

November 10, 2004

The Martin County Board of Commissioners met in Regular Session on 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.

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 7:04 p.m. Following the Pledge of Allegiance, Commissioner Manson offered the Invocation.

AGENDA APPROVAL

Chairman Lilley stated that he would like to move Item #7 to Item #14. MOTION by Vice Chairman Hurst, SECOND by Commissioner Smith, to approve the agenda as changed by the Chairman. MOTION APPROVED by a unanimous vote of the Board.

MINUTES – OCTOBER 13, 2004 REGULAR AND CLOSED SESSIONS AND OCTOBER 25, 2004 SPECIAL AND CLOSED SESSIONS

MOTION by Commissioner Bowen, SECOND by Vice Chairman Hurst, to approve the Minutes of the October 13, 2004 Regular and Closed Sessions and the October 25, 2004 Special and Closed Sessions as presented. MOTION APPROVED by a unanimous vote of the Board.

PUBLIC HEARING – CTP GRANT

Ms. Rebecca Clayton, Supervisor of Martin County Transit, explained that the Public Hearing had been scheduled to inform the public on the proposed Community Transportation Grant Application being submitted to the North Carolina Department of Transportation on November 19, 2004. The Community Transportation Program provides funding assistance to coordinate existing transportation programs and new transportation services for the citizens of Martin County.

The total estimated amount requested for administrative, operating and capital assistance for fiscal year July 1, 2005 through June 30, 2006 includes \$279,000.00 in state and federal funds. The local match is \$40,500.00.

No written comments had been received and no comments were received from the audience.

MOTION by Vice Chairman Hurst, SECOND by Commissioner Bowen, to close the Public Hearing. MOTION APPROVED by a unanimous vote, and the Public Hearing was closed at 7:10 p.m.

The following Resolution was then presented for consideration.

WHEREAS, Article 2B of Chapter 136 of the North Carolina General Statutes and the Governor of North Carolina have designated the North Carolina Department of Transportation (NCDOT) as the agency responsible for administering federal and state public transportation funds; and

WHEREAS, the North Carolina Department of Transportation will apply for a grant from the US Department of Transportation, Federal Transit Administration and receives funds

from the North Carolina General Assembly to provide assistance for rural public transportation projects; and

WHEREAS, the purpose of these transportation funds is to provide grant monies to local agencies for the provision of rural public transportation services consistent with the policy requirements for planning, community and agency involvement, service design, service alternatives, training and conference participation, reporting and other requirements (drug and alcohol testing policy and program, disadvantaged business enterprise program, and fully allocated costs analysis);

WHEREAS, the County of Martin hereby assures and certifies that it will comply with the federal and state Statutes, regulations, executive orders, Section 5333(b)Warranty, and all administrative requirements which relates to the applications made to and grants received from the Federal Transit Administration, as well as the provisions of Section 1001 of Title 18, W.S.C.

NOW, THEREFORE, be it resolved that the County Manager of the Martin County Board of Commissioners is hereby authorized to submit a grant application for federal and state funding, make the necessary assurances and certifications and be empowered to enter into an agreement with the NCDOT to provide rural public transportation services.

MOTION by Vice Chairman Hurst, SECOND by Commissioner Bowen, to approve the Community Transportation Program Resolution as presented. MOTION APPROVED by a unanimous vote of the Board.

PUBLIC HEARING – WILLIAMSTON ETJ

Under amended G.S. 160A-360, the County Commissioners have the option to appoint a representative from the ETJ to serve on the Town of Williamston Planning Board and Board of Adjustments. The Board of County Commissioners shall select appointees only from those who apply at or before the public hearing.

Two people expressed an interest in serving on this Board: Dr. Harold Ocamb and Carroll Jones, Jr. The Town of Williamston recommended Carroll Jones, Jr.

The Public Hearing was opened and no comments were received, neither oral nor written.

MOTION by Vice Chairman Hurst, SECOND by Commissioner Manson, to close the Public Hearing. MOTION APPROVED by a unanimous vote, and the Public Hearing was closed at 7:14 p.m.

MOTION by Commissioner Bowen, SECOND by Vice Chairman Hurst, to appoint Carroll Jones, Jr. to the Williamston Planning Board and Board of Adjustments. MOTION APPROVED by a unanimous vote of the Board.

Vice Chairman Hurst requested that the record show that both gentlemen were good candidates; however, the Board chose to follow the recommendation from the Town of Williamston.

INTRODUCTION OF NEW EMPLOYEE

Mr. Wayne Fox, Chairman of the Martin County Travel & Tourism Board, updated the Commissioners on the activities of the Travel & Tourism Authority and introduced the new Executive Director, Donna Griffin. Ms. Griffin, a native of Martin County, briefed the Board on her background and her family.

MARTIN ENTERPRISES PRESENTATION

Mr. Eric Manning, Production Manager for Martin Enterprises, appeared before the Board to request permission for a building addition and renovation. This project will

require no funds from the county. The following breakdown was presented for the Board's information.

Building Addition and Renovation Items

• Room Addition	\$ 95,000
• Bath Renovation (Client)	15,000
• Bath Renovation (Visitor – 4 rooms)	8,000
• Classroom Renovation	11,500
• *Sign	9,500
• Dining Renovation	14,000
• Improvements	
- floors	10,200
- ceilings	27,000
- lights	14,000

* Sign will probably be significantly less

Mr. Manning also informed the board that work will be done to the grounds in the back of the building to make it more accessible to trucks and to the recycling center. The cost will be approximately \$15,000 which is not included in the above list.

The Martin Enterprises board approved these expenditures at their meeting on October 21, 2004; however, they would like some direction as far as bid proposals, etc.

Panel Truck: Another item to be discussed was the panel truck the County acquired through a recycling grant several years ago. The truck is worn out and needs to be replaced. The county is requested to declare the truck salvage so Martin Enterprises can trade it in on a newer model.

MOTION by Commissioner Manson, SECOND by Commissioner Smith, to approve the renovation and construction package for Martin Enterprises and to declare the 1990 panel truck salvage. MOTION APPROVED by a unanimous vote of the Board.

Following the presentation, Commissioner Bowen asked about the condition of the sewer line at the facility. Mr. Manning said that situation had been corrected.

Commissioner Manson wanted everyone to know that Martin Enterprises is not a liability for the County; they pay their own way and help disadvantaged kids in the process.

Mr. Manning was assured that the County Manager will help them with the bid process.

WATER DEPARTMENT

Water District 1 Advisory Board Appointment: Mr. Kirk Rogers, Water Manager, explained that Ms. Mary Pierce of Fort Branch Road has stepped down from her position on the Advisory Board, citing health reasons. The person who had been recommended chose not to serve. Mr. Rogers is still looking someone to serve in this capacity.

Water District 2 Advisory Board Appointments: Mr. Lawrence "Bud" Griffin, of Thurman Griffin Road, Mr. Jerry Rawls of Roberson Chapel Road and Mr. Troy Selby of Holly Springs Church Road have expressed interest in serving on the board. It has been suggested that there be three members on this board for Phase I. When Phase II is ready to be constructed, two additional members should be added to make a five member board.

MOTION by Vice Chairman Hurst, SECOND by Commissioner Manson, to appoint Lawrence "Bud" Griffin, Jerry Rawls and Troy Selby to serve on the Water District 2 Advisory Board. MOTION APPROVED by a unanimous vote of the Board.

Water District 2 Tap-on Fees: Mr. Rogers stated that a number of citizens have expressed an interest in tapping on to the water system. Some were unable to pay the fee of \$75.00 during the sign-up campaign mostly in part due to moving, new wells, constructed, or were simply not aware of the campaign. Service cost can now be reduced from the contract cost with some absorption of the local contribution on hand. \$250.00 for ¾” service and \$400.00 for 1” service. This offer would be limited, as it will be during construction of the project. This reduction would be needed as it will broaden the customer base, thus resulting in lower rates. After construction, the cost will be \$550.00 for a ¾” service and \$700 for a 1” service.

Manager Williford stated that this suggestion is not recommended by USDA according to Reid Paul and he, as County Manager, does not recommend action on this proposal. No action was taken.

Water District 2 Project Update: Mr. Rogers gave the following update.

- 40 miles of various size pipe stored on site.
- 11 miles of various size pipe prepared for installation on various roads.
- 13 miles of various size pipe has been installed.

A progress meeting was held on October 27, 2004. Several issues were addressed. Seeding and clean-up was not up to standards. The contractor assured Mr. Rogers that the roads would be cleaned, graded and seeded to “as good or better conditions/” The contractor has 15 working days to complete the clean-up once the areas have been disturbed. Some areas were exceeding that time limit. Mr. Rogers does not anticipate any more problems with this particular issue.

Vice Chairman Hurst asked who the inspector was for this job. Mr. Rogers informed everyone that Jay Davis of Rivers and Associates was assigned to this job.

Debt Set-off Program: Manager Williford stated that the County has everything in place to use the Debt Set-off Program, and the Water Department is ready to use this program to collect delinquent bills.

COUNTY MANAGER’S REPORT

Budget Amendments: MOTION by Vice Chairman Hurst, SECOND by Commissioner Smith, to approve Budget Amendment 4 as presented. MOTION APPROVED by a unanimous vote of the Board.

BUDGET ORDINANCE AMENDMENT – 4

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		
Emergency Management	\$ 15,430	
General Government		
Court Facilities	\$ 51,000	

This will result in an increase of \$66,430 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	\$ 15,430
Fund Balance Appropriation	\$ 51,000

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 October, 2004 was presented for informational purposes.

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

	October, 2004	Year to Date
Property Taxes	\$ 375,332.05	\$ 3,563,072.61
Motor Vehicles	85,184.23	361,540.95

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	James Cynthia Duane	High Mileage	2,075	17.33
2003	Staton Donald Ray	Error in Value	10,470	88.47
2004	Reddick Joseph Cecil	Bill of Sale	6,460	53.94
2004	Howard Danny E	Wreck	3,910	32.65
2004	Rodgerson Reginald	FBill of Sale	10,900	90.48
2003	Arterbridge Terry Lamar	Double Billed	760	15.53
2004	Beach Frederick Brandon	High Mileage	1,425	11.83
2003	Davenport Joseph Eric	Error in Value	5,260	83.37
2004	Roberson Clinton E	High Mileage	1,600	13.36
2002	Bullock George Douglas	Bill of Sale	9,300	77.66
2000	Lawrence Benjamin Lavern	Double List	37,960	311.27
2001	Lawrence Benjamin Lavern	Double List	35,890	294.30
2002	Lawrence Benjamin Lavern	Double List	33,130	276.64
2003	Lawrence Benjamin Lavern	Double List	30,710	256.43
2004	Lawrence Benjamin Lavern	Double List	28,590	238.73
2001	Modica James T Heirs	Error in Listing	12,450	95.87
2002	Modica James T Heirs	Error in Listing	12,450	97.73
2003	Modica James T Heirs	Error in Listing	12,450	97.73
2004	Modica James T Heirs	Error in Listing	12,450	97.73
2004	Manning & Carson Farms	Error in Listing	223,456	1,865.86
2004	Taylor Donnie Ray	Error in Landfill Fee		150.00
2004	James Demetred	Error in Landfill Fee		150.00
2004	Piedmont Natural Gas Co	Error in Value	4,543.23	

Tobacco Buy-out: The Fair and Equitable Tobacco Reform Act of 2004 has been signed by the President and has now become law. The program provides compensation and transition payments to tobacco quota owners and active growers, which will be paid out over the next 10 years and will be funded by assessments on tobacco product manufacturers and importers.

For the 2005 tax year and subsequent years, all counties should remove any special appraisal procedures that they may have implemented on tobacco quotas. This includes removing any special pricing applied to both the market value and the present use value based on the previous tobacco quota system.

Manager Williford pointed out the Martin County will lose \$14,350,000 tax base for next year. This amounts to \$120,000±, or one cent (1¢) on the tax rate. Manager Williford

reminded everyone that this is just the start of a lot of economic changes in Martin County.

OLD BUSINESS

Clerk of Court's Renovation Bids: The following bids were received for the renovations to the Clerk of Court's office.

A. R. Chesson Williamston	\$ 88,698.00*
Calvin Davenport Inc. Rocky Mount	\$ 180,000.00*
D. J. Rose Rocky Mount	\$ 96,264.00*

*7% architect fee must be added to this figure

DKW Architects have reviewed the bids and recommend awarding the contracts to A. R. Chesson Construction Company, Inc.

MOTION by Vice Chairman Hurst, SECOND by Commissioner Smith, to award the contract for the renovations to the Clerk of Court's office to A. R. Chesson. MOTION APPROVED by a unanimous vote of the Board.

Courthouse Roof Replacement Bid: DKW Architects advertised for bids for the roof replacement project on the Martin County Courthouse. This is the remaining portion of the courthouse that was not replaced in the 2003-04 project. Only one bid was received. Doug Chesson, General Contractor who completed the 03-04 project, submitted a bid of \$37,600 (7% architect's fee must be added to this amount.). DKW Architects recommend the approval of this bid.

MOTION by Vice Chairman Hurst, SECOND by Commissioner Smith, to award the Courthouse Roof Replacement contract to Doug Chesson. MOTION APPROVED by a unanimous vote of the Board.

Transportation Building Local Match: Ms. Rebecca Clayton, Supervisor of Martin County Transit, discussed the progress of the Transportation Building. She started by giving an overview of what has happened to date.

The project was started on 2003-04 as a matching grant from the State of North Carolina. The value of the land was used as the local match. Due to the proposed location of the building, the site access became an issue. An access route from the site to the Martin Community College property was considered but was later taken out of consideration. A plan was developed to build a road from the front of the property to the rear to access the site. This road will also serve the other buildings as the project moves forward for the Human Services Building project.

According to the architects, the estimated cost (including 7% architect fee) of the project is \$249,080. The original grant was for \$150,000. Ms. Clayton passed out a letter from Ms. Nancy L. Painter, Financial Management Specialist with NCDOT, explaining that since the scope of the work had been changed they did not re-estimate the overall budget considering a 1200 square foot building and parking area. Now that they have the estimate from the architect, they will need a request in writing from the county indicating that the county's intent changed to a stand-alone building and that the new estimated cost is approximately \$250,000.

MOTION by Vice Chairman Hurst, SECOND by Commissioner Smith, to send a letter to NCDOT concerning the change in the grant for the Transportation Building. MOTION APPROVED by a unanimous vote of the Board.

Women's Council Appointment: For sometime the Board has been trying to make an appointment for a student representative from Jamesville High School to the Women's Council. Ms. Amanda Pearson has been recommended for this appointment. MOTION by Vice Chairman Hurst, SECOND by Commissioner Manson, to appoint Amanda Pearson to the Martin County Women's Council for a one-year student representative term. MOTION APPROVED by a unanimous vote of the Board.

Clearing & Snagging – Hurricane Isabel: The Natural Resources Conservation Service office has been handling this project. They submitted a RFP and the following bids were received:

J & J Construction / Jim Droze	\$ 58,499.00
H & H Landscaping & Services / Ed Holliday	39,500.00
Bennett Erection Co. / Mitch Dotson	43,500.00

Mr. Rupert W. Hasty, District Conservationist, USDA-NRCS, recommended H & H Landscaping and Services with a bid of \$39,500 and offered the following contract for these services.

NORTH CAROLINA

CONTRACT FOR SERVICES

MARTIN COUNTY

THIS CONTRACT is made and entered into this the _____ day of _____, 2004, by and between MARTIN COUNTY, a body corporate and politic existing pursuant to the laws of the State of North Carolina, (the "COUNTY"), and _____, address, (the "CONTRACTOR").

1. SERVICES TO BE PROVIDED: CONTRACT TERM

The services and/or material to be furnished under this contract (the "SERVICES") are as follows:

1) SCOPE OF WORK

The work will consist of providing labor and equipment to remove Hurricane Isabel trees and other debris from approximately 5.5 miles of stream channel as shown on the attached maps and described below. Debris and trees will be disposed of in the adjacent wetlands or wooded high ground in some areas, in a manner to prevent them from floating back into the channel. Trees leaning from Isabel at a 45 degree angle or greater over the channel will also be removed.

The work on Back Swamp begins at its intersection with US HWY 64 and continues downstream for approximately 3,500 feet to the stream's intersection with SR #1124 (Garrett Road).

The work on Collie Swamp lateral will begin at its intersection with the main of Collie Swamp and continue upstream for approximately 11,750 total linear feet, ending approximately 2,000 linear feet upstream of SR #1138 (Wynne Road). A connecting lateral begins approximately 1,850 feet downstream of SR # 1138 and continues upstream beyond Wynne Road for approximately 3,250 total linear feet.

The work on Turkey Swamp will begin approximately 1,000 linear feet upstream of the stream's intersection with SR #1134 (Jack Roberson Road) and continue upstream, crossing SR #1138 (Wynne Road) and SR #1106 (Smithwick Creek Road) for 10,000 total linear feet; ending approximately 1,150 feet upstream of Smithwick Creek Road.

2) START AND COMPLETION DATES

Work must be started after November 15, 2004. Job must be completed no later than March 1, 2005. Price range for this project is estimated to be \$ 25,000 to \$ 65,000.

3) METHOD

A floating barge or boat with mechanical winch equipment capable of removing trees up to 30 inches in diameter as well as chain saws are mandatory for wetland and swamp areas of this project. Hydraulic excavators may be used in areas where wetlands are not present. Care should be taken to avoid damaging standing trees if at all possible. A contract will not be awarded to any bidder not having above mentioned equipment. Please attach your equipment list to your bid. Any contractor found dropping trees under the water and leaving them will be terminated immediately.

4) INSPECTION

Work will be performed under the supervision of Lynn Whitehurst, Technician with the Martin Soil and Water Conservation District. He has the authority to issue stop and proceed work orders. If any underwater archaeological remains such as small boats or Indian canoes are discovered, the contractor is required to immediately inform the Project Inspector. If the contractor does not execute the contract within 10 days of award by the Board of County Commissioners, Martin County reserves the right to award the contract to the next lowest responsible bidder.

5) PAYMENT

Requests for payments will be forwarded to the County Finance Office through the Project Inspector. Upon the Project Inspector's certification that the payment is justified, 90% of the request will be disbursed with a retainage of 10% to be held until satisfactory completion of the entire project as determined by the Project Inspector. Requests for payments may be submitted no more often than once a month.

6) NC WILDLIFE RESOURCES COMMISSION GUIDELINES

Work will be performed according to "Rules and Regulations" of the Coastal Resources Commission and NC Wildlife Resources Commission guidelines which will require that no excavation, dragging or bank disturbance will be performed along the stream portion of the project. Said guidelines are incorporated herein for a more complete and accurate description.

7) DAMAGES TO PRIVATE ROADS

Contractor will be responsible for repairing any damage caused to private access roads with his equipment, back to original condition.

2. PAYMENT TO CONTRACTOR

In consideration for CONTRACTOR'S services COUNTY shall pay CONTRACTOR upon completion of the project and COUNTY'S acceptance _____ AND NO/100 DOLLARS (\$_____)

CONTRACTOR shall complete the services by March 1, 2005.

The COUNTY agrees to pay the above amount for services satisfactorily performed in accordance with this contract. Payment will be processed promptly upon receipt and approval by the COUNTY of the invoice and upon acceptance by COUNTY of CONTRACTOR'S work product.

3. INDEPENDENT CONTRACTOR

Both the COUNTY and the CONTRACTOR agree that the CONTRACTOR shall act as an independent contractor and shall not represent itself as an agent or employee of the COUNTY for any purpose in the performance of the CONTRACTOR'S duties under this contract. Accordingly, the CONTRACTOR shall be responsible for payment of all federal, state and local taxes arising out of the CONTRACTOR'S activities in accordance with this contract, including by way of illustration but not limitation, federal and state income tax, social security tax, unemployment insurance taxes, and any other taxes or business license fees as required.

In performing the SERVICES, the CONTRACTOR is acting as an independent contractor and shall perform SERVICES in accordance with currently approved methods and practice in the CONTRACTOR'S professional capacity and in accordance with the standards of applicable professional organizations and licensing agencies.

4. INSURANCE AND INDEMNITY

The CONTRACTOR shall indemnify and save harmless the COUNTY, its agents and employees from and against all actions, liability, claims, suits, damages, cost or expenses of any kind which may be brought or made against the COUNTY or which the COUNTY must pay and incur by reason of or in any manner resulting from injury, loss or damage to persons or property resulting from negligent performance of or failure to perform any of its obligations under the terms of this CONTRACT.

The CONTRACTOR shall be fully responsible to the COUNTY for the acts and omissions of its sub-contractors and of persons either directly or indirectly employed by it, as the CONTRACTOR is for the acts and omissions of persons directly employed by it.

In addition, the CONTRACTOR shall comply with the North Carolina Worker's Compensation Act and shall provide for the payment of workers' compensation to its employees in the manner and to the extent required by such Act. In the event the CONTRACTOR is excluded from the requirements of such Act and does not voluntarily carry workers' compensation coverage, the CONTRACTOR shall carry or cause its employees to carry adequate medical/accident insurance to cover any injuries sustained by its employees or agents during the performance of SERVICES.

The CONTRACTOR agrees to furnish the COUNTY proof of compliance with said Act or adequate medical/accident insurance coverage upon request.

The CONTRACTOR upon request by the COUNTY shall furnish a Certificate of Insurance from an insurance company, licensed to do business in the State of North Carolina and acceptable to the COUNTY verifying the existence of insurance coverage required by the COUNTY. The Certificate will provide for sixty (60) days advance notice in the event of termination or cancellation of coverage.

5. HEALTH AND SAFETY

The CONTRACTOR shall be responsible for initiating, maintaining and supervising all safety precautions and programs in connection with the work. The CONTRACTOR shall take all necessary precautions for the safety of, and shall provide the necessary protection to prevent damage, injury or loss to all employees from the work and other persons who may be affected thereby.

6. NON-DISCRIMINATION IN EMPLOYMENT

The CONTRACTOR shall not discriminate against any employee or applicant for employment because of age, sex, race, creed, or national origin. The CONTRACTOR shall take affirmative action to ensure that applicants are employed and that employees are treated during employment without regard to their age, sex, race, creed, or national origin. In the event the CONTRACTOR is determined by the final order of an appropriate agency or court to be in violation of any non-discrimination provision of federal, state or local law or this provision, this contract may be cancelled, terminated, or suspended in whole or in part by the COUNTY, and the CONTRACTOR may be declared ineligible for further COUNTY contracts.

7. GOVERNING LAW

This contract shall be governed by and in accordance with the laws of the State of North Carolina. All actions relating in any way to this contract shall be brought in the General Court of Justice of the State of North Carolina or in the Federal District Court for the Eastern District of North Carolina.

8. CONTRACT DOCUMENTS/AMENDMENTS

This document together with the purchase order and any attached exhibits constitutes the entire Contract between the parties and may only be modified by a written mutual agreement signed by the parties and attached to this Contract.

9. OTHER PROVISIONS

This Contract is subject to such additional provisions as are set forth in any addendum executed separately by each party and attached to this Contract.

10. SIGNATURES

Both the COUNTY and the CONTRACTOR agree to the above Contract.

MOTION by Commissioner Bowen, SECOND by Vice Chairman Hurst, to award the bid for Clearing & Snagging – Hurricane Isabel to Ed Holliday as recommended and to approve the contract as presented. MOTION APPROVED by a unanimous vote of the Board.

Road Signs: The Board had been given a letter from the Martin County Rescue Association requesting that attention be given to the sign issue. The letter included “It is not only a convenience to have road signs but a necessity in the emergency response of

our public safety officers throughout the county. Not all personnel that provide services to our citizens are as familiar with the roads in their district as we sometime think they are, especially when they have to respond into another district for mutual aid... Delays in response could be life or death..."

Manager Williford explained that the Finance Officer has confirmed that E-911 monies can be used to contract this work. He further explained that this is going to be an enormous task in the beginning; however, maintaining the signs will not be difficult. The Board then discussed different options of payment, such as by the hour or by the sign. Manager Williford also explained that he had been told that it would be cost effective to buy a machine to make our own signs. He will investigate this further. Vice Chairman Hurst stated that it is time to quit talking and do something.

NEW BUSINESS

Airport – VISION 100 Grant: Mr. Gene Powell, Chairman of the Airport Commissioner, discussed the VISION 100 Grant in the amount of \$150,000 for the approach clearing and access road. This grant, with a 10% local match, is from the NCDOT, Division of Aviation.

Dillon Aviation Contract: Mr. Powell also informed the Board that Dillon Aviation resigned as Fixed Base Operator for Martin County Airport effective October 31, 2004. Brownie and Betty Roberson, Roberson Ventures, has agreed to work ninety (90) days on a trial basis as Fixed Base Operator using the same contract that the county had with Dillon Aviation. However, the Airport Commission has agreed to buy fuel to have at the airport and the county will retain all profits from the sale.

Fixed Base Operator: Mr. Powell informed the Board that the Airport Commission will be advertising in December for a Fixed Base Operator. Once the bids are received, the Commission will be making a recommendation to the Board.

Firemen's Relief Fund Trustee Appointments: MOTION by Vice Chairman Hurst, SECOND by Commissioner Smith, to appoint Lonnie Lee of Bear Grass, John Beach of Goose Nest, Bobby Perry of Griffins, Wayne Carlisle of Hamilton, Randy Gardner of Jamesville, John Pritchard of Roanoke and Bill Jones of Skewarkee to the Firemen's Relief Fund Board of Trustees as recommended by the different squads. MOTION APPROVED by a unanimous vote of the Board.

Urgent Repair Program 2005: Ms. Helen Newsome, Director of the Martin County Senior Center, thanked the Board for its encouragement to apply for this grant; however, she had found a requirement in this year's grant that the Senior Center would not be able to meet. Therefore, she asked to withdraw this application. MOTION by Vice Chairman Hurst, SECOND by Commissioner Manson, to officially withdraw the application for the 2005 Urgent Repair Program. MOTION APPROVED by a unanimous vote of the Board.

Oak City Request – Bank Closing: The Oak City Town Board submitted a request for the County to write a letter to BB&T asking that they reconsider their decision to close the bank in Oak City and Jamesville. When Chairman Lilley asked the Clerk if this had been done, she replied that the letter had been sent but no response has been received.

Health Department Phone Numbers: Vice Chairman Hurst had requested this item be placed on the agenda because he learned that citizens in the western end of Martin County are having to make long distance calls to reach the Health Department which has its switchboard located in the Plymouth office. Mr. Keith Patton, Director of MTW District Health Department explained that he had already contacted the phone company and this situation has been corrected. The "792" number listed in the phone book has been re-activated and will roll-over to the front desk in Plymouth. He said he would also have a "888" number published in the new phone book.

Mr. Patton then gave an update on the flu vaccination clinic that has been scheduled for Friday, November 12, 2004. He also reviewed the State requirements that are required to

receive the vaccination this year. He re-iterated that it is a criminal offense if someone is vaccinated who does not meet the specific criteria.

Law Enforcement Retiree – Weapon and Badge: Sheriff Keith Roach informed the Board that Columbus Williams is retiring from the Sheriff’s Department at the end of November. According to the General Statutes, a county may award a retiring law enforcement officer the service side arm of the officer, at a price determined by the Board. Sheriff Roach stated that he would like to make this presentation.

MOTION by Commissioner Bowen, SECOND by Commissioner Smith, to approve the awarding of the pistol and badge to Columbus Williams for \$1.00. MOTION APPROVED by a unanimous vote of the Board.

DJJDP Grant Application: Judge Regina Parker appeared before the Board to request approval of a Department of Juvenile Justice grant for Project HOPE. The schools and court system will be working together for at-risk students. No match from the county is required.

MOTION by Commissioner Smith, SECOND by Vice Chairman Hurst, to approve the application for the DJJDP Grant Application. MOTION APPROVED by a unanimous vote of the Board.

TIP Recommendations: Commissioner Smith is chairing a committee which is compiling Martin County information for the new NCDOT’s Transportation Improvement Plan. The committee is making recommendations for additions to the Plan that is currently in place.

Recommendations for Martin County TIP Plan

Keep everything that is already in the TIP Plan.

Add for Town of Williamston

1. R-3826 – NC 125 Bypass
 - 2.5 Miles \$6.431 Million
 - Construction 2009

2. R-4705 – Prison Camp Road Upgrade
 - 16.1 Miles E. College Road (1182) to NC 903 – (NC 11) \$11.2 Million
 - Construction 2010+

3. \$-2511 – U.S. 17 Bypass
 - 6.7 Miles \$37.6 Million
 - Construction 2010+

Add for Town of Bear Grass

1. SR 1001 - Bear Grass Road: Resurface beginning at the Bear Grass Town limits on the Williamston side of town continuing to the Beaufort County line. Pull and widen the shoulders of SR 1001 (Bear Grass Road) from Highway 17 to Beaufort County line. Center line reflectors need to be replaced and lines painted. Approximately 4 miles.

2. SR 1001 – Bear Grass Road: At intersection of SR 1100 (Sweet Home Road) and SR 1001 (Bear Grass Road), SR 1001 (Bear Grass Road) makes a ninety degree turn. Motorists traveling from Bear Grass who attempt to make a left hand turn onto SR 1100 (Sweet Home Road) do not have a clear line of vision to see oncoming traffic when making the turn. The bank on the right hand side of SR 1001 (Bear Grass

Road) creates a blind spot. This bank needs to be cut down and sloped to afford a clear line of sight.

3. SR 1001 – Bear Grass Road: A caution light is needed at the intersection of SR 1106 and SR 1001 in the Town of Bear Grass.

**This road is a Governor Kerr Scott Road and as such the shoulders were not a consideration at the time. The idea was to get people out of the mud. Subsequent resurfacing did not result in improvement by pulling and widening the shoulders to make it safer. This is a heavily traveled road. Pulling and widening the shoulders should absolutely be done.

4. SR 1106 – Joe Mobley Road: southern end of Ed's Grocery Road; Smithwick Creek Church Road. Resurface beginning at intersection of SR 1106 (Ed's Grocery Road) and SR ---- (Everetts Road) continuing to bridge on Smithwick Creek Church Road. Pull and widen the shoulders. Replace center line reflectors and paint lines. Approximately 7 miles.

**This road is a Governor Kerr Scott Road. See note above.

5. SR 1117 – Green Acres Road: Bear Trap Road. Resurface. Pull and widen shoulders. Place center line reflectors and paint lines. Approximately 2.5 miles.

##This road carries traffic to and from Rodgers School. It has very minimal shoulders and for safety of the school children the pulling and widening of the shoulders should be done.

6. SR 1114 – Dan Peele Road: Center line reflectors needed. Shoulders need to be pulled and widened.

#This road predates Governor Scott. It is heavily traveled by Rodgers School traffic each day and will see heavy use by locals during the Dog Branch Bridge repair. Shoulders are currently minimal and here again for safety of the school children widening of the shoulders should be done.

7. SR 1116 – Rodgers School Road: Lines need repainting and center line reflectors installed. Shoulders need to be pulled and widened.

Commissioner Smith stated that another request had been received from the Town of Oak City which he would like to see incorporated into the recommendations: re-paving of Highway 125 in Oak City corporate limits.

Commissioner Smith then recognized the members of the committee who worked with him to prioritize requests from the mayors of Martin County municipalities.

CLERK'S REPORT

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

RECESS

At 8:55 p.m., Chairman Lilley recessed the meeting for a short break.

CLOSED SESSION - POSSIBLE LITIGATION AND PERSONNEL

At 9:10 p.m., Chairman Lilley called the meeting back to order and asked for a motion to go into Closed Session.

MOTION by Commissioner Smith, SECOND by Commissioner Manson, to go into Closed Session to discuss possible litigation according to G.S. 143-318.(a)(3) and to

discuss personnel according to G.S. 143-318.11(a)(6). MOTION APPROVED by a unanimous vote of the Board. Closed Session began at 9:12 p.m.

OPEN SESSION

MOTION by Vice Chairman Hurst, SECOND by Commissioner Manson, to go out of Closed Session and return to Open Session. MOTION APPROVED by a unanimous vote, and Open Session began at 9:35 p.m.

COUNTY MANAGER POSITION

Interim Manager Williford explained to the audience that the Board had discussed the hiring of a County Manager during the Closed Session. He then asked for a motion.

MOTION by Commissioner Bowen, SECOND by Commissioner Smith, to appoint Russell Overman as Martin County Manager effective December 1, 2004. MOTION APPROVED by a unanimous vote of the Board.

OTHER VACANCIES

Interim Manager Williford notified everyone that the Board is still considering applicants for the Tax Collector's position, and the Emergency Management position will be re-advertised.

MEDICAL TRANSPORT

This item appeared earlier on the agenda; however, the Chairman moved it to the end of the meeting. Mr. Ricky White, owner of White Oak Medical Transport, stated that he did not have the opportunity to speak with the Board when they were deliberating about allowing more medical transports to operate in Martin County. He gave the Board background information on his company and told them that he is getting requests for transport from Martin County citizens every week. He said he had already received eight calls from Martin County this week. He told the Board that he has a family-owned business and he would really like to service the Martin County citizens. A lengthy discussion followed.

MOTION by Commissioner Manson, SECOND by Commissioner Smith, to table this discussion until it can be investigated further. MOTION APPROVED by a vote of three (Commissioners Manson, Bowen and Smith) to two (Commissioners Lilley and Hurst).

Interim Manager Williford asked for a clarification: by tabling this item, is the Board asking that it be put on the agenda for the December 6th meeting. The consensus was that this item will be discussed at the December meeting.

ADJOURNMENT

MOTION by Commissioner Manson, SECOND by Commissioner Smith, to adjourn the meeting. MOTION APPROVED by a unanimous vote, and the meeting was adjourned at 10:15 p.m.

The next scheduled meeting of the Martin County Board of Commissioners is Monday, December 6, 2004 at 9:00 a.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