

**PITT COUNTY BOARD OF COMMISSIONERS
GREENVILLE, NORTH CAROLINA
JUNE 17, 2002 MINUTES**

The Pitt County Board of Commissioners met on Monday, June 17, 2002, at 9:00 AM in the Commissioners' Auditorium, Pitt County Office Building, 1717 W. 5th Street, Greenville, North Carolina.

Commissioners present:

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

Staff present:

Scott Elliott, County Manager
Susan Banks, Clerk to the Board
Melonie Bryan, Director of Financial Services
John Chaffee, Development Commission Director
Phil Dickerson, Director of Facility Services
Deby Dihoff, Mental Health Area Director
Florida Hardy, Director of Human Services
Thomas Lynch, Public Information Office
Jeff Niebauer, Tax Collector

Call to Order

Meeting Notes

Chairman Owens called the meeting to order.

Invocation and Pledge

The invocation was offered by Commissioner Hammond.
The Pledge of Allegiance was led by Commissioner Bowen.

Approval of Agenda

Meeting Notes

Mr. Elliott stated there were some additions to the agenda. He has received a request for Mr. Jim Turcotte to address the Board on behalf of the Airport Authority. He said there has also been a request for Ms. Deby Dihoff from Mental Health to address questions about a proposed group home in the Cherry Oaks neighborhood.

Motion:

Motion to remove #16 Item for Decision, ABC Board appointment, and have the Manager and Attorney to review this Board and make a recommendation to the Board on a policy for terms, benefits and accountability by the ABC Board. Commissioner Shank believes the ABC Board should be handled differently due to them being a revenue producing board and agency.

Motion by Commissioner Shank.

Motion seconded by Vice Chairwoman Ward.

Commissioner James said that the Board of Commissioners selects and appoints this Board and now is not the time to change that policy. He suggested they make the appointment and then reconsider the whole process. Vice Chairwoman Ward said the intent of the motion is not for the Board of Commissioners to not change the appointment process. Since it's the only Board that generates revenue back to the County, they should look at how the chairman is appointed and what kind of information the Board receives annually, and look at the seat of the chairman. Commissioner Royal asked if the County is in compliance with the law and stated that the Board needs to be consistent. Commissioner Johnson said that on occasion the terms have been extended and Mr. Charles Waller's term has been extended on numerous occasions.

Commissioner Hammond said they do not need to change the rules at this point. He said it should be put before the Board and be done with it. Commissioner Bowen said he had the Clerk look up Mr. Waller's previous appointments. He said he is a fine man and has done a good job but it is time for him to retire. The Board needs to follow the policy because having a policy is like giving the citizens their word. He said if you do not follow the policies then you do not need the policies. Commissioner James called for the question. Commissioner Johnson said he was concerned about this reconsideration of policy in relation to Pitt Community College. He said that the other appointees such as from the State and the Board of Education can stay on the Board of Trustees longer than the Pitt County board members. He suggested that they may need to revisit this policy.

Chairman Owens called for the vote on removing the appointment to the ABC Board from this agenda.

Vote Record:

Beth Ward	Yes
Randy Royal	Yes
David Hammond	Yes
Terry Shank	Yes
Tom Johnson	Yes
Tom Coulson	No
Glenn Bowen	No
Eugene James	No
Mark Owens, Jr.	No

Total Yes Votes: 5

Total No Votes: 4

Motion Passed.

Chairman Owens asked if there was any interest in removing or postponing the consideration of the personnel ordinance.

Motion:

Motion made by Commissioner James.

Motion seconded by Commissioner Coulson.

Motion to postpone action on the proposed revised personnel ordinance until a later board meeting.

Ms. Hardy stated that the section that needs to be in place on July 1 is the Workers Compensation section but it could be made retroactive. Mr. Elliott said the County would be going from the State's policy and it needs to correspond with the new fiscal year. Commissioner James said he needed time to review the whole ordinance and ask some questions because he did not understand all of it.

Vote Record:

Tom Coulson	Yes
Randy Royal	Yes
David Hammond	Yes
Glenn Bowen	Yes
Terry Shank	Yes
Eugene James	Yes
Tom Johnson	Yes
Mark Owens, Jr.	Yes
Beth Ward	No

Total Yes Votes: 8

Total No Votes: 1

Motion Passed.

Motion:

Motion to approve agenda with changes.

Motion made by Commissioner Randy Royal.

Motion seconded by Commissioner David Hammond.

Motion Passed Unanimously.

Public Addresses to the Board

Meeting Notes

Nancy Colville – spoke about problems with the location of Mental Health group homes. She said this board had decided to make Mental Health a single agency to report to the County Manager. She said she understood that to do this there must be a public hearing held by the Board prior to July 1 and why was there no public hearing scheduled. She said Mental Health answers to no one. She said she has looked at the board members and they are handpicked by Dr. Mitchell and Deby Dihoff. The board members are consumers, family member of consumers, a Daily Reflector employee, someone who is running a home for Developmentally Disabled individuals. She said this is not fair to the taxpayers. Ms. Colville said that Pitt County is tenth from the top in local funding to Mental Health in the State. She said Mental Health does not want to be inclusive of the public that is paying their bills. She said there is no federal mandate that allows for chaos in neighborhoods they do not have to put these group homes in these neighborhoods. She said she went to a meeting Wednesday where they talked about someone from the neighborhood, asking for assistance from the police because the disturbance from the individuals in one of these group homes. She said this Board needs to help these citizens address this problem. She spoke about Deby Dihoff's attitude being terrible to the public. She said the Board is dragging feet on Mental Health coming under the county's supervision. She said the citizens need the Board's help and the City Council's help with these homes. The people who run the homes need to be more accountable. Some of these group homes are under Mental Health and some are not under the local Mental Health.

Jane Barnhill – spoke about the ABC Board. She said she had not forgotten about the Airport Authority. Several members were kept on Planning Board some years back. She said this does not have to do with the person but with the terms. She said the Board should follow the rules once they are set. She said thank goodness this is out in the open or you would hear about backdoor politics. Government should be impersonal sometimes. This Board has a duty to the

citizens. She said there should be a limit on terms. She spoke about Charles Waller serving from 1990 to now stating that is 12 years. She said the Board should look into the appointment methodology before making appointments. If the committee makes money, then hire the man and pay him a salary. She said it makes planning look foolish for the Board to keep changing things. Government should be more reliable.

Gene Coley - He said he was sorry he applied to the ABC Board. He has been a loyal employee, a budget director and has served on a bank board. He said he thought he had something to offer to this County and has tried to represent areas over the years. He said he wanted to do something constructive so he applied and put in an application and resume. He said that over half of this Board knows that he has been deeply involved in politics for many years. He spoke about the Board using the good old boy process for this appointment. He said this has nothing to do with Mr. Waller but that there are other people qualified to serve this county. He said there were people he did have respect for but did not agree with them keeping their friends in place on boards.

Items for Report

Manager's Report - Scott Elliott

Information Provided with the Agenda

- Consider changing the July Board meeting schedule to one meeting on July 15.
- Employee Service awards will be given at the 9am meeting on July 15th.
- Report on Self-Insured Workers Compensation Program
- Report Concerning Annual County Surplus Auction
- N.C. Floodplain Mapping Program Update

Motion:

Motion to cancel July 1st meeting and hold one regular meeting on July 15^h during the month of July.

Motion made by Commissioner James.

Motion seconded by Commissioner Hammond.

Motion passed unanimously.

Mr. Elliott informed the Board that the County will make the transition to a truly self insured Workers Compensation insurance program and will notify the North Carolina Association of County Commissioners of the County's intentions to pull out of their insurance pool.

Mr. Elliott reported that the County received \$22,000 from the Surplus Auction.

Mr. Elliott stated that the floodplain program is underway. A preliminary map meeting will be held Tuesday, July 9^h at the Agricultural Extension Building. All public officials are invited.

He presented the final EMS Funding chart with the total cost of \$2,672,038. He stated that staff wanted to provide the Board with this final spreadsheet in order to clean up all the other spreadsheets the Board has received. These are the final numbers.

FINAL FUNDING RECOMMENDATIONS - EMS - FY2002-2003						
	Ayden		Bell Arthur		Bethel	
	Request	Adopted	Request	Adopted	Request	Adopted
EXPENDITURES						
Salaries and Wages	189,146	202,120	175,200	**	283,824	**

Social Security	16,762	15,000	13,140	0	21,000	0
Retirement	1,301	1,301	0	0	9,000	0
Hospitalization Insurance	8,400	8,400	0	0	5,400	0
Insurance	0	0	0	0	12,000	0
Overtime	27,375	10,000	0	0	10,000	0
Vehicle supplies and materials	15,000	15,000	5,200	5,200	6,000	6,000
Motor fuel	7,200	7,200	2,200	2,200	4,000	4,000
Office supplies	1,200	1,200	2,000	2,000	600	600
Miscellaneous supplies	3,000	3,000	0	0	500	500
Travel	4,500	0	0	0	7,200	0
Utilities	2,000	2,000	7,200	7,200	3,000	3,000
Telephone	3,000	3,000	2,500	2,500	1,500	1,500
Postage	200	200	500	500	100	100
Other communications	4,000	2,000	2,000	0	1,500	1,500
Printing	500	500	2,000	1,000	120	0
Maintenance of buildings	1,200	1,200	6,000	3,000	3,000	1,000
Training	2,500	0	1,000	0	3,000	0
Rent of land/building	18,919	18,919	5,000	5,000	28,000	0
Insurance	7,027	7,027	3,428	3,428	7,000	4,000
Dues and subscriptions	5,000	5,000	160	160	200	200
Motor vehicles	0	0	0	0	54,000	0
Fund raising	0	0	0	0	0	0
Worker's Compensation	3,000	0	0	0	47,304	0
Capital outlay	40,000	0	0	0	49,440	0
Payment motor vehicles	22,572	22,572	16,320	16,320	0	0
TOTAL	383,802	325,639	243,848	48,508	557,688	22,400
Total appropriations to EMS for the year 2002-2003				1,492,912		
Greenville EMS				86,500		
Salary Funds - Critical Squads (Bell Arthur, Bethel, Pactolus)				884,931**		
Cost to operate the Emergency Services Office				146,695		
Cost for EMS billing next for the year 2002-2003				61,000		
Total cost to operate the EMS system for the year 2002-2003				2,672,038		
3-cent tax levy				-1,074,147		
Transport fee generation				-886,500		
General Fund Subsidy				711,391		
FINAL FUNDING RECOMMENDATIONS - EMS - FY2002-2003						

	Eastern Pines		Falkland		Farmville	
	Request	Adopted	Request	Adopted	Request	Adopted
						4:00 PM
						2/23
EXPENDITURES						
Salaries and Wages	120,400	125,500	130,000	130,000	95,000	165,000
Social Security	9,200	9,200	0	0	7,268	7,268
Retirement	0	0	0	0	3,500	3,500
Hospitalization Insurance	0	0	0	0	0	1,500
Insurance	0	0	0	0	3,000	3,000
Overtime	0	0	6,000	6,000	0	0
Vehicle supplies and materials	4,000	4,000	30,000	6,000	18,000	16,000
Motor fuel	6,000	6,000	2,576	2,500	9,000	9,000
Office supplies	1,500	1,500	588	588	500	500
Miscellaneous supplies	2,600	2,600	1,228	1,228	5,500	1,500
Travel	0	0	2,000	0	1,200	0
Utilities	8,000	8,000	1,914	2,500	6,500	6,500
Telephone	1,600	1,600	484	484	2,000	2,000
Postage	0	0	262	262	1,500	500
Other communications	2,000	2,000	580	1,500	1,000	1,000
Printing	1,000	1,000	0	0	0	0
Maintenance of buildings	3,000	3,000	1,404	1,400	4,000	4,000
Training	5,000	0	2,000	0	1,500	0
Rent of land/building	0	0	0	0	9,600	0
Insurance	9,000	9,000	3,711	3,711	6,500	6,500
Dues and subscriptions	550	550	167	167	700	700
Motor vehicles	129,000	0	100,000	0	85,000	0
Fund raising	16,000	0	2,970	0	1,000	0
Worker's Compensation	0	0	0	0	1,500	0
Capital outlay	33,700	33,000	35,000	0	18,200	0
Payment motor vehicles	0	0	0	0	0	0
TOTAL	352,550		320,884		281,968	
		206,950		156,340		228,468

FINAL FUNDING RECOMMENDATIONS - EMS - FY2002-2003

	Fountain		Grifton		Pactolus	
	Request	Adopted	Request	Adopted	Request	Adopted
		8:00 PM		3:00 PM		4:00 PM
		2/21		2/24		2/24
EXPENDITURES						
Salaries and Wages	79,312	85,600	36,958	103,680	96,000	**
Social Security	9,749	9,749	0	0	0	0

Retirement	0	0	1,752	3,720	0	0
Hospitalization Insurance	0	0	0	0	0	0
Insurance	750	750	0	0	0	0
Overtime	6,000	0	0	3,500	0	0
Vehicle supplies and materials	3,000	3,000	6,000	6,000	5,000	5,000
Motor fuel	2,500	2,500	4,600	4,600	4,500	4,000
Office supplies	2,000	2,000	1,500	1,500	1,000	100
Miscellaneous supplies	2,000	2,000	500	500	2,500	1,400
Travel	2,000	0	0	0	0	0
Utilities	1,500	1,500	7,500	5,000	3,000	3,000
Telephone	2,000	2,000	1,800	1,800	1,000	1,000
Postage	250	250	200	200	200	200
Other communications	3,000	0	1,500	1,500	0	2,300
Printing	200	200	1,750	200	250	250
Maintenance of buildings	2,700	2,700	3,000	3,000	1,000	1,000
Training	2,000	0	300	0	0	0
Rent of land/building	0	0	0	0	0	0
Insurance	4,500	4,500	8,000	7,500	6,000	6,000
Dues and subscriptions	1,000	1,000	350	350	400	400
Motor vehicles	95,000	0	0	0	30,000	0
Fund raising	2,000	0	0	0	2,000	0
Worker's Compensation	0	0	0	0	2,000	0
Capital outlay	8,000	0	0	0	4,000	0
Payment motor vehicles	0	0	11,500	11,500	0	700
TOTAL	229,461		87,210		158,850	
		117,749		154,550		25,350

FINAL FUNDING RECOMMENDATIONS - EMS - FY2002-2003		
	Winterville	
	Request	Adopted
		1:00 PM
		2/24
EXPENDITURES		
Salaries and Wages	121,040	121,040
Social Security	9,712	9,712
Retirement	4,200	4,200
Hospitalization Insurance	0	0
Insurance	2,003	2,003
Overtime	2,104	2,100
Vehicle supplies and materials	2,600	2,600
Motor fuel	2,800	2,800
Office supplies	499	3,000

Miscellaneous supplies	7,000	2,000
Travel	1,000	0
Utilities	7,500	7,500
Telephone	2,000	2,000
Postage	200	200
Other communications	2,000	2,000
Printing	500	500
Maintenance of buildings	5,500	5,500
Training	1,000	0
Rent of land/building	0	0
Insurance	5,600	5,600
Dues and subscriptions	505	505
Motor vehicles	85,000	0
Fund raising	1,200	0
Worker's Compensation	1,750	0
Capital outlay	70,000	0
Payment motor vehicles	33,698	33,698
TOTAL	369,411	
		206,958

Tax Collector's Report - Jeff Niebauer

<u>TAXING UNIT</u>	<u>MAY 2002</u>	<u>TOTAL TO DATE</u>
Pitt County		
Current Taxes	628,583.53	40,271,147.07
Prior Years	87,832.20	1,761,841.02
Interest/Cost	49,895.72	505,854.25
Prepay	101,667.35	245,471.69
Total Collected	867,978.80	42,784,314.03
Landfill Fees	34,998.23	3,350,251.66
Ayden Rescue	349.90	6,750.94
Ayden Fire	1,322.80	43,011.36
Bell Arthur Fire	1,145.65	44,552.90
Bell Arthur Rescue	178.26	7,420.44
Black Jack Fire	449.51	17,165.14
Clarks Neck Fire	658.03	17,586.93
Eastern Pines Fire	1,799.28	93,449.00
Eastern Pines Rescue	528.94	19,456.76
Falkland Fire	764.53	51,830.36
Farmville Fire	785.17	29,537.74

Fountain Fire	291.74	14,023.71
Grimesland Fire	527.79	22,407.02
Pactolus Fire	1,280.61	36,299.88
Red Oak Fire	831.15	44,429.86
Simpson Fire	2,162.25	48,541.81
Staton House Fire	916.05	105,439.32
Stokes Fire	499.68	26,101.46
Winterville Fire	1,472.65	69,883.99
Grifton Fire	834.34	45,874.29
Gardnerville Fire	663.50	23,946.69

Ayden Town	10,507.72	137,227.15
Bethel Town	8,739.36	264,882.39
Falkland Town	588.95	11,114.23
Farmville Town	13,106.08	130,802.33
Fountain Town	1,327.94	13,871.11
Greenville City	372,263.22	17,491,503.77
Grifton Town	6,789.20	68,314.57
Grimesland Town	2,068.63	40,838.26
Simpson Village	1,955.12	66,687.05
Winterville Town	12,217.77	131,455.43

GRAND TOTAL **1,350,002.85** **65,258,971.58**

COMPARISON OF PERCENTAGES COLLECTED

May-02	May-01
94.01%	94.00%

OCCUPANCY FOR APR 2002 - 91,013.56
 BANKRUPTCY FOR MAY 2002 - 18,702.22
 GARNISHMENTS FOR MAY 2002 - 224,092.43
 GROSS RECEIPT FOR APR 2002 - 12,479.49

Pitt County Tax Collector's Report

SUMMARY OF 2001/2002 INFORMATION: SUMMARY OF 2000/2001 FOR COMPARISON:

Tax collection activity Pitt County:				Difference	% Diff
Total May 2002 Collections:	\$867,979	Total May 2001 Collections:	\$736,777	131,202	17.81
Total to Date 2001/2002:	\$42,784,314	Total to Date 2000/2001	\$41,808,898	975,416	2.33

Pitt County Levy:

May 2002 Levy:	\$43,398,146	May 2001 Levy :	\$42,091,276	1,306,870	3.10
May 2002 Percent Collected:	94.01	May 2001 Percent Collected:	94.00		
Original Levy	96.70	Original Levy	96.89		
Supplemental & Vehicle	80.6	Supplemental & Vehicle	81.6		
Total collection activity all units including Pitt County:					
Total May 2002 Collections:	\$1,350,003	Total May 2001 Collections:	\$1,132,734	217,269	19.18
Total to Date 2001/2002:	\$65,258,972	Total to Date 2000/2001	\$61,981,989	3,276,983	5.29
Garnishments for May 2002:	\$224,092	Garnishments for May 2001:	\$235,430	(11,338)	-4.82
Bankruptcy for May 2002:	\$18,702	Bankruptcy for May 2001:	\$3,663	15,039	
Occupancy for Apr 2002:	\$91,014	Occupancy for Apr 2001:	\$82,724	8,290	10.02
Occupancy Total to Date 01/02:	\$833,886	Occupancy Total to Date 00/01:	\$858,747	(24,861)	-2.90
Gross Receipts Apr 2002	\$12,479	Gross Receipts Apr 2001	\$12,658	(179)	-1.41
Gross Receipts total to Date	\$126,962	Gross Receipts total to Date	\$131,231	(4,269)	-3.25

Items for Consent

Motion:

**Motion to approve the items for consent as submitted.
 Motion made by Commissioner Terry Shank.
 Motion seconded by Commissioner Randy Royal.
 Motion Passed Unanimously.**

Refunds Greater Than \$100 - Glenn Cutrell

Information Provided with the Agenda

Total Number of Refunds Greater Than \$100 - (3) - \$ 1,724.82

Farmer, Angela Lorraine - \$ 545.78
 Howard, Marvin Lee - \$ 800.64
 Tetterton, Jean Cox Heirs - \$ 378.40

Motion:

**Approve as submitted.
 Motion made by Commissioner Terry Shank.
 Motion seconded by Commissioner Randy Royal.
 Motion Passed Unanimously.**

Budget Amendment - Sheriff's Dept. - Taxes collected on Controlled Substances - Ward Parker

Information Provided with the Agenda

The Sheriff's Office has received funds from the state for taxes collected on controlled substances. These are restricted funds to be used solely for law enforcement purposes. These funds are being appropriated to the respective accounts in the budget.

Department: Sheriff's Office

Date of Request: 6/5/02

FY Budget: 01-02

ACCOUNT NO.	TITLE OF ACCOUNT	INCREASE	DECREASE
225602 553001	Law Enforcement Equipment	19786.05	
223602 426500	Revenue-State Excise Tax on controlled Substances	19786.05	

Department Justification: (Please provide detailed explanation)

To appropriate funds received from the State of NC for taxes on controlled substances for the Pitt County Sheriff's Office. These are restricted funds to be used solely for law enforcement purposes.

Motion:

**Approve budget amendment as presented.
Motion made by Commissioner Terry Shank.
Motion seconded by Commissioner Randy Royal.
Motion Passed Unanimously.**

Budget Amendment - Sheriff's Dept. - Insurance reimbursement - Ward Parker

Information Provided with the Agenda

A sheriff's patrol car was involved in an accident on May 4, 2002 and was declared a total loss. Nationwide Insurance is issuing a check in the amount of \$10,881.25 for damages to the vehicle. These funds are being appropriated in order to replace the wrecked vehicle.

Department: Sheriff's Office

Date of Request: 6/5/02

FY Budget: 01-02

ACCOUNT NO.	TITLE OF ACCOUNT	INCREASE	DECREASE
102800 485000	Insurance Proceeds	10881.25	
104310 554000	Vehicles	10881.25	

Department Justification: (Please provide detailed explanation)

To appropriate funds received from Nationwide Insurance Company for damages received to patrol car #268.

Motion:

**Approve budget amendment as presented.
 Motion made by Commissioner Terry Shank.
 Motion seconded by Commissioner Randy Royal.
 Motion Passed Unanimously.**

Accept award of Domestic Violence Prevention Unit II grant - Sheriff's Dept. - Ward Parker

Information Provided with the Agenda

The Sheriff's Office has been awarded the Domestic Violence Prevention Unit II grant by the N.C Crime Commission. Application was submitted in January after receiving approval from the Board of Commissioners on January 14, 2002. The grant provides for an Investigator position and a Property Technician position, which will assist the Domestic Violence Program with weapons seizure and the handling and recording of these weapons. This two year grant will require only in-kind local match and a federal match of \$81,434.00. The grant would begin July 1, 2002.

Motion:

**Approve acceptance of grant award to begin July 1, 2002 and to amend the 2002-03 budget to include expenditures and matching federal revenue of \$81,434.00.
 Motion made by Commissioner Terry Shank.
 Motion seconded by Commissioner Randy Royal.
 Motion Passed Unanimously.**

Budget Amendment-Mental Health - PORT program - Deby Dihoff

Information Provided with the Agenda

\$8,000-PORT-The purpose of this budget amendment is to fund the purchase of required group home equipment and carpeting. Per health inspector direction, the PORT group home needs to replace its existing refrigerator. The current washer/dryer are also in need of replacement as they are used on a frequent basis by this 10-bed group home. Existing carpeting in the dormitory has been there since the building was first occupied and was originally cut out of this year's budget. The program is earning more than enough 3rd party revenue to offset these expenditures. No local funds required.

Department: Mental Health

Date of Request: 05-30-02

FY Budget: 2002

ACCOUNT NO.	TITLE OF ACCOUNT	INCREASE	DECREASE
193234-442003	DEPT FEES THIRD PARTY FEES	8,000	
195234-535100	MAINTENANCE OF BUILDING	5,500	
195234-529900	MISC OPERATING EXPENSE	2,500	

Deleted: 21

Department Justification: (Please provide detailed explanation)

Increase in expected 3rd party fees to fund purchase of required group home equipment and carpeting for group home dormitory (washer/dryer, refrigerator, carpeting).

Motion:

Approve amendment as presented.
Motion made by Commissioner Terry Shank.
Motion seconded by Commissioner Randy Royal.
Motion Passed Unanimously.

Budget Amendment-Mental Health - MAJORS Program - Deby Dihoff

Information Provided with the Agenda

\$9,250-MAJORS-increase to budgeted revenues and expenditures to fund 100% Medicaid reimbursable child residential contracts for the remainder of the fiscal year.

Department: Mental Health **Date of Request:** 5-23-02

FY Budget: 01-02

ACCOUNT NO.	TITLE OF ACCOUNT	INCREASE	DECREASE
193233 434000	Medicaid	9,250	
195233 561000	Contracted Services	9,250	

Department Justification: (Please provide detailed explanation)

100% Medicaid reimbursable residential contracts. Currently no available in-house occupancy at PORT group home facility.

Motion:

Approve amendment as presented.
Motion made by Commissioner Terry Shank.
Motion seconded by Commissioner Randy Royal.
Motion Passed Unanimously.

Resolution Requesting Improvements to Roads Serving the Proposed Public Safety Training Center Site - Phil Dickerson

Information Provided with the Agenda

Attached is a letter from Dr. Charles Russell, President of Pitt Community College, accompanied by a resolution requesting that a segments of North Pitt Road (SR1426) and Ellen Farm Road (SR1425) be improved in the vicinity of the site for the proposed Public Safety Training Complex. It is normal procedure for the County Commissioners to endorse secondary road projects to be undertaken by NCDOT within the County. This particular project will be very beneficial to the County's law enforcement and other public safety agencies.

Pitt County Board of Commissioners
 RESOLUTION
 June 17, 2002

WHEREAS , Pitt Community College owns approximately 120 Acres that is bordered on the North by the North Pitt Road (SR 1426) and on the East by the Ellen Farm Road (SR 1425); and,

WHEREAS , This property will be developed as a Public Safety Training Complex that will be used for training purposes by the College, public law enforcement agencies, public fire service agencies and fire departments, and public rescue and emergency medical service agencies; and,

WHEREAS , These agencies will be driving on these two roads equipment and vehicles such as fire trucks, rescue vehicles, special tactical vehicles, patrol cars and such other vehicles as may be required to provide training on this facility and that may weigh the maximum legal limits for vehicles to travel on the North Carolina road system; and,

WHEREAS , The existing two roads are unimproved secondary dirt roads that in periods of inclement weather may cause road conditions to become dangerous to access the training site by vehicles as previously described because of the dust, mud, severe road conditions, etc. and will be a detriment to the operations of the site and the public agency equipment because of the high levels of maintenance required of the vehicular equipment and roads.

BE IT, THEREFORE, RESOLVED: That we, the Pitt County Board of Commissioners, do herewith request that these two roads be widened and stone be place to stabilize the roadbed and subsequently paved when appropriate.

BE IT, FURTHER, RESOLVED: That we, the Pitt County Board of Commissioners, request that the construction of these road improvements be initiated as soon as possible.

BE IT, FURTHER, RESOLVED: That a copy of this resolution be forwarded to the North Carolina Department of Transportation and that a copy be spread upon the minutes of this Board.

This resolution is affirmed and adopted by the Pitt County Board of Commissioners this 17th day of June, 2002.

Chairman, Mark W. Owens, Jr.

ATTEST:

Susan J. Banks, Clerk to the Board

Motion:

Approve the resolution requesting that segments of North Pitt Road (SR1426) and Ellen Farm Road (SR1425) be improved by NCDOT.

Motion made by Commissioner Terry Shank.

Motion seconded by Commissioner Randy Royal.

Motion Passed Unanimously.

Releases & Refunds - May 2002 - Melonie Bryan

Information Provided with the Agenda

In accordance with North Carolina General Statute 105-381(b), the Finance Officer has approved and is reporting the following release and refund information. This information is usually an attachment to the monthly financial status report for the County. Due to special

meeting on April 25, 2002 and the budget workshops, the financial status information has been reported in a different format as a part of the deliberation process.

Releases & Refunds - \$100 or Less

May 2002

In accordance with North Carolina General Statute 105-381(b), the Finance Officer has approved and is reporting the following release and refund information:

Total County Releases:	247	\$8,104.57
Total City Releases:	148	\$4,069.06
Total Tax Refunds:	31	\$825.02

Motion:

Accept release and refund information as presented.
Motion made by Commissioner Terry Shank.
Motion seconded by Commissioner Randy Royal.
Motion Passed Unanimously.

Approval of Minutes - Susan Banks

Information Provided with the Agenda

May 20, 2002, Joint School Board Meeting
May 21, 2002, workshop
May 28, 2002, workshop
June 3, 2002, regular meeting

Motion:

Motion to approve minutes of May 20, 21, 28 and June 3, 2002 meetings as submitted.
Motion made by Commissioner Terry Shank.
Motion seconded by Commissioner Randy Royal.
Motion Passed Unanimously.

Airport Authority

Commissioner Bowen said he asked Jim Turcotte, Airport Director to come before Board and discuss what was happening with the Global Transpark. Mr. Turcotte addressed air services. He said the Airport has not asked Pitt County for any funds for operations for the last sixteen years. He said they have funded their capital improvement program for four out of five years and \$6.0 million in flood recovery. He said since 1986 airline activity has provided 40% of funds from rents landing fees, rental income, and other fees. He said they have \$1 million per year guaranteed from the Federal Aviation.

Mr. Turcotte said that the Global Transpark has petitioned the Governor for \$1 million to attract to attract airline services to their facility, to abate rent and fees, provide bus service for a

sixty mile radius, and to pay airlines for providing services. He said that the local airports hope they succeed but not at the risk of their losing air traffic business. He said the State and other proponents of the proposal are looking for support for their plans. Pitt County has supported the Global Transpark by supporting the cardinal airport, industrial complex, military deployment, staging area for fresh fruits and vegetables and other services but they do not want them to usurp other airports in the East. He stated that Craven County Board of Commissioners have adopted a resolution opposing the requests from the Global Transpark. The Pitt-Greenville Airport Authority requests the Board go on record opposing the Global Transpark's attempt to succeed at the risk of the Pitt-Greenville Airport.

Motion:

To instruct staff to do a similar resolution as Craven County's opposing the Global Transpark's intention to pull air traffic services away from the Pitt-Greenville Airport.

Commissioner Bowen offered the motion.

Vice Chairwoman Ward seconded the motion.

Commissioner Bowen said that the Global Transpark could cause Pitt County's air service to be done away with.

Commissioner Coulson talked about how expensive it is to flight out of Greenville compared to other airports. He asked what could be done for more competitive rates. He said if this was turned into regional center then it would be more convenient to drive to Kinston.

Mr. Turcotte spoke about Kinston being regional center, compared other regional centers. He said that the airfares here are based on Charlotte being the hub, which is one of the highest costing airports in the nation. The pricing disparities are taking a toll on smaller airports. US Air lost \$7 million last year. He said they have tried to talk to them about losing business to Raleigh which is one of the cheapest airports to fly out of but US Air may be in Chapter 11 if things do not get better. He said they are trying to show them the error of their ways but there is no feed to Raleigh from this regional area. He said they have been trying to create an airline to do that. Commissioner Coulson asked why courier traffic is discouraged. Commissioner James spoke of the Norfolk airport being cheaper and closer. Mr. Turcotte said that US Airways Express was more successful now that American has left out of Raleigh. Charlotte is the only hub in North Carolina.

Vote Record:

Motion Passed Unanimously.

Items for Decision

Revised Personnel Ordinance - Florida Hardy

Information Provided with the Agenda – This item was postponed until the next meeting.

The Pitt County Personnel Ordinance has not had major revisions or additions since its inception in 1987. Revising the Personnel Ordinance updates some of our existing policies and adds policies needed to clarify certain issues or are mandatory. One of the major goals in revising this ordinance is to provide an ordinance that will cover both the human services employees (Health, Mental Health, Social Services) as well as general government employees. Since the human services agencies are governed by the Office of State Personnel for personnel issues, they currently have several policies that are different from general government. This revised ordinance will allow us to work for the most part from one set of rules for most of our employees and thus be more consistent in handling personnel issues.

Drug Free Workplace Policy - Florida Hardy

Information Provided with the Agenda

This is an update of our current Drug Free Workplace Ordinance. It was originally written as an ordinance and included with the Administrative Ordinances. The County Attorney has advised that it is more feasible to administer it as a policy than an ordinance since the Drug Free Workplace Act changes frequently. The proposed policy gives more detail on the process and allows pre-employment drug /alcohol screenings on all new hires.

Motion:

Approve the policy as submitted effective July 1, 2002

Motion made by Vice Chairwoman Beth Ward.

Motion seconded by Commissioner Randy Royal.

Motion Passed Unanimously.

**PITT COUNTY ALCOHOL AND DRUG FREE
WORKPLACE POLICY**

SECTION I:

Purpose

Pitt County Government is committed to providing an alcohol and drug free workplace for its employees and those who conduct business with the County. This document establishes county policy and procedures for staff who are responsible for insuring that the letter and spirit of this commitment are communicated and implemented in Pitt County Government

SECTION II:

Definitions

Reasonable Cause/Suspicion

Reasonable Cause/Suspicion means an expressible belief based on specific objective facts, and rational inferences drawn from those facts, that an employee has consumed or is under the influence of alcohol or drugs while at work. Circumstances which constitute a basis for determining "reasonable suspicion" may include, but are not limited to:

- A. Observable occurrences, such as direct observation of alcohol or drug use and/or the physical symptoms of being under the influence of alcohol or drugs.
- B. A report of alcohol or drug use, by an employee while at work, provided by a reliable and credible source.
- C. A pattern of unexplained preventable accidents and/or information based on specific objective facts that an employee has caused, or contributed to an accident at work or while conducting county business while under the influence of alcohol or drugs.
- D. Evidence that an employee is involved in the unauthorized manufacture, solicitation, distribution, dispensation, possession, sale or use, of alcohol or drugs while working or while on the County's premises or in possession of or operating a County vehicle, machinery or equipment.
- E. Combative, abusive, violent or disruptive behavior (verbal or physical);
- F. Erratic behavior/mood swings;
- G. Relevant body or breath odors;
- H. Focus of investigation, arrest or conviction for drug related offense;
- I. Evidence of substance abuse or drug test tampering

- J. A pattern of excessive absenteeism, tardiness or deterioration in work performance in combination with an observable occurrence as described above.

SECTION III:

Policy

1. The following are prohibited on County premises and workplaces and while conducting any County business:
 - A. The unlawful manufacture, solicitation, distribution, dispensation, sale, possession or use of controlled substances.
 - B. The unlawful manufacture, possession, sale, distribution or delivery of drug paraphernalia.
 - C. Use of alcoholic beverages.

Any violation of A through C above shall be considered unacceptable personal conduct and shall be grounds for disciplinary action up to and including dismissal.
2. Impaired behavior and/or diminished performance on the job resulting from the use of alcohol or any controlled substance shall be considered unacceptable personal conduct and shall be grounds for disciplinary action up to and including dismissal.
3. The County will report violations of criminal drug statutes occurring in the workplace to the appropriate law enforcement officials.
4. All employees have a responsibility to report observed and suspected violations of this policy to their supervisor or department management.
5. Disciplinary action, up to and including dismissal, shall be taken when an employee:
 - A. Refuses to sign a consent form and participate in a required drug or alcohol test after being advised of the reasons for the request.
 - B. Intentionally tampers, or attempts to tamper, with a drug or alcohol sample or testing process.
 - C. Produces a confirmed positive test result.
6. Substances that may be tested for under this policy include:
 - A. marijuana/cannabinoids (THC)
 - B. cocaine metabolites
 - C. opiates
 - D. phencyclidine (PCP)
 - E. amphetamines/methamphetamines
 - F. alcohol
 - G. barbiturates (e.g., amobarbital, butabarbital, phenobarbital, secobarbital)
 - H. methaqualine (e.g., quaalude)
7. An employee who receives a positive test result may request that the same or split specimen be tested by another certified laboratory with the cost of such testing to be at the employee's expense.
8. When management has reasonable cause to believe an employee is using or is under the influence of alcohol or a controlled substance, the employee may be required to submit to an immediate drug and/or alcohol test. The test shall be administered by

qualified personnel and shall involve proper procedures of specimen collection and testing.

Section IV:

Procedures

The following procedures apply when a supervisor has reasonable cause to believe an employee is in violation of the County's Alcohol and Drug Free Workplace Policy.

1. Review the circumstances and actions which are the basis for the reasonable cause with the department head or designee.
2. The employee may be suspended for investigatory purposes in accordance with established policy.
3. In cases which involve possible manufacture, solicitation, distribution, dispensing, selling, or possession of controlled substances in the work place, the department head or designee should contact the local law enforcement agency and State Bureau of Investigation for assistance.
4. Document the situation in writing as fully as possible and instruct witnesses to reduce their observations to writing to the extent possible. Documentation should include specific dates, times, people involved, behavior, reactions, overall performance and a general discussion of the circumstances. Once reasonable cause has been established, the employee shall be advised of the following.

In addition to the above, the following is applicable to all County employees;

1. If, with the approval of the department head or designee, a test is warranted, the department head or designee, with a witness present, shall notify the Human Resources Department prior to informing the employee that as a condition of employment, management has the right to require him to submit to a drug or alcohol test. The employee shall be advised of:
 - A. basis for the reasonable cause and the requirement that the employee sign a test consent form;
 - B. methods of testing which may be used;
 - C. substances which may be identified;
 - D. importance of cooperating with the collection site personnel;
 - E. confidentiality of individual test results;
 - F. consequences of; refusing to sign consent form, failing to submit to immediate testing, failing to report for a specimen collection, or the receipt of positive test result.
2. Immediately after reviewing 1. A through F above with the employee, employee shall be advised of the location of the test and shall sign a consent form. (See attached)
3. County personnel shall transport the employee to the test site immediately after the consent form is signed.
4. If the employee refuses to sign the consent form or to undergo testing immediately as scheduled, the department head shall take appropriate disciplinary action.
5. If a non-positive test result occurs, the employee shall be notified immediately by the department head or designee. If the employee has been placed on investigatory suspension he shall be reinstated in accordance with Policy requirements. All records surrounding this incident shall be removed from the employee's personnel file. If the test

is positive, the department head, within 5 days of receiving positive test confirmation, shall inform the employee, in writing, of the results and the proposed action to be taken.

6. Disciplinary actions resulting from a confirmed positive test, refusal to participate in a test or of altering test results, shall be in accordance with established policies for disciplinary action.
7. Drug testing will be carried out by a laboratory certified by the U.S. DHHS and testing will be conducted via urine specimens.
8. Alcohol testing will meet industry standards or applicable U.S. DHHS guidelines and will be conducted via a saliva, blood or breath specimen.
9. All specimens will be collected under chain of custody procedures which include photo identification of the donor and protocols to assure specimen integrity.
10. A positive drug (controlled substance) test will undergo confirmatory testing.
11. A positive alcohol test will undergo confirmatory testing by either blood or breath.
12. All test results will be maintained in a secure and confidential manner in the County Human Resources Department and will not be released without written consent of the employee unless they are required as a result of action initiated by or on behalf of the employee.

SECTION V:

Pre-Employment Drug Screening

A. Pre-Employment Substance Abuse Screening

All job finalists are required to undergo drug/alcohol screening within forty-eight (48) hours (excluding Saturdays, Sundays, and holidays) upon an offer of employment and prior to final appointment as a probationary employee. Finalists who fail to undergo such screening within forty-eight (48) hours will not be considered for employment.

1. The Human Resources Department will make arrangements for applicants to be sent to a designated medical facility for testing.
2. Applicants will submit a Pitt County approved, signed substance abuse testing consent form to the qualified, approved laboratory provider, assenting to the testing procedure.
3. Applicant screening will be performed on urine specimens using a secure chain of custody procedure to reduce the likelihood of possible errors in the testing procedures. Gas Chromatograph/ Mass Spectrometry (GC/MS) or other appropriate, accepted medical testing procedures will be used to confirm all positive test results.
4. Upon completion of the tests, results will be sent to the employee/ applicant, if requested, and the appropriate staff member in the Human Resources Department.
5. Offers of employment shall not be extended until negative test results have been verified by the Human Resources Department.

B. Effect of Positive Result

An applicant with a confirmed positive test will not be considered for employment.

- C. The Human Resources Director will notify the department head or designee of the test result.
- D. Positive test results will be held in strict confidence with only the department head or designee, and Human Resources Director having access with no release of results in writing form.
- E. Employment decisions based on drug screening test results are final.
- F. All applicants for employment as criminal justice officers and all veteran law enforcement officers who apply for transfer from another law enforcement agency or who apply for reinstatement must submit to drug/alcohol screenings according to the drug testing rules adopted by the Sheriff's Standards Division of the State of North Carolina.

SECTION VI:

Rehabilitation

Pitt County government will support the employee in his efforts to rehabilitate himself when treatment is initiated by the employee. The employee may be given an extended leave to receive inpatient care. Upon release to duty by a qualified professional, the employee will be required to sign a document which gives Pitt County Government the right to require the employee to submit to periodic, random tests for twenty-four (24) months. An employee in rehabilitation is still required to maintain acceptable work performance standards. A confirmed positive test result during the twenty-four (24) months will result in immediate termination of employment. (Ord. of 11-4-91 § 4)

Request to Adopt Policy that Board only consider raising or setting taxes or fees at night meetings - Tom Johnson

Information Provided with the Agenda

Commissioner Johnson has requested that the Board only consider raising or setting taxes or fees at night meetings.

Meeting Notes

Commissioner Johnson said that this was proposed several months ago to set a policy that if Board considers raising taxes or fees, the meeting for those decisions be held at night. Commissioner Johnson motioned that fees and taxes only be raised at night meetings. This motion died for lack of a second.

Approval of Leases for Technology Center - John Chaffee

Information Provided with the Agenda

The Development Commission would like to request approval of two new leases for the Technology Center with Janus Development and TCT Solutions. In conjunction with these leases, the Commission is also requesting that the County authorize the draw down of \$150,000 of a \$200,000 line of credit established with the Global TransPark Development Zone by the Board of Commissioners in June 2000. Construction contracts for upfitting the space for the new tenants will also need to be approved.

Meeting Notes

Mr. John Chaffee stated that these are leases for TCT Solutions and Janus Development. He stated that they develop and provide advanced level computer training for the region. They provide a discount for education and training programs for tenants and makes training convenient for employees. Janus is a spin off of East Carolina University that develops assisted living devices for injured individuals and they do the marketing of the products. There is a 3.5% interest on the Global Transpark loan. Rent collected in 2001 was \$143,679 and \$152,000 was estimated for this year's rent. Mr. Chaffee said that the first tenant moved into the Technology Incubator in 1996. Commissioner James asked how many of the companies that they have located there have started up their own company. Mr. Chaffee said that a computer network support firm has established a company and employs 12-13 employees. Other companies have graduated and moved out. They have one success and one failure and still have other companies that continue to grow. He said one company is asking for expansion space. A biotech company stated that they wanted a lease agreement for seven years in order for them to move through all the processes. These funds come from the Development Commission funds. Leases are reviewed and approved by the County Attorney. These leases are different. He said he was here requesting the Chairman or County Manager be authorized to sign the change orders and move money to the construction account. A three year loan of \$150,000 from the Global Transpark at 3.5% interest would have to be repaid. Additional funds would be needed to pay for the improvements. The proposed construction exceeds the tenants area but would rough in additional space for proposed leases. He said they would be going into the reserve fund and may need to look at the schedule of work to be done. The contract has been with C.A. Lewis which was left open ended so they could complete the work. The original project was done on a bid basis. However, he said if the Board wants them to put it back out for bid, they would do so. He said Phil Dickerson, Melonie Bryan, Scott Elliott and himself would need to review the project. He said some of the work could be done by the County's Building and Grounds employees. They will need to determine what portion of the work they can do and if it is feasible with all their other obligations. He suggested that \$13,000 of the work could be done by the Buildings and Grounds staff but \$330,000 would still need to be contracted out with CA Lewis. The proposed construction area includes 6,000 to 7,000 square feet of space. The company employs six people but these changes also provides additional space for other tenants. Commissioner Coulson said he has a problem with this plan and would like to see more information concerning return on investment. Mr. Chaffee said overall there are fifty people employed in the Technology Center with a \$2.0 million payroll. There is risk involved and grants are used. These are gazelle companies and if they succeed they can grow substantially.

Mr. Chaffee explained that North Carolina is in the top five states in the nation for biotech firms. He said he is working with four companies. He said from 1996-2002, the County bought the property for the Technology Center for \$900,000 and has put \$250,000 in the Technology Center which is now a \$2.5 million asset. In addition, the County uses part of the building for storage. They have had a \$400,000 grant and a \$200,000 from North Carolina. Commissioner Coulson said these funds are still from taxes. Mr. Chaffee said that \$200,000 was brought back to the taxpayers. Commissioner James asked if this was the first renovation. Mr. Chaffee said this is the first time for a major renovation. They have developed space all along and can change space based on need. He said they have worked to have maximum flexibility to change the space around as needed. Mr. Chaffee said that the Technology Center is for promoting businesses in the highest technological companies and he said they have done a remarkable job with the funds available. He also noted that it was first building ever constructed in the industrial park. It is located at 1800 Greene Street in Greenville. He said this project has involved enormous time from volunteers on the Development Commission and they have relied on ECU and local developers on the Development Commission board. There are 6.8 acres with an additional 7.0 acres of contiguous property that was acquired. The Board of Elections stores voting machines in this building but there is no income generated from that storage. Commissioner Bowen asked if were any renovations made where the company moved out and

left the County "holding the bag." Mr. Chaffee said that this had happened. He discussed one of the tenants, Dr. Sala, who discovered and created the natural tissue for covering wounds.

Motion:

Approval of leases as submitted. Approve request to begin drawing down line of credit as needed. Approve construction contracts for upfitting new tenant space.

Motion made by Commissioner Terry Shank.

Motion seconded by Commissioner Randy Royal.

Motion Passed Unanimously.

Budget Amendment - Pitt County Development Commission - Technology Center - John Chaffee

Information Provided with the Agenda

The Development Commission would like to request a transfer of \$5,000 from the Commission's Fund Balance to the Technology Center's General Construction line because of a problem with the overhead doors at the Technology Center loading docks.

Department: Industrial Development Commission **Date of Request:** 6/4/02

FY Budget: 2001-2002

ACCOUNT NO.	TITLE OF ACCOUNT	INCREASE	DECREASE
262900 499100	Fund Balance	5000	
269300 598050	Transfer - Fund 50	5000	
501000 498026	Interfund Transfer	5000	
506000 558100	General Construction	5000	

Department Justification: (Please provide detailed explanation)

Industrial Development Commission fund balance to ECTC because of need to replace overhead door mechanisms at loading dock.

Motion:

Staff recommends approval.

Motion made by Commissioner Terry Shank.

Motion seconded by Commissioner Randy Royal.

Motion Passed Unanimously.

EMS - Adopt Service Districts Resolution - Scott Elliott

Information Provided with the Agenda

The attached resolution needs to be adopted by the Board.

RESOLUTION

TO
CREATE A COUNTY SERVICE DISTRICT TO PROVIDE
EMERGENCY MEDICAL SERVICES

THAT WHEREAS, the Pitt County Board of Commissioners has determined after extensive study that it is desirable for Pitt County to improve and extend Emergency Medical Services throughout the county; and

WHEREAS, the volunteer EMS units throughout the county need a better and more equitable funding source which can be met by a county EMS tax; and

WHEREAS, the needs of the citizens of Pitt County for these Emergency Medical Services would best be met by the establishment of a county service district, excluding any municipalities requesting exclusion; and

WHEREAS, the Pitt County Board of Commissioners has analyzed the standards set out in NCGS 153A-302 for the establishment of such a district, has held a public hearing to seek citizen input and has determined that:

- 1) There is a demonstrable need for providing Emergency Medical Services in the created district;
- 2) It is impossible or impracticable to provide these services on a countywide basis;
- 3) It is economically feasible to provide the proposed services in the district without unreasonable or burdensome annual tax levies.
- 4) There is a demonstrable demand for the proposed services by persons residing in the district.
- 5) There is an inability of some of the existing EMS/Rescue squads to meet their responsibilities, thereby putting additional burdens on other squads.

THEREFORE, be it resolved by the Board of Commissioners that the County shall assist in funding the Emergency Medical Services that are a part of this county service district through a tax within said district to be implemented in the next fiscal year, beginning July 1, 2002.

Duly adopted this the 17th day of June, 2002.

PITT COUNTY BOARD OF COMMISSIONERS

By: _____
Mark W. Owens, Jr. Chairman

Attest:

Susan J. Banks, Clerk

Meeting Notes

Mr. Elliott explained that the approval of this resolution was necessary for the implementation of the three cents countywide service district tax.

Motion:

Adopt Resolution to Create a County Service District to provide Emergency Medical Services.

Motion made by Commissioner Randy Royal.

Motion seconded by Commissioner Terry Shank.

Motion Passed Unanimously.

Adopt Resolution of Intent - Hospital Portfolio - Melonie Bryan

Information Provided with the Agenda

During the budget deliberations for Fiscal Year 2002-2003, the Board of Commissioners expressed a desire to have the option to replenish funds used from the original Hospital Portfolio. Staff has been in contact with representatives of the Local Government Commission to gain clarity on this issue. At their recommendation, we are putting forth the attached resolution for consideration. The resolution preserves the County's replenishment option and restates our position on these funds.

**RESOLUTION
DECLARING THE INTENT OF THE BOARD TO
REPLENISH FUNDS USED FROM THE "HOSPITAL PORTFOLIO" TO
MAINTAIN THE ORIGINAL PRINCIPAL AMOUNT OF THE FUND**

THAT WHEREAS, the Pitt County Board of Commissioners is charged with the responsibility of passing a balanced budget for Pitt County Government in the 2002-2003 fiscal year; and

WHEREAS, due to actions by the Governor of North Carolina in withholding revenues that were due to the County as well as the overall downturn in the local and national economy, this Board of County Commissioners has determined that there exists a great need for revenue in order to maintain a cash flow balance for the County's 2002-2003 annual budget even with substantial cuts in many areas and programs; and

WHEREAS, Pitt County has special authority granted by the General Assembly in a local act allowing Pitt County to expand the investment options for the funds derived from the transfer of Pitt County Memorial Hospital to a private nonprofit entity the special "Hospital Portfolio" is now invested in long term expanded investments; and

WHEREAS, this Board has determined that it is necessary to use a portion of the "Hospital Portfolio" to maintain cash flow in the 2002-2003 budget so that citizen needs can be met without a property tax increase; and

WHEREAS, it is the intent of this Board to replenish the principal balance of the "Hospital Portfolio" when economic and budgetary constraints allow; and

WHEREAS, the Local Government Commission has assured this Board that those funds taken from the original principal investment can be replaced and the new funds will continue to have the same flexibility in expanded investments as if those funds were a part of the original principal of the portfolio;

NOW, THEREFORE, BE IT RESOLVED that the Pitt County Board of Commissioners declares the Board's intent and option to replenish any funds taken from the "Hospital Portfolio" as the economic conditions and financial position of the County improves; and

THAT the Chairman of the Pitt County Board of Commissioners and the Clerk to the Board shall execute this Resolution confirming the intent of this Board to replenish the "Hospital Portfolio" at a future date.

Duly adopted this the 17th day of June, 2002.

Mark W. Owens, Jr., Chairman

Attest:

Susan J. Banks, Clerk

Meeting Notes

Commissioner Johnson asked for a change to proposed resolution to include a statement about cash flow.

Motion:

Approve Resolution Declaring the Intent of the Board to Replenish funds used from the "Hospital Portfolio" to maintain the original principal amount of the Fund with the requested wording changes.

Motion made by Commissioner Tom Johnson.

Motion seconded by Commissioner Glenn Bowen.

Motion Passed Unanimously.

Adoption of Budget Ordinance for Fiscal Year 2002-2003 - Melonie Bryan

Information Provided with the Agenda

The budget ordinance as presented officially sets the stage for the operation of the County for the new fiscal year. It serves several purposes as outlined below:

- 1) It establishes anticipated revenues by fund and expenditure limits by department/fund
- 2) It establishes the tax rates for the County, the Industrial Development Commission and the Fire Districts and EMS Districts
- 3) It establishes management authority for contracts and budget amendments
- 4) It establishes compensation rates for the Board of Commissioners
- 5) It establishes the County's solid waste fees and endorses fee changes presented during the budget workshops and public hearing
- 6) It directs that taxes be levied in accordance with the NC Revenue Act and empowers the Tax Collector to collect taxes on behalf of the County and the participating municipalities.

Adoption of this ordinance will allow staff to move forward into establishing the new year as of July 1, 2002 and prepares the tax departments to begin the billing and collection process for next year.

Meeting Notes

Mr. Elliott stated that the budget document put before the Board today had the changes requested by the Board and he reviewed each of the changes. Nonprofits and Affiliate agencies funding at last year's level were added back in. Commissioner James said Bethel recreation had not been added and it will be used by Pitt County residents. He asked that \$2,000 be put back in the budget to help them with putting up lights.

Motion:

Include in 2002-2003 County budget \$2,000 include Bethel Recreation.

Motion made by Commissioner Eugene James.

Motion seconded by Commissioner Glenn Bowen.

Motion Passed Unanimously.

**Revisions Made by Board of Commissioners
To Manager's Recommended Budget**

Dept	Description	Actual	Net Change to General Fund
REVENUE	Reduce Fund Balance Budgeted	8,515,652	(428,486)
			(428,486)
EXPENSES			
County Manager	Car Allowance Removed		(3,600)
Nonprofit/Affiliate Agencies	Funding At Last Yr Level – Not to Exceed Request (See Nonprofit List Attached)		(21,942)
Transfer to EMS District	Reduce Appropriation	711,391	(402,944)
			<u>\$428,486</u>

Commissioner Bowen motioned the that 1.1% Cost of Living raise that was included in the budget be determined for each employee and to give them that much money so it would be a dollar raise. Mr. Elliott discussed the reasoning behind leaving the funds as a cost of living increase in pay. Ms. Bryan stated that there was \$365,000 county dollars budgeted for the 1.1% cost of living and if the Board changes it to a flat amount across the employees, it will cost the County more money. Ms. Bryan said that there is a pay plan with steps and grades for rewarding the employees and taking this action could distort the pay plan. It would be more of a bonus.

Mr. Elliott said the cost of living increase was based on the Consumer Pricing Index that was at 1.1% on January 1. Commissioner Bowen spoke about increase in health insurance for employees. Mr. Elliott said the employees are also eligible for a 1.2% merit increase that could help cover the increase in insurance. Commissioner Johnson said Commissioner Bowen has a worthy goal but the better approach was a 1.1% cost of living raise. Commissioner James asked if the 1.2% could be put towards their hospitalization insurance. Ms. Bryan said only 25% of the employees will be affected with the increase in family coverage. Mr. Elliott also mentioned the pre-tax plan that is available for employees. Commissioner Coulson spoke about the increase each year in insurance and the co-pays on prescriptions that went up last year.

Commissioner Royal asked about the removal of the car allowance for the Assistant County Manager. Mr. Elliott explained that in the original proposal the car allowance was removed when other cuts were made to meet the 2.5% and 5% reductions. He said that when the Board recommended use of hospital funds for funding the deficit and he was instructed to add things back in, he put the car allowance back in the budget. Then at the last meeting, the Board voted to remove it again. Commissioner Royal asked if there would be any car allowance for the Assistant Manager. Ms. Bryan said he would revert back to getting paid mileage like the remaining senior staff. Vice Chairwoman Ward asked the Manager to explain about extra travel money in a central fund. Mr. Elliott said the 50% travel funds that were cut, were put in a non-departmental line item so when travel funds have been spent down in a department, those funds would then be available on an individual request basis.

Motion:

Reinstate the additional \$15,000 in the 2002-2003 County budget for the Council on Aging.

Motion made by Commissioner Johnson.

Motion seconded by Commissioner Hammond.

Vote Record:

Tom Coulson	Yes
Beth Ward	No
Randy Royal	Yes
David Hammond	Yes
Terry Shank	Yes
Glenn Bowen	No
Eugene James	No
Tom Johnson	Yes
Mark Owens, Jr.	No

Total Yes Votes: 5

Total No Votes: 4

Motion Passed.

Motion:

Motion to approve amended budget ordinance.

Motion made by Commissioner Eugene James.

Motion seconded by Commissioner Tom Johnson.

Vote Record:

Vote Record:

Tom Coulson	Yes
Beth Ward	Yes
Randy Royal	No
David Hammond	Yes
Terry Shank	No
Glenn Bowen	Yes
Eugene James	Yes
Tom Johnson	Yes
Mark Owens, Jr.	Yes

Total Yes Votes: 7

Total No Votes: 2

Motion Passed.

BUDGET ORDINANCE

COUNTY OF PITT, NORTH CAROLINA

BUDGET ORDINANCE

Fiscal Year 2002-03

BE IT ORDAINED by the Board of County Commissioners, County of Pitt, North Carolina:

SECTION I. The following amounts are hereby appropriated for the operation and maintenance of the County's various governmental departments, for the payment of debt service obligations, and for capital outlay purchases during the Fiscal Year beginning July 1, 2002 and ending June 30, 2003:

GENERAL FUND

Governing Board, County Manager, Legal, Public Information	\$1,271,725
Finance, Tax Assessor, Tax Collector, Elections	3,052,503
Register of Deeds	629,354
Human Resources, Veterans Affairs	448,102
Printshop/Mailroom, Mgmt Information Sys, Geographic Information Sys	1,825,147
Buildings & Grounds, Housekeeping	2,235,510
Sheriff, School Security, Detention, Jail Inmate Services, Jail Health Services	13,441,087
Emergency Services	529,606
Communications	690,159
Medical Examiner	80,000
Other - Environmental Protection, Economic Development, Public Safety, Human Services, Cultural/Recreation, Transportation	-
Planning	1,169,648
Engineering, Inspections, Animal & Mosquito Control	628,559
Cooperative Extension, Farmers' Market	973,745
Soil & Water Conservation	299,694
	230,576
Pitt County Schools	25,287,249
Pitt Community College	3,006,000
Transfers to Other Funds	21,998,390
Non-Departmental, Contingency	2,314,958
TOTAL	\$80,112,012

LAW ENFORCEMENT OFFICERS' PENSION FUND

LEO Pension Operating Expenses	\$77,500
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HEALTH FUND

Administration	\$1,414,605
Environmental Health	799,256
Communicable Disease	1,327,319
Adult Health Promotion	549,411
Women's & Children's Health	3,370,994
TOTAL	\$7,461,585

SOCIAL SERVICES FUND

Administration	\$1,862,440
Services & Programs	13,819,116
Public Assistance	9,880,048
Child Support	1,436,184
TOTAL	\$26,997,788

COURT FACILITIES FUND

Court Facility Operating Expenses	\$421,118
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MENTAL HEALTH FUND

Administrative Services	\$8,627,841
Child & Family Services	3,606,107
Developmental Disabilities	4,273,399
Adult MH/SA Services	5,174,502
TOTAL	\$21,681,849

SCHOOL CAPITAL RESERVE FUND

School Reserve Operating Expenses	\$6,857,350
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WATER/SEWER REVOLVING FUND

Water/Sewer Reserve Operating Expenses	\$98,940
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STATE GRANTS FUND

Elderly Handicapped Grant	\$50,739
CORP Grant	121,792
JCPC Alternative Education Grant	40,100
JCPC Resolve & Mediation Grant	64,908
JCPC Juvenile Restitution Grant	65,450
JCPC Juvenile Crime Prevention Grant	15,500
JCPC Rights of Passage Grant	45,192
JCPC Teen Court Grant	27,637
TOTAL	\$431,318

REVALUATION FUND

Revaluation Operating Expenses	\$252,103
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INDUSTRIAL DEVELOPMENT COMMISSION FUND

Industrial Development Operating Expenses	\$979,878
ECTC Rental Operation	155,850

TOTAL \$1,135,728

FIRE DISTRICTS FUND

Fire Districts	Levy
Ayden	\$42,219
Bell Arthur	56,203
Black Jack	20,883
Clarks Neck	17,208
Eastern Pines	91,497
Falkland	50,843
Farmville	29,471
Fountain	13,282
Gardnerville	33,906
Grifton	45,784
Grimesland	22,538
Pactolus	36,617
Red Oak	38,897
Simpson	54,712
Staton House	115,749
Stokes	24,703
Winterville	65,645

TOTAL \$760,157

EMS DISTRICT FUND

Pitt County (less Greenville) \$2,672,038

E-911 SURCHARGE FUND

Communications	\$245,642
Planning	197,700
Other 911 Projects	25,500
Wireless Communication	67,780

TOTAL \$536,622

DEBT SERVICE FUND

Principal and Interest on Debt \$10,410,182

SCHOOL CAPITAL PROJECT FUND

Capital Outlay Expenses \$977,000

SOLID WASTE FUND

Solid Waste Operating Expenses \$6,945,110

**GARAGE
FUND**

Garage Operating Expenses	\$357,600
HOSPITALIZATION FUND	
Administration Expenses	\$5,785,350
WORKERS' COMPENSATION FUND	
Workers' Compensation Operating Expenses	\$480,000
GRAND TOTAL - ALL FUNDS - EXPENDITURES	\$174,451,350

SECTION II. It is hereby estimated that the following revenues will be available during Fiscal Year 2002-03 to meet the foregoing appropriations:

GENERAL FUND

Ad Valorem Taxes	\$44,537,736
Other Taxes	16,419,399
Restricted & Unrestricted Revenues	526,912
Permits & Fees	1,639,753
Sales & Services	3,772,185
Investment Earnings	2,200,000
Miscellaneous Revenues	1,683,375
Debt & Non Revenue Receipts	800,000
Fund Balance Appropriated	8,532,652
TOTAL	\$80,112,012

LAW ENFORCEMENT OFFICERS' PENSION FUND

Investment Earnings	\$3,000
Transfer from General Fund	74,500
TOTAL	\$77,500

HEALTH FUND

Restricted & Unrestricted Revenues	\$4,398,460
Fund Balance Appropriated	545,962
Transfer from General Fund	2,517,163
TOTAL	\$7,461,585

SOCIAL SERVICES FUND

Restricted & Unrestricted Revenues	\$14,333,619
Transfer from General Fund	12,664,169
TOTAL	\$26,997,788

COURT FACILITIES FUND

Facilities Fees	\$413,618
Investment Earnings	7,500
TOTAL	\$421,118
MENTAL HEALTH FUND	
Restricted & Unrestricted Revenues	\$20,087,261
Transfer from General Fund	1,594,588
TOTAL	\$21,681,849
SCHOOL CAPITAL RESERVE FUND	
Local Option Sales Tax	\$4,818,989
State Public School Building Capital Funds	836,329
Fund Balance Appropriated	1,202,032
TOTAL	\$6,857,350
WATER/SEWER REVOLVING FUND	
Fund Balance Appropriated	\$98,940
STATE GRANT FUNDS	
Elderly Handicapped Grant	\$50,739
CORP Grant	121,792
JCPC Alternative Education Grant	40,100
JCPC Resolve & Mediation Grant	64,908
JCPC Juvenile Restitution Grant	65,450
JCPC Juvenile Crime Prevention Grant	15,500
JCPC Rights of Passage Grant	45,192
JCPC Teen Court Grant	27,637
TOTAL	\$431,318
REVALUATION FUND	
Fund Balance Appropriated	\$212,103
Transfer from General Fund	40,000
TOTAL	\$252,103
INDUSTRIAL DEVELOPMENT COMMISSION FUND	
Ad Valorem Taxes	\$956,678
Rental Income	164,050
Investment Earnings	15,000
TOTAL	\$1,135,728
FIRE DISTRICTS FUND	

Ad Valorem Taxes	\$760,157
EMS DISTRICT FUND	
Ad Valorem Taxes	\$1,074,147
Sales & Services	886,500
Transfer from General Fund	711,391
TOTAL	\$2,672,038
E-911 SURCHARGE FUND	
911 User Fees	\$536,280
Investment Earnings	342
TOTAL	\$536,622
DEBT SERVICE FUND	
Transfer from General Fund	\$3,991,479
Transfer from School Capital Reserve	5,880,350
Other Transfers	314,400
Miscellaneous	223,953
TOTAL	\$10,410,182
SCHOOL CAPITAL PROJECT FUND	
Transfer from School Reserves	\$977,000
SOLID WASTE FUND	
Fees & Charges	\$6,693,260
Other Revenues	246,850
Investment Earnings	5,000
TOTAL	\$6,945,110
GARAGE FUND	
User Charges	\$254,750
Other Revenues	80,000
Fund Balance	22,850
TOTAL	\$357,600
HOSPITALIZATION FUND	
Premiums	\$5,765,109
Other Revenues	20,241

TOTAL	\$5,785,350
WORKERS' COMPENSATION FUND	
Transfer from General Fund	\$405,100
Transfer from Solid Waste Fund	15,000
Investment Earnings	9,900
Other Revenues	50,000
TOTAL	\$480,000
GRAND TOTAL - ALL FUNDS - APPROPRIATIONS	\$174,451,350

SECTION III. The following tax rates, based upon collections of 95.05%, are hereby levied for the Fire and EMS Districts for Fiscal Year 2002-03:

Fire Districts	Tax Rate	Estimated Valuation	Levy
Ayden	\$0.0400	\$111,044,200	\$42,219
Bell Arthur	\$0.0500	\$118,259,200	\$56,203
Black Jack	\$0.0300	\$73,234,300	\$20,883
Clark's Neck	\$0.0500	\$36,208,500	\$17,208
Eastern Pines	\$0.0250	\$385,047,400	\$91,497
Falkland	\$0.0600	\$89,151,000	\$50,843
Farmville	\$0.0400	\$77,513,900	\$29,471
Fountain	\$0.0500	\$27,948,100	\$13,282
Gardnerville	\$0.0750	\$47,562,600	\$33,906
Grifton	\$0.0450	\$107,039,700	\$45,784
Grimesland	\$0.0400	\$59,279,600	\$22,538
Pactolus	\$0.0465	\$82,847,600	\$36,617
Red Oak	\$0.0400	\$102,307,400	\$38,897
Simpson	\$0.0500	\$115,123,300	\$54,712
Staton House	\$0.0175	\$695,868,900	\$115,749
Stokes	\$0.0500	\$51,980,000	\$24,703
Winterville	\$0.0250	\$276,253,100	\$65,645
EMS District			
Pitt County (less Greenville)	\$0.0300	\$3,766,953,000	\$1,074,147
TOTAL			\$1,834,304

SECTION IV. The County Manager and/or Financial Services Director are hereby authorized to transfer appropriations within a fund as contained herein under the following conditions:

- The Financial Services Director or designee may transfer amounts between objects of expenditure within a department
- The County Manager may transfer amounts less than \$20,000 between departments within a fund upon finding they are consistent with operational needs.

- c. The funding for merit (step) increases, reclassifications, and cost of living allowances may be moved from the budgeted reserve with the approval of the Financial Services Director.
- d. No revenues may be increased, no funds can be moved from the Contingency account, and no transfers between funds can be processed unless formal action is taken by the Board of Commissioners.
- e. Upon notification of funding decreases from state, federal or grant sources, budgets may be adjusted to match with the approval of the County Manager. Board of Commissioners action will not be required unless staffing is affected.

SECTION V. The County Manager is hereby authorized to execute new contracts, service agreements, and change orders valued \$50,000 or less on behalf of the County provided that sufficient funding is available and the action is consistent with County policy. Actions between \$30,000 and \$50,000 will be reported back to the Board. Additionally, renewal contracts already budgeted may be signed regardless of the amount.

SECTION VI. County Commissioners are to be compensated at a rate of \$805 per month for regular service, and \$50 per meeting when sitting as the Board of Equalization and Review (usually 2 meetings per year). County Commissioners are compensated \$200 per month, the Chairman, \$400, and the Vice Chair, \$300, to cover mileage and expenses incurred in the service of Pitt County.

SECTION VII. Schedule B taxes shall be levied in accordance with the North Carolina Revenue Act.

SECTION VIII. Changes to Pitt County fees and charges as presented in Budget Workshops will be effective July 1, 2002 and incorporated into the Pitt County Manual of Fees.

SECTION IX. The Board of County Commissioners hereby levies a tax rate of sixty-six and one-half cents (.6650) per one hundred dollars (\$100.00) of valuation on property for the County General Fund and one and one-half cents (.0150) per one hundred dollars (\$100.00) of valuation on property listed for taxes for the Industrial Development Commission Fund, for a total levy of sixty-eight cents (.68) per one hundred dollars (\$100.00) of valuation for current year's property tax.

The tax rate is based upon an estimated total valuation of property for the purpose of taxation at \$6,710,000,000 and an estimated collection rate of 95.05%.

SECTION X. The Board of County Commissioners hereby levies a per household assessment fee on solid waste disposal in the amount of \$65 per household and \$46 per ton for non-residential tipping fees, and authorizes the assessment amount to be printed on the Pitt County Property Tax statement. The assessment is authorized to be collected in the same manner as property tax.

SECTION XI. The Board of County Commissioners hereby authorizes the Pitt County Tax Collector to collect taxes for the City of Greenville, the Towns of Falkland, Grimesland, Bethel, and the Village of Simpson in compliance with the contracts adopted by the governing boards. The County will also be collecting vehicle taxes and gross receipts taxes

for the Towns of Ayden, Farmville, and Grifton in compliance with G.S. 105-330 and G.S. 105-275(42). The County also collects vehicle taxes for the Towns of Fountain and Winterville in compliance with G.S. 105-330. A charge of 1-1/2% of all taxes collected for the units of government will be payable to Pitt County for said collection services.

Adopted this 17th day of June, 2002.

Mark W. Owens, Jr., Chairman
Pitt County Board of Commissioners

(SEAL)

Susan J. Banks, Clerk
Pitt County Board of Commissioners

Budget Amendment - Medical Examiner - Melonie Bryan

Information Provided with the Agenda

This amendment appropriates contingency funds in the amount of \$10,000 to cover Medical Examiner expenses through the end of the fiscal year. Autopsies in the county have already exceeded last year's level and the anticipated budget.

Department: Medical Examiner

Date of Request: 6-6-02

FY Budget: 01-02

ACCOUNT NO.	TITLE OF ACCOUNT	INCREASE	DECREASE
109910 599100	Contingency		10,000
104360 539921	Autopsy Services	10,000	

Department Justification: (Please provide detailed explanation)

We are continuing to experience a high level of autopsies and anticipate needing these additional funds to carry this account through the last month of the fiscal year.

Motion:

Approval of budget amendment as presented.

Motion made by Commissioner Tom Johnson.

Motion seconded by Commissioner Randy Royal.

Motion Passed Unanimously.

Resolution Supporting Continuing The Scrap Tire Disposal Tax At 2% - Phil Dickerson

Information Provided with the Agenda

The State appears to be poised to let the Scrap Tire Disposal Tax be reduced from 2% to 1% through a sunset provision in the tax bill. In other words, the tax will be reduced if no action is taken by the legislature.

Pitt County receives proceeds from this tax in at least three ways:

- 1) The County receives funds through a distribution formula. This revenue is estimated to be \$89,000 in FY 01-02.
- 2) Funds are received by the County to make up for the revenues from the distribution formula not being sufficient to cover disposal costs. This revenue is estimated to be \$30,000 per year.
- 3) The Scrap Tire Tax also funds some general recycling grants. Pitt County has applied for approximately 10 of these grants and has been awarded all of them. The grants have ranged from \$5000 to \$50,000 each.

If the revenues to the Scrap Tire Disposal Fund are reduced, Pitt County is likely to lose part or all of the revenues in all three ways in which we receive the funds. Due to Pitt County's aggressive pursuit of the grant funds reductions in the funding will affect the County more severely than most other Counties in the State.

RESOLUTION TO SUPPORT CONTINUATION OF EXISTING SCRAP TIRE ADVANCE
DISPOSAL FEE AND TO REMOVE THE SUNSET PROVISION THAT WILL REDUCE THE FEE
FROM 2% TO 1% EFFECTIVE JUNE 30, 2002

WHEREAS, the 2% Advance Disposal Fee is the central component of the North Carolina State Scrap Tire Program;

WHEREAS, this is one of the few areas in recycling and in promotion of solid waste reduction where the state of North Carolina has actively demonstrated leadership and vision; and

WHEREAS, the program has been highly effective here in Pitt County and throughout the state;

WHEREAS, the fee has previously been 1% and was found to be inadequate to fund the essential programs related to managing scrap tires;

WHEREAS, the fee supports abatement of nuisance tire collection sites and has been utilized here in Pitt County for that very purpose;

WHEREAS, the fee supports and encourages scrap tire recycling activities; and

WHEREAS, the fee directly contributes to the significant reduction in illegal dumping of scrap tires across the state by providing and fully funding a program that efficiently and effectively manages this waste material.

NOW THEREFORE BE IT RESOLVED by the Board of Pitt County Commissioners that the Board fully supports the continuation of the 2% advance disposal fee and urges the legislature to make the existing Scrap Tire Disposal Program permanent.

This, the 17th day of June, 2002.

Mark W. Owens, Jr., Chair
Pitt County Board of County Commissioners

Attest:

Susan J. Banks, Clerk to the Board

Meeting Notes

Mr. Dickerson said that the County can get a percentage of this tax and can apply for funds if the costs run over, and another way to fund is recycling grants.

Motion:

Adopt the attached resolution and forward it to Pitt County's Legislative Delegation.

Motion made by Commissioner Eugene James.

Motion seconded by Vice Chairwoman Beth Ward.

Motion Passed Unanimously.

Contract with Central Carolina Holdings - LLC For Disposal of Scrap Tires - Phil Dickerson

Information Provided with the Agenda

The County has relied on Central Carolina Holdings, LLC for disposal of scrap tires generated in the County for approximately seven years. The contractual relationship has been entirely satisfactory. The contract now needs to be re-negotiated.

In 1995, the County paid \$68.00 per ton for tire disposal. The fee is now \$72.00 per ton. The new fee, if the five-year contract is executed, will be \$69.00 per ton. The new fee will be 1.5% more than the fee charged in 1995 and 4% less than the present fee. There is, however, a provision whereby the per ton fee can increase with inflation up to 1.5% per year.

Motion:

The staff recommends that Pitt County Board of Commissioners authorize its Chairman to execute the contract upon final approval by the county attorney.

Motion made by Commissioner Eugene James.

Motion seconded by Vice Chairwoman Beth Ward.

Motion Passed Unanimously.

*Easement for Existing Water Lines Installed and Maintained by
Greenville Utilities on South Central High School Property - Phil Dickerson*

Information Provided with the Agenda

It is the interpretation of the County Engineer and the County Attorney that any easement granted on the South Central High School property should be executed by the County as owner and lessor as well as the Board of Education as lessee, in order to comply with the lease agreement effective on November 21, 2000 and recorded in book 1089, page 699, Pitt County Registry.

Greenville Utilities Commission (GUC) has requested a 10' easement (5' on either side of existing water lines) for the purpose of maintaining a water line and fire hydrants installed to serve and protect the school. The alternative to GUC maintaining the water lines would be for the school to be responsible for maintaining the lines within the school property.

GRANT OF ALL UTILITIES EASEMENT

DATE _____

KNOW ALL MEN BY THESE PRESENTS, that the undersigned "GRANTOR" (whether one or more), for and in consideration of the sum of ONE DOLLAR (\$1.00) and other good and valuable consideration to it in hand paid by GREENVILLE UTILITIES COMMISSION of the City of Greenville, Pitt County, North Carolina, hereinafter referred to as the "COMMISSION", the receipt of which is hereby acknowledged, does hereby grant the City of Greenville, a body politic and corporate in Pitt County, North Carolina, for use of the "COMMISSION", its licensees, successors and assigns, the right, privilege and easement to go in, through, under, and upon lands of the GRANTOR located in Winterville Township, Pitt County, North Carolina, and more fully described as follows:

(Reference is hereby made to Deed Book 905, at Page 642, in the Office of the Register of Deeds of Pitt County, North Carolina) and to construct, install, operate and maintain sanitary sewer lines, water lines, gas lines and electrical lines in a manner suitable to the Commission upon, across, under and through said premises within an easement and right of way strip of the width, location and approximate length hereinafter defined and to be utilized by the Commission a permanent easement for the public use with the right to do all things necessary or convenient thereto, including the following:

- (a) the right of officers, agents, and workmen of the Commission and its contractors to go to and from said right of way strip at all times over the above described land by such route or routes as shall occasion the least practicable inconvenience to Grantor, including private roads and ways then existing thereon, on foot or by conveyance, with materials, machinery, supplies and equipment as may be desirable; provided that except in emergencies, existing roads and ways thereon shall be used to the extent that they afford ingress and egress to and from the right of way strip; and to construct, reconstruct, work upon, repair, alter, inspect and in general do any other thing necessary or convenient to maintain and operate said lines for the purpose aforesaid;
- (b) the right and privilege at all times to enter upon the land included in the area of the permanent easement hereinabove described for the maintenance and repair of said utility facilities;
- (c) the right to clear, and keep cleared, from said right of way strip all structures (other than ordinary fences, but when Commission desires, such fences may be opened and reclosed or temporarily removed and replaced, or Commission may provide suitable gates therein) and all vegetation which may interfere with the utility facilities herein described and to use (1) chemicals which are not injurious to human beings,

domestic animals, fish or game, (2) machinery, and (3) other forms of equipment and devices in so doing;

- (d) the right to install, construct, repair, maintain and operate all utility lines, structures and appurtenant facilities of the Commission.

The easement is 10' in width, 5" each side of water line and hydrants as installed, and has its beginning in the southern property line of lot #51, Woodridge Subdivision, Section IV and runs various courses and distances and is further identified on the map attached hereto entitled "Water Easement for Greenville Utilities Commission – New 10' Utility Easement Across Property of the County of Pitt – Winterville Township, Pitt Co., NC", by Gary S. Miller & Associates and dated May 15, 2002.

The structures and appurtenant facilities installed by the Commission shall be and remain the property of the Commission and may be removed by it at any time and from time to time.

Grantor reserves the right to use the lands in and over which the right of way and easement rights are hereby granted for all purposes not inconsistent with said right of way and easement rights, except that Grantor agrees that (1) no buildings or permanent structures, wells, septic tanks, absorption pits, underground or overhead storage tanks, burial plots, or any other obstruction which might interfere with the construction, maintenance and operation of said utility facilities shall be placed within the area of said strip without the express written permission of the Commission; and (2) the Commission's facilities shall in no way be interfered with or endangered by the Grantor or Grantor's licensees, successors or assigns, without the express written permission of the Commission.

The Commission agrees that it will repair, rebuild, replace or pay the actual damages sustained as mutually agreed upon by the Commission and Grantor, and pay the actual damages to actual crops inside said right of way strip on the above land caused by the construction, operation, maintenance, inspection, rebuilding and removal of said lines, and in going to and from said right of way strip, and will repair any extraordinary damage to any bridge or to any road due to heavy hauling to and from the said right of way strip if claim is made within a period of thirty (30) days after such damages are sustained by Grantor.

Any notice to be given by one party to the other party hereunder may be delivered or deposited postage prepaid addressed to the following:

GRANTOR: NAME: Pitt County

ADDRESS: 1717 West Fifth Street

CITY/STATE/ZIP CODE: Greenville, NC 27834

COMMISSION: Greenville Utilities Commission
P. O. Box 1847
200 Martin Luther King Jr. Drive
Greenville, North Carolina 27835-1847

TO HAVE AND TO HOLD the aforesaid rights, privileges and construction easement unto the Grantee for such period of time as may be required to complete the construction of said utility facilities, and thereafter a permanent easement unto the Grantee and its successors, licensees and assigns for the uses and purposes hereinabove set forth.

And Grantor, for the Grantor and for the Grantor's heirs, executors, administrators, licensees, successors and assigns, covenants to and with the Commission, its licensees, successors and assigns, that Grantor is lawfully seized of the above described land in fee and has the right to convey the said rights, easements and privileges herein described; that the same is free and clear from any and all encumbrances not satisfactory to the Commission; that the Commission shall have quiet and peaceful possession, use and enjoyment of the aforescribed easement of right of way, rights and privileges; that the Grantor shall execute such further assurances thereof as may be reasonably required by the Commission; and Grantor will forever warrant and defend the title to the said easement of right of way, rights and privileges against the lawful claims of all persons whomsoever.

The singular shall include the plural and reference to gender shall include masculine, feminine and neuter.

IN WITNESS WHEREOF, the Grantor has adopted the word "SEAL" as his seal and has hereunto set his hand and seal, or if Grantor be a corporation, Grantor has caused these presents to be signed in its corporate name by its corporate officers, duly attested and its corporate seal hereunto affixed, all by authority of its Board of Directors duly given, this the day and year first above written.

COUNTY OF PITT

By _____
CHAIRMAN

PITT COUNTY BOARD OF COMMISSIONERS

ATTEST:

CLERK

STATE OF NORTH CAROLINA

COUNTY OF PITT

I, _____, a Notary Public of the aforesaid County and State, hereby

certify that _____ personally appeared before me this day and acknowledged that she is the Clerk to the Board of Commissioners of Pitt County, a corporation, that the foregoing and annexed instrument was signed by _____, its Chairman, attested by herself as its Clerk and has hereunto affixed its corporate seal, all by authority of its Board of Commissioners duly given.

Witness my hand and Notarial Seal, this the _____ day of _____, 2002.

NOTARY PUBLIC

My commission expires:

STATE OF NORTH CAROLINA

COUNTY OF PITT

The foregoing certificate(s) of _____, Notary Public(s) of the

aforesaid County and State, is/are certified to be correct.

This the _____ day of _____, 2002.

REGISTER OF DEEDS,
PITT COUNTY, NORTH CAROLINA

Meeting Notes

Mr. Dickerson explained that this agreement allows Greenville Utilities to install fire hydrants and maintain water lines to the new South Central High School property. The Schools will be responsible for maintaining the water lines within the school property.

Motion:

It is recommended that after review by the County Attorney, that the Chairman of the Pitt County Board of Commissioner's authorize its Chairman to execute the easement on

behalf of the County. It is further recommended that after execution by the Chairman, the easement be sent to the Board of Education for execution by the Board.

Motion made by Vice Chairwoman Beth Ward.

Motion seconded by Commissioner Eugene James.

Motion Passed Unanimously.

Proposed Property Land Swap with Tommie Little - Phil Dickerson

Information Provided with the Agenda

In 1997, Pitt County purchased approximately 15 acres of land north of the landfill from United Carolina Bank. The purchase was intended to provide a buffer between future development and the closed landfill. The strip of land is approximately 250' wide except for the eastern portion of the tract. That portion, with 350' frontage on the proposed Westpointe Drive, averages approximately 300 feet in depth. Mr. Tommie Little plans to construct Westpointe Drive along the County's frontage. He would naturally like to use the property on both sides of the new road for development. He has offered to buy a parcel 125' deep along the Westpointe Drive frontage. The acreage would be approximately 1.25. Surveys will be required to determine the exact area to be swapped.

Rather than sell Mr. Little the property the staff believes that a swap can be made that will benefit both parties. Mr. Little owns a tract of commercial property adjacent to the County's Stantonsburg Road convenience center. A part of the tract lies between Stantonsburg Road and the proposed site for a new animal shelter. If the County acquired a part of Mr. Little's land, the County would have better access to the proposed animal shelter site and a better buffer to the landfill in that area

Meeting Notes

Mr. Dickerson stated that Mr. Little had asked if the County would consider selling a portion of this property. He said the County needs frontage on Stantonsburg Road and Mr. Little owned road frontage. He said they had been looking at a tract of land for the Animal Shelter and this would provide frontage. In addition it would provide frontage for the residential area for Mr. Little. He stated he would recommend supporting this land swap.

Motion:

The staff recommends that the Chairman be authorized to execute documents that will effect a swap of equal areas of land between Mr. Little and the County with the County retaining a 30' ingress and utility easement from Westpointe Drive to the remaining County property.

Motion made by Vice Chairwoman Beth Ward.

Motion seconded by Commissioner Terry Shank.

Commissioner James asked about the buffer. Mr. Dickerson said there would still be more buffer. Commissioner Bowen asked about size of the pieces of property. Mr. Dickerson stated that both pieces of property were around 300 feet.

Motion Passed Unanimously.

Adelphia Adjusts Basic Cable Rate - Thomas Lynch

Information Provided with the Agenda

Adelphia Cable has filed FCC Forms 1205 and 1240 in order to adjust their rates for the Basic Service Tier (BST). This tier includes channels 2 through 14.

Adelphia has adjusted their Maximum Permitted Rate (MPR) by using form 1240. Their new MPR, which is supported by documentation provided by Adelphia, is set at \$10.10, down from \$10.66 last year. The MPR indicates the highest amount they may charge for their BST, based on actual costs from the past year and predicted costs for the coming year.

Adelphia has selected \$ 10.00 as the new BST rate for the coming year, down from \$10.56 last year.

Meeting Notes

Mr. Thomas Lynch reported that each cable franchise has to submit two forms when changing their basic service tier rates. Both forms have been filed with the County by Adelphia in order to adjust their rates for their basic tier service. The new rate this year is \$10.00. Last year the rate was \$10.56. Their rate is actually going to be reduced and the rates will change effective August 1.

Motion:

Accept FCC Forms and BST rate adjustment, pending further review.

Motion made by Commissioner Tom Johnson.

Motion seconded by Commissioner Randy Royal.

Motion Passed Unanimously.

Board Meeting Schedule - Consider Night Meetings - Tom Coulson

Information Provided with the Agenda

Commissioner Coulson requested the Board reconsider holding the Board meetings at night. He asked that at least one meeting per month be held at night.

If the Board chooses to meet once a month at night, staff would like to request this change be effective August, 2002. The reason for this request is that the Employee Service Awards have already been scheduled and notices mailed out for a 9am meeting on July 15th.

Should the Board choose to make this change, the attached resolution will have to be completed and posted ten days prior to this changed meeting date.

Motion:

Board to hold one of the two regular meetings at night.

Motion made by Commissioner Tom Coulson.

Motion seconded by Commissioner Randy Royal.

Chairman Owens spoke of concern for the staff working all day and then at night. He said it had been tried before and there was no more public participation at the night meetings. Commissioner James said it would put employees at a hardship. Commissioner Coulson said this is an opportunity for this Board to invite the public to be a part of these meetings. He said if they don't come, so be it, but the opportunity would be available. Commissioner Hammond said that when there is an issue or concern, the public shows up and noted the public participation during issues on hunting, cotton gin and others. He said he did support holding public hearings at night as needed.

Vote Record:

Tom Coulson	Yes
Randy Royal	Yes
Glenn Bowen	Yes

Terry Shank **Yes**
Beth Ward **No**
David Hammond **No**
Eugene James **No**
Tom Johnson **No**
Mark Owens, Jr. **No**
Total Yes Votes: 4
Total No Votes: 5
Motion Failed.

Appointment to the Pitt County A.B.C. Board - Susan Banks – Item was postponed to later date during adoption of the agenda.

Information Provided with the Agenda

Joan Respass recommends Charles Waller, Chairman of the Pitt County A.B.C. Board, be re-appointed. Mr. Waller has served more than two full terms. Please see attached letter from Joan Respass. She asks that the Board make an exception to the term limits in the case of Chairman Charles Waller.

Reappointment to the Greenville Board of Adjustment - Susan Banks

Information Provided with the Agenda

Ernest Schwartz term expires June 30, 2002. According to the Pitt County Board of Commissioners term-limit guidelines, Mr. Schwartz is eligible for reappointment. His attendance is attached.

Motion:

Consider Ernest Schwartz for reappointment to the Greenville Board of Adjustment.
Motion made by Commissioner Tom Johnson.
Motion seconded by Commissioner Terry Shank.
Motion Passed Unanimously.

Reappointment to the Greenville Planning & Zoning Commission - Susan Banks

Information Provided with the Agenda

Marvin Wells term expires June 30, 2002. According to the Pitt County Board of Commissioners term-limit guidelines, Mr. Wells is eligible for reappointment. In addition, there is a vacancy for an alternate ETJ member. Please find a list of applicants attached.

Motion:

Consider Marvin Wells for reappointment to the Greenville Planning and Zoning Commission.
Motion made by Commissioner Tom Johnson.
Motion seconded by Vice Chairwoman Beth Ward.
Motion Passed Unanimously.

Reappointment to the Region Q Workforce Development Board - Susan Banks

Information Provided with the Agenda

Walter Dorsey recommends Sam Carson and John Groesser be re-appointed to the Region Q Workforce Development Board. Sam Carson is the WDB Chair and an integral part of the Workforce Investment Act and JobLink Center programs in Region Q. He has been a valuable asset representing Pitt County and all of Region Q in developing policy for the JobLink Center system in the region.

John Groesser has also been an important member who serves as Vice-Chair of two of the WDB Committees: the JobLink Committee and the newly formed Economic Development Committee. Mr. Groesser is a committed member who has made on-site visits to the JobLink Centers and has provided valuable policy insight from the private sector perspective.

Please see attached letter of recommendation.

Motion:

Reappointment of Sam Carson and John Groesser to the Mid-East Workforce Development Board.

Motion made by Commissioner Terry Shank.

Motion seconded by Commissioner Eugene James.

Motion Passed Unanimously.

Appointment to the Pitt County Women's Commission - Susan Banks

Information Provided with the Agenda

Cora Streeper, Chair of the Pitt County Women's Commission recommends Brenda Williams be appointed to the Women's Commission. Appointments are for three year terms.

Motion:

Appointment of Brenda Williams to Pitt County Women's Commission as recommended by the Chairman of Pitt County Women's Commission.

Motion made by Vice Chairwoman Beth Ward.

Motion seconded by Commissioner Terry Shank.

Motion Passed Unanimously.

Appointment to the Pitt-Greenville Convention & Visitor's Authority - Susan Banks

Information Provided with the Agenda

At the May 9 City Council meeting, the nomination of Angel Savage was made for the position of a member "who resides outside the city limits of Greenville and who is not directly involved in a tourist business or convention-related business and who does not own or operate a hotel, motel, or other taxable accommodation" for the Pitt-Greenville Convention & Visitors Authority to replace Phil Flowers, who resigned. If appointed by the County Commissioners, she will fill an unexpired term which will expire July 2004.

Motion:

Appointment of Greenville's nomination of Angel Savage to the Pitt-Greenville Convention and Visitor's Authority.

Motion made by Commissioner Randy Royal.

Motion seconded by Commissioner David Hammond.

Motion Passed Unanimously.

Meeting Notes

This item was added during approval of the agenda.

Mental Health - Dihoff to report on Group Home site selections

Commissioner James asked Ms. Dihoff about the group homes being established in Bell Arthur and Cherry Oaks Subdivision. He asked who authorizes the purchase or rental of these properties. Ms. Dihoff said she had knowledge of and was prepared to address the home in Cherry Oaks. She said there were two agencies involved. She stated that the Mental Health Area Board decides on how many can operate in this County and also who can run the facility. Commissioner James and Vice Chairwoman Ward met with people who were going to run the group home for adolescent sexual offenders in Bell Arthur. Commissioner James said that they asked that the Board of Commissioners be notified in the future whenever a home like this is going to be located in Pitt County. Commissioner James said he was not notified about the home in Cherry Oaks and finds out there are two more of these group homes being located in Pitt County. He said Pitt County is being effected because the cost of Medicaid is increasing with these home being located here. Commissioner James asked Ms. Dihoff if she would let her kids play with these children in the group homes. Ms. Dihoff said she definitely would have allowed her children to play with the children from a group home. Commissioner James spoke a responsibility to the majority of the citizens of Pitt County. Ms. Dihoff said Mental Health staff is sometimes unaware of these group homes being located in the County. Some of the homes are coming through the Division of Facility Services who can also approve them. She said she may not have been made be aware of this information so she cannot be expected to provide it to the Board.

Ms. Dihoff stated that the Medicaid rate for each of the children in this Group Home was \$240 per child per day. There will be three children in the Cherry Oaks home and the facility is licensed for three children. Commissioner Shank reviewed that some of these group homes are not under Ms. Dihoff's authority. Some homes could be for developmentally disabled children and some could be sexual offenders. Ms. Dihoff said many of them are authorized by the Mental Health Area Board but some are not under Mental Health. Some of these homes must come through Mental Health to contract for their services. She said she believed there are eighteen such groups homes already located in Pitt County. They are very successful homes so you do not hear a lot about them. Commissioner Shank asked about proper supervision. Ms. Dihoff said there would be three boys between the ages of 8 to 18 years old with the average age of 13 years old and they will stay there about three to six months. Trained individuals and awake staff will be present at night. Commissioner Hammond asked if citizens are being notified when the homes are being located in their neighborhoods. Ms. Dihoff said there are not requirements for the residents to be notified and some do and some don't notify the residents. She said that there may be an initial reaction in the neighborhood but it does not usually become a problem.

Commissioner Bowen asked if more group homes are going to be located in Pitt County. Ms. Dihoff said that this is the mission of Mental Health and with the system reform it will cause them to divest some of those services to the local agencies and they will have to provide services. Ms. Dihoff said the cost is lower for group home environments than institutionalization. Commissioner Bowen said he has never seen Mental Health give the people the information about what their plans before they do something. Ms. Dihoff said that when the neighbors asked for a meeting PRIDE and Mental Staff were both willing to meet with them.

Commissioner Coulson said he lives in Cherry Oaks and that the agency locating the home in that neighborhood had absolutely no intention of making this information public. He was at the neighborhood meeting and Ms. Dihoff was arrogant, with an "in your face attitude" exhibiting conduct that needed to be discussed here. He said she came in quoting State Statutes and Federal Laws and none of those Statutes or federal regulations were written with group homes in mind. The first group was very much resistant. Ms. Dihoff said that the 18 homes in Pitt County are Level 3 care and generate \$4.5 to \$5.0 million for this residential environment. She stated the children are there for three to six months and then sent back home.

Commissioner Coulson said if people put most of their savings into their property they should be able to expect good neighbors. Commissioner Coulson said that any statistics can be molded and the answers may be twisted. He said he was troubled with the fact that there was no requirement to have a meeting with the neighborhood. There should be the amenity to hold a meeting in the neighborhood. He said the people were very upset. He stated that Ms. Dihoff made some comments after this encounter with the neighborhood which were made in front of some citizens. He said the comments were very much indicative that she did not care. Ms. Dihoff stated that she did not make those comments.

Commissioner Royal stated that as a member of the Mental Health Area Board representing the social sciences was concerned about some of these comment. He said that a lot was being put on Ms. Dihoff about this arrangement in Cherry Oaks. He said this started with the Kennedy administration and was not a bad thing. He spoke about these children needing a healthy environment and it was not the children's fault that these homes exists.

Vice Chairwoman Ward asked about the supervision of these children in the home and their credentials. Ms. Dihoff stated there would be two people in the home there during the day and one at night. She reviewed their training requirements citing 40 hours, CPR, client rights class, interventions, and other brief classes. She stated that the PRIDE organization's requirements exceed normal training required. Ms. Dihoff said the home has a requirement to have supervision of staff by higher degree personnel. She stated that Mental Health would be providing some of the professional services such as individual case plans, therapeutic plans, and individual therapy several hours per week. Vice Chairwoman Ward stated that she understood that the home in Bell Arthur would provide those children with in home schooling. Ms. Dihoff stated that these children will be mainstreamed into the schools with the neighborhood children. PRIDE will transport the children to the public school. These children will be in the BEH classes for behavioral, emotionally, handicapped children.

Commissioner James said he knew that they were compassionate about these children and he knew that these children need help. Commissioner Bowen asked if the 18 group homes in Pitt County are overseen by the Pitt County Mental Health Center. Ms. Dihoff said they have oversight responsibility of all of the 18 group homes. Commissioner Bowen asked if all the clients are from Pitt County. She said this is the first group home siting since she's at Pitt County Mental Health and these homes included BEH children. Commissioner Bowen asked if Mental Health staff are required to monitor and provide therapy at these homes. Ms. Dihoff stated that Mental Health does provide these services for the group homes.

Commissioners' Comments –

Commissioner Bowen motioned and then withdrew the motion to deed the Council on Aging five acres of County property on County Home Road so they can start securing funds for their facility and have Mr. Dickerson look at this acreage. Chairman Owens said there is a committee already looking at the possibilities for the Council on Aging facility. Commissioner Bowen asked for a report from this committee.

Adjourn

Motion:

Motion to adjourn meeting at 11:22 a.m.

Motion made by Commissioner David Hammond.

Motion seconded by Commissioner Eugene James.

Motion Passed Unanimously.

Respectfully Submitted,

Susan J. Banks, CMC
Clerk to the Board