

**PITT COUNTY BOARD OF COMMISSIONERS  
GREENVILLE, NORTH CAROLINA  
FEBRUARY 3, 2003 MINUTES**

The Pitt County Board of Commissioners met on Monday, February 3, 2003, at 9:00 AM in the Commissioners' Auditorium, Pitt County Office Building, 1717 W. 5th Street, Greenville, North Carolina.

Commissioners present:

John Minges, Commissioner  
Jimmy Garris, Commissioner  
Mark Owens, Jr., Commissioner  
Beth Ward, Chairman  
Glenn Bowen, Commissioner  
Tom Coulson, Commissioner  
David Hammond, Commissioner  
Eugene James, Vice Chairman  
Randy Royal, Commissioner

Staff present:

Scott Elliott, County Manager  
Susan Banks, Clerk to the Board  
Melonie Bryan, Deputy County Manager  
Glenn Cutrell, Tax Assessor  
Phil Dickerson, Deputy County Manager  
Debra Dihoff, Mental Health Area Director  
Mac Manning, Sheriff  
James Rhodes, Planning Director  
Michael Taylor, MIS Director  
John Bulow, Deputy County Manager

**Call to Order**

**Meeting Notes**

Chairman Ward called the meeting to order.

**Invocation and Pledge**

**Meeting Notes**

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

**Approval of Agenda**

**Motion:**

**Motion to approve agenda as presented.**

**Motion made by Commissioner Glenn Bowen.**

**Motion seconded by Commissioner David Hammond.**

**Motion Passed Unanimously.**

**Presentation**

*Presentation of First in Flight Centennial Flag- Dean Sparrow - Scott Elliott*

### **Information Provided with the Agenda**

Dr. Keats Sparrow, Dean of East Carolina University's Arts and Sciences Department is a member of the First Flight Centennial Commission. Dr. Sparrow would like to present a First Flight Flag to the Pitt County Board of Commissioners. This is in commiseration of the Wright Brothers first manned, powered, heavier than air flight.

### **Meeting Notes**

Dr. Sparrow said the First Flight Centennial Commission is looking forward to the centennial celebration. He presented the First Flight Centennial Flag. He asked Pitt County to fly this flag through December 17, 2003.

### **Public Addresses to the Board**

### **Meeting Notes**

Jane Barnhill spoke about the County's subdivision ordinance which is becoming confused with the zoning ordinance. Some people think it is too restrictive when individuals want to deed property to heirs. She said the subdivision ordinance is required by the State and the local ordinance must meet the State requirements with its own local additions. She said this is not her issue but she is speaking for others. Ms. Barnhill said she has provided the Board with a document that only applies to this topic. In order to get this changed, it would take legislation. She reviewed the required steps for someone who owns farmland and would like to give a child a lot for a residence. She said this is a problem when there is more than one child. She asked the Board to read the materials provided to them. She said some people see this as a problem and feel it warrants attention.

Tom Johnson spoke about the item on the agenda for the Board to consider a vote to decrease the cost of the transfer of solid waste to Bertie County. Staff came up with a bid that was less than what was currently being paid. He said these savings should be passed on to the citizens. He said that the County Manager and staff do everything within their power to keep costs down and provide required services. The budget process is well on its way. He supported the continuation funding of the Education Compact. He said the school system has been using the money appropriately and in a wise manner. In the near future, No Child Left Behind will be in Pitt County. He encouraged parents and adults to read to children and listen to children read to you.

### **Items for Report**

*Manager's Report - Scott Elliott*

### **Information Provided with the Agenda**

February 17, 2003, Regular Meeting, 5:00pm, Commissioners' Auditorium  
Joint Meeting with Greenville City Council, February 20, 5:30 p.m., Sheppard Memorial Library  
NACO Conference, February 28 - March 5, 2003, Washington, DC  
Report on NCACC Legislative Goals Conference

### **Meeting Notes**

Mr. Elliott stated that the joint meeting date between the Greenville City Council and the Board of Commissioners has been changed to Monday, February 24th, 5:30-7:30pm.

He reported that the NACO Legislative Conference is scheduled for February 28-March 2 and there are two registered. He suggested that if any other commissioners want to attend, to please let him or Ms. Banks know as soon as possible.

Mr. Elliott reported on the North Carolina Association of County Commissioners Legislative Goals Conference. He stated that Pitt County requested legislation on low wealth funding for schools. He said the outcome of this request was that it was referred to a NCACE Study committee commission. Commissioner Hammond said the NCACC Board of Directors will meet in February and he intends to put this request of low wealth back on the agenda at that meeting.

*Budget Award Received by Financial Services Department - Melonie Bryan*

**Information Provided with the Agenda**

Pitt County has recently received notification from the Government Finance Officers Association that the County's Fiscal Year 2002-03 Budget document has received the Association's "Distinguished Budget Presentation Award". This award is the highest form of recognition in governmental budgeting and represents a significant achievement for Pitt County.

To receive the budget award, the County had to satisfy nationally recognized guidelines for effective budget presentation that assess how well the budget serves as a policy document, a financial plan, an operations guide, and a communications device. The document must be rated "Proficient" in all four categories to receive the award. Pitt County is pleased to have received "Outstanding" ratings by reviewers on multiple criteria this year.

The Budget Award is valid for only one year. Pitt County is pleased to have qualified for the recognition for six consecutive years.

**Meeting Notes**

Ms. Bryan said that the national association that oversees budget data for local governments awarded Pitt County the "Distinguished Budget Presentation Award" for the 2002-2003 Budget. She said this document is used for policy, financial planning, operations guide and a communications device. Only fourteen counties in North Carolina received this award in 2001. Ms. Bryan recognized Ms. Loretta Lewellyn's work on this document and thanked other departments for their assistance.

*Quarterly Portfolio Investment Report - Melonie Bryan*

**Information Provided with the Agenda**

Each quarter, representatives from the firm Davenport & Co. make a presentation on the performance of the County's professionally managed portfolio. This report will provide information on the quarter ended December 31, 2002 and with performance data since inception.

Staff will be available for questions.

Color Information on investment performance is included in a separate handout for each County Commissioner. It is on beige paper and is titled "Pitt County Hospital Proceeds Quarterly Investment Report" and dated January 2003. Copies for the public can be obtained from the Clerk to the Board, 1717 W. 5th St., Greenville, NC 27834.

**Meeting Notes**

Mr. Ekiert was present and gave the quarterly review of the County's portfolio. Ms. Bryan said that the Manager and herself have discussed some considerations from the Board's retreat. Sean Ekiert may have some recommendations for rearranging the portfolio.

Enter portfolio info.	
Beginning Account Value	\$21,872,231
Ending account Value	\$22,614,153
Fees Paid	(21,107)
Net Return on Investments	\$720,815
Holding Period Return	3.30%
Annualized Return	13.73%
Returns for Quarter	
Manager	Total Returns
MDL Capital	0.67%
Wachovia	1.43%
Franklin Street Partners	4.34%
Sovereign Asset Mgmt.	8.48%
Trusco Capital Mgmt.	5.63%
Fixed Income Index	1.23%
S&P Barra Value	9.90%
S&P 500	8.44%

Mr. Ekiert said the equity markets performed better in the last quarter of 2002 than they have in a number of months. The fixed income managers' returns were not the strongest performers this quarter but have been performing better than the equity managers to date. Equity managers did not keep up with their benchmarks but it was one of the strongest quarters in quite some time. The equity managers were down for the year.

#### Summary of Investment Performance – Since Inception

Initial Investment	\$30,000,000
Withdrawals from Accounts	(\$8,100,000)
Net Account Value, 12/31/02	\$22,614,153
Fees Paid to Date* (376,981)	
Net Return on Investments	\$337,172
Holding Period Return	1.12%
Annualized Return	0.48%

\*Fees Paid to Date Includes Fees Paid to Davenport & Company

Commissioner Hammond asked about Trusco Capital. Mr. Ekiert said they have not been as successful as the other managers but over the two year period they have outperformed the benchmarks. Mr. Ekiert stated that the 9% from the fixed is above the historical average percentages. When equity begins to perform better, the record of the fixed managers will not be as good as they have been. He stated that the S&P was down in January. The Board members discussed the performance of the portfolio.

Commissioner Coulson asked what happened to the stock market in the last year. He said that Mr. Ekiert always reports positively but it may not be a true positive report.

Mr. Ekiert made the following recommendation. He said that based upon the Board's stated intent to include up to \$11 million of hospital funds in the Fiscal 2003-2004 budget, it will be necessary to liquidate a portion of the portfolio over the next six months. In order to minimize the potential loss of principal of those funds expected to be expended next year, he recommended immediately reducing the portfolio's exposure to the equity markets by approximately \$6.4 million through the liquidation of the portfolio's currently managed by Franklin Street Partners and Trusco Capital Management. These funds should be transferred to the County's general operating account as soon as practical. We recommend that additional funds required to meet 2003-2004 budget needs should be withdrawn in equal portions from the County's two fixed income managers, MDL Capital Management and Wachovia. These funds should be transferred to the County's general operating account as funding requirements become more certain. The impact on the overall portfolio, based upon expenditures of \$11 million is detailed in the table below (subject to market returns). When funding requirements for the 2003-2004 budget becomes more certain, a re-allocation of the portfolio between fixed income and equity may be appropriate.

	December 31, 2002		Withdrawals	PROJECTED June 30, 2003	
	Account Value	% of Total		Account Value	% of Total
MDL Capital	\$6,222,518	27.5%	\$(2,271,167)	\$3,951,351	34.0%
Wachovia	<u>6,263,261</u>	<u>27.7%</u>	<u>(2,271,167)</u>	<u>3,992,094</u>	<u>34.4%</u>
<b>Total Fixed Income</b>	<b>12,485,779</b>	<b>55.2%</b>	<b>(4,542,334)</b>	<b>7,943,445</b>	<b>68.4%</b>
Franklin Street	3,326,557	14.7%	(3,326,557)	0	0.0%
Sovereign	3,670,708	16.2%	0	3,670,708	31.6%
Trusco	<u>3,131,109</u>	<u>13.8%</u>	<u>(3,131,109)</u>	<u>0</u>	<u>0.0%</u>
<b>Total Equity</b>	<b>10,128,374</b>	<b>44.8%</b>	<b>(6,457,666)</b>	<b>3,670,708</b>	<b>31.6%</b>
<b>Total Portfolio</b>	<b>\$22,614,153</b>	<b>100.0%</b>	<b>\$(11,000,000)</b>	<b>\$11,614,153</b>	<b>100.0%</b>

Commissioner Owens asked when the contract expires with Davenport and Company. Ms. Bryan said it would run through the end of June. Commissioner Owens said the County could liquidate all the funds. Mr. Ekiert said he was suggesting that they remove Franklin Street and Trusco completely based on performance to date, as well as fee structure. Sovereign is the best performing with the lowest fee structure. He said he is looking to maintain a diversified portfolio between fixed and equity. He said the target is forty percent for the equity funds with room for growth. Commissioner Owens asked if Ms. Bryan and the Manager had reviewed and support this recommendation. Mr. Elliott said they did have some calls with Mr. Ekiert and agreed with his recommendation. He said he was not supportive of spending down the investment funds but would concur with Mr. Ekiert's recommendation. He said the majority would be on the equity investment side and if it is the Board's intent to look at appropriating these funds or some portion, they would need to look at different instruments that can be liquidated. With the budget concerns, they are looking at this as an appropriate direction. He said he would like to see the funds stay in the investments but with the budget the way it is, he did not see the funds staying the same.

Mr. Ekiert said the risk of the equity market is greater and this needs to be minimized. The fixed market is less volatile. Commissioner Owens said they are moving in line with the retreat discussion.

Commissioner Garris said he hoped the total of \$11 million would not have to be used. He said he would like Board to make a commitment on working to put the funds money back when available.

**Motion:**

**Consider changes to the investment strategy and follow recommendation of Davenport & Company and staff.**

**Motion made by Commissioner Mark Owens, Jr..**

**Motion seconded by Vice Chairman Eugene James.**

**The projection would be to withdraw \$2,271,167 from both MDL Capital and Wachovia leaving \$4 million in each MDL Capital and Wachovia with a total of just short of \$8 million in fixed income investments. Franklin Street and Trusco accounts would be depleted by \$3,326,557 and \$3,131,109. The withdrawals of \$4,542,334 from the fixed income accounts and the \$6,457,666 from the equity accounts would total \$11,614,153 and be used to balance the County's budget.**

**Commissioner Hammond said dissolving Franklin and Trusco would not get the County completely out of this deficit. Mr. Ekiert said they would withdraw equal portions from Wachovia and MDL as needed but nothing would be done immediately.**

**Commissioner Minges asked if Davenport and Company Services would still be needed with these reductions. Ms. Bryan said Davenport and Company makes sure the statutory requirements are met on these proposed investments. It may mean less work for Davenport to do but the need to continue is there because Ms. Bryan cannot make a judgement on the liability of the investment.**

**Motion Passed Unanimously.**

**Items for Consent**

*Approval Consent Agenda*

**Motion:**

**Motion to approve items for consent with the removal of "Capacity Building Grant."**

**Motion made by Commissioner David Hammond.**

**Motion seconded by Vice Chairman Eugene James.**

**Commissioner Bowen asked to remove the Capacity Building Grant.**

**Motion Passed Unanimously.**

*Social Services - Budget Amendment - Donations and Neighbor to Neighbor- \$24,000 - Edward L. Garrison*

**Information Provided with the Agenda**

The Department of Social Services has received an additional \$4,000 from Greenville Utilities' Neighbor to Neighbor program. The funds will be used to assist the Department's clients who are not eligible for other State or Federally funded programs. The funds will be used to assist Greenville Utility customers with their heating and cooling.

The Department has received donations from citizens and companies in Pitt County that exceeded the Department's expectations. The Department is requesting a budget amendment to appropriate the additional funds in the amount of \$20,000. The funds have been used primarily to

provide Christmas gifts to the Department's foster children, elderly and other clients at Christmas. Any remaining funds will be reserved.

The Departments is requesting an increase in the Donations revenue line item of \$24,000, the GUC expense line item of \$4,000 and the Donation expense line item of \$20,000. No additional County funds are requested.

Pitt County  
Finance

Budget Amendment Request

INVOICE NO:  
DATE: February 21, 2003

Department: SOCIAL SERVICES Date of Request: 01/07/03

FY Budget: FY 02/03

ACCOUNT NO.	TITLE OF ACCOUNT	INCREASE	DECREASE
165488-560504	GUC ENERGY	4,000	
165458-529901	CONTRIBUTIONS & DONATIONS	20,000	
162800-484000	CONTRIBUTIONS & DONATIONS	24,000	

**Department Justification:** (Please provide detailed explanation)

The Department has received \$4,000 in additional funding from Greenville Utilities Neighbor to Neighbor program to assist clients with their utility bills. Donations to the Department's donation account for foster children and other qualified persons has exceeded expectations.

**Motion:**

**Staff recommends approval.**

**Motion made by Commissioner David Hammond.**

**Motion seconded by Vice Chairman Eugene James.**

**Motion Passed Unanimously.**

*Budget Amendment - Register of Deeds \$1,000 - Melonie Bryan*

**Information Provided with the Agenda**

This budget amendment appropriates funds received and earmarked for automation, enhancement and preservation of records for the Register of Deeds. These funds are derived from a restricted portion of Register of Deeds fees.

INVOICE NO:  
DATE: February 21, 2003

Department: Register of Deeds Date of Request: 1-9-03

FY Budget: 02-03

ACCOUNT NO.	TITLE OF ACCOUNT	INCREASE	DECREASE
102500 440202	Automation / Enhancement & Preservation	1,000	
104180 539900	Records Preservation	1,000	

**Department Justification:** (Please provide detailed explanation)

Appropriation of revenue receipts earmarked for the Register of Deeds. The Automation / Enhancement & Preservation funds are part of the fees collected by Registers of Deeds that are returned to the counties for this specific purpose.

**Motion:**

**Approval of budget amendment as submitted.  
Motion made by Commissioner David Hammond.  
Motion seconded by Vice Chairman Eugene James.**

**Motion Passed Unanimously.**

*Social Services - Budget Amendment - Smart Start- \$3,992 - Edward L. Garrison*

**Information Provided with the Agenda**

The Department of Social Services has received notification from Martin/Pitt Partnership for Children of an additional \$3,992.00 in 100% funding. The funds will be used to employ temporary staff to reduce the waiting list and certify additional children for the Department's subsidized Day Care program.

The Department is requesting a budget amendment to increase revenues by \$3,992.00 and expenditures by \$3,992.

No additional County dollars are requested.

INVOICE NO:  
DATE: February 21, 2003

Department: SOCIAL SERVICES Date of Request: 01/14/03

FY Budget: FY 02/03

ACCOUNT NO.	TITLE OF ACCOUNT	INCREASE	DECREASE
162400-423000	SOCIAL SERVICES ADMINISTRATION	3,992	
165420-539300	TEMPORARY	3,992	

**Department Justification:** (Please provide detailed explanation)

The Dept. has received notification of the additional funding for administration from the Smart Start program for FY 02/03. The Department The Department received these funds to employee temporary staff to reduce the waiting list.

**Motion:**

**Staff recommends approval**

**Motion made by Commissioner David Hammond.**

**Motion seconded by Vice Chairman Eugene James.**

**Motion Passed Unanimously.**

*Approval of Minutes - Susan Banks*

**Information Provided with the Agenda**

January 13, 2003

**Motion:**

**Motion to approve minutes of January 13, 2003 Board meeting.**

**Motion made by Commissioner David Hammond.**

**Motion seconded by Vice Chairman Eugene James.**

**Motion Passed Unanimously.**

*Releases and Refunds Greater Than \$100 - Glenn Cutrell*

**Information Provided with the Agenda**

December 2002 - Total County Releases (Greater Than \$100) - 99 - \$ 24,233.14

December 2002 - Total City Releases (Greater Than \$100) - 25 - \$ 5,512.72

Total Refunds (Greater Than \$100) - 7 - \$ 3,676.95

Barrett, Emma - \$ 126.82  
 Carolina Radiation & Cancer Treatment Center - \$ 2,758.35  
 Corbett, James Lee - \$ 127.28  
 Corbett, John Lee & Corbett, Dean Howell - \$ 191.88  
 First Citizens Bank & Trust - \$ 110.34  
 King, Stephen & King, Linda Anne - \$ 145.30  
 McDaniel, Jeffrey C. & wf Maria J. - \$ 216.98

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TAX RELEASE FORM  
GREATER THAN \$100

NAME	ACCOUNT #	PARCEL #	RELEASE #	TOTAL RELEASED
AARON, ANDRE J. & NOTE: 1998 - RELEASED MOBILE HOME. SOLD TO PAUL MAJETTE IN 1996.	1132804/0		81655	155.46
AARON, ANDRE J. & NOTE: 1997 - RELEASED MOBILE HOME. SOLD TO PAUL MAJETTE IN 1996.	1132804/0		81656	169.49
ADAMS, CHRIS NOTE: 2002 - RELEASED MOBILE HOME. TRADED FOR DOUBLEWIDE 08/2001.	1182059/0		81717	139.34
ALVARENGA, DENNIS A NOTE: 2002 - RELEASED MOBILE HOME. DOUBLE CHARGED ON THIS SAME ACCOUNT NUMBER.	1181184/0		81714	185.67
BAILEY, MILES NOTE: 2001 - RELEASED MOBILE HOME. LISTED ON ACCOUNT NUMBER 11702080.	1198947/0		81897	200.92
BANKS, NATHAN DWIGHT NOTE: 2002 - RELEASED MOBILE HOME. DOUBLE BILLED ON THIS SAME ACCOUNT NUMBER. DISCOVERY BILLING IN ERROR.	1132874/0		81778	104.94
BARKER JR, JERRY LEIGH NOTE: 2002 - ADJUST VALUE ON VEHICLE.	2080000/7		82022	122.74
BOBBY ODOM CONSTRUCCO, INC NOTE: 2001 - VEHICLE CHARGED IN ERROR.	2020378/4		81901	121.58
BOYETTE, ALLEYNE GARTON NOTE: 2002 - PRORATE TAXES ON VEHICLE.	2070664/8		81992	164.93
BRAXTON, PAUL SWAIN NOTE: 2002 - PRORATE TAXES ON VEHICLE.	2030885/9		81855	234.24
BROWN, MARILYN ELAINE & NOTE: 2001 - MOBILE HOME DOUBLE BILLED ON SAME ACCOUNT NUMBER.	1164919/0		81790	211.14
BRYANT, ARTHUR JACKSON NOTE: 2002 - VEHICLE CHARGED IN ERROR.	2070820/2		81902	136.87
BUTTWELL, KIMBERLY KAY & NOTE: 2002 - RELEASED MOBILE HOME. DOUBLE LISTED ON THIS ACCOUNT. PARCEL NUMBER 60238.	1189992/0		81770	338.35
BYRD, BARNEY KIRBY NOTE: 2001 - PRORATE TAXES ON VEHICLE.	2020186/9		81745	114.12
CHAMBERLAIN, PAT NOTE: 2002 - PRORATE TAXES ON VEHICLE.	2080637/5		81663	101.80

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TAX RELEASE FORM  
GREATER THAN \$100

NAME	ACCOUNT #	PARCEL #	RELEASE #	TOTAL RELEASED
CHERRY, JOHN E. NOTE: 1997 - RELEASED MOBILE HOME. LISTED ON ACCOUNT NUMBER 11974090, CHARLOTTE CHERRY.	1167105/0		81896	353.94
CHERRY, JOHN E. NOTE: 1998 - RELEASED MOBILE HOME. LISTED ON ACCOUNT NUMBER 11974090, CHARLOTTE CHERRY.	1167105/0		81895	352.92
CLEMMONS, ISIAH NOTE: 2001 - VEHICLE CHARGED IN ERROR.	1110215/9		81641	116.41
COX, CYNTHIA GARRIS NOTE: 2002 - MOBILE HOME DOUBLE CHARGED DUE TO CLERICAL ERROR.	1198582/0		81911	209.84
DANSEREAU, PIERRE L. NOTE: 2002 - RELEASED MOBILE HOME. BILLED IN ERROR PER MEL JOYNER.	1144247/0		81848	125.29
DELLANO, ARTHUR JOHN NOTE: 2001 - RELEASED MOBILE HOMES. SOLD WITH PARK IN JUNE 2000. SEE PARCEL 23302.	1156777/0		81764	465.65
DELLANO, ARTHUR JOHN NOTE: 2002 - RELEASED MOBILE HOMES. THESE HOMES WERE SOLD WITH THE PARK IN JUNE 2000.	1156777/0		81763	430.60
DOUGHTIE, JOHN ANTHONY NOTE: 2002 - RELEASED MOBILE HOME. TAXABLE IN WAKE COUNTY.	1174039/0		81813	166.43
EVERETT, GEORGE G. & NOTE: 2002 - RELEASED MOBILE HOME. PURCHASED OCTOBER 2002. PICKED UP AS REAL FOR 2003. PER BET TYSON.A	1202463/0		81716	451.18
EVERETTE, RUFUS BEASLEY NOTE: 2002 - RELEASED TWO MOBILE HOMES. TAXPAYER DOES NOT OWN THESE UNITS.	2657551/0		81758	165.55
FOREMAN, DANA LEE HARRIS NOTE: 2002 - RELEASED MOBILE HOME. NOT ON PARK REPORT FOR 2002.	1198613/0		81837	228.09
GALVIN, ANTHONY E NOTE: 2002 - VEHICLE CHARGED IN ERROR.	2080165/5		81647	233.24
GARDNER, MICHAEL SCOTT NOTE: 2001 - VEHICLE CHARGED IN ERROR.	2010985/4		81694	113.21
GROSS, BRADLEY RYAN NOTE: 2002 - RELEASED MOBILE HOME. REPOSSESSED BY GREENPOINT.	1170399/0		81842	198.30

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TAX RELEASE FORM  
GREATER THAN \$100

NAME	ACCOUNT #	PARCEL #	RELEASE #	TOTAL RELEASED
HADDOCK, CURTIS OLAF NOTE: 2002 - PRORATE TAXES ON VEHICLE.	2060917/6		81687	105.59
HEATH, ALTON JUNIOR NOTE: 2000 - RELEASED MOBILE HOME. DID NOT PURCHASE UNTIL 02-09-2002.	1187698/0		81635	203.20
HELM, LILLI MARLAINE NOTE: 2002 - VEHICLE CHARGED IN ERROR.	2080291/7		81971	165.07

HINES, ROOSEVELT	2030068/9		81797	105.92
NOTE: 2002 - PRORATE TAXES ON VEHICLE.				
HINTON, ROSALIND JONES	8100209/8		81877	106.21
NOTE: 1998 - PRORATE TAXES ON VEHICLE.				
HOUSTON, WAYNE	1176748/0		81812	119.34
NOTE: 2002 - RELEASED MOBILE HOME. DOUBLE LISTED FOR 2002.				
HUNTER HOMES	2011515/4		81905	138.57
NOTE: 2001 - VEHICLE CHARGED IN ERROR.				
ISENHOOR JR, JACOB WILLIAM	2010940/1		81889	105.76
NOTE: 2001 - PRORATE TAXES ON VEHICLE.				
ISENHOOR JR, JACOB WILLIAM	2050550/1		81864	112.84
NOTE: 2002 - PRORATE TAXES ON VEHICLE.				
JEDCO PARTNERSHIP	1145948/0	54286	82017	608.13
NOTE: 2000 - RELEASED MOBILE HOME PER MEL JOYNER. DOUBLEWIDE BELONGS TO SOMEONE ELSE. HE WILL BILL THEM.				
JEDCO PARTNERSHIP	1145948/0	54286	82016	533.18
NOTE: 2001 - RELEASED MOBILE HOME PER MEL JOYNER. DOUBLEWIDE BELONGS TO SOMEONE ELSE. HE WILL BILL THEM.				
JEDCO PARTNERSHIP	1145948/0	54286	82012	446.82
NOTE: 2002 - RELEASED MOBILE HOME PER MEL JOYNER. DOUBLEWIDE BELONGS TO SOMEONE ELSE. HE WILL BE THE OWNER OF HOME.				
JEDCO PARTNERSHIP	1145948/0	54286	82018	645.31
NOTE: 1999 - RELEASED MOBILE HOME PER MEL JOYNER. DOUBLEWIDE BELONGS TO SOMEONE ELSE. HE WILL BILL THEM.				
JOLLY, JOE F.A.	1159176/0		82002	116.41
NOTE: 2002 - RELEASED MOBILE HOME. DOUBLE BILLED ON THIS SAME ACCOUNT.				

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TAX RELEASE FORM

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GREATER THAN \$100

NAME	ACCOUNT #	PARCEL #	RELEASE #	TOTAL RELEASED
JONES, CLIFTON ALLEN	1182908/0		81777	116.66
NOTE: 2002 - MOBILE HOME DOUBLE CHARGED.				
JONES, MEGAN	1198874/0		81847	164.41
NOTE: 2002 - RELEASED MOBILE HOME. DOUBLE LISTED, SEE ACCOUNT NUMBER 11624460.				
LANGLEY, CORETTA MARZETTE	1187359/0		81792	188.95
NOTE: 2002 - RELEASED MOBILE HOME. TAXPAYER BILLED IN ERROR.				
LANGLEY, CORETTA MARZETTE	1187359/0		81793	210.04
NOTE: 2001 - RELEASED MOBILE HOME. TAXPAYER BILLED IN ERROR.				
LANGLEY, CYNTHIA MICHELLE	1187243/0		81869	257.07
NOTE: 2001 - MOBILE HOME DOUBLE CHARGED DUE TO CLERICAL ERROR.				
LANIER, MATTHEW	1198631/0		81865	290.48
NOTE: 2002 - MOBILE HOME DOUBLE CHARGED DUE TO CLERICAL ERROR.				
LERNER NEW YORK, INC.	1126232/0		81711	103.67
NOTE: 2002 - ADJUST AMOUNT OWED DUE TO OVER REPORTING.				
LERNER NEW YORK, INC.	1126232/0		81710	353.77
NOTE: 2002 - ADJUST AMOUNT OWED DUE TO OVER REPORTING.				
LLOYD, KENNETH M. SR. &	1097735/0	60770	81987	507.10

NOTE: 2002 - RELEASED MOBILE HOME. DOUBLEWIDE BILLED ON ACCOUNT NUMBER,  
11845870, BOBBY MOYE.

MCCASSLING, ANNA MARIE 1187702/0 81838 182.56  
NOTE: 2002 - RELEASED MOBILE HOME. REPOSSESSED JUNE 19,2001 PER CONSECO

MCDONALD, ALICE-FRANCES WADDE 2090064/0 81886 126.41  
NOTE: 2002 - VEHICLE CHARGED IN ERROR.

MCPHERSON, DOUGLAS 1189672/0 81709 115.97  
NOTE: 2002 - RELEASED MOBILE HOME. DOUBLBLE LISTED ON THIS SAME ACCOUNT  
NUMBER.

MEGA FORCE OF STAFFING SERVIC 1135017/0 81660 310.48  
NOTE: 2002 - BUSINESS DISCOVERY - BANKRUPT IN 2001.

MILLER, BRUCE GARY & BRIDGET 1181084/0 81776 127.29  
NOTE: 2002 - MOBILE HOME SOLD PRIOR TO 1/01/2002.

MILLS, DUIGUIT 1152403/0 81683 165.33  
NOTE: 2002 - RELEASE MOBILE HOME DOUBLE CHARGED ON SAME ACCOUNT NUMBER  
IN ERROR.

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PITT COUNTY

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TAX RELEASE FORM  
GREATER THAN \$100

NAME	ACCOUNT #	PARCEL #	RELEASE #	TOTAL RELEASED
NELSON, GLORIA CANDELL	1183197/0		81841	308.60
NOTE: 2002 - RELEASED MOBILE HOME. PICKED UP AS REAL ESTATE. SEE PARCEL NUMBER 48983.				
NEWSOME, PRISCILLA S (LONG)	1181099/0		81840	194.77
NOTE: 2002 - RELEASED MOBILE HOME. REPOSSESSED IN 2000.				
O NEAL CONSTRUCTORS	1070272/8		81771	173.36
NOTE: 2001 - VEHICLE CHARGED IN ERROR.				
POWELL, CARLTON JUNIOR	1182929/0		81923	101.21
NOTE: 2001 - RELEASED MOBILE HOME. FLOODED IN SEPTEMBER 1999. HAS REPLACED SINGLEWIDE WITH DOUBLEWIDE.				
QUANG, KIM CHI	2080080/4		81818	162.11
NOTE: 2002 - VEHICLE CHARGED IN ERROR.				
RAMIREZ, PEDRO CELIS	2080329/4		81649	121.51
NOTE: 2002 - PRORATE TAXES ON VEHICLE.				
RASCOE, SILENA FREEMAN	1176810/0		81843	273.76
NOTE: 2002 - RELEASED MOBILE HOME. PARK REPORT LOT WAS VACANT FOR 2002				
ROSS, JOHN DAVID	1198886/0		81912	206.00
NOTE: 2002 - RELEASED MOBILE HOME. DOUBLE BILLED ON THIS SAME ACCOUNT.				
ROUNDTREE, EARL KAY	2030191/0		81783	109.11
NOTE: 2002 - PRORATE TAXES ON VEHICLE.				
ROUNTREE, CAREY MARK	2030545/2		81668	125.47
NOTE: 2002 - VEHICLE CHARGED IN ERROR.				
RYDER TRUCK RENTAL	2011229/3		82000	379.81
NOTE: 2002 - ADJUST VALUE ON VEHICLE.				
RYDER TRUCK RENTAL	2011229/2		82001	379.81
NOTE: 2002 - ADJUST VALUE ON VEHICLE.				



VILLAGE PHARMACY OFSONVILLE	2030386/9		81801	120.17
NOTE: 2002 - VEHICLE CHARGED IN ERROR.				
WALDRON, BERNIE	1199048/0		81845	332.62
NOTE: 2002 - RELEASED MOBILE HOME. LISTED ON ACCOUNT NUMBER 11904600, LEESA HAMILL.				
WALDRON, BERNIE	1199048/0		81844	340.34
NOTE: 2001 - RELEASED MOBILE HOME. LISTED ON ACCOUNT NUMBER 11904600, LEESA HAMILL.				
WARREN, MISTY MICHELLE	1176389/0		81846	114.82
NOTE: 2002 - RELEASED MOBILE HOME. DOUBLE CHARGED DUE TO CLERICAL ERROR				
WAYNE, JAMES DEREK	1159351/0		81713	141.14
NOTE: 2002 - RELEASED MOBILE HOME. SOLD 2001 AND NOT ON PARK REPORT.				
WILLIAMS, EDITH FLEMING	1192023/0	34279	82026	428.88
NOTE: 2002 - RELEASE AND RECHARGE TO ACCOUNT NUMBER 1203237/0 (RIGGS, PHYLLIS WILLIAMS).				
WILLIAMS, MITZI ACCARREA	1172164/0		81794	305.98
NOTE: 2002 - RELEASED MOBILE HOME. LISTED ON ACCOUNT NUMBER 11976300, SUZETTE MCCAULEY.				
WILLIAMS, SHANNON DANIELLE	1181517/0		81839	196.20
NOTE: 2002 - RELEASED MOBILE HOME. REPOSSESSED 2001.				
WOOTEN, SHELIA FAYE	1188465/0	19204	81807	383.01
NOTE: 1991 - CORRECT FEES CHARGED IN ERROR BY LEGAL DEPARTMENT.				
WYRICK, LAURA J.	1181182/0		81791	111.00
NOTE: 2002 - RELEASED MOBILE HOME. DOUBLE LISTED, SEE ACCOUNT NUMBER 11955820, CROUCH, BURLEIGH.				
YAW, LARRY EUGENE	1181414/0		81704	187.09
NOTE: 2001 - RELEASED MOBILE HOME. FLOODED IN 1999. PURCHASED NEW 2000  MOBILE HOME LISTED ON THIS ACCOUNT.				
YAW, LARRY EUGENE	1181414/0		81705	206.04
NOTE: 2000 - RELEASED MOBILE HOME. FLOODED IN 1994. NEW MOBILE HOME 2000 MODEL LISTED ON THIS ACCOUNT NUMBER.				
YAW, LARRY EUGENE	1181414/0		81703	169.96
NOTE: 2002 - RELEASED MOBILE HOME. FLOODED IN 1999. PURCHASED NEW 2000 MOBILE HOME ON THIS ACCOUNT.				

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PITT COUNTY

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TAX RELEASE FORM  
GREATER THAN \$100

NAME	ACCOUNT #	PARCEL #	RELEASE #	TOTAL RELEASED
TOTAL RELEASES:	99	24233.14		

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 12/31/02

CITY OF GREENVILLE

PAGE.... 1

TAX RELEASE FORM  
GREATER THAN \$100

NAME	ACCOUNT #	PARCEL #	RELEASE #	TOTAL RELEASED
BAMONTE, TERESA ANN	2080859/5		81754	103.21
NOTE: 2002 - VEHICLE CHARGED IN ERROR.				
BARKER JR, JERRY LEIGH	2080000/7		82022	111.01
NOTE: 2002 - ADJUST VALUE ON VEHICLE.				
BILL ASKEW MOTORS I	1110309/6		81921	108.20
NOTE: 2001 - VEHICLE CHARGED IN ERROR.				
BOSSE, MARK WARD	1183967/0		81856	151.54
NOTE: 2002 - RELEASED CITY. MOVED MOBILE HOME TO EMMA CANNON ROAD IN 2001.				
BOYETTE, ALLEYNE GARTON	2070664/8		81992	149.53
NOTE: 2002 - PRORATE TAXES ON VEHICLE.				
GALVIN, ANTHONY E	2080165/5		81647	230.95
NOTE: 2002 - VEHICLE CHARGED IN ERROR.				
GAY, CAROLYN MELISSA	2080947/1		81917	109.42
NOTE: 2002 - VEHICLE CHARGED IN CITY LIMITS IN ERROR.				
GOOD, MICHAEL SARRI	2080181/3		81985	130.33
NOTE: 2002 - VEHICLE CHARGED IN CITY LIMITS IN ERROR.				
HOMERUN CONSTRUCTIO	2090755/5		81961	212.13
NOTE: 2002 - VEHICLE CHARGED IN CITY LIMITS IN ERROR.				
LAWSON, SHAUN CONTRELL	1120210/5		82023	110.23
NOTE: 2001 - VEHICLE CHARGED IN ERROR.				
LERNER NEW YORK, INC.	1126232/0		81710	286.13
NOTE: 2002 - ADJUST AMOUNT OWED DUE TO OVER REPORTING.				
MCDONALD, ALICE-FRANCES WADDE	2090064/0		81886	134.33
NOTE: 2002 - VEHICLE CHARGED IN ERROR.				
MEGA FORCE OF STAFFING SERVIC	1135017/0		81660	280.80
NOTE: 2002 - BUSINESS DISCOVERY - BANKRUPT IN 2001.				
MOYE, AMY WINSTEAD	2090103/7		81908	116.43
NOTE: 2002 - VEHICLE CHARGED IN CITY LIMITS IN ERROR.				

O NEAL CONSTRUCTORS 1070272/8 81771 179.02  
NOTE: 2001 - VEHICLE CHARGED IN ERROR.

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DATE 12/31/02 CITY OF GREENVILLE PAGE... 2  
TAX RELEASE FORM  
GREATER THAN \$100

NAME	ACCOUNT #	PARCEL #	RELEASE #	TOTAL RELEASED
PANTELIDIS, VERONICA SEXAUER	2060093/8		81808	107.57
NOTE: 2002 - VEHICLE CHARGED IN CITY LIMITS IN ERROR.				
ROUNTREE, CAREY MARK	2030545/2		81668	134.46
NOTE: 2002 - VEHICLE CHARGED IN ERROR.				
RYDER TRUCK RENTAL	2011229/3		82000	343.50
NOTE: 2002 - ADJUST VALUE ON VEHICLE.				
RYDER TRUCK RENTAL	2011229/1		81999	343.50
NOTE: 2002 - ADJUST VALUE ON VEHICLE.				
RYDER TRUCK RENTAL	2011229/2		82001	343.50
NOTE: 2002 - ADJUST VALUE ON VEHICLE.				
SAI INVESTMENTS, LLC	1196803/0		81853	1349.21
NOTE: 2002 - BUSINESS PERSONAL PROPERTY LISTED IN ERROR.				
SERAILE, GIA CIPRIANI	2070608/1		81644	110.47
NOTE: 2002 - VEHICLE CHARGED IN ERROR.				
STEIN, ZACHARY GORDON	2070036/3		81881	131.24
NOTE: 2002 - VEHICLE CHARGED IN ERROR.				
VANDERHALL, JACKIE	1120513/5		81852	117.35
NOTE: 2001 - VEHICLE CHARGED IN ERROR.				
WILLIAMS, SHANNON DANIELLE	1181517/0		81839	118.66
NOTE: 2002 - RELEASED MOBILE HOME. REPOSSESSED 2001.				

TOTAL RELEASES: 25 5512.72

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 David Hammond.**  
**Motion seconded by Vice Chairman Eugene James.**

**Motion Passed Unanimously.**

*Budget Amendment - Mental Health- \$12,000 - Debra Dihoff*

**Information Provided with the Agenda**

Reclassification of contracted services funds to appropriate cost centers to reflect payment and reimbursement of Medicaid-funded contracted services. Per Division of Mental Health, department is to begin to post contract "clearing" payments against general ledger accounts. (No increase/decrease to Mental Health fund budget).

Transfer of additional \$12,000 to fund state-mandated Spanish interpreter services in outpatient Adult MH/SA program. (No increase/decrease to Mental Health fund budget).

Pitt County  
Finance

Budget Amendment Request

INVOICE NO:  
DATE: February 21, 2003

Department: Mental Health Date of Request: 1/22/03

FY Budget: 02-03

ACCOUNT NO.	TITLE OF ACCOUNT	INCREASE	DECREASE
195247 561000	Contracted Services (Early Intervention)	80,000	
195276 519400	Interpreters (Adult MH/SA)	12,000	
195276 561000	Contracted Services (Adult MH/SA)	200,000	
195237 561000	Contracted Services (Child & Family Contracts)		292,000
193247 434000	Medicaid (Early Intervention)	80,000	
193276 434000	Medicaid (Adult MH/SA)	200,000	
193237 434000	Medicaid (Child & Family Contracts)		280,000

**Department Justification:** (Please provide detailed explanation)

Transfer of contracted services (expense) and Medicaid (revenue) funds to reflect payment and reimbursement of contract clearing billing. Directed by state to cease use of balance sheet "clearing" account and to begin to post these funds into general ledger accounts. dth

Transfer of additional \$12,000 to fund state-mandated spanish interpreter services in the outpatient Adult MH/SA program dth.

**\*\*\*\*\*No bottom line increase/decrease to Mental Health fund budget.\*\*\*\*\***

**Motion:**

**Approve as presented.**

**Motion made by Commissioner David Hammond.**

**Motion seconded by Vice Chairman Eugene James.**

**Motion Passed Unanimously.**

*Reimbursement Resolution and Budget Amendment - Melonie Bryan*

**Information Provided with the Agenda**

At the December 16, 2002 Board Meeting, staff was given direction to purchase computer equipment as requested by the MIS Department. Additionally, we were directed to investigate the cost of borrowing funds versus signing a lease purchase agreement with the vendor. We were able to find more attractive rates from BB&T and have an approved loan pending a final closing.

The loan will be for \$435,000 at 3.13% with a 3 year term. We will make semi-annual payments and the debt service will be covered within the annual operating budget of the MIS Department. This action saves the County approximately \$18,000 over the term of the borrowing.

The final items needed to complete this transaction are (1) adoption of the attached budget amendment recognizing the funds and (2) adoption of the attached Reimbursement Resolution which will enable us to reimburse ourselves should the equipment arrive before the loan is closed.

**Resolution Approving Financing Terms**

**WHEREAS:** The Pitt County (“County”) has previously determined to undertake a project for the financing of Computer Equipment, and the Deputy County Manager/Financial Services has now presented a proposal for the financing of such Project.

**BE IT THEREFORE RESOLVED, as follows:**

1. The County hereby determines to finance the Project through Branch Banking and Trust Company (“BB&T”), in accordance with the proposal dated January 21, 2003. The amount financed shall not exceed \$435,000.00, the annual interest rate (in the absence of default or change in tax status) shall not exceed 3.13%, and the financing term shall not exceed three (3) years from closing.

2. All financing contracts and all related documents for the closing of the financing (the “Financing Documents”) shall be consistent with the foregoing terms. All officers and employees of the County are hereby authorized and directed to execute and deliver any Financing Documents, and to take all such further action as they may consider necessary or desirable, to carry out the financing of the Project as contemplated by the proposal and this resolution. The Financing Documents shall include a Financing Agreement as BB&T may request.

3. The Deputy County Manager/Financial Services is hereby authorized and directed to hold executed copies of the Financing Documents until the conditions for the delivery of the Financing Documents have been completed to such officer's satisfaction. The Deputy County Manager/Financial Services is authorized to approve changes to any Financing Documents previously signed by County officers or employees, provided that such changes shall not substantially alter the intent of such documents or certificates from the intent expressed in the forms executed by such officers. The Financing Documents shall be in such final forms as the Deputy County Manager/Financial Services shall approve, with the Deputy County

Manager/Financial Services' release of any Financing Document for delivery constituting conclusive evidence of such officer's final approval of the Document's final form.

4. The County shall not take or omit to take any action the taking or omission of which will cause its interest payments on this financing to be includable in the gross income for federal income tax purposes of the registered owners of the interest payment obligations. The County hereby designates its obligations to make principal and interest payments under the Financing Documents as "qualified tax-exempt obligations" for the purpose of Internal Revenue Code Section 265(b)(3).

5. All prior actions of County officers in furtherance of the purposes of this resolution are hereby ratified, approved and confirmed. All other resolutions (or parts thereof) in conflict with this resolution are hereby repealed, to the extent of the conflict. This resolution shall take effect immediately.

Date: February 3, 2003

SEAL

\_\_\_\_\_  
Beth B. Ward, Chairman

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

**Motion:**

**Move approval of the attached Resolution and Budget Amendment as presented.  
Motion made by Commissioner David Hammond.  
Motion seconded by Vice Chairman Eugene James.**

**Motion Passed Unanimously.**

*Monthly Financial Report - December 2002 - Melanie Bryan*

**Information Provided with the Agenda**

Fund Balance - General Fund:                   \$ 48,007,392. (06/30/02)  
  \$ 40,854,227. (Unreserved - \$9,693,614  
  designated)  
  40.08%

Total Budget:   \$179,993,527.                   50.00% of Fiscal Year completed

Summary of Revenues:	Dec 2002	YTD 02-03
General Operating Funds	\$ 15,207,136.	\$ 61,807,265.**
Enterprise Fund	866,105.	3,800,327.
All Other Funds	1,793,072.	13,294,700.
Totals	\$ 17,866,313.	\$ 78,902,292.

Percent of Budget: 9.93% 43.80%

Summary of Expenditures:	Dec 2002	YTD 02-03
General Operating Funds	\$ 10,330,330.	\$ 61,146,734.
Enterprise Fund	669,760.	3,420,100.
All Other Funds	1,420,555.	10,651,665.
Totals	\$ 12,420,645.	\$ 75,218,499.
Percent of Budget:	6.90%	41.79%

\*\*Net of Fund Balance Appropriated.

**Motion:**

**Accept for the record.  
Motion made by Commissioner David Hammond.  
Motion seconded by Vice Chairman Eugene James.**

**Motion Passed Unanimously.**

*Mental Health FY 02-03 2nd Quarter Financial Report - Debra Dihoff*

**Information Provided with the Agenda**

In accordance with HB 381 (Mental Health System Reform ) GS 122C-115.1.(e) "Within 30 days of the end of each quarter of the fiscal year, the program director and finance officer of the county program shall present to each member of the board of county commissioners a budgetary statement and balance sheet that details the assets, liabilities, and fund balance of the county program. This information shall be read into the minutes of the meeting at which it is presented. The program director or finance officer of the county program shall provide to the board of county commissioners ad hoc reports as requested by the board of county commissioners."

**PITT COUNTY  
MENTAL HEALTH  
MONTHLY  
FINANCIAL REPORT  
December 2002**

REVENUES	Anticipated Revenues		YTD 02-03	Percent Collected
		_____		
		---		
Self Pay	\$211,300.00	\$11,624.13	\$77,893.66	36.86%
3rd Party	207,000.00	20,635.77	118,368.42	57.18%
Medicare	10,000.00	1,093.63	4,957.59	49.58%
Other Local	722,666.00	59,718.31	439,790.58	60.86%
			\$	

County	1,594,588.00	132,882.00	797,292.00	50.00%
Medicaid	10,223,162.00	1,092,838.22	3,510,999.73	34.34%
State/Federal (excluding MR/MI and CTSP)	6,532,042.00	541,633.47	3,034,268.08	46.45%
MR/MI UCR (old Thomas S)	1,401,065.00	198,136.56	616,256.28	43.98%
CTSP UCR (old Willie M)	786,534.00	126,667.53	262,833.46	33.42%
Total State/Federal	8,719,641.00	866,437.56	3,913,357.82	44.88%
TOTAL REVENUES	\$21,688,357.00		\$8,862,659.80	40.86%
		\$2,185,229.62		

**EXPENDITURES**

	Budgeted Expenditures		YTD 02-03	Percent Expended
Personal Services	\$9,647,260.00	\$723,626.94	\$4,223,823.55	43.78%
Operating Expense	2,096,920.00	111,263.58	689,802.40	32.90%
Contract	9,914,277.00	579,649.05	3,113,121.30	31.40%
Capital Outlay	29,900.00	-	1,876.45	6.28%
TOTAL EXPENDITURES	\$21,688,357.00 #		\$8,028,623.70	37.02%
		R \$1,414,539.57		
		E		
		F		
		!		

Cash Balance		\$834,036.10
*Accrued Expenditures:		
Thomas S Diversion	\$312,237	
Revenues	#REF!	
Revised Expenditures	\$8,028,624	
Revised Balance	#REF!	
% of Total Operating Budget		3.85%



**Motion:**

**Approve report as submitted.**

**Motion made by Commissioner David Hammond.**

**Motion seconded by Vice Chairman Eugene James.**

**Motion Passed Unanimously.**

**Items for Decision**

*Capacity Building Grant - Set Public Hearing for February 17, 2003 - James Rhodes*

**Information Provided with the Agenda**

Pitt County has been approached by officials with the North Carolina Division of Community Assistance and the Governor's Office to participate in a new affordable housing initiative. No matching funds from the County are required.

The primary program objectives are to:

- 1) Expand homeownership opportunities in Eastern North Carolina;
- 2) Reduce costs by tapping volunteer groups that helped after Hurricane Floyd; and
- 3) Develop and prove model for engaging lenders, Community Development Corporations, and Department of Corrections.

The Capacity Building Grant will provide funding (\$75,000 maximum) for the County to hire a Program Coordinator to locate building lots, work with volunteer groups (e.g. NC Baptist Men, etc), line up lenders to provide construction loans, and identify and counsel families for homeownership. After these efforts begin, the County would apply for a Housing Development Grant through the Division of Community Assistance for funds to acquire property on which to construct housing units.

Staff is requesting a public hearing date on February 17th to solicit public comments on the Capacity Building Grant.

**Motion:**

**Set Public Hearing for the Board of County Commissioners February 17, 2003 meeting.**

**Motion made by Commissioner Glenn Bowen.**

**Motion seconded by Vice Chairman Eugene James.**

**Motion Passed Unanimously.**

*Requested Easement for Installation and Maintenance of a Sanitary Sewer Extension on County Home Farm by Greenville Utilities Commission - Phil Dickerson*

**Information Provided with the Agenda**

The requested easement consists of the following:

- 1) A parcel, approximately 40' X 80' at the northwest corner of the property to be granted to the Pitt County Council on Aging, Inc.
- 2) A parcel, approximately 40' X 658' west of County Home Road along the northern and western property line of the County property.

The total area of the requested easement is 0.697 acre. Based on a land value of \$25,000 to \$30,000 per acre in the area and the normal value of an easement being 50% of the market value of the land, the value of the easement would be \$8,700 to \$10,500. There is also substantial benefit to the County that will be realized by having the sewer installed through its property. The owner of property is normally required to construct all the sanitary sewer lines within his property. Greenville Utilities Commission provides one point of service. The sewer on the west side of County Home Road would allow the property adjacent to the new line to be developed at a much lower cost. The benefit to the County will exceed the value of the easement.

Greenville Utilities staff has informed the developer that it will not consider the County's offer of the easement in exchange for outfall acreage fees. Greenville Utilities Commission has informed the developer that it is his sole responsibility to acquire the easement. Mr. Jon Day, representing Reggie Spain, Developer, has requested that he be allowed to address the Board on this matter.

**CORPORATION**

GRANT OF ALL UTILITIES EASEMENT

DATE December

23, 2002

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

(Reference is hereby made to Deed Book 705, at Page(s) 703 in the Office of the Register of Deeds of Pitt County, North Carolina) and to construct, install, operate and maintain sanitary sewer lines, water lines, gas lines and electrical lines in a manner suitable to the Commission upon, across, under and through said premises within an easement and right of way strip of the width, location and approximate length hereinafter defined and to be utilized by the Commission a permanent easement for the public use with the right to do all things necessary or convenient thereto, including the following:

- (a) the right of officers, agents, and workmen of the Commission and its contractors to go to and from said right of way strip at all times over the above described land by such route or routes as shall occasion the least practicable inconvenience to Grantor, including private roads and ways then existing thereon, on foot or by

conveyance, with materials, machinery, supplies and equipment as may be desirable; provided that except in emergencies, existing roads and ways thereon shall be used to the extent that they afford ingress and egress to and from the right of way strip; and to construct, reconstruct, work upon, repair, alter, inspect and in general do any other thing necessary or convenient to maintain and operate said lines for the purpose aforesaid;

- (b) the right and privilege to enter upon the land included in the construction easement hereinabove described for the purpose of constructing said utility facilities, and the right and privilege at all times to enter upon the land included in the area of the permanent easement hereinabove described for the maintenance and repair of said utility facilities;
- (c) the right to clear, and keep cleared, from said right of way strip all structures (other than ordinary fences, but when Commission desires, such fences may be opened and reclosed or temporarily removed and replaced, or Commission may provide suitable gates therein) and all vegetation which may interfere with the utility facilities herein described and to use (1) chemicals which are not injurious to human beings, domestic animals, fish or game, (2) machinery, and (3) other forms of equipment and devices in so doing;
- (d) the right to install, construct, repair, maintain and operate all utility lines, structures and appurtenant facilities of the Commission.

Description:

*Being a 40' sanitary sewer easement as shown on attached survey and as hereby described.*

*With the western right-of-way of NCSR 1725 (County Home Road), S 14°58'25" W 40.07', thence leaving the western right-of-way of NCSR 1725 (County Home Road), N 78°29'32" W 271.22, thence S 45°35'40" W 387.86', thence N 44°24'20" W 40.00', thence N 45°35'40" E 409.09', thence S 78°29'32" E 294.88' to the point of beginning containing 0.626 acre and being a portion of the property described in Deed Book 705, Page 703 of the Pitt County Register of Deeds Office.*

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

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

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

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

GRANTOR: NAME: Pitt County

ADDRESS: 1717 W. Fifth Street

CITY/STATE/ZIP CODE: Greenville, NC 27834

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

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

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

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

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

\_\_\_\_\_

BY: \_\_\_\_\_(SEAL)

Pitt County

NORTH CAROLINA

PITT COUNTY

I, \_\_\_\_\_, a Notary Public in and for the aforesaid county and state, do hereby certify that \_\_\_\_\_ personally appeared before me and acknowledged the due execution of the foregoing and annexed instrument for the purposes therein expressed.

Witness my hand and Notarial Seal, this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_

NOTARY

PUBLIC

My commission expires: \_\_\_\_\_

NORTH CAROLINA

PITT COUNTY

The foregoing certificate(s) of \_\_\_\_\_, Notary Public(s) of the aforesaid County and State, is/are certified to be correct.

This the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_

PITT COUNTY,

**CORPORATION**

REGISTER OF DEEDS,

NORTH CAROLINA

GRANT OF ALL UTILITIES EASEMENT

DATE \_\_\_\_\_ -

\_\_\_\_\_

KNOW ALL MEN BY THESE PRESENTS, that the undersigned "GRANTOR" (whether one or more), for and in consideration of the sum of ONE DOLLAR (\$1.00) and other good and valuable consideration to it in hand paid by

GREENVILLE UTILITIES COMMISSION of the City of Greenville, Pitt County, North Carolina, hereinafter referred to as the "COMMISSION", the receipt of which is hereby acknowledged, does hereby grant the City of Greenville, a body politic and corporate in Pitt County, North Carolina, for use of the "COMMISSION", its licensees, successors and assigns, the right, privilege and easement to go in, through, under, and upon lands of the GRANTOR located in Winterville,      Township, Pitt County, North Carolina, and more fully described as follows:

(Reference is hereby made to Deed Book 705, at Page(s) 703 in the Office of the Register of Deeds of Pitt County, North Carolina) and to construct, install, operate and maintain sanitary sewer lines, water lines, gas lines and electrical lines in a manner suitable to the Commission upon, across, under and through said premises within an easement and right of way strip of the width, location and approximate length hereinafter defined and to be utilized by the Commission a permanent easement for the public use with the right to do all things necessary or convenient thereto, including the following:

- (e) the right of officers, agents, and workmen of the Commission and its contractors to go to and from said right of way strip at all times over the above described land by such route or routes as shall occasion the least practicable inconvenience to Grantor, including private roads and ways then existing thereon, on foot or by conveyance, with materials, machinery, supplies and equipment as may be desirable; provided that except in emergencies, existing roads and ways thereon shall be used to the extent that they afford ingress and egress to and from the right of way strip; and to construct, reconstruct, work upon, repair, alter, inspect and in general do any other thing necessary or convenient to maintain and operate said lines for the purpose aforesaid;
- (f) the right and privilege to enter upon the land included in the construction easement hereinabove described for the purpose of constructing said utility facilities, and the right and privilege at all times to enter upon the land included in the area of the permanent easement hereinabove described for the maintenance and repair of said utility facilities;
- (g) the right to clear, and keep cleared, from said right of way strip all structures (other than ordinary fences, but when Commission desires, such fences may be opened and reclosed or temporarily removed and replaced, or Commission may provide suitable gates therein) and all vegetation which may interfere with the utility facilities herein described and to use (1) chemicals which are not injurious to human beings, domestic animals, fish or game, (2) machinery, and (3) other forms of equipment and devices in so doing;
- (h) the right to install, construct, repair, maintain and operate all utility lines, structures and appurtenant facilities of the Commission.

Description:

*Being a varied width utility easement (20' each side of sewer main as constructed and 5' each side of water main as constructed) as shown on attached survey and as hereby described:*

*Beginning at an existing iron pipe on the eastern right-of-way of NCSR 1725 (County Home Road), said iron pipe being located S 85°29'16" E 29.57' from the centerline of NCSR 1725 (County Home Road) said point in centerline being located S 03°36'07" E 2129.87' (chord) from a point in the centerline intersection of NCSR 1725 (County Home Road) and NCSR 1898 (Bells Chapel Road). From the above described beginning, so located, running thence as follows:*

*Leaving the eastern right-of-way of NCSR 1725 (County Home Road), S 85°29'16" E 40.68', thence S 14°25'08" W 80.13', thence N 78°29'32" W 40.05' to a point on the eastern right-of-way of NCSR 1725 (County Home Road), thence with the eastern right-of-way of NCSR 1725 (County Home Road) N 14°58'25" E 34.56' and N 13°50'11" E 40.61' to the point of beginning containing 0.071 acre and being a portion of the property described in Deed Book 705, Page 703 of the Pitt County Register of Deeds Office.*

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

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

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

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

GRANTOR: NAME: \_\_\_\_\_ Pitt County \_\_\_\_\_

ADDRESS: \_\_\_\_\_ 1717 W. Fifth Street \_\_\_\_\_

\_\_\_\_\_  
CITY/STATE/ZIP CODE: \_\_\_\_\_ Greenville, NC  
27834 \_\_\_\_\_

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

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

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

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

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

BY: \_\_\_\_\_ (SEAL)

Pitt County

NORTH CAROLINA  
PITT COUNTY

I, \_\_\_\_\_, a Notary Public in and for the aforesaid county and state, do hereby certify that \_\_\_\_\_ personally appeared before me and acknowledged the due execution of the foregoing and annexed instrument for the purposes therein expressed.

Witness my hand and Notarial Seal, this the \_\_\_\_\_ day of \_\_\_\_\_,  
20\_\_.

\_\_\_\_\_

NOTARY

PUBLIC

My commission expires: \_\_\_\_\_

NORTH CAROLINA  
PITT COUNTY

The foregoing certificate(s) of \_\_\_\_\_, Notary  
Public(s) of the  
aforesaid County and State, is/are certified to be correct.

This the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_

REGISTER OF DEEDS,

PITT COUNTY,

NORTH CAROLINA

**Meeting Notes**

Mr. Dickerson introduced Jon Day to speak on behalf of the Kittrell's who own this property. The property is located in the City of Greenville's extraterritorial jurisdiction which will eventually be brought into the Greenville City limits. Mr. Dickerson said that the developer agreed to stub out the sewer on the west and east side of County Home Road. Commissioner Owens asked what he meant by "stub out." Mr. Dickerson said sewer extensions would be extended so they could add on to sewer. They will install sewer lines and include the stub out for tap ons. Mr. Dickerson said the cost for the County to go back in and put stub in would be anywhere from \$2,000 to \$3,000. Mr. Dickerson said the west side would have a manhole on the property. He said it would extend down the side and across the back of the property. Mr. Dickerson was asked if this would still have a charge for acreage fees. Mr. Dickerson said the School is exempt and the 23 acres set aside behind them would be exempt but anything else would have to pay. Vice Chairman James said easements through property are a problem. Mr. Dickerson said the sewer would run along the property line not through the middle of the property. He said some of the property is swamp area. Mr. Elliott asked if Greenville Utilities Commission would charge us for the tap on fees and would the developer pay for the tap ons. Mr. Dickerson said the County would probably be putting in its own tap.

**Motion:**

**Authorize the Chairman of the Pitt County Board of Commissioners to execute the easement agreement on behalf of the County. .at the charge of \$9.600 MOTION WAS WITHDRAWN.**

**Motion made by Commissioner Glenn Bowen.**

**Motion seconded by Commissioner David Hammond.**

**Authorize the Chairman of the Pitt County Board of Commissioners to execute the easement agreement on behalf of the County. .at the charge of \$9.600 with stub outs provided.**

**Motion made by Commissioner Tom Coulson.**

**Motion seconded by Commissioner Glenn Bowen.**

**Mr. Day said the property under consideration is along the property lines. Commissioner Bowen asked if the 9600 was in line with what they paid the other people. ....**

**Authorize the Chairman of the Pitt County Board of Commissioners to execute the easement agreement on behalf of the County including the stub outs on the sewer.**

**Motion made by Commissioner Mark Owens, Jr..**

**Motion seconded by Commissioner Jimmy Garris.**

**Mr. Dickerson said he would like the stub outs required.**

**Vote Record:**

<b>Jimmy Garris</b>	<b>Yes</b>
<b>John Minges</b>	<b>Yes</b>
<b>Mark Owens, Jr.</b>	<b>Yes</b>
<b>Beth Ward</b>	<b>Yes</b>
<b>Glenn Bowen</b>	<b>No</b>
<b>Tom Coulson</b>	<b>No</b>
<b>David Hammond</b>	<b>No</b>
<b>Eugene James</b>	<b>No</b>
<b>Randy Royal</b>	<b>Yes</b>

**Total Yes Votes: 5**

**Total No Votes: 4**

**Motion Passed.**

*Renewal Of Franchise For C & D Landfill, Inc. - Phil Dickerson*

**Information Provided with the Agenda**

On December 18, 2000, the Pitt County Board of Commissioners approved a franchise for C & D Landfill, Inc. to construct and operate a construction and demolition debris landfill on a site located off US264 near Pactolus. The action by the Board did not set a term for the franchise. The General Statutes limit the term of such franchises to no more than 30 years. Although the law allows a 30-year franchise term, the staff does not feel that such a long term is advisable.

It should be pointed out that the Pitt County Solid Waste Enterprise Fund has received approximately \$144,000 in franchise fees from C & D Landfill, Inc. since December 2001. The company employs approximately 15 people with an approximate annual payroll of \$375,000. It also utilizes substantial taxable equipment and buys substantial goods from local merchants.

## FRANCHISE RENEWAL

FOR: A Construction and Demolition Debris Landfill

GRANTED BY: Pitt County Board of Commissioners  
1717 West Fifth Street  
Greenville, North Carolina 27834  
Contact: Phil Dickerson

Deputy County Manager/Public Services

GRANTED TO: C & D Landfill, Inc.  
802 Recycling Lane  
Greenville, North Carolina 27834  
Contact: Judson Whitehurst, President

TERM OF FRANCHISE: The renewal term of this Franchise shall be one (1) year from the date of granting of the Franchise Renewal. The Franchise may renew and extend for seven (7) subsequent one (1) year terms, contingent upon County Commissioner approval pursuant to G. S. §153A-46. The Board of Commissioners may, at its sole option, require that the Franchisee meet additional terms and conditions in order to secure the renewal of the Franchise at the end of any one year term.

POPULATION AND AREA TO BE SERVED: The Site is located on US264 near the Pitt County/Beaufort County line. It is expected that the site will serve an area up to 50 miles in radius from the center of the waste area. This area will include all or portions of Pitt, Beaufort, Pamlico, Craven, Lenoir, Greene, Jones, Wayne, Wilson, Nash, Edge-combe, Halifax, Northampton, Bertie, Martin, Chowan, Washington, Tyrrell and Hyde Counties.

TYPE, QUANTITY AND SOURCE OF WASTE: Construction of new commercial and residential projects will be the main source of waste. Typical components of the waste stream are gypsum board, lumber, shingles, paper products, plastics and other miscellaneous materials. The most likely average daily rate is 50 tons per day. The Applicant is granted the authority to receive up to 200 tons per calendar day in order to accommodate future growth or other natural disasters such as Hurricane Floyd.

ANTICIPATED LIFE OF SITE: On the next page is a table of calculations of the potential useful life of the site. The useful life is based on the estimated tonnage per year arriving at the facility. It is estimated the proposed facility will have a useful life of approximately 20 years.

Annual Growth	Daily Tonnage		
	50	100	200
0%	25 years	13 years	7 years
2%	21 years	11 years	6 years
5%	17 years	9 years	5.5 years
10%	13 years	8 years	5 years

DESCRIPTION OF SITE: Beginning at North Carolina Geodetic Survey Monument "BEACHUM-1979" with NAD '83 state plane coordinates NORTHING 209495.130 meters EASTING 774558.210 meters proceed on a magnetic bearing (July 22, 2000) SOUTH 28 degrees 46 minutes 00 seconds WEST 467.22 ft. to an existing iron stake, thence SOUTH 68 degrees 17 minutes 21 seconds WEST 1317.66 ft. to an existing iron pipe, thence SOUTH 24 degrees 28 minutes, 54 seconds, WEST 870.40 ft. to an existing iron pipe, thence SOUTH 19 degrees 17 minutes 19 seconds WEST 620.11 ft. to an existing iron pipe in the center of an abandoned railroad bed, thence SOUTH 22 degrees 50 minutes 42 seconds WEST 700.25 ft. to an existing iron pipe and being the TRUE POINT OF BEGINNING.

Thence from the TRUE POINT OF BEGINNING the following courses and distances:  
SOUTH 44 degrees 44 minutes 42 seconds EAST 677.72 ft. to an existing iron pipe,  
thence SOUTH 15 degrees 30 minutes 38 seconds EAST 495.60 ft. to an existing iron pipe,  
thence SOUTH 66 degrees 08 minutes 47 seconds WEST 1182.37 ft. to an existing iron pipe, a corner with Davenport Farms DEED BOOK K-37 PAGE 457, thence NORTH 01 degrees 05

minutes 14 seconds WEST 122.65 ft. to an existing iron pipe, thence NORTH 33 degrees 05 minutes 14 seconds WEST 1312.98 ft. to an existing railroad iron on the south bank of WOLF PITT BRANCH, thence along the branch NORTH 27 degrees 36 minutes 05 seconds EAST 51.55 ft. (no point set) to the center line intersection of WOLF PITT BRANCH and a CANAL HEADING NORTH, thence along the centerline of the canal NORTH 04 degrees 28 minutes 05 seconds WEST 62.82 ft. (no point set), thence NORTH 19 degrees 30 minutes 45 seconds EAST 26.87 ft. (no point set), thence NORTH 36 degrees 34 minutes 19 seconds WEST 81.04 ft. (no point set), thence NORTH 37 degrees 17 minutes 08 seconds WEST 154.38 ft. to a set iron pipe in the centerline of the canal, thence leaving the canal SOUTH 82 degrees 23 minutes 10 seconds EAST 723.01 ft. (no point set), thence NORTH 54 degrees 18 minutes 09 seconds EAST 414.81 ft. (no point set), thence SOUTH 44 degrees 44 minutes 42 seconds EAST 210.00 ft. (no point set), thence SOUTH 44 degrees 44 minutes 42 seconds EAST 146.84 ft. back to THE TRUE POINT OF BEGINNINGS and having and containing 40.14 acres by the coordinate method.

CONDITIONS: The conditions upon which the Franchise renewal is granted are the following:

1. The franchisee shall cause any public road leading to the landfill to be cleared of debris at least twice per month for a distance of two miles on both sides of the landfill entrance onto the public road.
2. The franchisee shall require that all trucks transporting debris be adequately covered or secured to prevent the spillage of debris.
3. The franchisee shall pay to the Pitt County Solid Waste Enterprise Fund a certain sum to be set each year in the fee schedules approved by the Board of County Commissioners for every ton of debris taken into the landfill. These funds shall be utilized by the County to insure that the landfill operates in accordance with all Federal, State, and local regulations and the franchise.
4. The franchisee shall comply with all fire prevention regulations and sedimentation and erosion control regulations.
5. The franchisee shall provide dust control measures that will not allow dust to leave his property.
6. The franchisee hereby gives the County the right to seek up to \$500 per calendar day in damages, for violation of the franchise agreement.

**Meeting Notes**

Mr. Dickerson said they are requesting the franchise be renewed over seven years with a review annually.

**Motion:**

**Renew the franchise for C & D Landfill, Inc. for a term of one (1) year from the renewal date of the franchise. The franchise may renew and extend for seven (7) subsequent one-(1) year terms, contingent upon County Commissioner approval pursuant to G. S. §153A-46. The Board of Commissioners may, at its sole option, require that the franchisee meet additional terms and conditions in order to secure the renewal of the franchise at the end of any one-year term. Further, that the franchisee shall pay to the County of Pitt Solid Waste Enterprise Fund the sum of \$2.00 per ton of waste delivered to the site. The fee shall be paid in January and July.**

**Motion made by Vice Chairman Eugene James.**

**Motion seconded by Commissioner David Hammond.**

**Motion Passed Unanimously.**

*Lowering Solid Waste Tipping Fees - Phil Dickerson*

**Information Provided with the Agenda**

Pitt County's Solid Waste Program is primarily financed by household fees and tipping fees. A household fee is billed on the property tax bill for each household in the County. There are no further disposal charges for household waste when the waste is delivered to the transfer station. All other customers at the transfer station are charged a tipping fee when municipal solid waste is delivered to the transfer station. Both the household fee and the tipping fee generate some funds that are used to pay for maintenance of the old landfill, yard waste management, tire management, white goods management, etc. Either by County choice or State law, there is no direct charge levied for these programs.

Due to changes in the market and increased competition, Pitt County has executed a new disposal contract that has reduced the County's cost considerably since the budget was prepared and the fees set. The staff is, therefore, recommending that this saving be passed on to our customers.

Due to the fact that household fees are billed on the property tax bill, it is not practical to reduce the fee until next year's tax billing. We can, of course, compensate the households for inequity in the payment when we set next year's household fee. It should be pointed out that as conditions change, maintaining the equity between the household fee and the tipping fee may dictate that increases or decreases in the fees may not be mathematically proportional.

The tipping fee can be altered in mid year and the staff recommends that it be reduced from \$46.00 to \$39.00 per ton.

**Meeting Notes**

Mr. Dickerson said this is a recommendation to lower the tipping fee \$7.00 for non-household users. On July 1st, the household fee could be reconsidered. Business is going away and there is money within the tipping fee that helps manage white goods and tires. Commissioner Owens said Mr. Dickerson and his staff have brought this about and praised them for their work.

**Motion:**

**That the Solid Waste Tipping Fee be reduced from \$46.00 to \$39.00 effective March 1, 2003.  
Motion made by Commissioner Mark Owens, Jr.  
Motion seconded by Commissioner John Minges.**

**Vice Chairman James spoke about household fees needing to be reduced.**

**Motion Passed Unanimously.**

*Proposed Franchise Ordinance For Solid Waste Collection And Disposal  
and set Public Hearing for March 24, 2003 - Phil Dickerson*

**Information Provided with the Agenda**

North Carolina law makes counties responsible for the disposal of solid waste generated within their boundaries. For approximately thirty years, Pitt County has fulfilled its responsibility without attempting to exercise much control over the system. The County has simply provided a service.

The rules regulating solid waste disposal and the requirements to plan for and document compliance are becoming more burdensome every year. In spite of this, the Pitt County Solid Waste Program has maintained a program that has been consistently recognized as one of the best in the State and the country. The County has had visitors from most states and several other countries who wanted to observe our operations.

The County has maintained this exemplary program, while receiving few complaints regarding cost or services. The satisfaction has been evidenced by the fact that there has been a grand total of two citizens appear at two public hearings that were advertised in the newspaper and publicized in other ways. These hearings were held as a part of our planning process. All the municipalities have endorsed the County's Solid Waste Management Plan on two occasions during our mandated planning process.

To maintain our exemplary programs, the time has come when the County needs to increase its control over the waste collectors, how they collect and transport the waste as well as at what type of facility they use for disposal. Such control will protect the environment and make the County more aesthetically pleasing. To exercise control, the County needs to have information concerning the collectors such as who they are and what areas they serve. To obtain those things referred to above, a franchise ordinance is the best means.

A franchise ordinance should accomplish the following:

- 1) Provide a means to formalize the County's relationship with its municipalities by requiring interlocal agreements.
- 2) Reinforce the County's ability to require that waste be managed in ways advantageous to all its residents.
- 3) Provide a better means to regulate waste collectors who may not be complying with existing regulations.
- 4) Help the County to maintain an integrated solid waste management system as required by State and Federal regulations. These regulations require white goods management, yard waste management, lead acid battery management, etc. It is not economically feasible to operate these programs on a stand alone basis. They must be integrated with disposal systems to achieve economics of scale.

One benefit of a franchise ordinance that would evolve out of other parts of the ordinance would be the ability of the County to direct that various types of waste be disposed of at given facilities. This would avoid the proliferation of facilities such as transfer stations and landfills. It would also allow the County to continue the established integrated system without economic penalty.

FRANCHISE ORDINANCE  
FOR SOLID WASTE COLLECTION AND DISPOSAL

WHEREAS, the County, through the power granted under G. S. §153A-136, is authorized to enact an ordinance regulating the collection and disposal of solid wastes; and

WHEREAS, the County may require that all waste haulers have a license and a franchise in order to operate in the County in order to ensure that the residents and commercial customers of the County will be provided with reliable, environmentally sound waste disposal now and in the future; and

WHEREAS, through the use of a franchise the County can provide that all solid waste and debris be disposed of at County approved and designated facilities; and

WHEREAS, requiring that all solid waste and debris be disposed of at County approved and designated facilities, allows the County to cause the management of all solid waste to be conducted in a manner that will result in the maximum benefit to the environment; and

WHEREAS, the County may grant a non-exclusive franchise to one or more persons for the collection and disposal of solid wastes in the County.

NOW, THEREFORE, the County hereby adopts this Franchise Ordinance which by its specific terms shall modify those ordinances previously adopted under Chapter 12.5 of the Pitt County Code of Ordinances, titled "Solid Waste". Those Ordinances which are hereby specifically modified by this Franchise Ordinance, but otherwise unchanged are:

Franchise Ordinance for Construction Debris Landfills, and  
Solid Waste Ordinance.

Section 1: **Franchise Requirements:** Every person contracting with commercial and/or residential customers located in Pitt County to provide any solid waste collection and disposal must obtain a franchise from the Pitt County Board of Commissioners. A franchise may be issued at the discretion of the Board of County Commissioners upon payment of the Franchise fee as set out in the fee schedule adopted by the Board of County Commissioners on an annual basis; and presentation of the following information to the County:

1. The name and address of the applicant;
2. The trade or other fictitious names, if any, under which the applicant does business, along with a certified copy of and assumed name certificate stating such name or articles or incorporation stating such name;
3. A statement of the population to be served, including a description of the geographic area;
4. A description of the volume and characteristics of the waste stream to be handled by the Franchisee.

Section 2: **Franchise Conditions:** Upon issuance, the franchise document shall contain a statement of the population to be served, including a description of the geographic area to be served; and a description of the volume and characteristics of the waste stream. The franchise document shall contain any other conditions that the County may deem appropriate.

Section 3: **Franchise Terms:** The Franchisee shall comply with the following terms and conditions:

1. The Franchisee shall require that all trucks disposing of waste at his facilities and his trucks transporting waste or debris be adequately covered or secured to prevent the spillage of waste or debris.
2. The Franchisee shall pay to the Pitt County Solid Waste Enterprise Fund a certain sum to be set each year in the fee schedules approved by the Board of County Commissioners.
3. The Franchisee hereby gives the County the right to seek up to \$500 per calendar day in damages, for violation of the terms and conditions of the Franchise.

Section 4: **Term of Franchise.** The initial term of this Franchise shall be one (1) year from the date of granting of the Franchise. The Franchise may automatically renew and extend for seven (7) subsequent one (1) year terms, contingent upon County Commissioner approval pursuant to G. S. §153A -46. The Board of Commissioners may, at its sole option, require that the Franchisee meet additional terms and conditions in order to secure the renewal of the Franchise at the end of any one year term.

Section 5: **Scope of Services** For the term of the Franchise, the Franchisee shall provide commercial and/or residential customers with solid waste collection and transportation services to County-approved disposal sites.

Section 6: **Disposal at County-Approved Facilities** Franchisee shall dispose of all waste collected in the County only at County approved facilities. With regard to County approved facilities, Franchisee must obtain County approval prior to the disposal at said facilities, and said approval shall be granted or denied entirely at the discretion of the County. The County has the exclusive authority to designate which facilities shall be used.

Section 7: **Temporary Franchise.** Pitt County staff under the supervision of the Deputy County Manager for Public Services shall be authorized to issue a temporary franchise which shall expire at the end of forty-five (45) days from the date of issue.

Section 8: **Revocation of Franchise and Enforcement.** Franchisee may be cited by Pitt County Solid Waste staff for any violations of the terms and conditions set out in this Ordinance. The Franchise may be revoked upon Franchisee receiving two or more violations during the franchise term. Each violation shall require payment of a fine as set out in the Pitt County fee schedule adopted annually by the Pitt County Board of Commissioners. Failure of Franchisee to pay any fine assessed within thirty (30) days of citation, shall bring about immediate revocation of the Franchise, in addition to any legal remedies for collection of the fines.

Section 9: **Severability.** If any of the provisions of this Ordinance shall be held by a court of competent jurisdiction to be unconstitutional or unenforceable, the decision of such court shall not affect or impair any of the remaining provisions of this Ordinance, and the County shall, to the extent it deems to be appropriate, take such actions as are necessary to correct any such unconstitutional or unenforceable provision.

Section 10: **Conflict with Other Laws** It is not intended that this Ordinance repeal, abrogate, annul, or in any way impair or interfere with any existing ordinances or regulations adopted by the County. However, to the extent that it does conflict, the provisions of this Ordinance shall control.

Section 11: **Effective Date.** This Franchise Ordinance shall be effective upon enactment and shall apply to and modify both the Construction Debris Landfills Ordinance and Solid Waste Ordinance that have been previously approved by Pitt County, the terms and provisions of these Ordinances shall be incorporated herein by reference as if fully set out herein.

PITT COUNTY

\_\_\_\_\_  
Chairman, Pitt County Board of Commissioners

ATTEST:

\_\_\_\_\_  
Clerk to the Board

**Meeting Notes**

This franchise ordinance will control where the waste is taken. He requested the public hearing be scheduled and expects at the public hearing some waste haulers will come in saying they can do it cheaper. The Board will hear from people lobbying for this business.

**Motion:**

**Set a Public Hearing date for the Franchise Ordinance For Solid Waste Collection And Disposal. The recommended date is March 24, 2003 at 5:00 p.m.**

**Motion made by Commissioner John Minges.**

**Motion seconded by Commissioner David Hammond.**

**Motion Passed Unanimously.**

*Penalty Appeal - Captec Finance - Glenn Cutrell*

**Information Provided with the Agenda**

- Audit conducted by Tax Management Associates revealed that 'leased equipment' owned by Captec Finance and leased to McLean Foods (Taco Bell) was not reported in tax year 2000 and was under reported at book value instead of 100% cost value in tax years 2001 and 2002.

- For tax year 2000, each party thought that the other had listed the assets. After realizing that neither party had listed in tax year 2000, Captec began listing in tax year 2001.

- Taxpayer agrees to pay the general tax, but requests that the penalty be waived. Amount of penalty is \$ 470.70. Amount of general tax is \$ 1,895.21.

**Meeting Notes**

Mr. Glenn Cutrell said he had two businesses requesting relief of penalties. They both brought these discoveries to the Tax Office and they were proactive in this matter. One firm has paid the penalty and therefore it would be a refund. The other taxpayer would be a straight release of penalty.

**Motion:**

**Motion to relieve company of penalty.  
Motion made by Commissioner Mark Owens, Jr.  
Motion seconded by Commissioner David Hammond.**

**Commissioner Royal commented about the Board not following the staff's recommendation on such matters as this one.**

**Vote Record:**

<b>Jimmy Garris</b>	<b>Yes</b>
<b>John Minges</b>	<b>Yes</b>
<b>Mark Owens, Jr.</b>	<b>Yes</b>
<b>Beth Ward</b>	<b>Yes</b>
<b>Glenn Bowen</b>	<b>Yes</b>
<b>Tom Coulson</b>	<b>Yes</b>
<b>David Hammond</b>	<b>Yes</b>
<b>Eugene James</b>	<b>Yes</b>
<b>Randy Royal</b>	<b>No</b>

**Total Yes Votes: 8**

**Total No Votes: 1**

**Motion Passed.**

*Penalty Appeal - Fiesta Corp DBA Chico's Mexican Restaurant - Glenn Cutrell*

**Information Provided with the Agenda**

- Audit conducted by Tax Management Associates on October 10, 2002, revealed that improvements to rental property were not reported for tax years 2000 and 2001.
- Taxpayer did discover the oversight, and had listed it correctly in January of 2002.
- Taxpayer has paid the general tax and penalty, but requests that the penalty be refunded. Amount of refund for the penalty would be \$ 1,077.06. The general tax paid was \$ 4,261.37.

**Motion:**

**Approve relief of penalty for company.  
Motion made by Commissioner Mark Owens, Jr.  
Motion seconded by Commissioner David Hammond.**

**Vote Record:**

<b>John Minges</b>	<b>Yes</b>
<b>Jimmy Garris</b>	<b>Yes</b>
<b>Mark Owens, Jr.</b>	<b>Yes</b>
<b>Beth Ward</b>	<b>Yes</b>
<b>Glenn Bowen</b>	<b>Yes</b>
<b>Tom Coulson</b>	<b>Yes</b>
<b>David Hammond</b>	<b>Yes</b>
<b>Eugene James</b>	<b>Yes</b>
<b>Randy Royal</b>	<b>No</b>

**Total Yes Votes: 8**

**Total No Votes: 1**

**Motion Passed.**

### Information Provided with the Agenda

The MIS department has been working to reduce expenditures in the areas of data circuits, used to support computer connectivity between sites, and phone service for County staff. To date, approximately \$200,000 in expenses have been eliminated from the operating budget. Savings were realized through three activities.

The first activity focused on decommissioning T1 lines and lower speed data circuits between the County's various facilities. This is a direct result of the fiber optic implementation. This activity continues to save \$23,400 annually. The second activity focused on replacing the Mental Health phone system. Working jointly with Mental Health staff a new system was installed which resulted in \$50,000 ongoing annual savings.

The third activity, the subject of this item, is implementation of a centralized phone system for all County departments. The project started with creating a database of all phone lines and phone equipment leases. During this phase, 78 unused phone lines were identified and disconnected resulting in \$21,500 ongoing annual savings. A centralized phone system was installed and departments located at the County Office Building campus were migrated resulting in \$105,000 ongoing net annual savings.

Implementation of the new phone system is divided into three phases with the first being complete. The second and third phases were placed on hold in the current fiscal year due to budget constraints. Phase II and Phase III will yield an additional ongoing savings of \$265,000. To continue with the next two phases, the County will realize a one time expense of \$230,000 for phones and an ongoing expense of \$69,700 for additional lines and one FTE staff. This results in an ongoing net savings of \$195,300.

Total ongoing annual net savings realized from the centralized phone system will be \$300,300 in addition to the \$44,900 ongoing annual savings from disconnected data circuits and unused phone lines. A proposed solution and return on investment (ROI) analysis is attached for your review. The project will pay for itself in 14 months.

### **Centralized Phone System Implementation**

The project is divided into three phases as detailed below. The primary goal of the system is to increase system flexibility and minimize the expenditures for phone service while not adversely affecting departmental operations.

Phase I (Complete)	Phase II	Phase III
Auxiliary Services	Public Health	Mental Health (Main)
MIS	DSS (ECVC)	Mental Health (Out Bldg)
PIO	DSS (Greene St)	Cooperative Ext. Service
County Manager	DSS (Sixth St)	Buildings & Grounds
Financial Services	Ind. Development Comm.	Detention Center
Human Resources	Sheriff's Office (Ninth St)	Emergency Services
Legal	Sheriff's Office (First St)	Register of Deeds
Planning	Tax Assessor	Solid Waste
Engineering	Tax Collector	Sheriff's Office (DC)
Inspections		

Environmental Health  
DSS (County Office Bldg)  
Board of Elections  
Mental Health (Challenge  
House)  
Emergency Operations  
Center (EOC)

### **Current Situation**

Each department (excluding those in Phase I) have disparate phone systems or use Centrex service from Sprint. This results in multiple types of equipment, dependency on Sprint for service, minimal flexibility, multiple exchanges and higher costs.

### **Proposed Solution**

Implement a centralized phone system that will result in reduced cost of ownership, ability to respond to requests for service in a timely manner, have a common exchange for Pitt County Government Services and increase features/flexibility. System benefits are:

- Practically all of Pitt County Government will be on the same system and the 902 exchange.
- MIS will be able to provide all service which is now contracted out. The service provider only guarantees ten business day turn around and charges \$70 to \$100 per hour.
- Pitt County will be able to respond to unusual circumstances such as an alternate EOC location with ease.
- Numbers can be assigned for reserved purposes (e.g. inclement weather line, EOC numbers, Election Day operations, etc.) without incurring additional expense.
- Staff will have 4 digit extension dial capability between other staff.
- Staff will have availability of same features without incurring additional expense as today (e.g. voicemail, call waiting, etc.). Today, each feature carries an additional monthly cost.
- Minimize disruption in service. Connectivity to the phone company will be at multiple locations. Therefore, if lines at one location are damaged, the calls will be automatically routed to another site.
- System will reduce long distance costs. The system is configured to force the use of the State long distance (currently \$.05 per minute). Additionally, it will automatically correct mistaken local numbers dialed as long distance.
- Minimize future costs. The lines used by the phone system are pooled and not assigned to a particular location. This will prevent unused lines

from incurring an expense (i.e. Like the 78 unused lines discovered at the start of the phone project.).

**ROI Analysis**

Phase II Savings	\$140,000	
Phase III Savings	<u>\$125,000</u>	
Total Ongoing Savings	\$265,000	
Less Ongoing Expenses		
PRI charge (additional lines to handle load)	-\$27,000	
1 Staff in MIS (including benefits)	<u>-\$42,700</u>	
Total Ongoing Expenses	\$69,700	
Net Ongoing Savings	<u>\$195,300</u>	
One Time Equipment Purchase	\$230,000	(Phase II/III phones for staff.)
ROI (Phase II/III) = 14 months	(\$230,000/\$195,300)	

**Total Savings Analysis**

Phase I Savings	\$125,000
Phase II Savings	\$140,000
Phase III Savings	\$125,000
Unused Phone Line Savings	\$21,500
Mental Health 2000 Savings	\$50,000
Data Circuit Savings	<u>\$23,400</u>
Total Ongoing Savings	\$484,900
Total Ongoing Expenses	<u>\$89,700</u>
Total Ongoing Net Savings	<u>\$395,200</u>

Note: Ongoing net savings from centralized phone system is \$300,300.

**Meeting Notes**

Mr. Taylor reported on the continuation of installing the centralized phone systems. Currently there are eight phone systems in use with 1150+ fax, modems, and phone lines. He said there were 78 phone lines identified during Phase I that were not in use. Those phone lines have been disconnected. This new system has started with improving features and flexibility. The core phone system has been installed and Phase I has been completed with an estimated \$101,000 annual savings. The County is in need of expenditure reductions. The Health Department is the largest component of Phase II since Public Health has a yearly contract and it comes up for renewal in April. There is a 12 month window on Phase II. When complete there will only be one phone system to support. This system will include an alternate 911 system for phone lines with no additional cost. Additional features can be added without additional fees. There will be a pool of resources which will minimize future costs. Features include the inclement weather lines, numbers reserved for the Emergency Operations Center and lines maintained for elections. The results will be an ongoing savings of \$195,000 from Phase II and III. There were phone expenditures of \$673,000 last year and \$400,000 this year. He said this expenditure can be reduced by going with Phase II and III. Within 14 months the County will start to see the benefits of this project. Commissioner Owens commended Mr. Taylor on his work on this project.

**Motion:**

**Continue implementation of the County centralized phone system as presented.**

**Motion made by Commissioner Mark Owens, Jr.**

**Motion seconded by Vice Chairman Eugene James.**

**Motion Passed Unanimously.**

*Lease Agreement - Sheriff's Ninth Street Office Facility - Mac Manning*

**Information Provided with the Agenda**

The Sheriff's Office leased an office building on Ninth Street in 2000 for use by the Patrol Division intended as transition space during courthouse renovations. The three-year lease is up for renewal and the Manager felt it prudent to bring this renewal to the Board's attention for approval. The new three-year lease with I.J. Edwards, Jr. continues until December 2005 with renewal options and covers approximately 5000 square feet of office space with rent of \$1,025 per month.

When the Ninth Street offices were first leased, the plan was to move the Patrol Division into the courthouse. After that time, the courthouse plans were changed to exclude all but essential offices, eliminating the option of moving the Patrol Division there. The offices being vacated in the First Street building are planned for use as additional space for the Narcotics Unit and the Domestic Violence Unit. We closed the rented narcotics office and the rented drug task force office a few years ago with the intent that they would operate from First Street. There is not sufficient space at First Street to house the Patrol Division. The Sheriff has had a request on the Capital Improvement Plan for several years for an Administration Building to be located at the Detention Center. Until additional County space is made available, rental space is our only option to house this function of the Sheriff's Office.

NORTH CAROLINA

PITT COUNTY

**LEASE AGREEMENT**

THIS LEASE AGREEMENT, made and entered into this the \_\_\_\_\_ day of December 2002, by and between , I. J. EDWARDS, JR., hereinafter referred to as "LESSOR", and PITT COUNTY, hereinafter referred to as "LESSEE";

W I T N E S S E T H:

That the LESSOR hereby leases to the LESSEE the premises commonly known as 215 West 9<sup>th</sup> Street, Greenville, N.C. consisting of land and approximately 5000 square feet of office space, as shown on the attached plat or survey, marked "Exhibit A".

This lease is executed upon the following terms and conditions:

1. **TERM.** This lease shall begin on the 1st day of January, 2003, and shall exist and continue for a three year period, terminating on the 31st day of December, 2005, unless terminated sooner according to the procedures set out in this Lease Agreement.
2. **EXTENSION OF TIME.** It is further understood and agreed by and between the parties hereto that LESSEE shall have the further and additional right to extend the term of this lease for an additional three (3 ) year period at the option of the LESSEE, provided LESSEE gives LESSOR written notice of its intent to exercise this right to extend ninety (90) days prior to the end of the initial term. The rental amount to be paid during the renewal period shall be the amount agreed upon, for the initial term plus a percentage increase in said amount which percentage increase shall be equal to the average annual percentage increase in the COST OF LIVING INDEX during the period of the preceding term. Cost of Living Index shall be defined as that published by the Department of Commerce for the Raleigh Metropolitan area.
3. **RENT.** The LESSEE agrees to pay LESSOR for the leased premises rental at the rate of ONE THOUSAND TWENTY FIVE AND NO/100 DOLLARS (\$1,025.00) per month, payable in advance on or before the 1<sup>st</sup> day of each month during the term of the lease.
4. **TAXES.** The LESSOR shall pay all ad valorem taxes and assessments, levied or assessed upon the demised premises, together with all fire insurance premiums.
5. **UTILITIES.** LESSEE shall pay all water, light, gas, utility, and fuel bills.
6. **ASSIGNMENT/SUBLETTING.** This Lease shall not be assigned, or the leased property sublet, without the written consent of the LESSOR. Such consent not to be unreasonably withheld. Notwithstanding the foregoing, LESSEE may assign this lease to another unit of Pitt County Government.
7. **ALTERATIONS/IMPROVEMENT.** All alterations and improvements required or necessary for the use of the premises by the LESSEE shall be made upon the leased premises by the LESSEE with the consent of the LESSOR. All leasehold improvements shall become the property of the LESSOR at the expiration of the terms of the lease, unless LESSOR requests in writing ninety (90) days prior to the expiration of the lease, or any extension thereof, that the improvements be removed by LESSEE.
8. **REPAIRS.** During the terms of this lease all repairs to the interior of the premises, and to the heating and air conditioning and plumbing shall be made by the LESSEE Provided, however, that it is understood and agreed that it is LESSOR'S duty to maintain the building and grounds on which the premises is located including, without limitation, repairs to roof, exterior walls, and maintenance of parking area.

9. **JANITORIAL SERVICES.** Janitorial service to the leased premises will be the responsibility of LESSEE.
10. **CONDITION/USE.** The LESSEE covenants and agrees that it will take good care of the premises, and upon the termination of this Lease Agreement will surrender the said premises in as good a condition as it is in at the beginning of this lease term, ordinary wear and tear excepted; and that it will make no unlawful or offensive use of the premises.
11. **CATASTROPHE.** If during the term of this Lease Agreement the leased premises are so damaged by fire, tornado, or other catastrophe or casualty as to render the same uninhabitable, this lease shall thereupon terminate.
12. **DEFAULT.** If the LESSEE shall fail or neglect to make any payment of rent when due, and if such default shall continue for a period of thirty days (30) after written notice, the LESSOR, without any further notice or demand, may terminate this lease and require LESSEE to vacate the premises. Should LESSOR fail to make any repairs to said premises required by the terms of this Lease Agreement within a reasonable time after written notice from LESSEE, LESSEE may make the repairs and deduct the cost thereof from any future rent payments due to LESSOR.
13. **PARKING.** LESSEE shall have the right to exclusive use of all parking spaces adjacent to the premises.
14. **INSURANCE.** LESSEE, during the entire term of this lease, shall keep in full force and effect a policy of public liability and property damage liability insurance with respect to the premises, and to the use thereof engaged in by LESSEE in which the limits of public liability shall be no less than One Hundred Thousand Dollars (\$100,000) per person and Three Hundred Thousand Dollars (\$300,000) per accident and in which the property damage liability shall not be less than Fifty Thousand Dollars (\$50,000).
15. **MISCELLANEOUS.** The parties agree that LESSOR shall remove any of LESSOR'S personal property from the premises within thirty (30) days from the date of this Lease Agreement.

IN TESTIMONY WHEREOF, this lease has been executed by the parties hereto, in duplicate originals, as of the date first above written.

LESSOR:

\_\_\_\_\_  
I. J. EDWARDS, JR.

LESSEE:

PITT COUNTY, N.C.

By: \_\_\_\_\_  
Chairman  
Board of Commissioners

ATTEST:

\_\_\_\_\_  
Clerk to the Board

"This instrument has been preaudited in the manner required by the Local Government Budget and Fiscal Control Act."

\_\_\_\_\_  
Finance Office

**Meeting Notes**

Sheriff Manning said that the Ninth Street building was originally leased for transition space. This division of the Sheriff's office has no other home to go to at this time. At the time of the original lease, they did not consider future growth needs. There has been a law enforcement center on the capital improvement plan for some time. Rent is increasing by \$25 per month. Commissioner Owens asked what space would be vacated with the move to the courthouse. Sheriff Manning said about four offices would be vacated but that space is needed by the narcotics staff. He said three years ago, they packed people into small places to accommodate the renovations at the courthouse. There is no room at the First street office for more staff to go in there. Commissioner Owens asked about the gymnasium at the Detention Center. Sheriff Manning said the I.D. lab is in the gym. The storage room is occupied by two detectives.

Commissioner Owens spoke about the Taft building, and other facilities downtown. He agreed that the building they are leasing is reasonably priced.

**Motion:**

**Approval of lease agreement as submitted and authorize execution of document.**

**Motion made by Commissioner David Hammond.**

**Motion seconded by Commissioner Randy Royal.**

**Vice Chairman James said the County needs to look at everything. This property is leased at a good price. Commissioner Bowen asked if it was customary for the County to be responsible for the internal system and heating and air conditioning. Mr. Dickerson said the building is reasonable and that is part of the contract..**

**Motion Passed Unanimously.**

*Appointments to PRIDE (Pitt Regional Infrastructure Development Effort) - Melonie Bryan*

**Information Provided with the Agenda**

The PRIDE board has three members. Presently, Kelly Barnhill and Reid Hooper hold two of the positions. The third position was formerly filled by Tom Robinson. This board serves as the non-profit conduit required by statute when the County issues debt in the form of Certificates of Participation. The members participate in the closing of the debt and are required to sign various legal documents. This board is only active when we are funding capital projects.

It works in the best interest of the County to establish membership on this board and allow them to serve as long as interested. The learning curve to have a comfort level reviewing and signing debt documents is great and both of these gentlemen have this knowledge.

Therefore, I would ask that they be exempted from the 2 terms policy and allowed to serve indefinitely. Additionally, I would recommend the third position be permanently identified as "filled by the County Manager".

#### **Meeting Notes**

Ms. Bryan asked the Board to consider an exception to the two-term limit on the Board's Appointment Policy on the PRIDE committee. She stated that these members are only active when needed and there is a learning curve. She asked that they be allowed to continue their service past the two year term limit.

#### **Motion:**

**Allow Mr. Barnhill and Mr. Hooper to continue to serve in their present capacities and designate the third position to be filled by the sitting County Manager.**

**Motion made by Commissioner Mark Owens, Jr.**

**Motion seconded by Vice Chairman Eugene James.**

#### **Motion Passed Unanimously.**

*Appointment to the Pitt County Mental Health Advisory Committee - Debra Dihoff*

#### **Information Provided with the Agenda**

The Advisory Committee is recommending the vacant at-large position held by Dr. Charles Mitchell, which became vacant on 12-31-02, to be filled by one of the following candidates:

Betty Benfield  
Timothy McDonnell  
Bruce (Porter) Stokes

This appointment would be for a four-year term expiring on December 31, 2006.

#### **Meeting Notes**

Nominations were made as follows:

Commissioner Minges nominated Donna Green.  
Vice Chairman James nominated Timothy McDonnell.  
Commissioner Bowen nominated Porter Stokes.

Votes were as follows:

Donna Green - John Minges, Commissioner Garris  
Timothy McDonnell - Commissioner Royal, Vice Chairman James, Chairwoman Ward,  
Commissioner Hammond, and Commissioner Owens  
Porter Stokes - Commissioner Coulson, Commissioner Bowen

*Appointments to the Animal Control Advisory Board - Susan Banks*

#### **Information Provided with the Agenda**

Michele Whaley, Animal Control/Shelter Manager recommends the following individuals be appointed to the Animal Control Advisory Board:

Cora Tyson- at large  
Amy Hendrickson- at large  
Joanne Elkins- Saving Graces 4 Felines  
Autry Bowen- Pitt County Animal Control

Bobbi Parsons- Humane Society  
Mary Harriss- SPCA  
Ollie Gupton- Veterinarian

A Commissioner needs to be represented on this board also.

**Motion:**

**Follow staff recommendation to appoint of list of individuals as provided by Michele Whaley, Animal Control/Shelter Manager.  
Motion made by Commissioner Randy Royal.  
Motion seconded by Commissioner David Hammond.**

**Motion Passed Unanimously.**

**Motion:**

**Appoint Tom Coulson as commissioner representative on the Animal Control Advisory Board.  
Motion made by Commissioner Glenn Bowen.  
Motion seconded by Commissioner Randy Royal.**

**Motion Passed Unanimously.**

*Reappointment of Animal Cruelty Investigator - Susan Banks*

**Information Provided with the Agenda**

Mrs. Nimette Soli, President, SPCA of Pitt County, has requested that the Board of Commissioners reappoint her for another year as an Animal Cruelty Investigator. She will have completed training for the position and will provide a copy of her certificate to the County. In addition, Mrs. Soli will have liability insurance as provided by the SPCA.

**Motion:**

**Motion to reappoint Mrs. Nimette Soli for a one-year term as an Animal Cruelty Investigator.  
Motion made by Vice Chairman Eugene James.  
Motion seconded by Commissioner Randy Royal.**

**Motion Passed Unanimously.**

*Appointment of Commissioner to the Steering Committee of the Pitt County Continuum of Care - Susan Banks*

**Information Provided with the Agenda**

Margaret Dixon and Lynne James, Co-Chairs of the Steering Committee recommend John Minges be appointed to the Steering Committee of the Pitt County Continuum of Care. Letter of recommendation is attached.

**Motion:**

**Motion to follow recommendation to appoint John Minges to the Pitt County Continuum of Care.  
Motion made by Commissioner David Hammond.**

**Motion seconded by Vice Chairman Eugene James.**

**Motion Passed Unanimously.**

**Commissioners' Comments**

**Meeting Notes**

Commissioner Royal offered prayers for the families and friends of people who died or were injured in the West Pharmaceuticals explosion and the deaths of the members of the Columbia Space Shuttle.

Commissioner Coulson asked about the Greenville Family Violence Center.

Commissioner Owens said he was glad to see some positive things happening this morning.

**Closed Session**

*Closed Session per G.S. 143-318.11(a)(5) - Scott Elliott*

**Information Provided with the Agenda**

General Statute 143-318.11(a)(5) "To establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or behalf of the public body in negotiating the amount of compensation and other material terms of an employment contract or proposed employment contract.

**Motion:**

**Motion to go into closed session based on G.S. 143-318.11(a)(5).**

**Motion made by Commissioner Randy Royal.**

**Motion seconded by Commissioner David Hammond.**

**Motion Passed Unanimously.**

*Motion to return to Open Session*

**Motion:**

**Motion to return to open session.**

**Motion made by Commissioner Glenn Bowen.**

**Motion seconded by Commissioner Randy Royal.**

**Motion Passed Unanimously.**

**Adjourn**

*Adjourn Meeting*

**Motion:**

**Motion to adjourn meeting at 11:15 a.m.**

**Motion made by Commissioner David Hammond.**

**Motion seconded by Vice Chairman Eugene James.**

**Motion Passed Unanimously.**

Respectfully Submitted,

Susan J. Banks, CMC  
Clerk to the Board