

**PITT COUNTY BOARD OF COMMISSIONERS  
MINUTES FOR DECEMBER 18, 2000**

The Pitt County Board of Commissioners met in a regular session on Monday, December 18, 2000, at 9:00 a.m. in the Commissioners' Auditorium, Pitt County Office Building, 1717 W. 5<sup>th</sup> Street, Greenville, North Carolina. The purpose of the meeting was to consider public business.

David Hammond, Chairman  
Glenn Bowen, Commissioner  
Tom Coulson, Commissioner  
Eugene James, Commissioner  
Thomas H. Johnson, Commissioner  
Mark W. Owens, Jr., Commissioner  
Randy Royal, Commissioner  
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  
Melonie Bryan, Director of Financial Services  
John K. Bulow, Assistant County Manager

**CALL TO ORDER** – Chairman Hammond

**INVOCATION AND PLEDGE**

Invocation was offered by Commissioner Ward.

Pledge of Allegiance was led by Commissioner Shank.

**APPROVAL OF AGENDA**

Mr. Robinson asked about discussing the public hearing from Thursday night on the Northwest Planning Land Use and Zoning Ordinance.

**UPON MOTION** by Commissioner Royal, seconded by Commissioner Shank, the Board voted unanimously to approve the agenda as modified.

**APPROVAL OF MINUTES – December 4, 2000**

**UPON MOTION** by Commissioner Shank, seconded by Commissioner Ward, the Board voted to approve the minutes from the December 4, 2000 meeting.

**EMPLOYEE SERVICE AWARDS** – Chairman Hammond and Tom Robinson

Chairman Hammond and Mr. Robinson presented employee service awards to the following:

**DECEMBER 18, 2000**

**5 Years**

<b>LISA</b> D. Atkinson	Health
<b>ANGELA</b> B. Brown	Finance
<b>RUSSELL</b> Bryan	Detention Center
<b>GRAYSON</b> C. Coward	Register of Deeds
<b>DAVID</b> A. Dutton	Sheriff's Department

**BRYAN** K. Haywood  
**JUANITA** Y. Hines  
**WILLIAM** R. Jones  
**DANNY** W. Mills  
**KAREN** L. Palmer  
Randall **RANDY** E. Skinner  
**MELISSA** L. Taylor  
**JUDY** E. Whitehurst

Detention Center  
Mental Health  
Detention Center  
Sheriff's Department  
Mental Health  
Emergency Services  
Mental Health  
Mental Health

#### **10 Years**

**CARTER** E. Adkins  
**LINDA** J. Corey  
**PATRICIA** B. Cox  
**WANDA** T. Doctor  
**TAMMY** F. Lewis  
**RHETTA** C. O'Quinn  
**ANN** M. Weaver  
**CHERYL** B. Witherspoon

Sheriff's Department  
Health  
Social Services  
Mental Health  
Social Services  
Social Services  
Social Services  
Social Services

#### **15 Years**

**JESSE** L. Butler  
**DEBRA** G. Cannon  
**DORCAS** C. Carter  
**BECKY** S. Griffin  
**BERNIDENE** G. Uzzell

Solid Waste  
Mental Health  
Tax Assessor  
Finance  
Social Services

#### **20 Years**

**JOHN** W. Nelson

Tax Assessor

A reception was held following presentation of the awards.

### **PUBLIC HEARING AND CONSIDERATION OF AMENDMENT TO SOIL EROSION AND SEDIMENTATION CONTROL ORDINANCE - Dwane Jones**

Mr. Jones reviewed each amendment to the Soil Erosion and Sedimentation Control Ordinance that was recommended by staff. These amendments were approved by the Planning Board on November 15, 2000. Staff recommended adoption of the amended ordinance with an effective date of January 1, 2001. Mr. Jones said that these changes follow the State guidelines.

Chairman Hammond opened the public hearing. No one came forward. Chairman Hammond closed the public hearing.

Vice Chairman Bowen **motioned** to accept staff recommendation and adopt the amended Soil Erosion and Sedimentation Control Ordinance. Commissioner Shank seconded the motion. The motion was approved unanimously.

### **PUBLIC HEARING ON C&D LANDFILL**

Mr. Phil Dickerson, County Engineer stated the site of the C & D Landfill must first be approved, which this Board had taken action on in August, 2000. The franchise ordinance was passed in September 2000. The action now required is approval of the specific franchise. This landfill will accept debris from construction and demolition. The franchise fee was adopted at \$2.00 per ton at a previous meeting. Mr. Judson Whitehurst, owner and operator of EJE Recycling and Disposal Construction and Demolition Debris Recycling Facility entertained questions from the Board.

Chairman Hammond opened the public hearing. No one came forward.

Chairman Hammond closed the public hearing.

Commissioner Shank **motioned** to grant the franchise to EJE Recycling and Disposal Construction and Demolition Debris Recycling Facility as of December 18, 2000. Commissioner Ward seconded the motion. The motion was unanimously approved.

**PUBLIC ADDRESSES TO THE BOARD**

- ? Vernon Morrison - complained about the Board meeting on December 4, 2000 that was delayed because of the weather. He stated he has talked with the Attorney General and the Judicial System. He said he did not understand how the County Attorney could serve as parliamentarian. He spoke about the "northwest passage." He said he is not in favor of planning because it takes the rights of the people away. He spoke about the Bible and human rights.
- ? Nancy Colville - she complemented the people who gave the Elections Office the equipment to function properly during the previous national election. She said she was glad to see representation other than Democrats on this Board. She said there are rumors that certain commissioners have their own agendas and she said the Board is not here to micromanage. She told the Board not to blame their employees for doing things that they have been told to do by the Board. She said Commissioner James, Commissioner Savage, and Vice Chairman Bowen jumped on that zoning wagon. She spoke about people being hired because of their qualifications, not their color. She said the Manager and Attorney should not be fired because of someone's personal agendas and that those personal agendas should be set aside.

**ITEMS FOR REPORT**

**Manager's Report – Tom Robinson**

Mr. Robinson reported on the following:

- Letter from Rural Development concerning County's involvement in water services - about Bell Arthur Water Corporation and their loan application.
- The Education Compact was submitted to the North Carolina Association of County Commissioners and won one of the outstanding county program award. The officials would like to come to Pitt County and make a presentation to the Board. He said it would be appropriate to invite the School Board to attend also since it involves the School Board. He said he would schedule their presentation.

**Monthly Financial Report – Melonie Bryan**

Melonie Bryan, Finance Director gave the following report for the month of November 2000.

<b>Fund Balance – General Fund:</b>	\$44,625,858
	\$ 4,047,261
	\$32,652,074

**Total Budget: \$160,382,733**                      **41.67%**                      of Fiscal year completed

<b>Summary of Revenues:</b>	<u>Nov 2000</u>
General Operating Funds	\$9,948,325
Enterprise Fund	421,766
All Other Funds	<u>1,781,219</u>
	\$12,151,310

Percent of Budget:                      **7.58%**

<b>Summary of Expenditures:</b>	<u>Nov 2000</u>
General Operating Funds	\$9,364,767
Enterprise Funds	604,534
All Other Funds	<u>1,447,829</u>
	\$11,417,130
Percent of Budget:	<b>7.12%</b>

\*\*Does not include appropriated fund balance

**Tax Collection Report – Jeff Niebauer**

**SUMMARY OF 2000/2001 INFORMATION**

Tax collection activity Pitt County:

Total Nov 2000 Collections:	\$ 1,564,975
Total to Date 2002/2001:	\$21,408,427

Pitt County Levy:	
Nov 2000 Levy:	\$39,381,406

Nov 2000 Percent Collected:	51.77
Original Levy	50.90
Supplemental & Vehicle	57.4

Total collection activity all units including Pitt County:	
Total Nov 2000 Collections:	\$2,356,448
Total to Date 2000/2001:	\$33,990,320

Garnishments for Nov 2000:	\$ 59,359
Bankruptcy for Nov 2000:	\$ 8,294
Occupancy for Oct 2000:	\$ 92,910
Occupancy Total to Date 00/01	\$ 390,146
Gross Receipts Oct 2000	\$ 14,182
Gross Receipts total to date	\$ 56,455

**Sheriff's Report – Sheriff Mac Manning - temporarily delayed**

**ITEMS FOR CONSENT**

**UPON MOTION** by Commissioner Shank, seconded by Commissioner James, the Board voted unanimously to approve the consent agenda.

1. Tax Refunds Greater than \$100
2. Loan Resolution for Red Oak Community Rural Fire Dept., Inc.
3. Appointment of Chuck Owens to the Mid-East Emergency Medical Services Advisory Council
4. Appointment of Animal Cruelty Investigators for one year term
5. Reappointment of AC Turnage to Board of Health
6. Educational Leave – Desiree Bowling, Financial Services
7. Educational Leave for Lisa Artis, MIS
8. Project Ordinance – High School Capital Project Fund

**Items for Consent**

1. Tax Refunds Greater than \$100

Total Refunds (Greater than \$100) – 4	\$	651.44
Mercedes Benz Credit	\$	220.71
Stalls, Vernon Rudolph	\$	110.97
Toyota Motor Credit	\$	149.74
Vines, Dolly M. & Husb. Cleveland	\$	170.02

2. Loan Resolution for Red Oak Community Rural Fire Department

The Red Oak Community Rural Fire Department, Inc. is borrowing \$200,640 from United Financial of NC to build a new fire station. The new station will be located at 925 West Star Road, Greenville, NC. In order to qualify for the loan the attached resolution needs to be adopted.

STATE OF NORTH CAROLINA  
COUNTY OF PITT

CERTIFICATE OF CLERK RE APPROVAL  
OF TAX-EXEMPT LOAN TO VOLUNTEER FIRE  
DEPARTMENT BY BOARD OF COMMISSIONERS

The undersigned, being the duly qualified Clerk of Pitt County, North Carolina, does hereby certify that the following is a true and accurate copy of a Resolution passed by the Board of Commissioners of Pitt County, North Carolina, at its regular meeting on the 18<sup>th</sup> day of December 2000, which Resolution was duly introduced, seconded and approved, and that said Resolution remains in full force and effect:

“NOW, THEREFORE, BE IT HEREBY RESOLVED, that the Board of Commissioners of Pitt County, North Carolina have no objection to (within the scope of the qualifying language set forth below) a tax-exempt loan to the Red Oak Community Rural Fire Department, Inc. from United Financial of NC, Inc. in the principle amount of \$200,640.00, which loan is for the following purpose.

Build a fire station and pay off the loan on two fire trucks the department Now has financed. The building will be located at 925 West Star Road Greenville, North Carolina.

RESOLVED, FURTHER, that the approval of the loan to the VFD set forth about is given solely for purposes of the public approval requirements for tax-exempt financing applicable to the FD set forth above is given solely for purposes of the public approval requirements for tax-exempt financing applicable to the VFD because of Section 150 (e) (3) and amended, and such approval (i) does not obligate the County or its Board of Commissioners in any way regarding repayment of the debt, and (ii) such approval does not indicate whether or not the VFD is in compliance with any laws regarding bids, purchasing, or nonprofit corporation may be applicable to the VFD”

Duly certified by the execution hereof and the placing hereon of the seal of the said County, this the 18<sup>th</sup> day of December, 2000.

(SEAL)

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CHAIRMAN PITT COUNTY BOARD OF COMMISSIONERS  
PITT COUNTY, NORTH CAROLINA

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CLERK PITT, COUNTY BOARD OF COMMISSIONERS  
PITT COUNTY, NORTH CAROLINA

3. Appointment of Chuck Owens to the Mid-East Emergency Medical Services Advisory Council

The Pitt County Association of Rescue and Emergency Medical Services, Inc. request that Mr. Chuck Owens, EMS Coordinator for Greenville Fire and Rescue be appointed to the Mid-East Emergency Medical Services Advisory Council. He will be replacing Ray Eubanks, Jr.

4. Appointment of Animal Cruelty Investigators

The Humane Society has made their annual recommendation for appointment of volunteers to serve as animal cruelty investigators for the County.

As part of their ability to serve each individual must:

1. Provide proof of completion of a certification program
2. Be covered by liability insurance provided by the Humane Society
3. Sign an agreement with the County stating that they will not investigate cases currently under investigation by any other agency
4. Take an oath of office administered by the Clerk of the Board

The following individuals had been recommended for one-year terms:

Deyonne Brewer, Bobbie Parsons, Deborah Taylor, Shayla Rawley, Heather Walker, Pamela Byrd, Ralph Dalton, Robert Welch, Lee Fullington, Cora Tyson, Crystal Tyson

5. Reappointment of AC Turnage to Board of Health

Mr. AC Turnage fills the position designated for an architect on the Board of Health. He has served for two terms and is eligible for reappointment. The Board of Health has a maximum of three full terms. Dr. Morrow recommended Mr. Turnage be reappointed for a third full term and he was so appointed.

6. Educational Leave – Desiree Bowling

In accordance with the County's Educational Leave Policy, Desiree Bowling in the Financial Services Department is requesting 3 hours per week for the Spring 2001 semester at East Carolina University. Ms. Bowling is working on a Masters Degree in Accounting that greatly benefits the department and the County.

7. Educational Leave – Lisa Artis

Lisa is a Computer Operator in the Operations section of the MIS department. She currently holds an Associate in Applied Science degree in Business Computer Programming and is in the process of completing a Bachelor of Science degree in Computer Science. This degree will enhance Lisa's ability to provide in depth systems support for County agencies.

Lisa has scheduled her classes as to minimize the impact on our daily operations. She will be absent from work during the hours of 6:00 to 9:00 pm on Monday. Lisa's normal work schedule is from 1:00 pm until 10:00 pm, Monday through Friday. Lisa has scheduled her classes in the morning when available. Total time per week requested is 3.0 hours.

8. Project Ordinance – High School Capital Project Fund

The County and the Board of Education are working together to build a sixth high school. The County issued \$28,050,000 in Certificates of Participation (COPs) on November 8, 2000 and closed on the sale on November 28, 2000. The construction is being overseen by the Board of Education and is due to be completed for occupancy by August 2002.

**OFFICE OF THE PITT COUNTY BOARD OF COMMISSIONERS  
GREENVILLE, NORTH CAROLINA**

**DECEMBER 18, 2000**

**Series 2000B – Board of Education Construction Capital Project**

UPON MOTION by Terry Shank and seconded by Eugene James, the Pitt County Board of Commissioners unanimously adopted the following Capital Project Ordinance.

**BE IT ORDAINED** by the Pitt County Board of Commissioners pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following Capital Project Ordinance is hereby adopted to construct additions or renovations to the school property known as “Forlines” High School and pay the related closing/issuance costs for this transaction.

**Section 1.** The project authorized is to construct a certain school property through the sale of Certificates of Participation with a sale date of November 8, 2000 and a closing date of November 27/28, 2000.

**Section 2.** The officers of this unit are hereby authorized to proceed within the terms of this resolution and the budget contained herein.

**Section 3.** The following revenues are hereby appropriated for the projects listed above:

Proceeds – Certificates of Participation	\$27,854,239.
Investment Earnings	<u>1,251,969.</u>
<b>TOTAL REVENUES</b>	<b>\$29,106,208.</b>

**Section 4.** The following amounts are appropriated for the projects’ expenditures:

General Construction – High School	\$27,766,265.
Contingency	200,000.
Issuance Costs	<u>644,879.</u>
<b>TOTAL EXPENDITURES</b>	<b>\$29,106,208.</b>

**Section 5.** The Director of Financial Services is hereby directed to maintain within the Capital Projects Funds sufficient specific detailed accounting records in accordance with general accepted accounting principals. Reports of this detail will be made available upon request.

**Section 6.** Copies of this Capital Project Ordinance shall be made available to the Pitt County Manager and the Director of Financial Services for direction in carrying out this project.

**NOW, THEREFORE, BE IT RESOLVED** this 18th day of December 2000 that the Pitt County Board of Commissioners endorsed this Capital Project Ordinance for the construction of a school facility.

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Chairman, Board of Commissioners

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Clerk to the Board

9. Project Ordinance – Phase II Buyout Properties

The Planning Department, in conjunction with the State and Federal Government, has a Phase II Buyout project for 11 properties in the County. These properties were approved in a supplemental funding package. This project ordinance allows the County to account for the costs related to the purchases of these properties separate and apart from the earlier approved project.

The total value of this phase is \$1,057,751 of which \$50,369 is available for service delivery/administrative costs.

**OFFICE OF THE PITT COUNTY BOARD OF COMMISSIONERS  
GREENVILLE, NORTH CAROLINA  
December 18, 2000**

**HOUSING REPLACEMENT PROJECT ORDINANCE**

**UPON MOTION** by Terry Shank and seconded by Eugene James, the Pitt County Board of Commissioners unanimously adopted the following Project Ordinance.

**BE IT ORDAINED** by the Pitt County Board of Commissioners pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following Project Ordinance is hereby adopted to reflect the activities of the Hurricane Floyd Property Acquisition and Relocation Funds (HFPAR) Phase II being handled through the Pitt County Planning Department.

**Section 1.** The project authorized is to provide funding to replace housing units of victims of Hurricane Floyd in September 1999.

**Section 2.** The officers of this unit are hereby authorized to proceed within the terms of this resolution and the budget contained herein in accordance with the grant documents and the rules and regulations of the State and Federal government.

**Section 3.** The following revenues are hereby appropriated for the projects listed above:

Grant Proceeds	\$1,057,751.
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**Section 4.** The following amounts are appropriated for the projects' expenditures:

Service Delivery	\$ 50,369.
Replacement	<u>\$1,007,382.</u>

TOTAL EXPENDITURES	\$1,057,751.
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**Section 5.** The Director of Financial Services is hereby directed to maintain within the Grant Project Fund sufficient specific detailed accounting records in accordance with general accepted accounting principals. This documentation will be used to provide the necessary

reporting to the grantor agencies as required by the grant agreements. Reports of this detail will be made available upon request.

**Section 6.** Funds will be requisitioned from the State after submission of documentation to the County. Compliance with all federal and state procurement regulations is required.

**Section 7.** Copies of this Grant Project Ordinance shall be made available to the Pitt County Manager and the Director of Financial Services for direction in carrying out this project.

**NOW, THEREFORE, BE IT RESOLVED** this 18th day of December 2000 that the Pitt County Board of Commissioners endorsed this Grant Project Ordinance for the Hurricane Floyd Property Acquisition and Relocation (HFPAAR) Phase II Grant Program.

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Chairman, Board of Commissioners

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Clerk to the Board

10. Health Department Contract to manage and administer diabetes indigent project

The Pitt County Health Department has been awarded \$78,200 by the Pitt Memorial Hospital Foundation to administer indigent care funds through Philippi Church of Christ to help need African American manage their diabetes. This contract was initiated July 2000, and is one component of our Diabetes Care Project.

**ITEMS FOR DECISION**

**Grant for Local Erosion and Sedimentation Control Program Administration – James Rhodes**

Mr. Rhodes stated that there are new monies available and they are seeking the Board's approval with filling out this application. A commitment of matching funds is required which have already been offset by the review fees. Staff recommended the Board endorse this application for the grant.

Commissioner Ward motioned for the staff to move forward with the grant application.

Commissioner Owens asked if these funds were budgeted. Mr. Rhodes said this grant has an eighteen-month time period and the funds are allocated for this cycle. The amount has been budgeted in fees. Sixty percent of the total program is paid by this grant. The County's obligation would be \$36,000 over the eighteen-month period. This includes 40% of the existing staff salary that works on this program.

**UPON MOTION** by Commissioner Ward, seconded by Commissioner Shank, the Board voted unanimously to approve the concept of using General Fund monies, including review fees collected for the program administration for local match, authorize staff to submit the grant application and a budget amendment to be processed if the grant is awarded.

**Request for Endorsement of Historical Rehabilitation Project in the Town of Grimesland – Loretta Payton**

Mr. Robinson stated that Ms. Payton had requested the Board's endorsement of using a school building in Grimesland that is a historical site for some special programs. Commissioner

Shank said that she did not see the need for this board to take action on this item.

Ms. Payton said the Town of Grimesland needs a resolution for a building in Grimesland so that she can apply to the federal government for financial and administrative assistance for use of this building. Vice Chairman Bowen asked about the funding. She said the federal government would fund it. She said Mr. Nick Glennon owns the building and would sell it to the Town. Commissioner James said the building has been used for manufacturing in the past. Ms. Payton said that the federal government wants endorsement from the Town of Grimesland and the County. Commissioner Royal asked if the funding would be 100% from the federal government. Ms. Payton said that the federal government would fund the whole project if they accepted the project. Commissioner Shank asked who would manage the project? Ms. Payton said the federal government would supply the administration. Commissioner Ward said before the Board offers a firm endorsement, they would like to see the application but she said they orally commend Ms. Payton on what she is trying to do with this project. Vice Chairman Bowen asked to see something in writing from the federal government. Commissioner Shank also stated that the Board needs to see a letter or something confirming the federal government's involvement as well as any other support involved. Chairman Hammond stated that she may want the Mayor of Grimesland to come with her next time. Commissioner Owens also commended Ms. Payton on what she is trying to do with this building. He encouraged her to continue to move forward with her plans. Commissioner James said she needs to get possession of the building first.

### **Sheriff's Report - Sheriff Manning**

Sheriff Manning spoke about the Inmate Work Crew. They are using the jail vans and volunteers from the inmates to go out and clean up areas. Some cleaning of County parking lots and illegal dumps has been done. He said they are testing this program out to see if it is successful and working through the process. He said they hope to expand it in the future to cleaning up roadsides. The inmates are willing to work. These inmates are either weekend lockup or those in jail for non-payment of child support. They are non-violent offenders. No additional liability is anticipated. Chairman Hammond asked if the inmates earn any privileges from this program. Sheriff Manning said the inmates have the benefit of getting outside the jail and they can smoke outside the facility.

Sheriff Manning reported that the Hunting Ordinance has been in effect for two seasons. He said they are working to educate landowners and hunting groups. He said they are finding that the hunters are trying to comply and they realize that further restrictions can be applied if they do not follow these regulations. He said they defer incidences to the State game warden. He said they have not cited anyone on this ordinance but have other violations of laws. Commissioner Shank asked about statistics from the past activities. The Sheriff said it has made a difference in the more organized hunting clubs. There has been some difficulty in interpretation of the ordinance. Commissioner James asked about the ordinance being put in the Wildlife Commission Handbook. Ms. Burgdorff said that it will have to be re-submitted to the General Assembly. It was presented before but it was during the short session of the Legislature and they did not accept any controversial bills. The Wildlife Commission is not enforcing this particular ordinance. Sheriff Manning said that the landowners have to be willing to press charges, go to court and be willing to prosecute.

Commissioner Coulson asked if the Sheriff has adequate resources. Sheriff Manning said he did not think he would ever have adequate resources.

Chairman Hammond called for a five-minute break.

### **Hazard Mitigation Plan – James Rhodes**

Mr. Rhodes said that they wanted to give a brief overview of mitigation strategies. Pat Crisman from the State, helped develop the Hazard Mitigation Plan. She praised the Planning Staff. She spoke about the process and components. The components include preparing, responding and recovery. A Hazard Mitigation Plan is required when participating in the Buy-out Program. Components include: identify and analyze the hazards for the County; assessment of

vulnerability; future vulnerability; county capability assessment; and evaluation of County Policies and Ordinances. Mr. Rhodes spoke about the strategies for the future. Future plans include update of Flood Damage Prevention Ordinance; update of Floodplain Maps, join the Community Rating System which helps with reduction of insurance rating; continue land use planning activities, continue Hazard Mitigation Grant Program Implementation, and Flood Mitigation Assistance Grant. This was all started in January 2000. Planning Board reviewed full draft and has recommended approval of the Hazard Mitigation Plan. Staff recommends moving forward with adoption of the plan. Jay Sikes from Division of Emergency Management as Project Manager for Pitt County was present. He congratulated Pitt County staff on their plan. He said Pitt County was the first community to have the plan presented. Commissioner Shank commended the staff on the presentation and the plan.

**UPON MOTION** by Commissioner Shank, seconded by Commissioner Ward, the Board voted unanimously to approve the Hazard Mitigation Plan.

### **Perpetual Drainage Maintenance Study Committee – James Rhodes**

Mr. Rhodes said that Pitt County relies heavily on drainage programs but the problem arises with the maintenance of the drainage ditches and other waterways. A comprehensive committee has been recommended with representation from the following agencies:

- ? Pitt County Natural Resources Conservation Service
- ? Pitt County Planning Department
- ? Pitt County Engineering Department
- ? Pitt County Environmental Health Division
- ? Pitt County Legal Department
- ? North Carolina Department of Transportation
- ? Planning Board Member(s)
- ? Land Owner(s)
- ? Developer(s)
- ? Maintenance officer for Pitt County Drainage-Districts (ex-officio)
- ? North Carolina Division of Water Quality (ex-officio)
- ? US Army Corps of Engineers (ex-officio)

Mr. Rhodes suggested the Board allow staff to bring back a list of people for appointment to this committee. Mr. Rhodes said that the entire county is not covered by drainage districts and this continues to be a problem for the County.

Commissioner Ward **motioned** to authorize staff to move forward with formation of a committee and direct staff to prepare a list of committee representatives willing to serve. Commissioner Shank seconded the motion and the motion was approved unanimously.

Vice Chairman Bowen mentioned a positive letter he received about Mr. Rhodes and the work he was doing in debris removal.

### **Mental Health Telephone System Contract – Mike Taylor**

Mr. Taylor spoke about the problems with Mental Health's existing phone system. The phone system that was being presented would save the County approximately \$50,000 a year. The features include staff being able to make changes inhouse versus having to contract out changes. Staff at Mental Health will be able to track call volumes. They will be able to use the State long distance network.

**UPON MOTION** by Commissioner James, seconded by Commissioner Shank, the Board voted unanimously to approve the motion to award a sixty(60) month rental agreement to Sprint in the amount of \$3,999 per month.

### **Chairman's Appointments to Boards – Chairman Hammond**

**CHAIRMAN'S APPOINTMENTS  
AND VARIOUS BOARDS ON WHICH  
COMMISSIONERS SERVE**

**As of December 18, 2000**

**BOARDS/COMMITTEES**

**COMMISSIONER**

Airport Authority*	Beth Ward
Board of Education (liaisons)*	Terry Shank
Board of Education (liaison)*	Glenn Bowen
Chamber of Commerce (Board Chairman)	David Hammond
Council on Aging*	Randy Royal
Convention & Visitors Authority (liaison)*	Terry Shank
Development Commission*	Mark Owens
Global Transpark Development Comm. (3 yr. term)	Glenn Bowen
Health Board (4 year term)	Tom Johnson
Juvenile Crime Prevention Council*	Beth Ward
Martin Community Action*	David Hammond
Mental Health Area Board*	Randy Royal
Mid-East Commission*	Eugene James
PCMH Board of Trustees (5 year term)	Eugene James
PCMH Board of Trustees (liaison)*	Glenn Bowen
PCC Board of Trustees (liaison)*	Beth Ward
Planning (liaison)*	Eugene James
	Tom Coulson
Sheppard Memorial Library*	Mark Owens
Social Services (3 year term)*	Terry Shank
Transportation Advisory Committee*	Tom Johnson

\*Chairman's Appointments

**Appointments to Development Commission – Susan Banks**

Ms. Banks informed the Board that John Charles Thompson's term expires December 31, 2000 and he is eligible for reappointment.

**UPON MOTION** by Commissioner Ward, seconded by Commissioner Bowen, the Board voted unanimously to reappoint John Charles Thompson to a second term on the Development Commission. His term will expire December 31, 2003.

Ms. Banks informed the Board that Rex Thorne, District 6, second term expires December 31, 2000 and he is not eligible for reappointment. Commissioner Bowen nominated Jerry Hannah.

**UPON MOTION** by Commissioner Owens, seconded by Commissioner James, the Board voted unanimously to close nominations and appoint Jerry Hannah to a full term on the Development Commission effective January 1, 2001.

Ms. Banks informed the Board that Don Speight, District 3, second term expires December 31, 2000 and he is not eligible for reappointment. Commissioner Johnson nominated

James Williams.

**UPON MOTION** by Commissioner Owens, seconded by Commissioner James, the Board voted unanimously to close the nominations and appoint James Williams to a full term on the Development Commission, effective January 1, 2001.

Commissioner Owens nominated Walter Perkins for the remaining vacancy on the Development Commission. Commissioner James nominated Ed Yancey also.

**UPON MOTION** by Commissioner Ward, seconded by Commissioner Johnson, the Board voted unanimously to close nominations.

Chairman Hammond called for a vote on Ed Yancey and Walter Perkins. Commissioners Johnson and James voted for Ed Yancey. Commissioners Owens, Shank, Hammond, Royal, Bowen, Ward and Coulson voted for Walter Perkins.

Mr. Walter Perkins was appointed to fill a full term on the Development Commission effective January 1, 2001.

**Elect Voting Delegate for Legislative Goals Conference – Chairman Hammond**

Chairman Hammond appointed Commissioner Royal as the Voting Delegate at the North Carolina Association of County Commissioners Legislative Goals Conference on January 11-12, 2001.

**Resolution/Interlocal Agreement on land donation (Phil Flowers Property) – JoAnne Burgdorff**

Ms. Burgdorff stated that the Interlocal Agreement was presented to Greenville City Council and approved Thursday night. The Interlocal Agreement explains the process of how the City and County will own and manage this donation of property jointly. Commissioner Owens asked about the expenses and uses of the property. Ms. Burgdorff said that if one of the entities wants to develop the property, they have to present the proposal to the other entity stating how they want to develop it and the anticipated expenses. The other entity has the option to participate or not participate including the costs associated. Ms. Burgdorff said no one has to participate or pay for activities if they decline. She said there are provisions for mediation if needed. She stated that a local land trust will take over the conservation easement. The group taking over the conservation easement would have to be approved by both Boards. The City or County would be in charged of taking care of maintenance for one year at a time and they would share the expense. One of the uses could be the location of the administrative offices for the County recreation program.

**UPON MOTION** by Commissioner Shank, seconded by Commissioner Ward, the Board voted unanimously to accept the donated property and the Interlocal Agreement.

**RESOLUTION - ACCEPTING AN OFFER OF DEDICATION  
OF PROPERTY AND APPROVING AN INTERLOCAL AGREEMENT WITH CITY  
OF GREENVILLE RELATING TO JOINT OWNERSHIP AND DEVELOPMENT**

WHEREAS, N.S.W. Properties has offered to dedicate to the City of Greenville and Pitt County property consisting of approximately 143.1 acres which is subject to a conservation easement; and

WHEREAS, the Pitt County Board of Commissioners has determined that this property could be of great benefit to the citizens of Pitt County; and

WHEREAS, Pitt County and the City of Greenville as joint owners of this

property, may develop the property for conservation and recreation purposes which will preserve and protect the environment and provide needed recreational facilities for our citizens; and

WHEREAS, the City and the County hereby agree to defray the expenses associated with this dedication in an amount not to exceed One Hundred Dollars per acre, per entity;

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners does hereby accept, on behalf of Pitt County, from N.S.W. Properties, a North Carolina General Partnership, the offer of dedication of property jointly to the City of Greenville and Pitt County located upon Stantonsburg Road near US Hwy. 264 and consisting of approximately 143.1 acres. This property is subject to a conservation easement which allows development for conservation and recreation purposes only, and said dedication requires the City of Greenville and Pitt County to defray certain expenses associated with the establishment of the conservation easement and conveyance not to exceed the amount of one hundred dollars per acre per entity.

BE IT FURTHER RESOLVED by the Board of Commissioners that an Interlocal Agreement by and between the City of Greenville and Pitt County relating to the joint ownership and development of the aforementioned property as recreational land be and is hereby approved.

Adopted this 18th day of December, 2000.

BOARD OF COMMISSIONERS

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David Hammond, Chairman

ATTEST:

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Susan Banks, Clerk

**NORTH CAROLINA  
PITT COUNTY**

**INTERLOCAL AGREEMENT  
BETWEEN CITY OF GREENVILLE AND  
PITT COUNTY – JOINT OWNERSHIP AND  
DEVELOPMENT OF RECREATIONAL LAND**

THIS AGREEMENT, made and entered into this the 18th day of December, 2000, by and between the CITY OF GREENVILLE, a municipal corporation organized and existing pursuant to the laws of the State of North Carolina, hereinafter referred to as the "CITY" and PITT COUNTY, a political subdivision of the State of North Carolina established and operating pursuant to the laws of the State of North Carolina, hereinafter referred to as the "COUNTY";

**WITNESSETH:**

WHEREAS, the CITY and the COUNTY, pursuant to the authority granted by the North Carolina General Statutes 160A-461, which authorizes units of local

government to exercise any power, function, public enterprise, right, privilege, or immunity either jointly with or on behalf of another unit of local government, desire to jointly hold title and develop those lands granted unto both units of local government by NSW Properties, a North Carolina general partnership, in conjunction with and pursuant to a CONSERVATION EASEMENT AND DECLARATION OF RESTRICTIONS AND COVENANTS hereinafter referred to as "CONSERVATION EASEMENT", attached hereto and made a part hereof for all purposes.

NOW THEREFORE, for and in consideration of the mutual benefits, covenants, and promises contained herein, the parties hereto agree as follows:

1. **Purpose.** The purpose of this Agreement is to define the ownership, responsibilities and rights of the CITY and COUNTY in and to the land consisting of approximately 143.1 acres located at Stantonsburg Road and NC Hwy. 264 being granted jointly to the CITY and the COUNTY by NSW Properties in conjunction with the creation of a CONSERVATION EASEMENT affecting the property.

2. **Property Title.** The CITY and the COUNTY have agreed to hold title to the property equally, and in conjunction therewith to cooperate fully with whatever entity holds the CONSERVATION EASEMENT in fulfilling the terms of said CONSERVATION EASEMENT.

3. **Expenses.** The CITY and the COUNTY agree to share equally in the expenses related to ownership, development, use, and maintenance of the property except as otherwise provided in paragraph 7 herein.

4. **Development.** The CITY and the COUNTY understand and agree that the property may only be developed and must be maintained in strict accordance with the requirements, restrictions and purposes of the CONSERVATION EASEMENT.

5. **Rights of Parties.** The CITY and the COUNTY agree that a third party shall hold the CONSERVATION EASEMENT and that the CITY and the COUNTY shall jointly hold the fee to the property. This arrangement is to foster and maintain the cooperative working relationship between the CITY and the COUNTY by having a third party monitor both parties' compliance with the terms of the CONSERVATION EASEMENT.

6. **Anticipated Uses.** The CITY and the COUNTY agree that the development and use of the property will be in accordance with the provisions of the CONSERVATION EASEMENT. The CITY and the COUNTY jointly anticipate development and use of the property in some of the following ways:

- a. Recreation, including:
  - Beautification/greenways/open space
  - Nature trails
  - Hiking
  - Camping
  - Athletic fields:
    - soccer
    - baseball
    - softball
    - football

- b. Structures and improvements within the Building Envelope, including:
  - Structures for recreational purposes, educational purposes, and public informational purposes

*Sportsfields and viewing stands*

  - Roads and parking areas
  - Underground utilities including sewer and water lines

- c. Maintenance of natural habitat of fish, wildlife, or plants or similar ecosystem
- d. Other Governmental Uses
  - Construction of a shed or sheds to house maintenance equipment and materials solely related to maintenance of the Property.
  - Drainage control measures to preserve wetlands
  - Underground utilities including sewer and water lines

7. **Maintenance.** The City Manager and the County Manager shall determine and designate, on an annual basis, either the CITY or the COUNTY as the entity responsible for maintenance of the property. The party designated as the entity responsible for maintenance shall develop and provide to the other party the estimated expense for maintenance on an annual basis including any anticipated unusual or significant expenditures. As the expenses are incurred, the party designated as the entity responsible for maintenance shall be reimbursed by the other party for fifty percent (50%) of the expense so that maintenance expenses are shared by the CITY and the COUNTY on an equal basis.

8. **Development of Property.** The CITY and the COUNTY agree that the possibility exists that either the CITY or the COUNTY may desire to develop a portion of the property before the other party is ready or willing to do so. In such an event, the party ready to develop shall submit to the other party a detailed proposal as to such development, including the costs associated with such a project and the funding source or sources available, with a request to approve such development. The non-developing party shall approve or disapprove such request in writing within ninety (90) days of such request. Should approval be denied, the developing party has two options: (1) choose to develop, pay all expenses involved in the building, upkeep, and maintenance of such structure, including the expense of review required by the CONSERVATION EASEMENT, and own and control any structure so built, as long as the other party does not object in writing to any such plan; or (2) the parties agree to submit the dispute to binding mediation in the following manner: each party shall choose a mediator and the mediators shall choose a third mediator who shall be the final authority should the parties' mediators be unable to reach agreement. If development follows said mediation, the developing party shall bear all costs of said development, including the expense of review required by the CONSERVATION EASEMENT, but shall be credited with said expenditures against any future cost sharing between the parties related to the property.

9. **Duration.** The term of this Agreement shall be for a period of thirty (30) years commencing on the date first above written. The Agreement may be extended for an additional term upon mutual agreement of the parties.

10. **Cancellation.** Should either the CITY or the COUNTY desire to withdraw from this Agreement, thirty (30) days written notice shall be given the other party. The withdrawing party shall execute any and all necessary documents to relinquish said party's legal interest in the property to the other joint owner. The non-withdrawing party shall continue to hold fee to the property and shall thereafter bear all costs associated with the use, maintenance and development thereof.

11. **Modification.** This Agreement may only be modified in writing and executed by both parties.

12. **Adoption.** This Interlocal Agreement is hereby adopted by the CITY, through execution of this Agreement, as well as by Resolution of the CITY COUNCIL. This Interlocal Agreement is hereby adopted by the COUNTY, through execution of this Agreement as well as by Resolution of the BOARD OF COMMISSIONERS OF THE COUNTY.

13. **Effective Date.** That the effective date of this Interlocal Agreement shall be January 1, 2001.

IN WITNESS WHEREOF, the City of Greenville has caused this Agreement to be signed in its name by its Mayor attested by its Clerk, and its Official Seal to be hereunto affixed, and Pitt County has

caused this Agreement to be signed in its name by the Chairman of the Board of Commissioners and attested by the Clerk of its Board and its Official Seal to be hereunto affixed, the day and year first above written.

CITY OF GREENVILLE

By: \_\_\_\_\_  
Nancy M. Jenkins, Mayor

ATTEST:

\_\_\_\_\_  
Wanda T. Elks, City Clerk

PITT COUNTY

By: \_\_\_\_\_  
David Hammond, Chairman

ATTEST:

\_\_\_\_\_  
Susan J. Banks, Clerk to the Board

**Schedule time for Review and Update of the Board's Rules and Procedures – Tom Robinson**

Mr. Robinson stated it had been two years since the Board had reviewed their rules of procedures and suggested they be put on an agenda for review. Chairman Hammond asked if there were any objections. None were stated. Commissioner Owens asked that the Board members be presented with the rules so they can study them ahead of time.

**Approval of Budget Calendar and schedule workshops – Tom Robinson**

Mr. Robinson presented the budget calendar to the Board and asked for approval of the calendar. He requested the Board allow time for presentation of the long range needs of the departments. These plans will be presented and a survey will be given to each Board member asking for their input on budget priorities. He recommended the first portion be done at the January 8<sup>th</sup> meeting. Then later in the month he wanted to bring in a facilitator to help with the process of narrowing down the priorities. Mr. Robinson suggested January 24, 25, or 26 and Mr. Glen Harbeck to come in as a facilitator. Then in February, staff would make a proposal to the Board so that in March staff can come back with a five-year capital improvement plan for the Board's review. He said this is the kick-off of the budget.

Commissioner Owens **motioned** to schedule the first meeting on January 24<sup>th</sup>. Commissioner Ward seconded the motion. The motion passed unanimously.

Commissioner James asked how much the consultant cost. Chairman Hammond asked Mr. Robinson about the funds for Phase 2 of the Courthouse. Mr. Robinson said he felt comfortable with completion of the Courthouse Phase 2 but the priorities need to be set for the future five years. Mr. Robinson said that the things being proposed for the next four years.

Commissioner Owens **motioned** to approve the budget calendar. Commissioner James seconded the motion. Commissioner Ward suggested the motion include setting the February 21 and March 21. The suggested times were 8:30 a.m. or 9:00 a.m.

Commissioner Coulson said that he hoped that every year a five-year plan as well as a ten and twenty year plan needs to be considered. He stated that Pitt County is sitting on the threshold of making the same mistakes as Wake County. Commissioner Royal agreed that a five-year plan and more is an opportunity to do some long term planning.

Commissioner Shank said she would not be present on February 23<sup>rd</sup>. Commissioner Owens agreed to change his motion to Friday, February 23. The motion passed unanimously to approve the budget calendar and schedule meetings on January 24, February 23, and March 21, 2001.

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## PITT COUNTY FY 2001-02 BUDGET CALENDAR

Dec	Solicit departmental long-range goals.
Jan	Departmental presentations to Board at planning workshop (full day). Strategic Planning Goals Survey distributed to Boardmembers for completion.
Jan 24, 8:30 a.m.	Board of Commissioners Goal Setting Workshop with facilitator utilizing tallied survey results (half day).
Feb 1	Department head meeting to discuss and distribute budget packages.
Feb	Departments formulate objectives/action plans tied to Commissioners' goals and prepare budget decision packages for consideration.
Feb 16	Objectives and decision packages due from departments to Financial Services.
Feb 23, 8:30 a.m.	Workshop for Commissioners to review and prioritize objectives and decision packages with aid of facilitator (full day).
Early Mar	Staff update and review CIP and Financial Plan.
Mar 21, 8:30 a.m.	Workshop with Board of Commissioners to present draft CIP and Financial Plan with facilitator (half day).
Apr 2	Base budget requests due from departments to Financial Services Department.
Apr 3-13	Input and balance requests. Return copies to departments for verification.
Apr 16	Print budget for County Manager's review.
Apr 18-27	Departmental budget conferences with County Manager.
Apr 30	Return revised budget requests to departments for review.
May 2-4	Receive departmental appeals on revised budget requests.
May 21	Present overview, balanced budget (tentative) to Board of Commissioners at regular meeting. This document will be used as a working copy

	during budget workshops.
May 22-24	Hold workshops with Commissioners to review / amend tentative budget.
May 29-31	Open for additional workshops, if needed.
Jun 4	Manager's recommended budget and budget message presented to Board of Commissioners at regular Board meeting.
Tues, Jun 12, 7 p.m.	Hold public hearing for citizen input at 7:00 p.m. (and possible budget adoption).
Jun 13-14	Available for additional workshops, if needed.
Jun 18	Alternative date to adopt 2001-02 Budget (regularly scheduled Board meeting).

12/

### Northwest Area Planning and Zoning

Commissioner James said that planning needs to be done in Pitt County. He stated that a workshop needs to be held since the Board has held the public hearing on the Northwest Area Land Use Plan and Zoning Ordinance/Map. He said the area needs to be protected now while this is in process. He said he would follow the Manager's recommendation on this item. Mr. Robinson said that if there is anything from the public hearing that the staff needs to react to he asked that the Board provide direction to the staff. Commissioner James said the people are concerned about how close the trailers are together. The setback needs to be twenty feet instead of ten feet. Mr. Robinson said his interpretation of what he heard from the citizens was that they did not mind mobile homes but did not want to be overrun with them. He suggested the setback needs to be looked at and the location of where the parks are allowed. He said the people want protection.

Commissioner Ward said it sounds like the Board needs to hold a workshop on the night of January 8<sup>th</sup>, consider the proposed changes during this workshop and a decision be made at the workshop.

Commissioner Ward **motioned** for the Board to meet in a workshop on January 8<sup>th</sup> at 7:00 p.m. to look at the Northwest Planning and Zoning Ordinance/Map. Commissioner Shank seconded the motion and it passed unanimously. Commissioner James suggested each Board member that has any questions meet with the Planning Director prior to this meeting.

Chairman Hammond asked about an ordinance about junk cars and solid waste. Mr. Dickerson spoke to this matter stating that there was a minimum restrictive ordinance in place. Chairman Hammond suggested that the staff review the County ordinances relating this to the zoning issues.

### COMMISSIONER REPORTS AND COMMENTS

? Commissioner Coulson asked that the Board consider having one meeting a month at night to help with public access. He asked that this be added to an agenda.

**UPON MOTION** by Commissioner Shank, seconded by Commissioner James motioned to have this placed on the agenda at the next regular meeting. The motion passed unanimously.

? Commissioner Royal stated that he went to a meeting on Saturday where flood recovery was discussed. Dr. James Bullock and Congresswoman Clayton were present at this meeting. He said there are still a lot of complaints out there from people in the northern part of the County that have not recovered from the flood and asked that this information be shared with the County staff and Board.

- ? Chairman Hammond said he attended new commissioners school last week with the Manager, Clerk, Commissioner Royal and Commissioner Coulson. He stated that the information shared was very valuable and up to date.
- ? Vice Chairman Bowen said that the lady in Ayden Recovery Center could take complaints and help some of these people that Commissioner Royal mentioned.

**CLOSED SESSION**

**UPON MOTION** by Commissioner James, seconded by Commissioner Shank, the Board voted unanimously go into closed session as the County Attorney cited G.S. 143-318.11(a)(5) establish or instruct the staff or agent concerning negotiations of the price and terms of a contract concerning the acquisition of real property; and (6) to consider the qualifications, competence, performance, condition of appointment of a public officer or employee or prospective public officer or employee.

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

**ADJOURN**

**UPON MOTION** by Vice Chairman Bowen, seconded by Commissioner Shank, the Board voted unanimously to adjourn the meeting at 12:50 p.m.

Respectfully submitted,

Susan J. Banks, CMC  
Clerk to the Board