

**PASQUOTANK COUNTY, NORTH CAROLINA
JUNE 6, 2016**

The Pasquotank County Board of Commissioners met today in a regular meeting on Monday, June 6, 2016 in Courtroom C in the Pasquotank County Courthouse.

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

MEMBERS ABSENT: None

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

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

1. AMENDMENTS TO THE AGENDA:

Chairman Winslow asked if there were any amendments to the agenda. Vice-Chairman Cecil Perry requested that the following recommendations from the Finance Committee be added to the consent agenda: 1) Approval of stipend for Interim Maintenance Superintendent and 2) Approval of bid for surplus property off of Mill Pond Road. Attorney Cox requested to add a Closed Session at the end of the meeting to discuss a personnel matter and to preserve the attorney client privilege. Commissioner Griffin requested to add appointments to boards and committees to New Business.

Motion was made by Cecil Perry, seconded by Jeff Dixon to approve the amendments to the agenda as presented. The motion carried unanimously.

2. APPROVAL OF CONSENT AGENDA:

The Board considered the following consent agenda:

- a. Approval of Minutes of May 10 and 16, 2016 Commissioner Meetings
- b. Approval of Reimbursement Resolution for the J.C. Sawyer Elementary School Roof Project

The Finance Committee recommended the Board adopt the following Reimbursement Resolution declaring its intention to pay initial project costs, and then reimburse itself from the financing proceeds in connection with the J.C. Sawyer Elementary School Roof Project:

**Reimbursement Resolution
for the J C Sawyer Elementary School Roof Project 2015-16**

WHEREAS the County of Pasquotank (the "County") intends to undertake a Project (as described below), use its own funds to pay initial Project costs, and then reimburse itself from financing proceeds for these early expenditures. The County Manager has advised the Board of Commissioners that it should adopt this resolution to document the County's plans for reimbursement, in order to comply with certain federal tax rules relating to reimbursement from financing proceeds.

BE IT RESOLVED by the Board of Commissioners of Pasquotank County, North Carolina, as follows:

1. The Project is a roof replacement at J. C. Sawyer Elementary.

2. The County intends to advance funds for initial Project costs, and then reimburse itself from financing proceeds. The expected type of financing for the Project (which is subject to change) is installment financing under Section 160A-20. The expected maximum principal amount of the financing to be entered into for the Project is approximately \$500,000.

3. Funds for the early Project expenditures may come from the County's General Fund.

4. The County intends for the adoption of this resolution to be a declaration of its official intent to reimburse itself from financing proceeds for Project cost expenditures.

I certify as follows: that the foregoing resolution was properly adopted at a meeting of the Board of Commissioners of Pasquotank County, North Carolina; that this meeting was properly called and held on June 6, 2016; that a quorum was present and acting throughout this meeting; and that this resolution has not been modified or amended, and remains in full effect as of today.

Dated this 6th day of June, 2016.

c. Approval of Stipend Pay for Interim Maintenance Superintendent

The Finance Committee has recommended paying David Smithson a stipend of \$4,450 for filling in as Interim Maintenance Superintendent for the past four months since the retirement of Pug Taylor. During the four month period, he continued to perform the duties of Water Superintendent.

d. Approval to Sell Surplus Property on Mill Pond Road

The Board had previously proposed to accept an offer of \$6,000 from Larry Walker for property located at 1565 Millpond Road and to advertise for upset bids. The offer was upset by Jacinta Baker in the amount of \$10,000. The new offer has been advertised and no additional bids were received during the 10-day upset bid period. The Board can now approve the sale of the property for \$10,000.

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

3. UPDATE ON PASQUOTANK COUNTY PROJECTS RECEIVING LOCAL INPUT POINTS FROM THE ARPO TAC BOARD:

Angela Welch, Albemarle Commission Planning Director/RPO Coordinator reported that the ARPO TAC Board met April 27, 2016 and scored projects for Pasquotank County. She stated that the following projects received local input points:

1. H150618 – Reconfigure the 5 leg intersection to improve traffic flow and safety on Route 17 Bus. at Oak Stump Road.
2. H130685 – Widen existing 4 lane roadway to accommodate left turns/access management on Hughes Blvd. between Church Street and North Road Street.
3. H150687 – Elizabeth City signal system – upgrade new cabinets and controllers at 44 intersections, 33 signal poll change outs, 16 miles of fiber optic cable, etc.
4. H141929 – US 17 Business in from Edenton to Okisko Road – upgrade to interstate standards.
5. H141931 – US 17 North of Elizabeth City to Virginia State line – upgrade to interstate standards.

Ms. Welch explained that these recommendations came from local DOT staff. She is hopeful we will get some projects scored during the next round of funding, which will not be available until 2021.

4. APPROVAL OF REQUEST TO RETIRE DUTY WEAPONS AND BADGES FOR RETIRED SHERIFF'S DEPARTMENT EMPLOYEES:

The Board considered a request from Sheriff Randy Cartwright to retire the duty weapons and badges and award them to Officers Gary White and Ronald Hopkins who have retired from the Sheriff's Department. The Sheriff's Department has a policy that allows sworn law enforcement officers who retire to receive their badges at no cost and to receive their service side arms at the discretion of the Board of Commissioners according to a price schedule based on their years of

service. Officer White retired with 11 years of service and Officer Hopkins retired with 21 years of service. According to the schedule, retiring officers with 10 to 20 years of service would pay \$50 for their duty weapons and there is no charge for officers retiring with more than 20 years of service. Sheriff Cartwright has advised that he will collect \$50 from Officer White for his weapon.

Motion was made by Frankie Meads, seconded by Jeff Dixon to approve retiring the duty weapons and badges and awarding them to Gary White and Ronald Hopkins according to the Sheriff's Department's policy and fee schedule. The motion carried unanimously.

5. ADOPTION OF RESOLUTION SUPPORTING SENATE BILL 812 WHICH WILL ELIMINATE AND PREVENT TOLLING ON NORTH CAROLINA FERRIES AND PROVIDE FUNDING TO NCDOT FOR FERRY REPLACEMENT:

Commissioner Griffin asked that the Board delay action on adopting the following resolution until the State's budget has been approved:

RESOLUTION OF THE PASQUOTANK COUNTY BOARD OF COMMISSIONERS IN SUPPORT OF SENATE BILL 812 TO PROTECT CITIZENS OF NORTH CAROLINA FROM THE FERRY TAX AND TO APPROPRIATE FUNDS FOR FERRY REPLACEMENT 2016-17

WHEREAS, the Pasquotank County Board of Commissioners has long held the position that a ferry system which is free to residents and the public is as critical as, and directly akin to, the state-maintained road system, providing ease of travel and access for North Carolina residents and visitors; and,

WHEREAS, the Currituck-Knotts Island ferry service has been provided free of charge to all travelers for 50 years, easing the burden of Currituck families, school-age children, and resident workers whose only option was a two-hour commute through the communities of Virginia Beach and Chesapeake in Virginia; and,

WHEREAS, ferry travel is the main form of transportation and only connection to the Currituck mainland from Knotts Island, Currituck County, and is the primary transportation corridor between Ocracoke Island and Hatteras Island, Dare County; and,

WHEREAS, the North Carolina ferry highway system is a draw for the millions of visitors to North Carolina's coastal communities and beaches, helping to keep tourism a top revenue producer in the state; and,

WHEREAS, Senator Bill Cook and Senator Norman Sanderson introduced in the General Assembly Senate Bill 812, which calls for the elimination of ferry tolls currently in existence, prohibits new tolling on ferry routes, and appropriates \$23 million dollars to the Department of Transportation for ferry replacement; and,

WHEREAS, Senators Cook and Sanderson, in introducing SB812, clearly understand the importance of the North Carolina ferry system to their constituents who reside or work in coastal communities and rely on ferry travel, and the ferry system's value in a tourism-driven economy.

NOW THEREFORE BE IT RESOLVED that the Pasquotank County Board of Commissioners strongly supports Senate Bill 812 which will eliminate and prevent tolling on North Carolina ferries and provide funding to the North Carolina Department of Transportation to utilize for ferry replacement.

BE IT FURTHER RESOLVED that the Pasquotank County Board of Commissioners encourages local governments in North Carolina's coastal communities whose residents depend on ferry service as a main mode of transportation to join with them in support of SB812.

ADOPTED this ___ day of _____, ____.

Motion was made by Jeff Dixon, seconded by Lloyd Griffin to table adopting the above resolution in support of protecting NC citizens from ferry taxes until after the State approves its final budget. The motion carried unanimously.

6. ADOPTION OF RESOLUTION OPPOSING NORTH CAROLINA HB 1122 WHICH WILL LIMIT MARINE NET FISHING:

County Manager Bunch explained that Currituck and Dare Counties recently adopted resolutions opposing the North Carolina legislature putting a referendum on the ballot in the 2016 general election that would limit marine net fishing and asked that the Board consider doing the same.

The resolution states that with the 2016 general election less than six months away, North Carolina's commercial fishermen will not have adequate time before the proposed referendum to properly educate the public about the sustainability of net fishing and the way it benefits North Carolina's economy.

Motion was made by Lloyd Griffin, seconded by Frankie Meads to adopt the following resolution in opposition of HB 1122 which will limit marine net fishing. The motion carried unanimously.

**A RESOLUTION OPPOSING NORTH CAROLINA HB 1122
THAT WOULD LIMIT MARINE NET FISHING 2016-18**

WHEREAS, House Bill 1122 has been introduced in the North Carolina legislature to put a referendum on the ballot in the 2016 general election that would limit marine net fishing purportedly to protect saltwater finfish, shellfish, and other marine animals from unnecessary killing, overfishing, and waste; and

WHEREAS, net fishing has been a vibrant and successful part of North Carolina's heritage and culture for all of its recorded history and represents a means by which commercial fishermen create jobs, provide for their families, and contribute to the economic well-being of North Carolina's coastal communities; and

WHEREAS, commercial net fishing is a vital part of the economic engine that responsibly harvests fresh, healthy seafood from North Carolina's coastal waters for distribution to American tables; and

WHEREAS, existing state and federal regulations provide ample provisions for the monitoring and regulation of commercial net fishing activity with serious penalties and sanctions for rule violations, which have proven to be effective in preventing unnecessary killing, overfishing, and waste; and

WHEREAS, there is no peer reviewed science to support an arbitrary ban on commercial net fishing, which would have an immediate and long lasting devastating impact on North Carolina's fishermen, many of whom have no other means to earn a living; and

WHEREAS, with the 2016 general election less than six months away, North Carolina's commercial fishermen will not have adequate time before the proposed referendum to properly educate the public about the sustainability of net fishing and the way it benefits North Carolina's economy.

NOW, THEREFORE, BE IT RESOLVED, that the Pasquotank County Board of Commissioners hereby opposes HB 1122 and any other measure that would arbitrarily impair the livelihood of North Carolina's hard working commercial net fishermen.

BE IT FURTHER RESOLVED, that the Pasquotank County Board of Commissioners urges all coastal communities to support North Carolina's working watermen and adopt similar resolutions in opposition of HB 1122.

Adopted this the 6th day of June, 2016.

Commissioner Meads stated that catfish are a dominate fish and if they are not continually caught they will dominate the rivers and streams in eastern North Carolina and there will be no fish for sportsmen to catch.

7. DESIGNATION OF VOTING DELEGATE FOR NACo ANNUAL CONFERENCE:

The Board considered the designation of a voting delegate for the National Association of Counties (NACo) Annual Conference which will be held in California in July. County Manager Bunch reminded the Board that there is not an expenditure for the conference in the proposed budget. Commissioner Perry said if there are funds available he is willing attend the conference. After discussions regarding cost, there was a consensus to wait until the conference location is closer and would not be as great of an expense.

8. PRESENTATION OF PROPOSED FISCAL YEAR 2016-17 COUNTY BUDGET:

County Manager Rodney Bunch presented the proposed county budget for FY16-17. He read the budget message which indicated that the proposed budget does not include an increase in ad valorem taxes or solid waste fees.

The proposed budget will be available for public inspection at the W.C. Witherspoon Memorial Library and the County Manager's Office. A public hearing will be held on the budget at the June 20 Commissioner meeting.

Motion was made by Lloyd Griffin, seconded by Cecil Perry to call for a public hearing on the proposed 2016-17 county budget at the June 20 Commissioner meeting. The motion carried unanimously.

Commissioner Meads asked if the money spent on the water department lawsuit is in the proposed 2016-17 budget. Finance Officer Sheri Small stated that the attorney fees are in the current year's budget.

Commissioner Griffin said at the Finance Committee meeting earlier in the day staff was directed to go back and revisit ways to "scrape" additional revenues for the school's budget. County Manager Bunch said Commissioner Parker asked staff to work on that and he talked with her prior to the meeting starting and offered to work with her. He said they are now prepared for the Board to move forward. Commissioner Parker said what she was initially referring to was money not used for the VIPER system and the state mandated backup center being utilized for the school system, however she does not know if there are any other places that staff can possibly look for additional funds for the schools. She said Mr. Bunch indicated earlier if staff scraped they may be able to find \$100,000 - \$250,000. She said if there is a possibility to increase funding for the schools, she is sure they will take anything they can get.

Chairman Winslow noted that the VIPER system will cost the county a lot of money. He said the Board has dealt with the need for the system since he came on the Board six years ago. He said there are deputies and firefighters who put themselves in jeopardy every day and something has to change. He said it is a safety issue and we must deal with it before someone gets hurt or killed. He stated that it is not that we just want to upgrade the communication system, this is something that should have been done earlier, but we now have the coordination of Camden, Elizabeth City and Pasquotank County.

Commissioner Dixon said he would also like staff to go back and see if the funds set aside for the backup PSAP center for 911 can be utilized if the state says it does not have to be done this year. He said he appreciates staff's hard work in trying to put a regional plan together, but he does not know if it will happen next year or not. He said he knows there is a statute stating that it must happen, but maybe we can free that \$575,000 up for the schools if the mandate is postponed. Ms. Small explained that if the 911 backup center is not required this year, that it will only free up 48% of the \$575,000. The other 52% is already in revenue, so it would have to be pulled out of revenue, along with the expenditure. She said the \$575,000 is a shared amount between the City of Elizabeth City, Camden County and Pasquotank County. Mr. Bunch stated that the \$575,000 figure is just an estimate at this time.

Commissioner Perry asked if it is a requirement from the State that all counties have a backup 911 center. Ms. Small answered yes sir.

Commissioner Meads noted that there will be other things that come up during the year that will require additional money and we certainly cannot bankrupt ourselves before we get the budget started for next year.

Commissioner Dixon said historically we have funded the schools around the 50 percentile per pupil in the state, which is around \$1,500 per pupil. He stated that with the last estimates and with a decrease in the number of enrolled students, we will be funding around \$1,700 per pupil. If we look at last year's cost per pupil, it will put Pasquotank County in the 25-30 percentile. He said he is not using these numbers as a mode to not find more money for the school system. He said the problem we are having is they need additional operational funds, not borrowed money. That makes it very hard for the County because we do not have additional cash. He said he did not realize that the budget included the 52% in the revenue side.

Mr. Bunch said if the legislature takes action in the next 30 days to delay the backup center mandate, the County will have \$276,000 in the budget that can be reallocated.

Commissioner Dixon said we may have additional funds when the sales tax numbers come in. Ms. Small said we do not know where we are going to end up fund balance wise because sales tax is such a large part of our pie. She hopes that we break even, but we have spent a lot of money this year in schools, including \$1.3 million cash for capital. The proposed budget provides \$2.9 million for capital, but it will not be borrowed until the end of next fiscal year because bids must be in hand to receive financing.

9. REPORTS FROM COUNTY MANAGER:

County Manager Rodney Bunch reported that he and Chairman Winslow attended the 2016 County Assembly Day in Raleigh. The session included comments from Speaker of the House Tim Moore. Legislative updates were provided by Johanna Reese, County Association Director of Government Relations. She said the NCACC Board of Directors adopted three priorities to focus on during the 2016 Short Session. The Association is seeking: 1) an end to statutory authority that allows local school boards to file suit against a county board of commissioners over the county appropriations for education; 2) additional flexibility with existing revenue options; and 3) legislation to preserve local option and authority where needed to ensure community access to critical digital infrastructure needs.

Mr. Bunch stated that he and Chairman Winslow visited Representative Steinburg and Senator Cook. They mentioned the items listed above and additional items of specific interest to Pasquotank County. These included: 1) HB 7320 – An act to prohibit municipalities from providing financial assistance to county 911 dispatch services; 2) HB 512 – Implementation of back-up PSAP requirements. He said they stressed the financial burden for local governments to provide back-up 911 centers. They informed them that Pasquotank County has done preliminary work to locate a back-up facility at Elizabeth City State University at a projected cost of \$1,145,000. Potentially, \$570,000 of this may qualify for surcharge funds or grants. He said they stressed that if a hurricane/tornado occurs, both the primary and back-up 911 center could lose the ability to communicate.

Mr. Bunch reported that the Solid Waste Department is in the process of preparing an expansion permit request to NCDEQ for the expansion of the C&D landfill. If approved, the new permit will increase the footprint of the landfill and provide for approximately 20 additional years of life for the facility. The current permitted area has less than two years of operating space. He said the Pasquotank County Solid Waste Ordinance allows us the ability to accept or reject C&D waste coming into the facility. He said they believe it is in the county’s best interest to cease accepting C&D waste from any sources outside of Pasquotank County and Camden Counties until the new expansion permit is obtained. The Solid Waste/Landfill Committee concurred with the decision at their May 25, 2016 meeting. Mr. Etheridge will post signs at the weigh scales entering the landfill notifying everyone this will be effective July 1, 2016.

Mr. Bunch reported that the following vehicles were sold on Govdeals.com. The Mack truck was surplus by the Board of Commissioners and the remaining vehicles were surplus by the County Manger.

Description	Buyer	Sold Amount
2008 Mack CXU613	Scott Rasa	\$27,250.00
2004 Dodge Caravan SE	Yudelka Bernal	\$231.26
2007 Ford F-150 STX	Cliff Barnes	\$615.00
Flat Bed Truck	Louis Wallace Jr.	\$233.91
		\$28,330.17

Mr. Bunch reported that he, Chairman Winslow, and Commissioner Dixon met with Dr. Kandi Deitemeyer on June 11th to discuss potential projects that might qualify for NC Connect Bond funding. Dr. Deitemeyer did report that the COA trustees have approved the library project and instructed her to move forward on design for the Performing Arts Center. Other than these projects, the conversation was very general about needs at the Elizabeth City Campus. Dr. Deitemeyer is planning to meet with representatives of the Chowan, Currituck, and Dare County campuses. Once she has completed the meetings, she will report to the COA Board of Trustees. He said they will meet with Dr. Deitemeyer again before any decisions are made.

On June 1st and 2nd, Parish & Partners representing the Elizabeth City Regional Airport Authority conducted an eight hours Strategic Master Plan Kick-Off Meeting for the Airport in unison with the USCG. Parish & Partners is a firm that prepares planning, airfield design, landside design and support services with regional offices in North Carolina and South Carolina. The firm was selected by the Airport Authority to prepare a 20 year Strategic Master Plan. A Technical Advisory Committee was established to work with Parish & Partners consisting of the Airport Director/Manager, Airport Authority Chairman, Telephonics Representative, two USCG Commanders, City Manager, County Manager, and the Pasquotank County – Elizabeth City Economic Development Director. Topics of discussion include: the study process and schedule, strengths, and weaknesses of existing facilities, opportunities and threats, visioning, goals, and objectives. The consultant will prepare a document outlining the discussions to send out to the participants. He said this was the first of many meetings of the Technical Advisory Committee for completing the Strategic Master Plan.

10. REPORTS FROM COMMISSIONERS:

Commissioner William Sterritt reported that he attended the Annual Memorial Day Service where approximately 21 different organizations placed flags and wreaths in honor of those soldiers who have fallen over the years. He said due to the weather it was held at the Chief Petty Officers Club. He said approximately 250 attended the event and it was a very nice tribute to all the Veterans that died in battle over the years.

Commissioner Sterritt said it appears that the longevity pay issues have been solved thanks to a recommendation by the County Manager and the Social Services Board. He said there are three employees at the Department of Social Services who need to be compensated by the 30th of June so that it will come out of this year's budget for Social Services.

Commissioner Parker reported that she proctored at River Road Middle School today. She said she was in room F-04 and there was no air conditioning. She talked with the teacher and was informed that there is no thermostat in that room. She said she was told that sometimes it is very cold and other times it is very hot. She said the students were testing and the teachers are teaching under these conditions. She invited members of the Board to volunteer and proctor during testing so they can experience the classroom situations. She said she will also be proctoring tomorrow.

Commissioner Griffin reported that the airport authority met last week. He said the airport manager will update the Board on the airport's operations and future needs at the Finance Committee Meeting on June 20 meeting.

Commissioner Griffin stated that the Albemarle Commission provides a great service to the ten counties it represents at a nominal cost. One of the greatest benefits he said is the Senior Games, as well as the Nutrition Program.

Commissioner Perry attended the Jail Commission meeting today. He reported that 50 Federal prisoners are housed at the jail at this time. He said they did not anticipate averaging more than 30 prisoners daily and therefore the jail is generating additional income.

Chairman Winslow attended the Northeast Alliance meeting last week in Greenville. He said there were many people there promoting Interstate 87. He wishes there was a way to get more attention on this end of the state. He said he knows that DOT and Ms. Welch are doing everything they can to help. He said he stressed the importance of improving the road from the Virginia line to Hertford, because it will enhance many counties.

11. APPROVAL OF RECOMMENDATIONS FROM APPOINTMENTS COMMITTEE:

Commissioner Griffin presented the following recommendations from the Appointments Committee for appointments or reappointments to boards and committees:

ABC Board - Reappoint Roy Daniels and Tommy Tilley to additional 4-year terms to expire June 30, 2020.

Aging Advisory Council - Reappoint Pat Youngblood to an additional 2-year term to expire on June 30, 2018.

Airport Authority - Reappoint Steve Saunders to an additional 2-year term to expire on June 30, 2018.

COA Board of Trustees - Appoint David Harris to a 4-year term effective July 11, 2016, and expiring June 30, 2020.

Pasquotank County Library Board - Reappoint Charles Jordan, Mark Maland, Phyllis Phillips, Randy Cartwright, and Dorsey Harris to additional 4-year terms to expire June 30, 2020.

Planning Board - Reappoint David McGuire, Robert Pippen, Jr., Hezekiah Brown, and William Kruse to additional 4-year terms to expire June 30, 2020.

Senior Tarheel Legislature - Reappoint David Boone and James Robertson to additional 2-year terms expiring June 30, 2018.

Social Services Board - Reappoint William Sterritt to an additional 3-year term to expire on June 30, 2019

Tourism Development Authority - Reappoint Rhonda Twiddy, Andrew Montero, and Abel Sutton to additional 2-year terms to expire June 30, 2018.

Motion was made Lloyd Griffin, seconded by Jeff Dixon to accept the recommendations from the Appointments Committee to approve the appointments and reappointments as presented, with the exception of the appointment to the COA Board of Trustees which will lie over until the next meeting. The motion carried unanimously.

12. CLOSED SESSION TO PRESERVE THE ATTORNEY CLIENT PRIVILEGE AND TO DISCUSS A PERSONNEL MATTER:

Chairman Winslow 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 and to discuss a personnel matter.

Motion was made by Lloyd Griffin, seconded by Jeff Dixon that the Board enter Closed Session to preserve the attorney client privilege and to discuss a personnel matter. The motion carried unanimously.

Upon the end of Closed Session;

Motion was made by Lloyd Griffin, seconded by Cecil Perry that the Board return to Regular Session. The motion carried unanimously.

There being no further business;

Motion was made by Cecil Perry, seconded by Frankie Meads to adjourn the meeting. The motion carried unanimously and the meeting was adjourned at 8:25 PM.

CHAIRMAN

CLERK TO THE BOARD