

**PASQUOTANK COUNTY, NORTH CAROLINA
MARCH 4, 2013**

The Pasquotank County Board of Commissioners met today in a regular meeting on Monday, March 4, 2013 in Courtroom C in the Pasquotank County Courthouse.

MEMBERS PRESENT:

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

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 Jeff Dixon. He introduced Mr. Josh Armstrong, Youth Pastor of the Shiloh Baptist Church. He said Mr. Armstrong started going to the Boys Club when he was six years old and came back to work at the Boys Club as Youth Director. He stated that he is truly a product of the Elizabeth City Boys & Girls Club. He asked Mr. Armstrong to give the invocation after which the Pasquotank County Youth Council led in the Pledge of Allegiance to the American Flag.

1. INTRODUCTION OF PASQUOTANK COUNTY YOUTH COUNCIL:

Chairman Dixon recognized the members of the Pasquotank County Commissioners Youth Council and asked them to introduce themselves. They included Leslie Otts, Advisor, Hannah Barnhill, Caroline Jennings, April Parker, and Blake Hawkins. Chairman Dixon thanked the Youth Council for coming out tonight.

2. COMMENTS FROM MELVIN JONES:

Chairman Dixon recognized Mr. Melvin Jones who voiced his concerns regarding the hiring process for the Director of Elections by the Board of Elections and the County Personnel Office. He said he submitted an application for the position but was never given an interview. He stated that he personally submitted an application to the Personnel Office in August, 2012 and requested a receipt, but was not given one. He said he also mailed an application with a return receipt requested, but it was returned to him refused. He explained that he spoke with the County Manager who assured him that his application was sent to the Board of Elections by the Personnel Director.

Mr. Jones said the County Manager also informed him that he had no authority over the Board of Elections and that he should seek answers from them. He stated that after he learned a new Director of Elections had been hired, he contacted the County Board of Elections and the State Board of Elections. He received a response from the State Board of Elections stating that they had no jurisdiction over the County Board of Elections. The attorney for the Board of Commissioners informed him that other than budgetary authority, the Board of Commissioners has no authority over the Board of Elections. Mr. Jones stated that someone must have oversight authority over the Board of Elections and he asked who has that authority so he can submit his complaint to that entity.

County Attorney Mike Cox explained to Mr. Jones that the local Board of Elections hires and fires the employees of the Board of Elections. The Director of Elections is appointed by the State Board of Elections. The budgetary control for the Board of Elections comes from Pasquotank County.

The Board asked the County Attorney to meet with Mr. Jones and provide him with a summary of what he needs to do to make his case.

3. COMMENTS FROM DOUG LANE:

Chairman Dixon recognized Mr. Doug Lane. Mr. Lane said he had earlier spoken to Vice-Chairman Winslow about requesting a letter from the Board of Commissioners to the Wildlife Commission stating that there is a problem in this county concerning trespass by hunters using dogs and requesting that they look into it. Chairman Dixon requested that a draft of the letter be provided to all members of the Board to review. He noted that all members of the Board would have to sign off on the letter before it could be forwarded to the Wildlife Resources Commission.

4. AMENDMENTS TO THE AGENDA:

Chairman Dixon asked if there were any amendments to the agenda. It was requested that the agenda be amended to add the following items to the Consent Agenda as recommended by the Finance Committee: 1) Approval of budget amendments; 2) Approval of request for funding for the Potato Festival; 3) Approval of request for funding from Disabled American Veterans; and 4) Proposal to accept bid for surplus property and to advertise for upset bids.

Motion was made by Joe Winslow, seconded by Gary White to amend the agenda to add items #1 through #4 above to the Consent Agenda. The motion carried unanimously.

5. CONSIDERATION OF HIRING ATTORNEY FOR HOSPITAL TRANSACTION:

The Board discussed the hiring of attorney Bob Wilson of Smith Moore Leatherwood, LLP to assist the county in the RFP process. County Attorney Mike Cox explained that the county has used Mr. Wilson at least three times in the past with regard to hospital matters. He said Mr. Wilson represented Beaufort County in a similar transaction and he spoke with the County Manager, Assistant County Manager, and County Attorney from Beaufort County and they were all pleased with Mr. Wilson's performance. Mr. Cox stated that he would recommend that the Board hire Mr. Wilson to represent the county in the hospital transaction.

Commissioner Lloyd Griffin stated that he disagrees with the County Attorney and would like for him to check with two other counties that recently entered into long-term leases for their hospitals to find out the names of the attorneys they used.

Motion was made by Gary White, seconded by Frankie Meads to delay action on hiring an attorney to assist the county with the Hospital transaction until after the County Attorney has contacted the attorneys who have assisted in two recent hospital lease negotiations. The motion carried unanimously.

6. APPROVAL OF CONSENT AGENDA:

The Board considered the following consent agenda:

a. Approval of Minutes of February 15 and February 18, 2013 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:

Releases:

	County	City
1. Thomas W. & Susan Birdsong		116.25
2. David Christopher Yeates	157.05	
3. Fred Eugene Prine	121.02	
4. Holton Kyle Walker	112.03	94.45
5. Jeremiah J. Fish	132.43	
6. Gilberto Velazquez	143.16	
7. David Edeward Froehlich	118.92	
8. James Davis McManus	159.59	
9. Ray Lamar Stokes	111.91	
10. Alexis Nevada Ashton	108.13	91.33
11. Joshua James Hegge	135.47	113.16

Refunds:

1.	James A. Bogert	115.44	97.17
2.	Jeremiah Joel Fish	135.35	
3.	Jeremiah Joel Fish	132.86	
4.	Ryan James Swaager	134.97	

Solid Waste Releases:

Owner's Name	Parcel ID Number	Reason for Release
Mary E. Walker	P95-27	House not livable/needs work

- c. Approval of Family Subdivision Request FS 13-01 by Dan and Serena Harshbarger to Give a Gift Lot to a Parent

Staff has recommended approval of Family Subdivision Request FS 13-01 by Dan and Serena Harshbarger. The Harshbargers are requesting to create a 1.29 acre gift lot for a mother, Marie Olah, at 635 Crooked Run Road in accordance with Article 5, Section 303 of the Pasquotank County Subdivision Ordinance. A total of 50 feet of road frontage is provided for the proposed lot off of Crooked Run Road. The residual lot would be +/- 16.6 acres and would have approximately 217.25 feet of road frontage. A birth certificate has been provided as documentation that the plat qualifies as a family subdivision. Staff has advised that the request meets the minimum requirements for a family subdivision.

- d. Approval of Family Subdivision Request FS 13-02 by Robert Perry to Give a Gift Lot to a Parent

Staff has recommended approval of Family Subdivision Request FS 13-02 by Robert Perry. Mr. Perry is requesting to create a 3.5 acre gift lot for a parent in accordance with Article 5, Section 303 of the Pasquotank County Subdivision Ordinance. A total of 359.84 feet of road frontage is provided for the proposed lot off of Glade Road. The residual lot would be +/- 59 acres and would have approximately 935.84 feet of road frontage. A birth certificate has been provided as documentation that the plat qualifies as a family subdivision. Staff has advised that the request meets the minimum requirements for a family subdivision.

- e. Approval of Surplus Property for Sale on GovDeals
The County Manager has requested that the 1977 Ford F700 fire tanker from the Nixonton Volunteer Fire Department be declared surplus so it can be sold on GovDeals. The fire department no longer needs the truck since it has received its new fire truck.

- f. Approval of Budget Amendments

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

Ag Ext

Increase	010.0230.4370.00	State Grants	4,763.00
Increase	010.4950.5600.34	SHIP Grant	4,763.00

Landfill

Decrease	065.7420.5500.00	Capital Outlay	79,652.00
Increase	065.7430.5500.00	Capital Outlay	79,652.00

Library

Increase	013.0550.4839.00	Miscellaneous Revenue	3,000.00
Increase	013.6110.5232.00	Library Materials	3,000.00

- g. Approval of Request from Potato Festival for Funding

The Finance Committee has recommended that the county provide funding in the amount of \$3,000 to assist with the expenses of the North Carolina Potato Festival. The funds would come from occupancy tax proceeds.

- h. Approval of Request from Disabled American Veterans

The Finance Committee has recommended that the Board approve \$500 in funding for the K.J. Eyer Chapter #64 of the Disabled American Veterans to assist with the cost of an all-expense paid one-day trip to Washington, D.C. for local World War II Veterans, Korean War Veterans, and Vietnam Era Veterans.

i. Proposal to Accept Bid for Surplus Property

The Finance Committee has recommended that the Board propose to accept an offer of \$200 for two parcels of property described as P142-22G and P142-22H and to advertise for upset bids.

Motion was made by Joe Winslow, seconded by Gary White to approve the Consent Agenda as amended. The motion carried.

7. CONSIDERATION OF MEMORANDUM OF UNDERSTANDING BETWEEN THE BOARD OF ELECTIONS AND THE PASQUOTANK COUNTY BOARD OF COMMISSIONERS:

The Board considered a Memorandum of Understanding between the Board of Elections and the Pasquotank County Board of Commissioners outlining the duties and responsibilities of each party with regard to personnel matters. County Attorney Mike Cox explained that some aspects of the relationship between the two boards are not clarified in the General Statutes and the Memorandum of Understanding will clarify what the statutes do not address. General Statutes state that the Director of the local Board of Elections is appointed by the Executive Director of the State Board of Elections, and makes it clear that the local Board of Elections appoints and removes other employees. The Memorandum of Understanding states that the Director and employees of the Board of Elections are county employees for purposes of personnel administration and are subject to the County Personnel Ordinance, leave, retirement, etc. Appointment/removal and grievance actions are under the control of the State Board of Elections and the Pasquotank County Board of Elections.

Motion was made by Joe Winslow, seconded by Gary White to approve the Memorandum of Understanding between the Board of Elections and the Pasquotank County Board of Commissioners. The motion carried unanimously.

8. CALENDAR:

The Clerk reviewed the calendar of upcoming meetings and events.

9. REPORTS FROM COUNTY COMMISSIONERS:

Commissioner William Sterritt advised that the Governance Committee will meet on March 13 at 4:00 PM in the Hugh Cale Commissioners Board Room to formulate procedures and protocol for the public forum that will be held on March 27 at the Mount Carmel Missionary Baptist Church. He stated that he hopes the second public forum can be held at the Weeksville Lions Club.

Commissioner Cecil Perry said the Appointments Committee did not meet today. He stated that he recently attended a meeting of the Health Board. He noted that the Health Board and the Mental Health Board meet at exactly the same time and he serves on both boards, so some different arrangements will need to be made. Commissioner Perry reminded the members of the Board to submit the names of individuals who meet the criteria for appointment to the East Carolina Behavioral Health Board.

Commissioner Lloyd Griffin thanked the Board for its patience while he was working out of state. He said he still has some traveling to do, but he will now be a little closer to home.

Vice-Chairman Joe Winslow reported that the Providence Volunteer Fire Department has received its ladder truck and hopes to bring it for the Board to see on March 18. He said the truck has been reconditioned and has received all of its certifications.

Chairman Dixon reported that the County Managers and Chairs in District 1 will meet together and voice concerns over any issues pertaining to this district. He said the meeting will be held this Wednesday at College of The Albemarle.

Chairman Dixon announced that Randy Keaton, the long-serving County Manager, has tendered his retirement today and will be taking another job in Virginia. He said Mr. Keaton will stay through April 30 to help with next year's budget.

Chairman Dixon asked for a motion that the Board enter Closed Session to discuss a personnel matter.

Motion was made by Joe Winslow, seconded by Gary White that the Board enter Closed Session to discuss a personnel matter. The motion carried unanimously.

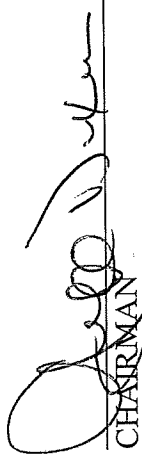
Upon the end of Closed Session;

Motion was made by Gary White, seconded by Cecil Perry that the Board return to Regular Session. The motion carried unanimously.

Chairman Dixon 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 8:10 PM.


CLERK TO THE BOARD


CHAIRMAN