

NORTH CAROLINA GENERAL ASSEMBLY  
1981 SESSION

CHAPTER 269  
HOUSE BILL 541

AN ACT TO ALLOW BERTIE AND MARTIN COUNTIES TO OPERATE A  
REGIONAL JAIL.

The General Assembly of North Carolina enacts:

**Section 1.** When two or more units of local government have entered into an agreement to construct, finance and operate a regional or district confinement facility or jail under G.S. 153A-219, the respective governing bodies of the participating units of local government shall levy sufficient taxes, or issue general obligation bonds or notes, to carry out the terms of the agreement.

The jailer or custodial personnel of the regional or district confinement facility shall have the authority of a law enforcement officer for the purpose of receiving and keeping custody of prisoners received from the participating units of local government. Law enforcement officers of the participating units of government may transport prisoners to and from the local confinement facility and each unit shall be responsible for the transportation of its prisoners.

The governing bodies shall create a Regional Jail Commission composed of six members. The governing body of each participating unit shall appoint three members who shall be qualified voters of that unit. The term of office shall be two years. One member from each participating unit shall be a member of the governing body of that unit who shall be deemed to serve in an ex officio capacity to his public office and whose term of office on the commission shall terminate with his term of office on the governing body or upon expiration of the term of appointment, whichever event first occurs. Vacancies occurring for any cause shall be filled by appointment of the governing body which made the original appointment in which the vacancy occurs.

The Regional Jail Commission shall be the administrative authority of the confinement facility, and shall adopt rules and regulations for the operation of the facility. The commission shall have the following powers:

- (1) within the limits of funds made available to it, and when authorized by the governing bodies of the local units, to enter into contracts in the name of the respective units for the construction and operation of the confinement facilities;
- (2) to employ personnel necessary to carry out its work;
- (3) to accept, receive and disburse in furtherance of its functions any funds, grants and services made available by the State or federal governments and their agencies, any municipality or county, and by private sources. All fiscal procedures shall be in accordance with the laws applicable to the participating units, and the commission

shall prepare each year a report of its activities including a financial statement, and distribute the report to each participating unit.

The commission shall organize by electing a chairman and vice-chairman from its six members. The commission shall designate the finance officer of one of the participating units who shall serve as secretary-treasurer of the commission, who shall attend the meetings of the commission, but who shall not have a vote in the acts and decisions of the commission; and this designation shall rotate among the finance officers of all the participating units from time to time as the commission shall determine. Each officer of the commission shall be elected or designated for a term of two years, or until expiration of his term of office on the commission, whichever event first occurs. Vacancies in any office of the commission shall be filled by the commission. The commission shall hold one regular meeting each month. Special meetings shall be held at the request of the chairman or any two members and with notice to all other members and to the secretary-treasurer. The administration of the budget, keeping of books and records, management of all moneys belonging to the Regional Jail Commission, the writing of checks, the payment of all bills, the payment of salaries to all employees, and the withholding and remitting and reporting of social security, U. S. and N. C. income taxes, retirement, and the payment of worker's compensation insurance shall be done and administered for the commission by the finance officer of one of the participating units who shall have been designated by the commission as its secretary-treasurer. The participating unit whose finance officer shall serve as secretary-treasurer of the Regional Jail Commission will not charge the other participating units for those services. The budget and financial control and revenues, debts and expenditures of the commission shall be in accordance with the Local Government Budget and Fiscal Control Act and within the management controls of the participating unit which shall administer the budget. The finance officer of the participating unit by which the budget shall be administered is authorized to make and execute line item transfers in amounts not in excess of two hundred fifty dollars (\$250.00) without approval of the Regional Jail Commission. The books, records, accounts and transactions of the Regional Jail Commission shall be audited annually by the certified public accountants or public accountants approved by the North Carolina Local Government Commission regularly employed by the participating unit whose finance officer shall serve as secretary-treasurer of the commission. The Regional Jail Commission shall pay the costs of that audit and the same shall be included in the annual budget for the commission.

The commission shall perform the duties and functions relating to the confinement facility which the governing bodies of the participating units by joint resolution direct. Members of the commission shall receive the compensation set by joint resolution of the governing bodies of the participating units. The amount of financial contribution of each participating unit to the jail commission shall be determined by a percentage proportion that the population of each participating unit bears to the total population of all participating units as indicated by the latest federal census of population.

**Sec. 2** This act applies only to Bertie and Martin Counties.

**Sec. 3.** This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 27th day of April, 1981.