

**June 8, 2011**

The Martin County Board of Commissioners met in Regular Session on Wednesday, June 8, 2011 at 7:00 p.m. in the Board Room, Martin County Governmental Center at 305 East Main Street, Williamston, North Carolina.

**ASSEMBLY**

Chairman Elmo “Butch” Lilley, Vice Chairman Tommy W. Bowen, Commissioner Ronnie Smith, Commissioner Derek Price, Commissioner Bob Hyman, County Manager W. Russell Overman, County Attorney J. Melvin Bowen, Clerk to the Board Marion B. Thompson and Finance Officer Cindy Ange.

Chairman Lilley called the meeting to order and welcomed all those present.

The pledge of allegiance was led by Commissioner Price. The invocation was offered by Commissioner Bowen.

**AGENDA APPROVAL**

The following were additions to the agenda: Old Business, Department of Aging Food Bids; New Business, ABC Board Travel Policy.

The deletions were as follow: Due to not being present, the Request of Support for Adding Road to NCDOT System- Annie Baker; Resolution of Support for Martin County Regional Water and Sewer Authority Water Treatment Plant was moved to the agenda for the Special Called Meeting scheduled for Monday night, June 13, 2011 (Conflict in scheduling-the Wooten Company). Vice Chairman Bowen introduced a MOTION, with a SECOND by Commissioner Smith to approve the agenda with the changes presented. The motion was unanimously APPROVED.

**PUBLIC COMMENTS** – No one signed the log for public comments.

**CONSENT AGENDA**

Commissioner Smith introduced a MOTION, with a SECOND by Commissioner Price to approve the following consent agenda items as presented. The motion was unanimously APPROVED.

1. **Minutes** for May 4, 2011, Special Session; May 11, 2011 Regular & Closed Session  
May 20, 2011, Special & Closed Session
2. **Financial Report** May 2011.

**3. Tax Relief Orders for May 2011 in the amount of \$157.14**

Levy	Lname	Fname	Remarks	Value	Total
2010	Martin	Travis W	High Milage	4,120	29.45
2010	Peele	Robert H. Jr	Bill of Sale	5,873	42.29
2010	Purvis	George	High Milage	225	2.82
2010	Roberson	Renee A (Toni)	High Milage	2,060	14.62
2010	Passalacqua	Pietro	Double list	8,580	67.96
				Total	157.14

**4. Tax Collector's Report for May 2011.**

Month	Property Taxes	Property Taxes	MV Taxes	Mv Taxes
	Month to Date	Year to Date	Month to Date	Year to Date
May-11	81,421.23	11,133,850.95	92,822.28	1,002,636.87

**5.** The Martin County Department of Aging requested that it be appointed as the Lead Agency for the Home and Community Care Block Grant for Older Adults for the year July 1, 2011 – June 30, 2012.

The Lead Agency recommended the following committee members for the year July 1, 2011 – June 30, 2012: Ms. Susan Davenport, Ms. Kitty Davis, Mr. Elmo "Butch" Lilley, Mr. J.B. Coltrain, Ms. Cynthia Davis, Mrs. Marian Davis, Ms. Kit Reddick, Ms. Olga Jones, Mr. Jerry Savage, Mr. Michael Williams, Mrs. Marsha Anderson, Ms. Edna Minor, and Mrs. Lisa Edmonds.

**6. Clerk's Report** included each month for informational purposes.

**INTRODUCTION OF NEW EMPLOYEES**

Social Services Director Susan Davenport explained that the new employees for DSS were not in attendance due to scheduling and training. Director Davenport added that they should be available for the regular meeting in July.

**PRESENTATIONS**

**Mid-East Commission Update – Tim Ware**

Executive Director Tim Ware gave the Commissioners the following financial data highlights on the involvement of the Mid-East Commission with Martin County. Overall, for every dollar (\$) in dues contributed by the County, \$206 of revenue is generated through the various program listed below.

Commissioner Smith questioned the impact on youth were not the program available. Mr. Ware stated that the youth programs account for approximately one half percent of Workforce Development services.

**AREA AGENCY ON AGING  
PARTICIPANTS**

**REVENUE**

**Home and Community Care Block Grant**

( In-Home Aid, Adult day Care, Congregate Meals, Home Delivered Meals, Transportation, Volunteer Development, Information and assistance)	407	\$ 271,804
 Non-Unit Funding (Senior Games, General Purpose, Center Operations, Information and Assistance)	 3,640	 \$ 35,587
<b>Total</b>	<b>4,047</b>	<b>\$ 307,391</b>

**WORKFORCE DEVELOPMENT**

Adult, Youth, Title-V (Senior Emp)	273	\$ 983,362
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**PLANNING, COMMUNITY DEVELOPMENT**

**AND ECONOMIC DEVELOPMENT**

Rural Transportation Planning		\$ 36,000
<b>Total</b>		<b>\$ 36,000</b>

**SUMMARY**

***Participants Served 4,320***

**GRAND TOTAL:**                      \$ 1,326,753                      **DUES: \$ 6,343**

**RATIO:**                                      \$ 209 in Revenue TO \$1 in Dues

The Board commended and thanked Executive Director Ware on the job being done by the Mid-East Commission. Executive Director Ware thanked the Commissioners for their support.

**OLD BUSINESS**

**Food Bids – Office of Aging**

At the last meeting, Manager Overman indicated we had received two food bids for our congregate nutrition and home delivered meals programs but neither bids was complete for various reasons. The request was made and approved by the Board to reject both bids and to re-advertise. Trumps Restaurant, our current contractor, was the only bid received for bid opening on May 24, 2011. Manager Overman stated the bid was in compliance. He added that we have been pleased with the quality and service provided by Trumps Restaurant. Manager Overman

and Office of Aging Director Marsha Anderson recommended that the Board approve the bid price per meal of \$4.80 which will include \$.31 sales tax. Last year's price was \$5.13 per meal including sales tax. Commissioner Price made the MOTION to approve the contract, with a SECOND by Vice Chairman Bowen. The motion was unanimously APPROVED.

## **NEW BUSINESS**

### **Board Appointments**

#### **Jury Commissioner – Reappointment**

Clerk of Court Tonya Leggett requested that the Board reappoint Mrs. Ontra Reddick to the Jury Commission whose term is due to expired June 30, 2011. Commissioner Smith made the MOTION, with a SECOND by Commissioner Hyman to reappoint Mrs. Reddick to the Jury Commission. The motion was unanimously APPROVED.

#### **Tourism Development Authority Board (TDA) – Appointments & Reappointments**

Manager Overman explained that present makeup of the Tourism Development Authority Board. State statutes require that at least one-third of the members must be individuals affiliated with businesses which collect the tax in the county and at least one-half of the members must be individuals currently active in the promotion of travel and tourism in the county. Even with these appointments, two positions would still be vacant for tax collection/promotion. Chairman Lilley stated that the answer to that would be more hotels/motels in the County

TDA Board recommended the Board of Commissioners appoint the following persons to the TDA Board. The Economic Development Corporation Board has recommended Joe Ayers as their representative to replace Bill Beach who cannot be reappointed.

Ashok Patel	Replace Karen Rapin (Resigned)	Unexpired term thru 6//30/2012
Ila Parker	Replace Frank Dew	Term will end 6/30/2014
Heber Coltrain	Replace Thelma Purvis (Resigned)	Term will end 6/30/2014
Joe Ayers	Replace Bill Beach	Term will end 6/30/2014

Manager Overman recommended that the Board reappointed the following members whose terms have expired or will expire June 2011:

David Gurganus	Term will end 6/30/2013
Vish Pathak	Term will end 6/30/2014
Elmo”Butch” Lilley	Term will End 6/30/2012

Composition of these appointments: Ashok Patel, Tax Collect/Promo; Ila Parker, Historical Society; Heber Coltrain, Commissioner Appt; Joe Ayers, EDC; David Gurganus (Term expired June 2010), Commissioner Appt; Vish Pathak, Tax Collect/Promo; Elmo”Butch” Lilley, Commissioner.



## **Resolution Opposing Lifting the Ban on Uranium Mining in Virginia**

Manager Overman spoke of the proposed uranium mining and milling operation at Coles Hill in Pittsylvania County, Virginia which would require lifting the current ban on such operations in the Commonwealth of Virginia. This location is in the Roanoke River Basin and that is why it is important to us. While incidents of uranium mining contaminating our water supply are unlikely, it could happen through flooding. Manager Overman recommended passage of the following resolution and sending it to the appropriate parties.

Mayor Charlotte Griffin added that through her attendance of meetings on this subject she has learned that there is a strong political pack to get the ban lifted. Between \$6 million to \$8 million is projected in revenue.

Vice Chairman Bowen introduced the MOTION to adopt the Resolution Opposing Lifting the Ban on Uranium Mining in the Commonwealth of Virginia, with a SECOND by Commissioner Price. The motion was unanimously APPROVED.

### **RESOLUTION**

#### **OPPOSING LIFTING THE BAN ON URANIUM MINING IN THE COMMONWEALTH OF VIRGINIA THAT POSES AN ENVIRONMENTAL THREAT TO THE ROANOKE RIVER BASIN AND TO THE CITIZENS OF VIRGINIA AND NORTH CAROLINA LIVING IN THE BASIN**

**WHEREAS**, the Martin County Board of Commissioners recognizes that a healthy and sustainable environment is important to the citizens, the economy and the need for a supply of quality water in the Roanoke River Basin; and

**WHEREAS**, there is a proposed uranium mining and milling operation at Coles Hill in Pittsylvania County, Virginia, which would require lifting the current ban on such operations in the Commonwealth of Virginia; and

**WHEREAS**, on February 1, 2011, the City of Virginia Beach released the findings of its study of impacts of proposed uranium mining and milling on its water supply coming from Lake Gaston; and

**WHEREAS**, the City of Virginia Beach study concluded that in the event of a mill tailing confinement cell failure, the tailings will be washed downstream and will significantly impact water quality in Kerr Lake Reservoir and Lake Gaston resulting in radiation levels in the water 10-20 times above the Safe Drinking Water Act levels; and

**WHEREAS**, the Martin County Board of Commissioners recognizes that the event modeled in the City of Virginia Beach study is rare but the magnitude of potential impacts on the Basin's eco-system and the communities is too great to leave it to chance; and

**WHEREAS**, because of the presence of the proposed uranium mill in the Basin that can be used to process ore mined at other mining sites in the Basin and/or throughout the Commonwealth of Virginia, including but not limited to Orange, Madison, Fauquier, Culpeper, Patrick, and Floyd Counties, the Basin that serves as a drinking water source for over one million people could face increased risks associated with uranium mining, milling and storage of radioactive waste; and

**WHEREAS**, the best available scientific information indicates that the social, environmental, health and economic impacts of proposed uranium mining and milling in Virginia outweigh expected benefits to the Basin residents in the Commonwealth of Virginia and the State of North Carolina.

**NOW, THEREFORE, BE IT RESOLVED**, that the Martin County Board of Commissioners goes on public record requesting that the Commonwealth of Virginia continue the ban on uranium mining.

**BE, IT FURTHER RESOLVED**, that a quorum of the Martin County Board of Commissioners was present at a meeting held on June 8, 2011 and the foregoing resolution was duly adopted at said meeting by the affirmative vote of all members and opposed by none; and that said resolution has been duly recorded in the minutes and is in full force and effect.

Adopted this 8th day of June, 2011.

### **Approve Water Rate Structure for Travel Trailer Park & Similar Usage**

Our present rate structure was not developed with any consideration being given for transient uses such as a travel trailer park such as the one being developed by Mr. Alfred Price on the Ed's Grocery Road and District 2 or even a hotel or motel. This present structure would treat each lot of a travel trailer park or each room of a hotel/motel as an individual unit and each would be billed a minimum bill. Water District Manager Ed Warren has done some research on other counties and the way they treat such uses and we have found that they do indeed treat situations like this differently. Manager Overman and Water District Manager Warren recommended changing our rate structure as listed below.

### **RULES AND REGULATIONS OF MARTIN COUNTY WATER AND SEWER DISTRICTS NO. 1 & 2**

Add: Section IV F

- F. Minimum charges for master meters for transient residential type uses not occupied of a permanent nature, such as travel trailer parks, hotels, motels and similar uses shall be based on the following schedule:

Two (2) inch meter and smaller – One (1) Fixed Minimum Charge per eight (8) units or portion thereof (Ex. 35 space travel park –  $35 \text{ spaces} \div 8 = 4.4$  rounded to 5 fixed minimum charges)

Larger than Two (2) inch meter – One (1) Fixed Minimum Charge per four (4) units or portion thereof (Ex. 80 room hotel –  $80 \text{ rooms} \div 4 = 20$  fixed minimum charges)

Commissioner Price asked the Board to excuse him from voting due to a financial interest. Commissioner Smith made the MOTION to excuse Commissioner Price from voting, with a SECOND by Vice Chairman Bowen. The motion was APPROVED by a majority.

Commissioner Smith made the MOTION to approve the recommended rates for travel trailer park, hotels, motels and similar usage, with a SECOND by Vice Chairman Bowen. Commissioners Lilley, Bowen, Smith and Hyman voted yes by a show of hands. The motion was APPROVED by a majority.

**Skewarkee Fire District/ Town of Williamston Tax Adjustment**

The Board had tabled this agenda item from the meeting on June 1, 2011 awaiting some clarification. Chief Jimbo Peele, Town of Williamston Fire Department and Eric Pearson, Town Administrator, were present to answer potential questions on a resolution received from the Town of Williamston requesting that the Commissioners levy an additional three cents (\$.03) fire tax per \$100.00 valuation for the above referenced fire tax district. A map showing the area of the county that is within the fire tax district was given to the Board for observation.

Chief Peele gave the reason for the requested increase as being the need to bring revenue in proportion with expenditures for service to the area.

Commissioner Smith made the MOTION to approve the rate increase from \$.05 to \$.08, with a SECOND by Vice Chairman Bowen. The motion was APPROVED unanimously.

The tax rate increase for Skewarkee Fire District/Town of Williamston will be reflected in the budget for fiscal year 2011-2012 for adoption by the Board later in the month.

**Budget Amendments #18, #19, & #20**

**BUDGET ORDINANCE AMENDMENT-18**

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, 2011.

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

	Increase	Decrease
General Government		
DMV License Plate Agency	\$ 5,000	
Register of Deeds	\$ 5,000	
Public Safety		
Rescue Squads	\$ 6,000	
Water /Sewer		
Water/Sewer	\$ 1,079	
Human Services		
M-T-W Health Department	\$ 3,200	

This will result in an increase of \$ 20,279 in the expenditures of the General Fund. To provide an increase in revenue for the above, the following revenues will be changed.

Permits and Fees	\$ 8,200
A&E Fund Balance Approp.	\$ 5,000
Fund Balance Appropriation	\$ 7,079

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-19**

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, 2011.

Section 1. To amend the Fire District Funds, the expenditures are to be changed as follows.

	Increase	Decrease
Public Safety		
Jamesville Fire	\$ 15,250	
Goose Nest Fire	\$ 2,000	
Griffins Fire	\$ 6,000	
Bear Grass Fire	\$ 3,500	
Hamilton Fire	\$ 2,000	

This will result in an increase of \$28,750 in the expenditures of the Fire District Funds. To provide an increase in revenue for the above, the following revenues will be changed.

Tax	
Ad Valorem	
Real & Personal Property-CY	\$ 11,300
Real & Per. Property-Prior	\$ 1,700
Motor Vehicles – CY	\$ 2,750
One Cent Sales Tax	\$ 5,500
½ Cent Sales Tax	\$ 7,500

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-20**

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, 2011.

Section 1. To amend the 4-H Fund, the expenditures are to be changed as follows.

	Increase	Decrease
Economic & Physical Development	\$ 13,325	

This will result in an increase of \$13,325 in the expenditures of the 4-H Fund. To provide an increase in revenue for the above, the following revenues will be changed.

Miscellaneous	\$ 8,780
Sales & Services	\$ 825
4-H Fund Balance Appropriation	\$ 3,720

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.

MOTION by Vice Chairman Bowen and SECONDED by Commissioner Hyman to adopt the above budget ordinance amendments (#18, #19, #20) this 8th day of June, 2011. The motion was unanimously APPROVED.

### **Approval ABC Board Travel Policy**

Manager Overman stated that one of the components of House Bill 1717 labeled Modernization of the State ABC System passed last year was that board members of the local ABC Board would be reimbursed for travel expenses under NCGS §138-6 unless the local board adopts a travel policy that conforms to the travel policy of the appointing authority. It also states that policy must be approved by the local appointing authority and the local board must annually provide that written confirmation to the state AB Commission.

Martin County ABC Board adopted a travel policy in February 2010 that generally conforms to the policy the County uses. They reimburse meals on a per diem basis rather than actual but other than that it is basically like our policy. The local ABC Board would like for the Martin County Board of Commissioners, as the appointing authority, to approve their policy for submittal to the state Commission. Manager Overman recommended that the Commissioners approve the local ABC Board policy.

Commissioner Price made the MOTION to approve the ABC Board travel policy adopted in February 2010, with a SECOND by Vice Chairman Bowen. The motion was unanimously APPROVED.

### **BOARD REPORTS**

Commissioner Smith recommended Mr. Anthony Howell as a potential appointment to the Health Board. Commissioner Smith noted that Mr. Howell has served on the BMB Shelter

Board. Clerk Thompson will supply contact information to Martin County Health Board representative Commissioner Price.

**ADJOURNMENT**

With no further business to discuss, Commissioner Smith made the MOTION to adjourn at 8:05 p.m., with a SECOND by Vice Chairman Bowen. The motion was unanimously APPROVED.

The next regular meeting of the Martin County Board of Commissioners is scheduled for Wednesday, July 13, 2011 at 7:00 p.m. in the Board Room of the Martin County Governmental Center, 305 East Main Street, Williamston, North Carolina.

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Elmo "Butch" Lilley, Chairman

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Marion B. Thompson, Clerk to the Board