

**PASQUOTANK COUNTY, NORTH CAROLINA
FEBRUARY 5, 2024**

The Pasquotank County Board of Commissioners met today in a regular meeting on Monday, February 5, 2024 in the Commissioners Boardroom in the Pasquotank County Courthouse.

MEMBERS PRESENT: Charles Jordan, Chairman
Barry Overman, Vice-Chairman
Lloyd E. Griffin, III
Jonathan Meads
Sean Lavin
Sam Davis
Clifford Shaw

OTHERS PRESENT: Sparty Hammett, County Manager
John Shannon, Assistant County Manager
Mike Cox, County Attorney
Mike Barclift, Management Fellow
Shelley Cox, Planning Director
Lynn Scott, Clerk to the Board

The meeting was called to order at 6:00 PM by Chairman Charles Jordan. Commissioner Lloyd Griffin gave the invocation and Commissioner Sean Lavin led in the Pledge of Allegiance to the American Flag. Chairman Jordan welcomed those in attendance.

1. AMENDMENTS TO THE AGENDA:

Vice-Chairman Barry Overman requested that the agenda be amended to add the following items recommended by the Finance Committee to the Consent Agenda: 1) Approval to Sell Surplus Property on Knobbs Creek Drive; 2) Approval of Amendment to December 4, 2023 Board Minutes; and 3) Approval of Request for Occupancy Tax Funds for Coast Guard Marathon; 4) Approval of Contract for establishing Water System Development Fees; 5) Approval of Service Line Inventory Contract; and adding the following item to New Business: 6) Consideration of Selling Surplus Property in Oak Grove.

Motion was made by Barry Overman, seconded by Lloyd Griffin to amend the agenda to add Items #1-5 to the Consent Agenda and Item #6 to New Business. The motion carried unanimously.

2. COMMENTS BY ROY MURRAY:

Chairman Jordan called on Roy Murray to address the Board. Mr. Murray said he currently has a project going on at 100 Megan Drive. They made their first concrete pour on the property on December 15th. The pour ran until 1:00 AM. The Sheriff's Department came to the site and shut the pour down due to the County's Noise Ordinance. He provided decibel readings from the second pour and a copy of the County's Noise Ordinance. He asked that the Board review the ordinance because the way it reads it only takes two individuals to shut a project like his down. The ordinance does not state a level, but is simply objective to the individuals. He noted that the site abuts Mt. Hermon and there are a couple individuals who do not want the project next to their neighborhood.

3. COMMENTS BY FRANK ROBERTS:

Chairman Jordan called on Frank Roberts of 491 Okisko Road to address the Board. Mr. Roberts said he is here this evening to talk about the proposed drug addiction funds that have been set aside. He feels a needle exchange program will only add to discourage drug addiction. The money should be used to treat victims and to prosecute the criminal enterprises instead of assisting criminals who sell drugs. Hard sentences and long, mandatory prison sentences should be administered to convicted defendants. He feels when one dies from an overdose, the seller should be charged as a capital murderer.

4. APPROVAL OF CONSENT AGENDA:

The Board considered the following consent agenda:

- a. Approval of Minutes of January 16, 2024 Commissioner Meeting

b. Approval of Tax Releases and Refunds

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

Tax Releases

	Taxpayer	County	City
1.	Maxine W. Banks	224.00	
2.	William J. Clayton	811.90	534.55
3.	Truck Alignment Center Inc.	146.08	
4.	J P Morgan Chase Bank NA	376.96	
5.	J P Morgan Chase Bank NA	376.96	
6.	J P Morgan Chase Bank NA	376.96	
7.	J P Morgan Chase Bank NA	381.92	
8.	J P Morgan Chase Bank NA	381.92	
9.	J P Morgan Chase Bank NA	381.92	
10.	J P Morgan Chase Bank NA	381.92	
11.	J P Morgan Chase Bank NA	381.92	
12.	J P Morgan Chase Bank NA	332.32	
13.	J P Morgan Chase Bank NA	332.32	
14.	Kevin P. Stroud	122.14	116.23
15.	Kevin P. Stroud	122.14	116.23
16.	Clyde Stephen & Ellen S. Sutton	144.00	

Tax Refunds

	Taxpayer	County	City
1.	Trevor John Batts	112.37	
2.	John William Bradley Jr.	162.52	
3.	Travis Lee Chambers	110.92	105.55
4.	Nancy Davis Eadie	105.37	
5.	Frederic Vaugh Heckler & Lauri Ann Heckler	199.64	
6.	Grace Marie Hillard-Jones	100.80	95.92
7.	Romona Gregory Outlaw & Clinton Jamaal Outlaw Sr.	125.55	119.47
8.	George Frank Roberts Jr.	122.87	
9.	Josephine Todd White	1,171.18	

Solid Waste Fee Releases

	Owner's Name	Parcel ID #	Reason for Release
1.	Shawn Etheridge Etal	P59-31	Vacant
2.	Ralph S. & Latonja Monique Flowers	P112-90	Vacant
3.	Deborah A. & Larry George	30-A-18-19	Vacant
4.	Harrell Griffin Heirs	P48-4	Vacant
5.	G6 Farms LLC	P38-22	Vacant
6.	G6 Farms LLC	P91-27	Vacant
7.	G6 Farms LLC	P90-31	Vacant
8.	G6 Farms LLC	P90-33	Vacant
9.	Steven R. Harris	P11-9	Vacant
10.	Tony Lewis	23-R-27	Vacant
11.	Tony Lewis	50-L-8	Vacant
12.	Tony C. Lewis	23-R-20,21	Vacant
13.	Tony Lewis	12-G-16A	Vacant
14.	Sarah Overton Heirs	P64-63	Vacant
15.	Horace F. Pritchard	P140-33	Vacant
16.	Vance Meads & Sons Inc	32-F-8	Vacant
17.	William A. Walton Etal	P59-10	Vacant
18.	Mary H. Williams	P80-54	Vacant
19.	Mary H. Williams	P48-20	Vacant

c. Approval of Budget Amendments

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

Newland Park

Increase	010.0991.4991.00	Fund Balance Appropriated	153,705.00
Increase	010.6130.5440.00	Contracted Services	153,705.00

Register of Deeds

Increase	010.0991.4991.00	Fund Balance Appropriated	51,700.00
Increase	010.4180.5800.00	Automation and Preservation	51,700.00

Non-Departmental

Increase	010.0240.4380.20	FEMA	20,933.00
Increase	010.4195.5600.00	Grant Funds	9,135.00
Increase	010.4195.5600.35	Elevation	11,858.00

Non-Departmental

Decrease	010.6900.5991.00	Contingency	3,625.00
Increase	010.4195.5185.00	Unemployment Reserve	3,625.00

Economic Development

Increase	010.0991.4991.00	Fund Balance Appropriated	129,200.00
Increase	010.4920.5625.09	Business Incentive Grants	192,200.00

d. Approval of Lease Proposal with the State of North Carolina

The Finance Committee has recommended approval of a three year lease extension (ending December 31, 2026), with the Department of Agriculture for the Northeast Marketing Center at 1205 McPherson Street in the amount of \$16,475 per annum.

e. Approval of Ambulance Remount

The Finance Committee has recommended approval to remount Ambulance Unit 6826 at a cost of \$125,000, with Emergency Transportation Associates, using Medicaid Hold Harmless funds and its associated budget amendment.

Increase	010.0991.4991.00	Fund Balance Appropriated	125,000.00
Increase	010.4370.5500.00	Capital Outlay	125,000.00

f. Approval of Additional Funding for Trap Neuter Vaccinate Return (TNVR) Program

The Finance Committee has recommended approval of an additional \$15,000 using Contingency Funds to continue the large-scale TNVR events starting April 2024 through the end of Fiscal Year 2023-24 and its associated budget amendment.

Decrease	010.6900.5991.00	Contingency	15,000.00
Increase	010.4380.5440.00	Contracted Services	15,000.00

g. Approval of Using Off Duty Management to Pay for Special Assignments at the Courthouse

The Finance Committee has recommended approval of using Off Duty Management to pay deputies for special assignments at the courthouse which are outside of normal operating hours, and the following amendment to the fee schedule.

PASQUOTANK COUNTY
County Manager’s Office
Fee Schedule

Courthouse Use Fee (outside normal business hours) – ~~\$50.00~~
~~Each additional hour~~\$25.00

The current rates charged by Off Duty Management.

h. Approval of Starting Salary above Hiring Rate for Finance Officer

The Finance Committee has recommended approval of the starting salary for the Finance Officer at Pay Grade 54, Step 10 - \$114,425 based on the applicant’s 11 years of experience as a Finance Director/Officer.

i. Approval to Sell Surplus Property on Knobbs Creek Drive

The Finance Committee has recommended approval to sell county owned property located on Knobbs Creek Drive (P143-63) to American Legion Post 84 Seth E. Perry in the amount of \$2,000. The bid was properly advertised and no additional bids were received during the 10-day upset bid period.

j. Approval of Amendment to December 4, 2023 Board Minutes

The Finance Committee has recommended approval to amend the December 4, 2023 meeting minutes by changing the word “disturbing” to “distributing” in the public comments section.

k. Approval of Request for Occupancy Tax Funds

Coast Guard Elizabeth City has requested \$15,000 in tourism (occupancy tax) funds for this year’s Coast Guard Marathon. The Finance Committee has recommended approval of \$5,000 from the County, contingent on \$5,000 being approved from City funds and \$5,000 being approved from Visit Elizabeth City funds. The Finance Committee also recommended sending a letter of support for the application.

l. Approval of Contract for Establishing Water System Development Fees

The Finance Committee has recommended approval to contract with American Engineering to update the County’s System Development Fees at a not to exceed cost of \$6,000. American Engineering previously assisted staff in 2018.

m. Approval of Service Line Inventory Contract

Staff received two quotes to assist in completing the service line inventory requirement by the EPA that is due by October 16, 2024. The Finance Committee has recommended approval to contract with Potable Water Solutions for \$30,000 due to their knowledge of North Carolina water regulations and proximity to the County.

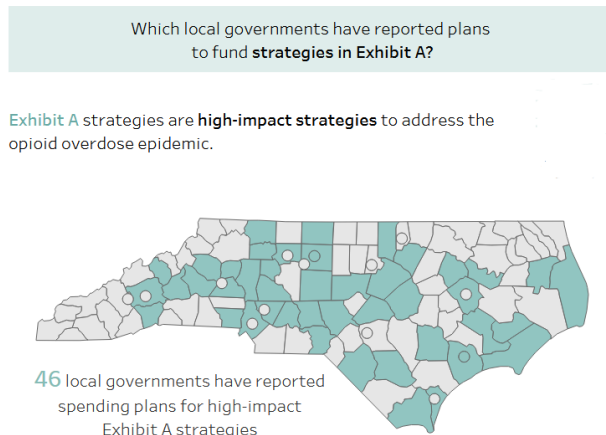
120 Water	Zionsville, Indiana	\$24,000
Potable Water Solutions, LLC	Williamston, NC	\$30,000

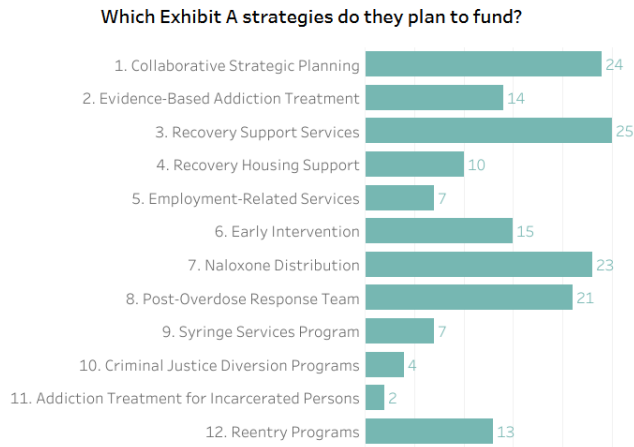
Motion was made by Sean Lavin, seconded by Lloyd Griffin to approve the Consent Agenda, as presented. The motion carried unanimously.

5. OPIOID SETTLEMENT FUNDS UPDATE:

County Manager Sparty Hammett said he would like to start with some data from the dashboard that the state puts together compiling all the information, in terms of transparency, for all the county’s in North Carolina. Forty six of 100 counties have implemented Exhibit A spending plans. Recovery Support Services are the most frequently used solution (27 of 46 counties), followed by Collaborative Strategic Planning, Naloxone, and Post Overdose Response Team. Dare and Tyrrell are the only NENC counties currently with spending plans in place. Tyrrell County has implemented a Syringe Services Program with their funding.

Per the dashboard, Pasquotank County overdose death rate for white non-Hispanic is 23% higher than NC average and is 252% higher than the black population in the county. Pasquotank County overdose death rate for black population increased 349% between 2015 and 2020. Pasquotank is in the top quintile of counties for the percentage of overdose deaths caused by illicit drug use (95% of overdose deaths caused by illicit drug use).





Mr. Hammett explained that the Opioid Settlement Funds Advisory Committee has created and met monthly for over a year to discuss the 12 strategies. The Committee consisted of the subject matter experts most knowledgeable of the Opioid Crisis in Pasquotank County. The Advisory Committee unanimously recommended a Syringe Service Program (SSP) as the initial project using a portion of the Opioid Settlement Funds.

On October 2, 2023, the Board voted 5-2 to have staff bring back cost estimates to renovate the Blount House located at 713 Roanoke Avenue as a potential SSP. There was some opposition by the neighbors around the Blount house so staff recommended and the Board unanimously approved elimination of consideration of renovating the Blount House as a SSP at the December 4, 2023 Board of Commissioners meeting.

Mr. Hammett stated that staff will not recommend moving forward with an SSP due to the lack of an appropriate alternative location. The Committee will reconvene in March and additional recommendations will be provided later this year. He stated that he will take the lead in moving the committee forward and Management Fellow, Mike Barclift, will be added to assist in research.

5. CONSIDERATION OF EQUESTRIAN ESTATES, PHASES 2-6 SKETCH PLAN:

Chairman Jordan called on Planning Director Shelley Cox to provide a staff analysis of the request. Ms. Cox provided the following analysis:

Location: Proposed subdivision will be located on the east side of Main Street Extended adjacent to its intersection with Pritchard Road. Phases 2-6 are directly adjacent to Equestrian Estates, Phase 1.

Owner/Developer: Northeast Development & Unique Cribs,
1305 Campground Road
Elizabeth City, NC 27909

Applicant/Representative: Anlauf Engineering, PLLC
4721 W. Eckner Street
Kitty Hawk, NC 27949



Location Map

Summary of Request:

Anlauf Engineering is requesting Sketch Plan approval for Equestrian Estates Phases 2 through 6 consisting of 69 residential lots. The property is zoned R-35A and lot sizes are proposed to range from .99 acres to 2.88 acres.

Schools: Under the current school districting, students generated from this development would attend Northside Elementary, Elizabeth City Middle and Pasquotank County High School.

Services: Providence Volunteer Fire Department provides fire protection for this area.

Water: This area is served by the Pasquotank County water system and there is adequate water supply and pressure to serve this development.

Wastewater: On-site septic systems are proposed to be utilized at this location. No site evaluations have been performed by Environmental Health at this time.

Flood Zone: The area requested for Sketch Plan approval is located within Flood Zone AE (100 year) and X (500 year) according to FEMA Map 3720894000J effective October 5, 2004.

Staff Comments:

- This property was rezoned from A-1, Agricultural to R-35A, Residential in 2005. Major residential subdivisions are permitted in the R-35A zoning district by right and require 43,000 square foot minimum lot sizes.
- Equestrian Estates, Phase 1 received Final Plat approval in 2006. Sketch Plans for Phases 2-4 were previously approved by the Board of Commissioners, as well as several extensions of those approvals; however the most recent extension expired in 2013. Since no site work had been performed in Phases 2-4, no vested rights were granted for those phases.



Zoning Map

- During the rezoning consideration for this site, NCDOT recommended that the development limit access to Main Street Extended. In order to accomplish this request, internal roads will be provided to all lots and a non-ingress/egress easement is provided along Main Street Extended.
- The Technical Review Committee met on January 3, 2024 to review this proposal. At that time it was noted that there needs to be a cluster mailbox location identified in accordance with USPS requirements. The Sketch Plan has been amended to include a location for cluster mailboxes in front of lot 119.
- The initial Sketch Plan submittal did not extend Asturian Lane to Pritchard Road, which limited internal access between Phase 1 and the remaining phases. At staff's request, the plan has been amended to include this connection which resulted in the elimination of Lot 55.
- Sketch Plans are conceptual layouts and no reviews for drainage or septic systems have been performed. Once Sketch Plan approval is granted, the developer can proceed with the technical design of the project including the drainage plan and infrastructure within the subdivision. Because of the location adjacent to Knobbs Creek and the presence of the 100 year floodplain they anticipate the drainage plan will require some significant

engineering. It is possible that the project would need to be slightly redesigned to accommodate additional drainage that is not shown on the site plan.

- The Pasquotank County Comprehensive Transportation Plan includes a proposed connector road between Highway 17 North and the Highway 17 Bypass in the vicinity of this development. This connector road has not been funded through the State Transportation Improvement Plan (STIP) and will not likely be considered for construction due to the current NCDOT Strategic Mobility Formula.

Planning Board Recommendation:

On January 25, 2024 the Planning Board reviewed this request and found that the Sketch Plan for Equestrian Estates, Phases 2-6 meets the minimum requirements of the Pasquotank County Subdivision Ordinance. The Planning Board recommended approval of the Sketch Plan as presented.

Commissioner Griffin asked Mr. Anlauf what he plans to do regarding the encroachment on Main Street Extended. He noted that the Board had discussions at their last meeting about that corridor needing to be widened in the future. Mr. Anlauf stated that NCDOT will review the plans and make recommendations to them as they get into the technical review process. Commissioner Griffin asked about drainage. Mr. Anlauf stated that they have started the predevelopment analysis of the topography and a vigorous stormwater review by Gregg Johnson. Eventually, they will have roadside swells, lot line swells, and all types of culvert conveyances. There will be quite a bit of grading and drainage work.

Commissioner Griffin said the County doesn't want the swells to be used as crossovers which can cave in or homeowners to fill them up with yard debris. He noted that this has happened in a couple developments and the County has no access to perform cleanouts, which is a real concern. Mr. Anlauf said the angle of the project is for NCDOT to go with the rights-of-way. They have seen in the past where property owners will take a covert and fill the ditch in because they don't like the ditch. Having that as an end-goal will ensure that at least the roadside improvements will remain within the rights-of-way of the roads that are proposed.

Ms. Cox explained that once the sketch plan is approved, Mr. Anlauf will get his calculator and his pen and start working on the drainage plans. The plan will come back to the Board as a preliminary plat. Before that, it will go through technical review, Gregg Johnson's stormwater review, and the Planning Board. She does not anticipate seeing this again for probably another six months to a year to give Mr. Anlauf plenty of time to do the drainage work.

Commissioner Griffin suggested Mr. Anlauf fly the area with a drone so the Board can see what the overall proposal will be. Mr. Anlauf stated that would be a good excuse to buy a drone.

Ms. Cox said she has provided copies of the plan to DOT and they are still reviewing it. They have not indicated at this time whether they will require a wider right-of-way or turn lanes.

Commissioner Davis said he would like to know where DOT proposes to put the connector road, because it doesn't look to him like this development will affect that either way. Ms. Cox said she believes the proposed location is south of Berea Church Road, but the connector road was essentially a line drawn on a map. It was not done with any type of calculations as far as cost. It was really just a pie in the sky, and what they would like to see happen. Unfortunately, the state transportation plans and funding formulas change, and the likelihood of that project ever getting funded is probably nil.

Commissioner Lavin said he would like to restate his concerns with traffic on Main Street Extended. He feels acceleration and deceleration, and turning in and out of driveways on Main Street Extended is very important, as well as drainage, and these are areas that deserve a "hard look" when planning.

Motion was made by Barry Overman, seconded by Sam Davis to approve Equestrian Estates, Phases 2-6 Sketch Plan, as recommended by the staff and the Planning Board. The motion carried unanimously.

6. CONSIDERATION TO SELL SURPLUS PROPERTY IN OAK GROVE:

The Finance Committee has recommended approval to sell County owned properties located in Oak Grove (P122A-219 and P122A-220) to Melvin Reid for \$500; however the vote was not unanimous. The bid was properly advertised and no additional bids were received during the 10-day upset bid period.

Motion was made by Sam Davis, seconded by Clifford Shaw to sell P122A-219 and P122A-220 in Oak Grove to Melvin Reid for \$500. The motion carried unanimously.

7. REPORTS FROM COUNTY ATTORNEY:

County Attorney Mike Cox reported that he met with Roy Murray in his office around the holidays to discuss his concerns regarding the County's noise ordinance. He said the Sheriff's Office is aware of Mr. Murray's concerns and discussions are currently taking place.

8. REPORTS FROM COMMISSIONERS:

Commissioner Lavin participated in the Elizabeth City Downtown Strategic Planning meetings. Several meetings were held throughout the downtown to engage different groups and get some feedback on what the common themes were, and what areas the residents, business owners, and other stake holders thought were of benefit and where opportunities for improvement were. He said it was very interesting to hear the different perspectives. He also participated in some other community meetings. He said there have been some issues with vandalism in the Newland area. He hopes that they are digging into those instances and can get the individuals who are responsible. It has a lot of citizens in that area upset. He said this week the Board received an invite to come out to T-Com on Thursday as part of a NEAAAT tour. He noted that some state legislature representatives will be in attendance. He is looking forward to the retreat at the end of February.

Commissioner Griffin attended several meetings at Albemarle Commission. They continue to do regional outreach to our community through their senior nutrition program, transportation, and workforce development. He stated that there is a continued effort to close the Chowan County Workforce Development facility. The RPO met. They adopted this year's workforce plan proposal and budget. He stated that those who did not attend the Wynton Marsalis concert celebrating Max Roach's 100th birthday missed out on a really good event.

Commissioner Shaw attended the NCACC District I meeting on January 23rd along with Commissioners Griffin, Jordan, and Lavin. On January 25th, he attended the Tourism Development Authority meeting. On January 31st, he attended the clergy prayer luncheon at Elizabeth City State University. On February 3rd, he participated in the SOULS Ministry feeding program. On February 4th, he attended a Black History program at Cornerstone Missionary Baptist Church. Today, he sat on the Animal Control Board, and heard two cases.

Commissioner Davis attended the Human Relations Commission meeting. He also attended the Elizabeth City Downtown Strategic Planning meeting. This morning, he attended the Department of Social Services meeting. He reported that DSS serves almost 12,000 individuals in Pasquotank County, which is almost a third of the county's population. The total Medicaid expenditure, which includes services and administrative costs, totaled \$76,177,227. Their food nutrition services served right at 8,000 people, at a cost of \$18 million.

Commissioner Meads attended the Albemarle Regional Health Executive Board meeting. They revamped some salaries to try to recruit new employees. He attended the Solid Waste/Landfill Committee meeting. He also attended the District I NCACC meeting. It appears to him that surrounding counties are struggling with the same issues that the County is having, including staffing.

Vice-Chairman Overman stated that he was in Charlotte this week trying to convince our insurance commissioner and legislatures not to raise our insurance rates by 30%. He attended the Central Communications Board meeting. He asked the Clerk to reach out to the City, as they do not have a representative on the Board and it is vital that they are represented. He attended the Public Safety Committee meeting where they received a good update from the police chief. They are pushing hard to get their staffing back up. The Sheriff continues to help them cover calls in the interim. They are working together very well.

Commissioner Griffin asked Vice-Chairman Overman if there was discussion when he was in Charlotte regarding the proposed rate increases for the east and west. Vice-Chairman Overman said yes, there was. He noted that the east is in hurricane alley and has tornadoes and the west has wild fires, so it continues to be a struggle in North Carolina. He said they will continue to fight the insurance increases.

Chairman Jordan attended the Economic Development Commission meeting. They are working very hard to try to increase the business community. He attended the Solid Waste/Landfill Committee meeting. He attended the Regional Library Board meeting. He noted that our local library is doing well. They continue to work on how the libraries in our area will move forward. He attended the Committee of 100 Luncheon along with the County Manager. He attended another special Trillium Governing Board meeting. They are working through the challenges of the recent merger. He attended the Jail Board meeting. The new director is doing a great job. They continue to struggle with staffing. He attended a ribbon cutting for Kids Dental. He attended the Intercounty Volunteer Fire Department Banquet. He also attended the NCACC District I meetings. Lastly, he attended the Drainage Committee meeting.

County Manager Hammett reminded the Board of the upcoming Board Retreat on Friday, February 23, starting at 8:00 AM and going until 4:00 PM at Sentara Albemarle Hospital.

There being nothing further to come before the Board;

Motion was made by Sam Davis, seconded by Sean Lavin to adjourn the meeting.
The motion carried unanimously and the meeting was adjourned at 6:45 PM.

CHAIRMAN

CLERK TO THE BOARD