

**PASQUOTANK COUNTY, NORTH CAROLINA  
MAY 1, 2017**

The Pasquotank County Board of Commissioners met today in a regular meeting on Monday, May 1, 2017 in Courtroom C in the Pasquotank County Courthouse.

**MEMBERS PRESENT:** Cecil Perry, Chairman  
Dr. William R. Sterritt, Vice-Chairman  
Jeff Dixon  
Lloyd E. Griffin, III  
Joseph S. Winslow, Jr.  
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  
Patrice Stewart, Tax Administrator

The meeting was called to order at 7:00 PM by Chairman Cecil Perry. Commissioner Bettie Parker gave the invocation and Commissioner Lloyd Griffin led in the Pledge of Allegiance to the American Flag. Chairman Perry welcomed everyone present.

**1. COMMENTS BY ECSU VICE CHANCELLOR OF UNIVERSITY  
ADVANCEMENT JOHN MICHAEL LEE, JR., PH.D.:**

Chairman Perry introduced Dr. Lee. He informed him that the Board wishes to improve and expand its relationship with ECSU.

Dr. Lee stated that he is originally from Atlanta, Georgia, but he attended New York University for his PhD. He said the university is interested in making sure they are in and of the community. ECSU is working with the community to not only improve economic conditions, but social conditions as well. He stated that the university is planning an ECSU Day of Giving. One of their initiatives is to build a northeastern North Carolina Community Development Fund. He said they want to use the funds for organizations and non-profits in the area that are doing great things, such as Girls Inc. who is looking to build a fence. He stated that they are interested in helping the County any way they can. He invited Chairman Perry to do a video that will go out to the community about the Day of Giving Event informing them of the activities that ECSU is trying to do in the community. He said they are working on ways to bring students, staff and alumni into the City so they can enjoy activities and restaurants. He said the university wants to be a part of the broader community and make sure that they are helping with economic development.

Vice-Chairman Sterritt invited Dr. Lee to be a guest speaker at an Elizabeth City Downtown Committee meeting.

Commissioner Parker thanked Dr. Lee for coming and sharing his ideas with the Board and informed him that the Board is more than glad to accommodate him when they can. Chairman Perry informed Dr. Lee that the Board is interested in being included in activities at ECSU. He explained that many times in the past the County was not invited to attend programs. Dr. Lee said they will make sure the County is represented and they will do a better job engaging the Board and vice versa. They not only want to bring the Board on campus, they want to bring the campus to us. He wants their faculty and students to venture out beyond the campus.

**2. BOARD OF EQUALIZATION AND REVIEW:**

The Clerk swore in the members of the Board of Commissioners to serve as the Board of Equalization and Review for 2017. Chairman Perry convened the Board of Equalization and Review.

Attorney Mike Cox explained that the Board of E&R is required to meet two times this year. He stated that tonight's meeting will be recessed and reconvened at its May 15<sup>th</sup> meeting. Attorney Cox swore in Tax Administrator Patrice Stewart.

Tax Administrator Patrice Stewart stated that P. Michael McLain has submitted an application for present use value-Agricultural Assessment for 13.8 acres of land he owns at 839 Sandy Road. She stated that the application was denied.

She explained that the North Carolina Department of Revenue recommended no change, as did the Pasquotank County Tax Department. She said the following references were utilized in making the determination: 1) The North Carolina Department of Revenue Real Estate Staff, North Carolina General Statutes 105-277.2 and 105-277.3, the Present Use Value Program Guide (Land Use), Board of Equalization and Review Handbook, and the Pasquotank County Tax Records & Mapping.

She said after carefully reviewing the present use value assessment application submitted on December 6, 2016 by Mr. McClain, it was determined with the guidelines of the North Carolina Department of Revenue Staff that Parcel Number P81-2 does not qualify for the present use assessment at this time. She said based on their findings, this parcel does not meet the requirements to qualify for the deferred taxation for 2017 in accordance with North Carolina General Statutes for the following reasons:

1. **Mr. McLain did not have any agriculture tracts of land in the present use program in Pasquotank County or within 50 miles of Pasquotank County.**

**N.C.G.S. 105-277.2 (7)** states one or more tracts of agriculture land, horticultural land or forestland. Multiple tracts *must* be under the same ownership and be of the same *classification*. If multiple tracts are located in different counties, they must be within 50 miles of a tract qualifying under **N.C.G.S. 105-277.3**.

2. **N.C.G.S. 105-277.3 (b)** Individual Ownership Requirements. In order to come within a classification described in subsection (a) of this section, land owned by an individual *must* also satisfy one of the following conditions:

- (1) It is the current owner's place of residence. **(Taxpayer does not live on this property)**
- (2) It has been owned by current owner or relative of the current owner four years preceding January 1. **(Taxpayers deed was recorded for this parcel on 11/01/16 - Deed Book 1268 / Page 143)**
- (3) At the time of transfer to the current owner, it qualified for classification in the hands of a business entity or trust that transferred the land to the current owner who was a member of the business entity or beneficiary of the trust as appropriate. **(Taxpayer is not a business entity)**

In conclusion, Ms. Stewart said the parcel did not meet the requirements as of January 1, 2017 and will not be eligible for the present use program until January 1, 2021; therefore, it should be assessed at its market value of \$72,500 as of our last reappraisal effective January 1, 2014.

Vice-Chairman Sterritt asked what the intended use of the property is. Ms. Stewart answered "Open Land". She explained that it is zoned agriculture, but it is not in the Present Use Program. She said if the individual that Mr. McClain purchased the property from was in the program, he would have been able to apply for a continued use application, but it was not in the program and therefore he cannot. Commissioner Griffin asked how this works with estates. Ms. Stewart said they would need to fill out an application to stay in the program. She said if Mr. McClain owns the property for four years, after the fourth year he can apply and if it is still being farmed and he can provide proof of the income, then he will qualify or if he buys property from someone else that has property in the land use program, he can get the continued use and the following January he can bring the parcel in question in the program as well.

Attorney Cox advised that since the applicant is not present he would recommend that the Board uphold the Tax Administrator's determination.

Vice-Chairman Sterritt said he would like to hear both sides and we will not be losing anything by delaying voting on this. Mr. Cox read an insert from the North Carolina Department of Revenue guidance book. He said if the taxpayer fails to appear at the scheduled hearing the

Board shall review any information submitted earlier as evidence, hear the position of the tax assessor's office, and make a decision on those facts alone. If no evidence has been submitted by the taxpayer then the Board should decide in favor of the tax office on the grounds that the taxpayer has not attempted to carry his or her burden of proof. He said it is a judgement call if the Board wishes to hold it open.

Commissioner Parker stated that according to Ms. Stewart the taxpayer called her stating that he would not be here and did not ask to be rescheduled. Commissioner Sterritt said Mr. McClain works out of town and he does not feel comfortable being in a situation where we don't hear both sides of this.

Motion was made by Commissioner Parker, seconded by Commissioner Dixon that the Board uphold the Tax Administrator's determination that the property be assessed at its market value of \$72,500. The motion carried by a five to two vote, with Commissioners Perry, Dixon, Griffin, Winslow, and Parker voting in favor, and Commissioners Sterritt and Meads voting against the motion.

Motion was made by Joe Winslow, seconded by Jeff Dixon to recess the Board of Equalization and Review until the next regular meeting on May 15, 2017. The motion carried unanimously.

Attorney Cox stated that he will prepare the order and send it to Mr. McClain. He said the taxpayer has the opportunity to appeal to the Property Tax Commission in Raleigh if he chooses to do so.

**3. ADOPTION OF PROCLAMATIONS FOR OLDER AMERICANS MONTH AND VULNERABLE ADULT AND ELDER ABUSE AWARENESS MONTHS:**

The Albemarle Area Agency on Aging has requested that the Board proclaim May 2017 as Older Americans Month, as well as proclaim Mother's Day to Father's Day 2017 as Vulnerable Adult and Elder Abuse Awareness Months. Chairman Perry called on Mr. David Boone to accept the following proclamations:

Older Americans Month 2017

PROCLAMATION

Whereas, Pasquotank County includes older Americans who richly contribute to our community; and

Whereas, we acknowledge that what it means "to age" has changed—for the better.

Whereas, Pasquotank County is committed to supporting older adults as they take charge of their health, explore new opportunities and activities, and focus on independence; and

Whereas, Pasquotank County can provide opportunities to enrich the lives of individuals of *all ages* by:

- involving older adults in the redefinition of aging in our community;
- promoting home- and community-based services that support independent living;
- encouraging older adults to speak up for themselves and others; and
- providing opportunities for older adults to share their experiences.

Now therefore, The Pasquotank County Board of Commissioners do hereby proclaim May 2017 to be Older Americans Month. We urge every resident to take time during this month to acknowledge older adults and the people who serve them as influential and vital parts of our community.

Dated this 1<sup>st</sup> day of May, 2017

VULNERABLE ADULT AND ELDER ABUSE  
AWARENESS MONTHS  
2017

A PROCLAMATION

WHEREAS, North Carolina joins the world in recognizing World Elder Abuse Awareness Day every June 15<sup>th</sup>; and

WHEREAS, protecting North Carolina's vulnerable and older adults is a community responsibility and all citizens are charged under State law to report suspected abuse, neglect or exploitation to their local County Department of Social Services; and

WHEREAS, North Carolina's vulnerable and older adults of all social, economic, racial and ethnic backgrounds may be targets of abuse, neglect or exploitation which can occur in families, long-term care settings and communities; and

WHEREAS, in state fiscal year 2016 there were 25,980 reports of abuse, neglect or exploitation of vulnerable and older adults were made to North Carolina's 100 County Departments of Social Services; and

WHEREAS, national and international research shows that abuse, neglect and exploitation of vulnerable and older adults is grossly underreported; and

WHEREAS, the State of North Carolina enacted the nation's first elder abuse law and recognizes the need for a comprehensive system of protection for vulnerable and older adults; and

WHEREAS, Mother's and Father's Days are national holidays intended to honor, respect, and promote the dignity and well-being of our older citizens;

Now therefore, I, Cecil Perry, Chairman, Pasquotank County Board of Commissioners, do hereby proclaim MOTHERS DAY to FATHERS DAY 2017 as "VULNERABLE ADULT AND ELDER ABUSE AWARENESS MONTHS" in and commend its observance to Pasquotank County citizens.

Adopted this the 1<sup>st</sup> day of May 2017.

Motion was made by Jeff Dixon, seconded by Lloyd Griffin to adopt the proclamations for Older Americans Month and Vulnerable Adult and Elder Abuse Awareness Months as proposed. The motion carried unanimously.

Mr. Boone thanked the Board for the effort they put forth in presenting the proclamations. He invited the Board to attend the annual "Walk" scheduled for June 15<sup>th</sup> starting at the Courthouse and concluding at the waterfront.

**4. AMENDMENTS TO THE AGENDA:**

Chairman Perry asked if there were any amendments to the agenda. Finance Committee Chairman William Sterritt requested that the agenda be amended to add the following two items to New Business: 1) Consideration to combine the Nursing Home Community Advisory Committee and the Adult Home Care Community Advisory Committee boards, and 2) Consideration of contribution to Coast Guard Day.

Commissioner Dixon requested that Item # 7(f) be removed from the Consent Agenda and be placed on New Business for discussion.

Motion was made by Bill Sterritt, seconded by Frankie Meads to amend the agenda to add the two additional items to New Business and remove Item # 7(f) – (Approval of petition for addition of Karen Court to the state system) from the Consent Agenda and be placed under New Business. The motion carried unanimously.

**5. APPROVAL OF CONSENT AGENDA:**

The Board considered the following consent agenda:

a. Approval of Minutes of April 17, 2017 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.	Hérons Development LLC	1,732.80	1,493.40
2.	Hérons Development LLC	2,833.40	2,433.33
3.	Mann Capital Properties Lmtd.	275.46	206.98
4.	Latisha Coston Rouson	101.15	90.19

Solid Waste Fee Releases

	OWNER'S NAME	PARCEL ID #	REASON FOR RELEASE
1.	Bessie H. Bartell Life Estate	58-K-59	Vacant
2.	William H. Carroll Jr.	P78-42	Vacant
3.	Vivian Butts	P142-15	Vacant

c. Approval of Budget Amendment

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

Tax Admin

Increase	010.0550.4835.00	Sale of Assets	13,000
Increase	010.0110.4111.11	Ad Valorem Taxes – 11	9,200
Increase	010.0110.4111.12	Ad Valorem Taxes – 12	13,000
Increase	010.0110.4111.13	Ad Valorem Taxes – 13	15,002
Increase	010.4140.5498.00	Tax Foreclosures	50,202

Loan Proceeds

Increase	010.0110.4111.16	Ad Valorem Taxes – 16	175,200
Decrease	010.0770.4970.00	Loan Proceeds	175,200

Capital Reserve Transfer

Decrease	010.4325.5500.00	Capital Outlay – Backup Center	250,000
Decrease	010.0700.4981.21	Capital Reserve – Transfer	250,000
Increase	021.8200.5960.01	Capital Reserve – Unallocated	250,000
Decrease	021.8200.5980.10	Transfer to General Fund	250,000

Motion was made by Bill Sterritt, seconded by Frankie Meads to approve the Consent Agenda. The motion carried unanimously.

**6. CONSIDERATION OF COMBINING NURSING HOME COMMUNITY ADVISORY COMMITTEE AND ADULT HOME CARE COMMUNITY ADVISORY COMMITTEE BOARDS:**

The Board previously heard a presentation by Regional Ombudsman, Brandi Jordan regarding the pros and cons of combining the two committees.

Motion was made Jeff Dixon, seconded by Bill Sterritt to begin the process of combining the Nursing Home Community Advisory Committee and Adult Home Care Community Advisory Committee boards. The motion carried unanimously.

**7. CONSIDERATION OF \$2,500 CONTRIBUTION FOR COAST GUARD DAY:**

The Finance Committee recommended that the Board approve a contribution of \$2,500 from tourism funds for a commercial sponsorship for Coast Guard Day, August 4, 2017.

Motion was made by Commissioner Winslow, seconded by Jeff Dixon to contribute \$2,500 from tourism funds for Coast Guard Day 2017. The motion carried unanimously.

**8. CONSIDERATION OF PETITION FOR ADDITION OF KAREN COURT TO THE STATE SYSTEM:**

The Board reviewed a petition submitted by Jason Mizelle with Eastern Carolina Engineering, P.C. on behalf of the property owners in Creekside Farms Subdivision requesting the addition of Karen Court to the state system for maintenance. Commissioner Dixon stated that he is not opposed to adding the road to the State System, but he would like an update on the entire subdivision, as far as the road system. Mr. Bunch said he will research and provide at an update.

Motion was made by Jeff Dixon, seconded by Frankie Meads to accept the petition to adopt a resolution requesting the addition of Karen Court to the state system for maintenance. The motion carried unanimously.

**9. REPORTS FROM COUNTY MANAGER:**

Mr. Bunch reported that the following item was recently listed and sold on GovDeals.com:

Description	Buyer	Total
2008 Mack Truck CHU613	Eric Adamson - Algood, TN	\$20,050.00
		<b>\$20,050.00</b>

Mr. Bunch also provided the following report:

Commissioner Griffin recently informed me that during his travels across North Carolina he has seen Blue Star Memorial Highway signs along major roadways and wanted me to inquire about having one installed in Pasquotank County. I had Shelley Cox follow up on the request. Gretchen Byrum, NCDOT Division Planning Engineer informed us that they are already in the process of fabricating the signs for installation on Highway 17.

Sheriff Cartwright, Jerry Newell and Kylie Felton will be attending a kick-off, planning and design workshop for the New Martin County PSAP and 911 Backup Center in Martin County Tuesday, May 2<sup>nd</sup>. This will be an all day workshop. Jerry and Kylie will have an opportunity to see the location for the temporary backup center and the future, new Martin County PSAP location. The team will have an opportunity to provide input on the layout of the working area within the facilities.

The 2017 County Assembly Day will be Wednesday, May 10<sup>th</sup> at the North Carolina Museum of History in Raleigh. There will be a brief program in the morning with lunch provided outside of the legislative complex. The program will include legislative updates from NCACC staff and remarks from leaders of the General Assembly. There will be time after lunch for attendees to visit their local representatives. He asked the Board to inform staff if they would like to attend.

**10. REPORTS FROM COMMISSIONERS:**

Commissioner Winslow attended the NCACC workshop in Raleigh last Thursday, along with Chairman Perry, Commissioner Meads, and County Manager Bunch. He said it was his last meeting as a Division I Representative. He said he has thoroughly enjoyed his appointment over the last two years.

Commissioner Meads said it is very hard for the county manager to manage while attending every meeting that comes up. He would like to see commissioners step up and attend some of these meetings. He stated that Mr. Bunch is only one man and can only do but so much. He added that Mr. Bunch needs to be excused from some of the “political” meetings.

Commissioner Parker participated in the Earth Day/Science Recognition March from Port Discover on Main Street to the Student Union Center at ECSU. There, she was asked to read a proclamation in recognition of Earth Day on behalf of the County. On Wednesday, April 26<sup>th</sup>, she attended a meeting at Montero’s addressing the economic future of our community. The purpose/content was to explore and understand how the various community entities contributing to marketing and economic development efforts in Elizabeth City and Pasquotank County currently work and to determine if we have the organization to move us forward. She will be attending the Trillium Northern Regional Advisory Board meeting in Ahoskie on May 9<sup>th</sup>.

Commissioner Griffin reported that NCDOT is in the process of making Blue Star Memorial Highway and/or Gold Star Veterans Highway signs to place in our County. Albemarle Commission Board met last week. He reported that they are moving along in their budget. Last

week at the RPO meeting, they were introduced to Allen Moran who replaced Malcolm Fearing as the new North Carolina Division I Representative and discussed transportation updates. He said the current transportation plan is in its final stages for adoption. The Airport Authority met last week. He stated that the County will have an additional member, as well as the chairman seat on the board this year.

Commissioner Dixon reported that our “one and only” charter school, Northeast Academy for Aerospace and Advanced Technology will have its annual lottery this coming Saturday. He encouraged the Board to come out. He said there are 321 applications and only 168 students will get in. He said unfortunately some parents will be very disappointed at the end of it. He said he encourages the Board and staff to meet after the budget is approved to discuss their visions and goals.

Vice-Chairman Sterritt said he attended the Veterans Park Celebration on Water Street a few weeks ago. He noticed at the dedication that the mayor walked around and wrote everyone’s name down that was present so he could recognize them. He applauded the mayor for doing this.

Commissioner Meads said he would like the County to somehow recognize the WWII Veterans who are still living in our County. Chairman Perry said he feels we need to recognize all Veterans.

Chairman Perry said he thinks it is very important for members of the Board to attend outside meetings together, because we can progress a lot more if everyone works together. He said we can all learn things from one another. He stated that it is very important that the Board functions properly. He enjoyed everyone attending the District Meeting this past week. He learned that many other counties are facing the same problems that we are such as funding schools. He thanked the Board for working together.

Commissioner Winslow said he would like to see the county managers from surrounding areas to continue meeting. He believes that is where it all begins.

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

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CHAIRMAN

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CLERK TO THE BOARD