

December 14, 2005

The Martin County Board of Commissioners met in Regular Session on Wednesday, December 14, 2005 at 7:00 p.m. in the Board Room of the Martin County Governmental Center, 305 East Main Street, Williamston, North Carolina.

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 7:00 p.m. and introduced the following: Commissioners, staff, press and elected officials. After Commissioner Smith led the audience in the Pledge of Allegiance, Commissioner Lilley offered the Invocation.

AGENDA APPROVAL

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

BOARD REORGANIZATION

Election of Chairman: Chairman Hurst turned the meeting over to Manager Overman who called for nominations for Chairman of the Board. MOTION by Vice Chairman Bowen, SECOND by Commissioner Smith, to nominate C. Mort Hurst as Chairman of the Martin County Board of Commissioners. MOTION APPROVED by a unanimous vote of the Board. Manager Overman congratulated Chairman Hurst and returned the gavel to him.

Election of Vice Chairman: MOTION by Commissioner Smith, SECOND by Commissioner Lilley, to nominate Tommy W. Bowen as Vice Chairman of the Martin County Board of Commissioners. MOTION APPROVED by a unanimous vote of the Board.

Appointment of County Attorney: MOTION by Commissioner Lilley, SECOND by Commissioner Smith, to appoint J. Melvin Bowen as County Attorney. MOTION APPROVED by a unanimous vote of the Board.

Appointment of Clerk to the Board: MOTION by Commissioner Smith, SECOND by Vice Chairman Bowen, to appoint Linda G. Hardison as Clerk to the Board. MOTION APPROVED by a unanimous vote of the Board.

2006 Meeting Schedule: MOTION by Commissioner Lilley, SECOND by Commissioner Perry, to approve the 2006 meeting schedule as presented. MOTION APPROVED by a unanimous vote of the Board.

MARTIN COUNTY BOARD OF COMMISSIONERS Meeting Schedule 2006

Date of Meeting	Type of Meeting	Date Backup Needed Due by 12:00 Noon
January 11, 2006	Regular Meeting	January 4, 2006
February 8, 2006	Regular Meeting	February 1, 2006
February 15, 2006	Budget Sheets to Department Heads	
March 8, 2006	Regular Meeting	March 1, 2006
March 15, 2006	Departmental Budget Requests Due	
March 29, 2006	Departmental Budget Presentations	

March 30, 2006	Departmental Budget Presentations	
April 12, 2006	Board of Equalization & Review	
April 12, 2006	Regular Meeting	April 5, 2006
April 19, 2006	Agency Budget Presentations/	Budget Workshop
To Be Announced	Joint Meeting with Board of Education	
May 10, 2006	Regular Meeting	May 3, 2006
May 17, 2006	Budget Workshop	
May 29, 2006	Ad to paper before noon	
June 1, 2006	Budget Ready for Public Inspection	
June 14, 2006	Budget Public Hearing	
June 14, 2006	Regular Meeting	June 7, 2006
June 14, 2006	Adopt Budget	
July 12, 2006	Regular Meeting	July 5, 2006
August 9, 2006	Regular Meeting	August 2, 2006
September 13, 2006	Regular Meeting	September 6, 2006
October 11, 2006	Regular Meeting	October 4, 2006
November 8, 2006	Regular Meeting	November 1, 2006
December 13, 2006	Regular Meeting	December 6, 2006

CONSENT AGENDA

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

The following items were approved.

1. **Minutes of the November 9, 2005 Regular and Closed Sessions** were approved as presented.
2. **Tax Collector's Report for November, 2005.**

	October, 2005	Year to Date
Property Taxes	\$ 297,936.90	\$ 4,282,268.82
Motor Vehicles	94,464.91	496,622.64

Total Tax Relief Orders of \$3,009.55

Year	Levy	Name	Remarks	Value	Total
2004		Smith Sandra Cooper	High Mileage	1,800	28.53
2005		Taylor gigi A	Error in Value	700	5.85
2005		Whitley James E	Error in Value	3,630	30.68
2005		Smith I L	High Mileage	2,250	31.16
2005		Irwin-Pinkley Laurie S	Error in Value	3,185	26.59
2005		Brown Kay Freeman Cooke	High Mileage	2,975	24.84
2005		Taylor Donnie Ray	Error in Landfill Fee		150.00
2005		Brown Donnell	Error in Listing	2,000	18.59
2005		Greenpoint International	Bill of Sale	20,802	175.78
2005		Muir Ernest G. Jr.	Error in Listing	3,936	36.16
2004		Muir Ernest G Jr.	Error in Listing	4,374	36.53
2003		Muir Ernest G. Jr.	Error in Listing	4,860	40.58
2002		Muir Ernest G Jr.	Error in Listing	5,400	45.09
2001		Muir Ernest G Jr.	Error in Listing	6,000	49.20
2000		Muir Ernest G Jr.	Error in Listing	6,000	49.20
1999		Muir Ernest G Jr.	Error in Listing	6,200	50.84
1998		Muir Ernest G Jr.	Error in Listing	6,700	54.94
1997		Muir Ernest G Jr.	Error in Listing	6,460	52.97
2005		Slade Gail Moore	Double Billed	1,500	13.79
2005		Wmston Nursing Home Care	Double Billed	67,500	529.88
2005		Smith Richard L	Error in Landfill Fee		150.00

2004	Hoggard Eric Darnell	Error in Landfill Fee		150.00
2005	Hoggard Eric Darnell	Error in Landfill Fee		150.00
2005	Long Christopher James	Error in landfill Fee		150.00
2004	Brown James E	Double list	4,788	39.98
2005	Brown James E	Double List	4,309	35.98
2000	Askew Norman Ben	Error in Listing	25,210	206.73
2002	Askew Norman Ben	Error in Listing	22,010	183.79
2003	Askew Norman Ben	Error in Listing	20,390	170.26
2004	Askew Norman Ben	Error in Listing	18,990	158.57
2005	Askew Norman Ben	Error in Listing	17,750	163.04

3. Budget Amendments 8, 9 and 10.

BUDGET AMENDMENT ORDINANCE – 8

BE IT ORDAINED by the Martin County 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, 2006.

Section 1. The following amounts are hereby appropriated in the Enterprise Fund for the operation of the Water and Sewer District No. 1 and its activities for the fiscal year beginning July 1, 2005 and ending June 30, 2006, in accordance with the chart of accounts heretofore established for this district.

Administration/operations	\$ 688
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Section 2. It is estimated that the following revenues will be available in the Enterprise fund for Water and Sewer District No. 1 for the fiscal year beginning July 1, 2005 and ending June 30, 2006.

Transfer from General Fund	\$ 688
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Section 3. Copies of this budget ordinance shall be furnished to the Clerk and to the finance Officer to be kept on file by them for their direction in the disbursement of funds.

BUDGET ORDINANCE AMENDMENT – 9

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, 2006.

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

	Increase	Decrease
Other Financing Uses		
Operating Transfers Out		
Transfer to Water district 1	\$ 688	

This will result in an increase of \$688 in the expenditures of the General fund. To provide an increase in revenue for the above, the following revenues will be changed.

Intergovernmental Revenues	\$ 688
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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.

BUDGET ORDINANCE AMENDMENT – 10

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, 2006.

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

	Increase	Decrease
Public Safety		
Animal Control	\$ 4,159	
Other Human Services		
Office of Juvenile Justice		\$ 2,401
General Government		
Board of Elections	3,400	
Economic & Physical Development		
Economic Development corp	100,000	

This will result in an increase of \$105,158 in the expenditures of the General Fund. To provide an increase in revenue for the above, the following revenues will be changed.

Fund Balance appropriation	\$ 3,758	
Intergovernmental Revenues		
Restricted	\$ 103,400	\$ 2,000

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 for November, 2005.

4. Appointments

BMB Shelter Home – Carolyn Matthews to replace Deborah Fonville and Jan Hale to replace Dr. Warren Webster.

Bertie-Martin Regional jail Commission – William Stalls to a two-year term.

Fireman’s Relief Fund Trustees – Willie Bunch, Charlie Gurganus, Tony Purvis, James R. Ward, Dallas Griffin, Robert Scott and Butch Simpson.

M-T-W District Board of Health – Dave Sanders and Cindy Ange.

5. Resignation

Lucy Horton has resigned from the Nursing Home Advisory Committee.

6. Low Income Energy Assistant Program Resolution

RESOLUTION REGARDING THE LOW INCOME ENERGY ASSISTANCE PROGRAM

WHEREAS, the federal Low Income Energy Assistance Program (LIEAP) provides low-income families with limited financial assistance toward meeting their heating-related needs during the cold winter months; and

WHEREAS, LIEAP has two components which are the LIEAP component and the Crisis Intervention Program (CIP) component; and

WHEREAS, the LIEAP component provides a one-time payment to eligible households that are experiencing heating-related needs; and

WHEREAS, the Crisis Intervention Program (CIP) component provides immediate emergency assistance to an eligible household that is experiencing a crisis in meeting its heating needs; and

WHEREAS, these federal funds are allocated to the State of North Carolina, which distributes the funds to all households that are determined eligible through the LIEAP component; and

WHEREAS, local departments of social services in every county receive an allocation of CIP funds; and

WHEREAS, due to the real potential that the current heating season will adversely affect the ability of low income families to meet and pay for heating fuel even more than in previous years as a result of estimated natural gas prices increasing over 50 percent and fuel oil and propane prices increasing over 30 percent from the previous winter heating season prices; and

WHEREAS, the amount of federal funding allocated to Martin County will not meet all the potential needs of low-income households experiencing heating-related crises; and

WHEREAS, low-income households with unmet heating needs will be in jeopardy of life-threatening crises unless additional funding is allocated to the State of North Carolina by the United States Government;

NOW, THEREFORE, BE IT RESOLVED that the Martin County Board of Commissioners calls upon the Governor of the State of North Carolina and all its elected representatives in the North Carolina General Assembly to contact members of the United States Senate and the United States House of Representatives and advocate for additional LIEAP funding for the State of North Carolina for the current heating season.

BE IT FURTHER RESOLVED, that the Martin County Board of Commissioners calls upon the Governor of the State of North Carolina to identify any and all emergency funds to supplement federal LIEAP funds for the 100 counties in the state to alleviate this emerging critical adverse heating situation.

7. Law Enforcement Retiree – Award Badge and Weapon

Deputy Michael Francis recently retired with a service related disability. Sheriff Roach asked to present Mr. Francis his badge and service side arm that he carried during his time as a deputy sheriff. NC General Statute 20-187.2(a) allows a Board of Commissioners to allow this presentation and determine a price to charge for the weapon. The employee will have to either obtain a permit for the side arm or the weapon will have to be rendered incapable of being fired. The price was set at \$1.00.

8. Clerk's Report

The Clerk's Report included correspondence received since the last meeting and correspondence mailed as a result of the last meeting. A schedule of events was prepared for the Board's information.

PUBLIC COMMENTS

Reverend Northern Lanier: Pastor Lanier stated that he thought that churches did not have to pay taxes. He then explained that because of this assumption, his congregation had overlooked the bills they received regarding trash pickup. He asked if they could be exempt from this tax.

County Manager Overman explained that the fee for garbage pickup is not a tax but an availability fee and cannot be released.

INTRODUCTION OF NEW EMPLOYEES

Manager Overman explained that Mr. Andy Holliday was hired as a Deputy in the Sheriff's Office. Deputy Holliday was assigned to work tonight and could not attend the meeting. The Sheriff will try to have Deputy Holliday at a future meeting.

Social Services Director Susan Davenport introduced Jennifer MacNeill as a new social worker. Although Jennifer resides in Greenville, she is originally from Martin County.

Manager Overman explained that Elisha Hardison, the new water clerk, was unable to attend the meeting. She will be asked to attend a future meeting.

PUBLIC HEARING – 2005 CDBG HOOK-UP APPLICATION

Motion BY Commissioner Lilley, SECOND by Commissioner Smith, to open a Public Hearing to receive comments concerning the 2005 CDBG Hook-up Application. MOTION APPROVED by a unanimous vote of the Board, and the Public Hearing began at 7:11 p.m.

Mr. Mike Barnette of McDavid Associates explained that Martin County has been notified of its eligibility to apply for \$75,000 of the 2005 Infrastructure Hook-up funds. This program will install taps as needed and connect Low-Moderate Income (LMI) homeowner units and rental units owned by a LMI landlord to existing water lines. The County intends to connect 40-40 units to existing water lines at no cost to the property owner. The program will pay all fees and expenses needed to complete the connection.

This program is a 100% grant to the County with no local match.

There were no comments received, neither written nor oral. MOTION by Commissioner Smith, SECOND by Commissioner Lilley, to close the Public Hearing. MOTION APPROVED by a unanimous vote of the Board, and the Public Hearing ended at 7:14 p.m.

MOTION by Commissioner Perry, SECOND by Vice Chairman Bowen, to submit the 2005 CDBG Hook-up Application and authorize the Chairman to sign the application. MOTION APPROVED by a unanimous vote of the Board.

PUBLIC HEARING – 2006-07 CTP GRANT APPLICATION

MOTION by Vice Chairman Bowen, SECOND by Commissioner Smith, to go into a Public Hearing on the proposed FY 2006-07 Community Transportation Program Application. MOTION APPROVED by a unanimous vote of the Board, and the Public Hearing began at 7:15 p.m.

Ms. Rebecca Clayton, Director of Martin County Transit, explained that the Public Hearing was scheduled to receive public comments on the proposed FY 2006-07 Community Transportation program Application to be submitted to the NC Department of Transportation no later than December 16, 2005.

The Community Transportation Program provides assistance to coordinate existing transportation programs and new transportation services for the citizens of Martin County. The total estimated amount requested in state and federal funds for fiscal year July 1, 2006 through June 30, 2007 in \$134,217.00 for administrative and \$132,164.00 in capital assistance. The local match is \$33,348.00.

No comments, oral or written, were received. MOTION by Vice Chairman Bowen, SECOND by Commissioner Smith, to close the Public Hearing. MOTION APPROVED by a unanimous vote of the Board, and the Public Hearing ended at 7:16 p.m.

MOTION by Commissioner Lilley, SECOND by Commissioner Smith, to approve the Community Transportation Program Resolution naming the County Manager as the authorizing official. MOTION APPROVED by a unanimous vote of the Board.

PRESENTATION OF PLAQUE – BILLI JEAN WYNN

The Martin County Board of Commissioners publicly recognized Billi Jean Wynn, former Executive Director of the Martin County Chamber of Commerce, for her dedication and hard work. Ms. Wynn resigned as Chamber Director to accept a Marketing position with Martin General Hospital.

Each Commissioner had an opportunity to personally thank Ms. Wynn for her commitment to the citizens of Martin County.

UPDATE ON WATER DISTRICT 2, PHASE I

Mr. Mark Garner, Rivers & Associates, Inc., presented the following project status report on Martin County Water District No. 2 Phase I.

- Contract final completion date – November 3, 2005
- Williamston Township lines certified substantially complete (522 users) – December 1, 2005
- Notice mailed to users that hook-ups may begin (Williamston Township lines) on December 20, 2005
- Well supply facility preliminary start-up – December 1, 2005
- Add-on services completed – December 12, 2005
- Elevated Tank testing complete and sample taken – December 13, 2005
- State certification for new water main into Bear Grass from northern areas received – December 13, 2005
- Follow-up well supply facility start-up/testing scheduled – December 20, 2005
- Tentative state inspection of well supply facility scheduled – December 20, 2005
- Approximately 15 miles of water main north, east & west of Bear Grass have some remain to be tested
- Approximately 10 miles of water main south and west of Bear Grass remain to be tested

In reference to concerns regarding delays/performance by the County's water system contractor(s), and how the engineer may impact such performance, the following excerpt from the county's professional service agreement for the project with Rivers and Associates, Inc. is provided for convenience:

Section A, paragraph 14.

“Unless notified by the owner in writing that the owner will provide for resident inspection, the engineer will provide resident construction inspection. The engineer's undertaking hereunder shall not relieve the contractor of contractor's obligation to perform the work in conformity with the drawings and specifications and in a workmanlike manner; shall not make the engineer an insurer of the contractor's performance; and shall not impose upon the engineer any obligation to see that the work is performed in a safe manner.”

This language is supported by the construction contract(s) General Condition 9.10B and C.

Vice Chairman Bowen asked for the date of completion. Mr. Garner stated that he could not say definitely, but it would be by the end of January or sooner.

OLD BUSINESS

Railroad Crossings Update: Manager Overman spoke with Mr. Randy Parrish of CSX last Friday to get an update on the railroad crossings. Both Mr. Parrish and Mr. Anthony Roper of NCDOT indicated that CSX and NCDOT had executed contract to repair/replace the crossings on Highway 64 at Dardens. According to CSX the work should be complete by the end of the first quarter of 2006 (March 31). Mr. Parrish is scheduled to be in Martin County on December 13th along with DOT officials to inspect the other crossings in the County.

NCDOT Update: The following information was received from Mr. Anthony Roper of NCDOT.

Intersection of US 64/US 17/13 (Behind Bojangles)

There have been a total of 25 reported accidents since the road was opened in July 2003 through September 2005 (27 months).

- Road opened to traffic in July 2003
- 17 accidents occurred from 07/01/03 to 06/30/04
- 8 accidents occurred from 07/01/03 to 09/30/05
- This represents a significant reduction in accidents since roadway opened
- The accidents were evenly distributed across all approaches to the intersection and no discernable accident pattern could be identified.
- A speed study was conducted in two locations on US 64 Eastbound (from Everetts towards intersection). The speed study showed that drivers are generally complying with the speed reduction. For the “few” that are non-compliant, additional enforcement may be needed.

Improvements made by NCDOT since road was opened:

- 06/15/04 On US 64 Eastbound (from Everetts) signs stating Begin 55 mph 100 Feet ahead were added.
- 10/13/04 Two revisions to the signals were made. The loops approaching the intersection on US 64 Eastbound were extended further from the intersection to improve the volume-density operation of the signal. In effect this allows the signal to sense approaching traffic sooner and “hold” the green light longer. The other change extended the “red clearance time” (all red) by ½ second.
- 01/13/05 Extended 45 mph speed zone back to the signal on US 17/13. This removed a short 55 mph zone that existed beyond the signal. This also moved the Reduce Speed Ahead signs to the approach side of the signal.

Other changes to be implemented:

1. On US 64 Westbound (from Jamesville) add a sign in advance of the ramp that says Washington-Rocky Mount – Exit 515.
 - Many motorists may not be familiar with Everetts and Tarboro as stated on the existing signs.
 - This should help motorists take the ramp rather than turning left at the signal.
2. On US 64 East bound (from Everetts) add the following:
 - Another set of signal Ahead signs in advance of those already in place. While the existing signs are currently located correctly, the overhead signs in the same location may draw the motorist’s attention away from the existing Signal Ahead signs.
 - Add Signal Ahead on the pavement in conjunction with the signs.
3. Pedestal mounted signals in the intersection.
 - Add a Left Turn Yield on Green sign under the signal on the pedestals.

Intersection of NC 11/NC 903

There were a total of 16 (15 angle & 1 rear end accident) reported accidents at this intersection from 04/01/01 to 04/30/05 (49 months).

- All of the recent angle accidents involved vehicles on NC 903 pulling into path of vehicles on NC 11. Of the 15 accidents, it appears that 13 of them stopped at the stop sign and then proceeded to pull out in front of an oncoming vehicle. It appears that only two of them ran the stop sign without stopping.

- Ten of the accidents involved northbound vehicles on NC 903 pulling out in front of oncoming traffic and five were southbound on NC 903. The vehicles on NC 11 that were involved were about evenly split from both directions.

Previous Improvements made by NCDOT:

- Original flasher installed in 1982.
- In 1996, the flasher was upgraded to include *Vehicle Entering When Flashing* (Flashers on NC 11 activated by vehicles entering from NC 903) and also included flashers added to the *Stop Ahead* signs.
- Numerous signing and pavement marking upgrades through the years.
- In July 2005, the flasher was again upgraded to include not only *Vehicle entering* actuated flashers on NC 11 but also *Vehicle Approaching* actuated flashers on NC 903. this is the only such configuration in the division. This improvement can be evaluated after some time to consider its effectiveness.

Old Courthouse Renovations Update: Chairman Hurst requested that the Manager read the last letter sent to Representative Edith Warren concerning the scheduling of a visit by Speaker of the House Jim Black. He stated that we still have not received a response to this letter.

NEW BUSINESS

Day Care Funding Issues: Social Services Director Susan Davenport discussed funding for Day Care. She explained that there are three different sources of funding for Day Care and reviewed the amounts from each source. Unless changes are made, funds will run out for this service; therefore, eight families will be terminated from this program. She wanted to keep the Board informed in case they start getting phone calls about these terminations.. She then explained how the families to be terminated would be designated. She stated that categories would be chosen and not individual families.

Ms. Davenport assured the Board that her agency did not want to terminate anyone, but monies will run out for everyone if the present level of funding is continued. She also pointed out that three years ago, her agency had to terminate families for Day Care. There are already 193 families on the waiting list for Day Care.

JCPC Appointments: Several reappointments are due for the Juvenile Crime Prevention Council; however, there is one vacancy which is a Commissioner appointment. Chairman Hurst asked if any Commissioner had a recommendation for this position. No one has a nomination at this time.

MOTION by Vice Chairman Bowen, SECOND by Commissioner Smith, to reappoint Dr. Tom Daly or designee, Sheriff Roach or designee, James Ward, Susan Davenport, Vickey Manning, Pamela Moore-Hardison, Sondra McCleary, Captain Jim Bullins/Scott McDougal, Sam Speller and Judge Regina Parker, as well as Ben Selby of Big Wave Therapy, to two-year terms on the Juvenile Crime Prevention Council as recommended. MOTION APPROVED by a unanimous vote of the Board.

Consideration of Engineering Change: Before discussing a change in engineering firms, Chairman Hurst suggested the Board go into Closed Session to consult with the County Attorney. He asked that Water Manager Kirk Rogers be included in the Closed Session. It was decided to go ahead with the other Closed Session item at the same time.

CLOSED SESSION

MOTION by Vice Chairman Bowen, SECOND by Commissioner Perry, to go into Closed Session according to G.S. 143-318.11(a)(3) for consultation with attorney and G.S. 143-318.11(a)(5) for land acquisition (in vicinity of Airport). MOTION APPROVED by a unanimous vote of the Board. Closed Session began at 7:50 p.m.

OPEN SESSION

MOTION by Commissioner Lilley, SECOND by Vice Chairman Bowen, to end the Closed Session. MOTION APPROVED by a unanimous vote of the Board, and the Closed Session ended at 8:37 p.m.

Chairman Hurst informed the audience that the Attorney was instructed to negotiate further for the land acquisition.

Consideration of Engineering Change: MOTION by Commissioner Perry, SECOND by Vice Chairman Bowen, to change engineering firms for Water District No. 3 with the mutual consent of Rivers and Associates. MOTION APPROVED by a unanimous vote of the Board.

ADJOURNMENT

MOTION by Commissioner Smith, CARRIED by the Chairman, to adjourn the meeting. MOTION APPROVED by a unanimous vote of the Board, and the meeting was adjourned at 8:40 p.m.

The next regular meeting of the Martin County Board of Commissioners is scheduled for Wednesday, January 11, 2006 at 7:00 p.m. in the Board Room of the Martin County Governmental Center, 305 East Main Street, Williamston, North Carolina.

C. Mort Hurst, Chairman

Linda G. Hardison, Clerk to the Board