

**PASQUOTANK COUNTY, NORTH CAROLINA  
OCTOBER 1, 2012**

The Pasquotank County Board of Commissioners met today in a regular meeting on Monday, October 1, 2012 in Courtroom C in the Pasquotank County Courthouse.

**MEMBERS PRESENT:**

Lloyd E. Griffin, III, Chairman  
Jeff Dixon, Vice-Chairman  
Bill Trueblood  
Cecil Perry  
Dr. William R. Sterritt  
Gary G. White  
Joseph S. Winslow, Jr.

**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 Lloyd Griffin who gave the invocation and led in the Pledge of Allegiance to the American Flag.

**1. PRESENTATION OF PINS TO EMPLOYEES FOR YEARS OF SERVICE:**

Chairman Griffin called on the following county employees to receive pins recognizing their years of service to Pasquotank County:

<b>Employee</b>	<b>Department</b>	<b>Years of Service</b>
Ronnie Barefoot	Central Communications	25 years
John Hibbert	Solid Waste Department	20 years
David Meiggs	Sheriff's Department	20 years
Jerry Newell	Emergency Medical Services	15 years
Michael Cox	County Attorney	10 years

EMS Director Jerry Newell, who filled in as Interim Central Communications Director, presented Mr. Ronnie Barefoot with his 25 year pin. Mr. Newell stated that Mr. Barefoot has been with Central Communications since it was originated in Pasquotank County and has trained numerous employees on the operation of 911. He said he has had the pleasure of working closely with Mr. Barefoot over the past year.

Employees who could not attend tonight's meeting were Joy Pritchard who will receive her 25 year pin, Mike Etheridge who will receive his 25 year pin, Walter Jones who will receive his 20 year pin, and Aaron Wallio who will receive his 15 year pin.

**2. PRESENTATION OF PROCLAMATION FOR HOSPITAL & HEALTH SYSTEM PHARMACY WEEK:**

Chairman Griffin recognized Ms. Jennifer Burgess, Pharmacy Services Manager at Albemarle Hospital, to accept a proclamation for Hospital & Health System Pharmacy Week. He asked Vice-Chairman Jeff Dixon to read the following proclamation:

*Proclamation  
Hospital & Health System Pharmacy Week*

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

*Whereas,* patients in hospitals and health systems receive better care when pharmacists are directly involved in medication management decisions; and

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

*Whereas*, the pharmacists and pharmacy technicians practicing in the hospitals and health-systems of Pasquotank County contribute to the health and well-being of our citizens; and

*Whereas*, the American Society of Health-System Pharmacists and Albemarle Hospital have declared October 21-27, 2012 National Hospital & Health-System Pharmacy Week with the theme Health System Pharmacy-dedicated to quality and safety in healthcare.

*Now, therefore, be it resolved* that the Pasquotank County Board of Commissioners hereby proclaims October 21-27, 2012 as *Hospital & Health-System Pharmacy Week* in Pasquotank County and urges all of our citizens to acknowledge the valuable services of the pharmacists and pharmacy technicians who work in inpatient, outpatient, home-care, and long-term-care settings and all they do to help patients make the best use of their medicines.

*In witness whereof* I have hereunto set my hand and caused this seal to be affixed this 1<sup>st</sup> day of October, 2012.

Mrs. Burgess stated that she works with a very dedicated group of people in the pharmacy at Albemarle Hospital and they are committed to quality and safety. She thanked the Board for proclaiming Hospital & Health System Pharmacy Week.

### **3. PRESENTATION BY TOMMY THOMPSON WITH NC 20:**

Chairman Griffin recognized Mr. Tommy Thompson, Chairman of NC 20, who said he is here tonight to talk about the assaults on Eastern North Carolina in a number of areas by people who are well-intended, but not very well-educated on the issues. He stated that the most recent assault which NC 20 just managed to turn back successfully was on sea-level rise. He said they are also involved in things like stormwater regulations and homeowners insurance. He referred to a *Time Magazine* article from 1974 in which the climate scientists proclaimed there was going to be a cataclysmic ice age. He said they were wrong then and now they are saying there is going to be a 39-inch sea-level rise because of global warming and they are wrong now. Mr. Thompson stated that numerous tide gauges around the world are showing deceleration. He said NC 20 is fighting a group of people who are very dedicated to the theory that 39 inches of sea level rise will occur in the next 88 years by the year 2100. He stated it would be devastating to this county to take the highest ever flood level and add 39 inches to it which would be the new flood zone. He said this is what the state had in its language before NC 20 got to them. He noted that if the state had mandated this rule it would have had a serious impact on construction, on insurance, and on financing for anyone in a flood zone. He explained that NC 20 stopped this for four years with House Bill 819 which stated that sea-level rise had to be scientific, not extrapolated, not imaginary, but had to be based on actual data. The Coastal Resources Commission was given four years to come up with better science. Mr. Thompson said he is here tonight to thank the county for its participation as a member of NC 20, to ask for continued participation, and to answer any questions the Board may have. He stated that NC 20 is a non-profit 501C(4) organization representing state and local government. He said they recently held a symposium in Currituck, have one coming up in Morehead City on October 10, and hope to have one in Elizabeth City within the next year. The Board thanked Mr. Thompson for his presentation.

### **4. CDBG PUBLIC FACILITY AND INFRASTRUCTURE GRANT:**

County Manager Randy Keaton advised the Board that the city's CDBG grant application for \$500,000 for renovations to the former Elizabeth City Middle School has been approved. He said the public hearing had been advertised in case the city did not get the grant, therefore the Board will not need to move forward with the grant application unless it wants to apply for a grant to renovate another portion of the building. He explained that the grant that has just been announced is focusing on the HVAC system and the first floor of the building.

Motion was made by Jeff Dixon, seconded by Gary White to remove from the agenda the public hearing on a CDBG grant application for renovations to the former Elizabeth City Middle School. The motion carried unanimously.

**5. AMENDMENTS TO THE AGENDA:**

Chairman Griffin asked if there were any amendments to the agenda. Vice-Chairman Dixon requested that the following items recommended by the Finance Committee at its meeting today be added to the agenda: 1) Approval of request for a late property tax exemption or exclusion application and pending elderly exclusion application; 2) Approval of refinancing proposal from SunTrust Equipment Finance & Leasing Corp.; and 3) Rejection of two RO plant wells.

Motion was made by Jeff Dixon, seconded by Cecil Perry to amend the agenda to include the three items listed above. The motion carried unanimously.

Motion was made by Bill Trueblood, seconded by Joe Winslow to move items #1 and #2 to the consent agenda. The third item will be considered under New Business. The motion carried unanimously.

Commissioner Perry stated that the Appointments Committee would like to present recommendations for appointments to boards and committees.

Motion was made by Cecil Perry, seconded by Joe Winslow to add the recommendations from the Appointments Committee to the consent agenda. The motion carried unanimously.

**6. APPROVAL OF CONSENT AGENDA:**

The Board considered the following consent agenda:

*a. Approval of Minutes of September 17 and 24, 2012 Commissioner Meetings*

*b. Approval of Tax Releases and Refunds*

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

Releases:

	County	City
1. Redbox Automated Retail LLC	132.81	106.03
2. Mark Allen Schad, Jr.	122.14	96.61
3. Scott Edward Lutzman	137.45	108.09
4. Edward Lee Fowler & Alan B. Kelchner, Jr.	348.00	222.75
5. Hunter L. & Andrea Mathews	121.52	
6. Kimberlie Lynne Myers	168.02	131.02
7. First Citizens Bank & Trust Co.	121.90	97.32
8. Donnie Lee Stokes	144.00	
9. Vincent William Cupcutt III	119.04	
10. Andrew Neal Rice	186.43	
11. Michael Anthony Grafton	111.91	
12. Nicole Blair Robertson	136.90	107.67
13. Bryan Raymond Meek	142.85	
14. Express Linens, Inc.	698.09	557.35
15. Sandra A. Garza	103.48	
16. Thomas James Huntley	134.17	105.63
17. Thomas James Huntley	172.61	129.46
18. Gerry D. Coleman	144.58	
19. Margaret B. Barham	144.00	
20. O.C. Fulcher	144.00	
21. Lenton Ruben Griffin	144.00	
22. Sterling S. & Shirley B. Griffin	144.00	
23. George O. & Margaret Halstead	144.00	
24. J.C. Lewis Heirs	144.00	
25. Rubenia S. Williams	144.00	
26. Rubenia S. Williams	144.00	
27. Hazel T. Godfrey	75.00	
28. James E. Miller Heirs	144.00	
29. Larry Alan Bryant Etal	144.00	
30. Domestic & Overseas Inv Co. Inc.	144.00	
31. Domestic & Overseas Inv Co. Inc.	144.00	

32.	Gerald Kent Edwards	144.00
33.	Carrie J. Bernard	144.00
34.	Floyd Eugene Simpson	144.00
35.	Aaron Vincent Clifton	144.00
36.	Woodyworks LLC	144.00
37.	Griffin Harrell Heirs	144.00
38.	Evelyn R. Poole Etal	144.00

## Refunds:

1.	Martin L. Butts, Jr. Etal	143.28
2.	Queenester S. Baker	143.28
3.	Sallie B. & Joseph A. Stimatz	143.28
4.	Sallie B. & Joseph A. Stimatz	143.28
5.	Sallie B. & Joseph a. Stimatz	131.34
6.	Sallie B. & Joseph A. Stimatz	118.80
7.	Sallie B. & Joseph A. Stimatz	118.80
8.	Goldie J. Wright	143.28

c. Approval of Extension of Lease Agreement for Probation and Parole Offices

The Finance Committee has recommended approval of a request from the North Carolina Department of Public Safety for a three-year renewal of the lease for 940 square feet of office space in the probation and parole building for the district administrator's office at a rate of \$12 per square foot or \$11,280 per year.

d. Approval of Request for a Late Property Tax Exemption or Exclusion Application and Pending Elderly Exclusion Application

The Finance Committee has recommended that the Board approve an elderly exclusion application by Nellie Spain. The application was submitted before the June 1 deadline, but due to additional information that was needed the application could not be approved by the deadline. The Tax Office has determined that the applicant would have been eligible and is requesting approval of the late application. The total amount of county tax to be excluded is \$178.74 and the amount of city tax to be excluded is \$87.62.

The second application from the SPCA of Northeastern North Carolina was submitted after the deadline, however the applicant would have been eligible as a nonprofit had they submitted prior to the deadline. The Finance Committee has recommended approval of the application. The amount of tax to be excluded is \$1,190.40.

e. Approval of Refinancing Proposal from SunTrust Equipment Finance & Leasing Corp.

The Finance Committee has recommended approval of a proposal from SunTrust Equipment Finance & Leasing Corp. to modify the existing loan with them for the COA/Old Library renovation project. The balance of the loan is currently \$4,567,500 with an interest rate of 4.32%. SunTrust has offered to reduce the interest rate to 2.76% which will reduce the county's interest cost over the remaining life of the loan by \$554,397.50.

f. Recommendations from the Appointments Committee

The Appointments Committee has recommended the following appointments to boards and committees:

Albemarle Hospital Authority Board of Commissioners - Reappoint Jeff Aldridge and Mary Anne Keyes; Appoint Commissioners Lloyd Griffin and Joe Winslow to replace Commissioners Jeff Dixon and Cecil Perry; Appoint Edward Muzzulin to replace Sue Weimar as Perquimans County's representative.

Planning Board - Appoint David McGuire and Robert L. Pippen, Jr. to replace James Fletcher and Richard Parker who have exceeded the eight-year limit.

Nursing Home Community Advisory Committee - Appoint David Boone to replace Betty Joe Layden who has exceeded the eight-year limit.

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

**7. APPROVAL OF AMENDMENT TO COUNTY ORDINANCE PROHIBITING SMOKING IN CERTAIN COUNTY BUILDINGS:**

The Board considered a proposed amendment to the ordinance which prohibits smoking in certain county buildings. The ordinance has not been updated since numerous buildings have been added or deleted.

Motion was made by Cecil Perry, seconded by Jeff Dixon to approve the Amended Ordinance Prohibiting Smoking in Certain County of Pasquotank Buildings as proposed. The motion carried unanimously and the following amended ordinance was adopted.

**AMENDED ORDINANCE PROHIBITING  
SMOKING IN CERTAIN COUNTY OF  
PASQUOTANK BUILDINGS  
ORDINANCE No. 12-3**

**WHEREAS**, pursuant to Section 153A-169 of the General Statutes of North Carolina, a county's board of commissioners may adopt by ordinance regulations concerning the use of county property; and

**WHEREAS**, pursuant to Section 153A-121 and 153A-123 of the General Statutes of North Carolina a county may by ordinance define, regulate, prohibit, or abate acts or conditions detrimental to the health, safety or welfare of its citizens and the peace and dignity of the county; and

**WHEREAS**, the Pasquotank County Board of Commissioners desires to adopt an ordinance to prohibit the smoking or use of tobacco products within certain county buildings in order to provide for the health, safety and welfare of citizens and county employees accessing county offices and the courts and in order to enhance the efficient and undisturbed operation of county government and the courts.

**NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF PASQUOTANK, THAT:**

Section 1. It shall be unlawful for any person to smoke tobacco products, to cause or allow smoke to be emitted from tobacco products or to use smokeless tobacco products within the following county buildings:

Pasquotank County Courthouse  
W.C. Witherspoon Memorial Library  
Pasquotank County Health and Social Services Building  
Pasquotank County Cooperative Extension Building  
Pasquotank County Tax and Register of Deeds Office Building  
Public Safety Building  
Pasquotank County Convenience Sites  
Pasquotank County Landfill Facilities  
Electronics Recycling Center  
Edgewood Center  
Harrell House  
Northeast Marketing Center  
Pasquotank County Utilities Building  
Pasquotank County Water Plant Building and accessory buildings located on the Pasquotank County Water Plant property  
Pasquotank County Reverse Osmosis Water Plant  
Probation and Parole Office  
Albemarle District Jail

Section 2. It shall be unlawful for any person to leave tobacco product ashes or residue, cigarettes or cigarette butts upon any floor, stairway, window sill, or any other surface within the county buildings named in Section 1. of this ordinance.

Section 3. The violation of this ordinance shall be a misdemeanor and upon conviction shall be punishable by a fine not more than five hundred dollars (\$500.00) or imprisonment for not more than 30 days.

Section 4. This ordinance shall become effective upon its adoption.

ADOPTED by the Board of Commissioners of Pasquotank County, North Carolina on the 1st day of October, 2012.

**8. APPROVAL OF TRANSFER OF U.S. 17 SEWER LINE:**

The Board reviewed a bill of sale and deed of easement to transfer the sewer line that runs from Knobbs Creek Drive to the Pasquotank County Commerce Park lift station. County Attorney Mike Cox said this would finalize the terms of the sewer agreement signed by the county and city in 2005. He said the purpose of the agreement was to provide the Commerce Park with sewer capacity in order to expand the Commerce Park and provide jobs for the community. The agreement provided that the sewer line would be transferred to the city upon completion. The easements that the county acquired during the sewer line installation are also being transferred to the city.

Motion was made by Joe Winslow, seconded by Jeff Dixon to approve the bill of sale and deed of easement transferring the sewer line from Knobbs Creek Drive to the Commerce Park lift station to the City of Elizabeth City. The motion carried unanimously.

**9. APPROVAL OF CONFIDENTIALITY AGREEMENT TO BE USED IN THE RFP PROCESS FOR THE HOSPITAL:**

The County Attorney explained that during the RFP process for the hospital there will be certain information exchanged between hospital entities that are interested in submitting a proposal. Competitive healthcare information is not public record and the purpose of this proposed confidentiality agreement is to preserve that confidentiality.

Motion was made by Gary White, seconded by Cecil Perry to approve the proposed confidentiality agreement to be used in the RFP process for the Hospital. The motion carried unanimously.

**10. REJECTION OF TWO WELLS FOR THE RO PLANT:**

Commissioner Bill Trueblood explained that the RO well specifications required that the wells produce up to certain minimum standards. During the development process A.C. Schultes of Carolina, Inc. was never able to get the Ownley well and the Wesley II well to produce to the required efficiency standards, therefore the wells should be rejected. He stated that the wells produced water, however the size motor and the depth from which the wells had to pump would result in additional energy costs to the county in order to pump the required amount of water.

Motion was made by Bill Trueblood, seconded by Cecil Perry to officially notify A.C. Schultes of Carolina, Inc. that the county has chosen to reject the Ownley well and the Wesley II well because they did not meet performance standards pursuant to the contract.

Discussion followed and Commissioner William Sterritt asked what the consequences would be for the plant to operate without these two wells. Mr. Cox stated that the RO plant needed four wells, however it was decided during the construction process to add two more wells for future capacity. The wells are not currently being used and are valved off therefore there would be no effect on the plant operations at the present time.

The motion carried unanimously.

**11. REPORTS FROM COUNTY MANAGER:**

County Manager Randy Keaton reported that there was an equipment breakdown at the landfill today. He said the backhoe that has been used at the transfer station on an interim basis had a mechanical problem and the needed part could not be found. The Water Department took another backhoe to the transfer station to be used until the part can be replaced. Mr. Keaton said

the new piece of equipment should be received this month. He added that the Kubota had a fuel problem but it was repaired rather quickly and put back in service.

## **12. REPORT FROM COUNTY ATTORNEY:**

County Attorney Mike Cox reported that the county has received pre-clearance from the Justice Department regarding the quarter cent sales tax referendum for the November general election. The County Manager added that information about the sales tax is on the School System's website and COA's website as well as the county's.

## **13. REPORTS FROM COMMISSIONERS:**

Commissioner William Sterritt reported that the SPCA will be meeting tomorrow evening at 6:00 PM in the Public Safety Building.

Commissioner Bill Trueblood reported that the Water Committee will be meeting this Wednesday at 2:00 PM and he encouraged everyone to attend. He requested that Commissioner Perry, Chairman of the Special Projects Committee, schedule a meeting of the committee to discuss several items.

Commissioner Gary White stated that he will be going on vacation tomorrow through Sunday of this week. He reported that he visited the landfill on Saturday and saw no problems. He stated that he attended his first RC&D Council meeting last Friday.

Chairman Griffin stated that he spoke with Ann Hoffman, Editor of *The Daily Advance*, about the editorial opinion that appeared in Sunday's newspaper regarding the hospital and the relationship between Vidant and the Hospital Authority. He noted that there needs to be a separation between the management agreement and the Authority, and the Authority and the RFP Task Force. He reported that letters have been sent to all of the individuals who spoke at the public hearing last week thanking them for their participation.

Chairman Griffin said he went to the landfill last week to see the grinding operation. He said the concrete and asphalt are separated to be used as base material and cover material for roads at the landfill. He said grinding this material will save a lot of money for Pasquotank County because the cost of grinding is \$6 per ton while the cost to purchase road material would be \$21 per ton.

Chairman Griffin noted that there was recently a blog referencing the old Elizabeth City Middle School and who will be served by the renovation project. He said it needs to be made clear that the project will serve the 400 or 600 unserved or underserved youth of the community. He stated that it will provide educational and athletic opportunities and will provide underprivileged and other kids the chance to grow their skills. Mr. Keaton added that the bloggers also stated that the building is unsafe and structurally deficient. He said this was true for the annex portion of the building, but was never true for the main part of the building which has always been structurally sound. Another concern of the Board of Education when it was considering options for the middle school was that the building site is small, has access problems and floods. Commissioner Cecil Perry noted that the old middle school will serve the youth of the community, not just the underprivileged or at-risk, because anyone can participate. Vice-Chairman Dixon stated that at-risk means different things to different people, but to the Boys & Girls Club it means kids that are going home to an empty house because both parents are working and there is no supervision at home. Because of this, these kids tend to fall into the wrong crowds and get into trouble. He said if a structured place is provided where they can do their homework, receive mentoring, and get involved in sports, it would take them out of potentially bad situations.

Chairman Griffin stated that the next meeting of the Hospital Joint RFP Task Force will be held next Monday, October 8, when the final draft of the Request for Proposals will be reviewed. He said the community needs to understand that the task force, the Hospital Board and the Board of Commissioners are accepting comments on the RFP.

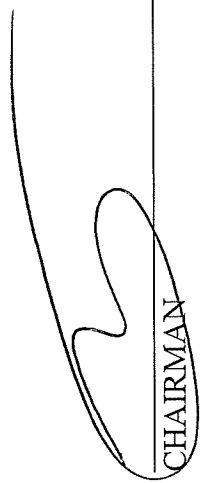
Commissioner Trueblood announced that Chesson New Holland has paid a deposit to purchase land in the Pasquotank County Commerce Park to locate their farm equipment dealership to serve Northeast North Carolina and Southeast Virginia. He said they propose to erect a building costing between \$2 to \$3 million with an inventory of \$4 to \$6 million in equipment. The company initially plans to employ between 10 and 15 employees. A public hearing on the sale

of the property will be held at the November 5 Commissioner meeting and the Chessons hope to break ground soon thereafter and be open for business by next spring.

Chairman Griffin asked if there was anything further to come before the Board. There being no further business, he asked for a motion to adjourn the meeting.

Motion was made by Gary White, seconded by Jeff Dixon to adjourn the meeting. The motion carried unanimously and the meeting was adjourned at 8:00 PM.

  
CLERK TO THE BOARD

  
CHAIRMAN