

**PASQUOTANK COUNTY, NORTH CAROLINA
MARCH 18, 2019**

The Pasquotank County Board of Commissioners met today in a regular meeting on Monday, March 18, 2019 in Courtroom C in the Pasquotank County Courthouse.

MEMBERS PRESENT: Jeff Dixon, Chairman
Lloyd E. Griffin, III, Vice-Chairman
Cecil Perry
Frankie Meads
Charles H. Jordan
Sean Lavin

MEMBERS ABSENT: Barry Overman

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

The meeting was called to order at 6:00 PM by Chairman Dixon. Vice-Chairman Griffin gave the invocation and Commissioner Meads led in the Pledge of Allegiance to the American Flag. Chairman Dixon thanked everyone for coming out tonight. He recognized Councilman Walton and former Councilman Brooks.

1. AMENDMENTS TO THE AGENDA:

Chairman Dixon asked if there were any amendments to the agenda.

Finance Committee Chairman Lloyd Griffin requested that the agenda be amended to add the following items recommended by the Finance Committee today to the Consent Agenda: 1) Approval of contract for project implementation and management services for the Hazard Mitigation Grant Program; 2) Approval of listing agreement and price reduction for Moyock Property; and 3) Approval to withdraw lease offer for old Health Department Building and list for sale.

Commissioner Sean Lavin requested removing Item 7G (Approval of Senior Center Interlocal Agreement) from the Consent Agenda and discussing it as Item 8A under New Business.

Motion was made by Lloyd Griffin, seconded by Cecil Perry to amend the agenda to add Items 1, 2, and 3 above to the Consent Agenda and to remove Item 7G from the Consent Agenda and add to New Business. The motion carried unanimously.

2. COMMENTS FROM GEORGE HAGUE:

Chairman Dixon recognized Mr. George Hague. Mr. Hague said if the City and County purchase the *Daily Advance* building for use as a Senior Center or Convention Center, he would like language in the agreement that states that individuals and/or groups cannot be discriminated against due to their political parties when using the facility.

3. COMMENTS BY JESSIE MORRIS:

Chairman Dixon recognized Dr. Jessie John Morris. Mr. Morris voiced his discontent with transforming the *Daily Advance* building into a new Senior Center, including inadequate parking and the layout of the building. He would like to see a new, one-story facility built on a three acre lot.

4. COMMENTS BY HOLLY AUDETTE:

Chairman Dixon recognized Ms. Holly Audette. Ms. Audette voiced concerns with the current Senior Center being overcrowded, but said she is concerned that the *Daily Advance* building may not be the best location for a new center. She is concerned about the loss of revenue from property taxes. She wonders if this would be the highest and best use of a building on the waterfront. She also has concerns with traffic and parking. She said seniors are afraid to speak up, because they do not want to deter the Board back to square one where nothing is being done. Personally, she would like to see the seniors take over the entire Knobbs Creek facility.

5. PUBLIC HEARING ON WHETHER THE BOARD SHOULD AUTHORIZE THE FILING OF AN APPLICATION FOR APPROVAL OF A FINANCING AGREEMENT:

Chairman Dixon declared the meeting to be a public hearing on whether the Board should approve a proposed installment financing agreement in an amount not to exceed \$1,300,000 to finance the cost of an HVAC replacement at Northside Elementary School. He asked if anyone would care to address the Board regarding the proposed installment financing. At the absence of comments, the public hearing was closed.

Motion was made by Lloyd Griffin, seconded by Cecil Perry to adopt a resolution authorizing the filing of an application with the North Carolina Local Government Commission for approval of the project and the proposed financing contract. The motion carried unanimously and the following resolution was adopted:

RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION FOR APPROVAL OF A FINANCING AGREEMENT AUTHORIZED BY NORTH CAROLINA GENERAL STATUTE 160A-20

WHEREAS, the County of Pasquotank, North Carolina desires to replace the HVAC system at Northside Elementary School (the "Project") to better serve the citizens of Pasquotank County; and

WHEREAS, The County of Pasquotank desires to finance the Project by the use of an installment contract authorized under North Carolina General Statute 160A, Article 3, Section 20; and

WHEREAS, findings of fact by this governing body must be presented to enable the North Carolina Local Government Commission to make its findings of fact set forth in North Carolina General Statute 159, Article 8, Section 151 prior to approval of the proposed contract;

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Pasquotank County, North Carolina, meeting in regular session on the 18 day of March, 2019, make the following findings of fact:

1. The proposed contract is necessary because the current HVAC system at Northside Elementary School is failing and replacement is needed for the welfare of students
2. The proposed contract is preferable to a bond issue for the same purpose because the cost to issue general obligation bonds would be greater.
3. The sums to fall due under the contract are adequate and not excessive for the proposed purpose.
4. The County of Pasquotank's debt management procedures and policies are good because policies are carried out in strict compliance with the law and adequate debt management will continue to be provided as directed by the local Government Commission.
5. There will be no increase in taxes required to raise sums for to fall due under this contract.
6. The County of Pasquotank is not in default in any of its debt service obligations.
7. The attorney for the County of Pasquotank has rendered an opinion that the proposed Project is authorized by law and is a purpose for which public funds may be expended pursuant to the Constitution and laws of North Carolina.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the County Manager is hereby authorized to act on behalf of the County of Pasquotank in filing an application with the North Carolina Local Government Commission for approval of the Project and the proposed financing contract and other actions not inconsistent with this resolution.

6. APPROVAL OF CONSENT AGENDA:

The Board considered the following consent agenda:

a. Approval of Minutes of February 19, February 28, March 1, and March 4, 2019 Commissioner Meetings

b. Approval of Tax Releases and Refunds

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

Tax Refunds

		County	City
1.	Curtis Lee Ownley	163.69	
2.	Jeremy Lee Reed	196.43	167.09

Solid Waste Fee Releases

		Parcel ID #	Reason for Release
1.	Lora Ann & Wayne Barclift	P63-39	Vacant
2.	Bessie Bartell Life Est. & Jerry L. Barclift	P58-K-59	Vacant
3.	Linda Bridgeman Etal	P6-26	Vacant
4.	Melba Bridgeman	P7-16	Vacant
5.	Henry Foskey Jr. Heirs	45-E-4	Vacant
6.	Henry Foskey Heirs	32-A-12	Vacant
7.	Henry Foskey Heirs	10-L-194	Vacant
8.	Mary Foskey	61-A-13 thru 16	Vacant
9.	Mary Foskey	6-D-5	Vacant
10.	Mary Foskey	29-C-17	Vacant
11.	Mary Foskey	5-A-2	Vacant
12.	Lindsey Lee James	28-D-7	Vacant
13.	Captain Medina Dukes Jones	P58-34	Vacant
14.	Capital Medina Dukes Jones	26-H-6	Vacant
15.	Betsy Meads	12-E-6	Vacant
16.	Ronald & Mary M. Morris	39-C-6	Vacant
17.	Lemuel E. White	P110-55	Vacant

c. Approval of Budget Amendments

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

Capital Reserve

Decrease	021.8200.5960.01	Capital Reserve-Unallocated	136,000.00
Increase	021.8200.5960.06	Reserve-Recreation	136,000.00

To transfer funds from Reserve-Unallocated to Reserve-Recreation. This will bring the total Reserve-Recreation to \$150,000.

Weeksville/Nixonton VFD

Decrease	010.6900.5991.00	Contingency	10,000.00
Increase	010.4347.5490.00	Grant Match-Nixonton	5,000.00
Increase	010.4344.5490.00	Grant Match-Weeksville	5,000.00

To transfer funds out of Contingency for the County's 50% match on grants awarded.

d. Approval of Grant Matches for Volunteer Fire Departments

The Finance Committee has recommended approval of 50/50 grant matches for Weeksville and Nixonton VFD in the amount of \$5,000 each.

e. Approval of Request for Occupancy Tax Funds

The Finance Committee has recommended funding for the Highway 17 Association from the Occupancy Tax Fund in the amount of \$1,000 and for US Coast Guard Day in the amount of \$2,500.

f. Approval of Lease Extension with Dr. Neil Denunzio

The Finance Committee has recommended extending the lease of Dr. Neil Denunzio's office located at 333 Winfall Boulevard on a month to month basis, not to exceed February 28, 2021, under the same terms and conditions as the current lease.

g. Approval of Contract for Project Implementation and Management Services for Hazard Mitigation Grant Program

The Finance Committee has recommended the Board award the contract to implement and manage the Hazard Mitigation Grant to Holland Consulting Planner's, Inc.

h. Approval of Listing Agreement and Price Reduction for Moyock Property

The Finance Committee has recommend approval of a new listing agreement with Cindy Mayberry for property the County owns at 104 Lark Drive in Moyock, as well as reducing the sale price of the property from \$400,000 to \$290,000.

i. Approval to Withdraw Lease Offer for Old Health Department Building and List for Sale

The Finance Committee has recommended withdrawing the offer to lease the old health department property to the City and to put it on the market for sale.

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

7. CONSIDERATION OF INTERLOCAL AGREEMENT FOR SENIOR CENTER:

Chairman Dixon noted that at the March 4th Joint City-County Meeting, the Board approved moving forward with the purchase of the *Daily Advance* building as a Senior Center and drafting an Interlocal Agreement with the City of Elizabeth City. Since the item was removed from the Consent Agenda, he said he would like to give each commissioner the opportunity to voice their concerns.

Commissioner Lavin said some concerns have been expressed to him by individuals in the County. Constituents want to make sure that the Board takes their time and considers all options. He said he has heard concerns from fellow commissioners and feels that further discussion needs to take place. He noted that there are a lot of concerns with the parking situation. Additionally, there are concerns about the use of the building in general, and whether the building is the right fit for the Senior Center. He said some individuals are even concerned about entering into agreements with our local partner. He would like to see a more formal plan on how the City plans to address parking. He stated that he fully supports and feels that there is a need for additional space for our Senior Center. Of all the options that have been presented, this was the clear one that stood out as the best option present. However, he has heard from a lot of county residents over the last week and a half and he believes they need their time to weigh in. If it delays the Board being able to make a decision for a couple of weeks, but albeit a better one, that more people can get behind, then he thinks it is time well spent. In the end, he would love to see a more formal business plan, with actual numbers, vetted by both the City and the County Manager and staff. Lastly, he said there is concern about the ownership of the building.

Commissioner Jordan said it was his understanding that additional parking would be available in front of the building on Water Street. County Manager Hammett said there was discussion that eight additional parking spots would be made available. Commissioner Jordan asked if crosswalks can be installed for safety measures.

Commissioner Meads said parking is an issue because of the distance the senior citizens will have to walk. He noted that walking across Water Street can be hazardous because it is one of the busiest streets in Elizabeth City. He feels we may be moving along a little too quickly and suggested the Board table the item until they can study it further. He would like to hear from the senior citizens themselves. He suggested moving the Parks & Recreation out of the current facility, which would allow plenty of room for the senior citizens.

Commissioner Perry said he voted previously for the Board to move forward, because he did not want to be the lone vote against the project. He said he knows the area well and then noted that there is a lot of flooding in that area. He also has concerned with parking. He thinks there are other options available that have not been discussed, and we need to continue discussions.

Commissioner Jordan said from what he has heard tonight and what he has heard from some people in the County, the Board needs to take another look at it and hear from other senior citizens. He would like to discuss other options as well.

Vice-Chairman Griffin asked “what is the time of essence for the agreement?”. County Manager Hammett said he believes there is a 90-day provision in the contract that was signed. Commissioner Griffin noted that Person County just built a new Senior Center for \$3 million for a county that is about the same size as Pasquotank. He said all the concerns that have been voiced are very valid, and the Board should take their time and do their due diligence. He recommended the Board tour the facility prior to their next meeting.

Commissioner Perry asked if both parties can be on the loan. County Manager Hammett stated that only one local government can be on the loan. In terms of the parking, there are 29 spaces behind the building and he was told by the City Manager that they can also designate some parking in the Church Street Lot. He said we will have to look at a possible crosswalk. He noted that both floors of the building would be used as the Senior Center. There would be the potential to use some of the space as rental space after hours. Commissioner Perry asked why we have not looked into building a new facility. He said there are grants available. County Manager Hammett said staff has looked for grants available for Senior Centers, and there really are not any available. The estimate to build a new facility would cost in the range of \$3-4 million.

Chairman Dixon said he has heard comments about relocating the Parks & Recreation Department to the Old Elizabeth City Middle School. He noted that the County has current leases with PAL and the Elizabeth City Boys & Girls Clubs, which take up the whole first floor. Over 300+ children are utilizing that building and another 200 children from PAL are utilizing the gym. He said the upper levels have never been renovated and there are elevator issues. County Manager Hammett stated that the lease is in place for another six years.

Commissioner Lavin said he would like a layout of the parking lot and an estimated renovation budget prior to the walkthrough.

Motion was made by Cecil Perry, seconded by Sean Lavin to delay action on the Senior Center Interlocal Agreement until the Board's questions are answered and the senior citizens have been given the opportunity to voice their opinions. The motion carried unanimously.

8. REPORTS FROM COMMISSIONERS:

Commissioner Jordan gave greetings on behalf of the County at the Founder's Day Program at Elizabeth City State University. He also attended the ECSU Gala. He provided an update from the Trillium meeting.

Vice-Chairman Griffin attended the Economic Development Strategic Plan Community Input meeting last week, as well as a business after hours' event at the Aviation Department at ECSU. He said the aviation program is well underway and they have seen great growth in numbers.

Commissioner Lavin attended the Economic Development Forum. Mr. Christian Lockamy, Economic Development Director spoke and he is excited about his enthusiasm and focus. On Friday, he attended a Board Retreat for the Northeast Workforce Development Board.

Commissioner Meads attended the Albemarle Houndsmens Event. He provided an overview of the recent Code Council meeting he attended.

Commissioner Perry attended the Legacy Program at ECSU, the 5-year Anniversary Event at Sentara Albemarle Medical Center, the Ag Program where scholarships were awarded to students in the community, and the COA Board of Director meeting.

Chairman Dixon said he attended several events mentioned previously. He reminded the Board of the Joint Board of Education and Board of Commissioners meeting scheduled for Tuesday, March 26th at 6:00 PM. He noted that it is time to do the annual performance evaluations for the County Manager and County Attorney.

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

Motion was made by Cecil Perry, seconded by Sean Lavin to adjourn the meeting. The motion carried and the meeting was adjourned at 7:10 PM.

CHAIRMAN

CLERK TO THE BOARD