

September 13, 2017

The Martin County Board of Commissioners met in Regular Session on Wednesday, September 13, 2017 at 7:00 p.m. in the Martin County Governmental Center, Commissioners' Boardroom at 305 East Main Street, Williamston, North Carolina.

ASSEMBLY

Those in attendance: Chairman Elmo "Butch" Lilley, Vice Chairman Tommy Bowen, Commissioner Ronnie Smith, Commissioner Dempsey Bond, Jr., Commissioner Joe R. Ayers, County Manager David Bone, County Attorney J. Melvin Bowen, Clerk to the Board Marion B. Thompson and Finance Officer/Deputy Clerk Cindy Ange.

Chairman Lilley called the meeting to order at 7:00 p.m. Commissioner Bond led the pledge of allegiance. Vice Chairman Bowen provided the invocation.

Chairman Lilley welcomed everyone, and thanked all for his or her attendance. Chairman Lilley recognized the following appointed/elected officials: Bear Grass Mayor Charlotte Griffin, Martin County Schools Board Chairman Kenneth Harrell, Martin County Schools Board Vice Chairman Barbara Council, Martin County Schools Board Member Van Health, Martin County Schools Superintendent Chris Mansfield, Parmele Mayor Jerry McCrary and Martin County Sheriff Tim Manning. Williamston Town Administrator David Jaynes arrived later.

AGENDA APPROVAL

The Board was asked to make the following revisions to the agenda:

New Business (Revision & Additions):

- NC Connect Grant Application for Water & Sewer District II – Asset Inventory & Assessment Study
- Construction Contract Award for Martin County Transit Parking Lot improvements
- Budget Amendment(s)

Closed Session (Addition):

- Real Property Acquisition – N C G. S. §143-318.11(a)(5)

Commissioner Smith made the MOTION to approve the agenda, with the additions as presented, with a SECOND by Commissioner Bond. The motion was APPROVED unanimously.

PUBLIC COMMENTS – None

CONSENT AGENDA

Vice Chairman Bowen made the MOTION to approve the Consent Agenda, as presented, with a SECOND by Commissioner Ayers. The Board unanimously APPROVED the motion.

1. **Minutes** for August 16, 2017 Regular & Closed Sessions, August 31, 2017 Special Called Session
2. **Financial Report** for July 2017 included for informational purposes.
3. **Tax Refund Request** – August 2017
 - a. **Mr. Troy D. Moore Account # 24255**, requested a refund for a 1989 Proline boat for the years 2012-2016. After extensive research, the Tax Assessor’s Office discovered the 1989 Proline boat was titled to Mr. William Isaac Swain on July 22, 2008. As per NC G. S. § 105-381(a)(1), Martin County may refund the current year plus five (5) additional years due to an error from within the Tax Assessor’s office. The refund amount would be \$89.59, plus any interest and late list penalties for years 2012-2016. Mr. Moore asked the County to apply the refund to any current outstanding taxes due.
4. **Tax Relief Orders** – August 2017

<u>Year</u> <u>Levy</u>	<u>Lname</u>	<u>Fname</u>	<u>Reason</u>	<u>Value</u>	<u>Total</u>
2017	Bailey	Asa Curtis	Error in Value	73,650	614.98
2017	Bowen	David Eli	Out of County	11,439	99.52
2017	Bowen	H A Heirs	Error in Value	60,690	506.76
2017	Bowen	J Melvin	Error in Landfill		344.00
2017	Dakota	Financial LLC	Sold Vehicle		147.96
2017	Godard	Sylvester James	Error in Listing	36,500	302.95
2017	Gurganus	Dallas Eugene	Error in Value	800	6.64
2017	Harrison	Marcia Sawyer	Error in Landfill		172.00
2017	Jamesville	1 st Baptist Church	Error in listing		158.98
2017	Johnson	Michael	Error in Landfill		172.00
2017	Johnson	Michael	Error in Landfill		172.00
2015	Keel	Ralph Augustus Jr	Error in Listing		2.56
2017	Kent	Curtiss Evans Jr	Out of Town		152.74
2017	Lanius	John Christopher	Error in Listing	10,557	90.79
2017	Lilley	David Jay	Double Billed	1,102	9.59
2017	Lilley	David Jay	Double Billed	300	2.61
2017	Measamer	Frank A	Error in Landfill		172.00
2017	Mendenhall	Faith	Error in Landfill		172.00
2017	Peaks	Joseph Lee Jr	Error in Listing	7,517	65.39
2017	Roberson	Irma Heirs	Error in Landfill		172.00
2017	Roberson	J P Etals	Double List		155.91
2017	Speller	Larry W	Error in Listing		15.30
2016	Turner	Barbara Justice	Double List		38.75
2015	Turner	Barbara Justice	Double List		41.37
2017	Williams	Dorothy	Error in Landfill		172.00
2017	Winborn	Thelma H	Error in Landfill		172.00
	Taylor	Elbert Roy	Billing Error	1,970	17.13
	Syfan	Manufacturing Inc	Billing Error		2,277.19

	Godard	James Samuel	Billing Error		239.39
	Manning	Seth Clinton	Billing Error		10.56
				Total	6,677.07

5. Tax Collector's Report – August 2017

	Category	August	August Y-T-D
Real Property	20	\$1,192,199.41	\$1,709,640.06
Personal Property	25	<u>598,787.08</u>	<u>625,807.80</u>
Total		\$1,790,986.49	\$2,335,447.86
Motor Vehicle	30	<u>802.31</u>	<u>2,337.44</u>
Total MV		\$802.31	\$2,337.44
All Total		\$1,791,788.80	\$2,337,785.30

6. Order to Collect Taxes 2017 & 2018

NC G. S. § 105-321 states that before delivering the tax receipts to the tax collector in any year, the board of county commissioners or municipal governing body shall adopt and enter in its minutes an order directing the tax collector to collect taxes charged in the tax records and receipts. A copy of this order shall be delivered to the tax collector at the time the tax receipts are delivered to him, *but the failure to do so shall not affect the tax collector's rights and duties to employ the means of collecting taxes provided by this Subchapter.*

The Board of Commissioners approved the Order to Collect Taxes for fiscal year 2016-17 and 2017-18, as a part of the Consent Agenda.

7. Letter Supporting Dissemination of Financial Resources to Expand Office-Based Medication Assisted Treatment (MAT) for Persons with Opioid Use Disorder (OUD)

Reverend David E. Moore, of Metropolitan Community Health Services, Inc./Agape, generated a letter stating the agency's support for the increase of financial resources to expand Medication Assisted Treatment (MAT) for persons with, what has become known as, Opioid Use Disorder (OUD).

Metropolitan Community Health Services, Inc. encouraged various agencies, such as governmental and faith based organizations, to support the initiative as well.

By approving the letter as part of the Consent Agenda, the Board endorsed both the contents of the letter and the proposal to advance the Sustainable Eastern North Carolina Opioid Treatment (SENCOT) Program across 23 counties.

Reportedly, the 23 counties included in the FQHC (federally qualified health center) consortium are eastern NC counties in which FQHC clinics are located and adjoining counties in which some FQHC patients reside (i.e., Beaufort, Bladen, Brunswick, Columbus, Craven, Cumberland,

Duplin, Edgecombe, Hoke, Hyde, Johnston, Jones, Martin, Montgomery, Nash, New Hanover, Onslow, Pender, Robeson, Sampson, Scotland, Washington, and Wayne). These counties have a high prevalence of opioid-related deaths, emergency department (ED) visits due to medication/drug overdose, and opioid prescription dispensation.

8. Trillium Health Resources Fiscal Monitoring Report

The Trillium Health Resources fiscal monitoring report included all revenues and expenditures including county appropriations, for year ending June 30, 2017. Trillium persons served by county FY 16-17 has each county listed showing the county general appropriation for each, persons served by disability, and the value of direct services provided.

9. Agreement for 2017 ESFRLP-DR Rehabilitation Soft Cost Services between Martin County & McDavid Associates, Inc.

The NC Housing Finance Agency (NCHFA) approved the Post Approval Documentation for the Martin County's 2017 ESFRLP-DR program, which were approved by the Board of Commissioners July 5, 2017 meeting. McDavid Associates Inc. submitted an agreement for approval between Martin County and its agency for soft cost services associated with this grant program. The NC Housing Finance Agency sets the soft cost amounts. All fees associated with this Agreement would be paid with ESFRLP-DR funds, and no County funds would be needed for the services and obligations contained in this Agreement.

The Board of Commissioners approved the agreement (*entered into these minutes by reference title, Agreement for 2017 ESFRLP-DR Rehabilitation Soft Cost Services Between Martin County & McDavid Associates, Inc.*"), as part of the Consent Agenda.

10. Engineer Service Contract with McGill Associates

Since the start-up of the water treatment plant, the County and the Town of Williamston have received numerous complaints about water quality. Most of the complaints generally relate to color, taste, and odor.

Martin County and the Town of Williamston are committed to providing clean, safe water for the residents, and have proposed to hire an independent, third party to perform testing and analysis of the water.

McGill Associates submitted a proposal to provide the analysis, as requested. County and Town staff tweaked the language in the agreement, and a compromise was reached between all parties involved.

As part of the Consent Agenda, the Board of Commissioners approved the contract with McGill Associates (*entered into these minutes by reference title "Engineering Services Proposal Water System Assistance Town of Williamston"*) as a joint project with the Town of Williamston.

11. Board Appointments/Reappointments

a. Airport Height Restrictions Ordinance Board of Appeals

Airport Height Restrictions Ordinance Board of Appeals appointments for Board Members Gene Powell, Buck Davis, Junious Horton, and former Board Member John Gurganus would expire October 31, 2017.

The Airport Commission Board voted to recommend that the Board of Commissioners reappoint Board Members Gene Powell, Buck Davis, and Junious Horton, for the Airport Height Restrictions Ordinance Board of Appeals. The Airport Commission Board plans to make a recommendation to replace former Board Member John Gurganus at a later time. These would be three-year terms, which would expire October 21, 2020.

The Board of Commissioners approved the reappointments as part of the Consent Agenda.

b. Martin Community College Board of Trustees

Chairman Lilley suggested the appointment of Mr. Andy Griffin to complete the unexpired term of Mr. Tom Winslow, who resigned effective August 1, 2017. The term would expire June 30, 2019.

The Board of Commissioners approved the appointment, as part of the Consent Agenda.

12. Clerk Report included for informational purposes.

INTRODUCTION OF NEW EMPLOYEE (S)

Sheriff Tim Manning introduced newly hired full-time Deputy Sheriff Jordan Paniagua, as well as newly promoted staff members Chief Deputy Drew Robinson and Lieutenant Brent Council, of the Detective Division. Sheriff Manning also acknowledged Lieutenants Ryan Smith and Albert Robinson, who were not able to attend.

County Manager David Bone introduced newly appointed BMR Jail Administrator Terrence Whitehurst.

Deputy Sheriff Paniagua and Jail Administrator Whitehurst stated their gratitude for the opportunity to serve in those positions.

The Board welcome Deputy Sheriff Paniagua to the Martin County workforce family, and stated confidence in the BMR Jail Commission's selection and Jail Administrator Whitehurst's ability to lead BMR Jail.

PRESENTATIONS

NCACC 4-H Youth Summit – Martin County 4-H'er Alexandra Veverka

Martin County Cooperative Extension Director Al Cochran introduced Martin County 4-H'er, Alexandra Veverka, who attended the 2017 North Carolina Association of County Commissioners Youth Summit in Durham, NC.

Extension Director Cochran stated Martin County 4-H Agent, Susan Tyre, desired to introduce 4-H'er Veverka, and extended regards and gratitude to the County Commissioners, County Manager, and Clerk to the Board, for a wonderful NCCAC Youth Summit and for providing this opportunity to Martin County youth. Ms. Tyre was attending the North Carolina Association of Extension 4-H Agents Annual Conference, where she was to receive several awards because of "her" outstanding service.

Extension Director Cochran added Ms. Tyre also sent her congratulations to 4-H'er Veverka for working hard to prepare for the presentation and representing Martin County so well.

Having been a Martin County 4-H'er for over 5 years, during that time Ms. Veverka has volunteered numerous hours in helping with Martin County 4-H Day Camps, various activities, and represented Martin County at many District and State 4-H events. Ms. Veverka is a 3-time 4-H Presentation Competition presenter, having won the bronze and gold medals awards. In 2015 and 2016, Ms. Veverka received the Martin County 4-H Teen Leader of the Year Award. Most recently, Ms. Veverka received the highest honor a 4-H'er in North Carolina can receive, induction into the North Carolina 4-H Honor Club.

Ms. Veverka expressed thanks for the opportunity to attend and to connect with other North Carolina youth at the 2017 NCACC Youth Summit. As she gave her electronic presentation, Ms. Veverka spoke well of the knowledge gained through the leadership activities and sessions such as Real Color and Talking Budget. Ms. Veverka commented on having an interest and a better appreciation for government and the jobs County Commissioners and other government officials perform on a daily basis.

Update on Electronic Monitoring/Ankle Bracelets Program as an Alternative to Jail

In 2013, Martin County developed a conversation and relationship with Corrisoft, a firm from Louisville, KY that is a leading monitoring and support company working with pre-trial, sentenced, early release, probation and parole participants.

Satellite Tracking of People, LLC, from Houston Texas, bought-out some of Corrisoft's contracts on Aug 15, 2016. Satellite Tracking of People, LLC continues to provide tracking and monitoring services with patent pending GPS technology, a team of service sector specialists, and a 24/7 call center committed to compliance and participant assistance.

Satellite Tracking of People supplies Martin County with ankle bracelets and smart phones, used to monitor pre-trial participants including individuals with low-level felony and misdemeanor, instead of placing the individual in the jail. The utilization of this service helps control costs of operating the Bertie-Martin Regional Jail, while maintaining the public safety.

Sheriff Tim Manning explained the Electronic Offender Monitoring Program service pays for itself. The County only pays for the activated units. (There is no charge for unused units in inventory.) Participants taking advantage of this alternative are required to pay \$10 per day for the service and a \$25 initial hook-up fee in advance. The county is being charged 6.50 for the units. The additional funds generated pay for the internal administrative cost of operating the program. Any remaining funds go into an indigent fund to help provide the service for some individuals unable to pay for the service, with major medical needs.

The ankle bracelets are tamper resistant, have a battery life of 48 hours, and are waterproof up to a depth of 50 feet.

Sheriff Manning stated twenty-four (24) offenders have been a part of the program, since Martin County began the Electronic Offender Monitoring Program in November 2013. As of September 8, 2017, there are three (3) active offenders serving. From 2013 to the present, revenue amounted to over \$30,000. Expenses totaled slightly over \$28,000. The benefits gained from the program far exceed net profit.

Sheriff Manning reported there have been as many as six (6) offenders at any given time. Over that span of four years, twenty-one (21) offenders were discharged – fourteen (14) successful; two (2) unsuccessful, inability to pay fees (no other violations); three (3) unsuccessful, received new charges; one (1) unsuccessful, curfew violations and one (1) unsuccessful, tampered/removed monitor.

The County benefited in reduced medical cost from four (4) offenders that served the program, with cancer, pregnant/mental health issues, eye issues requiring multiple surgeries and dialysis.

County Manager Bone noted Medicaid would not reimburse medical expenses, for incarcerated recipients. Health costs become a County expense under these conditions.

Sheriff Manning stated EOMP program offender offenses include drugs, breaking/entering, intimidating a witness. Eight (8) offenders remain gainfully employed; two (2) offenders were able to continue educational opportunities; one (1) offender served during a hospital admission and one (1) offender was able to transport for a family emergency without deputy accompaniment. All while serving on the EOMP program.

Sheriff Manning credited the success of the EOMP program mostly to 20 hours/week Martin County Sheriff's Office part-time employee, Mark Leggett, who monitors offenders by telephone 24 hours a day, 7 days a week. The monitoring includes responding via computer to alerts and notifying deputies of any event that requires an immediate response. Some of the other duties include installation/removal of monitoring equipment, communication with offenders, adjusting offender schedules as needed, and overseeing the collection of all fees.

September NCACC Video Update

The NC Association of County Commissioners September video gave a general account of the activities that took place over the period of August 2016 through August 2017. Some of the highlights were events such as the recovery efforts to address the damage because of the massive fire in Raleigh that encompassed office buildings including the NCACC headquarters; and the devastation caused by Hurricane Matthew in several counties; as well as Opioid Forums in counties, spearhead by Davidson County Commissioner/NCACC President Fred McClure.

OLD BUSINESS

Second Reading Revised Ambulance Franchise Ordinance

Martin County has an Ambulance Service Franchise Ordinance that governs non-emergency ambulance service. The Board of Commissioners approves all ambulance service franchises in the county after receiving a positive recommendation from the Ambulance Services Advisory Council. Currently, five non-emergency ambulance service companies have franchises and provide services in Martin County. Martin County charges an application/renewal fee of \$500 and an annual fee of \$2,500 per year for an ambulance service franchise.

County Manager Bone stated the Ambulance Services Advisory Council drafted some recommendations for adjustment to the Non-Emergency Franchise Ordinance. A public hearing, duly advertised, took place on July 5, 2017. The Board voted to extend the public hearing to the August 16, 2017 meeting to allow time for further review.

Additionally, the public hearing was re-opened, and the Board received public comments and discussed the matter at the August 16, 2017 meeting. After closing the public hearing, the amended Ambulance Franchise Ordinance passed by a 3 to 2 vote. In pursuant of NC G. S. § 153A-46, a second vote would be required during a regular meeting before the amendment can take effect.

Chairman Lilley commended and thanked Dr. Steven Manning, EMS Medical Director, and the rest of the Ambulance Advisory Council for their service and leadership in this matter. Some of the other Commissioners concurred with the Chairman's comments.

Commissioner Smith stated previously, comments were made concerning the purposed changes to the Ambulance Franchise ordinance. Things brought to attention of the Ambulance Advisory Council were not included in the amended ordinance. Commissioner Smith referenced research done by others and himself, as the reason he believed the changes noted were a valid concern and should be included in the ordinance. After voicing his thoughts on the matter, Commissioner Smith stated he greatly respected the Council and encouraged the Ambulance Advisory Council to continue doing the work it has been doing for Martin County.

Commissioner Ayers made the MOTION to receive and accept the amended Ambulance Franchise Ordinance as presented below on August 16, 2017, with a SECOND by Vice Chairman Bowen. Commissioners Lilley, Bowen, Bond and Ayers voted FOR the motion. Commissioner Smith voted AGAINST the motion. The Board of Commissioners APPROVED the motion by a 4 to 1 vote, in favor of the amended version as presented.

Chapter 10 - EMERGENCY SERVICES ARTICLE I. - IN GENERAL

Secs. 10-1—10-19. - Reserved.

ARTICLE II. – AMBULANCE SERVICE FRANCHISES^[1]

Footnotes:

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State Law reference— County power to franchise ambulance services, G.S. 153A-250 et seq.

MARTIN COUNTY AMBULANCE SERVICE FRANCHISE

Sec. 10-20. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Advanced Life Support non-emergency franchise means a franchise granted to an organization with personnel trained to the advanced level of service and certified by the **state** North Carolina Office of Emergency Medical Services. This level is franchised to transport patients who are in need of a higher level of medical treatment between health care facilities or between health care facilities and home in order to prevent loss of life, further aggravation, psychological illness or injury. Franchisee may not use warning lights and audible warning devices. Franchisee must have a Medical Director approved by **the** Martin County and Advanced Life Support protocols approved by the Martin County Medical Director and the Martin County Office of Emergency Medical Services.

Ambulance means any privately or publicly owned motor vehicle, aircraft, or vessel that is specially designed, constructed, or modified and equipped, and is intended to be used for and is maintained or operated, for the transportation, on the streets or highways, waterways, or airways of this state, of persons who are sick, injured, wounded, or otherwise incapacitated or helpless.

Ambulance provider means a person who engages in the business or service of transporting patients in an ambulance.

Approved means approved by the state medical care commission pursuant to the latest rules and regulations promulgated under G.S. 1438-165.

~~*Basic life support emergency franchise* means a franchise granted to an organization with personnel trained at the emergency medical technician (EMT) level and certified by the state Office of emergency medical services. This level is franchised to transport patients between health care facilities or between health care facilities and home. If the patient becomes unstable during transport, franchisee may give patient emergency care and use warning lights and audible warning devices during transport.~~

Basic Life Support non-emergency franchise means a franchise granted to an organization with personnel trained at the Emergency Medical Technician (EMT) level and certified by the **state** North Carolina Office of Emergency Medical Services. This level is franchised to transport patients between health care facilities and home in non-emergent situations within the county. The use of warning lights and audible warning devices is not allowed.

Council means the county Ambulance Service Advisory Council.

County means the Board of Commissioners and/or EMS Administrator.

Dispatcher means a person who is available at all times to receive requests for emergency services, to dispatch emergency services and to advise local law enforcement agencies and emergency medical facilities of any existing or threatened emergency.

Driver's license means any driver's license or permit to operate a motor vehicle issued under or granted by the laws of the state.

Emergency Medical Service means a person with personnel and equipment who engages or professes to engage in the business or service of transporting patients who are sick, injured, wounded, or otherwise incapacitated or helpless, who are in need of immediate medical treatment in order to prevent loss of life, further aggravation, or psychological illness or injury and is normally dispatched on first call response.

Emergency Medical Technician (EMT) means an individual who has completed a training program in emergency medical care at least equal to the national standard training program for Emergency Medical Technicians, as defined by the United States Department of Transportation, and has been certified as an Emergency Medical Technician by the **state** North Carolina Department of Health and Human Services, Office of Emergency Medical Services.

Emergency transportation service means the use of an ambulance, its equipment, and personnel to provide medical care and transportation of a patient who is in need of immediate medical treatment between health care facilities or between health care facilities and home in order to prevent loss of life, further aggravation, or psychological illness or injury.

Franchise means a permit issued by the Martin County Office of Emergency Medical Services to a person for the operation as an ambulance provider.

Franchisee means any person having been issued a franchise by the Martin County Office of Emergency Medical Services for the operation as an ambulance provider.

Frivolous complaint means a complaint filed without valid proof of wrongdoing, not a serious complaint.

Medical Responder (MR) means an individual who has completed a training program in emergency medical care and first aid approved by the ~~state~~ North Carolina Department of Health and Human Services and has been certified as a Medical Responder by the ~~state~~ North Carolina Department of Health and Human Services, Office of Emergency Medical Services.

Non-emergency transportation service means the operation of an ambulance for any purpose other than transporting emergency patients or transporting patients between health care facilities.

Operator means a person in actual physical control of an ambulance which is in motion or which has the engine running.

Owner means any person or entity who owns an ambulance.

Patient means an individual who is sick, injured, wounded, or otherwise incapacitated or helpless such that the need for some medical assistance might be anticipated while being transported to or from a medical facility or residence.

Person means any individual, firm, partnership, association, corporation, company group of individuals acting together for a common purpose, or organization of any kind, including any governmental agency other than the United States.

Rescue means a situation where the victim cannot escape an area through the normal exit or under such victim's own power.

(Ord. No. 2005-7, § 1-100, 11-9-2005)

Sec. 10-21. - Ambulance Service Advisory Council created.

There is hereby created the county Ambulance Services Advisory Council, hereafter known as the Council, the membership of which shall be appointed by the Board of Commissioners. Terms are all ex officio. ~~except the board appointee, who shall serve a three-year term according to official policy.~~

(Ord. No. 2005-7, § 1-101, 11-9-2005)

Sec. 10-22. - Membership of Council.

Membership on the Council shall consist of:

- (1) The Emergency Department Nurse Manager of Martin General Hospital or the Manager's designee.
- (2) The county Medical Director.
- (3) The county EMS Administrator.
- (4) Rescue ~~captains~~ Chiefs from Jamesville, Williamston, Hamilton, Oak City, and Robersonville EMS Squads.

- (5) ~~Appointee selected by the board of commissioners.~~
- (6) EMS Educator/Instructor selected by the Board of Commissioners.
- (7) ~~The president of the county rescue association.~~ The County Emergency Management Director.

(Ord. No. 2005-7, § 1-102, 11-9-2005)

Sec. 10-23. - Voting rights and responsibilities of Council members.

- (a) All members of the Council shall have full and equal voting rights and responsibilities on matters to be considered by the Council.
- (b) All members have the legal responsibility to vote on all matters brought before the Council; unless excused for a specific stated conflict of interest, by ~~a majority vote of those members present.~~ a quorum consisting of greater than fifty (50) percent of the members of the Council present.
- (c) The Administrator of the county Emergency Medical Services shall serve as staff and act as chairperson until a chairperson from the membership is elected.

(Ord. No. 2005-7, § 1-103, 11-9-2005)

Sec. 10-24. - Providing advice to ~~director~~ Administrator of Emergency Services.

The Council shall have the responsibility and duty of advising the Administrator of Emergency Medical Services on matters relating to the enforcement of this article, and shall develop and recommend to the Administrator of Emergency Medical Services for approval by the Board of Commissioners such standards of care, policies, procedures, and actions which will maintain and improve the quality of emergency medical services for the residents of the county.

(Ord. No. 2005-7, § 1-104, 11-9-2005)

Sec. 10-25. - Enforcement agency.

- (a) The Martin County Office of Emergency Medical Services shall be the enforcing agency for the regulations contained in this article and shall establish policies, procedures and standards for the evaluation of franchise applications.
 - (1) Receive all applications for franchise and/or for elevated levels of service from potential providers.
 - (2) Study each application for conformance to this article.
 - (3) With the approval of the Council and the Medical Director, recommend to the Board of Commissioners the award of the franchise to the applicant if appropriate.
 - (4) Inspect the premises, vehicles, equipment, and personnel of franchisees to ensure compliance to this article and perform any other inspections that may be required.
 - (5) With approval of the Council, recommend to the Board of Commissioners the temporary or permanent suspension of a franchise in the event of non-compliance with the terms of the franchise ordinance.
 - (6) Ensure by cooperative agreement with other ambulance services the continued service in a district where an ambulance service franchise has been suspended.
 - (7) Require and receive monthly reports from ambulance providers. Ref. Sec. 10-37a.

- (8) Receive complaints from the public, other enforcing agencies, and ambulance providers regarding franchisee infractions. Review the complaint with the Council. Obtain recommended corrective action with the approval of the Council.
 - (9) With the approval of the Council, recommend improvements to the Board of Commissioners, which will ensure better medical transportation services.
 - (10) Maintain all records required by this article and other applicable county regulations.
- (b) Ensure due process as follows.
- (1) Require written complaints filed against a franchisee be submitted to the Martin County Office of Emergency Medical Services.
 - (2) At the Council hearing, both sides will have an opportunity to present their case regarding the written complaint, in writing or in person.
 - (3) The Council shall deliberate following the hearing, excluding any parties who were involved in the complaint.
 - (4) The decision of the Council regarding the written complaint shall be sent by mail to all parties within 15 days of the hearing, including procedures for appeal.
 - (5) Upon receipt of the Council's written decision, franchisee will have ~~30~~ 15 days to send a written appeal to the Board of Commissioners.
 - (6) Upon receipt of written appeal from franchisee, the Board of Commissioners shall render a decision in writing within 15 days of their monthly meeting. The decision, at their discretion, may include, but is not limited to, probation, suspension, fines, or termination.
- (c) It shall be a violation of this article for anyone to file a frivolous complaint against any franchisee or any employee or representative of a franchisee, with the intent to cause a fine, suspension, probation, or termination of any ambulance franchise.
- (d) Penalties ~~may~~ shall be imposed by the Martin County Board of Commissioners for violations of or acts of non-compliance with any of the franchise terms of this article. Penalties may be imposed and fines collected by the Martin County Office of Emergency Medical Services. Penalties are as follows:
- (1) First offense: fine of \$500.00.
 - (2) Second offense (if within one year of the first offense): fine of \$1,000.00.
 - (3) Third offense (if within one year of the second offense): ~~fine of \$2,000.00.~~ shall cause the Council to recommend to the Board of Commissioners the permanent termination of the franchise. A new application by the terminated franchisee shall not be accepted for a period of one year or a new franchise application period, whichever is greater.
 - (4) ~~Fourth offense (if within one year of the third offense): shall cause the council to recommend to the board of commissioners the permanent termination of the franchise.~~
 - (5) Penalties for any offense may include fines and suspension or probation. ~~or~~ Termination of the franchise may be imposed by the recommendation of the Council at the discretion of the Board of Commissioners.

(Ord. No. 2005-7, § 1-105, 11-9-2005)

Sec. 10-26. - Inspections.

The Martin County EMS Administrator or a designee may inspect a franchisee's records, premises, and equipment at any time in order to ensure compliance with this article and any franchise granted pursuant to this article. Inspections will be graded on a point system. (Refer to the NCOEMS Ambulance Bus Vehicle Inspection Report). A total of 30 points shall cause an ambulance unit to be suspended for a period of 24 hours from service. If a unit under suspension is found to be in service, a three month suspension of the franchised company will be enforced by the Martin County Office of EMS.

(Ord. No. 2005-7, § 1-106, 11-9-2005)

Sec. 10-27. - State permits and county franchise required.

No person either as owner, agent, or otherwise, shall furnish, operate, conduct, maintain, advertise, or otherwise be engaged in or profess to be engaged in the transportation of patients within the county, unless the person holds a valid permit for each ambulance used in such business or service issued by the ~~state~~ North Carolina Department of Health and Human Services, Office of Emergency Medical Services, and has been granted a franchise for the operation of such service by the county, pursuant to this article.

(Ord. No. 2005-7, § 1-107, 11-9-2005)

Sec. 10-28. - Exemptions from franchise requirements.

No franchise shall be required for:

- (1) Any entity rendering assistance to a franchised ambulance service in the case of a major catastrophe, mutual aid, or emergency with which the services franchised by the county are insufficient or unable to cope.
- (2) Any entity operated from a location or headquarters outside of the county, and transport to facilities located within the county, or to pick up patients within the county for transporting to locations outside of the county.
- (3) Ambulances owned and operated by an agency of the United States Government.
- (4) Vehicles owned and operated by emergency medical services or rescue squads chartered by the state as non-profit corporations and approved by the county to operate in the county as of the date of the ordinance from which this article is derived.
- (5) Any entity providing emergency transportation services within the meaning of this article that provides trauma transportation services in connection with a state-certified trauma transportation program.

(Ord. No. 2005-7, § 1-108, 11-9-2005)

Sec. 10-29. - Franchise districts.

~~Prior to accepting applications for the operation of as an ambulance provider, the board of commissioners may designate specific service areas as franchise districts. Such districts will be established using criteria that include geographic size, road access, and the location of existing medical transportation services, population, and response time. Should the board of commissioners not choose to designate specific districts the franchise shall include the entire county.~~ The franchise district shall encompass the county in its entirety.

(Ord. No. 2005-7, § 1-109, 11-9-2005)

Sec. 10-30. - Contents of franchise application.

Application for a franchise to operate ambulances in the county shall be made by the ambulance provider, as prescribed by the county. The application shall be submitted to the Martin County Office of Emergency Medical Services and shall contain:

- (1) The name and address of the ambulance provider and of the owner of the ambulances.

- (2) The trade or other fictitious names, if any, under which the applicant does business, along with a certified copy of an assumed name certificate stating such name or articles of incorporation stating such name.
- (3) A resume of the training and experience of the applicant in the transportation and care of patients.
- (4) A full description of the type and level of service to be provided including the location of the places from which it is intended to operate, the manner in which the public will be able to obtain assistance, and how the vehicles will be dispatched. ~~An annual audited financial statement of the applicant as such statement pertains to the operations in the county, shall be filed with the county within 60 days following January 1 of each year; such financial statement to be in such form and in such detail as may be required by the county.~~
- (5) A description of the applicant's capability to provide service; how many hours a day the service will be available and how many days a week the service will be available for the district covered by the franchise applied for.
- (6) Any information the Martin County Office of Emergency Medical Services shall deem reasonably necessary for a fair determination of the capability of the applicant to provide ambulance services in the county, in accordance with the requirements of state laws and the requirements of this article.
- (7) ~~The additional info required for reapplication.~~ (Removed)

(Ord. No. 2005-7, § 1-110, 11-9-2005)

Sec. 10-31. - BLS non-emergency transportation and ALS non-emergency transportation.

An applicant may apply for a franchise to operate either BLS non-emergency transportation service or ALS non-emergency transportation service, or both. If both types of service are to be provided, separate applications must be filed for each type. All applications are at the discretion of the Medical Director. The types of applications will be as follows:

- (1) Basic life support non-emergency.
- (2) Convalescent.
- (3) Advanced life support non-emergency.

(Ord. No. 2005-7, § 1-111, 11-9-2005)

Sec. 10-32. - Hearing.

Upon receipt of an application for a new franchise, the Martin County Office of Emergency Medical Services shall schedule a time and place with the Council for hearing the ~~applicant~~ application. Within 30 days after the hearing, the county shall cause such investigation as it may deem necessary to be made of the applicant and the applicant's proposed operations.

(Ord. No. 2005-7, § 1-112, 11-9-2005)

Sec. 10-33. - Franchise operator fees to county; limit on number of franchise operators.

- (a) A fee in an amount as specified by the Board of Commissioners from time to time shall accompany all original applications ~~renewal applications~~ and requests for increased level of service before consideration will be given to the application or renewal thereof. Fees are non-refundable regardless of approval. A franchise application fee in an amount as specified by the Board of Commissioners

from time to time shall be required ~~within 30 days of approval of~~ with each new application. Renewal ~~fee and~~ applications ~~is~~ are due ~~on or 60 days prior to renewal date~~ by the second Friday of April or the franchise shall terminate the last day of June and not be eligible for a new application for a period of one year. Increases in number of transport units by a franchised operator within the franchise period shall be subject to approval by the EMS Administrator and a fee in an amount as specified by the Board of Commissioners from time to time will be required per unit upon approval. Operation of a new unit without approval of the county is considered a violation of the franchise.

- (b) The Board of Commissioners reserves its right to limit the number of ambulance franchise operators in the county, and fees shall be as established from time to time. The county hereby exercises its right to limit the number of ambulance franchise operators that may operate within the county to five.

(Ord. No. 2005-7, § 1-113, 11-9-2005; Ord. No. 2013-1, § 1(1-113), 8-12-2012)

Sec. 10-34. - Appeals of franchise rejection.

Any applicant for franchise who is rejected by the Martin County Office of Emergency Medical Services shall have the right to appeal first to the Council in writing within 15 days of receiving notice and thereafter to the Board of Commissioners for final decision. The aggrieved party shall give written notice of appeal to the Board of Commissioners within 15 days from the date the decision to be appealed is received from the Council.

(Ord. No. 2005-7, § 1-114, 11-9-2005)

Sec. 10-35. - Term of franchise, renewal.

A franchise pursuant to this article shall be valid for a term of one year. Either party may terminate the franchise upon 60 days' written notice to the other party. After a notice of service termination is given, the ambulance provider may reapply for a franchise during the next year's application period as a new applicant. ~~The~~ Existing franchises may be renewed following the ~~submitting~~ submission of an application ~~and payment of a \$500.00 fee 60 days before the current term expires~~ by the second Friday of April and ~~\$2,500.00~~ \$3000.00 within 30 days of franchise approval notice.

(Ord. No. 2005-7, § 1-115, 11-9-2005)

Sec. 10-36. - Insurance.

- (a) The ambulance provider, at its sole expense, shall maintain throughout the term of the franchise, including any renewals hereof, insurance, including:
 - (1) General liability insurance in the amount of at least \$1,000,000 per occurrence, \$2 million umbrella coverage, for a combined total of \$3 million, with a combined single limit with contractual coverage endorsements;
 - (2) Vehicle liability with insurance limits covering bodily injury, death and property damage claims in the amount of at least \$1,000,000 per occurrence, \$2 million umbrella for combined coverage of \$3 million, with combined single limits;
 - (3) Professional liability, errors and omissions insurance for all personnel in the minimum amount of \$1,000,000, per occurrence, \$3 million combined coverage.
- (b) The ambulance provider shall furnish to the Martin County Office of Emergency Medical Services, prior to the issuance of the franchise and 30 days in advance of each insurance renewal date, a certificate of insurance in a form acceptable to the Martin County Office of Emergency Medical

Services, which documents that the ambulance provider has complied with the foregoing insurance requirements.

(Ord. No. 2005-7, § 1-116, 11-9-2005)

Sec. 10-37. - Records and reports.

- (a) Each franchisee shall maintain the following permanent records:
- (1) *Record of dispatch.* Showing time call was received, time ambulance dispatched, time arrived on scene, time arrived at destination, time in service. Service must be rendered within 30 minutes, except for scheduled transports.
 - (2) *Trip record.* Shall state all information required in subsection (a) (1) of this section in addition to information on a form approved by the county. The trip record shall be so designed as to provide the patient with a copy of it and may serve as a receipt for any charges paid.
 - (3) *Daily report log.* Shall be maintained for the purpose of identifying all persons transported in any given day.
 - (4) *Daily driver and attendant checklist and inspection report.* Shall list contents and description of operations for each vehicle, signed by the individual verifying vehicle operations and equipment.
- (b) Each franchisee shall comply with the electronic data reporting requirements as set forth by the ~~state~~ North Carolina Office of Emergency Medical Services.

(Ord. No. 2005-7, § 1-117, 11-9-2005)

Sec. 10-38. - Cessation of activity upon franchise termination.

- (a) Upon suspension, revocation, or termination of a franchise such franchised ambulance provider shall immediately cease operations.
- (b) Upon suspension, revocation, or termination of a driver's license ~~or attendant's certification~~ such persons shall cease to ~~drive~~ operate an ambulance or attend to the operation of an ambulance.
- (c) The franchisee shall not permit any person whose Emergency Medical Technician certification is invalid to ~~drive~~ operate an ambulance or provide medical care in conjunction with the ambulance provider.

(Ord. No. 2005-7, § 1-118, 11-9-2005)

Sec. 10-39. - Compliance with law.

Each franchised ambulance service shall comply at all times with the requirements of this article, and all applicable federal, state and local laws relating to health, sanitation, safety, equipment, and ambulance design per federal standards.

(Ord. No. 2005-7, § 1-119, 11-9-2005)

Sec. 10-40. - Change of ownership.

- (a) Prior approval of the Martin County Office of Emergency Medical Services shall be required where ownership, control, or right of control of more than ten percent of the franchise is to be acquired by a person or group of persons acting in concert, none of whom own or control ten percent or more of such right of control, singularly or collectively, at the date of the franchise. By its acceptance of the franchise, the franchisee specifically agrees that any such acquisition occurring without prior

approval of the Martin County Office of Emergency Medical Services shall constitute a violation of the franchise by the franchisee and shall be cause for penalties at the option of the Council and/or the Board of Commissioners.

- (b) Any change of ownership of a franchised ambulance service without the approval of the Martin County Office of Emergency Medical Services shall terminate the franchise. A new application and fee shall be as upon original franchising.
- (c) No franchise may be sold, assigned, mortgaged, or otherwise transferred without the approval of the Martin County Office of Emergency Medical Services. Each franchised ambulance provider, its equipment, and the premises designated in the application, and all records relating to its maintenance and operation, as such, shall be open to inspection by the state, the county, or their designated representatives at all reasonable times.
- (d) A franchise document may not be defaced, removed, or obliterated except by an authorized person.

(Ord. No. 2005-7, § 1-120, 11-9-2005)

Sec. 10-41. - Certificate required for Medical Responders, Emergency Medical Technicians, and Paramedics.

No person shall drive an ambulance, attend a patient in an ambulance, or permit an ambulance to be operated when transporting a patient within ~~the~~ Martin County unless such person holds a currently valid certificate as a Medical Responder, Emergency Medical Technician, ~~EMT-D~~, ~~Advanced-EMT~~ Intermediate, , or ~~EMT-Paramedic~~ issued by the ~~state~~ North Carolina Department of Health and Human Services, Office of Emergency Medical Services, in accordance with G.S. chapter 131E, article 7, as amended from time to time.

(Ord. No. 2005-7, § 1-121, 11-9-2005)

Sec. 10-42. - Standards for Ambulance Operators ~~drivers and attendants~~.

Standards for operators ~~drivers and attendants~~, as developed by the ~~state~~ North Carolina Medical Care Commission as requirements for certification of ~~ambulance attendants~~ Medical Responders, Emergency Medical Technicians, ~~Advanced~~ Intermediate Emergency Medical Technicians, and Paramedics in accordance with G.S. chapter 131E, article 7, and G.S. chapter 143, article 56, and shall be applied, and such standards are incorporated in this article by reference.

(Ord. No. 2005-7, § 1-122, 11-9-2005)

Sec. 10-43. - Standards for vehicles and equipment.

Vehicle and equipment standards, as developed by the ~~state~~ North Carolina Medical Care Commission, pursuant to G.S. chapter 131E, article 7, and G.S. chapter 143, article 56, shall be applied, and such standards are incorporated in this article by reference.

(Ord. No. 2005-7, § 1-123, 11-9-2005)

Sec. 10-44. - Standards for communications.

- (a) Each ambulance vehicle shall be equipped with an operational two-way radio capable of establishing good quality voice communications from within the geographic confines of the county to each hospital Emergency Department in the county in which the ambulance is based. Each ambulance vehicle shall be equipped with two-way radio communications capabilities compatible

with all hospital emergency departments to which transportation of patients is made on a regular or routine basis anywhere within ~~the state~~ North Carolina. Each ambulance vehicle shall be equipped with an operational two-way radio capable of establishing good quality voice communications from within the geographic confines of the county with the ambulance-dispatching agency within the county. Cellular phones may be used in lieu of radios between dispatch and transport units.

- (b) ~~Each~~ Each Ambulance Provider shall maintain current authorization or Federal Communication Commission licenses for all frequencies and radio transmitters operated by that provider. Copies of all authorizations and licenses shall be on display and available for inspection per the Federal Communication Commission's rules and regulations.
- (c) Each base of operations must have at least one open telephone line. Telephone numbers must be registered with each law enforcement agency and E-911 communications center in ~~the~~ Martin County.

(Ord. No. 2005-7, § 1-124, 11-9-2005)

~~Sec. 10-45. — Rates and charges for customers.~~

- ~~(a) — Each franchisee shall submit a schedule of rates to the county office of emergency medical services for approval and shall not charge more than the approved rates without specific approval.~~
- ~~(b) — On non-emergency calls, or calls where a person requires transportation to a non-emergency facility, collection for service (payment) can be made before the ambulance begins the trip.~~

~~(Ord. No. 2005-7, § 1-125, 11-9-2005)~~

Sec. 10-~~46~~45. - Grandfather provisions.

Any entity providing ambulance services within ~~the~~ Martin County on the effective date of the ordinance from which this article is derived may continue to provide that same service following the new effective date of the ordinance from which this article is derived, provided that such entity continues to demonstrate their compliance with G.S. 131E-155 et seq. (formerly, chapter 130, article 26), ~~submission of the annual fee within 60 days of the effective date of the ordinance from which this article is derived and the county's annual renewal of franchise. The renewal date of each grandfathered franchise shall be the anniversary date of the ordinance from which this article is derived.~~ and conformity to the rules set forth by the franchise.

(Ord. No. 2005-7, § 1-126, 11-9-2005)

READ AND APPROVED by a vote of 3 FOR and 2 AGAINST on August 16, 2017.

READ AND APPROVED by a vote of 4 FOR and 1 AGAINST on September 13, 2017.

Elmo “Butch” Lilley, Chairman
Martin County Board of Commissioners

Attest:

Marion B. Thompson, NCCCC, Clerk to the Board

NEW BUSINESS

School Board Offer to Sale to Martin County Former Williamston Middle School

County Manager Bone stated the Martin County Board of Education had determined that the former Williamston Middle School property/facility was no longer necessary or desirable. The Board of Education directed Superintendent Chris Mansfield at its August 7, 2017 meeting to send a letter to the Board of Commissioners to ask if the County would be willing to assume ownership of the former Williamston Middle School. The physical address of the property is 600 N. Smithwick Street, Williamston, NC 27892.

In the letter, Superintendent Mansfield stated the property encompasses approximately 8 acres and is comprised of four (4) buildings; a 1929 building of approximately 20,750 square feet, a 1948-50 building of approximately 14,646 square feet, a 1950 building of approximately 15,172 square feet, and a gymnasium constructed in 1956 containing approximately 16,569 square feet.

County Manager Bone added the disposition of school property is governed by NC General Statute § 115C-518. Part of this statute states:

“...Provided, when any real property to which the board holds title is no longer suitable or necessary for public school purposes, the board of county commissioners for the county in which the property is located shall be afforded the first opportunity to obtain the property. The board of education shall offer the property to the board of commissioners at a fair market price or at a price negotiated between the two boards. If the board of commissioners does not choose to obtain the property as offered, the board of education may dispose of such property according to the procedure as herein provided...”

County Manager Bone stated Dr. Mansfield was uncertain of the “fair market value” of the property. However, in January 2015, the appraised value of the former Williamston Middle School property was \$360,000.

Commissioner Smith made the MOTION to accept the offer to purchase the former Williamston Middle School property at a fair market price or at a price negotiated between the two Boards, with a SECOND by Commissioner Bond. The Board APPROVED the motion unanimously.

County Manager Bone, Superintendent Mansfield and Attorneys for both Boards were to work out the details in a timely manner and present to each board for consideration.

School Board Offer to Sale to Martin County Former West Martin School

County Manager Bone stated in pursuant of NC G. S. § 115C-518, the Board of Education directed Superintendent Chris Mansfield on September 5, 2017 to send a letter to the Board of Commissioners to ask if the County would be willing to assume ownership of West Martin High School. Currently, the West Martin Alumni Association is leasing the property for use as a community center. The physical address of the property is 400 South NC Highway 125, Oak City, NC 27857.

The property encompasses approximately 7.59 acres and is comprised of three (3) buildings; the 1951 building of approximately 20,439 square feet, a 1957 building of approximately 13,913 square feet, a 1969 cafeteria building of approximately 4,635 square feet.

The discussions held at the August 16, 2017 Board of Commissioners' meeting stemmed from previous Martin County School Board discussions regarding proper permitting and repairs of the septic system at West Martin.

County Manager Bone stated Dr. Mansfield was uncertain of the "fair market value" of the property. However, in January 2015, the appraised value of the former West Martin High School property was \$125,000.

The West Martin Community Center, the focus for events in the western part of the county, has been and continues to be the place to hold all kinds of monumental events. The Center benefits not only the Oak City area, but also the Hassell and Hamilton areas.

Commissioner Smith made the MOTION to accept the offer to purchase the former West Martin High School property at a fair market price or at a price negotiated between the two Boards, with a SECOND by Commissioner Ayers. The Board APPROVED the motion unanimously.

County Manager Bone, Superintendent Mansfield and Attorneys for both Boards were to work out the details in a timely manner, and present to each board for consideration.

Resolution Supporting Allowing Over-Width Farm Equipment on Controlled Access Highway I-87

During the August 16, 2017 Board of Commissioners' meeting, Chairman Lilley suggested the removal from the Clerk's Report a resolution adopted by Chowan County entitled "Resolution Supporting Allowing Over-Width Farm Equipment on Controlled Access Highway I-87" for consideration at the September 13, 2017 Board of Commissioners' meeting.

Vice Chairman Bowen made the MOTION to approve the Resolution Supporting Allowing Over-Width Farm Equipment on Controlled Access Highway I-87, as presented below, with a SECOND by Commissioner Ayers. The Board APPROVED the motion unanimously.

Staff would solicit support in this initiative by sending this resolution to federal and state governmental officials, as well as local highway officials.

RESOLUTION TO ALLOW OVER-WIDTH FARM EQUIPMENT TO BE SAFELY DRIVEN ON CONTROLLED ACCESS HIGHWAYS INCLUDING US 17 (FUTURE I-87)

Whereas, the American Association of State and Transportation Officials has approved designing the corridor in northeastern North Carolina as I-87 once completed to interstate standards, and

Whereas, the future I-87 will run along the current US 17/64 Corridor through Northeast North Carolina and Martin County, and;

Whereas, the impact of agriculture in North East North Carolina totals over \$1,786,000,000 in the counties of Bertie, Camden, Chowan, Currituck, Dare, Gates, Hertford, Martin, Northampton, Pasquotank, Perquimans, Tyrrell and Washington Counties, and;

Whereas, the economic impact of agriculture in the Counties that boarder US 17 (future I-87) totals \$968,000,000 for Bertie, Chowan, Martin, Pasquotank and Perquimans Counties, and;

Whereas, in 2012, the General Assembly of North Carolina passed Senate Bill 749 (Session Law 2012-78) and this bill allowed farm equipment to be on limited access highways with NC DOT authorization, and;

Whereas, prohibition of farm equipment on controlled access highways would place an unforeseen hardship on farmers who need to move equipment from one farm to another, and;

Whereas, farmers are running out of viable options to move over width equipment, and;

Whereas, restrictions would lead to an increase of farm equipment on US 17 Business traffic through the Town of Williamston, and;

Whereas, restricted use of the US 17 (Future I-87) bridge for oversized farm equipment eliminates the only viable option for crossing the Roanoke River, and;

Whereas, US 17 (Future I-87) allows such equipment to be safely moved through our county in the safest manner possible without increased safety concerns to county citizens, and;

Whereas, farm organizations in the state have worked with the N. C. Department of Agriculture to develop language that allows farmers to drive their equipment on controlled access highways in the safest manner possible.

NOW, THEREFORE BE IT RESOLVED, that the Martin County Board of Commissioners hereby encourages our North Carolina Congressional Delegation to allow over width farm equipment to be safely driven on fully controlled access highways.

Approved this _____ day of _____, 2017.

Elmo "Butch" Lilley, Chairman

Marion B. Thompson, NCCCC
Clerk to the Board

New Road Name Request for a Road Off the End of Knox Lane

For the purposes of the road name request, a road or roadway is "a public or private one-way or multiple-lane route that is used for ingress or egress or route of transportation between specific points and/or areas".

County Manager Bone stated Martin County approved an ordinance on July 12, 2006 to assist the efforts of the E-911 emergency response team in serving Martin County citizens most effectively in an emergency. The Martin County Road Naming and Addressing Ordinance allows the Tax Assessor's Office to request an approval of a new road name when there are 3 or more residences that use the same ingress/egress to their occupied dwelling.

Tax Assessor Elisha Hardison explained Taxpayer Barbara Knox requested the assigning of a new road name to the passageway that she owns. Three (3) residents reside down a dirt passageway that abuts the end of Knox Lane. As per the Martin County Road Naming and Addressing Ordinance, this passageway meets the requirements to be assigned an official name.

Ms. Knox owns more than 51% of the land for the passageway, and submitted suggested names for the new road as requested. Included was a map of the area of interest. The Tax Assessor's Office obtained all the necessary signatures the ordinance required from local officials (E-911 Committee Chairman, the area Fire Chief and the area Emergency Medical Squad Captain), prior to submittal to the Board of Commissioners.

Of all the road names suggested for the passageway, Tax Assessor Elisha Hardison, along E-911 Committee Chairman Jason Steward, Bear Grass Fire Chief Gregory Harrison and Emergency Medical Squad Captain James B. Peele, recommended the new assigned road name should be "Rogers Lane", since there are no other "Rogers Lane" located or named in Martin County.

Vice Chairman Bowen made the MOTION to approve naming the road "Rogers Lane, Williamston, NC 27892", with a SECOND by Commissioner Ayers. The Board APPROVED the motion unanimously.

Amendment to Airport Commission By-laws

The Martin County Airport is a public use, general aviation service Airport, owned and operated by Martin County. The County is charged with the safe and efficient operation of the Airport. The daily management of the Airport is under the direction of the Airport Manager, Jesse Council of Juliet-Charlie Aviation.

County Manager Bone stated the Martin County Airport Commission serves as an advisory board to the Board of Commissioners in regards to the Martin County Airport. The Airport Commission works with the County's Airport consultant, W. K. Dickson, to assess the capital needs of the airport and help plan capital improvements. The Airport Commission also works with the Airport Manager and makes recommendations concerning the operations of the Martin County Airport. Furthermore, the Airport Commission helps to promote the airport, aviation (in general), and the connection between multimodal transportation infrastructure and economic development.

Additionally, in recent years, individual members of the Airport Commission have also been heavily involved in the Martin County Wright Flight Program. The Martin County Wright Flight Program uses the Wright brothers' example of setting goals and achieving those goals through hard work and discipline as a model for today's children. The Martin County Wright Flight Program partners with the Martin County Board of Education to provide its program to all 5th graders in Martin County Schools.

Several individuals had shown an interest in serving on the Airport Commission. The Martin County Airport Commission sought approval from the Board of Commissioners to amend its by-laws and to expand its membership.

County Manager Bone explained the Airport Commission Board, during its August 15, 2017 Regular Meeting, voted to recommend that the Board of Commissioners approve the following revisions to the By-laws.

- Increase the membership to a maximum of (9) members and a minimum of seven (7) members; and
- Change the required quorum to a simple majority.

Commissioner Ayers made the MOTION to approve the amended Airport Commission By-laws (*entered into these minutes by title reference and dated "By-laws of the Martin County Airport Commission, adopted September 13, 2017"*) as presented, with a SECOND by Commissioner Smith. The Board APPROVED the motion unanimously.

Board of Elections Request to Increase Board Member Compensation

County Manager Bone stated on February 20, 2017, the Martin County Board of Elections voted to increase Board Member pay to \$50 per meeting (up from \$40 per meeting) at the start of the 2017-2018 Fiscal Year.

The Martin County Board of Elections asked that the Martin County Board of Commissioners approve the Board Member pay increase with an effective date of July 1, 2017, in pursuant of NC G. S. §163-32.

Commissioner Smith made the MOTION to approve the Board of Elections request to increase Board Member pay to \$50 per meeting (up from \$40 per meeting), effective date of July 1, 2017, with a SECOND by Commissioner Bond. The Board APPROVED the motion unanimously.

Grant Agreement for Airport Parallel Taxiway Preliminary Design – NC DOT- Division of Aviation

County Manager Bone reiterated that on June 14, 2017, the Board of Commissioners approved the Transportation Improvement Plan (TIP) for Martin County Airport. The changes from the 2016-21 TIP to the draft FY 2017-22 TIP included, among other things, the addition of the Parallel Taxiway Preliminary Design, as the next capital project at the Martin County Airport. By having this Parallel Taxiway design completed, it would provide Martin County more flexibility to proceed with possible funding streams that require shovel-ready projects.

The Parallel Taxiway project would provide the airport with a full-length parallel taxiway by extending the existing taxiway from the apron/terminal area to the Runway 21 end. The project would increase safety for users of the airport. This Airport project was also included on the Airport Layout Plan (ALP).

County Manager Bone added the Preliminary Design phase scope of services included a site survey, geotechnical investigation, a wetland delineation, and coordination to complete a Jurisdictional Determination of any wetlands or Waters of the US present within the project area. The wetland delineation and Jurisdictional Determination would also include the adjacent land proposed as the location for the upcoming Automated Weather Observation System (AWOS) site preparation project. Final Design services were to follow in a separate work authorization.

Remaining 2015 Vision 100 funds would finance the Parallel Taxiway Preliminary Design project. Vision 100 funds, federal funds administered by the state, are the primary funding sources for airport improvement projects nationwide.

County Manager Bone stated the Division of Aviation completed an Independent Fee Analysis (IFA) of the W. K. Dickson (the County's Airport consultant) proposal for this work in June and approved the fee proposal. In July, the Board of Commissioners approved a work authorization with W. K. Dickson. The Division of Aviation approved the County's Request for Aid application. Approval of the grant agreement, as well as the resolution, would be the next step needed to keep this project moving forward.

Commissioner Ayers made the MOTION to approve the NCDOT-Division of Aviation grant agreement (*entered into these minutes by title reference and project number "State Aid to Airports Block Grant Between the N. C. Department of Transportation, an Agency of the State of North Carolina & Martin County Project#36237.33.16.1"*) and resolution (shown below) for the Parallel Taxiway Preliminary Design project. Commissioner Smith SECONDED the motion. The Board APPROVED the motion unanimously.

RESOLUTION

A motion was made by Commissioner Joe Ayers and seconded by Commissioner Ronnie Smith
(Name and Title) Name and Title)

for the adoption of the following resolution, and upon being put to a vote was duly accepted:

WHEREAS, a Grant in the amount of \$37,540 has been approved by the Department based on total estimated cost of \$37,540; and

WHEREAS, an amount equal to or greater than zero percent (0%) of the total estimated project cost has been appropriated by the Sponsor for this Project.

NOW THEREFORE, BE AND IT IS RESOLVED THAT THE County Manager of the Sponsor
(Title)

be and he hereby is authorized and empowered to enter into a Grant Agreement

with the Department, thereby binding the Sponsor to the fulfillment of its obligation incurred under this Grant Agreement or any mutually agreed upon modification thereof.

NC Connect Grant Application for WSD #2 – Asset Inventory & Assessment Study

County Manager Bone recalled in August 2014, the Board of Commissioners approved a Technical Assistance Grant (TAG) grant application through the NC DENR Division of Water Infrastructure (DWI) for the former Town of Bear Grass system in Water and Sewer District (WSD)#2. Unfortunately, this grant application was not funded.

In September of 2016, Martin County submitted a grant application for an Asset Inventory and Assessment Study for WSD #2. The round of grants was extremely competitive, and the grant application was not funded.

Martin County proposed to re-submit a grant application for an Asset Inventory and Assessment Study for WSD #2. If funded, at the completion of the project, the County anticipated having updated system maps detailing the system's components and conditions and an Asset Management and Operation System software to allow the County to access and update the data remotely.

County Manager Bone continued to say that the County has significant need to complete a Preliminary Engineering Report (PER) to evaluate the condition of the existing water system (built in the 1980's) in the Town of Bear Grass. The maintenance of the system is challenging because there are limited operable valves, limited mapping data, many valves paved over; and water line breaks frequently.

The PER would provide preliminary mapping of the system, identify the number and location of working valves, and identify current system deficiencies. In addition to the PER, GIS mapping and surveying services would be utilized to develop preliminary mapping of the water system to include an inventory of valves, fire hydrants, blow-offs, meters, etc. The GIS mapping would organize the system by water line sizes and pipe materials to aid in future planning of the system.

The estimated cost of the project would be \$150,000. The application would be for 100% grant.

Adoption of the following resolution was a necessary component in the application process.

Vice Chairman Bowen made the MOTION to approve the resolution for the Asset Inventory and Assessment study Application for Water & Sewer District #2/Bear Grass area, with a SECOND by Commissioner Smith. The Board APPROVED the motion unanimously.

RESOLUTION BY GOVERNING BODY OF APPLICANT

WHEREAS, The Federal Clean Water Act Amendments of 1987 and the North Carolina Water Infrastructure Act of 2005 (NCGS 159G) have authorized the making of loans and grants to aid eligible units of government in financing the cost of Asset Inventory and Assessment projects for water and sewer systems, and

WHEREAS, Martin County has need for and intends to develop an asset management plan for its water system described as the Martin County Water Asset Management Plan, and

WHEREAS, Martin County intends to request state grant assistance for the project,

NOW THEREFORE BE IT RESOLVED, BY THE BOARD OF COMMISSIONERS FOR MARTIN COUNTY

That Martin County, the Applicant, will arrange financing for all remaining costs of the project, including matching funds, if approved for a State grant award.

That David Bone, County Manager, the Authorized Official, and successors so titled, is hereby authorized to execute and file an application on behalf of the

Applicant with the State of North Carolina for a grant to aid in the development of the project described above.

That the Authorized Official, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project: to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

That the Applicant has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto.

Adopted this the ____ day of September, 2017 at the Martin County Board of Commissioners Meeting in Williamston, North Carolina.

(Signature of Chief Executive Officer)

David Bone, County Manager

(Name and Title)

Construction Contract Award (Fence/Gate) – Transit Parking Lot Improvements

Martin County Transit (MCT) receives outside funding from multiple sources; the Community Transportation Program (CTP), Rural Operating Assistance Program (ROAP), and Medicaid Transportation. Customer fares and county funding also help sustain Martin County Transit financially.

County Manager Bone commented in Martin County's CTP/Section 5311 grant application for 2016-17, Martin County including a funding request in the Capital Budget for the development and paving of a parking lot for MCT vehicles next to the County-owned building on Ray Street.

This would be a secured parking lot for twenty public transit vehicles, as well as for employee parking. The parking lot would be a locked, fenced-in development with security cameras and lighting. This would make MCT vehicles and employees more secure against thief, vandalism, or terrorist threats.

In Martin County's CTP/Section 5311 grant application for 2017-18, Martin County also applied for funds to renovate the Ray Street building.

In June 2017, the Board of Commissioners approved and awarded the low bid of \$48,575 for the site work/paving contract to B. E. Singleton & Sons.

On behalf of Martin County, The Wooten Company requested bids for the fence/gate portion of the project. Out of the bids solicited, only one bidder replied, Pamlico Fence Company. The NC DOT reviewed the matter and approved the bid totaling \$18,784 from Pamlico Fence Company.

Commissioner Bond made the MOTION to approve and award the bid proposal from Pamlico Fence Company for \$18,784 (fence/gate), with a SECOND by Vice Chairman Bowen. The Board APPROVED the motion unanimously.

Budget Amendment(s)

Budget Amendment #5

Finance Director Cindy Ange explained Martin County and the Town of Williamston have received numerous complaints about water quality, since the start-up of the water treatment plant. Most of the complaints generally relate to color, taste, and odor.

Martin County and the Town of Williamston are committed to providing clean, safe water for the residents, and have proposed to hire an independent, third party agency to perform the testing and analysis of the water.

McGill Associates submitted a proposal to provide analysis for a total of \$24,900. A third party testing laboratory would provide the testing and the price was estimated at a not-to-exceed amount of \$26,000. The County and the Town of Williamston agreed to split these fees.

The County budgeted \$10,000 in the 2017-2018 budget. Budget Amendment #5 would provide the additional \$15,450.

BUDGET ORDINANCE AMENDMENT-5

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, 2018.

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

	Increase	Decrease
Economic & Physical Development		
Water	\$ 15,450	

This will result in an increase of \$15,450 in the expenditures of the General Fund. To provide an increase in the revenues for the above, the following revenues will be changed.

Fund Balance Appropriation	\$ 15,450
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Section 2. Copies of this budget amendment shall be furnished to the Clerk to the Governing Board and to the Finance Officer for their direction.

MOTION by Commissioner Smith and SECONDED by Commissioner Bond to adopt the above budget ordinance amendment this 16th day of August 2017. The motion was APPROVED unanimously.

Budget Amendment #6

Finance Director Ange stated the parallel taxiway preliminary design project was being funded by remaining funds from the 2015 Vision 100 funds. Budget Amendment #6 would move the excess budget from Project # 33.14.1 (Land Acquisition) to Project # 33.16.1 (Design Project).

BUDGET ORDINANCE AMENDMENT- 6

BE IT ORDAINED by the Board of Commissioners of Martin County, North Carolina, that the following amendments be made to the Airport Project ordinance for the fiscal year ending June 30, 2018.

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

	Increase	Decrease
Transportation		
Vision 100 33.16.1	\$ 42,804	
Vision 100 33.14.1		\$42,804

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 Commissioner Ayers and SECONDED by Vice Chairman Bowen to adopt the above budget ordinance amendment this 13th day of September 2017. The motion was APPROVED unanimously.

Budget Amendment #7

Finance Director Ange stated the Martin County Council of Aging (a local nonprofit that supports the Adult and Aging Services Department) was fully funding an approximate 1,200 square foot addition to the Williamston Senior Center facility. No tax dollars would be used in the construction. A.R. Chesson Co. was managing the project under the Construction-Manager-At-Risk building methodology, with a not-to-exceed price of \$125,000.

The building extension will allow the department to accommodate its rapidly growing senior clientele and would be used as a multi-purpose room for exercise and education classes, meetings, movies, and more.

A ground breaking ceremony was held on August 28, 2017, and construction should be completed in a few months.

BUDGET ORDINANCE AMENDMENT-7

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, 2018.

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

	Increase	Decrease
General Government		
Public Buildings	\$ 125,000	

This will result in an increase of \$125,000 in the expenditures of the General Fund. To provide an increase in the revenues for the above, the following revenues will be changed.

Council of Aging Contribution	\$ 125,000
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Section 2. Copies of this budget amendment shall be furnished to the Clerk to the Governing Board and to the Finance Officer for their direction.

MOTION by Commissioner Smith and SECONDED by Vice Chairman Bowen to adopt the above budget ordinance amendment this 16th day of August 2017. The motion was APPROVED unanimously.

Budget Amendment #8 & #9

Finance Director Ange recalled on April 19, 2017, Governor Roy Cooper announced that Weitron, Inc., a packager and distributor of refrigerant gases, selected Martin County for a new production facility. Originally, the company planned to invest at least Twelve Million Eight Hundred Thousand Dollars (\$12,800,000) over the next three years in a plant in the Martin County Regional Business Park in Everetts.

On May 10, 2017, the Board of Commissioners approved economic development incentives to Weitron, Inc., in pursuant of NC G.S. § 158-7. The County also agreed to sell the shell building located in the Industrial Park located in Everetts, NC for the sum of \$1,900,000, and the land attached, which was valued \$155,925, would be a gift.

The County also agreed to grant Weitron, Inc. an Option for an additional 8.79-acre tract of land immediately to the North of the shell building property. Weitron decided to move forward with an immediate 66,000 square foot expansion of the existing shell building for warehousing and production space. In August 2017, Weitron requested to execute this option, and this option was approved at the August 16, 2017 Board of Commissioners meeting.

These significant investments would allow Weitron, Inc. to create and maintain in Martin County positions for at least 31 new full-time persons. The average wage for those positions would be approximately \$32,839 per year, which is higher than the County's average wage.

Weitron would need rail access for this facility, and Martin County pursued multiple funding sources to assist with a rail extension project. Creative Rail Solutions, the design engineer selected for the rail project, would design this extension.

In preparation for the rail project, some existing utility lines not, in use, need abandoning. The County requested multiple bids for this work, and received two bids. Lakeside Utilities, Inc. provided the low bid of \$31,200 for this work.

BUDGET ORDINANCE AMENDMENT-8

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, 2018.

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

	Increase	Decrease
Economic Development		
Rail Extension Project	\$31,200	

This will result in an increase of \$31,200 in the expenditures of the Business Park Fund. To provide an increase in the revenues for the above, the following revenues will be changed.

Transfer from the General Fund	\$31,200
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Section 2. Copies of this budget amendment shall be furnished to the Clerk to the Governing Board and to the Finance Officer for their direction.

MOTION by Vice Chairman Bowen and SECONDED by Commissioner Bond to adopt the above budget ordinance amendment this 13th day of September 2017.

BUDGET ORDINANCE AMENDMENT-9

BE IT ORDAINED by the Board of Commissioners of Martin County, North Carolina, that the following amendments be made to the annual budget ordinance for the fiscal year ending June 30, 2018.

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

	Increase	Decrease
Transfers		
Business Park Fund	\$31,200	

This will result in an increase of \$31,200 in the expenditures of the General Fund. To provide an increase in the revenues for the above, the following revenues will be changed.

Fund Balance Appropriation	\$31,200
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Section 2. Copies of this budget amendment shall be furnished to the Clerk to the Governing Board and to the Finance Officer for their direction.

MOTION by Vice Chairman Bowen and SECONDED by Commissioner Bond to adopt the above budget ordinance amendment this 13th day of September 2017.

BOARD REPORTS / COMMISSIONERS' COMMENTS – None

CLOSED SESSION – NC G.S. §143-318.11(a)(5) Real Property Acquisition

Around 8:16 p.m., Vice Chairman Bowen made the MOTION to enter Closed Session in pursuant of NC G.S. §143-318.11(a)(5) Real Property Acquisition, with a SECOND by Commissioner Bond. The motion was APPROVED unanimously.

Around 8:24 p.m., Vice Chairman Bowen made the MOTION to end Closed Session in pursuant of NC G.S. §143-318.11(a)(5) Real Property Acquisition with a SECOND by Commissioner Bond. The motion was APPROVED unanimously.

OPEN SESSION

No action was taken in open session regarding the Closed Session.

ADJOURNMENT

With no further business to discuss, Vice Chairman Bowen made the MOTION to adjourn at 8:25 p.m., with a SECOND by Commissioner Smith. The motion was unanimously APPROVED.

The Martin County Board of Commissioners' next regular meeting was scheduled for Wednesday, October 11, 2017 at 7:00 p.m. in the Commissioners' Board Room of the Martin County Governmental Center, 305 East Main Street, Williamston, North Carolina.

Elmo "Butch" Lilley, Chairman

Marion B. Thompson, NCCCC
Clerk to the Board