

October 13, 2004

The Martin County Board of Commissioners met in Regular Session on Wednesday, October 13, 2004 at 7:00 p.m. in the Board Room of the Martin County Governmental Center, 305 East Main Street, Williamston, North Carolina.

ASSEMBLY

Chairman Elmo "Butch" Lilley, Vice Chairman C. Mort Hurst, Commissioners William H. Manson, Jr., Tommy W. Bowen and Ronnie Smith, Interim County Manager Jack Williford, County Attorney J. Melvin Bowen and Clerk to the Board Linda G. Hardison were present. No one was absent.

Chairman Lilley called the meeting to order at 7:00 p.m. Following the Pledge of Allegiance, Commissioner Manson offered the Invocation.

AGENDA APPROVAL

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

MINUTES – SEPTEMBER 1, 2004 SPECIAL & CLOSED SESSIONS; SEPTEMBER 8, 2004 REGULAR & CLOSED SESSIONS; SEPTEMBER 28, 2004 WORK SESSION AND SEPTEMBER 30, 2004 SPECIAL SESSION

MOTION by Commissioner Bowen, SECOND by Commissioner Smith, to approve the Minutes of the September 1, 2004 Special and Closed Sessions, September 8, 2004 Regular and Closed Sessions, September 28, 2004 Work Session and September 30, 2004 Special Session as presented. MOTION APPROVED by a unanimous vote of the Board.

PROCLAMATION

Ms. Cheryl Klein, Chairperson of the Martin County Relay for Life, thanked the Board for allowing her group to appear before the Board. She stated that October has been designated as "Breast Cancer Awareness Month". Accompanying Ms. Klein were breast cancer survivors who also work for the Martin County Relay, as well as three survivors who work within the Governmental Center.

Ms. Joyce Roberson, breast cancer survivor and former Chair of the Martin County Relay, read the following Proclamation.

PROCLAMATION

BREAST CANCER AWARENESS MONTH

WHEREAS, in the year 2004, the month of October has been declared National Breast Cancer Awareness Month; and

WHEREAS, in the year 2004, approximately 215,000 women and 1,450 men in the United States will learn that they have breast cancer; and

WHEREAS, in the year 2004 approximately 40,110 women and 470 men will lose their lives to this disease; and

WHEREAS, one in seven women in the nation are at risk of breast cancer during their lifetime; and

WHEREAS, in the year 2004 21 women in Martin County, North Carolina will be diagnosed with breast cancer, and 6 will not survive; and

WHEREAS, breast cancer devastates families through loss of income, partnership and support; and

WHEREAS, breast cancer leaves too many parents, men, children and other family members without the woman they love; and

WHEREAS, African American families are disproportionately affected and African American women in North Carolina have higher breast cancer mortality rates; and

WHEREAS, research suggests that women could reduce their risk of breast cancer mortality if they followed recommended breast cancer screening guidelines, including examination by a health care provider, self exam and annual mammograms; and

WHEREAS, increased awareness and use of early detection practices by women and men are essential to controlling breast cancer.

NOW, THEREFORE, THE MARTIN COUNTY BOARD OF COMMISSIONERS HEREBY PROCLAIMS the month of October, 2004 as:

Breast Cancer Awareness Month in the County of Martin

and urges all women and men in Martin County to become aware of their own risks of breast cancer, talk to their health care providers about breast cancer, and whenever appropriate be screened for the disease.

BE IT FURTHER PROCLAIMED that the Martin County Board of Commissioners encourages all residents to become involved in the war on breast cancer through this county's education and advocacy initiatives.

MOTION by Commissioner Manson, **SECOND** by Commissioner Bowen, to approve the Proclamation as read. **MOTION APPROVED** by a unanimous vote of the Board.

WORK FIRST PLAN

Ms. Susan Davenport, Director of Martin County Department of Social Services, addressed the Board concerning the Work First Plan. The lengthy document had been provided for each Commissioner in the agenda packet. Ms. Davenport presented the following mission statement:

Martin County's Work First Program is built upon the promise that all people have a responsibility to their families and community to work and to provide for their children. In order to ensure that these responsibilities are met, Martin County's goals are to:

- Provide Assistance to needy families so that children may be cared for in their own homes or in the homes of relatives.
- End the independence of needy parents on government benefits by promoting job preparation, work and marriage.
- Prevent and reduce the incidence of out-of-wedlock pregnancies and establish annual numerical goals for preventing and reducing the incidence of these pregnancies.
- Encourage the formation and maintenance of two-parent families.

The Department of Social Services and its agencies are striving to meet these goals with every family they work with.

MOTION By Commissioner Smith, **SECOND** by Commissioner Manson, to approve the Work First Plan as presented. **MOTION APPROVED** by a unanimous vote of the Board.

COUNTY MANAGER'S REPORT

Budget Amendment: **MOTION** by Commissioner Bowen, **SECOND** by Commissioner Smith, to approve Budget Amendment 3 as presented. **MOTION APPROVED** by a unanimous vote of the Board.

BUDGET ORDINANCE AMENDMENT – 3

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
General Government		
Board of Elections	\$ 27,418	
Data Processing	19,599	
Economic & Physical Development		
Cooperative Extension	895	
Human Services		
Department of Social Services		
Assistance Programs	59,827	

This will result in an increase of \$107,739 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	\$ 95,729
Fund Balance Appropriation	12,000

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: The Financial Report for September, 2004 was included in each Commissioner's packet for informational purposes.

Tax Collector's Report: The Tax Collector's Report for September, 2004 was included for informational purposes.

	September, 2004	Year to Date
Property Taxes	\$ 585,495.66	\$ 3,187,835.31
Motor Vehicles	82,796.54	276,464.26

Tax Relief Orders: MOTION by Commissioner Smith, SECOND by Commissioner Bowen, to approve the Tax Relief Orders as presented. MOTION APPROVED by a unanimous vote of the Board.

Year	Levy	Name	Remarks	Value	Total
2004		Peele Robert H Jr	Error in Listing	500	4.23
2004		Leggett Gene	Error in Listing	26,250	217.87
2004		Leggett Gene	Error in Listing	19,500	161.86
2004		Bullock Elliott	Error in Landfill Fee		150.00
2004		Lee Grace B	Senior Citizens Exemption	6,650	55.19
2004		Therhault Terry E	Senior Citizens Exemption	33,770	265.09
2004		Brock Henley Pruden Jr	Error in Listing	14,774	124.84
2004		Speller Jerry Lavell	Traded Mobile Home	11,730	99.12
2003		Mobley David R	Bill of Sale	2,370	37.56
1993		Little James E	Beyond 10 Yr Statute Limit	3,040	24.93
2004		Weller Joseph L	Bill of Sale	10,720	88.97
2004		Inscoe Irvin Kent	Bill of Sale	5,630	47.58
2004		Ward James	Bill of Sale	460	3.84
2004		Haislip Tony	Bill of Sale	9,160	76.49
2004		O'Neal Grover Michael	High Mileage	1,200	10.14
2004		Williamst Charlie B	Bill of Sale	5,750	48.02

2004	Stancil Janet Bullock	Error in Value	1,250	19.81
2004	Brown Kay Freeman Cooke	Bill of Sale	6,760	56.45
TOTAL RELIEF ORDERS			\$ 1,491.99	

Disposition of Records: A request was received from the Tax Assessor's Office to dispose of the following records according to the State Records Retention and Disposition Schedule:

- Business Personal Property Listing Forms 1989-1999

MOTION by Commissioner Smith, SECOND by Commissioner Bowen, to approve the request by the Tax Assessor's Office to dispose of the Business Personal Property Listing Forms for 1989-1999 according to the State schedule. MOTION APPROVED by a unanimous vote of the Board.

OLD BUSINESS

Invitation to Bid – Debris Removal: Soil and Water Conservation has prepared an Invitation to Bid for the Hurricane Isabel Stream Debris Removal. Information included in the Invitation to Bid was presented to the Board for its approval. MOTION by Commissioner Bowen, SECOND by Commissioner Smith to approve the Invitation to Bid for Debris Removal as presented. MOTION APPROVED by a unanimous vote of the Board.

Animal Control Incinerator Fees: After discussing this item at last month's meeting, the Board instructed the Manager to bring a complete fee schedule that includes the cost of labor. The fee schedule, including labor, was recommended to be \$110.00 for any agency or organization that is not a County Department. Manager Williford asked if an exception could be made for Martin Community College and the local veterinarians.

Animal Control Officer Kent Roberson explained that occasionally the college would have a horse or parts of a horse that needed to be disposed of, and this happens only once or twice a year. The local vets bring animals that they have had to put down to be incinerated. No special burns are required for these animals. They stay in the cooler until a regularly scheduled burn. Mr. Roberson also explained that Dr. Shelton procures supplies and medications for the county at cost.

MOTION by Vice Chairman Hurst, SECOND by Commissioner Smith, to approve the cost of \$110.00 for incineration requests, with the exception of county departments, Martin Community College and local veterinarians operating a full-time office in Martin County. MOTION APPROVED by a unanimous vote of the Board.

Emergency Medical Services – Additional Providers: Mr. Jody Griffin, Emergency Medical Services Administrator, explained that a decision is needed from the Board on whether or not to allow any additional private ambulance providers to operate within Martin County and if so, how many. At this time the County has adequate coverage being provided by Bertie Ambulance Service and Coastal Ambulance Service. Two applications have been presented and approved according to the Emergency Medical Services Plan and they are: White Oak Medical Transport of Bertie County and Positive Step Home Care, a private home health-care provider located in Windsor. Mr. Griffin went on to state that Positive Step Home Care was not asking to compete with the other providers; its only request was to transport patients being assisted by Positive Step Home Care.

Following a lengthy discussion, the consensus of the Board was that the two present providers are adequately meeting the needs of the County. MOTION by Commissioner Manson, SECOND by Vice Chairman Hurst, to delay anymore medical transport services at this time. MOTION APPROVED by a vote of four to one, with Chairman Lilley voting against the motion.

Department Head Residency Policy: At last month's meeting, the Board instructed the Clerk to prepare a Residency Policy by following the guidelines of the Edgecombe County policy. The following policy was presented for consideration.

Section 10. Residency Requirements

- A. Any person hired or promoted following adoption of this policy into the position of Department Head or any newly created Department Head level position must be a resident of the geographic limits of the County except the County Manager may **temporarily** waive this requirement as determined by the Board of Commissioners.
- B. All persons employed by the County in positions requiring on-call duty or emergency call duty must reside in such proximity of the County that may, without exceeding a safe speed, be present and available for duty within (60) sixty minutes after notification.

Manager Williford stated that he has studied this policy and would like to make a suggestion. In order to keep anyone from misinterpreting the "literal" reading of the policy, he suggested changing "must be a resident" to "must be or become a resident". This language would clarify that a person would not have to already be a resident to be considered for a position.

MOTION by Vice Chairman Hurst, SECOND by Commissioner Manson, to adopt the Residency Policy with the noted change. MOTION APPROVED by a unanimous vote of the Board.

Water District No. 2 Advisory Board Appointments: Chairman Lilley informed the Board that Water Manager Kirk Rogers is working on a list of recommendations for these appointments, and suggested that this item be tabled. Vice Chairman Hurst stated that he wanted the item tabled until the next meeting so that these appointments can be made expeditiously.

Transit Building and Grounds/Roads to Prison Site: Manager Williford informed the Board that the Prison Site has been cleared. He and Transit Director Rebecca Clayton reported on the status of the Transit building project. The plans for the building have been drawn and the architect is working with Raleigh to have them approved. As soon as the plans are approved, the request for bids will be advertised.

Trees Behind Martin House: Manager Williford informed the Board that there are several trees, none of which are line trees, behind the Martin House that will be cut to provide more parking.

Women's Council Appointment: Chairman of the Women's Council notified the Clerk that Ms. Denise Tetterton who was appointed at the last meeting to represent Jamesville High School on the Women's Council has declined the appointment. Chairman Jackie Gilliam, of the Women's Council, stated that the JHS principal recommended the appointment of Sabrina Pearson as an alternate appointee. MOTION by Commissioner Bowen, SECOND by Commissioner Smith, to appoint Sabrina Pearson to the Women's Council as a student representative. Before the vote was taken, Vice Chairman Hurst stated that he did not know the young lady and was asking around to see if she would be a likely candidate for this appointment. He informed the Board that he had been told that she had already graduated from Jamesville High School. Upon learning this information, Commissioner Bowen withdrew his motion and Commissioner Smith withdrew his second.

MOTION by Vice Chairman Hurst, Second by Commissioner Manson, to table this appointment until the next meeting to see if the person has already graduated. MOTION APPROVED by a unanimous vote of the Board.

NEW BUSINESS

Contract of Employment: Each year the Board approved a Contract of Employment for the Department of Social Services IV-D Attorney. MOTION by Commissioner Smith, SECOND by Vice Chairman Hurst, to approve the Contract of Employment for J. Melvin Bowen to represent the County as the IV-D Attorney. MOTION APPROVED by a unanimous vote of the Board.

Airport Bids – Runway Lights: THE LPA GROUP of North Carolina has advertised for bids for the Runway Light Project at the Martin County Airport. They have reviewed the bids and offered the following recommendation: Barnes & Powell Electrical Company, Inc., of Elm City, NC with a total bid amount of \$96,612.50. This project will be funded with AIR 21 funds.

MOTION by Commissioner Bowen, SECOND by Vice Chairman Hurst, to accept the bid from Barnes & Powell Electrical Company in the amount of \$96,612.50 as recommended by THE LPA GROUP. MOTION APPROVED by a unanimous vote of the Board.

Work Authorization No. 7: THE LPA GROUP also presented a copy of the Work Authorization No. 7 associated with the Martin County Airport, Runway Lighting System project for approval so that work can commence as soon as possible. MOTION by Commissioner Bowen, SECOND by Commissioner Smith, to approve Work Authorization No. 7 as presented. MOTION APPROVED by a unanimous vote of the Board.

Cost of Special Election: Manager Williford informed the Board that he had requested Ms. Faye Martin, Supervisor of Elections, to prepare an estimated cost of a special election. Ms. Martin reported a conservative amount of approximately \$13,000. This request was for informational purposes only.

EPA Advisory Committee Appointment: Mr. Matthew Shulman, Chairman of the Martin County Entrepreneurial Assistance Program, requested the Board appoint one of the Commissioners to serve on the Advisory Committee. Chairman Lilley suggested that it is so close to December when the new Chairman makes appointments that the Board wait until then to fill this appointment.

Municipal Ordinances – Animal Control: Manager Williford informed the Board that he had spoken with Mr. David Lawrence with the University of North Carolina's School of Government about the county enforcing a municipal ordinance. Mr. Lawrence stated that the County needed an Interlocal Agreement with the towns in order to enforce its ordinance.

Vice Chairman Hurst questioned how the County would respond to the requests from towns that do not have an ordinance. A lengthy discussion followed. The Manager was instructed to continue to pursue interlocal agreement; however, the County will continue to respond as it has in the past until the Board acts on this issue.

Moratoc Park: Manager Williford discussed the Moratoc Park building as a matter of information. He stated that the right side of the building is leaning; however, it is not believed to be a dangerous situation. Nevertheless, the tree that is broken at the corner of the building is going to be cut and the septic tank is going to be filled. The estimated cost of this project is \$500. Commissioner Bowen asked that the dead tree to the right of the entrance walkway be examined for removal also.

Additional Sales Tax: Manager Williford stated that for informational purposes only he was informing the Board that according to Shea Denning of the UNC School of Government, the only way a county may impose an extra one-cent sales tax is by going through the General Assembly. He offered this information because the question of an additional sales tax was brought up during the discussion of a school bond referendum.

Chairman Lilley reiterated that this is not an issue the Board has been actively discussing; however, it was brought up during the joint meeting with the school board.

Proposed School Bond Referendum: Manager Williford stated that he is again offering information just to keep the Board informed. In regards to a school bond referendum, the Board of Commissioners is back to the drawing board. The Board must wait until they are notified by the School Board before a bond attorney can be hired and before the Commissioners can move forward with a referendum.

CLERK'S REPORT

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

RECESS

At 8:15 p.m., Chairman Lilley called for a short recess.

CLOSED SESSION – PERSONNEL, G.S. 143-318.11(a)(6)

Chairman Lilley called the meeting back to order at 8:25 p.m. and stated that the Board needs to go into Closed Session to discuss personnel.

MOTION by Commissioner Bowen, SECOND by Commissioner Manson, to go into Closed Session to discuss Personnel according to G.S. 143-318.11(a)(6). MOTION APPROVED by a unanimous vote of the Board.

OPEN SESSION

MOTION by Vice Chairman Hurst, SECOND by Commissioner Smith, to go out of Closed Session. MOTION APPROVED by a unanimous vote, and the Board returned to Open Session at 8:55 p.m.

Manager Williford informed the press that the Commissioners will be meeting in Closed Session on Tuesday, October 27, 2004 at 7:00 p.m. in the Board Room to go forward and find people to interview and/or hire for the Tax Collector, Emergency Management and County Manager positions.

ADJOURNMENT

With no further business to discuss, MOTION by Commissioner Manson, SECOND by Commissioner Bowen, to adjourn the meeting. MOTION APPROVED by a unanimous vote of the Board, and the meeting was adjourned at 9:00 p.m.

The next regular meeting of the Martin County Board of Commissioners is scheduled for Wednesday, November 10, 2004 at 7:00 p.m. in the Board Room of the Martin County Governmental Center, 305 East Main Street, Williamston, NC.

Elmo "Butch" Lilley, Chairman

Linda G. Hardison, Clerk to the Board