

**PASQUOTANK COUNTY, NORTH CAROLINA  
SEPTEMBER 13, 2021**

The Pasquotank County Board of Commissioners met today in a regular meeting on Monday, September 13, 2021 in Courtroom C in the Pasquotank County Courthouse.

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

**MEMBERS ABSENT:** None

**OTHERS PRESENT:** Sparty Hammett, County Manager  
R. Michael Cox, County Attorney  
Lynn Scott, Clerk to the Board  
Shelley Cox, Planning Director  
David Smithson, Utilities Director

The meeting was called to order at 6:00 PM by Chairman Lloyd Griffin. Commissioner Overman gave the invocation and Vice-Chairman Charles Jordan led in the Pledge of Allegiance to the American Flag. Chairman Griffin welcomed those in attendance.

**1. AMENDMENTS TO THE AGENDA:**

Vice-Chairman Jordan requested that the agenda be amended to add the following items recommended by the Finance Committee to the Agenda: 1) Approval of Peace Initiative; 2) Adoption of Resolution Reducing Sheriff’s Salary; 3) Extension of Closing Date for Former Elizabeth City Middle School; 4) Approval of Incentive for United Way Contribution; 5) Closed Session per [NCGS 143-318.11(a)(3)] to consider and give instructions concerning a judicial action titled The Col. William F. Martin Camp 1521, Sons of the Confederate Veterans, and the North Carolina Division Sons of Confederate Veterans, Inc. vs. Pasquotank County, North Carolina; and 6) Consideration of Bids for Relocation of Confederate Monument. County Manager Hammett requested that Item 8A – Hunting with Dogs be removed from the agenda, and be considered at a later date.

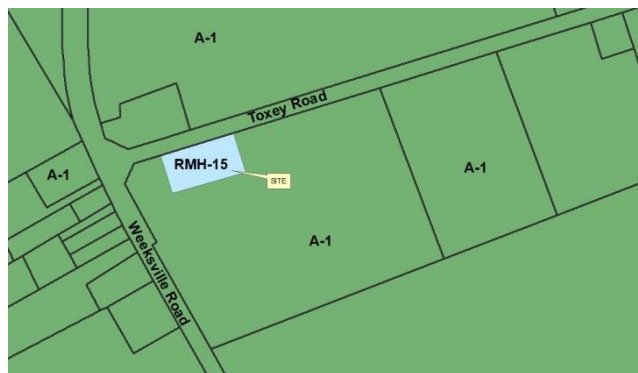
Motion was made by Charles Jordan, seconded by Sean Lavin to amend the agenda to add Items #1-4 to the Consent Agenda, Item #5 to Closed Session, Item #6 to New Business, and removed Item 8A – Hunting with Dogs from New Business . The motion carried unanimously.

**2. PUBLIC HEARING ON REZONING REQUEST RR 21-01:**

Planning Director Shelley Cox outlined the request.

**Property Owner/Applicant:** Gladys Daniels  
1618 Rochelle Drive  
Elizabeth City, NC 27909

**Requested Action:** Request is to rezone .9 +/- acres from RMH-15, Residential Manufactured Home to A-1, Agricultural.



## Surrounding

### Land Uses/Zoning:

*North:* Residential & Agricultural/A-1  
*South:* Agricultural/A-1  
*East:* Residential & Agricultural/A-1  
*West:* Residential & Agricultural/A-1

### Zoning Classification: **RMH-15, Residential Manufactured Home (Current District)**

This district is defined as low-density residential areas and additional open areas where similar residential development will be a viable land use. The minimum lot size is 15,000 square feet. The uses permitted in this district are designed to stabilize and protect the essential character of the area and prohibit all activities of a commercial nature except when certain home occupations controlled by specific limitations. Mobile homes and manufactured homes on individual lots are permitted.

### **A-1, Agricultural (Proposed District)**

This district is defined as large, open land areas. The regulations of this district are designed to retain the open characteristics of the land. For that reason, the permitted uses are limited in number.



### Land Use Plan Classification:

The 2004 Advanced Core Land Use Plan classifies this site as "Rural Agriculture." According to the Land Use Plan, the Rural Agriculture classification constitutes the majority of land area within the County's planning jurisdiction (54%).

"The Rural Agricultural classification is intended to delineate lands where the predominant land use is scattered, very low density residences dispersed among farm land and open spaces. Small scale commercial uses that primarily provide goods and services to residents of the surrounding area and agricultural related industrial uses may be permitted at an intensity of no more than 1 unit per acre. The residential density within this classification is generally 1 dwelling unit or less per acre. Long-term, the Rural Agricultural classified areas are projected to develop at average densities of approximately one dwelling unit per ten acres based on current development trends and density patterns. The intensity of support nonresidential uses, such as agribusinesses, in the Rural Agricultural classified areas is projected to average approximately one establishment per 257 acres.

Land uses within Rural Agricultural-designated areas are generally compatible with the A-1 Agricultural zoning classifications. Minimum lot sizes are 43,000 square feet unless a larger minimum lot area is required by the health department for land uses utilizing septic systems. Lot coverage is restricted to 30% of the gross lot area and building heights are limited to 35 feet. Scattered single-family detached residences and manufactured homes on individual lots are the predominant types of dwellings within these areas. Some small, existing residential subdivisions and mobile home parks may also be located within the areas classified as Rural Agricultural. Public water

service is available in the majority of the Rural Agricultural classified areas and is needed to support new residential subdivisions.

The County's goals and policies support the continued use of land in Rural Agricultural classified areas for scattered, very low density residential development and agricultural and forestry purposes. Manufacturing and high intensity commercial uses are generally incompatible in the Agriculture classification. Land conservation is encouraged in these areas. In the long-term, as the County's population increases and the demand for housing rises, it is anticipated that the character of some Rural Agricultural classified areas may evolve into low density residential areas. In the short-term, waterfront properties where public water service is available are considered prime areas for low density residential development." (*Elizabeth City-Pasquotank County 2004 Advanced Core Land Use Plan, page 146.*)

**Flood Zone:** The area requested for rezoning is not within the 100 year flood zone according to the FEMA Flood Insurance Rate Map Community Panel 3720892000K, effective December 21, 2018.

**Public Notices:** Notification of adjoining property owners and the public began on September 1, 2021 in the form of adjoining property letters, posting of a sign on the affected property, and by advertisement within The Daily Advance on August 31<sup>st</sup> and September 7<sup>th</sup>..

**Staff Comments:**

- The area requested for rezoning was previously used for a small mobile home park. The mobile homes have been removed from the property and the owner wishes for this area to revert back to agricultural.
- The total acreage of this parcel is 18.0 acres. The area requested for rezoning consists of approximately .9 acres.
- Access to this property is provided onto Toxey Road.
- Should this rezoning be approved, all uses permitted in the A-1, Agricultural district would be allowed at this location subject to any conditions required by the Zoning Ordinance.

**Planning Board Recommendation:**

On July 22, 2021 the Planning Board reviewed this request and recommended **approval** (6-0).

**Planning Board Recommended Consistency Statement:**

RR 21-01 is a request to rezone approximately .9 acres from RMH-15, Residential Manufactured Home to A-1, Agricultural. This request is consistent with the Rural Agriculture classification of the property as shown on the Future Land Use Classification map within the Pasquotank County

—  
Elizabeth City Advanced Core Land Use Plan (adopted January 9, 2012). The rezoning is reasonable and in the public interest because the property is surrounded by the A-1, Agricultural Zoning District.

Chairman Griffin declared the meeting a public hearing on Rezoning Request RR 21-01 and asked if anyone would care to address the board. There being no comments, the public hearing was closed.

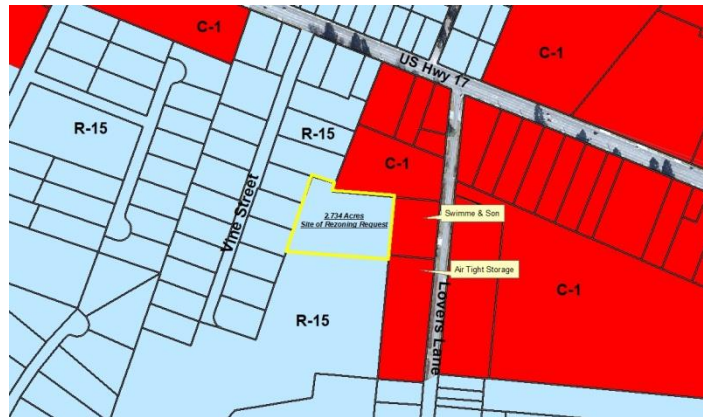
Motion was made by Sean Lavin, seconded by Cecil Perry to approve Rezoning Request RR 21-01 as presented, and to adopt the consistency statement recommended by the Planning Board. The motion carried unanimously.

**3. PUBLIC HEARING ON REZONING REQUEST RR 21-02:**

Planning Director Shelley Cox outlined the request.

**Property Owner/Applicant:** Mark Swimme  
Storage to Go, LLC  
184 Lovers Lane  
Elizabeth City, NC 27909

**Requested Action:** Request is to rezone 2.734 acres from R-15, Residential to C-1, Commercial.



**Surrounding**

**Land Uses/Zoning:**

- North:* Residential & Commercial, C-1 and R-15
- South:* Vacant & Commercial/R-15 and C-1
- East:* Commercial/C-1
- West:* Residential/R-15

**Zoning Classification: R-15, Residential (Current District)**

This district is defined as low-density residential areas and additional open areas where similar residential development will be a viable land use. The minimum lot size is 15,000 square feet. The uses permitted in this district are designed to stabilize and protect the essential character of the area and prohibit all activities of a commercial nature except certain home occupations controlled by specific limitations. Mobile homes and manufactured homes are not permitted. Manufactured homes, Class A are permitted.

**C-1, Commercial (Proposed District)**

This district is defined as certain areas that are designed to serve both non-residents and residents using the major state and county roads that run through the county. This district is designed to accommodate retail or service establishments customarily patronized by transient traffic as well as non-transient traffic.



**Land Use Plan Classification:**

The 2004 Advanced Core Land Use Plan classifies this site as "Mixed Residential." According to the Land Use Plan, "the Mixed Residential classification encompasses approximately 13 square miles (8,333 acres) or

about 6% of the total County land area. The properties classified as Mixed Residential are situated northwest of the Elizabeth City urban area between the Halstead Boulevard Connector, US 17 Bypass, Elizabeth City ETJ, US 17 North and the conservation area along the Pasquotank River.

The Mixed Residential classification is intended to delineate lands where there is a variety of residential densities and building types within the same development. Traditional residential development with consistent densities and similar building types are encouraged in this classification as well. Long-term, the Mixed Residential-classified areas are projected to develop at average densities of approximately two units per acre. This projection is based upon the assumption that the area will develop primarily as single-family residential with some limited multi-family residential developments scattered within the area.

Land uses within Mixed Residential designated areas are generally compatible with the R-15, R-15A, R-25A, and R-35A, Residential and the MF, Multi-family zoning classification. Minimum lot sizes are 43,000 square feet unless a larger minimum lot area is required by the health department for land uses utilizing septic systems and 15,000 for single-family uses using a central sewer system. Lot coverage is restricted to 40% of the gross lot area and building heights are limited to 40 feet. Building types encouraged within this classification include single-family detached and attached dwellings, and duplexes. Public water and sewer service is required to support the higher densities in this classification. Roads with the capacity to accommodate higher traffic volumes are also necessary to support Mixed Residential development. Design features to ensure the compatibility of mixed density developments with neighboring traditional residential developments may be necessary.

Residential growth is encouraged in the Mixed Residential classified areas. These areas are expected to accommodate the majority of the future residential growth projected for the planning period. Due to the large amount of acreage within the Mixed Residential areas, these areas are also anticipated to meet longer-term residential growth needs as well. (*Elizabeth City-Pasquotank County 2004 Advanced Core Land Use Plan, page 148.*)

**Flood Zone:** The area requested for rezoning is not within the 100 year flood zone according to the FEMA Flood Insurance Rate Map Community Panel 3720890500L, effective December 21, 2018.

**Public Notices:** Notification of adjoining property owners and the public began on September 1, 2021 in the form of adjoining property letters, posting of a sign on the affected property, and by advertisement within The Daily Advance on August 31<sup>st</sup> and September 7<sup>th</sup> in compliance with NC GS Chapter 160D requirements.

**Staff Comments:**

- Access to this property is provided onto Lovers Lane.
- Should this rezoning be approved, all uses permitted in the C-1, Commercial district would be allowed at this location subject to any conditions required by the Zoning Ordinance including buffers adjacent to any residential properties.

**Planning Board Recommendation:**

On August 26<sup>th</sup> the Planning Board reviewed this request. The Board found that the rezoning is not consistent with the Mixed Residential classification in the Land Use Plan. However, the property is adjacent to an existing commercial zoning district and commercial use. In addition,

the site is in close proximity to North Road Street, which is a commercial corridor. Based upon those facts, the Planning Board recommended approval of the rezoning request.

**Planning Board Recommended Consistency Statement:**

RR 21-02 is a request to rezone approximately 2.734 acres from R-15, Residential to C-1, Commercial. This request is not consistent with the Mixed Residential classification of the property as shown on the Future Land Use Classification map within the Pasquotank County Elizabeth City Advanced Core Land Use Plan (adopted January 9, 2012). However, the rezoning is reasonable and in the public interest because the property is located adjacent to the C-1, Commercial district and existing commercial uses.

Chairman Griffin declared the meeting a public hearing on Rezoning Request RR 21-02 and asked if anyone would care to address the board. There being no comments, the public hearing was closed.

Motion was made by Barry Overman, seconded by Sean Lavin to approve Rezoning Request RR 21-02 as presented, and to adopt the consistency statement recommended by the Planning Board. The motion carried unanimously.

**4. REDISTRICTING – CENSUS DATA UPDATE:**

Chairman Griffin called on Julie Stamper, GIS Coordinator, to update the Board on the Census data and the impact of population changes on Redistricting. Ms. Stamper provided a PowerPoint presentation. She stated that the County’s 2010 population was 40,661, and our 2020 population is 40,568, which is down 93 people. The change was mostly due to enrollment at Elizabeth City State University being down 1,300 people, which means there was growth in the County.

Ms. Stamper explained the following chart and noted that the two inside districts fall outside of the acceptable range, therefore, the County will have to redistrict.

Commissioner Districts with 2020 Populations

Northern Outside	10,458	-316
Northern Inside	11,129	-987
Southern Inside	9,081	+1,061
Southern Outside	9,900	+242

Total Population/4 = Ideal District Size  
40,563/4 = 10,142  
10,142 +/- 5%  
9,635 – 10,649 Acceptable Range

Ms. Stamper provided the following timeline for redistricting: August 12<sup>th</sup> – Data was released; September 13<sup>th</sup> – First presentation; October 18<sup>th</sup>- Presentation of potential districts; November 15<sup>th</sup>- Final selection of districts; and November 17<sup>th</sup> – State deadline. She said she has set up a website: [pasquotankcountync.org/redistricting](http://pasquotankcountync.org/redistricting) which has information for the public.

Motion was made by Sean Lavin, seconded by Barry Overman to formally acknowledge the need to redistrict and to begin the redistricting process. The motion carried unanimously.

**5. PUBLIC COMMENTS:**

Chairman Griffin recognized Anthony Sawyer of 2715 West Main Street Extended to address the Board. Mr. Sawyer is devastated because he was let go from being a volunteer coach at Northeastern High School after 17 years of service because the School Board recommended doing background checks on volunteers. They dug something up on him that happened 28 years ago and he was told he could no longer volunteer. He said the county’s schools and the School Board are full of racism.

Chairman Griffin recognized Carl Pickell of 2362 Delia Drive to address the Board. Mr. Pickell feels that property owners should have the right to say whether hunting dogs can come on their property or not. He said the advisory committee that was formed today might work, but he doubts it. He feels moving the Confederate Monument is giving into bullies.



Chairman Griffin recognized George Hague of 1321 Delia Drive. Mr. Hague asked for an itemization of the \$50,000 approved for the Police2Peace Initiative.

Chairman Griffin recognized Sue Engelhardt of 113 Christina Court to address the Board. Ms. Engelhardt commended the Board for their open and transparent process they are putting in place for the redistricting process.

Chairman Griffin recognized Andrea Rovenski, address unknown, to address the Board. Ms. Rovenski said she heard earlier that a child died from the Corona Virus, yet she is sitting in a room of grown adults who do not have masks on.

Chairman Griffin recognized Wayne White of 614 Meadstown Road to address the Board. Mr. White believes whoever is taking the Confederate Monument should do it at their expense, not the taxpayers.

Chairman Griffin recognized Wade Reid of Body Road to address the Board. Mr. Reid said he has hunting dogs come on his property on a weekly basis. He asked the Board to come up with a reasonable solution that will control the hunters.

Chairman Griffin recognized Sarah Wenninger of Bateman Drive to address the Board. Ms. Wenninger suggested that commissioners share studies they cite with those in the audience so they can read them for themselves. She also shared concerns with students being asked at high school football games to stay with their parents in the stands. She said children should be allowed to have fun at community events.

Chairman Griffin recognized Cassandra Bedford, address unknown, to address the Board. Ms. Bedford voiced concerns with overgrowth of trees and shrubs on the corner of Oak Stump and Trinkaloe Roads. She said you cannot see what is coming around the curve, and someone is going to get killed.

Attorney Mike Cox said due to the fact that he has heard so many inaccurate statements being made tonight, he would like to suggest citizens call the County Manager's Office so that staff can provide some of the answers to citizens very easily. Commissioner Overman stated that there are so many things being asked that are not within the Board's discretion. He said he heard several people insinuate that the Board does not do anything. He explained that there are more than 18 departments and every one of those departments have committees that have to do hours and hours of work before an item comes to the Finance Committee at 4:00. The Board of Commissioners cannot do all the work of the County at their 6:00 meeting.

**6. APPROVAL OF CONSENT AGENDA:**

The Board considered the following consent agenda. Commissioner Jonathan Meads asked to be recused from considering the tax releases and refunds due to a conflict of interest and he requested that they be removed from the consent agenda.

Motion was made by Charles Jordan, seconded by Barry Overman to remove the tax releases, tax refunds, and solid waste fee releases from the consent agenda and consider them separately. The motion carried unanimously.

*a. Approval of Minutes of August 16, 2021 Commissioner Meeting*

*b. Approval of Budget Amendments*

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

Landfill-Operations

Increase	065.0991.4991.00	Fund Balance Appropriated	146,653.00
Increase	065.7420.5570.00	Landfill Improvements	146,653.00

Emergency MGMT

Increase	010.0991.4991.00	Fund Balance Appropriated	26,719.00
Increase	010.4330.5636.01	Additional Funding	26,719.00

c. Approval of Funding for Sheriff's Office Training – Real World De-Escalation; Duty to Intervene; and Advanced Traffic Stops

Pasquotank County Sheriff's Deputies receive all training mandated by the State of North Carolina. Sheriff Wooten has requested funding for additional training for Deputies. Blue to Gold, LLC provides training to law enforcement agencies nationwide. In traditional training, less attention has been paid to training officers in mastering de-escalation. The Real World De-Escalation class will provide practical and workable tactics to help de-escalate many encounters. Students who complete the course will: reduce unnecessary force; increase community trust; and increase traditional decision-making. The objective of the Duty to Intervene class is to train officers and agencies when they are legally required to get involved. The result will be decreased liability and improved officer wellness. Finally, deputies will be taught both the letter law and real world "best practices" for traffic stops to make them more professional during the stops and reduce exposure to civil lawsuits. All three classes would be taught onsite for a total cost of \$9,000 (Blue to Gold estimate is attached). The Finance Committee has recommended approval of the request and the associated budget amendment.

**Sheriff**

Decrease	010.6900.5991.00	Contingency	9,000.00
Increase	010.4310.5311.00	Training	9,000.00
Sheriff's Office training			

d. Adoption of Resolution for Accepting American Rescue Plan Act (ARPA) Funds

The Board is required to act to officially accept the American Rescue Plan Act funds. The following resolution will ratify the acceptance of the \$3,867,672.50 the County received on June 17, 2021 from the US Treasury.

**Pasquotank County Resolution for Accepting**

**American Rescue Plan Act Funds**

**WHEREAS**, Pasquotank County is eligible for funding from the Coronavirus State and Local Fiscal Recovery Funds of H.R. 1319 American Rescue Plan Act of 2021 (CSLRF).

**WHEREAS**, the Board of Commissioners is required to formally accept the CSLRF funds;

**WHEREAS**, revenue received under the CSLRF must only be spent for purposes authorized by the CSLRF, and applicable regulations, and by state law;

**WHEREAS**, revenue received under the CSLRF must be accounted for in a separate fund and not co-mingled with other revenue for accounting purposes; and

**WHEREAS**, Pasquotank County must comply with all applicable budgeting, accounting, contracting, reporting, and other compliance requirements for CSLRF funds.

**NOW, THEREFORE, BE IT RESOLVED** by the Pasquotank County Board of Commissioners that we do hereby accept and request CSLRF funding to be distributed by the US Treasury; and

**FURTHER RESOLVED** that Pasquotank County affirms that the CSLRF revenue will only be used for the purposes prescribed in the CSLRF, and in US Treasury guidance in 31 CFR, Part 35, and any applicable regulations, and in accordance with state law; and

**FUTHER RESOLVED** Pasquotank County will comply with procedures created by the North Carolina General Assembly and the US Treasury Department to receive funds under the act; and

**FURTHER RESOLVED** that Pasquotank County will account for CSLRF in a separate fund and not co-mingle it with other revenues for accounting purposes and will comply with all applicable federal and state budgeting, accounting, contracting, reporting, and other compliance requirements for CSLRF funds; and



**FURTHER RESOLVED** that the Board of Commissioners of Pasquotank County designates and directs the Finance Officer to take all actions necessary on behalf of the Board of Commissioners to receive the CSLRF funds.

**ADOPTED**, this the 13<sup>th</sup> day of September, 2021

*e. Adoption of Water and Sewer Capital Improvement Plan*

The following Capital Improvement Plan is requested to be adopted by the Utilities Committee:

Pasquotank County Capital Improvement Plan											
EXPENDITURES	2020-2030										Totals
	FY 2020-21	FY 2021-22	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	FY 2029-30	
RO Well Field - 3 Demisional Model	\$70,000										\$70,000
Weeksville Well Field Management Plan	\$28,000										\$28,000
RO Well Field Management Plan	\$19,000										\$19,000
Remote SCADA Access and System Upgrades		\$100,000									\$100,000
AIA studies and GIS mapping		\$165,000		\$165,000							\$330,000
Asset Management Plan				\$65,000							\$65,000
Billing Software Upgrade	\$40,000	\$15,000									\$55,000
Billing Computers and Printer replacements	\$20,000										\$20,000
Acquire South Mills Water System	\$1,500,000										\$1,500,000
Construct South Mills Improvements			\$1,062,000								\$1,062,000
Install Altitude Valve at Newland Water tank								\$100,000			\$100,000
Preliminary Engineering Report and Environmental for RO addition.		\$65,000									\$65,000
3 MGD Upgrade RO Plant( includes technical and contingency)		\$4,010,000									\$4,010,000
Altitude Valve Vault Upgrades		\$68,750		\$68,750		\$65,000		\$81,250			\$283,750
Replace 15,050 feet of 10" PVC with 16" PVC Oak Stump Road							\$827,250				\$827,250
Install 25,875 LF of 12" PVC main on US Hwy 17 bypass to N Side Rd									\$1,034,000		\$1,034,000
Add Office Spaces at Billing Office & Staff Offices at Weeksville WTP			\$45,000								\$45,000
<b>Weeksville Well Field Assessment &amp; Rehab Wells 1-9</b>											
3 wells complete replacements on new site		\$750,000									\$750,000
3 wells with new casing / screens with new monitoring		\$468,750									\$468,750
3 wells with clean in place screens with new monitoring		\$225,000									\$225,000
Install new real time static water gauges		\$156,000									\$156,000
Upgrade or replace flow meters with 4-20 mA output		\$100,000									\$100,000
Additional Raw Water Main (estimated quantity)		\$312,500									\$312,500
<b>Weeksville Well Field Assesment Wells 10-20</b>											
Specific capacity test			\$45,000								\$45,000
Install new real time static water gauges			\$100,000								\$100,000
Upgrade or replace flow meters with 4.-20mA output			\$75,000								\$75,000
<b>Weeksville Well Field Assesment Wells 21-30</b>											
Specific capacity test				\$41,000							\$41,000
Install new real time static water gauges				\$95,000							\$95,000
upgrade or replace flow meters with 4.-20mA output				\$80,000							\$80,000
<b>Weeksville Water Plant Upgrade to Nano Filtration</b>											
Preliminary Engineering and Environmental Report				\$68,000							\$68,000
Design Plans and Specifications					\$325,000						\$325,000
Initial Construction						\$6,900,000					\$6,900,000
Generators and transfer switches Well 1 & 2		\$150,000									\$150,000
Complete Hydraulic Model Update			\$48,000					\$75,000			\$123,000
Connect Parsonage Street Extension To Casey Street							\$88,000				\$88,000
<b>AMI Meter Additions</b>		\$400,000		\$400,000		\$400,000		\$400,000		\$400,000	\$2,000,000
<b>WWTP NPDES Discharge Permi/ PER/ EA</b>		\$104,000									\$104,000
<b>Mega Industrial Park</b>							\$1,750,000				\$1,750,000
500,000 Elevated Water Storage Tank			\$3,750,000								\$3,750,000
Water Mains to Mega Park			\$650,000								\$650,000
<b>1.00 MGD WWTP @ \$15 per gallon</b>				\$18,750,000							\$18,750,000
Conveyance System from Mega Park to New WWTP				\$1,742,250							\$1,742,250
Water Quality Model and EAA				\$104,000							\$104,000
Upgrade Commerce Park Pump Station 9A		\$130,000									\$130,000
<b>Totals</b>	<b>\$1,677,000</b>	<b>\$7,220,000</b>	<b>\$5,775,000</b>	<b>\$21,579,000</b>	<b>\$325,000</b>	<b>\$7,365,000</b>	<b>\$2,665,250</b>	<b>\$656,250</b>	<b>\$1,034,000</b>	<b>\$400,000</b>	<b>\$48,696,500</b>

Adopted this the 13<sup>th</sup> day of September, 2021.

*f. Adoption of Resolution for Asset Inventory and Assessment Grant Application*

The County has authorized Green Engineering PLLC, on its behalf, to prepare and submit to the North Carolina Department of Environmental Quality – Division of Water Infrastructure separate applications for funding; the first application being for an Asset Inventory and Assessment of the County’s water system and the second application being for an Asset Inventory and Assessment of the sanitary sewer system. The maximum grant available for each application shall not exceed \$150,000, of which the County will be required to match in the amount of 5% of the awarded grant amount of the application. The following resolution must be approved and accompany the application. Staff recommends approval.

**RESOLUTION BY BOARD OF COMMISSIONERS  
PASQUOTANK COUNTY, NORTH CAROLINA**

WHEREAS, The Federal Clean Water Act Amendments of 1987 and the North Carolina the Water Infrastructure Act of 2005 (NCGS 159G) have authorized the making of loans and grants to aid eligible units of government in financing the cost of performing an Asset Inventory and Assessment of water and sanitary sewer system components, and

WHEREAS, The County of Pasquotank has need for and intends to prepare an Asset Inventory and Assessment of the Weeksville Water system currently under County operations and control, and

WHEREAS, The County of Pasquotank has authorized Green Engineering, PLLC, on their behalf, to prepare and submit to the to the North Carolina Department of Environmental Quality –

Division of Water Infrastructure separate applications for funding; the first application being for an Asset Inventory and Assessment of the County's water system and the second application being for an Asset Inventory and Assessment of the sanitary sewer system, and

WHEREAS The maximum grant available for each application shall not exceed \$150,000.00, of which the County of Pasquotank will be required to match in the amount of 5.00% the awarded grant amount per application,

WHEREAS, The County of Pasquotank intends to request state grant assistance for this project,

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

That Pasquotank County, the Applicant, will arrange financing for all remaining costs of the project, if approved for a State (loan or grant) award.

That the Applicant will adopt and place into effect on or before completion of the project a schedule of fees and charges and other available funds which will provide adequate funds for proper operation, maintenance, and administration of the system and the repayment of all principal and interest on the debt.

That the governing body of the Applicant agrees to include in the loan agreement a provision authorizing the State Treasurer, upon failure of the (unit of government) to make scheduled repayment of the loan, to withhold from the (unit of government) any State funds that would otherwise be distributed to the local government unit in an amount sufficient to pay all sums then due and payable to the State as a repayment of the loan.

That the Applicant will provide for efficient operation and maintenance of the project on completion of construction thereof.

That Sparty Hammett, County Manager, the Authorized Official, and successors so titled, is hereby authorized to execute and file an application on behalf of the Applicant with the State of North Carolina for a (loan or grant) to aid in the construction of the project described above.

That the Authorized Official, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project: to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

That the Applicant has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto.

Adopted this the 13<sup>th</sup> September, 2021 in Pasquotank County, North Carolina.

*g. Adoption of Resolution Supporting the African American Experience in Northeastern North Carolina*

At the Board's June 21<sup>st</sup> meeting, Corrina Ruffieux, Executive Director, Visit Elizabeth City, provided a presentation on the African American Experience in Northeastern North Carolina and requested the Board adopt the following resolution in support:

**Resolution in Support  
Of the  
African American Experience of Northeast North Carolina**

**Whereas**, The African American Experience of NENC is a six county initiative encompassing Northeastern North Carolina, and

**Whereas**, the African American Experience of NENC Celebrates the contribution of African Americans and encourages a deeper understanding of the significance of the region's cultural heritage and

**Whereas**, the African American Experience of NENC will work to build more inclusive communities and

**Whereas**, the African American Experience of NENC will inspire exploration and appreciation of African American experience and

**Whereas**, the African American Experience of NENC will ultimately drive cultural tourism and economic impact

**Now, therefore, Be it Resolved** that the Pasquotank County Board of Commissioners expresses its sincere support for the African American Experience of NENC and extends its best wishes for its endeavors.

**Adopted** this the 13<sup>th</sup> day of September, 2021.

*h. Peace Initiative*

The Finance Committee has recommended the following:

- Retain Police2Peace to move forward with the first two components of the Peace Initiative – Micro Community Listening Sessions and Peace Officer framework, with a not to exceed budget of \$50,000 using Contingency Funds.
- Direct the County Manager to work with the Sheriff’s Office in forming a Task Force as the first step toward implementing a Citizens’ Advisory Council.
- Approve the associated budget amendment.

<b>Sheriff</b>			
Decrease	010.6900.5991.00	Contingency	50,000.00
Increase	010.4310.5440.00	Contracted Services	50,000.00
Peace Initiative			

*i. Adoption of Resolution to Reduce the Sheriff’s Salary*

In years past, the County has reduced the salary of the Sheriff and Register of Deeds at the time of filing of office. The purpose of reducing the salary is in the event an inexperienced person was elected to the position the new person would not start out at the salary of the incumbent who may have been in office for a number of years. The reduced salary also determines the filing fee for the office which is 1% of the salary. The starting salary for the Sheriff is \$69,792 and it is recommended that the salary be reduced from \$95,357 to that number. The Register of Deeds is not in the 2022 election cycle. The Finance Committee has recommended adoption of the following resolution approving the salary reduction:

**RESOLUTION TO REDUCE THE SHERIFF’S SALARY**

**WHEREAS**, Section 153 A-92 of the North Carolina General Statutes provides that the board of commissioners shall fix or approve the schedule of pay, expense allowances, and other compensation of any county officers and employees, whether elected or appointed; and

**WHEREAS**, Section 153 A-92(b)(2) of the North Carolina General Assembly provides that during the year of a general election, the board of commissioners may reduce the salary, allowances or other compensation of an officer to be elected at the general election; and

**WHEREAS**, the office of Sheriff is up for election during the 2022 general election and the Pasquotank County Board of Commissioner wishes to set the salary for the position at \$69,792, the starting salary for this position within the county’s pay grade and classification schedule; and

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

Section 1. Pursuant to Section 153-92(b)(2) of the North Carolina General Statutes the Pasquotank County Board of Commissioners gives notice of its intention to reduce the salary for the position of Pasquotank County Sheriff from \$95,357 annually to \$69,792.

Section 2. The reduction in salary set forth in Section 1 of this resolution shall take affect at the time a candidate for Pasquotank County Sheriff is elected in the next general election takes office.

Section 3. The filing fee for the office of Sheriff shall be based on an annual salary of \$69,792.

**ADOPTED** the 13<sup>th</sup> day of September, 2021.

*j. Extension of Closing Date for Former Elizabeth City Middle School Sale*

On November 20, 2020, the County entered into a Real Property Purchase and Sale Agreement with J.D. Lewis Construction Management, Inc. (JDL) with a Due Diligence Period until September 3, 2021. The Closing Date was listed as “no later than the tenth (10<sup>th</sup>) business day following the expiration of the Due Diligence Period.” JDL has requested an extension of the closing date to purchase the former Elizabeth City Middle School to allow adequate time to finalize the gym lease back agreement. The Finance Committee has recommend approval of the request to extend the closing date to January 7, 2022.

*k. Approval of Incentive for United Way Contribution*

During previous campaigns, as an incentive for employees to contribute to the United Way, the Board agreed to grant eight hours of vacation time to one employee whose name was drawn from the names of all employees who contributed a minimum of \$24 to the United Way. The Finance Committee has recommended approval of the incentive.

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

**7. APPROVAL OF TAX RELEASES AND REFUNDS:**

Commissioner Meads asked that he be recused from considering the tax releases and refunds due to a conflict of interest.

Motion was made by Cecil Perry, seconded by Barry Overman to recuse Jonathan Meads from considering the tax releases, refunds, and solid waste fee releases. The motion carried unanimously.

**Tax Releases**

		County	City
1.	Edward P. & Karen L. Holland	415.50	
2.	Geno Jean & Sandy Pettit	415.50	333.00
3.	Jack A. & Melissa Maresca	415.50	333.00
4.	William J. Maloney	415.50	
5.	Ellenor Regina Meads	611.85	
6.	Katherine S. Nixon	382.62	
7.	Rachel Reddick	608.77	
8.	Sandra Ballweg	261.50	
9.	Michael Jr. & Christy Zakrajsek	415.50	
10.	Ida Muldrow	521.29	
11.	Cody Williams Weeks	144.00	
12.	Pasquotank County	116.78	
13.	Jason Christopher Lyle Goetz	1115.82	
14.	P. Frankie Egan	288.00	
15.	Pelican Pointe Assc. Inc		645.46
16.	Joseph Peele	415.50	333.00
17.	Doris K. Tadlock Life Est.	253.03	176.86
18.	Karl Brandspigel & Juanita R. Coleman	485.10	466.20
19.	Cathleen Ira O'Connor Trust	144.00	
20.	Blinn Augustus Buell	291.83	
21.	Blinn Augustus Buell	291.83	
22.	D & D Mobile Home Repairs & Moving Inc	101.06	
23.	C D Black Inc.	167.09	160.58
24.	Henry L. & Connie C. Hassell	251.99	
25.	Richard C. & Sandra C. Parker	278.74	
26.	Richard C. & Sandra C. Parker	1,053.37	
27.	Newbegun Land Gen. Partnership	230.23	

Tax Refunds

		County	City
1.	Blinn Augustus Buell	291.83	
2.	Mary Spence Chappell	685.31	
3.	Mary Spence Chappell	685.31	
4.	Mary Spence Chappell	685.31	
5.	Mary Spence Chappell	685.31	
6.	Mary Spence Chappell	685.31	
7.	Joseph John Mazur	142.45	

Solid Waste Fee Releases

		Parcel ID #	Reason for Release
1.	Mary Anderson	P120A-57	Vacant
2.	Associated Leasing LLC	24-A-11	Vacant
3.	Lindsey Brothers	P30-2A	Vacant
4.	Deborah Mae Comer Bunch Etal	12-B-18	Vacant
5.	Deborah Mae Comer Bunch Etal	12-B-17	Vacant
6.	Vivian Butts Etal	P142-15	Vacant
7.	Jean Bush & Flossy Overton	P130-14	Vacant
8.	City of Elizabeth City	26-A-12	Vacant
9.	Ernest E. & Barbara B. Cooper Joint Revocable Trust	37-E-132, 133	Vacant
10.	Donald Damron	P139-96	Vacant
11.	Mattie Lee Davis	31-C-2	Vacant
12.	John R. Etheridge Heirs	P63-40-1	Vacant
13.	Family Worship Center	P35-36	Vacant
14.	William F. & Linda E. Gregory	P5-5	Vacant
15.	Harrell Griffin Heirs	P48-4	Vacant
16.	Eudora B. Harvey	29-D-24	Vacant
17.	Eudora Harvey	26-D-35	Vacant
18.	Eudora Harvey	26-A-34 & 33	Vacant
19.	Eudora B. Harvey	26-A-49	Vacant
20.	Eudora B. Harvey	P122A-70	Vacant
21.	Eudora Harvey	P122A-68	Vacant
22.	Eudora Harvey	26-A-19	Vacant
23.	Gracie Meads Heirs	P35-59	Vacant
24.	Alice M. Redding	26-B-12	Vacant
25.	Bell Taylor Heirs	26-D-1	Vacant

Motion was made by Barry Overman, seconded by Charles Jordan to approve the tax releases, refunds, and solid waste fee releases. The motion carried unanimously.

**8. CLOSED SESSION:**

Chairman Griffin asked for a motion that the Board enter Closed Session to preserve the attorney client privilege per [NCGS 143-318.11(a)(3)].

Motion was made Barry Overman, seconded by Charles Jordan that the Board enter Closed Session to preserve the attorney client privilege in regard to a judicial action titled The Col. William F. Martin Camp 1521, Sons of the Confederate Veterans, and the North Carolina Division Sons of Confederate Veterans, Inc. vs. Pasquotank County, North Carolina. The motion carried unanimously.

Upon the end of Closed Session;

Motion was made Sean Lavin, seconded by Barry Overman that the Board return to Regular Session. The motion carried unanimously.

**9. CONSIDERATION OF CONFEDERATE MONUMENT BIDS:**

The Finance Committee has recommended approval to contract with David White Crane Service, LLC to move the monument at a cost of \$50,000 using Contingency Funds, approval of the

agreement with Warren Weidrick for relocation and placement of the monument, and approval of the associated budget amendment.

<b>Non-Departmental</b>			
Decrease	010.6900.5991.00	Contingency	50,000.00
Increase	010.4195.5440.00	Contracted Services	50,000.00
	Move monument		

Commissioner Meads noted that there is a possibility that the statute may have to be moved back, which could cost \$50,000 or more, which would require a large amount of taxpayer money.

Motion was made by Cecil Perry, seconded by Charles Jordan to approve the contract with David White Crane Service, LLC to move the monument at a cost of \$50,000 using Contingency Funds, approve the agreement with Warren Weidrick for relocation and placement of the monument, and approve the associated budget amendment. The motion carried five to two, with Commissioner Lavin and Meads voting against the motion.

#### **10. REPORTS FROM COMMISSIONERS:**

Commissioner Meads attended the Utilities Committee meeting and received a report on the Utilities Department's financial situation. He attended a memorial service in Chowan County for 9/11. He said it was a very good presentation.

Commissioner Sterritt attended an event at ECSU celebrating their partnership with American Airlines, along with Chairman Griffin, Commissioner Jordan, Commissioner Lavin, and County Manager Hammett. He said the ceremony was a topnotch event. He said this is a great opportunity for the students, the status of the university, and from an economic standpoint. He reported that the SPCA Board has decided to go back to meeting virtually.

Commissioner Lavin stated that the event at ECSU was an awesome event. The ancillary jobs that come from this partnership are an awesome opportunity for the students of ECSU. He attended a Community Unity Luncheon directly following the event. He reported that T-Com was recently awarded a large foreign military sales contract, which is a very big opportunity for them, as well as local manufacturing machine shops and suppliers in the area. With the contract, they will be hiring some additional positions over the next six to eight months.

Commissioner Perry attended the monthly Health Board meeting. They were updated on the COVID situation. He stated that he has been advocating for change for a very long time. He noted that this is the Board's opportunity to create a better opportunity for everyone. He said as long as we continue down a road that causes us to think that yesterday is the correct way to move forward, we will continue to move backwards.

Commissioner Overman reported that he attended a ribbon cutting for the new Public Safety Building in Currituck. He said it is a very nice facility. He attended the monthly Tourism Development Authority meeting. They continue to plan for the upcoming USCG Marathon scheduled for next March. He stated that they anticipate a very large turnout, which will bring a lot of people to Pasquotank County. He noted that he is fine with both restructuring and redistricting because he raised his children to vote for people based on their character and not the color of their skin.

Vice-Chairman Jordan attended meetings for the Economic Development Authority, the Jail Board, the Sentara Advisory Committee, and the Drainage Committee. He also attended a breakfast at COA where BCBS became familiar with what COA has to offer. He participated in a NCACC Covid-19 update via Zoom, and attended the event at ECSU previously mentioned.

Chairman Griffin noted that BCBS is making a statewide, county by county visit looking at community assets and how they can be beneficial and active in communities. They visited ECSU as well. He said American Airlines has visited many historically black colleges across the country looking at hiring over 10,000 students over the next ten years. The Albemarle Commission voted today to look for support and resources to get our communities connected with broadband. He attended the Annual United Way Banquet. He noted that the County's sales tax numbers are starting to increase.



There being nothing further to come before the Board;

Motion was made by Jonathan Meads, seconded by Sean Lavin to adjourn the meeting. The motion carried and the meeting was adjourned at 7:50 PM.

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CHAIRMAN

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CLERK TO THE BOARD