

**PASQUOTANK COUNTY, NORTH CAROLINA
AUGUST 6, 2018**

The Pasquotank County Board of Commissioners met today in a regular meeting on Monday, August 6, 2018 in Courtroom C in the Pasquotank County Courthouse.

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

MEMBERS ABSENT: Jeff Dixon

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 Vice-Chairman 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. He asked that everyone be courteous and limit their time to three minutes.

1. PRESENTATION FOR YOUTH VOICE PROGRAM:

Chairman Perry recognized Ms. Ayana Ferebee who will be representing the Boys & Girls Clubs of the Albemarle Region at the upcoming North Carolina Association of County Commissioners Youth Voice Summit in Hickory. Ms. Ferebee stated that she is an eighth grader at River Road Middle School, and has been a member of the Boys & Girls Club since she was five years old. What she likes most about the club is the different program activities she is involved in such as Junior Staff, Torch Club, and the Community Garden Program. She said as a club member she has learned the responsibility of being a mentor to the younger members, as well as a role model. In closing, she said the Boys & Girls Club provides a safe and fun environment for youth and she recommends it for all children.

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 to Hire Child Protective Services Investigator for DSS above the hiring rate; and 2) Approval to Hire Part-time Building Inspector.

Motion was made by William Sterritt, seconded by Joe Winslow to amend the agenda to add the two items recommended by the Finance Committee to the Consent Agenda. The motion carried unanimously.

3. COMMENTS REGARDING CAMA APPLICATION FOR COA BOARDWALK REPAIRS:

County Manager Hammett explained that the County has been invited to submit a final application for a grant of \$84,000 from the North Carolina Division of Coastal Management for the Pasquotank River Public Access Improvement Project Phase II.

Chairman Perry recognized Charles "Murph" Byrne of 112 Rosedale Drive to address the Board. Mr. Byrne is the Coordinator of Intermural Sports, as well as an Assistant Professor of Health/Wellness and Physical Education at College of the Albemarle. He thanked Dr. Sterritt for his efforts with the project. He stated that there is a lot of value in the walking trail and it is utilized by a lot of people, including COA, YMCA, Sentara Albemarle Medical Center, and other citizens of Pasquotank County. He hopes the project comes to completion and we are able to use the walking trail for all of these entities in the future.

Chairman Perry recognized Jamie Koch, Executive Director, Albemarle Family YMCA. She said her staff, as well as members of the YMCA use the walking trail and is in full support of the project and would love to see it completed.

Chairman Perry recognized Robert Wagner, President of College of the Albemarle who stated that the boardwalk has been a tremendous asset for the college. He said in addition to classes using the trail, over 400 students each semester use it. He said it is also an access point for the community.

Chairman Perry recognized Marion Harris, Chairman of the COA Board of Trustees who said he is here to speak in support of applying for the grant. He said the boardwalk was first dedicated twelve years ago yesterday. He noted that it has been repaired several times with private funds. He thanked the County for everything they have done for the college over the years. He said Vice-Chairman Sterritt and Rodney Johnson have both been driving forces in the project. He added that Mr. Johnson has dedicated a lot of his time and energy to the project and he would like to publically recognize him.

Chairman Perry recognized Walter Jolly who said he is in support of the boardwalk. He stated that it is one of the most beautiful and relaxing places in Elizabeth City. He asked that we keep the pier strong for our community.

Chairman Perry recognized Phil Donahue of 909 Courthouse Lane who echoed the speakers before him. In 2006, the Albemarle Hospital Foundation applied for a \$50,000 grant to build a pier to connect to the one behind COA. He said he visits the boardwalk often and it is one of the most beautiful places in our area.

Chairman Perry recognized Nita Coleman, MD of 111 Dances Bay Trail who said she is another of the great many fans of the COA boardwalk. She practiced pediatrics for 35 years in this town and the great majority of that time was in an office across the street from the hospital. She said it was her favorite destination when she had a break. She enjoyed bird watching and exploring the native plants. She often saw students and other medical professionals utilizing the boardwalk. She thanked Dr. Sterritt for helping this project move forward. She said walking trails are a necessity in today's society, and it is so beautiful because it is shady and on the water. She stated that it is too precious for us to let it fall apart.

Chairman Perry recognized Patricia Sterritt who said the boardwalk is invaluable and dear to the community. She added that it makes a connection across this state, and she hopes across many states, of how important our environment is to us as humans. She said plants and animals need corridors, not just an island.

Vice Chairman Sterritt read an email of support he received from Jan Riley regarding the project. She praised the boardwalk and its benefits to Pasquotank County. She and her family used the trail often before its decline. She said she understands the challenges of developing and maintaining anything subject to nature's whim, but the trail is worthy of our attention and commitment.

Phil Donahue stated that we would be remised tonight if we didn't recognize that Dr. Sterritt has been the driving force of this trail from day one and he has put an awful lot of time and effort into getting this put together. Vice-Chairman Sterritt thanked all those who have helped with the project over the years.

4. COMMENTS FROM EDMOND HOSKINS:

Chairman Perry recognized Edmond Hoskins of 1551 Millpond Road to address the Board. Mr. Hoskins said a group of individuals who live in the northern part of the County are proposing a senior citizen park in the Newland area, where citizens can walk and enjoy nature, similar to what the individuals who spoke before him are requesting. He said he was given the task of finding a piece of land suitable for the project and that would allow for expansion. He stated that he found 40 acres of property that runs from Old 17 down to the river that he feels is suitable. He said the asking price for the property is \$300,000.

When asked if Parks & Recreation would be in charge of the project, Attorney Cox said the County would purchase the property and it could then be put in the Parks & Recreation Program. He noted that there are PARTIF grants out that can be researched.

Vice-Chairman Sterritt informed Mr. Hoskins that this project is on the County's radar, but \$300,000 is more than he envisioned. He said he had envisioned asking the County Manager to put \$100,000 in the budget next year that can be used to find a piece of property. He feels that 40 acres is more land than we need. He said we have a long ways to go before we get to the point of buying a piece of property. He stated that we are not going to disregard any communication that anybody brings. The Board is well versed in what the people in that end of the County would like and the Board plans on doing something, but at this time he cannot say exactly what it is going to be. He suggested starting with ten acres. He told Mr. Hoskins to not let the people in the Newland area get discouraged about where we are with this.

Chairman Winslow said he feels this is the initial phase. He said we have to start somewhere. He would love to see us at least start with an initial phase in the near future. He stated that Newland deserves some type of recreational facility.

5. COMMENTS FROM NORA SANBORN:

Chairman Perry recognized Nora Sanborn of 1125 Millpond Road. Ms. Sanborn said she and Tonya Jennings are here tonight to thank the Board for putting a park in the northern part of the County on its radar. She is excited and thankful that this is a possibility. She offered their assistance if there is anything they can do to help with the project. She feels a park would bond Newland citizens again.

6. COMMENTS BY DOUG LANE:

Chairman Perry recognized Doug Lane of 625 Okisko Road who commended the Board on the Animal Welfare Ordinance. He noted that there was compromise and overall the County has a good ordinance to work with. He asked that the Board do the same for the Deer Dog Trespassing issue.

7. COMMENTS BY LARRY LARABEE:

Chairman Perry recognized Larry Larabee who said he would like to provide a little history regarding an issue he is dealing with. He said several years ago John Gregory, who at the time was the County's water department superintendent, approached him about purchasing a piece of his property to put a well site on. He was not looking to sell property, but did so to help the County out. He explained that Mr. Gregory came back to him a second time requesting additional land. He said he informed Mr. Gregory that he would, but the one thing he would have to have is the right-of-way leading to property he owned behind the road front property. He said Mr. Gregory reassured him at the time that an easement would not be a problem. He explained that once the County purchased the additional land, "it gave him 13', which was about 4' of land with the remainder being in the canal", which did not leave much room for ingress and egress.

Mr. Larabee stated that the gentleman living behind the well site has decided he would like to buy the land and build a house, but his lawyer told him that the bank will not accept the "right-of-way" language in the deed. He asked for help in changing the wording on the deed like it was originally when the first lot was bought. He stated that the County made a mistake and had to come over further and take more land. He said he is reaching out to the Board to help him do what was intended from day one, which was to help the County Water System and to keep his right-of-way.

Chairman Perry thanked Mr. Larabee for working with the County. He said he looks forward to us being able to make the language work for everyone. He asked that Mr. Larabee and his attorney work with Attorney Cox to make the language proper and acceptable to the lender. Attorney Cox said he is open to suggestions.

8. COMMENTS BY RONNIE LONG:

Chairman Perry recognized Ronnie Long of 1701 Providence Road in Oxford Heights Subdivision. He said he has owned his house for 45 years and until increased development started 15 years ago he had no problems with flooding in his home. In the last 15 years, his home has been flooded three times. He stated that the pipes that cross Main Street Extended which drains the swamp are too small. This was discussed many years ago, and the state performed a study which said the pipes that cross under the road will carry just as much water as the 45' bridge the state removed. He said common sense would tell you that a 45' bridge will carry more water than four pipes. He asked the Board to use their influence to get the State to

upgrade the culverts to a larger size. He said he does not mind flooding in his yard, but he would like to keep it out of his house.

Chairman Perry asked staff to contact the Department of Transportation regarding Mr. Long's concerns.

9. CONSIDERATION OF AMENDMENT TO COUNTY ORDINANCE PROHIBITING THE USE OF TOBACCO AND VAPOR PRODUCTS:

Attorney Cox explained that the ordinance is a broad ordinance which will band smoking, vapor products and tobacco products from county buildings, county vehicles, and county grounds. The exception would be certain designated parks ran by Elizabeth City/Pasquotank County Parks & Recreation. He said the ordinance directs the manager to post signs, which the Health Department will supply.

Chairman Perry declared the meeting to be a public hearing on the proposed ordinance amending the Pasquotank County Code of Ordinances to define certain terms and to prohibit the use of tobacco and vapor products in county buildings, on county grounds, and in county vehicles. At the absence of comments, the public hearing was closed.

The Board questioned why smoking would be allowed in some designated, public parks. Attorney Cox said the parks are ran by the City, but we can work with them on this issue if the Board chooses. He noted that Commissioner Dixon who is Chairman of the Special Projects Committee is not in attendance tonight and this item will require unanimous approval. During the next two weeks, staff can go back and work with the City and revisit the issue. Additionally, he said the ordinance will not stop individuals from smoking on sidewalks in front of the courthouse.

Commissioner Griffin questioned how the ordinance will be enforced and asked if the County will be providing designated smoking areas. Attorney Cox said it will not, as it is currently written. He noted that COA, Sentara Albemarle Medical Center, and the YMCA are all tobacco free campuses.

After further discussion;

Motion was made by Charles Jordan, seconded by Joe Winslow to table adoption of the amended smoking ordinance pending further information. The motion carried unanimously.

10. APPROVAL OF CONSENT AGENDA:

The Board considered the following consent agenda:

a. *Approval of Minutes of July 9, 2018 Commissioner Meeting*

b. *Approval of Tax Releases and Refunds*

The Finance Committee has recommended approval of the following tax refunds:

Tax Refunds

		County	City
1.	Dennis Louis II & Kristin Laursen	225.72	195.08
2.	Dennis Louis II & Kristin Laursen	200.56	173.90
3.	Dennis Louis II & Kristin Laursen	168.57	150.28
4.	Megan Joy Kisluk & Allen Foster Reid	328.59	288.19
5.	Ryan Lucas Padgett	127.00	

c. *Approval of Budget Amendments*

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

EMS

Increase	010.0991.4991.00	Fund Balance Appropriated	39,750.00
Increase	010.4370.5440.00	Contracted Services	39,750.00

Information Technology

Increase	010.0700.4981.21	Capital Reserve Transfer	95,537.00
Increase	010.4135.5352.01	Maintenance-Office Equipment	68,479.00
Increase	010.4135.5500.00	Capital Outlay	27,058.00

Capital Reserve

Increase	021.8200.5960.01	Capital Reserve	95,537.00
Increase	021.8200.5980.10	Transfer to General Fund	95,537.00

d. Approval of Family Subdivision Request FS 18-04 by Lillian Flory for Emily Flory Rodes
 Staff recommends approval of Family Subdivision Request FS 18-04 by Lillian Flory. Ms. Flory is requesting to create a 3.49 acre gift lot for her daughter, Emily Flory Rodes, in accordance with Article 5, Section 303 of the Pasquotank County Subdivision Ordinance. A total of 417' feet of road frontage is provided to the proposed parcel off of Harris Road in Salem Township. A birth certificate has been provided as documentation that the plat qualifies as a family subdivision. Staff advises that this request meets the minimum requirements for a family subdivision and a septic evaluation has been completed by Albemarle Regional Health Services. Staff advises that this request meets the minimum requirements of a family subdivision and recommends approval.

e. Approval of Increase in Loan Proceeds for Nixonton VFD
 In the 2015-16 fiscal year, the County granted a \$20,000 loan to Nixonton VFD for the construction of a storage/cook building. The fire department is paying the loan back in increments of \$5,000 a year for four years. Nixonton VFD requested the County increase their loan to \$25,000 to finish the project. The Finance Committee has recommended approval of the increase, with payments extending to \$5,000 over five years.

f. Adoption of Resolution Approving Local Water Supply Plans
 The Finance Committee has recommended adoption of the following resolutions required by the NC Division of Water Resources which state that the Local Water Supply Plans for the Pasquotank County Water System and the Pasquotank County Reverse Osmosis Water System are in accordance with NCGS 143-355:

**RESOLUTION APPROVING LOCAL WATER SUPPLY PLAN
 FOR PASQUOTANK COUNTY WATER SYSTEM
 2018**

WHEREAS, North Carolina General Statute 143-355 (1) requires that each unit of local government that provides public water services or plans to provide such services shall, either individually or together with other such units of local government, prepare and submit a Local Water Supply Plan; and

WHEREAS, as required by the statute and in the interests of sound local planning, a Local Water Supply Plan for Pasquotank County Water System, PWSID 04-70-015, has been developed and submitted to the Pasquotank County Board of Commissioners for approval; and

WHEREAS, the Pasquotank County Board of Commissioners finds that the Local Water Supply Plan is in accordance with the provisions of North Carolina General Statute 143-355 (1) and that it will provide appropriate guidance for the future management of water supplies for Pasquotank County Water System as well as useful information to the Department of Environmental Quality for the development of a state water supply plan as required by statute;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Pasquotank County that the Local Water Supply Plan entitled Pasquotank County Water System, PWSID 04-70-015, dated 2017, is hereby approved and shall be submitted to the Department of Environmental Quality, Division of Water Resources; and

BE IT FURTHER RESOLVED that the Pasquotank County Board of Commissioners intends that this plan shall be revised to reflect changes in relevant data and projections at least once every five years or as otherwise requested by the Department, in accordance with the statute and sound planning practice.

This the 6th day of August, 2018.

**RESOLUTION APPROVING LOCAL WATER SUPPLY PLAN
FOR PASQUOTANK COUNTY REVERSE OSMOSIS WATER SYSTEM
2018**

WHEREAS, North Carolina General Statute 143-355 (1) requires that each unit of local government that provides public water services or plans to provide such services shall, either individually or together with other such units of local government, prepare and submit a Local Water Supply Plan; and

WHEREAS, as required by the statute and in the interests of sound local planning, a Local Water Supply Plan for Pasquotank County Reverse Osmosis Water System, PWSID 60-70-000, has been developed and submitted to the Pasquotank County Board of Commissioners for approval; and

WHEREAS, the Pasquotank County Board of Commissioners finds that the Local Water Supply Plan is in accordance with the provisions of North Carolina General Statute 143-355 (1) and that it will provide appropriate guidance for the future management of water supplies for Pasquotank County Reverse Osmosis Water System as well as useful information to the Department of Environmental Quality for the development of a state water supply plan as required by statute;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Pasquotank County that the Local Water Supply Plan entitled Pasquotank County Reverse Osmosis Water System, PWSID 60-70-000 dated 2017, is hereby approved and shall be submitted to the Department of Environmental Quality, Division of Water Resources; and

BE IT FURTHER RESOLVED that the Pasquotank County Board of Commissioners intends that this plan shall be revised to reflect changes in relevant data and projections at least once every five years or as otherwise requested by the Department, in accordance with the statute and sound planning practice.

This the 6th day of August, 2016.

g. Approval of Uniform Guidance Procurement Policy

The County is required by the federal government to approve a Uniform Guidance Procurement Policy, which establishes guidelines that meet or exceed the procurement requirements for purchases of goods, services, and construction or repair projects when federal funds are being used in whole or in part to pay for the cost of the contract. The Finance Committee has recommended approval of the proposed policy.

h. Approval of Salary for DSS Hire

The Finance Committee has recommended approval to hire a Child Protective Services Investigator at Grade 21, Step 11, (\$49,579) due to the candidate's years of experience and qualifications.

i. Approval to Hire Part-time Building Inspector

The Finance Committee has recommended approval to hire a part-time Building Inspector on a temporary basis to assist with inspections and unsafe housing enforcement while one of the County's Building Inspectors is out on extended medical leave.

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

11. APPOINTMENTS TO BOARDS AND COMMITTEES:

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

Community Relations Commission – Appoint Nancy Muller. This appointment is recommended by the Chairman and can be finalized tonight.

Motion was made by Charles Jordan, seconded by Joe Winslow to approve the appointment to boards and committees as recommended by the Appointments Committee. The motion carried unanimously.

12. REPORT FROM COUNTY MANAGER:

County Manager Hammett provided the following report:

The following item were sold on GovDeals.com:

Description	Buyer	Location	Amount
1999 Ford Econoline	Rockhard Enterprise	Marietta, GA	\$108.77
			\$108.77

13. REPORTS FROM COMMISSIONERS:

Commissioner Winslow reported that he recently had the privilege of speaking to a group of individuals at the Arlington Cemetery.

Commissioner Meads read an article regarding a county in Pennsylvania being debt free. He hopes that before he gets off this Board our County will become debt free. Discussion followed and the Board agreed that debt is necessary and it is very important to make wise investments.

Commissioner Jordan reported that he attended the Grand Opening of the new garden at the Carolina Center. He also attended the opening and closing ceremonies for the River City Community Development's work camp where 369 young people came from various areas of the Country to help people in our area that needed repairs to their homes. Additionally, he served food at the Annual Coast Guard Day Event.

Commissioner Griffin reported on activities at the airport and Albemarle Commission's committees and programs. He also provided an update on I-87.

Vice-Chairman Sterritt attended the DSS meeting.

Chairman Perry attended the Annual NACo Conference in Nashville, Tennessee and provided the Board an overview of the conference. He attended ribbon cuttings for the grand opening of Skie's Art Lounge and the City of Elizabeth City's New Satellite Utility Office.

Motion was made by Joe Winslow, seconded by Charles Jordan to adjourn the meeting. The motion carried and the meeting was adjourned at 8:50 PM.

CHAIRMAN

CLERK TO THE BOARD