

**PITT COUNTY BOARD OF COMMISSIONERS
GREENVILLE, NORTH CAROLINA
MARCH 10, 2003 MINUTES**

The Pitt County Board of Commissioners met on Monday, March 10, 2003, at 9:00 AM in the Commissioners' Auditorium, Pitt County Office Building, 1717 W. 5th Street, Greenville, North Carolina.

Commissioners present:

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

Staff present:

Scott Elliott, County Manager
Susan Banks, Clerk to the Board
JoAnne Burgdorff, County Attorney
John Bulow, Deputy County Manager
Glenn Cutrell, Tax Assessor
Phil Dickerson, Deputy County Director
Debra Dihoff, Mental Health Area Director
Edward Garrison, DSS Director
John Morrow, Director/Health Department
Jeff Niebauer, Tax Collector
Melonie Bryan, Deputy County Manager
James Rhodes, Planning Director

Call to Order

Meeting Notes

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

Invocation and Pledge

Meeting Notes

The invocation was offered Commissioner Royal.
The Pledge of Allegiance was led by Commissioner Minges.

Approval of Agenda

Motion:

Motion to approve agenda.

Motion made by Commissioner John Minges.

Motion seconded by Commissioner Randy Royal.

Motion Passed Unanimously.

Public Addresses to the Board

Meeting Notes

Chairman Ward asked Ms. Burgdorff to share the policy about groups assigning a spokesman for their group during Public Addresses to the Board. Ms. Burgdorff said that if there are numerous people speaking on the same issue, they may select one person to speak representing their group. The group or number of people could be acknowledged.

Commissioner Garris asked if they could all speak and reduce the amount of time that they speak. Commissioner Hammond arrived at 9:05 a.m. Commissioner Owens suggested they proceed as normal and let each person speak as they had signed up.

- Dr. Tom Johnson spoke about his letter to the Daily Reflector on Sunday, February 16, 2003. He asked that the public assume county politicians are speaking for the good of the people. He spoke about the need for a Social Services building. He said he had spoken with the commissioners, and that Pitt Community College said they had saved money or reduced the architectural fee on a building by using the same exterior building plans. He said that Joe Hunnicutt said the savings came because they were able to start the building construction six months earlier. The market was appropriate at that time for a savings. He said the building they thought would cost \$5.1 million ended up costing \$4.1 million. The architectural fees on the Fulford building were 5.67% and 5.52% on the Reddick building, which was not a substantial savings on architectural fees.

-Charles White, Chief of Winterville Fire Department, said he was speaking for the Pitt County Firemen's Association. He stated their concerns over the hiring process for Emergency Services Director position. He said he did not know all the facts and some of what he was saying was hearsay. He said the fire chiefs requested a meeting with the County Manager but he would not meet with all of them. He said he would meet with the Fire Association President and Noel Lee who served on the interview panel for the Emergency Services Director position. He said he understood there were thirty-four applicants for the position, which Human Resources narrowed down to fourteen. The County Manager and the Assistant County Manager then narrowed the number to interview to three. The Assistant Manager scheduled all three interviews on one evening. He asked how this decision could be made in ninety minutes. He said the person selected has no experience in fire or rescue. He asked why the County would hire someone with less experience and offer a higher salary for the position. The committee only interviewed the three people the County Manager picked. The person has worked for the County for six months. No one knows his name. He stated that Pitt County has been progressive and has a good reputation in this field because of his predecessor, Bobby Joyner. He said please delay the hiring of this person. If a salary increase is in order, then they should re-advertise the position and they could get better applicants. He stated that to them this position is just as important as the County Manager position. He stated Mr. Joyner was hired in the early 70's and hoped that they could keep the new person as long as Mr. Joyner stayed with the County. The welfare of the citizens of Pitt County, 850 Fire and EMERGENCY SERVICES personnel depend on the expertise of the Emergency Services Director.

The following individuals had signed up to speak but stated Mr. White had expressed their comments:

Barry Wood
Jeff Tripp
Jamie Morgan
Dean Morris
Barry Bullock
Jimmie Hinson
Ronald Morgan
Robert Harris

Bill Branch
Robert Humbles
Eddie Meeks
Chris Newman
Wendy Hamill-Farmer
Bruce Farmer
Virgil O'Neal
Wayne Peaden

There were 18 fire and rescue personnel counted present.

Commissioner Hammond stated that a lot of what Fire and Rescue personnel do is never mentioned. Being present at meetings shows that they are very concerned about who is handling emergency services in this county.

- Doug Pierce stated that hunters in Pitt County want a fox hunting law like Hyde and Beaufort Counties. The fox population has declined in those counties because trapping is legal. It would help trappers not have to travel outside of Pitt County. The State has spent a lot of money on turkey and they are being wiped out by the foxes. They would like a law to allow them to hunt fox. This law would have the season start after the last day of deer hunting season and run to the end of February. There are forty-one counties that have a local hunting law on foxes. They feel like this would be the best law for Pitt County.

- Bill Young said this law has been in place since 1997 in Hyde and Beaufort counties. The law was supposed to sunset but because of the positive effects of fox trapping, they removed the sunset clause. Chairman Ward asked what would be added to the bill. Mr. Young said it would include trapping of fox, raccoon and the use of snares. Craven County passed this legislation a year ago. He fully supports the bill as long as it includes everything that is in the bill. He said, in speaking for the Pitt County Wildlife Club, they fully support the bill. He stated that you do not see rabbits running across the roads anymore because the foxes are killing them. Foxes and coyotes impact the flocks of turkey in this county. He urged the Board to support this request for legislation.

- Jack Jackson said that Bill Young and Doug Pierce had already represented his point of view. He's been in Pitt County fifty-eight years and hunted all his life. In the last ten years, the foxes and coyotes have been moving in but the general public is not aware that this is happening. If we want to keep wild turkeys, we need the Board's support.

- Collice Moore said he supports the issue of the fox trapping bill. He owns a farm and has tried to reintroduce quail as a sport for young children. After spending thousands of dollars trying to bring in new quail, he stopped because the foxes keep eliminating them. Rabies is also a dangerous possibility with the fox also. He said he supports this bill and feels it is in the best interest of the county.

- Dr. Sanderson said Mr. Moore represented his opinion also.

Items for Report

Manager's Report - Scott Elliott

Information Provided with the Agenda

Update on Public Defenders Office Space
Susan Banks - IIMC Master Municipal Clerk Academy Program
Next meeting, March 24th at 5:00 p.m.

Meeting Notes

-Public Defenders Office – Mr. Elliott stated that for the short term, they are looking at renting space across from the courthouse until a long-term solution can be put in place. They are looking at the Pittman building for a temporary solution. This option will continue to separate the program but the long-term solution is for them to be housed in the same location.

-Susan Banks - Mr. Elliott informed the Board that the Clerk has been accepted in the Master Municipal Clerk Academy Program status which is done through a continuing education program and she will be getting a pin and certificate in the near future. Chairman Ward said this is a self-motivated program and asked the Board to recognize her.

-Mr. Elliott stated that the next Board meeting is scheduled for 5:00 p.m. on Monday, March 24th. It will be the last meeting in the trial period for evening meetings.

-Mr. Elliott said that following the preparation of this agenda, Governor Easley introduced his proposed budget. The Governor is not putting in the state budget the Corporate ADM funds which are used to pay down the Schools COP's financing. This would affect Pitt County by \$922,000. This is one of \$700 million hits in the State by the Governor. Without those funds the County will not have the funds to pay the COPS debt.

Commissioner Owens asked if the Board would consider changing the agenda to accommodate the two groups of people present for items.

Motion:

Realign the agenda for the public present on Fox Trapping Bill and closed session on personnel.

Motion made by Commissioner David Hammond.

Motion seconded by Vice Chairman Eugene James.

Motion Passed Unanimously.

Citizen Request for Fox Trapping Bill Consideration - Scott Elliott

Information Provided with the Agenda

The attached memo from Council W. Burney explains the request for the Board of Commissioners to consider a Fox Trapping Bill. The request is to have Pitt County added to this legislation that currently applies to Hyde & Beaufort Counties. It is my understanding that the citizen requesting this matter has contacted Vice Chairman James.

Meeting Notes

Mr. Elliott stated the deadline for the submission of local legislation.

Motion:

Motion to join Beaufort and Hyde counties on the fox trapping bill.

Motion made by Commissioner Glenn Bowen.

Motion seconded by Vice Chairman Eugene James.

Commissioner Garris said it would be nice to hear from the Wildlife Resources Commission. He said he was in support of the comments he heard this morning but would like to hear from the experts about harvesting fox.

Commissioner Hammond asked if this is applicable to other counties. Vice Chairman James said he understood Commissioner Garris' request but the Board of Commissioners needs to go ahead and act because it would take too long to go through the Wildlife Commission. The foxes are eating the rabbits. All the counties around Pitt already have this law. Chairman Ward asked Bill Young to explain the difference in what is being done now as compared to the proposal. Mr. Young said foxes can not be legally trapped in Pitt County at this time. He

supported using snares because you can sometimes find the animal alive. He said Kirby Avery is a trapper. He recommended adding snares and fox and raccoons to the current bill. He said when you ride down the road and a fox runs out in front of you and you see them in your yard, you know you need to do something. He said he has talked to a Wildlife Officer who would be supportive of this move but would not come forward.

Motion Passed Unanimously.

Closed Session

Ms. Burgdorff cited General Statute 143-318.11(a)(6) To consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee as the purpose for this closed session.

Motion:

Motion to go into closed session on a Personnel issue.

Motion made by Commissioner Mark Owens, Jr.

Motion seconded by Vice Chairman Eugene James.

Motion Passed Unanimously.

Motion:

Motion to return to open session.

Motion made by Commissioner Mark Owens, Jr.

Motion seconded by Vice Chairman Eugene James.

Motion Passed Unanimously.

Chairman Ward stated that an offer has been made to a candidate for the Emergency Services Director Position. She said she would entertain a motion on the salary.

Motion:

Motion that if someone, who may already work for the county accepts the offer for the Emergency Services Director position, the salary should remain the same as it is in the person's current position, with no increase in salary.

Motion made by Commissioner Glenn Bowen.

Motion seconded by Commissioner Mark Owens, Jr.

Chairman Ward said that an offer for the Emergency Services Director position has already been made and the new employee would have a six to nine month probation period as is policy with all newly hired county employees.

Vote Record:

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

Total Yes Votes: 3

Total No Votes: 6

Motion Failed.

June 2002	Field work completed. Mapping component of project begun.
July 2002	Preliminary presentation made to the Planning Board. Staff reviewed draft map. Staff solicited preliminary input from other county agencies.
August 2002	Presented draft zoning ordinance to Planning Board.
October 2002	Presented draft zoning map to Planning Board. Received comments from Planning Board on draft zoning ordinance and draft zoning map.
November 2002	Revised draft ordinance and draft map as necessary and scheduled three public forums for January 2003.
December 2002	Distributed draft zoning ordinance and map to Planning Board. Advertised January public forums.
January 2003	Held three public forums on the draft zoning ordinance and map. Prepared revised draft zoning ordinance for presentation to Planning Board.
February 2003	Present revised draft zoning ordinance and map to the Planning Board and schedule second set of public forums.
March 2003	Hold three public forums on the revised draft zoning ordinance and map. Amend as necessary factoring in public input and Planning Board comments.
April 2003	Present revised draft zoning ordinance to Planning Board. Request Board to set a public hearing date for May.
May 2003	Planning Board public hearing on draft zoning ordinance and zoning map. Request Board to make a recommendation to the Board of County Commissioners.
June 2003	Request public hearing by Board of Commissioners.
July 2003	Board of County Commissioners public hearing on draft zoning ordinance and zoning map.

Meeting Notes

Mr. Rhodes said that they were in the second series of public forums on the countywide zoning ordinance. There are two more scheduled for Tuesday, March 11 at Stokes Elementary and Thursday, March 13 at Chicod Elementary. The Open house will be from 4:00 p.m. to 7:00 p.m. with a formal presentation at 7:00 p.m. about the draft ordinance. He said that the first one in Farmville drew a small crowd. They have revised the ordinance based on responses from these meetings. They plan to present a revised ordinance to the Planning Board in April. In May, the Planning Board will hold a public hearing and make a recommendation to the Board of County Commissioners. In June, a public hearing date will be requested for the Board of Commissioners to be set in July. Mr. Rhodes informed the Board that the MIS department had just launched a new website for the Planning Department. Commissioner Garris encouraged the citizens to attend these public forums. There were only two citizens present at one of the meetings. He stated that the Planning staff does generate a list of responses and requests from the sessions. They have incorporated these suggestions. He told the public to make their position known.

Information Provided with the Agenda

Dr. Charles Russell, President of Pitt Community College, will present an update to the Board of Commissioners of the progress in developing the Firing Range Project to be constructed on land purchased by the Board for the purpose of a Public Safety Training Center. Dr. Russell will present plans drawn by an architect employed by the College as he discusses the initial phase of the project.

Meeting Notes

Dr. Russell updated the Board on the Public Safety Training Center. He gave each commissioner a small map. He stated that they designated \$190,000 of State bond funds for testing and design purposes. They advertised and selected a designer. The Design Advisory Team then met to formulate and review the master plan for the facility which includes law enforcement and fire/rescue components. They divided it into two phases with the first phase being law enforcement, which is the driving pad and the firing ranges and the second phase was fire and rescue training area. All the specific civil engineering plans for firing range and driving pad have been completed. The driving pad is 600 feet x 900 feet with an asphalt side for driving training for law enforcement personnel. It includes a firing range, combat range, LP pad, and smokehouse. Dirt from ponds will be used to build the berms. The ponds will be used for under and on top of water training. It meets the standards of the Criminal Justice Education and training standards, NC Sheriff's Education and Training Standards Division, NC Department of Insurance, and NC Dept of Emergency Management. The work has been done for engineering and they are working through the permit process and anticipated issues surrounding it. They hope to start construction in early summer. Cost is more than they had anticipated. If this project were bid out, it would cost \$6-\$7 million. NC National Guard was going to do work. US Marine Corp may be available to help them. They will start with firing range and driving pad. Dr. Russell said the detailed plans include the stormwater drain systems, construction of driving pad, civil engineering work and it is all expensive. Vice Chairman James asked about the road and whether it would be paved from Highway 11/13. He asked about the water resource. Mr. Joe Hunnicutt said they are planning to do some road improvements on the secondary road and may be planning on widening the road. They may put a stone road in first and then pave later. Mr. Wayne Coats, Pitt Community College, said the combat firing range, would be used for accredited commissions training. They require that combat training be done for law enforcement personnel.

Report on Bioterrorism Efforts - John H. Morrow

Information Provided with the Agenda

Dr. John Morrow will make a presentation including smallpox vaccination plan, Regional Surveillance Team, and Bioterrorism Lab.

Meeting Notes

Dr. Morrow said North Carolina has a regional approach to teams for bioterrorism, Public Health Regional Surveillance Teams. He provided a map showing the regional teams. This team includes four professionals headed by a physician epidemiologist, nurse epidemiologist, industrial hygienist and administrative support person. This Team is Number One that covers 25 counties. Dr. Herb Garrison is working on the regional bioterrorism efforts. He said Pitt County has been chosen for level 3 laboratory and will be located beside Public Health Center in the County Office Park. It will be staff by two state laboratory professionals that can test for agents, such as anthrax. They will be regional support for State level 3 labs. Mr. Dickerson will present bids for construction in the near future. There is a local Bioterrorism Preparedness and Response Plan and a Pitt County Task Force and meet with Eastern Regional Advisory

Committee to help prepare for the whole region. Some plans are not publicized and are protected under General Statute.

Dr. Herb Garrison reported on the recent team activities. He said they are responsible for the 25 most north eastern counties in North Carolina. The Team educates people about bioterrorist agents. Their clients are first responders and health care people. They investigate outbreaks and have been deployed once in Pasquotank County. Surveillance for surges in numbers of visits to emergency departments for particular syndromes that may show bioterrorism outbreaks are monitored. They look at schools absenteeism and other possible signs. Most time spent on smallpox immunization efforts and they are responsible for distribution of smallpox vaccine in eastern North Carolina. They are based in Pitt County but go and visit other counties. Commissioner Hammond spoke about the NACo meeting last year and the funds allocated for bioterrorism work. Secretary Tom Ridge spoke about the new Department of Homeland Security. Dr. Morrow said \$600,000 has been received for laboratory and regional surveillance team to this date. There are three laboratories in State. There is currently no smallpox vaccine for general public. Commissioner Hammond spoke about homeland security. He asked what the budget is for this program. Dr. Morrow said Pitt County has received around \$600,000. Dr. Garrison said they fall under the Centers for Disease Control. They work with the State Health Director and the State Epidemiologist. Vice Chairman James asked about the difference in smallpox when he was a child then versus now. Dr. Morrow explained that nationally and locally there are concerns about liability.

Commissioner Minges stated that www.ready.gov is a preparedness website by the federal government which the citizens can access. He asked what types of preparedness do they recommend. Dr. Garrison encouraged people to use the website for information stating there is a list of things to do to personally prepare for disasters. The Health Department is upgrading their site with links to help with these issues. Dr. Garrison also noted another website that could be helpful - www.bt.cdc.gov. The liability for health professionals was discussed.

ItEmergency Services for Consent

Approval ItEmergency Services on Consent Agenda

Motion:

Motion to approve itEmergency Services for consent except item #6 (advertisement of unpaid tax liens on real property).

Motion made by Commissioner Jimmy Garris.

Motion seconded by Commissioner Randy Royal.

Motion Passed Unanimously.

Set Public Hearing date for Northwest Planning Area Zoning Ordinance Map Amendment - James Rhodes

Information Provided with the Agenda

Planning staff has received a request for a potential Zoning Map Amendment, or rezoning, for property located in the Northwest Planning Area. The Belvoir Volunteer Fire Department has requested a rezoning of property located at NC 222 and NC 33 West (4167 NC 33 West) from Rural Residential to General Commercial.

The recommended schedule for consideration of the rezoning request is as follows:

- March 10, 2003 - Board of County Commissioners (BCC) schedules a Public Hearing for April 7, 2003
- March 19, 2003 - Planning Board Review and Recommendation forwarded to the BCC
- March 22, 2003 through April 7, 2003 - Advertise public hearing in Daily Reflector and notify adjacent property owners

· April 7, 2003 - BCC Public Hearing

Attached is a flow chart that depicts the amendment process (Attachment 1) and a draft staff report (Attachment2).

Motion:

Establish Public Hearing date of April 7, 2003 to consider a Zoning Map amendment for the Belvoir Volunteer Fire Department property located at 4167 NC 33 West.

Motion made by Commissioner Jimmy Garris.

Motion seconded by Commissioner Randy Royal.

Motion Passed Unanimously.

Permission to Apply - Grant Funding - Project Safe Neighborhoods - Ward Parker

Information Provided with the Agenda

The Pitt County Sheriff's Office would like to request permission to apply for new funding from the Governor's Crime Control agency. The request will involve a joint law enforcement technology and crime prevention project with the Sheriff's Office and Greenville Police Department. The funds will be used to purchase educational materials, software, and enhance crime prevention in the schools and neighborhoods. The grant includes 100% federal funding with no county match. The grant, if approved, would begin October 1, 2003.

Motion:

Direct staff of the Sheriff's Office to complete application and forward to Raleigh.

Motion made by Commissioner Jimmy Garris.

Motion seconded by Commissioner Randy Royal.

Motion Passed Unanimously.

Budget Amendment-Sheriff's Office - Ward Parker

Information Provided with the Agenda

Received a check from GMAC insurance company in the amount of \$2408.46 for damages to a patrol vehicle involved in an accident on January 23, 2003. These funds will be used to repair the vehicle.

Pitt County
Finance

Budget Amendment Request

INVOICE NO: Dd
DATE: June 27, 2003

Department: Sheriff Date of Request: 2/17/03

FY Budget: 02-03

ACCOUNT NO. TITLE OF ACCOUNT INCREASE DECREASE

104310 525000	Auto Expenses	2408.46
102800 485000	Insurance Proceeds	2408.46

Department Justification: (Please provide detailed explanation)

To appropriate funds received from GMAC insurance company to repair damages to a patrol car involved in a wreck.

Motion:

Approve budget amendment as presented.

Motion made by Commissioner Jimmy Garris.

Motion seconded by Commissioner Randy Royal.

Motion Passed Unanimously.

Budget Amendment- Transfer \$80,000 - Mental Health - Debra Dihoff

Information Provided with the Agenda

Per County policy, budget transfers of \$20,000 or more, between departments within a Fund require Board of County Commissioner approval (see Pitt County Annual Budget document, page 35, bullet #2). The following budget amendment is for the transfer of 100% Medicaid reimbursable Child & Family contracted services funds into the Early Intervention cost center to accommodate the payment of United Cerebral Palsy & Farmville Child Development Center Medicaid services. No net increase/decrease to the Fund.

Pitt County
Finance

Budget Amendment Request

INVOICE NO:
DATE: June 27, 2003

Department: Mental Health Date of Request: 2/26/03

FY Budget: 02-03

ACCOUNT NO.	TITLE OF ACCOUNT	INCREASE	DECREASE
195247 561000	Contracted Services	80,000	
195237 561000	Contracted Services		80,000
193247 434000	Medicaid	80,000	
193237 434000	Medicaid		80,000

Department Justification: (Please provide detailed explanation)

Transfer of 100% Medicaid reimbursable Child & Family contracted services funds into the Early Intervention cost center to accommodate the payment of United Cerebral Palsy & Farmville Child Development Center Medicaid services. No net increase/decrease to the Fund. dth

Motion:

Approve budget amendment as presented

Motion made by Commissioner Jimmy Garris.

Motion seconded by Commissioner Randy Royal.

Motion Passed Unanimously.

Budget Amendment - MRMI Program to Child & Family Program - \$45,094 - Mental Health - Debra Dihoff

Information Provided with the Agenda

Per County policy, budget transfers of \$20,000 or more, between departments within a Fund require Board of County Commissioner approval (see Pitt County Annual Budget document, page 35, bullet #2). The following budget amendment is for the reclassification of a vacant clinical position from the MRMI program (formerly Thomas S) to the Child & Family program. There is no net increase/decrease to the Mental Health Fund.

Pitt County
Finance

Budget Amendment Request

INVOICE NO:
DATE: June 27, 2003

Department: Mental Health Date of Request: 1/29/03

FY Budget: 2003

ACCOUNT NO.	TITLE OF ACCOUNT	INCREASE	DECREASE
195232 512000	Salaries	34,441	
195232 518100	FICA	2,636	
195232 518200	Retirement	1,682	
195232 518201	401K	1,688	
195232 518300	Hospital	4,512	
195232 518400	Life Insurance	135	
195250 512000	Salaries		34,441
195250 518100	FICA		2,636
195250 518200	Retirement		1,682
195250 518201	401K		1,688
195250 518300	Hospital		4,512
195250 518400	Life Insurance		135

Department Justification: (Please provide detailed explanation)

Reallocation of vacant position from MRMI program (formerly Thomas S) to Child & Family program necessitates the need for budgeted salary and fringe amounts to be reallocated to appropriate cost center.

Motion:

Approve budget amendment as presented.
Motion made by Commissioner Jimmy Garris.
Motion seconded by Commissioner Randy Royal.
Motion Passed Unanimously.

Refunds Greater Than \$100 - Glenn Cutrell

Information Provided with the Agenda

Total Number of Refunds Greater Than \$100 - (2) - \$ 337.97
Dissi, Yacoub Atef - \$ 214.40
Moore, Tommy Gene - \$ 123.57

Motion:

Approve as submitted.
Motion made by Commissioner Jimmy Garris.
Motion seconded by Commissioner Randy Royal.
Motion Passed Unanimously.

Social Services - Budget Amendment - Neighbor to Neighbor - Edward L. Garrison

Information Provided with the Agenda

The Department of Social Services has received an additional \$7,478.00 from Greenville Utility's Neighbor to Neighbor program. The funds will be used to assist the Department's clients who are also customers of Greenville Utilities with their heating and cooling expenses. The Neighbor to Neighbor funds will be used to assist clients that are not eligible for other Federal or State programs or who have exhausted those benefits.

The Department is requesting a budget amendment to increase revenues and expenditures by \$7,478.00. Additional County funds are not requested.

Pitt County
Finance

Budget Amendment Request

INVOICE NO:
DATE: June 27, 2003

Department: SOCIAL SERVICES Date of Request: 01/16/03

FY Budget: FY 02/03

ACCOUNT NO.	TITLE OF ACCOUNT	INCREASE	DECREASE
165488-560504	GUC ENERGY	7,478	
162800-484000	CONTRIBUTIONS & DONATIONS	7,478	

Department Justification: (Please provide detailed explanation)

The Department has received \$7,478 in additional funding from Greenville Utilities Neighbor to Neighbor program to assist clients with their utility bills.

Motion:

Staff recommends approval.

Motion made by Commissioner Jimmy Garris.

Motion seconded by Commissioner Randy Royal.

Motion Passed Unanimously.

Approval of Minutes - Susan Banks

Information Provided with the Agenda

February 17, 2003

February 24, 2003, Joint Meeting

Motion:

Approve minutes of February 17, and February 24, 2003 as submitted.

Motion made by Commissioner Jimmy Garris.

Motion seconded by Commissioner Randy Royal.

Motion Passed Unanimously.

Items for Decision

Advertisement of Unpaid Tax Liens on Real Property - Jeff Niebauer

Information Provided with the Agenda

Annual advertisement of all unpaid real property taxes. This advertisement follows the requirements of N.C. G.S. 105-369.

Order for Advertisement of 2002
Real Property for Failure to Pay Taxes

As required by G.S. 105-369 **ADVERTISEMENT OF UNPAID TAX LIENS ON REAL PROPERTY.**

It is hereby ordered that the Tax Collector will cause to have published once in the local newspapers all unpaid 2002 tax liens on real property during the week of March 19, 2003. Advertisements will combine the liens of Pitt County, City of Greenville, Town of Bethel, Grimesland, Falkland and the Village of Simpson including assessments and special district taxes thereon.

Date _____

Chairman, Board of County
Commissioners', Ms. Beth Ward

Meeting Notes

Commissioner Bowen had asked that this time be explained to the public. Ms. Burgdorff explained that this a General Statute requirement and must be done to be in compliance with the

law. Commissioner Minges said he understood some States sell tax liens but North Carolina does not allow this right now.

Motion:

Approve annual advertisement of all unpaid real property taxes.

Motion made by Commissioner Glenn Bowen.

Motion seconded by Vice Chairman Eugene James.

Motion Passed Unanimously.

Schedule Dates for Board of Equalization and Review - Glenn Cutrell

Information Provided with the Agenda

Dates and times recommended - April 21, 2003 and May 19, 2003 (regular scheduled night meetings).

Motion:

Tax Assessor recommends dates and times presented.

Motion made by Commissioner Mark Owens, Jr.

Motion seconded by Commissioner David Hammond.

Mr. Cutrell noted that the meeting dates were evening meetings and he needed to know the meeting times for the advertisement. He said he had to set a date within two weeks. He said he has to have one in April and one in May. Commissioner Bowen said just switch them to the morning meetings.

Motion Passed Unanimously.

Motion:

Schedule April 7 and May 5th at 8:45 a.m. for Board of Equalization and Review.

Motion made by Commissioner Glenn Bowen.

Motion seconded by Vice Chairman Eugene James.

Commissioner Coulson reminded the Board that the Sheppard Memorial Library breakfast meeting is that Monday.

Motion Passed Unanimously.

Interlocal Agreement with the Town of Grimesland - James Rhodes

Information Provided with the Agenda

The Town of Grimesland is requesting to enter into an interlocal agreement with Pitt County for zoning administration (see Attachment 1). The Town wants the County to serve as the Town's Zoning Administrator and administer the existing Grimesland Zoning Ordinance. As drafted, the County Planning Department would issue zoning certificates in accordance with the Town's Zoning Ordinance. Those itEmergency Services requiring special approval, such as Special Use Permits, Variances, Rezoning, Text Amendments, etc, would be forwarded by the County to the respective Town Board (s) for approval as required by the Town's Zoning Ordinance. The County currently enforces the following regulations within the Town's planning jurisdiction: E-911 Addressing, Building Codes, Flood Damage Prevention, Soil Erosion and Sedimentation Control, and Subdivision. If approved, Grimesland will be the second municipality for which the County will provide zoning administration services.

Planning staff members met with the Grimesland Board of Aldermen on January 10, 2003, to discuss the possibility of the County assisting with zoning administration. Staff reviewed

the provisions of the existing interlocal agreement for zoning administration services for the Town of Falkland and noted the added convenience for citizens living within the town limits and extraterritorial jurisdiction to apply for zoning compliance permits and building permits at the same location. The Town officials stated that the existing Town Zoning Ordinance is to be revised over the next few months and that the Town is currently rectifying its city limit boundaries. It was agreed that the interlocal agreement, if approved, should not become effective until the revised zoning ordinance is adopted.

Motion:

Authorize Chairman to sign interlocal agreement (see Attachment 2) allowing the County to administer the Town of Grimesland's Zoning Ordinance with the Town's Planning Jurisdiction with an effective date dependent upon the adoption of the revised zoning ordinance.

Motion made by Commissioner David Hammond.

Motion seconded by Commissioner Randy Royal.

Vice Chairman James said he was in agreement with the interlocal agreement but told Mr. Rhodes not to ask for additional staff because of this being added to their responsibilities.

Motion Passed Unanimously.

Lane Name Change - Set Public Hearing for March 24, 2003 - James Rhodes

Information Provided with the Agenda

Pitt County has received a request to rename a portion of Belvue Farm Lane to James E. Clark Lane. (See Attached Letter) The Pitt County Addressing Ordinance stipulates that 66% of the property owners who own frontage along the road must sign a petition prior to consideration of the road name change by the Board of County Commissioners at a public hearing (See Sec 12-27). Staff is recommending a March 24th public hearing date to solicit public comments on the requested road name change.

Meeting Notes

Mr. Rhodes said this is a Lane with a previous name. There was mitigation and as part of the settlement, two of the effected landowners would like to see name changed. Purpose of today's request is to set a public hearing on March 24th to rename a portion of Belvue Farm Lane to James E. Clark Lane.

Motion:

Set Public Hearing for the March 24th board meeting.

Motion made by Commissioner Jimmy Garris.

Motion seconded by Commissioner John Minges.

Motion Passed Unanimously.

Franchise Ordinance For Solid Waste Collection And Disposal - Phil Dickerson

Information Provided with the Agenda

On February 18, 2003, Joel Scales, Director of Solid Waste and Garage, and Phil Dickerson, Deputy County Manager/Public Services, met with a group of Pitt County's waste collectors. The group was appointed by the Board of the North Carolina Chapter of the National Solid Waste Management Association to discuss the Association's concern about the proposed Pitt County Franchise Ordinance for Solid Waste Collection and Disposal.

The group requested some changes in the proposed Ordinance. Most of the requested changes appeared to be reasonable. However, some seemed to compromise the purposes of the Ordinance. One such item was the provision that allowed a seven-year franchise with the County having the ability to make changes in the terms of the franchise on each anniversary during the seven-year term. The waste collectors wanted a term of seven years with no ability for the County to unilaterally make changes in the terms. Another unacceptable request was that the County guarantees a tipping fee or a method for calculating an annual fee for the seven-year term.

As the discussion went on, it became clear that the waste collectors were concerned primarily that the County might lock them into a franchise and change the tipping fee and other terms at will without any input from them. The County representatives, on the other hand, were concerned that the waste collectors would continue to dispose of the waste they collected outside Pitt County. If non-household waste leaves the County, the County's economies of scale will be eroded. A larger problem is that the margin that the County receives on the tipping fee pays partially or fully for mandated or elective programs for which the County does not charge. Examples are tire disposal, white goods disposal, yard waste disposal and various other solid waste programs.

As we talked and the waste collectors began to understand how Pitt County's solid waste system operates, they agreed to voluntarily resume disposing of their waste at the Pitt County Transfer Station. They still, however, requested changes in the Franchise Ordinance if the County elected to adopt it. However, the County representatives agreed to recommend that the Pitt County Board of Commissioners not adopt a Franchise Ordinance for Solid Waste at this time. It was, however, emphasized to the waste collectors that Pitt County reserves the option to pass such an ordinance if the circumstances indicate its necessity in the future.

We believe that delaying the adoption of the Ordinance for the following reasons:

1) It is felt that it is always better to try to deal with customers, especially the largest ones, in a cooperative manner rather than to try to dictate to them.

2) The County has the ability to monitor the collectors' delivery of waste to the transfer station on a minute to minute basis. Records indicate type of waste, origin of waste, type of collection vehicle, time of delivery and much other information.

3) If the County can achieve its objectives by negotiation rather than legislation, the threat of legal action is practically eliminated.

4) The County has the ability to adopt the ordinance any time it is necessary.

5) If the County does decide to adopt an ordinance, the experience accumulated in the interim may result in a better ordinance.

6) The trend in court cases over the last ten years has been to uphold the rights of local governments to enforce more restrictive franchise ordinances of the type proposed. If that trend continues, the County's position will become stronger as time passes, if an ordinance becomes necessary.

The only disadvantage associated with delaying the Franchise Ordinance will be if the collectors don't resume bringing their waste to the transfer station. Some time and money will be lost.

We believe that the collectors that we are dealing with are tough, but honorable business people who will follow through on their commitments.

Meeting Notes

Mr. Dickerson stated they had met with the waste haulers to discuss this ordinance. He said they would rather do things on their own without the County passing an ordinance and he agreed that this would be the appropriate action at this time.

Motion:

That the Pitt County Board of Commissioners suspend consideration of the Franchise Ordinance for Solid Waste and cancel the scheduled public hearing.

Motion made by Commissioner John Minges.

Motion seconded by Vice Chairman Eugene James.

Motion Passed Unanimously.

Transfer Of Lot To Town Of Farmville - Phil Dickerson

Information Provided with the Agenda

Attached is a letter from the Town of Farmville requesting that the County transfer a 45' X 88' lot to the Town. The lot is bounded by the Town's land on three sides and is useless to the County. The tax value of the parcel is \$830.

Meeting Notes

Mr. Dickerson recommended to the Board the transfer of a lot in Farmville to the Town of Farmville. He said it is located beside their public works facility. The County has owned it for about 30 years but has no need for the property.

Motion:

That the Board authorize its Chairman to convey the property designated by Tax Parcel No. 031386 to the Town of Farmville for the sum of \$830.00.

Motion made by Commissioner David Hammond.

Motion seconded by Commissioner Randy Royal.

Motion Passed Unanimously.

Present rewritten 911 Surcharge Expanded Uses Bill to General Assembly for statewide legislation - JoAnne Burgdorff

Information Provided with the Agenda

In discussions with Marian McLawhorn and NCACC, it was suggested that County Attorney rewrite the 911 Surcharge Expanded Uses Bill to include those Emergency Services compromised in negotiations with the telecommunications lobby to enhance the chances of passage of a statewide bill that will allow counties to use funds from the surcharge to purchase or lease all communications equipment necessary for interconnectivity of communication between all public safety and emergency services agencies in the state.

Meeting Notes

Mr. Burgdorff provided an updated version of the 911 surcharge legislation for Pitt County. A minor change is a \$2.00 per month cap on the fee. The main change has to do with expansion about the lease/purchase of telephone equipment necessary for interconnectivity between agencies. The consensus of everyone involved is to attempt to do this as a statewide bill. The current philosophy would be to get the counties together and it would be a statewide bill. It has to be in this week. She said there are lobbying efforts against this bill by the phone companies.

Motion:

APPROVE SUBMISSION OF BILL AND STRONGLY SUPPORT EFFORTS AT PASSAGE IN THE GENERAL ASSEMBLY.

Short Title: Expanded Use of 911 Funds for Pitt County

(Local)

Sponsors: Marian McLawhorn

Referred to: _____

A LOCAL ACT ENTITLED

AN ACT TO CLARIFY AND EXPAND PERMITTED USES OF 911 SURCHARGE FUNDS, KNOWN AS THE EMERGENCY TELEPHONE SYSTEM FUND, IN PITT COUNTY

An act to clarify and expand the permitted uses of 911 Surcharge Funds to provide for the purchase of all types of communications equipment. This includes transmission towers, mobile/portable transceivers, base stations, and maintenance of all communications equipment used in the service of emergency communications to ensure interconnectivity between all Public Safety Agencies.

The General Assembly of North Carolina enacts:

SECTION 1. G. S. 62A-8 reads as rewritten:

§ 62A-8. Payments from Fund.

(a) Money from the Emergency Telephone System Fund shall be used to pay for:

(1) The lease, purchase, maintenance of emergency telephone equipment, including, but not limited to, mobile/portable radio equipment - both receivers and transmitters, base stations, communications towers, and other equipment necessary for interconnectivity between all Public Safety Agencies; necessary computer hardware, software and database provisioning.

(2) The training of telecommunication dispatchers.

(3) Addressing, nonrecurring costs of establishing a 911 system; and

(4) The rates associated with the service supplier's 911 service and other service supplier recurring charges.

(b) The following expenses are not eligible for payment from the Fund:

(1) The lease or purchase of real estate;

(2) Cosmetic remodeling of emergency dispatch centers;

(3) Hiring, and compensating of telecommunication dispatchers;

(4) The purchase of mobile communications vehicles; ambulances, fire engines, or other emergency vehicles.

(c) A local government may contract with a service supplier for any term negotiated by the service supplier and the local government; and may make payments from the Emergency Telephone System Fund to provide any payments required by the contract.

(d) The Board of County Commissioners is authorized to determine the amount of surcharge to be set, which shall not exceed \$2.00 per month per telephone line.

GENERAL ASSEMBLY OF NORTH CAROLINA SESSION 2003

1. SECTION 2. This act applies only to Pitt County.
2. SECTION 3. This act becomes effective July 1, 2003, and applies to charges billed on or after that date.

Motion made by Commissioner Jimmy Garris.

Motion seconded by Commissioner John Minges.

Motion Passed Unanimously.

Formation of an Adult Care Home Community Advisory Committee - JoAnne Burgdorff

Information Provided with the Agenda

N.C.G.S. 131D-31 provides that it is intention of the General Assembly that community advisory committees work to maintain the intent of the Adult Care Home Residents' Bill of Rights within the licensed adult care homes in this State. The committee is to be formed for the purpose of promoting community involvement and cooperation to ensure quality of care for elderly and disabled adults. The appointment of members to this committee is governed by statute with representatives from various interest groups in the community. Based on the number of Adult Care Homes in Pitt County, minimum of 11 members need to be appointed, and no more than 25 members. In making appointments to the Committee, the Commissioners are encouraged to appoint one-third from persons nominated by a majority of the chief administrators of adult care homes in the county. Any commissioner appointed must serve in ex-officio capacity. Each committee member must receive training as specified by the Division of Aging, Department of Health and Human Services. Members of the community have been requesting that Pitt County establish this committee for some time.

Meeting Notes

Ms. Burgdorff said these boards are mandated by statute and there has not been one in Pitt County for many years. The General Statute is attached for the Board. There is a complicated procedure on how the committee is formed. She said she would like the Board to agree this needs to be done. She stated that the Board needs to instruct the Clerk to advertise and contact adult care homes in the community so they can have input and they will have to nominate the individuals. Commissioner Hammond asked how long this had been mandated. Ms. Burgdorff said fifteen years or more. Commissioner Minges said this was brought to his attention by a citizen and Pitt County is the only county that does not have these committees which is why it is has been brought to this Board. Commissioner Hammond said there are citizens and companies that operate these homes. Commissioner Minges said they would have representation on the committee. Ms. Burgdorff said this has been handled by the Mid-East Commission in the past. The Nursing Home Advisory Board is also requested to be established today.

Ms. Leigh Phillips, Mid-East Commission, said that she understood that prior to ten years ago, there was a committee in Pitt County. She said these committees are advocates for long

term care facilities. They are mandated to meet quarterly. Commissioner Garris said both committees must receive training and asked to the extent of the training. She responded that there is a 15-hour training required for each committee member. The training is provided by the regional ombudsman agency.

Commissioner Hammond asked Ms. Phillips to provide for him when this was mandated and when it was no longer appointed in Pitt County. She stated the mandate was in 1978. She said she has no knowledge of what happened in Pitt County but the Statute says that if the local government does not appoint the committee, the State will take on the responsibility. Vice Chairman James said this was a problem because you have to have the right people on the committee but the State would take care of it. He said the Board at that time decided the State was more qualified and they were paid to do the job.

Chairman Ward said there could be 11 to 25 members and each one would have to have 15 hours of training. She said with this in mind, the Board may want to re-examine the policy of having term limits on these committees.

Commissioner Bowen motioned to approve both of these boards and include in the advertisement the 15 hours of training. Commissioner Minges and Commissioner Royal said they would accept this amendment to their motion. Vice Chairman James said this will be difficult to accomplish. Vice Chairman James said if there is a lawsuit in one of the homes, the suite would go to the State of North Carolina if they are the responsible party. Commissioner Coulson asked what harm would be done if the Board does not approve these committees. He asked if there were any other counties that did not have these committees appointed. Ms. Phillips said that Martin County is the only other county in her region that does not have this committee. Commissioner Royal asked about the ombudsman and their authority and jurisdiction. They report to the regulator but they have no legal jurisdiction.

Motion:

Approval of the formation of the Adult Care Home Community Advisory Committee and instruct Clerk to the Board to advertise for interested citizens and to notify administrators of Pitt County adult care homes for their participation and interest in nominating committee members. This motion includes approval of the Nursing Advisory Committee also.

Motion made by Commissioner Randy Royal.

Motion seconded by Commissioner John Minges.

Commissioner Hammond offered a substitute motion saying when it came about before the Board opted to let the State handle it and he feels that it should remain with the State since this committee would have not authority. He said the Board of Commissioners has enough boards and commissions already. Vice Chairman James seconded the motion. Commissioner Bowen said this would be shirking the county's responsibility.

Substitute Motion:

Motion to let the State continue to handle these committees.

Motion made by Commissioner David Hammond.

Motion seconded by Vice Chairman Eugene James.

Vote Record:

John Minges	No
Jimmy Garris	No
Mark Owens, Jr.	No
Beth Ward	No
Glenn Bowen	No
Tom Coulson	No
David Hammond	Yes

Eugene James Yes
Randy Royal No

Total Yes Votes: 2
Total No Votes: 7
Motion Failed.

Vote on Original Motion to form the two committees:

Vote Record:
Jimmy Garris Yes
John Minges Yes
Mark Owens, Jr. Yes
Beth Ward Yes
Glenn Bowen Yes
Tom Coulson Yes
David Hammond No
Eugene James Yes
Randy Royal Yes

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

Formation of Nursing Home Advisory Committee - JoAnne Burgdorff

Information Provided with the Agenda

N.C.G.S. 131E-128 provides that a county shall form a Nursing Home Advisory Committee to work to promote community involvement and cooperation with nursing homes and an integration of these homes into a system of care for the elderly. The appointment of members to this committee is governed by statute with representatives from various interest groups in the community from 9 members to a maximum of 25 members. In making appointments to the Committee, the Commissioners shall solicit nominations from a majority of the chief administrators of the nursing homes in the county. Minimum qualifications of members: resident of county, no person or family members with a financial interest in any home served by the committee, or employee or governing board member of a home served, or immediate family member of a resident in a home served. Any commissioner must serve in ex-officio capacity. Each committee member must receive training as specified by the Division of Aging, Department of Health and Human Services. Members of the community have been requesting that Pitt County establish this committee for some time.

Motion:

**Approval of the formation of the Nursing Home Advisory Committee and instruct Clerk to the Board to advertise for interested citizens and to notify administrators of Pitt County Nursing homes for their participation and interest in nominating committee members.
Motion made by Commissioner Randy Royal.
Motion seconded by Commissioner John Minges.**

Vote Record:
John Minges Yes
Jimmy Garris Yes
Mark Owens, Jr. Yes
Beth Ward Yes
Glenn Bowen Yes
Tom Coulson Yes
David Hammond No

Eugene James Yes
Randy Royal Yes

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

Appointments to the Committee for the Employment of People with Disabilities - Susan Banks

Information Provided with the Agenda

Jennifer Lenoir, Chair of the Committee for the Employment of People with Disabilities recommends Teri Edwards and Joy Grubbs be appointed to the Committee for the Employment of People with Disabilities. They will fill seats 11 and 16, which are currently vacant.

Teri Mitchell is no longer employed at the ARC of Pitt County. Ms. Lenoir recommends Myra Wooten fill Teri Mitchell's position on the Committee as the Director of the ARC of Pitt County, seat 5.

Motion:
Motion to appoint Teri Edwards, Joy Grubbs and Myra Wooten.
Motion made by Commissioner John Minges.
Motion seconded by Commissioner Jimmy Garris.
Motion Passed Unanimously.

Appointment to the Pitt County Child Fatality Prevention Team - Susan Banks

Information Provided with the Agenda

Dr. John Morrow recommends appointing Mr. Randy Skinner to the Pitt County Child Fatality Team. He will be filling the position of the Emergency Medical Services Provider, or Firefighter. (Formerly James McCotter)

Motion:
Motion to appoint Randy Skinner to the Pitt County Child Fatality Prevention Team.
Motion made by Commissioner John Minges.
Motion seconded by Commissioner Randy Royal.
Motion Passed Unanimously.

Reappointment to the Sheppard Memorial Library Board of Trustees - Susan Banks

Information Provided with the Agenda

Willie Nelms, Director of Libraries recommends Joe Sullivan be reappointed to the Sheppard Memorial Library Board of Trustees. Mr. Sullivan's term expired March 1, 2003. Letter of recommendation is attached.

Motion:
Motion to reappointment of Joe Sullivan to the Sheppard Memorial Library Board of Trustees.
Motion made by Commissioner John Minges.
Motion seconded by Commissioner Jimmy Garris.
Motion Passed Unanimously.

Appointment to the Industrial Revenue & Pollution Control Authority - Susan Banks

Information Provided with the Agenda

Mark David Roblee declined his appointment to the Industrial Revenue & Pollution Control Authority. Attached is a list of interested applicants.

Motion:

Motion to appoint Marvin Wells to the Industrial Revenue and Pollution Control Board.

Motion made by Commissioner Glenn Bowen.

Motion seconded by Commissioner John Minges.

Motion Passed Unanimously.

Reappointments & Appointments to P.C.M.H. Board of Trustees - Susan Banks

Information Provided with the Agenda

Mrs. Katheryn Lewis, as of February 28, 2003, has completed her term as a replacement for Mr. Ervin Hardee, who resigned December 31, 2000. Mrs. Lewis is eligible to be reappointed, as of March 2003, for a full five-year term.

Mr. Eli Anderson Warren as of February 28, 2003 will have completed his first five-year term and will be eligible to be reappointed, as of March 2003, for a second five-year term.

Mrs. Carolyn Ferebee Edwards, as of February 28, 2003 will have completed her first five-year term and is eligible to be reappointed. It is our understanding that Mrs. Edwards does not want to be reappointed. Therefore, a new person will need to be appointed for seat #6. Mrs. Ferebee represented District 1.

Motion:

Motion to reappoint Katheryn Lewis and Eli Anderson (Andy) Warren to the PCMH Board of Trustees.

Motion made by Commissioner Jimmy Garris.

Motion seconded by Vice Chairman Eugene James.

Motion Passed Unanimously.

Motion:

Motion to appoint Janet Bullock to the PCMH Board of Trustees replacing Ms. Carolyn Ferebee Edwards.

Motion made by Commissioner John Minges.

Motion seconded by Commissioner Randy Royal.

Commissioner Hammond spoke about Dr. Wiley Hines also being an excellent candidate in addition to Janet Bullock.

Motion:

Motion to accept the appointment of Janet Bullock to the PCMH Board of Trustees by acclamation.

Motion made by Vice Chairman Eugene James.

Motion seconded by Commissioner John Minges.

Motion Passed Unanimously.

Commissioner Bowen said since it is the Board's policy that people have to attend 75% of the meetings, and there is a person on this board who has not attending 75% of the meetings, he motioned to replace Robert Owens with Thomas Bess since he has not fulfilled his obligation.

Motion:

Motion to remove Robert Owens from the PCMH Board of Trustees due to his not attending 75% of the meetings which is the minimum attendance requirement.

Motion made by Commissioner Glenn Bowen.

Motion seconded by Commissioner Tom Coulson.

Commissioner Minges asked when Mr. Roberts Owens term would expire. Ms. Banks stated it was not this year. Commissioner Bowen said the Board's rule is that the persons attend 75% of the meeting. Commissioner Hammond said sometimes they have justifiable excuses. Chairman Ward said the minutes need to be checked on this matter. Commissioner Hammond wanted to know when this was changed. Vice Chairman James motioned to table this motion.

Chairman Ward said the Board needs more information about the 75% attendance rule and if there have been exceptions made in the past for other individuals. Commissioner Bowen asked Ms. Banks if the Board did away with "excused" absences. Ms. Banks responded that the policy does not recognize "excused or unexcused" absences. Commissioner Hammond said he wanted the minutes from when this policy changed. He said all these board members are serving voluntarily and he wanted to know what constitutes a justifiable excuse? Vice Chairman James asked to make one comment. He stated that before you replace someone this Board needs to know all the facts.

Motion:

Motion to table the action and discussion about Robert Owens membership on the PCMH Board of Trustees until further information can be provided for the Board's consideration.

Motion made by Vice Chairman Eugene James.

Motion seconded by Commissioner John Minges.

Vote Record:

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

Total Yes Votes: 7

Total No Votes: 2

Motion Passed.

Motion was tabled.

Items for Discussion

Animal Control Ordinance - Phil Dickerson

Information Provided with the Agenda

A member of the Pitt County Board of Commissioners has requested that the Board consider the possibility of an Animal Control Ordinance in Pitt County. There are at least five types of ordinances that can be adopted. A discussion of each follows:

Countywide Leash Law

The County could pass an ordinance that would require that every animal in the County be on the owner's property or under the owner's control at all times. This control could be

accomplished by an actual leash, a conventional fence, an invisible fence or other effective means. Exceptions related to certain activities such as hunting could be incorporated into such an ordinance.

Leash Law For Densely Populated Areas

An ordinance, similar to that mentioned above, but applied only to subdivisions, mobile home parks, apartment complexes, etc., could be adopted. There are several counties that have such ordinances. One has a list of approximately 150 locations where the ordinance applies. Such an ordinance would be very difficult to draft and enforce in Pitt County due to the mixture of old subdivisions, new subdivisions, densely populated areas and farms. The enforcement officer would have difficulty determining whether the ordinance applied to a given area or not.

Nuisance Abatement Law

A nuisance abatement law could be applied countywide or in densely populated areas. Such a law would trigger enforcement only if a nuisance, as defined by the ordinance, existed. Nuisances could be defined as loud barking, tearing up shrubs and flowers, creating odors, etc.

Comprehensive Leash Law

A comprehensive leash law would require that all animals be leashed or penned whether on the owner's property or not. Such a law would be simpler to enforce, but may be too restrictive for rural Pitt County. Most municipal ordinances are of this type.

Combination Of One Or More Of The Above

There are possible combinations of the above mentioned types of animal control ordinances. For example, a nuisance ordinance could be adopted countywide or for densely populated areas.

It is anticipated that any ordinance would require about the same resources regardless of the type adopted. The resources required follow:

- 2 Additional officers
- 2 Additional trucks with equipment
- Operating Costs
- New or expanded Animal Shelter

The estimated annual costs are:

Salaries and benefits	\$82,000
Trucks and equipment	16,000
Debt Service	80,000
Total Annual Cost	\$178,000

The Animal Control Staff has all it can do in fulfilling the present demands for rabies control, control of dangerous dogs and shelter operations. Therefore, any new demands necessitate additional personnel.

The Animal Shelter is at capacity. Confiscated animals must be kept at least three days before they can be disposed of. Additional animals brought in due to a new ordinance could not be housed for the statutory period in the existing shelter.

In summary, there are numerous possibilities for an animal control ordinance in Pitt County. However, any expansion of the Animal Control Program will require additional resources.

Meeting Notes

Mr. Dickerson reviewed each of the areas for consideration.

Motion:

Motion to table this item until the Animal Control Advisory Committee has met on Wednesday of this week.

Motion made by Commissioner Randy Royal.

Motion seconded by Commissioner Tom Coulson.

Motion Passed Unanimously.

Capital Improvement Plan - Phil Dickerson

Information Provided with the Agenda

Phil Dickerson will present Pitt County's Capital Improvement Plan.

Meeting Notes

Current/Recurring

Schools Annual ProjectsFY 03-04	\$750,000
PCC Annual Projects	75,000
Water/Sewer/Gas Projects	707,438
MIS Projects Countywide	202,000
Recurring Capital	500,000
Courthouse Phase II	1,400,000
Total	\$3,634,438

- These are not in priority order.

UNMET NEEDS/REQUESTS

Facilities
Social Services Facility
Sheriff Administration Building
Building & Grounds Storage
Animal Shelter
Detention Center Storage
Detention Center Expansion
Community Schools & Recreation Center
Council on Aging Center

UNMET NEEDS/REQUESTS

Education
New School(s)/Smith-Sinnett Study
PCC Local Match for State Bonds

Public Safety
Communications Equipment
Rescue Trucks

UNMET NEEDS/REQUESTS

Other
Mass Appraisal Software/Digital Photo Equipment
Register of Deeds Imaging System
Mental Health - HVAC Renovations
Technology Park
Voting Machines

Motion:

Schedule a workshop with the Board of Commissioners to within the next 30-45 days to prioritize capital improvement needs following the Board of Education's budget request.

Motion:

**Motion made by Vice Chairman Eugene James.
Motion seconded by Commissioner Tom Coulson.
Motion Passed Unanimously.**

Commissioners' Comments

Meeting Notes

Commissioner Garris thanked Kim DeCrecy for allowing him to judge an illustrate a book contest. He thanked Maria McNaniel at Chicod School. He congratulated 29 teachers at South Central High School for receiving their national certification and stated that Pitt County now has 120 teachers that have their National Certification. Chairman Ward stated that that is the most number of teachers in one county in the State.

Commissioner Minges thanked Mayor Aldridge of Grimesland for the recent fund raiser they hosted to raise funds for a fire truck. He stated he would be volunteering at G.R. Whitfield School several hours a week in the near future.

Commissioner Hammond thanked the Board for permission to attend the National Association of Counties Legislative Conference in Washington, D.C. Heard from several congressional leaders, from the first lady Laura Bush, and a senator about the possible war, and finally, another senator about costs of the war. He informed the Board of several matters that they were apprised of while attending. He also spoke about the positive effects of having the County Manager at this meeting. He spoke about the financial shortage that Pitt County and other counties in North Carolina are faced with at this time. He thanked the Finance Officer for brining the financial shortage to the Board. He commended Ms. Debra Dihoff, Mental Health Director, for the way she has gone about the new mental health program and its being a model program for the State. He said he hopes the Board will be diligent about not cutting services or staff during this budget year. Pitt County needs to continue to be a leader in the East.

Closed Session

*Personnel Closed Session per G.S. 143-318.11(a)(6)
Property Acquisition - 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 on behalf of the public body in negotiating (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease; or (ii) the amount of compensation and other material terms of an employment contract or proposed employment contract, and

(6) "To consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee.

Meeting Notes

The personnel item was moved to the beginning of the meeting.

The property acquisition item was removed from the agenda.

Adjourn

Motion:

Motion to adjourn the meeting at 12:15 p.m.

Motion made by Commissioner Mark Owens, Jr.

Motion seconded by Vice Chairman Eugene James.

Motion Passed Unanimously.

Respectfully Submitted,

Susan J. Banks, CMC
Clerk to the Board