

**PASQUOTANK COUNTY, NORTH CAROLINA
DECEMBER 3, 2007**

The Pasquotank County Board of Commissioners met today in a special meeting on Monday, December 3, 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: None

The meeting was called to order at 3:00 PM by Chairman Cecil Perry.

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

Upon the end of Closed Session;

Motion was made by Lloyd Griffin, seconded by Matt Wood that the Board return to Regular Session. The motion carried unanimously.

Chairman Perry asked for a motion to adjourn the meeting.

Motion was made by Bill Trueblood, seconded by Jeff Dixon to adjourn the meeting. The motion carried and the meeting was adjourned at 4:00 PM.

CHAIRMAN

CLERK TO THE BOARD

**PASQUOTANK COUNTY, NORTH CAROLINA
DECEMBER 3, 2007**

The Pasquotank County Board of Commissioners met today in a regular meeting on Monday, December 3, 2007 in Courtroom C in the Pasquotank County Courthouse.

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

MEMBERS ABSENT: None

OTHERS PRESENT: Randy Keaton, County Manager
Rodney Bunch, 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 Clerk to the Board Karen Jennings. Commissioner Matt Wood gave the invocation and Commissioner Lloyd Griffin led in the Pledge of Allegiance to the American Flag.

1. ORGANIZATION OF THE BOARD OF COMMISSIONERS:

The Clerk to the Board noted that State law requires the reorganization of the Board of Commissioners during its first meeting in December through the selection of a Chairman and a Vice-Chairman. She opened the floor for nominations for Chairman of the Board.

Motion was made by Lloyd Griffin, seconded by Matt Wood to suspend the Board's rule which provides that no person shall serve as chairman for more than two successive one-year terms. The motion carried unanimously.

Commissioner Lloyd Griffin nominated Commissioner Cecil Perry as Chairman for the next year. At the absence of additional nominations, the nominations for Chairman were closed. Upon a vote of the Board, Commissioner Cecil Perry was unanimously elected Chairman.

The meeting was then turned over to Chairman Perry who called for nominations for Vice-Chairman of the Board. Commissioner Lloyd Griffin nominated Commissioner Marshall Stevenson as Vice-Chairman for the next year. At the absence of additional nominations, the nominations for Vice-Chairman were closed. Upon a vote of the Board, Commissioner Marshall Stevenson was unanimously elected Vice-Chairman.

Chairman Perry thanked the Board for giving him the opportunity to serve as Chairman for another year. He also thanked Commissioner Lloyd Griffin for his service as Vice-Chairman for the past two years. He said he looks forward to working closely with Vice-Chairman Stevenson over the next year.

2. COMMENTS FROM CARL ESTUS:

Chairman Perry recognized Mr. Carl Estus, President of the SPCA, who asked the Board to consider the amendments to the Animal Control Ordinance as requested by the SPCA. He said the ordinance currently requires that all stray animals brought in to the shelter be held for a period of not less than five days, except in cases of illness or injury. He said the space at the shelter is very limited and there is not space to adequately isolate animals. Mr. Estus stated that in the last 45 days the shelter has experienced a significant influx of feral cats that create a danger for staff, volunteers, and visitors to the shelter. He said it has created a hardship for the shelter to have to hold these cats for a period of five days. Mr. Estus was advised that the Board will be discussing this ordinance amendment later tonight. It was suggested that he present any further comments during that time.

3. COMMENTS FROM MARC FINLAYSON, HIGHWAY 17 ASSOCIATION:

Chairman Perry called on Mr. Marc Finlayson with the Highway 17 Association. Mr. Finlayson reported on what this organization has been doing and what it hopes to accomplish with the support of Pasquotank County.

Mr. Finlayson said a goal of the Highway 17 Association is to find all the money necessary to create a fully controlled access freeway from border to border. The price tag for such a goal is about \$750 million and there are currently about 55 miles of two-lane roads that need to be four-laned. Bypasses are needed on some of the four-lane segments that are now bottlenecked because the traffic volume is greater than had been anticipated. Mr. Finlayson stated that progress has been made over the past fourteen months, and the North Carolina Department of Transportation has committed in the first draft of its 2009 TIP to put \$38.5 million in the plan for Highway 17 that was not there before.

Mr. Finlayson explained that he works with the Department of Transportation to facilitate the actual funding and construction of the road. He works with the five DOT board members who represent the corridor on a regular basis to encourage them to invest more in Highway 17 and he works with the engineering staff of the three divisions to facilitate the projects that are underway. He also works with units of government at all levels and spends a lot of time in Raleigh to advocate for transportation funding.

Mr. Finlayson pointed out that Senate Bill 1513, which was passed by the General Assembly during the last session, allows counties to fund transportation projects.

Mr. Finlayson stated that local governments and economic development groups are encouraged to all be involved to see that Highway 17 can be fully improved from border to border. He said this would benefit everyone by improving safety for the people using the highway, improving mobility, and providing economic development opportunities through tourism and industrial recruitment.

Mr. Finlayson said the Highway 17 Association is hard at work advocating for the highway and he feels they are making progress, however there is still a lot to be done. He stated that they hope to make a positive impact not only for Highway 17, but for transportation in Eastern North Carolina.

After discussion and questions from members of the Board, Mr. Finlayson stated that he will meet with the County Manager prior to budget time to discuss what the county can do to assist the Highway 17 Association in its efforts.

4. APPROVAL OF AMENDMENTS TO THE AGENDA:

Chairman Perry asked if there were any amendments to the agenda. It was requested that the agenda be amended to add the following item: 1) Consideration of site plan for Moneysworth Linen Services in the Pasquotank County Commerce Park at Lot 10, Section A.

Motion was made by Matt Wood, seconded by Lloyd Griffin to amend the agenda to add consideration of the site plan for Moneysworth Linen Services under new business. The motion carried unanimously.

5. APPROVAL OF CONSENT AGENDA:

The Board considered the following consent agenda:

a. Approval of Minutes of November 14 and November 19, 2007 Commissioner Meetings

b. Approval of Tax Releases and Refunds

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

Releases:

		County	City
1.	Delkar Inc.	149.50	
2.	Minschew Management Inc.	382.50	
3.	Adam Ryan Lutz	229.00	200.84
4.	John David Stone	164.01	130.82
5.	Walter Worsley	159.94	
6.	TCE Manufacturing Inc.		214.06

Refunds:

1.	BB&T Leasing Corporation		687.32
2.	James H. Bowen	563.80	
3.	James H. Bowen	546.72	
4.	Gary E. & Pamela F. Taft	133.15	
5.	Gary E. & Pamela F. Taft	127.83	
6.	Gary E. & Pamela F. Taft	242.76	

c. Approval of Budget Amendments

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

Newland VFD

Decrease	010.6900.5991.00	Contingency	929.00
Increase	010.4343.5261.00	Departmental Supplies	929.00

Weeksville VFD

Decrease	010.6900.5991.00	Contingency	1,858.00
Increase	010.4344.5261.00	Departmental Supplies	1,858.00

Parks & Rec

Increase	010.0230.4370.00	State Grants	80,500.00
Increase	010.6130.5581.01	River Road Project	80,500.00

Day Reporting

Increase	010.0230.4370.02	Criminal Justice Partnership	333,597.00
Increase	010.4305.5121.00	Salaries & Wages	108,700.00
Increase	010.4305.5181.00	FICA	8,320.00
Increase	010.4305.5182.00	Retirement	5,340.00
Increase	010.4305.5183.00	Health Insurance	14,370.00
Increase	010.4305.5186.00	Workers Compensation	2,330.00
Increase	010.4305.5261.00	Departmental Supplies	2,500.00
Increase	010.4305.5310.00	Travel	10,000.00
Increase	010.4305.5311.00	Training	2,000.00
Increase	010.4305.5321.00	Telephone	3,500.00
Increase	010.4305.5325.00	Postage	1,500.00
Increase	010.4305.5352.01	Maintenance-Office Equipment	4,000.00
Increase	010.4305.5400.00	Rent	14,400.00
Increase	010.4305.5440.05	Financial Services	6,500.00
Increase	010.4305.5440.06	Substance Abuse Treatment	146,137.00
Increase	010.4305.5450.00	Insurance-General Liability	4,000.00

d. Approval of Building Addition for Newland Fire Department

The Finance Committee has recommended approval of an addition to the Newland Fire Department building for a not to exceed price of \$42,601.

e. Approval of Grant Match for Providence Fire Department

The Finance Committee has recommended approval of a local grant match in the amount of \$7,000 for a \$38,000 FEMA grant that has been received by Providence Fire Department for a new breathing air system.

f. Approval of Vehicles for Surplus

The following vehicles need to be approved for surplus so they can be sold on Govdeals.com.

1987 Jeep Comanche	VIN # 1JTHP6517HT074379
1991 Dodge Ram	VIN # 3B7KE23Z8MM033430

g. Approval of Update to Blackwater Memorandum of Understanding

The EMS Board has recommended approval of an updated Blackwater memorandum of understanding which updates the level of technicians that may practice at the Blackwater training facility as well as outlines the times that the quick response vehicle is obligated to be in service. The Board needs to approve the updated memorandum of understanding.

Motion was made by Matt Wood, seconded by Lloyd Griffin to approve the consent agenda as presented. The motion carried unanimously.

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

Refunds:

		County	City
1.	First Bank Richmond NA	67.81	

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
Sam T. Williams Heirs	P77-3	Unoccupied for 8-10 years

6. APPROVAL OF SITE PLAN FOR MONEYSWORTH LINEN SERVICES:

Assistant County Manager Rodney Bunch reviewed the proposed site plan for Moneysworth Linen Services facility to be located on Lot 10, Section A in the Pasquotank County Commerce Park. He explained that the site plan was reviewed by the Technical Review Committee in September, and a couple of items noted by the TRC have been addressed and incorporated in the plan. He said the site plan as presented exceeds the requirements of the Commerce Park Restrictive Covenants and also meets the requirements of the zoning ordinance for landscaping, parking, and grading, and meets all drainage requirements for the low density permit. He stated that staff would recommend approval of the plan. Mr. Bunch noted that the building elevation plan will be forthcoming at a later date.

Motion was made by Matt Wood, seconded by Bill Trueblood to approve the site plan for Moneysworth Linen Services as submitted. The motion carried unanimously.

7. CONSIDERATION OF STARTUP DOCUMENTS FOR CDBG SCATTERED SITE PROJECT:

The Board reviewed various documents and policies that need to be adopted for the startup of the 2007 CDBG Scattered Site Project. The documents which need approval are: Procurement Policy, Optional Relocation Plan, Local Economic Benefit for Low-and Very Low-Income Persons Plan, Equal Employment and Procurement Plan, Code of Conduct Governing County Employees and Elected Officials, Citizen Participation Plan, Citizens Complaint Procedure, and Residential Anti-Displacement and Relocation Assistance Plan. After brief discussion;

Motion was made by Lloyd Griffin, seconded by Jeff Dixon to approve the Procurement Policy, Optional Relocation Plan, Local Economic Benefit for Low-and Very Low-Income Persons Plan, Equal Employment and Procurement Plan, Code of Conduct Governing County Employees and Elected Officials, Citizen Participation Plan, Citizens Complaint Procedure, and Residential Anti-Displacement and Relocation Assistance Plan for the 2007 CDBG Scattered Site Project. The motion carried unanimously.

8. CONSIDERATION OF CONTRACT FOR PROFESSIONAL SERVICES FOR CDBG SCATTERED SITE PROJECT:

The Board considered a proposed contract for professional services between Pasquotank County and Carolyn Morris for the CDBG Scattered Site Project. The contract outlines the compensation, the scope of services, and the time of performance. The Board agreed at the last meeting to award a contract in the amount of \$50,635 to Carolyn Morris.

Motion was made by Lloyd Griffin, seconded by Matt Wood to approve the contract with Carolyn Morris for professional services for the 2007 CDBG Scattered Site Project. The motion carried unanimously.

9. CONSIDERATION OF REQUEST FROM SPCA REGARDING CHANGES IN THE ANIMAL CONTROL ORDINANCE RELATED TO THE HOLDING OF STRAY CATS:

The Board reviewed a letter from the SPCA requesting a change in the Animal Control Ordinance to decrease the length of time from five days to three days for holding wild animals before they can be euthanized.

Motion was made by Lloyd Griffin, seconded by Jeff Dixon to direct the County Attorney to work with the SPCA to formulate language to be brought back to the Board for possible inclusion in the Animal Control Ordinance regarding the length of time wild animals must be held at the animal shelter.

Discussion followed and Commissioner Lloyd Griffin stated that some of the animals that at first appear to be wild might just be frightened and may calm down after a day or so.

Ms. Candace Dunn, Shelter Manager, explained that the shelter now holds the animals for six days and tries to work with the scared ones and move them to a room away from the other animals to try to calm them down. She said the animals that are seriously injured or sick are put down right away.

Mr. Carl Estus added if this ordinance amendment is approved, it is still the SPCA's intent to hold animals that are deemed adoptable the full five days.

Sheriff Cartwright explained that the current ordinance is not clear as to what is considered a dangerous animal. He said there is also some question as to when an animal is considered a threat to public safety. He noted that animal control officers or staff should be trained and equipped to handle the animals that are brought into the shelter. He also stated that state statute requires that animals be kept a minimum of three days before being euthanized.

The motion carried unanimously.

10. CONSIDERATION OF RESOLUTION AUTHORIZING APPLICATION WITH THE RURAL CENTER FOR A GRANT TO ASSIST IN THE CONSTRUCTION OF THE RO PLANT:

The Board considered the following resolution authorizing an application with the Rural Center for a \$500,000 grant to assist with the construction of the RO plant. Assistant County Manager Rodney Bunch explained that he is working on the application now to submit to the Rural Center by December 17. The resolution will be included in the application.

WHEREAS, In the summer of 2007, the North Carolina General Assembly included a \$100 million appropriation to the North Carolina Rural Economic Development Center in the FY 2007-2009 state budget, for the purpose of making grants to rural communities in need of water and wastewater infrastructure improvements; and

WHEREAS, Pasquotank County has need for and intends to construct a publicly-owned water supply treatment plant and distribution system, project described as Pasquotank County Reverse Osmosis Water Treatment Plant; and

WHEREAS, Pasquotank County intends to request grant assistance from the Supplemental Grants Program for the project; and

NOW THEREFORE BE IT RESOLVED, BY THE BOARD OF COMMISSIONERS OF PASQUOTANK COUNTY:

That Pasquotank County will arrange financing for all remaining costs of the project, if approved for a grant.

That Pasquotank County will provide for efficient operation and maintenance of the project on completion of construction thereof.

That Rodney C. Bunch, Assistant County Manager, and successors so titled, is hereby authorized to execute and file an application on behalf of Pasquotank County with the NCREDC (Rural Center) for a grant to assist in the construction of the project described above.

That Rodney C. Bunch, Assistant County Manager, and successors so titled, is hereby authorized and directed to furnish such information as the Rural Center may request in connection with such application or the project; to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

That Pasquotank County has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the project and to the grants pertaining thereto.

Adopted this the 3rd day of December, 2007 at Pasquotank County, North Carolina.

Motion was made by Lloyd Griffin, seconded by Matt Wood to adopt the resolution authorizing an application with the Rural Center for a grant to assist in the construction of the RO plant. The motion carried unanimously.

11. CONSIDERATION OF RESOLUTION IN SUPPORT OF CONTINUATION OF JUVENILE CRIME PREVENTION COUNCIL FUNDING:

The Board considered the following resolution in support of continuation of Juvenile Crime Prevention Council funding:

WHEREAS, Juvenile Crime Prevention Council (JCPC) funding has been removed from the continuation budget and is now subject to continuation review; and

WHEREAS, the non-recurring status of JCPC funding and subsequent continuation review will result in the loss of Project Uplift Counseling Program, Pasquotank Teen Court, Youth Empowerment Out-of-School Suspension Program and Restitution/Community Service providing diversion and dispositional alternatives at the local level for more than two hundred children each year; and

WHEREAS, the loss of JCPC funding undermines the partnership between county and state government and minimizes the work of the JCPC as required by general statute; and

WHEREAS, a lack of sanction programs and dispositional alternatives in Pasquotank County may result in an increase in expense to the county for detention and other court ordered services;

NOW, THEREFORE, BE IT RESOLVED, that the Pasquotank County Board of Commissioners strongly endorses full reinstatement of funding for Juvenile Crime Prevention Council programs to the continuation budget and the allocation of additional funds to support legislative mandates to protect the community and provide a juvenile justice continuum at the local level.

Motion was made by Matt Wood, seconded by Marshall Stevenson to adopt the proposed resolution in support of continuation of Juvenile Crime Prevention Council funding. The motion carried unanimously.

12. REPORT FROM COUNTY MANAGER:

County Manager Randy Keaton reported that he met with representatives from USDA Rural Development today and discussed possible new opportunities to utilize USDA for funding. He said they discussed the possibility of USDA funding for the airport project and the RO water plant. He said the Water Superintendent will be preparing information regarding water rates for the USDA to look at and determine if the RO project would be eligible for funding. Mr. Keaton stated that he has also been working with the county's bond counsel, the banks, and the investment underwriter to determine the best method of financing the RO project. He said he will soon be meeting with the Local Government Commission to discuss the various options.

13. REPORTS FROM COUNTY COMMISSIONERS:

Commissioner Jeff Dixon stated that since was not able to attend the last meeting, he would like to discuss a request made by the Tourism Board. He said a motion was made by the Tourism Board to request that \$30,000 be allocated--\$10,000 from the county, \$10,000 from the city, and \$10,000 from the Tourism Board to hire an individual to oversee the property acquisitions for the hotel conference center. He stated that state statutes do not allow this type of allocation for a hotel, therefore the Tourism Board will rescind the original motion. He added that the city had applied for \$200,000 from the Tourism Board beginning in the year 2010 and going through 2015 to be used to acquire options for the conference center project. He noted that this will be rescinded as well. The Tourism Board will possibly be requesting a change in the state statute.

Commissioner Lloyd Griffin reported that he has spoken with Mr. Ken Henshaw, Chairman of the Elizabeth City State University Foundation, about the old Elizabeth City Middle School property. County Attorney Mike Cox stated that he and the ECSU Foundation attorney will be

preparing a deed which will have a reversionary clause, and he will include any restrictions the Board would like placed in the deed.

Commissioner Bill Trueblood reported that he attended a meeting with the jail architect and contractors last week and learned a lot. He asked that the Board be kept abreast regarding the decisions that are made.

Chairman Perry noted that the current Albemarle District Jail is becoming a very dangerous place and if the problems with the new jail construction cannot soon be resolved, expenditures will have to be made for repairs at the current jail.

Vice-Chairman Marshall Stevenson stated that the Albemarle RC&D Council will hold its annual banquet at the Vernon James Center this week. He said all Commissioners are invited to attend.

Chairman Perry thanked the Board again for entrusting him as Chairman for another year. He 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 Bill Trueblood, seconded by Jimmie Harris to adjourn the meeting. The motion carried and the meeting was adjourned at 8:15 PM.

CHAIRMAN

CLERK