

**PASQUOTANK COUNTY, NORTH CAROLINA  
OCTOBER 5, 2020**

The Pasquotank County Board of Commissioners met today in a regular meeting on Monday, October 5, 2020 in Courtroom C in the Pasquotank County Courthouse.

**MEMBERS PRESENT:** Jeff Dixon, Chairman  
Lloyd E. Griffin, III, Vice-Chairman  
Cecil Perry  
Frankie Meads  
Charles H. Jordan  
Sean Lavin  
Barry Overman

**MEMBERS ABSENT:** None

**OTHERS PRESENT:** Sparty Hammett, County Manager  
Lynn Scott, Clerk to the Board  
Mike Cox, County Attorney  
Shelley Cox, Planning Director

The meeting was called to order at 6:00 PM by Chairman Jeff Dixon. He welcomed those in attendance. Commissioner Jordan gave the invocation and Frankie Meads led in the Pledge of Allegiance to the American Flag.

**1. AMENDMENTS TO THE AGENDA:**

Chairman Dixon asked if there were any amendments to the agenda. Finance Committee Chairman Lloyd Griffin requested the agenda be amended to add the following items recommended by the Finance Committee today: 1) Approval of Sale of Former Elizabeth City Middle School; and 2) Approval of Purchase of Pasquotank County Portion of South Mills Water Association.

Motion was made by Lloyd Griffin, seconded by Sean Lavin to amend the agenda to add Items #1 and #2 to the Consent Agenda. The motion carried unanimously.

**2. PRESENTATION OF PROCLAMATION FOR PHARMACY WEEK:**

Chairman Dixon called on Jennifer Burgess, Clinical Pharmacy Specialist with Sentara Albemarle Medical Center, to accept a proclamation for Pharmacy Week. He read the proclamation as follows, and then presented it to Ms. Burgess:

**Proclamation**

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

*Whereas,* patients in hospitals and outpatient clinics 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 acute and ambulatory care settings of Pasquotank County contribute to the health and well-being of our citizens, and

*Whereas,* ASHP and Sentara Albemarle Medical Center have declared October 18-24, 2020 as Pharmacy Week.

**Now, therefore, be it resolved** that I, Jeff Dixon, Chairman, do proclaim October 18-24, 2020 as

**Pharmacy Week**

in Pasquotank County and urge all 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.

Ms. Burgess thanked the Board for the proclamation on behalf of the pharmacy team at Sentara Albemarle Medical Center. She reminded everyone to get their flu shots. She said there will be a drive thru flu vaccine event on the COA campus, sponsored by Sentara Albemarle Medical Center, this coming Saturday from 8-12pm.

**3. APPROVAL OF APPOINTMENTS TO BOARDS AND COMMITTEES**

Commissioner Jordan, Chairman of the Appointments Committee noted that there are no appointments or reappointments at this time.

**4. APPROVAL OF CONSENT AGENDA:**

The Board considered the following consent agenda:

*a. Approval of Minutes of September 14, 2020 Commissioner Meeting*

*b. Approval of Tax Releases and Refunds*

The Finance Committee has recommended approval of the following tax releases, solid waste fee releases, and solid waste fee refunds:

**Tax Releases**

		County	City
1.	Piedmont Natural Gas Co Inc.	5,455.45	
2.	Carol K. Southward	665.75	507.62
3.	Greater Faith Assembly of Christ Church	1,105.72	940.58
4.	Sylvia Barkley Deerfield	415.50	294.75
5.	Barnhill Contracting Co.	8,928.15	
6.	Richard J. Haun	363.67	

**Solid Waste Fee Releases**

		Parcel ID #	Reason for Release
1.	Mary Anderson	P120A-57	Vacant
2.	Virginia Brooks	P58-11	Vacant
3.	Emma Chisolm & Denise Harrell	P89A-224	Vacant
4.	Charles Jr. Carolyn J. P. Everett	21-F-10 11A	Vacant
5.	Margaret Graham	P133A-45	Vacant
6.	Eudora B. Harvey	26-A-4	Vacant
7.	Eudora B. Harvey	26-A-19	Vacant
8.	Eudora B. Harvey	26-A-34 & 33	Vacant
9.	Eudora B. Harvey	26-A-35	Vacant
10.	Eudora B. Harvey	29-D-24	Vacant
11.	Eudora B. Harvey	26-A-49	Vacant
12.	Eudora B. Harvey	P122-A-70	Vacant
13.	Eudora B. Harvey	P122A-68	Vacant
14.	Edward Bailey Holloman & Jo Ann Jezard	P142B-58	Vacant
15.	Pamela Lassiter Bright	P133A-58	Vacant
16.	Elise Landrum	P91-33	Vacant
17.	W. D. & Phyllis Looney	P141-134	Vacant
18.	Herman Ray Meads Jr.	P58-50	Vacant
19.	Pearl St. Pentecostal Church Inc.	12-D-14	Vacant
20.	Edward F. Jr. & Ruth Self	P111-22	Vacant

**Solid Waste Fee Refunds**

		Parcel ID #	Reason for Release
1.	Dildra Lax	26-B-4	Vacant
2.	Gertrude Williams	P111A-18	Vacant

c. Approval of Late Property Tax Exemption/Exclusion Application

The Finance Committee has recommended approval of the following late property tax exemption/exclusion applications:

Taxpayer	Reason	Date Requested	Amount
Robert E. Notaro	Disabled Exclusion	09-02-2020	\$893.37
William Floyd Jackson	Disabled Exclusion	09-01-2020	\$710.25

d. Approval of Budget Amendments:

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

Cares Funds

Increase	010.0240.4380.25	Federal Grants	772,902.00
Increase	010.4195.5693.05	City of Elizabeth City	225,000.00
Increase	010.5910.5636.01	Additional Funding – COVID-19	250,000.00
Increase	010.6600.5625.01	Tourism Development Authority	20,000.00
Increase	010.4195.5999.01	COVID-19	277,902.00

Non-Departmental

Increase	010.0230.4370.00	State Grants	92,835.00
Increase	010.4195.5600.14	COA/Hospital Boardwalk	92,835.00

Sheriff

Decrease	010.4310.5490.00	Grant Match	33,300.00
Increase	010.4310.5500.00	Capital Outlay	33,300.00

Econ Development

Increase	010.0991.4991.00	Fund Balance Appropriated	20,000.00
Increase	010.4920.5440.00	Contracted Services	20,000.00

Seized Assets

Increase	020.0240.4431.05	Forfeiture-Federal	36,000.00
Increase	020.0500.4831.00	Interest Earned	4,000.00
Increase	020.0550.4839.00	Miscellaneous Revenue	8,000.00
Increase	020.4300.5269.00	Law Enforcement Expenses	39,500.00
Decrease	020.0991.4991.00	Fund Balance Appropriated	8,500.00

Sheriff

Increase	010.0991.4991.00	Fund Balance Appropriated	45,395.00
Increase	010.4310.5500.00	Capital Outlay	45,395.00

Non-Departmental

Increase	010.0991.4991.00	Fund Balance Appropriated	16,000.00
Increase	010.4195.5440.00	Contracted Services	16,000.00

e. Approval of Transfer of Title for Grapple Truck to City of Elizabeth City

In 2005, the County acquired a grapple truck through a grant and provided it to the City through an inter-local agreement. The grapple truck was totaled, but the title remains with the County. According to the statutes, the County can convey the title to the City at no cost as an inter-governmental transfer. The Finance Committee has recommended approval of the transfer.

f. Approval of Eight Hours of Vacation Time for United Way Drawing

The Finance Committee has recommended that the Board authorize eight hours of vacation time for one employee whose name will be drawn from a pool of all employees who contribute a minimum of \$24 to the United Way.

g. Adoption of Proclamation for Domestic Violence Awareness Month

Due to COVID-19 restrictions, Albemarle Hopeline asked elected officials across our six-county service area to participate in a region-wide Video Proclamation for Domestic Violence Awareness Month. This video will then be shared on their social media accounts during the month of October to raise awareness about domestic violence issues, and to show victims that

they are not alone during these challenging times. Vice-Chairman Griffin volunteered to do the video, and read the following proclamation for Pasquotank County.

**PROCLAMATION  
FOR DOMESTIC VIOLENCE AWARENESS MONTH**

*OCTOBER 2020*

**WHEREAS**, domestic violence includes not only physical abuse, but also mental abuse, emotional abuse, financial abuse, isolation, and sexual violence; and

**WHEREAS**, intimate partner violence accounts for 15% of all violent crime; and

**WHEREAS**, 1 in 4 women and 1 in 9 men experience severe intimate partner physical violence, sexual violence, or stalking; and

**WHEREAS**, according to the North Carolina Coalition Against Domestic Violence, there were 57 homicides attributed to domestic violence in North Carolina in 2019, and 44 to date already in 2020; and

**WHEREAS**, the Pasquotank County Board of Commissioners recognizes the significant impact of domestic violence on individuals, families, children, schools, and workplaces in our community; and

**WHEREAS**, by working together, we can raise awareness and break the cycle of violence in order to build communities that are safe for everyone;

NOW, THEREFORE, I, Lloyd E. Griffin, III, Vice-Chairman of the Pasquotank County Board of Commissioner, NC, do hereby proclaim October, 2020, as “DOMESTIC VIOLENCE AWARENESS MONTH”, and commend its observance to all citizens.

*h. Approval of Sale of Former Elizabeth City Middle School*

The Finance Committee has made the following recommendations:

- Accept the \$420,000 “Proposal to Accept” (Offer to Purchase from JDL) with associated terms and adopt the following resolution authorizing the upset bid process.
- Authorize the County Manager to work with the Boys and Girls Club to negotiate alternatives, to include a lease buyout option.
- Authorize the County Manager to work with City administration and PAL leadership to negotiate details of a lease back agreement for the gymnasium.
- The sale is contingent on all terms being met, and transfer of ownership to JDL.

**RESOLUTION AUTHORIZING UPSET BID PROCESS  
FOR PROPERTY LOCATED AT  
306 NORTH ROAD STREET, ELIZABETH CITY, NORTH CAROLINA**

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

1. 306 North Road Street, Elizabeth City, NC (being further identified as PIN # 8914 20804481, PIN # 8914 20802599, PIN # 8914 20802574, PIN # 8914 20802560, PIN # 8914 20806651 and PIN # 8914 20807538 in the Pasquotank County Tax Office hereinafter (the “Property”).

**WHEREAS**, North Carolina General Statute §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 \$420,000, submitted by J. D. Lewis Construction Management, Inc. (hereinafter JDL); and

**WHEREAS**, JDL has paid the required five percent (5%) bid on its offer;

**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.

2. 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.

3. 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.

4. 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.

5. 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.

6. 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.

7. 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

8. JDL has a ten (10) month due diligence period from the "proposal of acceptance." During this ten (10) month period JDL will evaluate the structure and seek City approval to obtain conditional zoning and landmark status from the City of Elizabeth City. Should JDL determine the structure is not feasible for its purposes or it not obtain the approvals of the City of Elizabeth City, it may withdraw its offer and be refunded any deposit made to the County. JDL will lease to the County (or another entity) the stand-alone gym that is currently being used by the Police Athletic League. Further, a portion of the purchased land will be dedicated to the City of Elizabeth City for parks and recreation purposes. JDL has provided additional terms that are shown on the letter dated October 2, 2020 to County Manager Sparty Hammett. Said letter is incorporated herein by reference.

9. Title will be transferred by non-warranty deed.

10. 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 5<sup>th</sup> day of October, 2020.

*i. Approval of Purchase of Pasquotank County Portion of South Mills Water Association*

Staff was directed by the Board to have a valuation of the South Mills Water System performed to potentially extend an offer to purchase the Pasquotank County portion of the system. Green Engineering presented the results of the Valuation Study at the June 15<sup>th</sup> Finance Committee meeting, valuing the system at \$1,394,149. At the June 15<sup>th</sup> Board meeting, the Board unanimously approved extending an offer to South Mills Water Association in the amount of \$1,394,149 for the purchase of the South Mills Water System in Pasquotank County. On

September 17<sup>th</sup>, we received a letter from the Board of Directors of South Mills Water Association, Inc. confirming that they had agreed to accept the offer.

During the Water and Sewer Master Plan Study, Green Engineering conducted a Community Outreach meeting with our citizens in Newland. Citizens expressed concerns regarding water, and the desire to get Reverse Osmosis Plant water from the County. Moving forward with the purchase of the Pasquotank County portion of the South Mills Water will provide many benefits and accomplish a goal that has been targeted by the Board for over 25-years. The purchase will:

- Address the current water needs for residential and commercial customers;
- Address fire hydrant pressure issues to improve public safety;
- Enable the County to meet the water needs for future residential and commercial growth in the northern portion of the County;
- Grow the existing and future customer base of the Water Department; and
- Increase annual revenue by approximately \$400,000 per year (952 customers at \$35/month average bill = \$399,840 additional annual revenue).

The Finance Committee has recommended the following actions funded through the use of Water Department capital reserve funds:

- Execute the agreement with South Mills to initiate the process for purchasing the Pasquotank portion of the South Mills Water Association territory for \$1,394,149;
- Approve a contract extension with Green Engineering for \$27,300 to address the technical aspects of the South Mills system acquisition and integration with Pasquotank's system; and
- Retain outside legal counsel to handle the legal aspects of system acquisition, with a cost not to exceed \$75,000.

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

##### **5. REPORTS FROM COMMISSIONERS:**

Commissioner Overman attended the monthly DSS meeting.

Commissioner Jordan attended the monthly Jail Board meeting. Things are going well. They are holding down the COVID-19 numbers. He also attended the Library Board and Solid Waste/Landfill Committee meetings. Fall Litter Sweep will take place October 1-31, 2020. The Library has supplies available for the Litter Sweep.

Commissioner Perry said at the last COA Board meeting, they thanked the Pasquotank County Board of Commissioners for their financial contributions. They asked each Board who appoints to the COA Board to try their best to appoint diverse members that represent their county's population.

Vice-Chairman Griffin stated that the Hospital Authority presented a check to COA last week for their virtual learning lab. He provided updates for the Airport Authority, Workforce Development, and the Regional Transportation Authority.

County Manager Hammett reminded the Board that there will be a Joint City/County meeting on Monday, November 30<sup>th</sup>. A couple of the items that will be discussed include the Parks & Recreation and Fire Contracts. He will update the Board when he has more information.

Chairman Dixon asked if there was any further business to come before the Board. There being no further business;

Motion was made by Cecil Perry, seconded by Frankie Meads to adjourn the meeting. The motion carried and the meeting was adjourned at 6:20 PM.

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CHAIRMAN

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CLERK TO THE BOARD