

**PASQUOTANK COUNTY, NORTH CAROLINA
JUNE 4, 2018**

The Pasquotank County Board of Commissioners met today in a regular meeting on Monday, June 4, 2018 in Courtroom C in the Pasquotank County Courthouse.

MEMBERS PRESENT: Cecil Perry, Chairman
Dr. William R. Sterritt, Vice-Chairman
Jeff Dixon
Lloyd E. Griffin, III
Joseph S. Winslow, Jr.
Frankie Meads
Charles H. Jordan

MEMBERS ABSENT: None

OTHERS PRESENT: Sparty Hammett, County Manager
R. Michael Cox, County Attorney
Lynn Scott, Clerk to the Board

The meeting was called to order at 7:00 PM by Chairman Perry. Commissioner Griffin gave the invocation and Commissioner Sterritt led in the Pledge of Allegiance to the American Flag. Chairman Perry welcomed and thanked everyone for coming and taking part in tonight's meeting.

1. PUBLIC HEARING ON AMENDMENTS TO ANIMAL CONTROL ORDINANCE:

Chairman Perry declared the meeting to be a public hearing. He stated that the Special Projects Committee has recommended a series of animal welfare amendments to the County Animal Control Ordinance. The recommended provisions address items such as food, water, shelter, and tethering.

Doug Temple said he does not feel the County needs any additional laws dealing with animal abuse. He stated that the State has enough laws in place to protect animals. He feels the resources it will take to investigate such complaints will put more work on the Sheriff's Department, which will take them away from fighting crimes such as robbery, murder, and drugs. Secondly, he thinks it will put a burden on the poor people of the County who will not be able to have hunting dogs if these laws are passed. He said hunting dogs are just as important to hunters as other dogs are to their owners. He noted that they look after them as well as anyone else. Lastly, he said he voted for the ¼ cent sales tax and encouraged his friends to vote for it and now he is asking the Board for their vote to not pass anymore laws and make it a burden to keep hunting dogs.

L.E. White stated that the hunters in Pasquotank County have pride in their dogs. They make sure they have plenty of food and water, and have adequate shelter. He said we already have laws against cruelty to animals and abandonment. He said if the Sheriff's Department is called, he is sure they show up immediately to solve the problem. He agrees that there is no need to put an additional burden on the Sheriff's Department with additional laws. He said we just need to enforce the ones we have.

Elizabeth Whitmer stated that she comes before the Board expressing her support that they approve the amendments to the Animal Control Welfare Ordinance. She believes that by adopting these amendments we will be able to provide adequate care for household pets. She believes it is our responsibility to protect those who are unable to advocate and protect themselves. She said about two months ago she and her husband noticed a home in their neighborhood had acquired a puppy. Every day they drove by, they noticed the puppy had been tied in the middle of the front yard, with no shelter or shade to protect it from the elements. When they called animal control to do a welfare assessment on the animal, they were horrified to learn that in the county there are no regulations requiring you to provide shelter for your dog. She stated that there are also no regulations for how long or to what extent you can tie up your dog. She said it is disconcerting that within the county you can leave your dog outside in

extreme weather conditions without shade or shelter and nothing can be legally done to remediate the issue.

Ms. Whitmer stated that the amendments to the Animal Control Ordinance are providing the language and accountability for pet owners to provide necessary and reasonable care for their animal. She feels insuring that animals receive adequate food, water, shelter, and veterinary care, as well as regulating how an animal can be tethered is not prohibitive for owners, but rather provides safeguards insuring proper care and treatment of animals. She said she personally believes if a person finds these basic regulations to be an undue burden or that the county has no need to mandate, then they should reevaluate their desire to have a household pet.

Kevin Bailey said he agrees with Mr. Temple that the county does not need additional rules and regulations.

Kim Parrish explained that North Carolina General Statutes do not cover all animal welfare issues, such as quality of life for health and welfare of the animals in Pasquotank County. She said we have to have this ordinance because there is no way Animal Control has any authority to go on these properties and do anything about animals that are being neglected and treated cruelly. She said to say that we have enough laws on the books is unfair and wrong because we do not have anything in our county ordinance that will protect animals from neglect. The amendments to the ordinance are basic, simple, nonrestrictive and very easy to follow. She stated that her opinion is that if someone is opposing these ordinances then you have to ask what their motivation is, because they are set up to protect animals from people who are either treating them cruel or neglecting them. She said no one knows this better than the SPCA or Animal Control because they see the neglect and cruelty on a daily basis. They also get the phone calls when Animal Control gets a call and goes to the property and they say they cannot do anything about it. Then, the next phone call comes to the SPCA. She said all they can say is their hands are tied. The public is tired of our law enforcement saying their hands are tied when a dog is in distress in someone's backyard without food and water. She noted that these ordinances are not meant to punish. She hopes the ordinances will be a way for Animal Control to go to these homes and educate individuals on what they should be doing for their animal for basic health and quality of life.

Bobby Harris stated that he is the President of the Albemarle Houndsmen's Association, which is a group that tries to represent the hunters and their rights to hunt. He said their dogs are really important to them, and they look after and care for them. He said they certainly do not try to abuse them. His wife thinks his dogs are more important than she is. He stated that he spends a couple hours every day cleaning dog pens, changing water, and feeding them, which is what most hunters do. He said there are always people that are going to do things wrong and abuse things. They feel like there are enough laws on the book. He said several counties have recently changed their ordinances and the houndsmen feel like there is something behind this push other than the SPCA. He went on to say that the proposed ordinance states that dog houses must have four sides, but many hunters use 55 gallon barrels. The barrels he uses are white and are fairly cool. They are put on a stand next to the ground and put straw or shavings in them. He said occasionally they will tether a dog. He feels if the sheriff in Gates County had done his job, the individual that owned the deceased dog would have been arrested to start off with.

Alina Maur said she does not think that anybody has a problem with hunting who is for this law or wants to restrict hunters in any kind of way. She said what we have to remember is that the natural state of any animal is in the wild. Even a domesticated animal's natural state is in the wild where they can instinctually fend for themselves. They can find shelter, water, or whatever they need, but once we take these animals and turn them into pets and domesticate them, now we have the responsibility to provide for them because they become dependent on us. She stated that animals are like children that cannot speak for themselves, so there has to be laws to protect them. She said there are no laws here. She has tried to report animal abuse in the past and Animal Control simply says they cannot do anything about it. She stated that they are not trying to offend anybody. She agrees that hunting is everyone's right. If people take care of their dogs as they should, that is admirable and how it should be. The law is for the people who abuse their animals and neglect them.

Patricia Sterritt said this should not come to some kind of "either/or" issue or some kind of "butting heads" issue. She said she has heard from Mr. Harris that he cares for his dogs and they

are not abusing them. She said when someone reports abuse there is no mechanism in place for a charge to be carried out if the owner does not conform. She said her whole family hunted and they took care of their dogs.

Vice-Chairman Sterritt read two e-mails he received in support of the proposed amendments.

Chairman Perry asked if anyone else would care to address the Board regarding the ordinance. At the absence of comments, the public hearing was closed.

Commissioner Griffin challenged the Albemarle Houndsmen to raise \$5,000 to create houses and purchase tethers to donate to the SPCA to help with the problem. He believes the hunters are doing what they are supposed to do, but there are people who are irresponsible.

Commissioner Dixon said he would like to make a couple comments as Chairman of the Special Projects Committee. He said they were not trying to add additional ordinances. He said the City hires the County's Animal Control to police their dogs. He noted that the City has a tethering law, but the County does not. The proposed amendments initially required a 15' minimum for tethering, but after Mr. Harris voiced his concerns at a recent meeting, it was changed to state the Animal Control Officer would make the call on whether the length is sufficient for the animal. He said the committee decided to not require a fence or cage, because they knew it would be a problem for low income people. He said they tried to address the Houndsmen's Association and not add any additional ordinances. He stated that we are trying to fill a gap. He said it is very hard for Animal Control to do their job when they have no authority to go into a yard and do anything. He said they are trying to align the County's ordinances with the City's.

Commissioner Meads said he sees some things in the ordinance that need adjusting so that they can be better interpreted. He said we need to make sure that everyone who reads the ordinance will interpret it the same way so it can be enforced.

Vice Chairman Sterritt said this ordinance, as presented, has taken an awful lot of study and work by the Sheriff's Department and the Special Projects Committee. He feels it is well thought out. He said there can be adjustments in the future if needed.

Motion was made by Bill Sterritt, seconded by Jeff Dixon to approve the amended Animal Control Ordinance as presented. The motion carried five to two with Commissioners Winslow and Meads voting against the motion.

Commissioner Winslow said he understands the need for regulations, but there are eight pages of changes and he feels some of them are vague. He hopes that it does solve the problems.

Since upon the first reading all members of the Board must be present and voting in the affirmative in order for a police power ordinance to be approved, the Board could not give final approval to the ordinance. The Board can adopt the ordinance at its next meeting by a simple majority vote.

2. PUBLIC HEARING ON SOLAR FARM MORATORIUM:

Chairman Perry declared the meeting to be a public hearing to hear comments on the proposed moratorium and he asked if anyone would care to address the Board regarding a sixty (60) day moratorium on all new solar farm applications. At the absence of comments, the public hearing was closed.

Motion was made by Commissioner Griffin, seconded by Charles Jordan to approve a sixty (60) day moratorium on all new solar farm applications. The motion carried unanimously.

Commissioner Meads said he would like for a soil conservationist from NCSU to provide the Board with information on the effects of solar panels have on land over a twenty five year period.

3. AMENDMENTS TO THE AGENDA:

Chairman Perry asked if there were any amendments to the agenda. Vice-Chairman Sterritt requested that the agenda be amended to add the following item recommended by the Finance Committee to the Consent Agenda: 1) Approval of Budget Amendments. He also requested adding Recommendations from the Appointments Committee to New Business.

Motion was made by William Sterritt, seconded by Jeff Dixon to amend the agenda to add the additional item recommended by the Finance Committee to the Consent Agenda and add recommendations from Appointments Committee to new business. The motion carried unanimously.

4. APPROVAL OF CONSENT AGENDA:

The Board considered the following consent agenda:

a. Approval of Minutes of May 21, 2018 Commissioner Meetings

b. Approval of Tax Releases and Solid Waste Fee Releases

The Finance Committee has recommended approval of the following tax releases and Solid Waste Fee Releases:

Tax Releases

		County	City
1.	David Lee Barclift	347.54	
2.	David Lee Barclift	351.24	

Solid Waste Fee Releases

		Parcel ID #	Reason for Release
1.	Florence Thatch	50-N-12	Vacant

c. Approval of Budget Amendments

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

Friends of the Library

Increase	024.0600.4833.00	Donations	250.00
Increase	024.6110.5232.00	Library Materials	250.00

Finance

Increase	010.0400.4118.01	Collection Fees-Occupancy Tax	700.00
Increase	010.4130.5310.00	Travel	700.00

EMS

Increase	010.0550.4839.01	Miscellaneous Revenue	7,239.00
Increase	010.4370.5353.00	Maintenance-Vehicles	7,239.00

Sheriff

Increase	010.0300.4431.03	Concealed Weapon Permits	9,309.00
Increase	010.4310.5131.00	Separation Allowance	5,130.00
Increase	010.4310.5189.00	Supplemental Pension	4,179.00

Jail

Increase	010.0600.4980.00	Jail-Perq/Camden	396,715.00
Increase	010.4320.5700.19	Debt Service	396,715.00

Information Technology

Increase	010.0110.4115.00	Interest on Delinquent Taxes	25,000.00
Increase	010.4135.5352.01	Maintenance-Office Equipment	25,000.00

Debt Proceeds/Other Taxes

Increase	010.0110.4120.00	Loss of Present Value Exemption	236,000.00
Increase	010.0180.4245.00	Land Transfer Tax	750,000.00
Increase	010.0180.4240.00	Documentary Stamps	32,105.00
Decrease	010.0700.4970.00	Loan Proceeds	1,018,105.00

EMS

Increase	010.0550.4837.00	A B C Net Revenues	50,000.00
Increase	010.0180.4240.00	Documentary Stamps	58,000.00
Increase	010.4370.5126.00	Salaries & Wages Part-time	108,000.00

COA

Increase	010.0110.4111.14	Ad Valorem Taxes- '14	30,000.00
Increase	010.0110.4111.15	Ad Valorem Taxes- '15	45,000.00
Increase	010.5920.5636.00	Capital Outlay	75,000.00

d. Approval of Child Support Contract

The Finance Committee has recommended approval to retain YoungWilliams as the child support contractor for the Department of Social Services. The contract is for a one-year period, with a FY 2018-19 cost of \$611,365, with an automatic renewal for up to three additional one-year periods.

e. Adoption of Resolution Levying An Additional One-Quarter Cent (1/4¢) County Sales and Use Tax

The Board directed the Pasquotank County board of Elections to conduct an advisory referendum on the question of whether to levy the one-quarter cent county sale and use tax in the county on the May 8th ballot. The referendum passed the Board has provided the required 10-days public notice of its intent to consider the following resolution to levy the tax:

RESOLUTION LEVYING AN ADDITIONAL ONE-QUARTER CENT (1/4¢)
COUNTY SALES AND USE TAX

WHEREAS, The General Assembly has authorized county boards of commissioners across the State of North Carolina to levy a one-quarter percent (.25%) county sales and use tax, contingent on an advisory referendum in which the majority of those casting ballots voted for the levy of the tax; and

WHEREAS, the Pasquotank County Board of Commissioners directed the Pasquotank County Board of Elections to conduct an advisory referendum on the question of whether to levy the One-Quarter Cent (1/4¢) County Sales and Use Tax in County on the 8th day of May, 2018 ; and

WHEREAS, the ballots were cast 51.01% FOR and 48.99% AGAINST the levy of the One-Quarter Cent (1/4¢) County Sales and Use Tax; and

WHEREAS, the Board has provided the required 10 days public notice of the Board's intent to consider this resolution to levy the tax; and

WHEREAS, the Pasquotank County Board of Commissioners hereby finds that the levy of the One-Quarter Cent (1/4¢) County Sales and Use Tax is necessary to help address and alleviate fiscal constraints within Pasquotank County; and

NOW, THEREFORE, BE IT RESOLVED by the Pasquotank County Board of Commissioners:

(1) There is hereby levied within Pasquotank County the One-Quarter Cent (1/4¢) County Sales and Use Tax, authorized in Section 31.17(b) of the Current Operations and Capital Improvements Appropriations Act of 2007 (Session Law 2007-323).

(2) Collection of the tax by the North Carolina Secretary of Revenue shall begin on and continue after the 1st day of October, 2018.

(3) The net proceeds of the tax levied herein shall be distributed by the Secretary of Revenue to Pasquotank County in accordance with Article 39 Chapter 105 of the North Carolina General Statutes. Notwithstanding the provisions of Article 39 of Chapter 105, the additional

One-Quarter Cent (1/4¢) County Sales and Use Tax does not apply to the sales price of food that is exempt from tax pursuant to N.C.G.S. 105-164.13B. The Secretary shall not divide the amount allocated to a county between Pasquotank County and the municipalities within Pasquotank County.

(4) This Resolution is effective upon its adoption, and a certified copy hereof shall be forwarded to Ronald G. Penny, Secretary, North Carolina Department of Revenue, P.O. Box 25000, Raleigh, NC 27640, along with a certified copy of the Pasquotank County Board of Elections results from the advisory referendum.

Adopted this 4th day of June, 2018.

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

5. COMMENTS BY WINDY ROSE:

Ms. Rose stated that she is an attorney from Columbia, N.C. who has been the child support enforcement attorney in Pasquotank County for the last eight years. She explained that currently the Department of Social Services contracts with YoungWilliams, which is a law firm out of Mississippi, for their child support services. She said she has asked to be given an opportunity to administer the contract. She feels her law firm is adequate and has the experience needed to provide a better service. She added that she believes it should be managed locally, and she thinks her firm can do it for a better price. She provided a presentation to the DSS Board, and they decided they wanted to stay with recommending YoungWilliams to the Board. She asked that the Board consider putting the contract up for proposals and letting others have the opportunity to meet with each of the board members and tell them what they can do for the citizens of Pasquotank County. She said she does not know if she will keep her current job after trying to solicit the contract, but even if she doesn't she would like the opportunity to present a proposal to the County in the future. She said she understands that this is not on the table for tonight, but would like for it to be put on the table soon so anyone interested can present their numbers and ideas.

Vice Chairman Sterritt said he was present when at the DSS Board meeting when she made the outstanding presentation. When it came to a vote, he was the only person who voted in favor of offering the contract to Attorney Rose's firm. He thought she made an outstanding presentation. He said for some reason the DSS Board decided to go with the other firm who did not make a presentation.

Commission Dixon said he believes the three-year automatic renewal on the contract needs to be removed. County Manager Hammett explained that the DSS Board discussed moving forward with YoungWilliams and doing a true request for proposals process in January.

Motion was made by Jeff Dixon, seconded by Joe Winslow to remove the three-year automatic renewal from the current contract and solicit for bids in January. The motion carried unanimously.

6. PRESENTATION OF PROPOSED FISCAL YEAR 2017-18 COUNTY BUDGET:

County Manager Sparty Hammett provided each Commissioner with a copy of the County's proposed budget for fiscal year 2018-19. He read the budget message.

Chairman Perry thanked staff for their hard work, which allowed the Board to not raise taxes, while at the same time providing the school system with more funding.

7. APPOINTMENTS TO BOARDS AND COMMITTEES:

Commissioner Charles Jordan presented the following recommendations from the Appointments Committee:

Joint Community Advisory Committee – Nominate Una Green and Debbie Brinson to fill two vacant positions on the Joint Community Advisory Committee. These appointments will need to lie over for two weeks.

Juvenile Crime Prevention Council – Approve slate provided by the Juvenile Crime Prevention Council to the JCPC. Since the appointees must fill certain required categories, the Board normally accepts the recommendations as submitted and has not in the past required application or a layover until the next meeting before giving final approval.

Planning Board – Nominate Joseph Gregory to fill a vacancy. Since this is a new appointment, it must lay over until the next meeting.

Joint Community Advisory Committee - Reappoint Vandora Saunders. This can be finalized tonight.

Aging Advisory Council - Reappoint Lauren Turner. This can be finalized tonight.

Airport Authority - Reappoint Steven Saunders. This can be finalized tonight.

Joint Community Advisory Committee - Reappoint Sean Lavin. This can be finalized tonight.

Library Board - Reappoint Mike Cox and Hezekiah Brown. These appointments can be finalized tonight.

Region R Workforce - Reappoint Lloyd Griffin. This appointment can be finalized tonight.

Senior Tarheel Legislature - Reappoint David Boone and James Robertson. These appointments can be finalized tonight.

Tourism Development Authority - Reappoint Rhonda Twiddy, Andrew Montero, Abel Sutton, Gwendolyn Saunders, and Maureen Donnelly. These appointments can be finalized tonight.

Motion was made by Charles Jordan, seconded by Lloyd Griffin to approve the appointments and reappointments to boards and committees as recommended by the Appointments Committee with the exception of the new appointments to the Joint Community Advisory Committee and the Planning Board, which will need to lie over until the next meeting. The motion carried unanimously.

8. REPORT FROM COUNTY MANAGER:

County Manager Hammett provided the following report:

- **County Assembly Day** – Attended County Assembly Day with Chairman Perry, Commissioner Winslow, and Commissioner Jordan.
- **Department Director Meeting** – Held first quarterly Department Director meeting on May 23, 2018. Strong internal support functions (Finance, Human Resources, and Information Technology) make all departments more effective in providing services. Human Resources (HR) and Information Technology (IT) Teams were initiated to review HR and IT operations and to develop improvement plans.
- **Finance Assessment** - Finance is strong; the only opportunity for improvement initially identified is the Request for Proposal/Bid process. There is no cost to advertise on the State of North Carolina Interactive Purchasing System, and advertisement on the site could increase the quantity and quality of responses.
- **HR Team** - The following are the initial HR Team discussion topics:
 - Personnel Policy Amendments;
 - Hiring Process;
 - Employee Performance Evaluations;
 - Wellness Program;
 - Employee Assistance Program;
 - Disciplinary Process; and
 - Preliminary Review of Employee Compensation.
- **IT Team** - The following are the initial IT discussion topics:

- Cybersecurity;
 - Website;
 - Upgraded Technology (to improve efficiency and effectiveness);
 - Onsite Credit Card Processing;
 - Automatic Vehicle Location Systems; and
 - Automated Time and Attendance (crossover between HR & IT Teams).
- **Unsafe Housing and Overgrown Lots Programs** – Funding is included in the FY2018-2019 budget to start Unsafe Housing and Overgrown Lot Programs. The Overgrown Lot Program will require an ordinance for enforcement. Procedures for both programs will be developed and discussed at the July 9th Finance Committee meeting.
 - **Employee Meetings** – I will start individual employee meetings at each department during the week of June 11th.

9. REPORTS FROM COMMISSIONERS:

Commissioner Jordan reported that he attended the Memorial Day Ceremony, as well as the Elder Abuse Walk. He said in addition he was fortunate to attend County Assembly Day with fellow Board members and the County Manager.

Commissioner Griffin reported that the Airport Authority met last week and is moving along with their budget. He also attended the Albemarle Commission meeting.

Commissioner Dixon reported that he is the chairman of the search committee for the new Economic Development Commission Director. He stated that thirteen applications have been submitted. The search committee will meet Thursday afternoon to review the applications and select finalists.

Commissioner Winslow reported that he attended County Assembly Day. He said Hometown Strong met today. He feels this area has great potential if we can get support from Raleigh.

Commissioner Meads said he hopes with the additional investment the County put into our schools during this year's budget that none of them score poorly.

Vice-Chairman Sterritt read a proclamation on behalf of the County at the Elder Abuse Walk. He said it was a very nice event.

Chairman Perry attended the Memorial Day Ceremony, along with Commissioners Sterritt and Jordan. It was an impressive ceremony. He said he attended County Assembly Day where they were able to speak with Representative Steinburg. He noted that he has done great things for Northeastern North Carolina.

Motion was made by Lloyd Griffin, seconded by Jeff Dixon to adjourn the meeting. The motion carried and the meeting was adjourned at 8:25 PM.

CHAIRMAN

CLERK TO THE BOARD