

**PASQUOTANK COUNTY, NORTH CAROLINA
FEBRUARY 15, 2016**

The Pasquotank County Board of Commissioners met today in a regular meeting on Monday, February 15, 2016 in Courtroom C in the Pasquotank County Courthouse.

MEMBERS PRESENT: Joseph S. Winslow, Jr., Chairman
Cecil Perry, Vice-Chairman
Jeff Dixon
Lloyd E. Griffin, III
Dr. William R. Sterritt
Frankie Meads
Bettie J. Parker

MEMBERS ABSENT: None

OTHERS PRESENT: Rodney Bunch, County Manager
R. Michael Cox, County Attorney
Lynn Scott, Clerk to the Board

The meeting was called to order at 7:00 PM by Chairman Joseph Winslow. Commissioner Lloyd Griffin gave the invocation and Commissioner William Sterritt led in the Pledge of Allegiance to the American Flag.

1. AMENDMENTS TO THE AGENDA:

Chairman Winslow 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 to the consent agenda: 1) Approval of agreement to delay health insurance coverage for retired county employee; 2) Approval to re-designate ECPPS funds; 3) Approval to allow Finance Officer or County Manager to approve transfers of \$5,000 or less between approved ECPPS capital projects; and 4) Approval of Amendment to Employment Agreement with County Manager. It was also requested that the agenda be amended to add the following item to new business: 5) Approval to hire an attorney and seek intervention in the Owens and Badawi vs NC Department of Environmental Quality lawsuit.

Motion was made by Cecil Perry, seconded by Jeff Dixon to add items #1, #2, #3, and #4 above to the consent agenda and to add item #5 to new business. The motion carried unanimously.

2. COMMENTS FROM ECSU CHANCELLOR THOMAS CONWAY:

Chairman Winslow recognized Chancellor Thomas Conway. Chancellor Conway said he has been making his way around the surrounding counties since coming on board at Elizabeth City State University and making it clear that the university's intent is to be a good and active neighbor. He stated that the university wants to fulfill its role as part of the economic engine in this area. The university was founded in 1881 as part of an effort to do economic development in the northeast region of North Carolina and in 2016 they still hold true to that mission. He said they intend to elevate their efforts in this mission, by meeting with county commissions, mayors, and economic development officers trying to understand what the area's needs are. He wants the university to be in sync with the area's needs and communication is very important.

Chancellor Conway stated that it is a very exciting time at Elizabeth City State University and in Pasquotank County. A lot of great ideas have been proffered, which he thinks they can give legs to. He said if there is anything that the university can do to help the Board they stand ready to do so.

Commissioner Griffin asked if any of the ideas that came from the community forums held this past fall will be continued and expanded. Chancellor Conway said throwing away hard work and effort that has been put in, will demoralize and not encourage. He said members of the university community worked hard to come up with some of the ideas for new programs and for the branding scheme. He stated that the "E" will stay and they will talk about what it means and how it will be used. He said he wants to make sure that the most needed set of programs are initiated first.

Commissioner Parker informed Chancellor Conway that she is a 1971 graduate of ECSU. She assured him that she will assist him in any way she can.

Chancellor Conway said bad things have overshadowed good things at the university. He said in all his years of working in the university system he has never had the privilege of working with such a hardworking and talented group of people as he has at ECSU. He said they are not looking for survival; they are looking for acceleration of excellence.

Commissioner Perry welcomed Chancellor Conway and said we are very happy to have him and he is looking forward to future communications. Chancellor Conway said he has been told that in the past ECSU was lacks in inviting commissioners to some of their activities on campus and he intends on fixing that.

Commissioner Sterritt said he is very pleased with the comments Chancellor Conway has made and he hopes the university leans towards an emphasis on humanities. Chancellor Conway noted he is “not a STEM person, he is a steam person”. He said he believes arts and humanities should be inserted in the context. He said this area deserves a comprehensive university that meets the needs of all its’ people. He noted that they are not leaning away from science and technology, but they do want to emphasize the fact that we need to know why we do things and be willing to ask questions about whether we should do things because those kinds of questions are associated with understanding arts and humanities and what it means to be human. Therefore he said they do intend to push that agenda.

Commissioner Meads said we are very glad to have Chancellor Conway here and he is excited to see the university do some great things.

Commissioner Dixon reminded Chancellor Conway that the university has a seat on many of our county and city committees and he hopes he pushes the effort to have someone from the university attend economic development meetings, Chamber of Commerce meetings, tourism meetings, etc.

Chairman Winslow said he met with Chancellor Conway this morning, along with Manager Bunch and it was very informative. He said he looks forward to working with him and he is excited about ECSU reaching its potential. He thanked Chancellor Conway for doing all he can for the people of this area.

Chancellor Conway said he has a meeting scheduled with the superintendent of ECPPS, the president of COA, and president of MACU. He said he would like to begin a conversation with them about how we can collaborate as the educational system in the area. He said he does not know of an economic development anywhere in this country that has been successful that did not have a parallel increase in the caliber of the educational systems that were part of the region. It simply must happen if it is going to be sustainable. He believes if we all come together and talk about where we can collaborate, where we will compete, and talk about the things that we need in this area we can do great things.

Chairman Winslow said if there is anything the Board can do, please let us know. Chancellor Conway reminded the Board that NC Connect Bond is an infusion of dollars into the county and local region.

3. APPROVAL OF APPOINTMENTS TO BOARD AND COMMITTEES:

The Board considered the following recommendations made by the Appointments Committee at the last meeting for appointments to boards and committees:

- 1) Glover Shannon to the Board of Zoning Adjustment
- 2) Jo Ann Austin to the Albemarle Commission
- 3) Lauren Turner to the Aging Advisory Council

Commission Griffin, Chairman of the Appointments Committee, asked if there were any further nominations for any of these committees. There being none;

Motion was made by Lloyd Griffin, seconded by Jeff Dixon to approve the appointments to boards and committees as recommended above. The motion carried unanimously.

4. APPROVAL OF CONSENT AGENDA:

The Board considered the following consent agenda:

a. Approval of Minutes of February 1, 2016 Commissioner Meeting

b. Approval of Tax Releases and Refunds

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

Tax Releases

		County	City
1.	City of Elizabeth City		144.00

Tax Refunds

		County	City
1.	William Davis Packan	100.84	
2.	Frankie Payne Self		116.04

Solid Waste Fee Releases

	OWNER'S NAME	PARCEL ID #	REASON FOR RELEASE
1.	Myrtle Best	P35-50	Vacant
2.	Harold S. & Ann Chambers	P35-56	Vacant
3.	Mary Foskey	61-A-13 thru 16	Vacant
4.	Mary Foskey	29-C-17	Vacant
5.	Mary Foskey	5-A-2	Vacant
6.	Eudora Harvey	P122A-70	Vacant
7.	Eudora Harvey	26-A-49	Vacant
8.	Eudora Harvey	26-A-19	Vacant
9.	Willie Elnora Hoskins	P63-50	Vacant
10.	John T. Long Jr.	P93-23	Vacant
11.	Terry Meads	P6-21A	Vacant
12.	William Alvin Norfleet	P120-179	Vacant
13.	Donald & Linda Perry	P119-114	Vacant

Solid Waste Fee Refunds

	OWNER'S NAME	PARCEL ID #	REASON FOR RELEASE
1.	Carris C. Dance	P122A-150	Uninhabitable

c. Approval of Agreement to Delay Health Insurance Coverage

The Finance Committee has recommended approval of an agreement to delay health insurance coverage for retired county employee Randy Keaton. Mr. Keaton agreed to relieve the county of providing health insurance coverage while employed with his current employer.

d. Approval of Transfer of \$1,687 from Sheep Harney Tuck Point Project to the 120 Ton Chiller Replacement Project

The Finance Committee has recommended approval of a request from the Elizabeth City Pasquotank County Public Schools to transfer \$1,687 from the Sheep Harney Tuck Point Project to the 120 ton Chiller Replacement Project at Northeastern High School.

e. Approval of Request to Allow Finance Officer or County Manager to Approve School Capital Project Transfers of \$5,000 or Less

The Finance Committee has recommended approval of the request by staff to allow either the Finance Officer or the County Manager to approve transfers of \$5,000 or less between approved Elizabeth City Pasquotank Public School capital projects. Transfers approved by staff will be reported to the Finance Committee at the next scheduled meeting.

f. Approval of Amendment to Employment Agreement with County Manager

The Finance Committee has recommended approval of the Amendment to the Employment Agreement with County Manager Rodney Bunch to extend his employment agreement to March 1, 2018, with an annual salary of \$125,000.

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

5. APPROVAL OF RESOLUTION ADOPTING THE ALBEMARLE REGIONAL HAZARD MITIGATION PLAN

Emergency Management Coordinator Christy Saunders stated that a Public Hearing was held on February 4, 2016 to present the updated Multi-Jurisdictional Hazard Mitigation Plan to Pasquotank County, the City of Elizabeth City and Camden County. She said the original Hazard Mitigation Plan was written in 2005 and it was for three jurisdictions. The current plan will incorporate eight counties and seventeen municipalities. She said the plan must be approved by FEMA and the State in order to receive funding for any mitigation grants or to get reimbursements when there are disasters.

Motion was made by Lloyd Griffin, seconded by Bettie Parker to approve the following resolution adopting the Albemarle Regional Hazard Mitigation Plan: The motion carried unanimously.

RESOLUTION (2016-06) ADOPTING THE ALBEMARLE REGIONAL HAZARD MITIGATION PLAN UPDATE

WHEREAS, the citizens and property within Pasquotank County are subject to the effects of natural hazards and man-made hazard events that pose threats to lives and cause damages to property, and with the knowledge and experience that certain areas, i.e., flood hazard areas, are particularly susceptible to flood hazard events; and

WHEREAS, Pasquotank County desires to seek ways to mitigate situations that may aggravate such circumstances; and

WHEREAS, the Legislature of the State of North Carolina has in Part 6, Article 21 of Chapter 143; Parts 3, and 4 of Article 18 of Chapter 153 A; and Article 6 of Chapter 153A of the North Carolina General Statutes, has delegated to local governmental units the responsibility to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry; and

WHEREAS, the Legislature of the State of North Carolina, in Article 1 of Chapter 166A of the North Carolina General Statutes (adopted in Session Law 2001-214 --- Senate Bill 300 effective July 1, 2001), has stated in Item 6.01(b) (2) "For a state of disaster proclaimed pursuant to G.S. 166A-6(a) after August 1, 2002, the eligible entity shall have a hazard mitigation plan approved pursuant to the Stafford Act;" and

WHEREAS, it is the intent of the Board of Commissioners of Pasquotank County to fulfill this obligation in order that Pasquotank County will be eligible for federal and state assistance in the event that a state of disaster is declared for a hazard event affecting the County; and

WHEREAS, Section 322 of the Federal Disaster Mitigation Act of 2000 states that local governments must develop an All-Hazards Mitigation Plan and update it every five years in order to receive future Hazard Mitigation Grant Program Funds; and

NOW, THEREFORE, be it resolved that the Board of Commissioners of Pasquotank County hereby:

1. Adopts the Albemarle Regional Hazard Mitigation Plan; and

2. Vests the Emergency Management Coordinator with the responsibility, authority, and the means to:
 - a) Inform all concerned parties of this action.
 - b) Cooperate with Federal, State and local agencies and private firms which undertake to study, survey, map, and identify floodplain or flood-related erosion areas, and cooperate with neighboring communities with respect to management of adjoining floodplain and/or flood-related erosion areas in order to prevent aggravation of existing hazards.
3. Appoints the Emergency Management Coordinator to assure that the Hazard Mitigation Plan is review annually and in greater detail at least once every five years.
4. Agrees to take such other official action as may be reasonably necessary to carry out the strategies outlined within the 2015 Albemarle Regional Hazard Mitigation Plan.

Adopted this 15th day of February, 2016.

Commissioner Dixon said it has been brought to his attention that only one gas station in Pasquotank County is equipped with a generator in the event of a disaster. The Board voiced their concerns regarding this. Mrs. Saunders noted that the county does own generators that could be designated for this use. She said issues such as this are identified in the Hazard Mitigation Plan.

6. APPROVAL OF RECORDS RETENTION AND DISPOSITION SCHEDULES AND INTERNAL POLICIES

Periodically the county will approve a records retention and disposition schedule as prepared by the North Carolina Division of Cultural Resources/Division of Archives and Records. In the past, the Board has approved the County Management Schedule, as well as the Sheriff's Office Schedule. Attorney Cox is requesting approval of the following: The new Sheriff's Office Schedule (issued November 15, 2015), The Register of Deeds Schedule (issued October 12, 2012), The Tax Office Schedule (issued April 7, 2013), The Internal County Management Policy, The Internal Register of Deeds Policy, and The Internal Tax Office Policy.

Motion was made by Lloyd Griffin, seconded by Jeff Dixon to approve the records retention and disposition schedules and internal policies, as mentioned above. The motion carried unanimously.

7. CONSIDERATION TO HIRE AN ATTORNEY AND SEEK INTERVENTION IN THE OWENS AND BADAWI VS NC DEPARTMENT OF ENVIRONMENTAL QUALITY MATTER

Motion was made by Jeff Dixon, seconded by Cecil Perry that the Board hire an attorney and seek intervention in the Owens & Badawi vs the N.C. Department of Environmental Quality matter. The motion carried by a five to two vote, with Commissioners Griffin and Meads voting against the motion.

Commissioner Meads said he refuses to have the county enter into a lawsuit when we have nothing to do with what is being done. He stated that we are not the contractor and we have only agreed to allow Iberdrola to build a wind farm. He said they want us to become part of a lawsuit with DENR because there are questions about permits. He said if he knew the "end of the story" of what it will cost it would be a lot easier for him to go along with it, but we have no idea what it is going to cost. Since he has been on the Board, he said we have spent several hundred thousand dollars on attorneys and we have been the loser in almost every single case. He does not see any benefit of Pasquotank County being partial to a private enterprise in a lawsuit. He said some of the landowners will benefit and some of the businesses will benefit, but we have a population of 40,000 people in Pasquotank County. He asked why we would want to put those taxpayers under another lawsuit.

Commissioner Griffin stated that he cannot support the use of taxpayer funds for this project, because it is a matter between the landowners and the N.C. Department of Environmental Quality. He said the Pasquotank County Board of Commissioners has put in place and given the wind turbine project a conditional use permit to conduct their business. He said we have also given them an economic incentive development grant agreement to the tune of over \$750,000, which Pasquotank County's share of the taxes and revenues over this period will be \$250,000, so we have given them over $\frac{3}{4}$ of our revenue. He said the number of jobs being created over the eighteen months is accurate, but they are short term jobs. He stated that there will be 10-15 fulltime jobs. He agrees that we need those jobs, but there are other activities moving through our community that will be creating two to three times as many jobs. He said this is all contrary because when we asked for their support, they did not give us any. When permits were being offered through DWQ we did not have any say in those issues. They issued the final permit in April and the Board approved a conditional use permit at that time. He said this is a matter between the principles and DWQ. He cannot support using our funds, especially with Perquimans County not participating. He said our attorney estimated the cost being \$3,000 to \$10,000, however we do not know.

Commissioner Griffin noted that Chairman Winslow made a statement earlier today that at some point in time the county could withdraw if things were not going as hoped in the lawsuit. He asked Chairman Winslow what his intent was when he made the statement. Chairman Winslow said he would like to have that option available if for any reason, at any time the County wishes to withdraw. Commissioner Griffin stated that parameters were never set and that concerns him. Attorney Cox stated that the Board has to seek permission of the court to enter this action first of all. Commissioner Griffin asked Attorney Cox to explain what it means to intervene in a case. Attorney Cox stated that he previously provided the Board information about intervening and what it means during a Closed Session. He said the County will become a party to the lawsuit.

Commissioner Meads told Attorney Cox he has a question for him. He said Attorney Cox probably knows more about the laws in North Carolina than anyone on the Board. Attorney Cox said that is a fair statement. Commissioner Meads noted that Attorney Cox's recommendation to the Board at a previous meeting was that we not intervene. Attorney Cox stated that he did give some attorney client recommendations and advice in Closed Session and he cannot waive that advice in Open Session. Commissioner Meads said it was also the first advice of staff that we wanted to keep ourselves separated.

Chairman Winslow said he was at the first meeting and in general we did not have enough information at that time. Since that time, we have been given additional information.

Commissioners Meads stated that we have not heard the end to this story. He said we know how we are going to get in it, but we do not know how we're going to get out.

Commissioner Dixon asked if the Board can move on. He said the vote was passed five to two and if Commissioners Griffin or Meads have further questions they can meet with staff. He said they are trying to confuse the public.

8. REPORTS FROM COUNTY MANAGER:

County Manager Rodney Bunch reported that he, Sheriff Cartwright and Ronnie Barefoot met with Mike Milas of Mission Critical Partners to discuss moving forward with the 800 MHz VIPER system. Mr. Milas is writing up an agreement which we should receive for review by the end of the week.

Mr. Bunch reported that the Albemarle Hospital Authority will be having their annual meeting next week and will be receiving an annual report from Sentara Albemarle Medical Center's President, Coleen Santa Anna. He stated that he spoke with Ms. Santa Anna and she will meet with our Board in the near future. Commissioner Griffin requested both boards meet at the same time.

Commissioner Perry said he heard there have been additional complaints regarding hospital billing. Mr. Bunch stated that he did receive a call, but Chairman Winslow has followed up with the hospital and was told that the policy has changed and the problem has been corrected.

9. REPORTS FROM COMMISSIONERS:

Chairman Winslow presented the following list of committee appointments for 2016 as follows:

INTERNAL COMMITTEES	William Sterritt	Frankie Meads	Cecil Perry	Bettie Parker	Jeff Dixon	Joe Winslow	Lloyd Griffin
Finance Committee	x	x	xx	x	x	x	x
Governance Committee	xx		x			x	
Board Appointments Committee					x	x	xx
Building & Grounds Committee		xx		x			x
Personnel Committee	x	x			xx		
Special Projects Committee			x	x			xx
Stormwater Management Committee	x	x				xx	
Water Committee	xx	x		x			
Solid Waste/Landfill Committee*			xx		x		
Commerce Park Ad Hoc Committee					xx	x	x
xx Chairman							
x Committee Member							

EXTERNAL COMMITTEES	William Sterritt	Frankie Meads	Cecil Perry	Bettie Parker	Jeff Dixon	Joe Winslow	Lloyd Griffin
Airport Authority							x
Albemarle Commission							x
Albemarle Hospital Authority						x	x
Central Communications Advisory Board						x	
COA Board of Trustees						x	
District Jail Commission			x			x	
ECBH (Mental Health)			x				
Economic Development Commission			x		x		x
EC Chamber of Commerce					x		
Elizabeth City Downtown	x						
EMS Board		x			x		
Greenways Committee				x			
Health Board			x				
Highway 17 Association					x		
Intercounty Transit Authority			x				
Joint Recreation Advisory Committee	x						
Local Emergency Planning Committee						x	
Newland Water Management						x	
Pasquotank Library Board (ex officio)				x			
Public Safety Committee						x	
Redevelopment Commission				x			
Region R Workforce Investment Consortium							x
RC&D Council		x					
Rural Planning Organization (RPO)							x
Social Services Board	x						
SPCA Advisory Board		x					
Tourism Development Authority					x		

Commissioner Sterritt reported that he attended the Community Relations Committee meeting last week. He said they are working on revising their bylaws that will be brought before the Board for approval. He also attended the Parks & Recreation Advisory Committee meeting. He said during budget time he would like to meet with staff regarding the walking trail at Fun Junktion, which needs repairs. He also attended the Social Services Board meeting.

Commissioner Perry asked Commissioner Sterritt if as a member of the Community Relations Commission he gets a lot of questions regarding diversity in the community. Commissioner Sterritt said there are questions regarding the lack of African Americans working in the Sheriff's Office. Commissioner Perry said he has been asked questions about the Elections Board not having more African American members. He said he doesn't believe we see the importance of having people represented in different organizations in a community if we are going to have harmony in the community. Whether people are right or wrong when they do things, many times the people that are making judgement may be absolutely right, but many times our presence actually suggests something else. He said he gets an awful lot of calls about what people feel about being mistreated in this community. He said diversity has not been discussed at the Board level because it makes people very uncomfortable to talk about it, but some things need to be talked about because everybody does not see things exactly the same. Many times people keep quiet because they do not want to have confrontations. Commissioner Sterritt said diversity is

certainly a concern of the Community Relations Commission. He asked Commissioner Perry if he would be interested in presenting at a CRC meeting. Commissioner Perry said he would love to.

Commissioner Meads reported that the RC&D met the other night and changed some of their bylaws. He praised RC&D for some of the projects they performed over the past couple years and noted that most of them were paid for through grants. He also attended the Social Services Board meeting.

Commissioner Meads said he is disappointed in the meeting tonight, because Commissioner Dixon didn't think the public needs to be informed since we are spending their money. He said he wants to be open to the public, because he doesn't have anything to hide.

Commissioner Dixon attended the Solid Waste Committee meeting and tour this week. He said even with all the recent rain the facility was in phenomenal condition.

Commissioner Parker attended the ECPPS Strategic Planning Task Force meeting on February 3. Subsequent meetings are scheduled for February 3rd and March 1st. She attended the joint ECPPS Board of Education and the Board of Commissioners meeting on February 9. She also attended the Meet & Greet with the new ECSU chancellor.

Commissioner Griffin reported that the Chamber of Commerce sent out an e-mail today to citizens of the community regarding an online information workshop on service taxes. He asked if there was discussion regarding the ¼ cent tax referendum at the joint meeting with the schools and if so how it was received. Commissioner Parker said it was discussed briefly and several members felt that the public would be receptive to it as long as they know it is helping the schools.

Commissioner Perry reported that he attended the ECSU Chancellor's Meet & Greet. He said the Jail Commission will meet later in the week.

Chairman Winslow thanked Christy Saunders for her presentation this evening and noted that she is known throughout the state for her competency and how she organizes things locally. He said he and Manager Bunch had a nice meeting with Chancellor Conway this morning. He also attended a meeting this morning on Involuntary Commitments.

Chairman Winslow 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 Cecil Perry, seconded by Lloyd Griffin to adjourn the meeting. The motion carried unanimously and the meeting was adjourned at 8:19 PM.

CHAIRMAN

CLERK TO THE BOARD