

**PITT COUNTY BOARD OF COMMISSIONERS
MINUTES FOR MARCH 19, 2001**

The Pitt County Board of Commissioners met in a regular session on Monday, March 19, 2001, at 9:00 a.m. in the Commissioners' Auditorium, Pitt County Office Building, 1717 W. 5th Street, Greenville, North Carolina. The purpose of the meeting was to consider public business.

David Hammond, Chairman
Glenn Bowen, Vice Chairman
Tom Coulson, Commissioner
Thomas H. Johnson, Commissioner
Mark W. Owens, Jr., Commissioner
Randy Royal, Commissioner
M. Theresa Shank, Commissioner
Beth B. Ward, Commissioner

Absent was:

Eugene James, Commissioner

Staff 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 provided by Chairman Hammond.

The Pledge of Allegiance was led by Commissioner Shank.

APPROVAL OF AGENDA – Chairman Hammond

Vice Chairman Bowen asked to add an appointment to the Ayden Planning Board extraterritorial jurisdiction. Commissioner Johnson said he would like to discuss the cotton gin. Mr. Robinson said he would discuss the cotton gin under the Manager's Report.

UPON MOTION by Commissioner Royal, seconded by Commissioner Shank, to approve the amended agenda and the motion was unanimously approved.

PUBLIC HEARING ON HOME GRANT for 2001-2002 funds – James Rhodes/Don Harvey

Staff Comments - Mr. Rhodes stated that this is a Home Consortium and Greenville gets a large portion of this money. Last year they received around \$55,000 from this grant. He said they hope to rehabilitate a couple of additional homes this year that were not eligible for help during the flood. He stated that this grant helps supplement the Community Development Block Grant Program. Don Harvey, with The Wooten Company, reported that the funding sources are \$75,000 of Home funds with local match of \$16,875 for a total of \$91,875. The program activities include rehabilitation of three structures for \$84,375 and funding for the administration of the grant in the amount of \$7,500 for total of 91,875. This works with the CDBG program and should provide an ongoing program for improvement of substandard housing in the County.

Open Public Hearing - Chairman Hammond opened the public hearing. No one came forward to speak.

Close Public Hearing - Vice Chairman Bowen motioned, seconded by Commissioner Shank to close the public hearing and the motion was unanimously approved.

Commissioner Comments

Vice Chairman Bowen asked if the County had to come up with the local match. Mr. Harvey stated that it would be the County's responsibility to provide the local match. Vice Chairman Bowen asked questions about how to determine who receives this funding. Mr. Harvey stated that staff will have final approval on which houses receive this benefit. Mr. Robinson said that the funds are budgeted for the local match.

Adopt Budget and Statement of activities for FY 2001-2002 Home funds

Commissioner Shank motioned, seconded by Commissioner Ward, and the Board voted unanimously to approve the 2001-2002 budget and statement of activities for the HOME Grant program. Mr. Rhodes said that they are reviewing the listing of homes that need rehabilitating and they are also looking at homes that were damaged during the flooding.

PITT COUNTY FY 2001-2002 HOME PROGRAM

RESOLUTION AUTHORIZING THE SUBMISSION OF HOME APPLICATION

A Resolution authorizing the submission of a HOME Application for Pitt County.

WHEREAS, Pitt County, North Carolina has determined that the health and welfare of the citizens within their jurisdiction may benefit from increasing the availability of safe, affordable and standard housing; and

WHEREAS, the national Affordable Housing Act of 1990 created the HOME Investment Partnership Program; and

WHEREAS, a provision of the HOME program is that multiple governmental bodies may join together to form a consortium and thereby qualify for a HOME formula grant; and

WHEREAS, Pitt County and several of its municipalities have proposed that such a consortium will facilitate regional and intergovernmental cooperation and the accomplishment of common goals and objectives;

WHEREAS, the County desires to apply for \$75,000 of HOME Program funds; and

WHEREAS, the County hereby commits \$16,875 to be used in the HOME Program ; and

WHEREAS, David Hammond, Chairman is hereby authorized and directed to act on behalf of the County in connection with the application and provide such additional information including all assurances and certifications as may be required.

THEREFORE, BE IT RESOLVED, that Pitt County, North Carolina, hereby authorizes that an application be filed for HOME Program funds.

Adopted this 19th day March, 2001

ATTEST:

Susan J. Banks, Clerk to the Board

PUBLIC ADDRESSES TO THE BOARD – Each speaker is limited to three minutes and must sign up to speak prior to the beginning of the meeting.

- ? **Tom Beck** from Winterville - He spoke about the requirement for skirting (underpinning) that is in the zoning ordinance. He said it is more a problem of appearance than skirting. He presented two pictures for the Board's review. He said the current regulations of masonry skirting is a problem because of the expense and it does not necessarily address the issue. He said in the land use plan the masonry skirting was added. He asked the Board of Commissioners to schedule a public hearing to hear comments on this particular issue and come up with a regulation that helps everybody. He said he asked that the Board move forward on having a public hearing even if one member is missing.
- ? **Barbara Kelly** - spoke about health and safety issues of the cotton gin in the Bethel area. She said they were flooded in 1999 and no one left after the flood. She spoke about the cotton gin in New Bern and there being a fire at that cotton gin. She provided information for the Board about some health research concerning cotton gins. She questioned the possibility of toxins seeping into their water wells. People in the area of the proposed cotton gin in Bethel have asthma and required oxygen to breathe. She stated this could cause them health problems. Rats are also an issue. An exterminator told a homeowner that rats are almost impossible to get out once they get in the home. She asked the Board to stop the cotton gin from invading their neighborhood.
- ? **Wayne Clift** - spoke about property values, homes that were remodeled, landscaping, and such following the flood. He said they all received some help from FEMA but also have loans for the repairs. He asked the Board members if they would buy a house with a gin mill in the backyard?
- ? **Ricky Hines** – stated his concern about well waters, dust, rodents of rotten cotton, long lines of trucks, and asked if the families will have to pick cotton out of trees in neighborhood. He asked everyone with him to stand to show the support of his comments. He quoted a Bible verse. He said he has worked hard in his mother's yard, who lives in this area, so she can enjoy herself and her property. He said he did not want to see the neighborhood run down because of the cotton gin.
- ? **Barry Fox** – representing Clayton Homes, was speaking about the brick foundation in the Zoning Ordinance. He said they feel that brick foundation is an extra financial burden and ninety-five percent of the loaning institutions will not loan money on brick foundation. The people purchasing these homes will have to come up with those funds on their own. He stated that people purchase a single-wide mobile home and stay in it for an average of seven years and then move up to a double-wide. This means they would then have to tear down brick underpinning and redo the brick underpinning on a double-wide which is an unreasonable cost to incur. He asked the Board to consider the other forms of skirting that are available.
- ? **Wayne Meads** – asked the Board to rescind the ordinance and the changes in the zoning ordinance because they were made at the last minute at the January 8th workshop. He said there is no mention of these changes in the public record from that meeting. He said it appeared that the public input was not welcome on this issue. Being that the changes were in the ordinance, they were kept out of sight until January 8th, and the public was left out of the process so there was no public comments, he felt the Board should reconsider the underpinning requirements. The masonry-underpinning requirement is a high price to pay.

He said that the brick underpinning does not help with electricity. He said the changes should have been submitted to the public for comment.

- ? **Jeff Butler** - resides in the Northwest district and has vinyl skirting. He said they bought their single-wide mobile home with the intention of upgrading their home at a later date when they could afford it. Now he would have to include brick underpinning and if they have it on the single-wide then it would have to be torn down when they upgrade. He stated that he is also the General Manager of a mobile homes sales company in Washington and he knows how this would effect the lower income buyers. He requested that the Board rescind the masonry-underpinning requirement in the zoning ordinance.
- ? **Ronnie Stroud** – owns forty acres in the NW area and his daughter owns ten acres. The property will be hard to sell if brick underpinning is required. He spoke about a subdivision in the Pactolus Area where there is a large turnover in mobile home lots. He said he has about twelve lots per year turnover and that would be twelve foundations where he would have to get rid of the brick. The expense would gradually put him out of business. Most people in mobile homes are already financially strapped. He asked the Board to delete the masonry-underpinning requirement.
- ? **Jack Blount** - owns two mobile home parks in the Northwest area. The front lots are designated differently than the other lots. The front lots are going to have to put a brick underpinning on them. He asked the Board to make an exception for the rental lots.
- ? **Kirsten Tyson** said she manages a mobile home lot and they are rental lots. They cannot afford permanent underpinning and this is not feasible for rental lots. It will penalize people who cannot afford to purchase homes and put brick underpinning around them.
- ? **Chris Lewis**, representing Calvary Homes in Greenville, said he reviewed the pluses and minus. Brick does not solve this problem. Single-wide mobile homes are the beginning stage of people owning a home. He said he contacted a loan company and that they have a \$1,000 maximum limit for skirting on their loans. Finance Companies determine what the mobile home companies can charge. In flood zones, they are governed by what they can charge. This would be an initial investment expense that could not be financed. It is also very costly if the company has to repossess mobile homes.
- ? **Pete Byers** - He said the economics of this far outweighs the benefits. He asked the Board to rescind this part of the ordinance.
- ? **Nimette Soli**, representing the SPCA, spoke about the capital improvements to be discussed on Wednesday during the workshop session. Sent a memo about animal shelter on Wednesday's agenda. She reviewed the statistics of animals taken in and having to be put to sleep. If a larger shelter were available and no other changes were made, more animals would be processed. Pitt County needs a nice adoption facility, outreach education and a non profit organization to oversee the function. Comprehensive animal protection ordinance that offers a financial incentive to have animals neutered should be considered. She recommended a full service facility, with three rabies officers, and an additional cost is incurred on each animal processed through the shelter. A larger shelter could help decrease the number of animals.
- ? **Robert Whitley** - said he is a developer of mobile home parks and subdivisions. Two things to look at are action and reaction. He stated that this action (of brick underpinning) will cause a larger expense on homeowners, at least \$3,000. It is difficult for people to come up with these funds. There will be a longer wait time for getting into the housing and people do not want to wait longer because of the brick underpinning. This requirement increases the land costs to other parts of the County and it will lower the tax value of the property in NW area. This is not the time to further limit the market.
- ? **Lu Liverman** – with the SPCA made comments about the existing and proposed animal shelter. The animal population is growing rapidly and the number of animals coming in on a daily basis is increasing. The current shelter is overcrowded and understaffed. There needs to be a larger shelter that offers treatment, adoption and education. What we have now is a killing machine. We need a larger nicer shelter that will encourage people to volunteer their time. There needs to be a treatment center, adoption, education, space to show animals, and the environment has to be conducive to adoption. SPCA is currently at a liability when taking any animals from the animal shelter because of disease.
- ? **J.T. Williams** – stated that he had been dealing in mobile homes for forty years. He stated that Commissioner James has been conscientious for this County but he has some incorrect

information. He said there are a couple of mobile home parks that have brought on these additional regulations on to the citizens. He spoke about 1000 lots that had been started. He said the manufacturer home industry provides 39% to 40% of the needed housing. Three houses were washed away and were put right back up. The underpinning needs to be studied for taxation and absolute need. He thinks a study commission should be formed to review this requirement and he has some professional people in Raleigh that could straighten the whole thing out.

- ? **Charles (Sonny) McLawhorn** said he represents 64 families in Bethel community. He is in the process of writing up the facts of the proposed cotton gin. There are a lot of rooftops too close to this cotton gin. They deserve to have clean air, clean water and have their yards and landscape free from lint. He asked the Board to keep the quality of life for these citizens as it is today.
- ? **Larry Burnette** from LaGrange representing the Harvey Company and the proposed cotton gin said that the compost pile will not be on site, it will be spread on farmland for organic matter. He stated that the cotton would be gotten up at the end of every year along the road. As for dust, the gins have cyclones at the back that meet the EPA standards. He said they intended to go to the furthest extent to be good neighbors.
- ? **E. T. Allen** - spoke about the brick underpinning. He owns property and sells lots for mobile homes. A lot of these property owners are very proud when they buy their first home. The underpinning puts a hardship on these people. He owns/finances a lot of his lots. He was supportive of planning and zoning until it has gotten out of hand. He said the intent is good but there needs to be some common sense about this approach.
- ? **Willie Randolph** - spoke about the cotton gin. He was concerned about health, safety and other problems with cotton, dust, rats, germs. He talked about rats that migrate to people's home and the wet rotten cotton smells that creates gas. These people love their homes more than Ms. Carson loves her 1,000 acres that she sold to the Harveys.
- ? **Harry Teel**, a land developer and used car dealer, said he thought the County was starting up a troubled war. He said his family volunteered more than anyone in Pitt County. Mobile home means mobile and low-income people need this benefit. He spoke about how you have to get a mobile home to a certain stage before you could underpin it. Tax values go up and you increase the taxes with brick underpinning. If this is so great, why not do it in the entire County.
- ? **Rick Hill**, a mobile home dealer, said Commissioner James was in his office buying mobile homes for migrant workers. He said one-third of the cost was for the foundation. He said they frequently tear down brick foundations and the brick foundations cost \$6,000. He stated that inspections has added another cost by requiring handrails on the homes with brick foundations. This is not fair. Manufactured housing can be installed permanently. There needs to be a change the way it is installed or the way it is inspected. The poor people and lower income people need the Board's help.
- ? **Robert Allen**, said he has been in the mobile home business for over seven years. The people put their homes on these lots because they can not afford land. Brick skirting is not a permanent foundation and vinyl skirting does the same thing. The added cost is putting the burden on the people and they may not be able to afford the home any longer. He asked the Board to consider what this is doing to the less fortunate.
- ? **Moses Teel**, asked where the people are that are in favor of the zoning ordinance. He said Commissioner James proposed the brick underpinning and now he's changing his mind. He said the Board changes decisions and the entire county needs to be zoned. He asked why the Board chose this area to be zoned. He said this is a segregated plan. He said in the 50 years he had never seen such an error made. He spoke about the Bible and the guidance in the Bible. He said the rich oppressed the poor, that is what it says in the Bible.
- ? **Ed Booth**, Ayden Town Manager, spoke on behalf of the Ayden Town Council. He asked the Board to table the issue of the requested two-mile extraterritorial jurisdiction for the Town of Winterville. He said the courts have mandated a mediation between Ayden and Winterville to settle their lawsuit and asked the Board to allow the mediation to take place before granting the two-mile extension.
- ? **Lawrence Mann**, President of the Local Manufactured Housing Business said that two-thirds of the northwest side of the County was chosen to put in manufactured homes. He said just because people live in a manufactured housing does not mean they are the low class

citizens of Pitt County. He said they are hardworking people of Pitt County. He said he went through the flood but what the Board did in January was done to the people. He said they did not get the message from the people. He said they will fight for themselves in their own county.

- ? **Dan Madison** said he lived in a single-wide home and then moved into a double-wide home. Last year a masonry foundation was put around his home but he could not have done this when he first moved in because of the expense. He said if he wished to purchase a new mobile home he may not be able to and that people are deluded if they think that the rules won't affect the people that already have homes. He spoke about his daughter's future. He urged the Board to change the mistake that they have made in the masonry foundation.
- ? **Wanda Jackson** lives in a single wide mobile home. She supports the people that have spoken. She said the Board members need to visit mobile home dealers and see what they are like. She said an extra \$40 per month would hurt her.
- ? **Kenneth Lloyd**, said he was a developer. He said he helped people who needed help. He said some of these folks have to work today. He said he did not have brick underpinning around his home where he raised two children. They were just as good as anybody. He said its time to do something about this underpinning issue. He said the water went through his yard from the flood but the vinyl underpinning did not move because of the way it was installed. He the people should have a choice of underpinning.
- ? **Nancy Colville** spoke about two things. She said the Board stated in a previous meeting that the Commissioners pre-agenda meetings were not open to the public but these meetings were open to the public previously. She spoke about the PCMH Board of Trustees appointments that were postponed today. She stated she had worked for the Service League for years as a volunteer. She said that she is irritated when she sees political cronyism taking over the appointments to the PCMH Board of Trustees. She said she did not recall anyone saying that the appointments have to come from certain areas. She said she is upset about Commissioner Savage being considered for appointment to the PCMH Board of Trustees and that he was an embarrassment to this Board and this County and he has already served on this Board. She said she did not understand why Glenn Bowen can support him.
- ? **Etan Nugirt** – said she was here from the Durham area. She said she was taught lower financing and to love people. She said she would not be able to put people in homes if they had to pay for brick underpinning.
- ? **Marty Burns** said he is a sales consultant who provides manufactured housing, not trailers or mobile homes. He asked the Board to reconsider the dealers as well as the people who have to pay for these homes.

Chairman Hammond thanked everyone for their comments today. He said J.T. Williams has provided him with a lot of information.

Mr. Robinson asked if he could present the portion of the Manager's Report to address the cotton gin and the NW Planning Area and the underpinning which were the items that most of the people presented were interested in hearing.

Cotton Gin

Mr. James Rhodes said the Moratorium was put into place on February 19, 2001. The Zoning Ordinance will not be effective until July 1, 2001. The zoning ordinance would have effected the cotton gin. If the cotton gin was put into place after the July 1, 2001 effective date of the ordinance, it would have had to be rezoned because this area was zoned as a residential area. He said there is about fifteen acres designated for the cotton gin. There are uses like this in Craven County. There are concerns about dust and traffic. The moratoruim does not cover this area. There are survey flags out there and a railroad spur will be developed. A soil and Erosion Plan will be considered.

Northwest Zoning Ordinance

As for Northwest Zoning Ordinance and the underpinning issue, staff has taken the concerns under consideration. Mr. Rhodes cited the section which deals with the masonry underpinning. There has been a lot of input on this and they have sent out the staff interpretation on the ordinance. He would like to request a public hearing to reconsider that one section. He said there are a lot of different options and would like to work through this section with proper wording and bring it back to the Board at the next meeting. Commissioner Shank said she would like to set the date today for the public hearing. Mr. Rhodes suggested a May 7th hearing date. It does require a public hearing to amend the ordinance. Chairman Hammond said that he wants to do away with requiring brick underpinning. Vice Chairman Bowen asked about the comment that a mobile home with underpinning becomes real property. Glenn Cutrell said any mobile home where the tongue and axial has been removed can be considered real property, regardless of the underpinning. Vice Chairman Bowen also said that mobile home units insurance includes flood insurance. Mr. J.T. Williams said you can buy a comprehensive insurance policy that includes flood insurance.

Commissioner Royal asked who originated the idea that brick underpinning should be a requirement. Mr. Rhodes said that the tie downs make all the difference but the brick underpinning is part of the flood recovery initiatives. Commissioner Ward asked what the quickest way would be to get this portion of the ordinance changed. Mr. Rhodes said that they are two weeks ahead of schedule on the ordinance so they could move forward with this process if it was the Board's wishes.

Commissioner Ward **motioned** to hold public hearing on April 16th to consider the amendment to the ordinance concerning the underpinning amendment. Commissioner Shank seconded the motion and the motion was unanimously approved.

Vice Chairman Bowen stated that he wants the expanded definition changed. Commissioner Shank said she would like ask about the cotton gin. She said it does not fit under the moratorium. Mr. James said he did not know if the cotton gin was already vested or not by having submitted a building plan to the Planning Department, requests for building permits, a soil/erosion plan, or met any other County requirements. He said they have talked with the surveyor involved who stated that the plan is on its way. Commissioner Ward asked how long it would take to get this added to the moratorium. Ms. Burgdorff said that the problem is that any change to the Moratorium, requires notices and a public hearing which takes time. There is a legal issue about how much the company has already done and there is no way that she can see legally that would stop this process. Vice Chairman Bowen asked about nuisance uses.

Chairman Hammond said he had checked into the cotton gin and there are a lot of environmental improvements that have been made.

Commissioner Johnson **motioned** to put the cotton gin on the next meeting and to have staff look at all the alternatives. Commissioner Shank seconded the motion. Commissioner Shank said that she does not understand what the Board of Commissioners role is in this issue. She asked what the Board's authority is. Ms. Burgdorff stated that the citizens in that area have to rally and determine what their rights are. Mr. Robinson said the Health Department Director has checked with the State. The cotton gin is considered agriculture and they have certain protection. The water may be an issue. Mr. Robinson said the staff has looked into this but is unclear what else may be found. The motion passed with a seven to one vote. Commissioner Owens was opposed to the motion.

ITEMS FOR REPORT

Chairman Hammond asked to move up the report from Pitt County Memorial Hospital. There was no objection.

Mr. Dave McRae spoke about the language in the transfer agreement to make a report to the Board. The Hospital is in good shape and providing services through its affiliation with the

ECU School of Medicine. The Hospital cannot be sold or transferred without the Board of Commissioners approval. There is a payment in lieu of taxes which has been made on a timely basis. The \$30 million is being transferred to the County. Also the indigent care is being provided in the amount 4.62% of the total. He noted additional items he had reviewed in his written report.

The other obligations referred to in the transfer agreement are being met. The Hospital's financial bond rating has been upgraded and it has a stable outlook. Jack Holsten, CFO of the Hospital and Chairman of the PCMH Board of Trustees along with Andy Warren were present. Vice Chairman Bowen asked about the Medicaid funding of \$473,000. Mr. Holsten said that this was built into the transfer agreement and rate of inflation is built in with a three percent cap. They provide about 40% of the indigent care cost that they reported. Commissioner Coulson asked about the Hospital's contribution to the County for Medicaid. Mr. Andy Warren stated that they are doing well and the association with the ECU School of Medicine has remained strong. He has been visiting Hospitals in the system. Dr. McConnell and Dr. Raab have put together the Hope Lodge for cancer patients. He spoke about the leadership of the Hospital and how fortunate they are to have them. Mr. Warren spoke about the people who would use the Hope Lodge. He spoke about the current board members and their dedication to the Hospital Board. Commissioner Royal spoke about how grateful this community is for the Hospital.

Ms. Burgdorff introduced the new attorney in the Legal Department, Nana MahMoud, who was originally from Africa but moved here from Columbia, South Carolina.

Winterville Extraterritorial Jurisdiction - John Connet, Town Manager, Mayor Doug Jackson and Tony Moore, Winterville Town Council member

Mr. Connet informed the Board of the Town of Winterville's request for a two-mile planning jurisdiction along the west border of Winterville which will also require legislative approval. This is the primary corridor for NC Highway 11. They need additional land use controls in this high growth area. They are supplying sewer in this area and have requests to extend the utility extensions. They are restricted on the north and east sides and are limited by Ayden on the south border. Forlines Road is the boundary agreement with the City of Greenville. Mr. Connet said stayed away from the Town of Ayden and any of their proposed areas. He said in their opinion this should not effect the Town of Ayden. On the existing map, they drew an arc but need to go back and define it by specific property lines. The new High School and new by-pass is included in this area.

Commissioner Shank **motioned** to approve the extension request. Commissioner Ward seconded the motion and said for them to provide the County with a more defined map. Commissioner Owens asked what services are being provided in this area. Mr. Connet said that they were providing water services. Vice Chairman Bowen said that this Board voted previously that they would not take action until the lawsuit was completed. Commissioner Owens said that the Board should be fair and require a specific map. Mr. Connet said the deadline for legislation is tomorrow. Mr. Rhodes said that the legislation should say that this Board should have final approval. Mr. Rhodes said the clause concerning the two-mile extraterritorial jurisdiction should have final approval by the Board of Commissioners. Chairman Hammond called Ed Booth, Town of Ayden, forward to speak. He said Reedy Branch Road has always been the area of contention. He said it is going to take a third party to decide this matter that is in mediation. He said there have not been any lines drawn. Commissioner Ward asked about the mediation. Mr. Booth said it is to mediate the property lines between Winterville and Ayden. Mr. Connet stated that this area is not in the mediation. Chairman Hammond asked if this area is in the mediation area. Mr. Booth said that if they had gotten the two-mile extraterritorial jurisdiction when they requested it from the County, then this area would be involved.

Commissioner Owens **motioned** to delay action by this Board on the request from Winterville for the two-mile extraterritorial jurisdiction until there is a ruling by the Court as it relates to the Winterville and Ayden mediation. Commissioner Coulson seconded the motion. Mr. Connet said there has been no date scheduled on the second line of mediation and it is up to the two municipalities to work through this matter. Commissioner Shank called for the question.

In favor of Commissioner Owens motion were: Commissioner Owens, Vice Chairman Bowen, Commissioner Coulson, Commissioner Royal, and Chairman Hammond. Opposed to the motion were: Commissioner Shank, Commissioner Johnson, and Commissioner Ward.

Mr. Rhodes stated that this whole process is causing problems with their ability to update the Comprehensive Land Use Plan. There is a definite need for some type of land use controls in the area. Vice Chairman Bowen asked if they would like to add Ayden's request for two-mile extraterritorial jurisdiction to this local bill.

Mid-East Commission - Bob Paccioco

Mr. Paccioco provided a report about the finances as well as the services provided.

Participants served:	533	\$708,477.61
Aging Department :	18	\$133,106.04
Nursing Homes:	30	No. Bed: 1,206

Economic Development Department

Projects: 1 \$169,306 (\$1,297,545) (Ayden, Weyerhauser Project and utilities to Britthaven)
Passed through Mid-East Commission for Pitt County

Emergency Department

Projects: 1 \$5,026 (\$9,000)

Planning Department

Projects: 2 \$2,000

Workforce Development Department

Participants Served: 300 \$1,214,400

Summary: 851 participants served and 4 projects in hand

GRAND TOTAL: \$2,232,315.65 Dues: \$32,150 Ratio: \$69.43 to \$1.00

He stated Commissioner James serves on their Board and is very vocal and supportive. He stated that have been serving Pitt County for thirty-four years and he has served for seventeen years. Vice Chairman Bowen asked about the Regional Planning Organization (RPO). Mr. Paccioco said the RPO was moving ahead.

Cox Cable Rate Adjustment & Digital Services – Arlen Holt

Mr. Holt reported that Cox Communications has proposed to raise their rates on April 1. The basic rate, which the Board of Commissioners regulates, will be dropping. No action is required by this Board. The Board may get some calls from citizens about the rates going up, which are higher tiers that include optional channels, but the Board does not have any regulatory authority over these areas. Digital Services are being debated nationally. Cox Communications is considering the revenues from those services in their total revenue.

Commissioner Ward asked to accept the items for report in writing without having verbal reports. Mr. Robinson stated he needed to provide additional information during his report.

Manager's Report – Tom Robinson

Mr. Robinson reported on the following:

? Board Meeting Schedule

*Wednesday, March 21, 8:30 a.m., in EOC, Space needs, Draft Capital Improvement Plan, and Identified Commissioners' Priorities Workshop - The Board was provided with the Master Facilities Study and a draft of the Capital Improvement Plans for the Wednesday meeting. The Commissioners identified their priorities at a previous meeting.

*Thursday, March 29, TBA, Joint Meeting with Greenville City Council - The Chairman and Mr. Robinson met with the Mayor and the City Manager and discussed that there are some items coming up but they are not ready at this time. He recommended that this meeting be tabled for one month or more.

UPON MOTION by Commissioner Ward, seconded by Commissioner Shank, the board voted unanimously to table the joint meeting with the Greenville City Council for at least one month.

- ? Sheriff's Dept. Application for COPS MORE Grant – grant for automated fingerprint identification system (AFIS) which would enable comparison of fingerprints with those in the state system.
- ? NC Association of County Commissioners Regional Meeting – Tuesday, April 10, Pitt County Agricultural Extension Building, 10:30 a.m. – 2:30 p.m. – inform Ms. Banks of desire to attend.
- ? Update on NW Zoning Ordinance and underpinning concerns - already discussed
- ? Update on Legislative Issues – JoAnne Burgdorff - will report at the next meeting.
- ? Preview of material for March 21 workshop - Mr. Robinson has asked that the Board review their materials prior to the budget meeting on Wednesday.
- ? The railroad is requiring a \$2 million insurance coverage. Chairman Hammond asked why they could not find a cheaper alternative and why this has recently been brought up to the County. Mr. Bulow said the railroad company wants better coverage of the intersection at the landfill. Mr. Bulow said he was searching for other alternatives for this but there is a March 28th deadline. Commissioner Owens asked how long this coverage has been in place.

UPON MOTION by Commissioner Owens, seconded by Commissioner Royal, the Board voted unanimously to increase the insurance coverage for the intersection of the railroad and the road at the landfill.

Monthly Financial Report – Melonie Bryan

Upon Motion by Vice Chairman Bowen, seconded by Commissioner Shank, the Board voted unanimously to accept the monthly financial report for February 2001 as provided by the Director of Financial Services.

Melonie Bryan, Finance Director provided the following written report for the month of February 2001.

Fund Balance – General Fund:	\$44,625,858
	\$ 4,047,261
	\$32,652,074
Total Budget: \$161,007,103	66.67% of Fiscal year completed
Summary of Revenues:	<u>Feb 2001</u>
General Operating Funds	\$ 9,258,444

Enterprise Fund	416,864
All Other Funds	<u>3,291,408</u>
	\$12,966,716

Percent of Budget: **8.05%**

Summary of Expenditures: Feb 2001

General Operating Funds	\$ 9,193,145
Enterprise Funds	1,274,186
All Other Funds	<u>3,865,107</u>
	\$ 14,332,438

Percent of Budget: **8.90%**

**Does not include appropriated fund balance as budgeted.

Tax Releases and Refunds - \$100 or Less

Total County Releases:	337	\$10,973.47
Total City Releases:	168	\$ 5,203.06
Total Tax Refunds:	19	\$ 676.26

Monthly Tax Collections Report – Jeff Niebauer

Upon Motion by Commissioner Owens, seconded by Commissioner Ward, the Board voted unanimously to accept the written report for Tax Collections activity for February 2001 as provided by Jeff Niebauer, Tax Collector.

SUMMARY OF 2000/2001 INFORMATION

Tax collection activity Pitt County:

Total Feb 2001 Collections:	\$ 1,753,166
Total to Date 2000/2001:	\$38,913,492

Pitt County Levy:	
Feb 2001 Levy:	\$40,627,614

Feb 2001 Percent Collected:	91.74
Original Levy	94.40
Supplemental & Vehicle	77.5

Total collection activity all units including Pitt County:

Total Feb 2001 Collections:	\$ 2,603,858
Total to Date 2000/2001:	\$57,572,846

Garnishments for Feb 2001:	\$ 195,862
Bankruptcy for Feb 2001:	\$ 11,892
Occupancy for Jan 2001:	\$ 68,378
Occupancy Total to Date 00/01	\$ 608,914
Gross Receipts Jan 2001	\$ 13,783
Gross Receipts total to date	\$ 94,010

**Report on Emergency Watershed Protection Debris Removal (Snagging) Program –
James Rhodes/Tim Etheridge**

The item was tabled until the April 2, 2001 meeting.

FIVE MINUTE BREAK

ITEMS FOR CONSENT – Items for Consent are intended to be non-controversial and routine items. These items do not add positions or use contingency funds.

Upon Motion by Commissioner Owens, seconded by Commissioner Ward, the Board voted unanimously to approve the items for consent with the exception of #3.

1. Tax Refunds Greater Than \$100
2. Budget Amendment for Social Services
 - (1) CP & L Funds - \$978
 - (2) Smart Start Day Care - \$48,598
 - (3) Additional Day Care Funds - \$154,260
3. Budget Amendments – Health Dept.
 - (1) \$2,186 – Food & Lodging funds
 - (2) (\$101,419) – Smart Start funds
 - (3) \$67,473 – Temporary Assistance to Needy Families Pregnancy funds
4. Budget Amendment – Mental Health - \$340,650 Robeson Health Care
5. Additions to State Maintained Secondary Road System
 - (1) Unity Lane
 - (2) Batts Circle in Batts Subdivision
 - (3) Evanswood Drive (Extension of SR 2248) and
Belaire Circle in Evanswood Subdivision
6. Approval of Minutes
 - (1) February 19, 2001, 9:00 a.m. Regular Meeting
 - (2) February 23, 2001, 8:30 a.m. Workshop Session

Vice Chairman Bowen asked about the Health Department Budget Amendment for Temporary Assistance for Needy Families.

UPON MOTION by Vice Chairman Bowen, seconded by Commissioner Shank, the Board voted unanimously to approve the Health Department Budget Amendments as requested.

1. Tax Refunds Greater than \$100

January 2001 – Total County Releases (Greater than \$100) –	88	\$	26,619.55
January 2001 – Total Greenville Releases (Greater than \$100) –	23		\$ 4,103.05
 Total Refunds (Greater than \$100) -	 9		 \$1,472.01
2. Budget Amendment for Social Services

\$978 – CP & L energy assistance program funding to assist clients with fuel bills – 100% State funds, no additional County funds requested

<u>Acct. No.</u>	<u>Title of Account</u>	<u>Increase</u>	<u>Decrease</u>
165488-560501	CP & L Energy Assistance	978	
162400-423000	Social Services Administration	978	

\$48,598 – Smart Start Day Care funds to reduce the waiting list for day care – 100% State funds, no additional County funds requested

<u>Acct. No.</u>	<u>Title of Account</u>	<u>Increase</u>	<u>Decrease</u>
165421-531403	Daycare Smart Start	48,598	
162400-423401	Smart Start	48,598	

\$154,260 – Day Care funds to reduce waiting list for day care – 100% State funds, no additional County funds requested

<u>Acct. No.</u>	<u>Title of Account</u>	<u>Increase</u>	<u>Decrease</u>
165421-531401	Daycare Child	154,260	
162400-433061	Daycare Smart Payments	154,260	

3. Budget Amendments – Health Department

\$2,186 – Food & Lodging – The NC Department of Environmental and Natural Resources (NCDENR) is making a special one-time adjustment to the distribution of Food and Lodging funds. This action provides an additional \$2,186 to be used for these activities.

<u>Acct. No.</u>	<u>Title of Account</u>	<u>Increase</u>	<u>Decrease</u>
153112-436511	DENR Funds	2,186	
155112-531200	Travel	2,186	

\$101,419 – Smart Start – To reflect funds reverted back to the funding agency per request of the Martin-Pitt Partnership for Children

<u>Acct. No.</u>	<u>Title of Account</u>	<u>Increase</u>	<u>Decrease</u>
155147-512000	Salaries	73,349	
155147-518100	FICA Taxes	6,208	
155147-518200	Retirement	3,960	
155147-518201	401 K Retirement	3,855	
155147-518300	Hospital	720	
155147-518999	Reserve for Salary Increase	3,005	
155147-518400	Life	322	
153147-484000	Contributions & Donations	101,419	
155147-523000	Med Tech	1,450	
155147-531200	Travel	6,000	
155147-532900	Other Communications	1,100	
155147-539500	Training & Conference	1,450	

\$67,473 – TANF Pregnancy – The NC Division of Social Services has granted the PCHD funds to support after-school programs and services designed to prevent adolescent pregnancy in at risk teens.

<u>Acct. No.</u>	<u>Title of Account</u>	<u>Increase</u>	<u>Decrease</u>
153139-423020	DSS Funds	67,473	
155139-512000	Salaries	16,986	
155139-531200	Travel	2,404	
155139-531300	Transportation	308	
155139-561000	Contracted Services	13,975	
155139-523100	Educational Materials	8,000	
155139-531705	GCA Incentives	15,000	
155139-539500	Training/Conference	4,000	
155139-526000	Office Supplies	3,000	
155139-553000	Educate, Med Tech Equipment	3,800	

4. Budget Amendment – Mental Health - \$340,650 Robeson Health Care

The budget amendment is for the total of \$340,650. The purpose of the amendment is for the receipt of a new, recurring federal allocation for the North Carolina CASAWORKS for

Families Residential Initiative. The Mental Health Department will administer funds for this project and the project will be implemented and managed by the Robeson Health Care Corporation (contract affiliate). Robeson Health Care will operate an apartment living facility at the Eastgate Village Apartments on Mobley Drive here in Greenville for mothers who are substance abusers in the Pitt County area. The allocation will be annualized in the SFY 01-02 budget to \$500,000 on a recurring basis. Funds will be settled on an expenditure basis. The Mental Health Department will retain an administrative overhead percentage of 6% (or\$20,439) from these “flow through” funds, per Area Program policy.

<u>Acct. No.</u>	<u>Title of Account</u>	<u>Increase</u>	<u>Decrease</u>
193239-423200	Robeson Health Care (Federal)	340,650	
195239-561000	Contracted Services	340,650	

5. Additions to State Maintained Secondary Road System

The following roads have been requested to be added to the North Carolina State Department of Transportation. Unity Lane, Batts Circle in Batts Subdivision and Evanswood Drive (Extension of SR 2248)

6. Approval of minutes for February 19, 2001 and February 23, 2001.

ITEMS FOR DECISION

Review of Amendments to Flood Damage Prevention Ordinance and Schedule Public Hearing for April 16, 2001– James Rhodes & Stephen Smith

Mr. Rhodes said they are moving forward on the flood recovery. There needs to be an update to these regulations. Stephen Smith was present to update the Board on the requested amendments to the Flood Damage Prevention Ordinance. In light of the lateness of the time, the Board requested this report be held at this time and provided at the next meeting.

UPON MOTION by Vice Chairman Bowen, seconded by Commissioner Ward, the Board voted unanimously to schedule the public hearing on April 16, 2001 for the amendments to the Flood Damage Prevention Ordinance.

Schedule meetings for Board of Equalization and Review on April 16 and May 7 at 8:45 a.m. – Glenn Cutrell

UPON MOTION by Commissioner Shank, seconded by Commissioner Ward, the Board voted unanimously to hold the Board of Equalization and Review meetings on April 16, and May 7, 2001 at 8:45 a.m. prior to the regular Board meeting.

Sale/Transfer of Charter to GANS Multimedia – Arlen Holt

Mr. Holt stated that earlier this year, he report that Charter Communications, who provides cable television to southern Pitt County, had filed a request to transfer control of their franchise to GANS Multimedia. They have recently met all the requirements set forth in the ordinance and he asked for Board’s approval so they can transfer control.

UPON MOTION by Commissioner Owens, seconded by Commissioner Shank, the Board voted unanimously to approve the sale of Charter Communications to GANS Multimedia.

Appropriation of Unanticipated Cable Fees – Arlen Holt

Mr. Holt stated that the County would receive \$6,000 in revenue as a result of the sale of Charter Communications to GANS Multimedia. He stated another \$6,000 is expected this fiscal

year for the Adelpia sale. He would like to use \$3,000 of the \$12,000 to bring his position in earlier, possibly in May.

UPON MOTION by Vice Chairman Bowen, seconded by Commissioner Shank, the Board authorized the use of \$3,000 to hire an Assistant PIO in mid-May 2001.

Offer to Purchase County owned property – JoAnne Burgdorff

Ms. Burgdorff stated that the County has property acquired through foreclosures and it is not big enough to be rebuilt on. The property is tax parcel no. 14455 and is located in the Hillsdale Subdivision at the corner of Spring Book Drive and Perkins Drive in Greenville. She said the offer is low but the Tax Office concurs that only an adjacent property owner would find this property attractive. The property is located in the City of Greenville; extraterritorial jurisdiction and is zoned RA20. RA20 zoning requires a minimum lot size of 10,000 square feet to build and the subject lot is 7,191 square feet.

UPON MOTION by Vice Chairman Bowen, seconded by Commissioner Ward, the Board voted unanimously on the condition that the offer is published after acceptance to allow an upset bid period of ten days before closing as required.

Proposal to Buy Pews In Old Courtrooms at the Pitt County Courthouse – Phil Dickerson

Mr. Dickerson reported that the pews in 1960's annex and the 1910 part of the courthouse are no longer of use and need to be removed. He said he would like to advertise the pews for sale and accept the best offer. Commissioner Owens asked if there was an attempt to see if they could be used elsewhere. Mr. Dickerson said they had considered using in the open area for sitting but decided against that usage. He said there are fifty-four units and that they are solid oak. It takes an offer to initiate this process. Chairman Hammond asked why these pews can not be declared surplus like other property and just give them to the churches. Mr. Dickerson stated that there could be many churches interested and it would be better handled with an equitable and fair process.

Vice Chairman Bowen **motioned** to sell the pews for \$5,000, on the condition that the purchaser move them out of the courthouse. There was no second to the motion.

Ms. Burgdorff said a number of churches would want them and then who would determine who gets them. Commissioner Royal said he would agreed to put these pews out to bid and the highest bidders should get them. If the pews sell for under \$5,000, then you can advertise and negotiate a better price.

UPON MOTION by Commissioner Owens, seconded by Commissioner Ward, the Board voted unanimously to declare the fifty-four pews surplus, advertise and sell to the highest bidder.

Appointment to Greenville Planning and Zoning Commission – Alternate ETJ Position – Susan Banks

UPON MOTION by Commissioner Owens, seconded by Commissioner Shank, the Board voted seven to one to table action on the appointment to the Greenville Planning and Zoning Commission. Commissioner Ward opposed motion.

Ayden Planning Board

UPON MOTION by Vice Chairman Bowen, seconded by Commissioner Ward, the Board voted unanimously to appoint Jimmy Walls as an extraterritorial jurisdiction member on Ayden Planning Board.

COMMISSIONER COMMENTS

- ? Commissioner Owens asked why the Chairman had removed the PCMH Board of Trustees appointments. Chairman Hammond said that Commissioner James wanted to be present when one of these appointments comes forward.
- ? Commissioner Shank attended a meeting and she would report at the next meeting due to the lateness of this meeting.
- ? Commissioner Johnson **motioned** to have reconsideration of reevaluation added to the next agenda. He said he is considering changing his vote. Commissioner Ward seconded the motion. Vice Chairman Bowen was opposed to this item. In favor of the motion were: Commissioner Johnson, Commissioner Shank, Commissioner Royal, Commissioner Ward. Opposed to the motion were: Commissioner Owens, Commissioner Coulson, Vice Chairman Hammond, and Commissioner Bowen.
- ? Chairman Hammond reported that he attended the NACO conference and he was not impressed with the conference this year. He commented that the display items were poor but the presenters did answer questions. He met with Senator Edwards and Representative Clayton and told them Pitt County needs money. One of the meetings was considering urban sprawl and the only way to control growth in a county is through zoning the county.
- ? Commissioner Coulson stated that the moratorium did not include the cotton gin and by not zoning the whole county these types of land uses will be put in other parts of the County that are not zoned.
- ? Commissioner Royal said he hoped this was a way to move post haste in zoning. Commissioner Royal also commented that Andre Perry, a past Mental Health employee passed away last weekend and asked that he be remembered.
- ? Commissioner Owens said there should be some differences distinguished about the zoning issues.

CLOSED SESSION

Ms. Burgdorff stated that the Board needed to hold a closed session under the following authorities:

G.S. 143-318.11(a)(3) to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged; and, (4) to discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body, including agreement on a tentative list of economic development incentives that may be offered by the public body in negotiations; and, (5) to establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease.

UPON MOTION by Commissioner Owens, seconded by Commissioner Shank, the Board voted unanimously to go into closed session.

UPON MOTION by Commissioner Bowen, seconded by Commissioner Ward, the Board voted unanimously to return to open session.

ADJOURN

UPON MOTION by Vice Chairman Bowen, seconded by Commissioner Ward, the Board voted unanimously to adjourn the meeting at 2:00 p.m.

Respectfully submitted,

Susan J. Banks, CMC
Clerk to the Board