

**PITT COUNTY BOARD OF COMMISSIONERS  
MINUTES FOR JUNE 18, 2001**

The Pitt County Board of Commissioners met in a regular session on Monday, June 18, 2001, at 9:00 a.m. in the Commissioners' Auditorium, Pitt County Office Building, 1717 W. 5<sup>th</sup> Street, Greenville, North Carolina.

Commissioners present:

David Hammond, Chairman  
Glenn Bowen, Vice Chairman  
Tom Coulson, Commissioner  
Eugene James, Commissioner  
Tom Johnson, Commissioner  
Mark Owens, Commissioner  
Randy Royal, Commissioner  
Terry Shank, Commissioner  
Beth Ward, Commissioner

Staff present:

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

**CALL TO ORDER – Chairman Hammond**

Chairman Hammond welcomed everyone and acknowledged Michael Dixon and Ralph Love from the Board of Education.

**INVOCATION AND PLEDGE**

The invocation was offered by Michael Dixon.

The Pledge of Allegiance was led by Ralph Love.

**APPROVAL OF AGENDA – Chairman Hammond**

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

**PUBLIC HEARING ON RURAL OPERATION ASSISTANCE PROGRAM**

Mr. Robinson introduced Dan le Roux, who was presenting this item in John Bulow's absence. Mr. le Roux stated that the Rural Operation Assistance Program, formerly known as the Elderly and Handicapped funding, is used for transportation needs. These are State funds and the Committee has presented a recommendation for the Board's approval.

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

**UPON MOTION** by Commissioner James, seconded by Commissioner Ward, the Board voted unanimously to approve the Rural Operation Assistance Program as recommended by the PATS Committee.

Council on Aging	\$30,049
Department of Social Services	9,216
GREAT	5,240
Mental Health	5,808
Eastern Carolina Vocational Center	7,512
Creative Living Center	5,303
Total	\$63,128

## **PUBLIC ADDRESSES TO THE BOARD**

- Joyce Manning - stated her opposition to a tax increase, stating the County needs to live within the budget. She spoke about being on a fixed income and does not receive a cost of living increase. She said she was sure the Board overspent on a lot of things that did not need to be spent on. She said she lives north of the river and sees nothing done in her area for her people by county government.
- Jane Barnhill - lives north of the river. She said the Board needs to be practical as well in their spending. She spoke on the budget being overspent. She asked what in the world has happened to the budget. She found not one person in favor of a property tax increase in the residents north of the river. She asked the Board not to pass additional property taxes. She spoke of leaving the taxes as they are.
- Jimmy Garris, Hwy 43 South, expressed his appreciation about what the Board is doing in assisting with the County finances. He spoke of areas that the Board should focus on including the needs of the citizens, and how to meet them in a cost effective way, create an environment where business and industry will come to the County and the last area is ad valorem taxes. There are many citizens in Pitt County that do not and can not afford a tax increase. Citizens at the low end of the income level cannot afford a tax increase. From January to May we work to pay taxes. He said today is the day to say enough is enough. He spoke of staff and citizens who should work together to say no to another tax increase.
- Betty Moore - lives north of the river and begged the Board not to increase taxes. She said the Board could come up with a workable budget without additional taxes. The Farmers Market is a program that provides income in people's pockets. It puts food on the table for people. She spoke of the animal shelter. The animals do not have a soul and they are going back to the earth. She said the animal shelter means a million dollars to be spent for cats and dogs. She suggested the Board close pet stores and give permits for control of the cats and dogs population. It should not be a burden on the people in the whole County. She said every program has money appropriated and if cuts are needed divide the dollar amount to cut into each program by a percentage and do not raise taxes.
- Billy Peaden – stated that the easy way out is to increase taxes. The citizens are getting penalized for owning anything. There needs to be a system where everyone pays taxes. The food tax is the fairest tax. All departments ask for more than they know they will get. He asked the Board not to increase taxes.

## **ITEMS FOR REPORT**

### **Manager's Report – Tom Robinson**

- a. Board's Schedule – One Meeting in July
  1. July 9, 9:00 a.m. Regular meeting, Commissioners' Auditorium
  2. NACO, July 13-17, Philadelphia, PA, a couple of commissioners will be attending this conference.
- b. Airport Terminal Dedication and Reception - June 20<sup>th</sup>, 11:30 a.m.
- c. Registration for NCACC, Aug 9-12, Cumberland County, Board members need to notify the Clerk if they intend to attend.
- d. Restructuring of State Flood Recovery Programs - Mr. Robinson said that there needs to be a look at restructuring the State's flood programs. The Governor has asked Mr. Robinson to serve on the flood program restructuring committee. He said he would like to help improve the State's response to storms.

- e. Captain Whaley, Jeff Phillips, Phil Dickerson, Sheriff Manning were present. Mr. Robinson said that the Governor awarded the Sheriff's inmate detail program the Governor's Clean Sweep Award. This is the where the County uses inmates to clean up roadways and other areas as needed. Sheriff Manning thanked the staff at the Detention Center, Solid Waste staff and Phil Dickerson for the partnership in this program. Captain Lawrence Whaley said they checked into giving credit to the inmates for time already served while working in this program. The road crew is seen by the public but they also use inmates in the Detention Facility. Inmates are also supplied for the transfer station from the low security unit from the Maury Prison.
- f. Other matters as needed

**Monthly Financial Report – Melonie Bryan**

Ms. Bryan stated the following report:

<b>Fund Balance - General Fund:</b>	\$ 44,625,858.	
(06/30/00)		
	\$ 4,047,261.	(Unreserved but designated)
	\$ 32,652,074.	(Undesignated) 38.52%

**Total Budget:** \$161,896,325. **91.67%** of Fiscal Year completed

<b>Summary of Revenues:</b>	<u>May 2001</u>	<u>YTD 00-01</u>
General Operating Funds	\$ 8,682,012.	\$108,397,943.**
Enterprise Fund	308,322.	6,328,828.
All Other Funds	<u>2,750,596.</u>	<u>23,849,832.</u>
	\$ 11,740,930.	\$138,576,603.
 Percent of Budget:	 <b>7.25%</b>	 <b>85.60%</b>

<b>Summary of Expenditures:</b>	<u>May 2001</u>	<u>YTD 00-01</u>
General Operating Funds	\$ 9,144,503.	101,316,174.
Enterprise Fund		1,212,774.
8,415,888.		
All Other Funds	<u>1,239,088.</u>	<u>21,879,978.</u>
	\$11,596,365.	\$131,612,040.
 Percent of Budget:	 <b>7.16%</b>	 <b>81.29%</b>

\*\*Does not include any appropriated fund balance as budgeted.

She stated that the County made over \$30,000 at the County Auction. Ms. Bryan also reported that a check will be hand delivered Wednesday from FEMA in the amount of \$2 million for reimbursement to the County for flood recovery programs.

Commissioner Ward said Ms. Bryan has been persistent in her pursuit to get the County reimbursed and thanked Ms. Bryan for her efforts in trying to get these funds. She said Pitt County is further along than any other state in North Carolina.

Monthly Tax Collections Report – Jeff Niebauer

Mr. Niebauer gave the following report.

**STATEMENT OF TAXES COLLECTED  
BY THE PITT COUNTY TAX COLLECTOR'S OFFICE  
2000 - 2001**

<u>TAXING UNIT</u>	<u>MAY 2001</u>	<u>TOTAL TO DATE</u>
<b>Pitt County</b>		
<b>Current Taxes</b>	554,682.18	39,361,582.33
<b>Prior Years</b>	72,184.21	1,769,158.57
<b>prepay</b>	63,449.85	180,310.95
<b>Interest/Cost</b>	46,460.62	497,846.14
<b>Total Collected</b>	<u>736,776.86</u>	<u>41,808,897.99</u>
<b>Landfill Fees</b>	38,051.72	3,146,875.86
<b>Ayden Rescue</b>	1,611.70	62,605.62
<b>Ayden Fire</b>	859.62	41,106.14
<b>Bell Arthur Fire</b>	1,014.46	42,603.49
<b>Bell Arthur Rescue</b>	1,411.05	57,818.74
<b>Black Jack Fire</b>	430.12	17,221.81
<b>Clarks Neck Fire</b>	545.88	15,301.99
<b>Eastern Pines Fire</b>	1,710.14	90,927.75
<b>Eastern Pines Rescue</b>	3,156.79	158,989.58
<b>Falkland Fire</b>	713.25	47,523.21
<b>Farmville Fire</b>	608.80	28,878.41
<b>Fountain Fire</b>	458.73	13,800.35
<b>Grimesland Fire</b>	498.01	21,281.21
<b>Pactolus Fire</b>	825.49	34,550.66
<b>Red Oak Fire</b>	686.27	46,006.93
<b>Simpson Fire</b>	1,003.83	52,360.28
<b>Staton House Fire</b>	764.51	93,688.98
<b>Stokes Fire</b>	575.76	24,136.45
<b>Winterville Fire</b>	1,510.23	63,406.53
<b>Grifton Fire</b>	940.96	46,616.76
<b>Gardnerville Fire</b>	1,044.15	27,109.01
<b>Ayden Town</b>	9,566.87	119,418.46
<b>Bethel Town</b>	6,221.23	264,288.33
<b>Falkland Town</b>	656.87	10,839.17
<b>Farmville Town</b>	10,491.63	125,905.83
<b>Fountain Town</b>	1,245.38	13,731.60
<b>Greenville City</b>	289,602.44	15,224,790.84

<b>Grifton Town</b>	<b>5,625.44</b>	<b>64,585.85</b>
<b>Grimesland Town</b>	<b>1,476.07</b>	<b>40,626.15</b>
<b>Simpson Village</b>	<b>1,928.80</b>	<b>61,164.73</b>
<b>Winterville Town</b>	<b>10,720.70</b>	<b>114,930.69</b>
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<b>GRAND TOTAL</b>	<b>1,132,733.76</b>	<b>61,981,989.40</b>

**COMPARISON OF PERCENTAGES COLLECTED**

<b>May-01</b>	<b>May-00</b>
<b>94.00%</b>	<b>94.01%</b>

**OCCUPANCY FOR APR. 2001 - 82,724.40**  
**BANKRUPTCY FOR MAY. 2001 - 3,663.45**  
**GARNISHMENTS FOR MAY. 2001 - 235,429.87**  
**GROSS RECEIPT FOR APR. 2001 - 12,657.82**

**SUMMARY OF 2000/2001  
INFORMATION:**

Tax collection activity Pitt

County:

Total May 2001	\$736,777
Collections:	
Total to Date 2000/2001:	\$41,808,898

Pitt County Levy:

May 2001	\$42,091,276
Levy:	

May 2001 Percent	94.00
Collected:	
Original Levy	96.89
Supplemental & Vehicle	81.6

Total collection activity all units including

Pitt County:

Total May 2001	\$1,132,734
Collections:	
Total to Date 2000/2001:	\$61,981,989

Garnishments for May 2001:	\$235,430
Bankruptcy for May 2001:	\$3,663
Occupancy for Apr 2001:	\$82,724
Occupancy Total to Date	\$858,747

00/01:

Gross Reciepts Apr 2001	\$12,658
Gross Receipts total to Date	\$131,231

### **Status of County's Cable Channel – Arlen Holt**

Mr. Holt reported that he had met with the other educational organizations and Cox Communications about the new television channel. They are waiting on the budget decision because the staffing and equipment were included as some of the possible cuts. Cox Communications has moved forward with their purchases in order to provide this channel. However, he stated that the County has a right to the channel regardless of anything else even if the other agencies are not interested in the sharing of the channel. Chairman Hammond asked which was cheaper to have the County's own channel or to pay the City of Greenville for airing the meeting. Mr. Holt said he felt the channel shared with the education community would be the most desirable but the County could move forward with its own channel.

Mr. Holt also stated that he has been working on Adelphia Cable which is serving a portion of the County and hoped to have those documents ready within the next few meetings.

Vice Chairman Bowen said there was an attempt to pull items off of the consent agenda at the last meeting. He reported that Ms. Banks looked at the procedure policy and any Board member may pull items off of the consent agenda. He asked if anyone wanted to apologize to him because he was right.

**UPON MOTION** by Commissioner James, seconded by Commissioner Royal, the Board voted unanimously to approve the items for consent.

### **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.

1. Tax Refunds Greater than \$100
2. Budget Amendments –Sheriff's Department
  - a. \$7,310.64 Insurance Reimbursements
  - b. \$2,194.54 – State/Federal Forfeiture
  - c. \$4,400.00 – State Grants – Domestic Violence Prevention Unit
3. Budget Amendment – Mental Health - \$1,450 – EAP
4. Approval of Minutes –
  - a. May 24, 2001, Budget Workshop
  - b. June 4, 2001, Regular Session
5. Adoption of County Management Records Retention and Disposition Schedule as provided by NC Department of Cultural Resources, Division of Archives and History

1. Tax Refunds Greater than \$100
2. Budget Amendment- Sheriff's Department

Summary of Information:

\$7,310.64 – Sheriff's Office – This budget amendment appropriates funds received from insurance reimbursements for damaged vehicles and places it in the automotive expense line item of the budget where the expenditures for repair have been charged.

\$2,194.54-State/Federal Forfeiture- This amendment appropriates funds received from the State Excise tax on controlled substances which are restricted in use and will be utilized by the Drug Enforcement Unit of the Sheriff's Office.

\$4,400.00- State Grants- Domestic Violence Prevention Unit- This amendment appropriates additional grant match for this Unit due to increased salary and hospitalization expenses during the

year.

ACCOUNT NO.	TITLE OF ACCOUNT	INCREASE	DECREASE
104310-525000	Auto Expenses	3691.57	
102800-485000	Insurance Settlement-Revenue	3691.57	
104310-525000	Auto Expenses	767.00	
102800-485000	Insurance Settlement-Revenue	767.00	
104310-525000	Auto Expense	1501.00	
102800-485000	Insurance Settlement-Revenue	1501.00	
104310-525000	Auto Expense	1351.07	
102800-485000	Insurance Settlement	1351.07	
225602-528000	Law Enforcement Supplies	2194.54	
	Revenue		
223602-426500	State Tax on Controlled Substances	2194.54	
245610-512000-01	Salary	2656.00	
245610-518100-01	FICA	203.00	
245610-518200-01	Retirement	123.00	
245610-518201-01	401-K	133.00	
245610-518300-01	Hospitalization	1285.00	
243610-436012-01	Revenue- Dom.Violence Prevention Unit Grant	4400.00	
109810-598024	Interfund Transfers	4400.00	
109910-599101	Grant Match		4400.00

3. Budget Amendment- Mental Health

Summary of Information:

The budget amendment is for the total of \$1,450. The purpose of the amendment is for the receipt of newly allocated Employee Assistance Program (EAP) marketing & advertising funds. These are State funds allocated on a one-time basis and must be expended by the end of this fiscal year. Due to the approach of the fiscal year –end, the department will not have time to present to the Area Board if Finance Committee of the Area Board prior to presentation to the Board of Commissioners. This amendment will be shared with the Area Board at their June meeting.

ACCOUNT NO.	TITLE OF ACCOUNT	INCREASE	DECREASE
193242-434301	Non-UCR State	1450	
195242-537000	Advertising	1450	

4. Approval of Minutes

Summary of Information:

Board approves minutes from May 24, 2001, 8:00 a.m. budget workshop, June 4, 2001, 9:00 a.m. regular meeting.

5. Adoption of County Management Records Retention And Disposition Schedule

Summary of Information:

The North Carolina Department of Cultural Resources Division of Archives and History have submitted to the local governments the revised County Management Records Retention and Disposition Schedule. This schedule replaces the 1991 County Administrative, Financial, Legal and Personnel Office schedule. The entire schedule can be accessed on the webpage<<http://www.ah.dcr.state.nc.us/sections/archives/rec/local.htm> or a copy is available in the Clerk to the Board’s office for your review. This schedule requires approval as outlined in G.S. 121-59(b).

**ITEMS FOR DECISION**

**Resolution in support of Tobacco Equity Reduction Program (TERP) – Eugene James/Mitch Smith**

Mr. Robinson said this resolution was requested by Commissioner James and Mitch Smith, Cooperative Extension Director, was present to address the Board. Mr. Smith said the resolution is in support of a proposal to buy-out the tobacco quota system. The tobacco commission was appointed by President Clinton with tobacco farmers, rural economic specialist and others help look into ways to reduce the dependence on tobacco. Commissioner James said that he had been requested to do this resolution by Tobacco Stabilization agency. The Pitt County Farm Bureau has endorsed this 100% and it will allow growers to get what they should from tobacco. He said it could bring hundreds of millions of dollars to Pitt County. Tobacco would be grown with the people who are actually in production. The quota people will be paid for the tobacco by the pound. He said the tobacco program has changed and it is not like it used to be. He asked the Board to endorse the resolution and send it to the State representatives. Senator Edwards is one who could push it and it would be helpful if he could get involved.

Mr. Smith said that payments of \$8 per pound for quota holders were being considered. Growers would receive \$8 per pound plus \$4 per pound to stop growing tobacco. The time is that nothing would be received if this is not passed by Congress. Commissioner Coulson asked where the money would come from to pay these quotas and stated it would be taxpayers money. Mr. Smith said excise tax is being considered as a source. Commissioner James said there is \$4 billion waiting to be given out and it would take \$11 billion to do this whole program. Commissioner James said the funds would come from tobacco companies, from cigarettes. Pitt County is getting \$200,000 in tobacco taxes per year.

**UPON MOTION** by Commissioner Owens, seconded by Commissioner Ward, the Board voted unanimously to approve the Resolution in Support of Tobacco Equity Reduction Program. Commissioner James requested the resolution be sent to Pitt County's Representatives and Senators in the Congress.

**OFFICE OF THE PITT COUNTY BOARD OF COUNTY COMMISSIONERS**

**RESOLUTION IN SUPPORT  
OF  
TOBACCO EQUITY REDUCTION PROGRAM**

WHEREAS, approximately 3500 tobacco growers and allotment holders directly rely upon the tobacco quota and price support system for their personal livelihood and economic well-being in Pitt County, and

WHEREAS, the U.S. governmental Tobacco Program has enabled tobacco farmers and quota holders to realize a fair standard of living, and

WHEREAS, the President's Tobacco Commission has proposed the "Tobacco Equity Reduction Program (TERP)" to restructure the current tobacco price support and quota System, and

WHEREAS, "TERP" would provide reasonable compensation to existing quota owners and producers for their corresponding economic losses and

WHEREAS, "TERP" would restructure the tobacco program to place permits only into hands of active growers, and

WHEREAS, "TERP" would solve today's economic crisis of current quota owners and producers that exit tobacco production while providing a more certain and profitable future for producers that elect to continue tobacco farming, and

WHEREAS, "TERP" would stabilize rural economies of Pitt County and its communities and at the same time deter youth smoking, and

NOW, THEREFORE, THE BOARD OF COMMISSIONERS OF PITT COUNTY does hereby endorse the President's Tobacco Commission final report in its entirety; addressing key issues concerning the economic well-being of tobacco producers, tobacco quota owners, their communities, fair regulation of manufactured tobacco products and improved elements regarding public health.

Adopted this eighteenth day of June, 2001.

Pitt County Board of Commissioners

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David Hammond, Chairman

Attest:

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Susan Banks, CMC  
Clerk to the Board

Skip to next items.

**Jeffrey's Beer and Wine Tract of Land – Phil Dickerson**

Mr. Dickerson spoke about the property where the Buildings and Grounds facility is located. The property was originally planned for the Printshop but there is no room to expand. There is a need to build a storage building. The traffic in the area was considered and the property is zoned commercial. Road access in exchange for the land was proposed. It would be better to enter on this street instead of Greene Street. He said from a traffic safety perspective it would be better to have this property and road access. Commissioner Ward said the County would have no idea what could be developed on this property. Commissioner Johnson said this would be a County maintained road and not a State road. He said it could be important on how their access would be built. Mr. Dickerson said the City would probably be more likely to take this over than the State. The road belongs to the County as it currently stands. Commissioner James said this is an acre and three tenths and the road is more valuable. He said there needs to be more land offered in this deal.

**UPON MOTION** by Commissioner Owens, seconded by Commissioner James, the Board voted unanimously to table this issue.

**Redistricting Matters – JoAnne Burgdorff/James Rhodes**

Ms. Burgdorff stated that the Board has been provided with documents on the proposed redistricting and a resolution to adopt supporting the intentions to redistrict and become eligible for the bailout process.

Mr. Michael Crowell, Attorney, was present to talk about redistricting. Mr. Crowell gave a brief background of his history with this Board stating he has worked with them since the 1980's pre-clearance on the Voting Rights Act. He stated he had worked on the redistricting following the 1990 census. He said the County does have to redistrict after the 2000 Census because the districts are out of balance and need to be redrawn. The total County grew about 24% which is a little above the State average. The new population of Pitt County is 133,798. The black population represents one-third of the County while the white population dropped with other categories. In the 2000 census, there were more options and more people chose the "other" options. The deadline for

the redistricting to be in place is prior to the 2002 elections. The proposed schedule will move this process along quicker. Voters will need to get accustomed to the new districts. He stated the Board needs to adopt a resolution of support for redistricting. A public hearing is not required but the Board may wish to hold one. He said that having the same districts for the Board of Commissioners and the Board of Education would make things work out easier. The Districts must be pre-cleared and the Justice Department has 60 days to pre-clear or not pre-clear. If the Justice Department needs additional information, they can ask for another sixty (60) days. Washington appears to be better equipped now for this process. If the plan makes it more difficult for African-Americans to get elected, the Justice Department will not pre-clear it. The two minority districts went down and the percentages were maintained the best that could be done. It may be an issue this time.

Factors to take into account include:

- keep same configuration of districts
- attempt to follow precinct lines
- implement - do not draw districts where the incumbent serves
- avoid drawing districts so any incumbent is placed out their district

Mr. Crowell stated that there should be an attempt to maintain Districts 1 and 2 with the majority of African-Americans but must also take into account where the growth may occur in the future. They will stay in balance better as decade goes on, if there is a plan for growth. He said it may work out that Districts 4 and 5 may be under-populated and this would make Districts 1 and 2 overpopulated. Commissioner Owens asked if both items should be approached at one time. Mr. Crowell said a resolution may not be needed. Mr. Crowell said it may not make a difference one way or the other if the two items are approached at the same time. He said no one in North Carolina has attempted bailout before. In 1965, fewer than 50% of black citizens registered in the election.

He spoke of the Section 2 part of the Voting Rights Act outlawed any form of discrimination. Section 5, in the 1980's, was changed and re-written. For bailout success, the County has to show there has not been any changes and that there has not been violations. He reiterated that nobody in North Carolina has undergone the procedure yet.

Mr. Crowell that the Justice Department will test the County for a 10 year clean record which is a requirement. If the Justice Department sees that the County meets the test, they will allow the Court to let the County out from under this process. The outcome is based on very specific requirements. If the 10 year clearance can be proven, and the other factors have to be present also, the Justice Department will let the County out of this process.

Commissioner Shank asked if six districts is still required. She said there has been some discussion about the six districts. Mr. Crowell said if the Board wants to change how they are elected, the Board can develop a plan and have a referendum or the Act by the Legislators. School Board has to have act by Legislator. Cities can make those changes but the counties do not have that authority. He said he supposed a county referendum could be done.

Commissioner Owens **motioned** to approve the resolution to move forward with redistricting, after removing the bailout option wording, further and for the two Boards (School Board and Board of Commissioners) to work together to draw the new districts. It was suggested that the two boards develop resolutions.

Commissioner Johnson asked if the Board of Elections has to do a lot of extra work if the County is still under the Voting Rights Act. Mr. Crowell said pre-clearance, referendum, change in election schedules, and other changes have to be made by the Board of Elections. Very few of those changes draw any judgement. Mr. Crowell said the people in the City have to deal with the annexations and have most of the work. Ms. Burgdorff reported that Pitt County has a clean slate and they are checking on the municipal elections. There is a lot of time investment for the Board of Elections because of the Voting Rights Act requirements. It will take time but should not be

expensive to get out from under the Voting Rights Act. Mr. Crowell said that now is the time to try it, if this Board is interested.

Commissioner Ward said the Board needs to maintain status quo and needs to pay attention to see how much work is having to be done. Commissioner Ward asked if Commissioner Owens would change his motion to include moving forward with the bailout process. Commissioner Owens said that the first part has to be done anyway, with or without the bailout and the two issues need to be separate. He said he would not want to change the motion.

Chairman Hammond asked how much the County was changed versus how much effect the change had on the City of Greenville. Mr. Rhodes said the County has had 24% growth. Mr. James Rhodes said the City increased from 46,000 to 60,000 from 1990-2000. The City's growth was higher and the growth is not balanced. Mr. Rhodes said some districts have gained more than others. There should not be more than a 10% difference in two districts. He restated that some of the change is within the City.

Commissioner Royal seconded Commissioner Owens's motion to pass the resolution excluding the bailout aspect and in conjunction the School Board and Board of Commissioners go forward as a unit with the redistricting. The motion passed unanimously.

**RESOLUTION**  
**DETERMINING THAT PITT COUNTY MUST REDRAW ELECTION DISTRICTS**  
**PRIOR TO THE BEGINNING OF THE FILING PERIOD FOR THE 2002 ELECTIONS**

THAT WHEREAS, the Census of 2000 population figures have shown a significant increase in population and an uneven distribution of population throughout Pitt County; and

WHEREAS, the federal Voting Rights Act (42USC1973), requires that jurisdictions redraw their election districts to insure that there is not a deviation of more than 10% in the size of the smallest and the largest districts within the county; and

WHEREAS, the election districts in Pitt County show a significant deviation in excess of the 10% rule; and

WHEREAS, the Board of Commissioners has studied all of the census figures and the deviations between population sizes in the various existing districts and has determined that in Pitt County there is substantial inequality of population among the existing districts which requires that Pitt County redraw the district lines to be in compliance with the federal Voting Rights Act; and

WHEREAS, Pitt County is under Section 5 of the Voting Rights Act which requires that all matters effecting elections or voting must be precleared through the US Justice Department prior to implementation; and

WHEREAS, The Pitt County Board of Education, if they agree, shall work with this Board to proceed with this redistricting process;

THEREFORE, The Board of Commissioners hereby directs staff to immediately begin the process of redrawing the election districts and election maps as required to meet the requirements of the Voting Rights Act; and to work with the Pitt County Board of Education to include that Board in this process if they so desire.

Resolved this the 18th day of June, 2001.

PITT COUNTY BOARD OF COMMISSIONERS

Attest:

\_\_\_\_\_  
Susan J. Banks, Clerk

**Contract for Courthouse Renovations/Designated Smoking Areas in the Courthouse – Phil Dickerson and Richard Johnson**

Mr. Dickerson provided the bids for the courthouse and Richard Johnson the architect will show the Board the plans. There is only 4,000 feet of office space left in the courthouse plans. Mr. Dickerson stated that \$10 million was estimated for the whole project but \$8.576 million is what it comes out to for the construction. He spoke of the 1960's portion and the 1910 original section. There are no plans for the 1910 courthouse, and very little for the 1960's. There is twice the amount of contingency for this portion of the project.

Mr. Dickerson spoke of smoking in the courthouse. In the proposed renovations, there are several break rooms where people can smoke. There is also an outside area for smoking. Outside one of the doors will be a garden like atmosphere. There is a large grassed area to the left on the Evans Street side of the courthouse. Commissioner Coulson requested adequate containers for cigarettes and to caution people about their litter.

Mr. Richard Johnson said there have been no substantial changes in the plans for the renovations from what the Board originally approved. He offered to show the plans again but stated that there had been no changes made from the last plans the Board had viewed. Mr. Johnson spoke about the bids being around \$80 per square foot. There was substantial rework of the mechanical requirements but those numbers came in under the initial projects. Mr. Robinson said the Courthouse project is included in all the budget options. Commissioner James asked about Mr. Johnson's fee for architectural services. He seemed to think the fee is elevated. Mr. Johnson said the contract is structured in a lump sum figure and if it was exceeded then they are not asking for additional funds. The second part of the contract is on an hourly rate for unknowns that come up during construction. Commissioner James said he does not want to set a precedent of paying a 10% fee instead of a 7% fee which is normal. He said he wants a good job done and to not cut the corners.

**UPON MOTION** by Commissioner Owens, seconded by Commissioner Ward, the Board voted unanimously to approve the staff recommendation to authorize the Chairman to execute the contracts with the low bidders.

**Low Multi-Prime Bid Summary**

Contract	Firm	Addenda	Bid Bond	Sign & Seal	Base Bid	Alternate -1	Alternate-2	Alternate-3	Alternate-4	Alternate -5	Total base plus all alternates
General	D. S. Simmons/#7651	x	x	x	\$4,248,000	\$38,000	\$13,000	\$0	na	\$60,700	\$4,359,700
Plumbing	Keen Plumbing/01515	x	x	x	\$197,800	\$61,700	\$0	\$0	\$0	\$0	\$259,500

HVAC	Lee Mechanical/00741	x	x	x	\$720,000	\$52,000			\$0		\$772,000
Electrical	Watson Electric/00213-u	x	x	x	\$1,035,000						\$1,035,000
										<b>Total all primes</b>	\$6,426,200

Alternate No. 1: Includes the work in the existing ground floor holding cells as indicated on drawings.

Alternate No. 2: Includes providing hardware as indicated in hardware schedule without substitution.

Alternate No. 3: Provide demountable gypsum panel partitions by Precision Walls, Inc.

Alternate No. 4: Provide controls by Siemens

Alternate No. 5: Provide modifications and improvements to provide parking along Evans Street from 3rd to 1st streets

Commissioner Owens said that he would support smoking anywhere in the courthouse. Mr. Robinson said there are plans for specific smoking areas in the renovations. Mr. Dickerson said that Mr. Johnson helped with looking at the building for designated smoking areas. He said the purpose is to allow people to smoke but not affect others who do not smoke. The proposed area for smoking is in the atrium to the left where the HVAC system is located and the lack of people moving around would lend to a designated smoking area. Mr. Johnson said they would be using smoke filters. Chairman Hammond spoke about the problems with smoking in the Courthouse. Mr. Dickerson said in the new courthouse the hallways are narrow, elevators and lobbies are too small for smoking. He said the judges and others decide on their own where people can smoke.

Commissioner Coulson **motioned** to accept proposals for designated smoking areas in the entire courthouse. Commissioner Shank seconded the motion.

Commissioner James offered a **substitute motion** to allow smoking in designated areas, excluding the courtrooms, with a filter system to be installed so it will not bother other people. Commissioner Owens seconded. The courtrooms are excluded in this motion because the judges make decisions on the courtrooms.

Commissioner Shank said the cost of the filter systems needs to be looked into before a decision is made. Commissioner Coulson said the smoke was overwhelming in the jurors room when he served on Jury duty.

Commissioner Coulson said the department heads will not and cannot override the Board's decision. Commissioner Shank said the Health Department and Hospital have no smoking policies and this would be a disservice to the citizens to allow smoking.

Chairman Hammond asked for a vote on the substitute motion. In favor of the motion were: Commissioner James, Vice Chairman Bowen Commissioner Owens, Chairman Hammond, and Commissioner Royal. Opposed to the motion were: Commissioner Coulson, Commissioner Ward, Commissioner Shank, and Commissioner Johnson. The substitute motion passed with a five to four vote. Commissioner Ward asked if the filter system was for the entire courthouse. Commissioner Shank said that because of where the designated areas are located, therefore a filter system will be required in every hallway which could cost \$10,000.

Commissioner Coulson **motioned** to approve the designated smoking areas that have been presented on the diagram. Commissioner Ward seconded the motion. The designated area is in the atrium and half of the break rooms in the renovation. Commissioner Royal asked if one area was sufficient. Mr. Dickerson said there was one break room on each floor and half of them would be designated as smoking areas. Commissioner Coulson stated he would amend his motion to reflect the areas as shown on the diagram and the two additional floors.

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

Mr. Robinson restated that there are three designated smoking areas.

**Appointment to the Mental Health Area Board (attorney) – Susan Banks**

Ms. Banks informed the Board that there were two applicants for the attorney position on the Mental Health Area Board. She stated that following the last Board meeting, she contacted Mr. Jerome Ramey about his application and to confirm that he and his wife were still doing contract work with Mental Health. She stated that he confirmed his continued contract with Mental Health and agreed that this could be a conflict of interest. Ms. Banks then stated that the Mental Health Area Board had nominated Mr. Robert Kemp to serve in the attorney position on the Mental Health Area Board.

Chairman Hammond commented on Mr. Ramey's application being on file with the Mental Health Area Board for one year and stated that this should have been considered prior to this time.

**UPON MOTION** by Commissioner Shank, seconded by Commissioner Ward, the Board voted eight to one to appoint Mr. Robert Kemp to fill the position of an attorney on the Mental Health Area Board. Chairman Hammond opposed motion.

**Deliberations/Adoption of Fiscal Year 2001-2002 County Budget – Tom Robinson**

Mr. Robinson reviewed the three budget options and what they include as follows:

Budget Options

Managers Recommended Budget	\$164,591,610
Includes: 3¢ Ad Valorem Tax Increase	
3¢ EMS Tax	
Funding to Nonprofits including \$16,000 Board Additions	
Fund Balance Appropriated: \$4.8 Million (10.56%)	
Budget Balanced Using Fund Balance	\$164,591,610
Includes: All Manager's Recommended Priorities	
No Ad Valorem Tax Increase	
3¢ EMS Tax	
Funding to Nonprofits including \$16,000 Board Additions	
Fund Balance Appropriated: \$6.6 Million (8.84%)	
Budget Balanced with Cuts	\$162,807,299
Includes: 3¢ EMS Tax	
Cuts to services & programs as delineated in Scenario A	
Including most nonprofits	
Cuts \$1,784,311 over Manager's Recommended Budget	
Fund Balance Appropriated: \$4.8 Million (10.56%)	

Mr. Robinson stated that projects not included in the Manager's Recommended Budget were the Animal Shelter, Administration Building, and Storage Facility. He stated that the County had been contacted by individuals interested in selling the Physicians East property which could be used to house Social Services Staff. He stated the Board would be discussing negotiations in closed session about this property.

Chairman Hammond asked how many items had come out of the fund balance this year. Ms. Bryan stated that amendments to the budget were the firing range at \$225,000 and the Mental Health Building that was \$170,000 which both were pay for with fund balance. The budget the budget has stayed within the projected expenditures because there have been offset revenues. Ms. Bryan said that the Board voted on each of these items. She said there was \$3.5 million in fund balance for this current year. Chairman Hammond asked what other revenue has been offset over the \$325,000. Ms. Bryan said she could bring the figures back to the Board. Chairman Hammond asked Ms. Bryan to go get those figures and bring them back presently.

Commissioner Coulson said he had asked twice of Mr. Robinson and once of Ms. Bryan what the fund balance was and he was told 16.5% fund balance then and now is being told 12.22%. Ms. Bryan said every chart that the Board has been given shows a 14.5% fund balance. She said they have discussed wanting to have the fund balance between 16-18%. The fund balance figure for 2000-2001 is 14.91% and is estimated to be 12.22% for June 30, 2001.

Chairman Hammond asked for the exact amount of money that was spent this year and what the Board actually approved in this fiscal year. Mr. Robinson said there had been increases that were added but there was offsetting revenue for each item. Vice Chairman Bowen asked about the McThrift property and if it had come out of fund balance. Chairman Hammond said the staff is supposed to be guiding the Board on how to spend the money. He said the budget is going to have to be abided by staff. Mr. Robinson said the State of North Carolina has not adopted their budget. He said the State and Federal Governments do not adopt their budgets until after the Counties have adopted their budget. The County then has to go back and amend the budget. Chairman Hammond spoke about flood recovery. Chairman Hammond said he did not want anyone bringing phony figures to the Board. He said he did not appreciate the Manager guiding the Board to buy things when the County does not have the money. Commissioner James said he would not support a tax increase. He said they need to look at other sources of revenues. He said the County needs to live within its means.

Commissioner Ward said the \$3.5 million that has been alluded to in fund balance was appropriated in the fund balance as part of the budget. She said it is not extra money and it has always been put in fund balance in the past. Commissioner Coulson asked if anyone of the three includes the Farmers Market. Mr. Robinson said the Managers recommended budget and the option that uses fund balance both include the Farmer's Market. Commissioner Coulson asked if either option included the Sheriff's grants. Mr. Robinson said they are not in either option. Ms. Bryan stated that there is a fund that is designated for grants that come in during the year and the Sheriff's grant could utilize those funds if the Board chose to use them in that way.

Commissioner Coulson said he had done research on increases to the citizens since 1996 in the County and municipalities increases in Pitt County. He stated the following items have been increased since then.

- 911 fees from Pitt County
- ad valorem tax increase
- anex/New district for the industrial park
- Bar Tax
- Beer and Wine Tax Increase
- Cellular Tower Fees
- Convention Center
- ECU Transit Franchise Fee
- Event Tax

False Alarm Fees  
 Fire Contracts in the Industrial park  
 Funeral Escort Fees  
 Gas tax  
 Impact Fees  
 Interlocal Contributions  
 Internet Sales Tax  
 Land Transfer Tax  
 Motor Vehicle License  
 Non-resident Fees  
 Off Duty Law Enforcement Fees  
 Parking Fees  
 Payment in Lieu of Taxes (PILOT) from Non-Profits  
 Payroom Tax  
 Planning and Development Fees  
 Prepared Meals Tax  
 Privilege License Fee  
 Renegotiate Partnerships with Pitt County  
 Rescue Fees  
 Sales Tax  
 Special Districts (e.g.Uptown)  
 Storm Water Utility Fees  
 Towing Fees

Commissioner Coulson said there are thirty-two tax or fee increases that have been implemented over this period of time and that these increases are not palpable. He suggested that the Board adopt a budget with a shortfall. He questioned the State's proposed intentions of picking up Medicaid costs using a one-cent sales tax increase.

Ms. Bryan reported to the Board that the budget for 2000-2001 had been amended since July 1, 2000 by \$14,385,853. She stated that \$750,000 in general fund – grants, \$515,000 in public hearing = grants  
 2.5 mil in ss  
 .500 for court facility funds  
 1.8 million in new money at mental health  
 1.9 million in new grants 4cents on tax rate saved tax payers

She stated that the money in the Solid Waste budget was used to cover some flood expenses, with the assurance that FEMA would reimbursement County for those expenses. She said it is not general government just making increases and it is not reckless spending. Everytime there is an increase there has been an offsetting revenue source. Each department files for reimbursement every month. Vice Chairman Bowen asked about the lease for the McThrift building - \$150,000. Ms. Bryan stated that this had come out of this year's budget.

Vice Chairman Bowen **motioned** to approve budget option #2 using fund balance, including \$16,000 for nonprofits, specify that the three cents is an EMS tax for one year and will go strictly to an EMS fund. Commissioner Owens stated that the \$30 million in fund balance is what gives credence for Pitt County with the bond rating agencies. Ms. Bryan said what has helped with the rating agencies is that the Board has a policy not to spend those funds, and that if that money is in long term investments that helps the rating agencies. Mr. Robinson said the investors are trying to earn \$1.2 million per year on the \$30 million and this would be lost if it is put in regular investments because they would not make as good of returns on the investment. Commissioner Owens asked about the money for the revaluation and about delaying a year. Mr. Robinson said that the staff had been hired and the Board had approved moving the revaluation to a seven-year cycle at a previous meeting. Commissioner Owens seconded the motion.

Vice Chairman Bowen asked about the Sheriff's grant. Ms. Bryan said they budget \$100,000 for grant applications to be used during the year. Mr. Robinson said the grant in question would increase 35% each year in the County's obligation. Commissioner Coulson said he felt that a \$250,000 grant for the County Sheriff's Department is a great investment when the County only has to dedicate \$34,000 for additional law enforcement.

Mr. Robinson stated once again that this budget has \$1.3 million more allocated for fund balance than what he would normally budget. He said the revenue to cover those expenses is not going to be there next year because of the economy. Chairman Hammond asked about each budget proposal and the fund balance. Commissioner James said the motion that approves a budget does not cut any services. Ms. Bryan presented the fund balance chart which the Board had previously received on May 22<sup>nd</sup> during a budget workshop. Commissioner Coulson asked why the EMS tax is for one year. He said considered it permanently and it would already be designated as an EMS tax.

Commissioner James called for the question. Commissioner Coulson and Chairman Hammond discussed the three cents EMS tax. Ms. Bryan stated this is a special taxing unit where these funds would be placed. Vice Chairman Bowen said the EMS tax is for one year because it should be reconsidered next year.

Chairman Hammond wants to amend the motion to say the EMS tax includes all of Pitt County with the City of Greenville also being included. Mr. Robinson said the same deficits in this budget will be on the budget next year since the Board is using fund balance. Commissioner Coulson said he wants to see plans and goals to offset the deficit. Commissioner Shank said the department heads have already been asked twice to cut their budgets. Commissioner Coulson said they need to be challenged.

Chairman Hammond said it seems unfair to be taxing only part of the County when everyone is part of Pitt County.

Chairman Hammond called for a vote on the motion to approve the budget. In favor of the motion were: Commissioner Owens, Commissioner James, Vice Chairman Bowen, Chairman Hammond, and Commissioner Coulson. Opposed to the motion were: Commissioner Johnson, Commissioner Ward, Commissioner Shank and Commissioner Royal. The motion passed with a five to four vote.

Mr. Robinson stated the Board would need to meet again to adopt the budget ordinance. He suggested Monday or Tuesday for the meeting.

**UPON MOTION** by Commissioner Ward, seconded by Commissioner James, the Board voted to meet Monday, June 25 @ 9am in the Commissioners' Auditorium.

#### **COMMISSIONER COMMENTS**

- Commissioner Coulson - spoke about the animal shelter. He said he found out that there is grant monies they could pursue. He suggested the animal shelter be considered in a three-tier process. He suggested everyone donate \$100 to the SPCA and stated that they should go after grant monies. He stated they needed something more palpable than \$800,000 for an animal shelter.
- Chairman Hammond said on the State level they are using tax money, not making good judgements, even highway patrol has a whole yard full of new cars and yet want tax payers to believe they can afford to outfit them. Sheriff's Departments are buying vehicles through State contract. He spoke about the possible use of local vendors through for purchasing cars. Chairman Hammond spoke about building buildings that have to be paid for with taxpayers money, they need good guidance by staff and manager. He said the County needs to spend and stay within the budget ordinance that has been adopted.
- Vice Chairman Bowen said the GTP Commission met Thursday and decided to give the director a \$10,000 raise, employees 3 ½ % raises, and 3% bonus for employees to be distributed by the director. The Director has discretion to provide bonuses to the employees. They voted to

add two positions, with a 38 to 1 vote. One position is for marketing the Global Transpark. The GTP commission is paying \$6000 per year for lobbying for the commission. Commissioner Bowen said he did not like the Authority and Foundation and now he does not like the GTP Commission.

- Commissioner James spoke about gas prices in Greenville. He compared the \$1.37 per gallon in Belvoir and to the \$1.44 per gallon in Greenville. He said something is wrong for the prices to be that much cheaper in surrounding areas.

Commissioner Coulson asked if there are clearly defined goals for the staff of the GTP Commission. He said they should set aggressive goals for the staff and they should only receive the bonuses if they meet the goals.

Chairman Hammond asked if the Sheriff's vehicles could be purchased locally. Mr. Dickerson said they took the specifications and sent them to twenty-seven dealers and the difference for the Sheriff's cars was still \$6,000 more than what the vehicles can be bought on State contract. Chairman Hammond asked staff to investigate a cheaper way to purchase the Sheriff's vehicles. Mr. Robinson said this has to be done by bid or either purchase on State contract by General Statute.

### **CLOSED SESSION – G.S. 143-318.11(a)(1) and (5)**

Ms. Burgdorff stated the General Statutes that for the closed session matters as follows:

- (1) the prevent disclosure of privileged information, and
- (5) establish or instruct the staff or agent concerning negotiations of the price and terms of a contract concerning the acquisition of real property.

**UPON MOTION** by Commissioner Royal, seconded by Vice Chairman Bowen, the Board voted unanimously to go into closed session.

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

Commissioner James left at this time.

Mr. Robinson asked Board if they would like to visit a 911 center in Guilford County and suggested the dates of July 25 or 26<sup>th</sup>. Guilford County 911 Center has an 800 trunking system. Chairman Hammond suggested New Hanover County may be closer. Commissioner Coulson said that if money is so tight why travel. He suggested that one person could go to save money because if the whole Board goes it may send the wrong message from the Board.

Commissioner Shank stated she will not be available for that week in July. Commissioner Ward suggested that Guilford County send representatives to Pitt County so the Board could question them about their equipment and process. No action was taken.

### **ADJOURNMENT**

**UPON MOTION** by Commissioner Royal, seconded by Commissioner Ward, the Board voted unanimously to recess the meeting at 12:45 p.m. until 9:00 a.m. on June 25<sup>th</sup> in the Commissioners' Auditorium.

Respectfully submitted,

Susan J. Banks, CMC  
Clerk to the Board

June 18, 2001 minutes

