**PASQUOTANK COUNTY, NORTH CAROLINA FEBRUARY 7, 2022**

The Pasquotank County Board of Commissioners met today in a regular meeting on Monday, February 7, 2022 in Courtroom C in the Pasquotank County Courthouse.

**MEMBERS PRESENT:** Lloyd E. Griffin, III, Chairman

Charles H. Jordan, Vice-Chairman

Cecil Perry

Barry Overman

Sean Lavin

Jonathan Meads

**MEMBERS ABSENT:** William “Bill” Sterritt

**OTHERS PRESENT:** Sparty Hammett, County Manager

R. Michael Cox, County Attorney

Sheri Small, Finance Director

Tommy Wooten, Sheriff

Lynn Scott, Clerk to the Board

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

**1. AMENDMENTS TO THE AGENDA:**

Vice-Chairman Jordan requested that the agenda be amended to add the following items recommended by the Finance Committee to the Consent Agenda: 1) Approval of Request for Perquimans County to provide water; 2) Approval of offer for County owned Property; 3) Approval of short-term lease of National Guard Armory to the City of Elizabeth City; and 4) Approval of Budget Amendments.

Motion was made by Charles Jordan, seconded by Cecil Perry to amend the agenda to add Items #1-4 to the Consent Agenda. The motion carried unanimously.

**2. NCDOT PROJECT UPDATES:**

Chairman Griffin recognized Sterling Baker, PE, Division Engineer for NCDOT District I to provide an annual update. Mr. Baker thanked the Board for the opportunity to present. He introduced fellow Division I Staff in attendance including: Win Bridgers, PE – Deputy Division Engineer; Ronnie Sawyer, PE – Division Maintenance Engineer; Gretchen Byrum, PE – Division Project Development Engineer; and Randy Midgett, PE – Division Construction Engineer.

Mr. Baker updated the Board on current and upcoming projects.

Preliminary Engineering

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| **Tip #** | **Route** | **Description** | **Tentative Construction** |
| U-5939 | US 17 Business | SR 1145 (Oak Stump Rd) Improve Intersection | FY 2024 |
| U-5940 | US 17 | SR 1308 (Church St) to US 17 Bus.; Access Management | FY 2028 |
| BP1-R008 | SR 1417 | Pasquotank 15 Bridge #690015 on SR 1417 (Morgans Corner Rd) | FY 2023 |
| 17BP.1.R.88 | SR 1103 | Pasquotank 5 Bridge #690005 on SR 1103 (Esclip Rd) | FY 2022 |
| 15BP.64 | US 158 | Rehab of Bridge #19 over Pasquotank River | FY 2024 |
| BP1-R011 | SR 1367 | Pasquotank 41 on SR 1367 (Long Lane) over Canal, PE | FY 2024 |

Under Construction

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| --- | --- | --- | --- | --- |
| **Tip #** | **Route** | **Description** | **Work Began** | **Anticipated Completion** |
| 17BP.1.R.99 | SR 1144 | Pasquotank 25 Bridge 690025 on SR 1144 (Foreman Bundy Rd) | 2/14/2022 | 10/27/2022 |
| U-5942 | Elizabeth City | Signal System | 10/25/2021 | 12/5/2022 |

Resurfacing & Preservation – Newland FY 2022-2023

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| --- | --- | --- |
| SR 1354 | Millpond Road | From SR 1469 (Sandy Road) to US 158 |
| SR 1360 | Firetower Road | From SR 1363 to SU 158 |

Resurfacing & Preservation – FY 2022-2023

|  |  |  |
| --- | --- | --- |
| SR 1479 | Thunder Road | From SR 1309 (Wellfield Road) to NC 344 |
| SR 1343 | Lovers Lane | From SR 1332 (Creek Road) to US 17 |

Resurfacing & Preservation – Nixonton Area FY 2022-2023

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| --- | --- | --- |
| SR 1148 | Chappell Garden Drive | From SR 1145 (Oak Stump Road) to SR 1147 (Savin Road) |
| SR 1190 | Ranch Drive | From End of Maintenance to SR 1145 (Oak Stump Road) |
| SR 1201 | Farm Drive | From End of Maintenance to SR 1145 (Oak Stump Road) |
| SR 1260 | Ducks Court | From CDS to SR 1259 (Princess Anne Circle) |
| SR 1272 | Kingswood Boulevard | From SR 1259 (Princess Anne Circle) to SR 1275 (Prince William Drive) |
| SR 1273 | Queenswood Boulevard | From SR 1259 (Princess Anne Circle) to SR 1275 (Prince William Drive) |
| SR 1275 | Prince William Drive | From SR 1259 (Princess Anne Circle) to SR 1273 (Queenswood Blvd) |
| SR 1276 | Duchess Lane | From SR 1273 (Queenswood Blvd) to SR 1611 (Royal Way) |
| SR 1277 | Bishop Court | From CDS to SR 1276 (Duchess Lane) |
| SR 1284 | Castle Circle | From SR 1275 (Prince William Drive) to CDS |
| SR 1144 | Simpson Ditch Road | From SR 1139 (Body Road) to US 17 |
| SR 1144 | Foreman Bundy Road | From Perquimans County Line to US 17 |
| SR 1145 | Oak Stump Road | From End of 3 Lens to SR 1144 (Simpson Ditch Road) |

Resurfacing & Preservation – Weeksville Area FY 2022-2023

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| --- | --- | --- |
| SR 1134 | Ludford Road | From Dead End to SR 1169 |
| SR 1129 | Chances Lane Extended | From Dead End to SR 1131 (Davis Road) |
| SR 1129 | Chances Lane | From SR 11278 (Bayside Road) to SR 1131 (Davis Bay Road) |
| SR 1115 | Double Bridge Road | From SR 1116 (Griffin Swamp Road) to SR 1118 (Dryridge Road) |
| SR 1116 | Griffin Swamp Road | From SR 1115 (Double Bridge Road) to SR 1117 (Lula Meads Road) |

Vice-Chairman Jordan asked if DOT will address the ruts on the side of Mill Pond Road when it is resurfaced. Due to the road being so narrow, 18 wheelers run off the road causing deep ruts, which are very dangerous. Mr. Baker said his staff will assess the issue and address anything that they can. Mr. Sawyer noted that the first part from US 158 to Sandy Road, which is the part that is contracted to be resurfaced, is more narrow than the portion from Sandy Road to Turnpike Road. The portion that was widened previously is the more desirable route for the trucks to use. Mr. Baker said DOT made an agreement with the business utilizing the majority of the trucks to send them out towards Turnpike Road. Vice-Chairman Jordan said he does not believe that is happening. He asked if there is a way it can be enforced. Mr. Baker said they had a bond on it at some point. He will check to see how long the bond was for. DOT can post the narrower section of the road to a lower weight limit. Vice-Chairman Jordan noted that speeding is also an issue.

Commissioner Perry asked about several streets within the City limits. Mr. Baker noted that DOT is not responsible for the streets he questioned. Mr. Baker explained that DOT pays the City a sum of money each year to maintain their roads.

Commissioner Lavin thanked the representatives for their presentation, noting that it is very helpful. He fields many calls from residents in the Newland area. That area has had a lot of growth over the last several years, and projects continued growth. He said the Board is willing to work together with DOT to come up with some good solutions that make the roads as safe as possible for the residents.

Commissioner Overman asked when Harvest Point Road is scheduled to be paved. He noted that it is one of the last dirt roads in the County. Mr. Baker said it is currently under construction, and hopefully it will be paved by May of this year.

Chairman Griffin said he has spoken with DOT about the debris clogging up the culverts on Florida Road in the past. Mr. Sawyer said for some reason the trees in the swamp are dead, and they have a lot of trouble with debris in that area. Since he stoke with Chairman Griffin a couple days ago, he has sent staff out to assess it and to come up with a plan. Chairman Griffin stated that Main Street Extended continues to be a problem, and will continue to be with growth. He asked DOT to assess Thunder Road, because it is in very bad shape due to the current hospital construction. He said as we look forward to the next phase of Future I-87, we need to identify an off ramp or an ingress/regress to Morgan’s Corner. There is the potential for a lot of development around that intersection.

Mr. Baker explained that DOT functions under the STI Act. Every two years, the RPOs in each division get to put their points on the projects that they think are most desirable, hoping that they score. At the statewide level, it is 100% data driven; at the regional level, it is 70% data driven; and at the division level, it is 50% data driven. The points they contribute to the division level often work to their benefit. The division pot is the pot with the least money in it. They receive approximately $50 million a year, which does not go far.

Mr. Baker noted that last year DOT was in such a funding crisis that the STI has been modified to state that no new projects are going to be allowed to be entered into the program. Only old projects will be scored. They will be rescoring projects that they had already scored previously. Everybody was in agreement that they would put an interchange in the STI to be scored, but when they changed the rules, they were not allowed to do so. They will have to wait at least another year before they get to that stage.

**3. COMMENTS BY BILL HIEMER:**

Chairman Griffin recognized Bill Hiemer of 107 Osprey Cove to address the Board. Mr. Hiemer spoke in opposition of the two proposed water rate increases. He feels the increases are excessive, especially for young families, retirees on fixed incomes, and new businesses. He suggested tapping into federal government moneys.

**4. CONSIDERATION OF APPOINTMENT TO BOARDS AND COMMITTEES:**

The Board considered the following recommendation made by the Appointments Committee at the last meeting.

* Appoint Jimmy A. Payne, Jr. to the Pasquotank County Library Board

Commissioner Overman, Chairman of the Appointments Committee, noted that no further applications have been received.

Motion was made by Barry Overman, seconded by Charles Jordan to approve the appointment to the Pasquotank County Library Board as recommended. The motion carried unanimously.

**5. APPROVAL OF CONSENT AGENDA:**

The Board considered the following consent agenda:

*a. Approval of Minutes of January 18, 2022 Commissioner Meeting*

*b. Approval of Request for Perquimans County to Provide Water*

The Finance Committee has recommended approval of a request from a citizen to purchase water from Perquimans County for four lots located in Pasquotank County. The lots are very close to the Perquimans County line, and they are located along Perquimans County’s water transmission line from the Pasquotank County Reverse Osmosis Plant. The Pasquotank County water line is across the street from the property, which would require a line bore under the street, and cost approximately $21,000 to $23,000 plus the cost of the water meters.

*c. Approval of Offer for County Owned Property*

The Finance Committee has recommended approval of an offer of $135,000 from Charles R. Wyatt, Jr. and Kimberly A. Barboe for County owned property located at 333 Winfall Boulevard and adoption of the following resolution to begin the upset bid process:

**RESOLUTION AUTHORIZING UPSET BID PROCESS  
FOR PROPERTY LOCATED AT  
333 WINFALL BOULEVARD, WINFALL, NORTH CAROLINA**

**WHEREAS,** the County of Pasquotank owns certain properties more particularly described as follows:

1. PIN # 7940-82-4604 (1 acre more or less); acquired in Deed Book 211, Page 370, Perquimans County Register of Deeds.

**WHEREAS,** the North Carolina General Statutes §160A-269 permits the County to sell

property by upset bid, after receipt of an offer for the property; and

**WHEREAS,** the County has received an offer to purchase the property described above, in the amount of $135,000, submitted by Charles R. Wyatt, Jr. and Kimberly A. Barboe; and

**WHEREAS,** Charles R. Wyatt, Jr. and Kimberly A. Barboe have paid the required five percent (5%) deposit on their offer upon;

**THEREFORE, THE PASQUOTANK COUNTY BOARD OF COMMISSIONERS RESOLVES THAT:**

1. The Board of Commissioners authorizes the sale of the Property described above

through the upset bid procedure of North Carolina General Statute §160A-269.

1. The County clerk shall cause a notice of the proposed sale to be published. The

notice shall describe the Property and the amount of the offer, and shall state the terms under which the offer may be upset.

1. Any person may submit an upset bid to the office of the County clerk within ten (10)

days after the notice of sale is published. Once a qualifying high bid has been received, that bid will become the new offer.

1. If a qualifying higher bid is received, the County clerk shall cause a new notice of

upset bid to be published, and shall continue to do so until a 10-day period has passed without any qualifying upset bid having been received. At that time, the amount of the final high bid shall be reported to the Board of Commissioners.

1. A qualifying higher bid is one that raises the existing offer by not less than ten

percent (10%) of the first $1,000.00 of that offer and five percent (5%) of the remainder of that offer.

1. A qualifying higher bid must also be accompanied by a deposit as hereinabove

described; the deposit may be made in cash, cashier’s check or certified check. The County will return the deposit of any bid not accepted, and will return the deposit on an offer subject to an upset if a qualifying higher bid is received. The County will return the deposit of the final high bidder at closing unless the bidder requests the amount be credited towards the purchase price. In the event the high bid is accepted by the County and the high bidder refuses to close on the Property for any reason the bid will be retained by the County.

1. The terms of the final sale are that:

* the Board of Commissioners must approve the final high offer before the sale is closed, which it will endeavor to do within thirty (30) days after the final upset

bid period has passed, and

- the buyer must pay with cash, cashier’s check or certified check at the time of closing, and

1. Title will be transferred by general warranty deed.
2. The County reserves the right to withdraw the Property from sale at any time before

the final high bid is accepted and the right to reject at any time all bids.

Adopted this 7th day of February, 2022.

*d. Approval of Short Term Lease of National Guard Armory to the City of Elizabeth City*

The Finance Committee has recommended approval of a short-term lease of the National Guard Armory at no cost to the City, with the City being responsible for utilities and maintenance.

*e. Approval of Budget Amendments*

The Finance Committee has recommended approval of the following Budget Amendments:

Economic Development

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| --- | --- | --- | --- |
| Decrease | 010.6900.5991.00 | Contingency | 53,500.00 |
| Increase | 010.4920.5625.09 | Incentive Grants | 53,500.00 |

  Emergency Management

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| --- | --- | --- | --- |
| Increase | 010.0220.4532.00 | Other Grants | 1,000.00 |
| Increase | 010.4330.5636.01 | Additional Funding | 1,000.00 |

  Utilities

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| --- | --- | --- | --- |
| Increase | 060.0550.4839.00 | Miscellaneous Revenue | 39,620.00 |
| Increase | 060.7130.5357.00 | Maintenance-Lines | 39,620.00 |

  Special Appropriations

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| --- | --- | --- | --- | --- |
| Increase | 010.0550.4835.00 | Sale of Assets | 420,000.00 |  |
| Increase | 010.6600.5610.05 | Boys & Girls Club | 150,000.00 |  |  |  | |  |  |
| Increase | 010.6600.5610.10 | Souls | 10,000.00 |  |
| Increase | 010.4195.5575.00 | Land (future PS facility) | 38,520.00 |  |  | |  |  | |
| Increase | 010.6130.5500.00 | Capital Outlay (Northern Park) | 127,000.00 |  |  | |  |  | |
| Increase | 010.4190.5500.00 | Capital Outlay (new Boardrm) | 94,480.00 |  |
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  Parks and Rec

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| --- | --- | --- | --- |
| Increase | 010.0700.4981.21 | Transfer from Capital Reserve | 159,000.00 |
| Increase | 010.6130.5500.00 | Capital Outlay | 159,000.00 |
| Decrease | 021.8200.5960.06 | Reserve-Recreation Fee | 159,000.00 |
| Increase | 021.8200.5980.10 | Transfer to General Fund | 159,000.00 |

  Parks and Rec

|  |  |  |  |
| --- | --- | --- | --- |
| Increase | 010.0230.4370.00 | State Grant | 289,000.00 |
| Increase | 010.6130.5500.00 | Capital Outlay | 289,000.00 |

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

**6. MILLPOND ROAD TRAFFIC SAFETY DISCUSSION:**

County Manager Sparty Hammett said he received a request from a Commissioner that this item be placed on the agenda. He stated that we have multiple representatives from DOT with us, as well as the Sheriff to answer questions.

Commissioner Lavin explained that the volume of traffic on Millpond Road has greatly increased. A couple of weeks ago a life was lost in the Newland community. He thanked DOT for their responsiveness in addressing concerns the Board has brought to their attention in that area previously, and he looks forward to working together on current concerns.

Chairman Griffin recognized Warren Mercer of 1542 Millpond Road. Mr. Mercer stated that we have an issue with people speeding on Millpond Road. He saw the accident that unfolded. The vehicles speed was very excessive. When his tires went off the road, his wheels locked up and he ran into his neighbors trees, and unfortunately he did not make it. He feels really bad for the gentleman, as well as his neighbor who witnessed it.

Mr. Mercer said this is not the first time that he has complained and it’s not the last time he plans to be here. His neighbors are older people and they are not able to get out. He said people are afraid to go to their mail boxes. He mentioned the speed bumps that were installed on Main and Church Streets, as well as signs. He said is it asking too much for the residents of Millpond Road to get some of the same support. Mt. Carmel Missionary Baptist Church had an incident a few years ago. One of his good friends was leaving church. Someone ran off the road and went airborne. His friend died in the church parking lot. Something has to be done. He is not here to blame anyone, but he is here asking for support on behalf of himself and his neighbors.

Vice-Chairman Jordan asked Sheriff Wooten what the Sheriff’s Office can do to addresses these issues. Sheriff Wooten provided statistics for what the Sheriff’s Office has been doing. The Sheriff’s Office has implemented a policy stating that each shift has to perform at least three saturation and/or check points per month throughout the County. From January 2021 to January 31, 2022, 85 saturation patrols were performed. Thirty of those saturations were done on Millpond Road, which is approximately 35% of their saturation patrols. In 2021, there were five wrecks on Millpond Road, two careless/reckless calls, 20 traffic enforcement actions, and 12 calls for traffic issues. A lot of those calls were from citizens asking for help with speeding.

Vice-Chairman Jordan asked what can be done about the 18 wheelers who are supposed to turn left when they come off of Sandy Road and go towards Turnpike Road. Sheriff Wooten said if DOT will put a sign up, the Sheriff has no issue enforcing it. Twice, deputies have met with farmers at the end of the road to ask them to slow their equipment and trucks down. They run radar, but within two or three minutes everyone knows they are there and they slow down. They have been successful in issuing 20 citations. The State Highway Patrol wrote 18 citations in 2021 themselves on Millpond Road. Sheriff Wooten said a checkpoint was performed as well.

Commissioner Lavin said he is glad to hear about the number of saturation patrols focused in that area. He is glad to hear they are doing that. He said maybe we need to look at some options that are more persistent. He asked are there some solutions that we think we can control between both the County and the State resources that we have. That’s the angle he is looking for to moving on, whether it is lighted signs or radar speed limits signs. Sheriff Wooten said he will do a better job in getting deputies up there on a regular basis.

Sterling Baker stated that speed bumps are not allowed on a road with a speed limit great than 25mph.

Commissioner Overman stated that public safety is the career he chose. He said if everybody in the problem areas of the County would call, the Sheriff’s Office would not have enough deputes to respond. He stated that Florida Road and New Road are landfills, because there is a percentage of our population that is not going to abide by any laws or signs. They will get a ticket and as soon as the blue lights go away they will speed again. It is unfortunate that that’s the world we live in. He stated that does not necessitate us doing a better job, but no matter what we do, that percentage of people are going to exist. He received a complaint from a resident today regarding the 35mph zone near Rabbit’s Corner. Unfortunately, there are a percentage of people that are not going to do what they are supposed to do.

Sheriff Wooten asked that citizens contact him with concerns so that he knows what is going on.

Commissioner Lavin said he thinks DOT has all the expertise in this area. DOT knows the options, what laws the roads are governed by, and the Board is looking to them for advice and recommendations on things we should be looking for. Any ideas DOT has, the Board is certainly interested in hearing them, and know what the Board should be asking for.

Mr. Baker noted that they have a meeting with their regional traffic engineers tomorrow. They will discuss the Board’s concerns and put together a list of options and come back and share the alternatives with the Board.

**7. REPORTS FROM COMMISSIONERS:**

Commissioner Meads attended the monthly Solid Waste/Landfill Committee meeting, as well as the Utilities Committee today. He asked for prayers for the Terry Cooper family.

Commissioner Overman attended the Tourism Development Authority meeting. They are moving forward with plans for the Coast Guard Marathon. It looks like there will be a very good turnout, even during the midst of the pandemic. Over 1,000 runners are registered and that number is growing. There are a lot of virtual runners registered as well. He said he will have the Tourism Director provide an update at the Board’s retreat.

Commissioner Lavin stated that several businesses have opened up, which is very exciting. He attended a couple of ribbon cuttings. He attended the Economic Development and Elizabeth City Downtown monthly meetings. We are working with the City to get the Parks and Recreation Committee up and running. He attended the NEATT open house. It was a tremendous event. He couldn’t be happier with the programming, the education, and the resources that the school seems to have.

Vice-Chairman Jordan stated that he has been out of commission for a couple weeks. He did attend a ribbon cutting and the Economic Development Commission meeting. He participated in the virtual Trillium meeting. Their executive director has retired. Additionally, he attended the Drainage Committee meeting. There are several projects currently being worked on.

Commissioner Perry attended the monthly Jail Board meeting. Currently, there are 86 prisoners housed at the jail. He reported that a couple counties have requested to become a part of the Albemarle District Jail system. The Board voted not to add any additional counties at this time. He participated in a virtual Health Board meeting and received the latest COVID case numbers.

Chairman Griffin reported that a few new businesses have opened up downtown, which is exciting. The Economic Development Director is receiving calls regularly inquiring about coming to our region. There is a lot of activity at the Airport. He encouraged the community to continue to push for I-87 and to get the ¼ sales tax referendum passed. If not passed, it will have a large impact on the County’s budget.

There being nothing further to come before the Board;

Motion was made by Jonathan Meads, seconded by Barry Overman to adjourn the meeting. The motion carried and the meeting was adjourned at 7:00 PM.

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CHAIRMAN

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CLERK TO THE BOARD