

**Pitt County Board of Commissioners  
Greenville, North Carolina  
Monday, March 01, 2010 Minutes**

Board of Commissioners met on Monday, March 01, 2010 at 9:00 AM in the Commissioners' Auditorium, Pitt County Office Building, 1717 W 5th Street, Greenville, North Carolina.

Board Members Present:

Kenneth R. Ross, Chairman  
David Hammond, Vice Chairman  
Beth Ward, Commissioner  
Eugene James, Commissioner  
Tom Johnson, Commissioner  
Mark W. Owens, Jr., Commissioner  
Jimmy Garris, Commissioner  
Melvin McLawhorn, Commissioner  
Ephraigm Smith, Commissioner

Staff Present:

Scott Elliott, County Manager  
Melonie Bryan, Deputy County Manager/Chief Financial Officer  
Michael Taylor, Deputy County Manager/Chief Information Officer  
Kimberly Hines, Interim Clerk  
Janis Gallagher, County Attorney  
Lisa Overton, Assistant County Attorney  
James Rhodes, Planning Director  
Phil Dickerson, County Engineer  
Noel Lee, Emergency Management Director  
Florida Hardy, Human Resources Director  
Alice Keene, Community Schools & Recreation  
Shelly Leach, Budget Administrator  
Eric Gooby, Planning  
Donna Davis, MIS  
Pam Barber, MIS  
Troy McCotter, MIS

**Call to Order**

Chairman Ross called the meeting to order.

**Invocation and Pledge**

Commissioner James led the Invocation. Commissioner Owens led the Pledge of Allegiance.

**Approval of Agenda**

**Motion:**

Motion to approve agenda.  
Motion made by Vice Chairman David Hammond.  
Motion seconded by Commissioner Jimmy Garris.  
Motion passed unanimously.

## **Public Hearings**

Eastern Recreational Properties, LLC Rezoning -- Zoning Ordinance Map Amendment - James Rhodes

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

This request is a petition by Pitt County requesting that the property owned by Eastern Recreational Properties, LLC, be rezoned from General Industrial (Conditional Use District) (GI(CU)) to Rural Agricultural (RA). The subject property is identified by the Tax Assessor's Office as Parcel Number 11096 and is located on the southern side of US 264 East, west of its intersection with NC 30. The subject property is approximately 8.60 acres, the entirety of which is proposed for rezoning.

On January 22, 2007, the subject property was rezoned from Rural Agricultural to General Industrial (Conditional Use) and issued a conditional use permit to operate a concrete plant. As per the Pitt County Zoning Ordinance, a conditional use permit (including approved site plans) shall expire automatically if, within six months after the date of approval, the use authorized by such permits has not commenced; or less than ten percent of the total cost of all construction, erection, alteration, excavation, demolition, or similar work on any development authorized by such permits has been completed on the site. Planning staff has conducted inspections of the property and determined that the use has not commenced and therefore the conditional use permit has expired. As per the requirements of the Zoning Ordinance at the time of approval, and given the expiration of the conditional use permit, the Zoning Administrator is authorized to initiate a reclassification of the subject property to its original zoning designation (Rural Agricultural).

The Planning Board reviewed this rezoning request at its February 17th meeting and voted unanimously to recommend approval of the request and to advise that it is consistent with the Pitt County Comprehensive Land Use Plan and other applicable plans. Planning staff recommends approval and advises that the rezoning request is in general conformance with the land use plan given the site's designation as a Rural Commercial/Crossroad Community.

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

- February 13, 2010 through February 28, 2010 - Advertise public hearing (Attachment 1) in Daily Reflector and notify adjacent property owners (Attachment 2)
- March 1, 2010 - Board of County Commissioners Public Hearing

Attached is a written statement by the Planning Board on the request's consistency with the Pitt County Comprehensive Land Use Plan (attachment 3), a list of adjacent property owners (Attachment 4), a final staff report(Attachment 5), a flow chart that depicts the amendment process (Attachment 6), a copy of the original approval letter and findings of fact dated January 24, 2007 (Attachment 7), a copy of the approved site plan (Attachment 8), a copy of the conditional use permit (Attachment 9), a locational map of the property (Attachment 10), and a letter to Mr. Judson Whitehurst of Eastern Recreational Properties, LLC (Attachment 11)

### **Staff Recommendation**

Approve the request by Pitt County to rezone 8.60 acres of property owned by Eastern Recreational Properties, LLC, Parcel 11096, from General Industrial (Conditional Use) to Rural Agricultural, and find that the proposed request is reasonable and in the public interest and is consistent with the Pitt County Comprehensive Land Use Plan.

See Appendix 1

### **Meeting Notes**

Mr. Rhodes presented a Power Point presentation. Chairman Ross opened the public hearing. No one signed up to speak. Chairman Ross closed the public hearing. Commissioner Owens asked the property owner's posture at this time. Mr. Rhodes stated the intent is the property owner will come back at a later

time for another rezoning request. Commissioner James asked if this property was where the saw mill use to be. Mr. Rhodes stated yes. Commissioner James stated a great deal of improvement had been made on the location site. Commissioner Johnson asked if the adjacent property owners were satisfied. Mr. Rhodes stated they had notified the adjacent property owners and had not heard from anyone.

**Motion:**

Approve the request by Pitt County to rezone 8.60 acres of property owned by Eastern Recreational Properties, LLC, Parcel 11096, from General Industrial (Conditional Use) to Rural Agricultural, and find that the proposed request is reasonable and in the public interest and is consistent with the Pitt County Comprehensive Land Use Plan.

Motion made by Vice Chairman David Hammond.

Motion seconded by Commissioner Eugene James.

Motion passed unanimously.

**Public Addresses to the Board**

**Meeting Notes**

No one signed up to speak.

Commissioner McLawhorn stated it has been brought to his attention that the Pitt County Nursing Home/Adult Care Community Advisory Committee, which Commissioner James serves on, is receiving reports of problems with the elderly not being treated properly. He stated Calvin Henderson, NAACP, wants to come before the Commissioners with a report on the state of the Nursing Homes. He asked for a quarterly report to be brought before the Commissioners. Commissioner James stated he would be glad to bring a report back to the Commissioners at the next meeting. Commissioner James stated most of the nursing homes are only half full and the employees strive to do what is best for the elderly. He stated the older people needed more care. Commissioner James stated more volunteers were needed to serve on the Committee. Commissioner Johnson stated he would first like to hear from Commissioner James before bringing in Calvin Henderson. Commissioner Smith asked who inspects the nursing homes. Chairman Ross stated the State. Commissioner Johnson commended Annette Eubanks, Regional Long Term Care Ombudsman for the Pitt County Nursing Home/Adult Care Community Advisory Committee. Commissioner Smith asked what authority the Committee had on the nursing homes. Commissioner Garris stated even though the county does not have any legal authority, the Nursing Homes strive to take the County's perspectives into consideration.

**Items for Report**

Manager's Report - Scott Elliott

**Information Provided with the Agenda**

Next Meeting Date;

March 15, 2010 - 6pm - Regular Meeting

Recognition of MIS's employees as Certified Government CIO's (Donna Davis & Pam Barber)

Local Elected Officials Ethic Training, conducted by Martin & Starnes & Assoc., March 2nd, BOCC Auditorium, 6 p.m.

Upcoming Semiquincentennial Events:

March 14, 2010 Pitt County History Lecture, Sheppard Memorial Library 3 p.m.

March 21, 2010 Pitt County History Lecture, Sheppard Memorial Library 3 p.m.

March 25, 2010 250th Celebration Dinner, Yankee Hall 6:30 p.m. (ticket required)

Update regarding ABC Board's FY 09-10 Remittance

Letter of Recognition issued by Chairman Ross: Chairperson of the Committee for Employment of People with Disabilities

NACo Annual Conference will celebrate its 75th Anniversary in Washoe County/Reno, Nevada, July 16-20, 2010.

**Staff Recommendation**

Report Only.

**Meeting Notes**

Mr. Elliott reviewed the next meeting date of March 15, 2010 at 6pm.

Mr. Elliott offered recognition of MIS's employees as Certified Government CIO's (Donna Davis & Pam Barber) Commissioner James thanked the Committee for serving on the Nursing Home Advisory Committee. Chairman Ross thanked Donna & Pam for their services.

Mr. Elliott reminded the Board of the Local Elected Officials Ethics Training, conducted by Martin & Starnes & Assoc., March 2nd, BOCC Auditorium, 6 p.m.

Mr. Elliott reminded the Board of the upcoming Semiquincentennial Events being held: March 14, 2010 Pitt County History Lecture, Sheppard Memorial Library 3 p.m.; March 21, 2010 Pitt County History Lecture, Sheppard Memorial Library 3 p.m.; March 25, 2010 250th Celebration Dinner, Yankee Hall 6:30 p.m. (ticket required) - Mr. Elliott stated Pitt County was helping to host this event.

Mr. Elliott gave an update regarding the ABC Board's FY 09-10 Remittance. Mr. Elliott referenced an article in the Daily Reflector. He stated the ABC Board has agreed to make their remittance current. He stated they would continue to monitor expenditures.

Mr. Elliott notified the Board of a letter of recognition issued by Chairman Ross to the Chairperson of the Committee for Employment of People with Disabilities thanking him for his tenure.

Mr. Elliott reminded the Board of the upcoming NACo Annual Conference in Washoe County/Reno, Nevada, July 16- 20, 2010.

Department Spotlight - Industrial Development Commission - [Kiara Jones](#)

**Information Provided with the Agenda**

The Office of Public Information, in conjunction with the Pitt County Development Commission, has produced the Development Commission's department spotlight. Department spotlights are short videos produced to highlight functions and services of Pitt County departments.

Spotlights are used to communicate with citizens and provide information about County departments that citizens may or may not already be aware of. The spotlights also run regularly on Suddenlink Communications PittTv, Channel 13 and online at <http://pitttv.pegcentral.com>.

**Staff Recommendation**

Approve spotlight

**Meeting Notes**

Mr. Taylor stated Wanda Yuhas was unable to attend. Mr. Taylor introduced the Industrial Development Commission spotlight.

**Items for Consent**

Budget Amendment - Planning - \$1,300 (No County Funds) - James Rhodes

**Information Provided with the Agenda**

This increase in budget reflects rent received for space provided by Pitt County Planning Department to Martin Community Action. This revenue is for January through June 2010. Lease continues through 2012.

**Staff Recommendation**

Approve as submitted.

See Appendix 2

**Manager's Comments**

Concur with recommendation to approve budget amendment.

**Meeting Notes**

Commissioner Owens asked how much money had been allocated for heating and air for the needy people. Mr. Elliott spoke of the neighbor to neighbor project. Commissioner Owens stated it was in excess of \$400,000. Commissioner Owens asked for a report back to the Commissioners on how the money was allocated. Commissioner James stated he was on the Social Services Board and more money was always needed.

**Motion:**

Approve as submitted.

Motion made by Commissioner Jimmy Garris.

Motion seconded by Vice Chairman David Hammond.

Motion passed unanimously.

Budget Amendment - Social Services - Smart Start Direct Services - \$234,802 - (No County Funds) - George Perry

**Information Provided with the Agenda**

The Department of Social Services has received an additional funding authorization from the NC Division of Child Development for the Smart Start Day Care Direct Services. These funds will be used to provide child day care services to eligible clients.

The Department requests the approval of the attached Budget Amendment to increase expenditures and revenues by \$234,802.

No Additional County Funds are requested.

**Staff Recommendation**

Staff recommends the approval of the attached Budget Amendment to increase expenditures and revenues by \$234,802.

See Appendix 3

**Manager's Comments**

Concur with recommendation to approve budget amendment.

**Motion:**

Staff recommends the approval of the attached Budget Amendment to increase expenditures and revenues by \$234,802.

Motion made by Commissioner Jimmy Garris.

Motion seconded by Vice Chairman David Hammond.

Motion passed unanimously.

Budget Amendment - Social Services - Progress Energy - Energy Neighbor Fund - \$3,165 - (No County Funds) - George Perry

**Information Provided with the Agenda**

The Department of Social Services has received additional funding on authorizations 7 and 8 for the Energy Neighbor Funds Program in the amount of \$366. In addition, funding authorizations 1 through 4 were not processed. The total of funds received on these authorizations is \$2,799. Total funding for this program is \$3,629 of which only authorization #5 for \$464 has been recognized in the DSS budget. These funds will be used to assist citizens of Pitt County with heating and cooling expenses.

The Department is requesting the approval of the attached Budget Amendment to increase revenues and expenditures by \$3,165 and bring this account current for authorizations 1-8.

No additional County Funds are requested.

**Staff Recommendation**

Staff recommends the approval of the attached Budget Amendment.

See Appendix 4

**Manager's Comments**

Concur with recommendation to approve budget amendment.

**Motion:**

Staff recommends the approval of the attached Budget Amendment.

Motion made by Commissioner Jimmy Garris.

Motion seconded by Vice Chairman David Hammond.

Motion passed unanimously.

Budget Amendment - Social Services - Greenville Utilities Commission Donations - \$7,800 (No County Funds) - George Perry

**Information Provided with the Agenda**

The Department of Social Services has received donations from Greenville Utilities Neighbor to Neighbor energy program. These funds will be used to assist citizens of Pitt County with heating and cooling expenses.

The Department is requesting the approval of the attached Budget Amendment to increase revenues and expenditures by \$7,800.

No additional County Funds are requested.

**Staff Recommendation**

Staff recommends the approval of the attached Budget Amendment to increase revenues and expenditures by \$7,800.

See Appendix 5

**Manager's Comments**

Concur with recommendation to approve budget amendment.

**Motion:**

Staff recommends the approval of the attached Budget Amendment to increase revenues and expenditures by \$7,800.

Motion made by Commissioner Jimmy Garris.

Motion seconded by Vice Chairman David Hammond.

Motion passed unanimously.

Budget Amendment - Social Services - Crisis Intervention - \$215,604 - (No County Funds) - George Perry

**Information Provided with the Agenda**

The Department of Social Services has received an additional funding authorization #6 from the NC Division of Social Services for the Crisis Intervention Program (CIP) in the amount of \$215,604. These funds will be used to provide assistance for heating and cooling expenses to the citizens of Pitt County.

The Department requests the approval of the attached Budget Amendment to increase expenditures and revenues by \$215,604.

No additional County Funds are requested.

**Staff Recommendation**

Staff recommends the approval of the attached Budget Amendment to increase expenditures and revenues by \$215,604.

See Appendix 6

**Manager's Comments**

Concur with recommendation to approve budget amendment.

**Motion:**

Staff recommends the approval of the attached Budget Amendment to increase expenditures and revenues by \$215,604.

Motion made by Commissioner Jimmy Garris.

Motion seconded by Vice Chairman David Hammond.

Motion passed unanimously.

Budget Amendment - Sheriff's Office - Insurance Settlement \$7,778 (No County Funds) - Mac Manning

**Information Provided with the Agenda**

A Sheriff's Office marked patrol vehicle was totaled in an accident on 1/12/2010. The insurance company representing the other driver has settled the claim for \$7,778. The Sheriff's Office would like to use this money to buy a replacement vehicle.

**Staff Recommendation**

Staff recommends approval of budget amendment as presented.

See Appendix 7

**Manager's Comments**

Concur with recommendation to approve budget amendment.

**Motion:**

Staff recommends approval of budget amendment as presented.

Motion made by Commissioner Jimmy Garris.

Motion seconded by Vice Chairman David Hammond.

Motion passed unanimously.

Tax Administration Refunds - Cathy Booker

**Information Provided with the Agenda**

Refunds for the period of February 4, 2010 through February 18, 2010 that are greater than \$100 and require individual Board of Commissioners approval are attached.

**Staff Recommendation**

To approve the Tax Administration refunds and direct staff to process the refunds.

See Appendix 8

**Manager's Comments**

Concur with recommendation to approve Tax Administration refunds.

**Motion:**

To approve the Tax Administration refunds and direct staff to process the refunds.

Motion made by Commissioner Jimmy Garris.

Motion seconded by Vice Chairman David Hammond.

Motion passed unanimously.

Approval of Minutes - Kimberly Hines

**Information Provided with the Agenda**

February 15, 2010 Minutes

**Staff Recommendation**

Approve February 15, 2010 regular meeting minutes as submitted.

**Manager's Comments**

Concur with recommendation to approve minutes of February 15, 2010.

**Motion:**

Approve February 15, 2010 regular meeting minutes as submitted.

Motion made by Commissioner Jimmy Garris.

Motion seconded by Vice Chairman David Hammond.

Motion passed unanimously.

**Items for Decision**

VHF System Expansion with Narrowband Migration Update - Noel Lee

**Information Provided with the Agenda**

On September 21, 2009, the Pitt County Board of Commissioners voted for Staff to develop a Request for Qualifications (RFQ) and advertise the RFQ to prospective agencies that may be interested in providing a study of Pitt County's VHF System. The scope of work included the study of the VHF System Expansion

with Narrowband Migration. The RFQ'S were mailed to the agencies asking to be considered for the study.

The VHF System Expansion with Narrowband Migration Review Committee reviewed the RFQs and selected three agencies to interview. The Committee is made up of Chairman Ross, Commissioners McLawhorn & Garris, Scott Elliott, Janis Gallagher, Phil Dickerson and Noel Lee. The Committee conducted the interviews and selected an agency to provide the study contingent on a favorable report of their references. The references were checked by Staff with favorable results. All references provided high remarks on the performance, service, and integrity of the selected firm. The firm has proposed to conduct the study for \$63,520 which includes all labor, travel, and other direct costs to complete the Scope of Work directed by the RFQ. This price does not include optional tasks which could include Site Surveys, Interference Analysis, Procurement Support, Capacity Analysis, and/or Implementation Support. All of these optional tasks, except for the Site Survey, will not be needed until after the Board has made a decision on to how Pitt County will proceed with the VHF System Expansion with Narrowband Migration. At this time, we are asking you to consider allowing Staff to exercise the optional task of Site Survey if needed at an additional cost of \$1,360. The other tasks can be negotiated after the Board has made the decision as to how Pitt County will proceed.

The firm recommended by the Committee is Federal Engineering, Inc. Federal Engineering is a company located in Fairfax, Virginia. This company has been in business since 1984 conducting numerous communications projects all over the United States. Federal Engineering's Project Manager for this study lives in North Carolina. Staff has prepared a contract with Federal Engineering and presents the contract to you for your consideration. The Committee believes Federal Engineering will provide Pitt County with a well organized study and recommendations necessary to complete the narrowbanding migration and VHF system expansion. The funding to pay for this study is available from restricted E-911 funds.

Note: A complete copy of Federal Engineering, Inc.'s written response to Pitt County's RFQ (Request for Qualifications) can be viewed in the County Manager's Office.

#### **Staff Recommendation**

Approval of the contract with Federal Engineering, Inc. to conduct the VHF System Expansion with Narrowband Migration study for the amount of \$63,520 plus the additional \$1,360 for the optional task of the Site Survey, if needed.

See Appendix 9

#### **Manager's Comments**

Concur with recommendation to approve contract with Federal Engineering, Inc.

#### **Meeting Notes**

Mr. Lee stated the review committee met and selected a firm for presentation to the Commissioners. Mr. Lee stated Federal Engineering Corporation, Inc. was being recommended. He stated the company was out of Fairfax, Virginia. He stated the price did not include optional tasks which would include site survey, interference analysis, capacity analysis and implementation support. He stated a lot of the additional options are not needed at this time but may be needed in the future. Mr. Lee stated county staff had worked with Federal Engineering to develop the service agreement.

Commissioner Johnson expressed his concern for the Federal Government stepping in with demands and not being able to fund the program. Commissioner James asked what would this study going to give the County and how much would the total cost be. Mr. Lee stated the study was being done for this reason. Mr. Lee spoke of the scope of work and narrow banding. He stated Federal Engineering, Inc. would bring back recommendations. Commissioner James asked if the Federal Government was mandating this. Commissioner James asked if the fire departments were in favor of this recommendation. Mr. Lee stated

a 25 megahertz band would be narrow banded down to 12.5 megahertz. Mr. Lee stated they recognize the equipment and the effects of the VHF system. Mr. Lee stated it is mandated and the fire departments have been well informed of the process. Mr. Elliott stated a lot of counties were not taking the States recommendation into consideration as Pitt County. He stated Pitt County was ahead. He stated the clarity of communications on the radio system will be much clearer. Mr. Elliott stated the coverage across the County was 90-95 percent. He stated by narrow banding it would reduce the coverage. Commissioner James asked if this would put everyone on the same communication wave-length in case there is another flood, like 1999. Mr. Lee stated there would be different radio frequencies. Mr. Elliott stated the Viper system which is a different platform from the VHF system. He stated the VHF option needs to be kept on the table. Commissioner James referenced the flood of 1999 and how difficult it was to keep in touch with everyone. Mr. Lee stated Federal Engineering, Inc. will likely propose a P-25 system that will create interoperability between agencies. Commissioner Garris stated he agreed with what the fellow commissioners stated and he felt it was important to proceed on the VHF system. Commissioner Garris stated the County should aggressively pursue potential grants that would assist in this project. Commissioner Johnson stated in a recent meeting with Congressman Walter Jones, Congressman Jones indicated he would check into this and get back to Commissioner Johnson. Commissioner Johnson stated he had not heard back from Congressman Jones as of yet but would follow-up with him. Commissioner McLawhorn stated the grant portion would help the County. Commissioner Owens stated he wished the contractor could have been selected from North Carolina. Mr. Lee stated the Project Manager is from North Carolina. Commissioner Garris stated the responses received were from Virginia, Georgia and Florida. Mr. Lee recommended the Board appoint a Commissioner to serve on the project committee.

**Motion:**

Approval of the contract with Federal Engineering, Inc. to conduct the VHF System Expansion with Narrowband Migration study for the amount of \$63,520 plus the additional \$1,360 for the optional task of the Site Survey, if needed.

Motion made by Commissioner Ephraigm Smith.

Motion seconded by Commissioner Jimmy Garris.

Motion passed unanimously.

**Motion:**

Appoint Commissioner Garris to serve on the VHF Expansion with Narrowband Migration Project Committee.

Motion made by Commissioner Mark W. Owens, Jr.

Motion seconded by Vice Chairman David Hammond.

Motion passed unanimously.

Community Garden - Phil Dickerson, Alice Keene

**Information Provided with the Agenda**

Pitt County Community Schools and Recreation, Pitt County Health Department, Pitt County Planning Department and several other agencies and organizations have worked collaboratively to secure funding to further enhance and integrate community wide efforts to help citizens be more physically active and make healthier food choices. Specifically, grant applications have been submitted for funding through the American Recovery and Reinvestment Act and through Blue Cross and Blue Shield (no County match required). A key component of the grant proposals is the establishment of a Community Garden. In order to further develop the healthy living environment being created on County Home Road, staff recommends the official designation of approximately 1.25 acres of the County Home Property located south of the District Park as the garden area (see attached map).

**Staff Recommendation**

Designate 1.25 acres of the County Home Property located south of the District Park as the Pitt County Community Garden area.

See Appendix 10

**Manager's Comments**

Concur with recommendation to approve the designation of a community garden near the County's District Park on County Home Rd.

**Meeting Notes**

Phil Dickerson & Alice Keene presented a Power Point Presentation on the Community Garden. Mr. Dickerson said an area is needed to be designated for the Community Garden. Mr. Dickerson stated the area was located directly behind the Pitt Community College greenhouses and adjacent to the FEMA mobile home park. He stated the area would be designated for a garden with a possible fence around the area.

Commissioner Garris stated this was a good idea and it sends a positive message. Commissioner McLawhorn asked how the garden would be utilized for the citizens of the county. Ms. Keene stated it would provide healthier eating, intergenerational opportunities and bring citizens to the healthy living area. She stated citizens would be encouraged to walk on the walking trail and bring children to the park. Ms. Keene stated the Village of Yesteryear is doing a wonderful job as well. Commissioner Hammond asked who will maintain the garden. Ms. Keene stated money is written into the grant for an extra person but the people involved would take ownership. She stated effort would be made to minimize extra maintenance needs. Commissioner James asked if two gardens were possible. He referenced North of the River citizens needing the same opportunity. Mr. Dickerson stated Dr. Morrow spoke of a stimulus grant recently and three community gardens are in the proposed grant. Commissioner McLawhorn spoke of a grant with the City of Greenville, for citizens North of the River to utilize free of charge. Commissioner James stated a garden was exercise but a lot of hard work. Chairman Ross thanked Alice Keene for her vision.

**Motion:**

Designate 1.25 acres of the County Home Property located south of the District Park as the Pitt County Community Garden area.

Motion made by Commissioner Jimmy Garris.

Motion seconded by Commissioner Beth Ward.

Motion passed unanimously.

Pitt County Schools Land Purchase Request at Chicod School - Scott Elliott

**Information Provided with the Agenda**

Attached you will find a request by Pitt County Schools asking the Board of Commissioners to approve the purchase of 10.195 acres of land. This acreage is adjacent to the existing Chicod School.

North Carolina General Statute 115C-426 requires the Board of Commissioners to approve land purchases before the school board can execute a contract to purchase land. The specific approval is in regard to "the amount to be spent for the site."

**Staff Recommendation**

Approve the Pitt County Board of Education's intent to purchase 10.195 acres of land adjacent to Chicod School.

See Appendix 11

**Meeting Notes**

Mr. Aaron Beaulieu stated the request was to purchase a 10.195 acres of land off Stokestown St. Johns Road, adjacent to the Chicod property. He stated this was to pursue the Phase II project with the school system. He stated the next request was to ask for sewer service.

Commissioner Garris asked if they had looked at adjacent property available. Commissioner Garris stated the land was very expensive per acre to be that far out of Greenville. Commissioner Garris stated he agreed the land was needed because the school was growing but he hated to pay that much per acre. Mr. Beaulieu stated no one envisioned Chicod School to encompass so many students. Commissioner James asked how much was being paid per acre. Mr. Beaulieu stated \$15,000 per acre. Commissioner James stated he didn't believe the land would perk. Commissioner Garris said they could buy the land or limit the growth of Chicod school. Commissioner James asked how many acres were currently owned at Chicod School. Mr. Beaulieu stated they needed the ability for additional sewer, a three-phased approach and to relocate some of the ball fields. Commissioner James asked about the gym and a map for the public to see the suggested changes. Mr. Beaulieu stated the Board of Education has approved the Phase I project and the Phase II project had not been assigned to an architect at this time. Mr. Beaulieu stated under the current proposal, it is proposed to take down the entire 1929 construction and the existing gym that currently sits to the right of the school. Commissioner James stated everything would be one-story. Commissioner Hammond stated there was a lot of sentimental value to the old part of the school. Commissioner Garris stated he agreed with the comment about the price being too high. Commissioner Garris stated the biggest complaint he receives is the traffic problem on Hwy 43 and the entrance and exit into the school. He stated this proposal will help solve the issue. Commissioner Garris stated the Department of Transportation had been out to look into installing a stop light. Chairman Ross stated the school needed to be kept K-8.

**Motion:**

Approve the Pitt County Board of Education's intent to purchase 10.195 acres of land adjacent to Chicod School.

Motion made by Vice Chairman David Hammond.

Motion seconded by Commissioner Tom Johnson.

Motion passed unanimously.

Pitt County Schools Request to Approve Annexation Agreement for Chicod School - Scott Elliott

**Information Provided with the Agenda**

Attached you will find a request by Pitt County Schools concerning the Chicod School property. At present, Pitt County (compared to Pitt County Schools) is the 'owner' of this property. Normally, this would be in the name of the school system. However, since this property is being held as collateral in the 2004 COPS borrowing package, it was transferred to the County's ownership at that time.

In order for this site to be served by municipal sewer, the owner of the property is required to execute an annexation agreement. It is important to note that at this time GUC (Greenville Utilities Commission) has not finalized their evaluation of the design of this sanitary sewer extension. This extension has the potential to serve a larger area and involve several parties. Even with this major factor remaining as an unknown, it is recommended to go ahead and approve the annexation agreement as requested by the school system.

**Staff Recommendation**

Approve annexation agreement as requested by Pitt County Schools.

See Appendix 12

**Meeting Notes**

Mr. Beaulieu stated this request relates to the first request. He stated Chicod is the number one priority across the district for failing on-site sewer systems. He stated the Board of Education would like to have the School tied into municipal sewer. He stated they have budgeted over \$1M for the funding of the project. He referenced a letter from Mr. Bowers, dated September 23 which states the annexation agreement must be in the County's name because it was provided as collateral on another project.

Commissioner Johnson stated there were concerns with the written agreement by the County Attorney. Mrs. Gallagher stated there are additional items referenced in the letter that the School Board is working on obtaining. Mrs. Gallagher stated some additional maps and items will need to accompany the agreement in order for the City to fully accept it as complete. Commissioner Johnson stated Mr. Dickerson had some concerns with the wording of the City of Greenville agreement. Mr. Dickerson stated the County Attorney had addressed the issues. Mr. Elliott stated if the City were to choose to annex, they would be obligated to provide fire, police and garbage services. Ms. Gallagher stated it was legally impossible for the City to annex. Mrs. Gallagher stated the City does not have the intent to annex the property immediately.

Chairman Ross asked the County Attorney to ensure the property owners of Hollywood Crossroads were not affected by the annexation. Ms. Gallagher stated the annexation agreement would only refer to the property the county owns. She stated there may be additional steps to seek additional approval if the City seeks to annex more than the school site.

Commissioner Smith stated the agreement gives the City the ability to annex, although it is not an agreement of annexation. Mrs. Gallagher stated that was correct. Mrs. Gallagher stated if the City chose to annex, a process would be followed, and part of that process would be to seek the consent of the land owner. Commissioner James stated it was good that Ironwood was in the City of Greenville and those people were happy with the services provided by the City. Commissioner Smith asked what the City of Greenville is going to do about the sewer. Mrs. Gallagher stated the preliminary process is to have the annexation agreement signed. Commissioner Johnson stated he spoke with Wayne Bowers, City of Greenville, and it is the City's intention to cooperate with the County in every way regarding this sewer project.

**Motion:**

Approve annexation agreement as requested by Pitt County Schools.

Motion made by Commissioner Melvin McLawhorn.

Motion seconded by Commissioner Tom Johnson.

Motion passed unanimously.

Appointments to the PCMH Board of Trustees - [Kimberly Hines](#)

**Information Provided with the Agenda**

Two members on the PCMH Board of Trustees terms expire 3/1/2010 and are not eligible for reappointment due to serving the maximum number of terms: Lawrence Seigler and Horace Tripp.

Dave McRae, Chief Executive Officer is recommending Mr. Kelly Barnhill and Ms. JoAnne Burgdorff be appointed as replacements on the PCMH Board of Trustees. Please find attached the list of interested applicants. The individuals appointed will begin their term 3/1/2010 and expire 3/1/2015.

**Staff Recommendation**

Motion to appoint two new individuals to replace Lawrence Seigler and Horace Tripp on the PCMH Board of Trustees.

See Appendix 13

**Meeting Notes**

Commissioner McLawhorn nominated Kelly Barnhill and JoAnne Burgdorff.

Commissioner Ward nominated Wanda Bunch to serve.

Commissioner James stated the Board has not voted this way in the past. Mr. Elliott stated in the past the Commissioners have accepted the recommendation of PCMH but additional nominations can be made. Mrs. Gallagher stated in following the Board's appointment policy, the Commissioners may nominate and then vote on each individual separately. Mrs. Gallagher stated the votes would be recorded in reverse order. Commissioner Ward stated she was supportive of Wanda Bunch because her application has been on file since 2004. Commissioner Ward stated she was retired from Pitt Community College and would be a great asset to the PCMH Board of Trustees. Commissioner James stated he served on the Board with Kelly Barnhill and he is a leader. There was discussion amongst the Board about being able to cast a vote more than twice. Mrs. Gallagher stated two spots could be filled because two seats existed. She stated when voting in reverse order, the first two candidates to be successful are appointed. She stated everyone has a fair opportunity to vote for each person nominated.

The Board voted on the nominations in reverse order.

Vote Record for Wanda Bunch.

Ephraigm Smith No  
Melvin McLawhorn No  
Kenneth R Ross No  
Mark W. Owens, Jr. No  
Jimmy Garris Yes  
Eugene James No  
Tom Johnson No  
David Hammond No  
Beth Ward Yes

Voting Totals:

Yes: 2 No: 7

Nomination Failed.

Vote Record for Joanne Burgdorff.

Ephraigm Smith Yes  
Melvin McLawhorn Yes  
Kenneth R Ross Yes  
Mark W. Owens, Jr. Yes  
Jimmy Garris Yes  
Eugene James Yes  
Tom Johnson Yes  
David Hammond Yes  
Beth Ward No

Voting Totals:

Yes: 8 No: 1

Nomination Approved.

Vote Record for Kelly Barnhill

Ephraigm Smith Yes  
Melvin McLawhorn Yes  
Kenneth R Ross Yes  
Mark W. Owens, Jr. Yes  
Jimmy Garris Yes

Eugene James Yes  
Tom Johnson Yes  
David Hammond Yes  
Beth Ward Yes

Voting Totals:  
Yes: 9  
Nomination Approved.

After the votes were recorded, Commissioner Ward requested her vote for Joanne Burgdorff be changed to reflect a yes vote since she thought she could only vote for two candidates.

Appointment to the Pitt Community College Board of Trustees - Kimberly Hines

**Information Provided with the Agenda**

Gary Evans has resigned from the Pitt Community College Board of Trustees and a replacement is needed to fill the unexpired term, ending 6/30/2011. Please find the list of interested applicants attached.

**Staff Recommendation**

Motion to appoint an individual to replace Gary Evans on the Pitt Community College Board of Trustees.

See Appendix 14

Nomination to appoint Debbie Avery to replace Gary Evans on the Pitt Community College Board of Trustees. Nomination made by Commissioner Jimmy Garris.

Nomination to appoint Kathy Frazier to replace Gary Evans on the Pitt Community College Board of Trustees. Nomination made by Chairman Kenneth R Ross.

Vote record for Kathy Frazier  
Ephraim Smith Yes  
Melvin McLawhorn Yes  
Kenneth R Ross Yes  
Mark W. Owens, Jr. No  
Jimmy Garris No  
Eugene James Yes  
Tom Johnson No  
David Hammond Yes  
Beth Ward No

Voting Totals:  
Yes: 5 No: 4  
Nomination Approved. No vote was taken on Debbie Avery.

**Closed Session**

Closed Session to discuss matters relating to Personnel under G.S. 143-318.11(a)(6) and to preserve the attorney client privilege under G.S. 143-318.11(a)(3). - Janis Gallagher

**Information Provided with the Agenda**

It is suggested that the Board go into closed session under G.S. 143-318.11(a)(6) to consider the qualifications, competence, performance, character, fitness conditions of appointment, or conditions of initial employment of a public officer or employee; and under G.S. 143-318.11(a)(3) to consult with an attorney employed by the public body in order to preserve the attorney-client privilege between the

attorney and the public body, which privilege is hereby acknowledged. The public body may consider and give instructions to an attorney concerning the handling or settlement of a claim, judicial action, mediation, arbitration or administrative procedure.

**Staff Recommendation**

Move to go into closed session under G.S. 143-318.11(a)(6) related to personnel and G.S. 143-318.11(a)(3) to preserve the attorney client privilege.

**Motion:**

Move to go into closed session under G.S. 143-318.11(a)(6) related to personnel and G.S. 143-318.11(a)(3) to preserve the attorney client privilege.

Motion made by Vice Chairman David Hammond.

Motion seconded by Commissioner Melvin McLawhorn.

Motion passed unanimously.

Motion to return to open session. Motion passed unanimously.

**Commissioners' Comments**

Commissioner James announced the Pactolus Ruritian Club would hold a fish fry, Friday, March 5<sup>th</sup>, 4-7 p.m. He announced the Belvoir Volunteer Fire Department would hold BBQ & Chicken sale, Saturday, March 6<sup>th</sup>. He stated the money would be used to keep the volunteer fire department active. He invited all citizens to attend.

**Adjourn**

**Motion:**

Motion to adjourn meeting at 11:20 a.m.

Motion made by Commissioner Ephraigm Smith.

Motion seconded by Commissioner Beth Ward.

Motion passed unanimously.

Respectfully Submitted,

Kimberly W. Hines  
Interim Clerk to the Board