

**PASQUOTANK COUNTY, NORTH CAROLINA
MARCH 19, 2012**

The Pasquotank County Board of Commissioners met today in a regular meeting on Monday, March 19, 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 led in the Pledge of Allegiance to the American Flag.

1. PRESENTATION OF PROCLAMATION FOR AMERICAN RED CROSS MONTH:

Chairman Griffin called on Mr. William Kruse, Chairman of the Greater Albemarle Chapter of the American Red Cross and Pasquotank County's representative on its Board to Directors, to accept a proclamation for American Red Cross Month. He read and presented the following proclamation to Mr. Kruse.

**PROCLAMATION
AMERICAN RED CROSS MONTH 2012**

WHEREAS, the American Red Cross has touched many lives in Pasquotank County, as well as across the country and around the world; and

WHEREAS, during American Red Cross Month, we thank those who contribute to the mission of the Red Cross, whether through time, money or blood, and we invite others to support the Red Cross in helping people in need down the street, across the country and around the world; and

WHEREAS, the American Red Cross is synonymous with helping people, and has been doing so for more than 130 years. Throughout the past year, the American Red Cross launched hundreds of disaster relief operations in the United States to help people affected by fires, floods, hurricanes and tornadoes. The American Red Cross also supported major international disasters, including the Japan earthquake and tsunami response, while continuing its work on the 2010 Haiti earthquake response and recovery; and

WHEREAS, in Pasquotank County, the Red Cross works tirelessly through its one employee and 65 volunteers to support us when disaster strikes, when someone needs life-saving blood or the comfort of a helping hand. It provides 24-hour support to members of the military, veterans and their families and provides training in CPR, aquatics safety and first aid; and

WHEREAS, for nearly 100 years, United States presidents have called on the American people to support the Red Cross and its humanitarian mission. Our community depends on the American Red Cross and because it is not a government agency, the Red Cross depends on support from the public to continue its humanitarian work. This is especially important in these challenging economic times--which impact the Red Cross and many people in our community and across the nation;

NOW, THEREFORE, the Pasquotank County Board of Commissioners does hereby proclaim March 2012 as American Red Cross Month and encourages all Americans to support this organization and its noble humanitarian mission.

IN WITNESS WHEREOF, I have hereunto set my hand this 19th day of March, in the year of our Lord two thousand twelve.

Mr. Kruse said on behalf of the Greater Albemarle Chapter he would like to express his appreciation to the Board of Commissioners for its support over the past years and for adopting this proclamation. He said the Red Cross will continue to serve the area into the future and looks forward to continuing to work closely with Pasquotank County and all the other counties in the area.

3. 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: 1) Approval of recommendation from the Finance Committee to authorize the Central Communications Department to purchase \$14,033.30 in equipment to enhance communication systems; 2) Recommendation from the Finance Committee to approve change orders for the RO plant project; and 3) Closed Session to preserve the attorney client privilege.

Motion was made by Bill Trueblood, seconded by Joe Winslow to approve the amendments to the agenda as presented and to add the first two items above to the consent agenda and the third item at the end of the meeting. The motion carried unanimously.

4. APPROVAL OF CONSENT AGENDA:

The Board considered the following consent agenda:

- a. Approval of Minutes of February 27 and March 5, 2012 Commissioner Meetings
 - b. Approval of Tax Releases and Solid Waste Fee Releases
- The Finance Committee has recommended approval of the following tax releases and solid waste fee releases:

Releases:

	County	City
1. Vance Meads & Son, Inc.	109.12	81.84
2. Creative Contractors of Carolina	199.05	
3. Creative Contractors of Carolina	203.98	
4. Jeffrey Thomas Melson	102.37	83.68
5. Zachary Lee Hamilton	109.12	
6. Dudley Cecil White	102.52	
7. Walter Neal Brazell, Jr.	125.42	
8. Reagan John Payne	136.21	
9. Alexis Nevada Ashton	111.23	88.42
10. Alexis Nevada Ashton	111.79	88.84

Solid Waste Fees:

OWNER'S NAME	PARCEL ID#	REASON FOR RELEASE
Walter R. & Gertrude Williams	P111-50	Refund - vacant lot

- c. Request from Potato Festival for Funding
The Finance Committee has recommended approval of funding for the Potato Festival from the Occupancy Tax Fund in the amount of \$3,000 for this year's event. An application will have to be submitted to the Tourism Development Authority to allocate the funds from the county's account.

- d. Extension of Grass Mowing Contracts for Upcoming Year
The Finance Committee has recommended approval of a proposal to extend the grass mowing contracts for the 2012-13 fiscal year with the exception of the contract for the Old Elizabeth City

Middle School. The City/County Parks & Recreation Department will mow the old Elizabeth City Middle School site.

e. Selection of Firm to Perform Arbitrage Rebate Calculations
The Finance Committee has recommended approval of a proposal submitted by Bingham Arbitrage Rebate Services, Inc. to perform the arbitrage rebate calculations for financing projects from 2006 and 2007. The estimated fees for the current fiscal year are \$6,500 and will apply to the two financing projects from 2006. The 2007 financing projects will be included in the 2012-13 budget.

f. Consideration of Sale of Ambulance Chassis
The EMS Department has requested approval to move forward with the sale of an ambulance chassis to Northwestern Emergency Vehicles for \$2,000 plus the cost of the required advertising. The chassis was from a 2006 Ford E450, VIN# 1GB6G5CL5B1178139, which is being remounted to a new chassis.

g. Approval of Equipment Purchases from 911 Surcharge Fund
The Finance Committee has recommended that the Board approve the purchase of \$14,033.30 in equipment to enhance the county's communication systems to correct some communication problems in certain areas. The funds would come from unrestricted funds in the E-911 account.

h. Approval of Change Orders for Reverse Osmosis Plant
The Finance Committee has recommended that the Board approve three change orders for the RO plant project. The first is in the amount of \$1,750 to install pipe support brackets for the two-inch bulk chemical tank fill lines. The second is a credit in the amount of \$1,750 for the installation of an ADA approved water cooler which cost less than anticipated. The third change order in the amount of \$1,170 is to add programming in the SCADA system to allow for manual start/stop of the degasifier as well as automatic start/stop. The net amount of all three change orders is an increase of \$2,985.

Motion was made by Gary White, 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.	Walter Neal Brazell, Jr.	7.87	
2.	Nabor Lopez Rivera	13.07	10.04
3.	Reagan John Payne	3.84	
4.	Reagan John Payne	7.63	
5.	Kevin Grant Routten	43.83	
6.	Teresa Monett Land	69.16	51.87
7.	Alonzo Elliot Whidbee	3.51	2.70
8.	Melvona Josephine Griffin	7.26	
9.	Janfana Yoluand James Brown	68.14	
10.	Joseph Ray Hyder, Jr.	15.38	11.53
11.	Lillie Kinney Wilson	16.34	
12.	Jason Murry Waulfe	75.39	
13.	Monica Yvette Gwatney	28.15	
14.	Allison Brown Stallings	26.41	
15.	Shirronda Monique Cobb-White	97.34	73.01
16.	Jayesh Janakrai Kinariwala	25.36	19.02
17.	Jane Lynette Gibbs	57.72	44.36
18.	Jimmy Dee Barr	16.74	
19.	EQ Acquisition 2003 Inc.	21.08	15.81
20.	Brady Eugene Post	45.38	
21.	O'Neal Norfleet	2.96	2.28
22.	Susana DeJesus Gorie	11.19	8.39
23.	Sheila Gail Grant	96.62	
24.	Gwendolyn Nixon Price	5.32	4.09
25.	Michael Thomas Weisz	43.15	32.36

26.	Elbert Franklin Pierce	17.24	
27.	Ashley Holland	61.13	
28.	Bruce Leon Eckenrode II	48.36	36.27
29.	Darin Dale Hooser	71.42	
30.	Darin Dale Hooser	28.09	
31.	Brenda Godfrey Dail	60.92	45.69
32.	Vincent Lamont Beamon	36.58	27.44
33.	Clarence Edward White, Jr.	31.93	23.95
34.	Wesley Robin Fleming	56.73	
35.	Tammy Rae Lockhart	35.22	
36.	Chonita Hopson	18.17	13.62
37.	New Beginning United Fellowship	30.01	28.06
38.	Deborah Ann Banks	4.54	3.49
39.	Robert Earl Lee	6.29	4.84
40.	Daniel Earl Phelps IV		38.53
41.	Anastasis Marcella Perinis	6.57	
42.	William Thomas Powell III	55.24	
43.	Gerald Lee Lewis	16.71	12.53
44.	Selena Marie Rochelle Suber	21.33	
45.	Steven Cole Sawyer	15.50	
46.	Joseph Anontavara	85.91	
47.	Elbert Blount	9.42	7.07
48.	Bryant Lee Stokley	44.18	
49.	Rosalinda Sanchez Garcia	10.20	7.86
50.	Andrew Jacob Kehner	32.30	
51.	Robert Quintax Marangoni	27.16	
52.	Becky Lynn Register	15.13	
53.	Christopher James Roode	88.04	
54.	Mark Thomas Scheid	21.86	
55.	John J. Bush	29.67	
56.	Elizabeth Hayer	26.35	19.76
57.	C. V. Hair Narayan Rao	23.68	17.76
58.	Ronald Madison Leigh		78.80
59.	William Dishawn Whitehurst	3.22	
60.	Laura Christine Farr	56.90	
61.	Nancy Cook Frazier	5.39	
62.	Nancy Cook Frazier	67.49	
63.	Angie Reyes Figureroa	43.65	33.55
64.	Tommy Eugene Hall	24.86	
65.	Masud Hasad Mohammad	15.88	11.91
66.	Richard T. Raymond	35.15	
67.	Richard Tilton Raymond, Jr.	47.93	40.94
68.	Francis Riddick Mercer	48.64	
69.	Jessica Lynn Rich	20.75	15.95
70.	Donald Gene Etheridge	3.04	
71.	Joshua Thomas Copeland	3.26	
72.	Joshua Thomas Copeland	28.27	
73.	Hasseltine Sawyer James	39.37	
74.	Elizabeth Burch Price	7.63	5.72
75.	Johnny Brown Overton, Jr.	21.64	16.23
76.	Judy Sexton Yates	43.52	
77.	Angela Diana Sylvester	16.30	12.53
78.	Angela Diana Sylvester	37.88	28.41
79.	Shaye Alexandra Logan	64.60	53.45
80.	Matthew Kyle Rogers	72.79	
81.	Albert Len Luton	7.38	
82.	Charles Ronald Stuart, Jr.	22.41	16.81
83.	Carroll Lee Smith, Jr.	14.38	
84.	Jared Adam Carter	7.01	

5. AMEN MINISTRIES:

Chairman Griffin asked Commissioner Joe Winslow to update the Board on a recent meeting with representatives from Amen Ministries regarding their proposed use of the old jail as a homeless shelter. Commissioner Winslow reported that he and the County Manager met with Mr. and Mrs. Watts and reviewed and discussed the information they had provided. He said they requested additional information, involving additional financial information including a current Form 990 and who they might have letters of credit with. He said they are waiting for that additional information.

Commissioner William Sterritt commented that the county has been going around and around on this issue for several months and he feels like he has been watching the center ring of a three-ring circus with all that has gone on with this particular subject. He stated that he would like to see the Board take a stand and require that this facility will not be used for any particular purpose unless there is a 100% high caliber sprinkler system in the building. He said if that is done, it will settle this issue. He noted that what Amen Ministries is trying to do is very admirable and the Board respects what they do and would like to see it happen. He said however that the county cannot put itself in a position where it could be subject to a lawsuit if someone in that building gets hurt. He added that indigents can get lawyers as quickly as anyone else.

Chairman Griffin advised Amen Ministries that they received a letter last week pertaining to the fire suppression system for the building and they are aware of the conversations that have been held with the Fire Marshal and the Department of Insurance regarding this requirement for a sprinkler system in order for this facility to serve as a homeless shelter. He stated that the Board cannot bypass the requirements of the Department of Insurance and subject the county to civil liability in the future. He said it is in the hands of Amen Ministries to come back with a formal proposal as to how they plan to overcome the cost of a sprinkler system so that the facility can move forward as a homeless shelter.

6. APPROVAL OF REQUEST FOR MODIFICATION OF NO-PASSING ZONE ON CONSOLIDATED ROAD:

The Board considered a request from DRS Technologies to modify the no-passing zone on Consolidated Road. DRS has advised that the no-passing zone is as close as 110 feet from the crosswalk that DRS employees use when crossing Consolidated Road to and from their parking lot that is located across the street and they are concerned about the safety of their employees. If the Board approves the request, it will be forwarded to the Department of Transportation for consideration.

Motion was made by Jeff Dixon, seconded by Joe Winslow to request the N.C. Department of Transportation to lengthen the no-passing zone on Consolidated Road near the crosswalk that DRS employees use to cross the road to and from their parking lot. The motion carried unanimously.

7. IBERDROLA RENEWABLES CONDITIONAL USE PERMIT:

Iberdrola Renewables has requested a three-year extension of its conditional use permit CUP 11-10 because construction has been delayed until market conditions improve to the point that a power purchase agreement can be secured. Assistant County Manager Rodney Bunch requested that this item be removed from the agenda. He said it will be on the April 16 agenda to allow time to advertise and so the applicant can be in attendance at the meeting.

Motion was made by Bill Trueblood, seconded by Gary White to remove from the agenda and delay until the April 16 meeting consideration of the request from Iberdrola Renewables to extend Conditional Use Permit CUP 11-10. The motion carried unanimously.

8. APPROVAL OF REVISION TO EDC BYLAWS:

The Board considered a request from the Economic Development Commission to approve a revision to their bylaws. The bylaws currently state that one representative on the EDC Board shall be a Pasquotank County representative on the North Carolina's Northeast Partnership Board of Directors. The revision would remove the words "Pasquotank County" and state that the person shall be a representative on the North Carolina's Northeast Partnership Board of Directors. Chairman Griffin noted that there is no longer a Pasquotank County representative on the Northeast Partnership Board. The City Council has already approved the revision.

Motion was made by Jeff Dixon, seconded by Bill Trueblood to approve the revision to the Albemarle Economic Development Commission Bylaws as proposed.

Discussion followed and Commissioner Trueblood asked why Pasquotank County does not have a representative on the Northeast Partnership Board since it is the largest and most populous county in the northeast region and has not had representation on the board in several years. Chairman Griffin responded that those appointments are made in Raleigh.

The motion to approve the bylaws revision carried unanimously.

9. CONSIDERATION OF RESTRUCTURE OF BOARD OF COMMISSIONERS:

The Board considered the 2-2-2-1 plan that was discussed at the Board's retreat. Under the plan the county would be divided into three districts with two Commissioners elected from each district and one elected at-large. Chairman Griffin asked for comments from the Board regarding the proposed plan.

Commissioner Sterritt said it has been suggested by some individuals that the county hold a countywide referendum on the plan which he is absolutely opposed to. He stated that he would suggest having a series of public hearings around the county and allow people to speak on the issue. He said he is not sure that the Board is ready to move forward with a vote on this issue, and he would hate to see a vote take place and result in a negative vote that would end the issue. He asked Commissioner Perry if he wants to move forward with his motion to approve the 2-2-2-1 plan or if he would entertain a motion to have a series of public meetings throughout the county and let people come forward and speak on this issue.

Commissioner Perry stated that everyone needs to understand that the system the county is currently under is very biased. He said in Pasquotank County the minority population is about 40%, however the current system only ensures that one minority will be elected to the Board of Commissioners. He pointed out that in Pasquotank County there has never been outside of Elizabeth City a minority elected official. He said minority members of the Board of Commissioners and Board of Education have always come from within the city limits. He stated that the Board should be more than willing to look at a system that would generate more than one minority elected official. Commissioner Perry said the best way to resolve this question is to let the seven Commissioners decide what they want to do. He stated that he does not think anything will be resolved by asking the same people who vote against minorities to solve this problem. He added if the situation were reversed and there were six black Commissioners and one white one, the courtroom would be full.

Dr. Johnny Houston stated that he would like to commend the Board of Commissioners for agreeing that they do not think the representation is what it should be and that there should be another formula for representation. He said he would like to see the county continuously be progressive and not be divisive. He stated if there is a referendum he knows what the outcome will be and he asked if it would result in a change from what has been done. He said if African Americans make up 40% of the population of the county and only one can be elected to the Board something is wrong with the selection method. He added that research can be done and data can be obtained, but in the final analysis the members of the Board have to decide what they want, whether it is fair, and whether they have the constitution to take the necessary steps for fair representation.

Ms. Holly Koerber said she was deeply offended when Dr. Houston said he has not been represented on the Board. She explained that she does not care about gender and skin color in her elected officials, but cares about their ideas of governing. She said she finds institutional prejudice despicable and does not think it should be allowed. She stated that it is interesting to her that this many decades later, the very people who found it despicable are now allowing the institutions to put in place institutional prejudice. She said this has nothing to do with anything other than what a person looks like and it is regressive. She asked if it was wrong decades ago to institutionalize prejudice on the basis of how a person was born, how someone who fought that battle can ask the Board today to go back to the issue of institutionalizing prejudice. Ms. Koerber said she feels no compulsion today to ask the Board to divide the voting population of this county so that the majority of the population, which is female, is represented on the Board on the basis of their sex alone. She explained that as a woman she has personally experienced

institutional prejudice. She asked the members of the Board to get rid of their personal histories, whatever they may be, and ask themselves what the responsible thing as a governing body is to do. She asked what message the Board would be sending about the community if it declares that the voting districts need to be divided on the basis of how people look. She said it is a despicable conclusion to say that the people in the community will not cast a ballot for a person solely on the basis of how they look. She pointed out that the numbers do not bear this out as Pasquotank County as a whole voted as a majority to support a black man for President. She said it would be regressive and not progressive to suggest that voters in the community would not be willing to cast ballots for a particular candidate because of how they look. She stated that the people of this county are very willing to cast ballots for people on the basis of their political philosophies of governing without regard to how someone looks. She said she does not know of a single person who believes that institutional prejudice should be put back in the governing bodies and the laws. She added that it is not progressive to hear someone suggest that they haven't been represented because their elected representatives look different than they do. She said what she has in common or not in common with people is not about whether they share the same skin color, gender or any other physical characteristic. Ms. Koerber stated that it offends her greatly that any member of the Board would take a vote that would characterize the community as being a community of people who vote for someone on the basis of whether they look the same. She asked that the Board not return the community to a place where it is suggested institutionally that blacks will only vote for blacks or whites will only vote for whites. She said it is simply untrue and has been demonstrated repeatedly that blacks and whites will vote across party lines, across gender lines, and across race lines to support varying candidates. She asked the Board to think about the big picture. She said she takes nothing away from the experiences people have had in their lives that cause them to advocate for a bigger voice, but that voice is not black, is not white and is not based on gender. She added that until society refuses to allow institutional prejudice of any kind back in our society, there is no hope of ever seeing each other on the basis of what is shared in common.

Mr. Keith Rivers stated that he is President of the NAACP in Pasquotank County and a member of the Alliance for Fair Redistricting and Minority Voting Rights. He said a letter dated September 6, 2011 was sent from the Pasquotank Branch of the NAACP to the Pasquotank County Board of Commissioners to make notice of an apparent issue in the current election process for County Commissioners. He explained that the letter stated that the voting patterns in elections for the Pasquotank County Board of Commissioners are characterized by racially polarized voting which means that candidates of choice of African American voters cannot win election to at-large seats for the Board. He said the letter also noted that according to the 2010 Census 37.61% of the total voting age population in Pasquotank County was black or African American, yet African Americans are only able to elect one candidate to a seven member Board. He pointed out that this means 37.61% of the population has a voice in electing only 14.29% of the Board. He explained that the NAACP previously introduced a 4-2-1 plan that gained little support from the Board, however the Board in February agreed to further consider modifications to the structure of the Board of County Commissioners. He said at the February Board Retreat an alternative 2-2-2-1 plan was introduced that consisted of three two-member districts with one seat at-large. Mr. Rivers said Commissioner Perry has met with the NAACP and they have agreed on the 2-2-2-1 concept, however the NAACP does not agree with placing this issue on a referendum for public support. He explained that before signing the Emancipation Proclamation President Abraham Lincoln did not place it on a referendum; before signing the 1965 Voting Rights Act and Civil Rights Act President Lyndon Johnson did not place it on a referendum; and 26 years ago when the Pasquotank County Board of Commissioners changed the election system, they did not place it on a referendum. He said to suggest placing this issue on a referendum is no more than a gesture of hollow mockery. Mr. Rivers stated that the time has come for the Board of Commissioners to stop dodging the issue of progress through reform and to be accountable and show the citizens of Pasquotank County whether the Board stands for progress or for regression. He asked that the Board do the right thing and approve a plan that will allow over 15,000 persons the ability to elect candidates of their choice.

Commissioner Cecil Perry stated that it is not his preference to have six whites on the board and only one black. He said it is shameful that only two minorities have been able to be elected to the Board since 1988. He suggested that the Board request a local act and move forward with the 2-2-2-1 plan. He said the longer the issue is debated, more negative information will come out.

Vice-Chairman Jeff Dixon explained that his problem is that the Board has only been given two options and he believes there are other options out there. He stated that both options have made the black precincts blacker and the white precincts whiter. He said the 2-2-2-1 plan brings the percentages of black voters down to 29% in the northern area of the county and down to 25% in the southern area of the county. He asked if this is fair to African Americans who live outside of the city who may want to run for a County Commissioner seat. Vice-Chairman Dixon said he is in favor of having another minority on the Board, but he needs to see other options that would even things out better. He stated that he is also not in favor of taking a vote away from the voters of Pasquotank County who can now vote for four Commissioners, but would only be able to vote for three County Commissioners under the proposed 2-2-2-1 plan. He added that he does not want to go backward.

Commissioner Perry noted that in Pasquotank County there are four wards with approximately 10,000 people in each ward. He said in each of the wards there is difference of about 7,000 between white and minority populations except in the ward inside the city where the minorities are. He stated that the difference between minorities and whites is much less in the city than in the outside wards. He said this would suggest it would be much harder for a black to be elected outside the city than for a white to be elected inside the city. He explained that the makeup of the Board of Education is three from outside the city, three from inside the city, and one at-large. He noted that the Board of Education has been able to elect two minorities, but they did not come from outside of the city. Commissioner Perry stated that he would appreciate it if the Board can find a way to increase the number of minorities on the Board of Commissioners.

Chairman Griffin stated that his seat is the seat being challenged in the proposed 2-2-2-1 plan. He said the plan will put him in a different district where he could lose his seat. He said Mr. Perry's plan would put him in the northern district where he would have to run against Commissioner Winslow, and a similar 2-2-2-1 plan proposed by the NAACP would put him in a 66% minority district. The County Attorney advised that the Supreme Court has found that zoning someone out of their current district is a valid consideration in re-drawing voter districts. Additionally, the Supreme Court has recognized incumbency protection at least in the limited form of avoiding contests between incumbents as a legitimate goal. Chairman Griffin suggested keeping the current voter districts and changing the method of election so that the Commissioners who run for district seats would all be elected in one election and those running for at-large seats would all be elected in the following election. He stated this might provide a greater chance of a minority being elected. He said he is in favor of continuing to have discussions about how to create another minority seat however he thinks it should be done fairly.

Commissioner Perry said if he were moved to another voting district, it would not bother him if he thought it would be right for the majority of the people in the county. He stated that he does not think any proposal will be satisfactory to everyone, but he believes giving every Commissioner time to complete their current terms would be fair.

Vice-Chairman Dixon stated that this is too important for the Board to make a decision in just a few months because it will have a huge impact.

Commissioner Perry assured the Board that this issue is not going away. He said he feels very uncomfortable with the current arrangement and he will support whatever means are necessary to ensure a change. He asked the Board to help him find a way to change it.

Chairman Griffin said that Commissioner Perry has asked for a vote on the 2-2-2-1 plan tonight and Commissioner Sterritt has recommended community meetings for discussion of the plan. He asked the Board's pleasure.

Motion was made by Cecil Perry, seconded by William Sterritt to support the concept of the 2-2-2-1 plan with any necessary adjustments to the lines being made and details being worked out, and utilizing a local act of the General Assembly rather than a referendum.

The County Attorney noted that there will be some details, such as how terms would be handled, that will have to be worked out before a formal request can be made to the General Assembly.

Discussion followed and Commissioner Trueblood asked if anyone has given consideration to Commissioner Sterritt's recommendation. He also stated that he can only support the 2-2-2-1 plan if it allows the people to vote on the proposal through a local referendum.

The motion to approve the concept of the 2-2-2-1 plan by utilizing a local act failed by a two to five vote with Commissioners Perry and Sterritt voting in favor, and Commissioners Griffin, Dixon Trueblood, Winslow, and White voting against the motion.

Chairman Griffin requested that the County Attorney bring back information to the Board on the proposal for a referendum.

Commissioner Sterritt said in order to give the Board a feel for what the public thinks about this, he would suggest that the Board hold a minimum of four public meetings throughout the county, with staff to make detailed presentations about the proposed plan and what it would mean. He said each member of the Board could make comments, but they would mostly listen to what the public has to say.

Motion was made by William Sterritt, seconded by Joe Winslow that the Board hold a minimum of four public meetings throughout the county on the proposed restructure plan, with staff to make detailed presentations on the plan and what it would mean, and hearing what the public has to say.

Commissioner Trueblood asked if it were eventually decided there would be local legislation what the latest date would be that it has to be submitted to the General Assembly in order to have a 2014 election using any new plan that might be developed. Chairman Griffin said probably the very latest date would be March 2013. County Attorney Mike Cox added that the Federal Consent Order would have to be amended and approved by the county and the NAACP, and approval from the Department of Justice would be required in addition to approval from the General Assembly.

Commissioner Perry added that there is such a thing as a lawsuit for discrimination that could very easily play into all of this and he hopes the county can work something out to avoid a lawsuit.

The motion to hold public meetings on the proposed restructure plan carried unanimously.

Chairman Griffin asked the County Attorney to begin generating information for the public and the County Manager to work on possible dates for public meetings to be held during evening hours.

10. REPORT FROM COUNTY MANAGER:

County Manager Randy Keaton reported that he has provided information to the Board about the rating change for the Weeksville Volunteer Fire Department. He said the press release he received and forwarded to the Board did not have the effective date of the change, however a letter went to the City Fire Marshal which said the rates would be effective August 1, 2012. He explained that he called the Department of Insurance today and was informed that the new rates will be effective July 1, 2012. He said he asked why it will take so long for the new rating to take effect and was advised that the new rating must be published and has to go to the rating bureau which distributes it out to all of the insurance companies.

11. CONTINUATION OF LAND TRANSFER TAX APPEAL:

County Attorney Mike Cox explained that two weeks ago when the Board called for the public hearing on the Land Transfer Tax appeal by Edgar and Traci Mitchell, a public notice was published and he is not sure that the land owners were notified since they are not in attendance at tonight's meeting. He suggested that the appeal be continued until the next meeting.

Motion was made by Joe Winslow, seconded by Cecil Perry to continue the Land Transfer Tax appeal by Edgar and Traci Mitchell until the April 2 meeting. The motion carried unanimously.

12. REPORTS FROM COMMISSIONERS:

Vice-Chairman Dixon asked if the county is represented at the Comprehensive Transportation Plan meetings. Chairman Griffin responded that Assistant County Manager Rodney Bunch, Planning Director Shelley Cox, and he attend the meetings as do representatives from the city along with several other individuals. Mr. Bunch added that the plan is 60% to 70% complete.

Commissioner Winslow reported that as was discussed earlier he met with Amen Ministries and also attended a meeting of the 911 Board since the last meeting.

Commissioner Perry reported that things are still going well at the Jail and their fund balance is still increasing which should have a positive effect on the three counties' budgets.

Chairman Griffin thanked the public for coming tonight. He 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 preserve the attorney client privilege.

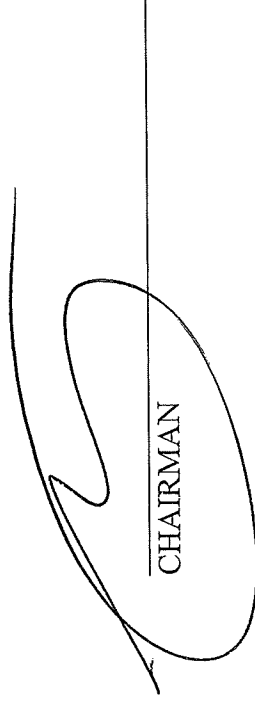
Motion was made by Gary White, seconded by Cecil Perry that the Board enter Closed Session to preserve the attorney client privilege in regard to No. Car Internet Management, LLC v. County of Pasquotank. The motion carried unanimously.

Upon the end of Closed Session;

Motion was made by Jeff Dixon, seconded by Gary White that the Board return to Regular Session. The motion carried unanimously.

Motion was made by Gary White, seconded by Jeff Dixon to adjourn the meeting. The motion carried unanimously and the meeting was adjourned at 8:35 PM.


CLERK TO THE BOARD


CHAIRMAN