**PASQUOTANK COUNTY, NORTH CAROLINA MARCH 15, 2021**

The Pasquotank County Board of Commissioners met today in a regular meeting on Monday, March 15, 2021in Courtroom C in the Pasquotank County Courthouse.

**MEMBERS PRESENT:** Lloyd E. Griffin, III, Chairman

 Charles H. Jordan, Vice-Chairman

 Cecil Perry

 Sean Lavin

 William “Bill” Sterritt

 Jonathan Meads

**MEMBERS ABSENT:** Barry Overman

**OTHERS PRESENT:** Sparty Hammett, County Manager

 R. Michael Cox, County Attorney

 Emma Tate, Elections Director

 Lynn Scott, Clerk to the Board

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

**1. AMENDMENTS TO THE AGENDA:**

Chairman Griffin asked if there were any amendments to the agenda. Vice-Chairman Charles Jordan requested the agenda be amended to add the following item from the Finance Committee meeting to the Consent Agenda: 1) Approval of Fee Adjustment Request for Classes and Camps – Elizabeth City/Pasquotank County Parks & Recreation; and 2) Adoption of Resolution to Accept Bid and Start Upset Bid Process.

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

**2. COMMENTS BY HOWARD SMITH:**

Chairman Griffin called on Howard Smith of 576 Firetower Road to address the Board. Mr. Smith spoke in opposition of the proposed “tractor pull” location for a Northern Community Park due to concerns with traffic, trash, noise, profanity, and crime.

**3. COMMENTS BY RICKY ALBERTSON:**

Chairman Griffin called on Ricky Albertson of 960 Hwy 15 to address the Board. Mr. Albertson spoke in opposition of the proposed location for the Northern Community Park. He asked if we really need this park, when there is a nice walking trail 4.4 miles away in Camden County that has 20 miles of trails. He stated that the community asked for a small walking track, but this has turned into a combination of a community park, a sports athletic park, and a public safety building. He said nobody has asked the surrounding neighbors surrounding the proposed property how they feel. He asked the Board if they would like to see this at their front door every day. He believes not.

County Manager Sparty Hammett explained that there is a public meeting scheduled for tomorrow evening to get input from the community. He said we are applying for a Parks and Recreation Tourism Grant (PARTF). The purchase of the property was conditioned upon getting grant funding to cover half the cost. Tiny Albertson asked how elderly people who do not have internet or utilize social media can participate. She said when a community meeting was held at the fire department it was easy for citizens to drive to the location and participate, but this is not something they can do. She does not feel like it is a fair way to address it. County Manager Hammett explained that current COVID restrictions prohibit large meetings. A citizen asked why can’t there be a meeting scheduled in a courtroom like tonight, where individuals can be spread out and required to wear mask. Another citizen suggested having a meeting at a local church in the community.

Chairman Griffin said once the Zoom meeting is held tomorrow night, they will come up with a plan to have another community meeting for those who have not been able to participate. Manager Hammett recommended that it be scheduled in Courtroom A.

Commissioner Lavin thanked everyone for coming out and letting their comments be heard. He said the Board is trying to fulfill the request for Newland residents to provide a northern park, and everyone’s comments are important.

Commissioner Sterritt stated that a group of African American citizens from the northern part of the county have been asking the Board for several years for a walking path. The Board bought into the idea. The idea has now turned into a 51 acre project. He is in favor of having something for everyone. He is always into diversity, and we need to do something positive for as many people as possible, without having traffic violations, clutter, and personal problems.

Commissioner Meads thanked the concerned citizens for coming out, and said he is listening to their comments.

Commissioner Perry said he has not heard any opposition to the park prior to tonight. He is surprised to hear that there are a lot of people who are not in favor of it.

**4. APPROVAL OF CONSENT AGENDA:**

The Board considered the following consent agenda:

*a. Approval of Minutes of March 1, 2021 Commissioner Meeting*

*b. Adoption of Resolution Amending Tourism Development Authority Composition*

At the March 1, 2020 meeting, the Board approved changing the composition of the TDA Board by shifting one of the County appointees to the City, as well as adopting a resolution outlining the changes.

 **RESOLUTION AMENDING THE MEMBERSHIP
OF THE ELIZABETH CITY-PASQUOTANK COUNTY
TOURISM DEVELOPMENT AUTHORITY**

 **WHEREAS,** on June 6, 2005, the Pasquotank County Board of Commissioners (“Board”) adopted a resolution creating the Elizabeth City-Pasquotank County Tourism Development Authority (“TDA”) pursuant to local legislation; and

 **WHEREAS,** the Board resolved the TDA would consist of seven members as described in the resolution; and

 **WHEREAS,** on August 20, 2007, the Board expanded the TDA from seven (7) to nine (9) members by resolution; and

 **WHEREAS,** the Board has agreed to shift one (1) of the three (3) county appointments to the City of Elizabeth City, resulting in both the City and County having two (2) appointments.

 **NOW, THEREFORE BE IT RESOLVED** that the Pasquotank County Board of Commissioners hereby approves a Resolution regarding the Elizabeth City-Pasquotank County Tourism Development Authority as follows:

 The Authority shall consist of nine (9) members as follows:

 One (1) - County Commissioner
 One (1) - City Councilor
 Two (2) - From the hotel/motel industry recommended by the hotel/motel
 industry and appointed by the Pasquotank County Board of
 Commissioners
 Two (2) - City appointments appointed by the Pasquotank County Board of
 Commissioners on recommendation of the City of Elizabeth
 City
 Two(2) - County appointments
 One (1) - From the hotel/motel industry based on a joint recommendations
 of the City of Elizabeth and Pasquotank County.

 **ADOPTED** this 15th day of March, 2021.

 *c. Adoption of Resolution Honoring Superior Court Judge J. Carlton “J.C.” Cole*

The following resolution will be presented to Superior Court Judge J. Carlton “J.C.” Cole at his upcoming retirement ceremony:

RESOLUTION HONORING SUPERIOR COURT JUDGE

J. CARLTON "J.C." COLE UPON HIS RETIREMENT

AS RESIDENT SUPERIOR COURT JUDGE
FOR THE FIRST JUDICIAL DISTRICT OF NORTH CAROLINA

WHEREAS, Judge J. Carlton "J.C." Cole is retiring in March 2021 and stepping down from the bench after serving 15 years as District Court Judge and 12 years as Resident Superior Court Judge for the First Judicial District of North Carolina, ending a notable tenure; and

WHEREAS, Judge Cole is a native son of Pasquotank County, North Carolina and began at an early age to prepare for a lifetime of public and community service, attending public schools in Pasquotank County, graduating from Livingstone College with a major in Mathematics, and serving as a United States Navy Reservist, United States Postal Inspector and Private Investigator prior to earning his master's degree and Juris Doctorate from North Carolina Central University School of Law in 1987; and

WHEREAS, following his 1987 admission to the North Carolina State Bar, Judge Cole entered the private practice of law until his appointment by Governor James B. Hunt, Jr. to the District Court bench in 1994, an appointment receiving acclaim so widespread that the ceremony to swear in Judge Cole was held on the front lawn of the Perquimans County Courthouse because the courtroom was too small for the crowd in attendance; and

WHEREAS, Judge Cole served as a District Court Judge until his appointment by Governor Beverly Perdue to the Superior Court bench in 2009 where he continued to serve after election in 2010 and reelection in 2018; and

WHEREAS, Judge Cole's service as a judge is notable for the care, attention and respect he gave to parties appearing before him, especially young at-risk defendants he would speak with about their education, future and second chances followed by a step down from the bench to offer a hug as a sign of support and encouragement; and

WHEREAS, despite his busy professional life, Judge Cole has been active in his community and church and as an alumnus of his beloved Livingstone College about which he stated in a 2018 Founder's Day address, "I understand the importance of this great institution in my life and my development. God first, but Livingstone second"; and

WHEREAS, after 27 years of distinguished service, Judge Cole leaves an indelible mark on the judiciary and the people of Northeastern North Carolina and will forever be remembered as a determined, concerned, just and caring public servant.

NOW, THEREFORE, BE IT RESOLVED that the Pasquotank County Board of Commissioners expresses its gratitude to Judge J. Carlton "J.C." Cole for his dedication and service and congratulates him and wishes him happiness and peace in his retirement.

Adopted the 15th day of March 2021.

*d. Approval of Fee Adjustment Request for Classes and Camps – Elizabeth City-Pasquotank County Parks & Recreation*

The Finance Committee has recommended approval of the following fee adjustment request for the Elizabeth City/Pasquotank County Parks & Recreation:

 **Class/Program/Camp Current Fee Proposed Fee**

|  |  |  |
| --- | --- | --- |
| Art, Fitness, Needle & Thread, Music/Dance | $2.50 per class (8wk. session $20) | $5.00 - $8.00 per class (8wk. session $40.00 - $64.00) |
| Spring/Winter Camp (7a-6p) | NA | $50.00 - $60.00 per wk. |
| Summer Camp (7a-6p) | NA | $60.00 per wk. (6-8 wks) |
| Sports Camp (7a-6P) | $45.00 - $60.00 per session- ½ day | $40.00 - $85.00 per session- full & ½ day |
| Specialty Camp (7a-6p) | $.30 per hr. - $7.50 per hr. | $125.00-$175.00 per wk. |

*e. Adoption of Resolution to Accept Bid and Start Upset Bid Process*

The Finance Committee has recommended accepting a bid of $7,171.94 from William Heckstall for surplus property located at 812 Parsonage Street (76-A-1) and to advertise for upset bids.

**RESOLUTION AUTHORIZING UPSET BID PROCESS
FOR PROPERTY LOCATED AT
812 PARSONAGE STREET**

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

1. PIN # 8914 19528439 (.242 acres); acquired in Deed Book 1314, Page 303

**WHEREAS,** the North Carolina General Statutes §160A-269 permits the County to sell

property by upset bid, after receipt of an offer for the property; and

 **WHEREAS,** the County has received an offer to purchase the property described above, in the amount of $7,260, submitted by William M. Heckstall, Sr.; and

 **WHEREAS,** William M. Heckstall, Sr. has paid the required five percent (5%) offer on his offer upon;

 **THEREFORE, THE PASQUOTANK COUNTY BOARD OF COMMISSIONERS RESOLVES THAT:**

1. The Board of Commissioners authorizes the sale of the Property described above

through the upset bid procedure of North Carolina General Statute §160A-269.

1. The County clerk shall cause a notice of the proposed sale to be published. The

notice shall describe the Property and the amount of the offer, and shall state the terms under which the offer may be upset.

1. Any person may submit an upset bid to the office of the County clerk within ten (10)

days after the notice of sale is published. Once a qualifying high bid has been received, that bid will become the new offer.

1. If a qualifying higher bid is received, the County clerk shall cause a new notice of

upset bid to be published, and shall continue to do so until a 10-day period has passed without any qualifying upset bid having been received. At that time, the amount of the final high bid shall be reported to the Board of Commissioners.

1. A qualifying higher bid is one that raises the existing offer by not less than ten percent (10%) of the first $1,000.00 of that offer and five percent (5%) of the remainder of that offer.
2. A qualifying higher bid must also be accompanied by a deposit as hereinabove described; the deposit may be made in cash, cashier’s check or certified check. The County will return the deposit of any bid not accepted, and will return the deposit on an offer subject to an upset if a qualifying higher bid is received. The County will return the deposit of the final high bidder at closing unless the bidder requests the amount be credited towards the purchase price. In the event the high bid is accepted by the County and the high bidder refuses to close on the Property for any reason the bid will be retained by the County.
3. The terms of the final sale are that:
* the Board of Commissioners must approve the final high offer before the sale is closed, which it will endeavor to do within thirty (30) days after the final upset

bid period has passed, and

- the buyer must pay with cash, cashier’s check or certified check at the time of closing, and

1. Title will be transferred by non-warranty deed.
2. The County reserves the right to withdraw the Property from sale at any time before

the final high bid is accepted and the right to reject at any time all bids.

 Adopted this 15th day of March, 2021.

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

Commissioner Perry said it is an honor for the Board to recognize someone who has achieved beyond expectations. He encouraged the Board to attend the celebration.

**5. APPROVAL OF APPOINTMENTS TO BOARDS AND COMMITTEES:**

Commissioner Jordan presented the following recommendations from the Appointments Committee for appointments and reappointments:

Community Relations Commission – Nominate Ronny Williams. Since this is a new appointment, it must lay over until the next meeting.

Home & Community Care Block Grant – Reappoint recommended slate. (Laura Alvarico, Jasmine Wilson, Herb Mullen, Carol Mizelle, Stacey Williams, Mary Walker, and David Boone).

 Motion was made by Charles Jordan, seconded by Sean Lavin to approve the nomination of Ronny Williams to the Community Relations Commission and reappointment the slate recommended by the Home & Community Care Block Grant as recommended. Mr. Williams’ appointment will need to lay over for two weeks. The motion carried unanimously.

**6. PRESENTATION ON SIMULATED ELECTION RESULTS AND FINAL APPROVAL OF PURCHASE OF NEW VOTING EQUIPMENT:**

Elections Director Emma Tate stated that the Board approved the purchase of new voting equipment from Elections System & Software (ES&S) on August 17, 2020. The total cost of the voting equipment was $100,545, which is under the budgeted amount of $125,000. The State Board of Elections requires the completion of a simulated election prior to the final approval of voting equipment purchase. On March 3, 2021, the Board of Elections hosted a simulated election to test the equipment in a real life scenario as required.

PrintElect (the North Carolina distributor of ES&S) brought equipment into the office and performed a simulated election. 200+ ballots were fed into each tabulator, including ballots filled out on site from the ExpressVotes. Several people from the community attended, as well as Commissioners Jordan and Meads, and County Attorney Mike Cox. After the ballots were fed, the results were imported into the elections tabulation software. Following the simulated election, the Pasquotank Board of Elections audited two randomly selected precincts via hand-eye sample audit of highest contest on ballot and performed a canvass procedure for the same two precincts of every contest on the ballot. The simulated election showed that all of the equipment was tabulating what it was supposed to, and it will work efficiently for the voters of Pasquotank County.

Ms. Tate stated that with the results, she asked that the Board give final approval for the purchase of the equipment. She said if she receives final approval today, they will move forward with getting final approval from the State Board, and execute the contract and purchase the equipment.

Commissioner Meads asked what other counties are using this equipment at the present time. Ms. Tate said there are 77 counties in North Carolina using the equipment, and there are 94 counties in the state that have contracts with ES&S.

Commissioner Jordan thanked Ms. Tate for the opportunity to observe and operate the machines. He said they seem to work very well.

Commissioner Lavin thanked Ms. Tate for keeping the Board informed and answering their questions, especially with the elections being as prominent as they were this year.

 Motion was made by Cecil Perry, seconded by Charles Jordan to give final approval to purchase new voting equipment from Elections System & Software at a cost of $100,545. The motion carried unanimously.

**6. REPORTS FROM COMMISSIONERS:**

Commissioner Sterritt encouraged his fellow Board members to attend Judge Cole’s retirement celebration. He stated that he will be making comments at the celebration, along with Chairman Griffin and Commissioner Perry.

Commissioner Sterritt stated that the SPCA voted to continue meeting virtually. He informed staff that the Community Relations Commission will soon be making a request to reallocate funds. He said he informed them that they do not have to ask anyone how they spend their funds, because their bylaws state that they can make that decision.

Commissioner Lavin stated that all of his meetings are coming up later in the week.

Commissioner Meads said that his meetings are coming up later in the week as well.

Commissioner Perry said it is a great thing for us to be able to recognize people in our community that have excelled, because so many times our community finds so little to say about the good things that happen. A lot of great individuals were born and raised in Pasquotank County. He said today was the first time he heard from individuals who were opposed to the proposed northern park. He said the community needs to learn to talk to one another.

Vice-Chairman Jordan attended the monthly Trillium Board meeting. He noted that he has been appointed to the Trillium Governing Board.

Chairman Griffin received an email from Hezekiah Brown regarding the River City Youth Build seeking mentors for their program. The Airport received a grant for expansion of the aviation park. This Friday is the last day to receive applications for the Economic Development Director position. He stated that they have received some good candidates. Albemarle Commission is working on fiber optics and pie in the sky technology to get broadband into our community. Workforce Development is having a hard time find employees to fill job openings. March 29th is the Joint City/County meeting.

There being nothing further to come before the Board;

Motion was made by Sean Lavin, seconded by Cecil Perry 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