

**PASQUOTANK COUNTY, NORTH CAROLINA  
NOVEMBER 7, 2016**

The Pasquotank County Board of Commissioners met today in a regular meeting on Monday, November 7, 2016 in Courtroom C in the Pasquotank County Courthouse.

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

**MEMBERS ABSENT:** Cecil Perry, Vice-Chairman

**OTHERS PRESENT:** Rodney Bunch, County Manager  
R. Michael Cox, County Attorney  
Hartley Askew, Assistant Clerk to the Board

The meeting was called to order at 7:00 PM. Commissioner Lloyd Griffin gave the invocation and Pasquotank County High School seniors Alyssa Rodriguez and Marinille Fager led in the Pledge of Allegiance to the American Flag. Chairman Winslow welcomed everyone present.

**1. COMMENTS BY DON HORTON:**

J. Don Horton, President WW II Coastwise Merchant Mariners presented a letter to the Board and residents of Pasquotank County thanking them for their support for the past ten years to have some WW II Merchant Marine women and school children recognized as veterans for their services. He said our efforts began with bills in both sides of congress, HR 1288/S 1775, "WW II Merchant Mariners Service Act". This past year, staff from the Senate Veterans Affairs Committee reduced the bills into wording that was suitable to create a self-standing Section that could be placed within any legitimate bill. This opportunity came about recently via the Concurrent Resolution for the Military Construction Bill. He stated that our wording was included as Section (248) of that bill and it passed both Houses with the President signing it and it is now Law (PL 114-223, Sec. 248). He said without the strong support of Pasquotank County and a few others, this may not have been possible. He said there is one thing that he is sure of and that is Pasquotank County can be counted on to support our veterans and he is very grateful for that.

**2. COMMENTS BY THERESA STANWICK:**

Theresa Stanwick of 1042 Traci Drive introduced residents that live on her road. She stated that she and her neighbors are here tonight to find out how their road was dedicated in the condition it was left. She asked why the developer doesn't have to pay taxes on a road that they cannot use.

Attorney Cox said there is statutory authority that allows the county to front the expenses for the road work provided 75% of the residents in the subdivision petition the commissioners for the work and agree to repay the funds through a special assessment. He stated that he is aware that this option is not popular or realistic. He said that is the only option he sees available at this time. Based on his research, the County cannot legally use money from the general fund to fix the road. He noted that other counties also face this problem. He said Mr. Pritchard did follow the County subdivision rules at the time and at that time there was no requirement for the developer to post a bond.

Ms. Stanwick said they are being told that the road was dedicated and she would like to know who accepted the road to be dedicated. She said Mr. Pritchard was supposed to follow the North Carolina Subdivision Laws. Attorney Cox stated that the NC Department of Transportation still has regulations that apply today for roads. He said at the time the road was designed, it was designed to DOT standards. He informed Ms. Stanwick that he would be more than happy to sit down and talk with her regarding this, but it will not solve the problem she is facing.

Ms. Stanwick asked who was responsible for saying the road was built correctly and the drainage was correct. Attorney Cox stated that the County approved the design of the road and NCDOT has to inspect the roads and the drainage before they take the road over.

County Manager Bunch explained that the County did not accept the road. The developer at the time proposed a plan that met the DOT standard. He explained that DOT signs the certificate on the map stating that the road design met their standard. Pasquotank County did not sign it, but they required DOT to say it met their standard. At that point in time the regulations were followed as far as Mr. Pritchard proposing to build a road to a certain standard. He thinks it said a sand/clay base and asphalt on top of it. He does not believe it even required stone at that point in time. Then, once there are enough houses on the road the developer himself can petition DOT to take the road over or the homeowners can petition DOT to take the road over. He said by the time the petition was turned in, DOT said it did not meet their standard and therefore they have never accepted the road and they will not until it meets current standards.

Ms. Stanwick asked if the County is willing to pay the whole amount to fix the road. She said the drainage alone would probably cost \$75,000, not including the road itself. She asked if the county can use their tax dollars to repair the road. Attorney Cox said that would be illegal.

Attorney Cox said the County did an assessment in another subdivision a few years ago where the County fronted the money and it was repaid by a special assessment. Ms. Stanwick said they will just sue the County.

Commissioner Meads said it was his understanding that the courts decided that if the residents fixed the drainage, then the developer would have to pay for the road. Attorney Cox said that was his understanding as well. He said he believes the time for the consent order has passed.

Chairman Winslow asked the residents to read the memorandum Attorney Cox prepared and if they have additional questions to contact him. When asked, the residents stated that there are 27 homes on the road and many of them are elderly or are renters.

**3. AMENDMENTS TO THE AGENDA:**

Chairman Winslow asked if there were any amendments to the agenda. Commissioner Griffin recommended that the agenda be amended to add the following items recommended by the Finance Committee today: 1) Adoption of resolution designating the County Manager and Finance Officer as signatory agents for FEMA assistance, and 2) Proposal to accept bid for property located at 921A US 158.

Motion was made by Lloyd Griffin, seconded by Jeff Dixon to amend the agenda to add the two items recommended by the Finance Committee to the consent agenda. The motion carried unanimously.

**4. APPROVAL OF CONSENT AGENDA:**

The Board considered the following consent agenda:

a. *Approval of Minutes of October 17, 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.	St. Stephens Missionary Baptist Church	265.60	140.80
2.	Herons Development LLC	554.80	478.15

**Tax Refunds**

		County	City
1.	Core Logic Tax Services	1,162.04	1001.50
2.	Martha West Quidley	180.49	155.56

**Solid Waste Fee Release**

	Owner's Name	Parcel ID #	Reason
1.	Mary S. Berry Lf. Est	24-B-16	Vacant
2.	C. C. Scaff LLC	24-B-5	Vacant
3.	C. C. Scaff LLC	24-B-4	Vacant

4.	Harrell Griffin Heirs	P8-4	Vacant
5.	Harry Kellogg Jr. & Alice Faye Selby	56-F-2	Vacant
6.	Abe Shannon Etal	P95-24	Vacant
7.	Sherman Underwood	P141-119	Vacant

**Solid Waste Fee Refunds**

	<b>Owner's Name</b>	<b>Parcel ID #</b>	<b>Reason</b>
1.	Jerry Bateman	P93-25-56	Vacant
2.	Elizabeth Odessa Rosip	P98-16	Vacant

*c. Approval of Family Subdivision Request FS 16-06 by Joyce and James Brown*

Staff recommends approval of Family Subdivision Request FS 16-06 by Joyce and James Brown. The Browns are requesting to create a 43,000 square foot gift lot for their granddaughter, Shonequa Brown White, in accordance with Article 5, Section 303 of the Pasquotank County Subdivision Ordinance. A total of 25 feet of road frontage is provided to the parcel off of Crooked Run Road. Birth certificates have been provided as documentation that the plat qualifies as a family subdivision and an improvement permit has been issued for a septic system. Staff advises that the request meets the minimum requirements for a family subdivision and recommends approval.

*d. Adoption of Resolution Designating Signatory Agents for FEMA Assistance*

The Finance Committee has recommended that the Board adopt a resolution designating the County Manager and Finance Officer as signatory agents for FEMA assistance applications.

*e. Bid for Property Located on US 158*

The Finance Committee has recommended that the Board propose to accept an offer of \$4,300 for a lot located at 921 A Highway 158 identified as P134-26 and to advertise for upset bids.

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

**5. ADOPTION OF RESOLUTION SUPPORTING UPGRADING US HWY 17 TO INTERSTATE STANDARDS:**

The Board reviewed a proposed resolution that would support upgrading US Hwy 17 in Northeastern North Carolina to North Carolina Department of Transportation interstate standards. After discussion,

Motion was made by Lloyd Griffin, seconded by Jeff Dixon to adopt the following resolution supporting the upgrade of US Highway 17 to interstate standards. The motion carried unanimously.

**RESOLUTION BY THE PASQUOTANK COUNTY BOARD  
OF COMMISSIONERS SUPPORTING THE UPGRADING  
OF U.S. HIGHWAY 17 IN NORTHEAST NORTH  
CAROLINA TO INTERSTATE STANDARDS 2016-29**

**WHEREAS**, US Highway 17, the Ocean Highway, was once the primary north-south transportation route in the coastal plain of eastern North Carolina; and,

**WHEREAS**, US Highway 17 continues to be the primary corridor of trade for northeastern North Carolina; and,

**WHEREAS**, there is a substantial amount of poverty, unemployment, underemployment, and economic distress in northeastern North Carolina due to the lack of economic opportunity that adequate highways can help to provide; and,

**WHEREAS**, US Highway 17 as part of the proposed I-87 Interstate Route will enable northeastern North Carolina to recruit and retain industrial jobs whose companies require access to interstate-quality highways to link products and services to eastern US markets; and,

**WHEREAS**, the Ports of Virginia are cooperating in the joint Virginia-North Carolina effort to expand Foreign Trade Zone #20 from southeastern Virginia into northeastern North Carolina

including Currituck, Camden, Pasquotank, Perquimans, Chowan, Gates, and Hertford Counties; and,

**WHEREAS**, waterborne foreign imports accessing the United States through Ports of Virginia and Ports of North Carolina via the emerging Piedmont Atlantic Megaregion will be transported along U.S. Highway 17 as identified within the North Carolina Maritime Strategy; and,

**WHEREAS**, the completion of the I-87 Interstate Route from the Ports of Virginia to Raleigh will require funding and work over many years; and,

**WHEREAS**, the upgrading of US Highway 17 to interstate standards can coincide with the expansion of Foreign Trade Zone #20 into the area, creating a synergy to ignite economic development in northeastern North Carolina.

**NOW, THEREFORE, BE IT RESOLVED THAT THE PASQUOTANK COUNTY BOARD OF COMMISSIONERS DOES HEREBY REQUEST THE UPGRADING OF US HIGHWAY 17 IN NORTHEASTERN NORTH CAROLINA TO INTERSTATE STANDARDS BE FUNDED IMMEDIATELY AND THE PLANNING AND COMPLETION OF THIS PORTION OF INTERSTATE I-87 BE UNDERTAKEN AS QUICKLY AS POSSIBLE.**

This the 7th day of November, 2016.

**6. CONSIDERATION OF JOINT COMMUNITY ADVISORY COMMITTEE:**

Cathy Davidson, Albemarle Commission Executive Director explained that currently there are only five community advisory members for Pasquotank County; three for the Nursing Home Advisory Board and two for the Adult Care Advisory Board. She explained that part of the reason for looking at a joint committee is that between the two separate committees there has been difficulty in having a quorum so they are not able to take action. She said the request is to have a larger board so there will be enough members for a quorum for one board instead of two. She stated that such a board must be approved by the Assistant Secretary of the Department of Health and Human Services in Raleigh. She stated that each county has their own board if they have an adult care or nursing home in their community.

Ms. Davidson explained that the committee members work with the local ombudsman who is a liaison between individuals that are within the adult home or the nursing home. He said they act as an advocate on behalf of the resident and the committee members are also an arm of the ombudsman. They visit and tour the facilities and make sure that they are offering the services that are designated based on the community and the committees actions and that the funds are being utilized properly as provided to Pasquotank County. She stated that they take complaints and review and investigate them. If legal action is needed, they have a legal assistance fund and they work on behalf of the resident to make sure everything is compliant.

Ms. Davidson said that they have a new Ombudsman, Brandi Jordan. She stated that she is a licensed social worker who came to the commission from working with hospice. She said she is very dynamic and is getting the committees back inline, hence the reason for the request to have an active committee, because in the past they have not been as active as they need to be.

Motion was made by Jeff Dixon, seconded by Lloyd Griffin to combine the Adult Care Home Community Advisory Committee and the Nursing Home Community Advisory Committee to form one board. The motion carried unanimously.

**7. CONSIDERATION TO COORDINATE WITH THE ALBEMARLE COMMISSION TO DETERMINE BROADBAND NEEDS:**

Ms. Cathy Davidson, Albemarle Commission Executive Director stated that she is very excited about broadband for our region, because not only does broadband affect economic development, it affects our schools, our students, poverty within our community, as well as healthcare. In working with the state, the Albemarle Commission is stepping up and taking a lead, not only in Pasquotank County, but regionally. She noted that broadband is within their comprehensive regional economic development strategy.

Ms. Davidson stated that the Albemarle Commission has designed a draft demand survey for both residential and business customers. She said the survey has been submitted to the State

Broadband Information Office for their review and insight. It is anticipated that they will receive their response back on the surveys by next Thursday, November 10<sup>th</sup>.

Ms. Davidson said once the surveys are complete, a planning committee should be formed. She said the Albemarle Commission is willing to assist the County with the committee and facilitate the work of the committee. She stated that the committee's primary responsibilities will be to distribute the demand surveys, create an RFP for a service provider, and review the RFP.

Ms. Davidson said there are innovative funds through Economic Development Administration available, but there is a match component. For EDA grants to be competitive, the application must focus on job creation and job retention. She said when looking at the business community, as well as the industrial parks, the Albemarle Commission can work with the County to put together a strong application for this innovative infrastructure project. She said it was announced in October that the federal government was releasing \$50 million for the development of small satellite systems with broadband services as one possible use. She said as the details become available, they will work with the county to put together an application.

Chairman Winslow stated that is very important to have broadband in all parts of our County, including the hospital, educational facilities, industrial parks, and residential. Ms. Davidson noted that our schools are going textbook free and if we do not have broadband in our homes, our children cannot do their homework.

## **8. REPORTS FROM THE COUNTY MANAGER:**

County Manager Rodney Bunch provided the following report:

The City of Elizabeth City and Pasquotank County entered into a Business Investment Program (BIG) Agreement with Thompson Thrift Development for the construction of the shopping center, which houses Hobby Lobby, T.J. Maxx and Ross. Under that agreement, the County is required to grant back to Thompson Thrift the increase in property taxes for a period of time above the prior tax value before construction began. Their successor corporation, IRC Retail Centers, paid \$102,124.23 in property taxes to the County before September 1, 2016. IRC's tax liability prior to construction was \$8,022.94. The County will shortly cut a check to IRC in the amount of \$94,101.29. Under the BIG Agreement, the City and County are required to grant back \$2.2 million over a 15 year period. Staff's projections are that the \$2.2 million should be paid off in year 11. The County budgeted for this payment in this fiscal year budget.

Fun Junktion Playground Park Grand Opening – the Elizabeth City /Pasquotank County Parks and Recreation Department has scheduled the grand opening of the new Trillium Play Together Playground on Sunday, November 20<sup>th</sup> from 2:00 pm until 5:00 pm.

November 21<sup>st</sup> – I met with Angie Wills and Ray Scaffa of the River City CDC, Cathy Davison, Albemarle Commission and Dave Whitner, Director for Northeastern Workforce Development to discuss creating strong grant applications for our citizens. The consensus was that the group would work as a team in preparing applications and the agency that has the best repoire with the grantor would submit the application.

Desert Wind Construction Update – Craig Poff reported this morning that:

- 62 wind turbines erected. 12/50 in Perquimans and 50/54 in Pasquotank
- O&M building and substations are 98% complete
- As of September 30, there were 71 local employees on the job and \$15.8 M had been spent locally in 2016
- On target to complete project prior to December 31, 2016

Jerry Parks Retirement Celebration – Tuesday, November 15<sup>th</sup> from 4:00 pm – 6:00 pm at the Albemarle Regional Health Center.

## **9. REPORTS FROM COMMISSIONERS:**

Commissioner Sterritt said after further investigation the Poole Street Park will not be renamed. He said during their research they discovered that in 1800 there were four different "Pooles" who were either legislators or prominent citizens in the area and they are not sure which individual the park was named after. He said in the future there will be a commemorative plaque placed in the area memorializing Miles Clark for his contributions to the community.

Commissioner Sterritt reported that the Department of Social Services will be holding their annual Thanksgiving Breakfast on November 16<sup>th</sup> and their Annual Christmas Lunch on December 16<sup>th</sup>. He encouraged the Board to take a star off the Christmas Tree at DSS and help a needy family in our community.

Commissioner Meads said the Dangerous Dog Committee has been meeting more often recently and noted that there is currently one vacancy on the board and another one that may be resigning. He said please let him know if you know of anyone willing to serve. He praised the Sheriff's Department for the work they do for the hearings.

Commissioner Meads attended the Pasquotank County Water Committee meeting. He said the current hourly rate for labor and backhoe services is \$25 and \$50 respectively. The Water Committee recommended increasing the rates to \$35/hr. for labor and \$75/hr. for backhoe services. He said the Water Committee also recommended a policy stating "Meters, locks or any water connections tampered with upon disconnection, will be charged a tampering fee of \$200 payable before service is restored".

Commissioner Dixon said he was honored to attend the unveiling of the I-87 signs that will be scattered throughout Highway 17 and US 64. He attended the Elizabeth City State Homecoming Parade and said he really enjoyed it.

Commissioner Parker attended and presented at the "Celebration of Women in Mathematics" program at ECSU. She represented the Board in the VIP section at the ECSU Homecoming Parade. On October 31<sup>st</sup>, she attended the Elizabeth City-Pasquotank Public School District professional development/information session that addressed "teaching children of poverty." She applauded the school system for focusing on this issue. She said it was a very enlightening session. She also attended the Pasquotank County Water Committee meeting on November 2<sup>nd</sup>. She will be attending the Northern Regional Advisory Board meeting on November 8<sup>th</sup>.

Commissioner Griffin reported that Gordon Rowell has been hired as the new airport manager. He said they are looking into opportunities to maintain and strengthen the future development of the airport.

Chairman Winslow met last week with the ECSU Board of Trustees to discuss the direction of ECSU and what can be done to enhance the university. He commended the Daily Advance on the article written regarding the joint meeting the school board. He said we see major improvements in our schools and he is really optimistic about our school system. He attended a special meeting of the COA Board of Trustees. He said they are currently working to replace the president, which will be hard shoes to fill.

Commissioner Dixon reported that the Elizabeth City/Pasquotank County Visitor's Bureau is moving into the Museum of the Albemarle. He said this is a win-win, because it will give additional resources to the Visitor's Bureau and the MOA, which will allow the museum to extend hours.

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 8:20 PM.

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CHAIRMAN

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CLERK TO THE BOARD