

**PASQUOTANK COUNTY, NORTH CAROLINA  
JUNE 3, 2019**

The Pasquotank County Board of Commissioners met today in a regular meeting on Monday, June 3, 2019 in Courtroom C in the Pasquotank County Courthouse.

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

**MEMBERS ABSENT:** Cecil Perry

**OTHERS PRESENT:** Sparty Hammett, County Manager  
R. Michael Cox, County Attorney  
Lynn Scott, Clerk to the Board  
Hartley Askew, Deputy Clerk to the Board  
Deja Gainey, County Manager Intern

The meeting was called to order at 6:00 PM by Chairman Jeff Dixon. Vice-Chairman Lloyd Griffin gave the invocation and Frankie Meads led in the Pledge of Allegiance to the American Flag.

**1. AMENDMENTS TO THE AGENDA:**

Chairman Dixon asked if there were any amendments to the agenda. Finance Committee Chairman Lloyd Griffin requested the agenda be amended to add the following items recommended by the Finance Committee today: 1) Approval of Budget Amendments; 2) Approval of Contract for Reverse Osmosis Wellfield Retrofit Project; and 3) Adoption of Resolution Addressing the Harbor Town Project's Potential use of Transportation Funds, Conducting Independent Market Research, and an Independent Feasibility Study.

Motion was made by Lloyd Griffin, seconded by Charles Jordan to amend the agenda to add items #1 through #3 to the Consent Agenda. The motion carried unanimously.

**2. PUBLIC HEARING TO CONSIDER INCENTIVE FOR "PROJECT ELIZABETH":**

Chairman Dixon stated that the Board will hold a public hearing to consider a State of North Carolina Discretionary Incentive for a company known as "Project Elizabeth". The project has pledged to create up to 75 full-time jobs in Pasquotank County, is eligible to apply for a State of North Carolina Discretionary Incentive up to the amount of \$250,000 through the North Carolina Department of Commerce, and requires the sponsorship of Pasquotank County. If the incentive is awarded, Pasquotank County will be required to commit a cash match of one dollar for every three dollars of the incentive amount toward the project for a total cash match of up to \$82,500.

Chairman Dixon declared the meeting to be a public hearing.

Chairman Dixon asked if anyone would care to address the Board regarding the incentive. At the absence of comments, the public hearing was closed.

Motion was made by Lloyd Griffin, seconded by Sean Lavin to support and endorse the application of "Project Elizabeth" and to adopt the following resolution. The motion carried unanimously.

**RESOLUTION SUPPORTING AN APPLICATION ON BEHALF OF A COMPANY TO BE  
REFERRED TO AS "PROJECT ELIZABETH" TO THE NORTH CAROLINA  
DEPARTMENT OF COMMERCE**

WHEREAS, Pasquotank County is committed to advancing and promoting economic development in Pasquotank County, North Carolina;

WHEREAS, North Carolina General Statute 158-7.1(a) authorizes the use of economic incentives for the purpose of private sector job creation;

WHEREAS, Project Elizabeth has pledged to create up to 75 new full-time jobs in Pasquotank County, is eligible to apply for a State of North Carolina Discretionary Incentive up to the amount of \$250,000 through the North Carolina Department of Commerce, and requires the sponsorship of Pasquotank County to make application; and

WHEREAS, Pasquotank County acknowledges that, if the incentive is awarded, it will be required to commit a cash match of one dollar for every three dollars of the incentive amount toward the project for a total cash match of up to \$82,500;

NOW, THEREFORE, BE IT RESOLVED by the Pasquotank County Board of Commissioners that it does hereby support and endorse the application of Project Elizabeth to the North Carolina Department of Commerce for an incentive up to the amount of \$250,000.

Adopted this 3<sup>rd</sup> day of June, 2019.

**3. PUBLIC HEARING TO CONSIDER INCENTIVE FOR “PROJECT ELIZABETH”:**

Chairman Dixon stated that the Board will hold a public hearing to consider a State of North Carolina Economic Development Incentive for a company known as “Project Elizabeth”. The project has pledged to create up to 50 new, full-time jobs in Pasquotank County, is eligible to apply for a Building Reuse Grant up to the amount of \$400,000 through the North Carolina Department of Commerce, and requires the sponsorship of Pasquotank County to make the application. If the grant is awarded, Pasquotank County will be required to commit a cash match of 5% of the grant amount toward the project for a total cash match of up to \$20,000.

Chairman Dixon declared the meeting to be a public hearing.

Chairman Dixon asked if anyone would care to address the Board regarding the incentive. At the absence of comments, the public hearing was closed.

Motion was made by Sean Lavin, seconded by Barry Overman to support and endorse the application of “Project Elizabeth” and to adopt the following resolution. The motion carried unanimously.

**RESOLUTION SUPPORTING AN APPLICATION ON BEHALF OF A COMPANY TO BE REFERRED TO AS “PROJECT ELIZABETH” TO THE NORTH CAROLINA DEPARTMENT OF COMMERCE RURAL ECONOMIC DEVELOPMENT DIVISION BUILDING REUSE PROGRAM**

WHEREAS, Pasquotank County is committed to advancing and promoting economic development in Pasquotank County, North Carolina;

WHEREAS, North Carolina General Statute 158-7.1(a) authorizes the use of economic incentives for the purpose of private sector job creation;

WHEREAS, Project Elizabeth has pledged to create up to 50 new full-time jobs in Pasquotank County, is eligible to apply for a Building Reuse Grant up to the amount of \$400,000 through the North Carolina Department of Commerce, and requires the sponsorship of Pasquotank County to make application; and

WHEREAS, Pasquotank County acknowledges that, if the grant is awarded, it will be required to commit a cash match of 5% of the grant amount toward the project for a total cash match of up to \$20,000;

NOW, THEREFORE, BE IT RESOLVED by the Pasquotank County Board of Commissioners that it does hereby support and endorse the application of Project Elizabeth to the North Carolina

Department of Commerce's Building Reuse Grant Program for a grant up to the amount of \$400,000.

Adopted this 3<sup>rd</sup> day of June, 2019.

**4. PUBLIC HEARING ON PROPOSED ORDINANCE FOR OVERGROWN LOTS:**

Chairman Dixon stated that the Special Projects Committee has recommended approval of an ordinance for regulating and allowing for the abatement of overgrown lots as a public health nuisance. He said a public hearing is not required for this type of ordinance, but the County typically has one anyway.

Chairman Dixon declared the meeting to be a public hearing.

Planning Director Shelley Cox explained that the proposed ordinance is essentially the same ordinance that was presented a couple of weeks ago. The ordinance will apply to properties that have grass at least 24" tall or taller. Since the last meeting, they went back and added that the property must be in a platted subdivision in order for the ordinance to apply. Once staff receives a complaint regarding the grass, they will go out and look at it and document that the grass is taller than 24 inches. If so, they will send a notice of abatement to the property owner and give them at least 14 days to take care of it. At the end of that period of time, if it has not been taken care of, the County will step in and take care of it for them by either mowing it or having a contractor come in and mow it. Hopefully, when the property owner gets the notification, they will do it themselves, but if they don't, the County will have it mowed and place a lien on the property. The landowner will have an appeal process, as required by state law. The first appeal will go to the County Manager or his designee and the second appeal will go to the courts.

Commissioner Meads questioned the wording used in Section 1. General Nuisances, which states, "The existence of any of the following conditions on any lot, whether improved or not, or other parcel of land within the county limits is hereby declared to be dangerous and prejudicial to the public health or safety and to constitute a public nuisance." Ms. Cox explained that it is designed so that in the future staff can come back and easily add in other nuisances. She said at this time staff is only proposing the grass and weeds ordinance, which is listed as item (a). In the future, items such as swimming pools, junk vehicles, and other types of nuisances can be added as item (b) and so forth.

Chairman Dixon asked if anyone would care to address the Board regarding the ordinance. At the absence of comments, the public hearing was closed.

Motion was made by Frankie Meads, seconded by Sean Lavin to adopt the proposed Overgrown Lot Ordinance. The motion carried unanimously. Since upon the first reading all members of the Board must be present and voting in the affirmative in order for a police power ordinance to be approved, the Board cannot give final approval to the ordinance tonight because all members are not in attendance.

**5. APPROVAL OF APPOINTMENT TO PERSONNEL APPEALS COMMITTEE:**

Commissioner Charles Jordan, Chairman of the Board Appointments Committee, said at the last meeting the Board voted to accept the nomination of Matt Wood, Jr. to the Personnel Appeals Committee. Chairman Dixon asked if there were any further nominations for this position. There being none;

Motion was made by Charles Jordan, seconded by Barry Overman to approve the appointment of Matt Wood, Jr. to the Personnel Appeals Committee. The motion carried unanimously.

**6. APPROVAL OF CONSENT AGENDA:**

The Board considered the following consent agenda:

a. *Approval of Minutes of May 20, 2019 Commissioner Meeting*

b. *Approval of Tax Releases and Refunds*

The Finance Committee has recommended approval of the following tax refund:

Tax Refund

		County	City
1.	Alexander Theologos Moraitias	248.10	

c. Approval of Budget Amendments

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

Special Appropriations

Decrease	010.6600.5615.10	Juvenile Justice Pass-Thru	1,000.00
Increase	010.6600.5616.09	JCPC-Administration	1,000.00

To transfer funds from pass-thru to administration per JCPC allocation.

Convenience Sites

Decrease	065.7425.5570.01	Site Improvements	8,000.00
Increase	065.7425.5500.00	Capital Outlay	8,000.00

To transfer funds for the cost of dumpster replacements, originally budgeted \$35,000 – actual quote \$42,626.

Landfill

Decrease	065.7420.5500.00	Capital Outlay	200,000.00
Decrease	065.7425.5500.00	Capital Outlay	40,000.00
Decrease	065.7425.5570.01	Site Improvements	310,000.00
Decrease	065.0991.4991.00	Fund Balance Appropriated	550,000.00

To reduce fund balance appropriated for projects that will not be completed.

Public Buildings

Decrease	010.4190.5500.00	Capital Outlay	15,000.00
Increase	010.4190.5351.01	Maintenance-Edgewood	15,000.00

To transfer funds from capital outlay for the cleaning and painting of the Edgewood Center.

Tax Admin

Increase	010.0110.4111.13	Ad Valorem Taxes-'13	11,000.00
Increase	010.0110.4111.14	Ad Valorem Taxes-'14	16,000.00
Increase	010.4140.5498.00	Tax Foreclosure	27,000.00

To appropriate funds for the purchases of property by the tax department.

County Attorney

Increase	010.0500.4831.00	Interest Earned	50,000.00
Increase	010.4150.5192.00	Legal Fees	50,000.00

To appropriate funds for outside legal services.

Sheriff

Increase	010.0240.4380.21	Dept. of Justice	3,150.00
Increase	010.0300.4431.03	Concealed Weapon Permit	4,200.00
Increase	010.4310.5122.00	Salaries & Wages-OT	4,250.00
Increase	010.4310.5189.00	Supplemental Pension	3,100.00

To appropriate funds for OT and Sheriff's supplemental pension.

Emergency Management

Increase	010.0600.4433.04	Surry Nuclear Plant	2,800.00
Increase	010.0230.4433.02	Emergency Management Grants	11,000.00
Increase	010.4330.5600.00	Grant Funds	1,100.00
Increase	010.4330.5636.01	Additional Funding	12,700.00

To move revenue projected for system development fees to sale of water due to new requirements.

*d. Approval to Sell Former Health Department Property on Cedar Street*

At the April 15, 2019 meeting, the Board proposed to accept a bid from Rhonda McCullen in the amount of \$100,000 for the former Health Department building located at 311 Cedar Street and to advertise for upset bids. No further bids were received during the 10-day upset bid period and the Board can now approve the sale of the property to Ms. McCullen with a non-warranty deed.

*e. Adoption of Resolution Regarding Medicaid Transformation*

At the last meeting, Trillium Regional Director Bland Baker informed the Board that at the discretion of the North Carolina General Assembly, the North Carolina Department of Health and Human Services is implementing Medicaid Transformation, which will create new managed care programs for most Medicaid recipients in our State. He requested the Board adopt the following resolution, which addresses significant impacts the transformation will have on Medicaid-eligible citizens in Pasquotank County:

**RESOLUTION REGARDING MEDICAID TRANSFORMATION**

**WHEREAS**, at the direction of the North Carolina General Assembly, the NC Department of Health and Human Services (DHHS) is implementing Medicaid Transformation which is creating new managed care programs for most Medicaid recipients in our State; and

**WHEREAS**, those offerings will include Standard Plans for most Medicaid recipients and Tailored Plans for Medicaid recipients with serious behavioral health needs and with intellectual and other developmental disabilities (I/DD) ; and

**WHEREAS**, those changes will have a significant impact on Medicaid-eligible citizens of Pasquotank County; and

**WHEREAS**, Pasquotank County has invested significant resources to ensure adequate access for Pasquotank County citizens to mental health and addiction services, including dedicated funding for special school-based mental health treatment services; and

**WHEREAS**, Pasquotank County has an interest in maintaining the access to mental health and addiction services that it has created and in seeing its Medicaid-eligible citizens enroll in the plan that best meets their needs; and

**WHEREAS**, in the current design, school-based mental health providers are not considered “essential providers” with whom Standard Plans must contract; and

**WHEREAS**, if Standard Plans do not contract with school-based mental health providers those services may not continue to be financially viable; and

**WHEREAS**, DHHS indicates they plan to send Standard Plan implementation letters to most Medicaid recipients inviting them to choose a Standard Plan, including those who have been previously identified as being appropriate for Tailored Plans; and

**WHEREAS**, this has the potential to confuse those Medicaid recipients with serious behavioral health needs and I/DD, may result in them enrolling in a plan that does not meet their needs, and may cause them to lose access to critical services and benefits.

***NOW THEREFORE BE IT RESOLVED*** that we, the Pasquotank County Board of Commissioners do hereby request that the North Carolina Department of Health and Human Services:

- Refrain from sending any communication regarding enrollment in Standard Plans to individuals who have been identified as Tailored Plan eligible; and
- Designate providers of school-based mental health services as “essential providers” as that term is used in S.L. 2050-245.

ADOPTED this 3<sup>rd</sup> day of June, 2019.

*f. Adoption of Resolution Approving Hazard Mitigation Grant Program Administration Guidelines and Policies*

Emergency Management Director, Christy Saunders has requested the Board adopt the following resolution which approves the administrative guidelines and policies, as required for the Hazard Mitigation Grant Program:

**PASQUOTANK COUNTY HAZARD MITIGATION GRANT PROGRAMS  
(HMGP)  
Resolution Approving Administrative Guidelines and Policies**

WHEREAS, Pasquotank County wishes to carry out its Hazard Mitigation Grant Programs (HMGP) in accordance with established state and federal administrative guidelines.

NOW, THEREFORE, the Pasquotank County Board of Commissioners hereby collectively adopts the following resolutions, guidelines, plans and policies, and resolves that they be utilized during the administration of the Pasquotank County Hazard Mitigation Grant Programs (HMGP):

- Contract Award Policy
- Local Economic Benefit for LMI Persons (Section 3) Plan
- Temporary Relocation Policy
- Procurement Standards Policy/Plan
- Equal Opportunity Plan

Adopted this 3<sup>rd</sup> day of June, 2019.

*g. Approval of Budget Amendments*

The Finance Committee has recommended approval of the following budget amendments presented at today's Finance Committee meeting:

Jail

Increase	010.0600.4980.00	Jail-Perq/Camden	391,180.00
Increase	010.4320.5700.19	Debt Service	391,180.00

To appropriate Camden and Perquimans contribution to debt service for Jail.

Occupancy Tax

Increase	030.0220.4270.00	Occupancy Tax	75,000.00
Increase	030.4920.5625.01	Tourism Board	75,000.00

To appropriate additional revenue received.

Drainage Districts

Increase	027.0500.4831.00	Interest Earned	300.00
Increase	027.0550.4839.00	Miscellaneous Revenue	1,396.00
Increase	027.4731.5350.00	Maintenance	1,696.00

To appropriate additional revenue for the removal of beaver dams.

E911

Increase	022.0991.4991.00	Fund Balance Appropriated	100,000.00
Increase	022.4328.5500.00	Capital Outlay	100,000.00

To appropriate additional funds for capital outlay to shift eligible equipment from the grant.

Animal Control

Increase	010.0600.4930.00	Insurance Proceeds	3,297.00
Increase	010.4380.5353.00	Maintenance Vehicles	3,297.00

To appropriate insurance proceeds received to repair damaged vehicle.

Public Health

Increase	010.0550.4837.00	ABC Net Revenue	15,000.00
Increase	010.5110.5620.13	Medical Examiner Fees	15,000.00

To appropriate additional funds for costs of autopsies and ME fees.

EMS

Increase	010.0400.4437.00	Ambulance Fees	200,000.00
Increase	010.4370.5122.00	Salaries and Wages-Overtime	140,000.00
Increase	010.4370.5126.00	Salaries and Wages-Part-time	40,000.00

Increase	010.4370.5251.00	Gas & Oil	20,000.00
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To appropriate additional revenues for OT and PT wages and additional fuel costs.

Finance

Increase	010.0400.4117.00	Tax Collection Fees	8,000.00
Increase	010.0400.4118.01	Occupancy Tax Collection Fees	1,355.00
Increase	010.4130.5191.00	Audit Fees	9,355.00

To appropriate funds for cost for the OPEB actuarial study for the 06-30-19 financials.

*h. Approval of Contract for Reverse Osmosis Wellfield Retrofit Project*

The Finance Committee has recommended awarding Magette Well and Pump Company, Inc. the contract for the reverse osmosis wellfield retrofit project (\$449,668). The Board had previously approved \$500,000 for the project.

*i. Adoption of Resolution Addressing the Harbor Town Project’s Potential Use of Transportation Funds, Conducting Independent Market Research and an Independent Feasibility Study*

The Finance Committee has recommended adoption of the following Harbor Town Project resolution:

**A RESOLUTION ADDRESSING THE HARBOR TOWN PROJECT’S POTENTIAL USE OF TRANSPORTATION FUNDS, CONDUCTING INDEPENDENT MARKET RESEARCH AND AN INDEPENDENT FEASIBILITY STUDY**

**WHEREAS**, on October 10, 2018, the Albemarle Regional Planning Organization (ARPO) Rural Transportation Advisory Committee (RTAC) voted unanimously to go on record opposing the use of State and Federal funds allocated for aviation, bicycle and pedestrian, roads, bridges, transit, and NCDOT Ferry Division projects for the Harbor Town Project; and

**WHEREAS**, the ARPO RTAC also voted unanimously to oppose the use of NCDOT Ferry Division capital improvement and maintenance funds for the purchase, operation, and maintenance of the ferries for the project and oppose the Harbor Town Project becoming a part of the NCDOT ferry system; and

**WHEREAS**, the purpose of market research is to gather consumer data to aid decision making and reduce project risk; and

**WHEREAS**, no market research has been conducted on the Harbor Town Project; and

**WHEREAS**, a preliminary feasibility analysis was conducted in 1994 that concentrated on the operational aspects of the project; and

**WHEREAS**, the 2015 UNC Kenan-Flagler Business School’s “Water Transportation in the Albemarle Sound” concept study indicated that the next step needed is to complete a feasibility study with market research; and

**WHEREAS**, a feasibility study is an assessment of the practicality of a proposed project analyzing all relevant factors; and

**WHEREAS**, an independent feasibility study is used to determine the possibility and probability of a project succeeding and reducing the risk in decision making; and

**WHEREAS**, no independent feasibility study has been conducted on the Harbor Town Project.

**NOW, THEREFORE, BE IT RESOLVED** that the Pasquotank County Board of Commissioners recognizes the Harbor Town Project’s potential positive benefit to the region, however, the Board does not support the use of transportation funds for the project and does not support participation in the project until: market research is conducted and an independent, third-party Feasibility Study is conducted which documents the financial viability of the project.

This resolution is effective upon adoption.

ADOPTED this 3<sup>rd</sup> day of June, 2019.

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

**7. PRESENTATION OF PROPOSED FISCAL YEAR 2019-20 COUNTY BUDGET:**

County Manager Sparty Hammett read the budget message for the proposed FY 2019-20 Budget.

Chairman Dixon called for a Public Hearing on the proposed budget at the June 17, 2019 Commissioner meeting. The proposed budget will be available for public inspection at the W.C. Witherspoon Memorial Library and at the County Manager's Office, as well as on the County's website.

**8. REPORTS FROM COMMISSIONERS:**

Commissioner Overman attended the DSS Board meeting. He will be attending his daughter's graduation this weekend.

Commissioner Jordan attended the sign dedication at the water park, the wreath laying ceremony at West Lawn Cemetery, the ribbon cutting for Southern Bank, the Stepping Out Against Elder Abuse Walk, and Joyce Pritchard's retirement luncheon.

Vice-Chairman Griffin attended the Southern Bank Ribbon Cutting.

Commissioner Lavin has spent most of his extra time last week attending baseball games and dance recitals. He attended the Southern Bank Ribbon Cutting as well. He is excited about the economic movement in the County and the direction we are going.

Commissioner Meads noted that he serves on the SPCA Board, as well as the State Code Council. Due to the meetings times conflicting with each other, he has missed multiple meetings. He asked Chairman Dixon if he would appoint another commissioner to represent the County on the SPCA Board. He would be more than happy to switch boards with someone.

Chairman Dixon thanked Vice-Chairman Griffin for standing in for him at the Southern Bank Ribbon Cutting and Commissioner Jordan for attending the elder abuse walk on behalf of the County. He asked Board members to forward their County Attorney evaluations to him. He said he would like to charge the Personnel Committee with updating the county manager and county attorney evaluation forms, noting that they are both outdated.

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

Motion was made by Sean Lavin, seconded by Lloyd Griffin to adjourn the meeting. The motion carried and the meeting was adjourned at 6:30 PM.

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CHAIRMAN

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CLERK TO THE BOARD