

**PASQUOTANK COUNTY, NORTH CAROLINA  
JUNE 5, 2017**

The Pasquotank County Board of Commissioners met today in a regular meeting on Monday, June 5, 2017 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  
Bettie Parker

**MEMBERS ABSENT:** None

**OTHERS PRESENT:** Rodney Bunch, County Manager  
R. Michael Cox, County Attorney  
Sheri Small, Finance Officer  
Patrice Stewart, Tax Administrator  
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 everyone present.

**1. CONTINUATION OF BOARD OF EQUALIZATION AND REVIEW:**

Chairman Perry reconvened the Board of Equalization and Review which was recessed at the last meeting. He asked to hear any appeals from taxpayers regarding their tax assessment. Tax Administrator Patrice Stewart stated that no additional appeals have been received in her office.

Motion to adjourn the Board of Equalization and Review for 2017 was made by Jeff Dixon, seconded by Frankie Meads. The motion carried unanimously.

**2. 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 items recommended by the Finance Committee to the Consent Agenda: 1) Approval of Budget Amendments; 2) Approval to pay hotel expenses for Solid Waste Director; and 3) Approval of boardwalk agreement with College of the Albemarle. 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 three additional items recommended by the Finance Committee to consent agenda and add recommendations from Appointments Committee to new business. The motion carried unanimously.

**3. CONSIDERATION OF REQUEST FOR OCCUPANCY TAX FUNDS FOR ALBEMARLE REGION'S 350<sup>TH</sup> ANNIVERSARY:**

County Manager Bunch said at the April 3, 2017 meeting the Board approved submitting an application to the Tourism Development Authority requesting to allocate \$5,500 of Occupancy Tax funds to the Albemarle Region's 350<sup>th</sup> Anniversary event. He said staff received an e-mail from Christina Rehklau, Director of Elizabeth City Area Convention & Visitor Bureau informing the Board that due to changes they no longer need the full amount and are now requesting \$2,750. He noted that the previous application had not yet been approved and a new application will need to be submitted.

Motion was made by Lloyd Griffin, seconded by Jeff Dixon to approve funding the Albemarle Region's 350<sup>th</sup> Anniversary event from Occupancy Tax Funds in the amount of \$2,750. The motion carried unanimously.

**4. APPROVAL OF CONSENT AGENDA:**

The Board considered the following consent agenda:

a. Approval of Minutes of May 15 and 17, 2017 Commissioner Meetings

b. Approval of Budget Amendments

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

Occ Tax

Increase	030.0220.4270.00	Occupancy Tax Revenue	60,000.00
Increase	030.4920.5625.01	Tourism Funds	60,000.00

Non-Dept

Increase	010.0110.4111.16	Ad Valorem Taxes-16'	21,640.00
Increase	010.4195.5186.00	Workers Comp	18,025.00
Increase	010.4195.5236.00	Storm Water Fee	710.00
Increase	010.4195.5352.00	Maintenance Equipment	405.00
Increase	010.4195.5440.00	Contracted Services	2,500.00

Public Bldgs

Increase	010.0110.4111.16	Ad Valorem Taxes-16'	68,300.00
Increase	010.4190.5500.03	Capital Outlay-Edgewood Center	68,300.00

Parks & Rec

Increase	010.0110.4111.16	Ad Valorem Taxes-16'	5,000.00
Increase	010.6130.5359.00	Maintenance Grounds	5,000.00

Jail

Increase	010.0600.4980.00	Jail-Perq/Camden	402,389.00
Increase	010.4320.5700.19	Debt Service	402,389.00

EMS

Increase	010.0550.4839.01	Miscellaneous Revenue-EMS	15,260.00
Increase	010.4370.5353.00	Maintenance-Vehicles	15,260.00

Spec App-JCPC

Increase	010.0230.4360.05	Juvenile Justice-Pass Thru	1,000.00
Increase	010.6600.5615.10	Juvenile Justice-Pass Thru	1,000.00

Parks & Rec

Increase	010.0550.4837.00	A B C Net Revenues	54,500.00
Increase	010.6130.5359.00	Maintenance-Grounds	54,500.00

Public Health

Increase	010.0500.4831.00	Interest Earned	25,000.00
Increase	010.5110.5620.13	Medical Examiner	25,000.00

Seized Assets

Increase	020.0550.4839.00	Miscellaneous Revenue	4,500.00
Increase	020.0240.4431.05	Forfeiture-Federal	15,500.00
Increase	020.4300.5269.00	Law Enforcement Expenses	20,000.00

Contingency

Increase	010.0300.4431.03	Concealed Weapon Permit Rev	5,087.00
Increase	010.6900.5991.00	Contingency	5,087.00

Tax Admin

Increase	010.0110.4115.00	Tax Penalties & Interest	20,000.00
Increase	010.4140.5440.09	Contracted Services-State	20,000.00

County Manager

Increase	010.0180.4290.00	Gross Receipts Tax	1,855.00
Increase	010.4120.5121.00	Salaries and Wages	1,725.00
Increase	010.4120.5182.00	Retirement	130.00

c. Approval of Inter-local Agreements

The Finance Committee has recommended approval of four inter-local agreements. Two of the agreements are between Pasquotank County, Camden County, and Elizabeth City for Central Communications and Emergency Management Services. One agreement is between Pasquotank County and Camden County for Emergency Medical Services. The fourth agreement is between Pasquotank County and Elizabeth City for Animal Control Services. All agreements are for three years, with two-year renewal periods, with the exception of the EMS agreement with Camden County, which does not have a renewal period.

d. Adoption of Order Directing the Tax Administrator to Collect the 2017 Taxes

The Board is required to adopt the following order by July 1 directing and authorizing the Tax Administrator to collect the 2017 taxes.

**TO: THE TAX ADMINISTRATOR OF PASQUOTANK COUNTY**

You are hereby authorized, empowered and commanded to collect the taxes set forth in the 2017 tax records filed in the office of the Pasquotank County Tax Administrator, and in the tax receipts herewith delivered to you in the amounts and from the taxpayers likewise therein set forth. You are further authorized, empowered and commanded to collect the 2017 taxes charged and assessed as provided by law for adjustments, changes and additions to the tax records and tax receipts delivered to you which are made in accordance of law. Such taxes are hereby declared to be a first lien on all real property of the respective taxpayers in Pasquotank County, and this order shall be a full and sufficient authority to direct, require and enable you to levy on and sell any real or personal property of such taxpayers, for and on account thereof, in accordance with law.

e. Approval of Termination of Lease with North Carolina Department of Public Safety

The Finance Committee, meeting on November 21, 2016 considered a request from the NC Department of Public Safety for an early termination of the exiting lease for 940 square feet of space located at 105 McPherson Street that would expire on October 31, 2018. The Finance Committee voted unanimously to allow DPS to be released on June 30, 2017. Ronald Moore, Real Property Manager, DPS has accepted the terms offered and plans to evacuate the building on or before June 30, 2017.

f. Approval to Accept Gift Lot in Riverview Estates

The Finance Committee has recommended acceptance of a deed of gift for a parcel (P133A-103) in the Riverview Estates subdivision from Charlie Davis provided the back taxes are paid.

g. Authorization to Pay Hotel Expenses for Solid Waste Director

The Finance Committee has recommended approval to pay hotel room expenses for Brad Gardner, newly appointed Solid Waste Director to attend the Disaster Debris Management Workshop in Wilmington on June 15, 2017.

h. Approval of Joint Use Agreement with College of the Albemarle

The Finance Committee recommended approval of a joint use agreement between College of the Albemarle (Elizabeth City Campus) and Pasquotank County for public water access use of the boardwalk along the Pasquotank River.

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

**5. CONSIDERATION OF RESOLUTION SUPPORTING SALES TAX REFUND/EXEMPTION FOR PUBLIC SCHOOLS:**

County Manager Bunch presented a resolution supporting sales tax refund/exemption for public schools. He explained that the resolution has been adopted by Chowan and Perquimans Counties.

Motion was made by Jeff Dixon, seconded by Frankie Meads to adopt the following resolution supporting sales tax refund/exemption for public schools. The motion carried unanimously.

**Pasquotank County Board of Commissioners Resolution  
Supporting Sales Tax Refund/Exemption for Public Schools**

**WHEREAS**, from 1998 until 2005, local boards of education were able to provide additional educational opportunities with savings from State and local sales and use tax refunds; and

**WHEREAS**, a 2005 budget provision revoked LEA sales and use tax refund authority and attempted to supplant the estimated \$33.3 million in lost revenues by authorizing a quarterly transfer of revenue to the State Public School Fund; and

**WHEREAS**, during the 2006 legislative session, the General Assembly reinstated local school boards' authority to apply for the local sales tax refund, but declined to do likewise with regards to the State sales tax refund; and

**WHEREAS**, today school districts remain one of the few public entities that cannot apply for a State sales tax refund at a cost the General Assembly's Fiscal Research Division has estimated to exceed \$40 million a year; and

**WHEREAS**, many other entities, including cities, counties, public universities, charter schools, private schools, and other non-profits, can apply for a State sales tax refund or exemption; and

**WHEREAS**, no entity in recent history, other than public schools, has lost the ability to apply for a State sales tax refund or exemption; and

**WHEREAS**, even after a comprehensive tax reform, local boards are still excluded and are rightly troubled at being excluded from the group of entities eligible for a State sales tax refund; and

**WHEREAS**, one of the most problematic aspects of school districts' inability to apply for a State sales tax refund is that no alternative revenue options are available to supplant the lost funds; and

**WHEREAS**, county governments are already appropriating almost \$2.7 billion per year for public school operating costs and bearing the primary burden for an estimated \$8.2 billion in school facility needs; and

**WHEREAS**, inability to apply for a State sales tax refund is costly for districts that are building or renovating schools; and

**WHEREAS**, a 2009 report from the General Assembly's Joint Education Oversight Committee found that without authority to apply for a State sales tax refund many school districts are resorting to a burdensome, wasteful, and highly inefficient exercise of transferring title to their buildings to the county during the construction phase so that the county can apply for the sales tax refund on the school district's behalf; and

**WHEREAS**, the Committee found that "there are reports of significant costs related to these property transfers, and that the ability to engage in such transfers varies depending on the relationship between the school board and county commissioners;" and

**WHEREAS**, districts that cannot transfer their capital costs, meanwhile, have delayed necessary renovations longer than they otherwise would because of the added costs; and

**WHEREAS**, the end result has been a net loss to public schools statewide, with negative repercussions on classroom operations and the delivery of quality educational services across the state.

**NOW, THEREFORE BE IT RESOLVED** that the Pasquotank County Board of Commissioners does request that public schools be treated equally as other entities. If North Carolina's tax code is going to continue to allow numerous entities, including other governmental entities, to not pay sales tax, then the Pasquotank County Board of Commissioners does request that local boards of education either be granted a sales tax exemption or have their sales tax refund reinstated.

Adopted this 5<sup>th</sup> day of June, 2017.

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

County Manager Rodney Bunch presented the proposed county budget for FY 2017-18. He read the budget message which indicated that the proposed General Fund Budget is \$45,503,726, an increase of \$85,867 over the 2016-17 budget. The proposed budget includes a 1cent tax increase making the tax rate 77 cents per \$100 valuation. Budget revenues include loan proceeds of \$1,740,105 and a fund balance appropriation of \$556,526 to fund capital projects and vehicle purchases for public safety and a library book mobile.

The Elizabeth City – Pasquotank County Public Schools current expense appropriation is \$1,164,000 more than last year. The proposed budget includes: \$11,164,000 appropriation for current expense, \$3,254,514 appropriation for school debt service, and \$1,320,000 for capital projects which include roof restoration and replacements, HVAC replacements, window replacements at Sheep Harney Elementary and chrome books, making the total budget \$15,738,514 for schools. The Social Services budget is \$3,242,837, an increase of \$159,963. The Emergency Medical Services budget is \$4,476,183, a decrease of \$107,491 and the Central Communications budget is \$1,273,763, a decrease of \$1,341,305. The large decrease is due to the PSAP backup center and VIPER radio communications onetime expense in the 2016-17 budget.

Mr. Bunch stated that the General Fund Budget includes: 2 new Sheriff Department positions, reinstatement of a building inspector position, reduction of one director position by combining the Emergency Medical Services Director & Central Communications Director into one position, and reduction in Tax Dept. staff by not filling a vacant position. The General Fund also includes \$115,000 to adjust employee salary schedule and \$75,000 for health insurance premium increases.

The County Water System Enterprise Fund proposed budget is \$3,439,204, an increase of \$232,376. The proposed RO Plant budget is \$1,915,222, a decrease of \$183,359. Landfill Enterprise Fund proposed budget is \$4,911,555, an increase of \$27,108.

The proposed budget will be available for public inspection at the W.C. Witherspoon memorial Library and the County Manager's Office. A public hearing will be held on the budget at the June 19 Commissioner meeting.

**7. APPOINTMENTS TO BOARDS AND COMMITTEES:**

Commissioner Bettie Parker presented the following recommendations from the Appointments Committee:

Airport Authority - Reappoint Lloyd Griffin & Johnny Houston to additional two-year terms. Appoint Johnny Houston as Chairman for a two-year term. Recommend the appointment of John Siemens. This appointment will be placed on the next agenda for final approval.

Nursing Home Community Advisory Committee - Recommend the appointment of Sean Lavin. This appointment will be placed on the next agenda for final approval.

Board of Zoning Adjustment - Recommend the appointment of Sean Lavin. This appointment will be placed on the next agenda for final approval.

Aging Advisory Council - Reappoint David Boone to an additional two-year term.

COA Board of Trustees - Reappoint Joseph Winslow to an additional four-year term.

Elizabeth City Downton Committee - Reappoint Dr. William Sterritt to an additional two-year term.

Pasquotank County Library Board - Reappoint Rowena Roby & Scarlett Newbern to additional four-year terms.

Senior Citizens Advisory Committee - Reappoint Betty Eason to an additional two-year term and reappoint Rachel Reddick to an additional three-year term.

DSS Board - Reappoint Bill Trueblood to an additional three-year term.

Tourism Development Authority - Reappoint Jeff Dixon, Arthur McPherson & Jean Baker to additional two-year terms. Ms. Baker's reappointment is contingent on the City.

Motion was made by Bettie Parker, 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 Airport Authority, Nursing Home Community Advisory Committee and Board of Zoning Adjustments, which will lie over until the next meeting. The motion carried unanimously.

#### **8. REPORT FROM COUNTY MANAGER:**

County Manager Bunch reported that the following:

I met with Lori Greene, NC DPS Judicial District Manager – District 1 regarding their forthcoming evacuation of 800+ square feet of office space located at 105 McPherson Street on June 30, 2017. This space is located in the rear of the Adult and Juvenile Probation Offices. Ms. Green informed me that although they are moving, there is a proposal in the legislature now to raise the age from 16 to 18 for minor offenses which may require more probation officers. The space may be needed.

Single Audit Report for year ending June 30, 2016 – I received a letter from NC Dept. of Health and Human Services, Office of Internal Auditor informing us that the Auditor's reports on Compliance, Internal Control, and/or Schedule of Findings did not disclose any instances of noncompliance with laws and regulations.

The Technical Review Committee will meet June 7, 2017 to review a preliminary subdivision plan for Newbegun Land, Section J consisting of 6 residential lots.

Rear Admiral James Heinz has provided us an invitation to the U.S. Coast Guard Base Elizabeth City Change of Command Ceremony where Commander Bruce Brown will be relieved by Commander Randy Meador on Friday, the 23<sup>rd</sup> of June at 10:00 AM.

Tuesday, May 23<sup>rd</sup> - Shelley Cox and I attended the Solar Installation Workshop for North Carolina Public Officials held at Halifax Community College. Sessions included Solar Industry Trends by Ivan Urlaub, Executive Director, NC Sustainable Energy Association; What are Solar PV Facilities by Bob Leker, C4EE Program Development Consultant; Legal Issues for Solar Facilities by John Livingston, Partner with Kilpatrick Townsend & Stockton, LLP; and Tax Considerations by Shane Lynch, Halifax County Tax Assessor

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

Commissioner Winslow attended the NCACC meeting in Asheville last weekend where many topics were discussed such as: the opioid epidemic, NC Fast, regionalization of Department of Social Services, records retention, CPTS property tax software, and various House and Senate Bills that affect local governments. He said he has provided staff with information explaining the different Bills.

Commissioner Meads reported that the County is doing a better job with keeping dogs under control. He noted that there are less dangerous dog hearings than there were in the past.

Commissioner Parker reported that on May 26<sup>th</sup> she served as an end-of-grade test proctor at River Road Middle School. She encouraged her fellow Board members to do the same. She said it will give them the opportunity to be in our schools at least once a year. She attended the Memorial Day Ceremonies this past Monday at Westlawn Cemetery with Chairman Perry and Vice-Chairman Sterritt. She noted that it was very well orchestrated. She will be attending the Equality Rally for Unity and Pride on Sunday, June 11<sup>th</sup>. She invited others to join her.

Commissioner Griffin stated that the Workforce Development Board represents all ten counties. He said they are trying to create workforce development programs that sustain job training skills and efforts that other community activities need their support on. He noted that this year is the County's turn to take on the chairman's role for the Airport Authority. He looks forward to Dr. Houston being the chairman and moving the authority along. He noted that there has been a lot of growth and requests for the Meals-on-Wheels Program through the Albemarle Commission recently.

Commissioner Dixon thanked the members of the Board and staff on their work on the budget. He attended the NEATT Charter School retreat Saturday morning. He is happy to report that they will now have students coming from all nine counties. His said Currituck has doubled in its number of students and they now have students from Dare County. He said they received 900 applications for 140 spots.

Vice-Chairman Sterritt said he has had a multitude of people thank him for raising taxes to help the school system. He attended the Memorial Day event at Westlawn Cemetery. He reported that the Social Services Board met and they are very appreciative of the fact that they are getting the funding they asked for to hire a security person. He also attended the 50<sup>th</sup> Anniversary Celebration at Museum of the Albemarle. He provided a brief history of the museum and thanked the Board for their contribution.

Chairman Perry stated that he received a call from a resident complaining about human waste being spread on fields adjacent to Main Street Ext. He said he has asked questions, but no one has returned his call. He said there was a copy of a resolution in each agenda packet from Polk County regarding reassessment of properties being based on development around them. He asked that everyone study the resolution and see if it is something the Board would like to consider.

Motion was made by Jeff Dixon, seconded by Frankie Meads to adjourn the meeting. The motion carried and the meeting was adjourned at 7:45 PM.

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CHAIRMAN

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CLERK TO THE BOARD