

**PASQUOTANK COUNTY, NORTH CAROLINA
OCTOBER 5, 2009**

The Pasquotank County Board of Commissioners met today in a regular meeting on Monday, October 5, 2009 in Courtroom C in the Pasquotank County Courthouse.

MEMBERS PRESENT: Marshall H. Stevenson, Jr., Chairman
Matt Wood
Bill Trueblood
Cecil Perry
Jimmie Harris

MEMBERS ABSENT: Lloyd E. Griffin, III, Vice-Chairman
Jeff Dixon (*Out of Town*)

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 Marshall Stevenson. The Rev. Matt Thomas, Pastor of Riverside Baptist Church, gave the invocation and Vice-Chairman Lloyd Griffin led in the Pledge of Allegiance to the American Flag.

1. PRESENTATION OF PINS TO EMPLOYEES FOR YEARS OF SERVICE:

Chairman Stevenson called on the following county employees to receive pins recognizing their years of service to Pasquotank County:

Employee	Department	Years of Service
J.C. Ferrell	Sheriff's Department	30 years
Irene Ward	Library	30 years
Margie Minor	Water Department	25 years
Travis Jackson	Sheriff's Department	15 years
Peggy Brabble	Library	10 years
Sherri Whitehurst	Sheriff's Department	10 years
Wendy Overton	Social Services Department	10 years

The Board congratulated and thanked the employees for their service.

2. PRESENTATION OF PROCLAMATION FOR COLONIAL HERITAGE MONTH:

Chairman Stevenson called on Mrs. Shirley Spaeth to receive a proclamation declaring October as Colonial Heritage Month. He read and then presented to Mrs. Spaeth the following proclamation:

Proclamation
Pasquotank County Commissioners
Colonial Heritage Month
October 2009

Whereas, the glory and the promise of our great nation has been enhanced by acclaimed organizations like the North Carolina State Society, Colonial Dames XVII Century...whose distinguished members are direct descendants of our country's earliest settlers; and

Whereas, one of the sound and noble goals of this heralded Society is to promote the tremendous colonial heritage upon which the very principles of our mighty nation were kindled and passed on--both in spirit and by example; and

Whereas, Colonial Dames XVII Century members, who are also highly respected for their long-standing record of caring and community service, proudly trace their time-honored roots back to our earliest settlers who came to America prior to 1701; and

Whereas, Pasquotank County is pleased to join in celebrating this special month which is aptly set aside to wisely promote and explore our family backgrounds, origins, and our knowledge and appreciation of colonial history...as such a bountiful and glorious past continues to merit a special place in the minds and in the hearts of our people.

Now Therefore, the Pasquotank County Board of Commissioners does hereby proclaim October 2009 as Colonial Heritage Month in Pasquotank County, and commends this observance to all of our citizens.

This the 5th day of October, 2009.

3. REPORT ON ECONOMIC IMPACT OF AVIATION PARK:

Chairman Stevenson recognized Economic Developer Wayne Harris to provide a report on the economic impact of the Aviation Park. Mr. Harris outlined the Aviation Park funding sources, noting that grants from state and federal organizations have totaled \$10,100,000, reimbursements totaled \$1,455,869, and the county and city have each invested \$200,000 to create this park. He provided a table indicating the lease rate for DRS based on the number of jobs created. At an annual lease amount of \$180,809, the local annual return on investment on the lease alone is 45.2%. The Aviation Park tax revenue for the two current DRS hangars is \$103,744. At the build out of Phase 1 the estimated annual tax revenues will be \$194,520 on an assessment of \$33,251,222 which represents a return on investment of 49%. The one-time economic impact related to facility construction per hangar is \$10,701,961 million. Once a hangar is built and fully staffed the annual economic impact, including the payroll at DRS, would be \$54,542,533. When the park is built-out with four hangars and fully staffed, the total overall economic output annually would be \$190,898,866. Mr. Harris pointed out that it is very easy to see that without this impact in the local economy the unemployment rate in Pasquotank County would be much higher. Mr. Harris said the Aviation Park has been a tremendous success and there are a lot of good things going on.

4. UPDATE ON PEARL STREET COMMUNITY GARDEN:

Chairman Stevenson called on Mrs. Robin Kelly-Goss to present an update on the Pearl Street community garden. The Board had previously authorized the development of a community garden on property that is located behind the old Elizabeth City Middle School which borders Pearl Street. Mrs. Kelly-Goss stated that she is one of the co-founders of a group called "Project Grow" and the project has just completed its second year. She said Project Grow is partnered with the Food Bank of the Albemarle and their mission is to educate and encourage people so that they can help themselves by decreasing their need for emergency food sources. She stated that their project goals are to assist people in growing a portion of their own food, teaching people to re-learn self-sufficiency, and returning to nutritious food. Ms. Kelly-Goss explained that Project Grow has a community garden located at the Salvation Army Church; a demonstration garden at the Food Bank; the Pearl Street Community Garden; and the Classroom in the Garden Program. She presented several pictures of the Pearl Street community garden and said almost everything they have has been donated, although they have a very small budget through the Food Bank that they do not use unless they have to. She stated that a portion of the produce from the garden is donated to the Food Bank or to people in need.

Mrs. Kelly-Goss said for 2010 she would like to ask the Board of Commissioners whether this property will continue to be available for the Pearl Street community garden. She stated that several organizations have expressed an interest in having a plot at the garden.

County Manager Randy Keaton explained that when Mrs. Kelly-Goss initially came to the Board, the Board had agreed to allow Project Grow to use the property on a trial basis so the Board would need to authorize continued use of the property for next year.

Chairman Stevenson stated that it is still unknown what will happen with the old middle school property and as far as he is concerned he has no problem with their continued use of the property. He said when the county knows more Mrs. Kelly-Goss will be notified.

Mrs. Kelly-Goss advised that there is an amphitheater in the woods on the property with about six rows of seats and the Master Gardeners, Girl Scouts troops, and several other people have

expressed an interest in clearing it out for use by composting classes or for other uses. The Board concurred to allow Project Grow to continue to use a portion of the old middle school property and to allow them to clear out the area where the amphitheater is located.

Commissioner Perry asked Mrs. Kelly-Goss if she would be available to share her expertise with other groups such as the Housing Authority because of the open land they have. Mrs. Kelly-Goss said part of the mission of Project Grow is to help other people start projects like this. She stated that she would be glad to meet with other groups and would donate plants and labor to help people get started.

5. AMENDMENTS TO THE AGENDA:

Chairman Stevenson asked if there were any amendments to the agenda. Commissioner Wood requested that the agenda be amended to add to the consent agenda the following items recommended by the Finance Committee today: 1) Approval of change order for Jail project; 2) Approval to fill vacant EMS, Solid Waste and Central Communications positions; and 3) Approval of tax settlement offer from Whitehall Jewelers.

Motion was made by Matt Wood, seconded by Cecil Perry to amend the agenda to add the three items recommended by the Finance Committee to the consent agenda. The motion carried unanimously.

6. APPROVAL OF CONSENT AGENDA:

The Board considered the following consent agenda:

a. Approval of Minutes of September 21 and September 24, 2009 Commissioner Meetings

b. Approval of Tax Releases and Refunds

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

Releases:

		County	City
1.	Craig David Harwood	101.26	
2.	Melburn Ralph Dayton	154.94	
3.	Mary E. & Odell Moore	120.00	
4.	The Salvation Army	117.10	100.81
5.	Gerry D. Coleman	130.74	
6.	Brian R. Foster	212.19	

Refund:

1.	Carolina Telephone		179.40
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c. Approval of Budget Amendments

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

Non-Departmental

Decrease	010.6900.5991.00	Contingency	8,022.00
Increase	010.4195.5440.00	Contracted Services	8,022.00

Parks & Rec

Increase	010.0991.4991.00	Fund Balance Appropriated	112,500.00
Increase	010.0600.4940.08	Eliz City-Parks & Rec	24,500.00
Increase	010.0220.4532.00	Other Grants	44,000.00
Increase	010.6130.5581.04	South Park Complex – Phase 2A	181,000.00

Friends of the Library

Increase	024.0500.4831.00	Interest	50.00
Increase	024.0600.4611.03	Book Sales	1,800.00
Increase	024.0600.4611.04	Membership Dues	1,000.00
Increase	024.0600.4611.05	Fundraisers	300.00
Increase	024.0600.4833.00	Donations	100.00
Increase	024.0991.4991.00	Fund Balance Appropriated	1,132.00
Increase	024.6110.5191.00	Audit Fees	100.00
Increase	024.6110.5231.00	Promotional/Education Supplies	300.00
Increase	024.6110.5232.00	Library Materials	500.00

Increase	024.6110.5261.00	Departmental Supplies	1,800.00
Increase	024.6110.5272.00	Fundraiser Expenses	100.00
Increase	024.6110.5325.00	Postage	200.00
Increase	024.6110.5499.00	Miscellaneous Expense	50.00
Increase	024.6110.5500.00	Capital Outlay	1,332.00

CDBG-Bldg Capacity

Decrease	023.4934.5690.01	NCDC-Pass Through	75,000.00
Decrease	023.0230.4493.02	CDBG-Building Capacity	75,000.00

CDBG-Scattered Site III

Decrease	023.4933.5914.00	Rehabilitation	220,830.00
Decrease	023.4933.5915.00	Clearance	17,410.00
Decrease	023.4933.5916.00	Relocation	121,760.00
Decrease	023.4933.5917.00	Administration	40,000.00
Decrease	023.0230.4493.04	Scattered Site-2004	400,000.00

CDBG-Scattered Site IV

Decrease	023.4936.5914.00	Rehabilitation	185,000.00
Decrease	023.4936.5915.00	Clearance	20,000.00
Decrease	023.4936.5916.00	Relocation	155,000.00
Decrease	023.4936.5917.00	Administration	36,500.00
Decrease	023.4936.5917.03	Planning	3,500.00
Decrease	023.0230.4493.06	Scattered Site-2007	400,000.00

Cap Proj-Schools

Decrease	040.8900.5980.21	Transfer to Capital Reserve	23,305.00
Decrease	040.0500.4831.00	Interest Earned	23,304.64
Decrease	040.0200.4840.02	Sales Tax Refund	.36

Library

Increase	013.0550.4839.00	Miscellaneous Revenue	5,750.00
Increase	013.6110.5353.00	Vehicle Maintenance	5,750.00

d. Approval of Change Order for Jail Project Totaling \$48,202

The Finance Committee has recommended approval of Change Order No. 23 in the amount of \$48,202 for the Albemarle District Jail Project.

e. Approval to Fill Vacant Positions

The Finance Committee has recommended that the Board approve filling a vacant paramedic position, up to three part-time telecommunicator positions, and one full-time/part-time site attendant and two substitute site attendants.

f. Approval of Tax Settlement with Whitehall Jewelers

The Finance Committee has recommended that the Board approve a tax settlement with Whitehall Jewelers, Inc. The company has filed bankruptcy and owes \$530.40 in property taxes. The company's bankruptcy counsel has offered \$106.08 or 20% of the amount due to settle any and all claims.

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

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

Releases:

		County	City
1.	Norman Bradley Crochet	43.45	
2.	Dennis Matthew Elliott	20.96	17.15
3.	Connie Leigh Jones	15.57	
4.	Jenny Lynn Byberg	26.79	21.92
5.	Daphne Winslow Banks	40.54	33.17
6.	Robbin Myrtle Binkiewicz		15.08
7.	Corey K. Beidler	53.68	48.92
8.	David Kevin Mann	7.65	

9.	David Kevin Mann	47.69	
10.	New Beginning United Fellowship	13.31	15.89
11.	Robert Baylor Hardey	8.25	11.75
12.	Shawn Patrick Garrigan	2.86	
13.	Kristian Richard Entwistle	90.86	
14.	Jeffrey Clement Meads	85.20	
15.	Joshua Hayden Mitcheltree	91.74	80.06
16.	Thomas Flis	79.48	
17.	Michael Fairbanks	5.34	
18.	Jerry Donald Coleson	11.69	
19.	Curtis John Olds, Jr.	42.96	
20.	Curtis John Olds, Jr.	49.39	
21.	Steven John Southall	10.84	13.87
22.	Latricia Bernice Outlaw	4.35	3.56
23.	John Hilton Underwood	24.07	
24.	James Edward Elliott	42.90	35.17
25.	Jose Enrique Lefebre	76.18	
26.	Mary Weatherly Coltrane	36.08	
27.	Hallett Travis Jackson	73.21	
28.	Welton Linzellow Spence	50.47	
29.	Gregory Michael Ritter	9.19	7.52
30.	Richard Thurston Harvey	33.77	
31.	Harold Wallace Leight	16.31	
32.	Samuel Eugene Geddie	11.28	9.23
33.	Travis L. Henton	10.78	13.82
34.	Che Thomas Russell	77.66	
35.	Samuel Eugene Geddie	9.52	7.79
36.	Steven Barth Perry	12.02	
37.	Drew Dante Dazzo	4.95	
38.	Drew Dante Dazzo	52.03	
39.	Timothy Charles Spence	31.63	
40.	Charles Wesley Reed III	43.78	
41.	Ryan Alfred Garron	12.16	
42.	Theresa Hughes Figgs	15.29	12.51
43.	Steven M. Talick	50.22	
44.	Vincent Edward Lindwall	69.85	
45.	Vincent Edward Lindwall	86.90	
46.	Vincent Edward Lindwall	3.41	
47.	Yoi Alondra Cortez	83.88	
48.	Roxanna McCullen Whitehurst	23.87	19.53
49.	Rebecca Anne Staben	54.59	
50.	Cindy White Secrest	17.55	14.36
51.	Jennifer Lynn Mansfield	13.37	
52.	Jennifer Victoria Leonard	19.42	
53.	Louis Carl Hooper	25.30	
54.	Kelly Thomas McCarthy	97.96	
55.	Benjamin Harrison Daniels	20.22	16.54
56.	Thurlis Lee Jackson, Jr.	21.67	
57.	Michael Anthony Reyes	94.71	82.49
58.	Bobby Steven Hassell	8.80	
59.	Ronald Alijah Everson	34.05	
60.	Ronald Alijah Everson	79.53	
61.	Benjamin James Adams	51.60	
62.	Robin Muncey Laurie	27.68	24.91
63.	Marluis Evett Stokes	60.50	
64.	Donald Price Hamby	10.23	
65.	Charles Edward Crudup	14.85	17.15
66.	Charles Edward Crudup	55.61	55.50
67.	Charles Edward Crudup	29.04	28.76
68.	Donald James Yurko, Jr.	6.78	5.56
69.	Christopher Rob McCalla	11.50	14.41
70.	William Lee White	14.25	11.66
71.	Anita Jones Byrd	10.45	
72.	Ronald Lee Beasley	6.44	5.27
73.	Ronald James Pervere	7.43	

74.	Harry Eugene Willingham III	16.94	
75.	Benjamin Joseph Pollitt	54.67	44.73
76.	Eric Lee Krahn	51.59	
77.	Troy Alan Bertran	5.97	
78.	David William Bennett	34.08	

Refunds:

1.	Michael T. & William B. Bateman	91.30	74.70
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7. CONSIDERATION OF FINAL PLAT FOR CAROLINA DUNES, BEVERLY DRIVE SECTION, CONSISTING OF THREE LOTS ON BEVERLY DRIVE:

The Board considered the final plat for Carolina Dunes, Beverly Drive Section. Planning Director Shelley Cox explained that Carolina Dunes, Beverly Drive Section, is located immediately west of Beverly Drive between its intersection with Gaston Drive and William Drive in Nixonton Township. She said Carolina Dunes is requesting final approval for three residential lots adjacent to Beverly Drive. The property is zoned R-15 Residential and proposed lot sizes range from 1.26 acres to 3.61 acres. Students from the development would attend J.C. Sawyer Elementary School, River Road Middle School and Northeastern High School. Weeksville Volunteer Fire Department provides fire protection for this area and the area is served by the Pasquotank County Water System. Mrs. Cox advised that this subdivision is less than ten acres and is not waterfront property therefore a sketch plan review was not required in accordance with Section 304 of the Subdivision Ordinance. The Board previously reviewed and approved the preliminary plat. On-site septic systems will be installed to dispose of wastewater. Albemarle Regional Health Services has issued tentative approval of the three lots, with a requirement for the installation of sand backfill trenches. Access to the three lots will be limited to Beverly Drive. Mrs. Cox said Beverly Drive was actually created in Section B of Newbeganland in 1979 and staff reviewed the files today and realized there is no road maintenance bond on file and is recommending that a road maintenance bond for Beverly Drive be submitted with the final plat. Water tap fees totaling \$5,400 have been paid to the Pasquotank County Water Department. Engineer Greg Johnson has reviewed the drainage improvements that have been made and recommends approval. He also recommends that efforts to maintain and stabilize the outfall ditch continue as the lots are developed. Mrs. Cox stated that staff is recommending approval of the final plat, subject to submission of a road maintenance bond for Beverly Drive.

Motion was made by Bill Trueblood, seconded by Jimmie Harris to approve the final plat for Carolina Dunes, Beverly Drive Section, subject to the submission of a road maintenance bond for Beverly Drive. The motion carried unanimously.

8. REPORT ON COUNTY'S RESPONSIBILITY FOR CEMETERIES:

In response to a question that came up at the last meeting regarding the county's responsibility for cemeteries, County Manager Randy Keaton reported that he has done some research. He stated that the most recent statute on county care of rural cemeteries requires counties to provide a list of public and abandoned cemeteries outside of the city limits. Counties are also supposed to keep a list of all abandoned public cemeteries in the Register of Deeds Office and provide that list to the Secretary of State's Office. Mr. Keaton said the County Commissioners have the authority to oversee all abandoned public cemeteries and can make appropriations up to \$50 for each cemetery to take care of them. They can also appoint a Board of Trustees to oversee all abandoned public cemeteries.

Mr. Keaton said the county's GIS Department has been working on a project to catalogue cemeteries throughout the county and maintains a database of cemeteries in the rural parts of the county that have been identified. He added that he would have the GIS Department print out a map of the cemeteries for the Board to review.

9. REPORT ON FIRE RATING CHANGE FOR WEEKSVILLE VFD:

The County Manager asked Hugh Tarkenton, Fire Department Coordinator, to give the Board an update on a fire rating change for the Weeksville Volunteer Fire Department. Mr. Tarkenton explained that Weeksville VFD was first inspected by the Department of Insurance in July, 2008 and did not quite meet its rating goal. He stated that the fire department was given a year to make the changes necessary to maintain its fire rating. The survey was conducted again this year and even with the improvements that had been made during the past year, the department received the lower rating. Mr. Tarkenton said he wrote a letter to the inspector and to the chief inspector in Raleigh to get some clarification. He stated that the thing that resulted in the lower rating was the distribution of fire hydrants in the fire district. They count how many hydrants are

within 1.5 miles from the fire stations and then they look for any other 1.5 mile area that has 50% or more of the amount of hydrants around the fire stations. If there are areas that meet this criteria, the Department of Insurance has advised that fire stations should be located within 1.5 miles of those areas. In the Weeksville district they determined that five more fire stations are needed due to the amount of hydrants in the new subdivisions and the lack of them around the present fire stations.

Mr. Tarkenton stated that he would suggest that more hydrants be located around the main stations to hopefully change the way they are rated. Since the formula is based on 50% of the number of hydrants around the main station, if that number were increased, then the 50% amount would be larger. It is estimated that 18 more hydrants would be needed around the Weeksville and Soundneck stations at a cost of approximately \$50,000. This should prevent the need for all but one more fire station. Mr. Tarkenton said he is waiting for a response from an inspector with the Department of Insurance as to whether this will in fact correct the problem.

Mr. Tarkenton said as a result of the rating change, the cost of homeowners insurance for a \$90,000 house in the Weeksville Fire District could increase by about \$80 annually.

Commissioner Matt Wood suggested that the county pursue a more detailed plan on where hydrants would go, what the cost would be, possible funding sources including the economic impact of the rate increase, and present those numbers to the Board as a complete revenue and expense report. Mr. Tarkenton, County Manager Randy Keaton, Assistant County Manager Rodney Bunch, and Water Superintendent John Gregory will work together on this plan which would also show the impact on the lower part of the county insurance-wise versus what it would cost to fix the problem.

County Manager Randy Keaton said the rule about the fire hydrants and extra stations is from a city fire department perspective and the Department of Insurance is trying to apply this formula to rural areas. He stated that the arbitrary formula has no bearing on the ability to put out a fire. Chairman Stevenson suggested that a letter be sent to North Carolina Insurance Commissioner Wayne Goodwin pointing this out.

Mr. Keaton added that the fire hydrant issue could also be a problem when Newland and Nixonton fire departments are inspected.

10. REPORT FROM ASSISTANT COUNTY MANAGER:

Assistant County Manager Rodney Bunch reported that about a year ago the Board gave Randy Hall, Jr. a permit for 12 months to refurbish an old farm house on Bayside Road that was to have been divided among heirs. During that time he was going to put a mobile home on the property to live in for 12 months until the renovations could be completed. Mr. Bunch said Mr. Hall has advised that the heirs have not settled on dividing the property and he has not therefore done anything to the house. He has requested an extension of time to do the work and staff will be giving Mr. Hall a six month extension on the project.

11. APPOINTMENTS TO ALBEMARLE HOSPITAL AUTHORITY BOARD OF COMMISSIONERS:

Commissioner Bill Trueblood stated that the Appointments Committee would like to recommend that the following individuals be reappointed to the Albemarle Hospital Authority Board of Commissioners:

Jeff Dixon
Cecil Perry
Sonja Hibbard
James E. Perry
Sue Weimar

Motion was made by Bill Trueblood, seconded by Cecil Perry to make the reappointments to the Albemarle Hospital Authority Board of Commissioners as recommended. The motion carried.

12. REPORTS FROM COMMISSIONERS:

Commissioner Cecil Perry said there was a memo in the agenda packets from Mr. Bill Stevens concerning a person who became ill in the Tax Office and was helped by two Tax Office employees. He asked if this information would be included in their personnel files. Mr. Keaton

said the memo would be placed in the employees' personnel files. Commissioner Trueblood suggested that the employees be recognized by the Board of Commissioners.

There being no further business;

Motion was made by Jimmie Harris, seconded by Bill Trueblood to adjourn the meeting. The motion carried and the meeting was adjourned at 8:15 PM.

CHAIRMAN

CLERK