

**PASQUOTANK COUNTY, NORTH CAROLINA
NOVEMBER 16, 2020**

The Pasquotank County Board of Commissioners met today in a regular meeting on Monday, November 16, 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
Sheri Small, Finance Officer
Jerry Newell, EMS Director
Jamal Whitaker, Assistant EMS Director

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

1. PRESENTATION OF PLAQUE TO JEFF DIXON:

Vice-Chairman Griffin called on Chairman Jeff Dixon to receive a plaque and gavel expressing appreciation for his years of service as a County Commissioner for the last sixteen years. Tonight will be Chairman Dixon's last regular meeting with the Board of Commissioners.

2. AMENDMENTS TO THE AGENDA:

Chairman Dixon asked if there were any amendments to the agenda. Vice-Chairman Lloyd Griffin requested that the following items recommended by the Finance Committee at its meeting today be added to the agenda: 1) Approval to move forward with purchase of Pasquotank County portion of South Mills Water Association, and associated Capital Project; 2) Approval of former Elizabeth City Middle School Sales Agreement; 3) Acceptance of offer for County Property located at 333 Winfall Boulevard; and 4) Sentara Letter of Intent on Proposed Prepayment of Hospital Lease Agreement.

Motion was made by Lloyd Griffin, seconded by Cecil Perry to amend the agenda to add Items #1 through #3 above to the Consent Agenda and Item #4 above to New Business. The motion carried unanimously.

3. APPROVAL OF APPOINTMENTS TO BOARDS AND COMMITTEES:

The Board considered recommendations made by the Appointments Committee at the last meeting to appoint Lashona Dance to the Aging Advisory Council and Alden Hoggard to the Albemarle Commission. Their applications for appointment were provided to members of the Board at the last meeting. Chairman Dixon asked if there were any further nominations at this time. There being none:

Motion was made by Lloyd Griffin, seconded by Charles Jordan to approve the appointments of Lashona Dance to the Aging Advisory Council and Alden Hoggard to the Albemarle Commission. The motion carried unanimously.

4. APPROVAL OF CONSENT AGENDA:

The Board considered the following consent agenda:

- a. Approval of Minutes of November 2, 2020 Commissioner Meeting
- b. Approval of Tax Releases and Refunds

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

Tax Releases

		County	City
1.	Mark E. McQueen	415.50	294.75
2.	Fred A. & Patricia Davis	382.69	
3.	Robert E. Notaro	514.45	378.92

Tax Refunds

		County	City
1.	Maurice W. Delk	636.96	485.68
2.	Johnny L. Garcia	415.50	294.75
3.	William F. II & April Jackson	415.50	294.75
4.	Tamaeo Alexis Moore	194.62	

Solid Waste Fee Releases

		Parcel ID #	Reason for Release
1.	Virginia Brooks	P58-11	Vacant
2.	Rudene R. & Robert J. Felton	11-D-6	Vacant

Solid Waste Fee Refunds

		Parcel ID #	Reason for Release
1.	John Mark Bright	P97-23A	Vacant
2.	Homelink Properties LLC	P60-328	Vacant

c. Approval of Budget Amendments:

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

Senior CTR/CAP Reserve

Decrease	021.8200.5960.01	Capital Reserve	36,743.00
Increase	021.8200.5980.10	Transfer to General Fund	36,743.00
Increase	010.0700.4981.21	Transfer to Capital Reserve	36,743.00
Increase	010.6130.5693.01	Senior Center	36,743.00

d. Adoption of Resolution Amending Personnel Policy

The Finance Committee has recommended approval of the following resolution which restores the County’s prior Nepotism Policy, and ends post-employment health care coverage for anyone hired after January 1, 2021 due to increasing costs:

**A RESOLUTION AMENDING THE PASQUOTANK COUNTY
PERSONNEL POLICY TO REVISE THE COUNTY’S
NEPOTISM POLICY AND TO AMEND THE COUNTY’S
HEALTH INSURANCE POLICY POST-EMPLOYMENT**

WHEREAS, Chapters 126 and 153A of the North Carolina General Statutes authorize a County Board of Commissioners to adopt and implement personnel policies; and

WHEREAS, the Board of Commissioners for Pasquotank County has adopted and reinforced the county manager form of government; and

WHEREAS, the Board of Commissioners desires to amend and continue a human resources system that provides for the recruitment, selection and continuous development of an effective workforce, responsive to the needs of Pasquotank County residents; and

WHEREAS, the County’s current nepotism policy has been problematic and the County wishes to restore the prior nepotism policy; and

WHEREAS, the County desires to end post-employment health insurance for new employees hired after January 1, 2021; and

WHEREAS, the Board has been presented with, has reviewed and endorses this amendment to the Pasquotank County Personnel Policy (hereinafter "Personnel Policy").

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS FOR PASQUOTANK COUNTY, NORTH CAROLINA THAT:

Section 1. **ARTICLE V. CONDITIONS OF EMPLOYMENT – Section 7. Nepotism Limitation of Employment of Relatives** of the Personnel Policy is amended as follows:

Section 7. Nepotism Limitation of Employment of Relatives

~~The employment of close relatives within the same department is forbidden. The employment of close relatives within the same department is to be avoided unless significant recruitment difficulties exist and the hiring is approved by the County Manager.~~

The employment of immediate family within the same department is forbidden.

- (a) Immediate family is defined for the purpose of this section as spouse, mother, father, guardian, children, sister, brother, grandparents, grandchildren plus the various combinations of half, step, in-law, and adopted relationships that can be derived from those named.
- (b) Members of an immediate family shall not be employed at the same time if such employment would result in an employee directly or indirectly supervising a member of the immediate family.
- (c) This policy shall not be retroactive, and no action will be taken concerning those members of the same family employed in conflict with (a) above prior to the adoption of this policy.
- (d) The Board of Commissioners shall approve the appointment by the Sheriff or the Register of Deeds of a relative by blood or marriage of nearer kinship than first cousin as required by **Chapter 153A-103 (1) of the North Carolina General Statutes.**

Section 2. **ARTICLE VII. EMPLOYEE STATUTORY AND VOLUNTARY BENEFITS – Section 6. Medical Coverage for Retirees** is amended as follows:

~~The following policy which went into effect July 1, 2000 was adopted by the Pasquotank County Board Commissioners July 24, 2000:~~

~~Pasquotank County will provide, at its expense, medical insurance coverage for all employees who retired after July 1, 2000, subject to the following:~~

- ~~1. Employee must be eligible for unreduced retirement benefits from the North Carolina Local Government Employees Retirement System.~~
- ~~2. Employee (except the Sheriff and Register of Deeds) must have twenty-five (25) years of uninterrupted employment with Pasquotank County immediately preceding retirement. The Sheriff and Register of Deeds must have twenty-three (23) years and eleven (11) months of uninterrupted employment with Pasquotank County immediately preceding retirement.~~

~~The Board of Commissioners voted at their meeting to amend the Retiree Health Insurance Policy to include employees with 25 years of interrupted employment with Pasquotank County as long as they returned to service with Pasquotank County prior to July 1, 2000. The policy became effective January 1, 2010.~~

~~Retired employees in this category, upon reaching the age of 65, will no longer be eligible to participate in the County's group health insurance plan; however, retired employees hired prior to January 1, 2015 will become eligible for Medicare under the Social Security Act and the County will provide a Medicare Supplement Policy. If the County is contributing toward the cost of the Medicare Supplement premium, the amount will not exceed the amount paid for the retiree's insurance as identified above.~~

The Pasquotank County Board of Commissioners may amend or repeal this policy at any time.

Pasquotank County provides various categories of medical coverage for retirees determined by the employee's date of hire and years of service:

1. **Category 1:** The County will provide, at its own expense, medical insurance coverage for retired employees following their retirement from their employment with the County for all employees who were employed as of January 1, 2015 and retired after January 1, 2000 provided:

- a) the employee retires while eligible for unreduced retirement benefits pursuant to all applicable requirements of the North Carolina Local Government Employees' Retirement System ("LGERS"); and
- b) the employee had at least 25 years of uninterrupted employment with the County at the time of their retirement.

The only exceptions to the requirement that the retiree has 25 years of uninterrupted employment with the County are as follows:

- (i) The employee left employment of the County but returned to work prior to January 1, 2000 and retires with at least 25 years total service credit; or
- (ii) The Sheriff and the Register of Deeds may qualify if they have at least twenty-three (23) years and eleven (11) months of uninterrupted employment with the County immediately preceding retirement.

Retired employees in this category, upon reaching their age of eligibility for Medicare, will no longer be eligible to participate in the group health insurance plan offered by the County to active employees; however, those employees, upon qualifying for Medicare under the Social Security Act, will become eligible for a Medicare Supplement Policy provided by the County. The amount contributed by the County towards the cost of the Medicare Supplement premium, will not exceed the amount paid by the County for a retiree's participation in the group insurance plan as identified above.

2. **Category 2:** The County will provide, at its own expense, medical insurance coverage for retired employees following their retirement from their employment with the County until they reach their age of eligibility for Medicare provided:

- a) The employee was hired between January 1, 2015 and December 31, 2020;
- b) The employee retires while eligible for unreduced retirement benefits from the North Carolina Local Government Employees' Retirement System; and
- c) The employee had at least 25 years of uninterrupted employment with the County at the time of their retirement.

The only exceptions to the requirement that the retiree has 25 years of uninterrupted employment with the County is as follows:

- (i) The Sheriff and the Register of Deeds may qualify if they have at least twenty-three (23) years and eleven (11) months of

uninterrupted employment with the County immediately preceding their retirement from the County.

Upon reaching the age of 65, the County will not pay the retired employee's medical insurance coverage.

3. **Category 3:** For employees hired on or after January 1, 2021, the County will not pay for any health insurance benefits following the employee's retirement or termination with the County.

General Requirements. The following apply to all employees in categories 1 or 2:

1. The employee must retire from their employment with the County at a time when they are eligible for unreduced retirement benefits from the LGERS.
2. The benefits described in Category 1 and 2 are not available to an employee who fails to submit a complete application for retirement benefits from the LGERS promptly upon the termination of their employment with the County.
3. Any condition or circumstance that disqualifies an employee from qualifying for retirement benefits under the LGERS will disqualify the employee from eligibility for post-retirement medical insurance benefits provided by the County.
4. Except as noted in the exceptions set forth in Category 1 and 2, the Sheriff and Register of Deeds are included in the definition of "employee."

The Pasquotank County Board of Commissioners may amend or repeal this policy at any time.

Section 3. These amendments are effective upon adoption.

ADOPTED this 16th day of November, 2020.

- e. Approval to Move Forward with Purchase of Pasquotank County's Portion of the South Mills Water System and Associated Capital Project*

The Finance Committee has recommended continuing to move forward with the purchase of the Pasquotank County portion of the South Mills Water Association, and the capital project presented by Green Engineering at an estimated cost of \$3,099,656.

- f. Approval of Former Elizabeth City Middle School Sale Agreement*

The Board previously proposed to accept an offer of \$420,000 from J.D. Lewis Construction Management, Inc. for the former Elizabeth City Middle School property, and to start the upset bid process. The offer has been advertised and no additional bids were received during the 10-day upset bid period. The Board can now approve the sale of the property for \$420,000. The Finance Committee has recommended approval of the sale agreement to enable J.D. Lewis Construction Management, Inc. to start their due diligence process, and to continue the Boys and Girls Club lease buyout and gymnasium lease back negotiations.

- g. Approval to Sell County Property at 333 Winfall Boulevard*

The Finance Committee has recommended approval to accept an offer of \$130,000 for property located at 333 Winfall Boulevard in Perquimans County and initiating the upset bid process.

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

5. ADOPTION OF 2021 COMMISSIONER MEETING SCHEDULE:

The Board considered a proposed schedule of regular County Commissioner meetings for 2021.

Motion was made by Lloyd Griffin, seconded by Cecil Perry to adopt the following 2021 Commissioner meeting schedule as proposed. The motion carried unanimously.

Month	1st Regular Meeting	2nd Regular Meeting
January	Monday, January 11	None
February	Monday, February 1	Monday, February 15
March	Monday, March 1	Monday, March 15
April	Monday, April 5	Monday, April 19
May	Monday, May 3	Monday, May 17
June	Monday, June 7	Monday, June 21
July	None	Monday, July 12
August	Monday, August 2	Monday, August 16
September	None	Monday, September 13
October	Monday, October 4	Monday, October 18
November	Monday, November 1	Monday, November 15
December	Monday, December 6	None

The following tentative meeting dates were also set:

Monday, March 29, 2021 – Joint City/County Meeting
Monday, November 29, 2021 – Joint City/County Meeting
Friday, February 26, 2020 – Annual Board Retreat

6. SENTARA LETTER OF INTENT ON PROPOSED PREPAYMENT OF HOSPITAL LEASE AGREEMENT:

Vice-Chairman Griffin stated that the Finance Committee has recommended approval to execute a letter of intent regarding prepayment of the hospital lease agreement with Sentara.

The purpose of this Letter of Intent is to memorialize the current understanding by and between Pasquotank County, North Carolina, and Sentara Healthcare, on behalf of its subsidiaries and affiliates as it relates to the proposed prepayment by Sentara of the payments owed to the County pursuant to that certain Lease Agreement by and among the County, Albemarle Hospital Authority, Regional Medical Services, Inc., Albemarle Physician Services, Inc., Sentara Albemarle Regional Medical Center, LLC, and Sentara, dated February 28, 2014, as well as other amendments thereto as more specifically set forth in this LOI. The purpose of the Proposed Transaction is to expedite the development by Sentara of a new replacement acute care hospital facility in Elizabeth City, North Carolina, as more fully set forth in this LOI.

The Parties intend that the Proposed Transaction will improve the availability of high quality health care in the County in a manner that is consistent with the purposes of the original transaction memorialized by the Lease and its associated documents through the development and operation of a new, modern replacement acute care hospital serving the County and region. Additionally, as a result, it is intended that the Proposed Transaction will continue to strengthen access to, and the availability of, high quality, cost-effective medical care and treatment to the residents of the County and the region; retain and recruit high quality physicians to Sentara Albemarle Medical Center and the region; replace the Hospital's current physical plant, infrastructure, and equipment systems; continue to enhance and grow the Hospital's clinical programs and service lines consistent with the region's healthcare needs; strengthen efforts to recruit and retain high quality employees; and improve the Hospital's overall ability to support programs and services to effect quality outcomes and provide population health management.

Motion was made by Lloyd Griffin, seconded by Charles Jordan to approve the letter of intent regarding prepayment of the hospital lease agreement with Sentara as presented. The motion carried unanimously.

7. REPORTS FROM COMMISSIONERS:

Commissioner Overman stated that two years on the Board working with Chairman Dixon was shorter than he was hoping it would be. He thanked him for his nonpartisan attitude towards everything the Board has worked on. He stated that he will truly miss him being part of the Board.

Commissioner Lavin echoed Commissioner Overman's remarks. He said the Board will definitely miss Chairman Dixon.

Commissioner Jordan attended the Trillium Board meeting last week. He thanked Chairman Dixon for his service. He said he certainly appreciated working with him, and wished him the best as he moves forward.

Commissioner Meads said it has been a pleasure working with Chairman Dixon. When they did disagree, they always agreed to disagree.

Commissioner Perry stated that Chairman Dixon has done an excellent job for the community, and has done his work very well. He noted that Mr. Dixon and his family have done a tremendous job for our community over the years.

Vice-Chairman Griffin said it was an honor to present Chairman Dixon with the plaque early in the evening. He stated that he was on the Board when Mr. Dixon's father Jimmie went off the Board. He said it has been good through the years having somebody who cares about the community and wants to give 100%. He stated that the Boys Club has benefitted 100% by Mr. Dixon being on the Board.

Clerk to the Board Lynn Scott stated that it has been a pleasure working with Chairman Dixon and staff will greatly miss him.

County Manager Hammett said that Chairman Dixon has been an incredible Chairman for the last two years. He said this Board has been able to accomplish so much under his leadership. He said we only have to look at tonight's agenda to see many of those accomplishments, including completing the 20-year Water and Sewer Masterplan, purchasing the South Mills Water System, negotiating a lease buyout with Sentara, and the pending sale of the former Elizabeth City Middle School. He said employees have been brought up to state average in terms of pay, and many other incredible accomplishments during his leadership.

Chairman Dixon thanked staff, department heads, and the 300+ employees of Pasquotank County. He said he has never worked with such a professional group of people in all his life. The Committees he worked on all had wonderful people. Pasquotank County should be very proud. He said he would like to thank the Executive staff, Sheri Small, Smarty Hammett, Lynn Scott, and Mike Cox for making the Board's lives much easier. He thanked his fellow board members for allowing him to be their Chairman for four years. He said it was a pleasure and an honor.

Chairman Dixon said during his time, the Board got a lot done, and they should be proud of themselves. He said even when everyone did not agree, they got things done. He said he can honestly say he thinks our county is better off. The Board is pro economic development. All you have to do is look at the windmill site and the Tanglewood development and the jobs that have been created. The Board has been very pro education. They have always given the schools very much a fair share. They have created probably one of the biggest charter schools in the state of North Carolina, which is doing phenomenal. They also opened a new Senior Center. He said the list goes on and on. He stated that he would be remiss if he did not thank his wife and his two children for supporting him. His two children were very young when he became a commissioner, so he lost a lot of basketball games and cheerleading events. Lastly, he said he wants to thank the people of Pasquotank County who allowed him to serve them for sixteen years. Serving his community was instilled in him by his dad. He said it was an easy choice after seeing his dad be a commissioner for eight years.

Chairman Dixon noted that his first four years on the Board were rough. The County had taken on a lot of debt. When we were finally getting out of the hole, the recession hit. He said he will never forget the County Manager coming in saying we needed to raise our taxes by 9-10 cents. The Board really dug in and got out of that hole. We have fared relatively well during the pandemic. He thanked our great first responders. Chairman Dixon said he does not know what his next chapter is, and he would be lying if he said he will not miss this. He encouraged the Board to keep the ship heading in the right direction.

Chairman Dixon congratulated Commissioner Elect, Dr. Bill Sterritt.

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

Motion was made by Lloyd Griffin, seconded by Charles Jordan to adjourn the meeting. The motion carried and the meeting was adjourned at 6:22 PM.

CHAIRMAN

CLERK TO THE BOARD