

**PASQUOTANK COUNTY, NORTH CAROLINA
DECEMBER 7, 2009**

The Pasquotank County Board of Commissioners met today in a regular meeting on Monday, December 7, 2009 in Courtroom C in the Pasquotank County Courthouse.

MEMBERS PRESENT: Marshall H. Stevenson, Jr., Chairman
Lloyd E. Griffin, III, Vice-Chairman
Matt Wood
Bill Trueblood
Cecil Perry
Jeff Dixon
Jimmie Harris (*Arrived at 7:08 PM*)

MEMBERS ABSENT: None

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 Clerk to the Board Karen Jennings. Dr. Matt Thomas, Pastor of Riverside Baptist Church, 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 explained that at the first meeting in December each year, the Board is organized for the following twelve months with the selection of a Chairman and Vice-Chairman. She asked for nominations for Chairman of the Board. Commissioner Bill Trueblood nominated Commissioner Marshall Stevenson as Chairman and the nomination was seconded by Commissioner Lloyd Griffin. Upon a vote of the Board Commissioner Stevenson was elected as Chairman. Chairman Stevenson thanked his fellow Commissioners for the confidence they placed in him by electing him as Chairman for another year. He also thanked his wife for her support and encouragement over the past seven years that he has been on the Board. He said he feels truly blessed to live in a free nation and he is thankful for the daily blessings he is given.

The meeting was turned over to Chairman Stevenson who called for nominations for Vice-Chairman of the Board. Commissioner Trueblood nominated Commissioner Lloyd Griffin as Vice-Chairman of the Board and the nomination was seconded by Commissioner Cecil Perry. Upon a vote of the Board Commissioner Lloyd Griffin was elected as Vice-Chairman.

**2. PUBLIC HEARING ON CONDITIONAL USE PERMIT REQUEST CUP 09-05
BY G&W TOWING TO ALLOW AN AUTOMOBILE TOWING BUSINESS IN
THE I-1 INDUSTRIAL ZONING DISTRICT AT 1202 NORTHSIDE ROAD:**

Chairman Stevenson declared the meeting to be a public hearing on Conditional Use Permit Request CUP 09-05. The Clerk to the Board swore in those who requested to testify in this matter.

Planning Director Shelley Bunch summarized the request. She said this request is for a Conditional Use Permit at 1202 Northside Road. The applicant is G&W Towing which is based in Camden County, and the property owner is Roebuck & Jacobs Development Partnership. The property is zoned I-1 Industrial and there currently is a mini-storage warehouse on the site. G&W Towing is requesting a Conditional Use Permit to allow a towing business to locate in the I-1 district at 1202 Northside Road. Ms. Cox said the applicant is proposing to create a 40 x 40 impound yard for the purpose of storing towed vehicles behind the mini-storage units. The impound yard would be surrounded by a six-foot tall wooden privacy fence. The total property size involved in this request is 2.19 acres and access to the property will be provided along a dirt path from the rear of the property to Northside Road. Ms. Cox stated that although the applicant is not proposing to conduct any repair work of automobiles on this site, this use is most closely associated with automobile repair businesses. She stated that the restrictions for automobile repair businesses in the Zoning Ordinance require screening of any vehicles and staff felt this

was the best fit for what the applicant is proposing to do. She said the Board of Commissioners earlier this year adopted some requirements for automobile repair and towing businesses. Included in the requirements is screening with a six-foot tall opaque fence, and that no wrecked or inoperable vehicles will be stored at the site for more than 120 days at a time. In granting this permit, the Board may impose additional conditions as it sees necessary. Ms. Cox reminded the Board that in issuing or denying a conditional use permit, there are some findings of fact that must be made. These include:

- a. that the use will not materially endanger the public health or safety if located where proposed and approved;
- b. that the use meets all required conditions and specifications;
- c. that the use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity; and
- d. that the location and character of the use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located and in general conformity with the plan of development for Pasquotank County.

Ms. Cox provided pictures of the site as it currently exists and entered the pictures into the record. She said the mini-storage facility has been in place for many years and was a pre-existing use of the property, so a full-blown site plan or technical review have not been required. The storage area for the vehicles is proposed behind the storage facility. Ms. Cox stated that the applicant erected a wooden fence which was damaged in the nor'easter last month so there are portions of the fence that are now in disrepair. She said one of her biggest concerns in visiting the site was that drainage appeared to be a problem in the area. She stated that some sand has been hauled in to create a sand pad and it appears the sand is blocking the drainage from being able to run off of the site resulting in some ponding. She said this would have to be addressed to ensure that future property damage does not occur.

Commissioner Bill Trueblood asked if this site requires any review prior to sand being put on the site. Ms. Cox said it does not. She explained this is not a completely new site that is being developed and no drainage review has been done.

Commissioner Dixon asked if any site preparation, such as grading, is required for a facility like this to prevent water from standing. Ms. Cox responded that there are no restrictions or requirements in the ordinance for a gravel base. She noted that there could however be concerns about getting vehicles in and out with there just being a sand base. She added that she spoke with the applicant today and explained her concerns about the drainage and he indicated that he had started doing a little work out there, but decided to not do anymore work or incur more expenses until the Board had a chance to review the application. She also pointed out that the threshold for technical review is that more than 10% of the site is being added onto, so staff did not require it. She said if the Board however feels this is a situation that warrants technical review, it can require it as a condition of the application or could put the request on hold pending technical review.

Chairman Stevenson recognized those individuals who had requested to address the Board.

Mr. Thomas Chappell of 111 Farm Drive stated that he operates a wrecker business in the area and has for the last 15 years. He said he is here to protest this permit. He stated that there are currently seven towing companies in the community and they feel that they are being imposed upon. He advised that Camden County will not allow wreckers from Pasquotank County to respond to calls in Camden County and he does not think Pasquotank County should allow wreckers from Camden County to impose on Pasquotank County. He said the towing companies feel there are enough wrecker services and impound yards in Pasquotank County. He added that the pictures of the proposed impound yard show that the fence has blown down, and it is in a mud hole because the ground will not accept water. He stated that just across the street from the site are some nice houses and if he lived in one of them he would be here tonight to address the Board.

Mr. Rusty Jacobs of 117 Sunset Avenue, Camden, explained that he is the owner of the property and is here to answer questions from the Board. He stated that the pictures shown by Ms. Cox are deceiving because the area inside the gate is built up quite a bit with no water standing. He

said this is an industrial zone and the proposed facility is a storage facility which is allowed in this zoning classification. He stated that he believes the request should be approved considering G&W Towing can meet the Board's conditions. He said he understands there is a subdivision across the street from the property, however this facility will be located behind mini-storage units, will not be fully visible from the road, and is fenced in. He stated that Mr. Overton, the owner of G&W Towing, wants to expand his business into Pasquotank County and the county should be open to new business. Mr. Jacobs stated that Mr. Overton will do what the Board asks him to do and he hopes the Board will approve the request and allow the business to carry on.

Mr. Namanuel White of 889 Shillington Road stated that he is speaking on behalf of the 125 members of New Ramoth Gilead Missionary Baptist Church. He said the church strictly opposes this facility due to drainage concerns and the eyesore it would cause the church to live with daily. He stated that vehicles stored at the site will drain oil and other debris. He added that the church is anticipating an expansion in the near future which would place it closer to the impound yard.

Mr. Wayman White of 909 Highway 158 stated that he is a member of the New Ramoth Gilead Baptist Church. He said several years ago the county put a wastewater lagoon adjacent to the church which collects wastewater from the prison. He stated in the summertime the odor from the lagoon is so bad they cannot even have services. He said an impound yard next to the church would be an eyesore and he opposes it.

Mr. Gary Overton of Shiloh stated that he owns G&W Towing with his father. He stated that the sand that was put on the site was not an afterthought. He said that no cars will be seen outside the fence and this will only be a short-term storage area, and anything that is there longer than two weeks will be moved to their long-term storage area in Camden County. He stated that he does not have room for long-term storage at the proposed site and the impound area is to meet the requirements of the rotation in Pasquotank County. He said it is not for the repair of cars and is only for short-term storage. He stated that he does not believe that anyone would even know the facility is there because it will be hidden behind trees and the mini-storage facility. Mr. Overton said he has been doing business in Pasquotank County about 14 months and would like to have the opportunity to continue doing business in Pasquotank County. He added that he believes there is room in the rotation for another wrecker company in Pasquotank County because all of the other wrecker companies have at times been unavailable when they were called.

Commissioner Trueblood asked Mr. Overton where his wreckers will be based. Mr. Overton responded that they are parked on the Camden Causeway, however if they need to be based in Pasquotank County he would move a wrecker to Pasquotank County. Commissioner Trueblood said he is trying to see how his business would be advantageous for Pasquotank County. He stated if the vehicles will only be stored at the site, there is no financial gain of having the business in Pasquotank County. He said only if the wreckers were based and licensed in Pasquotank County would there be any revenue generated by this business in Pasquotank County. Mr. Overton said if the request is approved, his plan is to expand with a hook wrecker and base it in Pasquotank County so he can get in the Highway Patrol's rotation in Pasquotank County. He stated that he is leasing office space and is leasing the impound space.

Commissioner Wood noted that the rotation has nothing to do with what the Board is trying to decide, but he asked for some explanation of how the rotation works. County Manager Randy Keaton explained that Central Communications maintains a rotation base. If a wreck occurs and the person does not have a preference for a wrecker, then 911 has to dispatch a wrecker. The various towing companies submit their names to be included on a list for 911 to call in order of rotation. Pasquotank County, Camden County, Elizabeth City, and the Highway Patrol each have different provisions for companies to be included in their rotation. He said this rotation provides a fair way for all of the towing companies to be called when there are wrecks unless the customer has a preference.

Mr. Overton noted that he feels there is room for another wrecker service in Pasquotank County and he does not have the ability to survive without Pasquotank County because Camden County is such a small county.

County Attorney Mike Cox commented that the rule for conditional use permits is that the applicant has the burden to come forward and show the Board that the four standards outlined by the Planning Director have been met. He said if the applicant shows that these standards are met, those opposing the permit have the chance to rebut it. It is then a judgment call for the Board.

He said if the applicant shows that he has met the standards, he is entitled to the permit being issued. If the applicant does not meet all of these standards, then he is not entitled to the conditional use permit.

Commissioner Trueblood asked where along the line the Technical Review Committee should be involved if the Board sees fit that the TRC should be involved. Mr. Cox said the Board could change its Zoning Ordinance at anytime to tailor it to this type of situation. Ms. Cox stated before it would go to TRC an engineered site plan would need to be drawn up showing what will be done on the site and any improvements, grading, and drainage calculations would have to be submitted. She said there would be some time involved from the applicant's standpoint to have that engineered site plan drawn up. She stated from a staff perspective, if a site plan were in hand today, the soonest it could go to TRC would be in January. The site plan must generally be submitted at least two to three weeks prior to the TRC meeting to provide adequate time for everyone on the TRC to review the application.

The Board reviewed each of the four standards. Commissioner Wood said he would like to bring the Board's attention to item c which states, "that the use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity". Commissioner Wood said his concern is that the members of New Ramoth Gilead Church have stated that the church will be injured and the church is an adjoining property owner. He asked if there is a test of injury. He said everyone can agree that this is not a public necessity.

Commissioner Griffin noted that the site is as far away from the church as possible on the parcel and it is behind the storage units, so the impact on the church would be about 500 feet away. The conditions the Board might impose such as improvements to the access road and a tree buffer could protect visibility for the church. Ms. Cox said the Board can impose conditions such as requiring that the area be graveled and that improvements to the drainage be made so that the drainage is not impeded. She stated that the drainage aspect would be very difficult without involving an engineer. Commissioner Griffin added that within reason the Board could make condition statements that would protect the church's concerns, however the Board cannot consider the competition factor. Any conditions would have to be met before the facility could be occupied. Ms. Cox responded that business aspects cannot be considered as part of the decision.

The Board concurred with the first finding that the use will not materially endanger the public health or safety if located where proposed.

The Board discussed the second finding and concurred that a buffer would be needed to protect adjoining properties. Ms. Cox pointed out which property owners were notified of the Conditional Use Permit Request. She said a sign was also posted on the property containing flyers notifying interested parties of the request and advising who to contact for more information. An ad was also placed in the local newspaper.

The Board considered the third finding and felt the use would not be compatible with surrounding land uses because of the church on adjacent property and the residential subdivision across the street which would have a fairly clear view of the impound site. Commissioner Trueblood said he believes this item fails to meet the standards. He noted that the concerns of the 125 church members are very relevant.

The Board considered the fourth finding and agreed that the character of the use would not be in harmony with the area in which it is to be located.

Mr. Overton stated that he doubts the church will even be able to see the impound area. He said the drainage issue will be addressed. He stated they would be willing to plant shrubbery as a buffer. He said the site is pretty well hidden and is not out on the road or in the open. He stated that all vehicles would be behind a six foot wooden fence.

Mr. Steve Hassell, owner of Steve's Auto Repair, explained that he has been in business for 22 years. He stated that he has heard the church members express concerns over the view of the impound area. He said Mr. Overton has stated that the cars would only be there a few days. Mr. Hassell noted that he has cars on his lot that have been there for nine months. He explained that it takes a long process to get rid of junk cars and it is not something that can be done in even 90 days. He stated that wrecked vehicles they pick up sometimes have their gas tanks torn out and the motor and transmission might be busted and oil and gas leak out on the floor or the ground.

He said his facility has concrete and asphalt which can be cleaned up, but he can understand the church's concerns. He added that he feels it would be an unsafe environment for the neighbors and the church.

Ms. Charlene Cartwright of 206 Betty Drive said she is a member of New Ramoth Gilead Baptist Church and is speaking on behalf of the church and some of the property owners who are not here tonight. She asked if the business will depreciate the value of the neighboring property. She said she is not in favor of the conditional use permit.

Ms. Cox said she would like to address the finding of value. She said the issue of value is very difficult to prove without having a professional appraiser or someone with professional experience in determining the value and how it would be affected by a particular use. She stated that the applicant would need to provide an appraisal and the opposing side would need to provide an appraisal proving that the property value will or will not be affected. She said without having a professional appraiser here to testify it would be difficult to prove or disprove.

Mr. Namanuel White stated that the pictures shown are not accurate because this facility would definitely affect the future growth of their church because they anticipate expanding on the property. In doing so, it would place the church less than 100 feet from the site of the proposed impound yard. Mr. White said the church's 100+ members definitely oppose this conditional use permit. Commissioner Griffin asked Mr. White if a tree buffer were placed along the property line to screen the church from visibility whether it would satisfy their concerns. Mr. White said it would not because of concerns with oil and gas and other fluids draining from the wrecked vehicles. He stated that there is also a drainage problem at the site which could cause these fluids to impact the church property.

At the absence of further comments, the public hearing was closed.

Commissioner Wood said he would make a motion to deny Conditional Use Permit Request 09-05 based on the fourth finding which states "that the location and character of the use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located...". Commissioner Wood said there is a substantial community at New Ramoth Gilead Baptist Church that has told the Board they feel it is not in harmony with the surrounding area. He said he has no problem with the location of this business anywhere in Pasquotank County that it is compatible and in harmony with the surrounding area. He stated when neighbors tell the Board they do not want it in this location, the Board has to take heed.

Motion was made by Matt Wood, seconded by Cecil Perry to deny Conditional Use Permit Request 09-05 based on the reason stated above. The motion carried by a six to one margin with Commissioner Griffin voting against the motion.

3. AMENDMENTS TO THE AGENDA:

Chairman Stevenson asked if there were any amendments to the agenda. Commissioner Wood requested that the agenda be amended to add the following items recommended by the Finance Committee to the consent agenda: 1) Approval to fill three vacant positions; and 2) Approval of a change order for the RO project.

Motion was made by Matt Wood, seconded by Lloyd Griffin to add the two items recommended by the Finance Committee to the consent agenda. The motion carried unanimously.

4. UPDATE ON ELIZABETH CITY HOUSING AUTHORITY REQUEST:

The County Manager referred to a letter from the Housing Authority regarding the steps they have taken to guard against future overpayment of contracts. The Housing Authority Board of Commissioners Finance Committee has started meeting monthly to review all expenditures of funds and the Board has adopted a policy stating that all contracts must be reviewed and approved by the Authority's Board of Commissioners. A representative from HUD attended their recent meeting to provide additional guidance on running a more effective authority. The County Manager reported that additionally he read in the newspaper that the Executive Director has resigned. The letter from the Chairman of the Housing Authority clarified the city and county grants being different amounts. The Manager said the money is divided between the city and county based on tax rates. Since the county's tax rate is higher than the city's, the county's amount is higher, therefore the split is different. He said based on the actions the Housing Authority has taken to address the deficiencies, he would recommend approval of the request.

Motion was made by Lloyd Griffin, seconded by Matt Wood to allow the Elizabeth City Housing Authority to use Payment in Lieu of Taxes funds for one year to repay overspent funds to HUD. The motion carried by a five to two margin with Commissioners Stevenson and Trueblood voting against the motion.

5. CONSIDERATION OF LEASE WITH POLICE ATHLETIC LEAGUE:

The Board reviewed a proposed lease with the Police Athletic League for use of a portion of the former Elizabeth City Middle School property. County Manager Randy Keaton provided a map of the proposed lease line. He said PAL made some renovations to the facility as provided under the previously approved short-term lease. Under the proposed lease PAL will pay all utility costs over \$200 which was the basic monthly charge for the whole complex. The term of the lease will be five years. Mr. Keaton advised that a number of groups have already expressed interest in using the facility to host various basketball and volleyball tournaments. These events would help generate revenue for PAL to pay the expenses of running the facility. Chairman Stevenson noted that when DOT met with local officials to discuss the Elizabeth Street and bridge project there was discussion about the possible use of the middle school property for parking for businesses whose employees would be displaced by the project and also for staging of equipment. It was suggested that the lease be revised to include a provision that the county reserves the right to allow staging of equipment and parking on the property during the Elizabeth Street project.

Commissioner Trueblood stated that the County Attorney had sent the Board an email about the possible use of alcohol during ultimate fighting or mixed martial events. These events have previously been held at the National Guard Armory and the organizers want to move it to the old ECMS for a larger venue because they are money-raisers for the PAL program. Beer has traditionally been served at these events. Sheriff Randy Cartwright explained that the Fraternal Order of Police would actually sponsor the events and rent the facility from PAL. Members of the Board expressed that they do not support the use of alcohol on county property. County Attorney Mike Cox advised that the lease as it is currently written does not prohibit the use of alcohol on the property.

Motion was made by Matt Wood, seconded by Bill Trueblood to approve the proposed five-year lease with the Police Athletic League with the addition of a clause prohibiting the sale, use or consumption of alcohol on the leased property, along with a clause that the county reserves the right to allow staging of equipment and parking on the property during the Elizabeth Street project. The motion carried.

6. APPROVAL OF CONSENT AGENDA:

The Board considered the following consent agenda:

a. Approval of Minutes of November 13, November 16 and November 30, 2009 Commissioner Meetings

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

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

Releases:

		County	City
1.	Continuum Care Corporation	30,115.15	24,581.69
2.	Michael Lawrence Christiansen	129.91	
3.	Casp Inc.	3,508.25	3,126.43
4.	Margaret B. Barham	120.00	
5.	John Dana Meacham	163.04	130.42
6.	Jennifer Marie Smith	136.42	

Refunds:

1.	Jeanette L. Wesner	308.25	
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Solid Waste Fees:

	Owner's Name	Parcel ID Number	Reason for Release
1.	Larry & Bonnie T. Hawn	P132A-215	Home for sale since 2007
2.	Nellie Proctor Heirs	P116-11	Not livable

c. Adoption of Resolution Authorizing Removal of Certain Public Record Books Kept by the Register of Deeds for the Purpose of Repair, Restoration and Rebinding

The Register of Deeds Office has requested that the Board adopt the following resolution:

**RESOLUTION AUTHORIZING REMOVAL OF CERTAIN PUBLIC RECORD BOOKS
KEPT BY THE REGISTER OF DEEDS FOR THE PURPOSE OF
REPAIR, RESTORATION AND REBINDING**

WHEREAS, N.C. Gen. Stat. §132-7 provides that books of public records should be copied or repaired, renovated or rebound if worn, mutilated, damaged or difficult to read; and

WHEREAS, there is identified certain books of public records maintained by the Register of Deeds in need of repair, restoration and rebinding; and

WHEREAS, Brown's River Records Preservation Services is under contract to provide repair, restoration and rebinding of those certain books of public records.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS FOR PASQUOTANK COUNTY, NORTH CAROLINA, that:

Section 1. The Register of Deeds is authorized to remove or cause to be removed to the care and custody of Brown's River Records Preservation Services for repair, restoration and rebinding the following books of public records:

Marriage Licenses from January 1920 – December 1921
Marriage Licenses from January 1922 – December 1924
Marriage Licenses from January 1925 – May 1927
Marriage Licenses from June 1927 – December 1929
Marriage Licenses from January 1930 – December 1932
Marriage Licenses from January 1933 – March 1935
Marriage Licenses from April 1935 – December 1936
Marriage Licenses from January 1937 – December 1938
Marriage Licenses from October 1938 – March 1940
Marriage Licenses from April 1940 – January 1941
Marriage Licenses from February 1941 – December 1941
Marriage Licenses from January 1942 – December 1942
Marriage Licenses from January 1943 – January 1944
Marriage Licenses from February 1944 – October 1944

Section 2. The book of public records listed in Section 1 of this resolution may remain in the care and custody of Brown's River Records Preservation Services for the length of time required to repair, restore or rebind it.

Section 3. This resolution is effective upon its adoption.

ADOPTED the 7th day of December, 2009.

d. Declaration of Surplus Vehicles for Sale on Govdeals.com

The Sheriff's Department has requested that the following vehicles be declared surplus so that they can be listed for sale on Govdeals.com:

Make/Model	VIN #
1996 Ford	2FALP1W5TX152971
1992 Chevrolet	1G1BL5370NR137487
2000 Ford	2FAFP71W0YX144975
2001 Ford	2FAFP71W71X128990
1998 Ford	2FAFP71W0WX132323
2001 Ford	2FAFP71W91X128991
1995 Dodge	1B3HD46T9SF680725
2000 Ford	2FAFP71W0YX137430

e. Approval of Requests to Fill Vacant Positions

The Finance Committee has recommended approval of a request from the EMS Department to fill a vacant paramedic position; a request from Central Communications to fill a vacant telecommunicator position; and a request from the Sheriff's Department to fill a vacant Clerk position.

f. Approval of Change Order for RO Project

The Finance Committee has recommended approval of a change order in the amount of \$79,786.89 for the RO project to pay for the cost of extending three-phase power from Dominion North Carolina Power to three of the well sites. The cost would come from the contingency line item.

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

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

Releases:

		County	City
1.	Cleophus Felton	34.68	
2.	Michael Scott Boland	13.87	
3.	Toyota of Elizabeth City	75.94	58.41
4.	Thomas Alan Taylor	29.37	
5.	Randall Hewitt	8.04	
6.	Amy Michelle Franks	33.67	25.90
7.	Stephen Kelley Speer	41.31	
8.	David Boritz	10.42	8.01
9.	Thomas Henry Parker	15.82	
10.	Earmon Dale Horn, Jr.	62.31	
11.	Cardal Properties, LLC	42.36	
12.	Cardal Properties, LLC	13.58	
13.	Cardal Properties, LLC	22.00	
14.	Cardal Properties LLC	27.35	
15.	Charles Anthony Tesso	24.10	
16.	Ryan J. Gann	14.36	16.75
17.	Percy E. Cartwright, Jr.	7.72	
18.	Richard Thomas Forbes	14.30	16.70
19.	Catherine Patterson Clark	15.39	11.84
20.	Melvin Lycurtis Boyce	3.08	2.52
21.	Rhonda Maria Fearing	23.82	
22.	Cindy Carr	93.24	
23.	Crystal Marie Ustick	3.92	
24.	Angela Christine Watson	48.91	37.62
25.	Kimberly Chiewcharn	15.45	11.88
26.	Cardal Properties LLC	34.40	
27.	Dagobert Urban German Ruetten	7.40	
28.	Zack Dennis Robertson, Jr.		14.49
29.	Terry T. Gilbird	38.67	
30.	Robert James Teall III	86.70	71.69
31.	Anne Marie Nuggett	31.47	
32.	Tyrone Smith		8.65
33.	Cynthia Pilkington Burch	13.23	
34.	Mike Senatus	55.05	52.35
35.	Mike Senatus	60.61	51.62
36.	Joan Severs White	40.84	33.42
37.	Ida Hunt Johnson	42.41	32.63
38.	Kyle Taman Hillard	21.67	
39.	Kyle Taman Hillard	63.36	53.74
40.	Herman Ray Meads, Jr.	30.13	

7. REPORT FROM COUNTY MANAGER:

County Manager Randy Keaton reported that he, Fire Coordinator Hugh Tarkenton, and Mr. Barry Lowry from the Weeksville Volunteer Fire Department are going to Raleigh tomorrow to meet with the Department of Insurance about the Weeksville rating change. He said Mr. Tarkenton has reviewed the information provided by the Department of Insurance and found some errors in the state's numbers when they did the second rating for Weeksville. Mr. Keaton stated that the following day he will be staying over for a 911 Study Commission meeting. He added that he also plans to stop by the Stimulus Office to inquire about stimulus funds for water quality issues.

8. REPORT FROM ASSISTANT COUNTY MANAGER:

Assistant County Manager Rodney Bunch reported that the county has received information on a potential grant from the North Carolina Energy Office. He said a request has been submitted for technical assistance which is required prior to submitting an application. A preliminary energy survey and a strategic plan must be developed. An application would be submitted to help with the cost of replacing the HVAC system at Central Elementary School. If the application is successful, the maximum amount the county could receive would be \$200,000.

9. REPORT FROM COUNTY ATTORNEY:

County Attorney Mike Cox reported that he was contacted by Mr. Russell Twiford last week who said he is not going to appeal the Board's decision regarding the valuation of his lots in Pelican Pointe Subdivision to the Property Tax Commission. Mr. Cox stated that Mr. Twiford wanted him to thank the Chairman and the Board for their courtesy in hearing his appeal.

Mr. Cox stated as part of the Tonter Case, the Board denied a variance a couple of years ago requested by Mr. Walton Carter. Mr. Carter sued the county and the case ultimately went to the Supreme Court which has now dismissed the petition.

10. REPORTS FROM COMMISSIONERS:

Commissioner Dixon stated that he is amazed that someone can come into the county and throw some sand down and put up a six foot fence and create an impoundment like the one discussed tonight. He said he would like to see some recommendations come back from staff for more planning related to stormwater and containment of spillage for operations such as this. Commissioner Wood suggested that the Board direct the Planning staff to strengthen the county's regulations relating to automobile impoundment, possibly requiring TRC review and developing other guidelines and rules for fencing, drainage and buffers. The Assistant County Manager responded that he agrees with the Commissioners' concerns, however in this case staff had no knowledge that any of the work at the proposed impoundment site was done and they were caught off guard. He said if the county still had a Code Enforcement Officer, this situation may have been averted.

Commissioner Wood reported that the Albemarle Economic Development Commission will have a meeting Wednesday morning that all County Commissioners have been invited to. The AEDC will discuss a possible project to bring broadband into the community through some stimulus funds.

Vice-Chairman Griffin advised that he has received a letter from the Governor's Office confirming receipt of the county's application to appoint him to the Coastal Resources Commission. He said the application will be kept on file until the appropriate time.

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

Motion was made by Jimmie Harris, seconded by Bill Trueblood to adjourn the meeting. The motion carried and the meeting was adjourned at 8:40 PM.

CHAIRMAN

CLERK