

**PITT COUNTY BOARD OF COMMISSIONERS
GREENVILLE, NORTH CAROLINA
JUNE 7, 1999**

The Pitt County Board of Commissioners met in a regular session meeting on Monday, June 7, 1999, at 9:00 a.m. in the Commissioners' Auditorium, Pitt County Office Building, Greenville, North Carolina with the following commissioners present:

Eugene James, Chairman
Glenn Bowen, Commissioner
Charles P. Gaskins, Commissioner
David Hammond, Commissioner
Thomas H. Johnson, Commissioner
Mark W. Owens, Jr., Commissioner
Jeffrey E. Savage, Vice Chairman
M. Theresa Shank, Commissioner
Beth B. Ward, Commissioner

Also present were:

Thomas B. Robinson, County Manager
JoAnne Burgdorff, County Attorney
Susan J. Banks, Clerk to the Board
Arlen Holt, PIO and Cable Coordinator
John K. Bulow, Assistant Manager
Melonie Bryan, Director of Financial Services

Call to Order and welcome by Chairman James.

The Invocation was given by Commissioner Owens.
The Pledge of Allegiance was led by Commissioner Ward.

Approval of Agenda

Commissioner Owens asked that the budget discussions for today be postponed so the Board could hear public comments prior to deliberation. He suggested a budget workshop be scheduled on Wednesday evening at 7:30 p.m. to deliberate the budget.

UPON MOTION by Commissioner Hammond, seconded by Commissioner Ward, the Board voted unanimously to schedule a budget workshop for Wednesday, June 9th, at 7:30 p.m. in the Commissioners' Auditorium.

Commissioner Shank motioned a resolution be written in support and honor, welcoming the German exchange students who are present today for the purpose of studying local government. Mr. Ron Kimble introduced the students; Kerstin Hanisch and Miriam Mayer. Chairman James expressed appreciation for them picking Pitt County to visit. Mr. Kimble stated that the students are 4th year college students and are very well informed about local government. He added that they may spend a day or two with County government as well as City government. Commissioner Hammond seconded Commissioner Shank's motion and the Board voted unanimously to approve the motion.

Vice Chairman Savage motioned to add an item to the agenda concerning Fiscal Year 1999-2000 budget. He stated he wanted to discuss the amount of new and recurring revenue and how it affects meeting the needs of requested items. Commissioner Owens seconded the motion and the Board approved the motion unanimously.

UPON MOTION by Commissioner Owens, seconded by Vice Chairman Savage, the Board voted unanimously to approve the agenda as amended.

PUBLIC HEARING ON TRANTER'S CREEK "NO WAKE ZONE"

Mr. John Bulow, Assistant Manager, asked the Board to establish a three small no wake zones along the Tranter's Creek area. He said this request was initially presented and approved in 1989. Mr. Bulow stated that he had met with the Beaufort County officials and they had already approved this request.

Chairman James opened the public hearing. No one came forward to speak. Chairman James closed the public hearing.

Commissioner Owens asked about the boundaries of the zones since they are also on Beaufort County's property lines. Mr. Bulow stated that all three zones run along both counties.

UPON MOTION by Commissioner Owens, seconded by Commissioner Shank, the Board voted unanimously to approve the resolution requesting three "no wake zones" along the Tranters Creek and instructed the Assistant Manager to send the resolution to the Wildlife Commission as soon as possible.

RESOLUTION ASKING THE NORTH CAROLINA WILDLIFE RESOURCES COMMISSION TO GRANT AUTHORITY TO ESTABLISH THREE NO WAKE ZONES ON TRANTERS CREEK

Whereas, the Pitt County Board of Commissioners have been asked by citizens of Pitt County and Beaufort County to establish three "No Wake Zones" on Tranter's Creek which serves as the boundary between the two counties, and;

Whereas, these citizens who own property on the shoreline of Tranter's Creek have been negatively impacted by the unsafe behavior of boat and other watercraft owners and such action impacts the safe utilization of the Creek by fishermen and property owners, and;

Whereas, the width of the Creek, the sharp turns in areas of habitation, and the high speeds of some watercraft have the capability to bring about catastrophic accidents with potentially fatal consequences, and;

Whereas, Beaufort County has been consulted during the development of this request and is in concurrence.

Now, Therefore, be it Resolved that the Pitt County Board of Commissioners ask the North Carolina Wildlife Resources Commission to grant authority to establish the following "No Wake Zones" in Tranter's Creek on the border between Pitt and Beaufort Counties in the following locations:

1. The boat ramp of the Arbor Bluffs Homeowners Association, rear of block "A", between lots #11 and #12 (Beaufort County Tax Map, 1600 feet NNW of Clarks Neck Road Bridge.
2. A 120 degree bend of Tranter's Creek at the northern end of Arbor Drive, rear of block "A", Lot #1 (Beaufort County Tax Map), 900 feet NNW of the boat ramp.
3. A point 1400 feet from the #2 request (the 120 degree bend) to a point 2800 feet in a westerly direction where Tranter's Creek makes a 90 degree bend to the north.

Adopted this 7th day of June, 1999.

Chairman

Attest:

Susan J. Banks, Clerk

PUBLIC HEARING ON FRONTIERVISION CABLE - Arlen Holt

Mr. Holt said he received a request earlier this year for the transfer of ownership of Frontiersvision Cable. He stated that they are in the process of transfer/sale to Adelphia Communications Corporation of which is the parent company that owns the existing franchise company. He asked that the Board hold the public hearing but take not action on the transfer at this time because he is still waiting for some additional information from the company prior to making a decision.

Mr. Jerry Bennett, operator of the local franchise Frontiersvision, said it is just a matter of changing control. Frontiersvision will be in control. Mr. Joe Price Regional Manager from Adelphia Communications Corporation, stated that they are the fifth largest national television operator serving around four million cable television subscribers. He said the company is family owned and that their mission is to rebuild the system to 550 megahertz or 84 television channels. He stated that six of their systems have already gone digital including 200 channels and they are working to make this available in all systems.

Chairman James opened the meeting for public Comment.

Mayor Eleanor Farr, Town of Grimesland, stated that since the public hearing was held in the Town of Grimesland their service has been better but is still not up to par. She said that the service has always been poor and that they are on the end of the line for this company.

William Miller, lives in the Simpson area, asked Mr. Price questions about feeder lines and farm equipment jerking the lines off of poles. He asked for lines to be put in the ground.

Mr. Joe Price responded that there are height requirements and that they lease the pole space. He said it was unacceptable to put lines in the trees and would have to take measures on an individual basis and situations.

Mr. Milller, asked about where the maintenance was based. Mr. Price said that their Adelphia base office has twenty-four hours on-call service and technicians are beeped out twenty four hours a day. He said he acknowledged that service is key to their business but was not absolutely sure where the maintenance was based for this area. Mr. Price said he thought it may be in Rocky Mount. Mr. Miller relayed that a neighbor had complained that his cable line had been lying in his yard for two months. Mr. Price said they farm out the service on lines to contractors and cannot guarantee next day service on that type of problem.

Mr. Holt said that the sale or transfer is occurring during a restructuring process and the franchise expires in the year 2000.

Vice Chairman Savage asked if new company was willing to televise government meetings. Mr. Holt said that he does not have that information yet because they are still in negotiations.

Chairman James closed the public hearing.

Commissioner Bowen said he wanted to know why other cable companies are not interested in purchasing this franchise. Mr. Holt said that he does not have that type of information but is aware that there has been some lines overbuilt.

Commissioner Johnson speak in favor of doing whatever necessary to get the best cable service for that area.

Public Addresses to the Board

Mr. Bryant Tripp, from north of Tar River, spoke about the proposed zoning of the NC 11 Corridor area and stated that he was opposed to this zoning. He cited the Pitt County Code of Ordinances which stated that the Pitt County Planning Board comprised of eighteen members, fifteen by townships but appeared that only ten were represented. He said the NC 11 Planning Committee had an overwhelming number of members from Greenville and the business community. He reviewed the NC 11 Committee membership list. He stated that the Pitt County Planning Board was out of compliance. He asked for a seat on the Planning Board for other townships not represented. He asked for the NC11 Planning to be stopped until two rural members are appointed to the Committee. He asked that the future meetings of the NC 11 Planning Committee be held at 7:00 p.m. instead of 5:30 p.m. so interested citizens could be in attendance. In addition, he asked for this request to be in the minutes.

Ms. Jane Barnhill said she had attended the meetings of the NC 11 Planning Committee and made some observations. She stated that the Board of Commissioners should meet at least once a month at 7:00 p.m. The Committees and Boards should also meet at 7:00 p.m. so it would eliminate rushed decisions. She recommended the county publish a county news page in the local newspaper. She stated that she knew individuals that could serve on the vacancies on different committees. She said the County could do things to regulate to and should include not exclude the citizens.

Ms. Nancy Colville said that on the proposed zoning of the NC 11 corridor the Board of Commissioner had "dropped the ball." She said there are nine members of the Board with five for this zoning which constitutes a majority. She stated that this project needs to stop right here and they need to appoint some people that will be effective. She stated that zoning is good if you want it but that the information is not clear on who can tap into the sewer. She stated that there has not been fair opportunity for all the citizens because the County is letting the university and medical school take over.

Chairman James closed the time for public address.

Vice Chairman Savage stated that the County should not move forward with this process if the people are not for it and he supported Mr. Tripp's request.

UPON MOTION by Vice Chairman Savage, seconded by Commissioner Bowen, to honor Mr. Bryant Tripp's requests to:

1. Board give the townships without representation a seat on the Planning Board as soon as possible.
2. Stop any further action on the NC 11 project until additional individuals representing the interests of the rural community could be appointed to this committee
3. Future meetings of the NC 11 North Corridor Board be held at 7:00 p.m.
4. Incorporate comments in the minutes.

Commissioner Johnson asked that the staff have the opportunity to review this information. Chairman James said the NC 11 Committee already voted to approve adding two

members of the rural community to this committee. The membership of the NC 11 North Corridor Planning Committee was reviewed with some inaccuracies in the information.

Ms. Colville stated that there may be some mistakes but other information is correct on employment but not necessarily their resident.

Vice Chairman Savage supported that the project be stopped until the committee and board could be brought into compliance.

Commissioner Hammond said that he supported two citizens being added to the committee. He stated that the citizens are not informed and do not understand as well as the Planning Board or committee members. Commissioner Shank agreed with Commissioner Hammond but stated that the Board of Commissioners had adopted policies and procedures which stated that they would not make motions during public addresses without allowing the staff time to research and respond. Commissioner Bowen stated that this was an emergency. Vice Chairman Savage said the Board did not ask for this type of zoning and a consultant would not have provided this type of proposal.

Chairman James agreed that Planning Board should listen to the people. Mr. Robinson said the Planning staff wants to come before Board and asked the Board to give them a chance before taking action on this matter.

Chairman James called for vote on the motion. Commissioners supporting the motion were: James, Savage, Bowen, Owens and Hammond. Commissioners opposed were: Ward, Johnson, Gaskins and Shank. The motion passed five to four.

Manager's Report

Mr. Robinson reported on two items:

1. Public Hearing on Budget, Tuesday, June 8 at 7:00 p.m., Commissioners' Auditorium
2. Registration for NC Association of County Commissioners Annual Conference, August 19-22, in Asheville, North Carolina. Asked Commissioners to let the Clerk know their intentions about attending.

Vice Chairman Savage passed out a statement and read it to the Board concerning the County's tax rate requesting the Board lower the current sixty-eight cents tax rate by two cents.

UPON MOTION by Vice Chairman Savage, seconded by Commissioner Bowen, to have staff construct a fiscally responsible budget for FY 99-00 at the tax rate of 66 centers (the adjusted value at the time of revaluation). As an alternative, the Board may consider asking the staff to reduce spending by the equivalent of two cents of the current tax rate and earmark the savings for education, fund balance or infrastructure development. The motion failed with a three to six vote. Commissioners in favor of the motion were: Savage, James and Bowen. Commissioners opposed were: Shank, Ward, Gaskins, Johnson, Owens, and Hammond.

ITEMS FOR CONSENT

UPON MOTION by Vice Chairman Savage, seconded by Commissioner Shank, the Board voted unanimously to approve the items for consent.

1. May 3, 1999 minutes
2. May 17, 1999 minutes
3. Tax Releases and Refunds Greater than \$100
4. Bond Signatory Certificate

The County reaffirms the Bond issue of 1992 allowing certain County personnel to act on the County's behalf in executing routine documents related to annual reporting requirements.

5. Social Services Budget Amendment - Smart Start

Social Services Department requests an appropriation of \$2,381 for Smart Start Care administrative funds. The funds have been received day care funding from the Martin-Pitt Partnership for Children to participate in Governor Hunt's Smart Start initiative and will be used to hire an Income Maintenance Specialist II to administer the program. These funds do not require a county match and additional county funds are not required for this amendment.

<u>Account No.:</u>	<u>Title of Account</u>	<u>Increase</u>	<u>Decrease</u>
165476 512000	Salaries	1,858	0
165476 518100	Fica Taxes	142	0
165476 518200	Retirement	91	0
165476 518201	401 K Retirement	85	0
165476 518300	Hospitalization	205	0
160300 423000	Social Services Admin.	2,381	0

6. Juvenile Crime Prevention Council Budget Amendment

Two programs of the Juvenile Crime Prevention Council have requested budget amendments to realign their budgets with actual expenditures. These amendments are from the Intensive Family Based Intervention and the Resolve programs and the amendments have been reviewed and approved by the State regional consultant, Mavis Williams. The Intensive Family Based Intervention program agreement is being revised by the reallocation of existing funds into cost center. The reason for the changes is that the amount allowed in the budget for repairs and maintenance and communication needs to be increased to cover costs of the rest of the fiscal year. The RESOLVE program is being revised by moving \$400 from the facilitator's fees category into Food. The reason for the change is one additional RESOLVE session is being held this year and funds are needed in food to provide refreshments for participants.

7. Surplus Fiat Allis Front End Loader

The loader had reached the end of its economic life at ECVD and ECVC plans to acquire another loader at a cost of \$30,000 to \$40,000. Recommends that the Fiat Allis loader be granted to ECVC to dispose of as they see fit with any proceeds from the disposal being applied to the cost of a new loader.

8. Insurance Deductible Payments

Annette Bynum claim for payment for the defense of Pitt County by Barber & Associates, P.A. for the balance due of \$3,926.96. Recommends payment of full balance due of \$3,962.96 - funds from contingency.

9. Health Department Budget Amendment - Environmental Health

The State Department of National Resource's Public Water Supply Section has paid the County's Environmental Health Division \$2,550.00 for assisting them in locating and surveying transient non-community water systems in Pitt County. The funds will be used to purchase two computers for Environmental Health Staff. DHHS has awarded the Health Department \$1,250 as reimbursement for Environmental Health specialist to receive training in the Lead Poisoning Prevention Program. These funds will be used to support the operating cost of the department.

<u>Account No.:</u>	<u>Title of Account</u>	<u>Increase</u>	<u>Decrease</u>
15-3-11-360.00	DENR Funds	2,550	
15-5-11-520.00	Computer Equip.	2,550	
15-3-11-360.01	DENR Funds - Lead	1,250	
15-5-11-800.00	Lead Poisoning	1,250	

10. Educational Leave

Request for Ms. Shirley Jenkins to attend Principles of Accounting I at Pitt Community College in order to pursue a Master of Science degree. The course is related and will help Ms. Jenkins with budget plans, criteria for savings and simple money management skills to enhance clients progress.

ITEMS FOR DECISION

Sheriff’s Department Budget Amendment - ID Lab - Melonie Bryan

Ms. Bryan reported that the Sheriff’s Department need a budget amendment approved because the ID Lab is being moved from the basement of old the Courthouse due to ventilation problems. Some additional equipment must also be purchased. Funding is proposed for relocating the Lab to the Detention Center in the next fiscal year.

UPON MOTION by Vice Chairman Savage, seconded by Commissioner Ward, the Board voted unanimously to approve the budget amendment as presented.

<u>Account No.</u>	<u>Title of Account</u>	<u>Increase</u>	<u>Decrease</u>
10-9-84-991.00	Contingency		18,700
10-4-31-510.00	Sheriff - Equipment	18,700	

Hunting Ordinance - Susan Banks

Ms. Banks reported that she had checked with Cooperative Extension on use of the Auditorium and the date suggested for a public hearing on the proposed Hunting Ordinance was June 21 at 7:00 p.m. The Board members agreed with this date.

Recycling Center Contracts - Joel Scales

Mr. Scales stated that with the change in the hours of operations, the contracts need to be renewed.

UPON MOTION Vice Chairman Savage, seconded by Commissioner Hammond, the Board voted unanimously to authorize the execution of the contracts with the Recycling Centers as follows: Franklin Avery, Bethel; Robert Barrett, Falkland; Greg Ellis, Bells Fork, Pactolus, Stantonsburg Rd.; Gene Langley, Port Terminal; Malcolm Moore, Fountain, Wellcome; Eddie Murphy, Ayden, Winterville; and Johnny Wooten, Farmville.

Commissioner Bowen asked by Greg Ellis’ contract is more than the recycling operations. Mr. Scales said that he operates three locations, as well as, the Bells Fork swap shop and has a much greater volume.

Board Appointment Policy - Susan Banks

Commissioner Owens motioned, seconded by Commissioner Savage, to table approval of the board appointment policy and allow commissioners to submit materials in response to the

board appointment policy to the Clerk. Mr. Robinson noted that all appointments will be delayed until this policy is approved.

Commissioner Ward stated she had received and reviewed the policy and that there are numerous boards and commissions with existing vacancies that do not need to be delayed further. Commissioner Owens withdrew his motion and Vice Chairman Savage withdrew the second.

UPON MOTION by Commissioner Ward, seconded by Commissioner Hammond to accept this policy with minor changes as a draft of the policy.

Vice Chairman Savage motioned, seconded by Commissioner Hammond to change the word "qualifications" on the first page, item 2 under initial application. The Board discussed this item. Commissioner Hammond called for the question. Chairman James called for a vote. The motion was defeated.

Vice Chairman Savage said he wanted to assure that any citizen can serve on these boards and motioned to delete the requirement that the citizen must be a registered voter. Chairman James seconded the motion. Commissioner Bowen said he wanted the people serving on boards to have enough initiative to be a registered voter. The motion failed with a two to seven vote. Commissioners James and Savage supported the motion.

Vice Chairman Savage said he did not feel a policy is needed but if a policy was going to be written and adopted, it should be done right.

Vice Chairman Savage offered a motion to eliminate requiring applications to be on file for thirty days before consideration for appointment. This motion received no second.

UPON MOTION by Vice Chairman Savage, seconded by Commissioner Bowen, the Board voted eight to one to remove the statement that a board or committee member could be removed from their position "without cause." Commissioner Owens opposed the motion.

UPON MOTION by Commissioner Shank, seconded by Vice Chairman Savage, the Board voted eight to one that the word "adequately represented" be changed to "well represented" on the Application of Interest form. Commissioner Owens opposed.

UPON MOTION by Commissioner Ward, seconded by Commissioner Shank, the Board voted unanimously to accept the Board appointment policy with changes.

PITT COUNTY BOARD OF COMMISSIONERS

General Policy for Appointment to Boards, Commissions and Committees as adopted on June 7, 1999

GENERAL STATEMENT

This policy is established by the Board of County Commissioners (hereinafter referred to as "Board") to provide guidelines for use by the Board in the appointment and reappointment process to various boards and commissions.

1. **Advertisements:** In December of each year, the Clerk to the Board of County Commissioners (hereinafter referred to as "Clerk") will advertise for vacancies for all boards and commissions in the newspaper of general circulation in Pitt County. The publication will include a brief explanation of the Board's responsibilities and authority, and specific requirements for the position, if any. The Clerk will keep on file an overview of each position including specific requirements for the position, approximate number of meetings per year and the approximate total time requirements per year.
2. **Initial application:** All individuals interested in serving on a board or commission must submit a written application on a form provided by the Clerk setting forth name, address, the name of the board or commission to which appointment is desired and the qualifications of the applicant for the appointment. Applications may be filed for several boards if desired. The application shall also include an affirmative statement that the applicant is a registered voter in Pitt County. The application may be accompanied by additional written information which the applicant wishes the Board to consider, such as letters of reference in support of the appointment. The applications will be kept in the current application file for two years from the date of submission and included in the computer database file in the Clerk's office. Discretion will be used when considering County employees for membership on any of the boards or commissions. (Attachment 1)
3. **Appointments:** Application for appointments shall be on file at least thirty (30) days before they are to be considered. At least two weeks prior to an appointment coming before the Board, copies of all applications currently on file for the position shall be sent to all Commissioners with any supporting data. The respective Board of Commissioners for which the vacancy is to be filled may submit to the Clerk its recommendations to the Board for consideration at this same time. At the Board meeting, the Chairman shall open the floor to nominations, whereupon the Commissioners shall consider individuals for appointment from the list of applicants on file. Any Commissioner making a nomination may speak on behalf of the nominee. Should a Commissioner wish to submit a person who has not completed a timely application, the Board may vote to delay the appointment to allow this individual's

completed application to be forwarded to all Commissioners for review prior to consideration. The Chairman will conduct the voting on appointments and the person with the highest number of votes will be selected.

4. **Terms of Office:** The terms of office of members of all boards shall be three (3) years. However, the Board reserves the right to waive this provision where warranted and upon two thirds (2/3) majority vote of the Board. Terms on all boards and commissions shall be staggered, with the terms of approximately one-third (1/3) of the membership expiring each year, to the end that, insofar as is possible, there shall be one (1) or more members with experience on each board or commission. No person shall serve more than two (2) consecutive full terms on the same board or commission. All members shall serve at the pleasure of the Board, regardless of the terms for which appointed, and the Board may in its discretion at any time remove any members of any boards or commissions. The term of office of the Chairperson of each board shall be one year.
5. **Attendance:** Although recognizing and appreciating that members of the various boards and commissions are generally citizen volunteers, the Board deems it essential that members of all County boards and commissions attend meetings regularly for the prompt and efficient transaction of County business. The Chair of each board or commission shall maintain attendance records to be provided to the Clerk. The Chair shall forward a copy of this attendance record to the Clerk immediately following the final Board meeting in the month of December of each year, unless requested sooner. The Clerk will then provide each County Commissioner with a copy of these attendance records. The Commissioners shall review the attendance records for the calendar year and each Commissioner liaison shall report to the full Board at the first meeting in January with a list of members of their board who have missed three (3) or more meetings during the previous calendar year. The Board will then vote to either allow these members to continue serving or to replace them with other applicants. Persons appointed to serve on boards, commissions or committees shall be required to complete an information form for the Clerk's records and return a signed "Affirmation of Understanding for Board Appointees." (Attachment 2)

6. **Unexpired terms:** The Board intends to make appointments to fill unexpired terms, created by vacancies, as expeditiously as possible. The Board recognizes that the urgency of filling such vacancies may vary depending upon the circumstances of the vacancy. The Board shall make every effort to make appointments during the month for which they are due. In the event of an expired term, members shall continue to serve until a new member is appointed.
7. **Notice to Board of Commissioners of Vacancies:** The Clerk will provide the Board with a list of upcoming vacancies 30-60 days in advance of the vacancy with a list of applicants and any special requirements of the vacant position as provided by North Carolina General Statute, by-laws for the board/commission or determined by the Board. The Clerk will provide a copy of all applications, in notebook form, to the Board following the publication of vacancies in December. A master notebook will also be maintained in the Clerk's office for public reference. Additional applications will be received at any time during the year and forwarded to the Commissioners 30 days prior to new or unexpired position appointments.
8. **Upcoming Vacancies:** Listings of upcoming vacancies will be publicized on the County page in the newspaper and on the cable television's government access channel at least one month prior to the meeting at which the appointment is to be made in order to provide citizens with an opportunity to indicate their interest in serving on boards and commissions.
9. **Limitations:** According to North Carolina General Statute 128-1.1 no person shall serve on more than two appointed boards at one time or shall not serve in more than one appointed office if also serving in an elected office. These rules are provided to govern the standard appointments and shall be modified to meet any specific need as necessary.
10. **Joint County and City Boards:** Boards such as the Pitt-Greenville Airport Authority and the Sheppard Memorial Library Board of Trustees, will follow a policy consistent with the City of Greenville. This policy will be reviewed and reconsidered with regard to any amendments made by the City of Greenville. Appointments for extraterritorial members and alternate members to municipal boards shall be done in accordance with G.S. 160A-362 which

requires a municipality to give representation to the residents of its extraterritorial zoning jurisdiction on its planning board and the board of adjustment.

11. **Removal and Validity of Appointment:** Failure to follow this policy shall not affect the validity or legality of any appointment. All members serve at the pleasure of the Board of County Commissioners and may be removed with or without cause upon 30 days' written notice at its discretion.
12. **Exceptions:** There are some boards or commissions which require an appointment for a longer or shorter term of office. There are appointments which are made due to a specific functional need. In these cases, this policy shall be modified to comply with any of these special requirements or needs.
13. **Modification of Requirements:** Because of the need for flexibility, the Board may by, majority vote, decide to waive, vary, or otherwise modify the requirements of this policy on a case-by-case basis. It is the intention of the Board to abide by all North Carolina General Statutes governing County Boards and to follow any specific requirements of the by laws of incorporate boards.
14. **Appointments of County Commissioners to Boards:** At the second regular meeting of the Board of County Commissioners in December, the newly elected Chairman may make "Chairman's Appointments" for County Commissioners to serve as liaisons on boards/commissions. These appointments are annual appointments made specifically by the Chairman of the Board of Commissioners. These appointments must be consistent with the North Carolina General Statutes governing each board. Taking into consideration that there are County Commissioners who fill terms on Boards which may extend for more than one year, the Chairman must make those appointments consistent with the General Statute which governs the specific board.

AFFIRMATION OF UNDERSTANDING FOR BOARD APPOINTEES

I understand that it is the purpose of the Board of County Commissioners of Pitt County to appoint Pitt County citizens to serve on various boards and commissions who will be active participants insuring that the interests of all the citizens of Pitt County will be well represented.

I will agree to serve on the _____ and abide by the following terms:

I will attend all meetings to the best of my ability. I understand that it is the board's policy to require attendance at 75% of all board/committee meetings. I, further understand, that if I fail to attend three meetings within one calendar year, the Board will be informed and then decide whether I shall continue to serve in this capacity. Under extenuating circumstances, such as my suffering an extended illness, which prevents my attendance at the meetings, I will inform the Chair of the board or commission on which I am serving and consider either taking a leave of absence or resigning to facilitate a new appointment.

I understand that as a result of my appointment to this position, that I may also be appointed to subcommittees of this board, where my attendance is important and required.

I affirm that I am a registered voter and reside within Pitt County. Should my residence change at any time, I will immediately notify the Clerk.

Name

Date

Chairman James called for a recess.
Chairman James called the meeting back to order.

Convention and Visitors Authority Budget - Melonie Bryan

UPON MOTION by Commissioner Owens, seconded by Commissioner Shank, the Board voted unanimously to approve the Convention and Visitors Authority Budget for Fiscal Year 1999-2000 subject to the proper conditions.

ITEMS FOR DISCUSSION

Global Transpark Loans - Tom Robinson

Mr. Robinson reported that the Board of Commissioners had previously endorsed loans from the Global Transpark for the Towns of Ayden and Grifton. There is a problem because money cannot be loaned directly from the Global Transpark to the municipalities. However, the County does not have statutory authority either to loan money to municipalities. He stated that staff is pursuing the possibility of using an interlocal agreement for services and come up with a way for the municipalities to repay the County because counties are the only entity that can receive money from GTP. Mr. Robinson said that both these projects need to happen and would like to find a way for the county to loan the money. Chairman James asked what about the possibility of the Global Transpark making a change to their by-laws which would have to be

done in the Legislature. Mr. Robinson said that the Town of Grifton had a 30-day deadline because of other funding sources.

Mr. Paul Spruill, Town Administrator for Town of Grifton, said that their other sources are from the Rural Center which he believed would work with Grifton on the deadline. Chairman James asked the Manager to bring the information back the Board at the June 21, 1999 meeting.

Hospital Compliance with Terms of Transfer Agreement - Vice Chairman Savage

Vice Chairman Savage stated his concerns with the Hospital being in compliance with the agreement for restructuring under the NCGS 131-E8.

Vice Chairman Savage motioned, seconded by Commissioner Bowen, that the County budget \$250,000 to hire an outside firm to examine the transfer agreement and to measure the hospital's compliance with the agreement. He further stated that the firm selected should also review complaints by both patients and citizens, interview current and former employees, interview members to the board of directors and its subsidiary corporate boards (both "for-profit" or "not-for-profit" corporations), contractors and sub-contractors and the firm should be charged to conduct an appropriate examination and review all financial records transactions and rates. Commissioner Bowen stated that the contractor would need to be contacted and give estimates versus appropriating a specific amount of money for the compliance audit.

Commissioner Johnson said he understands why Vice Chairman Savage is continuing his effort to oversee the hospital but it appears that the transfer agreement has been successful and there is no indication that there is a need for oversight at this time, so he was opposed to the motion.

Commissioner Owens called for the question.

Chairman James disagreed with Commissioner Johnson, stating that somebody needs to check behind them when they are dealing with millions of dollars. He stated they are going to increase their rates and the Board needs to know why and how much money is being spent.

Commissioner Bowen said that PCMH is non-profit and they promised they would not change anything but they are changing things. He said there needs to be an independent person to come in and do a review. Vice Chairman Savage have had patients express concerns and this is the only way to address them.

Chairman James called for the vote. Commissioners in favor were: James, Savage, Hammond and Bowen. Commissioners opposed were: Owens, Ward, Johnson, Gaskins and Shank.

UPON MOTION by Vice Chairman Savage, seconded by Commissioner Bowen, the Board voted unanimously to add a personnel item to closed session.

Ms. JoAnne Burgdorff, County Attorney, reviewed the General Statutes 143-318.11(a)(4)(3)(1) and (6) for going into closed session.

UPON MOTION by Vice Chairman Savage, seconded by Commissioner Owens, the Board voted unanimously to go into closed session on the items authorized by General Statute.

UPON MOTION by Commissioner Owens, seconded by Commissioner Shank, the Board voted unanimously to return to regular session.

COMMISSIONERS' REPORTS

UPON MOTION by Commissioner Owens, seconded by Commissioner Ward, the Board voted eight to one to instruct the Manager to investigate the possibility of merging the Pitt County Mental Health Center with some other counties Mental Health programs. Commissioner Owens stated that the State needs to take the total picture in hand and this may alleviate some of the existing liabilities for Pitt County. Vice Chairman Savage opposed.

UPON MOTION by Vice Chairman Owens, seconded by Vice Chairman Savage, the Board voted unanimously to authorize the Manager to execute the change orders on the Eastern Carolina Technology Incubator.

Vice Chairman Savage said that he was sure the majority of this Board would agree that the Chairman has worked diligently on this continuous issue on NC Hwy 11 project and thanked the Chairman for his work.

Commissioner Bowen reported that as liaison between the Board of Commissioners and the PCMH Board of Trustees he wanted to notify the Board that PCMH has intentions of raising rates 3% next year and they reported having one of the best year's they've had.

Commissioner Bowen also noted that there was a Board of Education meeting scheduled for this evening. He reported that the Board of Education had a reception for retirees last Thursday but did not notify Ms. Budaz and Commissioner Ward.

Commissioner Bowen said he was serving on the Mental Health Area Board's Search Committee but did not receive notification of the last meeting. Chairman Burwell said that she notifies people by email. He asked that she make a better attempt at notifying him of the meetings. He reported that they have a proposed advertisement for the new Area Director. Applications will be reviewed on July 12th but will continue to review applications until the position is filled.

Commissioner Bowen expressed that Ms. Florida Hardy, County Personnel Director, should be involved in this process. Mr. Robinson said that he talked with Ms. Hardy and she agreed. Commissioner Bowen said that money for the advertisement is paid for by the County not Mental Health. County should receive applications and then screen them and turn them over to Mental Health. The State reviews the applications for qualifications.

Commissioner Shank said she had an interest in a five year capital improvement plan for the Board of Education and they have it on tonight's agenda for School Board meeting.

Vice Chairman Savage commend staff on the well done job on the upgrading of the Commissioners' Auditorium.

UPON MOTION by Commissioner Hammond, seconded by Commissioner Shank, the Board voted to adjourn at 12:20 p.m.

Respectfully submitted,

Susan J. Banks, CMC
Clerk to the Board