. He said he believes that condemnation should be used as a last resort, and the Board of Commissioners has used condemnation a few times since he has been on the Board. He said most of those times there were property issues that the condemnation process was able to clarify. He stated that the Hollowell family's land has been in their family for several generations and they made their decision for what they felt was the good of the community. He said he would feel bad if decisions were made tonight that would fly in the face of the decision that family made, as well as the families who are employed or could be employed in the future on this project. He stated there are always trade-offs, however there are also great benefits for the community. He said the best jobs in this community are at the Coast Guard Base, and more good jobs will be created as a result of this project.

Chairman Perry stated that he is not in favor of using eminent domain to acquire property. He said he feels people should have the right to control what they own and government should have very little to do with it.

Assistant County Manager Rodney Bunch explained that he felt the Board needed to have information on how things have progressed and the status of the airport project, and he asked Mr. Olson to attend tonight's meeting to make a report. He stated that not everyone was informed

this would be occurring, as it was not on the agenda as an item for action. He said not everyone had the opportunity to attend tonight's meeting, whether they are against or in favor of the project. He reminded the Board that this was just to be a report and he had informed Mr. Olson that no action would be taken.

Commissioner Wood stated that he believes it is unfair to not allow the people who will benefit from this project to have a chance to comment. He said he does not feel a decision should be made tonight after hearing from only those people on one side of the project.

Commissioner Stevenson said he feels like the county is long overdue in knowing what is going on at the Airport Authority. He stated that things have been done in secret that the county has not been made privy to. He said the county does not have a clue who will be locating in the project, so it would not be possible for them to speak to the county. He stated that this is being prepared as a spec industrial complex where contractors will inhabit those buildings. He said if the Board approves the motion tonight, it will be protesting the fact that the city will be taking people's property. He stated that he feels the people of this area do not believe in this tactic.

The motion carried by a five to two margin with Commissioners Griffin and Wood voting against the motion.

Commissioner Trueblood said he believes there should be some movement by the members of the Airport Authority to make this project work within the confines of the property already secured without having to condemn additional property.

Commissioner Dixon said he would like to clarify that this airport project is not for private gain. He stated that the Airport Authority is owned by the people of Pasquotank County and Elizabeth City and 20 acres of the property secured will be given to Elizabeth City State University and will be owned by the people of North Carolina. He said the ones who will gain from the project include the people within this room tonight. He stated that the businesses will be ground-leasing the property from Pasquotank County and Elizabeth City.

Commissioner Stevenson noted that the private businesses who will inhabit the industrial complex are private for-profit entities, not governmental entities. He said the formulation of this industrial complex will benefit private concerns.

Commissioner Dixon added that Elizabeth City State University is not a private institution, but a public institution.

### **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) Approval of recommendation from the Finance Committee to pay for replacement of a driveway culvert at 108 Brockridge Run; 2) Recommendation from Finance Committee to provide a grant of \$14,250 to Geronimo, LLC for sewer impact fee; 3) Recommendation from Finance Committee to accept a bid submitted by American LaFrance in the amount of \$162,824 for a mini pumper/rescue truck and to accept the low bid for financing the fire trucks; and 4) Approval of recommendation from Finance Committee to provide \$1,047 to Community Relations Commission.

Motion was made by Jimmie Harris, seconded by Matt Wood to amend the agenda to add the four 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 September 4, 2007 Commissioner Meetings

b. Approval of Tax Releases and Refunds

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

Releases:

		County	City
1.	Adams Landing NC	120.00	
2.	Ali Wesley Davis	135.46	
3.	Robert James Teal, III	102.77	90.64

4.	Gerry D. Coleman	124.56	
5.	Adams Landing NC LLC	523.50	429.27
6.	Willie G. & Gloria Holt	237.50	
7.	Leola Williams Morgan Lf Est	120.00	
8.	Leola Williams Morgan Lf Est	120.00	
9.	John R. & Olivia Etheridge	480.00	
10.	J.E., O.E. & D.W. McPherson	360.00	
11.	Julius Randolph Cole, Sr.	120.00	
12.	Boodie-Noell Enterprises, Inc.	383.25	314.27
13.	James Louis Berube	103.54	91.28
14.	Charles Edgar Harden	354.50	
15.	Charles Edgar Harden	340.32	
16.	Tony Lee Feltman	157.78	
17.	Joseph Dupont Moore	123.03	102.52
18.	Lawrence Burdette Crosby	127.25	
19.	Savvas Michael Rallis	119.62	
20.	American Health & Human Services	2,457.50	2,029.21
21.	Donald St. Aubin	156.00	
22.	Adams Landing NC LLC	34,470.00	28,265.40

Refunds:

1.	BB&T Leasing	156.53	124.85
2.	Adams Landing NC LLC	3,792.17	3,109.55

*c. Approval of Budget Amendments*

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

Non-Dept

Increase	010.4910.5440.00	Contracted Services	1,750.00
Decrease	010.6900.5991.00	Contingency	1,750.00

Ag Ext

Increase	010.4950.5121.00	Salaries & Wages	15,526.00
Increase	010.4950.5181.00	FICA	1,187.00
Increase	010.4950.5182.00	Retirement	1,072.00
Decrease	010.6900.5991.00	Contingency	17,785.00

Board of Elections

Increase	010.0991.4991.00	Fund Balance Appropriated	4,810.00
Increase	010.4170.5351.00	Maintenance-Building	4,810.00

*d. Approval of Transfer of Transportation Funds*

The Finance Committee has recommended approval of the following transfers of transportation funds from other counties to Pasquotank County:

Pasquotank County Received Funds from this County	Amount Received	From this Fund	To this Fund
Received from Camden	\$ 5,556.99	EDTAP	EDTAP
Received from Perquimans	\$ 1,640.82	EDTAP	EDTAP
Received from Chowan	\$ 1,628.97	Supp EDTAP	Supp EDTAP
Received from Chowan	\$ 3,520.55	WFEMP	Supp EDTAP
Received from Perquimans	\$12,772.00	Supp EDTAP	Supp EDTAP
Received from Perquimans	\$ 2,415.90	WFEMP	Supp EDTAP
Received from Currituck	\$ 724.39	WFEMP	Supp EDTAP
Received from Camden	\$ 447.88	WFEMP	Supp EDTAP
Received from Camden	\$19,920.82	RGP	Supp RGP
Received from Chowan	\$14,682.70	Supp RGP	Supp RGP
Received from Currituck	\$ 5,589.30	Supp RGP	Supp RGP
Received from Perquimans	\$15,791.14	Supp RGP	Supp RGP

*e. Approval of Recommendation to Pay for Replacement of Driveway Culvert at 108 Brockridge Run*

The Finance Committee has recommended that the county pay \$1,000 for replacement of a driveway culvert at 108 Brockridge Run that was improperly installed and invoice the general contractor that constructed the house at this location.

*f. Approval of Recommendation to Provide Grant for \$14,250 to Geronimo, LLC*

The Finance Committee has recommended that the county provide a grant in the amount of \$14,250 to Geronimo, LLC to supplement the payment for a sanitary sewer impact fee to the City of Elizabeth City.

*g. Approval of Funding for Community Relations Commission*

The Finance Committee has recommended approval of funding in the amount of \$1,047 to assist the Elizabeth City-Pasquotank County Community Relations Commission with costs associated with hosting a Building Bridges Conference.

*h. Approval of Fire Truck Bid and Bid for Financing*

The Finance Committee has recommended approval of the low bid submitted by American LaFrance in the amount of \$162,824 for the purchase of a mini pumper/rescue truck for the Weeksville Volunteer Fire Department.

The Finance Committee has also recommended acceptance of a proposal submitted by BB&T to finance the cost of the mini pumper/rescue truck and the cost of the purchase of a tanker truck in the amount of \$156,000 that was approved at the last meeting. The Board resolution approving the terms of the financing is as follows:

WHEREAS: The Pasquotank County ("County") has previously determined to undertake a project for two fire trucks (the "Project"), and the Finance Officer has now presented a proposal for the financing of such Project.

BE IT THEREFORE RESOLVED, as follows:

1. The County hereby determines to finance the Project through Branch Banking and Trust Company ("BB&T"), in accordance with the proposal dated September 13, 2007. The amount financed shall not exceed \$318,824.00, the annual interest rate (in the absence of default or change in tax status) shall not exceed 3.97%, and the financing term shall not exceed seven (7) years from closing.

2. All financing contracts and all related documents for the closing of the financing (the "Financing Documents") shall be consistent with the foregoing terms. All officers and employees of the County are hereby authorized and directed to execute and deliver any Financing Documents, and to take all such further action as they may consider necessary or desirable, to carry out the financing of the Project as contemplated by the proposal and this resolution. The Financing Documents shall include a Financing Agreement and Deed of Trust and a Project Fund Agreement as BB&T may request.

3. The Finance Officer is hereby authorized and directed to hold executed copies of the Financing Documents until the conditions for the delivery of the Financing Documents have been completed to such officer's satisfaction. The Finance Officer is authorized to approve changes to any Financing Documents previously signed by County officers or employees, provided that such changes shall not substantially alter the intent of such documents or certificates from the intent expressed in the forms executed by such officers. The Financing Documents shall be in such final forms as the Finance Officer shall approve, with the Finance Officer's release of any Financing Document for delivery constituting conclusive evidence of such officer's final approval of the Document's final form.

4. The County shall not take or omit to take any action the taking or omission of which shall cause its interest payments on this financing to be includable in the gross income for federal income tax purposes of the registered owners of the interest payment obligations.

5. The County intends that the adoption of this resolution will be a declaration of the County's official intent to reimburse expenditures for the project that is to be financed from the proceeds of the BB&T financing described above. The County intends that funds that have been advanced, or that may be advanced, from the County's general fund, or any other County fund related to the project, for project costs may be reimbursed from the financing proceeds.

6. All prior actions of County officers in furtherance of the purposes of this resolution are hereby ratified, approved and confirmed. All other resolutions (or parts thereof) in conflict with this resolution are hereby repealed, to the extent of the conflict. This resolution shall take effect immediately.

Adopted this 17<sup>th</sup> day of September, 2007.

Motion was made by Jeff Dixon, seconded by Lloyd Griffin to approve the consent agenda as amended. The motion carried unanimously.

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

Releases:

		County	City
1.	William Michael Barnes	32.11	
2.	Thomas Andrew Reid	4.01	3.34
3.	Anthony Ditro	51.46	47.88
4.	Jacob L. Albert	73.30	66.08
5.	Nahun Joel Portillo Enamorado	6.05	
6.	Joshua Alan Faulkingham	88.90	79.08
7.	Joshua Alan Faulkingham	33.98	33.32
8.	Jay W. Callihan	90.10	
9.	Scott Andrew Campbell	80.40	
10.	Scott Andrew Campbell	18.86	
11.	Robert Lynn Atkinson	14.69	17.24
12.	Coastal Cathedral Church of God	99.12	87.60
13.	John H. Ketels	63.36	57.80
14.	John Earl Coup	42.15	
15.	Clarence E. White, Jr.	78.29	65.24
16.	Amy Lee Harris	23.76	24.80
17.	Andrew D. Kendrick	10.46	
18.	Nelson Rudoff Reithmaier	59.38	
19.	Matthew Robert Farnen	22.18	
20.	Jose Guadalupe Reyes Mercado	24.24	20.20
21.	Darlene Loretta Lemons	8.57	7.14
22.	Wagus Rudolph Eason		8.48
23.	Danielle Linnette Young	6.41	5.34
24.	Margaret Blake Copeland	9.58	
25.	Dennis Lessal Herring	14.91	
26.	Robert Eglan Crisp, Jr.	36.12	
27.	Dorothy Annette Holloway	53.81	
28.	Kristopher Cameron Filion	80.35	71.96
29.	Larry Vincent Godfrey	12.99	
30.	U.S. Bancorp	68.75	56.38
31.	John Keith Hahn	4.61	
32.	John Keith Hahn	20.06	
33.	Lisa Lynn Ochoa	6.70	
34.	Sabuna Yvonne Pope	35.18	34.32
35.	Synovia J. Simons	40.68	33.90
36.	Synovia Simons	38.69	32.24
37.	Joshua H. Mitcheltree	95.33	
38.	Brian Keith Batdorf	50.50	
39.	Hondra Darrell Hathorne	31.64	
40.	Hondra Darrell Hathorne	27.17	
41.	G.E. Capital Info Tech Solutions	36.18	29.66
42.	G.E. Capital Info Tech Solutions	7.45	

Refunds:

1.	BB&T Leasing	64.30	51.59
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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
Daniel Michael Serik	P132A-135	Unoccupied since 2005

#### **5. APPROVAL OF FAMILY SUBDIVISION REQUEST 07-04:**

The Board considered a request by J.E.B. Stuart and Edwin Stuart et al to create a gift lot for a parent from a child at 180 Brickhouse Lane in accordance with Article 5, Section 303 of the Pasquotank County Subdivision Ordinance. Planning Director Shelley Cox explained that 50

feet of road frontage for the proposed parcel is provided along Brickhouse Lane. The total lot area proposed is 2.86 acres. The grantor, Edwin T. Stuart et al, has owned this property as it currently exists since 1999 when it was divided by heirs. The property to be divided was part of a larger tract that was inherited by the heirs, including Edwin Stuart, in 1997. Ms. Cox advised that documentation has been provided that the plat qualifies as a family subdivision and an improvement permit from Albemarle Regional Health Services has been provided. She said that staff's only concern regarding this request is that the location of the proposed lot will divide the tract into three parcels. She stated however that one of the residual parcels meets the state exemption of being greater than 10 acres and could be divided through the submission of an exempt subdivision plat. In addition, the other residual parcel is comprised primarily of wetlands and is most likely unbuildable. Ms. Cox said in consideration of this fact, staff recommends approval of this request.

Motion was made by Jeff Dixon, seconded by Bill Trueblood to approve Family Subdivision Request 07-04 as presented. The motion carried unanimously.

**6. APPROVAL OF FAMILY SUBDIVISION REQUEST 07-05:**

Ms. Shelley Cox explained that Family Subdivision Request 07-05 is for Margaret Ann Bray Miller to create three gift lots from a parent to children at 643 Bayside Road in accordance with Article 5, Section 303 of the Pasquotank County Subdivision Ordinance. She stated that road frontage is provided along Bayside Road. The lots that will be created through this subdivision meet the minimum lot area requirements of 43,000 square feet for each lot, and lot widths of 140 feet. The grantor, Margaret Ann Bray Miller, has owned this property since 1992. Ms. Cox stated that documentation has been provided that the plat qualifies as a family subdivision. She said this application meets the standards set forth under the family subdivision regulations, therefore staff recommends approval of this request.

Chairman Perry recognized Mrs. Linda Mercer who asked to address the Board regarding this family subdivision request. Mrs. Mercer stated that she has lived across the road from this piece of property for 40 years and has seen it flood countless times. She said if there are houses built on this property, the flooding problem will only increase. She stated that she knows the property is under contract to be sold and that the closing papers will be signed next week, and in fact she and her husband were given the first opportunity to buy this land.

Mr. Billy Mercer stated that he is concerned that there is a tendency for flooding on the property. He said the property backs up to and is adjacent to a water system well so there could also be concerns in this regard. He stated that the property is currently zoned agricultural and he would prefer to see the property as farmland.

Commissioner Wood commented that he finds it ironic that there has been discussion by some here tonight about families having rights for their farmland and now these same individuals do not want a family to be able to have a family subdivision.

Motion was made by Jeff Dixon, seconded by Matt Wood to approve Family Subdivision Request 07-05 as presented. The motion carried by a five to two margin with Commissioners Stevenson and Harris voting against approval.

**7. REPORT FROM COUNTY MANAGER:**

County Manager Randy Keaton reminded the Board that he will be in Raleigh on Wednesday to participate in a seminar sponsored by the North Carolina Association of County Commissioners for counties that are trying to get the land transfer tax or sales tax passed. Since Pasquotank County and Perquimans County are the only two counties who have ever had a successful land transfer tax referendum, he has been asked to participate in a panel discussion.

**8. REPORTS FROM COUNTY COMMISSIONERS:**

Commissioner Jeff Dixon stated he had previously mentioned to the Board the possibility of forming a county parks and recreation committee. He said he feels it is time for the county to have its own parks and recreation committee. He stated that several individuals have contacted him and would like to sound-off on some issues related to parks and recreation and they do not feel comfortable attending meetings of the Board of Commissioners, but would prefer to attend a smaller committee meeting. He added that with the budget and the two new parks that are being developed, he believes it is time for the county to have its own parks and recreation committee made up of a couple of Commissioners and citizens of the county. The Board suggested that the

County Manager and Commissioner Dixon develop a proposal for a parks and recreation committee to then be presented to the Board for consideration.

**9. INTRODUCTION OF PASQUOTANK COUNTY YOUTH COUNCIL MEMBERS:**

Chairman Perry recognized Extension Director Travis Burke and asked him to introduce members of the Pasquotank County Youth Council who are in attendance tonight. Dr. Burke introduced Miss Jordan Ellinwood and Miss Jessica Moore. Chairman Perry welcomed Miss Ellinwood and Miss Moore and invited them to attend additional meetings.

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

Assistant County Manager Rodney Bunch reported that he has contacted Mr. Jerry Jennings, Acting Division Engineer for the North Carolina Department of Transportation in response to calls that members of the Board had received regarding handicap ramps at the intersection of North Road Street and Colonial Avenue. He said Mr. Jennings has looked into this and has informed him that there will be some state funds available to install handicap ramps on the west side of North Road Street at that intersection.

The County Manager reported that the City has painted the crosswalk across Colonial Avenue and added another handicap ramp midway of the sidewalk in front of the Library and Public Safety Building to provide access for people going from the Courthouse across Colonial Avenue.

Commissioner Dixon said he has been contacted by a couple of people who are concerned about water collecting and puddling on North Road Street beside the bookmobile ramp at the Library and not getting to the storm drain due to the asphalt being built up at that location. The County Manager stated that the county's contractor did this when the new sidewalk for the library was installed and the asphalt was patched. He said some adjustments may need to be made.

Chairman Perry asked if there was any further business to come before the Board. There being no further business, he asked for a motion to adjourn the meeting.

Motion was made by Jimmie Harris, seconded by Matt Wood to adjourn the meeting. The motion carried and the meeting was adjourned at 8:35 PM.

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CHAIRMAN

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CLERK