

**PITT COUNTY BOARD OF COMMISSIONERS
GREENVILLE, NORTH CAROLINA
JANUARY 10, 2000**

The Pitt County Board of Commissioners met in a rescheduled regular session on Monday, January 10, 2000, at 9:00 a.m. in the Commissioners' Auditorium, Pitt County Office Building, Greenville, North Carolina with the following commissioners present:

Charles P. Gaskins, Chairman
David Hammond, Vice Chairman
Glenn Bowen, Commissioner
Eugene James, Commissioner
Thomas H. Johnson, Commissioner
Mark W. Owens, Jr., Commissioner
Jeffrey E. Savage, Commissioner
M. Theresa Shank, Commissioner
Beth B. Ward, Commissioner

Also present were:

Thomas B. Robinson, County Manager
JoAnne Burgdorff, County Attorney
Susan J. Banks, Clerk to the Board
Arlen Holt, PIO and Cable Coordinator
John K. Bulow, Assistant Manager
Melonie T. Bryan, Director of Financial Services

Call to Order by Chairman Gaskins.

Prayer offered by Commissioner Savage .

Pledge led by Commissioner Bowen .

APPROVAL OF AGENDA

Chairman Gaskins asked for approval of the agenda. Commissioner Bowen asked to move the inclement weather policy item to follow approval of the minutes.

UPON MOTION by Commissioner Savage, seconded by Commissioner James, the Board voted unanimously to approve the agenda with the amendment.

PUBLIC ADDRESSES TO THE BOARD

Charles Coburn - 2218 Frank Kilpatrick Road, Grifton - concerned about overtime pay during Hurricane Floyd. People gave time and resources. He said the County staff took advantage of the situation.

Joe Quinterly - Grifton – said that requiring people to be bilingual in business dealings or anything would be dangerous for this country. Language is a common thread in this country. People coming to U.S. for a better life, not for confusion and it would be confusing to require other languages to be used by government.

Derrick Brown - 108 Stancil Dr., Greenville – said he volunteered with the Sheriff's Department and that the Sheriff said he needed boats to help move people. He said he helped rescue kids on September 17th and 18th. He said there was a big boat off of Mumford Road that was twirling around and the boat was going towards the power plant.

He saved the boat, rescued animals and helped get people off the top of their houses in Belvoir. He said he helped get medical supplies and other items to people by helping navigate them through the river. He stated he went to Falkland, transported water, walked through flood waters, damaged his boat on a car and the boat quit and started drifting, On September 20th the boat was taken to the shop to be repaired and is still there. The Sheriff said to see John Bulow or Tom Robinson for the reimbursement. He said he requested and the County paid to repair the lower unit, but the boat still has a knock in it where it was damaged during a rescue mission and he wants the County to pay for remainder of the expenses.

Vernon Morrison - from across the river – concerned about the overtime paid to employees for work during Hurricane Floyd. He said he could not imagine the County Manager turning in over \$8,000 in overtime. He said that the Sheriff said that he turned his money over for flood relief for victims and if he did then he should turn in a receipt to the County. He said the Manager took advantage of the situation where other people suffered. He spoke about Vice Chairman Hammond's statement about not supporting the jails. He said Commissioner James spoke about the North Pitt parking lot and it should have been paid two years ago.

Javier Castillo - Greenville Blvd. – made a statement concerning the English only resolution. He stated that English has been the language of the majority in the United States for over 200 years. He expressed that there was no need for the Board to adopt a resolution declaring the English language as the official language of Pitt County government. He said that according to the 1990 census only 2% of the population in Pitt County speak no English. He stated that immigrants do want to learn English but have limited opportunities to learn it. He stressed that they need access to more opportunities to get educated on the English language. He asked if this resolution being proposed included any funding for educating the public?

Barbara Fenner - Executive Director of West Greenville Community Development Corporation – stated that this organization was appointed by the State to be the local North Carolina Housing Recovery Counseling Center. She said that since October they have been counseling families, including the more than 10,000 homeowners and renters that lost their homes. As of December 31, 600 families have been counseled. They are helping them through the FEMA process. She said that the newspaper reports that only 50% of the people have registered. She stated that people with family support may not have registered and they are just starting to apply. They are helping people understand that they must apply through the SBA. They have staff that is helping and assisting in the County's Recovery Operations Center. She stated that she has a request related to helping the families in this process.

Keith Cooper - discussed overtime pay for exempt County employees. He said that there is some confusion about what the policy actually says and that there needs to be some clarification. He said the Manager should be the interpreter not the policy maker. The perception is that employees were more interested in padding their pockets versus helping people. He suggested that the Board should give the County Manager a final written warning and require him to use \$25,000 per year of his salary to help displaced flood victims. He suggested the Board should take the \$800,000 set aside for an animal shelter and use it for flood victims. He said the County should get out of the habit of expecting FEMA to come through with the funding. They should take the overtime pay given to exempt employees and put it in the flood victims' fund. He stated that the County should take the \$22.5 million from the Hospital and set it aside for flood victims.

Joy Thorpe - 1921 Mazingo Rd, Greenville - Auxillary Services Coordinator of Pitt County Government, stated she worked on the Emergency Operations Center team. She said she heard that employees were being accused of trying to take money but as

part of the team, she was hurt and angry that some people would suggest this. She said she was part of a team that was working to do whatever and do it whenever it was needed to help in this situation. She said she joined the team to help Pitt County in an emergency, and that several people that worked as part of that team also lost their homes. She stated that there is not enough money to make it up to these people and you can not make up for the loss of sleep and time away from families with overtime pay. She stated all of the people who worked sacrificed to be there helping others. She said there may have been people out there that were taking advantage of this situation but it was not the county employees.

Nancy Colville, Greenville –wanted to reply to Vice Chairman Hammond comments about the Africans being brought to the United States as slaves. She said they came looking for a better place to live. She stated that people should not judge their fellow man and the black race is not any better than any other race. She also spoke on the overtime pay matter. She said she hoped it could be addressed without further humiliating anyone. She said the county employees did not have an option to volunteer or not. She said that Commissioner Savage is pursuing this situation because he wants to use if for a reason to get the Manager fired. She said he talks about fraudulent overtime but he is using misrepresentations in this and others issues. She said Commissioner Bowen attempted to collect mileage on a trip that he should not and Commissioner Savage has taken months to repay travel expenses, that no one here has brought to the attention of the public. She stated that the Board is making a mountain out of molehill to further their careers.

Reverend Randy Royal - 1610 Farmville Blvd. – stated that he was from District A and wanted to thank Commissioner Savage for his service to that area. He stated that Commissioner Savage served with distinction, dared to be different, the district leaned on his strength during the downsizing and collapsing of the Mental Health Program, and the flood. Commissioner Savage worked to see that families were housed, clothed and fed. He said that he knew that fifteen people stayed in Commissioner Savage's home. He spoke about his service, the commission and his community. Commissioner Savage has a God given ability. As Commissioner Savage pastor, counselor and friend, he remembered his expressions over the storm and the people. He said he knew Commissioner Savage was retiring to spend more time with his wife and children and that his time of the Board of Commissioners was well served. He stated that on behalf of the Phillipi Church, he thanked Commissioner Savage for his service.

APPROVAL OF MINUTES

Commissioner James motioned, which was seconded by Commissioner Savage, to approve the minutes of the December 6, December 13, and December 20, 1999 meetings. He commented about a statement Vice Chairman Hammond made about the Wooten Company being an equal opportunity employer. He expressed concern that his comment following Nancy Colville's comments should reflect "bigotry overtones" not necessarily what was written and asked that it be changed. He concluded his comments with the statement that he picked up his agenda package on Saturday and did not have ample time to review the minutes very closely.

Vice Chairman Hammond said he did inquire about the Wooten Company and also asked the Manager to supply him with a list of contractors that do business with the County and whether they were equal opportunity employers. Chairman Gaskins asked if there were any objections to the minutes being amended as requested. Commissioner Savage called for the question. The motion passed unanimously.

Inclement Weather Policy - Tom Robinson

Mr. Robinson said that the Board asked that this item be added to the agenda and wanted to review the policy to see if any modifications need to be made to the policy. The policy that was approved states that if the office is closed for a partial day the employees will be paid. The policy also states that if the office is closed for a complete day, the employees must choose to use personal leave or leave without pay during the declared closure. Non-exempt employees that are required to work will be paid straight time. However, during extenuating circumstances such as the Hurricane Floyd flood, the Governor declared it a disaster and issued a directive that all state employees would be paid during storm even though they were not able to work. Mr. Robinson said he mentioned this information from the Governor to the Chairman and in addition Ms. Bryan indicated that FEMA would pay for all overtime worked consistent with past practice. There were three employees that have not been paid in the past which were the County Manager, Emergency Services Coordinator and the Assistant Manager. He said that on this particular occasion Ms. Bryan said that FEMA had indicated that they would pay for overtime for all employees and he did direct her to pay overtime. Exempt employees did not receive time and half but straight time for time worked. He said he did not like being in disagreement with the Board and would like clarification for future situations. He stated that he tried to do the best for the County and the County employees and that the employees who worked did not have the expectation of receiving pay but they were just working as instructed.

Vice Chairman Hammond asked what was done during the hurricanes Bertha and Fran. Mr. Robinson said that three employees were not paid for working and they were the himself, Emergency Operations Coordinator and Assistant Manager. Commissioner James said he was the only commissioner that stayed out of his home for 10 days in a shelter. Not right that other people had to stay home and could not get paid but county employees that stayed home got their regular pay. He said he had requested a printout of overtime pay which he had not received. He stated that on January 14th there would be a print out that indicated the "big bucks" that were paid out. Commissioner James said Pitt County Board of Education and State workers were volunteering. He said he thought the employees had used the system and that he did not believe the right decision was made in this situation. He spoke of volunteers that came from other areas that did not get paid. He said he did not want this to ever happen again.

Commissioner Owens spoke about what a time of disaster this had been and that he was amazed at all the people who helped out. He thanked Derrick Brown for his assistance with rescuing people and expressed his sympathy over his boat being damaged. He said he did not want to create more bitterness and that the Manager was basing his decision on the information he received from FEMA. In retrospect, he said that the Manager should have asked the Board about how to handle the overtime matter. He stated that he has disagreed with Mr. Robinson at times but respects what he did on this occasion. He stated that no one was questioning the total hours these people worked, and if FEMA was going to provide payment, we should take it because that would be put it back into the County's economy.

Commissioner Owens motioned to ratify the Manager's pay and approve the overtime payments that the Manager made. He stated he made a management decision. There was no second to Commissioner Owens' motion. Vice Chairman Hammond said the Manager also asked the Board to approve an extra day for a holiday during Christmas. He said the Manager should not have made this decision without the Board's input. Commissioner Bowen stated that the Board needs to work on the Inclement Weather Policy because this policy does not state that the County will follow the State's rules on closings. He said that their policy says that non-exempt employees do not get paid overtime. He said that the policy reads that under extenuating circumstances the County has the right to change the policy and he believed that meant

the county commissioners should change the policy, not the County Manager. He suggested the County Commissioners must meet within 48 hours of a disaster and discuss whether there needs to be a change in the policy. He said that if the Board had met sooner, this problem would not exist.

Commissioner Bowen motioned to add to the policy "County means Board of Commissioners" and the Board will be required to meet within forty-eight hours of the emergency" to address the appropriateness of the policy. Commissioner Shank seconded the motion.

Commissioner Savage said the issue is not with the regular employees that worked to meet the needs of others. He stated the Board is supposed to look out for the public trust and that the Board should meet and make those types of decisions. He spoke about exempt and non-exempt employees. He said the Board revisited the Inclement Weather Policy following Hurricane Fran. Commissioner Savage said Commissioner James asked for the information about the overtime payments but did not receive it. He also said that just because someone said FEMA would pay the overtime did not mean the employees should have been paid because FEMA does not run this County. He also spoke about elected officials' salaries. He said if Department Heads want to receive overtime pay, it would involve a reduction of their regular salary.

Commissioner Ward said that the money from FEMA for the overtime compensation could not be used for anything but to compensate for overtime hours worked. She stated that set salaries did not change, but remained the same as budgeted. She stated that maybe the decision to pay overtime may not have been the best decision at that time but she was not sure what decision she would have made if she had been in the same position. She said that the motion would put the Board in a position to give direction to the Manager and employees and when that decision is made the Board will be responsible for the decision.

Vice Chairman Hammond said he disagreed with Commissioner Ward because the budget has changed. He commented that since the three- percent cost of living was implemented there have been some employees that have received an increase during the year.

Commissioner Shank said the issue here is the inclement weather policy. She said she believed the Manager had the authority to make that decision and that they may need to strengthen the policy. The exempt employees were working in their jobs, they were not volunteering to do something else besides their jobs.

Commissioner Bowen noted that the money has not been received from FEMA yet and there is no guarantee that it will come. He said he thinks the policy is clear and he thinks a mistake has been made and in closed session, the Board needs to clarify how to handle it if happens again. Commissioner James said that the county employees job descriptions say they will do whatever it takes to do the job. He said that if it takes 18 hours or 4 hours, its "OK". He said he thought the policy was totally clear. Commissioner Savage said that this was a gray area.

Chairman called for a vote on the motion and it was unanimously approved.

Chairman Gaskins called for a ten minute break at 10:15 a.m.

ITEMS FOR REPORT

Manager's Report - Tom Robinson

- a. Y2K - extension preparations. Mr. Robinson reported that County Government had not suffered any consequences from the Y2K changeover. The EOC was manned but there were no substantial calls.
- b. Education Compact Task Force – Mr. Robinson said he had asked Vice Chairman Hammond, Commissioner Shank and Commissioner Ward to serve on the task force to work on the Education Compact and they would meet at the end of this month and prepare a draft.
- c. Hurricane Floyd Federal and State Funding – Mr. Robinson said he met with Managers in the east, and State officials on how to take a unified approach on how to proceed with the federal officials for funding for flood recovery. The Eastern Regional Counties are meeting on January 26th, to discuss lobbying at the federal level. They will discuss funding requests and the need to be specific and target leaders. They are planning on smaller groups going up in repeated efforts to Washington, DC. They will be following up on the \$836 million package from North Carolina which has two pots of money for homeowners, the SBA loan applicants and applicants that were turned down by SBA. He said it is very important for people to apply with the SBA because there is \$122 million in State funds pending for people who did not receive SBA. He said the counties and municipalities are also requesting another extension on the January 18 deadline. He said that of the 5,000 people who registered there were many that have not gotten the information that they need to apply with the SBA.

UPON MOTION by Vice Chairman Hammond, seconded by Commissioner Savage, to instruct the Manager to prepare a letter for the Chairman's signature to request an extension of the deadline for SBA applications for an additional thirty days.

Commissioner Savage said the Manager should ask for financial assistance from the federal government to meet upgrading communications needs in Pitt County. He also asked that as a Board, do we want to instruct the staff to go out and find the people who have not applied for assistance.

Mr. Robinson stated that FEMA will close down their operations center following the deadline. He said that Pitt County has asked FEMA if they would dedicate a roving FEMA representative to keep in the community. Commissioner Bowen asked that the Daily Reflector do an article on the deadline extension and the necessary applications.

Commissioner Shank asked what the County was doing to get the word out to citizens about the deadlines. Mr. Robinson stated that Mr. Holt has looked at how to get the word out. They are using churches, newspaper, television and any other resource that becomes available.

Commissioner James called for the question. Mr. Robinson said he has assigned someone to each area to be an overall coordinator for their programs for the flood victims. He stated he has instructed Loretta Lewellyn to be aggressive with getting the money coordinated. There is a community task force strategy for 2000 on how to accomplish what is required in order to get the State guidelines to stream this money down to the communities. Commissioner Savage stated again that the County could list the update communications effort as a request and formally ask the County Manager to include this and make a presentation to the Board. Commissioner James called for the question. The motion was passed unanimously.

NCACC request information from Counties about their support for giving School Boards taxing authority – Tom Robinson

Mr. Robinson reported that he had received a request from the North Carolina Association of County Commissioners concerning legislative support for taxing authority

for school boards. He said that 62% of the sales tax dollars goes to the school systems. The NCACC is asking if each Board of Commissioners has gone on record supporting or opposing this stand.

Commissioner Bowen motioned that the Board strongly oppose the legislative movement and oppose any of Pitt County's legislative members introducing any law that will allow the local Board of Education the authority to levy taxes on the citizens. Commissioner James seconded the motion.

Commissioner Shank said she would like to see the Board of Commissioners work with the School Board. She said before the Board takes such a definitive stand they need more information. Vice Chairman Hammond said he disagreed and in addition, wished that the Board of Education would televise their board meetings. He said they also do not allow anyone to speak at their Board meetings. Commissioner Shank said then the Board of Education would be responsible to the people for the taxes they levy. Commissioner James said that from his perspective you can not give the Board of Education enough money.

Commissioner Bowen called for the question. The motion passed eight to one with Commissioner Shank opposed to the motion.

Mr. Robinson reminded the Board of their Wednesday, January 15, workshop with Joe Kiely on investments. There will be request for proposals prepared following the workshop.

Mr. Robinson also asked if any Commissioners were interested in attending an Institute of Government (IOG) workshop on "Working together as a Governing Board."

Mr. Robinson informed the Board that he would be hosting a meeting of the eastern counties to talk about lobbying efforts for storm recovery.

Commissioner Savage said the Board should attend the workshop at IOG and would like the Manager to bring back, for budget consideration, the job description of the Internal Auditor position that would be responsible only to this Board. He asked for the Manager's support in putting gentleman's boat back in working order. He asked about staff dispute between staff and Derrick Brown.

Mr. Bulow stated that he was ready to report on this matter. Commissioner James said there are many other people with damages just like this and the Board needs to have a committee investigate this request. Commissioner Savage asked if these repair items could be submitted to FEMA for reimbursement. Commissioner Bowen suggested the Sheriff chair the committee since his staff worked directly with these people. Mr. Robinson said that there are a lot of people coming forth with expenses from the storm. The Committee idea is a good plan and it should include some commissioners and they can instruct the Finance Officer to pay off substantiated claims. Vice Chairman Hammond said that volunteers that worked assumed some liability. Chairman Gaskins suggested the Board hold off on this item.

Commissioner James **motioned** to form a five person committee including two commissioners and the Sheriff, to look at losses of citizens that helped in the rescue efforts during Hurricane Floyd and the flooding. Commissioner Savage seconded the motion. The Board voted unanimously to approve the motion.

ITEMS FOR CONSENT

The Manager read all the items for consent.

Commissioner Bowen asked about the educational leave request for Joyce Holloway. He stated that the County Policy says a person can have a maximum of three hours and this looked like an exception to the policy.

UPON MOTION by Commissioner Savage, seconded by Commissioner James, to amend the items for consent by removing the Educational Leave Request for Joyce Holloway for further discussion by the Board. The motion passed unanimously.

UPON MOTION by Commissioner Savage, seconded by Vice-Chairman Hammond, the Board voted unanimously to approve the items for consent as presented in agenda.

Commissioner Bowen motioned to grant Joyce Holloway three hours educational leave and asked that the Department Head be directed to follow the county policy that states three hours educational leave is the maximum leave granted. Commissioner James seconded the motion and it passed unanimously.

1. Approved Educational Leave for Health Department Employee - Joyce Holloway

Request for a total of 49 hours to be taken as one hour from 2-3:00 pm on Mondays, Wednesdays and Fridays. She is currently enrolled at East Carolina University and will be taking a Financial Information Systems in course as a prerequisite to a B.S. degree in Health Information Management in the School of Allied Health Sciences. The nature of this course relates directly to her duties at the Health Department and will contribute to her skills and effectiveness in her job.

Remaining Items for Consent Approved

2. Education Leave for MIS Department Employee – Lisa Artis

Ms. Artis currently holds an Associate in Applied Science degree in Business Computer Programming, and is in the process of completing a Bachelor of Science degree in Computer Science. Total time requested is 1.50 hours.

3. Education Leave for Mental Health Department Employee – Tony McKee

Educational Leave request for Mr. Tony McKee to attend Conducting Social Work Research at East Carolina University. He is taking the course in order to pursue a Master of Science degree in Social Work. His request is consistent with our Educational Leave Policy (3 hours).

4. Request for Addition to State Maintained Secondary Road System –

The NC DOT has requested that Ivy Chase Drive be added in Ivy Chase Subdivision (Section 2); petition to add Huntingwood Drive in Hunter's Woods Subdivision; petition to add Falconwood Drive in Falconwood Subdivision.

5. Budget Amendment – Sheriff's Office

The Pitt County Sheriff's Office has received a grant from the NC Division of Social Services for \$25,000. The grant will run from October 1, 1999 through September 30, 2000. The Sheriff's Office will provide in kind for its local match. The name of the grant is "Abuse You Lose."

<u>Account No.:</u>	<u>Title of Account</u>	<u>Increase</u>	<u>Decrease</u>
243635 436000 00	Non-Federal Categorical Grant	25,000	
245635 526000 00	Office Supplies	12,000	
245635 531200 00	Travel	5,500	
245635 532500 00	Postage	500	
245635 534100 00	Printing	7,000	

6. Budget Amendment – Finance Department

The following amendments need to be approved:

- 1) General Fund - \$261,000 – to establish the receipt of the GlobalTranspark loan on behalf of the Town of Grifton
- 2) Debt Service Fund - \$11,810.40 – to establish the receipt of the payments from the Town of Grifton to make the debt service payments on the TransPark loan.
- 3) Social Services Fund - \$578,905 – to establish receipt of the third round of funding from the Governor to be disbursed to Hurricane Floyd victims

General Fund			
<u>Account No.:</u>	<u>Title of Account</u>	<u>Increase</u>	<u>Decrease</u>
102800 491007	GTP Loan Proceeds	261,000	
104920 569020	Grifton Sewer – Pump station	261,000	

Debt Service			
<u>Account No.:</u>	<u>Title of Account</u>	<u>Increase</u>	<u>Decrease</u>
302800 486003	Town of Grifton	11,810.40	
309115 571016	GTP – Grifton (principle)	6,919.37	
309110 572016	GTP – Grifton (interest)	4,891.03	

Social Services			
<u>Account No.:</u>	<u>Title of Account</u>	<u>Increase</u>	<u>Decrease</u>
162800 484002	NC Hurricane Relief Donations	578,905	
169100 589000	Hurricane Floyd	578,905	

7. Budget Amendment – Child Support Clerk of Court Fees

In an effort to increase child support collections, the Child Support Unit has significantly increased the number of child support cases referred to the Court system. This has increased the funds necessary to pay Court fees at the Clerk of Court's office. The Department is seeking a budget amendment for \$60,000 in order to pay the increased Court costs. The County will be reimbursed 66% for these fees. The Department is transferring funds from County Foster Care that are not needed this fiscal year to provide the local match. The County will recover some of the fees from the absent parent with the Court system orders the absent parent to pay Court costs.

<u>Account No.:</u>	<u>Title of Account</u>	<u>Increase</u>	<u>Decrease</u>
165473 529000	Misc. Operating Expenses	60,000	
162400 423000	Social Services Administration	39,600	

165454 531500	Foster Care State	40,800
162400 433060	State Foster Care SFHF	20,400

8. Budget Amendment – Smart Start Day Care Funds

The Department of Social Services is requesting a budget amendment to increase Smart Start Day Care by \$36,000. These are 100% State funds and additional County funds are not required.

<u>Account No.:</u>	<u>Title of Account</u>	<u>Increase</u>	<u>Decrease</u>
165421 531403	Day Care Smart Start	36,000	
162400 423401	Smart Start Day Care	36,000	

ITEMS FOR DECISION

Appeal on Occupancy Tax Penalty – Floyd Little and Mike Tetterton, Home-Towne Suites

Commissioner Savage motioned to follow staff's recommendation. Commissioner James said Mr. Mike Tetterton is present and would like to address the Board on this issue.

Mr. Mike Tetterton, representing Hometowne Suites, who was originally from Bethel, stated that his purpose for being here today was concerning an appeal of the penalty for late payment of occupancy taxes due in September. He said that Home-Towne Suites caters to people who stay weeks at a time. He said that during the flooding in September only two or three of his regular five employees were able to make it to work. Consequently, he made the decision that he needed to come to Greenville in order to keep the doors open and he went where the help was needed. He said that he donated 10% to be a good corporate citizen. They housed several families and allowed National Guardsmen to shower in their rooms. He stated he has a one-man office in Kentucky, and that by his being here in Pitt County and not back in Lexington for two weeks, nobody got paid. It then rolled into October tax time. He said he sent his State taxes and County taxes in eleven days late. On a tax bill of \$3,600 there was a \$540 penalty plus interest from then until now. He said he called the State because of his late payment and they said they would not penalize him because the flood situation apparently affected him. He said that the County Tax Office staff worked with him upfront. He said he asked for an appeal from the Tax Office and with a letter to the Board for relief of the \$540 plus the interest bill that is now due. He said he was just asking for some neighborly consideration.

Commissioner Savage withdrew his motion. Vice Chairman Hammond stated he understood that this is not the first time Mr. Tetterton had been late with his taxes and asked for him to explain about the first time. He said that where he last worked in Tennessee, the taxes were due on the 20th of the month, and he assumed that was the same in all states. However, he said he learned that in Pitt County, the deadline was the 15th. Commissioner James said it looks like the County was slapping the man in the face after having worked and given to the citizens during the flooding.

Vice Chairman Hammond said he could sympathize with him, and that being a businessman himself knows that he is responsible for paying the sales tax on time. He stated that Mr. Tetterton is one of many people who volunteered during the Hurricane. He said he knew the rules and was supposed to abide by the rules.

Floyd Little said he did not have the authority to release the penalty and that most of the facts are probably true but he could not recommend the release based on the law. Mr. Little said that the first penalty was forgiven because they could not verify that they had sent him the proper forms so the penalty was waived. Commissioner Shank said other hotels were inundated and if the Board makes this as an exception the Board will receive many other requests.

UPON MOTION by Commissioner James, seconded by Commissioner Savage, to grant the appeal and waive the penalty on Home-Towne Suites for the late payment.

Commissioner Ward asked about the liability. Ms. JoAnne Burgdorff, County Attorney, said the Board was allowed to waive the late penalty on occupancy tax and cited the law.

Commissioner Bowen offered an amendment to forgive the \$359.70 penalty for failure to pay when due. Commissioners Savage and James agreed to accept this amendment. Vice Chairman Hammond said every hotel in the County was effected by the same situation and if this board excuses this they are opening up for others. Commissioner James called for the question. Commissioner James, Commissioner Savage, and Commissioner Bowen voted in favor of the motion. Commissioner Owens, Commissioner Johnson, Commissioner Shank, Vice Chairman Hammond, Chairman Gaskins, and Commissioner Ward were opposed and the motion failed with a three to six vote.

LEASE FOR TECHNOLOGY INCUBATOR

Mr. John Chaffee stated that this is a request for approval of a simple lease with Strahlung Services for a single office and the Development Commission reserves the right to move them to another office if needed. Initially, the lease is \$7.00 per foot for one year and can be renewed for \$8.50 per foot. Strahlung is a consulting firm specializing in services to the biotechnology and health care industries.

UPON MOTION by Commissioner Savage, seconded by Commissioner Shank, the Board voted unanimously to approve the lease with Strahlung Services for a single office in the Technology Incubator for approximately 165 square feet.

Mr. Chaffee stated that in regards to the SBA loans, there will be a forum at Pitt Community College at 6:00 p.m. in the Fulford Building, Room 153, to again go over the items concerning applying for the SBA and Housing loans and informing people that they must apply to qualify for any of the funds. He said if they do not qualify for one option, they may qualify for other options, but they must apply for SBA loans to be considered for the funding.

MPO Transportation Improvement Priorities - James Rhodes and Ron Svejksky

Mr. Rhodes stated that this MPO Transportation Improvement Priorities is specifically for the Greenville and Winterville areas including the extraterritorial jurisdictions into the County. He stated that these priorities do coincide with the County's transportation priorities.

Mr. Ron Svejksky said that the development process is now a two year process where priorities are established. The following year will be the development year. The MPO Committee conducted open houses in Greenville and then they developed the priorities. All governing bodies are hearing the MPO priorities today and the MPO committee will meet on Wednesday. They will be going to meetings in Raleigh in order to forward the priorities at the State level.

Mr. Svejtkovsky reviewed the highway projects and streets in Greenville and Winterville. Vice Chairman Hammond said he could not understand the speed limits on Hooker Road. Mr. Svejtkovsky said the citizens along Hooker Road were concerned about the safety since there are numerous houses on that street. Vice Chairman Hammond also questioned the medians in the middle of the road.

Commissioner Shank asked about the public transportation part of the issue. Mr. Svejtkovsky said the regional transit study has been funded and they are looking for a way to coordinate the efforts between several transportation efforts. Vice Chairman Hammond asked about the southwest by-pass and Mr. Svejtkovsky stated that it should begin in 2001. Commissioner Savage spoke about attention to secondary roads where the bulk of accidents happen.

UPON MOTION by Commissioner Johnson, seconded by Commissioner Savage, for endorsement of the MPO Transportation Priorities for 2000-2002. The motion passed unanimously.

Chairman Gaskins called for a ten-minute break at 11:45 a.m.

Chairman Gaskins called the meeting to back to order at 11:55 a.m.

Community Recovery Plan – Tom Robinson

Mr. Robinson asked for approval of the plan that was shared with the Board at their last regular meeting on December 20, 1999. Mr. Robinson said that the Board needs to endorse the plan of work items for the staff because it is a major building point for the community coordination strategy. Commissioner Savage said that the 2000 Census needs to be focused on also and the County needs to make sure all the people are found and included in the count. He mentioned that Congress is providing funding for housing initiatives and there needs to be flexibility in spending these funds. He also stated that the County needs to assure that the Airport is a good neighbor.

Vice Chairman Hammond spoke about giving employees that lost their jobs at Mental Health first opportunity at employment.

Commissioner Shank said she would like a report verifying activities and accomplishments every three months from the departments on the recovery efforts.

UPON MOTION by Commissioner Savage, seconded by Vice Chairman Hammond, the Board voted unanimously to endorse the Community Recovery Plan as presented and included in the minutes of the December 20th Board meeting.

The Language of Government Resolution - JoAnne Burgdorff

Commissioner Bowen said he had previously presented a resolution declaring English the official language of the Pitt County Government. The Attorney has changed some of the wording and he would like to resubmit the resolution for consideration. Ms. Burgdorff read the proposed resolution as she had reworded it.

Commissioner Bowen said that there are some things lost in the translation. He provided a tape recording from the last meeting's public addresses to establish the need for the resolution.

Commissioner Bowen **motioned** to adopt the resolution to declare Pitt County Government's official language as English. Commissioner Savage seconded the

motion. Commissioner Shank said she understood that the State has already adopted a resolution and questioned by Pitt County would not fall under the jurisdiction of the State's resolution.

Commissioner James said that everybody should be taught English. Vice Chairman Hammond said the County does not need to adopt this resolution if the State has already done so. Commissioner Owens said that he does not see the benefit of the Board adopting such a resolution. Commissioner Shank said the County should not decide to print publications only in the English language. The Board continued a lengthy discussion on consideration of this resolution.

Commissioner James called for the question. Ms. Burgdorff stated that she had received a message from the County's Health Director, stating State's Health Director had contacted him with concerns about the language in this resolution and is contrary to the State and Federal regulations and the provision of health services. Ms. Burgdorff read Dr. Morrow's message to the Board.

Chairman Gaskins called for the vote. The motion failed with a three to six vote. In favor of the motion were: Commissioner Bowen, Commissioner Savage, and Commissioner James. Opposed to the motion were: Commissioner Owens, Commissioner Shank, Commissioner Ward, Vice Chairman Hammond, Commissioner Johnson, and Chairman Gaskins.

Request to keep Laptop Computer – Commissioner Savage

Mr. Robinson said that Commissioner Savage informed the Board that he intends to retire from the Board of Commissioners and has requested to keep the laptop computer which he had checked out from the Management Information Services Department. Mr. Robinson said the Board had been provided with a list of the equipment Commissioner Savage had from the County.

Mr. Robinson said Commissioner Savage went to the MIS Department and requested a computer and he was assigned a laptop. Commissioner Savage said he talked with the Manager before he requested the computer. He said he and Mr. Taylor agreed that he could get the laptop. Commissioner Savage said he did not feel he should have to use his own equipment for County business. He stated that he did not intend this item to be controversial. He said that the Board has done this before and saw this as being consistent with requests from other employees that were retiring. Vice Chairman Hammond said he would like a laptop computer also if the County is going to provide laptops for the Board members. Commissioner Savage said that the Board needs to be more technologically advanced and spoke of how he used his laptop for County business and email.

Commissioner Shank asked what the computer would be used for if it were back in the MIS Department. Mr. Taylor said the computer was in a pool of equipment which is used by county staff. He said Commissioner Savage indicated that he had inquired with the Manager about using a laptop computer. Mr. Robinson said if a laptop computer was available for one commissioner, then there should be enough computers available for all of the commissioners. Commissioner Savage said that the Manager agreed to his getting a laptop before he received it. Vice Chairman Hammond asked if the County pays for dedicated phone lines for fax machines for County Commissioners. Ms. Bryan stated that in some circumstances the County has paid for a dedicated phone line for commissioners' fax machines.

Commissioner Ward stated that since this laptop computer is not presently a surplus piece of equipment and it would put back in a pool of equipment to be used by

county employees, she **motioned** to have the laptop computer returned to the MIS Department upon receipt of the letter of resignation by Commissioner Savage. Vice Chairman Hammond offered an amendment that if laptop computers will help the commissioners, then all commissioners should have one and be trained on how to use them. Commissioner Savage spoke about the inconsistency and that this is not consistent with past policy. He said this Board has granted equipment to employees that were retiring with many years of service. He further stated that if the Board would surplus the equipment he would pay the cost attached to the equipment to purchase the laptop computer.

Commissioner James discussed his computer and stated that the Board should honor Commissioner Savage's request because the value of the laptop computer was only \$700.

Vice Chairman Hammond stated that he did not have a problem with Commissioner Savage having this laptop computer because he had not resigned from this Board so it was not an appropriate issue.

Commissioner Bowen offered an amendment to table this motion until Commissioner Savage officially resigns. There was no second to the amendment.

Chairman Gaskins called for a vote on the motion. The motion passed with a five to four vote. In favor of the motion were: Commissioner Ward, Commissioner Johnson, Commissioner Owens, Commissioner Shank, and Chairman Gaskins. Commissioner James, Vice Chairman Hammond, Commissioner Bowen, and Commissioner Savage voted opposed to motion.

Appointment to the PCMH Board of Trustees – Susan Banks

Ms. Banks informed the Board that this item had been delayed from a previous meeting for an opportunity to advertise for a replacement for Ervin Hardee's position on the PCMH Board of Trustees.

Chairman Gaskins nominated Larry Seigler. Commissioner Johnson nominated Katheryn Lewis. Vice Chairman Hammond nominate Michael Bridgers from District 4 and spoke of the need to have African Americans on the PCMH Board of Trustees. Commissioner Shank said that Ervin Hardee was from District 3 so she would support Commissioner Johnson's nomination. Chairman Gaskins said in light of the designated district, he withdrew his nomination. Vice Chairman Hammond said he respects everyone's nomination but it is not often that you have such a qualified applicant as Michael Bridgers. Commissioner James motioned to close the nominations, Commissioner Savage seconded the motion and the motion passed unanimously. Commissioner James spoke on behalf of Katheryn Lewis.

Chairman Gaskins called for a vote on Katheryn Lewis who received seven votes from Commissioner Shank, Commissioner Johnson, Commissioner Ward, Commissioner Owens, Chairman Gaskins, Commissioner James, and Commissioner Bowen. He then called for vote on Michael Bridgers who received votes from Vice Chairman Hammond and Commissioner Savage. Katheryn Lewis won the appointment to the PCMH Board of Trustees to replace Ervin Hardee.

Appointment to Winterville Planning Board –Susan Banks

Ms. Banks informed the Board that there was one alternate member position left for an extraterritorial jurisdiction vacancy on the Winterville Planning and Zoning Board.

Commissioner Shank nominated Mr. Donald Staubes.

UPON MOTION by Commissioner James, seconded by Commissioner Ward, the Board voted seven to two to accept the nomination and appoint Hugh Donald Staubes by acclamation. Vice Chairman Hammond and Commissioner Savage opposed the motion.

APPOINTMENT TO THE INDUSTRIAL FACILITIES AND POLLUTION CONTROL AUTHORITY – Susan Banks

Ms. Banks informed the Board that there was a vacancy on the Industrial Facilities and Pollution Control Financing Authority. She stated that the position would be best filled by someone with a background in finance.

Commissioner Shank nominated Sheridan Jones. Commissioner Ward motioned to accept the nomination by acclamation.

Vice Chairman Hammond motioned to table the nomination until someone applies that meets the criteria. Commissioner Savage seconded the motion. The vote was unanimous to table the item until a person with financing background can be considered.

Commissioner Shank stated that the required criteria should indicate the requirements that will be considered. Vice Chairman Hammond stated that there is no intention to discriminate between the applicants.

Commissioner Comments

Commissioner Johnson stated he had received a phone call from a resident in a trailer park concerned about shooting of guns going on in the trailer park. He asked the staff to look into this shooting incidence.

Commissioner Owens asked about Commissioner Savage's visit to New York and suggested he may want to report to the Board and citizens about his trip and the donated funds. Commissioner Savage said he has been invited to attend Redding, Pennsylvania to speak on the recent flooding in North Carolina this weekend but had not decided about going since he had plans to retire in order to spend more time with his wife and children. He said he had done this previously on a trip to New York where he has spoken at a church. He stated the group there had offered to pay his travel expenses but he refused since he was acting in his official capacity as a County Commissioner. He stated that he spoke at the church and they had raised some \$5,000 on his last report. However, he stated that he did not know anything else about the money. He said he had reported on this when he returned from New York and he did not know anything else about it. He said that this church that he spoke at was very active on these type of activities. He said he was confident that his role was admirable. Commissioner Owens asked about the \$5,000 that was supposed to be raised and sent back to the County.

Commissioner Savage said that the people that went from this area have formed a non-profit agency to receive the funds. He commented that the church had heard that there had been so many racial overtones in the relief efforts and racist attitudes about the funds that the funds were not getting to the flood victims. Commissioner Savage said he would not be traveling to Pennsylvania or rather had not decided.

Commissioner Owens asked again about his travel expenses. Commissioner Savage said he asked the County Finance Officer to have his travel information available in case the question was raised.

Commissioner Savage said that many people were aware that this could be the last Board meeting he attends. He said he had two letters of resignation, one letter for today and one letter for the end of this week because he may want to participate in the investment workshop on Wednesday. He stated it had been an honor and privilege to serve the Pitt County citizens and he was sad to report that in his seven years on the Board not a great deal had changed. He stated that the racial make up of the county workforce is not acceptable to him but he felt no one else was concerned. He commented about there only being two minorities out of 40 people working in the Emergency Operations Center during Hurricane Floyd and the flooding. He stated that the recovery efforts have taken a toll on his race.

Commissioner Shank reminded board members that there was a presentation tonight on having an environmentally sound community in the flood plain which has effects on planning for the future of this area. She encouraged everyone to attend. Commissioner Shank asked to be excused from January 24th meeting because she would be out of town.

UPON MOTION by Commissioner James, seconded by Commissioner Savage, the Board voted unanimously to excuse Commissioner Shank from next regular meeting on January 24, 2000.

Vice Chairman Hammond said he has worked on the Community Relations Council and has been to Goldsboro, Raleigh and Wilmington. He said that in New Hanover County, the local council has enforcement authority. He said he would be giving an overall draft of his plan to Ms. Burgdorff by Thursday of this week. He said he would be talking to some other ministers.

Mr. Robinson said that the staff had not gotten far enough on the property matter to need to go into closed session.. Commissioner Savage asked for a closed session on a personnel item.

UPON MOTION by Commissioner Savage, Vice Chairman Hammond, the Board voted to go into closed session as authorized by General Statute 143-318.11(a)(6) with regard to personnel matters as cited by the County Attorney.

UPON MOTION by Vice Chairman Hammond, seconded by Commissioner James, the Board voted unanimously to return to open session.

UPON MOTION by Commissioner Savage, seconded by Commissioner James, the Board voted unanimously to adjourn the meeting at 1:40 p.m.

Respectfully submitted,

Susan J. Banks, CMC
Clerk to the Board