

**PASQUOTANK COUNTY, NORTH CAROLINA
MAY 6, 2013**

The Pasquotank County Board of Commissioners met today in a regular meeting on Monday, May 6, 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
Frankie Meads

MEMBERS ABSENT:

Gary G. White (*Due to Illness*)

OTHERS PRESENT:

Rodney Bunch, Interim County Manager
R. Michael Cox, County Attorney
Sheri Small, Finance Officer
Karen Jennings, Clerk to the Board

The meeting was called to order at 7:00 PM by Chairman Jeff Dixon. Vice-Chairman Joe Winslow gave the invocation and Chairman Dixon led in the Pledge of Allegiance to the American Flag.

1. BOARD OF EQUALIZATION AND REVIEW:

The Clerk to the Board swore in the members of the Board to serve as the Board of Equalization and Review for 2013. Chairman Dixon convened the Board of Equalization and Review and asked if there were any appeals to be heard. Tax Administrator Patrice Stewart informed the Board that no appeals have been submitted to her office. At the absence of any appeals;

Motion was made by Lloyd Griffin, seconded by Joe Winslow to adjourn the Board of Equalization and Review for 2013. The motion carried.

The Board asked Ms. Stewart for an update on the revaluation. Ms. Stewart explained that the revaluation company has entered all of the information on the new schedules. She said it is still unknown which direction the assessments will go. She stated that some property values will increase, some will decrease, and some will remain the same. She said the company is watching real estate sales and hopes to have some indication as to the direction of property values sometime next month. She stated that the schedule of values should probably be completed in September and will be brought before the Board. Following the Board's approval of the schedule of values, notices will be mailed to property owners notifying them of their new assessments and providing an opportunity for them to appeal their assessments with the revaluation staff. The new assessments will be on the books January 1, 2014 and after the 2014 Board of Equalization and Review the revaluation will be complete.

2. AMENDMENTS TO THE AGENDA:

Chairman Dixon asked if there were any amendments to the agenda. Finance Committee Chairman Joe Winslow requested that the agenda be amended to add the following items recommended by the Finance Committee today: 1) Approval of construction and budget for maintenance storage building; 2) Approval of piggyback purchase of new scale system for the landfill; 3) Approval of \$1,000 appropriation for the Highway 17 Association; and 4) Adoption of resolution approving modification of COPS financing documents.

Motion was made by Joe Winslow, seconded by Cecil Perry to amend the agenda to add items #1 thru #4 above to the Consent Agenda. The motion carried.

3. APPROVAL OF CONSENT AGENDA:

The Board considered the following consent agenda:

- a. Approval of Minutes of April 10, April 15, April 19, April 22, and April 23, 2013 Commissioner Meetings

- b. Approval of Tax Releases and Refunds
The Finance Committee has recommended approval of the following tax releases and refunds:

Releases:

	County	City
1. Stephen Donald Schindler	187.61	154.79
2. William David Packan	137.70	
3. Kyle David Stalter	118.54	
4. Adeline Price Dominick	288.00	

Refunds:

1. Wesley Dean Polhamus	121.46
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- c. Approval of Petition for Addition of Mia Court to the State System
The property owners in Harvest Point Subdivision have submitted a petition requesting the addition of a portion of Mia Court to the state system for maintenance. This section of Mia Court is .13 mile long and has four occupied homes with road access.
- d. Approval of Construction and Budget for Maintenance Storage Building
The Finance Committee has recommended that the Board approve the construction of a maintenance storage building behind the Courthouse with a proposed budget of \$17,155. The building has received the necessary approvals from the City Historic Commission and the City Planning Board. The next step will be the building permit.
- e. Approval of Piggyback Purchase of Scale System for the Landfill
The Finance Committee has recommended that the Board authorize the Solid Waste Department to piggyback on a bid received by Bladen County last year for the purchase of a Rice Lake Scale System for the landfill at a cost of \$32,685 plus shipping.
- f. Approval of Appropriation for Highway 17 Association
The Finance Committee has recommended approval of an appropriation of \$1,000 for the Highway 17 Association for the upcoming fiscal year. The funding would come from tourism funds.
- g. Adoption of Resolution Approving Modification of COPS Financing Documents
The Finance Committee has recommended that the Board approve the modification of COPS financing documents due to an error made by BB&T in the payment schedule. The modification would allow the \$728,454.31 in payments to be deferred until December 2013 as was originally intended. According to the current payment schedule these payments would have been due in June 2013. The Board needs to adopt the following resolution approving the modification:

RESOLUTION APPROVING AMENDMENTS TO FINANCING DOCUMENTS

WHEREAS, the County entered into installment financing arrangements with Branch Banking and Trust Company to refinance County obligations originally contracted in 2004 to finance certain school improvements. As part of the refinancing arrangements, the County entered into (a) a First Amendment to Installment Financing Contract dated as of December 1, 2012, and then (b) a Second Amendment to Installment Financing Contract dated as of January 1, 2013, each between the County and Pasquotank County Public Facilities Corporation.

It has now become apparent that the repayment schedules set out in these amending documents did not accurately reflect what BB&T and the County intended. The County and BB&T have agreed to modify the existing financing documents to set out new repayment schedules.

There have been presented to the Board a draft modification agreement (the "Modification") to carry out the changes to the payment schedules. This resolution provides formal Board approval for the Modification.

BE IT THEREFORE RESOLVED by the Board of Commissioners of Pasquotank County, North Carolina, as follows:

1. **Approval for Modification** – The County will carry out and enter into the proposed Modification to the existing contracts. The Board approves the form of the Modification available at this meeting. The Board authorizes the Chairman and the County Manager, or either of them, to execute and deliver the final form Modification. The Modification in its final form must be in substantially the form available at this meeting, with such changes as the Chairman or the County Manager may approve. The execution and delivery of the Modification by an authorized County officer will be conclusive evidence of such officer's approval of any such changes.

The Modification in its final form, however, (a) must not increase the total principal amount payable by the County under either Contract, (b) increase any nominal rates of interest, or (c) extend the date for final payment under either Contract; the purpose of the Modification is only to change the repayment schedules.

2. **Officers To Complete Closing** – The County Manager, the Finance Officer and all other County representatives are authorized to take all proper steps to complete the proposed contract modifications with BB&T as contemplated by this resolution.

The Board authorizes the Finance Officer to hold executed copies of all documents authorized or permitted by this resolution in escrow on the County's behalf until the conditions for their delivery have been completed to such officer's satisfaction, and thereupon to release the executed copies of such documents for delivery to the appropriate persons or organizations.

Without limiting the generality of the foregoing, the Board specifically authorizes the Finance Officer to approve changes to any documents previously signed by County officers or employees, provided that such changes do not conflict with this resolution or substantially alter the intent from that expressed in the form originally signed. The Finance Officer's authorization of the release of any such document for delivery will constitute conclusive evidence of such officer's approval of any such changes.

3. **Miscellaneous Provisions** – All County officers and employees are authorized to take all such further action as they may consider necessary or desirable in furtherance of the purposes of this resolution. All such prior actions of County officers and employees are ratified. Upon the absence, unavailability or refusal to act of the County Manager, the Chairman or the Finance Officer, any other of such officers may assume any responsibility or carry out any function assigned in this resolution. In addition, the Vice Chairman or any Deputy or Assistant County Clerk may in any event assume any responsibility or carry out any function assigned to the Chairman or the Clerk, respectively, in this resolution. All other Board proceedings, or parts thereof, in conflict with this resolution are repealed, to the extent of the conflict. This resolution takes effect immediately.

Motion was made by Cecil Perry, seconded by Joe Winslow to approve the Consent Agenda as amended. The motion carried unanimously.

4. **APPROVAL OF UPDATED RECORDS RETENTION AND DISPOSITION SCHEDULE:**

The Board considered a request from the North Carolina Department of Cultural Resources to adopt an updated Records Retention and Disposition Schedule. The schedule defines the types of records that are considered public records, identifies the minimum period of time various types of records must be retained, and authorizes the procedures for destruction of public records. Interim County Manager Rodney explained if the Board does not adopt this schedule, county departments would have to get prior approval before disposing of any document or record.

Motion was made by Cecil Perry, seconded by Lloyd Griffin to approve the updated Records Retention and Disposition Schedule and to authorize the Manager and the Chairman to sign the approval page. The motion carried.

5. **ADOPTION OF RESOLUTION OPPOSING THE CLOSURE OF THE HIGHWAY PATROL COMMUNICATIONS CENTER IN WILLIAMSTON:**

The Board considered a request from the State Highway Patrol Troop A Communications Center to adopt the following resolution opposing the closure of the Highway Patrol Communications Center in Williamston. Governor McCrory's budget calls for the closure of this center as well as

those in Greensboro and Asheville. Members of the Board stated that the Williamston Communications Center is where the VIPER trunk line is located that serves Northeastern North Carolina. It was also noted that emergency and non-emergency calls for assistance from our area would be shifted to the Communications Center in Raleigh.

Motion was made by Lloyd Griffin, seconded by Joe Winslow to adopt the following resolution opposing the closure of the Highway Patrol Communications Center in Williamston. The motion carried.

RESOLUTION

OPPOSING GOVERNOR MCCRORY AND THE GENERAL ASSEMBLY CLOSING AND CONSOLIDATING NC HIGHWAY PATROL COMMUNICATIONS CENTERS

WHEREAS, Governor Pat McCrory proposes closing three of eight NC Highway Patrol communication centers and consolidating them with the Raleigh office; and

WHEREAS, in an effort to control costs, plans are to close the State Highway Patrol stations in Williamston, as well as stations in Asheville and Greensboro; and

WHEREAS, the State Highway Patrol has more than 1,600 troopers who cover 78,000 miles of North Carolina roadways, enforcing the state's traffic laws, guiding traffic during hurricane evacuations, re-routing traffic around hazardous chemical spills, and standing ready, should any act of terrorism occur; and

WHEREAS, the Williamston Highway Patrol Communication Center (Troop A), alone, processes 600 incoming calls daily (219,000 annually), serves 20 counties (Martin, Pitt, Beaufort, Washington, Tyrrell, Hyde, Dare, Currituck, Jones, Lenoir, Carteret, Craven, Pamlico, Hertford, Bertie, Gates, Chowan, Perquimans, Pasquotank, Camden) and dispatches to 180 troopers; and

WHEREAS, the Highway Patrol Communication Center has been remodeled and upgraded to house the latest equipment and technology; and

WHEREAS, the Highway Patrol Communication Center is a key employment center for our community; and

WHEREAS, although it has been suggested revenue may be saved through consolidation, a higher turnover of state jobs often occur in metropolitan areas, and the consolidation could actually end-up costing more, due to personnel costs associated with employee turnover rates; and

WHEREAS, there is the concern that lives will be lost due to delayed response time caused by operators in a communication center centralized in Raleigh becoming overloaded and being unfamiliar with the area.

NOW, THEREFORE BE IT RESOLVED, the Pasquotank County Board of Commissioners strongly appeals to Governor McCrory to reconsider his recommendation to members of the General Assembly to close the NC Highway Patrol communications centers in Williamston as well as in Asheville and Greensboro to balance the state budget.

ADOPTED this the 6th day of May, 2013.

6. CONSIDERATION OF REQUEST FROM GIRLS, INC.:

The Board considered a request from Girls Inc. for the county's permission to serve beer during the Mud Run which will be held at Fun Junktion on June 29. Girls Inc. is one of the sponsors of the event. Since Fun Junktion is a county-owned facility, the Board of Commissioners would need to grant authority to serve beer on the property. Chairman Dixon stated that the Board has a policy to not allow alcohol on county property. County Attorney Mike Cox advised that the PAL group has requested beer sales in the past at events at the former middle school and the Board had denied the request. He said as far as he can recall, the Board has never approved alcohol sales at any event on county property. Commissioner Meads asked if the county would be responsible if someone were to get hurt. Mr. Cox said if someone got hurt they would sue the

county. He added that this particular property has some history attached to it. After some discussion;

Motion was made by Frankie Meads, seconded by William Sterritt to deny the request from Girls Incorporated to serve alcohol at Fun Junktion for the Mud Run. The motion carried by a five to one margin with Chairman Dixon voting against the motion.

7. REPORT FROM COUNTY ATTORNEY:

County Attorney Mike Cox reported that he will be attending a workshop tomorrow at the School of Government about managing electronic records and dealing with discovery requests.

8. CALENDAR:

The Clerk reviewed the calendar of upcoming meetings and events.

9. APPROVAL OF QZAB APPLICATION:

The Clerk read a letter that had been forwarded from the School Superintendent's office advising that the Department of Public Instruction has approved the county's application for \$599,656 in QZAB funds. The bonds must be issued no later than December 31, 2013. Ten percent of the bond proceeds must be committed by contract with a third party within six months and one hundred percent of the funds must be spent within three years of the date of bond issue.

10. RECOMMENDATION FROM APPOINTMENTS COMMITTEE:

Commissioner Cecil Perry reported that the Appointments Committee met today and voted to recommend the appointment of Ronald Markham to the Board of Zoning Adjustment. Chairman Dixon asked if there were any further recommendations for appointment to the Board of Adjustment. There being none, the appointment will be placed on the next agenda for final approval.

11. REPORTS FROM COMMISSIONERS:

Commissioner William Sterritt reported that the third community forum will be held on May 15 at 7:00 PM at the Nixonton Ruritan Club which is located on the 1665 Historic Site. He said the final forum will be held in June at Ernest Sutton's church on Bell Street. Following this forum the committee will meet and make a recommendation to the Board of Commissioners.

Commissioner Frankie Meads reported that the Water Committee met and recommended that the bulk rate for RO water remain the same for the next year. He said a study of the Water System's wells has been conducted and there appears to be plenty of water, however there is a problem with some of the wells bringing the water up. He added that there is no sign of water being lost.

Chairman Dixon said at the last budget work session it was decided to push back on some of the joint city-county budgets including the Parks & Recreation budget and the Senior Center budget. He stated that the city has asked the Board to reconsider because there are other joint city-county interlocal agreements that the city can cut to neutralize the county's cuts. He asked the Board to reconsider the cuts in the Parks & Recreation and Senior Center budget requests at the next meeting. He pointed out that a majority of the Board wants a zero tax increase and there is quite a way to go to get to that level. He said this Wednesday a meeting on the health insurance plan proposals will be held and a decision should be made at that time. He added that there should be some health insurance cost savings to the county which will help lower the deficit.

Chairman Dixon thanked county staff for putting together the wonderful retirement party for former County Manager Randy Keaton. He said everyone who went thought it was very nice.

Chairman Dixon thanked the Clerk for drafting a proclamation for Mr. Selby Scott, a former Pasquotank County Commissioner who was honored this weekend. He said Mr. Scott was very pleased and surprised. He added that during the ceremony, Attorney Gerald White gave a synopsis of Mr. Scott's life and it was very enjoyable.

Chairman Dixon asked if there was any further business to come before the Board. There being no further business;

Motion was made by Frankie Meads, seconded by Cecil Perry to recess the meeting until Thursday, May 9 at 9:00 AM for a budget work session. The motion carried and the meeting was recessed at 7:35 PM.

Karen Jennings
CLERK TO THE BOARD

[Signature]
CHAIRMAN