

**PASQUOTANK COUNTY, NORTH CAROLINA
AUGUST 5, 2013**

The Pasquotank County Board of Commissioners met today in a work session on Monday, August 5, 2013 in the Community Room in the W.C. Witherspoon Memorial Library.

MEMBERS PRESENT:

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

MEMBERS ABSENT:

None

OTHERS PRESENT:

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

The work session was called to order at 2:30 PM by Chairman Jeff Dixon.

1. INTRODUCTION OF MALCOLM FEARING, BOARD OF TRANSPORTATION MEMBER:

Chairman Dixon recognized and introduced Mr. Malcolm Fearing, Board of Transportation Member for Division 1. Mr. Fearing explained that he was appointed to this position by the Governor and attended his first meeting in April. He stated that the Department of Transportation has a budget of approximately \$5 billion and has about 12,000 employees. He said Division 1 is one of the largest divisions in the state and includes 14 counties and 50 municipalities. He advised that House Bill 817 which changes the formula for distribution of highway funding is still evolving and will affect all divisions within the state. He stated that in his short tenure he has already found that Division Engineer Jerry Jennings is very capable and highly regarded in the state, and that the DOT staff are very capable and dedicated people.

Mr. Fearing stated that projects in this division including the Alligator River/U.S. 64 project; the Hatteras Island solution which includes the Bonner Bridge, the Pea Island Bridge, the s-curve bridge and beach nourishment; and the Currituck Mid-County Bridge total \$1,425,000,000 out of a \$5 billion budget. He said the state has a declining revenue source and an expanding population over the next ten years. He stated that Pasquotank County will have to compete for funds as a part of the division within the Albemarle RPO and will need to have the right people at the meetings.

Mr. Fearing said he will go to Raleigh and represent the needs of the area and he needs clear direction from Pasquotank County in order to communicate its transportation needs and try to advocate for them. He added that he will rely on the Commissioners' knowledge of the local issues.

Members of the Board asked questions regarding ferry tolls, the proposed I-44 corridor tie-in to the Hampton Roads port area, and a possible overpass at Morgan's Corner.

District Engineer Randy Midgett provided a list of roads proposed for resurfacing in Pasquotank County. He said they have just received the resurfacing appropriation and estimates and there may be a road that drops out when it comes time to award contracts. He stated that their primary resurfacing goal right now is U.S. 158 from Morgan's Corner to the Gates County line. He said there is a project in the works at the Weeksville Road and Consolidated Road intersection to install a left turn lane going back to the Coast Guard Base and the Airport and they hope to put the project out for bids in the fall. When asked if the plans for the widening include signaling, Mr. Midgett responded that the plans do not currently include a signal. He noted that it is uncertain whether secondary road construction money will continue to be available, and once that has been determined, meetings will be held with the individual counties to discuss the priorities and concerns and what can be done under the new framework. The Board thanked Mr. Fearing and Mr. Midgett for the information they provided.

2. DISCUSSION WITH PUBLIC DEFENDER AND DISTRICT ATTORNEY:

Chairman Dixon advised that two counties, Currituck and Chowan, agreed to pull their funding this year for office space for the Public Defender and the District Attorney, leaving a shortfall of about \$85,000 in Pasquotank County's budget. He said there has been some pushback from the Board of Commissioners to not provide office space to house staff for those two counties. The Board discussed this issue with Public Defender Andy Womble and District Attorney Frank Parrish.

County Attorney Mike Cox provided some background information. He explained that there is a vague General Statute that states counties are to provide office space for the Public Defender and the District Attorney. He said this area is unique in that it includes a seven county judicial district and it has been the tradition that Pasquotank County has housed the District Attorney. He said since the Public Defender's office was created in 2004 Pasquotank County has provided office space. He stated that what has changed during the past year is that Chowan has said it will no longer pay for office space, but would provide office space in lieu of a payment. Currituck County followed suit.

Commissioner Gary White stated that Judge Cole has gotten involved in working with the counties, and Currituck has apparently reversed its decision. He is attempting to get Chowan County to reconsider its position.

Mr. Parrish gave some history on the DA's office. He said it is logical to locate his office in Pasquotank County due to the geography of the multi-county district and because Elizabeth City is roughly the geographic center. He stated that the function of providing office space for judicial functions was offloaded years ago to local government. He said although the other counties furnish meeting places for the District Attorney to meet, interview witnesses, and prepare for trial, none of the spaces are sufficient for everything the DA's office needs to do, with the exception of Dare County.

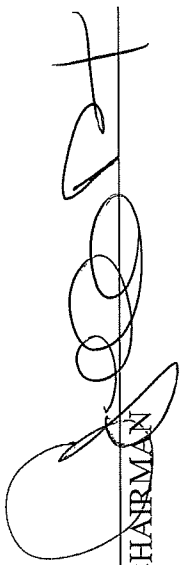
Mr. Parrish said he is well aware there is a debt service obligation involved with the county's Public Safety Building where the DA's office is located. County Attorney Mike Cox stated that an agreement with the other counties was drafted a year or so ago for both offices, but it has never been executed. Mr. Parrish said he would certainly welcome such an agreement. He said another option is for the General Assembly to amend the statute on the provision of space to embrace multiple county situations. Mr. Womble stated that his department attempted to have the legislation amended and was not successful. Mr. Womble and Mr. Parrish said their desire is to maintain the current arrangement because Pasquotank holds the most sessions of court and is their largest caseload. Mr. Womble added that the location of his office across the street from the District Attorney is also beneficial. Both agreed that Pasquotank County is not asking too much to expect the other counties to contribute a reasonable amount of their court facility fees to house the two agencies.

After discussion, the Board directed staff to research the current funding formula and see how the numbers were determined and to obtain a copy of the inter-county agreement currently being used by Beaufort County. In the meantime the Board agreed to continue to work with the Chowan County Board of Commissioners to try to convince them to reverse their decision to not fund office space for the District Attorney and the Public Defender.

Mr. Parrish agreed to contact other DA's and find out how office space is provided and funded in other multi-county districts.

Vice-Chairman Joe Winslow commented that the impression he is getting is that maybe the DA and Public Defender don't realize that we appreciate them being here. He said the Board understands why they are here and thinks it is the most logical explanation that they be located here. He stated that all the Board is asking for is a little help from some of the other counties to develop a policy and a contract that will be fair to all concerned. He noted that the Board greatly supports the DA's office and the Public Defender's office and he thanked them.

The work session was adjourned at 3:50 PM.


CHAIRMAN


CLERK TO THE BOARD