

**PASQUOTANK COUNTY, NORTH CAROLINA
AUGUST 21, 2017**

The Pasquotank County Board of Commissioners met today in a regular meeting on Monday, August 21, 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
Shelley Cox, Planning Director
Lynn Scott, Clerk to the Board

The meeting was called to order at 7:00 PM by Chairman Cecil Perry. Commissioner Bettie Parker recited the Serenity Prayer and Vice-Chairman Bill Sterritt led in the Pledge of Allegiance to the American Flag. Chairman Perry welcomed everyone present and said he is thankful for the opportunity to listen to our citizens this evening and looks forward to hearing what they have to say. He asked that everyone be cordial and understanding of one another. He informed the audience that under current laws the County cannot move or take down historical statutes/monuments in North Carolina. He asked that each individual signed up to speak limit their time to three minutes.

1. PUBLIC COMMENTS REGARDING CONFEDERATE MONUMENT ON COURTHOUSE PROPERTY:

Chairman Perry recognized Joseph Persico of 406 W. Church Street who said he represents Northeast North Carolina Progressives. He began with a quote by Governor Roy Cooper; “We cannot continue to glorify war against the United States fought in defense of slavery, these monuments should come down.” He said he does not want to pretend he knows how it feels to be a person of color and have to live with the constant reminders of the deplorable history of slavery and oppression. He stated the statutes were not erected right after the Civil War to commemorate their dead; they were erected during the era of Jim Crow Law to remind people. He said the historical significance of this is to celebrate the people who fought against their own country in order to defend their right to own human beings. He said they thought it was a right. He noted that whether we like it or not these statutes are still a symbol of oppression for many people. If the point of the statutes is to celebrate history, he feels they should be put in a place that serves that purpose, such as a museum or graveyard where confederate dead are buried. He stated that there are places to learn about historical events; history class, museums, etc. He said a reminder at the courthouse is not the place. Leaving a symbol on courthouse grounds reminds people that things really have not changed much in the south or not as much as we want to believe they have. He said NC Progressives stand with the NAACP in calling for a resolution for the Board to support removal of the monument. He said we may not have the power to go ahead and do it, but we do have the power to go fight for the right to remove it.

Chairman Perry recognized Holly Audette of 609 W. Main Street who thanked the governing body for the opportunity to invite this community to come together and have conversation about very important issues. She thinks we should be very proud of our local government and community that we choose to come together like this to have this conversation and to discuss resolution of this and many other issues. She is very proud to be a member of the community in that regard. When she came in today, she saw Mr. Keith Rivers who represents the local NAACP. She said they immediately smiled at each other, shook each other’s hands, and greeted each other with civility. She thinks that is exactly how people with different positions on issues should greet each other. She said the quality of a person is not dependent on whether or not they agree on all issues; the fact that we are neighbors and share a community is important and she thanked Mr. Rivers for the extension of his civility to her tonight.

Ms. Audette stated that she moved to Elizabeth City in 2000 and one of the first issues she got involved with in local government was the naming of a street for Martin Luther King, Jr. She said we may recall the conversation among the community which much like this one had people of differing positions. She felt very strongly about the issue that night and spoke very clearly that she thought it was entirely appropriate and she wanted to encourage the local government to name a street after a man who fought so diligently for civil rights. She said she comes tonight with the same passion about another issue. She stated that she is not here tonight to diminish or in any way contest the sincerity of people who do not want to see a monument that is currently on these grounds remain there. She does not intend to debate whatever their premise is for the reason that they feel that way. She does not think that anyone else should. She said whatever is in somebody's heart that they sincerely express and sincerely believe is very valuable for all of us to listen to. She stated that is not the position that she will take tonight. She said she is taking a position with regards to the actions of government. The idea of what is offensive is a subjective determination depending on your perspective and life experience. She said the question becomes whose offense will be given priority.

Ms. Audette explained that as a woman she has the right to hold citizenship fifty years after black males did. She said she was considered property as a female. She was not able to contract and she was not able to vote. She stated that she belonged to someone else without the freedom to be considered a whole separate human being. She said that does not make her happy. She is grateful that we are a nation that reconsiders policy, evolves from some policy, and changes to other policy and that we have a freedom to be able to reconsider things and make those changes. She said she is deeply offended that there are statutes today commemorating historic figures, both government and nongovernment, of people who take the position that they favor abortion. She stated that she is a prolife person and she sees the act of abortion as murder. She said millions and millions are murdered and if she had her personal preference she would ask that we never commemorate someone who takes the position that abortion is an acceptable act by a civil society. She is not happy that there are statutes of Bill Clinton, our former President because he was found guilty of perjury and disbarred. She thinks it is rather awkward to commemorate somebody with a statute that has that background.

Ms. Audette said her point is there are subjective offenses, which are significant and cannot be diminished. She stated that just because one person or sets of persons thinks this offense has more value than another is a very slippery slope. She appreciates the private foundation that is financing the preservation of federal government monuments in Washington, DC. She said it is a private organization that raises money to maintain statues, because the National Parks Service that has the property ownership and maintenance obligation is billions of dollars in the hole. She said the foundation recently came out and said they were going to add to the Jefferson Memorial a commemorative that pronounces the differences of where this country was and came to at this point in time. She thinks that is a very respectful way to handle the fact that we had a president who held views that some or most people find offensive. She reminded the Board that they are a governing body that must consider the whole and anytime they start a subjective discussion about whose offense is right and whose offense is wrong or whose is more valuable than another they will constantly be embroiled in difficulty. She asked the Board to consider the actions of the private foundation in DC that is going to add to the Jefferson Memorial context to where we are today. She thinks that is an appropriate consideration. She thanked the Board for their time and allowing her to express her view.

Chairman Perry recognized Johnnie Walton of 401 New York Avenue who thanked the Board and said it is a pleasure to be here tonight. He said he was going to omit himself from the conversation, but since he saw so many names signed up to speak, he decided his point of view needs to be expressed. He stated that the recent activities in Charlottesville showed a lot of hate and hate can easily fester. He said if we do not fill in the spaces with love in this city the same thing could happen. He asked the Board to listen with an open ear. He said America is still young and still learning how to build a nation where equal opportunity and freedom prevail. It has opened a can of peas and now we must decide what we are going to do with them. He said this is a "right now moment". He said the biggest question in the United States is "Monuments or no monuments".

Mr. Walton stated that yesterday's *Daily Advance* asked six people their opinions on whether the monument should come down or stay. He said all six of the people that were polled were white. He noted that black people have opinions also. He believes they could have found a black to poll since the population is 56% blacks in the city. He thinks that is a problem within itself. He said

there is no wrong time to do the right thing and we must stand and not alter. He stated that we must make a difference and be a life changer. He went on to say we are not living in a perfect world, but we must create reasonable standards. He said God uses your past to show you your significance. He says no to having a Robert E. Lee monument on the courtyard. We can the phrase Liberty and Justice for All, but we contradict ourselves when only one race is represented. He said our future should not look like our past. He would be in favor of a monument of Robert E. Lee and Ulysses Grant on a monument together shaking hands because it would show world unity. He noted that to receive glory we must go through suffering. Lastly, he said we must care for the poor, allow the weak to grow strong, and strong will grow great.

Mr. Walton shared something that happened to him in his lifetime. In 1974, when he was 27 years old he tried out for the World Football League in Chicago. He said he thought he was at the top of his game. The offensive coordinator of the Chicago Fire thought he could do no right. Anything he did right, the coordinator said was wrong. In 1968, the same coordinator was coaching at Brigham Young University. At the time he was the head coach. He said at the time he was coaching a pretty good quarterback. He noted that he was not as good as him. He said everything the quarterback did was right. When he threw an interception, the coach thought it was the best interception he had ever seen. He said the coach did not hate him, but he was angry because back in 1968 his team played a team of all black young men. He said the team wanted to wear all black armbands. He said the team went to the head coach to ask about the armbands and before the first player stood up to speak, he threw them all off the team. He noted that they were undefeated up until that time. He said anger and the devil can play their parts. He forgave the coach and he loves him still. He said anger belongs in the past and we need to move forward.

Chairman Perry recognized Wade Reid of 577 Body Road who thanked the Board for the opportunity to speak. He said his family has lived in this county for a long, long time. They have witnessed a lot of events and he is sure that they will witness many more. As to the issue of the monuments, he feels we cannot change history by tearing down the monuments. He said just as if a speaker comes up here and says the Civil War was about slavery, it was not, it was about economic issues that affected the South. He stated that this issue about the monuments has been made into something that is not true. The monuments represent history and we cannot change history to get rid of hate. He said there are many people in the county that would be offended by taking the monuments down. He does not want to argue, but he asked that we respect the laws of the state and respect the feelings of the people that have paid taxes and built this county.

Chairman Perry recognized Mark Croley of 205 S. Griffin Street who thanked the board for allowing him to speak tonight. He hopes that we are able to come to a consensus and protect our heritage. To him it is not a monument to racism, because most of the men that fought were not racist or slave holders. This was a monument to the bodies that lay on distant battle fields and were never returned home. He hopes we are able to keep our monument protected and people understand that this is not about race to a lot of us, but history. He wants to see the history kept as a reminder to future generations.

Chairman Perry recognized Matthew Jarvis of 1704 Weeksville Road who said he is here tonight representing Elizabeth City State Chapter of the NAACP, as well as the young people who live in Elizabeth City. He said they are tired of waking up and cutting on the news and seeing all the hate that is going on. He stated that Charlottesville issue is over the top. He said they were flying Confederate Flags and trying to promote that it was alright. He said Elizabeth City cannot allow that to fester if we want to grow. He said the university is trying to grow and this type of behavior will deter a lot of people. If we want to call Elizabeth City the Harbor of Hospitality, we cannot harbor symbols of hate.

Chairman Perry recognized Catherine Cuninghame of 403 Jessup Street who thanked the Board for allowing her to speak. She stated that she was raised in Elizabeth City and her family has been here for five generations and in North Carolina for around 300 years. She has multiple ancestors herself who fought as Confederate soldiers some of whom died as prisoners of war for the cause of the confederacy. People like to say that it is about heritage and not hate, but this is her heritage and heritage of her children and she would like to take the statues down. She feels they belong in a museum along with the other reminders of the terrible decisions from our history. She said we should honor the victims, not the perpetrators of those tragedies in our public spaces and learn from our mistakes in schools and museums. She said the Civil War should be no different. She has heard a lot of confederate apologist tell her that the Civil War is about states' rights, to them she says read the Articles of Secession. The men in charge of the

succeeding states explicitly outlined their reasons for doing so and they stated that they wish to continue the institution of slavery without restraint. She stated that some of the individual soldiers that fought for the confederacy were drafted, ill informed, or thought they had no choice and many of those individuals were otherwise decent men. She said the fact remains that the cause of the confederacy was upholding slavery and those individuals' personal beliefs and reasons no longer matter. She said their position in history is defined by their decision to fight for the cause of slavery and to her that is not heroic or something to be praised. She said she has heard many of her fellow white people say that black Americans should just get over it, the statutes do not bother us, you should not be bothered either. She asked the Board if the callous, unfeeling attitude that the leadership of the county would like to espouse towards our citizens of color. She said the Harbor of Hospitality can do better than that by taking the generational trauma of our black citizens into account, move the statute and set an example for northeast North Carolina. She reminded everyone that there are active KKK chapters not that far away that are watching this decision. She asked if we want them to think we are on their side and we share their opinions of the confederacy and people of color. She said our friends and the many citizens of color in our city are watching us as well. She said let's make the right choice and create a resolution to present to the state legislators stating that we wish to move this monument to a museum where it belongs.

Chairman Perry recognized Christina Persico of 406 W. Church Street who said she is the President of NC Progressives and tonight she stands in solidarity with the Pasquotank County NAACP urging the commissioners to pass a resolution for the removal of the confederate statute from public, state property. She said the Civil War was treasonous and over the right to own people. Many tout that the war was over states' rights or economic issues and that is true; it was a war over the right to own slaves and maintain their economic labor force. She said this should no longer be up for debate or celebrated. She stated that the confederacy is a heritage of hate. She said the majority of statutes were not erected until the time of Jim Crowe and the Civil Rights Movement. She feels they are a reminder to people of color of their place in white society. In fact, Elizabeth City's statute was not erected until 1910, during the height of Jim Crowe. She explained that the Civil War ended in 1865. She said if these were in fact about anything more than white supremacy, hate, racism, and intimidations the date would provide correlation to that. She said these statutes and the confederate flag, which is also on the Elizabeth City statute, serves as a painful reminder to many people of color the past and present day racism they faced. She said Charlottesville is a violent and shocking reminder of the hatefulness and racism these statutes still represent to many white people in America. She stated that the racial divide in this county can be perfectly demonstrated in the responses of our own county commissioners. She said the Board's responses to the call of the statutes removal represent those that have lived their lives unaffected by racism and white supremacy in our society and those that have been affected by racism and white supremacy and continue to live it. She declared it is time to start listening to what people of color have been saying all along. She told the Board that they work beside two fantastic people if they chose to hear them. She said if just one person of color says this is painful, it should cause pause to start the discussion of why. The only way to move forward and fight supremacy and racial injustices is to start with the removal of confederate statutes. Only then can we start the healing process and start taking the steps toward a tolerant, inclusive community here in Pasquotank County and the United States. She said it is time for our elected officials to denounce white supremacy without question. She feels a confederate statute has no place on court grounds where all are guaranteed equality and justice. She said this is a direct contradiction to equal treatment and racial justice.

Chairman Perry recognized Sharon Russell of 1325 Lambs Grove Road who thanked the Board for the opportunity to speak. She said three years ago this issue came up and there were discussions about it at that time. She conducted the Southern Confederate Conference and they had a rally in front of the courthouse. She stated that Mr. Leary spoke at the rally and gave everybody a history lesson on how the Civil War was not about slavery. Instead, it was about the tyranny of the taxes that the north wanted. She said we have a humongous monument of Abraham Lincoln in Washington DC. She asked do we remove it because he wanted the tariffs off the southern productions we had such as cotton, tobacco, or sugar. She said there were more slaves in the north than there were in the south. She stated that he did not release the slaves in the north when he signed the Emancipation Proclamation. She said we had a regimen in the south that was fighting for their homes and their land. They did not want to be owned, but they wanted to stay where they were. She said this is all provided in history books.

Ms. Russell stated that black and white people attended the rally. She said nobody wants to divide this community. She was not speaking against the confederate flag or the monument. She said the monument is our history so that we do not repeat it. She said it is a symbol of a man who gave his life for something he believed in, possibly even ordered to do. She asked if you would kick over a gravestone of a police officer who was ordered to control a riot. She said the soldiers were ordered to go out there and protect what he thought he was supposed to. She said now people want to take down a 102 year old statute that is not offending anyone. No one knew it was there until Mr. Rivers keeps bringing it up over and over. Now, all of sudden it hurts peoples' feelings and it is so horrible to look at. She said you can hardly even see the thing. She said the black and white people that came to her rally said they understood what she was trying to do. She wants the community together. She told others in the courtroom that they should not teach their children that white men hate them because that teaches racism. They are all just men and women and they need to be taught to love everyone. God put them beside you. She said that is what she was trying to teach when she did the confederate rally. She said we need love and unity, so we do not become another Charlottesville or South Carolina where people get killed over this. She said it is ridiculous. In three years, we will come back and talk about the monuments and flags, but they are not what is creating the blood, what ya'll are doing is creating blood. Ya'll are sitting here and saying that is a black man and that is a white woman. She said we need to just say they are people who want to know you. She grew up here and has been here for 47 years and she loves her black friends just as much as she loves her white friends. She said there is no difference and we need to stop putting a difference between us and we will not have this racial divide. She said it is appalling and it makes her sick to her stomach. She asked that we leave the monuments and flags alone and quit making them idols. She said if we read our Bibles and called ourselves Christians, we need to quit putting an idol before us and put our neighbors before us. She said stop being so caught up in what is racism and stop calling yourself a Christian and saying that's a white man, he must hate me. She said she does not hate anybody, whether they are black, white, or Hispanic, she does not care. She went on to say, the monument needs to stay because it is honoring a dead person who did what he was supposed to do.

Chairman Perry recognized Keith Rivers of 104 Grandview Drive who said he is the President of the Pasquotank County Branch of the National Association for the Advancement of Colored People. He said it is their request that the elected leaders of our county do what elected leaders have been doing for centuries; "take the higher ground". He stated that when the Constitution was written and signed, blacks were not included because they were considered to be property. When the first amendments to the Constitution, also known as the Bill of Rights were ratified to protect individual rights of persons in this country, again blacks were excluded because slaves were considered property. He said there were elected leaders who understood that the abuse endured by slaves for economic gain was morally wrong so they took the higher moral ground and this created the foundation for the Civil War. Upon the defeat of the confederacy in 1865, elected officials passed the 13th Amendment to the Constitution that abolished slavery. They passed the 14th Amendment to the Constitution that ensured citizenship for blacks. They passed the 15th Amendment to the Constitution giving black men the right to vote, however there were forces throughout the South that believed in white supremacy and black powerlessness. He said they used groups like the KKK to enforce these beliefs, but again elected officials took the higher moral ground, by passing the Enforcement Act of 1871, also known as the Civil Rights Act of 1871 that empowered the president of the United States to fight the KKK. Southern white supremacy groups used imagery like flags and lynching of blacks to intimidate blacks and white sympathizers. Lynchings increased in this country from the 1890s to the 1920s, but decreased in 1930 partly due to elected officials attempting to pass the Dyer Anti-Lynching Bill. He said there were 3,446 recorded lynchings of blacks in an 86 year period. He added it is important to note and as it has been said many times tonight that these monuments were erected during this period of time. He said that is why it is so important to take the higher moral ground. Mr. Rivers said as noted by history, Brown vs. Board of Education, the signing of the 1964 Civil Rights Act, and the signing of the 1965 Voting Rights Act, elected officials continued to take the higher moral ground. In 1987, WC Witherspoon was elected to the Pasquotank County Board of Commissioners because the Board prior to his election voted to create a minority, majority district. He noted that the Board took the higher moral ground.

Mr. Rivers said two years after the Emanuel Church Massacre in Charleston, South Carolina and two weeks after the senseless death and maiming of people in Charlottesville, Virginia, they are asking for the second time that the Pasquotank County Board of Commissioners join so many others in our state and nation by taking the higher moral ground. He said they understand that the law has been passed, but here in Pasquotank County they are asking the Board to support a

resolution to remove the confederate monument that bares the confederate flag from public property. They are not asking to tear it down or destroy it, but they ask that it be put in its rightful place. In closing, he said he loves the fact that he came from a culture that through 274 years of slavery, 99 years of Jim Crowe and segregation, and 50 more years of continued struggle for equality that we can still love. He quoted Dr. Martin Luther King, "hate cannot drive out hate, only love can drive out hate". He asked the Board to take the higher moral ground and support a resolution to move confederate imagery from public property and put it in its rightful place. He said send a message from Pasquotank County all across the state and nation that we here in Pasquotank County will truly say that all men and women are created equal.

Chairman Perry recognized Alex Leary who said he taught school at Northeastern High School for 13 years. He said he probably needs to apologize for teaching it wrong, because most of what he is hearing is that Civil War was fought for slavery. He said the Civil War was fought between two countries, the Confederate States of America and the United States of America. He stated that both countries supported slavery. The only thing is the United States had been supporting slavery for 80 years. The Confederate states supported slavery and they were controlled by the Agricultural Plantation Southern Owners, but the majority of southerners did not actually favor slavery, especially people from North Carolina. He is very proud of that. He said people have tried to tell him that the southern states tried to destroy the United States, but they did not. They were fighting for independence. He said it would be the northern government that would actually initiate war against the southern states and invade. He asked where all the battles were fought. He said they were not fought up north, but were fought down south by northerners invading southern territory. He said we know that the north, with all its money and resources won the war and slavery did not end in the United States until after the war. He does not think that anyone should ever defend slavery because it was a wrong institution, but to blame confederates and soldiers for all of it is as completely wrong as anything else. He asked if anyone ever wondered why after the Civil War southerners did not migrate north. He said the government did not want them and they did not give them the right to vote. He understands a lot of the feelings blacks have about the confederacy because they associate it with the Klan. He said what most people don't realize is that hatred is not just a southern thing, because when the blacks do migrate north in the 1920s there was a large rise of the Klan in the north. He said Ohio, Indiana, and Illinois had 40% of the clan members. He noted that they had more clan members in three states than all eleven confederate states. He read the other day that there are approximately 990 hate groups in the United States and the majority of them are outside the confederate states. He thinks we are taking the wrong move when we say that confederates were actually evil neo-Nazi racist. He ended by saying southerners have been extremely good to black people over all. He noted that there will always be hate groups amongst us. Many of his best friends have been black people. He added that the monument has not hurt or insulted one person that he knows of.

Chairman Perry recognized Aschland Tann who said when change occurs the community has the responsibility to decide how the history books will remember us. He said his home town, Baltimore, Maryland burned to the ground both physically and in the media. He said it was an unstable city of hate and racism, overtaken by darkness, but a light emerged when Baltimore decided to free itself. Unfortunately, for defenders of the confederate flag, this became a symbol of hatred and violence and white supremacy. He urged the public officials to stand on the side of justice and righteousness and remove the symbol of injustice from a place where we are supposed to be able to defend ourselves in the court of law.

Chairman Perry thanked the audience for expressing themselves. He asked Board members for comments. He believes everyone knows what he supports. He noted that he is perhaps the oldest in the room and perhaps he has seen more and read more about the history of this country than anyone in here, except maybe the history teachers. He said we must all recognize that there are two sides and what one may see another may see entirely different. He is influenced by what he sees and he has lived long enough to know that the things that happened in the past are not all good. He has seen some very bad things. He remembers when people were afraid to come to Main Street in this town. He remembers when blacks had to go to the back of school buses and go to different water fountains. He escaped this and has learned to love everybody. He said sometimes what we say, what we see, and what we do makes a difference in how they feel about themselves and others. He said it was nice to hear from the young people in our community tonight and to come and to hear us have a very decent discussion about what we truly feel. He asked that we look for ways to love and embrace one another. He does not want to see any one's feelings hurt. He said if this was in the 40s or 50s he would not express how he feels, because he

has seen Rebel flags go by and he has seen crosses burning in yards. He is very aware of the intimidation. He is aware that what some people see as hate others see as love.

Commissioner Winslow encouraged members of the public to get involved in our communities opioid abuse crisis. He said about every ten seconds, a child dies in the country from drug abuse. He would like to see this much enthusiasm about something that we can change to make this country better. He said most often we have three people in the audience. He asked that everyone push their politicians to try to do something about this crisis.

The Board agreed to take a five minute recess.

2. AMENDMENTS TO THE AGENDA:

Chairman Perry asked if there were any amendments to the agenda. Vice-Chairman Bill Sterritt requested that the agenda be amended to add the following item to the Consent Agenda: 1) Approval of Pay Grade/Step for Assistant Water Superintendent.

Motion was made by Bill Sterritt, seconded by Jeff Dixon to approve the amendment to the agenda as presented. The motion carried unanimously.

3. APPROVAL OF AGREEMENT WITH FOOD BANK AND PASQUOTANK COUNTY:

The Board reviewed a proposed agreement between the Food Bank of the Albemarle, Pasquotank County, Camden County, and the City of Elizabeth City for the Food Bank to provide space for a receiving and distribution point to accept food donations in the event of a disaster. The agreement establishes the distribution point in advance and details the responsibilities of each agency in the event a disaster requires that a distribution point be activated.

County Manager Bunch said this item was tabled at the last meeting so that our Emergency Management Director Christy Saunders could be here to provide further clarification on the distribution of the costs among the participants. Ms. Saunders stated that the agreement has been in effect since March, 2001. During the time that it has been in effect, it has been used one time during Hurricane Isabelle in 2003. At that time, there was a Presidential Declaration. She said if we were to have to use the Food Bank as a distribution point, then it would likely be during a Presidential Declaration in which we would be reimbursed for. If for some reason it were not for a major event, then we would pay for it out of the Emergency Management budget and it would then be billed to which ever jurisdiction it was for.

Motion was made by Lloyd Griffin, seconded by Joe Winslow to approve the agreement between the Food Bank, Pasquotank County, Camden County, and the City of Elizabeth City for a receiving and distribution point in the event of a disaster. The motion carried unanimously.

4. APPROVAL OF CONSENT AGENDA:

The Board considered the following consent agenda:

a. Approval of Minutes of August 7, 2017

b. Approval of Tax Releases and Refunds

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

Tax Releases

		County	City
1.	Randal K.. & Barbara A. Rhoads Eisenhower Co Tr Revoc. Trs	416.00	
2.	Martha Frances Shannon	415.50	
3.	Patricia A. Stallings Allen	495.97	
4.	Mark B. & Judith K. Barnett	415.50	
5.	Ernest E. & Barbara B. Cooper Joint Revocable Trust	659.21	
6.	Shirley A. Hannah	507.90	373.35
7.	Ruby Foster	301.54	197.81

8.	Earl C. Jackson Jr.	415.50	
9.	Dallas Hope & Aurelia Allen Munden	415.50	
10.	Carolyn Sue Smithson Lane	261.50	
11.	Thomas A. & Mary Markham	501.77	
12.	Suzon Yates	644.19	
13.	Vivian Shannon	407.42	
14.	Richard O. & Tristina A Kelly	415.50	299.25
15.	Christopher Smith	415.50	
16.	Jeremy & Shellie L. Armstrong	113.96	
17.	Harvey L. & W. Beatrice Beasley	415.50	294.75
18.	Mark L. Honeycutt	154.00	

Tax Refunds

		County	City
1.	Harvey L. & W Beasley (2016)	411.00	294.75
2.	Harvey L. & W Beasley (2015)	411.00	288.00
3.	David Paul Malcolm	145.39	
4.	Jason Trinidad Irwin	102.71	88.52
5.	Bianca Ledestiny James	101.69	
6.	David Paul Malcom	175.41	
7.	New Beginning United Fellowship Church	190.00	
8.	Martha Frances Shannon	411.00	
9.	Martha Frances Shannon	411.00	
10.	Martha Frances Shannon	411.00	

Solid Waste Fee Releases

		Parcel ID #	Reason for Release
1.	Mary Anderson	P120A-57	Vacant
2.	Tamera Michelle Bowe	39-A-22	Vacant
3.	Vivian Butts Etal	P142-15	Vacant
4.	Domestic & Overseas Investing Co. Inc.	11-G-19	Vacant
5.	Domestic & Overseas Investing Co. Inc.	57-A-201	Vacant
6.	Rosa Marie Felton Etal	P122A-122	Vacant
7.	Harrell Griffin Heirs	P48-4	Vacant
8.	Larry James	26-E-3	Vacant
9.	Rosma S. James & Robert K. Skinner	26-A-6	Vacant
10.	Willis S. & Paula M. Keith	P120-215	Vacant
11.	Tony Lewis	12-G-16A	Vacant
12.	TonyLewis	23-R-27	Vacant
13.	Ronald & Mary M. Morris	39-C-6	Vacant
14.	Jo Ann Perry	P6-18	Vacant
15.	Evelyn R. Poole Etal	P98-15	Vacant
16.	Samuel Glover Shannon Etal	30-A-7	Vacant
17.	Billie & Connie White	P107-18B	Vacant
18.	Earl & Audrey White	P110-54	Vacant
19.	Hazel White Heirs	P142-12	Vacant
20.	Bennie Jr. & Frauline Winslow	P143-10	Vacant

Solid Waste Fee Refunds

		Parcel ID #	Reason for Release
1.	Tony Lewis	11-A-8	Vacant

c. Approval of Contribution for Albemarle Senior Games

The Finance Committee has recommended that the Board approve a contribution of \$250 to help defray operational costs of the 2017 Albemarle Senior Games as has been done in previous years.

d. Approval of Request for Funding from Occupancy Tax Funds

The Finance Committee has recommended that the Board approve contributing \$200 toward a total cost of \$1,800 for replacing eight vinyl panel wayfinding signs directing individuals to public buildings, arts and science centers, etc. An application will need to be submitted for tourism funds if this request is approved.

e. Adoption of Resolution Designating Agents for Hurricane Matthew Hazard Mitigation Grant

The Finance Committee has recommended adoption of the following resolution authorizing Sheri Small and Christy Saunders to represent and act for Pasquotank County in all dealings with the State of North Carolina and the Federal Emergency Management Agency for all matters pertaining to such disaster assistance required by the grant agreements and assurances:

**RESOLUTION - DESIGNATION OF APPLICANT'S AGENT
FOR: Hurricane Matthew DR-4285 Hazard Mitigation Grant Project**

Sheri Small, Pasquotank County Finance Director - Primary Agent

Christy Saunders, Pasquotank-Camden Emergency Management Coordinator - Secondary Agent

BE IT RESOLVED BY the governing body of Pasquotank County, a public entity duly organized under the laws of the State of North Carolina, that the above-named Primary and Secondary Agents are hereby authorized to execute and file applications for federal and/or state assistance on behalf of Pasquotank County for the purpose of obtaining certain state and federal financial assistance under the Robert T. Stafford Disaster Relief & Emergency Assistance Act, (Public Law 93-288 as amended) or as otherwise available.

BE IT FURTHER RESOLVED that the above-named agents are authorized to represent and act for Pasquotank County in all dealings with the State of North Carolina and the Federal Emergency Management Agency for all matters pertaining to such disaster assistance required by the grant agreements and assurances.

BE IT FINALLY RESOLVED THAT the above-named agents are authorized to act severally.

Passed and approved this 21st day of August, 2017.

f. Approval to Reassign Sell Listing Agreement for Moyock Lots

The Board on February 20, 2017 approved two individual sell listing agreements with Re/Max Ultra for the listing of lots 102 and 104 Lark Drive in Moyock, North Carolina. The agreements were for a 2-year period ending February 27, 2019. Broker Cindy Mayberry was the listing agent. Ms. Mayberry recently informed the County Manager that she was moving to Rose & Womble Realty. Rose & Womble has leased space within Towne Bank in Moyock, NC. The Finance Committee is recommending that we request to be released from our current listings with Re/Max Ultra and enter into a new listing for the two parcels with Rose & Womble Realty. The new listings will mirror the previous listings with Re/Max.

g. Approval of Pay Grade/Step for Assistant Water Superintendent Position

The Finance Committee has recommended Pay Grade 27, Step 11 rate of \$58,537 for the appointment of Michael Harris to Assistant Water Superintendent beginning September 1, 2017.

Motion was made by Lloyd Griffin, seconded by Joe Winslow 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.	EW Jr. & Donna Jacobs	95.00	81.88
2.	EW Jr. & Donna Jacobs	95.00	76.88
3.	EW Jr. & Donna Jacobs	95.00	80.00
4.	Albert James Spangler	7.19	
5.	James Bennett Estate	9.12	

6.	James Bennett Estate	9.12	
7.	James Bennett Estate	9.12	
8.	Bessie G. Wrighten Heirs	14.04	
9.	Bessie G. Wrighten Heirs	14.52	
10.	Bessie G. Wrighten Heirs	14.88	
11.	Bessie G. Wrighten Heirs	14.88	
12.	Bessie G. Wrighten Heirs	15.12	
13.	Bessie G. Wrighten Heirs	16.72	
14.	Bessie G. Wrighten Heirs	16.72	
15.	Bessie G. Wrighten Heirs	16.72	
16.	Billie Van Bergman	95.97	80.11
17.	David Lawrence Winslow	27.68	
18.	Brian Scott Clark	3.27	
19.	Kenneth L. Jordan	51.05	
20.	Mike Kellar	27.61	23.01
21.	Mike Kellar	27.88	22.86
22.	Mike Kellar	29.40	24.05
23.	Franklin R. Quattrini	16.77	
24.	Nicole Marie Umphlett	3.10	
25.	Debbie Lamb	15.30	
26.	Debbie Lamb	14.54	
27.	James Irving Routt Jr.	20.79	17.69
28.	Geary Harvey Groman	2.93	
29.	Alvin Judson Southworth	3.47	
30.	Grover Lee Sanders Jr.	5.63	
31.	Speedway LLC	28.49	24.24
32.	Speedway LLC	19.37	16.47
33.	Carl E. Schultz	37.58	
34.	Variety Stores Inc.	40.35	34.32
35.	Navitas Lease Corp.	13.40	11.40
36.	Theodore Branecky	22.72	
37.	John W. & Frances Cherry	37.73	
38.	New Beginning United Fellowship Church	47.88	38.75
39.	New Beginning United Fellowship Church	47.88	40.32
40.	New Beginning United Fellowship Church	47.88	41.27
41.	New Beginning United Fellowship Church	48.51	41.27
42.	Karen S. Booker	7.24	6.16
43.	Richard Thomas Godfrey	6.51	
44.	Gene G. & Barbara Anderson	95.00	
45.	Gene G. & Barbara Anderson	95.00	
46.	Gene G. & Barbara Anderson	95.00	
47.	Gene G. & Barbara Anderson	96.25	
48.	James C. & Ellen Key	43.58	
49.	Betty Banks & CW Davis c/o Billy S. Davis	64.68	
50.	Weymouth B. Stafford Jr.	38.27	
51.	Loyce W. Twiford	15.61	
52.	Kay W. Weeks	73.44	
53.	CB Jones Jr.	77.77	66.16
54.	Petsense LLC	81.81	

5. CONSIDERATION OF SUNDAY BRUNCH ORDINANCE:

Commissioner Jeff Dixon asked that he be recused from considering adoption of the Sunday Brunch Ordinance because of owning a beer distribution business.

Motion was made by Lloyd Griffin, seconded by Frankie Meads to recuse Commissioner Dixon from considering the ordinance due to a conflict of interest. The motion carried unanimously.

The Board then considered the following ordinance:

ORDINANCE 2017

An Ordinance To Allow the Sale of Alcoholic Beverages Before Noon on Sundays at Licensed Premises

WHEREAS, on _____, the North Carolina General Assembly enacted Senate Bill 155, entitled “An Act to Make Various Changes to the Alcoholic Beverage Control Commission Laws”; and

WHEREAS, Section 4 of Ratified Senate Bill 155 authorizes city and county governments to adopt an ordinance to allow alcohol sales beginning at 10 am on Sundays; and

WHEREAS, Ratified Senate Bill 155 was signed into law by Governor Roy Cooper on the 30th day of June, 2017 and became effective on that date (Session Law 2017, Chapter 87); and

WHEREAS, by enacting Senate Bill 155, North Carolina joins 47 other States in allowing alcohol service before noon on Sunday; and

WHEREAS, Sunday morning alcohol service will allow the hospitality community and retail merchants in our county to meet the needs of their customers; and

WHEREAS, Sunday morning alcohol service will benefit the county’s small business community, bring people into business districts earlier in the day, and generate increased tax revenues; and

WHEREAS, our County has a diverse and growing population with different religious beliefs, each of which has various times and multiple days for worship;

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of Pasquotank County, North Carolina that:

Section 1. Pursuant to the authority contained in G.S. 153A – 145.7, the sale of malt beverages, unfortified wine, fortified wine, and mixed beverages is allowed in the unincorporated areas of Pasquotank County beginning at 10 A.M. on Sunday pursuant to the licensed premises’ permit issued under G.S 18B – 1001.

Section 2. This ordinance is effective on the ____ day of _____, 2017.

Adopted this _____ day of _____, 2017.

Motion was made by Lloyd Griffin, seconded by Joe Winslow to approve the ordinance to allow the sale of alcoholic beverages before noon on Sundays at licensed premises.

Commissioner Meads said he opposes the ordinance because alcohol can plant a seed that causes people to start using dope and other drugs. He said many young people he has spoken to that are on drugs informed him that they started with alcohol. He said he believes the current ordinance allows enough time for alcohol to be sold in this county without adding an additional two hours on the Lord’s Day.

Commissioner Sterritt said he does not know why we need this. He asked if there is a restaurant that serves food outside of the city limits. He stated that there are convenience stores that sell alcohol, but he does not believe those operations can serve mixed drinks because of the amount of food sold. He stated that the City has already approved a similar ordinance.

Mike Hindenach, Executive Director, Elizabeth City Chamber of Commerce stated that from the Chamber’s point of view this is a business friendly ordinance, because it allows business owners to determine what is the best path for their business. He said convenience stores will be affected by this because they can start selling wine and beer at 10:00 AM on Sunday’s. As the Chamber, they want to support the option of the business owners to choose what is best for them. Commissioner Meads asked if a study has been performed to calculate the costs to our law enforcement agents, hospitals, EMS, etc. of selling alcohol for two additional hours on Sundays. Mr. Hindenach answered that no such studies have been performed. Commissioner Meads said he feels it would show a very negative affect.

Attorney Cox noted that because this is an ordinance it must have a unanimous approval of all members of the Board of Commissioners on first reading. If it does not, it must come back to the Board for a second vote.

The motion carried five to one, with Commissioners Perry, Sterritt, Griffin, and Winslow voting in favor, Commissioner Meads voting against the motion, and Commissioner Parker abstaining. Since Commissioner Parker abstained without being excused, her non-vote counts as a “yes” vote. Since the motion did not pass unanimously on first reading, it must come back to the Board for a second vote.

6. ADOPTION OF RESOLUTION ALLOWING OVER-WIDTH FARM EQUIPMENT TO BE SAFELY DRIVEN ON CONTROLLED ACCESS HIGHWAYS INCLUDING US 17 (FUTURE I-87):

The Board considered a request encouraging our congressional delegation to allow over-width farm equipment to be safely driven on controlled access highways including US 17, when designated I-87. Mr. Bunch explained that Chowan County adopted a similar resolution recently and asked that our Board consider the same. He noted that over-width farm equipment is currently allowed on US 17.

Motion was made by Bill Sterritt, seconded by Frankie Meads that the Board adopt the following resolution which will allow over-width farm equipment be safely driven on Future I-87:

Commissioner Griffin suggested including language which puts limitations on the hours this type of equipment can be driven on I-87. Commissioner Meads noted that farm equipment is not usually driven after dark. He said NCDOT has rules in place which regulate farm equipment. He asked Planning Director Shelley Cox to research further.

Resolution

A resolution to allow over-width farm equipment to be safely driven on controlled access highways including US 17 (future I-87)

Whereas, the American Association of State and Transportation Officials has approved designing the corridor in northeastern North Carolina as I-87 once completed to interstate standards, and

Whereas, the future I-87 will run along the current US 17/64 Corridor through Northeast North Carolina and part of Pasquotank County, and;

Whereas, the impact of agriculture in North East North Carolina totals over \$1,786,000,000 in the counties of Bertie, Camden, Chowan, Currituck, Dare, Gates, Hertford, Martin, Northampton, Pasquotank, Perquimans, Tyrrell and Washington Counties, and;

Whereas, the economic impact of agriculture in the Counties that border US 17 (future I-87) totals \$968,000,000 for Bertie, Chowan, Martin, Pasquotank and Perquimans Counties, and;

Whereas, in 2012, the General Assembly of North Carolina passed Senate Bill 749 (Session Law 2012-78) this bill allowed farm equipment to be on limited access highways with NC DOT authorization, and;

Whereas, prohibition of farm equipment on controlled access highways would place an unforeseen hardship on farmers who need to move equipment from one farm to another, and;

Whereas, farmers are running out of viable options to move equipment, and;

Whereas, restrictions will lead to increased over width traffic on US 17 Business traffic through Elizabeth City, and;

Whereas, restricted use of the US 17 (Future I-87) bridge for oversized farm equipment eliminates the only viable option for crossing the Chowan River, and;

Whereas, US 17 (Future I-87) allows such equipment to be safely moved through our county in the safest manner possible without increased safety concerns to county citizens, and;

Whereas, farm organizations in the state have worked with the N. C. Department of Agriculture to develop language that allows farmers to drive their equipment on controlled access highways in the safest manner possible, and;

Now, therefore be it resolved, that the Pasquotank County Board of Commissioners hereby encourages our North Carolina Congressional Delegation to allow over width farm equipment to be safely driven on fully controlled access highways.

Approved this _____ day of _____, 2017.

After further discussion;

The motion carried six to one, with Commissioner Winslow voting against the motion.

7. PUBLIC HEARING ON CONDITIONAL USE PERMIT CUP 17-01 TO OPERATE AN AUTOMOBILE REPAIR FACILITY:

The Board considered Conditional Use Permit 07-01. Witness Shelley Cox was sworn in by the Clerk to the Board since this will be a quasi-judicial proceeding.

Chairman Perry declared the meeting to be a public hearing on Conditional Use Permit CUP 17-01. Planning Director Shelley Cox explained that Conditional Use Permit CUP 17-01 is to allow the operation of a diesel performance and repair shop at 1233 US Highway 17 South. Anderson Brothers Yamaha previously occupied this site which is comprised of 3.88 acres with a 7,200 square foot building. The applicant proposes to utilize the existing building and parking lot for the use. In the application, they state that 99.9% of their business is the diesel repair of pickup trucks. The applicant proposes to utilize the existing building and parking lot for the use.

The Pasquotank County CAMA Land Use Plan (adopted 2012) classifies this site as Commercial on the Future Land Use Map. It is staff's opinion that the proposed use is consistent with the Land Use Plan's Commercial classification.

The proposed use is classified as automobile repair which requires a Conditional Use Permit in the C-1, Commercial Zoning District. Section 9.04-2 of the Pasquotank County Zoning Ordinance contains the conditions required for this use.

Adjoining property owners were notified of this request in letters that were mailed on July 31, 2017. In addition, an advertisement was run in The Daily Advance on July 29, 2017 and a sign was posted on the site on July 27, 2017 in accordance with the Zoning Ordinance notification requirements.

Access to this site is directly off of Highway 17 South. The existing driveway is right-in/right-out only.

The applicant has informed staff that there are three areas for working on trucks inside the building. Trucks that are waiting to be worked on will be parked in a row outside. They will not usually have more than 6 or 7 vehicles at one time because of how the vehicle work is scheduled.

It is the applicant's intent to dispose of fluids (including oil and transmission fluids) by taking them to the Pasquotank County Solid Waste site. They are also looking into having someone that can visit the site to pick up fluids and properly dispose of them.

In granting this permit the Board of Commissioners may impose additional conditions they deem reasonable and appropriate for this type of use in the commercial district.

Should this request be approved, staff recommends the following conditions:

1. All storage of wrecked or inoperable vehicles shall be enclosed by a six (6) foot high opaque fence.

2. No wrecked or inoperable vehicles shall be parked between US Highway 17 South and the building.
3. No wrecked or inoperable vehicles may be stored for more than one hundred twenty (120) days from the date the vehicle is accepted for repair.
4. All fluids generated from the repair of automobiles including (but not limit to) oil, transmission fluid, and diesel fuel shall be contained separately and disposed of off-site in accordance with local, state and federal requirements.

The Planning Board reviewed the request on August 10, 2017 and they recommended approval of the Conditional Use permit with staff recommended conditions and findings of fact.

At the absence of further comments, the public hearing was closed.

Motion was made by Bettie Parker, seconded by Joe Winslow to approve Conditional Use Permit 17-01 as presented based on the following findings:

That the use will not materially endanger the public health or safety if located where proposed and approved. The proposed use will utilize an existing right-in/right-out driveway that is shared with an adjoining automobile repair facility. It will be located in a commercial corridor and there are similar uses in the immediate vicinity.

That the use meets all required conditions and specifications. Automobile repair is permitted in the C-1, Commercial District with the issuance of a Conditional Use Permit. The existing building meets the minimum required lot size and setbacks as required in Section 9.04-2 of the Zoning Ordinance.

That the use will not substantially injure the value of adjoining or abutting property, or the use is a public necessity. The proposed development is located along a commercial corridor that includes other automobile repair and automobile sales facilities.

That the location and character of the use, if developed according to the plan as submitted and approved, will be in harmony with the areas in which it is to be located and in general conformity with the plan of development for Pasquotank County. The proposed use is consistent with the C-1, Commercial Zoning Ordinance classification and the Commercial Future Land Use Plan classification and will be in harmony with the surrounding agricultural area.

Discussion followed and Commissioner Frankie Meads asked what would happen if the business installed heaters that burn the burnt cylinder oil. Ms. Cox said she is not familiar with the heaters, but the CUP can be amended to state that the fluids have to be disposed of in accordance with local, state and federal regulations.

Commissioner Griffin asked if landscaping is required along the fence. Ms. Cox said it is not. She said the ordinance actually says that a buffer may be required along all property lines, as determined by the Board of Commissioners. She said the Board should consider, among other things esthetics, compatibility with surrounding land uses, and parcel size and location of garage and parking. She said she is not recommending landscaping, because this is not a new use. Commissioner Griffin asked what type of trucks will be serviced at the facility. Ms. Cox stated that the applicant specified diesel repair pickup trucks. Commissioner Griffin requested the applicant be sworn in to answer questions.

The owner of the property, James Perry was sworn in by the Clerk to the Board. Commissioner Griffin asked if the fence is in the back section of the property. Ms. Cox said she is recommending the condition that no wrecked or inoperable vehicles be parked between Highway 17 South and the Building to ensure that all inoperable vehicles are behind the building. She noted that the vehicles will be there less than 120 days. Commissioner Griffin asked Mr. Perry what type of vehicles he will be working on. Mr. Perry answered pickup trucks. He said there may be an occasional medium duty truck with a box on it.

Commissioner Dixon asked Mr. Perry if is acceptable to all the additional conditions that the Planning Board recommended. Mr. Perry said everything seems appropriate to him. He assured

the Board that he does not want to hold a vehicle for more than 120 days because of liability issues.

Commissioner Griffin asked if there will be a used car lot on the premises. Mr. Perry said there will not.

The motion to approve Conditional Use Permit 17-01 carried unanimously.

8. CONSIDERATION OF FINAL PLAT FOR NEWBEGUN LAND, SECTION J:

The Board considered the final plat for Newbegun Land, Section J.

Ms. Cox reviewed and explained the request. She stated that the request is on behalf of E.T. Hyman Surveying. They are requesting Final Plat approval for Newbegun Land Section J consisting of 6 residential lots on approximately 15 acres. The property is zoned R-15 and lot sizes are proposed to range from 1.482 acres to 3.509 acres. Section J is located directly south of the existing Newbegun Land boat ramp. Under the current school districting, students generated from this development would attend J.C. Sawyer Elementary, River Road Middle and Northeastern High School. This area is located in Weeksville Volunteer Fire Department's jurisdiction. A new fire hydrant will be installed to meet state requirements for fire protection. This area is served by the Pasquotank County water system. Existing waterlines that serve previously approved phases of Newbegun Land will be utilized for water service. On-site septic systems are proposed to be utilized at this location. Albemarle Regional Health Services has evaluated the property and determined that sand backfilled trenches at a depth of 4.5 feet will be required. The area requested for Final Plat approval is primarily located within AE (100 year) Flood Zone according to FEMA Map 3720894000J effective October 5, 2004. Residences that are constructed on the proposed lots will be required to establish a finished floor at or above the 5.4' Base Flood Elevation. NC Division of Coastal Management staff has reviewed the Plat for this development. The five lots that are located adjacent to the Pasquotank River will be required to observe a 30' CAMA buffer. A 75' CAMA AEC (Area of Environmental Concern) has been noted on the rear portion of these lots and any development within this area will require CAMA approval. No Army Corps of Engineers Section 404 wetlands have been delineated at this location.

Ms. Cox stated that water tap fees in the amount of \$10,800 have been paid by the developers. The Pasquotank County Water System has completed installation of a fire hydrant that is required to serve the lots in Section J. In accordance with Section 306.8 of the Pasquotank County Subdivision Ordinance, a recreation fee in the amount of \$3,000 has been paid. The Final Plat meets all of the minimum requirements within the Pasquotank County Subdivision Ordinance. Therefore, staff recommends approval of the plan as proposed.

Commissioner Griffin asked if there are drainage issues at the location. Mr. Bunch said the drainage issues in the past were on the other side of the blimp hanger. Ms. Cox noted that Greg Johnson had no stormwater concerns since the lots are adjacent to an outlet.

Motion was made by Frankie Meads, seconded by Lloyd Griffin to approve the final plat for Newbegun Land, Section J as presented. The motion carried unanimously.

9. PRESENTATION BY CATHY DAVISON, EXECUTIVE DIRECTOR, ALBEMARLE COMMISSION:

Cathy Davison, Executive Director, Albemarle Commission provided a PowerPoint presentation on Albemarle Commission's request for support and approval of an interlocal agreement to construct a new facility. She said the Board has a copy of the interlocal agreement, but she does not want the Board to formally accept the agreement until all their questions are asked and answered in the appropriate manner.

Ms. Davison stated that the Commission does not have taxing authority and it cannot issue bonds for its debt. She said the Local Government Commission requires the Commission to obtain approval from its County Members of an interlocal agreement to undertake debt for real property.

She explained that the Albemarle Commission is the Area Agency on Aging and Senior Nutrition, the Workforce Development (NWDB), Rural Planning Organization, Economic

Development District and Administration. The Area Agency on Aging provides services under the Older Americans Act to help vulnerable adults, 60+, live independently and they plan, develop, and coordinate the delivery of supportive services, nutrition, elder rights, caregiver support, and health/wellness programs. The Workforce Development provides employment and training services to underemployed, unemployed and recently laid off individuals both youth and adults. They help improve our regional employers' capacity to find and hire well trained employees. The NWDB also builds a network of community partnerships; private and public; enabling a stronger regional workforce. The Rural Planning Organization develops long-range transportation plans for the region. They provide transportation-related data to local governments. The RPO develops and prioritizes projects for the Strategic Transportation Improvement Program (STIP). The RPO also provides a forum for public involvement in the transportation planning process.

Ms. Davison explained that the Economic Development District serves as the economic development district of the region. They assist local governments in obtaining grants in order to improve the opportunities within the region. She said they administer the Comprehensive Regional Economic Development Strategy as well as the regional Revolving Loan Fund.

Ms. Davison stated that Albemarle Commission administers and is the fiscal agent for the Area Agency on Aging, Workforce Development, Senior Nutrition, Rural Planning Organization, and Economic Development District. They act as the State Clearinghouse for the Region. She said they provide research and guidance to local governments within the region, as well as provide advocacy for the region.

Ms. Davison stated that the Commission has been in its current location since 1974 and they have outgrown its current space. Programs are in multiple locations and consolidation will eliminate duplicative expenses through one shared expense. She said Workforce Development staff are working in common areas and are not able to provide fully private participant consultation services. Many of the Commission's events/meetings/trainings are held off site because of lack of space costing the Commission \$13,000 in rentals, staff coordination time, travel and set up each year. The Commission's current facility has multiple environmental issues include non-toxic mold and allergens.

Ms. Davison stated that a facility analysis of the current space included leasing and new construction. They concluded, with looking and working with their board, as well as an architect and engineer that the Commission's new facility will not exceed 17,000 square feet, which includes current and future needs. A financial analysis was conducted for staying in their current facility, leasing a different facility, building a new facility with 20-year financing, as well as building a new facility with 40-year financing. She said their current annual expense for space is \$58,625, with a square footage charge of \$5.34. When looking at leasing a space, they used the square footage price for the Rural Planning Organization office at \$10.50 per square foot. Therefore, 17,000 square feet would cost \$178,000, with a one-time renovation and moving expense of \$300,000, a one-time design expense of \$100,000, and annual utilities of \$20,000, for a total of \$598,000. She said the price per square foot for year one lease is estimated at \$35.18 and the price for subsequent year of \$11.65.

Ms. Davison said the Commission proposes utilization of \$800,000 from unrestricted \$2.1 million fund balance for the project after consultation with the auditor and Local Government Commission. The Commission will not finance more than \$2.2 million. The total cost of the project will be \$3 million. She said the proposed facility is 1/2 mile south of their current location in the Perquimans Commerce Park. Ms. Davison said Oakley Collier Architects of Rocky Mount, N.C. is the architect/engineer of record and they will work with them on the designation of the construction manager at risk and contractor. To purchase with a 20-year note with 3.25% from USDA, the price per square foot would be \$10.08, while a 40-year note with 3.75% the price per square foot would be \$7.47. She stated that the Commission is recommending the 40-year option because they would not have to assess the counties a fee specifically for the Building.

Ms. Davison said the County will continue to be a member of the Albemarle Commission for the life of the lending instrument. The County would agree to allow the Albemarle Commission to obtain tax-free financing to construct the facility. If the Commission ceases to exist, the Counties may dispose of the property and the proceeds will be divided proportionally based on per capita dues payments between the County members. The Commission will pay for the

facility from its per capita dues structure without a special assessment to the County. The Commission will pay for the facility from its federally approved indirect rate. She said the currently approved indirect rate is the federally approved not to exceed percentage that may be charged to each program for the operation of the Albemarle Commission. Programs are currently charged 26% vs. 31% approved rate. The 5% balance is allocated to reserves.

Ms. Davison said the next steps include the architect presenting a design to the Commission's Board at their September meeting. She stated that they will continue to present the facility project to counties throughout the region, as well as meet with county managers in September to respond to their questions from the meeting held on August 1, 2017. She noted that the Commission Board must also enter into the interlocal agreement with the counties.

The Board presented questions. Ms. Davison stated that Albemarle Commission covers ten counties from the Virginia line to Ocracoke Island and the Atlantic Ocean to Washington County. Commissioner Sterritt asked if we are the only county that she is asking for financing from. Ms. Davison said she will be asking all ten counties, as well as the Albemarle Commission Board. She said the Albemarle Commission Board and Tyrell County have already approved resolutions. She has made presentations in five other counties, including Pasquotank.

Commissioner Meads asked if the new facility has to be located in Perquimans County. She said eight out of ten counties must approve the interlocal agreement and if they do not she must look at other options. She said they have looked at multiple buildings including the old Food Lion building in Elizabeth City.

Chairman Perry asked how the loan will be financed. Ms. Davison said there will be no extra expense to the county. They will pay for the building with our current dues we pay on an annual basis.

Commissioner Dixon asked if we have any equity in their current building. Ms. Davison said we do not, even though the Commission originally paid for the construction in 1973. At that time, planning district commissions or councils of government could not own property. It was not until 2006 that the General Assembly enables councils of government or planning district commissions to do so. He asked if Pasquotank County will own 27% since that is our share in dues. Ms. Davison said Pasquotank County will not be listed on the debt service. They will only have ownership if the Commission were to dissolve. He asked if there is any way that can be done differently. She said unfortunately not. Commissioner Dixon asked if Perquimans could finance the building and the other counties reimburse them. She said they may be willing to do that, but they are in the middle of their library project. He said Pasquotank County financed the Jail, as well as the RO Plant.

Ms. Davison said if they cannot get the approval of eight out of ten counties they will have to go back and look at leasing a facility. In all honesty, she said it is not about a new facility, it is about providing services to their counties which mean so much to their seniors and to the businesses in the region. She said if they lease longer than a five-year period and the lease amount is more \$800,000 over the five year period they will still have to enter into an interlocal agreement with all ten of their counties. She said Perquimans has donated land, which is estimated at \$50,000. She noted that they will still have to pay per capita dues.

Commissioner Griffin said his concern is Pasquotank County will be obligated for 27% of the debt service should the Commission stop operating. He agreed with asking Perquimans County to finance the building. He is afraid that some of the counties will have different opinions on whether to stay in or get out. He said 40 years is a very long commitment. Ms. Davison stated that the Pasquotank County has been a member for 49 years.

Ms. Davison said she originally wanted to be on the November Local Government Commission agenda, but they are working at the lead of their counties. She said it has been requested that they slow down their process, so that is what they are doing. She thanked the Board.

10. REPORTS FROM COMMISSIONERS:

Commissioner Winslow attended that 2017 NCACC Annual Conference, along with Chairman Perry. He said they attended work sessions on "how to listen", solar, and "how to be a better commissioner". He said he met a young lady at the conference on Saturday named Mikayla Quintero who represented Pasquotank County at the NCACC Youth Summit. He said it was the

highlight of the convention to sit and talk with her. He reported that he was elected again as the 1st District Director over ten northeastern counties.

Commissioner Parker attended a Special Projects Meeting on August 9th regarding the upcoming opioid forum. On August 10th, she attended a town hall meeting sponsored by the NAACP on how we can help ECPPS with the Transformation and Restart Schools. She said principles from each of those schools as well as the School Board Chairman, Sharon Warden were the featured speakers. On August 14, she attended the City Council Meeting.

Commissioner Griffin reported that the Albemarle Commission is moving forward with advancing their goals and objectives to support our region. He will be attending the Airport Authority meeting tomorrow night.

Commissioner Dixon reminded the Board that the Opioid Forum is scheduled for September 14th. He noted that invitations have gone out. He said elected officials will be participating in roundtable discussions. He reported that Jan King-Robinson has agreed to be the facilitator and some good speakers are lined up. The President and Executive Director of the County Commissioners Association have been invited to attend. He said the forum is by invitation only. Mr. Bunch stated that other local governments and school boards have been invited. He asked that each Board member respond confirm their attendance with the clerk as soon as possible.

Commissioner Sterritt reported that the Community Relations Commission met two times this past week. On Monday, they had their regular monthly meeting. He said there was a lot of discussion about the Witherspoon-Harris Award. On Thursday, the CRC held an emergency meeting, with only four members present excluding himself. He said the topic discussed was removal of the courthouse monument and the events in Charlottesville, Virginia. He stated that the CRC will be making a formal request to the county commissioners to have an open forum in the near future on community relations involving the monument once the commission votes favorably.

Chairman Perry congratulated Attorney Cox for being elected as Attorney of the Year by the NCACC. He congratulated Commissioner Winslow for being elected as our District I Representative at the annual conference in Durham. He received a book at the conference entitled "Color Blind" which plays right into what we talking tonight. He said it is a great book and he highly recommends it. He said the conference was great. He thanked the Board for listening during public comments this evening.

There being no further business;

Motion was made by Jeff Dixon, seconded by Bettie Parker to adjourn the meeting. The motion carried unanimously and the meeting was adjourned at 9:17 PM.

CHAIRMAN

CLERK TO THE BOARD