

Pitt County Board of Commissioners  
Legislative Luncheon  
April 26, 2004  
11:30 AM  
Christine's in the Hilton

Commissioners present:

Eugene James, Chairman  
Glenn Bowen, Commissioner  
John Minges, Commissioner  
Jimmy Garris, Commissioner  
Beth Ward, Commissioner

Commissioners absent:

David Hammond  
Mark W. Owens, Jr.  
Randy Royal  
Tom Coulson

Legislators present:

Clark Jenkins, Senator  
Edith Warren, House of Representatives  
Marian McLawhorn, House of Representatives  
Tony Moore, House of Representatives

Staff present:

Scott Elliott, County Manager  
Susan Banks, Clerk  
John Bulow, Deputy County Manger/Human Services  
Phil Dickerson, Deputy County Manger/Public Services  
Melonie Bryan, Deputy County Manager/Financial Services  
JoAnne Burgdorff, County Attorney

Chairman James welcomed everyone. JoAnne Burgdorff, presented the 2004-2005 Legislative Goals for Pitt County.

Ms. Burgdorff reviewed each of the goals on the list. She informed the group that there was a need to reword the language of the Hunting Bill. Chairman James said they would like it changed back to the original language. It was discussed that there was a committee that put this original hunting bill language together and all areas of the issue were represented on this committee. The local ordinance needs to be consistent with the Wildlife Resources Commission rules so it can be enforced. The change in the language still enables homeowners a way to deal with hunters coming across their land. Representative McLawhorn asked if this revision would go through as written. Ms. Burgdorff stated had discussed this with Dick Hamilton of the Wildlife Resources Commission, who said it could be enforced. Representative McLawhorn said people are calling her in favor of this ordinance. If it becomes controversial it will not be addressed in the short session. The Legislators will get together and discuss how it needs to be introduced.

Representative Edith Warren said it took three years to get this bill approved the first time and she hoped it would not come to that again. Ms. Burgdorff stated that she has spoken with the representative from the Wildlife Resources Commission and they have already received the package. They are in agreement with the change in the ordinance and local bill.

The second goal was for a 30 day fox trapping session in Pitt County. This was passed unanimously by the Board of Commissioners. Fox hunters and animal lovers were both supportive. This local committee had all areas represented.

Subdivision definition – Ms. Burgdorff stated that this request is already a local act in some counties. The citizens have requested this change in language. It will give more freedom to citizens to hand property down to their children. The Planning Board supported this when it was reconsidered at the request of the Board.

Ms. Burgdorff stated that the 911 legislation is for the expanded use of 911 funds from local citizens that should be used for County communications and emergency services. Representative McLawhorn said this has been submitted for several years but once it gets to the Utilities Review Commission, it hits gridlock. They discussed needing to put a limit on the fee and that the utilities do like collecting the fee because it looks like they are charging the citizens for this fee. This is one on the North Carolina Association of County Commissioners top ten goals.

Ms. Burgdorff stated that a study of the Low Wealth School funding needs to take place so the level of funding can be made adequate for basic education in all local school systems.

Ms. Burgdorff stated that the county share of Medicaid costs needs to be phased out over a four year period.

### **2004 - 2005 LEGISLATIVE GOALS PROPOSED BY PITT COUNTY**

(proposed for the short session and for continued support in 2005)

1) Hunting:

Amend the Pitt County Hunting local act passed in 2002 to remove the following language from section 5 of the local act: “or to allow them to run on”. Copy of the Local Act is attached with the language highlighted.

2) Fox Trapping:

Establish a Fox Trapping Season for Pitt County – Proposed local act attached.

3) Subdivision – Family exception:

Pitt County is requesting a Local Act to officially authorize an exemption to the State definition of a subdivision that has been allowed locally since at least 1982 and to allow another exception which will allow family members to subdivide lots for relatives without meeting the regulations of the Pitt County Subdivision Ordinance. The current Pitt County subdivision definition closely follows the definition of a subdivision required by NCGS 153A-335 with one difference, the county includes an exemption for the division of land among heirs of a deceased person.

Pitt County requests the addition of the following exemptions to the definition of a subdivision:

**(5) The division of a tract among the heirs of a deceased person as part of settlement of the estate by action of a will or other legal proceeding.**

and

**(6) The division of land by any method of transfer from a grantor to a grantee(s) who is a member of the grantor's immediate family, solely for the residential use of the grantee(s). For the purposes of this section, the term “immediate family” shall include direct lineal descendants (children and grandchildren) and direct lineal ascendants (father, mother, grandfather, and grandmother) only.**

4) 911 - Expanded use of 911 funds:

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

Representative McLawhorn has championed this legislation for us for several years and it is our hope that it will continue to be supported until finally passed by the General Assembly.

5) School Funding:

Authorize a thorough study of Low Wealth Supplemental Public School Fund and the level of State Funding necessary to define and support an adequate basic education in all local school systems.

6) Support an act to phase out the county share of Medicaid cost over four years and to cover the cost of the county share by phasing out reimbursements to counties over four years.

OTHER SUGGESTIONS:

Consideration of retirement options for long term Mental Health employees who are phased out of their jobs by Mental Health reform.

Allow the purchase of County property tax liens by individuals and companies.

Allow all counties the option to enacting a Land Transfer Tax without the required citizen referendum.

Other Discussion:

Senator Moore said that he is in favor of privatizing services but everything is not appropriate for privatizing. He said the State may be taking privatization too far.

Senator Jenkins stated that North Carolina is not getting its fair share of the low wealth funds for schools. Mr. Elliott discuss the ability to pay for counties and Medicaid. Representative McLawhorn said that some wealthier counties have capability to use the Bill Lee Act but funding is still not equitable. It was noted that Hoke County sued and won on the low wealth issue. Senator Moore stated that there is still disparity in funding and this has been sent to a study committee. Senator Jenkins discussed funding for roads in surrounding counties. He stated that one year Pitt County's transportation funds may be higher and the next year they may be higher in another county.

Representative McLawhorn spoke about the money for poor counties for education and that this would take a chunk from State budget to bring the funding up.

Ms. Burgdorff reported on the request to have a land transfer tax. She shared the revenue amounts from Chowan and Currituck counties.

Commissioner Minges said the Board of Commissioners were looking at the capital improvement plan with a Detention Center expansion/renovation, Social Services building, and \$59 million in capital improvement needs. He asked about the tax rate at this time. Mr. Elliott said with the revaluation it would take \$.60 to be neutral but \$.68 would fund the budget without any capital projects.

Representative McLawhorn said that 61 House Representatives signed on to a "no tax increase" motion. Representative Warren stated that fees are also considered taxes.

Senator Jenkins spoke about Wayne County getting federal highway money. However, in Pitt County the Fire Tower Road project stopped because of a lawsuit. Commissioner Bowen said Durham County is collecting a land development impact fee. Senator Jenkins said that the eastern part of the State is getting ready to be penalized for the non-attainment problem. Commissioner Garris said the parties are negotiating on the lawsuit on Fire Tower Road expansion.

Representative McLawhorn said that the Legislative session begins two weeks from today and the local delegation will meet and review Pitt County's requests.

The meeting was adjourned at 1pm.

Respectfully submitted,

Susan J. Banks, CMC  
Clerk to the Board