

**PASQUOTANK COUNTY, NORTH CAROLINA
SEPTEMBER 17, 2012**

The Pasquotank County Board of Commissioners met today in a regular meeting on Monday, September 17, 2012 in Courtroom C in the Pasquotank County Courthouse.

MEMBERS PRESENT:

Lloyd E. Griffin, III, Chairman
Jeff Dixon, Vice-Chairman
Bill Trueblood
Cecil Perry
Dr. William R. Sterritt
Gary G. White
Joseph S. Winslow, Jr.

MEMBERS ABSENT:

None

OTHERS PRESENT:

Randy Keaton, County Manager
Rodney Bunch, Assistant County Manager
R. Michael Cox, County Attorney
Karen Jennings, Clerk to the Board

The meeting was called to order at 7:00 PM by Chairman Lloyd Griffin who gave the invocation and led in the Pledge of Allegiance to the American Flag.

1. COMMENTS FROM WILLIAM CASEY:

Chairman Griffin recognized Mr. William Casey of 1215 U.S. Highway 17 South. Mr. Casey explained that he has a problem with the Albemarle Pet Crematoria which is about 300 feet from his house. He stated that there is a tremendous amount of odor and smoke coming from this business. He said at times there has been so much smoke that passersby have called the fire department, as he himself did one time. He stated that the odor is terrible and is constant. He explained that he has spoken with the Fire Marshal and Assistant County Manager Rodney Bunch about this and Mr. Bunch has contacted Mr. Fisher with the Division of Air Quality. Mr. Casey said in his opinion an air sample needs to be taken because he does not know what kind of air he is breathing.

He said the other businesses in the vicinity have smelled the smoke as well as Albemarle School which is across the highway. He stated that he has a neighbor who is on oxygen and has to keep his house closed up all the time due to the smoke.

Mr. Bunch said Mr. Casey had previously provided him with the business card for Mr. Fisher with the Division of Air Quality and he contacted him. He stated that Mr. Fisher assured him that the business was operating according to requirements and he had not found it to be out of compliance. Mr. Bunch added that he did not know if Mr. Fisher had actually been down exactly when a burn was started, but he had indicated that whenever he or someone from his staff is in the area, they ride by the business to see if there appear to be any violations. Mr. Bunch advised that he asked Mr. Fisher about air samples and he said there is no reason to take air samples right now because nothing appears to be out of compliance. He stated that the business is in compliance with the county's zoning regulations and fire codes and there appears to be nothing the county can do to address Mr. Casey's problem.

Vice-Chairman Jeff Dixon noted that he believes a pet crematorium would have to comply with the same regulations that a human crematorium has to follow which means it would have to be odorless and smokeless.

The Board requested that staff draft a letter to be signed by the Chairman asking the Division of Air Quality to conduct a more thorough investigation.

2. AMENDMENTS TO THE AGENDA:

Chairman Griffin asked if there were any amendments to the agenda. Vice-Chairman Dixon requested that the following items recommended by the Finance Committee at its meeting today

be added to the agenda: 1) Approval of request from School System to add a School Resource Officer at H.L. Trigg Community School; and 2) Approval of higher starting salary for Paramedic position. County Attorney Mike Cox requested that the Board also approve the salary for the Elections Director.

Motion was made by Gary White, seconded by Joe Winslow to amend the agenda to include the three items listed above. The motion carried unanimously.

Motion was made by Jeff Dixon, seconded by Joe Winslow to move items #1 and #2 to the consent agenda. The third item will be considered under New Business. The motion carried unanimously.

3. **APPROVAL OF CONSENT AGENDA:**

The Board considered the following consent agenda:

a. Approval of Minutes of September 4, 2012 Commissioner Meeting

b. Approval of Tax Releases and Refunds

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

Releases:

| | County | City |
|----------------------------------|--------|--------|
| 1. Water St. Prop. | | 163.38 |
| 2. Steve I. Cerveny | 111.23 | 88.42 |
| 3. Anthonie Eugene White | 173.41 | |
| 4. Christopher Lynn Pendergrass | 119.72 | |
| 5. Ayesha S. Cowell | 144.00 | |
| 6. Eudora Harvey | 144.00 | |
| 7. Eudora Harvey | 432.00 | |
| 8. Bennie Jr. & Franline Winslow | 144.00 | |
| 9. JE, OE & DW McPherson | 432.00 | |
| 10. Audrey Banks | 144.00 | |

Refunds:

| | | |
|------------------------------|--------|--------|
| 1. EC Bus LLC | 241.91 | 186.31 |
| 2. Martin L. Butts, Jr. Etal | 144.00 | |

c. Approval of Budget Amendment

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

Friends of the Library

| | | | |
|----------|------------------|---------------------------|----------|
| Increase | 024.0600.4611.04 | Membership Dues | 800.00 |
| Increase | 024.0600.4611.03 | Book Sales | 1,600.00 |
| Increase | 024.0600.4611.05 | Fundraisers | 100.00 |
| Increase | 024.0600.4833.00 | Donations | 400.00 |
| Increase | 024.0991.4991.00 | Fund Balance Appropriated | 8,782.00 |
| Increase | 024.0500.4831.00 | Interest | 20.00 |
| Increase | 024.6110.5191.00 | Audit | 100.00 |
| Increase | 024.6110.5231.00 | Promotional Material | 850.00 |
| Increase | 024.6110.5232.00 | Library Materials | 1,000.00 |
| Increase | 024.6110.5261.00 | Departmental Supplies | 700.00 |
| Increase | 024.6110.5272.00 | Fundraiser Expense | 150.00 |
| Increase | 024.6110.5325.00 | Postage | 200.00 |
| Increase | 024.6110.5499.00 | Miscellaneous Expense | 50.00 |
| Increase | 024.6110.5500.00 | Capital Outlay | 8,652.00 |

d. Approval of Request from School System to Add a School Resource Officer at H.L. Trigg Community School

The Finance Committee has recommended approval to add a School Resource Officer to be assigned to H.L. Trigg Community School for the 2012-13 school year. The Sheriff's

Department would provide the vehicle, fuel, and vehicle maintenance and the school system would provide the funds for the salary and benefits which is estimated to be \$46,984.

e. Approval of Higher Starting Salary for Paramedic Position

The Finance Committee has recommended approval of a higher starting salary for a Paramedic who has previously worked for the EMS Department. He was previously employed at Step 8 and it is recommended that he be reinstated at Step 8, \$40,511.

Motion was made by Jeff Dixon, 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. | Vincent Vincenzo Savino | 72.36 | |
| 2. | David William Wotherspoon | 75.33 | |
| 3. | Margaret Susan Wotherspoon | 30.01 | |
| 4. | Ned Paul Ferracci, Jr. | 5.58 | |
| 5. | Brian Wade Pike | 55.06 | |
| 6. | Dustin David Bertzel | 54.99 | |
| 7. | David A. Hamilton, Jr. | 87.42 | |
| 8. | Shelley D. Quidley | 76.88 | 61.38 |
| 9. | John Anthony Glowacz | 79.73 | |
| 10. | John Anthony Glowacz | 33.79 | |
| 11. | Marie Owney Brickhouse | 40.15 | |
| 12. | Mark Allen Schad, Jr. | 38.01 | 33.50 |
| 13. | Joanna Easter Delavergne | 94.92 | |
| 14. | Kirsten Rae Ludtman | 23.50 | 22.62 |
| 15. | Eric Aubrey Fazekas | 95.36 | 76.52 |
| 16. | Eric Aubrey Fazekas | 27.59 | 25.69 |
| 17. | Randall James Langley | 98.21 | |
| 18. | Billy Mack Taylor | 48.64 | 36.48 |
| 19. | Patsy Thompson Wilson | 70.06 | 57.55 |
| 20. | Synovia J. Simons | 6.51 | 4.89 |
| 21. | Robert James Katz | 7.32 | |
| 22. | Jolie Deanne Raper | 13.58 | 10.19 |
| 23. | James Davis Sanders, Jr. | 30.69 | |
| 24. | Samuel Bernard Smith, Jr. | 27.78 | |
| 25. | Charles Bob Branch III | 21.89 | |
| 26. | Velnita Ott | 3.23 | |
| 27. | Godwin & Assoc Tax Service, LLC | 38.75 | 30.94 |
| 28. | Wendy McCleave Jones | 1.86 | 1.40 |
| 29. | Piedmont Natural Gas Co. | 58.65 | |
| 30. | Sherman Dean Underwood | 31.07 | |
| 31. | Jovin Natalie Viruet | 7.88 | 5.91 |
| 32. | Steven Howard Thompson | 56.85 | |
| 33. | Adrian Yvette Bowser | 4.03 | 3.03 |
| 34. | Walter Lee, Jr. & Cynthia W. Poole | 52.70 | |
| 35. | Stephen Tyler Thomason | 75.52 | |
| 36. | Daniel Lee Ford | 22.32 | |
| 37. | Adams Landing NC LLC | 52.70 | 42.08 |
| 38. | Adams Landing NC LLC | 52.70 | 42.08 |
| 39. | Adams Landing NC LLC | 52.70 | 42.08 |
| 40. | Adams Landing NC LLC | 53.32 | 42.57 |
| 41. | Adams Landing NC LLC | 52.70 | 42.08 |
| 42. | Adams Landing NC LLC | 52.70 | 42.08 |
| 43. | Dyrell Donnell Hurdle | 10.67 | 8.00 |
| 44. | Conrad A. Mollenkopf | 6.20 | 4.95 |
| 45. | Conrad Allen Mollenkopf | 16.90 | 12.68 |
| 46. | Charisse Tonette Lynch | 3.60 | 2.75 |

| | | | |
|-----|-----------------------------|-------|-------|
| 47. | Alton Woodrow Barclift, Jr. | 13.09 | |
| 48. | Wendy Faye Cave | 26.66 | |
| 49. | Richard Aaron Ghormley | 46.25 | 39.69 |
| 50. | Richard Aaron Ghormley | 60.08 | 50.06 |
| 51. | Darrell Patrick Felton | | 53.13 |
| 52. | Kylie Cahoon Felton | | 7.46 |
| 53. | Donald Wayne Payne | 90.65 | 67.99 |
| 54. | Gordon Thomas Adams, Sr. | 10.70 | 8.03 |
| 55. | Kenneth Kendell Stokley | 6.58 | |
| 56. | Brittany Mann Blizzard | 11.94 | |
| 57. | James Arthur Martin | 5.83 | 4.38 |
| 58. | Mark William Schomers | 42.35 | |
| 59. | Marlin Leasing Corp. | 4.47 | |
| 60. | Bryan Raymond Meek | 60.64 | |
| 61. | Anthony Robert Ditro | 6.94 | 10.21 |
| 62. | Matthew James Gerber | 85.99 | 69.50 |
| 63. | Douglas Wayne Siedenburg | 88.72 | |
| 64. | Michael Dean Garza | 36.52 | |
| 65. | Michael D. Garza | 84.69 | |
| 66. | Thomas James Huntley | 76.14 | 62.10 |
| 67. | Ronald Anthony James Salupo | 2.58 | 1.93 |
| 68. | Cedric Lanier Griffin | 29.14 | |
| 69. | DeJa Nichelle Miller | 3.54 | 2.65 |
| 70. | Florence Cooper Pruden | 31.31 | 23.49 |
| 71. | Jacob Dante Wycoff | 12.34 | |
| 72. | Jessica Diane Nortman | 74.52 | |
| 73. | Gianni Venturi | 77.32 | |
| 74. | Todd Nolan Wagner | 16.03 | |
| 75. | Aimee Farquette Slaughter | 27.90 | |
| 76. | Therapy House PLLC | 69.07 | 56.80 |

4. APPROVAL OF AMENDMENT TO ANIMAL CONTROL ORDINANCE:

The Board considered a proposed amendment to the Animal Control Ordinance that would amend the dangerous dog portion. County Attorney Mike Cox explained that the amendment would address the issue of a dangerous dog moving into Pasquotank County from any jurisdiction which has caused the dog to be classified as dangerous. It would also allow the Sheriff's Department to review the case and if appropriate require the owner to register the dog with Pasquotank County as dangerous.

**AN ORDINANCE AMENDING THE "DANGEROUS DOG" PORTION
OF THE ANIMAL CONTROL ORDINANCE OF PASQUOTANK COUNTY,
NORTH CAROLINA TO ADDRESS "DANGEROUS DOGS" MOVING
INTO PASQUOTANK COUNTY
ORDINANCE # 12-2**

WHEREAS, pursuant to Section 153A-121 of the General Statutes of North Carolina a county may by ordinance define, regulate, prohibit, or abate acts, omissions, or conditions detrimental to the health, safety, or welfare of its citizens and the peace and dignity of the county; and

WHEREAS, on December 19, 2005, the Board of Commissioners for Pasquotank County amended the Animal Control Ordinance to provide a section entitled "Dangerous Dogs" to address a growing concern with dogs that are potentially dangerous, dangerous or vicious within the county; and

WHEREAS, there is a need within the "Dangerous Dogs" provision of the Animal Control Ordinance to address dogs which have been declared potentially dangerous, dangerous or vicious in other jurisdictions; and

WHEREAS, the Board of Commissioners for Pasquotank County finds that it is in the public's interest and welfare that this ordinance be adopted.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners for Pasquotank County as follows:

1. Section 1.3 shall be amended as follows:

A. *Report required:* (i) An owner, keeper or harbinger of a dangerous or vicious dog or a dog that has attacked or bitten a person or domestic animal; (ii) a victim of or person witnessing such an attack or biting; (iii) a veterinarian treating a domestic animal for such an attack or biting; or (iv) a health care professional treating a person for such an attack or biting, shall report the following events to the Sheriff's Department within three (3) business days after the event has occurred:

- (1) Any attack or biting by a dog upon any person or domestic animal, or
 - (2) The transfer, gift, sale, or other conveyance of ownership or possession of a potentially dangerous, dangerous or vicious dog, its confinement in a veterinary facility, its removal from the territorial jurisdiction of the county, or its death.
- a.) If a dog is caused to be moved into Pasquotank County from any jurisdiction (whether it be a municipality, county or other local government), which has caused that dog to be classified as potentially dangerous, dangerous or vicious (or some other similar classification), or an animal so classified elsewhere is situate within Pasquotank County at any time, that dog must be reported as required hereunder to the Sheriff's Department. The Sheriff or his designee shall review the case and classification of the previous jurisdiction and, if appropriate, cause the owner or person in possession of said dog to register the dog within the County as potentially dangerous, dangerous or vicious.

B. *Report data required:* The data required in the report and the format thereof shall be as set forth in administrative procedures promulgated by the Sheriff.

2. Section 2. This ordinance shall take effect immediately upon its adoption.

Adopted this 17th day of September, 2012.

Motion was made by Joe Winslow, seconded by Gary White to approve the amendment to the Animal Control Ordinance as proposed. The motion carried unanimously.

5. APPROVAL OF SALARY FOR DIRECTOR OF ELECTIONS:

The Board was advised that Director of Elections Linda Page has agreed to delay her retirement until the end of February in exchange for a salary of \$4,000 per month. This will allow time to advertise and fill the position on a permanent basis.

Motion was made by Bill Trueblood, seconded by Gary White to approve a salary of \$4,000 per month for the Director of Elections for the period September 1, 2012 until February 28, 2013. The motion carried unanimously.

6. REPORT FROM ASSISTANT COUNTY MANAGER:

Assistant County Manager Rodney Bunch stated that this past year the city worked with the county to apply for a North Carolina Catalyst Grant for \$500,000 for repairs and renovations at the old Elizabeth City Middle School. He said the grant has not been approved, however an application can now be submitted in the new funding cycle. Mr. Bunch explained that the city currently has grants in process and is not eligible to apply for the Catalyst Grant before the application deadline and has requested that the county apply for the grant. He said in doing so the county would have to schedule a public hearing at the next meeting on its intent to apply for a grant, and then another one at the second meeting in October on how the grant funds would specifically be used. He stated that the city would work with the county to put together the information needed to submit the grant application. The Board concurred to move forward to advertise for a public hearing at the next meeting.

Mr. Bunch reported that about a month ago the County Manager received a letter from the Corps of Engineers about the Newland Dike project in Pasquotank County that has been on the inactive list since 2001. He explained that in 2001 the Corps looked at the dike and advised that it would have to be repaired to the standards of when it was built, however the county did not have the funds for those types of repairs. He stated that last Wednesday he, John Spence, and three representatives from the Corps rode the entire four-mile length of the dike and looked at the structures. He said the Corps will be writing up a report on what they saw. He added that it appears it will be the same report as in 2001 which advised that in order for the dike to get back on the Corps active list, it would need to be brought up to the standard at which it was constructed. The Corps has no funds available to bring it up to standard. Mr. Bunch stated that the dike has settled over the years and has been breached a couple of times after hurricanes due to the pressure on it. He said by using funds that have been collected through a district tax and the property owners using their own equipment and time, some repairs have been made to the dike to try to maintain it over the years. He added that the county still does not have the funds to bring the dike up to standard. He stated that Mr. Spence has suggested that the county consider reinstating the district tax in order to accumulate some funds for maintenance.

Mr. Bunch said he will be following up with a potential client for the Commerce Park and will be meeting with him next week.

7. REPORT FROM CLERK:

The Clerk reminded the Board of the joint public hearing with the Hospital Authority Board of Commissioners scheduled for next Monday night at 6:30 PM at the COA Auditorium.

8. REPORTS FROM COMMISSIONERS:

Commissioner Joe Winslow reported that he had the opportunity to go to Berea Church and represent the county at an appreciation event for the emergency personnel who do so much in the community. He said this was a nice event and was well-attended.

Vice-Chairman Jeff Dixon said he would like to clarify from this afternoon's work session that the Board wants him to ask the Chamber of Commerce for its support of the ¼ cent sales tax. It was suggested that Vice-Chairman Dixon present to the Chamber the information from the website that has been developed in order for its Board of Directors to make a decision.

Commissioner Cecil Perry reported that he contacted Dr. Hunsberger to request that the Community Relations Commission discuss the possible restructuring of the Board as the Board had suggested several months ago. Commissioner Perry noted that there is nothing that hurts anyone any worse than not having equal representation. He said it was agreed after the budget was completed that meetings would be scheduled in the county to discuss restructuring of the Board.

Commissioner Bill Trueblood reported that the Parks and Recreation Advisory Board met last week and toured Fun Junktion. He said during their tour there was concern about people going into the water at the ponds. He stated that he attended the Mud Run on Saturday at Fun Junktion and saw a lot of people in one of the ponds rinsing off mud. He asked if people are allowed in the ponds now. The County Manager responded that people are not supposed to go in the ponds. Commissioner Trueblood said he plans to discuss this with Recreation Director Bobbi White.

Commissioner Trueblood noted that everyone has received notice from the County Manager that Perquimans County has signed the RO purchase agreement which starts the clock on their one year period until they will begin purchasing water.

Commissioner Trueblood reported that the Solid Waste Commission will meet this Wednesday at 9:00 AM. He advised that as far as the county's participation in the switchover at the landfill and transfer station, he can attest that the transfer station is operating as smoothly as he has ever seen it. He added it appears that everything is in good hands.

Commissioner Gary White reported that he paid a visit to the landfill last Saturday and everything appeared to be in working order. He said he saw no problems after looking at the entire landfill.

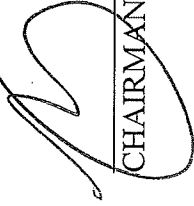
Chairman Griffin stated that some members of the Board have received a request from the Mayor to meet with him this Thursday or Friday regarding his community initiatives. He said also on Thursday from 11:30 to 1:00 a forum on "Agriculture Equals Jobs" will be held at the K.E. White Center.

Chairman Griffin asked the status on the repairs at the Public Safety Building. Mr. Keaton advised that all testing has been done but the report has not come back. Mr. Bunch stated that a contractor is doing patchwork in the ceiling area and county maintenance staff are patching the walls. Tile has been installed in one of the rooms and final touchup is now being done.

Chairman Griffin asked if there was anything further to come before the Board. There being no further business, he asked for a motion to adjourn the meeting.

Motion was made by Gary White, seconded by Cecil Perry to adjourn the meeting. The motion carried unanimously and the meeting was adjourned at 7:45 PM.


CLERK TO THE BOARD


CHAIRMAN