

**PASQUOTANK COUNTY, NORTH CAROLINA  
JANUARY 9, 2012**

The Pasquotank County Board of Commissioners met today in a regular meeting on Monday, January 9, 2012 in Courtroom C in the Pasquotank County Courthouse.

**MEMBERS PRESENT:** Lloyd E. Griffin, III, Chairman  
Jeff Dixon, Vice-Chairman  
Bill Trueblood  
Cecil Perry  
Dr. William R. Sterritt  
Gary G. White  
Joseph S. Winslow, Jr.

**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 Chairman Lloyd Griffin. Chairman Griffin gave the invocation and Miss Adrian Wood, from Ms. Byrum's Civics Class at Northeastern High School, led in the Pledge of Allegiance to the American Flag.

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

Chairman Griffin called on the following county employees to receive pins in recognition of their years of service with Pasquotank County:

<b>Employee</b>	<b>Department</b>	<b>Years of Service</b>
Patrice Stewart	Tax Department	30 years
Janet Sawyer	Social Services Department	25 years
Lauren Mallory	Social Services Department	20 years
Sheri Small	Finance Department	15 years
Larita Boyd	Social Services Department	10 years

The Board congratulated the employees and thanked them for their service.

**2. PUBLIC HEARING ON 2004 ADVANCED CORE LAND USE PLAN AND ADOPTION OF PLAN:**

Chairman Griffin declared the meeting to be a public hearing on the proposed Pasquotank County-Elizabeth City CAMA Advanced Core Land Use Plan. Planning Director Shelley Cox explained that the joint Land Use Plan has been a very long time in being developed and drafted and she is very optimistic that the plan is ready for review by the Coastal Resources Commission. She noted that copies of the plan had been provided to all members of the Board in November. She said since that time some amendments were made to the maps to reflect the Halstead Boulevard Connector area being within the city's planning jurisdiction and the Board had been provided copies of those amended maps. Ms. Cox explained that once the plan is adopted locally, it must be approved by the Coastal Resources Commission which will meet on February 8-9.

Chairman Griffin asked if anyone would care to comment on the proposed Land Use Plan. At the absence of comments, the public hearing was closed.

Motion was made by Bill Trueblood, seconded by Joe Winslow to adopt the following resolution approving the Pasquotank County-Elizabeth City CAMA Advanced Core Land Use Plan as presented. The motion carried unanimously.

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF PASQUOTANK  
COUNTY, NORTH CAROLINA ADOPTING THE PASQUOTANK COUNTY-  
ELIZABETH CITY CAMA ADVANCED CORE LAND USE PLAN**

**WHEREAS**, the Joint Pasquotank County-Elizabeth City CAMA Advanced Core Land Use Plan was financed in part through a grant provided by the North Carolina Coastal Management Program through funds provided by the Coastal Zone Management Act of 1972, as amended, which is administered by the Office of Ocean and Coastal Resource Management, National Oceanic and Atmospheric Administration; and

**WHEREAS**, from January 2003 through December 2009, the County drafted a Land Use Plan with the assistance of its consultant The Wooten Company, Inc. and conducted a series of public workshops and meetings as part of a comprehensive public participation program under the leadership of the Joint CAMA Land Use Plan Committee; and

**WHEREAS**, at a duly advertised Regular Meeting on Monday, January 9, 2012, the Board of Commissioners of Pasquotank County, North Carolina held a public hearing on the draft Joint CAMA Advanced Core Land Use Plan; and

**WHEREAS**, at the Regular Meeting on Monday, January 9, 2012 the Board of Commissioners of Pasquotank County found the policies and Future Land Use Map in the draft CAMA Advanced Core Land Use Plan to be consistent with the County's desired vision for the future and unanimously approved to adopt the draft Joint CAMA Advanced Core Land Use Plan; and

**WHEREAS**, the adopted Plan will be submitted as required by state law to the Elizabeth City/Northeast District Planner for the Division of Coastal Management under the North Carolina Department of Environment and Natural Resources and forwarded to the Coastal Resources Commission; and

**WHEREAS**, a review of the adopted Plan by the Coastal Resources Commission will be scheduled; and

**WHEREAS**, Coastal Resources Commission will then vote on certification of the Pasquotank County-Elizabeth City Land Use Plan; and

**WHEREAS**, a certified Pasquotank County-Elizabeth City CAMA Core Land Use Plan will be forwarded to the Office of Ocean and Coastal Resource Management (OCRM) for federal approval.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of Pasquotank County, North Carolina has unanimously adopted the draft Pasquotank County - Elizabeth City CAMA Advanced Core Land Use Plan; and

**BE IT FURTHER RESOLVED** that the County Manager of Pasquotank County is hereby authorized to submit the adopted Pasquotank County-Elizabeth City CAMA Advanced Core Land Use Plan to the State for certification as described above.

Adopted this 9<sup>th</sup> day of January, 2012.

Discussion followed and Commissioner Cecil Perry stated that he has questions regarding the regulations. He said he has found that the Land Use Plan gives some people abilities that are not afforded to others. He noted that on Foreman-Bundy Road one person who applied for a subdivision approval was denied while a subdivision for another person on Simpson Ditch Road was approved. He said he is trying to figure out the difference. He added that regulations can be very effective for some people, but can be very bad for others.

Commissioner Bill Trueblood advised that the Land Use Plan is a tool and Mr. Perry's concerns would be addressed in the Zoning Ordinance. He stated that what the Board is adopting tonight has no bearing whatsoever on those concerns.

**3. PUBLIC HEARING ON ZONING TEXT AMENDMENT ZTA 11-05 TO ESTABLISH A DEFINITION FOR INTERNET SWEEPSTAKES CAFES IN SECTION 4.02 OF THE ZONING ORDINANCE:**

Chairman Griffin declared the meeting to be a public hearing on Zoning Text Amendment ZTA 11-05 to establish a definition for internet sweepstakes cafes in Section 4.02 of the Zoning Ordinance. Planning Director Shelley Cox explained that this is a follow-up to the zoning regulations adopted in October and defines what an internet sweepstakes café is. She said the definition would prohibit internet sweepstakes cafes as accessory uses and also exempts lotteries held by the State of North Carolina. She stated that the Planning Board voted to recommend approval of the Zoning Text Amendment. County Attorney Mike Cox added that internet sweepstakes cafes were not permitted in Pasquotank County at all prior to October 17, 2011 at which time the Board adopted regulations requiring a conditional use permit in order to operate an internet sweepstakes cafe.

Chairman Griffin asked if anyone from the public would care to comment on the proposed Zoning Text Amendment. At the absence of comments, the public hearing was closed.

Motion was made by Gary White, seconded by Joe Winslow to adopt Zoning Text Amendment ZTA 11-05 as presented. The motion carried unanimously and the following zoning text amendment was approved.

**ZTA 11-05**

*Purpose of proposed amendment is to establish a definition for  
Internet Sweepstakes Café*

**ARTICLE 4  
DEFINITIONS OF TERMS**

**SECTION 4.02 - WORD AND TERM DEFINITIONS**

42. Internet Sweepstakes Café: Any principal business enterprise, where persons utilize electronic machines including, but not limited to, computers and gaming terminals to conduct games of chance (including sweepstakes) and where cash, merchandise or other items of value are redeemed or otherwise distributed, whether or not the value of such distribution is determined by electronic games played or by predetermined odds. This definition includes, but is not limited to, internet sweepstakes, video sweepstakes, electronic gaming operations, internet cafes, and/or cybercafés. Internet sweepstakes cafes shall only be allowed as a principal or primary use and shall not be permitted as an accessory use of combination use. Any lottery approved by the State of North Carolina is not included under this definition.

**4. REQUEST FROM ENCORE THEATRE GROUP TO USE A PORTION OF THE OLD ELIZABETH CITY MIDDLE SCHOOL FOR A THEATRE FACILITY:**

Chairman Griffin called on Mr. Lamar Phillips, representing the Encore Theatre Group, to make a presentation. Mr. Phillips stated that he is Chairperson of Encore's Long Range Planning Committee and would like to make a proposal for revitalization of the available first floor south wing of the old Elizabeth City Middle School including the cafeteria with one small rest room, kitchen, office, principal and secretary offices, teachers' lounge, one rest room, and five classrooms. He explained that it is their vision to renovate the cafeteria and adjoining areas into a 21<sup>st</sup> Century presentation auditorium facility with comfort, code compliance, safety needs, and technical capabilities. Mr. Phillips stated that Encore Theatre is a local 501(c)(3) non-profit organization that has performed live theatrical productions for twenty years and is widely recognized as the best community theatre company in the area. He said Encore is comprised entirely of volunteers and their productions have touched thousands of people in the Albemarle area. He explained that the old cafeteria would be ideal for their productions and they would like to bring it back to life so it can once again become the center of the community. Mr. Phillips stated that they do not want to make any major renovations other than mechanical systems' upgrades and meeting code requirements. He said they want to preserve the character and charm of the school while upgrading the facility to current needs, code compliance and ADA standards. He advised that the renovated facility would be used by Encore to grow audiences of multicultural, mixed income patrons with affordable performances and live performing arts education. He requested that the Board of Commissioners grant Encore Theatre Company a long-term lease for \$1 per year.

Commissioner William Sterritt advised that the Board met earlier today with another group that is interested in using the same area. He stated that what both organizations do in the community is very admirable. He suggested that the Board arrange a meeting with both groups at the facility so each group can show what they would like to do and how they plan to do it. He said this would allow the Board to better determine the best use of the facility. The Board agreed to schedule a work session on February 6 at the site to meet with both groups.

Motion was made by William Sterritt, seconded by Jeff Dixon to schedule a work session on February 6 at the old Elizabeth City Middle School to allow the Encore Theatre Company and the Police Athletic League to show how they would use the facility. The motion carried.

**5. AMENDMENTS TO THE AGENDA:**

Chairman Griffin asked if there were any amendments to the agenda. It was requested that the agenda be amended to add the following items recommended by the Finance Committee: 1) Approval of change orders for RO plant project; 2) Approval of request to move forward to develop specifications and get price estimates for a new fire truck for Nixonton Volunteer Fire Department; 3) Approval for the Sheriff to fill a vacant Deputy position; 4) Approval of the creation of four new EMT positions for the EMS Department; and 5) Approval of recommendations from the Appointments Committee. The County Attorney requested that the agenda be amended to add approval of a resolution and settlement agreement with N.C. Monroe Construction Company for the jail construction project. The Assistant County Manager requested to add to new business approval of a resolution regarding the Knobbs Creek Drainage Study.

Motion was made by Bill Trueblood, seconded by Gary White to amend the agenda to add items 2 thru 5 to the consent agenda; the other items will be considered separately. The motion carried unanimously.

**6. APPROVAL OF CONSENT AGENDA:**

The Board considered the following consent agenda:

a. Approval of Minutes of December 19, 2011 Commissioner Meetings

b. Approval of Tax Releases, 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.	Samuel Butcher	185.01	
2.	Jason Liam Cochrane	136.49	
3.	James Self Crone, III	109.93	89.49
4.	Vimal Kumar S. Patel		204.07
5.	Richard K. Harrell	636.28	405.21
6.	Thomas Engbring	150.04	
7.	Ralph Francis Casimiro, Jr.	124.06	
8.	JE, OE & DW McPherson	288.00	
9.	Cade Whitman Moses	110.35	89.82
10.	Andrew I. & Betty Revie	481.12	
11.	Colter Paul Blackford	178.93	
12.	Melvin R. & Gladys Daniels		135.00
13.	Jeffrey Todd Steward	169.88	
14.	Donald Roy Ekstrom	122.88	
15.	3 N 1	585.90	
16.	3 N 1	2,517.20	1,887.90
17.	3 N 1	2,598.42	1,948.92
18.	William James Torr	181.92	
19.	Foreman's Inc.	372.00	279.00
20.	Foreman's Inc.	409.20	306.90
21.	Foreman's Inc.	513.36	385.02

Refunds:

1.	Russell M. Rumpf, Jr.	236.50	197.63
2.	Russell M. Rumpf, Jr.	257.13	197.63
3.	Russell M. Rumpf, Jr.	248.63	191.25
4.	Russell M. Rumpf, Jr.	233.75	191.25
5.	Bryan Raymond Meek	141.51	
6.	Andrew I. & Betty Revie	426.88	
7.	Andrew I. & Betty Revie	453.96	
8.	Andrew I. & Betty Revie	496.48	

Solid Waste Fees:

Owner's Name	Parcel ID#	Reason for Release
Mary Jo Reid Blake & Billie Anne Reid Winslow	P89-116	House vacant
Domestic & Overseas Investing Co., Inc.	11-G-19	House under construction
Domestic & Overseas Investing Co., Inc.	57-A-301	Not rented
Ronald C. Etheridge	39-F-53	Used for storage
Gracie Meads Heirs	P35-59	Owner is in nursing home

*c. Approval to Develop Specifications for Fire Truck for Nixonton VFD*

The Finance Committee has recommended that the Nixonton Volunteer Fire Department move forward to develop specifications and obtain price estimates for a new fire truck.

*d. Approval for the Sheriff's Department to Fill a Vacant Deputy Position*

The Finance Committee has recommended that the Sheriff be authorized to fill a vacant deputy position.

*e. Approval for EMS Department to Create Four New EMT Positions*

The Finance Committee has recommended approval of a request from the EMS Department to add four new EMT positions to fill a peak demand shift for EMS. The positions would become effective April 1, 2012 at an anticipated cost of \$50,000 through the end of the fiscal year and would be covered by EMS revenues.

*f. Recommendations from Appointments Committee*

The Appointments Committee has recommended that Jimmy F. Bailey be appointed to the Solid Waste Commission to replace Pedro Holley, and that Mark M. Maland be appointed to the Pasquotank-Camden Library Board to replace Blair Jackson who has resigned. These recommendations will be on the next consent agenda for final approval by the Board.

Motion was made by Cecil Perry, seconded by Joe Winslow 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.	Johnnie Lee Webster	10.42	12.81
2.	Johnnie Lee Webster	8.99	11.74
3.	Flora Wilson	35.57	27.34
4.	Dana Marie Brown	36.27	27.20
5.	Delton Wayne Stuck	5.70	
6.	Delton Wayne Stuck	42.53	
7.	Delton Wayne Stuck	13.76	
8.	Jonathan Patrick McCormick	79.61	
9.	Nina Pelrovna Kalenichenko	9.77	7.51
10.	Bobby Carlton Elliott	5.99	
11.	Roger W. Holbrook	33.11	27.58
12.	Roger W. Holbrook	33.33	27.33
13.	Thomas Edmond Reid III	57.29	44.04
14.	Sherrod Lewis	45.51	34.13
15.	Lee Fouts Christensen	87.54	65.66
16.	Charles Andre Gasque	19.36	19.88
17.	Charles Andre Gasque	9.86	12.58
18.	Charles Andre Gasque	3.10	7.33
19.	Charles Andre Gasque	12.52	14.63

20.	Charles Andre Gasque	24.08	23.51
21.	Charles Andre Gasque	20.87	21.04
22.	Charles Andre Gasque	27.89	26.44
23.	John Harvey Eyles	56.05	
24.	Jayesh J. Kineriwala	8.28	6.21
25.	Brian Fredrick Rozos	14.63	10.97
26.	Brian Oneal Thompson	57.90	
27.	Shirley Perry Copeland	16.06	12.04
28.	Michael Anthony Whidbee	67.94	
29.	Andrea Paula Spratley	54.37	40.78
30.	Joshua Ean Felter	6.20	
31.	Brenda L. Copley	34.57	
32.	Larry Cassell Gibson	44.52	
33.	Robert Narraway Powell	22.20	16.65
34.	Williams Scotsman, Inc.	25.91	
35.	Rosa Williams James	10.35	
36.	Penny Arnold Cooper	12.40	
37.	June Robinson Banks	16.59	
38.	Yvonne Ann Tillett	5.96	4.58
39.	Michael Wilson Boykin	39.56	
40.	Michael Wilson Boykin	72.93	
41.	Fredrick Earl Melton	16.68	12.51
42.	Thomas Alan Taylor	7.32	
43.	Curtis J. Olds	11.72	
44.	Tyson Carl Finn	16.74	17.56
45.	Jerome Elridge Galloway	39.62	29.71
46.	Robert G. Brothers, Jr.	56.24	
47.	Dana Nunes Boslau	23.00	17.25
48.	Amy Erving Smith	6.67	
49.	Frances Leslie Brown	8.65	
50.	Vallerie Fleming Commander	9.38	7.21
51.	Jerry Lewis Fairer	21.24	
52.	Glennie Heckstall Harney	6.81	5.23
53.	Leif Sigmund Hodges	64.98	
54.	Donald Oliver Leppert	26.40	
55.	Theresa Bennett Seeley	6.96	
56.	Bryant Lee Stokley	87.24	
57.	Cathy Joann Loff	84.63	
58.	Letitia Yvette Ishman	6.17	4.74
59.	Annie Pulley Mullen	61.35	
60.	Pattie Elliott Smith	11.66	
61.	Lloyd Elsberry Meads	95.64	
62.	Paul Mathew Denten	49.48	
63.	Carl Gilbert Palm	94.92	
64.	Brady Outdoor Equip Inc.	3.03	
65.	Brady Outdoor Equip Inc.	4.54	
66.	Michael Scott Cumberland	6.23	
67.	Nicole Saint Jackson-Heard	28.95	
68.	Tory Lee Kee	46.46	
69.	Ingrid Nielsen Luton	12.34	
70.	Devin Stone	2.36	1.81
71.	New Ramoth Gilead	12.40	
72.	Paul Perry	5.08	
73.	Paul Perry	40.18	
74.	Tereq Tshantre Boyd	66.31	
75.	Zachary L. Hamilton	48.89	
76.	Theresa Marie Heyward	34.04	
77.	Tom Morgan		87.05
78.	Cheryl Perry	7.63	10.72
79.	John Histed	31.99	
80.	John Miles Kishbaugh, Jr.	70.60	
81.	Gloria White Whidbee	3.69	
82.	Maggie Alberta Skinner	4.09	3.07

**7. APPROVAL OF CHANGE ORDERS FOR RO PLANT:**

The Finance Committee has recommended approval of a recommendation from the Water Committee to approve the following change orders with MEB Construction Company for the RO plant totaling \$44,139.06:

Airlines and chemical piping	\$12,310.00
Extension of 24" piping and fittings	\$ 7,844.00
Sheet Pile Wall Support	\$11,000.00
Fiberglass grading support	\$ 5,987.00
Albemarle Electric charges	\$ 6,998.06

Motion was made by Bill Trueblood, seconded by Gary White to approve the five change orders recommended by the Water Committee as presented. The motion carried by a six to one margin with Chairman Griffin voting against the change order.

**8. EXTERNAL COMMUNICATIONS POLICY:**

Chairman Griffin explained that there is some concern among members of the Board regarding the proposed external communications policy.

Motion was made by Gary White, seconded by Cecil Perry to table the proposed External Communications Policy until the next available work session. The motion carried unanimously.

**9. ADOPTION OF RESOLUTION FOR KNOBBS CREEK HYDRAULICS AND HYDROLOGY STUDY:**

Assistant County Manager Rodney Bunch explained that the Board has previously agreed to make application for a Planning Assistance Study to be performed by the U.S. Army Corps of Engineers for Knobbs Creek. He said the Corps of Engineers has approved doing the project and will fund 50% of the cost which is anticipated to be approximately \$70,000. The balance would have to be paid by local government. Mr. Bunch stated that a grant application was made to the Division of Water Resources and he received word last week that they approved paying 50% of the cost for which Pasquotank County and the City of Elizabeth City would be responsible. He advised that the Board needs to approve a resolution to send to the Division of Water Resources after which they will provide the grant award letter to the county.

Motion was made by Bill Trueblood, seconded by Joe Winslow to adopt the following resolution for the Knobbs Creek Hydraulics and Hydrology Study. The motion carried unanimously.

**RESOLUTION FOR CORPS OF ENGINEERS  
KNOBBS CREEK HYDRAULICS AND HYDROLOGY STUDY**

**WHEREAS**, the Pasquotank County Board of Commissioners has entered into an agreement with the U.S. Army Corps of Engineers as the non-federal sponsor of a Planning Assistance Study for a Hydraulics and Hydrology Analysis along the Knobbs Creek corridor in Pasquotank County. The study results will provide preliminary data for making improvements to the Knobbs Creek tributary or elevating homes that suffer flooding in major storm events.

**NOW THEREFORE BE IT RESOLVED THAT:**

- 1) The Board requests the State of North Carolina to provide financial assistance to Pasquotank County for the Knobbs Creek Hydraulics and Hydrology Study in the amount of \$17,500 or 50 percent of the non-federal share, whichever is the lesser amount;
- 2) The Board assumes full obligation for payment of the balance of the non-federal project costs;
- 3) The Board shall return to the State the State's portion of any refund the County may receive from the U.S. Army Corps of Engineers at project completion.

**ADOPTED** by the Pasquotank County Board of Commissioners this 9<sup>th</sup> day of January, 2012.

**10. APPROVAL OF SETTLEMENT WITH N.C. MONROE CONSTRUCTION COMPANY:**

County Attorney Mike Cox advised that the county has been in negotiations with N.C. Monroe Construction Company since roughly October 2010 and seven or eight full day mediation sessions have been held. He explained that the original contract for the jail was for \$16,450,000. Under the proposed settlement agreement the county would pay N.C. Monroe \$2.625 million, \$880,000 of which is owed on the contract balance. Mr. Cox stated that there were numerous disputes during the course of the jail project. By signing the settlement agreement, the county would be released from all claims by Monroe and Travelers Insurance Company. Mr. Cox said he would like to note that the Albemarle District Jail, which includes Camden, Pasquotank and Perquimans Counties, was under pressure to build a new jail because of overcrowding, so this was not a discretionary item. He pointed out that when looking at the percentage of the budget that is being paid, it does go over budget some, but is not astronomical. He stated that since Pasquotank County is a local government entity, it must accept the most responsible bid. Mr. Cox recommended that the Board approve the settlement agreement as drafted by Attorney Jim Schenck and previously provided to the Board.

Motion was made by Gary White, seconded by Jeff Dixon to adopt the following resolution approving a settlement with N.C. Monroe Construction Company. The motion carried unanimously and the following resolution was adopted.

**RESOLUTION APPROVING SETTLEMENT  
WITH NC MONROE CONSTRUCTION COMPANY**

**WHEREAS**, in 2006 Pasquotank County entered into a contract with NC Monroe Construction Company for the construction of the new Albemarle District Jail; and

**WHEREAS**, during the construction of the jail various disputes arose between the parties; and

**WHEREAS**, in an effort to resolve matters between the parties and to avoid the unknown expense and uncertainties associated with litigation, the parties have reached a settlement to resolve all issues.

**NOW THEREFORE**, it is hereby resolved:

1. The County agrees to pay the sum of \$2,625,000 to NC Monroe Construction Company to settle the dispute between the parties.
2. The County hereby ratifies and approves all contract documents and expenditures made pursuant to the contract.
3. County officials including the Chairman, County Manager, County Attorney, Finance Officer, and County Clerk are hereby authorized to execute and ratify any and all documents, contracts, agreements necessary to formalize the resolution between the two parties.

This 9<sup>th</sup> day of January, 2012.

Chairman Griffin advised that he met with the Camden County Commissioners today to discuss Camden County's percentage of the settlement. He said Camden feels that the jail was substantially completed by 2010 and that their percentage of the settlement amount should be 13% rather than 16% which would be their percentage after the 2010 Census. Each of the three counties fund the jail according to their percentage of the population based on the most recent census. The County Manager noted that he will be meeting with the new Camden County Manager later this week and will clarify with him what is included in the settlement amount. It was noted that \$880,000 of the \$2,625,000 settlement is the contract balance and retainage with N.C. Monroe.

Commissioner Bill Trueblood said in all fairness the \$880,000 was incurred while Camden was at 13%. He stated however that in a meeting in September of this year with Attorney Jim

Schenck and Camden, Perquimans, and Pasquotank Commissioners, Camden agreed to a settlement that included the \$880,000 contract balance plus the additional \$1,745,000 settlement. He said since Camden County was part of the settlement, he believes they should pay 16% of the \$1,745,000.

**11. COMMENTS FROM RAYMOND RIVERS:**

Chairman Griffin recognized Mr. Raymond Rivers who said he was under the impression that the Board would be discussing the NAACP's proposed 4-2-1 plan tonight. He asked if it would be discussed. Chairman Griffin informed Mr. Rivers that this issue has been postponed until February since the Board is having only one regular meeting in January. He advised that the County Attorney will notify Keith Rivers once it is on the agenda.

Mr. Rivers also asked when the Board will be discussing a request from members of the Board of Elections to support voter ID. Chairman Griffin stated that a decision has not yet been made as to when this will be discussed.

**12. REPORT FROM COUNTY MANAGER:**

County Manager Randy Keaton reported that Wi-Fi has now been installed in the Courthouse and covers Courtroom C, a portion of Courtroom A, and the back hallways of the Courthouse. He stated that staff was able to install the Wi-Fi inexpensively because an internet cable was already in place. He said he is trying to find out if there is interest from some of the attorneys that use the Courthouse on a regular basis as to whether they would be interested in paying a subscription price to access the Wi-Fi. This would allow the county to recoup its costs. Mr. Keaton added that there will be no ongoing costs. He said the county would probably not allow public access because it could create problems with bandwidth capability.

Mr. Keaton stated that it was reported at the last health insurance meeting that due to a change that has been made in retiree health insurance coverage, the county is saving about \$25,000 per year. Retired employees who are 65 or older are now moved over to a Medicare supplement and Part D coverage rather than remaining on the same coverage as current employees. Mr. Keaton advised that the retiree will still receive basically the same benefit, but at a substantially lower cost to the county.

Mr. Keaton noted that he had sent the Board updated information regarding a possible joint meeting date with the Board of Education. He said the original meeting date that was discussed conflicts with the meeting of the Hospital Board. He stated that the Board of Education has its regular meeting scheduled on January 23 at 6:30 PM and it may be possible to have the joint meeting at 4:30 PM. This meeting would be over in time for the Board to go to the seafood supper at the Weeksville Volunteer Fire Department which is scheduled for 6:30 PM that evening. Commissioner Trueblood asked if the Board has actually decided to meet with the Board of Education and if there will be an agenda. He said his concern is if there is a mission and an agenda that the two boards should meet, but if it will just be for the purpose of questioning the Board of Education, then they probably should not meet. He stated that he is willing to meet with the Board of Education as long as there is an agenda and the Board can be assured that the Board of Education members will be attendance at the meeting. Chairman Griffin stated that he and the County Manager will meet with the Superintendent and School Board Chairman to discuss a proposed agenda for the meeting.

Mr. Keaton advised the Board that he attended the first meeting of the Local and Regional Government Environmental Roundtable in Raleigh last week and he discussed with Todd Miller from the Coastal Federation the fact that it takes such a long time to get land use plans approved for local governments. He said he learned that this is the last cycle of mandatory land use plans and all future land use plan updates will be optional.

**13. REPORTS FROM COMMISSIONERS:**

Commissioner Cecil Perry reported that he received a call from the Justice Department regarding the voter ID issue. He suggested that the Board research the issue before making a decision. Commissioner Trueblood questioned why Commissioner Perry received a call from the Justice Department and he asked if any other members of the Board received such a call. None of the Board members indicated they have received a call. County Attorney Mike Cox explained that the redistricting plan was submitted on November 21 and the Department of Justice should provide a response to the county by January 21. He noted that Commissioner Perry was listed as

a minority contact in the plan submission as was Mr. Keith Rivers. He stated that the other members of the Board were listed as contacts in the plan.

Commissioner William Sterritt reported that the SPCA meets on the first Tuesday of each month. He said they are moving forward with fundraising efforts to renovate the interior of their new facility. He stated that they hope to raise \$200,000 soon and in the meantime they are hosting several events to raise revenues. He added that the SPCA is an outstanding group of volunteers and Kim Parrish has just been re-elected as President. He urged anyone who wants a pet to go to the animal shelter and adopt one.

Chairman Griffin noted that Commissioners have been provided a ticket to the Martin Luther King Community Breakfast which is being organized by Mrs. Margaret Lumsden.

Chairman Griffin requested that staff draft a congratulatory letter to Eagle Scout Nathaniel B. Dungca who will be honored at his Eagle Scout ceremony on January 15.

Chairman Griffin asked if there was any further business to come before the Board in Regular Session. There being no further business, he asked for a motion that the Board enter Closed Session to discuss a personnel matter.

Motion was made by Gary White, seconded by Bill Trueblood 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 Gary White, seconded by Joe Winslow that the Board return to Regular Session. The motion carried unanimously.

Motion was made by Gary White, seconded by Joe Winslow to adjourn the meeting. The motion carried unanimously and the meeting was adjourned at 8:15 PM.

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CHAIRMAN

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CLERK TO THE BOARD

**PASQUOTANK COUNTY, NORTH CAROLINA  
JANUARY 23, 2012**

The Pasquotank County Board of Commissioners met today in a special joint meeting with the Elizabeth City-Pasquotank Board of Education on Monday, January 23, 2012 in the Mental Health Board Room at Edgewood Center.

**MEMBERS PRESENT:** Lloyd E. Griffin, III, Chairman  
Jeff Dixon, Vice-Chairman  
Bill Trueblood  
Cecil Perry  
Dr. William R. Sterritt  
Gary G. White  
Joseph S. Winslow, Jr.

**MEMBERS ABSENT:** None

**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 members of the Board of Education, Superintendent Linwood Williams, and several school staff members. The meeting was called to order at 6:00 PM by Chairman Lloyd Griffin and Board of Education Chairman Mark Small.

Mr. Williams and Mr. Small updated the Board of Commissioners on the HVAC project for Central Elementary School and the roof project for the Northeastern High School gymnasium. Mr. Small stated that the Board of Education feels that now is not the time to begin the work on either project since there is instruction going on at both locations and it would be detrimental to the learning process to have construction going on at the same time. Mr. Williams said the design work is 70% complete and the projects will go out for bids in the near future, possibly in March. He stated that the bids will be awarded with the understanding that the contractors will be in a position to begin work as soon as the school year is over and to complete the work before the beginning of the next school year. He said it is anticipated that the Central HVAC project can be completed for about \$1.4 to \$1.5 million, and the Northeastern gym roof project can be completed for about \$.5 million. The county borrowed \$2 million in QSCB funds to finance these projects. County Manager Randy Keaton said the Board had specified that any leftover funds be used for chillers, boilers, cooling towers, or roof repairs at some of the other schools.

Mr. Small explained to the Board that when maintenance is deferred, it ends up costing more in the long run. Mr. Williams gave an example that at Pasquotank County High School, the track needs to be resurfaced and it will cost \$48,000 to do that. He said at Northeastern High School, the track will have to be replaced at a cost of \$151,000 because of delays in resurfacing the track. He stated that it is easier to maintain them than to replace them.

Mr. Williams provided an update on the new playground at Sheep-Harney Elementary School for the Pre-K program. He stated that phase one of this project has been completed and serves 126 pre-K students. He noted that the children are really enjoying the playground and he showed some pictures of the children on the playground. Ms. Rene Harris, Title 1 Coordinator, explained that the first phase of the playground project cost just under \$100,000 and the source of money for the project was American Recovery and Reinvestment Act funding and federal Title 1 money. She said no local funds were used. She stated that the funds had to be spent by September 30, 2011 or the school system would lose the money. She added that they will be looking for donations to help with the second phase of the playground project. School Board Member Allison Wills explained that federal regulations will not allow pre-K children to play on

regular playground equipment and the schools are required by law to provide them something appropriate for their age range. School Board Member Bill Luton said the option they went with provides an outdoor classroom, so this will not just provide an opportunity for the children to play, it will also provide an opportunity for the children to learn and to grow.

Vice-Chairman Jeff Dixon said there are obviously some other needs at Northeastern High School including replacement of the HVAC system and roof replacement for the remainder of the school. Mr. Williams advised that it is estimated that the roof replacement for the entire school will cost about \$2.5 million and the replacement of the HVAC system will cost about \$6 million. He said after 42 years the HVAC system could go down anytime which would affect 900 students. Vice-Chairman Dixon asked the life expectancy of the school. Mr. Williams advised that Northeastern High School is in good shape and some of the work that is needed could extend the longevity another twenty or more years. He added that the cost to replace the school would be possibly \$50 to \$60 million.

Commissioner Bill Trueblood noted that before spending \$6.9 million on additional repairs at Northeastern High School over the next few years there should be a clear vision for the future. Mr. Small stated that the Board of Education does not anticipate Northeastern High School or Central Elementary School going anywhere, however they are concerned about H.L. Trigg School. Commissioner Trueblood asked the Board of Education's opinion regarding a multi-story school building as opposed to a single story building. Mr. Small responded if the school is for elementary students, it should generally be a single story building, and a multi-story building would be more feasible for middle or high school students. School Board Member Barry Overman noted that state building code does not allow children under the sixth grade on an upper floor.

Commissioner William Sterritt commented that everyone here understands this is a community issue and the county has to be a conduit for spending community funds with the school system being a recipient of the funds to solve a community problem. He said the longer the delay in solving a problem, the greater the problem will be. Commissioner Gary White added that the county has to do the best it can with its limited resources.

Mr. Williams stated that Commissioner Sterritt had requested that he address safety issues with regard to school system vehicles and the safety of students riding on activity buses and school staff riding in aging vehicles. He advised that all of the buses and activity buses are getting very old. He stated that some of the maintenance vehicles are over twenty years old with very high mileage. He said some have been taken out of service and will eventually be sold as surplus. He advised that activity buses cost approximately \$85,000 to replace and the school system used some of its reserve funds to purchase one last year. The Board of Education had requested three activity buses last year, however the county did not fund any. Mr. Small explained that they had to purchase a bus because they could not get children to academic and sporting events without some reliable transportation. Mr. Williams noted that in the last month or so mechanics have had to go out at 1:00 or 2:00 AM to get buses that had broken down on field trips.

Chairman Griffin advised that the School of Government has developed a budget game whereby the various governing bodies can see the scenarios that each governmental entity uses to develop and plan their budgets. He stated that he would like to schedule a time when the School Board, Board of Commissioners and City Council can all meet and participate in this exercise.

Chairman Griffin stated that the Board of Education needs to determine where it will get funds this year to replace stimulus funds that were available last year to maintain teacher positions since those funds have now been exhausted. He advised that the Board of Commissioners is looking for opportunities to save money this year.

Commissioner Sterritt said at a previous meeting the two boards discussed possible joint use of school facilities. He asked the status of this proposal. Mr. Williams responded that a meeting was held with the Parks & Recreation Department, and P.W. Moore School was carved out and made available for use by the community. He said to their surprise only about ten children used that facility during the entire time it was scheduled for community use. Commissioner Trueblood asked what the opportunities are for the public to use the track at Northeastern High

School. Mr. Williams said the tract is left open and is available for the public to use at any time. Commissioner Trueblood stated that he would like to go on record as being an advocate for public facilities at schools to be made available for the public to use. He said the people paid their tax dollars to build the school facilities and he believes they should be available for the public to use. Commissioner Sterritt noted that he would like to compliment Elizabeth City State University on the openness of their track for use by the public. He stated that hundreds of people walk that track each week for exercise.

Chairman Griffin stated that the Police Athletic League has become pretty aggressive with football, basketball, volleyball, and boxing, and they are requesting additional space at the old middle school for more activities. He said additionally the Parks & Recreation Department has booked all of the baseball fields at South Park this summer as well as the soccer fields at River Road. He stated that all of the fields are full so the overflow will have to come through the school system.

Commissioner Trueblood said he would like to promote the Elizabeth City-Pasquotank County Parks & Recreation Department. He stated that the parks at South Park and River Road are top of the line. He said there are plenty of opportunities for kids to participate in organized sports. He noted that Little League baseball will be played in Pasquotank County this year and children will not have to go to Camden County to play baseball. He stated that information regarding baseball signups will be circulated in the school system by the Parks & Recreation Department.

Commissioner Cecil Perry asked if the school system has technology that will allow parents to monitor their children's progress in the system. School Board members said this is not available system-wide, however the school system is working on it and this will be a challenge for their next IT Director. Commissioner Perry stated that this is available in the schools his grandchildren attend in Tennessee and provides their parents an opportunity to look each day at the assignments and see what has and has not been done.

Chairman Griffin asked Mr. Williams to discuss the impact of the shortfall in Title 1 funds on the upcoming budget. Mr. Williams explained that JobReady funds are saved and rolled over from one year to the next. He said for a couple of years they used stimulus funds and last year there were \$1.3 million in JobReady stimulus funds which helped the school system employ people this year. He stated that fiscal year 2012-13 will be much different unless stimulus funds or another source of funds become available to help cover those positions. He said 85% of the school budget is spent on personnel and they are having concerns regarding how to fill the \$1.3 million hole. He stated that speculation is that their state and federal funds will be cut, but they have not yet received any official word.

Commissioner Gary White asked if the school system has recently given its teachers a \$1,500 supplement. Mr. Williams said the school system does give its teachers an annual supplement which helps to retain and recruit teachers. Ms. Harris explained that the teachers at P.W. Moore School were recently given funds from the state for meeting increased ABC standards.

Commissioner Trueblood noted that last year Mr. Williams said he anticipated that 20 to 30 staff positions would have to be turned away in 2012-13 due to the loss of the stimulus funds. He advised that he does not see that Pasquotank County will be able to provide any more funds this year than it did last year. He said this loss of positions will be devastating to the school system and he hopes the Board of Education is developing a plan to address this situation.

Chairman Trueblood asked where education is going in Pasquotank County. Mr. Williams assured the Board that education is going in the right direction. He said it has taken awhile to carve out a mission and a direction, but he believes they have a focus on engaging students, on early reading, on math, and their test scores will reflect that they are making progress. Commissioner Trueblood asked if the students who need to be challenged are being challenged. Mr. Williams said they are moving the bar for expectations in every school and training is going on for teachers because they believe kids will benefit from great teachers with proper training. He added that the Elizabeth City-Pasquotank Public School System has received district accreditation.

At the absence of further business, the meeting was adjourned at 6:10 PM.

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CHAIRMAN

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CLERK TO THE BOARD