

**PASQUOTANK COUNTY, NORTH CAROLINA
NOVEMBER 18, 2013**

The Pasquotank County Board of Commissioners met today in a work session on Monday, November 18, 2013 in the Community Room at the W.C. Witherspoon Memorial Library.

MEMBERS PRESENT:

Jeff Dixon, Chairman
Joseph S. Winslow, Jr., Vice-Chairman
Lloyd E. Griffin, III
Cecil Perry
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 meeting was called to order at 2:30 PM by Chairman Jeff Dixon. Chairman Dixon reminded everyone that since this is a board work session on the 4-2-1 plan, no comments from the public will be allowed, but the public is welcomed to observe.

Chairman Dixon called on Commissioner Sterritt, Chairman of the Governance Committee, to present comments. Commissioner Sterritt stated that the committee recently had an interesting get-together with several leaders in the community. He provided copies of the draft minutes from the meeting and pointed out that the minutes are verbatim so there is no question about who said what. He stated that one of the things he said is in boxing if you are hit below the belt it hurts and is dangerous. He said the Governance Committee has been hit below the belt on this issue. He said there was never any suggestion from day one of a referendum. He said this all surfaced in the past two weeks and as a result of all the comments that were made by members of the community, leaders in the African American community and other people, there was a motion by Commissioner Perry that the committee support moving the 4-2-1 plan forward to the General Assembly for a local act without a referendum. He stated that Commissioner Winslow said he would second the motion based on the idea that he reserves the right to change his mind after he hears more about the 4-2-1 plan. Commissioner Sterritt pointed out that the motion carried 3-0 which is a recommendation from the Governance Committee to the whole Board.

Commissioner Perry said when this was first brought about, he asked the Board of Commissioners if they would help find a method of trying to increase the number of minorities that serve on the Board of Commissioners. He said he thought the process was moving forward and after a long period of time he contacted the County Attorney. He stated that the Attorney told him he would need to contact Commissioner Griffin because he was calling for a referendum. Commissioner Perry said he did not know how that came about because it had not been discussed with him but apparently had been discussed with other members of the Board. He said his thoughts at this time are if there are four votes to move this forward, he would suggest the Board vote to move it forward and eliminate the kinds of problems further discussion would create. He said obviously there are those who are interested in moving this forward. He stated that it seems anytime there are discussions in the community about moving anything forward that is affiliated with African American people, it usually gets into this kind of discussion. He said there have been numerous instances when the Board has made major decisions without asking for a referendum, such as the recent STEM school decision. Commissioner Perry said further discussion will only bring about hard feelings.

Commissioner Winslow explained that the reason he voted for the motion was that he felt the best avenue was for the Board of Commissioners to discuss this issue and decide what is best in this particular situation. He said it is unfortunate in the format in which they met that there were things said in the heat of the moment that he feels maybe should not have been said. He stated that no one should get to the point that they say things they would regret at a later time.

Chairman Dixon stated that everyone knows this has to be moved forward to the General Assembly. He said the Board needs to discuss the protocol for moving it forward. He asked if the Board feels since Pasquotank County has two representatives in the House that they should be asked to co-sponsor the bill. He added that obviously Senator Cook will also need to be involved.

Commissioner Sterritt said he does not see a problem in that regard. He said he would like for the Governance Committee along with a couple of other people in the community to sit down with Representative Steinburg to see what he thinks about what could possibly happen with a local bill. He stated that Representative Steinburg will listen to him for several reasons and he cannot see any disagreement from him about moving this forward, nor does he see any disagreement from Representative Mobley.

Commissioner Winslow asked why this has not been done before now by the Governance Committee. He said in the last meeting of the Governance Committee Commissioner Sterritt and Commissioner Perry said this plan needed to be moved forward quickly. Commissioner Sterritt stated that he will not contact the legislators until he is authorized to do so by the Chairman of the Board. He said he does not believe this will be an issue with either of them. He added that he thought everything was moving forward.

Commissioner Frankie Meads stated that the Board spent six months on another plan and then voted it down and voted on a 4-2-1 plan. He said the 4-2-1 plan was never mentioned as a substitute plan at any of the meetings he attended. He added that the public has not had an opportunity to give their position on the 4-2-1 plan.

Commissioner Lloyd Griffin said when the Governance Committee made the recommendation for the 2-2-2-1 plan, he asked if any other plan was considered, such as the 4-2-1 plan. His response was that the committee only chose to consider the 2-2-2-1 plan. Commissioner Perry said in the very beginning when the 4-2-1 plan was first presented, the Board voted to not go forward with the 4-2-1 plan.

Commissioner Sterritt stated that the Board needs to be setting an example by encompassing the African American community and getting them involved in the governmental process in this county. He said that will be the only way to move the county forward. He pointed out when looking at what Mayor Peel has done with Vision 2020 and the help he has had from African American community leaders, and looking at the Community Relations Commission, everything is positive about bringing the African American community into the fold of what is happening in Pasquotank County. He said the Board is instead talking about a referendum which is a negative process.

Chairman Dixon explained that he takes the full blame for this plan not moving forward as quickly as some want it to move. He said he has been told that this local act will probably not even be acted on until 2015, and definitely won't be acted on in 2014 because it is considered controversial and the General Assembly does not consider local bills that are controversial in its short session. He stated that 2014 is also an election year and he has also been getting pushback from those who will be out campaigning for re-election. He said there is no reason to rush because the General Assembly will just sit on it until 2015. Chairman Dixon said this would provide an opportunity for the Board to refine the plan, make sure it is 100% what the Board wants, and then move it forward. He stated that initially he was not in favor of either option, but he felt one of them needed to have a chance, so he supported the 4-2-1 plan because he felt like he could not support the 2-2-2-1 plan. He said this is how the water got muddied.

Commissioner Sterritt said the controversy regarding the local act is from the old days. He stated that there is now a lot of power in Raleigh with Republicans and it can happen. He said if it is delayed until 2015 there will be different members of the Board of Commissioners and he asked what their attitude might be. Chairman Dixon stated that the General Assembly has advised that they do not act on controversial bills in the short sessions and this has been the practice for years and years.

Commissioner Perry stated that what really bothers him is there is a seven-member Board of Commissioners with one African American Commissioner and a 40% African American population, and the Board is debating whether one additional African American can sit on the Board. He added that he is totally surprised that the Board is not trying to fix it. He said the only thing required for someone to sit on the Board is that they not have a jail record and that

they be able to vote as a citizen of Pasquotank County. He said if the Board had African American members in the past that were bad people, he would understand. He stated that Commissioner W.C. Witherspoon was a great Commissioner, and apparently he himself must be pretty bad because the Board does not want any more members like him.

Chairman Dixon said he is trying to get a consensus of the Board on how to go forward to the General Assembly. He asked if both representatives and one senator should be involved or whether just one representative and one senator should be involved. Chairman Perry responded that he believes both representatives should be contacted.

Commissioner Meads stated that a lot of time has been spent on this and the members of the Board have been elected to cover a lot of issues that have not been covered. He said the Board has allowed its finances to continually go in the hole and it is worried about the color of someone's skin who might serve on the Board. He said he does not care about the color of anybody's skin and can work with anyone.

Chairman Dixon again said the Board needs to determine how to move this thing forward.

Motion was made by William Sterritt, seconded by Cecil Perry to contact Representative Steinburg, Representative Mobley, and Senator Cook and get their advice on moving the 4-2-1 plan forward to the General Assembly as an act of the General Assembly. The motion carried unanimously.

Discussion followed and Chairman Dixon said he feels like support from the Republican and Democrat members of the General Assembly is needed. Members of the Board concurred that the whole Board should meet with them.

County Attorney Mike Cox referred to the closing resolution of the General Assembly last year which stated that no controversial bills would be considered in the 2014 short session. He added that whoever it is the Commissioners approach, somebody has to be a principal sponsor stating that no public hearing would be required and that it is non-controversial. He said the House and the Senate must approve the bill. Mr. Cox stated that the Board has not lost a minute since it voted to move the 4-2-1 plan forward. He said the General Assembly had already adjourned at that point. He stated that realistically the Board is looking at 2015, but it will not hurt to approach our representatives now.

Commissioner Perry said the Board should go on record as to whatever the timeframe is.

Commissioner Sterritt said this is not necessarily a controversial issue or it does not have to be a controversial issue if the Board agrees that is what it wants to do. Mr. Cox said controversial is not defined in the resolution and it would be defined by the General Assembly.

Chairman Dixon said the Board can ask the legislators if 2014 is possible and if it's not possible to regroup and go for 2015.

Commissioner Sterritt agreed to contact Representative Steinburg; Commissioner Perry will contact Representative Mobley; and Chairman Dixon will contact Senator Cook to try to coordinate dates to meet with the full Board. The Board would then move forward based on feedback from our representatives.

Commissioner Meads said in looking at the election laws it appears that the Board does not have any choice when changing the districts except to go for a vote of the people.

Mr. Cox said there is one way the Commissioners can do this on their own which would require a referendum. The other way is to go through the General Assembly which could or could not require a referendum, depending on how the bill is crafted.

Chairman Dixon said what he believes has confused some of the members of the Board is that they thought they could have their own local referendum because this does not meet the statutory limits, but as he understands it now, if there is a referendum the General Assembly would require it. Mr. Cox explained if all the districts were roughly the same size, the Board of Commissioners could handle it on its own and call a referendum, but because the districts are not equal in size under the 4-2-1 plan, it would require General Assembly approval.

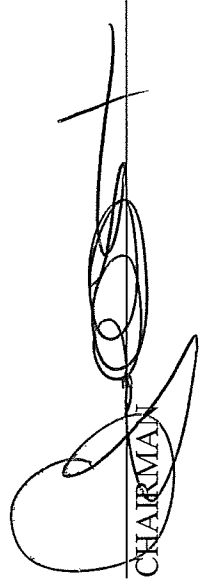
Commissioner Griffin asked what would happen with the consent order. Mr. Cox explained that there was a federal consent order issued in 1985 under Section 2 and Section 5 of the Voting Rights Act. He said even though Section 5 is not valid now, Section 2 is still active which he assumes means the consent order needs to be amended.

Commissioner Sterritt stated that he thinks the Board should applaud the individuals who are here today for their interest in bringing the African American community into the fold a little more because that can be very beneficial to the county as a whole. He said the Governance Committee appreciates all of their interest in the meetings that have been held throughout the community and their loyalty to do something of value for the benefit of the people of Pasquotank County.

Chairman Dixon said the next step is to get feedback from Representative Steinburg, Representative Mobley, and Senator Cook as to the process going forward. Once the process has been established, it will come back to the Board to develop a plan based on their advice.

The work session was adjourned at 3:05 PM.


CLERK TO THE BOARD


CHAIRMAN