

**PITT COUNTY BOARD OF COMMISSIONERS
GREENVILLE, NORTH CAROLINA
OCTOBER 7, 2002 MINUTES**

The Pitt County Board of Commissioners met on Monday, October 7, 2002, at 9:00 AM in the Commissioners' Auditorium, Pitt County Office Building, 1717 W. 5th Street, Greenville, North Carolina.

Commissioners present:

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

Staff present:

Scott Elliott, County Manager
Melonie Bryan, Director of Financial Services
JoAnne Burgdorff, County Attorney
Trish Staton, Deputy Clerk
Glenn Cutrell, Tax Assessor
Phil Dickerson, Director of Facility Services
Florida Hardy, Director of Human Resources
Ward Parker, Sheriff
James Rhodes, Planning Director
Michael Taylor, MIS Director

Call to Order

Chairman Owens called the meeting to order and welcomed everyone present.

Invocation and Pledge

Commissioner Royal gave the Invocation and led in the Pledge of Allegiance.

Approval of Agenda

Motion:

**Motion made by Commissioner David Hammond.
Motion seconded by Commissioner Randy Royal.
Motion Passed Unanimously.**

Presentations

Resolution in Honor of Lyman E. Hardee as Volunteer Fireman of the Year - Tom Johnson

Information Provided with the Agenda

Commissioner Johnson requested the staff to prepare a resolution in honor of Pitt County Fireman Lyman E. Hardee being honored as Fireman of the Year.

RESOLUTION HONORING

**LYMAN E. HARDEE
AS
2002 FIREMAN OF THE YEAR**

WHEREAS, the Pitt County Board of Commissioners recognizes Lyman E. Hardee as having been named Fireman of the Year for 2002 by his peers in the North Carolina Fireman's Association; and

WHEREAS, the Pitt County Board of Commissioners acknowledges Lyman E. Hardee's untiring devotion as a volunteer fireman, fire chief and servant for his community; and,

WHEREAS, Lyman E. Hardee joined the Eastern Pines Fire Department in 1957 and served as Fire Chief for over thirty years; and

WHEREAS, Lyman E. Hardee has sacrificed hours, days and weeks of his life for the betterment of the residents of Pitt County by helping during crisis of all different kinds, such as a tornado that took lives in 1984 and the more recent Hurricane Floyd where he led other firefighters to help save victims from drowning; and

WHEREAS, Lyman E. Hardee has been instrumental in fundraising efforts including tirelessly working on dinners which brought the Eastern Pines Fire Department to the high standard which it currently exist and also brought the local community together; and

WHEREAS, the Pitt County Board of Commissioners expresses its great appreciation to Lyman Hardee his going above and beyond the call of duty in his pursuit to help his fellow man by cooking for the homeless, working on benefit dinners for families in need, fundraising for community schools, and working for his community through his church; and

WHEREAS, Lyman E. Hardee is an excellent role model for this community.

NOW, THEREFORE, BE IT RESOLVED that the Pitt County Board of Commissioners expresses its appreciation for the contributions and achievements of Lyman E. Hardee which has continuously benefited the residents of the Eastern Pines community and of the entire County of Pitt.

ADOPTED this the 7th day of October, 2002.

PITT COUNTY BOARD OF COMMISSIONERS

Mark W. Owens, Jr., Chairman

ATTEST:

Susan J. Banks, Clerk

Motion:

Motion to adopt resolution in honor of Lyman Hardee as Volunteer Fireman of the Year for 2002.

Motion made by Commissioner Randy Royal.

Motion seconded by Vice Chairwoman Beth Ward.

Motion Passed Unanimously.

Public Hearings

Public Hearing on Local Law Enforcement Block Grant (LLEBG) funds for FY 2002-03. - Ward Parker

Information Provided with the Agenda

Under the requirements of the block grant program, the County is required to have an advisory board. The membership of the board is directed by the granting agency. The grant was awarded and accepted by the County on September 16, 2002. The federal funds total \$67,595.00 (90% match), while the county's match is \$7,511.00 (10%). Another requirement of the grant program is to hold a public hearing to receive comments from the general public relating to the proposed spending of the grant funds. The purpose of the LLEBG program is to reduce crime and improve public safety. Staff recommends we conduct the public hearing as listed below:

- > Staff Comments
- > Open Public Hearing
- > Public Comments on usage of grant funds
- > Close Public Hearing
- > Board Questions/Comments
- > Consider Action

Motion:

Conduct public hearing that will meet the requirements of the grant and direct staff to complete the purchase and drawdown process.

Motion made by Commissioner David Hammond.

Motion seconded by .

Motion Passed Unanimously.

Employee Recognition

Service Awards and Reception - Florida Hardy

Information Provided with the Agenda

Employees with 5, 10, 15, 20, 25, and 30 years of service with Pitt County are recognized by the Board of Commissioners each quarter. Employees who reach these 5-year milestones

during a quarter are honored at the next regularly scheduled Commissioners' meeting following that quarter.

10/07/02 EMPLOYEE SERVICE AWARDS

5 Years

Deborah Connie L. Clark	Health
Mary Stephanie O. Dotson	Detention Center
Teresa D. Edwards	Detention Center
Jessica M. Fell	Health
Vivian W. Hudson	Mental Health
Barbara J. Jones	Social Services
Sandy L. McKeel	Mental Health
Scottie R. McKinney	MIS
David L. Mills	Detention Center
David A. Moody	Sheriff
Rubetta Shackelford	Social Services
Mena M. Shepherd	Detention Center
Marshall D. Vines	Detention Center
Patrina R. Vines	Mental Health
Kim H. Waters	Social Services

10 Years

Helen B. Bryant	Mental Health
Lorie A. Burroughs	Communications
Marty L. Burroughs	Sheriff
Steven Steve P. Cannon	Sheriff
Margaretta M. Howard	Social Services
Lisa S. Rouse	Buildings & Grounds
Diane E. Scrivner	Health
Mary Anne A. Shelton	Sheriff
Carolyn Y. Tetterton	Pitt Soil & Water

15 Years

Karen W. Ennis	Register of Deeds
Willie Freeman	MIS
Kay J. Vick	Health

20 Years

Deborah C. Cleaton	Sheriff
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Hilda G. Joyner
Debra Jo J. Morgan

Social Services
Health

25 Years

Audrey J. Jones
Margaret N. May
Melvin Lee L. Moore

Finance
Tax Assessor
Sheriff

30 Years

Patsy C. Harrington

Register of Deeds

Reception for Employees Recognition

Pitt County Employee Incentive Program Awards (PECIP) - Michael Taylor

Information Provided with the Agenda

In November, 2001 the Pitt County Board of Commissioners approved the Pitt County Employee Incentive Program. The PCEIP Monetary Awards Committee has received fourteen suggestions and approved four for a fixed award.

2002-0005 Revenue increase for Methadone program - Annie J. Moyer - Mental Health

Annie implemented three changes in collection procedures, including hours on Saturday, which is resulted in increased collections and client satisfaction. The department is tracking actual gains.

2002-0006 Reducing patient no show rate - Arran Gregg Suggs - Mental Health

Arran has developed a method to categorize patients based on historical attendance. This allows staff to "over book" therapist which has increased productivity and resulted in higher revenue through increasing billable hours.

2002-0010 Medicaid card replacement - Sherry Farmer - Social Services

Sherry identified several areas of duplication and unnecessary paperwork. Through implementation of her suggestion, staff effort to process Medicaid card replacement has been reduced, paper utilization has been reduced, greater control of the actual card gained, and an increase in client satisfaction realized.

2002-0011 Intersection location via GIS - Joshua Jordan - Communications E 9-1-1

Joshua discovered an unpublished syntax with the GIS software which allows telecommunicators to instantly locate the intersection of two roads. This allows staff to dispatch emergency responders quickly possibly resulting in saving a life. This discovery is more critical with the growth in cellular phone usage.

Public Addresses to the Board

Meeting Notes

Nancy Colville addressed the Board on an item on today's agenda concerning charging for copies of the agenda packet. She said that to the public, it sounds like a lot of people receive

a full packet. She said 30 packets are printed, 9 for Commissioners, 10 for staff, 4 for the media and 4 to citizens. She said Ms. Barnhill and herself have been receiving the agenda for years because we come to all the meetings and address issues on the agenda. She said Ms. Barnhill and I are retired and it would cost us \$192.00 a year because we are trying to be good citizens and be involved in local government. If you are pressed for money, you need to look in other places, starting with the Board. You could cut travel but do not punish us. I also received a copy of the Sunshine list which is sent out to for a fee of \$10.00 a year. Ms. Barnhill and I do not need to receive this because we receive the full packet. Another way to save is you could remove all those pages of tax information. We do not need to receive that.

Items for Report

Manager's Report - Scott Elliott

Information Provided with the Agenda

ECVC Banquet - November 7 @ Hilton Inn
Joint Meeting with School Board - November 25, 2002
Martin/Warren Day - November 19 at Hilton, 5-7 pm
Report on the ABC items delayed until October 21 Agenda

Meeting Notes

Mr. Johnson gave update on Martin/Warren Day. The County agreed to change the format to honor Senators Ed Warren & Bob Martin and also Zeno Edwards, Joe Tolson, Edith Warren, and Marian McLawhorn. He said he had received exciting responses from the towns. All the Counties will come together with City of Greenville and Chamber of Commerce to sponsor this celebration.

David Hammond asked when this was approved if it was not for just Senators Martin and Warren. Commissioner Johnson said they thought it would be in the best interest of this Board to recognize them all.

Pitt County Community Rating System - James Rhodes

Information Provided with the Agenda

On July 10, 2001 Pitt County made application to join the Community Rating System of the National Flood Insurance Program (NFIP). The NFIP offers reasonably priced flood insurance in communities that comply with minimum standards for floodplain management. The CRS recognizes community efforts beyond those minimum standards by reducing flood insurance premiums for the community's property owners.

To participate in the CRS, a community can choose to undertake some or all of the 18 credit activities that are described in the CRS Coordinator's Manual. The CRS assigns credit points for each activity. Based on the total number of points earned by a community, the CRS assigns a rating between one and ten. The discount on flood insurance premiums is based on the assigned class, with discounts ranging from 5% to 45%.

Effective October 1st, 2002, Pitt County will become a class 9 community in the Community Rating System. The residents of Pitt County will receive a 5% discount on their flood insurance premiums (See Attached). Anticipated activities over the next year or two should result in a class 8 rating thereby reducing insurance premiums by an additional 5%.

Items for Consent

Approval of consent items

Meeting Notes

Commissioner Shank asked for the Resolution on the Pledge of Allegiance be held for discussion.

Motion:

Motion to approve items for consent with the removal of the Pledge of Allegiance.

Motion made by Commissioner Glenn Bowen.

Motion seconded by Commissioner Eugene James.

Motion Passed Unanimously.

Releases and Refunds Greater Than \$100 - Glenn Cutrell

Information Provided with the Agenda

August 2002 - Total County Releases (Greater Than \$100) - 101 - \$ 80,918.08

August 2002 - Total City Releases (Greater Than \$100) - 28 - \$ 18,295.55

Total Refunds (Greater Than \$100) - 5 - \$ 1,611.11

Farmer, Elizabeth White - \$ 222.63

First Citizens Bank & Trust - \$ 953.87

Goswick, Henry Wayne - \$ 142.80

Porsche Leasing Limited - \$ 127.86

Tatum, Annie - \$163.95

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TAX RELEASE FORM

GREATER THAN \$100

NAME	ACCOUNT #	PARCEL #	RELEASE #	TOTAL RELEASED
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ABITA, SERGIO	1182071/0		80310	250.66
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NOTE: 2001 - RELEASED MOBILE HOME. LISTED ON ACCOUNT NUMBER 11988750, SAME NAME.

ALLEN, ALMA JEAN W.	100800/0	29535	80172	483.29
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NOTE: 2002 - RELEASE PART OF TAXES PER USE/MODEL CHANGE DUE TO BUILDING TRANSFERRED, NO LONGER FIRE DEPARTMENT.

AYDEN-GRIFTION EQUIINC	2040678/2		80117	283.50
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NOTE: 2002 - VEHICLE CHARGED IN ERROR.

BARBER, AUDREY ROSS	1197389/0		80355	267.10
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NOTE: 1999 - RELEASED MOBILE HOME. LISTED ON ACCOUNT NUMBER 11763530, AUDREY MAE ROSS.

BARBER, AUDREY ROSS	1197389/0		80357	203.12
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NOTE: 2002 - RELEASED MOBILE HOME. LISTED ON ACCOUNT NUMBER 11763530, AUDREY MAE ROSS.

BARBER, AUDREY ROSS	1197389/0		80352	214.40
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NOTE: 2001 - RELEASED MOBILE HOME. LISTED ON ACCOUNT NUMBER 11763530, AUDREY MAE ROSS.

BARBER, AUDREY ROSS	1197389/0		80354	244.70
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NOTE: 2000 - RELEASED MOBILE HOME. LISTED ON ACCOUNT NUMBER 11763530, AUDREY MAE ROSS.

BOYETTE, CAROLYN YATES	1110475/7		80359	117.60
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NOTE: 2001 - VEHICLE CHARGED IN ERROR.

NOTE: 2002 - PROPERTY EXEMPT'2002.

EASTERN AREA HEALTH EDUCATION 1080422/0 42437 80387 391.20
NOTE: 2002 - PROPERTY EXEMPT'2002.

ELLISON, WILLIE 1191737/0 80370 427.02
NOTE: 2001 - RELEASED MOBILE HOME. LISTED ON ACCOUNT NUMBER 11830590,
SAME NAME.

EVANS, JAMES A. 97496/0 45659 80170 1316.88
NOTE: 2002 - RELEASE AND RECHARGE TO ACCOUNT NUMBER 15583/0 (DENTON,
CHARLES STEPHEN & WF. SHIRLEY EVANS).

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TAX RELEASE FORM
GREATER THAN \$100

NAME ACCOUNT # PARCEL # RELEASE # TOTAL RELEASED

EVANS, JAMES A. 97496/0 41423 80169 653.48
NOTE: 2002 - RELEASE AND RECHARGE TO ACCOUNT NUMBER 15583/0 (DENTON,
CHARLES STEPHEN & WF. SHIRLEY EVANS).

EVANS, JAMES ALFRED 13869/0 31764 80168 597.86
NOTE: 2002 - RELEASE AND RECHARGE TO ACCOUNT NUMBER 15583/0 (DENTON,
CHARLES STEPHEN & WF. SHIRLEY EVANS).

EVERETTE, MARYLAND 1199118/0 80164 181.48
NOTE: 2001 - RELEASED MOBILE HOME. LISTED ON ACCOUNT NUMBER 11818710,
SAME NAME.

EVERETTE, MARYLAND 1199118/0 80165 170.64
NOTE: 2002 - RELEASED MOBILE HOME. LISTED ON ACCOUNT NUMBER 11818710,
SAME NAME.

FISH-NG ACCESORIES 2040164/6 80501 120.20
NOTE: 2002 - PRORATE TAXES ON VEHICLE.

FLANAGAN, EULA B. & 1096263/0 30404 80381 251.38
NOTE: 2002 - TAXES PAID ON MOBILE HOME ON ACCOUNT NUMBER 1196257/0
IN ERROR.

FUSSELL, RUSSELL GIBBON 15083/0 27978 80167 147.00
NOTE: 2002 - RELEASED OAE AMOUNT DUE TO TAXPAYER QUAILIFIED.

GASKINS, DAVID & ROSEMARY 1165486/0 80282 163.19
NOTE: 2002 - RELEASED MOBILE HOME. REPOSSESSED IN AUGUST 2001.

GODDARD, CECIL RAY 1187991/0 80230 324.34
NOTE: 2000 - RELEASED MOBILE HOME. LISTED ON ACCOUNT NUMBER 11648510,
GODDARD, MANDY LOUISE AND GODDARD, JO ANN.

GODDARD, CECIL RAY 1187991/0 80228 208.80
NOTE: 2002 - RELEASED MOBILE HOME. LISTED ON ACCOUNT NUMBER 11648510,
GODDARD, MANDY LOUISE AND GODDARD, JO ANN.

GODDARD, CECIL RAY 1187991/0 80229 226.05
NOTE: 2001 - RELEASED MOBILE HOME. LISTED ON ACCOUNT NUMBER 11648510,
GODDARD, MANDY LOUISE AND GODDARD, JO ANN.

GREENMOUNT ASSOCIATES 1109140/0 4053 80527 8190.00
NOTE: 2002 - RELEASE AND RECHARGE LANDFILL FEE.

HADDOCK, MILTON DWAYNE 1190513/0 80308 174.14

NOTE: 2002 - RELEASED BILL. THIS MOBILE HOME WAS PREPAID.

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TAX RELEASE FORM
GREATER THAN \$100

NAME	ACCOUNT #	PARCEL #	RELEASE #	TOTAL RELEASED
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HOYLE, CHRISTOPHER BLAIR	1070348/2		80216	133.23
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NOTE: 2001 - PRORATE TAXES ON VEHICLE.

JENKINS, CALVIN RAY &	1189922/0		80291	103.10
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NOTE: 2002 - RELEASED OAE AMOUNT.

JONES, DAVINA	1187627/0		80295	185.38
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NOTE: 2000 - RELEASED MOBILE HOME. LISTED ON ACCOUNT NUMBER 11622240,
TERRALL DIXON.

KELLY, DIANNE	1198836/0		80373	209.42
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NOTE: 2001 - RELEASED MOBILE HOME. LISTED ON ACCOUNT NUMBER 11771760,
JAMES EARL THOMAS.

KENNEDY, SAMUEL	1158587/0	12918	80249	377.31
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NOTE: 1998 - RELEASE FOR MOBILE HOME WHICH BURNED DOWN IN 1997.

KENNEDY, SAMUEL	1158587/0	12918	80248	351.99
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NOTE: 1999 - RELEASE FOR MOBILE HOME WHICH BURNED DOWN IN 1997.

KING, TONY G	1198656/0		80395	132.44
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NOTE: 2001 - RELEASED MOBILE HOME. LISTED ON ACCOUNT NUMBER 11985810,
SAME NAME.

LEUDESORF, WILLIAM DAVID	2040896/1		80447	228.82
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NOTE: 2002 - VEHICLE CHARGED IN ERROR.

LIF REALTY TRUST	1103440/0	44951	80386	16620.46
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NOTE: 2002 - BUILDING MOVED TO PARCEL NUMBER 62324 (L & F REALTY,LLC).
CORRECT LAND PRICING.

LOCKLEAR, NAKECIA LASHA	2030779/2		80288	100.50
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NOTE: 2002 - VEHICLE CHARGED IN ERROR.

MAY, ELLA G.	1199138/0		80175	333.43
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NOTE: 2002 - RELEASED MOBILE HOME. LISTED ON ACCOUNT NUMBER 11905420,
MAY, ELLA G.

MAYO, R. GUY	66732/0	37920	80326	102.35
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NOTE: 1993 - MOVE PAVEMENT TO PARCEL NUMBER 25419.

MAYO, R. GUY	66732/0	37920	80323	116.83
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NOTE: 1996 - MOVE PAVEMENT TO PARCEL NUMBER 25419.

MAYO, R. GUY	66732/0	37920	80325	100.32
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NOTE: 1994 - MOVE PAVEMENT TO PARCEL NUMBER 25419.

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TAX RELEASE FORM
GREATER THAN \$100

NAME	ACCOUNT #	PARCEL #	RELEASE #	TOTAL RELEASED
MAYO, R. GUY	66732/0	37920	80327	101.87
NOTE: 1992 - MOVE PAVEMENT TO PARCEL NUMBER 25419.				
MEASAMER, LESLIE MITCHELL	2040156/5		80292	153.14
NOTE: 2002 - VEHICLE CHARGED IN ERROR.				
MEASAMER, LESLIE MITCHELL	2040104/3		80293	146.01
NOTE: 2002 - PRORATE TAXES ON VEHICLE.				
MEEKS, STUART	1198898/0		80332	120.05
NOTE: 2001 - RELEASED MOBILE HOME. LISTED ON ACCOUNT NUMBER 11896630, JEFFREY L. MEEKS.				
MILLS, JAMES DONALD	1183109/0		80209	207.43
NOTE: 2002 - RELEASED MOBILE HOME. PICKED UP AS REAL ESTATE ON PARCEL NUMBER 63869, MILLS, JAMES D. AND LAURA ANN WILLIAMS.				
MOORE, JOHN ALTON JR. LIFE EST	1188285/0	35824	80244	269.88
NOTE: 2002 - RELEASE FOR MOBILE HOME VALUED IN ERROR.				
MOORE, LUDIE A	1185244/0		80134	329.59
NOTE: 2002 - RELEASED MOBILE HOME. PICKED UP AS REAL ON PARCEL NUMBER 61797, HOLLOMAN, AMANDA LEIGH.				
MOORE, RHONDA	1198711/0		80394	393.38
NOTE: 2002 - RELEASED MOBILE HOME. WAS PREPAID IN JANUARY.				
MOSS CREEK-SPRING LAKE	1192615/0	62399	80192	14453.84
NOTE: 2002 - RELEASE FOR BUILDINGS #3 AND #4 THAT WERE KEYED IN ERROR FOR THE 2002 BILLING.				
NG, ANTHONY CHEUK-SHOON	2040060/2		80115	104.30
NOTE: 2002 - PRORATE TAXES ON VEHICLE.				
OAKLEY, JEFF & GINA	1199047/0		80150	187.79
NOTE: 2001 - RELEASED MOBILE HOME. LISTED ON ACCOUNT NUMBER 11593010, OAKLEY, CHARLES JEFFERY.				
OGLESBEE JR, STEPHEN EUGENE	1110065/2		80307	201.70
NOTE: 2001 - VEHICLE CHARGED IN ERROR.				
PANICHELLI, LOUIS JOSEPH	1195531/0		80336	251.85
NOTE: 2002 - RELEASED MOBILE HOME. PICKED UP AS REAL ESTATE, SEE ACCOUNT NUMBER 61651650, SAME NAME.				
PARAMORE, JUDY SMITH	2040728/8		80429	139.17
NOTE: 2002 - VEHICLE CHARGED IN ERROR.				

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TAX RELEASE FORM
GREATER THAN \$100

NAME	ACCOUNT #	PARCEL #	RELEASE #	TOTAL RELEASED
PASCASIO, HARRELL C. ETALS	1195138/0	26981	80189	1697.48

NOTE: 2002 - ADJUST VALUE ON BUILDING.

PILGREEN, EDWARD CHARLES 1182685/0 80371 354.07
NOTE: 2001 - RELEASED MOBILE HOME. LISTED ON ACCOUNT NUMBER 11844220,

MICHAEL KEITH PILGREEN.

PILGREEN, EDWARD CHARLES 1182685/0 80372 373.37
NOTE: 2000 - RELEASED MOBILE HOME. LISTED ON ACCOUNT NUMBER 11844220,
MICHAEL KEITH PILGREEN.

POWELL, E.C. & C.H. & 15176/0 80532 4680.00
NOTE: 2002 - INCORRECT BILLING DUE TO CLERICAL ERROR. RELEASE AND
RECHARGE.

POWELL, E.C. & C.H. & 15176/0 19009 80529 3640.00
NOTE: 2002 - RELEASE AND RECHARGE LANDFILL FEES.

POWELL, E.C. & C.H. & 15176/0 15886 80530 4680.00
NOTE: 2002 - RELEASE AND RECHARGE LANDFILL FEES.

PURVIS, STEVEN EARL 1184213/0 80477 282.14
NOTE: 2001 - RELEASED MOBILE HOME. FLOODED IN 1999.

PURVIS, STEVEN EARL 1184213/0 80476 315.16
NOTE: 2000 - RELEASED MOBILE HOME. FLOODED IN 1999.

ROLLINS, WILLIAM BRYAN 1187807/0 80475 138.22
NOTE: 2000 - RELEASED MOBILE HOME. LISTED ON ACCOUNT NUMBER 11017300,
ROLLINS, WILLIAM BRYAN.

ROLLINS, WILLIAM BRYAN 1187807/0 80474 125.94
NOTE: 2001 - RELEASED MOBILE HOME. LISTED ON ACCOUNT NUMBER 11017300,
ROLLINS, WILLIAM BRYAN.

ROSS, JAMES EARL & 99087/0 80138 327.54
NOTE: 2002 - RELEASED MOBILE HOME. PICKED UP AS REAL ESTATE ON ACCOUNT
NUMBER 977090, CHERRY, ROSA LIFE EST.

ROSS, KENNY E. 1165571/0 80137 186.99
NOTE: 2002 - RELEASED MOBILE HOME. SOLD TO JANES AND TERESA GASKINS ON
ACCOUNT NUMBER 11648110.

ROUSE, LYNN 1181417/0 80136 108.46
NOTE: 1999 - RELEASED MOBILE HOME. SOLD PRIOR TO JANUARY 1999. ALSO
FLOODED IN SEPTEMBER 1999.

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TAX RELEASE FORM
GREATER THAN \$100

NAME	ACCOUNT #	PARCEL #	RELEASE #	TOTAL RELEASED
ROUSE, LYNN	1181417/0		80135	103.59
NOTE: 2000 - RELEASED MOBILE HOME. SOLD PRIOR TO JANUARY 1999. ALSO FLOODED IN SEPTEMBER 1999.				
SCHMIDT JR, ROBERT STEVENS	2040739/1		80264	104.65
NOTE: 2002 - VEHICLE CHARGED IN ERROR.				
SHACKELFORD, WILMA L.	1147372/0	15649	80361	246.23

NOTE: 2000 - RELEASE FOR ERROR IN LAND VALUE.

SHACKELFORD, WILMA L. 1147372/0 15649 80363 225.22
NOTE: 2002 - RELEASE FOR ERROR IN LAND VALUE.

SHACKELFORD, WILMA L. 1147372/0 15649 80362 227.13
NOTE: 2001 - RELEASE FOR ERROR IN LAND VALUE.

SHACKELFORD, WILMA L. 1147372/0 15649 80360 286.50
NOTE: 1999 - RELEASE FOR ERROR IN LAND VALUE.

SOLI, TERI C & 1097481/0 3786 80312 121.91
NOTE: 2002 - RELEASE FOR TOBACCO AND PEANUT ALLOTMENTS KEYED IN ERROR.

SPAIN, ASA MONROE 2050338/0 80509 102.95
NOTE: 2002 - VEHICLE CHARGED IN ERROR.

STATON, BETTY JAMES 1196007/0 80185 219.80
NOTE: 2002 - RELEASED MOBILE HOME. WILL BILL GENTRY KEYS, OWNER OF
MOBILE HOME.

TAYLOR, FRED C. ETALS 1152023/0 22183 80100 704.04
NOTE: 2002 - TOBACCO ALLOTMENT CHARGED IN ERROR.

TORRES, OLGA 1189513/0 80406 208.22
NOTE: 2001 - RELEASED MOBILE HOME. LISTED ON ACCOUNT NUMBER 11987490,
LUCIO PLEITEZ.

TYSON, DAVID 1198810/0 80356 104.26
NOTE: 2001 - RELEASED MOBILE HOME. LISTED ON ACCOUNT NUMBER 11874190,
JOYCE BELINDA MCLENDON.

UNDERWOOD, FELICIA ANN 1175940/0 80407 149.30
NOTE: 2001 - RELEASED MOBILE HOME. LISTED ON ACCOUNT NUMBER 11990870,
FELICIA WARDWICK.

WARREN, TINA JEAN 1187795/0 80415 277.39
NOTE: 2001 - RELEASED MOBILE HOME. LISTED ON ACCOUNT NUMBER 11984040,
TINA WARREN.

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TAX RELEASE FORM
GREATER THAN \$100

NAME	ACCOUNT #	PARCEL #	RELEASE #	TOTAL RELEASED
WEBB, THOMAS JR. & NOTE: 2002 - RELEASED MOBILE HOME. TAXPAYER DID NOT OWN JANUARY 1,2002. CLOSED DEAL JANUARY 18,2002.	1195222/0		80174	337.09
WHISNANT, MICHAEL NOTE: 2002 - MOBILE HOME DOUBLE CHARGED.	1195565/0		80186	363.91
WHITLEY, FLECIAL DONILLE NOTE: 2000 - RELEASED MOBILE HOME. LISTED ON ACCOUNT NUMBER 11825450, RICKY RAY LYNCH.	1187379/0		80480	305.30
WILKINS, ANNIE LOUISE NOTE: 2001 - RELEASED MOBILE HOME. LISTED ON ACCOUNT NUMBER 11983760, WILKINS, ANNIE LOUISE.	1198507/0		80289	286.79

WILSON, RICHARD ARDEN 2020149/4 80222 245.39
NOTE: 2001 - PRORATE TAXES ON VEHICLE.

WOMBLES, LOIS HAGANS 1175307/0 80393 173.45
NOTE: 2001 - RELEASED MOBILE HOME. LISTED ON ACCOUNT NUMBER 11924970,
DAVID LEE PARKER.

WOODS, EUGENE E. & 1194474/0 57326 80358 313.06
NOTE: 2002 - MOBILE HOME BILLED IN ERROR.

TOTAL RELEASES: 101 80918.08

THE RELEASE (G.S. 105-381 OR 382), CORRECTIONS (G.S. 105-325), OR REFUNDS
(G.S. 105-381 OR 382) OF TAX BILLS OUTLINED ABOVE ARE APPROVED BY THE PITT COUNTY
BOARD OF COMMISSIONERS.

CHAIRMAN OF THE BOARD

DATE APPROVED

TCL0440
DATE 8/30/02
PAGE... 1

CITY OF GREENVILLE

TAX RELEASE FORM
GREATER THAN \$100

NAME	ACCOUNT #	PARCEL #	RELEASE #	TOTAL RELEASED
ABITA, SERGIO	1182071/0		80310	166.55
NOTE: 2001 - RELEASED MOBILE HOME. LISTED ON ACCOUNT NUMBER 11988750, SAME NAME.				
BARR II, RONNIE GERALD	2010715/9		80154	100.64
NOTE: 2001 - VEHICLE CHARGED IN CITY LIMITS IN ERROR.				
CRAIG F. GOESS, INC.	1135368/0		80471	2620.51
NOTE: 2002 - ADJUST VALUE ON AIRPLANE DUE TO ENGINE TYPE INCORRECT.				
CRANDALL, LEIGH	1198707/0		80313	127.72
NOTE: 2001 - RELEASED MOBILE HOME. LISTED ON PARCEL NUMBER 11820010, ANTHONY DARRELL MARTIN.				
EASTERN AREA HEALTH EDUCATION	1080422/0	42437	80387	295.02
NOTE: 2002 - PROPERTY EXEMPT' 2002.				
EASTERN AREA HEALTH EDUCATION	1080422/0	42438	80388	388.56
NOTE: 2002 - PROPERTY EXEMPT' 2002.				
EASTERN AREA HEALTHTION CTR I	2040237/5		80382	108.38
NOTE: 2002 - VEHICLE CHARGED IN ERROR.				
EASTERN OMNI CONSTR INC	2050401/6		80497	117.72
NOTE: 2002 - VEHICLE CHARGED IN CITY LIMITS IN ERROR.				
EASTERN OMNI CONSTR INC	2050421/2		80495	123.69
NOTE: 2002 - VEHICLE CHARGED IN CITY LIMITS IN ERROR.				
GRAY SR, MICHAEL WAYNE	2030340/2		80503	141.03
NOTE: 2002 - VEHICLE CHARGED IN CITY LIMITS IN ERROR.				

HOYLE, CHRISTOPHER BLAIR	1070348/2	80216	121.94
NOTE: 2001 - PRORATE TAXES ON VEHICLE.			
JACOBS, DANIEL ARTHUR	2040770/7	80155	104.13
NOTE: 2002 - VEHICLE CHARGED IN ERROR.			
KNIGHT, DONALD STOKES	1171992/0	80376	148.16
NOTE: 2001 - RELEASED CITY DUE TO SITUS ERROR.			
LEE, GORDON TILGHMAN	1120699/2	80197	113.81
NOTE: 2001 - VEHICLE CHARGED IN CITY LIMITS IN ERROR.			
LEUESDORF, WILLIAM DAVID	2040896/1	80447	206.95
NOTE: 2002 - VEHICLE CHARGED IN ERROR.			

TCL0440

DATE 8/30/02 CITY OF GREENVILLE PAGE.... 2
TAX RELEASE FORM
GREATER THAN \$100

NAME	ACCOUNT #	PARCEL #	RELEASE #	TOTAL RELEASED
LOCKLEAR, NAKECIA LASHA	2030779/2		80288	111.29
NOTE: 2002 - VEHICLE CHARGED IN ERROR.				
MCQUEEN, PEGGY CURRIE	2050023/1		80516	103.95
NOTE: 2002 - VEHICLE CHARGED IN ERROR.				
MEASAMER, LESLIE MITCHELL	2040104/3		80293	132.05
NOTE: 2002 - PRORATE TAXES ON VEHICLE.				
MEASAMER, LESLIE MITCHELL	2040156/5		80292	158.50
NOTE: 2002 - VEHICLE CHARGED IN ERROR.				
MOSS CREEK-SPRING LAKE	1192615/0	62399	80192	10250.45
NOTE: 2002 - RELEASE FOR BUILDINGS #3 AND #4 THAT WERE KEYED IN ERROR FOR THE 2002 BILLING.				
OGLESBEE JR, STEPHEN EUGENE	1110065/2		80307	203.41
NOTE: 2001 - VEHICLE CHARGED IN ERROR.				
PASCASIO, HARRELL C. ETALS	1195138/0	26981	80189	1535.22
NOTE: 2002 - ADJUST VALUE ON BUILDING.				
ROBINSON, THOMAS BLAIR	2030114/1		80224	101.69
NOTE: 2002 - VEHICLE CHARGED IN ERROR.				
ROSS, JAMES EARL &	99087/0		80138	237.53
NOTE: 2002 - RELEASED MOBILE HOME. PICKED UP AS REAL ESTATE ON ACCOUNT NUMBER 977090, CHERRY, ROSA LIFE EST.				
SCHMIDT JR, ROBERT STEVENS	2040739/1		80264	114.65
NOTE: 2002 - VEHICLE CHARGED IN ERROR.				
STROUD, CAROLYN ANN	1116629/0		80159	189.42
NOTE: 2002 - RELEASED CITY DUE TO SITUS ERROR. MOBILE HOME LOCATED IN RIVER ROAD ESTATES, 10//14/55.				
SWITZER, CHARLES FREDRICK	2050816/8		80418	171.78
NOTE: 2002 - VEHICLE CHARGED IN CITY LIMITS IN ERROR.				
WOMBLES, LOIS HAGANS	1175307/0		80399	100.80

NOTE: 2001 - RELEASED MOBILE HOME. LISTED ON ACCOUNT NUMBER 11924970,
DAVID LEE PARKER.

TOTAL RELEASES: 28 18295.55

THE RELEASE (G.S. 105-381 OR 382), CORRECTIONS (G.S. 105-325), OR REFUNDS
(G.S.
105-381 OR 382) OF TAX BILLS OUTLINED ABOVE ARE APPROVED BY THE PITT COUNTY
BOARD OF COMMISSIONERS.

CHAIRMAN OF THE BOARD

DATE APPROVED

Motion:

Approve as submitted.

Motion made by Commissioner Glenn Bowen.

Motion seconded by Commissioner Eugene James.

Motion Passed Unanimously.

Budget Amendment - State Grants - Home & Community Care Block Grant - Melonie Bryan

Information Provided with the Agenda

We have received allocation notification of Home & Community Care Block Grant funds for Fiscal Year 2002-03. This budget amendment appropriates the amounts dedicated to the Council on Aging and the Creative Living Center totaling \$420,950, as well as transferring from Grant Match Reserve the 10% local match (\$5,744) required for the Creative Living Center.

Pitt County
Finance

Budget Amendment Request

INVOICE NO:
DATE: October 25, 2002

Department: State Grants Date of Request: 9-11-02

FY Budget: 02-03

ACCOUNT NO.	TITLE OF ACCOUNT	INCREASE	DECREASE
109910 599101	Reserve for Grant Match		5,744
109810 598024	Transfer to Fund 24	5,744	
243640 436018	Mid East	420,950	
243640 498010	Fund Transfer from General	5,744	
245640 569013	Council on Aging	363,506	
245640 569015	Creative Living Center	63,188	

Department Justification: (Please provide detailed explanation)

Appropriation of Home and Community Care Block Grant funds for the FY 02-03 with required 10% matching funds for the Creative Living Center appropriated from Pitt County's grant match reserve fund.

Motion:

**Approval of budget amendment as submitted.
 Motion made by Commissioner Glenn Bowen.
 Motion seconded by Commissioner Eugene James.
 Motion Passed Unanimously.**

Monthly Financial Report - August 2002 - Melonie Bryan

Information Provided with the Agenda

Fund Balance - General Fund:	\$ 51,474,044.	(06/30/01)
	\$ 7,556,285.	(Unreserved but designated)
	\$ 36,234,747.	(Undesignated) 45.11%

Total Budget: \$178,648,245. 16.66% of Fiscal Year completed

Summary of Revenues:	August 2002	YTD 02-03
General Operating Funds	\$ 22,885,545.	\$ 23,867,455.**
Enterprise Fund	1,733,784.	1,818,067.
All Other Funds	3,951,687.	4,370,037.
Totals	\$ 28,571,015.	\$ 30,055,559.
Percent of Budget:	15.99%	16.8%

Summary of Expenditures:	August 2002	YTD 02-03
General Operating Funds	\$ 10,144,307.	\$ 17,628,158.
Enterprise Fund	596,664.	879,223.
All Other Funds	1,412,865.	2,326,134.
Totals	\$ 12,153,836.	\$ 20,833,515.
Percent of Budget:	6.80%	11.7%

**Net of Fund Balance Appropriated.

**General
 Operating
 Funds -
 August
 2002**

Revenue	Total Budget	Monthly % Exp'd/Rec'd	Received Aug 2001	Received Aug 2002	Monthly Over/(Und	Y-T-D FY 01/02	Y-T-D FY02/03	YTD Over/(Un	YTD % Receive
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Categories					er)		der)		d
Ad Valorem Taxes	44,537,736	39.12%/35.23%	15,135,319	15,689,524	554,205	16,137,439	16,870,703	733,264	37.88%
Sales Taxes	13,413,239	.0%/0.01%	0	1,431	1,431	0	1,431	1,431	0.01%
Reimb - Intangibles	1,183,700	.0%/0.0%	0	0	0	0	0	0	0.00%
Investment Earnings	2,200,000	2.24%/n/a	56,091	-615,191	-671,282	87,433	-604,039	-691,472	-27.46%
Other Revenues	10,244,685	6.27%/34.08%	582,511	3,491,804	2,909,293	600,408	1,075,449	475,041	10.50%
Public Health	7,461,585	10.55%/11.75%	697,266	471,646	-225,620	788,504	876,664	88,160	11.75%
Social Services	26,997,788	13.92%/11.30%	2,786,058	2,156,164	-629,894	3,528,444	3,051,494	-476,950	11.30%
Mental Health	21,681,849	12.46%/11.97%	1,228,037	1,691,598	463,561	2,069,933	2,595,753	525,820	11.97%
Appr. Fund Balance	8,537,036	100.0%/100.00%	485,513	4,384	-481,129	6,524,824	8,537,036	2,012,212	100.00%
Total Revenues	136,257,618	16.67%/16.80%	20,970,795	22,891,360	1,920,565	29,736,985	32,404,491	2,667,506	23.78%

Expenditure Area	Total Budget	Current Month Spent	Current Spent (%)	Y-T-D Spent (\$)	Y-T-D Spent (%)	Balance Available
General Government	80,116,396	6,307,080	7.87%	12,253,107	15.29%	67,863,289
Public Health	7,461,585	415,923	5.57%	721,440	9.67%	6,740,145
Social Services	26,997,788	2,035,669	7.54%	2,733,863	10.13%	24,263,925
Mental Health	21,681,849	1,385,635	6.39%	1,919,748	8.85%	19,762,101
Total Expenditures	136,257,618	10,144,307	7.44%	17,628,158	12.94%	118,629,460

16.66% of FY02/03 is complete.

The General Operating Funds had revenues for the month of August totaling \$21,662,952 (net of fund balance appropriated). This is an increase when compared to August 2002 as shown in the above chart. There position is typical for the second month of the fiscal year.

The General Operating Funds had expenditures for the month of August totaling \$10,144,307. or 7.44% of the budget. This again is typical for this point in the fiscal year. We will closely monitor revenues and expenditures throughout the fiscal year to ensure the County stays on target.

action will have on the County. We will continue to monitor that situation and take steps necessary to counteract any problems which may arise as a result of the State's budget decisions. While the State has finally adopted a budget, final funding information has not been distributed and we are unsure what impacts that

Item for Report

Releases & Refunds -
\$100 or Less

August 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:	298	\$10,881.31
Total City Releases:	131	\$4,389.97
Total Tax Refunds:	32	\$1,012.31

Motion:

Accept for the record.

Motion made by Commissioner Glenn Bowen.

Motion seconded by Commissioner Eugene James.

Motion Passed Unanimously.

Social Services - Budget Amendment - CP&L Funds - Edward L. Garrison

Information Provided with the Agenda

Carolina Power & Light (CP&L) has made available an additional \$386.00 in donated funds to assist Pitt County residents with their energy needs. The funds will be used to pay electric bills for the citizens of the County who are also CP&L customers and who either do not meet the guidelines for other State and Federal funds. These funds may also be used after other State and Federal funds are exhausted.

The Department is requesting an amendment to increase the CP&L line item by \$386.00.

These are 100% donated/CP&L funds and additional County funds are not requested.

Account No.	Title of Account	Increase	Decrease
165488-560501	CP&L	386	
162400-423000	Social Svcs. Admin.	386	

Motion:

Staff recommends approval.

Motion made by Commissioner Glenn Bowen.

Motion seconded by Commissioner Eugene James.

Motion Passed Unanimously.

Information Provided with the Agenda

The Department has received notification that Pitt County will receive an additional \$42,251 in Federal Crisis Intervention funds in FY 02/03. These funds will be used by the Department to assist clients that meet the State and Federal guidelines with their heating and cooling needs during the current county fiscal year. The Department is requesting an amendment to appropriate the \$42,251.00.

The remaining balance of the Federal funds of \$3,000 received from United Way for Emergency Food & Shelter. These funds were received in July 2002 and posted to the County's Fiscal Year 01/02. This amendment is to modify a previous amendment and roll forward and appropriate the \$3,000 from Fund Balance to allow the balance of the grant to be distributed to clients in FY 02/03. The funds will be used to assist eligible clients with their heating needs during the current fiscal year. Any remaining balance at the end of September 2002 will be returned to FEMA/United Way. The Department is requesting that \$3,000 be appropriated from fund balance to the United Way Energy line item.

Both of these amendments are 100% Federal funds and additional County funds are not requested.

**Pitt County
Finance**

Budget Amendment Request

INVOICE NO:
DATE: October 25, 2002

Department: SOCIAL SERVICES Date of Request: 07/29/02

FY Budget: FY 02/03

ACCOUNT NO.	TITLE OF ACCOUNT	INCREASE	DECREASE
165488-560501	CRISIS INTERVENTION	42,251	
162400-423000	SOCIAL SERVICES ADMINISTRATION	42,251	
165488-560502	UNITED WAY		3,000
162900-433065	UNITED WAY EMERGENCY SHELTER		3,000
165488-560502	UNITED WAY	3,000	
162900-499100	FUND BALANCE APPROPRIATED	3,000	

Department Justification: (Please provide detailed explanation)

Motion:

Staff recommends approval.

Motion made by Commissioner Glenn Bowen.

Motion seconded by Commissioner Eugene James.

Motion Passed Unanimously.

Administration of Flood Damage Prevention Ordinance-Village of Simpson - James Rhodes

Information Provided with the Agenda

The Village of Simpson has requested the County's assistance in administering the County's Flood Damage Prevention Ordinance within the town's planning jurisdiction (see attached). The Village of Simpson does not currently enforce such regulations and individuals residing in the corporate limits are not eligible for participation in the National Flood Insurance Program (NFIP). The Village is currently completing the necessary applications for acceptance into the NFIP.

NORTH CAROLINA
INTERLOCAL AGREEMENT

**PITT COUNTY
BETWEEN VILLAGE OF SIMPSON
AND PITT COUNTY-FLOOD DAMAGE PREVENTION ORDINANCE**

THIS AGREEMENT, made and entered into this the 7th day of October, 2002, by and between the Village of SIMPSON, a municipal corporation organized and existing pursuant to the laws of the State of North Carolina, Party of the First Part and hereinafter referred to as the VILLAGE and Pitt County, a political subdivision of the state of North Carolina established and operating pursuant to the laws of the State of North Carolina, Party of the Second Part and hereinafter referred to as the COUNTY;

WITNESSETH:

WHEREAS, the VILLAGE and the COUNTY, pursuant to the authority granted by the North Carolina General Statutes 160A-461, hereby covenant and agree as follows:

1. That the VILLAGE hereby contracts with the COUNTY to use the services of the Planning and Inspections Departments of the COUNTY to administer the VILLAGE'S Flood Damage Prevention Ordinance within the corporate limits and extra-territorial jurisdiction of the VILLAGE.
2. That the COUNTY'S Flood Damage Prevention Ordinance and any amendments thereto are hereby adopted by the VILLAGE, through execution of this Interlocal Agreement, as well as by Resolution of the VILLAGE Board, and the same shall apply within the corporate limits and extra-territorial jurisdiction of the VILLAGE.
3. That the services of the Pitt County Planning and Inspections Departments shall be performed at no cost to the VILLAGE. However, should any claims arise, the VILLAGE agrees to indemnify and hold the COUNTY, its employees, agent and contractors harmless from any and all claims for liability, loss, injury, damages to persons or property, costs or attorney's fees resulting from any action brought against Pitt County, its employees, agents, contractor and Commissioners arising as a result of these services performed on behalf of the VILLAGE that are the subject matter of this Agreement.
4. That all fees and charges associated with administering the Flood Damage Prevention Ordinance as adopted by the Board of County Commissioners, shall be collected by the COUNTY, shall be the sole property of the COUNTY, and no part hereof shall be payable to the VILLAGE.
5. That all development to take place within the VILLAGE's corporate limits or extra-territorial jurisdiction shall be subject to the rules and regulations set forth in the aforementioned Flood Damage Prevention Ordinance. No building permits shall be issued for any property until the flood zone is

determined and the necessary building standards are met if the property is located within the one hundred (100) year floodplain. If the structure is to be constructed within the flood hazard area, preliminary and final elevation certificates will be required.

6. That the Pitt County Planning and Inspections Departments will use every effort to enforce the Flood Damage Prevention Ordinance, except that if any civil or criminal action becomes necessary, the VILLAGE shall bring any legal action as may be required to effectively enforce said Ordinance, upon written notice from the Pitt County Planning or Inspections Department of such violations.

7. That this Agreement shall continue until such time as either the VILLAGE or COUNTY resolves to discontinue the Agreement and presents six (6) months written notice to the other party of said termination or upon mutual agreement of both parties.

8. This Agreement may only be modified in writing and executed by both parties.

9. That the effective date of this Interlocal Agreement shall be _____.

IN WITNESS WHEREOF, the VILLAGE of SIMPSON has caused this Agreement to be signed in its name by its Mayor attested by its Clerk, and its Official Seal to be hereunto affixed, and Pitt County has caused this Agreement to be signed in its name by the Chairman of the Board of Commissioners and attested by the Clerk of its Board and its Official Seal to be hereunto affixed, the day and year first above written.

VILLAGE OF SIMPSON

By: _____

Mayor
ATTEST:

Clerk

PITT COUNTY

By: _____
Mark W. Owens, Chairman

ATTEST:

Clerk

Motion:

Authorize staff to enter into an interlocal agreement with the Village of Simpson to administer the County's Flood Damage Prevention Ordinance once the Town is accepted into the National Flood Insurance Program and the Village Board adopts the County's Flood Damage Prevention Ordinance.

Motion made by Commissioner Glenn Bowen.

Motion seconded by Commissioner Eugene James.

Motion Passed Unanimously.

Resolution on Amber Alert Warning System - Scott Elliott

Information Provided with the Agenda

The County Manager has received requests from numerous counties to offer support for the Amber Alert Warning System that informs citizens of missing or abducted children. Attached is the resolution as drafted for Pitt County.

**NORTH CAROLINA
PITT COUNTY**

**RESOLUTION IN SUPPORT OF THE STATE OF NORTH
CAROLINA ADOPTING THE AMBER ALERT WARNING SYSTEM
TO INFORM CITIZENS OF MISSING OR ABDUCTED CHILDREN**

WHEREAS, communities should implement an emergency alert plan such as AMBER (America's Missing: Broadcast Emergency Response) Plan to expedite the recovery of abducted children;

WHEREAS, the goal of the AMBER Alert is to warn the community of a child abduction and to assist in the search and safe return of the child;

WHEREAS, the AMBER Plan, a partnership between law enforcement agencies and media officials, assists law enforcement, parents, and local communities to respond immediately to the most serious child abduction cases;

WHEREAS, just as in a storm emergency, when warnings are broadcast locally, under AMBER, radio and television stations, as a public service, interrupt programming with a critical message from law enforcement regarding the description of a missing child;

WHEREAS the AMBER Plan was created in 1996 in memory of 9-year-old Amber Hagerman who was kidnapped and murdered in Arlington, Texas;

WHEREAS, in response to community concern, the Association of Radio Managers with the assistance of area law enforcement in Arlington, Texas, created the AMBER Plan;

WHEREAS, statistics from the Department of Justice show that 74 percent of kidnapped children who are later found murdered are killed within the first three hours of their abduction;

WHEREAS, since the first few hours during which a child is missing are critical, the AMBER Plan helps the community respond quickly;

WHEREAS, since the first AMBER alert in 1997, AMBER Plans have helped recover 16 children throughout the country;

WHEREAS, the AMBER alert has already been adopted in 15 states and dozens of communities;

WHEREAS, the National Center for Missing and Exploited Children endorses the AMBER Plan and is promoting the use of such emergency alert plans nationwide; and

WHEREAS, the AMBER Plan is responsible for reuniting children with their searching parents.

NOW THEREFORE, BE IT RESOLVED that the Pitt County Board of Commissioners respectfully requests that the General Assembly enact legislation to implement the AMBER Plan across North Carolina to aid in the search and safe return of abducted children.

BE IT FURTHER RESOLVED that a copy of this Resolution be sent to the Pitt County Delegation and all North Carolina Counties to encourage their support of this effort before the North Carolina General Assembly.

This the 7th day of October, 2002.

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

ATTEST:

Susan J. Banks, CMC
Clerk to the Board

Motion:

**Motion to approve Resolution on Amber Alert.
Motion made by Commissioner Glenn Bowen.
Motion seconded by Commissioner Eugene James.
Motion Passed Unanimously.**

Approval of Minutes - Susan Banks

Information Provided with the Agenda

September 16, 2002 Minutes

Motion:

**Motion to approve Resolution on Amber Alert.
Motion made by Commissioner Glenn Bowen.
Motion seconded by Commissioner Eugene James.
Motion Passed Unanimously.**

Resolution for Pledge of Allegiance - Scott Elliott (Item removed from Consent Agenda, now Item for Decision)

Information Provided with the Agenda

The Clerk has received requests from numerous counties for each county to adopt the Pledge of Allegiance Resolution. The resolution is attached for the Board's consideration.

**PITT COUNTY BOARD OF COMMISSIONERS
RESOLUTION IN SUPPORT OF THE PLEDGE OF ALLEGIANCE**

WHEREAS, the United States Court of Appeals for the Ninth Circuit ruled that our Pledge of Allegiance is unconstitutional because it includes the phrase "under God", and

WHEREAS, we believe that the United States Court of Appeals for the Ninth Circuit was completely wrong in its ruling; and

WHEREAS, as Americans, we are proud of our Pledge of Allegiance, proud of the spiritual heritage of this country and proud of our religious freedom; and

WHEREAS, we will not stand by and allow our religious liberties to be squandered by judges who want to legislate from the bench; and

WHEREAS, this is just another attempt to remove any mention of God from the public arena; and

WHEREAS, now more than ever our nation needs to stand united under God and now more than ever, we must join hands in fighting for our rights and religious freedom; and

WHEREAS, the United States Congress and the North Carolina State Legislature have unanimously declared that the Pledge of Allegiance with the phrase "under God" is constitutional and desirable.

NOW, THEREFORE, BE IT RESOLVED, that the Pitt County Board of Commissioners, without reservation, supports the overturning of this decision.

BE IT ALSO RESOLVED, that we encourage the Superintendent of Schools to continue to Provide Pitt County's young people the opportunity to express their respect for our traditions particularly reciting the Pledge of Allegiance with the phrase "under God" included.

BE IT ALSO RESOLVED, that we ask all members of the U.S. Congress and all members of the North Carolina State Legislature to take all necessary action to defend the Pledge and the constitutional phrase "under God".

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to each U.S. Representative and Senator from the great State of North Carolina, to member of the Pitt County Delegation and to the NACo and NCACC.

ADOPTED this the 7th day of October, 2002.

Mark W. Owens, Jr., Chairman

ATTEST:

Susan J. Banks, Clerk

Meeting Notes

Commissioner Shank asked for discussion concerning paragraph four. Commissioner Royal also concurred with Commissioner Shank comments. The Board discussed the language in paragraph four and determined that it would remain as originally stated in the resolution.

Motion:

Adopt Resolution supporting the Pledge of Allegiance.

Motion made by Commissioner Glenn Bowen.

Motion seconded by Commissioner Eugene James.

Vote Record:

Mark Owens, Jr.	Yes
Beth Ward	Yes
Glenn Bowen	Yes
Tom Coulson	Yes

David Hammond	Yes
Eugene James	Yes
Tom Johnson	Yes
Randy Royal	No
Terry Shank	Yes

Total Yes Votes: 8
Total No Votes: 1
Motion Passed.

Items for Decision

Resolution Levying the Third One-Half Cent Local Government Sales and Use Tax and Prescribing the Method of Distribution of the Proceeds within Pitt County - Melonie Bryan

Information Provided with the Agenda

As you are aware, the Fiscal Year 2002-2003 State Budget does not include the "reimbursements" to the local governments. This action diverts approximately \$4.2 million of local funds (County and Municipalities) to the State for its use. Additionally, it leaves our local budgets with funding gaps which will require a reduction in services, additional use of fund balance or some other action to continue our operations.

The State, under NCGS 105-514(b) - Section 34.14(a) of Session Law 2001-424, as amended by Session Law 2002-123, has adopted a provision which allows counties the ability to implement an additional one-half cent local option sales tax effective December 1, 2002. It is anticipated that this implementation will help the local governments recover a significant portion of the funds withheld by the State. In the case of Pitt County, it is estimated that we will recover approximately \$2.0 - \$2.2 million of our \$2.9 million shortfall.

This action will bring the local sales tax rate to 7-cents. This rate will be in effect until June 30, 2003. On July 1, 2003, a state imposed 1/2-cent tax will sunset returning the sales tax rate to 6.5-cents.

County of Pitt
The State of North Carolina

October 7, 2002

RESOLUTION LEVYING THE THIRD ONE-HALF CENT (1/2¢)
LOCAL GOVERNMENT SALES AND USE TAX AND PRESCRIBING
THE METHOD OF DISTRIBUTION OF THE PROCEEDS
WITHIN PITT COUNTY

WHEREAS, the General Assembly has authorized the Pitt County Board of Commissioners to levy a one-half percent (1/2%) local sales and use tax by enacting N.C.G.S. 105-517(b) in Section 34.14(a) of Session Law 2001-424, as amended by S.L. 2002-123, "An Act to Accelerate the Additional One-half Cent (1/2¢) Local Option Sales and Use Tax and to Make Conforming and Technical Changes," and

WHEREAS, the Pitt County Board of Commissioners gave proper public notice of the Board's intent to consider this resolution, as required by Section 10 of S.L. 2002-123, and

WHEREAS, Pitt County has lost \$2,933,917 and our municipalities will lose \$1,261,986 in funds made available by the State of North Carolina to replace revenue lost because of legislative action: (1) to repeal sales taxes imposed on purchases made with Food Stamps; (2) to repeal property taxes imposed on inventories held by manufacturers, retailers and wholesalers;

(3) to repeal taxes on intangible personal property; and (4) to reduce taxes levied on residential property owned by low-income elderly taxpayers; and

WHEREAS, the Pitt County Board of Commissioners hereby finds that, particularly in light of the circumstances cited herein, the levy of "The Third One-Half Cent (1/2¢) Local Government Sales and Use Tax" is necessary to adequately finance the operations of the county and the cities and towns herein.

NOW, THEREFORE, BE IT RESOLVED by the Pitt County Board of Commissioners that:

(1) There is hereby imposed and levied within Pitt County the third one-half cent (1/2¢) Local Government Sales and Use Tax authorized by Section 34.14(a) of S.L. 2001-424, as amended by S.L. 2002-123, and codified as Article 44 of Chapter 105 of the General Statutes of North Carolina. The tax hereby imposed and levied shall apply to the same extent and be subject to the same limitations as are set forth in said S.L. 2001-424.

(2) Collection of the tax by the North Carolina Secretary of Revenue, and liability therefore, shall begin and continue on and after the first day of December, 2002.

(3) The net proceeds of the tax levied herein shall be distributed by the Secretary of Revenue to Pitt County as prescribed by N.C.G.S. 105-520. The amount distributed to Pitt County shall be divided among the county and the municipalities herein in accordance with the method by which the one percent (1%) sales and use tax levied in Pitt County, pursuant to Article 39 of General Statutes Chapter 105, are distributed.

(4) This Resolution is effective upon its adoption, and a certified copy hereof shall be forwarded to the North Carolina Secretary of Revenue.

Adopted this 7th day of October, 2002.

(SEAL)

SUSAN J. BANKS, CLERK

MARK W. OWENS, JR., CHAIRMAN

Motion:

Adopt resolution as presented and forward copies to the Department of Revenue and the NC Association of County Commissioners.

Motion made by Commissioner Tom Johnson.

Motion seconded by Commissioner Royal.

Commissioner Johnson said the General Assembly has not given the local governments any choice. Commissioner Coulson said he could not and would not vote for the sales tax resolution.

Vote Record:

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

Terry Shank Yes

Total Yes Votes: 8

Total No Votes: 1

Motion Passed.

Establish fee for copies of Agenda Packets - Melonie Bryan

Information Provided with the Agenda

On several occasions, the Board has discussed the time and cost involved in producing agenda packet copies for the general public. Within the County's fee manual, we establish our per copy fee at \$0.05/page and set standard costs per item for such publications as our annual line item budget (\$15), GFOA budget (\$25), and Financial Report (\$15).

Therefore, after reviewing these costs and the size of our agenda, we are recommending a fee of \$8 for a copy of our full agenda. We would also ask that this fee 9/be included in the annual fee review done each budget cycle to ensure we are recovering our cost.

Staff Recommendation: Establish an \$8.00 per copy fee for agenda packet, direct staff to reanalyze cost during budget process and include cost in future editions of the County's Fee Manual.

Motion:

Motion to postpone this item.

Motion made by Commissioner Tom Johnson.

Motion seconded by Commissioner James.

Motion Passed Unanimously.

*Exempt Application 2002 - Parkers Chapel FWB Church
- Glenn Cutrell*

Information Provided with the Agenda

- Parkers Chapel FWB Church has filed a late application for exempt status on parcels 30896, 51830 and 23950.

- Improvements to the property include: Family Life Center, parking expansion, picnic shelter and septic tank fields.

- Upon review of the site, it has been determined that they did qualify for exemption as of January 1, 2002.

- Total Tax assessed is \$ 1,872.95.

- North Carolina General Statute 105-282.1(5) does allow the Board of County Commissioners to approve a late application.

Motion:

Tax Assessor recommends that the late application for Parkers Chapel FWB Church be accepted, approved, and the assessed taxes be released for the tax year 2002.

Motion made by Commissioner David Hammond.

Motion seconded by Commissioner Eugene James.

Motion Passed Unanimously.

Exempt Application 2002 - Metropolitan Housing & Community Development - Glenn Cutrell

Information Provided with the Agenda

- Metropolitan Housing & Community Development Corp., Inc. has filed a late application for tax exempt status on 56 parcels owned in the 'Field of Dreams' Subdivision.

- They have similar property in Beaufort County which has been granted exemption. They believed that this exemption covered the Grifton property, therefore no application was made in Pitt County.

- County Tax Value is approximately \$1,346,000; County Tax Levy is approximately \$10,400.00. Grifton City Levy is approximately \$7,672.00.

- Upon reviewing the documents and discussing this matter with Beaufort County, we believe that they do meet the exemption requirements for charitable purposes.

- North Carolina General Statute 105-282.1(5) does allow the Board of County Commissioners to approve a late application.

Motion:

Tax Assessor recommends that the late application for Metropolitan Housing & Community Development Corp, Inc. be accepted, approved, and the assessed taxes be released for the tax year 2002.

Motion made by Commissioner David Hammond.

Motion seconded by Commissioner Eugene James.

Motion Passed Unanimously.

Request for additional Revaluation Field Person - Glenn Cutrell

Information Provided with the Agenda

- In order to meet the deadline for the 2004 Revaluation, we need another Revaluation Field Person.

- Without this additional position, we feel that we will not meet the field review and land pricing process schedule.

- This position will be in place November 2002 through June 2003.

- The cost will be approximately \$ 25,000 (includes salary and benefits).

- Upon review of the current budget and future estimates, we feel that the requested amount will be covered within Revaluation Reserve fund.

Motion:

Tax Assessor recommends that additional position be approved as submitted.

Motion made by Commissioner Tom Johnson.

Motion seconded by Vice Chairwoman Beth Ward.

Motion Passed Unanimously.

Commissioner James asked if the revaluation is proceeding on schedule. Glenn Cutrell said they have reviewed twenty-three percent. Commissioner James asked if they are still

using the same plan. He asked for him to report back to the Board. He asked about the real estate. Mr. Cutrell said they would need to finish the project first.

Transportation Advisory Committee Appointment to the Rural Planning Organization - James Rhodes

Information Provided with the Agenda

On February 4, 2002, the Board of Commissioners adopted a Memorandum of Understanding for establishment of a Rural Planning Organization among Beaufort, Martin and Pitt counties and the North Carolina Department of Transportation (see Attachment 1). North Carolina Department of Transportation representatives officially announced the formation of the Mid-East Rural Planning Organization on May 21st.

Since the creation of the Mid-East RPO, the Technical Coordinating Committee has met twice on August 28th and September 18th. This group is responsible for providing advice and recommendations to the Transportation Advisory Committee, the decision making body for the RPO. It is anticipated that the Transportation Advisory Committee will meet approximately four times per year.

As stipulated in the MOU, Pitt County is to appoint one commissioner to serve on the Transportation Advisory Committee. The Board's Rules of Procedures allow the Chairman to make this appointment.

**Memorandum of Understanding
For
Cooperative, Comprehensive and Continuing
Transportation Planning
and the Establishment of a
Rural Transportation Planning Organization
For**

The County of Beaufort, the County of Martin, the County of Pitt, and the North Carolina Department of Transportation.

Witnesseth

Whereas, section 135 of Title 23, United States Code, declares that it is in the national interest to encourage and promote the development of transportation systems embracing various modes of transportation in a manner that will serve all areas of the State efficiently and effectively; and

Whereas, North Carolina General Statute 136-18 was amended by the North Carolina General Assembly by ratification of Senate Bill 1195 on July 6, 2000, and this same bill was signed by the Governor on July 14, 2000, and subsequently Chaptered, and which Chaptered Statute provides for the establishment of Rural Transportation Planning Organizations (RPOs), similar in concept to Metropolitan Planning Organizations (MPOs) for Transportation Planning in North Carolina's Urban Areas; and

Whereas, the establishment of a Rural Transportation Planning Organization (RPO), similar in concept to the Urban Metropolitan Planning Organizations (MPOs), would provide Rural Areas the opportunity to work in partnership with the North Carolina Department of Transportation toward the development of sound, Short and Long-Range Transportation Planning for Rural Areas; and

Whereas, the establishment of a Rural Transportation Planning Organization for the afore-referred Three (3) County Area would assist the North Carolina Department of Transportation in complying with the provisions of the Transportation Equity Act for the 21st Century (TEA21), enacted June 9, 1998, relative to the participation of local officials and the public in the transportation planning process; and,

Whereas, it is the desire of the aforementioned Three (3) County Local Governments and agencies to establish a continuing, comprehensive, cooperative transportation planning process with the establishment of a Rural Transportation Planning Organization for the Identified Three (3) County Planning Area.

Now, therefore, the following Memorandum of Understanding is entered into:

Section 1. It is hereby agreed, that the Counties of Beaufort, Martin, and Pitt, and the North Carolina Department of Transportation intend to establish and participate in a Rural Transportation Planning Organization created for the general purposes and responsibilities outlined below:

1. Develop long-range local and regional multi-modal transportation plans in cooperation with the Area MPO (The City of Greenville, The Town of Winterville, and The County of Pitt) and the North Carolina Department of Transportation.
2. To provide a forum for public participation in the rural transportation planning process.
3. To develop and prioritize suggestions for transportation projects that the Rural Transportation Planning Organization believes should be included in the State Transportation Improvement Program.
4. To provide transportation-related information to local governments and other interested organizations and persons.
5. To conduct transportation related studies and surveys for local governments and other interested entities/organizations.
6. To undertake mutually agreed upon transportation related tasks to enhance transportation system development, coordination and efficiency.

Section 2. It is hereby further agreed that transportation plans and programs and land use policies and programs for the Rural Transportation Planning Organization will be coordinated by the Region Q Council of Governments Planning Department, an agency selected on behalf of the participating local governments and the North Carolina Department of Transportation, to be the administrative entity and to serve as the Lead Planning Agency for coordinating transportation planning in the afore-mentioned Three (3) County Planning Area.

Section 3. Establishment of Rural Transportation Advisory Committee (RTAC). A Rural Transportation Advisory Committee (RTAC) is hereby established with the responsibility for serving as a forum for cooperative transportation planning decision making for the Rural Transportation Planning Organization (RPO). The Rural Transportation Advisory Committee (RTAC) shall have the responsibility of keeping the policy boards informed of the status and requirements of the transportation planning process; to assist in the dissemination and clarification of the decisions, inclinations, and policies of the policy boards; and to help ensure meaningful public participation in the rural transportation planning process.

1. The Rural Transportation Advisory Committee will be responsible for carrying out the following:
 - A. Establishment of goals, priorities, and objectives for the Transportation Planning Process;
 - B. Review and recommend changes to adopted Transportation Plans for the Rural Transportation Planning Organization;
 - C. Review and recommend a work program for Transportation Planning, which defines work tasks and responsibilities for the various agencies participating in the Rural Transportation Planning Organization (RPO); and
 - D. Review and recommend Transportation Improvement Projects, which support and enhance intra-county transportation within the Three (3) County Rural Transportation Planning Organization (RPO).
2. The membership of the Rural Transportation Advisory Committee shall consist of the following:
 - A. One County Commissioner representing the County of Beaufort. One (1) elected municipal official representing the municipal interests in Beaufort County.
 - B. One County Commissioner representing the County of Martin. One (1) elected municipal official representing the municipal interests in Martin County.
 - C. One County Commissioner representing the County of Pitt. One (1) elected municipal official representing the municipal interests in Pitt County.
 - D. One (1) member of the Region Q Council of Governments Executive Board being legally domiciled in One (1) of the Member Counties.
 - E. The North Carolina Board of Transportation Members for Division 1, and Division 2.
3. The County Commissioner representing each County on the RTAC shall be selected every Two Years by the Board of County Commissioners of each County in regular session. The Elected Board of each Municipality shall select the Municipal RTAC Representative in regular session every Two Years. The term of office for all seats on the RTAC is two years. Re-appointment is possible.
4. To facilitate staggered terms and thereby promote continuity, the initial appointments from the Counties shall be for Two (2) Years. All subsequent appointments shall be for Two (2) Years.
5. To facilitate staggered terms and thereby promote continuity, the initial appointments from the Municipalities shall be for One (1) Year. All subsequent appointments shall be for Two (2) Years.
6. The Rural Transportation Advisory Committee (RTAC) will meet as often as it is deemed necessary, appropriate and advisable. On the basis of Majority Vote of its membership, the Rural Transportation Advisory Committee may appoint a member of the committee to act as Chairperson with the responsibility for coordination of the committee's activities.

7. The Planning Department of the Region Q Council of Governments will serve as staff to the RTAC.

Section 4. Establishment of the Rural Transportation Technical Committee (RTTC). A Rural Transportation Technical Committee shall be established with the responsibility of general review, guidance, and coordination of the transportation planning process for the Rural Transportation Planning Organization (RPO) and the responsibility for making recommendations to the respective local, state, and federal governmental agencies and the Rural Transportation Advisory Committee (RTAC) regarding any necessary actions relating to the continuing transportation planning process.

1. The RTTC shall be responsible for development, review, and recommendation for approval of the rural transportation planning work program for the RPO, the Transportation Improvement Program, and revisions to the Transportation Improvement Program.
2. Membership of the Rural Transportation Technical Committee (RTTC) shall include technical representatives from all local and state government agencies directly related to and concerned with the transportation planning process for the RPO planning area. Initially, the membership shall include, but may not be limited to, the following:
 - A. County Manager (or his/her designee) from each of the Three (3) Counties of the RPO Planning Area.
 - B. The Chief Administrative Official (or his/her designee) from each municipality in the RPO planning area that is a member of the RPO.
 - C. Respective County Planners (or his/her designee), Mid-East Commission (Region Q Council of Governments) Planning Director, Southern Albemarle Association, any other representing members such as Chamber of Commerce, any Local Public Transportation Provider or/and any other group so deemed by the RPO and agreed upon by the North Carolina Department of Transportation.
 - D. NCDOT Division Engineer(s) for Division 1 and Division 2, or his/her designated representative.
 - E. Manager, Statewide Planning Branch, Planning and Environment, North Carolina Department of Transportation, or his/her designated representative.
 - F. Area Traffic Engineer, Division of Highways, Traffic Engineering Branch, North Carolina Department of Transportation.
3. The Rural Transportation Technical Committee shall meet when it is deemed necessary, appropriate and advisable. The Rural Transportation Technical Committee will be staffed by the Region Q Transportation Planner who will act as a Chairperson with the responsibility for coordinating the committee's activities. Membership of the Rural Transportation Technical Committee may be altered on the basis of a majority vote of its membership and approval of the Rural Transportation Advisory Committee of the RPO.

Section 5. It is further agreed that all participating agencies will assist in the Rural Transportation Planning Process by providing planning assistance (where possible), data, and inventories in accordance with the approved work program.

Section 6. Parties to this Memorandum of Understanding may terminate their participation in the continuing transportation planning process by giving 90 days written notice to the other parties to the date of termination.

Section 7. In witness whereof, the parties of the Memorandum of Understanding have been authorized by appropriate and proper resolutions, and /or legislative authority to sign this Memorandum of Understanding, this document's signature pages are comprised of Pages _____ and may be signed as counterparts.

A11 members of the RPO must sign the Memorandum of Understanding.

	Beaufort County
(s) Sharon C. Singleton _____ Clerk to the Board	By: (s) Rev. David Moore _____ Chairman

	Martin County
(s) Linda G. Hardison _____ Clerk to the Board	By: (s) Tommy W. Bowen _____ Chairman

	Pitt County
(s) Susan J. Banks _____ Clerk to the Board	By: (s) Mark W. Owens, Jr. _____ Chairman

	Region Q Council of Governments
(s) Joe Dooley _____ Clerk	By: (s) Tim Ware _____ Executive Director

Approved as to form: _____	NC Department of Transportation
Asst. Attorney General	By: (s) Lyndo Tippet _____ Secretary

Motion:

To support the appointment of a County Commissioner to serve on the Transportation Advisory Committee for the Mid-East Rural Planning Organization.

Motion made by Commissioner Eugene James.

Motion seconded by Commissioner Terry Shank.

No one appointed at this time.

Motion Passed Unanimously.

Adult Business Ordinance - JoAnne Burgdorff

Information Provided with the Agenda

At the request of the Sheriff, the attached Adult Business Ordinance has been written to regulate those businesses that deal with sexually explicit material. Since this is a new ordinance it must pass by a unanimous vote or it will be considered again at the next meeting. No public hearing is needed as it is passed under the county's police powers.

ORDINANCE REGULATING ADULT ESTABLISHMENTS SEXUALLY ORIENTED BUSINESSES

WHEREAS, the provisions of this article are adopted by the Pitt County Board of Commissioners under the authority granted by GS § 153A-(45-50); 153A-121; 153A-(134-135); and 160A-181.1

WHEREAS, the Board of Commissioners recognizes that important and substantial governmental interests provide a constitutional basis for reasonable regulation of the time, place and manner under which adult and sexually oriented businesses operate; and

WHEREAS, for the purpose of preventing harmful secondary impacts such as neighborhood blight, increases in crime and decreases in property value, this article is adopted by the Board of Commissioners to regulate adult and sexually oriented businesses, as hereby defined, located in the County. From and after the effective date of this ordinance, this ordinance shall apply to every building, lot, tract or parcel of land within the County exclusive of the jurisdiction of any incorporated municipality; and

WHEREAS, the Board of Commissioners has determined that persons seeking to operate sexually oriented businesses shall be required to observe specific location requirements before they commence business; and

WHEREAS, the regulations contained in this ordinance shall not repeal, impair, abrogate or interfere with any existing easements, covenants, deed restrictions, setback requirements, rules, definitions, or regulations previously adopted pursuant to law in any established zoning district in Pitt County. However, where these regulations impose greater restrictions, the provisions of these regulations shall govern.

AND, WHEREAS, the regulations contained in this Ordinance shall not duplicate or contradict state law or infringe upon a liberty guaranteed by the State or Federal Constitution.

NOW, THEREFORE, THE BOARD OF COMMISSIONERS FOR THE COUNTY OF PITT ORDAINS:

1. PURPOSE, EXEMPTIONS.

1.1. Pitt County is committed to protecting the general welfare of the County through the enforcement of laws prohibiting obscenity, indecency, and sexual offenses. It seeks to reduce and eliminate the deleterious effects of sexually oriented businesses while preserving constitutionally protected forms of expression. Pitt County finds that sexually oriented businesses in certain locations contribute to neighborhood deterioration and blight through an increase in crime and diminution of property values, among other adverse consequences, and finds that such effects are contrary to the general welfare of the County. The County recognizes that important and substantial government interests provide a constitutional basis for reasonable regulation of the time, place and manner under which sexually oriented businesses operate; and that, therefore, the County has determined that persons seeking to operate sexually oriented businesses shall be required to observe specific location requirements before they commence business, as provided for in this article. The County finds that the licensing of sexually oriented businesses is necessary to ensure compliance with the location and zoning requirements of such businesses. The County finds that sexually oriented businesses in other communities have been used for unlawful sexual activities, including prostitution, and sexual encounters of a casual nature. The concern over sexually transmitted diseases is a legitimate health concern of the County. The provisions of this article shall not be construed as permitting any use, activity, or

structure that is otherwise prohibited, illegal, or made punishable by law, nor shall it be construed so as to prohibit conduct or expression that is subject to constitutional protection.

2. DEFINITIONS.

2.1. Adult Arcade (also known as "peep show") - any place to which the public is permitted or invited wherein coin-operated or slug-operated or electronically, electrically, or mechanically-controlled still or motion picture machines, projectors, or other image-producing devices are maintained to show images to persons in booths or viewing rooms where the images so displayed are characterized as depicting or describing "specified sexual activities" or "specified anatomical areas", as herein defined.

2.2. Adult bookstore or adult video store – any establishment which has a substantial (over 25% of total retail space) portion of its stock-in-trade and offers for sale or rental for any form of consideration any one or more of the following:

2.2.(a) Books, magazines, periodicals or other printed matter, or photographs, films, motion pictures, video cassettes or video reproductions, slides, or other visual representations that are characterized by an emphasis on depiction or description of "specified sexual activities" or "specified anatomical areas"; or

2.2.(b) Instruments, devices, or paraphernalia that are designed for use in connection with "specified sexual activities."

2.3. Adult Business – any business activity, club or other establishment which permits its employee, members, patrons or guests on its premises to exhibit any specified anatomical areas before any other person or persons.

2.4. Adult cabaret - a nightclub, bar, restaurant, or other commercial establishment that regularly features, exhibits or displays as one of its principal business purposes:

2.4.(a) Persons who appear nude or semi-nude; or

2.4.(b) Live performances which are characterized by the exposure of "specified anatomical areas" or by "specified sexual activities"; or

2.4.(c) Films, motion pictures, videocassettes, slides, or other photographic reproductions which depict or describe "specified sexual activities" or "specified anatomical areas."

2.5. Adult motel - a hotel, motel or similar commercial establishment that:

2.5.(a) Offers accommodations to the public for any form of consideration, provides patrons with closed-circuit television transmissions, films, motion pictures, video cassettes, slides, or other photographic reproductions that depict or describe "specified sexual activities" or "specified anatomical areas" as one of its principal business purposes; or

2.5.(b) Offers a sleeping room for rent for a period of time that is less than ten hours; or

2.5.(c) Allows a tenant or occupant of a sleeping room to sub-rent the room for a period of less than ten hours.

2.6. Adult motion picture theater - a commercial establishment where, for any form of consideration, films, motion pictures, video cassettes, slides, or similar photographic

reproductions are regularly shown as one of its principal business purposes that depict or describe "specified sexual activities" or "specified anatomical areas."

2.7. Adult theater - a theater, concert hall, auditorium, or similar establishment characterized by (activities featuring) the exposure of "specified anatomical areas" or by "specified sexual activities".

2.8. Applicant - the person who will operate the sexually oriented business, and shall include each of the following persons associated with that business:

2.8.(a) The owner of a sole proprietorship;

2.8.(b) Each member of a firm, association or general partnership;

2.8.(c) Each general partner in a limited partnership;

2.8.(d) Each officer, director and owner of more than ten percent of the stock of a corporation;

2.8.(e) The manager of an establishment operated by a corporation;

2.8.(f) Any manager who has been empowered as attorney-in-fact for a nonresident individual or partnership.

2.9. Employ, employee and employment - describes and pertains to any person who performs any service on the premises of a sexually oriented business on a full-time, part-time or contract basis, whether or not the person is denominated an employee, independent contractor, agent or otherwise.

2.10. Escort - a person who, for tips or any other form of consideration, agrees or offers to act as a date for another person, or who agrees to privately model lingerie or to privately perform a striptease for another person.

2.11. Escort agency - a person or business that furnishes, offers to furnish, or advertises to furnish escorts as one of its principal business purposes, for a fee, tip, or other consideration.

2.12. Establishment - is and includes any of the following:

2.12.(a) The opening or commencement of any sexually oriented business as a new business; or

2.12.(b) The conversion of any existing business, whether or not a sexually oriented business, to any sexually oriented business; or

2.12.(c) The addition of any sexually oriented business to any other existing sexually oriented business; or

2.12.(d) The relocation of any sexually oriented business.

2.13. Licensee - a person(s) in whose name a license to operate a sexually oriented business has been issued.

2.14. Massage Parlor - an establishment or business wherein massage is practiced, including establishments commonly known as health clubs, physical culture studios, massage studios or massage parlors, where massage involves the massage or touching of specified anatomical areas of the body.

2.15. Operates or causes to be operated - to cause to function or to put or keep in operation. A person may be found to be operating or causing to be operated a sexually oriented business whether or not that person is an owner, part owner, or licensee of the business.

2.16. Nudity or a state of nudity –

2.16.(a) The appearance of a human anus, male genitals, or female genitals; or

2.16.(b) A state of dress which fails to opaquely cover a human anus, male genitals, or female genitals.

2.17. Person - an individual, proprietorship, partnership, corporation, association, or other legal entity.

2.18. Semi-nude - a state of dress in which clothing covers no more than the genitals, pubic region, and areola of the female breast, as well as portions of the body covered by supporting straps or devices.

2.19. Sexual encounter center - a business or commercial enterprise that, as one of its principal business purposes, offers for any form of consideration, physical contact in the form of wrestling or tumbling between persons of the opposite sex, or activities between male and female person and/or persons of the same sex when one or more of the persons is in a state of nudity or semi-nude.

2.20. Sexually oriented business - an adult arcade, adult bookstore or adult video store, adult cabaret, adult motel, massage parlor, adult motion picture theater, adult theater, escort agency, sexual encounter center, or any combination of the foregoing.

2.21. Specified anatomical areas – less than completely and opaquely covered human genitals, pubic region, buttock, or female breast below a point immediately above the top of the areola; or human male genitals in a discernibly turgid state, even if completely and opaquely covered.

2.22. Specified sexual activities - includes any of the following:

2.22.(a) Human genitals in a state of sexual stimulation, arousal, or tumescence; or

2.22 (b) The fondling or other erotic touching of human genitals, pubic region, buttocks, anus, or female breasts; or

2.22.(c) Sex acts, normal or perverted, actual or simulated, including intercourse, oral copulation, or sodomy; or

2.22.(d) Masturbation, actual or simulated; or

2.22.(e) Masochism, erotic or sexually-oriented torture, beating or the infliction of pain; or

2.22 (f) Erotic or lewd touching, fondling, or other contact with an animal by a human being; or

2.22 (g) Human excretion, urination menstruation, vaginal or anal irrigation.

2.23. Transfer of ownership or control of a sexually oriented business - includes any of the following:

2.23.(a) The sale, lease, or sublease of the business.

2.23.(b) Persons other than those named as applicants for a license becoming associated with the business, as provided in the definition of "applicant"; except that a mere substitution of a person as manager of an establishment shall only require filing a notice with the Code Enforcement Officer and Sheriff of Pitt County.

2.23.(c) The establishment of a trust, gift, or other similar legal device which transfers the ownership or control of the business, except for transfer by bequest or other operation of law upon the death of the person possessing the ownership or control.

2.24 Total retail space – any space within the structure that is used for the direct sale of merchandise to the public and storage areas for those items.

3. SEXUALLY ORIENTED BUSINESSES ARE CLASSIFIED AS FOLLOWS:

3.1. Adult arcades.

3.2. Adult bookstores or adult video stores.

3.3. Adult cabarets.

3.4. Adult motels.

3.5. Adult motion picture theaters.

3.6. Adult theaters.

3.7. Massage Parlors

3.8. Escort agencies.

3.9 Sexual encounter centers.

4. LICENSE REQUIRED.

4.1. It is unlawful for any person to operate a sexually oriented business without a valid sexually oriented business privilege license approved by the Code Enforcement Officer pursuant to this article.

4.2. An application for a license must be made on a form prescribed by the Code Enforcement Officer. An application must be accompanied by a sketch or diagram showing the configuration of the premises, including a statement of total floor space occupied by the business. The sketch or diagram need not be professionally prepared but must be drawn to a designated scale or drawn with marked dimensions of the interior of the premises.

The Property Tax parcel numbers for the business location shall be given.

4.3. The applicant may request and the applicant shall provide such information as to enable the Code Enforcement Officer to determine whether each applicant meets the qualifications established in this article.

4.4. Each applicant must be qualified in accordance with this article and each applicant shall be considered a licensee if a license is granted.

4.5. Each applicant must request and receive a special use permit when required by any local zoning ordinances.

5. ISSUANCE OF LICENSE.

5.1. Within 30 days after receipt of a completed application, the County will approve or deny the issuance of a license to an applicant for a sexually oriented business license. The County will approve the issuance of a license to an applicant unless it finds one of more of the following to be true:

5.1.(a) An applicant is under 18 years of age.

5.1.(b) The license fee required by this section has not been paid.

5.1.(c) An applicant or an applicant's spouse is overdue in payment to the County taxes, fees, fines, or penalties assessed against or imposed upon the applicant or the applicant's spouse in relation to a sexually oriented business.

5.1.(d) An applicant has failed to provide information required in order to determine the qualifications of the applicant under this article for issuance of the license, or has falsely answered a question or request for information on the application form.

5.1.(e) An applicant or the proposed establishment is in violation of or is not in compliance with this article or other provisions of this Code, including local zoning requirements.

5.1.(f) An applicant or an applicant's spouse has been convicted of a violation of a provision of this article, other than the offense of operating a sexually oriented business without a license, within two years immediately preceding the application. The fact that a conviction is being appealed shall have no effect.

5.1.(g) The Sheriff of Pitt County shall make a recommendation to the Code enforcement Officer based on a check of any state, federal and/or local repository for criminal history to determine if an applicant and/or an applicant's spouse has been convicted of a crime involving:

5.1.(g)-1 Any offense described in G.S. Chapter 14 (Articles 7A, 26, 26A, 27, 37, or 39); or any similar offenses to those described above under the criminal or penal code of North Carolina, other states, Pitt County, or other Counties, cities, or other countries; or facilitation, attempt, conspiracy, or solicitation to commit any of the foregoing offenses; for which

5.1.(g)-1.1 Less than two years have elapsed since the date of conviction or the date of release from confinement imposed for the conviction, whichever is the later date, if the conviction is of a misdemeanor offense;

5.1.(g)-1.2 Less than five years have elapsed since the date of conviction or the date of release from confinement for the conviction, whichever is the later date, if the conviction is of a felony offense; or

5.1.(g)-1.3 Less than five years have elapsed since the date of the last conviction or the date of release from confinement of the last conviction, whichever is the later date, if the convictions are of two or more misdemeanor offenses or combination of misdemeanor offenses occurring within any 24-month period.

5.1.(g)-1.4 The fact that a conviction is being appealed shall have no effect on the disqualification of the applicant or applicant's spouse.

5.1.(g)1.5 An applicant who has been convicted or whose spouse has been convicted of an offense listed above may qualify for a sexually oriented business license only when the period required by this article has lapsed.

5.1.(g)1.6 The applicant has failed to make application using a legal name or has failed to produce a valid state driver's license or a valid state identification card.

5.2. The license, if granted, shall state on its face the legal name of the person or persons to whom it is granted, the classification of sexually oriented business for which it is granted, the expiration date, and the address of the sexually oriented business. Licenses shall be posted in a conspicuous place at or near the entrance to the sexually oriented business so that it may be easily read at any time.

6. APPEAL.

6.1. An applicant who's application is denied, suspended or revoked by Code Enforcement Officer, may appeal such action in writing within 30 days to the County Board of Commissioners, who shall decide either to uphold the action or to issue the license not later than the second regular County board meeting after receipt of the appeal. The applicant or licensee shall have the right to present evidence before the County Board. The decision to uphold the action of the Code Enforcement Officer or issue the license shall be based solely on the criteria established in this article for the action by the Code Enforcement Officer. A suspension or revocation shall be stayed during the pendency of an appeal to the County Board.

7. FEES.

7.1. Every sexually oriented business that is granted a license (new or renewal) shall pay to Pitt County an annual nonrefundable privilege license fee of \$1,000.00 upon license issuance or renewal.

7.2. A substitution of a manager of the business which occurs during the license years shall be filed with the Code Enforcement Officer within 30 days of its occurrence, and a \$100.00 investigation fee paid.

7.3. All license applications and fees shall be submitted to Pitt County.

8. LOCATION

8.1. Overconcentration. No more than one (1) sexually oriented business shall be located in any one thousand three hundred and twenty (1320) foot radius (determined by a straight line measured from building to building and not by street distance). This regulation is necessary to prevent an overconcentration of sexually oriented businesses and the creation of a de facto downgrading or blighting of surrounding neighborhoods.

8.2. Residential Proximity.

8.2.(a) No sexually oriented business shall be located within a one thousand three hundred twenty (1320) foot radius (determined by a straight line measured building to building and not by street distance) of any place of worship, a school(public or private), specialty school, day-care facility, or any residential zoning districts or residential properties or a lot or parcel of land on which a public playground, public swimming pool, or public park is located. Special regulation of these establishments is necessary to insure that deleterious secondary effects which can reasonably be expected to result from the inappropriate location or concentration of sexually oriented businesses and these adverse effects will not contribute to a downgrading or blighting of surrounding residential districts or certain other districts which permit residential uses.

9. NON-CONFORMING SEXUALLY ORIENTED BUSINESS

9.1 Any sexually oriented business lawfully operating on the date that this ordinance becomes effective, that is in violation of this article shall be deemed a nonconforming use.

9.2 Any use which is determined to be nonconforming by application of the provisions of this section shall be permitted to continue for a period not to exceed one year from the date this ordinance becomes effective.

9.3 Such nonconforming uses shall not be increased, enlarged, extended or altered, except that the use may be changed to a conforming use.

9.4 If a nonconforming use is discontinued for a period of one hundred eighty (180) days or more it may not be reestablished.

9.5 If two (2) or more adult businesses or sexually oriented businesses are within one thousand three hundred twenty (1,320) feet of one another and otherwise in a permissible location, the business which was first established and continually operating at its present location shall be considered the conforming use and the later established business(es) shall be considered nonconforming.

9.6 A sexually oriented business lawfully operating as a conforming use shall not be rendered nonconforming by the subsequent location of a dwelling, church, house of worship, day care center, school, playground, public swimming pool or public park within one thousand three hundred twenty (1,320) feet of the sexually oriented business.

9. INSPECTION.

9.1. A business license applicant or licensee shall permit representatives of the Pitt County Sheriff's Department or any other county, city, state, or federal department, division, or agency that enforces codes, regulations, ordinances or statutes relating to human health, safety or welfare or structural safety, to inspect the premises of a sexually oriented business for the purpose of ensuring compliance with the law, at any time it is occupied or open for business.

9.2. The provisions of this article do not apply to areas of an adult motel which are currently being rented by the customer for use as a permanent or temporary habitation.

10. EXPIRATION OF LICENSE.

10.1. All licenses shall expire one year from the date of issuance and may be renewed only by making application as provided in this article.

11. SUSPENSION.

11.1. The Code Enforcement Officer is authorized to, and will, suspend a sexually oriented business license for a period not to exceed 30 days if the Pitt County Sheriff's Department and/or inspections department determines that a business licensee has:

11.2. Violated or is not in compliance with this article or with any other requirements of this Code, including those relating to buildings, electricity, plumbing, fire safety, and mechanical equipment; or

11.3. Refused to allow an inspection of the sexually oriented business premises as authorized by this article; or

11.4. Permitted illegal gambling by any person on the sexually oriented business premises; or

11.5. Demonstrated an inability to operate or manage a sexually oriented business in a peaceful and law-abiding manner thus necessitating action by law enforcement officers.

12. REVOCATION.

12.1. The Code Enforcement Officer is authorized to, and will, revoke a license if a cause for suspension occurs and the license has been suspended within the preceding 12 months.

12.2. The Code Enforcement Officer is authorized to, and will, revoke a sexually oriented business license if the Sheriff's Department determines that a business licensee:

12.2(a) Gave false or misleading information in the material submitted during the application process, including, but not limited to, the use of a name other than a legal name to procure a license; or

12.2(b) Has allowed the possession, use, or sale of controlled substances on the premises; or

12.2(c) Has allowed a person to dance, perform, or otherwise appear in a state of nudity or semi-nudity at any adult business or sexually oriented business at a distance of less than five (5) feet from any patron in such establishment. In addition the proprietor of such business shall have a duty to prevent any physical contact between any patron of such business and any person in a state of nudity or semi-nudity on the premises.

12.2(d) Has allowed prostitution on the premises; or

12.2(e) Has operated or worked in the sexually oriented business during a period of time when the licensee's license was suspended; or

12.2(f) Has been convicted of an offense referenced in section 5 of this ordinance for which the time period required has not lapsed; or

12.2(g) On two or more occasions within a 12-month period, a person or persons committed an offense occurring in or on the licensed premises of a crime as referenced in section 5 of this ordinance for which a conviction has been obtained, and the person or persons were employees of the sexually oriented business at the time the offenses were committed; or

12.2(h) Has allowed any act of sexual intercourse, masturbation, oral copulation, or sodomy to occur in or on the licensed premises; or

12.2(i) Is delinquent in payment to the County of Pitt ad valorem taxes, sales taxes, or the annual license fee, or any other fee or tax related to the sexually oriented business or other business of the licensee.

12.3. When the Code Enforcement Officer revokes a license, the revocation shall continue for one year and the licensee shall not be issued a sexually oriented business license for one year from the date revocation became effective.

12.3(a) The fact that a conviction is being appealed shall have no effect on the revocation of the license.

13. SEVERABILITY.

13.1 Each and every provision of this Ordinance is independent and stands alone. If any provision, section, part, paragraph, phrase, or sentence is found to be invalid, all other provisions, parts, paragraphs, phrases, and sentences shall remain valid and in full force and effect.

14. ENFORCEMENT:

14.1 Any person who violates this article shall be guilty of a misdemeanor and upon conviction shall be punished in accordance with Section 14-4(a) of the North Carolina General Statutes.

14.2 This article may be enforced against any person who is in violation by an appropriate equitable remedy issuing from a court of competent jurisdiction as provided for in Section 153A-123(d) of the North Carolina General Statutes.

14.3 This article may be enforced against any person who is in violation by injunction and order of abatement as provided for in Section 153A-123(e) of the North Carolina General Statutes.

14.4 Each day's continuing violation of this article by any person is a separate and distinct offense.

As used herein, "person" shall include:

14.4(a) The agent or operator in charge of the establishment, business, premises, structure or facility

14.4(b) The owner of the building, establishment, premises, structure or facility when such owner knew or reasonably should have known the nature of the business located therein.

14.4(c) The owner of the business or the manager of the business.

14. EFFECTIVE DATE.

This Ordinance shall be in full force and effect on and after the 7th day of October, 2002.

PITT COUNTY BOARD OF COMMISSIONERS

BY: _____
MARK W. OWENS, JR., CHAIRMAN

ATTEST:

SUSAN J. BANKS
CLERK TO THE BOARD

Meeting Notes

Commissioner Hammond asked if a public hearing was necessary or could this item be tabled so that the Board could hold a public hearing. Commissioner Johnson said it would become a free-for-all if they held a public hearing. This item should be approved it is for the good of the community. Commissioner James asked if this would include the Northwest Planning Area? Mr. Rhodes said it was covered the Northwest Zoning Ordinance. He would handle some of the permitting process but would also route some of them to the Sheriff. Commissioner Shank said she felt this was very important ordinance. The Sheriff and the Attorney have worked for many months on this ordinance. Commissioner Royal said he was in support of this ordinance but wondered how many more standalone ordinances would have to be implemented since the County does not have a comprehensive zoning plan.

Glenn Bowen called for a substitute motion asking for a public hearing. Eugene James seconded the motion.

Glenn Bowen withdrew his motion and asked for a motion to hold a moratorium. Eugene James seconded. Commissioner Shank said this was evading the issue. This ordinance has the

support of the staff. She said that we know there is a need for the ordinance and asked why they want to stall it? Commissioner Coulson said he was in support of the ordinance. Commissioner Royal commented that one of the reasons this has been brought forward is because of this kind of business being so close to a church. JoAnne Burgdorff stated that you have to have a public hearing to impose a moratorium. She said the Board cannot just decide to have a public hearing. **Glenn Bowen withdrew his motion.** Eugene James agree to withdrawing his second to the motion. Glenn Bowen asked why, as Commissioners, they could pass a law such as this but can not hold a moratorium. He asked the Attorney to furnish this information.

Sheriff Manning said there have been many of these types of businesses attempting to open in the Grifton area. He said that these type of businesses are opening up next to churches. He reminded the Board of a situation a few years back when they had a lot of complaints from citizens about these businesses. They are operating in rural unincorporated areas. This draws undesirable residents or visitors into neighborhoods and communities. He said they could go door to door and would not find one person is in support of these types of business. Sheriff Manning said that the County Attorney has written an ordinance that would stand up in any court of law and believes it will work for Pitt County.

Motion:

Staff recommends passage of this Ordinance.

Motion made by Commissioner Terry Shank.

Motion seconded by Vice Chairwoman Beth Ward.

Motion Passed Unanimously.

2003 Proposed Statewide Legislative Goals from Pitt County - JoAnne Burgdorff

Information Provided with the Agenda

NCACC has asked that all counties submit their proposed legislative goals for the 2003 long session of the General Assembly to be discussed at the statewide meeting held by NCACC on legislation in January.

**2003 LEGISLATIVE GOALS
PROPOSED BY PITT COUNTY**

STATEWIDE MEASURES:

1) SHERIFF'S FEES:

Civil service of papers fees be increased from \$5.00 to \$25.00. This fee is still far below what is charged in other states and still does not cover the costs associated with this service. This could be accomplished by increasing the fees over a period of \$5.00 per year over a period of 5 years.

2) FEE TO REGISTER VIDEO POKER MACHINES:

Set a fee for the registration of video poker machines and designate the funds so derived to pay to the Sheriff for the costs associated with monitoring the use of the machines.

3) 911 - EXPANDED USE OF 911 FUNDS:

Strongly support legislation to increase flexibility in the use of fees generated for the Emergency Telephone System Fund (911) in order to expand the ability of counties to use these funds for purchase or lease of any and all communication equipment associated with receiving, processing or dispatching emergency calls for law enforcement, fire, medical, rescue or other public safety services.

4) RETIREMENT SYSTEMS BE TREATED EQUALLY.

Requiring that both the Local Government and the State Employees Retirement Systems be treated the same.

5) MENTAL HEALTH EMPLOYEES WITH AT LEAST TEN YEARS OF SERVICE TO BE ALLOWED TO PAY INTO STATE RETIREMENT AND RECEIVE BENEFITS:

Allow Mental Health employees with at least ten years of government service to pay into the State Retirement Systems and receive benefits when they have been displaced to private employment due to the changes brought about by Mental Health Reform legislation, HB 381.

6) NON-REFUNDABLE FEES FOR GUN PERMITS:

Require that a non-refundable fee be collected upon application for a gun permit, as opposed to the fee being paid when the permit is issued. The work for law enforcement is generated by the application and the checking required whether or not the permit is ever issued. Treat this process in the same way that fees are collected for application of a concealed handgun.

7) CHARGE FEE TO INMATES AS CO-PAY FOR PRESCRIPTIONS:

State law allows jails to charge up to a \$10.00 co-payment for non-emergency medical care. Jails should be allowed to charge a \$5.00 to \$10.00 co-payment for prescription medications issued to inmates.

8) PROCESSING FEE FOR INMATES:

Allow jails to charge a fee to inmates for processing into the jail. If inmates have funds on them when admitted the fee would be deducted, if not it would be charged to their account for collection.

9) MULTI-COUNTY INDUSTRIAL PARK SPECIAL TAX DISTRICTS:

Allow two or more counties to establish a joint industrial park that straddles county lines and create a unified tax rate that would apply to the entire area identified as the industrial park. Consider ownership of the park to include the ownership of long term (more than 5 years) options on the land.

10) SPECIAL CONTRACTING TREATMENT FOR PUBLICLY OWNED BUSINESS INCUBATORS:

Allow publicly owned business incubators to operate as if they are business entities permitting continual contractual association with the same architect/engineering firm and general contractor as long as;

- a) the initial contract was awarded under NCGS governing public bids;
- b) the public owner approves the contract extension or change order in open session (thereby providing public notice, and
- c) the "contractors" continue to perform in a satisfactory manner.

Motion:

To approve the submitted legislative goals to be forwarded to NCACC.

Motion made by Commissioner David Hammond.

Motion seconded by Vice Chairwoman Beth Ward.

Vice Chairwoman Ward asked JoAnne Burgdorff to please go any legislative goals that are new this year. She said that paragraphs 1, 4, 5,6,7 & 9 have been added per the request of department heads.

Motion Passed Unanimously.

Reappointment to the Board of Health - Susan Banks

Information Provided with the Agenda

Patricia Feeser's term expired 9/30/02. Patricia Feeser is being recommended for reappointment to the Board of Health. If reappointed, her term will expire 9/30/2005. She serves as the veterinarian. There are no other applicants that meet this qualification. The Board has met 11 times since 2001, and Mrs. Feeser missed one meeting, which was the June meeting.

Meeting Notes

Patricia Feeser was recommended for reappointment and her term would expire 9/30/2005.

Motion:

Motion for reappointment of Patricia Feeser to the Board of Health.

Motion made by Commissioner Tom Johnson.

Motion seconded by Vice Chairwoman Beth Ward.

Motion Passed Unanimously.

Appointment to the Grimesland Board of Adjustment - Susan Banks

Information Provided with the Agenda

Member William Howell resigned from the Grimesland Board of Adjustment. Please see attached Applicant Intersted list. The individual that is appointed will fill an unexpired term, expiring 7/30/2003.

Meeting Notes

Randy Riddle was nominated to fill an unexpired term, expiring 7/30/2003.

Motion:

Motion to appoint Randy Riddle to fill an unexpired term, expiring 7/30/2003.

Motion made by Commissioner Tom Johnson.

Motion seconded by Vice Chairwoman Beth Ward.

Motion Passed Unanimously.

Appointment to Ayden Planning Board - Susan Banks

Information Provided with the Agenda

Charles Peele's term expired September 30, 2002. Mr. Peele is not eligible for reappointment. Please see attached list of Interested Applicants.

Meeting Notes

Timothy Cunningham was nominated for appointment.

Motion:

Motion to appoint Timothy Cunningham.

**Motion made by Commissioner Glenn Bowen.
 Motion seconded by Vice Chairwoman Beth Ward.
 Motion Passed Unanimously.**

Award of Contract for Pitt County Courthouse, Phase II, Renovation, Furniture - Phil Dickerson

Information Provided with the Agenda

An Advertisement for Bids for Pitt County Courthouse, Phase II, Renovation, Furniture was published in The Daily Reflector on August 21, 2002. Our staff met with two local prospective bidders on separate occasions to answer their questions concerning the Specifications and Contract Documents. A prebid conference, scheduled on September 5, 2002, was attended by those same local prospective bidders and two other prospective bidders from out of the area . Three (3) bids were received at the Bid Opening held on September 12, 2002. A tabulation of the bids is attached.

**BID
 TABULATION**

**PITT COUNTY
 COURTHOUSE
 PHASE II,
 RENOVATION
 FURNITURE
 SEPTEMBER 12,
 2002**

Company	Fens Associates	McThrift Office Furniture	Raleigh Office Interiors	Storr Office Environments	Taff Office Equipment
Bid Bond	No Bid	Yes	Yes	No Bid	Check
Addendum 1		Yes	Yes		Yes
Addendum 2		Yes	Yes		Yes
Addendum 3		Yes	Yes		Yes
TOTAL		\$220,915.61	\$249,509.63 \$225,724.85		\$230,578.88 \$230,587.47

Motion:

The staff recommends the award of the Furniture Contract to MacThrift Office Furniture on the basis of the low bid received in the amount of \$220,915.61. The staff also recommends that the Chairman of the Pitt County Board of Commissioners be authorized to execute this contract.

Motion made by Commissioner Eugene James.

Motion seconded by Vice Chairwoman Beth Ward.

Eugene James motioned to approve recommended motion and give Phil Dickerson authority to award the contract to the lowest bidder.

Motion Passed Unanimously.

Commissioners' Comments

Meeting Notes

Commissioner Bowen spoke about an 8th grader not being able to attend homecoming because she was pregnant. He said he was told that the Board needed to address this with Congressman Walter Jones. He asked that the Board send a letter to Congressman Jones. Chairman Owens stated that he did not think this Board should get involved in that matter.

Commissioner Johnson said it was his pleasure to attend the Education Summit. I believe a lot of interesting things are happening. One disturbing thing is that the Federal Government is establishing regulations that could be detrimental to Pitt County. He attended another meeting about Closing the Achievement gap for parents of minority individuals.

Commissioner Shank said that she would like to clarify that when you move the question, that you do not interrupt it to call for a motion because that is a motion.

Adjourn

Motion:

Motion to adjourn the meeting at 10:45 a.m.

Motion made by Commissioner David Hammond.

Motion seconded by Commissioner James .

Motion Passed Unanimously.

Respectfully Submitted,

Patricia A. Staton
DeputyClerk to the Board