

**PITT COUNTY BOARD OF COMMISSIONERS
MINUTES FOR OCTOBER 16, 2000**

The Pitt County Board of Commissioners met in a regular session on Monday, October 16, 2000, at 9:00 a.m. in the Commissioners' Auditorium, Pitt County Office Building, 1717 W. 5th Street, Greenville, North Carolina.

Commissioners present:

Charles P. Gaskins, Chairman
David Hammond, Vice Chairman
Glenn Bowen, Commissioner
Ann Huggins, Commissioner
Eugene James, Commissioner
Tom Johnson, Sr., Commissioner
M. Theresa Shank, Commissioner
Beth B. Ward, Commissioner

Commissioners not present:

Mark W. Owens, Jr., Commissioner

Others present were:

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

CALL TO ORDER – Chairman Gaskins

INVOCATION AND PLEDGE

Prayer was offered by Vice Chairman Hammond.

The Pledge of Allegiance was led by Commissioner Johnson.

APPROVAL OF AGENDA

UPON MOTION by Commissioner James, seconded by Vice Chairman Hammond, the Board voted unanimously to approve the agenda.

PUBLIC ADDRESSES TO THE BOARD

- ? Vernon Morrison - from across the river – spoke about the “trash dumps”. The contracts for the container site are devised to hire people for a cheap price and will make the people poorer. He said only two people are on an hourly wage and the others are on contract. He said they hire people that will work for nothing. He stated that some people are putting trailers back in the same place and not raising them, where other people are having to raise their trailers while others are not and everyone should be treated the same.

ITEMS FOR REPORT

Manager's Report –Tom Robinson

Mr. Robinson gave the following report:

- ? Grant Application for Sheriff's Department - Save Our Sisters and Sons Program
- ? Joint Dinner Meeting with the Board of Education will be held at 6:30 p.m.

on November 15 at the Hilton Inn

- ? Courthouse Openhouse scheduled for October 20th, 3:00 pm – 5:00 pm
- ? County Transportation Committee - Planning staff, Tom Robinson and Charles Gaskins met with the Mayors Association. Collice Moore and Neal Lassiter, of the Department of Transportation were also present. A draft of the proposed transportation committee was presented. The Mayors Association felt they should be the transportation committee and adopted a resolution endorsing the Mayors' Association as the transportation committee. The Mayors did not want to serve on an additional committee. Vice Chairman Hammond asked for the Manager's recommendation. Mr. Robinson said a formalized committee could have some benefits but the Board could go either way. He said other groups have the opportunity for input on transportation issues already in the process. Vice Chairman Hammond said Pitt County is lagging behind in transportation funds and felt Pitt County should move forward with this committee. Commissioner James asked what Collice Moore's recommendation was and Mr. Robinson stated that Mr. Moore was not supportive of forming a new committee. Commissioner James said he would support Mr. Moore's recommendation. Commissioner Shank said that the recommendation for the committee included all the Mayor's and that the Development Commission also needs representation. Commissioner Bowen said you should mimic others that are successful.

UPON MOTION by Commissioner James, seconded by Commissioner Shank, to follow the recommendation of the Mayors Association and enlarge the committee when they meet on transportation issues to include the staff and others necessary to look at transportation issues such as the Development Commission and Board of Commissioners as needed, and furthermore, for them to lobby for additional transportation revenues. Mr. Robinson said this committee would be an advisory committee to the Board of Commissioners. Commissioner Bowen said the Board needs to find out if the Mayors are supportive of this proposal. Commissioner Bowen **moved** that this item be tabled until the next meeting. Commissioner Shank seconded the motion. In favor of the motion were Commissioner Shank, Vice Chairman Hammond, Chairman Gaskins, and Commissioner Bowen. Opposed were Commissioner Ward, Commissioner Huggins, Commissioner James, and Commissioner Johnson. The motion to table failed with a tie vote.

Commissioner Ward said the Mayor's meetings are open and anyone can attend. She said we would encourage the Mayor's Association to lobby for transportation issues.

Commissioner Huggins asked how Commissioner Owens' vote would count in a tie vote since he was absent. JoAnne Burgdorff stated that his vote does not count since he is absent. The Board continued to discuss the intention of this motion.

The Clerk restated the motion as requested. Commissioner Bowen asked if the Pitt County Mayors Association includes the Chairman and the Manager of Pitt County and are they voting members. Mr. Robinson said they are voting members.

The motion was passed with a seven to one vote. Commissioner Bowen opposed the motion stating that his opposition was because he did not believe the Board of Commissioners should dictate who should be on the Mayors Committee.

- ? Golden Leaf Program Applications - Phase I has three separate foundations. They are the Golden LEAF Foundation, Tobacco Trust Fund and Health & Wellness Trust Fund. The deadline for the Golden LEAF Foundation application is today and it is being made for an economic development program. He explained that the Health funds being applied for is a Pitt County only application to develop a health education program in Pitt County. This falls under the Health and Wellness program. Mr. Robinson said that the Town of Farmville is also submitting an application. The City of Greenville did not submit an application because they

wanted to support the County's application. He stated that this county needs representation on two of these boards.

- ? North Carolina Senior Games started today and Alice Keene, Community Schools is hosting the games. Vice Chairman Hammond said there are 46 teams all over the State. He said this tournament brings in a lot of revenue to Pitt County. Vice Chairman Hammond did the welcome at the Senior Games.

Commissioner James said in Phase 1 of the tobacco settlement, there are going to be three applications. Commissioner James stated that Lawrence Davenport is on one of these committees and it is important for Pitt County to have people on these committees who understand the importance of tobacco to Pitt County. Commissioner James said he has encouraged the Manager to contact the State Representatives asking for proper representation. Commissioner Shank said that anyone who has contact with the Governor needs to discuss this with him and ask for his support in the appointments.

Mr. Robinson said they are developing a program at Pitt Community College to train health workers. Commissioner Huggins said there are three people from Pitt County are being nominated, Theresa Lawler, Dr. Ed Monroe, and someone from the Brody family.

Mr. Robinson said the County Attorney and he will be going to Raleigh to go to NCACC meeting for two days to work on legislative goals. Also some members are attending on October 17th is the Redistricting meeting in Raleigh. Vice Chairman Hammond said that the District Directors meeting of the NCACC was this weekend. They are lobbying on two fronts, one is on emergency management funds and increase participation on the legislative goals. Commissioner Huggins said it is good to have a regional hospital but we must look at the advantages of the Hospital. She said there are surgeries being done there that would not be done if it was not this type of hospital. Commissioner Bowen said the funds will come to Pitt County for one year and we should get the funds every year, not just one year.

Ms. Burgdorff stated she has been appointed to the Legislative goals committee of the North Carolina Association of County Commissioners. Commissioner Shank said the Intergovernmental Committee of the NCACC is meeting Wednesday also to review the goals.

Monthly Financial Report – Melonie Bryan

Ms. Bryan provided the following monthly report for September:

Fund Balance – General Fund:	\$44,625,858	
	\$ 4,047,261	
	\$32,652,074	
Total Budget: \$155,034,618	25.00%	of Fiscal year completed
Summary of Revenues:	<u>Sept 2000</u>	
General Operating Funds	\$7,358,562	
Enterprise Fund	497,069	
All Other Funds	<u>1,992,625</u>	
	\$9,848,256	
Percent of Budget:	6.35%	
Summary of Expenditures:	<u>Sept 2000</u>	
General Operating Funds	\$8,641,028	
Enterprise Funds	704,082	
All Other Funds	<u>3,322,061</u>	

\$12,667,171

Percent of Budget: 8.17%

**Does not include appropriated fund balance

Tax Releases and Refunds - \$100 or Less

Total County Release:	206	\$6,781.19
Total City Releases:	128	\$4,599.25
Total Tax Refunds:	39	\$1,203.73

TAX COLLECTOR REPORT – JEFF NIEBAUER

Tax collection activity Pitt County:

Total Sept 2000 Collections:	\$ 2,076,339
Total to Date 2002/2001:	\$18,691,716

Pitt County Levy:

Sept 2000 Levy:	\$37,345,786
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Sept 2000 Percent Collected:	48.29
Original Levy	46.40
Supplemental & Vehicle	69.4

Total collection activity all units including Pitt County:

Total Sept 2000 Collections:	\$3,216,886
Total to Date 2000/2001:	\$27,527,311

Garnishments for Sept 2000:	\$ 67,977
Bankruptcy for Sept 2000:	\$ 1,851
Occupancy for Aug 2000:	\$ 95,634
Occupancy Total to Date 00/01	\$ 192,796
Gross Receipts Aug 2000	\$ 16,076
Gross Receipts total to date	\$ 28,303

Presentation of Comprehensive Annual Financial Report – Melonie Bryan and Bryan Starnes

Ms. Melonie Bryan presented the Comprehensive Annual Financial Report (CAFR) for the year ended June 30, 2000. She stated it was not due until October 30, 2000 and because it is early the County can move forward a bond issue for the construction of the new high school.

Mr. Starnes stated that the County has received a “clean” opinion. He reviewed the financial highlights of the audit. There was a contingency in last year’s report because of the flood but this was a breakeven year in spite of the flood. He stated that this county has a 10-15% higher fund in ???

The impact of the flood was a 3 percent drop in collection of revenues which was excellent. He said they were expecting a much worse situation. All areas came in either on budget or under budget. Management letter comment on human services because of the difference in budgeted

versus actual expenditures. Around 6.5-6.6% return on investments were received on regular investments without Hospital funds. Employee Benefits area is a problem area that needs to be resolved. The internal service fund which is intended to be self funded. The claims out-paid the revenue increase. The biggest issue is incurred but not reported. Their recommendations is that the County may be looking at some large rate increases in the future budget. Vice Chairman Hammond asked about the increase in expenses for Medicaid costing more than the employee gets in salary increase.

John Bulow stated that he has attempted to keep the rates low and keep the tax rate low. There have been years where the County has taken great hits to the plan. He said in cash position the fund has always been solvent but this year the staff will be coming to the Board for rebuilding the revenues in this area. The Internal Service Fund will need additional income in next year's budget.

Ms. Bryan stated that Public Health, Social Services and Mental Health all ended in the black for their budget for the June 30, 2000 year end. Commissioner James asked about the Administration budget and overhead. Mr. Starnes said Pitt County is in the average rate. Administration is 1% of the whole county budget. Commissioner James asked how Pitt County stacks up to other counties that they audit. Mr. Starnes said he would guess that Pitt County's is significantly less than other counties.

Mr. Bulow stated that Pitt County has put far less tax dollars in the internal service fund than other counties.

Commissioner Shank stated she wanted to commend the County on the work done over last year and the audit report.

ITEMS FOR CONSENT

UPON MOTION by Commissioner James, seconded by Commissioner Ward, the Board voted unanimously to approve the items for Consent as read by the County Manager.

1. Addition to State maintained secondary road system – Sterling Trace Drive and Jason Court located in Bradford Place in Sterling Trace Subdivision.

The North Carolina Department of Transportation (NCDOT) after receiving a petition requesting that a road be added to the state maintained secondary road system, investigates the situation to determine if the road meets their requirements. If the investigations determines the road meets certain criteria, the NCDOT District Engineer will request the County's endorsement of the addition of the road way. The additions are approved

2. Budget Amendment for Social Services – Hurricane Floyd Modified Crisis program

The Department of Social Services is requesting a budget amendment to provide funds to continue staffing the Hurricane Floyd Modified Crisis program and to process applications for the LIEAP energy checks. The funds will be used for part time, temporary staff and contracted staff from an employment agency. The department has received additional 100% administrative funds as part of the Modified Crisis Intervention program. No additional county funds are requested.

<u>Account No.:</u>	<u>Title of Account</u>	<u>Increase</u>	<u>Decrease</u>
165420-539300	Temporary Labor	100,000	
165480-512600	Temporary and Part Time	13,199	
165480 518100	FICA	1,010	
162400-423000	Social Services Administration	114,209	

3. Budget Amendments for Health Department

\$1,989 – Project Outreach – The Centers for Disease Control (CDC) and Prevention has awarded the Pitt County Health Department additional federal funds to support evaluation activities for their HIV/STD Prevention Risk Reduction Project. This budget amendment appropriated that additional funding.

\$5,000 – Cardiovascular Health (CVH) – Pitt County Memorial Hospital has granted the Pitt County Health Department funds to support the ongoing CVH activities within the community and to increase partnerships. This budget amendment appropriates that additional funding.

<u>Account No.:</u>	<u>Title of Account</u>	<u>Increase</u>	<u>Decrease</u>
153154436501	DHHS Funds	1,989	
155154561090	Other Contracted Services	1,989	
153145484000	Contributions and Donations	5,000	
155145561000	Contract Services	5,000	

4. Budget Amendments for General Governmental Grant Fund

\$62,793 EDTAP (Elderly and Disabled Transportation Assistance Program) – 100% grant funds to offset transportation costs through DSS

\$51,562 – The Shepard Project – pass through grant funds from the Governor's Crime Commission. No local match required from the county.

\$66,851 – REAL Victims Services – Pass through grant funds from the Governor's Crime Commission. No local match required from the county.

\$81,347 – SOS Youth Outreach – Pass through grant funds from the Governor's Crime Commission to Cornerstone Church's youth program. No local match required from the county.

\$65,391 – Law Enforcement Block Grant – Federal grant for Mobile Data Terminals for the Sheriff's Department. 10% local match (\$6,539) included in total grant.

\$18,125 – Sheriff's Department – Grant funds from the Governor's Crime Commission for Mobile Data Terminals for the Domestic Violence Unit. 20% local match (\$3,625) included in the total grant.

\$38,751 – SOS Youth Outreach – carryover of final 90 days of funding

<u>Account No.:</u>	<u>Title of Account</u>	<u>Increase</u>	<u>Decrease</u>
243615 436013	Elderly and Handicapped	62,793	
245615 569302	Elderly and Handicapped	62,793	
243614 426400	Federal Categorical Grant-	51,562	
245614 560107	The Shepard Project	51,562	
243607 426400	Federal Categorical Grant	66,851	
245607 560105	Real Crisis	66,851	
243611 4264000001	Federal Grant	81,347	
245611 5600080001	SOS Youth Outreach	81,347	
243612 49850101	Local Match	6,539	
243612 42640001	Federal Grant	58,852	
245612 55200001	DP Equipment	65,391	
109910 599101	Grant Local Match		6,539
109810 598024	Transfer to Fund 24	6,539	
243605 498010 98	Local Match	3,625	
243605 426400 98	Federal Grant	14,500	
245605 552001 98	DP Equipment	18,125	
109910 599101	Grant Local Match		3,625
109810 598024	Transfer to Fund 24	3,625	
243611 426400	Federal Grant	38,751.50	
245611 560008	SOS Youth Outreach	38,751.50	

5. Extension of Cable Franchise

Adelphia Communications operates a cable television system in eastern Pitt County. The franchise under which they have been operating expires this month. As allowed by the FCC, Adelphia requests a six month extension of their franchise term so a new franchise agreement can be executed.

We are currently negotiating a new franchise with Adelphia and feel that the process may take another 4-6 months. The process has been delayed because Adelphia is negotiating numerous new franchise at the same time and has restructured their corporate offices. Otherwise, the negotiating process has been advancing positively. A six month extension is approved.

6. Tax Refunds Greater than \$100

Total Refunds (Greater than \$100) – 1 \$1,804.62

7. Disposition of Old Records

Every year, the Finance Department requests the authority to dispose of old records in accordance with the North Carolina Records Retention Laws. The attached lists itemizes the records we wish to dispose of at this time.

<p>Prior to FY 97/98 (3 yr. retention)</p>	<p>Cash Receipt Books Bank Statements/Canceled Checks/Investment Files Reconciliations/Deposit Slips Invoices and Paid Check Copies Cash Receipt Reports/Files Journal Entries Daily and Monthly Reports* Audit Workpapers Employee Insurance Files Payroll Deduction Files (401(K), Sick Leave Longevity, NACO, Garnishments) Local Government Employees Retirement System Report File Recipient Check and Calculation Registers (DSS) Landfill Daily and Monthly Tickets, Reports and Statements Departmental Correspondence CVA Records Tax Collection Reports Grant Files Accident Reports and Vehicle Maintenance Files Property and Equipment Inventory Records Payroll Check Registers, Edits, Monthly and Yearly Work Papers Credit Card Receipts</p>
<p>Prior to FY 96/97 (4 yr. Retention)</p>	<p>IRS Files including W2's (Payroll copy only) Employee Time Sheets 1099 Files</p>
<p>Prior to FY 95/96 (5 yr. Retention)</p>	<p>Budget Amendments Annual Budget Workpapers</p>
<p>Prior to FY 89/90 (10 yr. Retention)</p>	<p>Year End Expense and Revenue Statements Year End Trial Balance</p>

*Except reports held for 10 year retention

8. Final Approving Resolution – High School Construction Financing

Resolution that reads as follows:; Resolution making certain findings and determinations relating to an installment financing agreement and approving and authorizing the execution and delivery of certain documents in connection therewith.....

In connection with the issuance of Certificates of Participation for the financing of the new High School, the General Statutes requires certain resolutions. This resolution makes the findings of necessity, efficiency, repayment ability and legal documents required in order to effect the financing. This issuance will be repaid through the school system's dedicated sales tax revenues and the ADA (Average Daily Membership) funding it receives annually from the State.

The County's application to issue Certificates was approved by the Local Government Commission on October 3, 2000. The sales date is set for November 8/9, 2000 and the closing is scheduled for November 28/29, 2000. Construction is underway and the project is scheduled for completion by August 2002.

A regular meeting of the Board of Commissioners for the County of Pitt, North Carolina, was held in the Commissioners' Auditorium, Pitt County Office Building, Greenville, North Carolina, the regular place of meeting, at 9:00 a.m. on October 16, 2000.

Present: Chairman Charles P. Gaskins, presiding, and Commissioners Glenn Bowen, David Hammond, Ann Huggins, Eugene James, Tom Johnson, Sr., Mark W. Owens, Jr., M. Theresa Shank and Beth B. Ward.

Absent: None.

Also Present: Thomas B. Robinson, County Manager, Melonie Bryan, Director of Financial Services, JoAnne Burgdorff, County Attorney, and Susan Banks, Clerk to the Board.

* * * * *

County Manager Thomas B. Robinson introduced the following resolution, the title of which was read and copies of which had been previously distributed to each Commissioner:

RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS

RELATING TO AN INSTALLMENT FINANCING AGREEMENT AND APPROVING AND AUTHORIZING THE EXECUTION AND DELIVERY OF CERTAIN DOCUMENTS IN CONNECTION THEREWITH

BE IT RESOLVED by the Board of Commissioners (the "Board") for the County of Pitt, North Carolina (the "County"):

Section 1. The Board does hereby find and determine as follows:

(a) The Pitt County Board of Education (the "Board of Education"), the governing board of the Pitt County School Administrative Unit, has determined that a dire need exists for the acquisition, construction and equipping of a new high school (the "Project") and has requested capital funding therefor.

(b) The Board has heretofore approved the Project.

(c) After a public hearing and due consideration, the Board has determined that the most efficient manner of financing the Project will be through the execution and delivery of a First Supplemental Installment Financing Agreement, to be dated as of November 1, 2000 (the "First Supplemental Agreement"), between the County and Pitt Regional Infrastructure Development Effort, Inc., a North Carolina nonprofit corporation (the "Corporation"), supplementing and amending an Installment Financing Agreement, dated as of May 1, 2000 (the "Original Agreement," and together with the First Supplemental Agreement, the "Agreement"), between the County and the Corporation, and pursuant to which the Corporation will advance to the County amounts sufficient to pay the costs of the Project (the "Advancement"), and the County will repay the Advancement in installments, with interest (the "Installment Payments").

(d) In order to provide the amount of the Advancement, the Corporation will enter into a First Supplemental Trust Agreement, to be dated as of November 1, 2000 (the "First Supplemental Trust Agreement"), with First-Citizens Bank & Trust Company, as

trustee (the "Trustee"), supplementing and amending a Trust Agreement, dated as of May 1, 2000 (the "Original Trust Agreement," and together with the First Supplemental Trust Agreement, the "Trust Agreement"), between the Corporation and the Trustee, pursuant to which the Corporation will execute and deliver certificates of participation (the "Certificates") evidencing proportionate and undivided interests in the right to receive the Installment Payments to be made by the County pursuant to the Agreement.

(e) In order to secure the repayment of the Installment Payments and the performance of its other obligations under the Agreement, the County has executed and delivered a Deed of Trust, dated as of May 1, 2000, (the "Deed of Trust"), granting a first lien of record on certain parcels of land, including the site upon which the Project will be located, together with all improvements and fixtures thereon.

(f) In order to assure that the Project is constructed by the Board of Education in the manner required by the Constitution and laws of the State of North Carolina and the Agreement, the County will enter into a Construction and Acquisition Agreement, to be dated as of November 1, 2000 (the "Construction Agreement"), with the Board of Education whereby the Board of Education agrees to construct the Project in accordance therewith.

(g) The Project and property relating thereto will be leased by the County to the Board of Education pursuant to a Lease Agreement, to be dated as of November 1, 2000 (the "Lease Agreement"), which Lease Agreement will be subordinate to the lien created by the Deed of Trust.

(h) The Certificates will be sold to The Robinson-Humphrey Company, LLC and A.G. Edwards & Sons, Inc. (collectively, the "Underwriters") pursuant to the terms of a

Contract of Purchase, to be dated as of the date of delivery thereof (the “Contract of Purchase”), between the Corporation and the Underwriters, pursuant to which the County will be required to execute and deliver a Letter of Representation, to be dated as of the date of delivery thereof (the “Letter of Representation”).

(i) In connection with the offering and sale of the Certificates by the Underwriters, there will be prepared and distributed to potential purchasers the Preliminary Official Statement, to be dated as of the date of delivery thereof (the “Preliminary Official Statement”), relating to the offering and sale of the Certificates and a Final Official Statement (hereinafter mentioned).

(j) There have been presented to the Board drafts of the following documents relating to the transaction hereinabove described:

- (1) First Supplemental Agreement;
- (2) First Supplemental Trust Agreement, including a form of the Certificates attached as Exhibit A thereto;
- (3) Construction and Acquisition Agreement;
- (4) Lease Agreement;
- (5) Contract of Purchase, together with a form of the Letter of Representation attached as Exhibit A thereto; and
- (6) Preliminary Official Statement.

Section 2. In order to provide for the financing of the Project, the County is hereby authorized to enter into the First Supplemental Agreement and receive the Advancement pursuant thereto in a principal amount not to exceed \$29,500,000. In order to provide the funds for the Advancement to be made by the Corporation to the County,

the Corporation is hereby requested to enter into the First Supplemental Agreement, the First Supplemental Trust Agreement and the Contract of Purchase and to execute and deliver the Certificates. The actual principal amount of the Advancement shall be determined by the County at the time of execution of the Letter of Representation, such execution and delivery of the Letter of Representation to constitute approval by the County of the principal amount of such Advancement and the approval by the County of the execution and delivery by the Corporation of the Certificates in the principal amount set forth in the executed Contract of Purchase. The amount of the Advancement shall be the amount that, in the best judgment of the person executing the Letter of Representation, shall be the amount necessary to provide sufficient funds to (a) pay the costs of the Project and (b) pay the financing costs incurred in connection with the execution and delivery of the Certificates. The rates of interest on the Installment Payments shall be determined by the County at the time of the execution by the County of the Letter of Representation, such rates to reflect the interest rates borne by the Certificates; provided, however, that such interest rates shall not result in a true interest cost in excess of 6.10% per annum, such execution and delivery of the Letter of Representation to constitute approval by the County of the interest rates on the Installment Payments.

Section 3. The Certificates shall be sold to the Underwriters pursuant to the Contract of Purchase. The Certificates may be sold to the Underwriters at a discount below the amount of the principal amount of the Advancement, such discount not to exceed 7.00% of the principal amount of the Advancement; provided, however, that if all or any of the Certificates are to be sold to the public by the Underwriters at original issue

discount (resulting in lower interest costs of the interest component of the Installment Payments), then the Certificates may be sold at a further discount in the amount necessary to cover such original issue discount. The final maturity of the Certificates shall not be later than April 1, 2025.

Section 4. The County Manager and the Director of Financial Services of the County are hereby authorized and directed to cooperate with the Corporation and the Underwriters to obtain a policy of municipal bond insurance (“Certificate Insurance Policy”) provided such Certificate Insurance Policy results in overall savings to the County, and the premium for the Certificate Insurance Policy shall be paid from the proceeds of the Certificates. The County Manager and the Director of Financial Services for the County are hereby authorized and directed to execute and deliver any documentation necessary for the procurement of the Certificate Insurance Policy.

Section 5. The Board hereby approves the forms of the First Supplemental Agreement, the Construction Agreement, the Lease Agreement and the Letter of Representation in substantially the forms presented at this meeting. The County Manager and the Director of Financial Services of the County are each hereby authorized to execute and deliver on behalf of the County the Letter of Representation, and the Chairman and the Vice Chairman of the Board and the County Manager are each hereby authorized to execute and deliver on behalf of the County the First Supplemental Agreement, the Construction Agreement and the Lease Agreement in substantially the forms presented at this meeting, containing such insertions, deletions and filling in of blanks as the person executing such documents shall approve, such execution to be conclusive evidence of approval by the Board of any such changes. The Clerk to the Board or any assistant or

deputy Clerk to the Board is hereby authorized to affix the official seal of the County to each of said documents and to attest the same to the extent required.

Section 6. The Board hereby approves the First Supplemental Trust Agreement, the Certificates and the Contract of Purchase in substantially the forms presented at this meeting.

Section 7. The Board hereby approves the Preliminary Official Statement in substantially the form presented at this meeting and hereby approves the distribution thereof by the Underwriters in connection with the offering and sale of the Certificates. Upon the sale of the Certificates to the Underwriters, a final Official Statement, to be dated as of the date of the Contract of Purchase (the "Final Official Statement"), will be prepared substantially in the form of the Preliminary Official Statement and will contain such information relating to the pricing terms of the Certificates and such additional information as may be necessary. The Board hereby approves the execution and delivery of the Final Official Statement on behalf of the County by the County Manager or the Director of Financial Services of the County and the distribution thereof by the Underwriters in connection with the offering and sale of the Certificates.

Section 8. No deficiency judgment may be rendered against the County in any action for breach of any contractual obligation under the Agreement, and the taxing power of the County is not and may not be pledged directly or indirectly to secure any moneys due under the Agreement.

Section 9. The Chairman of the Board, the County Manager and the Director of Financial Services of the County are hereby authorized to cooperate with the Underwriters in preparing and filing such filings under state securities or "blue sky" laws as the

Underwriters may request; provided, however, that the County shall not be required to consent to the jurisdiction of any state in which it is not now subject unless the County Manager shall determine that such consent is in the best interest of the County.

Section 10. The Chairman of the Board, the County Manager, the County Attorney, the Director of Financial Services and the Clerk to the Board, and any other officers, agents and employees of the County are hereby authorized and directed to deliver such certificates, opinions and other items of evidence as shall be deemed necessary to consummate the transactions described above.

Section 11. This resolution shall take effect immediately upon its passage.

Upon motion of Commissioner James_, seconded by Commissioner Ward, the foregoing resolution entitled "RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS RELATING TO AN INSTALLMENT FINANCING AGREEMENT AND APPROVING AND AUTHORIZING THE EXECUTION AND DELIVERY OF CERTAIN DOCUMENTS IN CONNECTION THEREWITH" was passed by the following vote:

Ayes: Chairman Charles P. Gaskins, presiding, and Commissioners Glenn Bowen, David Hammond, Ann Huggins, Eugene James, Tom Johnson, Sr., Mark W. Owens, Jr., M. Theresa Shank and Beth B. Ward.

Noes: _____

* * * * *

I, Susan J. Banks, Clerk to the Board of Commissioners for the County of Pitt, North Carolina, DO HEREBY CERTIFY that the foregoing is a true copy of so much of the proceedings of said Board at a regular meeting held on October 16, 2000, as it relates

in any way to the passage of a resolution regarding an installment financing for school improvements and that said proceedings are recorded in Minute Book No. 31 of the minutes of said Board.

I DO HEREBY FURTHER CERTIFY that a schedule, stating that the regular meetings of said Board are held on the first and third Mondays of each month at 9:00 a.m. in the Commissioners' Auditorium, Pitt County Office Building, 1717 West Fifth Street, Greenville, North Carolina, was on file with me for a least seven calendar days prior to said meeting, all in accordance with G.S. 143-318.12.

WITNESS my hand and the corporate seal of said County this 16th day of October, 2000.

Clerk to the Board

[SEAL]

Chairman called for a ten minute break.

ITEMS FOR DECISION

Sale of Flooded Homes in Buy-Out Program for relocation and renovation – James Rhodes and Glen Moore

Mr. Rhodes gave an update on the grant programs.

Phase 1 – Completed projects:

42 surveys

105 appraisals

39 title opinions

14 purchase offers

13 offers have been accepted

2 closings

4 closings scheduled for this week

140 people have indicated that they do not want to participate

Phase 2 – FEMA has approved 10 properties.

Phase 3 - Properties over \$300,000 - 4 homes are currently under review

Phase 4 - State has recommended that the County send in any others that may qualified. County submitted 4 others.

Mr. Rhodes stated that Glen Moore and Matt Walters are handling these programs. Mr. Rhodes entertained questions from the commissioners about flooded properties. If there is substantial damage of 50% or more to the home, they have to meet the flood ordinance requirements and raise their properties.

Mr. Moore said the County has been approached by two individuals who wanted to purchase properties that were in the flood program. If the County were to accept their offer to purchase these properties, there could be health problems because the structures may be jeopardized from the flooding. The two structures were substantially damaged. Mr. Moore said that if the County were willing to allow people to purchase properties that were owned by the County as a result of the flood, then the County would need to establish a policy on how to handle such properties. Mr. Moore said that the staff recommends that flooded homes, now owned by the County, not be allowed to be sold and rehabilitated. He said one of the contractors, that wants to purchase one of the homes, is present. The Planning Department does not have the additional time to handle this additional program at this time and it would have to wait until a later timeframe.

Vice Chairman Hammond said the County is not in the business of real estate. Mr. Moore said that these properties have substantial damage and could have health hazards and should be demolished. Commissioner James said these people that have decided to get rid of their homes and the process should proceed as planned.

UPON MOTION by Commissioner James motioned to follow the recommendation of the Planning Board, that there be no resale of the homes where people have participated in the flood program, that were purchased by the County and that the homes be demolished. Commissioner Shank seconded the motion. Commissioner Huggins spoke in support of this motion because of possible long term health problems.

Commissioner Bowen said there is bound to be something that can be salvaged in these houses. He said the Federal guidelines spell out more advantages than disadvantages for reselling of the homes. Commissioner Bowen said this should be examined more closely. Mr. Bulow said if the County takes possession of the house and then the house is sold several times, and there is mold or problems down the road with the property, they may come back and sue the County. He said the County's liability insurance has exemptions for environmental hazards. Commissioner Ward stated her support of the motion and that all these programs have different guidelines. Mr. Moore said this program is completely voluntary. He said if someone wants to purchase this property, then the landowner can sell the house and property directly to them without going through the County. The Board discussed the options on these properties.

Commissioner Bowen asked to allow the contractor speak on this item. Commissioner Huggins supported Commissioner Shank's comments. Commissioner Shank stated that this would not be appropriate to allow one contractor to speak when several were involved.

The motion was approved with a seven to one vote. Commissioner Bowen voted in opposition of the motion and Commissioner Owens was absent.

Budget Amendment for Public Health – Smart Start – John Morrow

Mr. Robinson said this budget amendment increases the Health Department by three positions through the Smart Start grant. These positions will be flagged on the budget as grant funded positions.

Dr. Morrow stated that this budget amendment is for two nurses, half-time public health educator, and Office Assistant III, for child care centers. He expressed the need for proper immunization of the children in the child care centers as well as helping with prevention of dental problems. These are grant funded positions and the people are informed that these are grant funded positions. Vice Chairman Hammond asked about other funding agencies for long term funding of this program. Dr. Morrow state they would continue to work towards long term funding.

UPON MOTION by Commissioner Johnson, seconded by Vice Chairman Hammond, the Board voted unanimously to approve the budget amendment as follows:

ACCOUNT NO.	TITLE OF ACCOUNT	INCREASE	DECREASE
155147512000	Salaries	110,024	
155147518100	FICA Taxes	9,312	
155147518200	Retirement	5,940	
155147518201	401K	5,782	
155147518300	Hospitalization	1,080	
155147518400	Life Insurance	483	
155147518999	SL Increase	3,609	
155147523000	Med Tech	2,500	
155147526000	Office Supplies	1,600	
155147531200	Travel	11,275	
155147532900	Communication	1,871	
155147532500	Postage	115	
155147534100	Printing	2,000	
155147539500	Training/Conference	3,400	
15514756100	Contracted Services	800	
155147549999	Reserve: Fixed Charge	10,898	
155147523100	Education Materials	800	
155147551000	Office Furniture & Equipment	1,600	
155147552000	DP Equipment	7,000	

EJE Recycling & Disposal, Inc. Proposal for Staging and Disposing of Debris – Phil Dickerson

Mr. Robinson stated there will be a massive amount of debris from the buy-out program. When demolition of the flooded structures reaches a peak, there will be overwhelming quantities of debris. If the County continues to stockpile the debris, for later transportation to a landfill in Bertie or Duplin County, the piles will contain debris for several years.

EJE Recycling and Disposal proposed that the debris be stockpiled at the rear of their present facility until the company’s construction and demolition debris landfill is completed in early 2001. The option to haul this debris to another site still exists. When the landfill is in operation, the debris can go directly into the landfill. This proposal represents a significant reduction in costs now being incurred. EJE proposes the following:

- (1) Provide a suitable site for temporary staging of flood debris within the footprint of existing site Permit #74-05 – No Charge.
- (2) Weight each load of flood debris and maintain records for review. Debris hauled by outside contractors provided by Pitt County. Manage flood debris pile until EJE’s proposed C&D Landfill is complete - \$9.50 per ton.
- (3) Relocate temporary flood debris to EJE’s permitted C&D Landfill - \$10.00 per ton.
- (4) Disposal fee at #J# C&D permitted Landfill - \$29.00 per ton.
- (5) Pitt County agrees to reimburse EJE for stone needed for maintenance on main entrance road. EJE agrees to furnish any labor for grading stone. Pitt County will be given sufficient notification prior to stone being delivered.

This proposal would reduce the cost to one-third of its present cost. The stock pile will not be located right beside the road where people can see it when they ride by in this future plan.

He said they estimated the tipping fees to be well over \$1 million after demolition of houses from flooding. The franchise ordinance calls for a franchise fee. Vice Chairman Hammond asked if there is a closer site than Duplin County. Mr. Dickerson said Bertie is a shorter distance, but if the Board allows them to follow this recommendation, they will not have to ship outside of the County.

UPON MOTION by Commissioner Ward, seconded by Commissioner Shank, the Board voted unanimously to accept the recommendation made by the County Engineer and reviewed by the County Attorney to negotiation a firm contract with EJE Recycling and Disposal to manage demolition debris from flood damaged structures in accordance with the proposal.

Asbestos Abatement on Flood Damaged Structures – Phil Dickerson

Mr. Dickerson said there are flooded structures in the County that have asbestos on the outside that has to be removed before they can be demolished. The rules have not been waived for exterior asbestos removal for this program. He recommended the Board approve the contract with Quantum Environmental, Inc. for asbestos removal.

UPON MOTION by Commissioner Shank, seconded by Commissioner Huggins, the Board voted unanimously to accept the recommendation of staff to contract with Quantum Environmental, Inc. of 6001 Chapel Hill Road, Raleigh, North Carolina to remove asbestos containing materials from the exterior of flood damaged structures to be demolished.

<u>Company</u>	<u>Perform Asbestos Removal in accord With contract documents</u>	<u>Asbestos Abatement Cost for each additional home per sq. ft.</u>
EME, Inc Greensboro, NC	\$50,491.20	\$2.68
Enpuricon, Inc. Apex, NC	\$37,303.20	\$1.98
Quantum Enviro., Inc Raleigh, NC	\$35,046.00	\$1.89
Demo & Asbestos Greensboro, NC	\$65,940.00	\$3.50

Acceptance of Credit Card Payments at Tax Collector’s Office – Jeff Niebauer

Mr. Niebauer stated that there is a third party company to accept credit card payments at no direct cost to Pitt County. This would enable the Tax Collector’s to accept payment by phone or over the Internet.

UPON MOTION by Commissioner James, seconded by Commissioner Huggins, to follow the staff’s recommendation to move forward with establishing this payment option for taxpayers and have all contract documentation approved by Legal, County Manager and Financial Services prior to implementation.

The motion was passed unanimously.

Appointment to Planning Board – At-large Position – Susan Banks

Ms. Banks informed the Board that Mr. Wallace Fleming who was appointed to an at-large position at the last meeting, has responded that he will not be able to serve. She asked for nominations for a new appointment. Commissioner Shank nominated Michael Humphrey. Commissioner Huggins nominated Sylvia Daniels. Commissioner Bowen nominated Bruce Jones.

UPON MOTION by Commissioner James, seconded by Vice Chairman Hammond, the Board voted unanimously to close the nominations.

Chairman Gaskins called for a vote. Commissioners Gaskins and Bowen voted for Bruce Jones. Commissioners Hammond and Huggins voted for Sylvia Daniels. Commissioners Johnson, James, Shank, and Ward voted for Michael Humphrey. Michael Humphrey was appointed to the Planning Board for a three-year term.

Albemarle-Pamlico Estuary Program – Susan Banks

- a. Tar-Pamlico River Basin Appointment
- b. Neuse River Basin Appointment - postponed

Ms. Banks stated that there were two vacancies on the Albemarle-Pamlico Estuary Study Program with one being from the Neuse River Basin and one from the Tar-Pamlico River Basin. She stated she did not have any applicants from the Neuse River Basin and requested to postpone this appointment. The Board agreed with the request. Ms. Banks stated she had one applicant, Edna Brunson, who resided in the Tar-Pamlico River Basin.

UPON MOTION by Vice Chairman Hammond, seconded by Commissioner Huggins, the Board voted unanimously to appoint Edna Brunson to serve as the Tar-Pamlico Representative on the Albemarle-Pamlico Estuary Study.

COMMISSIONER REPORTS AND COMMENTS

? Commissioner Ward stated the Airport should be starting on construction and rehabilitation from the flood. This should be a twelve-month process.

CLOSED SESSION

- 1. Property Matters – G.S. 143-318.11(a)(5) to establish or instruct the staff or agent concerning negotiations of the price and terms of a contract concerning the acquisition of real property.

Ms. JoAnne Burgdorff, County Attorney stated G.S. 143-318.11(a)(5) as the authority for the Board to go into closed session.

UPON MOTION by Vice Chairman Hammond, seconded by Commissioner Ward, the Board voted unanimously to go into closed session.

UPON MOTION by Commissioner Shank, seconded Vice Chairman Hammond, the Board unanimously voted to return to open session.

ADJOURN

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

Respectfully submitted,

Susan J. Banks, CMC
Clerk to the Board