

**PASQUOTANK COUNTY, NORTH CAROLINA  
OCTOBER 17, 2016**

The Pasquotank County Board of Commissioners met today in a regular meeting on Monday, October 17, 2016 in Courtroom C in the Pasquotank County Courthouse.

**MEMBERS PRESENT:** Joseph S. Winslow, Jr., Chairman  
Cecil Perry, Vice-Chairman  
Jeff Dixon  
Frankie Meads  
Bettie J. Parker

**MEMBERS ABSENT:** Lloyd E. Griffin, III  
Dr. William R. Sterritt

**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. Commissioner Bettie Parker gave the invocation and Commissioner Frankie Meads led in the Pledge of Allegiance to the American Flag. Chairman Winslow welcomed everyone present.

**1. COMMENTS REGARDING TRACI DRIVE:**

Chairman Winslow recognized several residents from Providence Acres Subdivision to address the Board. Ms. Theresa Stanwick of 1042 Traci Drive explained that she is here on behalf of herself and her neighbors. She said they have been here numerous times requesting help. She stated that their road is collapsing in. At this point, there is only one way in and one way out. She said it is a big hazard. She noted that the fire department has had to pull one of their own trucks out of the hole during a fire. She said the drainage pipe at the end of their road is collapsing and when that happens they will be stuck. She asked what will happen when they need an ambulance, the fire department, or the police department. She said she pays her taxes every year and she gets nothing in return. She went on to say that she cannot sell her house because no one wants to buy it. She stated that when her father bought her home he was given a document that was signed by Horace Pritchard in 1990 stating that Horace Pritchard owned the road and would maintain it until the State of North Carolina takes it over. She said the county has not enforced the document, but if she was not paying her taxes, the county would take her house away from her. She asked the Board if they lived on the road and were disabled like herself or a senior citizen, what would they do if they knew an ambulance could not get to them.

Commissioner Meads asked if the subdivision has a homeowner's association. Ms. Stanwick asked what that would do. Commissioner Meads said the money could be used to repair the road. Ms. Stanwick said they do not have bulldozers or equipment to do the work. She added that they do not own the road and they are not supposed to touch the road. She said there is a legal binding agreement that Mr. Pritchard signed. She stated that when he built the development he had to follow guidelines, he had to sign documents and he had to follow state and county laws. She said the county allowed him to sit on the board of commissioners and allowed him not to fix the road. She said the county is still allowing him to build projects and just walk away from them. She stated that someone is going to die on her road and somebody is going to be responsible.

Ms. Stanwick said school buses can only come part the way down the street and must back up. She said the kids are going to fall in the holes and go out there with the snakes and the turtles. She stated that they need help and they need the county to call Mr. Pritchard and tell him enough is enough, fix the road. She is not concerned about the flooding, but they need the road repaired for safety reasons. She said no one is going to tell her that she cannot sue Mr. Pritchard or the county if someone dies. She moved here because it was supposed to be a safe and good place to live and now her daughter is learning that nobody cares. She cannot go out and ride her bicycle or skateboard. None of the residents can take a walk and enjoy themselves.

Ms. Marina Rosenhagen of 1091 Lynn Drive said she was informed that an ambulance came down the road last night and had to make a U-turn and go three blocks around to get to the house. She said they have been told that emergency vehicles will not come down the road. She

stated that if a house is on fire and the firefighters have to walk in with a hose, they might as well give it up. She said she has a grandson who lives with her and the school bus cannot come down the road to pick him up. She said they are not asking for a new road, but would like the holes filled in. She called an asphalt company to see if they would come and fill the hole and was told “absolutely not” because they were afraid Mr. Pritchard would sue them. She added that a cement company would not deliver cement. She said she purchased 40 bags of Quick-crete to fill in one hole. She said many residents have lost their exhaust systems, punctured their gas tanks, etc. She said as soon as the pipe that is half way across collapses there will be no way to enter or exit the entire development. She stated that she does not know what to do at this point. She said approximately 50% of their neighborhood is senior citizens and another 20% are on disability. She said if she has to stay inside two days because of flooding that it’s not a big deal to her, but not being able to drive in and out is a big deal.

Chairman Winslow noted that this has been a longstanding issue since he has been a commissioner and it really bothers him. He is very frustrated that we have not found a solution to the problem. He said the Board needs to consult with our legal advisor and see what our options are and see if there is any way they can help. He asked that they give the Board a little time and they will report back to them.

Commissioner Dixon asked why they feel like Mr. Pritchard would sue them if they tried to repair the road. Ms. Stanwick said the homeowners do not own the road. She said she was told they should not touch the road because Mr. Pritchard is sue happy. She gave an example of a young man who worked at a cement company whom Mr. Pritchard threatened to sue. She stated that if she fixes the hole and then someone gets hurt because of the work she did, she thinks Mr. Pritchard will point fingers at her. Commissioner Dixon asked if taxes are paid on the roads. Attorney Cox answered no because they are now dedicated as public use. He said this subdivision was built prior to current regulations and at that time the county did not require maintenance bonds and performance bonds. He said there has been litigation between the landowners and Mr. Pritchard and there was an agreement that both sides needed to do certain things. He stated that his understanding was someone needed to make the first move and Mr. Pritchard would make the second move and as he understands it the first move did not happen. He said he does not know if that is true because the county was not involved. He stated that there is a state statute that states that before the county can spend money on secondary roads, it has to have a signed petition by 75% of the landowners in the subdivision. The dilemma we are faced with is the landowners do not have the money to repay the county by special assessment. He said he will be glad to sit down with the manager and the commissioners and do another update. He noted that this happens in other areas throughout the state.

Ms. Stanwick stated that it was estimated to cost \$65,000 to improve the drainage. She said the county keeps telling her that this is not a county issue, but developers must come through the county in order to develop. She said Mr. Pritchard signed county paperwork stating that he would follow the county’s guidelines, but no one forced him to do so. She stated that she did not buy her home with the understanding that she would be paying out thousands of dollars for drainage. She suggested the county let him know that they are sick and tired of these people living in a second world country in our county. She said Mr. Pritchard has more money than she will have in ten life times and he has the equipment.

Chairman Winslow said that he and staff will meet to discuss their complaints and discuss what options are available and get back to her.

## **2. PRESENTATION OF PLAQUE TO DR. TRAVIS BURKE:**

Chairman Winslow called on retired Cooperative Extension Director, Dr. Travis Burke and presented him with a plaque from the Board thanking him for his 34 years of service to Pasquotank County and North Carolina. Dr. Burke thanked the Board for their support over the years and stated that it has been an honor and a privilege to serve the people of Pasquotank County. He said the 28 best years of his career were spent in this county.

## **3. APPROVAL OF CONSENT AGENDA:**

The Board considered the following consent agenda:

- a. Approval of Minutes of October 3, 2016 Commissioner Meetings

*b. Approval of Tax Releases and Refunds*

The Finance Committee has recommended approval of the following tax releases, refunds, and solid waste fee releases:

**Tax Releases**

		County	City
1.	Rodney Wayne Wilkerson	104.42	

**Tax Refunds**

		County	City
1.	Nicholas Adam Duncan		131.68
2.	Frog Island Trucking		201.25
3.	Fred L. & Frances Meads	412.14	
4.	Eyeball Inc.	1183.58	887.69
5.	Eyeball Inc.	1183.58	944.96
6.	Eyeball Inc.	1202.67	944.96
7.	Eyeball Inc.	1305.68	1056.57
8.	Eyeball Inc.	1305.68	1099.52

**Solid Waste Fee Release**

	OWNER'S NAME	PARCEL ID NUMBER	REASON FOR RELEASE
1.	Hubert Ambrose	P12A-71	Vacant
2.	Sterling S. & Shirley D. Griffin	P80-84A	Vacant
3.	Mt. Lebanon A.M.E. Zion Church	32-F-26	Vacant
3.	Leona Loretta Taylor	50-N-23A	Mobile Home not Livable
4.	Edward White	P11-35	Vacant
5.	Pauline & Edward White	P12-21C	Vacant

*c. Approval of Records Retention Schedule Amendments*

The Government Records Section of the State Archives of NC has published two (2) amendments to the county records retention schedule. One amendment clarifies retention for 911 text messages and the other amendment reflects new legislation governing body-worn cameras for law enforcement personnel. Attorney Cox has requested the Board approve both amendments to keep the county records retention schedule current.

Motion was made by Cecil Perry, seconded by Frankie Meads to approve the Consent Agenda. The motion carried unanimously.

**4. REPORT FROM COUNTY MANAGER:**

County Manager Rodney Bunch reported that multiple sections within a 150' area of the walking trail on the back side of the large pond at Fun Junktion collapsed during Hurricane Matthew. The water in the swamp adjacent to the trail elevated until it over washed the trail draining into the pond. This led to the erosion of the walking trail shoulder and eventually the collapse of the asphalt trail. The longest collapsed area extended across the entire width of the asphalt walking trail for approximately 65'. He said should we experience another large rain event it is a very good possibility that the trail could be breached completely. He stated that the walking trail should be repaired as soon as possible. He recommending using material we have at the landfill.

**5. COMMENTS REGARDING CROP DAMAGE FROM HURRICANE MATTHEW:**

Al Wood, Pasquotank County Agriculture Extension Agent, reported on the results Hurricane Matthew left on our farming community. He said there were reports of 9.75 to 16.7" of rainfall. He approximated at least 23" of rainfall since Tropic Storm Hermine, which is an extreme amount of water for our area. At the time of Hurricane Matthew, 80% of our soybean crop, 10% of our corn acreage, and 100% of our cotton crop was still in the fields. He said because of current prices, there has not been much encouragement for farmers to plant wheat and these wet conditions have made it even less encouraging. He stated there is a new crop that has come to the county called clary sage which has been totally wiped out. Cabbage damage is still left to be

seen, because not only can we have yield loss, but we can have quality loss, which can take away from the bottom line even more.

Mr. Wood provided a PowerPoint presentation. He noted that a lot of the water that leaves the Great Dismal Swamp National Refuge comes down through the Pasquotank River Basin. He provided photos of crops throughout the county; many of which were completely submerged in water.

Mr. John Spence provided aerial footage of acreage that was impacted by the Newland Dike. He stated that the day after the hurricane passed they were in great shape. He said at that time there was only localized water. Approximately three days later, the water from the Great Dismal Swamp made its way to them and spilled over the dike. He said Tropical Storm Hermine basically peaked out the holding capacity of the swamp, with some spillage over the dike. He stated that the swamp was already full and had to find relief. He noted that water was 10-12" deep on Up River Road and Tadmore Road. He said the flood waters impacted approximately 2,500 acres of farmland. He said some of the fields had up to 3' of water in them at peak. He explained that the dike was repaired just prior to Hurricane Isabell. He noted that the 1,000' of spillage took place near the area where they stopped reconstruction along Kay Week's property line.

Mr. Spence stated that the dike is approximately 3.5' above ground level. He said at Highway 158 the original construction height was 21' above sea level and 3.1 miles later it was 19' above sea level. He said the area which over flowed during Hurricane Floyd was actually at 16.7'. He said currently the water is running over in an area that is probably 17-17.5' above sea level. He provided elevation maps for the area. He said part of the ongoing issues that they have with drainage in Newland is that the US Fish and Wildlife embarked on a project several years ago to raise the water level by using water control structures in order to hold water in the canals so that it would wet the ground as a fire prevention tool. He said most of the land is 20-30' above sea level and Newland is about 10' above sea level, so the swamp is a pocosin or bowl. He said their policy of holding water in the ditches and saturating the soil gives the swamp less ability to absorb rainfall. He stated that the US Fish and Wildlife people need to know that their policy is affecting two states.

Mr. Spence said the problems in our area started in the early 1920's when US 158 was converted from a cart path to a state maintained road. To his knowledge there are no cross pipes under US 158. He explained that when the road was constructed it basically created a dike and funneled the water to the head of the Pasquotank River instead of letting part of that water go to the head of the Perquimans River. He said the Tadmore Jury was created in 1927 and a series of canals were built to try to alleviate water, which did not help. In May of 1956, the Shepherd Jury Ditch District was created and the Corps of Engineers agreed to construct the dike. He noted that the dike is 60 years old. He said the Newland Management Advisory Board will probably be coming to the commissioners by the first of the year asking that an assessment be placed back on the property owners affected by the Newland Dike so that they can start getting monies again for repair and improvements on the dike.

Commissioner Parker asked if there was a breach in the dike as well as an overflow. Mr. Spence said he does not believe there was a breach. Commissioner Parker asked if he has a quick assessment as to what he would do to improve the situation so that this will not be repeated. Mr. Spence said he feels they will need to repair another 1,000'. He said prior to Hurricane Isabelle they improved approximately 1,200' and the cost of \$3,500-\$3,800. He stated that a local forester was able to dig on site from the old borrow ditch and the material turned out to be real good fill material. He said the area that is overflowing now can probably be done for less than \$10,000, but they have no money. He said he would like to reiterate that even if the dike was built up another foot, it probably would have overflowed and that will not change until the policies are changed further upstream. As long as the dike is lower than US 158 there will be an issue. If it is built higher than US 158 the water will run over US 158 and go to the Perquimans River.

Commissioner Meads said we have had more rainfall than we have in years and the Army Corps of Engineers has done nothing to stop this or slow it down.

Mr. Steve Harris of 2123 Rivershore Road provided pictures of the flood damage from Hurricane Matthew on his family farm on Creek Road. He said this storm produced more flooding than

he or his 84 year old father has ever seen. He noted that the concrete on his grain bins is 18-24” deep and they are 12-18” above ground level and the flood water was very close to entering the grain bins. He said he did not have any water get into the grain, but today when they were emptying the grain bins every unloading auger was full of water. He cannot understand how the water got in there.

Mr. Harris also provided pictures of farmland which was flooded in the desert. He noted that you could not see the bottom two steps on some of the wind turbines on Monday afternoon. He estimated 30” of rainfall in the desert in less than 30 days. He said because Pasquotank County is so flat and does not have a slope it is difficult for the water to run off. He said when NCDOT installed the pipes they were not concerned about the elevation of the pipes. He stated that it is critical if they are installed too low or too high. He went on to say that we do not have control over these things, but we do have control over our manmade problems. He said he recently spoke with Darrell Wilkins, NCDOT and was informed they only have seven employees now.

Mr. Harris stated that by Tuesday or Wednesday the water on the east side of 17 Bypass has drained considerably, but the ditches and canals on the west side were still full. He said this tells us that there is a problem. He said he is tired of nothing being done. He said he usually does not complain and takes the good years and the bad years in stride, but something needs to change. NCDOT needs to install an emergency spill over. He said he is aware that this is not the Board’s responsibility, but he hopes to find somebody who is willing to talk to and be a leader in getting all the appropriate agencies to pull together. He said we need to get our legislators involved.

Mr. Harris said he hopes that some of the revenue from the wind turbines can be used to help maintain drainage in the desert area and he would like to know tonight or as soon as possible if a service district can be developed in the desert. He said he first came to the Board six years ago requesting this. He asked if this will eventually happen or do they need to hire their own attorney in order to get the service district established. He said they can do all the leg work, but if the Board does not approve it, it will not do them any good. The landowners are more than ready to do something. Attorney Cox said a service district can be set up, but there are a lot of easements. He said he recommends the landowners come up with a project and get some estimates. Mr. Harris stated that Dwane Hinson and Mark Powell have told him that they need some startup money. He said they both believe that we can get grant money, but it will probably require a match. He hopes the county can provide a match to get this started and then assess the landowners to repay the amount.

Chairman Winslow asked staff to research what alternatives are available. He said these issues need to be addressed. He said these problems not only exist in our area, but exist throughout eastern North Carolina.

Mr. Wood explained that the Farm Service Agency has programs available. He said some of them are loans and some of them are cost sharing programs.

Vice-Chairman Perry stated that citizens need to know the impact of what is happening.

Mr. Spence said he recently read in a bulletin that stated that according to USDA grading standards that no soy beans are to be purchased that knowingly had been submerged in flood water because it is considered contaminated grain. He said that may become an issue.

## **6. REPORTS FROM COMMISSIONERS:**

Commissioner Meads said he feels we need to get Representative Walter Jones involved in the flooding issues.

Commissioner Dixon added we need to get NCDOT involved. He said when the bridge was replaced on Main Street Extended Oxford Heights did not flood nearly as bad as it did previously, but now Forest Parks floods. He said NCDOT’s intentions are always good, but they need to study what the repercussions will be downstream. He said NCDOT must be part of the conversation when this is discussed.

Commissioner Parker attended the Pasquotank Ministers Council on Wednesday, October 5<sup>th</sup>. She reported that Stop the Hunger Now will take place on November 20<sup>th</sup> at ECSU. She welcomed everyone to come out and package meals. She said there will be a Coat Drive on November 26<sup>th</sup> at Walmart parking lot. Mrs. Tammy Pawloski will speak on “Poverty of

Children” on October 31<sup>st</sup> at Sheep Harney Auditorium. On October 5<sup>th</sup>, she attended the political forum. On October 10<sup>th</sup>, she attended the Library Board of Trustees meeting. She said Cathy Davison, Director of Albemarle Commission spoke regarding writing a grant to purchase a new bookmobile. On October 13<sup>th</sup>, she attended the ECPPS Strategic Plan Luncheon. She stated that she also attended the first meeting of the ECPPS “Parent/Community Advisory Council”.

Vice-Chairman Perry took part in a conference call with the USDA regarding the flooding in the community, which is how he learned of Mr. Spence and Mr. Harris’ concerns. He attended the Jail Board meeting. He noted that there are several positions open at the jail at this time.

Chairman Winslow stated that as chairman he had the opportunity to sit in the bunker and watch Christy Saunders and the Emergency Management people work during the storm. He thanked them for their hard work and professionalism. He was very impressed with how coordinated it was. He thanked Dr. Burke again for his service to the county and ask that he continue to work to better our community.

The Board directed staff to research options that may be available for the residents of Traci Drive and send them a letter informing them of their options.

Commissioner Parker said what the residents of Traci Drive are dealing with is a travesty and we need to see what we can do to help them.

There being no further business;

Motion was made by Cecil Perry, seconded by Frankie Meads to adjourn the meeting. The motion carried unanimously and the meeting was adjourned at 8:58 PM.

---

CHAIRMAN

---

CLERK TO THE BOARD