

**PASQUOTANK COUNTY, NORTH CAROLINA  
SEPTEMBER 5, 2017**

The Pasquotank County Board of Commissioners met today in a regular meeting on Tuesday, September 5, 2017 in Courtroom C in the Pasquotank County Courthouse.

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

**MEMBERS ABSENT:** None

**OTHERS PRESENT:** Rodney Bunch, County Manager  
R. Michael Cox, County Attorney  
Lynn Scott, Clerk to the Board

The meeting was called to order at 7:00 PM by Chairman Cecil Perry. Commissioner Lloyd Griffin gave the invocation and Vice-Chairman Bill Sterritt led in the Pledge of Allegiance to the American Flag. Chairman Perry thanked everyone for attending.

**1. PUBLIC COMMENTS REGARDING CONFEDERATE MONUMENT ON COURTHOUSE PROPERTY:**

Chairman Perry recognized Joseph Persico of 406 W. Church Street who expressed his continued support for the removal of the confederate monument on public grounds. He stated that City Council supports the idea of removing this racist monument and the N. C. Progressives and the NAACP Chapter in Elizabeth City also support its removal. He said we can see who has continued support here tonight and what is bringing the young kids out. He thanked the Board for their time.

Chairman Perry recognized Keith Rivers of 104 Grandview Drive who said it is his hope that the Board will follow suit of the City Council and vote to send a resolution supporting the removal of the confederate monument off public grounds.

**2. AMENDMENTS TO THE AGENDA:**

Chairman Perry asked if there were any amendments to the agenda. Commissioner Parker requested that the agenda be amended to add the following item to New Business: 1) Recommendation from the Appointments Committee.

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

Chairman Perry stated that he recently received an application from Matthew Jarvis requesting to serve on the Elizabeth City-Pasquotank County Community Relations Commission. He noted that the applicant is the President of the NAACP at ECSU and fits the criteria of the 16-30 year old category. He said he would like to appoint Mr. Jarvis to the CRC at this time.

Chairman Perry requested that the agenda be amended to add the following item to New Business: 1) Discussion on adoption of a resolution similar to the one the City of Elizabeth City recently adopted which supports removing the confederate monument from the Courthouse property.

Motion was made by Bill Sterritt, seconded by Bettie Parker to add discussion on adopting a resolution similar to one the City of Elizabeth City recently adopted, which supports removal of the confederate monument on the Courthouse property. The motion failed four to three, with Commissioners Griffin, Dixon, Meads, and Winslow voting against the motion.

**3. ADOPTION OF ORDINANCE TO ALLOW THE SALE OF ALCOHOLIC BEVERAGES BEFORE NOON ON SUNDAYS AT LICENSED PREMISIS:**

At the last meeting, the Board voted to adopt the Sunday Brunch Ordinance. Since upon the first reading all members of the Board must be present and voting in the affirmative in order for the ordinance to be approved, the Board could not give final approval because all members did not vote in the affirmative. The Board can vote to adopt the ordinance at tonight's meeting by a simple majority vote. The proposed ordinance is as follows:

## **ORDINANCE 2017**

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

**WHEREAS**, on June 29, 2017, 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 5<sup>th</sup> day of September, 2017.

Adopted this 5<sup>th</sup> day of September, 2017.

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

Motion was made by Frankie Meads to not adopt the ordinance allowing alcoholic beverages to be sold before noon on Sundays. The motion failed for lack of a second.

Motion was made by Lloyd Griffin, seconded by Joe Winslow to adopt the ordinance as presented.

Commissioner Meads said one of the big reasons everyone's car insurance is increasing by 13.5% this year is because there are more crashes caused by alcohol use. He stated that there are less EMS calls on Sunday and he believes this is because less alcoholic beverages are sold on Sundays. He feels it will cost us way more than we are going to receive in tax benefit by voting

to allow the sale of alcohol two hours earlier on Sundays. He feels we should respect at least one day of the week as the Lord's Day.

Commissioner Sterritt said at our last meeting he voted in favor of the ordinance, but after considerable thought he will not vote in favor this time. He said he alluded to the fact at the last meeting that there are very few places in the County where you can order a beer. He said there are some very nice restaurants in downtown Elizabeth City that will benefit from this and the City has approved an ordinance. He explained that restaurants must serve a certain amount of food in order to sale alcohol. He said the reason for this makes a lot of sense. If you are going to drink, you also need to be consuming food because it helps absorb the alcohol in your digestive system.

Commissioner Parker stated that when she ran to be a commissioner part of her platform was to listen to community leaders and business, as well as citizens to stay in tune with what their concerns were and how they would like for us to perform. She said she does not drink alcohol, but she does not scorn those who do and are responsible in how they do it. She is more concerned about individuals who stayed out late on Saturday night and get in their cars and drive home on Sunday morning and hit someone on their way to church on Sunday. She said she has heard businesses come forth and say that they would like for us to vote for the Brunch Bill because it will bring more customers in and help their businesses. She said she is for businesses progressing. She abstained last time, but this time she plans to vote in the affirmative, because citizens and businesses came forth expressing why they would like for us to vote in the affirmative.

Chairman Perry commented that he is a realist. He believes that people who want alcohol on Sunday will get it.

The motion carried four to two, with Commissioners Sterritt and Meads voting against the motion.

**4. APPROVAL OF CONSENT AGENDA:**

The Board considered the following consent agenda:

a. Approval of Minutes of August 21, 2017

b. Approval of Tax Releases and Refunds

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

**Tax Releases**

		County	City
1.	Melvin R. III. & Joan Daniels	673.75	
2.	Melvin R. III. & Joan Daniels Etal	545.16	
3.	Morgan Pointe Apartments LLC	14,559.56	9,450.34
4.	Ellen Key (Land)	252.03	
5.	James C. & Ellen Key	43.58	
6.	John Thomas Cole Etal	167.17	
7.	Sophia Spence	103.95	
8.	Mary W. Beasley	415.50	
9.	Betty D. Banks & C. W. Davis	761.54	
10.	Betty D. Banks & C. W. Davis	706.10	
11.	Betty D. Banks & C. W. Davis	124.74	
12.	Betty D. Banks & C. W. Davis	448.15	
13.	Betty D. Banks & C. W. Davis	109.34	
14.	Harvey L. Sr. & Beatrice Beasley	415.50	294.75
15.	Variety Stores Inc.	127.82	110.39
16.	Rolling Frito Lay Sales LP	425.81	363.22
17.	Warren Z Meads Revoc . Living Trust	1,256.65	
18.	Audrey Craun	582.21	
19.	Clay B. Jr. & Mary Ann Foreman	1,093.44	843.62

Tax Refunds

		County	City
1.	Melvin R. III. & Joan Daniels	446.04	
2.	Melvin R. III. & Joan Daniels	538.00	
3.	Melvin R. III. & Joan Daniels	538.00	
4.	John Michael Mills		170.43

Solid Waste Fee Releases

		Parcel ID #	Reason for Release
1.	Margaret B. Barham	P96-42	Vacant
2.	Charles Jr. & Carolyn J. P. Everett	21-F-10-11A	Vacant
3.	Glen Cove Prop. Owners Assoc.	P132A-103	Vacant
4.	Donnell Godfrey	P95-26	Vacant
5.	Margaret B. Graham	P133A-45	Vacant
6.	Steven R Harris	P11-9	Vacant
7.	Eudora Harvey	P122A-70	Vacant
8.	Eudora B. Harvey	P122A-68	Vacant
9.	Eudora B. Harvey	26-A-19	Vacant
10.	Eudora B. Harvey	26-A-49	Vacant
11.	Eudora Harvey	26-A-4	Vacant
12.	Lindsey Lee James	28-D-7	Vacant
13.	Julius Johnson Estate	55-F-23-24	Vacant
14.	Jordan Thornton Heirs	P112-62	Vacant
15.	Tony Lewis	50-L-8	Vacant
16.	Richard Bert Sanders Etal	P133A-69	Vacant
17.	Sandra S. Smith	P143A-60	Vacant
18.	Leona Taylor	50-N-23A	Vacant
19.	Leona Taylor	P120A-38	Vacant
20.	Carl T. Waybright & Carol R. Winkler	P133A-76 & 77	Vacant
21.	Carl T. Waybright & Carol R. Winkler	P133-5	Vacant
22.	Woodyworks LLC	P120-32	Vacant

Solid Waste Fee Refunds

		Parcel ID #	Reason for Release
1.	Carris C. Dance	P122A-150	Vacant

c. Approval of Request for Funding from Caswell Center

The Finance Committee has recommended approval of a request from Caswell Center to fund their 2017 Operation Santa Claus Project in the amount of \$375. The 2017-18 budget included an allocation of \$250 for the Center. Therefore, an additional \$125 will be allocated.

d. Adoption of Retirement Party Policy

The Finance committee has recommended adopting a policy regarding retirement parties for department heads with a minimum of 25 years of service to Pasquotank County (time spent as a non-department head counts towards the 25 years). A maximum of \$1,000 of county funds may be spent on the retirement party.

e. Approval of Lease with American National Red Cross

The Finance Committee has recommended approval of the following resolution, which approves the lease of county owned property to American National Red Cross:

**RESOLUTION APPROVING LEASE WITH  
AMERICAN NATIONAL RED CROSS**

**WHEREAS**, Pasquotank County owns property located at 1409-B Parkview Drive (being approximately 3,392.42 square feet; and

**WHEREAS**, The American National Red Cross wishes to lease said county owned property; and

**WHEREAS**, the County has determined the property will not be needed during the term of the lease; and

**WHEREAS**, the county and The American National Red Cross have agreed to enter into a lease for a term of five (5) years, beginning July 1, 2017; and

**WHEREAS**, the rent for the lease is \$1.00; and

**WHEREAS**, NCGS 160A-272 authorizes the county to enter into leases up to ten (10) years upon resolution of the county commissioners adopted at a regular meeting after thirty (30) days' notice; and

**WHEREAS**, the required notice has been published and the Board of Commissioners is convened at a regular meeting;

**THEREFORE, THE BOARD OF COMMISSIONERS OF PASQUOTANK COUNTY RESOLVES THAT:**

The Board of Commissioners hereby approves the lease of county property described above to The American National Red Cross for five (5) years on terms as described hereinabove and directs the chairman to execute any instruments necessary to secure the lease.

ADOPTED this 5<sup>th</sup> day of September, 2017.

**5. CONSIDERATION OF LEASE AGREEMENT WITH DEPARTMENT OF PUBLIC SAFETY – JUVENILE JUSTICE:**

County Manager Bunch explained that the lease agreement is for space provided at 1305 McPherson Street (former DSS building). He said Probation & Parole and the Guardian Ad Litem currently have offices at the location as well. He stated that Juvenile Justice occupies +/- 3,773 square feet of the space. The proposed lease agreement is for a three year period, with a lease payment of \$1.00 per year. He said the lease is consistent with terms of the Department of Public Safety – Probation & Parole agreement and he recommends approval of the lease agreement.

Motion was made by Jeff Dixon, seconded by Joe Winslow to accept the lease agreement between Pasquotank County and the Department of Public Safety (Juvenile Justice) for space at 1305 McPherson Street, with a lease payment of \$1 per year. The motion carried unanimously.

**6. CONSIDERATION OF AGREEMENT FOR VHF SIMULCAST PAGING SYSTEM:**

County Manager Bunch stated that the VHF Simulcast Paging System will upgrade the current public safety paging system for first responders with Pasquotank County and Camden Counties and the City of Elizabeth City. This will add three new simulcast transmitters to the Navy Site, County Tower, and Elizabeth City Tower. He said this solution will remain Tone and Voice although it can support alphanumeric in the future with additional hardware and CAD modification. He explained that Radio Communications Company will procure equipment and services for the project and assist the County in implementing the project. Mission Critical Partners has reviewed and recommended approval of the agreement, as well as Attorney Cox. He said the total contract price is \$220,153. A grant provided by the 911 Board for the 911 back-up center in the amount of \$1,010,779 will fund the project. He recommended approval of the agreement.

Motion was made by Jeff Dixon, seconded by Bill Sterritt to approve the agreement with Radio Communication Company in the amount of \$220,153 for VHF Simulcast Paging System. The motion carried unanimously.

**7. CONSIDERATION OF INTER-LOCAL AGREEMENT FOR DSS SECURITY SERVICES:**

County Manager Bunch explained that the inter-local agreement provides that the City of Elizabeth City will provide law enforcement/security services at the Pasquotank County Department of Social Services for a period beginning October 1, 2017 thru September 30, 2018. The agreement was approved by the City Council at their August 28, 2017 meeting. He noted that funding was included in the 2017-18 DSS budget for these services. He recommended approval of the agreement.

Motion was made by Bill Sterritt, seconded by Frankie Meads to accept the inter-local agreement for Law Enforcement/Security Services at the Pasquotank County Department of Social Services between the City of Elizabeth City and Pasquotank County.

Commissioner Dixon asked what the total cost will be to the DSS budget. Mr. Bunch said staff estimated the cost in last year's budget to be \$70,000, but it will be less than that amount this year due to the agreement being finalized three months later.

Vice Chairman Sterritt stated that the Department of Social Services Board met this morning and their chairman and other board members are very excited about the fact that this is going to happen.

The motion carried unanimously.

**8. RECOMMENDATION FROM THE APPOINTMENTS COMMITTEE:**

Commissioner Parker presented the following recommendation from the Appointments Committee:

Tourism Development Authority – Appoint Phil Mays to a two-year term.

Motion was made by Bettie Parker, seconded by Jeff Dixon to approve the nomination of Phil Mays to the Tourism Development Authority. The motion carried unanimously.

Final action on the appointment will be included on the next agenda.

**9. COUNTY MANAGERS REPORT:**

County Manager Bunch provided the following report:

Pasquotank County Landfill – Logan Aggregate Recycling completed grinding concrete that was stored at landfill Saturday, September 2, 2017.

Fun Junktion Walking Trail – the portion of the existing walking trail that went over a closed landfill cell has been relocated. Stevenson Sand is 95% complete in constructing the eight foot wide asphalt trail. Grass has been established on the shoulders.

NCDOT has notified us that they have accepted roads in Creekside Farms Subdivision and Queenswood Subdivision.

The \$300,000 BB&T loan was funded August 28, 2017 to purchase chrome books for the Elizabeth City/Pasquotank County Public Schools. The first payment of \$31,759.64 will be due February 28, 2018.

Wednesday, August 30<sup>th</sup> – Frank Heath, Perquimans County Manager and I met with Dwane Hinson, Mark Powell and Rodney Johnson to discuss the possibility of creating a Riparian Conservation Buffer along swamp bottoms of creeks and streams to improve water quality. The Chowan River and small tributaries has been experiencing algae blooms for the past three years. This year algae bloom has been evident in the upper Little River. We will include County Planners and Mike Cox in future meetings to determine how such a plan may be implemented. At a future date, we will present the idea to Commissioners.

**10. REPORTS FROM COMMISSIONERS:**

Commissioner Winslow attended that 2017 NCACC Annual Conference, along with Chairman Perry.

Commissioner Meads reported that the RC&D is supposed to meet tonight, but will not have a quorum due to several county commissioners attending meetings today because of the holiday. He said now that we have a new solid waste director he would like to discuss purchasing a very inexpensive time system for the employees at the solid waste department. He said it appears the City is looking into some type of time system for their employees. He stated that it is not like it was seventy years ago when everyone could be trusted and you did not have to lock doors or take your keys out of your car. He feels it would save us some money in the long run. He would also like to revisit the department's disposal of recyclables. Currently, he said we are not receiving anything for them.

Commissioner Parker attended a City Council meeting on Monday, September 28<sup>th</sup> where she heard businesses come forward expressing their approval of the Brunch Ordinance. Next Tuesday, she will be attending the Northern Regional Advisory Board meeting. She stated that she attended her 50<sup>th</sup> class reunion this past weekend.

Commissioner Griffin reported that the Airport Authority met last week and discussed finalization of their master plan.

Commissioner Dixon reminded the Board of the Opioid Forum scheduled for September 14<sup>th</sup>. Currently, 51 elected officials have registered.

Vice-Chairman Sterritt commended Debbie Malenfant, Director of Elizabeth City Downtown, Inc., the City Manager and members of the ECDI Board for the great work they do continuously trying to improve Elizabeth City Downtown. He said they are currently renovating an alley downtown, which will be a great attraction. He reported that the Community Relations Committee will be very pleased with tonight's appointment to their board. He told the Board to not be surprised if an individual comes before them asking to have a community forum on the statue issue. He said he expects that to happen. He stated that the CRC wants everybody to be happy and like one another. He feels such a forum could be a nice thing for the community.

Chairman Perry stated that there will become a time when the Board will have to discuss or vote on whether or not we are going to support the confederate monument situation and if we are going to support the City. He felt tonight would be an opportunity to discuss this without having a great deal of participation from the audience. He said we have a situation in front of us and we are the leaders in our county whether we like the job or not. He feels it is the Board's responsibility to discuss the issues at hand. He thought this would be the perfect opportunity to say how we feel about the situation. He feels very strongly about what we are talking about. One of the reasons he feels so strongly is because his great grandmother was a slave in Tyrell County. He remembers the stories she told his family about slavery. He said she could not read and therefore could not teach her children to read or write. His grandfather signed his name with an X because his mother could not teach him how to read or write. He said his mother made sure her children went to school because of what his great grandmother told her. In twelve years, he missed one day of school and his brother only missed two days and was valedictorian of his class. He went on to say that he and his brother walked to school every day. These are only a few of the reasons he feels so strongly about his heritage. He noted that his great grandmother was a part of the book Summerset Homecoming.

Chairman Perry said we are going to have to have a discussion in the future because the City has already made a decision to send a resolution and the governor has asked that certain laws be rescinded. He said we need some input on whether we say yes or no. He stated that all of us try to be respectful to one another, but we do not always express everything that we feel and think.

Vice-Chairman Sterritt said we need to be careful what we ask for. He said the Daily Advance had an article in it a couple days ago about Camden High School taking down a history artist mural of Jefferson Davis and Abraham Lincoln. He said if that is not censored he does not know what censorship is. He stated that those students, a number of years ago, worked with students from Pittsburg, Pennsylvania to make a historical piece, as the science class wanted a science piece. He stated that other classes wanted historical pieces as well. He wonders if the county commissioners, the school board, or school staff asked them to take it down. He thinks it is pure censorship of artistic endeavors by students.

There being no further business;

Motion was made by Jeff Dixon, seconded by Joseph Winslow to adjourn the meeting. The motion carried unanimously and the meeting was adjourned at 7:50 PM.

---

CHAIRMAN

---

CLERK TO THE BOARD