

Confusion over king, Spanish mackerel can be costly

From Staff Reports

MOREHEAD CITY — The king mackerel are biting, but so are the Spanish mackerel, and fishermen are getting them confused.

Confusing these two fish is problematic because the size limit on king mackerel is twice the length of the size limit for Spanish mackerel, and the bag limit for Spanish mackerel is five times higher than the bag limit for the kings.

Anglers who get them mixed up may be forced to pay up to \$255 in fines and court costs. In fact, the North Carolina Marine Patrol recently handed out



GOOGLE IMAGE

Spanish Mackerel are related to tuna and have sharply forked tails, streamlined bodies, thin skin, and very sharp teeth.

12 tickets to recreational fishermen in the southern coastal area of the state for taking undersized king mackerel and possessing over the bag limit of king mackerel.

"In one day, we seized 58 fish," said Officer Jon Hall, who patrolled the Cape Fear River at Southport.

From July 22 through July 24, Marine Patrol seized 81 king mackerel from rec-

reational fishermen in the southern coastal area. The seized fish were donated to a charity.

"People are just misidentifying king mackerel as being Spanish mackerel," Hall

said. To avoid getting a ticket, anglers need to learn to tell the difference between the two fish.

Adult Spanish mackerel and juvenile king mackerel can look a lot alike. Both are long, slender fish with a forked tail and bronze-colored spots on the body. But the Spanish mackerel features a black spot on the first dorsal fin that the king mackerel lacks.

Also, the king mackerel has a pronounced dip in the lateral line below the second dorsal fin. The line on the Spanish mackerel gently curves to the tail.

A color graphic show-

ing the difference can be downloaded at <http://portal.ncdenr.org/web/mf/mackerel-diagram>.

The size limit for king mackerel is 24 inches fork length (from the tip of the snout to the fork in the tail). Recreational fishermen are allowed to keep 3 fish per person, per day.

The size limit for Spanish mackerel is 12 inches fork length, and recreational fishermen are allowed to keep 15 fish per person, per day.

For more information, please visit the state marine fisheries agency's website at <http://deq.nc.gov/about/divisions/marine-fisheries>.

PARRISH

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of the NCBA board, said Parrish's nomination for the award was unique.

"We've never had six recommendations for someone before, usually about three is the maximum," Batten said. The nominations came from both fellow building inspectors, as well as contractors.

Batten agreed that inspectors sometimes need to take a broader view.

"You have some guys who get into the business and it's right down to the book, every sentence, ev-

ery period and every comma. You've got to be true to the code, but you have to convince the contractors they need to do it, and obviously Virgil has been able to handle that."

Parrish said he started working construction when he was 13-years-old. He graduated Northeastern High School in 1975 and construction became his vocation.

The job for a building inspector opened up and he took it, and then a few years later, the job in Hertford.

"It's like every other job, you have good days and bad days. I think one of the reasons I got the award was

I try and deal with folks out there. They may not always like my decision, but I try and work with people.

"I still do a little construction stuff on the side, so I understand where contractors are coming from."

When Parrish started working for Perquimans County, construction was booming.

He had expertise with big home projects, and he figures that's one of the reasons he was hired.

The recession changed a lot of that. Parrish said new homes are still being built, but they tend to be scattered across the county, not in one specific location.

Stanley E. Ward, the chief building inspector for the City of Elizabeth City, has known Parrish since the early 1990s. Ward came to the Elizabeth City office in 1982 and was himself the 1993-94 winner of the Building Inspector of the Year Award.

"He's a good inspector," Ward said of Parrish. "He's dedicated, he's well versed in all the codes and he knows how to use common sense when he can."

The NCBA was chartered in 1956. In addition to training programs, Britt said the group annually gives out \$10,500 in scholarships.



STAFF PHOTO BY PETER WILLIAMS

Perquimans County Building Inspector Virgil Parrish was named this year's Building Inspector of the Year last week by a statewide organization.

WIND

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on what would happen if a blade came off while the turbine was operating.

The bulk of Essick's July 21 letter concerned noise, and a sound study known as the "Bastasch Memo."

"As you may imagine, my clients are disappointed that the County has chosen to continue the review of this CUP Application despite the fact the required reports do not contain the basic information required by the Zoning Ordinance

(a point which was not addressed or disputed in the July 25, 2016 letter from the applicant's counsel)," Essick said in his response last week.

He asked that his request be included in the planning board's packet for the meeting Aug. 2 "so they are fully apprised of the issues raised in that letter about the sufficiency of certain reports submitted by the applicant in relation to what is explicitly required under the Zoning Ordinance. Of course, the response from the applicant's counsel and your

letter can also be included. We believe this request to be more than fair and appropriate."

The decision ultimately requests with the Perquimans County Commission. It has scheduled a meeting for Aug. 24. Hanna makes that case that just because the county didn't table the Apex application — as Essick requested — it doesn't mean Essick and his clients won't be given a further chance to speak.

The Aug. 24 meeting is considered a "quasi-judicial proceeding" which means it will be conducted

more in line with a court trial where witnesses can give evidence and be cross examined.

"In short, the opponents to the application will be afforded every opportunity, at the appropriate time, to present evidence in support of the contentions that the reports are deficient."

Henry Campen Jr., an attorney for Apex, also said rejecting the Apex application at this stage is not appropriate.

"Rather, such arguments are appropriate for the quasi-judicial hearing before the Board of County

Commissioners, where sworn testimony and evidence will be presented.

"Because applicants in a quasi-judicial proceeding have the protections of due process, including the right to offer evidence and cross-examine contrary evidence, attacks on the substance of the Bastasch Memo at this application stage are improper."

Leary Winslow, one of the opponents of the Apex project, said the county is putting the burden of reviewing the project on citizens and not the developer.

"The only thing I would note is that Henry Campen's response, he never denies that the application is incomplete. He just says that Donna (Godfrey) doesn't have the authority to make a determination. It's a little frustrating because it appears the county is doing everything in its power to cater to Apex and doesn't seem too concerned with the resident's concerns. Also as Chat mentioned, the county is putting the burden of finding these deficiencies on the residents. That's not where the burden should fall."

CHOWAN

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Decommissioning refers to the complete removal of the turbines and towers once they are no longer generating electricity.

The Planning Board's recommendation now goes to the Chowan County Board of Commissioners, which will

consider Apex's request for the conditional use permit during a quasi-judicial hearing. The hearing is expected to be held in late August.

The proposed Timbermill Wind Project by Charlottesville, Va.-based Apex Clean Energy Inc. is designed as a 300-megawatt wind energy facility and will include about 105 turbines on a 16,000-acre section of Chowan and Perquimans counties.

Robison, an outspoken critic of wind and solar power, made a motion at Wednesday's meeting to recommend that the county commissioners delay the

quasi-judicial hearing on the permit application until Apex had obtained all of its other required permits. The motion failed for lack of a second.

During Thursday's meeting Robison repeatedly asked why Apex had sought the local conditional use permit before obtaining the necessary state and federal permits.

"Why are they coming here to us?" Robison asked, initially directing the question to county staff.

Later he asked Apex officials directly: "Why are you coming to us first?"

Don Giecek of Apex didn't directly answer Robison's question. He said the Chowan ordinance does not require the company to have the other permits in hand before applying for a conditional use permit.

When Robison objected that the county is the level of government least qualified to judge the technical aspects of the application, Giecek replied that the county is most qualified to determine compliance with the county's ordinance.

Leggett, too, questioned whether the county had put "the cart before the horse"

by considering the conditional use permit application before Apex had secured the necessary state and federal permits.

Leggett also said he couldn't support the conditional use permit for the Timbermill wind project because he doesn't believe the county's current wind energy ordinance is adequate to protect public health and safety or the value of adjoining properties.

Robison also argued the Timbermill project would be inconsistent with the purposes of the A-1 (agricultural) district as described by

Chowan's zoning ordinance. He also cited the county land use plan's stated goal for the residential agricultural land use classification: discouragement of converting agricultural land to urban use.

"These are not farms, by the way," Robison said, referring to the utility-scale wind turbines that will make up the Timbermill project.

But Bryant said it's her interpretation that a wind energy facility is not an urban use. She noted wind energy facilities are allowed as a conditional use throughout the A-1 district in the county.

HORTON

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The deputy left and

waited in the parking lot of the State Employees Credit Union across the street and within minutes Horton got in a car and pulled out onto U.S. 1 and the deputy pulled him over and gave him the ticket for driving while license revoked.

Elizabeth City police cited Horton with the same offense on July 23 when Horton was driving near Port Elizabeth Centre.

James Parker, 70 of Cora-

peake, alleged in a July 21 statement to a Perquimans magistrate that Horton, his former employer, assaulted and threatened him during an incident on June 24.

According to Parker's statement, Horton "hit at me" through a truck window and slammed the truck's door against his leg, breaking his ankle bone. Parker claims Horton also threatened him, telling him, "You no good (exple-

tive). I know where you live. I'm going to come to your house one night and kill you."

Reached by phone earlier on Thursday, Horton initially said he was eager to discuss the matter but noted his attorney, Johnnie Finch, "has advised me not to speak on this matter basically until justice is served in the court of law."

Asked if he denied Parker's allegations, Horton

said, "Yes sir, of course."

Finch later suggested that Horton would be found innocent of the charges when the matter goes to court.

Horton last week filed counter charters against Parker, saying Parker communicated threats.

Horton, who lives on Peachtree Road in Elizabeth City, is one of two councilors who represent Elizabeth City's 4th Ward.

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HERTFORD
CELEBRATING 200 YEARS
The Town of Hertford Planning and Zoning Board of Adjustments will hold a public hearing on August 15, 2016, 7:00PM. The meeting will be held in the Municipal Building located at 114 W. Grubb Street. The following items are on the agenda:
- Consideration of an application for a Conditional Use Permit to operate a Sand Mining Operation by River Farms, LLC near the corner of Ocean Hwy. S. and Harvey Point Rd.
Any information regarding this may be obtained from Town Manager Brandon Shoaf, at the Municipal Building, or by calling 426-1969 x.9. You may also submit comments regarding this by mail no later than 5:00PM Friday, August 12th.

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