

**PASQUOTANK COUNTY, NORTH CAROLINA  
OCTOBER 21, 2019**

The Pasquotank County Board of Commissioners met today in a regular meeting on Monday, October 21, 2019 in Courtroom C in the Pasquotank County Courthouse.

**MEMBERS PRESENT:** Jeff Dixon, Chairman  
Lloyd E. Griffin, III, Vice-Chairman (*arrived at 6:15 pm*)  
Cecil Perry  
Frankie Meads  
Charles H. Jordan  
Sean Lavin (*arrived at 6:15 pm*)  
Barry Overman

**MEMBERS ABSENT:** None

**OTHERS PRESENT:** Sparty Hammett, County Manager  
R. Michael Cox, County Attorney  
Lynn Scott, Clerk to the Board

The meeting was called to order at 6:00 PM by Chairman Jeff Dixon. Commissioner Charles Jordan gave the invocation and Commissioner 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. Commissioner Charles Jordan requested the agenda be amended to add the following items recommended by the Finance Committee today: 1) Approval of Request for School Resource Officer Position; 2) Approval of Funds for Senior Center Cross Walk; and 3) Consideration of YMCA of South Hampton Roads' Request for \$25,000 Annual Operating Supplement for YMCA at the Pines.

Motion was made by Charles Jordan, seconded by Barry Overman to amend the agenda to add items #1-2 to the Consent Agenda, and item #3 to New Business. The motion carried unanimously.

**2. APPROVAL OF CONSENT AGENDA:**

The Board considered the following consent agenda:

*a. Approval of Minutes of September 29 and October 7, 2019 Commissioner Meetings*

*b. Approval of Tax Releases and Refunds*

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

**Tax Releases**

		County	City
1.	New Beginning United Fellowship Church	278.75	114.63
2.	Thomas W. & Florence M. Kolenski	275.35	
3.	Deborah Ann Reynolds	293.46	190.93
4.	Lee Otis & Rosa Cole	123.34	

**Tax Refunds**

		County	City
1.	Lina Lister Bateman		183.70
2.	Nancy F. Hughes	315.37	268.26
3.	John Alonzo Hutchinson	230.84	

**Solid Waste Fee Releases**

		Parcel ID #	Reason for Release
1.	Bessie H. Bartell Life Est.	58-K-59	Vacant
2.	Shawn Etheridge Etal	P59-31	Vacant
3.	George Halstead	P95-46	Vacant

4.	Steven Harris	P11-9	Vacant
5.	Kelly Ginger	36-D-2	Vacant
6.	Terry Brent & Teleda Meads	P6-21A	Vacant
7.	Robert M. & Frances B. Ross	P141-173	Vacant
8.	Edward White III	P11-35	Vacant
9.	Pauline & Edward White	P12-21C	Vacant

*c. Approval of Budget Amendments*

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

**Emergency Mgmt**

Increase	010.0991.4991.00	Fund Balance Appropriated	7,976.00
Increase	010.4330.5636.01	Additional Funding	7,976.00

**Ag Ext**

Increase	010.0991.4991.00	Fund Balance Appropriated	2,053.00
Increase	010.4950.5600.34	Grant – SHIP	2,053.00

**Ag Ext.**

Increase	010.0220.4532.00	Other Grants	9,850.00
Increase	010.4950.5650.00	Local Grant-Expenses	9,850.00

**Friends of the Library**

Increase	024.0600.4611.03	Book Sales	400.00
Increase	024.0600.4611.04	Membership Dues	470.00
Increase	024.0600.4611.05	Fundraisers	20.00
Increase	024.0600.4833.00	Donations	100.00
Increase	024.0500.4831.00	Interest Earned	35.00
Increase	024.0991.4991.00	Fund Balance Appropriated	418.00
Increase	024.6110.5191.00	Audit Fees	100.00
Increase	024.6110.5231.00	Promotion/Education Supplies	60.00
Increase	024.6110.5232.00	Library Materials	500.00
Increase	024.6110.5261.00	Departmental Supplies	583.00
Increase	024.6110.5272.00	Fundraiser Expenses	50.00
Increase	024.6110.5325.00	Postage	50.00
Increase	024.6110.5499.00	Miscellaneous Expense	100.00

**Soil & Water**

Decrease	010.6900.5991.00	Contingency	1,000.00
Increase	010.4960.5353.00	Maintenance-Vehicles	1,000.00

**Public Health**

Decrease	010.6900.5991.00	Contingency	5,197.00
Increase	010.5110.5490.00	Grant Match	5,197.00

*d. Approval of Request for School Resource Officer Position*

Elizabeth City-Pasquotank Public Schools received a school safety grant for \$33,333, with a \$16,667 match requirement for ECPPS for a School Resource Officer. The Finance Committee has recommended approval of Sheriff Wooten’s request to establish an SRO (Deputy Sheriff II) position, with the Sheriff’s Office absorbing the position costs above \$50,000 within their existing Fiscal Year 2019-20 budget.

*e. Approval of Funds for Senior Center Cross Walk*

The Finance Committee has recommended using \$5,250 in capital reserves to construct the County’s portion of the cross walk to help improve access to the new senior center.

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

Chairman Dixon requested a brief recess.

Motion was made by Commissioner Jordan, seconded by Commissioner Perry to Recess the meeting until Commissioners Griffin and Lavin can join the Board. The motion carried unanimously.

**3. COMMENTS BY H. V. COLE:**

Chairman Dixon called on H. V. Cole of 1603 N. Road Street to address the Board. Mr. Cole spoke in opposition of the County funding \$25,000 for the annual operating supplement for YMCA at the Pines.

**4. COMMENTS BY DEAN MATTIX:**

Chairman Dixon called on YMCA Representative Dean Mattix to address the Board. Mr. Mattix stated that they are not here to ask for a handout or to squander taxpayer resources. They are looking for community partners that will invest in what they are doing at YMCA at the Pines. He said their goal is to make sure that Pasquotank County has a golf course and a community center for the future. He promised that the YMCA of South Hampton Roads will be an exceptional steward of the County's resources.

**5. SENTARA SETTLEMENT AGREEMENT AND MUTUAL RELEASE:**

County Attorney Mike Cox presented the proposed settlement agreement between Pasquotank County, the Albemarle Hospital Authority and Sentara Healthcare. There was a dispute regarding the lease agreement that was executed in 2013. Sentara notified the County and the Hospital Authority that "the Leased Assets and Personal Property were not as represented and warranted". The County and the Hospital Authority Parties denied and contested the alleged "inaccuracies and breaches." In order to avoid the uncertainty and expense of litigation, the Parties wished to resolve all the matters in dispute between them relating to the claims made by Sentara.

Mr. Cox explained that the Pasquotank County Commissioners, the Albemarle Hospital Authority Board, and Sentara Healthcare have partnered on a resolution for the use of a \$7.6 million escrow fund. The resolution establishes that the Pasquotank County Commissioners will provide a donation of \$1.5 million to Sentara Healthcare towards the future development of a cancer center in Elizabeth City. The remaining escrow funds will be available for use at the County's discretion.

Chairman Dixon noted that no county tax funds will be used in the settlement.

Motion was made by Cecil Perry, seconded by Barry Overman to approve the Sentara Settlement Agreement and Mutual Release as presented. The motion carried unanimously.

**6. CONSIDERATION OF YMCA OF SOUTH HAMPTON ROAD'S REQUEST FOR \$25,000 ANNUAL OPERATING SUPPLEMENT FOR YMCA AT THE PINES:**

The Finance Committee has recommended approval of YMCA South Hampton Roads' request for \$25,000 to supplement operational expenses at YMCA at the Pines for 2019, contingent upon the following conditions:

- Use Fiscal Year 2019-20 Contingency Funds to fund the \$25,000 request for 2019, contingent on City approval.
- Do not approve the \$25,000 allocation as a recurring annual commitment.
- Require the following from YMCA of South Hampton Roads for consideration during the Fiscal Year 2020-21 budget process:
  - Detailed financial information (revenues and expenditures) for YMCA at the Pines for 2019;
  - 2020 Budget for YMCA at the Pines;
  - A plan for reducing the operating deficit;
  - A plan for potentially working with Visit Elizabeth City to develop and promote new tourism-focused events at the YMCA at the Pines to appropriately leverage possible use of tourism funds and generate more economic impact; and
  - Consideration of marketing/branding efforts to clearly identify the purpose of the YMCA at the Pines to increase revenue.

- Any discounts associated with the partnership should be given to all citizens.

Motion was made by Barry Overman, seconded by Cecil Perry to approve YMCA of South Hampton Roads' request for \$25,000 to supplement operational expenses at YMCA at the Pines for 2019, with the conditions recommended by the Finance Committee.

Commissioner Lavin said he has a fundamental issue against mandating gifts to charity. He said we have done some of that in the past, and still have it in our books. He stated that we scaled back some this year during the budget cycle, which he believes aligns with our plan to focus the County's resources on things that the County legitimately needs. When he has to trade off putting resource officers in schools; or being able to fund a drug dog; or being able to put equipment in volunteer fire departments; or to help subsidize the golf course in town, it is a hard decision. He feels like the YMCA at the Pines does not need the County's help if they really get down into the weeds and grind hard, especially with the conditions that will be on the money. He suggested they put on a legitimate tourism activity. He also does not subscribe to the fact that if they stop running the golf course, the County will lose the asset. He believes someone will step in and buy it.

Commissioner Lavin stated that his other belief in giving comes from his faith. In Paul's second letter to the Corinthians, he says that each one must give as he has decided in his heart, not reluctantly or under compulsion, for God loves a cheerful giver. He said by mandating us to give to charities, he does not feel we are following that.

Commissioner Meads said he opposes investing in a golf course. He said people in Elizabeth City and Pasquotank County pay higher taxes than in Virginia. He stated that we cannot lower taxes if we keep giving away money. He said he thinks the YMCA is a good organization and he has nothing against them.

Commissioner Perry said he agrees with some of the remarks that have been made, but he thinks it is a great organization.

Commissioner Jordan noted that the YMCA at the Pines is very important to our economy.

Vice-Chairman Griffin said he hopes the YMCA understands that this is just a one-time appropriation. Next year, if they come before the Board without some kind of resolve, they may not have the same reception as they do today. He said on the contrary it does provide economic opportunity.

Chairman Dixon said he can relate to Mr. Cole. He is a business man as well. His trucking company serves 13 counties and out of those 13 counties there are only two counties that don't have golf courses. He would hate for Pasquotank County to not have a golf course. He said it is one of our many assets that helps draw people to our community. He believes funding should come from tourism.

The motion carried five to two, with Commissioners Meads and Lavin opposing.

## **7. REPORTS FROM COMMISSIONERS:**

Commissioner Overman attended the DSS meeting this past week.

Commissioner Jordan attended the local Library Board meeting, the ECSU Chancellor Installation, and the Regional Library Board meeting.

Vice-Chairman Griffin attended the Albemarle Commission meeting.

Commissioner Lavin attended the Newland Drainage District meeting, the Providence VFD pancake breakfast, the Chamber of Commerce Board meeting, the Economic Development Commission meeting, and the Elizabeth City Downtown meeting. He said he continues to be encouraged by the direction we are heading, and the momentum we are gaining in economic development. He said Christian Lockamy is doing a great job, with his staff of one.

Commissioner Meads said he will be attending a dog hearing tomorrow morning.

Commissioner Perry stated that he will be attending the Health Department meeting tomorrow night. He said he also attended the ECSU Chancellor's Installation.

Chairman Dixon thanked Vice-Chairman Griffin for attending the Installation on his behalf, as well as a recent ribbon cutting.

Motion was made by Charles Jordan, seconded by Barry Overman to adjourn the meeting. The motion carried and the meeting was adjourned at 6:52 PM.

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CHAIRMAN

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CLERK TO THE BOARD