

**PASQUOTANK COUNTY, NORTH CAROLINA  
NOVEMBER 8, 2010**

The Pasquotank County Board of Commissioners met today in a special meeting with the Elizabeth City-Pasquotank County Board of Education on Monday, November 8, 2010 in Courtroom C in the Pasquotank County Courthouse.

**MEMBERS PRESENT:** Marshall H. Stevenson, Jr., Chairman  
Lloyd E. Griffin, III, Vice-Chairman  
Matt Wood  
Cecil Perry  
Jeff Dixon  
Charles H. Jordan

**MEMBERS ABSENT:** Bill Trueblood (*Out of Town*)

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

Also present were several members of the Board of Education, the Superintendent of Schools, and the School Finance Director. The meeting was called to order at 2:00 PM by Chairman Marshall Stevenson who welcomed the Board of Education. He called on Mr. Mark Small, Chairman of the Board of Education.

Mr. Small stated that he understands the circumstances have changed somewhat from initial discussions regarding the financing of proposed improvements at Northeastern High School and Central Elementary School. He explained that the Board of Education would appeal for some re-visitation of what can be done, and to also highlight and prioritize for the Board of Commissioners and the community what the needs are. He said members of the Board of Education agree that the Central project is the most compelling. He presented a floor plan of Central School and pointed out the areas where the heating and air conditioning systems are functioning inadequately. He stated that the principal and staff are forced to move their students sometimes on a daily basis because the temperature is either too hot or too cold. He said the current system at Central School is not very conducive for the learning environment of the students, and the Board of Education is appealing to the Board of Commissioners to find money to do that project. The cost estimate to do the Central project is approximately \$1,491,000. Mr. Small stated at Northeastern High School there is a problem with the roof leaking, and the greatest need is the gymnasium. He said it is leaking to the point where the exterior brick walls are weeping and the mortar is crumbling. He noted that this will affect the structural integrity of the building if allowed to continue. He said beyond that, the outlying wings at Northeastern are the next concern. He explained that the cost to put a new roof on just the gymnasium is about \$530,000.

Dr. Raymond Leonard, Finance Officer for the Schools, explained that the Board of Education has selected an architectural/engineering firm which is in the process of designing the Central project. The timeline to have it ready for bid is December 31 and the work could be done next summer. He said the NHS roofing project would take two summers.

County Manager Randy Keaton explained that the QSCB bonds are available for a limited time only and have to be issued by December 31<sup>st</sup>. He said the application would need to be submitted to the Local Government Commission this week and the Board of Commissioners has until Monday, November 15<sup>th</sup> to adopt a preliminary resolution which would place this project on the Local Government Commission's agenda on December 7<sup>th</sup>. On December 6<sup>th</sup> the Board of Commissioners would need to approve the financing documents. Once approval is received from the LGC, the bonds would have to be issued by December 31<sup>st</sup>. Mr. Keaton said the dilemma is that the only financing bid received was for a ten-year term. He stated that the maximum term allowed under the QSCB bonds is 19 years, but none of the banks were interested in more than 10 years. He said unfortunately the principle only payment with the ten

year bonds for the Central HVAC project and the entire NHS roof project would be \$391,000 per year based on the projected \$3.91 million total cost.

Mr. Keaton reviewed a spreadsheet showing the overall county debt. When asked if the Board of Education has available fund balance, Dr. Leonard said they have about \$4 million in fund balance, but they had to use some of it to complete another roof project that was bid and addendums to that bid. He stated that this allowed the Board of Education not to have to return to the Board of Commissioners and ask for additional funding. He said they have used some fund balance money each year to do those kinds of small add-ons instead of coming back to the county.

Commissioner Wood asked the County Manager if it would be possible to extend or refinance any of the current financings in order to improve cash flow. Mr. Keaton stated that it may be possible to refinance, however the Local Government Commission may not look favorably upon the county trying to extend the term of existing loans. In past refinancings, the rate has been lowered, the term has remained the same, and the payments were lowered. He added that he believes a longer term would be less likely than it was in the past.

Chairman Stevenson stated that he thinks the Board has three options: 1) to do both the Central HVAC project and the NHS gymnasium roof at a cost of roughly \$2 million and annual debt service of approximately \$200,000; 2) to do just the Central HVAC project at approximately \$1.5 million and annual debt service of about \$150,000; or 3) to delay both projects another year.

Chairman Stevenson asked if any action the Board takes to proceed with this financing can be reversed by the new Board that will take office on December 6. Mr. Keaton stated if the Board does not take any action on November 15 to keep this moving forward, the financing opportunity will no longer be available. If the Board takes action on November 15 to at least keep the project moving forward, it still could be changed by the Board on December 6.

School Board Member William Sterritt said one thing that has not been mentioned at this point is the advent of mold in either of the buildings. He said leaking water will cause mold, poor air quality will cause mold, and everyone should be reminded that there are at least two buildings at institutions of higher learning in this county that had to be closed because of mold. He stated that the Health Department would certainly take into consideration the safety of children. He asked as the Board deliberates that it consider this possibility.

Chairman Stevenson noted that when the Board was considering doing all of both projects, the debt service would have been approximately \$500,000. If the two most urgent projects are done, the debt service would be approximately \$200,000, and the Board needs to make a decision by November 15. Mr. Keaton said if the Board wants to keep the process moving, it needs to at least authorize submission of the application to the Local Government Commission prior to November 15.

Motion was made by Matt Wood, seconded by Cecil Perry to approve submission of an application to the Local Government Commission for \$2 million in Qualified School Construction Bonds to finance an HVAC system for Central Elementary School and a new roof for the Northeastern High School gymnasium.

Discussion followed and Vice-Chairman Lloyd Griffin said he is going to vote against this because the county has just been informed by East Carolina Behavioral Health that it is raising the county's contribution rate by about \$119,000, and the County Manager has advised that the county's retirement percentage is going to increase which will have an impact on the budget. He stated if the county obligates itself for these school projects without getting more into next year's budget and without identifying revenues to offset the debt, the county would be looking at a tax increase before even getting started on the budget. He said the Board could look at traditional financing at a later time because all we are talking about today is whether to pay interest or not pay interest.

The motion carried by a five to one vote with Vice-Chairman Griffin voting against the motion.

Mr. Small thanked the Board of Commissioners for considering their request. He said the Board of Education values the relationship it has had with all of the Commissioners and knows that some will be leaving and will not have this opportunity again. He stated that the Board of Education is trying to be good stewards of what the county has provided and is trying to reflect their actual needs right now. He said the Board of Education is very sensitive to the circumstances under which everyone is operating, and the money is not available now like it was several years ago. He said that the needs at Central and NHS are compelling and real and they will become greater with time. He added that they will try their best to preserve the buildings and do the best for the students they serve.

Chairman Stevenson thanked the members of Board of Education for their service.

Motion was made by Lloyd Griffin, seconded by Cecil Perry to adjourn the meeting. The motion carried and the meeting was adjourned at 2:50 PM.

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CHAIRMAN

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CLERK TO THE BOARD

**PASQUOTANK COUNTY, NORTH CAROLINA  
NOVEMBER 8, 2010**

The Pasquotank County Board of Commissioners met today in a special meeting on Monday, November 8, 2010 in Courtroom C in the Pasquotank County Courthouse.

**MEMBERS PRESENT:** Marshall Stevenson, Chairman  
Lloyd E. Griffin, III, Vice-Chairman  
Matt Wood  
Cecil Perry  
Jeff Dixon  
Charles H. Jordan

**MEMBERS ABSENT:** Bill Trueblood (*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

Chairman Stevenson called the meeting to order at 3:00 PM. He stated that the Board of Commissioners will be sitting as the Animal Control Board to hear an appeal from the owner of a dog that the Sheriff's Department has declared as a dangerous dog according to Section 91.01 of the Pasquotank County Animal Control Ordinance. All of those planning to testify in this matter were sworn in by the Clerk to the Board.

Animal Control Officer David Watkins stated that at approximately 3:30 PM on October 22, 2010, he received a radio dispatch in reference to a dog chasing a resident at 132 Sunny Acres Drive into his house. He said he pulled into the driveway at 132 Sunny Acres Drive and the gentleman came out and pointed out to him a male chocolate lab that was in the back yard at 130 Sunny Acres Drive going around a dog pen. He stated that he approached the chocolate lab and he ran at him snarling. He then backed up and the dog went back to the pen in the next yard where he was told a female dog was penned up that was in heat. He said he went to the lab and it charged at him; he got his catchpole out of the truck to try to catch the dog; it ran back towards the pen and then saw a lady and her daughter walking two dogs down Sunny Acres Drive towards Four Forks Road. Officer Watkins said the lab ran from the pen towards the lady and he ran across the yard the other way with his catchpole. He stated that the lady stared the dog down and told it to back off as it was coming towards her. He said he got between the lady and the dog with his catchpole and the dog came at him again. It then went back towards the pen and at that point he decided he would need to use his dart gun and try to sedate the dog. He said it was a good sized dog and he was scared of it. Officer Watkins stated that he called for backup and that is when Officer Sam Keith came out. He stated that he shot the dog with the dart gun, and the first time the CO2 cartridge was not strong enough to discharge. He reloaded, the dog came at him again, he shot the dog with the dart gun, and the fluid discharged into the animal. He stated that the dog was so charged up that 8 cc. of sedation fluid never really slowed him down. He said that this dog was totally out of control. He stated that the dog was charging at him with full fangs and he finally was able to get him on a catchpole and get him into the back of the truck so he could take him to the Animal Shelter. The dog was released back to the owner the following day.

Attorney H.P. Williams, representing Aaron Meads, the dog's owner, asked Officer Watkins the name of the man who complained. Officer Watkins said he did not get the man's name, but he lived at 132 Sunny Acres Drive. Mr. Williams asked Officer Watkins if he had the name of the lady who was walking her dog. Officer Watkins responded that he did not get the lady's name because by the time he caught the dog the lady had already gone down the street. Mr. Williams asked if there was a female dog that was in heat. Officer Watkins said there was. He asked if the lady that was walking down the street had a dog with her. Officer Watkins said she had two dogs with her, but he did not know whether they were males or females. Mr. Williams asked Officer Watkins if he had ever had complaints about this dog before. Officer Watkins stated that he had been to the house at 116 Sunny Acres Drive once before, but does not recall what the complaint was.

Officer Sam Keith, an Investigator/Sergeant with the Sheriff's Department, explained that he was in his car doing interviews and received a radio call from Central Communications asking if anyone could assist Animal Control. He said he advised that he could assist as he was in the area, so he went to Sunny Acres Drive to assist the Animal Control Officer with an aggressive dog. He stated he would estimate that the dog probably tried to attack the Animal Control Officer a minimum of five times before he was finally able to get a tranquilizer dart in him to calm him down a little. He said the dog really did not calm down much, but calmed down enough where he could grab him with the catchpole and put him in the back of the truck. Commissioner Lloyd Griffin asked Mr. Keith how many times he had seen this type of an event with an aggressive dog happen in his career. Mr. Keith responded that he had probably seen events similar to this about five times. He said he is a dog lover and that dog was out of control. He added that he knows an aggressive dog and this dog's teeth were showing and the hair on his back was raised up. He said he drew his gun one time because he was going to shoot the dog if it attacked Officer Watkins. He stated that the dog got within three feet of the Animal Control Officer growling and barking. Chairman Stevenson asked if the officer had anything in his hand that was threatening to the dog. Officer Keith said Officer Watkins had the catchpole in his hand. Chairman Stevenson asked if Officer Watkins had not had the pole if he feels the dog would have gone on him. Officer Keith said he believed the dog would have attacked Officer Watkins if he had not had the pole. Mr. Williams asked Officer Keith if he got there after the dog had already been shot at once. Officer Keith stated that he was there both times Officer Watkins shot at the dog. He said when he got there Officer Watkins had the pole in his hand. Mr. Williams asked if there was a dog in heat in the back yard. Officer Keith responded that he was told there was a dog in heat in a pen in the back yard, and the chocolate lab kept going around this pen and would not let anyone get near the pen. He added that he had an SBI agent with him, and she never got too close to the action and stayed towards the front of the house. He said he turned around at one time and she had her hand on her gun.

Chairman Stevenson asked Officer Watkins if he had not had the pole if he believes the dog would have attacked him. Officer Watkins replied that the dog would have "eaten him up" if he had not had the catchpole.

Sheriff Cartwright explained that his only involvement with this is once the report comes in under the dangerous dog ordinance, he evaluates the report and signs a letter deeming the dog potentially dangerous. He said the potentially dangerous dog provision in the ordinance is that the dog has "Attacked a person or approached a person when not on the owner's property in a vicious or terrorizing manner in an apparent attitude of attack". Commissioner Jeff Dixon asked the difference between a dangerous dog and a vicious dog. County Attorney Mike Cox advised that a dog is deemed vicious after it commits more than one attack.

Mr. Williams called on John Lang of 126 Sunny Acres Drive. Mr. Lang stated that he lives three doors down from Aaron Meads and is very familiar with the chocolate lab. He said he was not at home on October 22, but has never had a problem with the dog and does not know of any of the neighbors who have had problems with him. He added that the dog is always at his house and he has foster children who are in and out all the time and who play with the dog. He said the dog has never harmed any of the children. He stated that he does not feel this is a dangerous dog. Chairman Stevenson asked if the dog runs loose. Mr. Lang said the dog does not run loose, but comes to his house to play with his children and stays there until his owner picks him up. Commissioner Jordan asked if someone brings the dog to his house. Mr. Lang stated that his children go to Mr. Meads' house and get the dog and bring him to his house. He said the dog may have come to his house on his own once or twice because the children were outside playing in the yard. Commissioner Griffin asked if there are any other children on the street that the dog plays with. Mr. Lang said all the children on the block play with the dog. Commissioner Griffin asked Mr. Lang what he thought set the dog off on October 22. Mr. Lang stated that he thought the dog was cornered and had to defend himself because he has never been like that with anyone before. He said he does not think the dog would have bitten anyone and he has never known him to be agitated before.

Mr. Williams called on Lewis Hughes of 114 Sunny Acres Drive. Mr. Hughes said he has lived next door to Aaron Meads for a long time and has known the chocolate lab since it was a puppy. He stated that he has three grandchildren, ages 5, 6 and 9, who play with the dog. He said Mr. Meads' children and his granddaughters have always played together and the dog has always

been around them. When the children were small, they would actually pull on the dog's tail, ears and collar, and the dog has never reacted to it. He said the dog is as friendly as any house dog has ever been. Chairman Stevenson asked Mr. Hughes if the dog is ever on a leash. Mr. Hughes replied that the dog generally stays on a lead in the yard and when the children come home they take him off the lead so they can play with him.

Mr. Williams called on Aaron Meads of 116 Sunny Acres Drive. Mr. Meads said he is the owner of Gemini, a five-year old chocolate lab and he has had him since he was a puppy. He stated that he has never had any problems with Gemini except for a problem with him barking when he was a puppy. He said he keeps Gemini on a lead during the day while he is at work. He stated that he has two children and they play with the dog. He said he spoke to the person from 132 Sunny Acres Drive who had called animal control on October 22 to check on him. He stated that this person said he assumed the dog next door was in heat and Gemini would not let anyone get near the pen. Mr. Meads said the person stated that the dog backed him up, but did not attack him. Mr. Williams asked Mr. Meads what he has done since then. Mr. Meads stated that he has updated the dog's rabies shots and has made an appointment to have him neutered this Thursday. He said he does not believe the dog is potentially dangerous and he asked that the Board not declare him a potentially dangerous dog. He stated that he thinks the only reason Gemini was aggressive on October 22 was because of the neighbor's dog in heat, and he believes being neutered will calm him down. Mr. Meads said he cannot take that day back, but he would hate for his dog to have to be muzzled or cooped up because he is a family pet.

Commissioner Cecil Perry asked if the people who complained about the dog knew about today's meeting. County Attorney Mike Cox said he did not believe they were given notice.

Chairman Stevenson asked if this process could be delayed until such time that the dog is in fact neutered. Mr. Cox responded that the Board could delay its decision until there is written notification from the veterinarian that the dog has been neutered. Another hearing would not be required, however the Board would need to render its decision in writing. The decision must contain findings of fact and conclusions to support the decision.

Motion was made by Matt Wood, seconded by Lloyd Griffin to delay action on the dangerous dog appeal by Aaron Meads in order to allow the dog to be neutered, and that the Animal Control Officer observe the dog again in his own environment once he has recovered from the surgery; after those two events have taken place, the appeal will come back to the Board for a final determination. The motion carried.

Motion was made by Lloyd Griffin, seconded by Cecil Perry to adjourn the meeting. The motion carried and the meeting was adjourned at 4:00 PM.

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CHAIRMAN

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CLERK TO THE BOARD

**PASQUOTANK COUNTY, NORTH CAROLINA  
NOVEMBER 15, 2010**

The Pasquotank County Board of Commissioners met today in a regular meeting on Monday, November 15, 2010 in Courtroom C in the Pasquotank County Courthouse.

**MEMBERS PRESENT:** Marshall Stevenson, Chairman  
Lloyd E. Griffin, III, Vice-Chairman  
Matt Wood  
Bill Trueblood  
Jeff Dixon  
Charles H. Jordan

**MEMBERS ABSENT:** Cecil Perry (*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. Rev. Judah Person, Jr., 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 Stevenson welcomed everyone present and recognized his wife and other members of his family who were in attendance.

**1. PRESENTATION OF RESOLUTION AND PLAQUE TO KAREN JENNINGS:**

Chairman Stevenson called on Clerk to the Board Karen Jennings. He stated that the Board would like to recognize and thank her for her work with the Commissioners over the years. He said during the past years, she has helped him tremendously and has gone beyond the call of duty. He read and presented to Mrs. Jennings the following resolution:

**A RESOLUTION RECOGNIZING  
KAREN JENNINGS, CLERK TO THE BOARD**

**WHEREAS**, the position of Clerk is one of the oldest in local government, dating back to Biblical times; and

**WHEREAS**, modern day Clerks to the Board are the official record keepers for their counties; and

**WHEREAS**, the most important county records maintained by the Clerk, such as minutes of commissioner meetings must be kept permanently for the use of future generations; and

**WHEREAS**, other duties of the Clerk in Pasquotank County include providing notice of special meetings, providing information to the public, maintaining appointments to numerous Boards and Committees, maintaining the county television channel, managing the county's insurance programs, assisting the County Manager, writing untold numbers of resolutions, and other duties too numerous to mention; and

**WHEREAS**, Karen Jennings has served as Pasquotank County Clerk to the Board of Commissioners since July 6, 1987; and

**WHEREAS**, Karen Jennings can best be described as "the hub of the wheel" in Pasquotank County government because of the role that she plays in Pasquotank County's information network; and

**WHEREAS**, Karen Jennings has served under 24 different county commissioners and 2 county managers while maintaining the gentlest demeanor that is humanly possible; and

**WHEREAS**, Karen Jennings is routinely praised by commissioners, county staff and the public for her efficient and friendly service.

**NOW, THEREFORE,** the Pasquotank County Board of Commissioners commends Clerk to the Board of Commissioners Karen Jennings for her dedicated and invaluable service to Pasquotank County and its citizens and thanks her for performing her many roles and duties as Clerk in a most pleasant and effective way.

**PRESENTED** this 15<sup>th</sup> day of November, 2010.

Chairman Stevenson also presented Mrs. Jennings with a plaque recognizing her service to Pasquotank County as Clerk.

**2. COMMENTS FROM DANIEL SERIK:**

Chairman Stevenson recognized Mr. Daniel Serik of 249 Windwood Drive who requested that he be considered as one of the four supporters of veterans from Pasquotank County to be recognized at the new North Carolina Veterans Memorial based on his service and what he does for the community. He stated that he organizes the Memorial Day and Veterans Day Ceremonies at West Lawn Cemetery and travels throughout the community advocating patriotism and participation at these events. He said he has gone to great lengths to involve the community as well as the youth at these events. He stated that not only has he served this nation with pride and distinction, he has served his community promoting the good values of patriotism. He said he has reached out and touched many in the community to recognize service of veterans and most importantly those who have made the ultimate sacrifice, particularly on Veterans Day. Mr. Serik said he served for 23 years in the United States Army, received the Purple Heart and numerous other citations and medals. He provided a copy of his discharge from active duty papers and said he would be honored to represent Pasquotank County at the Veterans Memorial.

**3. COMMENTS FROM MARION HARRIS:**

Chairman Stevenson recognized Mr. Marion Harris of 794 Oak Stump Road who said he is here tonight to thank the members of the Board of Commissioners for their service. He said he has found the Commissioners to be well prepared at any meeting he has attended. He stated that he knows being a Commissioner takes a lot of time and he realizes they are always trying to look out for the best interests of the county. He said the Commissioners sometimes do not get the appreciation they deserve for all the work they do. Mr. Harris added that he appreciates all that the County Commissioners do for the county.

**4. COMMENTS FROM KEITH RIVERS:**

Chairman Stevenson called on Mr. Keith Rivers of 104 Grandview Drive. Mr. Rivers stated that he would like to invite the County Commissioners and the newly elected County Commissioners to a Hip Hop Summit with a stop the violence focus. He said this will be sponsored by the Pasquotank County Branch of the NAACP and American Legion Hut Post 223. The summit will be held on November 20, 2010 from 1:00 pm until 4:00 pm. Mr. Rivers said a panel of youth will talk to the elected officials and give their perspective on what they can do to help stop the violence and what elected officials can do to help them. He stated that it is hoped this will create a dialogue. He said there is nothing in Elizabeth City for the youth to do and it will take a combined effort of parents, school board, elected officials, churches, and members of the community to help solve this problem together. Mr. Rivers said the summit will include a rap contest with a focus on stopping the violence. He also thanked members of the Board whose terms will be expiring for their service.

**5. AMENDMENTS TO THE AGENDA:**

Chairman Stevenson asked if there were any amendments to the agenda. Commissioner Wood requested that the following two items recommended by the Finance Committee be added to the consent agenda: 1) Approval of recommendation from EMS Board for ambulance remount; and 2) Approval of comprehensive annual financial report for fiscal year ending June 30, 2010.

Motion was made by Bill Trueblood, seconded by Lloyd Griffin to approve the amendments to the agenda as recommended. The motion carried.

**6. APPROVAL OF CONSENT AGENDA:**

The Board considered the following consent agenda:

- a. Approval of Minutes of November 1, 2010 Commissioner Meetings

*b. Approval of Tax Releases, Refunds and Solid Waste Fee Releases*

The Finance Committee has recommended approval of the following tax releases, refunds and solid waste fee releases:

Releases

		<b>County</b>	<b>City</b>
1.	Scotty Andrew Barton	127.53	
2.	Julian Maxwell	130.99	
3.	Darrell House	43.23	
4.	Darrell Reed House	136.66	
5.	Annette P. Gregory etal	132.00	
6.	James R. & Carolyn Waters	396.00	
7.	Emily H. McCarthy	104.67	
8.	Larry B. & Shirley E. Beatty	333.36	256.22
9.	Thomas Kiesman & Heather Henderson Deanglis	160.33	
10.	Jonathan Keffer	382.36	
11.	John E. & Barbara Waldo	111.93	86.03
12.	Melburn Ralph Dayton	141.75	
13.	Charles Clayton Cooper	132.00	
14.	Rita Munden & Stephanie Freeman	132.00	
15.	Sarah M. Felton	412.01	
16.	Percy Leroy Mallory, Jr.	132.00	
17.	Abigail Elizabeth Janz	105.89	
18.	Thomas James Huntley	147.83	123.72

Refund:

1.	Victory Baptist Church	105.89	
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Solid Waste Fees

<b>OWNER'S NAME</b>	<b>PARCEL ID #</b>	<b>REASON FOR RELEASE</b>
Willie Proctor Heirs c/o Otis Proctor	P116-11	Unlivable

*c. Approval of Budget Amendments*

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

**Cooperative Extension**

Increase	010.0230.4370.00	State Grants	3,005.00
Increase	010.4950.5600.34	Ship-Grant	3,005.00

**Parks & Rec**

Increase	010.0991.4991.00	Fund Balance Appropriated	35,000.00
Increase	010.0220.4532.00	Other Grants	35,000.00
Increase	010.0550.4835.00	Sale of Assets	113,873.00
Decrease	010.9100.5700.25	2010 Equipment	39,000.00
Decrease	010.9100.5700.26	2010 School Capital Project	54,000.00
Increase	010.6130.5581.04	South Park Complex	276,873.00

**Non-Departmental**

Increase	010.0991.4991.00	Fund Balance Appropriated	83,700.00
Increase	010.4195.5575.00	Land	83,700.00

**Governing Board**

Decrease	010.6900.5991.00	Contingency	3,997.00
Increase	010.4110.5491.00	Dues & Subscriptions	3,997.00

*d. Recommendation from Solid Waste Commission for Contract for Electronic Waste Recycling*

The Solid Waste Commission has recommended that the county contract with Ecycle Secure to handle electronic recycling. There is no charge to the county for them to take the materials and we would not receive any revenue from the company for the materials. Solid Waste Director Mike Etheridge explained that the county needs to sign with a company to handle the recycling

of our electronics. He stated that a grant has been received to put in infrastructure for the collection and packaging of the items. The contract with Ecycle Secure is to actually haul the materials away. Mr. Etheridge said the old Farmers Market Building has been revamped for use as a collection point for electronics, and it is hoped the facility can be opened in January for electronics recycling.

*e. Approval of Ambulance Remount*

The Finance Committee has recommended that the Board approve a chassis replacement and remount of an existing EMS box unit on one of the existing ambulances at a cost of \$90,000. The cost of the remount can be funded with funds that had been earmarked for the communications upgrade. Since 911 surcharge funds were able to be used for the upgrade, the funds that had been set aside can be redirected for the remount.

*f. Approval of Comprehensive Annual Financial Report for Fiscal Year Ending June 30, 2010*

The Finance Committee has recommended that the Board approve the county's Comprehensive Annual Financial Report for the fiscal year ending June 30, 2010 as presented by Sheri Small and Donna Winborne at today's Finance Committee meeting.

Motion was made by Charles Jordan, seconded by Lloyd Griffin to approve the consent agenda as amended. The motion carried.

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

Releases:

		County	City
1.	James Elmer Knight	34.87	
2.	Marcel Michael White	6.85	5.27
3.	Tosharila Lawane White	31.95	24.57
4.	Lauffenburger Revocable Living	15.10	
5.	Myron Isaac Simmons	36.21	25.90
6.	Bettie Whidbee Griswell	60.37	
7.	Michael T. Kobulinsky II	64.17	54.37
8.	Cordal Properties LLC	39.09	
9.	Cordal Properties LLC	21.39	
10.	Cordal Properties LLC	16.52	
11.	Mark A. & Deborah Caltagirone	65.95	50.69
12.	Benjamin Michael Taylor, Jr.	27.90	21.47
13.	Benjamin Michael Taylor, Jr.	99.27	81.37
14.	Benjamin Michael Taylor, Jr.	20.69	20.90
15.	Donna Markham Critcher	29.37	
16.	Teresa DeJesus Garcia	18.84	
17.	Roy Allen Winner	31.07	23.90
18.	David Lee Kight	75.52	63.10
19.	Jonathan Patrick McCormick	78.41	
20.	Elmer W. Littlefield	65.64	
21.	Linda Arnesa Weeks	9.54	7.34
22.	Harold William Winkleman	8.08	6.21
23.	Amy Lenora DJI Gounian	37.27	
24.	Todd Ryan Gilbertson	70.90	59.54
25.	Henry Felton Roach	21.82	
26.	Matthew Delvalle	58.15	
27.	David Ross Disbennett	12.11	9.32
28.	Paul Michael Davis	27.83	
29.	Heather Glendora Phipps	5.53	4.26
30.	Maria Taylor	54.93	47.26
31.	Drew Dante Dazzo	47.44	
32.	Drew Dante Dazzo	4.74	
33.	Vic Tibunco Castillo	64.19	
34.	Robert Baylor Hardey	8.13	11.26
35.	Adam Nicholas Williams	48.58	
36.	Brenda Sue Norris	6.38	4.91
37.	General Electric Capital Corp.	19.00	
38.	General Electric Capital Corp.	30.44	23.39

39.	Angela Ramirez	53.45	41.08
40.	Joey's Audio Inst.	16.09	
41.	Willie Donnell Mullen	5.15	3.96
42.	General Electric Capital Corp.	20.85	
43.	Brandis L. Berzal	45.56	40.01
44.	Wayne Heffner	11.45	
45.	Darren Sean Reeves	49.08	
46.	Joey's Audio Inst.	24.95	
47.	Carlos Hernandez	74.88	
48.	Karen Louise Karus	55.93	
49.	Griffin Wireless Svc. Inc.	84.30	64.85
50.	Jerry A. Boone	13.80	
51.	Galem & Michelle Revels	22.70	
52.	Galem & Michelle Revels	24.95	
53.	Harley V. Cole Revoc. Trust		33.04
54.	Harley Vurl Cole		9.46
55.	Monica Yvette Gwaltney	14.16	
56.	Paul William Wandell	81.61	67.78
57.	Matthew Steven Sharp	73.94	61.88
58.	Adam Tredwell Thorp IV	15.27	11.75
59.	Kyle David Kappesser	89.36	
60.	Susan Darlene Mizelle	13.86	10.65
61.	David & Sheila Lawyer		33.75
62.	David & Sheila Lawyer		33.75
63.	David & Sheila Lawyer		34.88
64.	David Paul Moore	53.66	46.25
65.	Kevin G. Routten	21.90	
66.	Christian Lee Schomburg	91.42	
67.	Michael Gerard Jordan	62.19	
68.	Jason Zachary Taylor	75.08	62.71
69.	Jeffrey Lynn Cooper	44.59	
70.	Jayesh J. Kinariwala	10.41	8.00
71.	Delton Wayne Stuck	68.97	
72.	Michael Lawrence Christiansen	48.56	
73.	Joseph Russell Berent	8.77	
74.	Joseph Russell Berent	5.45	
75.	Matthew Garris	2.17	1.67
76.	Barlala Ailjurdic Cupel	2.73	2.10
77.	Wyatt Anthony Ingram	54.11	46.63
78.	Julian Wood Selig, Jr.	23.90	18.39

**7. ADOPTION OF RESOLUTION RECOGNIZING DAVID HARRIS FOR HIS PLANNING BOARD SERVICE:**

The Board considered adoption of a resolution recognizing David Harris for his 23 years of service on the Pasquotank County Planning Board.

Motion was made by Matt Wood, seconded by Bill Trueblood to adopt the proposed resolution recognizing David Harris for his Planning Board service. The motion carried and the following resolution was adopted.

**RESOLUTION RECOGNIZING DAVID HARRIS  
FOR HIS PLANNING BOARD SERVICE**

**WHEREAS**, David Harris was appointed to the Planning County Planning Board in June 1987 by the Pasquotank County Board of Commissioners who felt he was the perfect Planning Board candidate, having been the Pasquotank County Manager for the previous eight years; and

**WHEREAS**, David Harris has served on the Pasquotank County Planning Board continually since that time and has reached the decision to close out his Planning Board service effective December 1, 2010; and

**WHEREAS**, David Harris was elected by his fellow Planning Board members to serve as Chairman of the Planning Board during the majority of his 23 years on the Planning Board; and

**WHEREAS**, he has provided leadership for the comprehensive planning and implementation of the following projects, to name a few:

- Subdivision Regulations – to improve development standards for infrastructure.
- Zoning Ordinance – to create districts and regulations that were designed to lessen congestion; to prevent overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, schools, and other public requirements.
- Stormwater Design Manual – to create the first comprehensive stormwater design manual providing guidelines for engineering professionals designing plans for residential, commercial and industrial projects.

**WHEREAS**, he has provided outstanding leadership for the Planning Board during times of unprecedented growth and development as well as during the economic downturn of the past three years; and

**WHEREAS**, his work with the Planning Board has provided much-needed assistance to the Board of Commissioners in their decision-making on planning and development issues.

**NOW, THEREFORE, BE IT RESOLVED** that the Pasquotank County Board of Commissioners extends its official appreciation to David Harris and commends him for offering himself and his time as a member of the Pasquotank County Planning Board from June 1, 1987 until December 1, 2010.

**ADOPTED** this 15<sup>th</sup> day of November, 2010.

**8. SELECTION OF FOUR SUPPORTERS OF VETERANS TO BE INCLUDED IN THE NORTH CAROLINA VETERANS MEMORIAL:**

The Board considered the selection of four supporters of Veterans to be included in the North Carolina Veterans Memorial. Chairman Stevenson noted that at the last meeting the Board selected Earl Luton to be the primary Veteran whose hand will be cast and will be on display at the Wall of Honor at the North Carolina Veterans Memorial in Fayetteville. He said the Board needs to select four additional individuals who are supporters of Veterans. Commissioner Bill Trueblood recommended approval of the following slate: Judith Dickerson, James Hoggard, John Armstrong, and James B. Doyle.

Motion was made by Bill Trueblood, seconded by Matt Wood to select Judith Dickerson, James Hoggard, John Armstrong, and James B. Doyle as the four supporters of veterans to be included in the North Carolina Veterans Memorial. The motion carried.

**9. ADOPTION OF PRELIMINARY RESOLUTION REGARDING PROPOSED INSTALLMENT FINANCING AGREEMENT FOR QUALIFIED SCHOOL CONSTRUCTION BOND FINANCING:**

The County Manager referred to a revised resolution making certain determinations concerning a proposed installment financing agreement to finance the cost of two school projects and providing for certain related matters. He explained that this was discussed at the last meeting and the resolution has been revised to reduce the amount under consideration from \$3.9 million to \$2 million. He said this \$2 million will accomplish the replacement of the heating and air conditioning system at Central Elementary School and replacement of the roof at the Northeastern High School gymnasium. This resolution would allow the project to move forward to the Local Government Commission for consideration at their December meeting. Final action would have to be taken by the Board of Commissioners at the December 6 meeting to approve the documents and move forward with the closing. The resolution makes certain findings by the Board and determines that the Board is to proceed with the proposed financing with the amount to be borrowed to not exceed \$2 million. Also, the county would acquire the title to the real property at Northeastern High School which will then have a deed of trust placed on it for \$2 million. The resolution also authorizes the County Manager, the Finance Officer and the County Attorney to file the application with the Local Government Commission on behalf of the county.

Vice-Chairman Lloyd Griffin stated that he met with the Superintendent and the Director of Maintenance for the School System last week at Central School. He said he believes the HVAC

system being planned which would put air conditioning units above each of 34 classrooms would only be a band-aid. He said it would only have a life expectancy of about ten to twelve years. He stated that another concern is possible roof problems that could occur due to penetrating the roof at 34 different places. He said he knows it is convenient to borrow the money at 0% interest, but he believes more long term planning is needed before this amount of money is spent. Vice-Chairman Griffin said he will not support this project until further investigation has occurred.

Chairman Stevenson asked how much additional debt service this will place on the county. Mr. Keaton responded that this will be a \$200,000 per year payment for 10 years at 0% interest. Chairman Stevenson asked if the Board approves or disapproves this tonight, whether the new Board that will take office on December 6 can take additional action to approve or disapprove. Mr. Keaton said if approved tonight, the new Board can disapprove it, however if it is disapproved tonight, the process will end.

School Superintendent Linwood Williams explained how the system at Central would work and he confirmed that the life of the system would be 10 to 15 years. He stated that the life of a four-pipe system they looked at would be 25 to 30 years, however the cost would be about \$4 million and that was considered in designing the system.

Commissioner Matt Wood asked Mr. Williams to discuss the issues at Central School as they exist now. Mr. Williams stated that the Commissioners will be invited to see the building on November 22 and will see the conditions firsthand. He said that many of the units in the classrooms are failing and in certain parts of the building window units are used for air conditioning and electric strip heaters are used for heat. He stated that they are doing what they need to do to get by because of the lack of funds, but there is a real need to fix Central School. Mr. Williams added that they will appreciate any help at all. Mr. Wood stated that the alternative to not doing this project now is to do it sometime in the future and leave the conditions as they are now indefinitely which is not a very good alternative. Mr. Williams added that the students and staff would eventually pay the price for air quality issues if nothing is done.

Commissioner Jordan noted that he understands that \$54,000 is already included in this year's budget for a partial debt payment. Mr. Keaton stated that \$54,000 is already budgeted, however since the payments would be annual payments, there would not be a payment at all until next fiscal year. If approved, an additional \$150,000 would be needed in next year's budget for next year's debt payment. An affirmative vote tonight would provide an opportunity for the Board on December 6 to approve or disapprove the project. Mr. Keaton said tonight is just the first part of a two-part process and allows the Local Government Commission application to move forward, but does not commit the Board to anything yet. Chairman Stevenson said he is concerned about ham-stringing the new Board with a built-in budget increase it will have to deal with on top of the other things that will be coming next year. Mr. Keaton stated that the Board on December 6 still has to make the final decision on approving the documents and on moving forward or not moving forward.

\* \* \* \* \*

Commissioner Stevenson introduced the following resolution, a copy of which had been provided to each Commissioner and which was read by its title:

**RESOLUTION MAKING CERTAIN DETERMINATIONS CONCERNING A  
PROPOSED INSTALLMENT FINANCING AGREEMENT TO FINANCE THE  
COST OF TWO SCHOOL PROJECTS AND PROVIDING FOR CERTAIN  
RELATED MATTERS.**

WHEREAS, the County of Pasquotank, North Carolina (the "County") and The Elizabeth City-Pasquotank Board of Education, which has general control and supervision of all matters pertaining to the public schools in the Elizabeth City-Pasquotank Public Schools (formerly known as the Elizabeth City-Pasquotank County School Administrative Unit), its respective school administrative unit (the "Board of Education"), have determined to cooperate in a plan to finance the cost of a project which each has found to be necessary and desirable to provide for improved public school facilities and improved public education in such school administrative unit; and

WHEREAS, such project consists of the replacement of a roof at Northeastern High School and the replacement of the heating, ventilation and air-conditioning system at Central Elementary School (collectively, the "Project"); and

WHEREAS, the County is considering entering into an installment financing agreement and certain related documents pursuant to G.S. §160A-20, as amended, for the purpose of providing funds in an amount not to exceed \$3,981,088 initially but now reduced to \$2,000,000, with any other available funds, for the construction and other accomplishment of the Project, and the County is authorized to do so only after a public hearing on such proposed agreement; and

WHEREAS, such plan to finance the cost of the Project includes the sale by the Board of Education to the County of the fee or any lesser interest in the real and personal property included in the Project, including specifically the site of Northeastern High School and the improvements thereon, for use by the Elizabeth City-Pasquotank Public Schools; and

WHEREAS, the County is authorized to acquire the fee or any lesser interest in the real and personal property included in the Project for use by the Elizabeth City-Pasquotank Public Schools only upon the request of the Board of Education and after a public hearing; and

WHEREAS, the County understands that the Board of Education will make such request of the County; and

WHEREAS, a public hearing on such proposed agreement and such acquisition of property was held on November 1, 2010 and it is necessary to provide for certain related matters at this time;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners for the County as follows:

Section 1. The Board of Commissioners for the County (the "Board") hereby finds and determines in connection with such proposed agreement that the proceeds of such proposed agreement will be used to finance the cost of the Project to meet an urgent need for improved public school facilities constituting the Project to serve the residents of the County and, accordingly, such proposed agreement is necessary or expedient for the County, (b) such proposed agreement, under current circumstances, is preferable to a bond issue of the County for financing the same purpose because there is not sufficient time to authorize and issue bonds of the County prior to the time when funds will be needed for such purpose, (c) the sums estimated to fall due under such proposed agreement are adequate and not excessive for its proposed purpose because they are based upon the County's best estimate with respect to the cost of the Project, (d) the County's debt management procedures and policies are good and its debt will continue to be managed in strict compliance with law, (e) any increase in taxes necessary to meet the sums estimated to fall due under such proposed agreement will not be excessive because the County expects that it will not be necessary to increase taxes by more than one cent (1¢) per one hundred dollars (\$100) of the appraised value of property subject to taxation by the County for such purpose and (f) the County is not in default regarding any of its debt service obligations.

Section 2. The Board hereby determines (a) to proceed with the proposed financing of the cost of the Project and approve on a preliminary basis the proposal to finance the cost of the Project that was received from RBC Bank (USA) and considered at such public hearing substantially as presented, provided that the amount to be borrowed shall not exceed \$2,000,000, and (b) to acquire the fee or any lesser interest in the real and personal property included in the Project, including specifically the site of Northeastern High School and the improvements thereon, for use by the Elizabeth City-Pasquotank Public Schools in order to proceed with a plan by the County and the Board of Education to finance the cost of the Project.

Section 3. The actions of the County Manager of the County in calling and publishing a notice of such public hearing in The Daily Advance, in accordance with the provisions of G.S. §160A-20, as amended, are hereby approved, ratified and confirmed.

Section 4. The County Manager, the Finance Officer and the County Attorney of the County are each hereby designated as a representative of the County to file an application for

approval of such proposed agreement with the Local Government Commission of North Carolina and are authorized to take such other actions as may be advisable in connection with the negotiation of such proposed agreement and the development of the related financing; and all other actions heretofore taken by any of such officers or any other officer of the County relating to such matter on behalf of the County are hereby approved, ratified and confirmed.

Section 5. The Board hereby requests the Local Government Commission of North Carolina to approve such proposed agreement under Article 8 of Chapter 159 of the General Statutes of North Carolina, as amended.

Section 6. The law firm of Robinson, Bradshaw and Hinson, P.A., Charlotte, North Carolina, is hereby confirmed as special counsel to the County in connection with such proposed agreement.

Section 7. This resolution shall take effect immediately upon its passage.

Upon motion duly made by Commissioner Matt Wood and seconded by Commissioner Jeff Dixon, the foregoing resolution was passed by the following vote:

Ayes: Commissioners Marshall H. Stevenson, Jr., Matt Wood, Bill Trueblood, Jeff Dixon, and Charles Jordan.

Noes: Commissioner Lloyd E. Griffin III.

\* \* \* \* \*

**10. REPORT FROM COUNTY MANAGER:**

County Manager Randy Keaton stated that the Community Relations Commission has submitted an invoice in the amount of \$102.50 for one-half of expenses related to the reception for the Witherspoon-Harris Community Service Awards Ceremony. The city has been billed for the other half of the expenses. Mr. Keaton said there is not a specific line item in the budget for this and if the Board concurs it can be taken from one of the regular line items. Commissioner Wood suggested that this item be included on the next Finance Committee agenda.

**11. PRESENTATION OF PLAQUES TO OUTGOING COMMISSIONERS:**

Commissioner Trueblood called on Commissioner Charles Jordan to receive a plaque recognizing his service as County Commissioner. He stated that although Mr. Jordan was only on the Board a short while, the Board enjoyed working with him and appreciates his service. Commissioner Jordan said it has been his pleasure to serve on the Board the last few months and he has enjoyed it. He stated that he has learned a lot about county government and he thanked everyone for their support.

Commissioner Dixon called on Commissioner Matt Wood to receive a plaque in recognition of his 12 years of service as a County Commissioner. He explained that Commissioner Wood has actually been in public service for 20 years, having served on the Board of Education for eight years before becoming a County Commissioner. Commissioner Dixon added that Commissioner Wood has not only served on the Board with him, but also served with his father when he was a Commissioner. He stated that he has always looked at Commissioner Wood like a big brother and has learned a lot from him. He said he is honored to present him with a plaque expressing the Board's appreciation to him for 12 years of service. Commissioner Wood stated that he would like to thank the people of Pasquotank County for giving him the opportunity to serve. He would also like to thank the staff for their support, his family for their patience, and his fellow Commissioners for the honor to serve with them. He added that he has a lot of faith in the future and believes the county will be in fine hands.

Vice-Chairman Griffin called on Chairman Marshall Stevenson to receive a plaque thanking him for his eight years of outstanding service and dedication to the people of Pasquotank County as a County Commissioner. Chairman Stevenson said it has been great and he has learned a lot. He stated that there have been good times and bad times and he has truly enjoyed his eight years as a Commissioner. He said he has learned a lot and has learned to cope and deal with things that he cannot do anything about. He said the things he has learned will help him in the future. He

thanked his wife, Frances, for standing behind him 200%. He said if it had not been for her, he would not have been able to make it over the past eight years. He thanked the staff for all of their support. He said he was thankful for the opportunity to serve the citizens of Pasquotank County and for the opportunity of working with the other members of the Board of Commissioners. He wished the Board and the incoming Commissioners the best of luck and success in running the county in the ongoing years. Chairman Stevenson also thanked his family for coming tonight. Vice-Chairman Griffin also presented to Chairman Stevenson a chairman's plaque with a gavel in recognition of his two years as Chairman of the Board.

Chairman Stevenson stated that he would also like to thank his friend Frank Jennings for his support and attendance at many Commissioner meetings over the past years.

Commissioner Trueblood stated the Janice Boyce, a member of the Board of Education who will also be going off the School Board, was kind enough to bring the Board a cake that she made. He stated that Commissioners and the public are invited to have a slice of cake on their way out tonight.

## **12. REPORTS FROM COMMISSIONERS:**

Commissioner Jeff Dixon reported that he had an opportunity to attend the second part of the Community Relations Commission strategic planning session on Saturday. He said it was eye-opening and the CRC is putting together some plans to find out how they can get more involved with the Board of Commissioners and the City Council on certain issues.

Commissioner Dixon reminded the Board that the annual Social Services breakfast will be held on Wednesday, November 17 at 8:00 AM.

Vice-Chairman Griffin said he would like to thank Commissioners Jordan, Wood and Stevenson for the years of service they have given Pasquotank County. He stated that he is thankful for the opportunity to have worked with each of them. He said the Board has accomplished a lot of its goals and objectives and has worked together well. He stated that the Board has made a lot of progress through the years, has had a lot of growth, has created the "golden triangle", has protected farmland, has protected drainage, and has created agricultural easements between development and farmland. He added that he believes the three new Commissioners will continue to move the county forward.

Superintendent Linwood Williams thanked the Board of Commissioners on behalf of himself, the Board of Education, the people of the community, and the many students that are served in the community for their commitment and dedication. He stated that the Board has made a big difference in the lives of the people of the community.

Chairman Stevenson thanked everyone for being here tonight, especially his family. He said he is still serving on the Albemarle RC&D Council and is currently serving as RC&D Chairman. He said Commissioners will be receiving an invitation to the RC&D Council Annual Awards Banquet on December 14 at the Vernon James Center and he hopes everyone can attend.

## **13. RECOGNITION OF STUDENTS FROM NORTHEASTERN HIGH SCHOOL:**

The Board welcomed four 10<sup>th</sup> grade students from Mrs. Byrum's Northeastern High School Civics class, Hannah Barnhill, Terrilynn Meads, Sabrina Gonzales, and Caitlyn Simpson. Chairman Stevenson thanked them for coming to the meeting.

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

Motion was made by Charles Jordan, seconded by Lloyd Griffin to adjourn the meeting. The motion carried and the meeting was adjourned at 8:05 PM.

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CHAIRMAN

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CLERK TO THE BOARD