

April 13, 2005

The Martin County Board of Commissioners met in Regular Session on Wednesday, April 13, 2005 at 7:00 p.m. in the Board Room of the Martin County Governmental Center, 305 East Main Street, Williamston, NC.

Prior to the Regular Session, the Martin County Board of Commissioners sat as the Martin County Board of Equalization and Review at 6:30 p.m.

ASSEMBLY

Chairman C. Mort Hurst, Vice Chairman Tommy W. Bowen, Commissioners Ronnie Smith, Elmo "Butch" Lilley and Alphonzo Perry, County Manager W. Russell Overman, County Attorney J. Melvin Bowen and Clerk to the Board Linda G. Hardison were present. No one was absent.

Chairman Hurst called the meeting to order at 7:04 p.m. Commissioner Smith led the audience in the Pledge of Allegiance. Vice Chairman Bowen offered the Invocation. Chairman Hurst then introduced the Board, county staff and members of the press.

AGENDA APPROVAL

MOTION by Commissioner Smith, SECOND by Vice Chairman Bowen, to approve the agenda as presented. MOTION APPROVED by a unanimous vote of the Board.

MINUTES – MARCH 9, 2005 REGULAR & CLOSED SESSIONS AND MARCH 23, 2005 SPECIAL MEETING

MOTION by Vice Chairman Bowen, SECOND by Commissioner Smith, to approve the Minutes of the March 9, 2005 Regular and Closed Sessions and the March 23, 2005 Special Meeting as presented. MOTION APPROVED by a unanimous vote.

PUBLIC HEARING – ROAP GRANT APPLICATION

Ms. Rebecca Clayton, Transportation Coordinator, stated that a Public Hearing had been advertised to discuss the proposed Rural Operating Assistance Program (ROAP) Grant Application which must be submitted to the North Carolina Department of Public Transportation by May 6, 2005.

The Rural Operating Assistance Program consolidates the Elderly and Disabled Transportation Assistance Program (EDTAP), The Work First/Employment Transportation Assistance Program, and the Rural General Public (RGP) Program into a single grant application. Funding for this grant application is for the period of July 1, 2005 through June 30, 2006. Total funding applied for in this grant application is \$85,731. Funding amounts are as follows: EDTAP, \$41,598; Employment Transportation Assistance Program, \$6,592; and RGP, \$37,541.

MOTION by Commissioner Lilley, SECOND by Commissioner Smith, to open the Public Hearing on the Rural Operating Assistance Program (ROAP) Grant Application as advertised. MOTION APPROVED by a unanimous vote of the Board, and the Public Hearing began at 7:14 p.m.

Vice Chairman Bowen asked if there was a local match, and Ms. Clayton responded there was none.

Ms. Charlotte Griffin, Mayor of Bear Grass, asked if the funding was about the same, and Ms. Clayton responded NCDOT no longer had discretionary RGP funding which cut \$26,500 from last year's RGP allotment.

With no other comments or questions being received, MOTION by Vice Chairman Bowen, SECOND by Commissioner Smith, to close the Public Hearing. MOTION APPROVED by a unanimous vote, and the Public Hearing was closed at 7:15 p.m.

Commissioner Perry questioned Ms. Clayton if the transportation was provided within Martin County. Ms. Clayton responded that only Martin County citizens were provided this service; however, transportation could take these citizens to doctors in other counties. Commissioner Perry then asked why a Martin County Transit bus was at the Piggly Wiggly in Washington. Ms. Clayton answered that the patient was taken to the doctor in Beaufort County. Following the appointment, the patient has asked to stop at a store in Washington. Since the patient lived in Jamesville area, it was fewer miles to take the patient to the store in Washington instead of carrying the patient to the store in Williamston before taking him home in Jamesville.

With no further comments or questions, MOTION by Commissioner Smith, SECOND by Commissioner Lilley, to approve the ROAP application as presented. MOTION APPROVED by a unanimous vote of the Board.

PUBLIC HEARING – SELF-FINANCING BONDS

Mr. David Jones, attorney with Kennedy Covington Attorneys at Law, stated that he represents Mr. Bill Horton, owner of Albemarle Bio-Refinery, Inc. Mr. Jones explained that he had a three-fold objective for his presentation. He will be presenting an overview of the self-financing bonds, an overview of the project, and the steps necessary to move this project forward.

The following Notice of Public Hearing was published according to statute.

Martin County proposes to consider defining a development financing district and adopting a development financing plan in connection with a development project pursuant to N.C. General Statutes 158-73. The Martin County Board of Commissioners, subject to public comment at the public hearing, intends to consider defining the district which shall be comprised of Martin County Tax Parcel Identification number 01-01943 and to consider the plan for such district. If the district is so defined and plan so approved, the property located within such district will be subject to the plan as adopted to finance certain projects within or servicing the district as more particularly described in the plan.

MOTION by Commissioner Smith, SECOND by Vice Chairman Bowen, to open the Public Hearing as set forth in the published notice. MOTION APPROVED by a unanimous vote, and the Public Hearing began at 7:20 p.m.

Mr. Jones began his overview of the Self-Financing Bonds by stating that with the passage of Amendment One, North Carolina now has a public finance tool designed to make it more economically competitive with other states. Known as Project Development Financing (often referred to as Tax Increment Financing), this tool provides a self-financing bond structure to enable local governments to provide infrastructure improvements to spur private development.

The local governments borrow money, most likely in the form of bonds, which is invested in public projects designed to attract private development and investment. Funds must be spent for specified infrastructure within a Development Financing District and part of a "Development Project". The issuing local government cannot pledge its "full faith and credit"; in other words, it can not promise the bond holders that it will raise taxes in order to repay the debt.

Next, Mr. Jones explained the Development Financing Plan. Mr. Bill Horton, owner of DFI Group, Inc., a North Carolina corporation and its affiliate, Albemarle Bio-Refinery,

Inc., has committed to developing the Eula Fleming property in Jamesville, which has been designated as the Jamesville Industrial Park. The County would finance the infrastructure improvements amounting to \$7.6 million. The company will be investing a similar amount for construction. Upon completion, 250 full-time jobs will be created.

The current value of this property is \$200,000. After the project is completed the tax value will exceed \$79 million, including the out-parcels.

Mr. Jones then presented the following Resolution.

RESOLUTION OF THE MARTIN COUNTY COMMISSION

WHEREAS, the County Commission (the "Commission") for Martin County, a political subdivision of the State of North Carolina ("County") has been presented with a proposed Development Financing Plan for Jamesville Industrial Project Development Financing District #1 (the "Plan"); and

WHEREAS, the Commission has been requested by DFI Group, Inc., a North Carolina corporation and its affiliate, Albemarle Bio-Refinery, Inc., a North Carolina corporation (collectively, the "Owner") to adopt the Plan and thereby create a "development financing district" (the "District") and authorize the issuance by the County of project development financing debt instruments (the "Financing") pursuant to the provisions of North Carolina General Statute § 158-7.3 and the North Carolina Project Development Financing Act, as codified at North Carolina General Statutes §159-101 through 159-113 (the "Act"); and

WHEREAS, on April 13, 2005, the Commission held a public hearing on the Plan for which notice was duly mailed and published all are required by North Carolina General Statute § 158-7.3(h); and

WHEREAS, the Commission has made the following findings of fact numbered 1 through 15 as set forth below:

1. The area of the unincorporated portion of the County is 438.06 square miles or 280,358.4 acres.
2. The area of the requested District is 81.9 acres.
3. There are no other project development financing districts in the unincorporated area of Martin County and therefore the total area of all such districts, including the requested District, is less than five percent (5%) of the total land area of the unincorporated portion of the County.
4. The improvements described in the Plan as the "Public Development" and as the "Private Development" are capital expenditures that will increase net employment opportunities for residents within a two-mile radius of the proposed project and would increase the County's tax base and therefore meet the definition of a "development project" as set forth in North Carolina General Statute § 158-7.3(a)(1).
5. The requested improvements described in the Plan as the "Public Development" are among the uses permitted under § 159-103, more specifically, providing industrial parks as permitted under North Carolina General Statute § 159-48(b)(24).
6. The Public Development will incur entirely within the District or will otherwise directly benefit the Private Development forecasted by the Plan to the extent, if any, occurring outside the District.
7. Development of the property in the District is appropriate for the economic development of the County as previously determined by Resolution of the Commission entitled "Resolution in Support of Naming the 80-Acre Parcel known as the DFI/Albemarle Bio-Refinery/Eula Fleming Property the Jamesville Industrial Park," adopted at its meeting of September 8, 2004.

8. The Plan has been submitted to the North Carolina Secretary of Commerce for the Secretary to review the average weekly manufacturing wage required to be paid to the employees of the manufacturing facilities forecasted by the Plan to determine whether such wages will be in compliance with the requirements of North Carolina General Statute § 158-7.3(g).
9. The Plan has been submitted to the North Carolina Secretary of Environment and Natural Resources for the Secretary to review to determine whether the manufacturing facility forecast by the Plan will have a materially adverse effect on the environment in accordance with the requirements of North Carolina General Statute § 158-7.3(g).
10. The proposed Financing is necessary to secure significant new economic development for the District.
11. The amount of the proposed Financing is adequate and not excessive for the proposed purpose of the issue.
12. The Private Development described in the Plan is feasible.
13. The County's debt management procedures and policies are good.
14. The Private Development, as described in the Plan, is not likely to occur without the Public Development as described in the Plan to be financed by the Financing.
15. The proposed financing instruments can be marketed at reasonable interest cost to the County.

NOW, THEREFORE, BE IT RESOLVED that:

1. The County hereby adopts the Plan in the form presented to the Commission on April 13, 2005, which Plan is incorporated herein by this reference.
2. Subject to the review and approval by the North Carolina Local Government Commission, and subject to receiving the required certifications from the North Carolina Secretary of Commerce and Secretary of Environment and Natural Resources, the Commission hereby creates as a developing financing district pursuant to North Carolina General Statute § 158-7.3, the District as described in the Plan.
3. The County Manager is directed to apply to the North Carolina Local Government Commission for its approval of the Plan and the Financing and to participate or cause an appropriate member of his staff to participate in all conferences and meetings as may be necessary with respect to the North Carolina Local Government Commission's review of the proposed financing.
4. The County Manager is hereby authorized to engage such counsel (subject to the approval of the North Carolina Local Governmental Commission), bond underwriters, and other consultants as is considered customary in order to prepare and negotiate such document as may be appropriate to evidence and secure such Financing and to otherwise represent the County in the authorization and issuance of such Financing; provided, however, that the source of repayment of such debt shall be limited to funds taken into a Revenue Increment Fund as calculated in accordance with North Carolina General Statute § 158-107 and resulting from a levy of taxes on the incremental valuation of the District as described in such section or from any payments which may be made pursuant to an agreement with the Owner described in North Carolina General Statute § 159-108; and provided further, however, that the terms and conditions of such Financing comply in all respects with the Act.
5. Subject to the review and approval of the North Carolina Local Government Commission, the Commission directs the County Manager to seek to issue project

development financing debt instruments pursuant to the Act in an amount not to exceed SEVEN MILLION SIX HUNDRED THIRTY-NINE THOUSAND THREE HUNDRED TWENTY-FIVE and 72/100 dollars (\$7,639,325.72) plus such amounts as may be considered necessary for appropriate reserves and to pay for all costs related to the issuance of such debt instruments and the creation of the District including the cost of counsel, bond underwriters and other customary costs.

6. If required by the Local Government Commission for its approval of the District and the Financing, the County Manager is authorized to negotiate with Owner an agreement pursuant to North Carolina General Statute § 159-108 or such other forms of credit enhancement as may be required by the Local Government Commission on such terms and conditions as the County Manager deems appropriate.

7. The County Manager is authorized to take all other and further steps to execute and deliver such other certificates, documents and agreements as he deems necessary or desirable in order to carry out the intent and the purposes of the foregoing resolutions.

Chairman Hurst opened the floor for comments regarding this Public Hearing.

Mr. Bobby Stalls, Thurman Griffin Road resident, asked what the interest rate will be on these bonds. Mr. Jones explained that there will be a slightly higher rate, but it will not be that much more expensive.

Mr. Stalls then asked if the industry “tanked” could liens be used to recoup cost? The answer is yes.

Mr. Stalls also asked how long do we have to repay the bonds. Mr. Jones answered 30 years or the useful life of the improvements. He also pointed out that these bonds do not count against the limit the State will allow a county to borrow.

Mr. Jones then introduced Mr. Bill Horton who was in the audience.

With no further comments, MOTION by Commissioner Smith, SECOND by Commissioner Perry, to close the Public Hearing. MOTION APPROVED by a unanimous vote, and the Public Hearing ended at 7:46 p.m.

Chairman Hurst asked if the Board took time to study the resolution and chose to vote on it at the May meeting, would this effect the project. Mr. Jones stated that the project could continue without the approval of the resolution at this meeting. He answered that the Manager, Attorney and he could meet with the Local Government Commission during this time.

MOTION by Commissioner Lilley, SECOND by Commissioner Smith, to table a decision of the resolution until the regular meeting in May. MOTION APPROVED by a unanimous vote of the Board.

COMMUNITY ADVISORY COMMITTEE

Manager Overman informed the Board that Ms. Louisa Cox, long time employee of Mid-East Commission who worked with the Department of Aging, passed away.

Ms. Cynthia Davis, of the Mid-East Commission, explained that in 1977 the General Assembly enacted a comprehensive Bill of Rights which established a Nursing Home Community Advisory Committee in every county that has a nursing home. The committee’s primary function is to maintain the spirit of the Nursing Home Patients’ Bill of Rights. The purpose of this law is to involve the local community, through this

volunteer citizens group, in an effort to improve the quality of care for residents of nursing homes. Members of this committee can be appointed by the Board of Commissioners or by the State.

Vice Chairman Bowen agreed that the County needs to get involved. He explained that there are residents of nursing homes who do not have a family member to look after them or their best interest.

Chairman Hurst stated that he would like some recommendations before making these appointments.

MOTION by Vice Chairman Bowen, SECOND by Commissioner Smith, that the Board of Commissioners would like to make the appointments to a joint committee for nursing homes and home care facilities locally. MOTION APPROVED by a unanimous vote of the Board.

BHM LIBRARY RESOLUTION

Ms. Maryjane Carbo, District Librarian, discussed a resolution prepared by the North Carolina Public Library Director's Association. She asked the Board to support the State Aid to Public Libraries program, its rules, and an increase from \$14.7 million to \$19.4 million to meet the growing educational, literacy and quality of life needs for the citizens of North Carolina.

The following resolution was presented.

North Carolina Public Library Director's Association RESOLUTION

WHEREAS, 4.2 million North Carolinians were registered public library users, representing 50 percent of the state's population, borrowed over 45 million items from public libraries in FY 2004; and

WHEREAS, North Carolinians visited public libraries 32.8 million times last year, which is equivalent to filling the Dean Dome 1,508 times or filling Carter Finley stadium 613 times; and

WHEREAS, the average daily number of library visits to North Carolina public libraries (89,859) was more than the average daily attendance at the 2004 State Fair (83,632); and

WHEREAS, librarians answered over 10.3 million questions last year, which is equivalent to answering 28,408 questions each day for the entire year; and

WHEREAS, many North Carolinians depend on their public libraries to gain access to computers, the Internet and online magazines and books, such as NC LIVE, and that these electronic resources were used a total of over 6 million times last year; and

WHEREAS, North Carolina public libraries presented over 93,000 programs (an average of 528 programs per school day) to over 2.2 million children from birth to teens, last year; and

WHEREAS, public libraries are a tremendous educational and life long learning value to the citizens of North Carolina for only \$19.39 per capita in FY 2004; and

WHEREAS, public libraries support local economic development, particularly small business development, and employment opportunities; and

WHEREAS, public libraries are acknowledged as one of the most popular government services and a great public relations benefit to any community; and

WHEREAS, funding of the State Aid to Public Libraries Fund has decreased since 1998 to \$14.7 million in 2004; and

WHEREAS, an increase of \$4.7 million in State Aid to Public Libraries in 2005 is needed to keep pace with increasing public demand for services and increasing operational costs.

NOW, THEREFORE, BE IT RESOLVED that the Martin County Commissioners support the State Aid to Public Libraries program, its rules, and an increase from \$14.7 million to \$19.4 million, an increase of \$4.7 million, to meet the growing educational, literacy and quality of life needs for the citizens of North Carolina.

MOTION by Vice Chairman Bowen, SECOND by Commissioner Smith, to approve the Resolution of the North Carolina Public Library Director's Association as presented. MOTION APPROVED by a unanimous vote of the Board.

TURN LANE ON HIGHWAY 17

Mr. Dail Rodgerson, local businessman, appeared before the Board seeking a letter of support for a turn lane on Highway 17 South. He is building a new restaurant, The Hitching Post, on Highway 17. Travelers going toward Washington have to go to the Bear Grass Road, make a U-Turn, and travel north on Highway 17 in order to turn into the parking lot. Mr. Rodgerson stated that he will make the initial contact with the Department of Transportation, but he would like to Commissioners to send a letter of support.

MOTION by Commissioner Lilley, SECOND by Commissioner Perry, to send a letter of support for a turn lane on Highway 17 into The Hitching Post Restaurant. MOTION APPROVED by a unanimous vote of the Board.

BARNS AT BOB MARTIN CENTER

Mr. Stan Crowe, Chairman of the Martin County Economic Development Corporation, addressed the Board concerning the construction of horse barns at the Senator Bob Martin Eastern Agricultural Center. Mr. Crowe offered the following background information.

“The Senator Bob Martin Eastern Agricultural Center (SBMEAC) has played a significant role in Martin County's economic development efforts since it opened. However, the SBMEAC has been hampered in its effort to grow due to the lack of enough suitable barn stalls.

To accomplish the object of increasing the number of stalls, the Martin County EDC reached an agreement in principle with NCDA&CS on November 4, 2003, to lease a parcel of land and build another barn facility. Consequently, this necessitated the approval of the Joint Legislative Commission on Government Operations (GovOps) and Council of State. These approvals were received on January 21, 2004, and February 3, 2004, respectfully. Moreover, the project was presented to newly elected North Carolina Commissioner of Agriculture Steve Troxler on March 2, 2005, where we received his approval and full support to proceed.”

After this explanation, Mr. Crowe requested an increase in their county budget allocation in an amount to equal the county property taxes for an additional barn facility to be built and leased to the North Carolina Department of Agricultural and Consumer Services (NCDA&CS).

Mr. Crowe pointed out the challenges faced by the staff of the SBMEAC:

- Lack of stables to attract larger shows
 Nearly 20% of bookings events are currently at maximum
- Ability to attract national syndicated shows
 More prominent “name” shows and events

- Ability of existing shows to grow
- Ability to hold two equine events occurring at the same time
- Ability to attract longer running horse shows
- Need to obtain Enterprise Status

Mr. Crowe than pointed attributes of the SBMEAC:

- Average growth rate for all shows is 18.5%
- Number of shows has consistently grown each year by an average of 13.75%
- Number of horses attracted to the center grew more than 27% between 2001 and 2002 operating year
- Annual stall revenue growing by more than 30%

Brian Dygart who operates the Senator Bob Martin Eastern Agricultural Center was present and answered the Board's questions about the number of shows, number of horses for shows, number of horses for potential shows if barn is built, etc. The Board also questioned why it has taken so long to reach this point and why the State did not build the barns.

Following a lengthy exchange, Manager Overman pointed out that the County does not have the legal authority to dismiss taxes; however, the County could increase the allocation to the Economic Development Board as a grant in the amount of the taxes.

Chairman Hurst stated that it appears to him that this is a budget issue and should be discussed during the budget process. Manager Overman reminded them that the anticipated date of starting construction is summer of 2005; therefore, the barn will not be on the county's tax books until January, 2005. The EDC budget increase for this project would not appear until the FY 2006-07 budget.

MOTION by Commissioner Perry, SECOND by Vice Chairman Bowen, to table this request until this year's budget process. MOTION APPROVED with the following vote: For --Perry, Bowen and Hurst; Against – Smith and Lilley.

OCCUPANCY TAX

Mr. Stan Crowe, Chairman of Martin County Economic Development, informed the Board that Mr. Wayne Fox, Chairman of Travel & Tourism Board, felt that he had a conflict of interest and should not make the presentation. Mrs. Jean Rogers, member of Travel & Tourism board, made the presentation.

Mrs. Rogers stated that she was joining Mr. Crowe to seek approval for requesting members of the Legislature to introduce a bill that would increase the Occupancy Tax rate in Martin County to 6%. Currently, it is 3%. This increase will bring Martin County's rate in-line with surrounding counties: Beaufort, Nash, Pitt, Tyrrell and Washington.

The increase would have a two-fold purpose. Twenty percent of the increase would be used to create a fund for marketing major travel and tourism events. Ten percent would be used in the Travel and Tourism general fund to sell Martin County as a place of meetings and conventions.

Mr. Crowe added that increasing the occupancy tax rate to attract larger events makes good economic sense.

Vice Chairman Bowen stated that a 100% increase is seldom hear of. We can't compete with Pitt County; folks will leave here and go to Pitt County.

Mr. Crowe responded that he understood the concern but the increase goes beyond where we are. These funds will be used to bring major venues or conventions to our county

which will put us on par with these other counties. Martin County needs to be more aggressive in marketing and growing our county.

Commissioners Smith and Lilley spoke in favor of increasing the tax pointing out that the tax will be on travelers, not local citizens.

Commissioner Perry agreed with Vice Chairman Bowen in that the Board is being asked to double the tax rate. A lengthy discussion followed.

MOTION by Commissioner Smith, SECOND by Commissioner Lilley, to request the Legislature to increase the Martin County Occupancy Tax from 3% to 6%. MOTION FAILED by the following vote: For – Smith and Lilley; Against – Bowen, Perry and Hurst.

COUNTY MANAGER'S REPORT

Budget Amendment: MOTION by Commissioner Smith, SECOND by Vice Chairman Bowen, to approve Budget Amendment 12 as presented. MOTION APPROVED by a unanimous vote of the Board.

BUDGET ORDINANCE AMENDMENT – 12

BE IT ORDAINED by the Board of Commissioners of Martin County, North Carolina, that the following amendments be made to the annual budget ordinance for the fiscal year ending June 30, 2005.

Section 1. To amend the General Fund, the expenditures are to be changed as follows.

	INCREASE	DECREASE
Public Safety		
Sheriff	\$ 4,926	
General Government		
General & Administrative	10,438	
Human Services		
Department of Social Services		
Assistance Programs	2,164	
Senior Center		
Administration	2,220	
Congregate Nutrition	1,163	
Home Delivered Meals	300	

This will result in an increase of \$21,211 in the expenditures of the General Fund. To provide an increase in revenue for the above, the following revenues will be changed.

Intergovernmental Revenues	
Restricted	\$ 5,847
Sales and Services	1,675
Taxes	
Ad Valorem	
Prior Year	13,689

Section 2. Copies of this budget amendment shall be furnished to the Clerk to the Governing Board and to the Finance Officer for their direction.

Financial Report: The Financial Report was included for informational purposes.

Disposition of Financial Records: The Finance Officer requested to dispose of the following records according to the North Carolina Department of Archives Retention and Disposition Schedule.

- Prior to 1994 Monthly accumulators (FYTD & CYTD), payroll, payroll deductions records, terminated employees' time sheets – state law requires retention 7 years.
- Prior to 1994 Payroll earning records – state law requires retention for 7 years.
- Prior to 1994 Supporting documents to W-2, W-3, 1099 – state law requires retention 4 years. (W-2, W-3, & 1099 maintained permanently)
- Prior to 1994 Leave Reports and Payroll Transmittal Reports – state law requires 5 years for leave reports.
- Prior to 1994 Local Government Retirement Reports – state law requires retention 3 years.
- Prior to 1994 Cafeteria Plan records – state law requires 3 years after audit.
- Prior to 1999 Personnel correspondence/Memoranda – state law requires 3 years.

MOTION by Commissioner Lilley, SECOND by Commissioner Smith, to approve the disposition of old records as requested. MOTION APPROVED by a unanimous vote of the Board.

Tax Collector's Report: The Tax Collector's Report for March, 2005 was included in each Commissioner's packet for informational purposes.

	March, 2005	Year to Date
Property Taxes	\$ 311,809.34	\$10,396,972.87
Motor Vehicles	182,705.51	1,003,138.27

Manager Overman commended Interim Tax Collector Jack Williford, Danny Griffin and the Tax Collector's staff on a job well done. 98.2% of the amount budgeted this year has been collected thus far.

Tax Relief & Refund Orders: MOTION by Commissioner Smith, SECOND by Commissioner Lilley, to approve the Tax Relief Orders in the amount of \$2,385.31 as presented. MOTION APPROVED by a unanimous vote of the Board.

Year	Levy Name	Remarks	Value	Total
2004	Keel Thomas C	Error in Landfill Fee		150.00
2003	Outerbridge Frank	Error in Listing	32,550	271.80
2000	Cook David Kevin	Error in Listing	7,380	60.52
2001	Cook David Kevin	Error in Listing	7,180	58.88
2002	Cook David Kevin	Error in Listing	6,730	56.20
2003	Cook David Kevin	Error in Listing	6,320	52.77
2004	Cook David Kevin	Error in Listing	5,940	49.60
2002	Biggs Gene	Error in Listing	6,720	56.11
2003	Biggs Gene	Error in Listing	6,048	50.50
2004	Biggs Gene	Error in Listing	5,443	45.45
2004	O'Neal Christopher Scott	Error in Landfill Fee		150.00
2002	Howard Waverly	Error in Listing	19,160	159.99
2003	Howard Waverly	Error in Listing	17,720	147.96
2004	Howard Waverly	Error in Listing	16,530	138.03
2004	Everett David Lee	Error in Landfill Fee		150.00
2004	Baker Kenneth Earl	Error in Listing	700	9.49
2003	Baker Kenneth Earl	Error in Listing	700	9.49
2002	Baker Kenneth Earl	Error in Listing	700	9.49
2001	Baker Kenneth Earl	Error in Listing	700	9.38
2000	Bullock James Robert Jr	Repo	6,480	53.14
2001	Bullock James Robert Jr	Repo	6,290	51.58
2002	Bullock James Robert Jr	Repo	5,890	49.19
2003	Bullock James Robert Jr	Repo	5,301	44.26
2004	Bullock James Robert Jr	Repo	4,770	39.83

2003	Bland Johnny Ray	Repo		11,320	94.52
2004	Bland Johnny Ray	Repo		10,590	88.43
2003	Roberson Robert Wayne	Error in Listing		300	2.51
2004	Roberson Robert Wayne	Error in Listing		300	2.51
2004	Hardison Donna Sue R	High Mileage		2,000	16.70
2004	Griffin Rosa R	Error in Value	467	3.88	
2003	Webb Danny R	Error in Value	11,160	93.19	
2004	Price Henry Clyde II	Error in Value	7,560	63.13	
2004	Sherman James M	High Mileage		1,620	13.53
2004	Parrish Jimmy Mack	Error in Value	15,770	133.25	
TOTAL RELIEF ORDERS				\$ 2,385.31	

Manager Overman reported the tax liens had been published in *The Enterprise* April 12th.

Draft Drug Testing Policy: Manager Overman informed the Board that a draft copy of a Drug Testing Policy had been included in each Commissioner's packet. The policy was prepared by the Institute of Government. Also included was an article published by the Institute of Government explaining "Safety vs Privacy". Manager Overman explained further that random testing cannot apply to all county employees. He suggested the Board look at the draft and give him their comments or suggestions.

Travel Reimbursement: Manager Overman explained that the county's current policy stated that we will follow the IRS rate of reimbursement for miles traveled by personal vehicle; however, IRS rate changes will occur at the beginning of each fiscal year. With the increase in gas prices, the Manager is requesting that the policy be changed to state that the county will change its rate consistent with the IRS.

The policy amendment would read: The allowable IRS rate per mile will be paid for the use of personal vehicle.

Manager Overman also asked that the change be effective retroactively to March 1, 2005.

MOTION by Vice Chairman Bowen, SECOND by Commissioner Smith, to follow the Manager's recommendation to change the travel reimbursement rate to the current IRS rate and make it retroactive to March 1, 2005. MOTION APPROVED by a unanimous vote of the Board.

OLD BUSINESS

School Bond Referendum: Mr. Gundars Aperans, Bond Counsel for the Martin County School Bond Referendum scheduled for July 12, 2005, submitted a calendar of the various steps to be taken in connection with the authorization of the bonds (\$17,100,000 for school construction and repairs) and the holding of a special bond referendum.

County Attorney J. Melvin Bowen explained that Mr. Aperans has submitted two Resolutions for consideration at this meeting.

Commissioner Lilley introduced the following resolution, a copy of which has been made available to each Commissioner and which was read by its title:

RESOLUTION RELATING TO THE AUTHORIZATION OF SCHOOL BONDS OF THE COUNTY OF MARTIN, NORTH CAROLINA

WHEREAS, the Board of Commissioners for the County of Martin, North Carolina (the "County"), is considering authorizing the issuance of \$17,100,000 School Bonds of the County (the "Bonds") with voter approval pursuant to Article 4 of Chapter 159 of the

North Carolina General Statutes, as amended, for the purpose of providing funds, with any other available funds, for erecting additional school buildings and other school plant facilities, enlarging, reconstruction, renovating and replacing existing school buildings and other school plant facilities and acquiring any necessary land, furnishings, equipment and appurtenant facilities therefor, in order to provide additional school facilities in the County for the maintenance of schools as required by Section 2 of Article IX of the Constitution (collectively the "Project"); and

WHEREAS, it is necessary to take certain related action at this time;

NOW, THEREFORE, BE IT DETERMINED AND RESOLVED, by the Board of Commissioners for the County, as follows:

Section 1. Said Board hereby finds and determines in connection with authorizing the issuance of the Bonds that (i) the proceeds of the Bonds will be used to finance a portion of the cost of the Project as requested by the Martin County Board of Education (the "Board of Education") pursuant to a resolution passed by the Board of Education on March 7, 2005 to meet an urgent need for additional and improved school facilities to serve the residents of the County and, accordingly, the issuance of the Bonds is necessary or expedient for the County, (ii) the principal amount of the bonds is adequate and not excessive for the proposed purpose of the Bonds because it is based upon best estimate of the Board of Education of the cost of the Project, (iii) the County's debt management procedures and policies are good and will be managed in strict compliance with law, (iv) the increase in taxes, if any, necessary to service the Bonds will not be excessive because it is expected that any increase in taxes will not exceed thirteen and one-half cents (13-½¢) per one hundred dollars (\$100) of the appraised value of property subject to taxation by the County to service the Bonds and (v) the Bonds can be marketed at reasonable rates of interest.

Section 2. The Chairman of said Board, the Clerk to said Board and the County Manager, the Finance Officer and the County Attorney of the County are each hereby designated as a representative of the County to file an application for approval of the Bonds with the Local Government Commission of North Carolina and are authorized to take such other actions as may be advisable in connection with authorizing the issuance of the Bonds; and all actions heretofore taken by any of such officers or any other officer of the County relating to such matter on behalf of the County are hereby approved, ratified and confirmed.

Section 3. The law firm of Robinson, Bradshaw & Hinson, P.A., Charlotte, North Carolina, is hereby confirmed as bond counsel to the County in connection with the authorization and issuance of the Bonds.

Section 4. This resolution shall take effect immediately upon its passage.

Upon motion of Commissioner Perry, seconded by Commissioner Bowen, the foregoing resolution was passed by the following vote:

Ayes: Commissioners C. Mort Hurst, Tommy W. Bowen, Ronnie Smith, Elmo "Butch" Lilley, and Alphonzo Perry

Noes: None

Thereupon, Commissioner Smith introduced the following resolution, a copy of which had been made available to each Commissioner and which was read by its title:

RESOLUTION OF THE BOARD OF COMMISSIONERS FOR
THE COUNTY OF MARTIN, NORTH CAROLINA,
DECLARING ITS INTENTION TO REIMBURSE SAID
COUNTY FROM THE PROCEEDS OF ONE OR MORE TAX-
EXEMPT FINANCINGS FOR CERTAIN EXPENDITURES IN
CONNECTION WITH CERTAIN SCHOOL FACILITIES

WHEREAS, the County of Martin, North Carolina (the "County"), is a political subdivision organized and existing under the laws of the State of North Carolina; and

WHEREAS, the County or The Martin County Board of Education (the "Board of Education") has paid, beginning no earlier than February 12, 2005, and will pay, on and after the date hereof, certain expenditures in connection with erecting additional school buildings and other school plant facilities, enlarging, reconstructing, renovating and replacing existing school buildings and other school plant facilities and acquiring any necessary land, furnishings, equipment and appurtenant facilities therefor, in order to provide additional school facilities in said County for the maintenance of schools as required by Section 2 of Article IX of the Constitution (collectively the "Project"); and

WHEREAS, the Board of Commissioners for the County (the "Board") has determined that certain moneys of the County previously advanced no earlier than February 12, 2005 and to be advanced on and after the date hereof by the County or the Board of Education to pay such expenditures (the "Expenditures") are available only for a temporary period and it is and will be necessary to reimburse the County for the Expenditures from the proceeds of one or more tax-exempt financings in the form of one or more issues of general obligation school bonds of the County if they are approved at a referendum thereon to be held in 2005 (collectively the "Tax-exempt Financings");

NOW, THEREFORE, BE IT RESOLVED by the Board as follows:

Section 1. The Board hereby declares the County's intent to reimburse the County with the proceeds of the Tax-exempt Financings for the Expenditures made on and after February 12, 2005, which date is no more than 60 days prior to the date hereof. The County reasonably expects on the date hereof that it will reimburse the Expenditures with the proceeds of the Tax-exempt Financings.

Section 2. Each Expenditure was or will be (a) of a type properly chargeable to a capital account under general federal income tax principles (determined in each case as of the date of the Expenditure), (b) a cost of issuance with respect to the Tax-exempt Financings, (c) a nonrecurring item that is not customarily payable from current revenues or (d) a grant to a party that is not related to or an agent of the County or the Board of Education so long as such grant does not impose any obligation or condition (directly or indirectly) to repay any amount to or for the benefit of the County or the Board of Education.

Section 3. The maximum principal amount of the Tax-exempt Financings expected to be entered into with respect to the Project is \$17,100,000.

Section 4. The County will make a reimbursement allocation, which is a written allocation by the County that evidences the County's use of proceeds of the Tax-exempt Financings to reimburse an Expenditure, no later than 18 months after the later of the date on which the Expenditure is paid or the Project is placed in service or abandoned, but in no event more than three years after the date on which the Expenditure is paid. The County recognizes that exceptions are available for certain preliminary expenditures, costs of issuance, certain de minimis amounts, expenditures by small issuers (based on the year of issuance and not the year of expenditure) and expenditures for construction projects of at least five years.

Section 5. This resolution shall take effect immediately upon its passage.

Thereupon, upon motion of Commissioner Lilley, seconded by Commissioner Perry, the foregoing resolution was passed by the following vote:

Ayes: Commissioners C. Mort Hurst, Tommy W. Bowen, Ronnie Smith, Elmo "Butch" Lilley and Alphonzo Perry

Noes: None

County Littering: Chairman Hurst informed the Board that he had requested this item be put on the agenda. He said that a lot of time was spent developing this plan and he expects it to be carried out; however, due to the lateness of the hour he is tabling this until the May meeting. He requested the people in charge of enforcing this plan be present and report to the Board what is being done.

NEW BUSINESS

Home & Community Care Block Grant - Lead Agency: Ms. Helen Newsome, Director of the Martin County Department of Aging, requested that the Department of Aging be appointed as the Lead Agency for the Home and Community Care Block Grant for Older Adults for the year July 1, 2005 through June 30, 2006.

MOTION by Commissioner Smith, SECOND by Commissioner Lilley, to name the Martin County Department of Aging as the lead agency for the Home & Community Care Block Grant. MOTION APPROVED by a unanimous vote of the Board.

Home & Community Care Block Grant Advisory Committee: Ms. Newsome presented the following list as recommendations to serve on the Home & Community Care Block Grant Advisory Committee: Mrs. Susan Davenport, Mr. J. B. Coltrain, Mrs. Marian Davis, Mrs. Olga Jones, Mr. Michael Williams, Mrs. Elizabeth Cullipher, Mr. Don Duffy, Mr. Elmo "Butch" Lilley, Mrs. Kitty Davis, Mrs. Irma Reynolds, Mrs. Cynthia Davis, Mrs. Helen Newsome, Mrs. Marsha Anderson and Mrs. Doris Whitehead.

Commissioner Smith thanked Ms. Newsome for her recommendations; however, he pointed out that there was no representation from the Hassell and Parmele areas. Ms. Newsome said she would look for someone to serve from those areas, but this committee needs to meet quickly. She asked if the Board would appoint the members recommended and she will bring more recommendations to the next meeting.

MOTION by Commissioner Smith, SECOND by Commissioner Perry, to appoint the Advisory Committee as recommended. MOTION APPROVED by a unanimous vote of the Board.

United Way Fundraiser: Ms. Newsome informed the Board that her department had recently held one of its "sausage dog" fundraisers, with \$512 going to the Martin County United Way.

Invitations: Ms. Newsome extended two invitations to the Commissioners: Department of Aging Golf Tournament on April 28th and the Volunteer Celebration on May 20th.

VRI System: Ms. Newsome presented the Board with information on the VRI Personal Emergency Response System which is similar to Life Line. She stated that most senior citizens cannot afford the Life Line System. This system has an 80-hour rechargeable back-up battery and a transmitter line of sight range of 600 feet. These systems will be no cost to the county. Department of Aging volunteers will install the system, and they will be available through the Senior Center.

MOTION by Commissioner Smith, SECOND by Commissioner Lilley, to approve the distribution of the VRI System through the Department of Aging as requested. MOTION APPROVED by a unanimous vote of the Board.

Water Capacity Advisory Committee: The following resolution was presented.

RESOLUTION FOR ADOPTING MARTIN COUNTY WATER RESOURCES MASTER PLAN

BE IT RESOLVED by the County Board of Commissioners of Martin County that the master plan entitled "Martin County Water Resources Master Plan" dated March 2005 is hereby approved.

MOTION by Vice Chairman Bowen, SECOND by Commissioner Smith, to approve Rural Center Resolution as presented. MOTION APPROVED by a unanimous vote of the Board.

MOTION by Commissioner Perry, SECOND by Vice Chairman Bowen, to instruct the County Manager to contact the Administrators of the Towns of Robersonville and Williamston and the three of them draft a Plan of Action for the Water Capacity Study. MOTION APPROVED by a unanimous vote of the Board.

BMAP Program: Chairman Hurst stated that the allocation for the BMAP Program is a budget item and should be tabled until the Board is working on the budget.

Waste Management Assignment Approval Letter: Mr. Greg Peverall of Waste Management informed the Board that his company has been trying to find someone to purchase the assets of Waste Management in Martin, Beaufort and Halifax counties. Waste Industries has negotiated to buy these assets. He introduced Mr. Thomas Winstead, Regional Manager for Waste Industries. Mr. Peverall asked the Board to sign an Agreement Assignment Consent letter

MOTION by Commissioner Smith, SECOND by Commissioner Perry, to approve the Agreement Assignment Consent with the stipulation that all debts owed at the time of sale by Waste Management to Martin County, Town of Williamston, Town of Robersonville, businesses and/or contractors shall be paid in full by Waste Management, if not, Waste Industries, the purchaser, shall automatically incur any and all debts and shall be responsible for payment within 60 days of closing of the sale. MOTION APPROVED by a unanimous vote of the Board.

The entire Board commended Waste Management for the services they have provided and assured Waste Industries that they look forward to working with them.

Bear Grass ETJ Planning & Zoning Board Appointment: MOTION by Vice Chairman Bowen, SECOND by Commissioner Smith, to reappoint Derek Price to a three-year term on the Bear Grass ETJ Planning & Zoning Board. MOTION APPROVED by a unanimous vote of the Board.

Resolution of Memoriam – Representative John D. Hall: Chairman Hurst stated that he had asked the Clerk to prepare a Resolution of Memoriam for Representative John D. Hall. The Resolution was read into the minutes.

RESOLUTION OF MEMORIAM

WHEREAS, the Martin County Board of Commissioners has learned with deep regret of the death of Representative John D. Hall; and

WHEREAS, Representative Hall entered politics as a Democrat after being elected as a town commissioner of his hometown, Scotland Neck; and

WHEREAS, Representative Hall moved up the political ladder when he was elected as a Halifax County Commissioner in 1992; and

WHEREAS, Representative Hall relinquished his office as Halifax County Commissioner to represent the 7th District in the North Carolina General Assembly, House of Representatives; and

WHEREAS, Representative Hall served 3.5 terms in the North Carolina House before his untimely death; and

WHEREAS, Representative Hall positively improved the quality of life for the citizens of eastern North Carolina by working to make it a better place to live, work and raise a family; and

WHEREAS, Representative Hall faithfully served the citizens of his community, his State and his Nation during his lifetime.

NOW, THEREFORE, BE IT RESOLVED that the name of John D. Hall be entered into the rolls of those who have gone from our midst in this year so that he may be remembered thereof.

This Resolution shall be effective forthwith.

MOTION by Commissioner Smith, SECOND by Vice Chairman Bowen, to approve the Resolution of Memoriam for Representative John D. Hall as presented. MOTION APPROVED by a unanimous vote of the Board.

CLERK'S REPORT

Clerk to the Board Linda G. Hardison reviewed information included in each Commissioner's packet and reminded them of scheduled meetings for the remainder of April and May.

CLOSED SESSION – PERSONNEL (G.S. 143-318.11(a)(6) and LAND ACQUISITION (G.S. 143-318.11(a)(5))

MOTION by Vice Chairman Bowen, SECOND by Commissioner Smith, to go into Closed Session according to G.S. 143-318.11(a)(6), Personnel and G.S. 143-318.11(a)(5), Land Acquisition. MOTION APPROVED by a unanimous vote, and the Board went into Closed Session at 10:15 p.m.

OPEN SESSION

MOTION by Vice Chairman Bowen, SECOND by Commissioner Perry, to end the Closed Session. MOTION APPROVED by a unanimous vote, and the Closed Session ended at 10:50 p.m.

Clerk to the Board Linda Hardison reminded each Commissioner that a copy of the "Mixer" magazine was placed at their desk. Chairman Hurst was featured in this month's edition.

Chairman Hurst then informed the Board that Clerk Linda Hardison had been voted Treasurer of the North Carolina Association of County Clerks this past weekend.

Manager Overman showed the Board a plaque presented to the county by Syfan at their Grand Opening earlier in the week.

RECESS

MOTION by Vice Chairman Bowen, SECOND by Commissioner Perry, to recess the meeting to May 2, 2005 at 7:00 p.m. in the Board Room to introduce the bond order and call a Public Hearing for the bonds. Also included on the agenda for the meeting on May 2nd is a Closed Session for Personnel. MOTION APPROVED by a unanimous vote of the Board, and the meeting ended at 11:00 p.m.

C. Mort Hurst, Chairman

Linda G. Hardison, Clerk to the Board