

**PASQUOTANK COUNTY, NORTH CAROLINA
OCTOBER 7, 2019**

The Pasquotank County Board of Commissioners met today in a regular meeting on Monday, October 7, 2019 in Courtroom C in the Pasquotank County Courthouse.

MEMBERS PRESENT: Lloyd E. Griffin, III, Vice-Chairman
Cecil Perry
Frankie Meads
Charles H. Jordan
Sean Lavin
Barry Overman

MEMBERS ABSENT: Jeff Dixon, Chairman

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

The meeting was called to order at 6:00 PM by Vice-Chairman Lloyd Griffin. Commissioner Barry Overman gave the invocation and Commissioner Frankie Meads led in the Pledge of Allegiance to the American Flag.

1. AMENDMENTS TO THE AGENDA:

Finance Committee Chairman Lloyd Griffin requested the agenda be amended to add the following items recommended by the Finance Committee today: 1) Approval of Funding for Holiday Lights; 2) Approval to Rescind Public Safety Building Community Room Use Policy; 3) Approval of Request to Donate Sheriff's Office Vehicles; 4) Approval of Change in Operating Hours at Landfill Convenience Site; and 5) Approval of Stipend for Community Advisory Committee (CAC) Board Members.

Motion was made by Cecil Perry, seconded by Sean Lavin to amend the agenda to add items #1-5 to the Consent Agenda. The motion carried unanimously.

2. PUBLIC HEARING ON CONDITIONAL USE PERMIT CUP 19-01 TO OPERATE AN AUTOMOBILE REPAIR FACILITY:

Vice-Chairman Griffin declared the meeting to be a public hearing on Conditional Use Permit CUP 19-01. Witnesses Shelley Cox and Michael Forbes were sworn in by the Clerk to the Board since this will be a quasi-judicial proceeding.

Planning Director Shelley Cox explained that Conditional Use Permit CUP 19-01 is to allow the operation of an automobile repair shop at 410 Interpath Parkway, Suite D. Michael Forbes is the applicant and Brian Weisbesker is the property owner. The existing building consists of ten units, each with a garage and office space that was designed to be rented to individual businesses and contractors. The applicant proposes to utilize one unit within the building for this use that is 1,200 square feet in size, and includes an open area accessible with a roll up door and office space. The Pasquotank County CAMA Land Use Plan (adopted 2012) classifies this site as Commercial on the Future Land Use Map, and it is staff's opinion that this use is consistent with the commercial classification. The proposed use is classified as automobile repair, which requires a conditional use permit from the Board of Commissioners. The property involved in this request is not within a flood zone.

Adjoining property owners, the applicant, and property owner were notified of the public hearing in letters that were mailed on September 18, 2019. In addition, an advertisement was run in The Daily Advance on September 26th and October 3rd and a sign was posted on the site in accordance with the Zoning Ordinance notification requirements.

On his application, the applicant states that the business will be conducting general maintenance including minor engine work, water pump and oil changes, etc. No wrecked or inoperable vehicles will be stored outside. According to the property owner, Brian Weisbecker, nine of the ten units within the building are currently occupied. During the Planning Board meeting, two other occupants of units within the building spoke with concerns regarding the proposed use.

Both occupants currently operate a scientific laboratory within their unit. Their main concerns were regarding an increase in particulate matter (dirt, dust, etc.) that may be generated by an automobile repair facility that could affect their labs. A concern that the use could present a fire hazard was also noted. According to the building inspector, the building was constructed in 2008 with a two-hour fire-rated wall between each unit.

In granting this permit, the Board of Commissioners may impose additional conditions they deem reasonable and appropriate. The proposed use is consistent with the C-1, Commercial Zoning Ordinance classification and the Commercial Future Land Use Plan classification. Existing uses in the vicinity include automobile sales lots, professional services, retail, and a church. There are two other automobile repair facilities within 1,000' of this property.

Should this request be approved, staff recommends the following conditions, which have been recommended by the Planning Board:

1. No wrecked vehicles shall be stored on-site. Inoperable vehicles shall be stored inside the building.
2. No vehicles shall be parked outside of the building overnight.
3. All fluids generated from the repair of automobiles including (but not limited to) oil, transmission fluid, and diesel fuel shall be contained separately and disposed of off-site in accordance with local, state, and federal requirements.

Discussion followed. Commissioner Overman asked if there is a dumpster onsite. Mr. Forbes noted that there is a shared dumpster.

Commissioner Meads questioned staff recommendation #2. He asked how overnight parking would be enforced. Ms. Cox noted that the property owner has indicated that no overnight parking is a condition of the lease.

Commissioner Perry asked how many vehicles can be stored inside the facility. Mr. Forbes said he can put four on the ground and one in the air. He said he will not take walk-ins. Customers must make an appointment. He hopes this eliminates any overnight parking. If he has to turn work away to keep vehicles out of the parking lot, he is prepared to do that. This location is to get his foot in the door until he can get a standalone building.

At the absence of further comments the Public Hearing was closed.

Motion was made by Barry Overman, seconded by Sean Lavin to approve Conditional Use Permit CUP 09-01, with the conditions recommended by the Planning Board, and based on the following findings:

- a. *That the use will not materially endanger the public health or safety if located where proposed and approved.*

The proposed use will not materially endanger the public health or safety because it would utilize an existing building that is located in a commercial park and will be located near other similar uses in the vicinity.

- b. *That the use meets all required conditions and specifications.*

Automobile repair is permitted in the C-1, Commercial District with the issuance of a Conditional Use Permit. The existing unit meets the minimum required lot size and setbacks as required in Section 9.04-2 of the Zoning Ordinance.

- c. *That the use will not substantially injure the value of adjoining or abutting property, or the use is a public necessity.*

The proposed development is located in a commercial park that includes other automobile repair and automobile sales facilities.

- d. *That the location and character of the use, if developed according to the plan as submitted and approved, will be in harmony with the areas in which it is to be*

located and in general conformity with the plan of development for Pasquotank County.

The proposed use is consistent with the C-1, Commercial Zoning Ordinance classification and the Commercial Future Land Use Plan classification and will be in harmony with the surrounding commercial area.

The motion to approve Conditional Use Plan CUP 19-01 carried unanimously.

3. PRESENTATION OF PROCLAMATION FOR PHARMACY WEEK:

Vice-Chairman Griffin recognized Ms. Jennifer Burgess, Pharmacy Services Manager at Sentara Albemarle Medical Center to accept a proclamation for Pharmacy Week. He read and presented the following proclamation to Ms. Burgess:

Proclamation

Whereas, pharmacists are experts in the successful use of today's complex medications, and

Whereas, patients in hospitals and outpatient clinics receive better care when pharmacists are directly involved in medication management decisions, and

Whereas, pharmacists' direct involvement in patient care helps reduce unnecessary costs and burden on the health system, and

Whereas, the pharmacists and pharmacy technicians practicing in the acute and ambulatory care settings of Pasquotank County contribute to the health and well-being of our citizens, and

Whereas, ASHP has declared October 20-26, 2019 as Pharmacy Week.

Now, therefore, be it resolved that I, Lloyd E. Griffin, III, do proclaim October 20-26, 2019 as

Pharmacy Week

in Pasquotank County, North Carolina and urge all our citizens to acknowledge the valuable services of the pharmacists and pharmacy technicians who work in inpatient, outpatient, home-care, and long-term-care settings and all they do to help patients make the best use of their medicines.

In witness whereof I have hereunto set my hand and caused this seal to be affixed.

Ms. Burgess thanked the Board on behalf of the pharmacy team at Sentara Albemarle Medical Center.

4. 2020 CENSUS PRESENTATION AND ADOPTION OF RESOLUTION:

Derek D'Orazio Partner Specialist with the US Census Bureau provided an overview and timeline of the 2020 Census. He said the next step is for the County to adopt a resolution creating the Pasquotank County 2020 Complete Count Committee, and committing to partner with the U.S. Census Bureau.

Motion was made by Barry Overman, seconded by Frankie Meads to adopt the following resolution creating the Pasquotank County 2020 Complete Count Committee, and committing to partner with the U.S. Census Bureau. The motion carried unanimously.

2020 Census Partnership

WHEREAS the U.S. Census Bureau is required by the U.S. Constitution to conduct a complete count of the population and provides a historic opportunity to help shape the foundation of our society and play an active role in American democracy;

WHEREAS Pasquotank County is committed to ensuring every resident is counted;

WHEREAS federal and state funding is allocated to communities, and decisions are made on matters of national and local importance based, in part, on census data and housing;

WHEREAS census data help determine how many seats each state will have in the U.S. House of Representatives and are necessary for an accurate and fair redistricting of state legislative seats, county and city councils and voting districts;

WHEREAS information from the 2020 Census and American Community Survey is vital for economic development and increased employment;

WHEREAS the information collected by the census is confidential and protected by law;

WHEREAS a united voice from business, government, community-based and faith-based organizations, educators, media and others will enable the 2020 Census message to reach more of our residents;

WHEREAS the Census count requires extensive work, and the Census Bureau requires partners at the state and local level to insure a complete and accurate count;

WHEREAS Pasquotank County and its appointed Complete Count Committee will bring together a cross section of community members who will utilize their local knowledge and expertise to reach out to all persons of our community;

Now, therefore, **BE IT RESOLVED** that Pasquotank County is committed to partnering with the U.S. Census Bureau and the State of North Carolina and will:

1. Support the goals for the 2020 Census and will disseminate 2020 Census information;
2. Encourage all County residents to participate in events and initiatives that will raise the overall awareness of the 2020 Census and increase participation;
3. Provide CCC members and Census advocates to speak to County and Community Organizations;
4. Support census takers as they help our County complete an accurate count; and,
5. Strive to achieve a complete and accurate count of all persons within our borders.

Adopted this the 7th day of October, 2019.

5. COMMENTS BY ECPPS SUPERINTENDENT DR. CATHERINE EDMONDS:

Vice-Chairman Griffin recognized ECPPS Superintendent, Dr. Catherine Edmonds. Dr. Edmonds said she had the evening free, and simply came to be a part of the Board's meeting.

6. APPROVAL OF APPOINTMENT TO JURY COMMISSION:

At the last meeting, the Board approved the nomination of Rwanda Farrer for appointment to the Jury Commission to replace Lee Jones. A copy of Ms. Farrer's application has been provided to the members of the Board and the Board can give final approval to the appointment or can nominate someone else to fill the vacancy.

Motion was made by Charles Jordan, seconded by Barry Overman to appoint Rwanda Farrer to fill a vacancy on the Jury Commission. The motion carried unanimously.

7. APPROVAL OF CONSENT AGENDA:

The Board considered the following consent agenda:

a. Approval of Minutes of September 16, 2019 Commissioner Meetings

b. Approval of Tax Releases and Refunds

The Finance Committee has recommended approval of the following tax releases, tax refunds, and solid waste fee releases:

Tax Releases

		County	City
1.	William L. & Amy W. McDonald	391.16	
2.	Joyce M. Rego	675.38	515.81
3.	S & S Group	100.10	
4.	Piedmont Natural Gas	5,455.45	

Tax Refunds

		County	City
1.	Marvin Felton	152.00	
2.	Marvin Felton	152.00	
3.	Marvin Felton	154.00	
4.	Marvin Felton	154.00	
5.	Marvin Felton	154.00	
6.	Fred E. Jr. & Donna Hatch	125.78	
7.	Fred E. Jr. & Donna Hatch	125.78	
8.	Fred E. Jr. & Donna Hatch	127.44	
9.	Fred E. Jr. & Donna Hatch	127.44	
10.	Fred E. Jr. & Donna Hatch	127.44	
11.	Nancy F. Hughes	315.37	268.26
12.	Thomas E. Stevenson	121.28	
13.	Thomas Neal & Elizabeth Strathan	129.96	
14.	Thomas Neal & Elizabeth Strathan	129.96	
15.	Thomas Neal & Elizabeth Strathan	131.67	
16.	Thomas Neal & Elizabeth Strathan	131.67	
17.	Thomas Neal & Elizabeth Strathan	131.67	
18.	Taylor, Thomas Alan & Ioana Layne	152.00	
19.	Taylor, Thomas Alan & Ioana Layne	152.00	
20.	Taylor, Thomas Alan & Ioana Layne	152.00	
21.	Taylor, Thomas Alan & Ioana Layne	154.00	
22.	Brent Austin Winslow	192.07	

Solid Waste Fee Releases

		Parcel ID #	Reason for Release
1.	Mary Anderson	P120A-57	Vacant
2.	Margaret B. Barham	P96-42	Vacant
3.	Vivian Butts Etals	P142-15	Vacant
4.	Charles Jr. & Carolyn Everett	21-F-10-11A	Vacant
5.	John R. Etheridge Heirs	P63-40-1	Vacant
6.	Harrell Griffin Heirs	P48-4	Vacant
7.	Eudora Harvey	29-D-24	Vacant
8.	Eudora Harvey	26-A-35	Vacant
9.	Eudora Harvey	26-A-49	Vacant
10.	Eudora Harvey	26-A-34 & 33	Vacant
11.	Eudora Harvey	26-A-19	Vacant
12.	Eudora Harvey	P122A-68	Vacant
13.	Eudora Harvey	P122A-70	Vacant
14.	Elise A. Watts Landrum	P91-33	Vacant
15.	Clarence Doyle Lassiter Jr. & Pamela Bright	P133A-58	Vacant
16.	Marjorie B. Liverman	35-C-31	Vacant
17.	W. D. & Phyllis Looney	P141-134	Vacant
18.	Herman Ray Meads Jr.	P58-50	Vacant
19.	Earl Overton Lf. Est.	P99-8	Vacant

20.	Basilio Perez	P119-37	Vacant
21.	Elijah Philips & Jacqueline Hill	22-B-26	Vacant
22.	William L Spellman Lf. Est.	P99-9	Vacant
23.	Wayne & Carolyn O. White	P142-12	Vacant

c. Use of County Identification Cards for Voting

Beginning in 2020, voters in North Carolina will be asked to present photo identification to vote, though certain exceptions apply. Preapproved identification cards issued by North Carolina’s public or private universities and colleges, and employee identification cards issued by state and local government entities or charter schools, may be presented as valid forms of photo identification to vote. The Finance Committee has recommend initiating the approval process to allow Pasquotank County employee identification cards to be used for voting.

d. Adoption of Proclamation for 2019 Fall Litter Sweep

The Board has been requested to adopt the following proclamation proclaiming October 19 – November 2, 2019 as Pasquotank County Fall Litter Sweep in Pasquotank.

Proclamation

2019 Fall LITTER SWEEP County-Wide Fall Cleanup October 19 – November 2, 2019

Whereas, Pasquotank County is rich in beauty and natural resources; and

Whereas, the Board of Commissioners of Pasquotank County strives to improve the quality of life in our community through enhanced community awareness, education and public/private partnerships working together on projects that keep our environment clean and free of debris, beautify our neighborhoods and public spaces, and instill pride and a senses of ownership in our community; and

Whereas, Pasquotank County citizens realize a cleanup effort is needed to display pride in our community for ourselves, our visitors, and for business prospects; and

Whereas, all people, regardless of race, gender, income, or geography, have a moral right to a healthy, sustainable environment with economic growth; and

Whereas, all residents of Pasquotank County have a citizenship responsibility to protect and care for the beauty and natural resources of Pasquotank County, and a countywide cleanup campaign will encourage individuals to participate in the improvement of their community’s environment through the three main focus areas of litter prevention, waste reductions and recycling, and beautification;

Whereas, Governor Roy Cooper has proclaimed October 19 – November 2, 2019 as Litter Sweep time in North Carolina in conjunction with the North Carolina Department of Transportation Biannual Cleanup Drive; then

Now, Therefore, Be It Proclaimed, that the Pasquotank County Board of Commissioners proclaim **October 19 – November 2, 2019 as Pasquotank County Fall LITTER SWEEP** in Pasquotank County, North Carolina, and encourages all communities, civic and professional groups, businesses, churches, schools, families and individual citizens to take an active role in making the communities in Pasquotank County a more beautiful place to live, work and play.

Given under my hand this 7th day of October, 2019.

e. Approval of Funding for Holiday Lights

The Finance Committee has recommended the County support the Downtown Illumination Event with an allocation of \$5,000 from the County’s Tourism Development Authority fund to be used at the Courthouse and the general vicinity.

f. Approval to Rescind Public Safety Building Community Room Use Policy

The Finance Committee has recommended eliminating the use of the Public Safety Community Room by outside organizations and rescinding the current policy.

g. Approval of Request to Donate Sheriff's Office Vehicles

The Finance Committee has recommended approval of a request from the Sheriff's Office to donate three Sheriff's Office vehicles. The first vehicle is a 2007 Chevrolet, 17-passenger Van (VIN#1GAHG39U871223423), which is primarily used by local civic groups such as the Police Athletic League (PAL) to transport youth to games and other events. The Sheriff asked to donate the van to PAL in order to eliminate the burden of scheduling van usage, as well as maintenance costs.

The other two vehicles are a 2006 Ford Crown Victoria, with approximately 125,000 miles (VIN#2FAHP74VX6X130915) and a 2008 Chevrolet Impala, with approximately 155,000 (VIN#2G1WS553281238090), which are being replaced this fiscal year. The Hyde County Sheriff's Office lost all of their vehicles during Hurricane Dorian. The Sheriff would like to donate these two vehicles to the Hyde County Sheriff's Office to assist them with recovery.

h. Approval of Change in Operating Hours at Landfill Convenience Site

In September, the Solid Waste/Landfill Committee met and discussed the possibility of closing the convenience sites at an earlier time during the Winter/Eastern Standard Time for safety reasons, as well as to save on labor expenses. The Committee discussed the potential negative impact on citizens resulting from closing the sites at an earlier time. After discussion, the Committee unanimously recommended approval to: (1) close the Landfill Convenience Site at 5:00 pm instead of 7:00 pm for approximately 90 days - November 3, 2019 through March 8, 2020, due to the isolated location of the site (the new hours would mirror Fun Junction's hours of operation); and (2) compile the traffic volumes at the other convenience sites during a two-week period in the Winter for future discussion. The Finance Committee has recommended approval of the changes, as recommended by the Solid Waste/Landfill Committee.

i. Approval of Stipend for Community Advisory Committee (CAC) Board Members

The Finance Committee has recommended approval to pay a \$50 per meeting stipend for Community Advisory Committee (CAC) Board members, based on attendance, to offset some of their time and travel costs in visiting nursing homes and adult care facilities.

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

8. CONSIDERATION OF APPOINTMENTS TO BOARDS AND COMMITTEES:

Commissioner Jordan, Chairman of the Appointments Committee stated that the committee did not meet today.

9. REPORTS FROM COMMISSIONERS:

Commissioner Jordan attended the following events/meetings: Men of Excellence Ceremony, Seth E. Perry Day Celebration, Education Foundation Banquet, Solid Waste/Landfill Committee Meeting, and State Budget Update.

Vice-Chairman Griffin attended Aviation Day at the Coast Guard Base. He said it was a success.

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

Motion was made by Cecil Perry, seconded by Sean Lavin to adjourn the meeting. The motion carried and the meeting was adjourned at 6:57 PM.

VICE-CHAIRMAN

CLERK TO THE BOARD