

**PASQUOTANK COUNTY, NORTH CAROLINA  
OCTOBER 15, 2007**

The Pasquotank County Board of Commissioners met today in a regular meeting on Monday, October 15, 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.  
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. The Rev. Judah Person, Fifth Tabernacle of the Church of God and Saints of Christ, gave the invocation and Vice-Chairman Lloyd Griffin led in the Pledge of Allegiance to the American Flag. Chairman Perry welcomed everyone present.

**1. COMMENTS REGARDING AIRPORT AUTHORITY EXPANSION PROJECT:**

Chairman Perry recognized those individuals who had signed up to address the Board. Mrs. Pam Hall stated that the city and the Airport Authority have not listened to their family. She said several members of the Board of Commissioners have met with them and have heard what they had to say. She explained that the proposal contains nothing to help the people who live in Crosswinds Subdivision. She said they will be affected just as greatly as she will. She stated that this appears to be a 187 acre air park, not 67 acres, and she asked why they were not told about the 187 acres from the beginning. She said it appears the project will be done in three phases, with the first phase being the 67 acres, the second phase going behind her house, and the third phase being the remainder of the farmland. Mrs. Hall asked the Board to send the letter protesting any eminent domain takeovers of property for the airport project.

Mr. Randy Hall stated that when the old Navy base was built where TCOM is now located, many farmers were affected by the land the Navy took and a lot of valuable farmland was taken over which is now a mass of cement and asphalt. He said this can never be put back into farmland. He said if this land is taken and the project fails, the same thing will happen again. He stated that the community floods every time it rains because of the runoff from the parking lots that have already been constructed. He said more parking lots will only add to the problem. Mr. Hall stated that a lot of untruths have been told about this project. He added that he still does not want to sell his property.

Mr. Douglas Mercer of 628 Bayside Road stated that he has known the Hall family all of his life and has seen the oldest generation working the land from sun-up to sun-down in extreme cold and extreme heat on open tractors to make a living for their families and to be able to pass the farm on to their heirs. He said it was not their intention to have the land taken from their heirs against their will. He stated that many farmers do not farm just to try to get rich, but because they have a love for the land and they realize that land is not a renewable resource. Mr. Mercer stated that the Hollowell family has a much larger tract of land on the west side of Weeksville Road that would be large enough to handle all phases of the aviation park and he said they would probably be more willing to sell. He suggested that the park be located on that property instead of on the Hall property. Mr. Mercer stated that he believes more money is pumped into the local economy by farmers than an aviation park would generate.

Mrs. Linda Mercer said it was reported in the newspaper recently that a member of City Council said that eminent domain should be used for the airpark because it's not anybody's home. She said although it is not anybody's home, a house is much easier to replace than farmland. She stated that farmland is the source of someone's livelihood who has already invested many

thousands of dollars in equipment, and also contributes greatly to the local economy. She said a house can be rebuilt, but once farmland is dug up and paved over, it is gone and cannot be replaced. Mrs. Mercer stated that many City Council candidates have been quoted as saying that an aviation park is such a wonderful opportunity for this area, but they also think that growth is so great. She said growth has overcrowded the schools, congested the roadways, raised taxes, and increased the crime rate. She stated that jobs are needed, but they should be jobs that are on a level for the working class of people who already live here, jobs that do not require special training and special education so these people can provide for their families. She said eminent domain is defined as the right of a government to take private property for public use. She stated that this is not a case of public use. She said ECSU may be public, but already has land available within just a few miles of the airport that is not being used. She stated that the other proposed businesses will be private sector businesses for private gain and she does not believe eminent domain is appropriate in this case.

Mr. Billy Mercer said the community is here again tonight to speak against this project and it appears that nobody is listening. He explained that the agricultural industry is huge in Pasquotank County. He said this farmland the Airport Authority wants to take is very productive and he has farmed this land for ten years and has renter's rights.

Ms. Catherine Minshew stated that two weeks ago she asked what Phase II would involve and never got an answer. She said she has since found out the answer to her question which is 187 acres, more than just a few rows of corn. She stated that this plan has obviously been in place since day one and it appears this property will come from the Hall family. She said the law of eminent domain is pretty clear cut in the State of North Carolina and it cannot be used for economic development. She asked that the Board consider voting against eminent domain on this project. Ms. Minshew explained that she has been through eminent domain and knows what it is like.

Mr. Hank Krebs asked the Board to not send the letter opposing the use of eminent domain because it would send the wrong message on this project. He said this project will be one of the largest projects east of I-95. He stated that this project will provide good jobs like the Coast Guard Base and the people who have those jobs will contribute to the community. Mr. Krebs reminded the Commissioners that they do not just represent the people who are here tonight, but also the people who are not here tonight. He said these people are owed just as much consideration as the ones who are here. He stated that sending the letter to state officials objecting to eminent domain is going to get the county kicked out of this project because the City Council could vote to annex the property which would remove the Board of Commissioners from any decision-making. Mr. Krebs said the county needs to stay involved in this project.

Ms. Susan Matousek read the Fifth Amendment to the Constitution. She stated that the Constitution affords the rights of life, liberty, justice, and the pursuit of happiness. She said taking somebody's land is wrong. She suggested if the property owner does not want to sell her land that another way should be found.

Commissioner Marshall Stevenson stated that he has heard everyone speak and he honestly believes that the public in this area is against the taking of land. He said the Board voted four weeks ago to protest the taking of these 100 feet of property, and voted two weeks ago to delay that. He stated that he understands the Chairman has been negotiating with the Hall's on another approach. He said he has talked with Mr. Hall and he advised they have not made a decision. Commissioner Stevenson stated that he feels strongly that those negotiations can continue, however the Board of Commissioners needs to take a stand and should do it tonight. He stated that five members of the Board voted four weeks ago to protest the taking of this land in hopes of encouraging the city to back off. He said in spite of the Board's vote, the City Manager has said to the media that the city would just annex the property. He stated that he feels this project is not for public gain except for Elizabeth City State University's portion and the industries that will locate there are for-profit. Commissioner Stevenson noted that the Airport Authority's own engineer who designed this project has stated that it can be arranged to fit on the property under contract.

Motion was made by Marshall Stevenson, seconded by Jimmie Harris to go forward with the first resolution and letter that was drafted opposing any eminent domain takeovers of property for airport authority expansion projects and that they be sent to the parties named in the original motion four weeks ago.

Discussion followed and Commissioner Stevenson stated that the public does not believe in the taking of property. He said businessmen want to make more money for themselves which is why they are saying this project will be so great. He stated that nobody knows whether this project will even pan out.

A substitute motion was made by Bill Trueblood, seconded by Matt Wood to approve the revised resolution and letter that was submitted following the last meeting and that the letter to the Department of Commerce not be sent until the conclusion of the alluded negotiations between the Chairman and the parties.

Commissioner Trueblood stated that this substitute motion does not change anyone's stance on eminent domain and he is just as opposed to eminent domain now as he previously was. Commissioner Stevenson said the resolution that is being offered in the substitute motion is a watered down version that says nothing. He pointed out that it does not use the word protest and would only be sent to the city and the Airport Authority. He said as far as he is concerned there would be no need to even send it.

Vice-Chairman Griffin suggested that the motion by Commissioner Trueblood be separated into two parts with the resolution and letter being voted on separately.

Commissioners Trueblood and Wood accepted this amendment to the substitute motion to vote on the resolution and the letter separately.

The substitute motion to adopt the second resolution carried by a five to two margin with Commissioners Stevenson and Harris voting against the motion. The resolution is as follows:

**RESOLUTION RELAYING CONCERNS IF EMINENT DOMAIN  
IS USED FOR AIRPORT AUTHORITY EXPANSION PROJECTS**

WHEREAS, the Elizabeth City-Pasquotank County Airport Authority, the City of Elizabeth City and Pasquotank County have been involved for some time in plans to develop the Elizabeth City Aviation Research and Development Commerce Park; and

WHEREAS, the proposed location of the Research and Development Park is on property adjacent to the United States Coast Guard Base and the Elizabeth City-Pasquotank County Regional Airport; and

WHEREAS, the park would provide land lease opportunities near the United States Coast Guard Base for aviation-related businesses that have expressed interest in locating in our area; and

WHEREAS, these businesses would provide job opportunities for employees in specialized fields who would be paid above-average salaries; and

WHEREAS, another component of the Aviation Research and Development Park is that it will provide 20 acres of land for the expansion of an Aviation Science Program through the University of North Carolina System that will enable Elizabeth City State University to expand its facilities and curriculum to provide training for the aviation industry; and

WHEREAS, the City of Elizabeth City, acting as agent for the Airport Authority, has been awarded a \$3.5 million Economic Development Reserve Grant from the North Carolina Department of Commerce to fund the costs of property acquisition and to fund extension of the Airport's taxiway; and

WHEREAS, the City of Elizabeth City has successfully negotiated with two property owners to acquire their properties totaling approximately 63 acres; and

WHEREAS, a sketch plan has been prepared for the 63 acre tract indicating a 20 acre parcel that will be transferred to the Elizabeth City State University Foundation and five additional parcels that will be available for lease; and

WHEREAS, during preparation of the sketch plan, it has been determined that an additional 100 feet of property will be needed on the east side of the tract to provide an obstruction-free zone associated with the construction of the taxiway; and

WHEREAS, within the obstruction-free zone, a sewage pump station and force main will also be located, in addition to drainage improvements that will benefit all property owners; and

WHEREAS, the City has communicated with the property owners of the adjacent property and not all of the negotiations to purchase property have been successful; and

WHEREAS, some of these property owners have informed the Pasquotank County Board of Commissioners that they do not want to sell their property and that the city has stated that it will pursue condemnation to acquire their 100 feet of property through eminent domain.

NOW, THEREFORE BE IT RESOLVED that the Pasquotank County Board of Commissioners express their concern over the use of eminent domain relative to the Airport Authority expansion projects;

BE IT FURTHER RESOLVED that copies of this resolution are to be forwarded to the City of Elizabeth City and the Elizabeth City-Pasquotank County Airport Authority.

ADOPTED the 15<sup>th</sup> day of October, 2007.

Chairman Perry then asked for a vote on sending the second draft of the letter to the Department of Commerce. Commissioner Wood suggested a delay in sending anything to the Department of Commerce until all efforts have been made to solve this locally. He said he does not see the need to ask the state to solve a problem that needs to be solved locally. He asked the Board to vote against this motion so that no letters are sent to Secretary Fain and efforts can continue to be made locally.

The motion to send the second draft of the letter to Secretary Fain failed by a three to four margin with Commissioners Trueblood, Stevenson, and Harris voting in favor and Commissioners Perry, Griffin, Wood, and Dixon voting against the motion.

Motion was made by Marshall Stevenson, seconded by Jimmie Harris to send the original letter to the Secretary Fain as originally configured protesting the taking of land via eminent domain.

Commissioner Dixon said he is opposed to eminent domain however if these letters are sent to the Department of Commerce, Senator Basnight, and Representative Owens, his support will be lost because he believes this is a local issue and a local fight. He said as long as the county jointly owns the Airport Authority, it has a say in the issue. He stated that the county needs to deal with the city and with the Airport Authority on which the county has a voice. He added that the letters do not need to go to Raleigh.

Commissioner Trueblood asked if the motion to send the original letter will provide that the letter will be held until after negotiations with the property owners have been completed.

Commissioner Stevenson amended his motion to add a clause to hold the letter for 10 days before sending to Secretary Fain unless there is a breakthrough in the negotiations with the Hall family.

The motion failed by a three to four margin with Commissioners Trueblood, Stevenson, and Harris voting in favor and Commissioners Perry, Griffin, Wood, and Dixon voting against the motion.

Chairman Perry stated that he has heard all of the comments and he has an obligation not only to the people in the audience tonight, but also to the people who are not here. He said he believes if everyone works together, the community's problems can be solved. He stated that everyone should consider what they can do to make the community better. He said he does not believe that sending a letter to Raleigh can make our community better. He stated that the community should solve its own problems.

Commissioner Wood stated that the name-calling and some of the comments that have been made tonight are disturbing. He said it is his opinion that individuals can have a difference of opinion about what is right and wrong without using provocative language.

**2. COMMENTS BY CAROLYN HICKOK:**

Ms. Carolyn Hickok with Long & Foster Realty stated that the Board of Commissioners passed a law last month that she would like for the Board to reconsider. She said this law requires that road frontage must be provided before property can be subdivided. She stated that many families had 500 acre farms they left to their children and when the land was divided some of the children got road frontage lots and some got rights-of-way. She said if there is right-of-way and the property owners are willing to pay \$30,000 to run electricity and install a well, she cannot see where it would be an issue to subdivide the property. Assistant County Manager Rodney Bunch explained that he has met with Ms. Hickok and informed her that the lots cannot be created for residential purposes because of a new zoning law that requires lots to have 25 feet of road frontage and to be within 1,000 feet of a public supply water supply to get a building permit. He said the property can be subdivided into greater than 10 acre lots, however zoning regulations do not allow the property owners to get building permits to place structures on these lots unless a variance is granted by the Board of Adjustment.

**3. COMMENTS BY CARL ESTUS:**

Chairman Perry recognized Mr. Carl Estus, President of the SPCA, who explained that the SPCA Board of Directors voted to request an increase in fees charged at the Animal Shelter. He asked for the Board's consideration of the fee increases. The Board requested that Mr. Estus provide the information on the new rates to the County Manager so that it can be reviewed at the next Finance Committee meeting.

**4. PUBLIC HEARING ON REZONING REQUEST RR07-03:**

Assistant County Manager Rodney Bunch outlined Rezoning Request RR07-03. He said the request is to rezone ±17.33 acres from A-1 to I-2 north of the intersection of Methodist Church Road and Foreman Bundy Road. The surrounding land uses are agricultural except on the south side where there is a railroad and a lumber product company. The 1996 Land Use Plan classifies the property as Rural and the 2004 Draft Land Use Plan classifies the area as Rural Agriculture. The area is located in Flood Zone X which is areas of minimal flooding. Mr. Bunch explained that the property is currently under cultivation and the Inter-County Volunteer Fire Department provides fire protection for the area. There is not currently a water line on Foreman Bundy Road, however water may be available through a six inch line that is located on Methodist Church Road. In addition, a 24 inch water main will be installed in this area when the new RO plant is constructed. Mr. Bunch advised that the Planning Board considered this request at its September 27 meeting and voted to recommend approval of the rezoning request. In addition, staff recommends approval.

Chairman Perry declared the meeting to be a public hearing and asked if there were any comments regarding Rezoning Request RR07-03. At the absence of comments, the public hearing was closed.

Motion was made by Bill Trueblood, seconded by Matt Wood to approve Rezoning Request RR07-03 because the property is located directly adjacent to a railroad track; the property directly across from it is zoned I-2 and properties on the opposite side of the railroad track are zoned I-1; in addition the property on the west side of this tract is used for an agricultural supply company; based on these findings, the Board finds that adoption of the proposed rezoning for this parcel is reasonable and in the public interest. The motion carried unanimously.

**5. PUBLIC HEARING ON REZONING REQUEST RR07-04:**

Mr. Bunch explained that Rezoning Request RR07-04 is a request to rezone approximately 20.43 acres on the east side of Foreman Bundy Road from A-1 to I-2. The surrounding uses include a railroad and agricultural land under cultivation (zoned I-2), undeveloped land, and a vacant residential structure and agricultural land under cultivation (zoned A-1). Mr. Bunch stated that the purpose of the I-2 district is to permit normal operations of almost all industries except those that would be detrimental to adjoining properties. According to the 1996 Land Use Plan, the parcel is classified as Rural. The 2004 Draft Land Use Plan classifies the area as Rural Agricultural. The current use of the property is agricultural. The area requested for rezoning is in Flood Zone X and the Inter-County Volunteer Fire Department provides fire protection for this area. The nearest existing water line is a six inch line that is located on Methodist Church Road. In addition, a 24 inch water main will be installed in this area when the new RO plant is constructed. Mr. Bunch explained that during the Planning Board's review, the project's representative indicated that the applicant intends to locate a concrete plant on the property. The development of this site for industrial uses will require a 30 foot vegetative buffer along the

southern property line which is adjacent to the A-1 zoning district. The Planning Board reviewed the rezoning request on September 27 and voted to recommend approval. Mr. Bunch added that staff also recommends approval.

Chairman Perry declared the meeting to be a public hearing on Rezoning Request RR07-04 and asked if there were any comments. At the absence of comments, the public hearing was closed.

Motion was made by Matt Wood, seconded by Bill Trueblood to approve Rezoning Request RR07-03 because the site is adjacent to railroad tracks and bounded by the I-2 zoning district on both its northern and eastern sides. In addition, the property directly across Foreman Bundy Road is zoned I-1. Although there is concern about the existence of residential uses that are located to the south of this site along Foreman Bundy Road, the potential impacts of an I-2 zoning at this location can be mitigated through landscape buffers and the Technical Review process. The motion carried unanimously.

**6. 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 high bid for lease of Commerce Park farm; 2) Approval of starting salary for paramedic above the hiring rate; and 3) Discussion regarding Nags Head parcel.

Motion was made by Matt Wood, seconded by Lloyd Griffin to amend the agenda to add the three additional items to the agenda, with items 1 and 2 added to the consent agenda. The motion carried unanimously.

**7. CONSIDERATION OF REQUEST FOR EXTENSION OF PRELIMINARY PLAT FOR C.J. WHITE'S LANDING:**

The Board considered a request from Carlas White for an extension of the preliminary plat approval for C.J. White's Landing. Mr. Carlas White explained that he had requested an extension last year and would like to request another extension due to market conditions. The current preliminary approval will expire on October 18, 2007.

Mr. Brant Wise, of Latitude Investments, explained that the cost of development has prevented Mr. White from being able to carry through his plans. Mr. Wise said his firm is willing to purchase the property from Mr. White and carry through with the development as previously approved with the extension granted by the county.

Commissioner Wood asked if the Board could grant the extension only as it complies with to the current regulations. Mr. Bunch said in order to require the plan to comply with current regulations, the extension would have to be denied and the subdivision review process would have to start over. He explained that the plan as it is now drawn was approved two years ago and has not gone through the new drainage standards nor does it meet the new lot size requirements. Commissioner Wood stated that he would be opposed to granting an extension because he believes it is unfair to the public to allow this to sit as long as it has and then be grandfathered such as the cost of the investment is less than it would be under today's standards. Mr. Wise said Mr. White did proceed to develop the property himself, however it is more and more difficult for an individual to get loans to develop property. He said Mr. White owns the property, however most lending institutions will not provide loans on speculation. Mr. Wise stated that Mr. White has invested a lot of time and energy in this project and he now has the opportunity to do something with this property and they would like permission to proceed. He said the county's current regulations will make it more difficult to develop to the point that it would not be financially feasible to develop Mr. White's land. Commissioner Stevenson stated that he can sympathize with Mr. White because if he were trying to develop a piece of property, it might take him several years to work out the financing, contrary to someone who has a lot of money and a lot of connections and is able to make it happen quickly.

Mr. Bunch explained that Mr. White came before the Board in 2002 to request rezoning. He followed up with a sketch plan and the Board gave preliminary approval on October 18, 2004. He had two years at that point to submit a final plat. No work was done and Mr. White came back to the Board in October 2006 and requested a 12 month extension which was granted. Mr. Bunch advised that staff visited the site two weeks ago and saw no evidence of any work having been done at the site. He said the three major changes in the county's regulations since the preliminary plat was approved are: 1) the requirement for higher standards for residual water

pressure; 2) the buffer requirement for property abutting an agricultural use; and 3) the increase in lot sizes.

County Manager Randy Keaton noted that this is the same parcel the Board in 2003 had requested staff look into reclassifying back to the A-1 zoning classification. Near the same time, the Board had denied a request for rezoning in this area because it is a small piece of land in the middle of a large A-1 zoning district. Additionally, the water lines in this area are very small and would very unlikely be able to meet the water pressure requirements.

Vice-Chairman Griffin asked when work could begin on this project if the extension is approved. Mr. Wise said this work would probably start within 120 days.

Chairman Perry said he supports giving Mr. White an opportunity to make this project work.

Motion was made by Lloyd Griffin, seconded by Marshall Stevenson to grant a six-month extension of the preliminary plat for C.J. White's Landing. The motion carried unanimously.

#### **8. ADOPTION OF RESOLUTION OPPOSING OUTLYING LANDING FIELD:**

The Board reviewed a draft resolution opposing the location of an outlying landing field in Northeast North Carolina. Commissioner Stevenson read a resolution being proposed by Currituck County Commissioner Owen Etheridge and suggested that Pasquotank County's resolution be changed to reflect language in the preamble to that resolution. After brief discussion;

Motion was made by Marshall Stevenson, seconded by Jeff Dixon to adopt the following resolution opposing the location of an outlying landing field in Northeast North Carolina. The motion carried unanimously.

#### **RESOLUTION**

**WHEREAS**, North Carolina has a long, distinguished history of supporting our Nation's Armed Forces, including hosting several major military installations; and

**WHEREAS**, Pasquotank County recognizes the value and significance of all who have served past and present in defense of our Nation and our liberties; and

**WHEREAS**, Pasquotank County recognizes the need for training facilities for those who serve in the Armed Forces and everyone in our Nation benefits from the proficiency of those who defend our liberties; and

**WHEREAS**, each community and their local governments have the right and obligation to evaluate whether hosting a military training facility requires an unfair cost-share for providing facilities that all Americans benefit from; and

**WHEREAS**, Governor Easley formed a study group charged with examining and reporting on the strategic, environmental and economic impacts of the proposed Navy Outlying Landing Field (OLF) in North Carolina in February of 2004; and

**WHEREAS**, the Navy and the North Carolina Department of Environment and Natural Resources have proposed four new potential OLF sites in Northeast North Carolina to the Governor's OLF Study Group on September 19, 2007; and

**WHEREAS**, the Navy reported to the OLF Study Group that the proposed OLF would be used primarily by aircraft stationed at Oceana Naval Air Station at Virginia Beach, VA and not at Cherry Point Marine Corps Air Station at Havelock, NC; and

**WHEREAS**, these new proposed sites are in addition to other Northeast North Carolina sites identified and studied in 2002 for consideration by the Navy; and

**WHEREAS**, Pasquotank County provided the Navy, State and Federal officials a fair opportunity to explain the considerations of locating a Naval OLF which would directly impact Pasquotank residents; and

**WHEREAS**, Pasquotank County officials evaluated the factual details of proposed OLF locations and determined that Northeast North Carolina would receive very few direct benefits from an OLF at any of the previously identified or newly proposed sites; and

**WHEREAS**, Senator Elizabeth Dole has requested that there should be local support and general acceptance by the local citizens for an OLF; and

**WHEREAS**, Northeast North Carolina would receive significant detrimental impacts on our citizens should an OLF be located in the region.

**NOW, THEREFORE, BE IT RESOLVED**, the Pasquotank County Board of Commissioners opposes locating a new outlying landing field in Pasquotank County or in Northeast North Carolina;

**FURTHER, BE IT RESOLVED**, the Pasquotank County Board of Commissioners believes that an OLF to primarily support Oceana Naval Air Station should be located in Virginia and not North Carolina;

**AND BE IT FURTHER RESOLVED**, the Pasquotank County Board of Commissioners requests more representatives from the counties of Camden, Chowan, Currituck, Gates, Hertford, Pasquotank, and Perquimans on the Governor’s OLF Study Group.

Adopted this the 15<sup>th</sup> day of October, 2007.

**9. APPROVAL OF CONSENT AGENDA:**

The Board considered the consent agenda. Commissioner Stevenson requested that Item 7D, Appointments to Hospital Board, be removed from the consent agenda and considered separately.

*a. Approval of Minutes of October 1, 2007 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.	Adams Landing NC LLC	953.00	719.06
2.	William Henry McPherson, III	150.27	
3.	Darrell M. Collins	110.50	90.61
4.	Darrell M. Collins	114.00	93.48

*c. Approval of Budget Amendments*

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

Misc Ag Ext Grants

Increase	026.0991.4991.00	Fund Balance Appropriated	19,306.00
Increase	026.4980.5261.00	Dept Supplies-Smith Reynolds	1,784.00
Increase	026.5867.5440.00	Contracted Services-Nutrition Camp	1,714.00
Increase	026.4984.5650.00	Local Grant Expenses	10,441.00
Increase	026.5873.5310.00	Travel-Pepsi Grant	723.00
Increase	026.5874.5310.00	Travel-Career Smarts	2,322.00
Increase	026.5874.5311.00	Training-Career Smarts	2,322.00

Hospital-BFP

Increase	026.0991.4991.00	Fund Balance Appropriated	3,709.00
Increase	026.5866.5260.00	Office Supplies	710.00
Increase	026.5866.5261.03	Service Related-Hospital	461.00
Increase	026.5866.5310.00	Travel	1,813.00
Increase	026.5866.5311.00	Training	389.00
Increase	026.5866.5321.00	Telephone	300.00
Increase	026.5866.5325.00	Postage	36.00

Landfill

Increase	065.0230.4320.01	White Goods Management Grant	59,995.00
Increase	065.7420.5500.00	Capital Outlay	59,995.00

*d. Approval of Bid for Farm Rent*

The Finance Committee has recommended that the Board accept a bid submitted by Calvin Mercer for renting 126 acres of farmland in the Commerce Park for \$127.23 per acre per year for a three year lease.

e. Approval of Starting Salary for Paramedic

The Finance Committee has recommended approval to hire a paramedic for the EMS Department above the hiring range at Grade 19, Step 5 due to the individual's experience and qualifications.

Motion was made by Lloyd Griffin, seconded by Jeff Dixon 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.	Justin Carter Martell	33.17	32.64
2.	VFS Holding Inc.	31.08	25.48
3.	Carol Denise Jeffers	6.07	5.06
4.	Phillip Carlton Evans	6.62	5.52
5.	Franklin Paul McDonald		5.48
6.	Franklin Paul McDonald		5.48
7.	Kay W. Weeks	73.44	
8.	Lauren Emily Burnett	48.77	
9.	Follett Higher Education Grp.	8.87	7.27
10.	Jovin Natalie Viruet	9.36	7.80
11.	Michael Edward Mairo	77.04	
12.	Michael Edward Mairo	31.73	
13.	Toby Michael Stewart	67.44	
14.	Toby Michael Stewart	92.16	
15.	Patricia Brickhouse Dail	8.79	
16.	Wanda Mae Williams	63.89	
17.	Michael Scott Doleski	74.59	
18.	Stuart Lee Jordan	50.88	42.40
19.	Clarence Lee Winslow, Jr.	6.87	5.72
20.	Vincent Edward Lindwall	66.77	
21.	Maggie Alberta Skinner	9.82	8.18
22.	Robert Earl Lee	4.18	3.48
23.	Cecelia Yvonne Hughes	52.92	44.10
24.	Michael Anthony Reyes	91.63	81.36
25.	Eddie L. Richardson	5.28	9.40
26.	Christopher Joseph Hill		6.10
27.	James William Stanier	52.94	
28.	James William Stanier	36.96	
29.	George Theodore Heiselman, Jr.	30.96	25.80
30.	Elmer Nelson Reed, Jr.	8.93	
31.	Gladys Lena Gunia	3.53	
32.	Ryan Scott Tinsley	74.40	67.00
33.	Joyce Lynn Hilger	19.16	
34.	Christopher John Coup	28.68	
35.	Janet Denise Butler	17.06	14.22
36.	John Phillip Johnson, Jr.	34.66	
37.	Steven T. Melvin	96.00	
38.	Richard Dale Heinrich	1.64	
39.	Ervin Eugene Mansfield, Jr.	23.81	19.84
40.	Stephen Keiry Tripp	2.74	2.28
41.	Frederick R. Wilson, Jr.	92.21	81.84
42.	Gloria Marie Hall	20.74	
43.	Robbin Myrtle Binkiewicz		16.52
44.	Christian Lee Schomburg	73.34	
45.	Joseph Anontavara	11.95	
46.	Joseph Anontavara	28.13	
47.	Joseph Anontavara	81.94	
48.	James Brendan Fitzgerald	21.89	23.24
49.	Lauren Marie Timmerman	71.42	
50.	Christopher Dean Stoner	34.13	
51.	William Noah White	9.44	7.86
52.	William Noah White	7.61	6.34
53.	Brian Christopher Marcotte	58.18	53.48
54.	Justin N. Underwood	6.10	10.08

55.	Justin N. Underwood	78.77	70.64
56.	Erasmus Flores Palacios	22.06	18.36
57.	Patrick Wayne Rose	37.15	
58.	Alan Turner	9.73	
59.	Denise Aydlett Stallings	18.46	
60.	Nathanael George Buxton	78.09	
61.	William Kistler Bledsoe	67.92	61.60
62.	Richard Pierce Haberu	55.44	
63.	Abram Vri Mitchell	7.42	
64.	Zane Isiah Overton	4.85	4.04
65.	Florence Cooper Pruden	6.63	5.52
66.	Deborah Bell Jones	48.48	
67.	Deborah Bell Jones	53.88	
68.	Nicholas T. Watson	60.58	55.48
69.	Wendy Danner Simms	39.79	33.16
70.	Drew Dante Dazzo	63.07	
71.	Michael Thomas Ellis	21.70	
72.	Harold Arthur Olsen	55.97	
73.	Zack Dennis Robertson, Jr.		4.44
74.	George Sanders Thomas	9.55	7.96
75.	Vandell Dawson	39.94	38.28
76.	Ronald Lewis Franklin	6.53	10.44
77.	Sharisse Yvette Griffin	51.20	
78.	Sharisse Yvette Griffin	26.21	
79.	Allen Wilfred Poffer	3.24	2.70
80.	Alisa Annette Patterson	10.92	8.71
81.	Douglas Wayne Hammond	55.01	
82.	Christopher E. Blackmon	67.87	61.56
83.	Drew Kiermaier	90.10	
84.	Ricky Levon Aydlett	2.14	1.78
85.	Atlantic Crane & Rigging Inc.		77.80
86.	Joshua B. Bowen	2.45	
87.	Merlin Agatha Simon	15.58	12.98
88.	Michael Kevin Klenner	27.68	
89.	Ladon Roshawn White	1.49	1.24
90.	A&A Insurance & Investments	3.20	
91.	Jamie Ray Banks	45.99	
92.	Jamie Ray Banks	13.08	
93.	Jacques Romellus Taylor	68.60	56.26
94.	Jesus Gonzalez Martinez	9.31	12.76
95.	Michael Lawrence Christiansen	78.24	
96.	Michael Lawrence Christiansen	85.25	
97.	Ronald Edward Blair, Jr.	65.90	59.92
98.	James Alvin Carey III	18.13	14.87
99.	James Alvin Carey III	17.08	14.01
100.	Donald Lewis Garrett	68.35	
101.	Judith Smith	1.40	
102.	Carolyn Annette Hickok	11.70	
103.	Laura A. Newbern Lf Est	74.00	60.68
104.	Melissa Danie Tidey	59.45	53.75
105.	Jonathan Edward Sullivan	5.88	
106.	Colter P. Blackford	92.05	
107.	Dwonda Jammair Gregory	3.36	2.80
108.	Lorraine Susan Miller	80.20	
109.	Gwenette Perry Harold	21.30	
110.	John Christopher Morgan	43.06	40.88
111.	John Christopher Morgan	56.21	51.84
112.	Tallohah White Andrews	85.45	
113.	Trisha Ann Nelson	22.50	
114.	Aaron Gene Nelson	81.45	
115.	James Oliver Byrd, Jr.	76.70	
116.	James Oliver Byrd, Jr.	29.30	
117.	Burome Vincent Brumfield	54.86	
118.	Burome Vincent Brumfield	88.56	
119.	Burome V. Brumfield, Jr.	22.99	
120.	Adam J. Brandt	4.90	9.08
121.	Donald Felton	31.79	

122.	Todd Daniel Connor	87.85	
123.	Dilver Jan Portillo Enamorado	31.78	26.48
124.	Jose Luis Vargas Gonzalez	10.25	8.41
125.	Tonya Rose Siedenbug	9.25	
126.	Timothy James Gilbride	50.98	42.48
127.	John Frederick Fowlds	57.15	51.86
128.	Lois Godwin White	35.57	29.64
129.	Travis Lee Henton	12.10	15.08
130.	Ervin Rodriguez	73.15	65.96
131.	David Earl Johnston	84.40	74.21
132.	David Earl Johnston	57.22	47.68
133.	David E. Johnson	79.58	71.32

Refunds:

1.	Daniel F. & Linda A. Lawlor	64.84	
2.	Daniel F. & Linda A. Lawlor	62.88	
3.	Curly & Han Tran Bui	25.50	

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
George M. Griffin	P119A-5, 6	Never occupied
Debra & Edgar Griffin	P140-79A	Unoccupied since March 2004

**10. APPOINTMENTS TO HOSPITAL BOARD:**

The Appointments Committee has recommended the appointments of Bettie Jones Parker, Ginger S. Parrish, Glover Shannon, and David R. Twiddy to the Hospital Board to replace David Harris, Maryella Leigh, Tyra L. Newell III, and Ernest Sutton whose terms will expire December 31, 2007. It is also recommended that Claudie J. Mackey be appointed to fill Patti Hamler's unexpired term.

Motion was made by Marshall Stevenson, seconded by Lloyd Griffin to approve the appointments to the Hospital Board as recommended with the exception of David Twiddy.

Commissioner Stevenson stated that Mr. Twiddy was on the Solid Waste Commission for two years and attended only one meeting. He said he questions how Mr. Twiddy will find time to attend the meetings of the Hospital Board.

The motion failed by a two to five margin with Commissioners Griffin and Stevenson voting in favor of the motion, and Commissioners Perry, Wood, Trueblood, Dixon, and Harris voting against the motion.

Motion was made by Matt Wood, seconded by Bill Trueblood to approve the appointments to the Hospital Board as recommended. The motion carried with Commissioners Perry, Wood, Trueblood, and Dixon voting in favor, and Commissioners Griffin, Stevenson, and Harris voting against the motion.

**11. APPROVAL OF SUBDIVISION VARIANCE REQUEST SV07-03:**

The Board considered Subdivision Variance Request SV07-03 for a variance from the 25 foot minimum street frontage and 43,000 square foot minimum lot size requirements for a family subdivision. Assistant County Manager Rodney Bunch explained that Ms. Mary Weeks has requested the variance in order to create a gift lot for a child at 2721 Peartree Road. A single family residence exists on the 1.93 acre tract and there are 92.14 feet of road frontage on Peartree Road. The variance request is to have no frontage for the new lot to be created. Mr. Bunch said the Planning Board reviewed this request on September 27 and voted unanimously to recommend approval after hearing the comments made. He stated that staff has one concern that there is no identified access to the residual parcel that will be created. He said if the Board agrees to grant the variance it is recommended that an access easement to the newly created parcel be reflected on the subdivision plat. Ms. Weeks said she wants to give the lot to her oldest daughter, and she will have a 19 foot road frontage which will be a double usage driveway for her use and her daughter's use.

Motion was made by Matt Wood, seconded by Jimmie Harris to approve Subdivision Variance Request 07-03 subject to a recorded access easement to the newly created parcel. The motion carried unanimously.

**12. APPROVAL OF FAMILY SUBDIVISION REQUEST FS07-03:**

Mr. Bunch explained that Family Subdivision Request FS07-03 is for approval of a one lot subdivision at 2721 Peartree Road. The grantor, Ms. Mary Weeks, has owned the property since 1972 and plans to give the lot to her daughter, Susan Beckwich. A birth certificate has been provided to verify that this subdivision qualifies as a gift lot to a child, and an improvement permit has been issued by the Health Department. Mr. Bunch said based on the action the Board previously took by granting the variance, staff recommends approval of the request with the access easement to the newly created parcel to be indicated on the subdivision plat.

Motion was made by Bill Trueblood, seconded by Jimmie Harris to approve Family Subdivision Request 07-03 subject to the access easement to the newly created parcel to be indicated on the subdivision plat. The motion carried unanimously.

**13. APPROVAL OF 12-MONTH EXTENSION OF PRELIMINARY PLAT FOR PHASES III-VIII OF CARTER'S GLEN SUBDIVISION:**

The Board considered a request from the developers of Carter's Glen Subdivision for a 12-month extension of the preliminary plat for Phases III-VIII of Carter's Glen. Mr. Bunch advised that based on the work that has already been completed in Phases I and II, staff had recommended that the request for a 12-month extension be approved on the condition that an extension to the existing letter of credit or a new letter of credit be submitted to ensure maintenance of street right of ways within Phase II. He explained that today he received a letter from Gateway Bank indicating they are working on issuing the new letter of credit. He stated that staff recommends approval of the 12-month extension.

Motion was made by Lloyd Griffin, seconded by Bill Trueblood to approve a 12-month extension of the preliminary plat for Phases III-VIII of Carter's Glen Subdivision. The motion carried unanimously.

**14. REPORT REGARDING NAGS HEAD PROPERTY:**

County Attorney Mike Cox reported that he has spoken with the first individual who had submitted an offer for the Nags Head property and informed him that the new offer is now \$245,000 higher than his offer, placing the bid at \$7,025,000. The Board will consider any further offers at the next meeting.

**15. REPORTS FROM COUNTY MANAGER:**

County Manager Randy Keaton advised that he and Commissioner Wood will be traveling to Washington, DC Wednesday morning and returning on Thursday evening for meetings with various congressmen and senators regarding the proposed outlying landing field. Managers and Commissioners from Camden, Pasquotank, Perquimans, and Gates Counties will be making the trip to Washington.

Mr. Keaton stated that he has prepared the annual application to draw down ADM funds. He said although there was a one year reduction in ADM funds due to the Medicaid/sales tax swap, he is requesting the same amount this year as in previous years because it is not yet known how much Pasquotank County will receive. He said he has also prepared an application requesting last year's lottery funds and projecting this year's funds. The ADM funds go into the county's general fund to help make debt payments, and the lottery money goes into the capital reserve fund.

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

Assistant County Manager Rodney Bunch provided a copy of a letter that was sent to the Division of Water Quality today regarding the proposed stormwater rule changes. He said the letter was drafted after he and Commissioner Trueblood attended a public hearing at Albemarle Commission a couple of weeks ago. He added that comments were due today. Commissioner Wood noted that the county's standards regarding water quality far exceed the new proposed regulations. Mr. Bunch said the letter that has been sent to DWQ indicated that Pasquotank County's draft regulations are 80% complete and offers to provide them a copy. The letter also expresses concerns over enforcement by DWQ of the current regulations as well as the proposed regulations.

Mr. Bunch advised that the meeting of the Stormwater Management Committee scheduled for this Wednesday has been postponed due to the fact several members of the committee will be unavailable. He said the meeting will be rescheduled however a date has not yet been determined.

**17. RECOMMENDATIONS FROM APPOINTMENTS COMMITTEE:**

Commissioner Stevenson reported that the Appointments Committee met today and would like to recommend that Mr. James Turner be appointed to the Solid Waste Commission to replace Mr. David Twiddy. Final approval of this appointment will be on the next agenda so that Board Members will have an opportunity to review Mr. Turner's application.

**18. REPORTS FROM COUNTY COMMISSIONERS:**

Commissioner Dixon stated that the Social Services Director has requested amending the residency rule by the Social Services Board to allow her to live outside of Pasquotank County. He said the Social Services Board will address her request this week. Commissioner Stevenson said he would object to this request because the previous director was required to live in Pasquotank County and he believes the current director should as well. Commissioner Dixon asked that other Board members let him know if they have opinions regarding this request.

Commissioner Dixon reported that the City Manager will attend a meeting of the Tourism Board's Special Projects Committee to request \$15,000 from the city's reserve fund and \$15,000 from the tourism operating budget to help pay for a consultant to develop a RFP for the conference center project. Commissioner Wood suggested that this person work under the auspices of the Economic Development Commission rather than the city.

Commissioner Trueblood said he believes it is time for Commissioners who serve on committees appointed by the Chairman and the Board to report to the Board of Commissioners on the activities of those committees. He stated that unless Board Members are informed about what is taking place at these committee meetings, they have no way of knowing what is going on with the committees until they read about it in the newspaper. He suggested that the Chairman require each appointed member to be responsible for reporting back to the Board of Commissioners regarding any relevant and pertinent activities of the committees on which they serve. He said this report could be presented orally or in written form. Chairman Perry stated that he makes notes regarding all of the meetings and events he attends and brings the notes with him to each meeting so that he might report on them. County Manager Randy Keaton said if Commissioners will email him their reports, he would be glad to include this information in his weekly report.

Chairman Perry asked Sheriff Randy Cartwright to provide an update on the jail project. Sheriff Cartwright reported that another meeting with the architect will be held tomorrow afternoon to discuss discrepancies regarding the jail construction project for which a stop work order was issued about a month ago. He said there are questions on three different aspects: aesthetics; whether it is structurally meeting the building code; and whether it is being built according to plans.

Vice-Chairman Griffin reported that DRS has broken ground on its new 10,000 square foot facility. He said the environmental assessment has been completed and the final review done for the stormwater plan at the airport. He stated that DRS will at some point be discussing its future expansion plans.

Vice-Chairman Griffin stated that two weeks ago the Albemarle Commission hosted the Council of Government state meeting at the Coast Guard Base. He said there were people in attendance who had never been in this portion of the state.

Chairman Perry reported that this weekend Elizabeth City State University will be having its homecoming celebration and he has been asked to ride in the homecoming parade. He asked other Commissioners who are available to join him.

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 Lloyd Griffin to adjourn the meeting. The motion carried and the meeting was adjourned at 9:30 PM.

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CHAIRMAN

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CLERK

**PASQUOTANK COUNTY, NORTH CAROLINA  
OCTOBER 29, 2007**

The Pasquotank County Board of Commissioners met today in a special meeting on Monday, October 29, 2007 in the Commissioners' Board Room 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  
Karen Jennings, Clerk to the Board

The meeting was called to order at 10:07 AM by Chairman Cecil Perry who welcomed everyone present.

**1. DISCUSSION REGARDING BIOTECHNOLOGY:**

Chairman Perry turned the meeting over to Cooperative Extension Director Travis Burke who introduced Mr. Norris Tolson, CEO of the Biotechnology Center at Research Triangle Park.

Mr. Tolson discussed activities at the Biotechnology Center and the biotechnology industry in North Carolina in general. He stated that the Biotechnology Center at RTP was the first of its kind and is the largest free-standing biotechnology center in the world. He said the center invests in other people's ideas. Since 1982 the state has invested about \$190 million in biotech and that money has been used to grow companies. Mr. Tolson explained that North Carolina is the second largest agriculture biotech state in the nation. Biotech is about a \$10 billion industry worldwide with \$3 billion of that in North Carolina. Mr. Tolson said that biotechnology plays a large part in the pharmaceutical industry today, and almost every over-the-counter drug has in some way been touched by biotechnology. He stated that the large drug companies have used biotechnology techniques to produce some of the great new drugs in the world today. He explained that biotechnology will have a major impact on a new emerging industry in North Carolina called advanced medical technology or medical instrumentation. He said other new technologies that will have a major impact on the world are nanobiotechnology and nutraceuticals. He stated that since these technologies and others yet to be disclosed are produced in the Research Triangle Park, North Carolinians will eventually not only be able to use the devices, but will benefit from the businesses that make them. Other innovations include marine biotechnology and biofuels.

Mr. Tolson stated that the Biotechnology Center, N.C. State University, A&T University, and The Rural Center came together and created a biofuels strategic plan for North Carolina. As a result, a new business segment centered around biofuels will be created. Rather than compete for corn, the North Carolina plan is based on cellulose which will become a raw material for alternative fuel once it has been determined how to convert cellulose to ethanol so it can be blended with gasoline. Mr. Tolson explained that every drop of gasoline and diesel that is currently used in North Carolina is imported into the state. It is the goal for 10% of gasoline and diesel used in North Carolina to be locally produced within ten years. He said he believes that biofuels may hold one of the greatest opportunities to help rural eastern North Carolina.

Mr. Tolson stated that biotechnology is a process that uses molecules and scientific techniques to create new products, jobs, and opportunities. He said it is a very slow process that requires a lot of patience and a lot of time. He stated that biotechnology plays a part in practically everything human beings use including food, cosmetics, clothing, and medicines. He said there are currently about 50,000 people in this industry in North Carolina with the majority of them being in the Raleigh and Charlotte areas. Mr. Tolson stated that the Biotechnology Center's target is to create another 75,000 jobs in biotechnology over the next ten years and he said he would like to see some of those jobs located in rural North Carolina.

After further discussion and comments from members of the Board, Chairman Perry thanked Mr. Tolson for meeting with the Board and for the information he has provided.

**2. CLOSED SESSION TO DISCUSS PERSONNEL MATTERS:**

Chairman Perry asked for a motion that the Board enter Closed Session to discuss personnel matters.

Motion was made by Matt Wood, seconded by Lloyd Griffin that the Board enter Closed Session to discuss personnel matters. The motion carried unanimously.

Upon the end of Closed Session;

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

Motion was made by Jimmie Harris, seconded by Lloyd Griffin to adjourn the meeting. The motion carried and the meeting was adjourned at 2:30 PM.

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CHAIRMAN

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CLERK