

**PASQUOTANK COUNTY, NORTH CAROLINA
DECEMBER 7, 2020**

The Pasquotank County Board of Commissioners met today in a regular meeting on Monday, December 7, 2020 in Courtroom C in the Pasquotank County Courthouse.

MEMBERS PRESENT: Lloyd E. Griffin, III, Chairman
Charles H. Jordan, Vice-Chairman
Cecil Perry
Frankie Meads
Sean Lavin
Barry Overman
William "Bill" Sterritt

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 Clerk to the Board Lynn Scott. Commissioner Lloyd Griffin gave the invocation and Commissioner Frankie Meads led in the Pledge of Allegiance to the American Flag.

1. OATH OF OFFICE FOR COMMISSIONERS:

The Honorable J.C. Cole, Superior Court Judge, administered the Oath of Office to re-elected Commissioners Lloyd E. Griffin, III and Frankie Meads, and newly elected Commissioner William "Bill" Sterritt.

2. ORGANIZATION OF BOARD OF COMMISSIONERS:

The Clerk to the Board explained that state law requires the reorganization of each Board of Commissioners during the first December meeting through the election of a Chairman and a Vice-Chairman. She opened the floor for nominations for Chairman of the Board.

Commissioner Charles Jordan nominated Commissioner Lloyd Griffin to serve as Chairman for the next year. The Clerk asked if there were further nominations. There being none;

Motion was made by Barry Overman, seconded by Sean Lavin to accept and close the nominations. The motion carried unanimously.

Upon a vote of the board, Commissioner Griffin was unanimously elected as Chairman.

The meeting was then turned over to Chairman Griffin who called for nominations for Vice-Chairman. Commissioner Barry Overman nominated Commissioner Charles Jordan, and Commissioner Bill Sterritt nominated Commissioner Frankie Meads to serve as Vice-Chairman of the Board. There being no further names submitted;

Motion was made by Barry Overman, seconded by Sean Lavin to accept and close the nominations for Vice-Chairman. The motion carried unanimously.

Upon a vote of the Board, Commissioner Charles Jordan was elected as Vice-Chairman by a vote of 5 to 2, with Commissioners Sterritt and Meads opposing.

Chairman Griffin asked for a five minute recess to allow the Board to take their seats.

Motion was made by Barry Overman, seconded by Charles Jordan to recess the meeting for five minutes. The motion carried unanimously.

3. AMENDMENTS TO THE AGENDA:

Chairman Griffin asked if there were any amendments to the agenda. Vice-Chairman Jordan requested the agenda be amended to add the following items recommended by the Finance

Committee today: 1) Approval of Tax Releases and Refunds; 2) Approval of Budget Amendments; 3) Approval of MOU for Department of Social Services; 4) Approval of Bid for Drainage and Water Quality Improvement Project; 5) Notification to the City of Elizabeth City Regarding Fire Contract; 6) Approval to Notify NCACC of County's Intent to Participate in the County Management Fellowship Program; and 7) Approval of Starting Salary for Emergency Management Coordinator.

Motion was made by Charles Jordan, seconded by Cecil Perry to amend the agenda to add items #1-7 to the Consent Agenda. The motion carried unanimously.

4. PUBLIC HEARING ON REZONING REQUEST RR 20-02:

Planning Director Shelley Cox outlined the request. She explained that the request is to zone approximately 2.1 acres of road frontage at 940 and 944 Wellfield Road to R-15 Residential. The purpose of the rezoning is to accommodate a redesigned convenience center at that site. Pasquotank County and American Tower Management both own the properties involved. She noted that the request is just for the road frontage. The backside of the property is already zoned by Pasquotank County as R-15. This would make the entire parcels consistent with their zoning district.

The proposed district is defined as low-density residential areas and additional open areas where similar residential development will be a viable land use. To the north of the site is residential, woodlands, and the convenience site, which is zoned R-15 by the County. To the south is residential and woodlands and is zoned R-15 by the City in their Extraterritorial Jurisdiction. To the east is residential R-15, which is in Elizabeth City's ETJ. To the west is woodlands and a cell tower, which is owned by American Tower and is zoned R-15 in the City's ETJ.

The 2004 Advanced Core Land Use Plan classifies this site as "Low Density Residential." She said the request is consistent with that classification. The site is not within a 100 year flood zone. All of the adjoining property owners and the public have been notified of the request tonight. The area requested for rezoning was originally zoned R-15 by the City of Elizabeth City and it was in their ETJ. The City relinquished zoning for the area in September 2020 at the request of Pasquotank County. One of the properties involved in the request does belong to Pasquotank County. It is the current location of the County owned and operated recycling center. Due to the high volume of use, vehicle congestion and flooding issues with the current layout, the County plans to redesign the site which would shift the recycling center away from the adjacent residences and towards the cell tower site. In order to accommodate the new layout, the County will be purchasing a portion of the adjacent property currently owned by American Tower. The total acreage of the area requested for rezoning is approximately 2.1 acres. Access to the property is provided onto Wellfield Road.

Ms. Cox explained that should this rezoning be approved, all uses permitted in the R-15, Residential district would be allowed at this location subject to any conditions required by the Zoning Ordinance. Pasquotank County's intended use is to continue operating a recycling center at this location. With the change in the site layout, they will be required to provide an engineered site plan of the new site and will have to get a special use permit from the Board of Adjustment as well.

During the Planning Board meeting, a nearby resident, Rick Durren spoke about his concerns regarding traffic and speeding on Wellfield Road, as well as drainage concerns with the roadside ditches. Staff notified the Sheriff's Department of the speeding issues. A full drainage plan has not been developed for the site improvements, but the County's design engineer for this project has been made aware of these concerns and is working on a drainage plan. Some of the concerns will need to be addressed by the N.C. Department of Transportation.

Ms. Cox stated that this request is consistent with the Low Density Residential classification in the Land Use Plan. The property is located adjacent to an existing R-15, Residential zoning district. She said staff recommends approval of the request. The Planning Board met on November 19, 2020 and reviewed this request and recommended approval (7-0), with the following consistency statement:

RR 20-02 is a request to zone approximately 2.1 acres to R-15, Residential. This request is consistent with the Low Density Residential classification of the property as shown on the Future Land Use Classification map within the Pasquotank County – Elizabeth City Advance Core Land Use Plan (adopted January 9, 2012). The rezoning is reasonable and in the public interest because the property is located adjacent to the R-15, Residential zone.

Ms. Cox provided a map of the proposed site layout, as well as an illustration of the current flooding issues at the convenience site.

Chairman Griffin declared the meeting to be a public hearing on Rezoning Request RR 20-02 and he asked if anyone would care to address the board. There being no comments, the public hearing was closed.

Solid Waste Director Brad Gardner explained that the Wellfield Convenience Site is one of the County’s busiest sites each month. He said basically the layout of the current site is narrow and deep. By bringing it forward and making it a horseshoe shape, it will function more similar to the Providence, Newland, and Weeksville sites. There will be one way in and one way out. Often times, the site floods with just rainfalls. The site has been closed three times this year due to flooding. He said their Engineer, Pat McDowell has helped both him and his predecessor, Mike Etheridge put together this design, which is similar to the other three sites, and is a proven setup. He stated that the additional land will be used as a temporary laydown area in the event of an emergency.

Mr. Pat McDowell said there will be two entrances and two exits. Currently, there is only one entrance for both. Commissioner Meads asked if we can farm the residual acre. Mr. McDowell said one of the things they are trying to do is to provide an emergency laydown site when we have an emergency. He said ultimately it is up to the County.

Motion was made by Charles Jordan, seconded by Barry Overman to approve the consistency statement recommended by the Planning Board, and to approve Rezoning Request RR 20-02 as presented. The motion carried unanimously.

5. APPROVAL OF CONSENT AGENDA:

The Board considered the following consent agenda:

a. Approval of Minutes of November 16, 2020 Commissioner Meeting

b. Approval of Tax Releases and Refunds

The Finance Committee has recommended approval of the following solid waste fee releases:

Solid Waste Fee Releases

		Parcel ID #	Reason for Release
1.	Zenia Judith Cabrera Barahona	11-E-90	Vacant
2.	Lora Ann & Wayne Barclift	P63-39	Vacant
3.	Community Club of Newland	P111-7	Vacant
4.	Donnell Godfrey	P95-2G	Vacant
5.	Jacqueline D. Hill Etal	P9-8	Vacant
6.	Theodore R. & Edna Hudson	79-E-164-165	Vacant
7.	Elijah Philips	22-A-5	Vacant
8.	Elijah Philips	30-A-18-19	Vacant
9.	Lindsay Brothers	P30-2A	Vacant
10.	Nolan Bundy	P6-5	Vacant
11.	H.C. & Marcy Bergman Pritchard	P119-275	Vacant
12.	Sandra G. Smith	P143A-60	Vacant

c. Approval of Budget Amendments

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

Water

Increase	060.0991.4991.00	Fund Balance Appropriated	1,394,149.00
Increase	060.7130.5980.63	Transfer to RO	1,394,149.00

Sheriff

Increase	010.0150.4231.00	Sales Tax – 1%	16,446.00
Increase	010.4310.5121.00	Salaries and Wages	13,319.00
Increase	010.4310.5181.00	FICA	1,019.00
Increase	010.4310.5182.00	Retirement	2,108.00

Landfill

Increase	065.0350.4742.01	Tipping Fees-Cash	25,000.00
Increase	065.7420.5122.00	Salaries and Wages - OT	25,000.00

E911

Increase	022.0220.4532.00	Other Grants	20,584.00
Increase	022.4328.5600.00	Grant Funds	20,584.00

Sheriff

Increase	010.0550.4839.00	Miscellaneous Revenue	1,500.00
Increase	010.4310.5311.00	Training	1,500.00

Sheriff

Increase	010.0550.4835.00	Sale of Assets	2,600.00
Increase	010.4310.5261.00	Departmental Supplies	2,600.00

Board of Elections

Increase	010.0230.4370.00	State Grants	23,000.00
Increase	010.4170.5440.00	Contracted Services	23,000.00

Board of Elections

Increase	010.0220.4532.00	Other Grants	28,000.00
Increase	010.4170.5261.00	Departmental Supplies	18,030.00
Increase	010.4170.5310.00	Travel	1,800.00
Increase	010.4170.5321.00	Telephone	770.00
Increase	010.4170.5325.00	Postage	2,400.00
Increase	010.4170.5440.00	Contracted Services	5,000.00

d. Approval of Request to Retire Duty Weapon and Badge for Retired Sheriff's Office Employee

The Finance Committee has recommended approval to retire the badge and duty weapon, and award them to Sergeant Tobie McPherson who is retiring from the Sheriff's Office on December 31, 2020.

The Sheriff's Department has a policy in place that allows sworn law enforcement officers to receive their badges at no cost and to receive their service side arms, at the discretion of the Board of Commissioners, based on the following price schedule:

Retiring member with 5-10 years of service	\$75.00
Retiring member with 10-20 years of service	\$50.00
Retiring member with more than 20 years of service	\$ 0.00

Sergeant McPherson will retire with 27 years of service. The policy also requires that the officer obtain a gun permit, or without one, the weapon will be rendered incapable of being fired.

e. Approval of Pasquotank County Sheriff's Office Patrol Deputy Holiday Pay

The Finance Committee has recommended approval of Patrol Deputies receiving 8-hours of pay for each holiday. If a Patrol Deputy is working a holiday, they would receive their regular pay plus 8-hours of Holiday Pay. If a Patrol Deputy is not working, they would receive 8-hours of Holiday Pay.

f. Approval of Bond for Sheriff and Register of Deeds

In December of each year, the Board of County Commissioners must approve the individual surety bonds for the Sheriff and Register of Deeds. Those positions requiring such bonds, the names of the individuals, the bond amount, and the NC General Statutes requiring the bonds are as follows:

Position: Register of Deeds
Individual Name: Clementine White
Bond Amount: \$25,000
Statute: NCGS 161-4

Position: Sheriff
Individual Name: Tommy Wooten
Bond Amount: \$15,000
Statute: NCGS 162-9

The bond amount for the Register of Deeds and the Sheriff are statutorily limited by NC General Statutes. All bonds can be cancelled at any time, with appropriate refund of bond cost, if the person in the position leaves. Staff recommends approval of the surety bonds as presented.

g. Adoption of Resolutions Authorizing Execution of Public Beach & Estuarine Access Grant Contracts

Pasquotank County had been approved for the Public Beach & Estuarine Access Grant in the amount of \$89,925 (\$9,742 local cash match and \$250 non-cash match) for Phase IV of the boardwalk renovation behind College of the Albemarle. The Board needs to adopt the following Resolution authorizing Execution of the Public Beach & Estuarine Access Grant Contract whereby it approves the County Manager and the Clerk to the Board be authorized to sign and execute the contract. In the process of closing out Phases II and III of the project, staff realized that a resolution was not previously approved for Phase II. Staff recommends approval of the following resolutions:

**RESOLUTION AUTHORIZING LOCAL GOVERNMENT EXECUTION OF
PUBLIC BEACH & ESTUARINE ACCESS GRANT CONTRACT**

MINUTES OF A REGULAR MEETING OF THE Board of Commissioners of Pasquotank County, North Carolina.

A regular meeting of the Board of Commissioners of Pasquotank County was held in the Pasquotank County Courthouse, the regular meeting place, on December 7, 2020. There were seven commissioners present.

The Pasquotank County Board of Commissioners was advised that a proposed contract between Pasquotank County and the North Carolina Department of Environmental Quality (DEQ) for Public Beach & Estuarine Access grant funds was presented for the project known as Pasquotank County Pasquotank River Pubic Access Improvement Phase IV and discussed; that, under the terms of the said contract, Pasquotank County will pay a total of \$9,742 local cash match and \$250 in-kind as its local share of the total project costs.

BE IT RESOLVED, BY THE Board of Commissioners of Pasquotank County:

That a contract between Pasquotank County and the North Carolina Department of Environmental Quality is hereby approved.

That the Manager and the Clerk be hereby authorized to sign and execute the said contract for and on behalf of the Pasquotank County and forward the same to the North Carolina Department of Environmental Quality.

That upon final execution, a copy of said contract be filed with the minutes. Upon motion of _____, seconded by _____, said resolution was passed unanimously.

I, Lynn B. Scott, Clerk of the Board of Pasquotank County, North Carolina do hereby certify that the foregoing is a true copy of so much of the proceedings of the Pasquotank County Board of Commissioners at a meeting held on December 7, 2020 as related to the contract between Pasquotank County and the North Carolina Department of Environmental Quality, relative to the Pasquotank County Pasquotank River Public Access Improvement Phase IV for the Pasquotank County, North Carolina.

WITNESS my hand and the corporate seal of the said Pasquotank County, North Carolina this the _____ day of _____, 20_____.

**RESOLUTION AUTHORIZING LOCAL GOVERNMENT EXECUTION OF
PUBLIC BEACH & ESTUARINE ACCESS GRANT CONTRACT**

MINUTES OF A REGULAR MEETING OF THE Board of Commissioners of Pasquotank County, North Carolina.

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The Pasquotank County Board of Commissioners was advised that a proposed contract between Pasquotank County and the North Carolina Department of Environmental Quality (DEQ) for Public Beach & Estuarine Access grant funds was presented for the project known as Pasquotank County Pasquotank River Pubic Access Improvement Phase II and discussed; that, under the terms of the said contract, Pasquotank County will pay a total of \$8,835 local cash match and \$500 in-kind as its local share of the total project costs.

BE IT RESOLVED, BY THE Board of Commissioners of Pasquotank County:

That a contract between Pasquotank County and the North Carolina Department of Environmental Quality is hereby approved.

That the Manager and the Clerk be hereby authorized to sign and execute the said contract for and on behalf of the Pasquotank County and forward the same to the North Carolina Department of Environmental Quality.

That upon final execution, a copy of said contract be filed with the minutes. Upon motion of _____, seconded by _____, said resolution was passed unanimously.

I, Lynn B. Scott, Clerk of the Board of Pasquotank County, North Carolina do hereby certify that the foregoing is a true copy of so much of the proceedings of the Pasquotank County Board of Commissioners at a meeting held on December 7, 2020 as related to the contract between Pasquotank County and the North Carolina Department of Environmental Quality, relative to the Pasquotank County Pasquotank River Public Access Improvement Phase II for the Pasquotank County, North Carolina.

WITNESS my hand and the corporate seal of the said Pasquotank County, North Carolina this the _____ day of _____, 20_____.

h. Adoption of Resolution of Support of the NCDOT Paving Harvest Point Road

In 2019, NCDOT initiated paving Harvest Point Road, with a 12-month timeline, beginning with surveying and moving some utilities, however the project was abandoned due to limited funding. Residents of the Harvest Point Subdivision have requested the Board's support in moving the project forward. Staff recommends approved of the following resolution of support.

**RESOLUTION IN SUPPORT OF THE NCDOT PAVING
HARVEST POINT ROAD**

WHEREAS, Harvest Point Road is an unpaved road in Pasquotank County; and

WHEREAS, Harvest Point Road provides the only means of ingress and egress to Harvest Point Subdivision and other homes; and

WHEREAS, the NCDOT has acquired additional parcels to make this project feasible; and

WHEREAS, the residents of Harvest Point Subdivision have met with state and local officials in an effort to have Harvest Point Road paved; and

WHEREAS, in 2019, NCDOT initiated a paving project with a twelve month timeline beginning with surveying and the moving of some utilities; however, the project was abandoned due to limited funding; and

WHEREAS, Pasquotank County realizes NCDOT is under tight financial restrictions; however, it requests the NCDOT to prioritize the paving of Harvest Point Road.

NOW, THEREFORE, BE IT RESOLVED by the Pasquotank Board of Commissioners that:

1. NCDOT prioritize the paving of Harvest Point Road so that residents will have proper ingress and egress to their homes.

ADOPTED the _____ day of December, 2020.

i. Approval of Memorandum of Understanding for Department of Social Services

The Finance Committee has recommended approval for DSS to enter into a written agreement with the North Carolina Department of Health and Human Services which outlines performance measures for service delivery.

j. Approval of Bid for Drainage and Water Quality Improvement Project

The Finance Committee has recommended approval of the low bid of \$27,500 submitted by Saunders and Sons for Phase II of the Newland Drainage and Water Quality Improvement Project, with funding budgeted in the Soil & Water Conservation budget.

k. Notification to the City of Elizabeth City Regarding Fire Contract

The Finance Committee has authorized staff to notify the City of Elizabeth City of the County's intent to negotiate a three-year contract for Provision of Fire Protection Services, which would be effective July 1, 2021.

l. Approval to Notify NCACC of County's Intent to Participate in the County Management Fellowship Program

The Finance Committee has recommended approval of staff notifying the NCACC of the County's intent to participate in the County Management Fellowship Program.

m. Approval of Starting Salary for Emergency Management Coordinator

The Finance Committee has recommended approval of the starting salary above Hiring Rate for the new Emergency Management Coordinator at Grade 27, Step 20 - \$68,864 due to the individual's years of experience and qualifications.

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

6. DESIGNATION OF VOTING DELEGATE FOR NCACC LEGISLATIVE GOALS CONFERENCE:

The Board considered the designation of a voting delegate for the NCACC Legislative Goals Conference, which will be held virtual forum on January 14-15, 2021.

Motion was made by Cecil Perry, seconded by Frankie Meads to designate Chairman Griffin as the voting delegate for the NCACC Legislative Goals Conference and to designate Vice-Chairman Jordan as an alternative if Chairman Griffin is unable to participate. The motion carried unanimously.

7. CONSIDERATION OF APPOINTMENTS TO BOARDS AND COMMITTEES:

Commissioner Jordan stated that the Appointments Committee met today and would like to make the following recommendations:

Albemarle Commission - Reappoint Lloyd Griffin to a 2-year term.

District Jail Commission - Reappoint Cecil Perry and Charles Jordan to additional 2-year terms.

Economic Development Commission - Reappoint Jeff Dixon, Sean Lavin and Lloyd Griffin to additional 2-year terms.

Elizabeth City Area Chamber of Commerce - Reappoint Jeff Dixon to additional 3-year term.

EMS - Reappoint Frankie Meads, Jeff Dixon and James Wilson to additional 2-year terms.

Newland Water Management & Watershed Improvement Advisory Board - Reappoint Linwood Williams and Sean Lavin to additional 3-year terms.

Personnel Appeals Committee - Reappoint Travis Burke, Dimples Armstrong, and Matt Wood to additional 2-year terms.

Recreation Advisory Board - Reappoint Sean Lavin, Herman Little, and Walter Jolly to additional 2-year terms.

Redevelopment Commission - Reappoint Charles Jordan to additional 3-year term.

Motion was made by Charles Jordan, seconded by Barry Overman, to approve the reappointments, as recommended by the Appointments Committee. He noted that Chairman Griffin will present his recommendations for commissioner appointments to external and internal boards and committees at the January 11, 2021 meeting. The motion carried unanimously.

8. REPORTS FROM COMMISSIONERS:

Commissioner Sterritt said it is a great thing that the Board approved supporting paving Harvest Point Road. He suggested the Board approach Elizabeth City Downtown and the Economic Development Commission to see if they will promote the neighborhood for retirees to buy land and build homes in the subdivision.

Commissioner Sterritt provided a history of how the COA Boardwalk came about.

Commissioner Overman attended the Department of Social Services meeting today. He said COVID-19 numbers are rising. He reminded everyone to be careful when out and about.

Commissioner Lavin said he appreciates the Joint City/County meeting last week.

Commissioner Meads noted that the Dangerous Dog Committee needs additional members.

Commissioner Perry congratulated the Board members who ran successfully and were appointed. He said this Board has the opportunity to not be just good, but great if they all work together.

Commissioner Perry said he recently received a letter from John Spence regarding hunting dogs. Other Board members stated that they received one also. He recommended the Special Projects Committee revisit the subject.

Commissioner Perry attended the JCPC virtual meeting, as well as the Jail Commission.

Vice-Chairman Jordan attended the Solid Waste/Landfill Committee meeting and the Jail Board meeting as well. He stated that he and Commissioner Lavin are fortunate to be on a committee, with the County Manager and some others, who are working on a new County logo. He noted that it is moving along fine, and the Board will be satisfied when they see the results. County Manager Hammett reported that the logo will be unveiled at the next meeting.

Chairman Griffin stated that staff will present an update on the Water and Sewer Master Plan at a work session on January 11th.

Chairman Griffin informed the Board that our Economic Development Director, Christian Lockamy is resigning January 6th, and will be moving to Henderson/Vance County.

Motion was made by Frankie Meads, seconded by Charles Jordan to adjourn the meeting. The motion carried and the meeting was adjourned at 6:50 PM.

CHAIRMAN

CLERK TO THE BOARD