

**PASQUOTANK COUNTY, NORTH CAROLINA
JANUARY 14, 2013**

The Pasquotank County Board of Commissioners met today in a regular meeting on Monday, January 14, 2013 in Courtroom C in the Pasquotank County Courthouse.

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:

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

The meeting was called to order at 7:00 PM by Chairman Jeff Dixon. Chairman Dixon asked the Board to observe a moment of silence. Commissioner Lloyd Griffin led in the Pledge of Allegiance to the American Flag.

1. COMMENTS FROM KENTWOOD TURNER:

Chairman Dixon recognized Mr. Kentwood Turner of 1317 Little River Drive. Mr. Turner stated that he would like to discuss the proposed Albemarle Hospital partnership. He noted that in talking with personnel with the EMS Department he has learned that location is very important. He said it takes approximately 17 minutes for a helicopter to travel from Albemarle Hospital to Sentara Norfolk Hospital and 40 minutes to travel to Greenville. He asked that the Board consider this when reviewing the proposals. He stated that he has learned there is a “golden hour” following an illness or injury during which medical care is very vital. Mr. Turner said he understands that both hospitals are top-rated, however it bothers him that the top administrator and top financial officer for Vidant left during the dark of night and there has never been an explanation. He stated that the county’s \$75 million debt bothers him. He suggested that the county study the proposals that have been received before making a decision and possibly establish a study committee. He also suggested that the payments received for the hospital be set aside to pay down the existing debt.

Chairman Dixon explained that there will be several public hearings involving the hospital and he encouraged Mr. Turner to attend and voice his opinions.

2. COMMENTS FROM DOUG LANE:

Chairman Dixon called on Mr. Doug Lane of 625 Okisko Road. Mr. Lane stated that he would like to bring the Board up to date regarding the trespass by dogs issue. He explained that there is a deadline of early March for the introduction of legislation. He said he would appreciate it if a committee would review the legislation he has proposed and then forward it to the full Board for approval in time to meet the March deadline.

3. COMMENTS FROM WADE REID:

Chairman Dixon recognized Mr. Wade Reid of 577 Body Road. Mr. Reid said he would like to echo what Mr. Lane has said regarding trespass by dogs. He stated that the Landowner Protection Act that went into effect a couple of years ago has helped the problem a great deal, but it is not a total solution. He added that the District Attorney however is unwilling to enforce it. He suggested this might be something that the Board of Commissioners could address. He stated that some sort of law and some sort of protection is needed for land owners for legitimate business operations such as raising cattle. Mr. Reid explained that Friday of last week he had a new calf born. On Saturday, he went to check on the calf and found both the mother and the calf very nervous and running around. Mr. Reid said he went by at dark and found a neighborhood

dog harassing and trying to catch the calf. He asked what recourse he has in a situation like this. He said he has previously been told by the Sheriff's Department and Animal Control that he could shoot a dog when it was harassing his cattle, but when he shot a dog that was harassing his cattle he was arrested on felony cruelty to animals. He asked who is protecting his animals who are part of a legitimate business enterprise, and he asked if it is not felony cruelty to animals to harass and kill livestock that he is raising to support his family. He stated that a fair balance is desperately needed between property owners' rights and hunters. Mr. Reid noted that the dog that was harassing his calf was not a hunting dog, but was a neighborhood dog whose owner does not keep in. He said he has also had problems with this dog and others digging holes in his fields and damaging his crops. He stated that these dogs need to be controlled and he would urge the county to continue to work on nuisance dog ordinances as well because these dogs are a problem. He added that he would encourage speedy action on what Mr. Lane has proposed.

4. COMMENTS FROM JAMES MORRIS:

Chairman Dixon called on Mr. James Morris of 959 Halls Creek Road. Mr. Morris stated that he would like to discuss several issues concerning the landfill. He said one of his issues is the scrap metal contract. He stated that he has been told that the county is still dealing with the contractor, even though he is bankrupt and has been arrested, to try to get the money back that he was behind in paying. He stated that it appears to him that it took several months for the overdue amount to reach \$35,000. He said the contractor was also behind to other counties by much larger amounts than he owed Pasquotank County. He said this issue should have been addressed by management before it got out of hand. He stated if the county had terminated the contract as it should have done, the county could have then sold the scrap metal to local dealers and collected at least three times as much as what it was receiving from United Salvage.

Mr. Morris said another of his concerns is trailers leaking contaminated liquids. He stated that this has been going on for years. He noted that DENR states in its rules for operating landfills that trailers shall be leak-proof. He said yesterday he witnessed four trailers parked next to Fun Junction and three of the trailers were leaking onto the ground. He stated that the ditch these contaminated liquids are leaking into is connected to the pond and the swamp. He said there is no fence around the area and it borders the Fun Junction parking lot where little children were running around. He stated that children could step into the puddles of contaminated liquids. He said this is something that needs to be dealt with.

Mr. Morris said something else he would like to discuss is the free dirt. He stated that everything that goes into the landfill should go across the scales and be weighed. He said there is no way to calculate how much dirt and other waste has been carried to the hill without being weighed. He noted that contractors are mixing dirt with all kinds of waste and are dumping without being charged, and the county is then paying to have some of it separated. He said he has determined that from September through December, 2011 about 100 loads of dirt were carried to the hill for cover, and in those same four months 2012 he would estimate that 400 to 600 loads of dirt were carried to the hill for cover.

Chairman Dixon reminded the Commissioners of the tour of the landfill scheduled for Wednesday at 2:00 PM, weather permitting. He said hopefully some of Mr. Morris' concerns will be addressed at that time.

5. COMMENTS FROM TIM AYDLETT:

Chairman Dixon called on Mr. Tim Aydlett of 684 Oak Stump Road to address the Board. Mr. Aydlett said he would like to discuss deer hunting with dogs. He explained that he lives on Oak Stump Road and has close to 100 acres of land behind his house. He said every year during deer season his property is flooded with dogs owned by a family that lives on Simpson Ditch Road. He stated that he cannot let his golden retrievers out to mix with these dogs because he does not know if they have been treated for parvo and various other illnesses. He said the dogs are released to run through his property. He stated that he has posted his property and has marked the trees with purple paint every 200 feet as instructed by the Wildlife Commission, however the dogs do not read the color and apparently the hunters do not either. Mr. Aydlett stated that up until deer season ended on January 1st, there were people hunting almost in his backyard. He said there needs to be some sort of regulation for running dogs through people's property. He explained that he could register his property with the Wildlife Commission and would have to purchase signs and locate around his property. He said these signs are not cheap, and it is a shame that the property owner has to go to great expense to post his property to try to keep dogs

off of it. Mr. Aydlett stated that something needs to be done with the regulation of deer hunting with dogs to require written permission from property owners to allow the dogs to run through their property.

6. **PRESENTATION OF PINS TO EMPLOYEES FOR YEARS OF SERVICE:**
Chairman Dixon called on the following county employees to receive pins recognizing their years of service with Pasquotank County:

Employee	Department	Years of Service
Katherine Ford	Social Services Department	20 years
Margaret Simpson	Personnel Department	10 years

Those employees who could not be here tonight include Pug Taylor with 10 years of service and Herbert Davenport with 10 years of service.

7. **PRESENTATION OF PLAQUE TO REPRESENTATIVE BILL OWENS:**
Chairman Dixon called on former Representative Bill Owens and presented him with a plaque from the Board thanking him for his years of service to Pasquotank County and North Carolina. Representative Owens thanked the Board and stated that it has been an honor and a privilege to have been elected to represent the people of Pasquotank County for the past 36 years, both as a County Commissioner and as a State Representative. He stated that all levels of government need to continue to strive to make the area better. He said he would like to see the politicians in Washington, DC and Raleigh become more bipartisan and work across the aisles in order to be more successful.

8. **AMENDMENTS TO THE AGENDA:**
Chairman Dixon asked if there were any amendments to the agenda. It was requested that the agenda be amended to add the following items to the Consent Agenda: 1) Approval of recommendation from Finance Committee to fill a recently vacated Family & Children's Medicaid position at the Social Services Department; 2) Approval of recommendation from Finance Committee to purchase iPads; 3) Approval of new lease agreement with Mickey's Sales & Service; 4) Approval of additional item to be surplus and sold on Govdeals.com; and 5) Adoption of Resolution Approving Second Amendment to Installment Financing Agreement for COPS Refinancing.

Motion was made by Joe Winslow, seconded by Cecil Perry to amend the agenda to add items #1 through #5 above to the Consent Agenda. The motion carried unanimously.

9. **CONSIDERATION OF LIBRARY OPTIONS:**
County Manager Randy Keaton explained that he and Chairman Dixon met with representatives from Camden County to discuss Camden County's decision to create their own library and the options for continued operation of the W.C. Witherspoon Memorial Library. The options are: to remain a member of the East Albemarle Regional Library with Camden creating a separate library; withdraw from East Albemarle Regional Library and become a stand alone library; or establish a Pasquotank-Camden Regional Library System with Camden having a separate library facility. Mr. Keaton stated that Camden County appears to be supportive of the option for a sub-regional system. Librarian Jackie King summarized how the sub-regional system would operate and how the funding would be allocated.

Mr. Keaton stated that Camden County has provided a draft interlocal agreement with Pasquotank County for library services during the interim period until Camden can construct, furnish and equip its own library. He pointed out that the agreement drafted by Camden calls for an appropriation by Camden of \$121,491 which is the current year's appropriation which had been cut \$40,000 from \$161,491. Mr. Keaton noted that the agreement provides that Camden must give 30 days written notice prior to the expiration of the initial term or any extension. He suggested the Board might want to increase this to 60 days notice. The Board discussed the options and the proposed interlocal agreement at length.

Motion was made by Lloyd Griffin, seconded by Joe Winslow to approve the proposed agreement for library services with Camden County until it can establish its own library subject to changing the fee for service from \$121,491 to \$161,491, and changing the notice from 30 days to 60 days that Camden would have to notify Pasquotank County of its desire to extend the agreement, and to continue exploring the two region approach. The motion carried unanimously.

10. APPROVAL OF CONSENT AGENDA:

The Board considered the following consent agenda:

- a. Approval of Minutes of December 17 and December 19, 2012 Commissioner Meetings
- b. Approval of Tax Releases and Refunds
The Finance Committee has recommended approval of the following tax releases and solid waste fee releases:

Releases:

	County	City
1. Christopher B. Craft	148.99	
2. Abigail Elizabeth Janz	131.50	
3. Stacy Lynn Drew	195.30	
4. William George Barton	129.33	
5. Chance Ja. Schultz	282.41	
6. Luke S. Hittner	125.12	
7. Tankini LLC	109.46	
8. Michael David Minotto	180.85	140.64

Solid Waste Releases:

Owner's Name	Parcel ID Number	Reason for Release
Donnie & Cheryl Russell	P7-26A	Vacant-house needs repairs
Grace Jackson Etal	P8A-13	Vacant

- c. Approval of Bi-Directional Antenna System for Albemarle Hospital
The Finance Committee has recommended approval of a request from the City of Elizabeth City to split the cost of a bi-directional antenna system for Albemarle Hospital to improve communications for the fire departments and the EMS department. The county's share of the cost will be approximately \$38,000 which will be placed in next year's EMS budget or be paid out of this year's budget if funding is available.
- d. Adoption of Resolution for Addition of Danielle Drive to the State System
The property owners on Danielle Drive have submitted a petition requesting that the road be added to the state system for maintenance. Danielle Drive is located in Hall's Creek Square Subdivision and is .9 mile in length with 34 occupied homes. The Board will need to adopt a resolution requesting that the road be added to the state system.
- e. Approval of Surplus Items for Sale on GovDeals
The Board was requested to declare the following items as surplus so they can be sold on GovDeals.com. The first is a mailbox unit that was removed as part of the renovations at Edgewood Center for the Board of Elections. The second is some metal window grates that were on the exterior of the windows of the old Sheriff's Department.
- f. Approval of Request to Fill Vacant Position at Department of Social Services
The Finance Committee has recommended that the Board approve a request from the Department of Social Services to fill a vacant Family & Children's Medicaid position.
- g. Approval of Purchase of iPads
The Finance Committee has recommended that the Board authorize the purchase of six iPads for the three Commissioners who do not have them, and for three staff members. The cost of the iPads would be about \$700 each for a total of approximately \$4,200.

h. Approval of New Lease Agreement with Mickey's Sales & Service
The Finance Committee has recommended approval of a new lease agreement with Mickey's Sales & Service for various pieces of floor cleaning equipment. The renewed amount of the lease is \$716 per month, a decrease of \$650 per month from the original monthly cost of \$1,366, for a total savings of \$7,800 per year.

i. Approval of Additional Item To Be Surplused and Sold on GovDeals.com
The E911 ECS Rescue Star phone equipment that was replaced at the 911 Center needs to be declared surplus so that it can be sold on GovDeals.com.

j. Adoption of Resolution Approving Second Amendment to Installment Financing Agreement for COPS Refinancing
County Manager Randy Keaton referred to the following proceedings related to the second amendment to the installment financing agreement for the COPS refinancing:

* * * * *

Commissioner Jeff Dixon introduced the following resolution, a copy of which had been provided to each Commissioner and which was read by its title:

RESOLUTION APPROVING THE PROPOSED SALE BY PASQUOTANK COUNTY PUBLIC FACILITIES CORPORATION OF A CERTIFICATE OF PARTICIPATION IN CERTAIN INSTALLMENT PAYMENTS TO BE MADE BY THE COUNTY OF PASQUOTANK, NORTH CAROLINA AND A PROPOSED SECOND AMENDMENT TO INSTALLMENT FINANCING AGREEMENT TO REFINANCE AN ADDITIONAL PORTION OF THE COST OF A NEW MIDDLE SCHOOL, APPROVING CERTAIN OTHER DOCUMENTS AND ACTIONS RELATING THERETO AND AUTHORIZING OTHER ACTIONS IN CONNECTION THEREWITH.

WHEREAS, the County of Pasquotank, North Carolina (the "County") and the Pasquotank County Public Facilities Corporation (the "Corporation") entered into an Installment Financing Agreement, dated as of December 1, 2004 (the "Installment Financing Agreement"), to finance pursuant to G.S. §160A-20, as amended, a portion of a project consisting of the construction and equipping of a new middle school, which Installment Financing Agreement was amended by a First Amendment to Installment Financing Agreement, dated as of December 1, 2012, between the County and the Corporation, in connection with the refinancing of a portion of the County's obligations under the Installment Financing Agreement (the "2012 Refinancing"); and

WHEREAS, in connection with the Installment Financing Agreement, the Corporation and Wachovia Bank, National Association, succeeded by U.S. Bank National Association, as trustee (the "Trustee"), entered into a Trust Agreement, dated as of December 1, 2004 (the "Trust Agreement"), pursuant to which the Corporation executed and delivered its Certificates of Participation, Series 2004, in the principal amount of \$14,280,000, which Trust Agreement was amended by a First Supplemental Trust Agreement, dated as of December 1, 2012, between the Corporation and the Trustee, in connection with the 2012 Refinancing; and

WHEREAS, in connection with the Installment Financing Agreement, the County executed a Deed of Trust, made as of December 1, 2004 (the "Deed of Trust"), by the County to the trustee named therein (the "Deed of Trust Trustee"), for the benefit of the Corporation, which Deed of Trust was amended by a Modification of Deed of Trust, made as of December 1, 2012, among the County, the Deed of Trust Trustee and the County, in connection with the 2012 Refinancing; and

WHEREAS, the Board of Commissioners for the County (the "Board") has determined to proceed with the refinancing of an additional portion of the County's obligations under the Installment Financing Agreement in order to realize cost savings for the County; and

WHEREAS, to effectuate such additional refinancing, the County and the Corporation have been negotiating certain documents and arranging for the negotiated sale of certificates of participation in certain installment payments to be made by the County pursuant to an additional

amendment to the Installment Financing Agreement to be entered into by and between the County and the Corporation, pursuant to the authority granted to the County under G.S. 160A-20, as amended; and

WHEREAS, the County has determined that it is in the best interests of the County that the County and the Corporation enter into such additional amendment to the Installment Financing Agreement to make available to the County funds with which to effectuate such additional refinancing; and

WHEREAS, the County and the Corporation have received a proposal from Branch Banking and Trust Company (the "Bank") for the purchase of said certificates of participation (the "Proposal"); and

WHEREAS, in connection with such additional refinancing, it is necessary for the County to approve the sale of said certificates of participation by the Corporation and certain documents and actions relating thereto and to authorize other actions in connection therewith; and

WHEREAS, there have been presented at this meeting copies of the following documents relating to the delivery of the 2013 Certificate (hereinafter defined) constituting said certificates of participation:

(a) a draft of a Second Amendment to Installment Financing Agreement, to be dated as of January 1, 2013 (the "Second Amendment to Installment Financing Agreement"), between the County and the Corporation, amending the Installment Financing Agreement, as heretofore amended;

(b) a draft of a Second Supplemental Trust Agreement, to be dated as of January 1, 2013 (the "Second Supplemental Trust Agreement"), between the Trustee and the Corporation, amending the Trust Agreement, as heretofore amended, and pursuant to which the Trustee would make available to the County a portion of the proceeds of a Refunding Certificate of Participation, Series 2013 in an amount not exceeding \$6,600,000 (the "2013 Certificate") evidencing an interest in the installment payments to be made by the County under the Second Amendment to Installment Financing Agreement in order to refinance an additional portion of the County's obligations under the Installment Financing Agreement;

(c) a draft of a Modification of Deed of Trust, to be dated as of January 1, 2013 (the "Modification of Deed of Trust"), among the County, the Deed of Trust Trustee and the Corporation, amending the Deed of Trust, as heretofore amended; and

(d) a draft of an Escrow Deposit Agreement, to be dated as of January 1, 2013 (the "Escrow Deposit Agreement"), among the County, the Corporation and U.S. Bank National Association, as escrow agent;

NOW, THEREFORE, BE IT RESOLVED by the Board as follows:

Section 1. The Board hereby approves the sale of the 2013 Certificate by the Corporation to the Bank. The 2013 Certificate shall mature and be subject to mandatory prepayment in such amounts at such times as shall be determined by the President of the Corporation; provided, however, that the principal amount of 2013 Certificate shall not exceed \$6,600,000 and the final maturity of the 2013 Certificate shall not extend beyond June 1, 2027.

The 2013 Certificate shall be issued in fully registered form in the principal amount thereof. Interest with respect to the 2013 Certificate shall be payable on June 1, 2013, and semiannually thereafter on each June 1 and December 1 until the 2013 Certificate is fully paid at the rate of 2.59% per annum. Payments of principal, prepayment price and interest with respect to the 2013 Certificate shall be made by the Trustee to the registered owners of the 2013 Certificate in such manner as is set forth in the Trust Agreement, as heretofore amended and as amended by the Second Supplemental Trust Agreement.

Section 2. Except as provided in Section 1 hereof, the 2013 Certificate shall be subject to prepayment at the times, upon the terms and conditions, and at the prices set forth in

the Trust Agreement, as heretofore amended and as amended by the Second Supplemental Agreement.

Section 3. The proceeds of the 2013 Certificate shall be applied as provided in the Second Supplemental Trust Agreement.

Section 4. The forms, terms and provisions of the Second Amendment to Installment Financing Agreement, the Modification of Deed of Trust and the Escrow Deposit Agreement are hereby approved in all respects and, insofar as they are applicable to the County, the terms and provisions of the Second Supplemental Trust Agreement are hereby approved in all respects. The Chairman of the Board, the County Manager, the Finance Officer of the County, the Clerk to the Board and the County Attorney are hereby authorized and directed to execute and deliver the Second Amendment to Installment Financing Agreement, the Modification of Deed of Trust and the Escrow Deposit Agreement in substantially the forms presented, together with such additions, changes, modifications and deletions as they, with the advice of counsel, may deem necessary or appropriate, and such execution and delivery shall be conclusive evidence of the approval and authorization thereof by the Board and the County.

Section 5. The Board hereby approves the award of the 2013 Certificate to the Bank pursuant to the Proposal.

Section 6. The Board hereby approves, ratifies and confirms the actions of the County Manager, the Finance Officer of the County and the County Attorney in connection with this matter.

Section 7. The officers and employees of the County are authorized and directed (without limitation except as may be expressly set forth herein) to take such other actions and to execute and deliver any other documents, certificates, undertakings, agreements or the instruments as they, with the advice of counsel, may deem necessary or appropriate to effectuate the transactions contemplated by the documents approved hereby.

Section 8. The County covenants that, to the extent permitted by the Constitution and laws of the State of North Carolina, it will comply with the requirements of the Internal Revenue Code of 1986, as amended (the "Code"), as applicable to the Installment Financing Agreement, as heretofore amended and as amended by the Second Amendment to Installment Financing Agreement, except to the extent that the County obtains an opinion of nationally-recognized bond counsel to the effect that noncompliance would not result in interest with respect to the 2013 Certificate being includable in the gross income of the owners of the 2013 Certificate for purposes of federal income taxation.

Section 9. The County hereby finds, declares and represents that (a) it reasonably expects that it, all entities subordinate to the County and all entities that issue obligations on behalf of the County (all within the meaning of Section 265(b)(3)(E) of the Code) will not issue in the aggregate more than \$10,000,000 of tax-exempt obligations (not counting private-activity bonds and certain refunding bonds as provided in Section 265(b)(3)(C)(ii) of the Code) during the current calendar year and (b) no entity has been or will be formed or availed of to avoid the limits described above. In addition, the County hereby designates its obligation to make Installment Payments under the Installment Financing Contract, as heretofore amended and as amended by the Second Amendment to Installment Financing Agreement, as a "qualified tax-exempt obligation" for the purposes of Section 265(b)(3) of the Code.

Section 10. If any section, phrase or provision of this resolution is for any reason declared to be invalid, such declaration shall not affect the validity of the remainder of the sections, phrases or provisions of this resolution.

Section 11. All motions, orders, resolutions, ordinances and parts thereof in conflict herewith are hereby repealed.

Section 12. This resolution shall take effect immediately upon its passage.

Upon consideration of the foregoing resolution and motion duly made and seconded, the foregoing resolution was passed by the following vote:

Ayes: Commissioners Jeff Dixon, Joseph S. Winslow, Jr., Lloyd E. Griffin, III, Cecil Perry, William R. Sterritt, Gary G. White, and Frankie Meads.

Noes: None.

* * * * *

Motion was made by Cecil Perry, seconded by Gary White to approve the Consent Agenda as amended. The motion carried.

The following tax releases have been approved by the Finance Officer:

Releases:

	County	City
1. Brian Fredrick Rozos	19.94	15.92
2. William Edward Rhodes	94.86	75.74
3. Ryan Alfred Garron	15.69	
4. Ryan Alfred Garron	63.30	
5. Gwen Elsie Cooley	23.87	17.91
6. Daphne Winslow Wimpey	18.98	
7. Joseph W. & Sandra Riggs	82.18	
8. Steve Felton, Jr.	15.32	12.23
9. William Timothy Davis	20.65	15.49
10. Jennifer Easley Keeling		97.24
11. Frederick Earl Melton	15.19	12.13
12. Robert James Hovanec, Jr.	34.59	30.94
13. Judi Hannah Boles	25.30	25.20
14. Vincent Edward Lindwall	58.90	49.18
15. Wayne Louis Heffner	11.84	
16. Eugene Manly Burns	20.32	
17. Amanda Parrish	5.58	
18. John Harvie Burgess	23.69	
19. Hilton Kenneth Squires	4.90	3.91
20. Mary Weatherly Coltrane	7.57	
21. John Aubrey Seymour	21.95	
22. Francisco Perez	13.12	9.84
23. Donald Lee Perry	9.46	7.55
24. Robert Gregory Thomas	10.79	8.62
25. John Trevor Leeah	92.57	
26. Hal William Willis	8.22	
27. Josephine Cronch Heyder	14.08	
28. Vicky Louvenia Christian	14.39	10.79
29. Vimalkumar Somabhai Patel	25.30	
30. Jeffrey Alan Boone	17.05	
31. Melanie Joseph Parson	12.90	9.68
32. Ryan Alexander Stevenson	93.43	75.08
33. William Edward Summerour	23.22	
34. Charlene Lavone Powell	17.86	13.40
35. Ryan Randolph Cottrell	9.30	
36. Richard Raymond Cole	84.44	
37. Jason Alan Jennison	75.08	61.31
38. Natisha Alisha Leki Brown	6.39	4.79
39. Mary Leona Spirek	18.91	
40. Donald Floyd Creasy	33.48	26.73
41. Virgia Fay Sutton	18.54	13.91
42. Virgia Fay Sutton	2.67	2.13
43. Virgia Fay Sutton	3.66	2.75

11. CONSIDERATION OF RESOLUTION CALLING FOR IMMEDIATE FUNDING FOR THE DREDGING OF OREGON INLET:

The Board reviewed a resolution that was recently adopted by the Dare County Board of Commissioners calling for immediate funding for the dredging of Oregon Inlet. The Board was asked to adopt a similar resolution.

Motion was made by Lloyd Griffin, seconded by Gary White to adopt the following resolution calling for immediate funding for the dredging of Oregon Inlet. The motion carried unanimously.

RESOLUTION CALLING FOR IMMEDIATE FUNDING FOR THE DREDGING OF OREGON INLET

WHEREAS, navigational access through Oregon Inlet is threatened by treacherous shoaling conditions that has resulted in a dangerous situation that threatens the lives and property of commercial and recreational vessels and jeopardizes the economy of the region; and

WHEREAS, many large vessels can no longer gain access to Wanchese Harbor because of the deplorable conditions at Oregon Inlet which have caused some marine related businesses to cease operations and forced commercial fishermen to land their catches at out of state markets, which increases their operating costs and deprives the State of North Carolina of valuable landing quotas in excess of \$1.9 million; and

WHEREAS, Oregon Inlet is a vital waterway that provides access to harbors of safety for commercial and recreational vessels on the North Carolina coast; and

WHEREAS, Oregon Inlet is crucial to the economy of Dare County and the surrounding region with an annual documented economic impact of over \$682 million and generates over \$88 million in federal, state and local tax revenue; and

WHEREAS, without navigational access through Oregon Inlet key Dare County industries will continue to suffer irreparable harm including commercial fishing operations, seafood processing houses, boat builders, recreational fishing and charter boat operators, marine repair facilities, and other local businesses that vitally depend on Oregon Inlet; and

WHEREAS, in addition to the adverse economic impact caused by Oregon Inlet shoaling, public safety is at risk due to shoaling that has prevented United States Coast Guard vessels stationed at Oregon Inlet from being able to use the channel to render emergency assistance to ships in distress off the coast of North Carolina.

NOW, THEREFORE, BE IT RESOLVED that the Pasquotank County Board of Commissioners strongly renews its request that State and Federal agencies immediately begin the work necessary to clear the channel at Oregon Inlet and to appropriate ongoing funding to maintain safe and reliable access as a matter of economic necessity and public safety.

This 14th day of January, 2013.

12. CALENDAR:

The Clerk reviewed the calendar of upcoming meetings/events.

13. COMMENTS FROM COMMISSIONERS:

Commissioner Frankie Meads reported that he attended the meeting of the SPCA Advisory Committee and they are receiving a loan of \$525,000 from the USDA. They have to set aside \$325,000 prior to receiving the loan and the SPCA has raised approximately \$140,000 toward that. They expect to raise the remainder by next year. Commissioner Meads said they will have to obtain a construction loan for the project and will receive the USDA funds when the project is completed.

Commissioner Lloyd Griffin stated that he has been working in New Jersey surveying boats for insurance companies for the past month where 600,000 houses and 1800 miles of shoreline were impacted by five feet of water and sand from Hurricane Sandy. He said the damage could total

as much as \$100 million. He noted that Northeastern North Carolina is very fortunate not to have experienced this type of devastation.

Vice-Chairman Joe Winslow reported that he attended a meeting of the 911 Board last week. He said new telephone equipment has been installed in the 911 Center and is working very well.

Vice-Chairman Winslow also reported that he and some of the other Commissioners attended a dinner at the Nixonton Volunteer Fire Department. He stated that the department has its new fire truck which was very badly needed.

Commissioner William Sterritt reported that the Governance Committee will meet this Friday at 3:00 PM in the Hugh Cale Commissioners Board Room. He stated that the Community Relations Commission has been invited to share its thoughts with the committee regarding the feasibility of changing the structure of the Board of Commissioners as to how Commissioners are elected. The County Attorney and GIS Director Julie Stamper will be at the meeting to make a presentation regarding possible scenarios. He said the overall plan is to have a couple more meetings with this group and then to have meetings around the county to get input from the citizens.

Commissioner Sterritt stated that he had an opportunity a few days ago to be part of the Joint Recreation Advisory Committee and his view on that committee is that he mirrors some of the same thoughts and ramifications about what the committee is and is not as the former Commissioner he replaced on the committee. He noted that a proposal will be forthcoming to increase the size of the committee membership from seven to nine.

14. APPOINTMENTS TO BOARDS AND COMMITTEES:

Commissioner Cecil Perry presented the following recommendations from the Appointments Committee for appointments to boards and committees. He said if any member of the Board would like to nominate additional individuals for any of the boards and committees to do so at this time.

Economic Improvement Council - Nominate Albert Butts to replace Lenora Spence who has resigned. This appointment will lay over until the next meeting for final approval.

Local Emergency Planning Committee - Appoint/reappoint the following slate:

Agency/Representative	Recommendation
Emergency medical	Jerry Newell
Fire fighting	Barry Overman
Fire fighting	Hugh Tarkenton
Health/Transportation	Herb Mullen, Jr.
Emergency management	Christy Saunders
Community groups/Broadcast media	Jeff Madre (Amateur Radio)
Local environmental groups	Tom Campbell
Community/Local environmental groups	Ken Norris, EH & S Manager (DRS C3 Aviation & Logistics)
Hospital	Kathy Lawrence
Owners and operators of covered facilities	LCDR Jacob Wamsley III (USCG Support Center)
Owners and operators of covered facilities	John Gregory
Law Enforcement	Bill Ward
Law Enforcement	John Etheridge
Communication	Jody Rolling
Elected Official	Jeff Dixon (appointed 12-17-12)
Local Official	Randy Keaton
Fire fighting	Paul Kahl, Pasquotank Fire Marshal
Community Group	Rickey Freeman (Elizabeth City State University)
Community/Local Environmental Group	James Snyder, Emergency Response Planner, USCG & CERT member

Adult Care Home Community Advisory Committee - Reappoint Rita Jordan to an additional three-year term and waive the eight-year limit.

EMS Board - Reappoint Dr. Samantha Furia to an additional term.

Newland Water Management & Watershed Improvement Advisory Board - Reappoint Richard Parker and Linwood Williams to additional three-year terms.

Nursing Home Community Advisory Committee - Reappoint Kathy Lawrence to an additional three-year term.

Recreation Advisory Board - Reappoint Herman Little to an additional two-year term.

Adult Care Home Community Advisory Committee - Reappoint Kathy Lawrence and Linda Jones to additional three-year terms.

Aging Advisory Council - Reappoint Sue Norton to an additional two-year term.

Senior Tarheel Legislature - Reappoint Jean Allen to an additional two-year term.

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

Jury Commission - Reappoint Lee Jones to an additional two-year term.

Social Services Board - Reappoint Jeff Dixon to an additional three-year term.

Tourism Development Authority - Reappoint Jeff Dixon, Toni McGovern, Arthur McPherson, and Jean Baker (subject to City Council's approval) to additional two-year terms.

Elizabeth City Board of Adjustment - Reappoint Curtis Albertson to an additional three-year term when his current term expires on July 31, 2013.

Board of Zoning Adjustment - Reappoint Richard Williams, Jr. to an additional three-year term.

Albemarle Commission - Reappoint Lloyd Griffin to additional two-year term when his current term expires on December 31, 2013.

Newland Water Management & Watershed Improvement Advisory Board - Reappoint Paul Stallings, Doug Temple and John Spence to additional three-year terms when their current terms expire on December 31, 2013.

Recreation Advisory Board - Reappoint Walter Jolly and Danielle Horwatt (subject to approval by the City Council because she is the joint appointee) to additional two-year terms when their current terms expire on December 31, 2013.

At the absence of further nominations;

Motion was made by Joe Winslow, seconded by Cecil Perry to approve the appointments to boards and committees as recommended by the Appointments Committee with the exception of the appointment to the Economic Improvement Council which will lay over until the next meeting. The motion carried unanimously.

15. ADOPTION OF RESOLUTION OPPOSING MAKEUP OF MENTAL HEALTH BOARD:

Commissioner Cecil Perry stated that there is very important information in the Board's packet this week regarding how future appointments will be made to the ECBH Board. He said the Board will no longer be made up of Commissioners from 19 counties, but of individuals who meet certain criteria. He noted if the Board has concerns regarding the makeup of the ECBH Board, it should make them known.

Motion was made by Cecil Perry, seconded by Lloyd Griffin to support a resolution expressing the Board's concerns regarding the future composition of mental health boards as outlined in S.L. 2012-151. The motion carried unanimously.

16. DRAFT HUNTING LEGISLATION:

Chairman Dixon stated that tonight Mr. Doug Lane presented draft hunting legislation that he would like for the Board to consider. He said he believes this needs to go to a committee for review and discussion and provide an opportunity for everyone to voice their concerns. He referred this proposal to the Special Projects Committee.

17. REPORT FROM CHAIRMAN:

Chairman Dixon reported that he and Vice-Chairman Winslow will be attending the NCACC's orientation for new board chairs and the Legislative Goals Conference in Raleigh next week.

Chairman Dixon thanked the Solid Waste Director for being at tonight's meeting and also the landfill contractors.

18. CLOSED SESSION TO DISCUSS A PERSONNEL MATTER AND TO PRESERVE THE ATTORNEY CLIENT PRIVILEGE:

Chairman Dixon asked if there was any further business to come before the Board in Regular Session. There being no further business, he asked for a motion that the Board enter Closed Session to discuss a personnel matter, to preserve the attorney client privilege, and to discuss A.C. Schultes v. Pasquotank County.

Motion was made by Cecil Perry, seconded by Joe Winslow that the Board enter Closed Session to approve Closed Session Minutes, to discuss a personnel matter, to preserve the attorney client privilege, and to discuss A.C. Schultes v. Pasquotank County. The motion carried unanimously.

Upon the end of Closed Session:

Motion was made by Joe Winslow, seconded by Gary White that the Board return to Regular Session. The motion carried unanimously.

19. APPROVAL OF SALARY FOR DIRECTOR OF ELECTIONS:

Motion was made by Lloyd Griffin, seconded by Joe Winslow to approve an annual salary of \$38,000 for the new Director of Elections with an increase to \$42,600 after nine months. The motion carried unanimously.

20. APPROVAL OF ENGAGEMENT LETTER WITH JIM SCHENCK:

Motion was made by Gary White, seconded by Cecil Perry to formally approve an engagement letter with Attorney Jim Schenck to work with the county on the A.C. Schultes claim and the county's counter claim. The motion carried unanimously.

Chairman Dixon said he would like to remind everyone about the joint meeting with the Hospital Board tomorrow evening at 5:30 PM at COA in the John Wood Foreman Building.

The County Manager also reminded the Board about the landfill tour scheduled for this Wednesday at 2:00 PM.

There being no further business;

Motion was made by Gary White, seconded by Lloyd Griffin to adjourn the meeting. The motion carried and the meeting was adjourned at 9:10 PM.

Karen James
CLERK TO THE BOARD

[Signature]
CHAIRMAN