

GENERAL ASSEMBLY OF NORTH CAROLINA  
1985 SESSION

CHAPTER 2  
HOUSE BILL 29

AN ACT TO PROVIDE FOR THE CREATION OF AN INTERIM BOARD OF  
EDUCATION FOR PITT COUNTY AND SUBSEQUENT CONSOLIDATION OF  
THE GREENVILLE CITY SCHOOL ADMINISTRATIVE UNIT AND THE PITT  
COUNTY SCHOOL ADMINISTRATIVE UNIT.

The General Assembly of North Carolina enacts:

Section 1. As used in this act, unless another meaning is specified or the context clearly requires otherwise, the following terms have the meaning specified:

- (1) "City Administrative Unit" means the existing Greenville City School Administrative Unit.
- (2) "City Board" means the existing Greenville City Board of Education.
- (3) "County Administrative Unit" means the existing Pitt County School Administrative Unit.
- (4) "County Board" means the existing Pitt County Board of Education.
- (5) "County Commissioners" means the Board of County Commissioners of Pitt County.
- (6) "Interim Board" means a separate Board of Education established by this act for the purpose of supervising, coordinating, contracting for and acquiring all new schools and plant sites to be built in the City Administrative Unit or the County Administrative Unit.
- (7) "Pitt County Board of Education" means the single board established under this act for the purpose of operating and administering all of the public schools of Pitt County, including those schools now operated and administered by the city board and now operated and administered by the county board.

Sec. 2. Effective July 1, 1986, the City Administrative Unit and the County Administrative Unit are merged and consolidated and shall be known as the Pitt County School Administrative Unit.

Sec. 3. (a) There is established an interim board as a body politic to assume the authority and responsibility for the supervision, coordinating, acquisition, contracting and construction as to all new school buildings to be built within the territorial limits of the City Administrative Unit and the County Administrative Unit, and the interim board shall meet within 30 days after its establishment for the purpose of organizing. The interim board shall elect a chairman to preside over its meetings, and any member of the interim board shall be entitled to hold any office of the board. The interim board shall exercise all powers and authorities and duties that are now

exercised and performed by the city and county boards of education as set forth in the General Statutes as they relate to the selection and acquisition of school sites, entering into contracts for construction and for the purpose of obtaining equipment and supplies required for such building facilities.

(b) All powers and authority not specifically given to the interim board under this act are retained by the city board and county board.

(c) For the purpose for which the interim board is established, the interim board shall prepare and submit to the county commissioners all necessary capital outlay, debt service and current expense budgets. The interim board shall expend all funds in conformity with approved budgets.

(d) To assure capital improvements necessary to effectuate consolidation, the county commissioners, consistent with G.S. 159-18, have deemed it advisable to establish and maintain in accordance with a resolution duly adopted on the 21st day of September, 1984, by the Pitt County Board of Commissioners, a School Capital Reserve Fund as spelled out in such resolution. The continuation of the Capital Reserve Fund is subject to any dramatic change in the economic conditions in Pitt County as the County Commissioners, in their discretion, shall deem advisable if the said continuation should become unduly burdensome on the taxpayers of Pitt County.

(e) Beginning upon ratification of this act, the interim board may make contracts, hire personnel and adopt policies and administrative procedures, all as relate to all school matters for the school year 1986-87 and for subsequent years.

Sec. 4. (a) The interim board shall consist of 12 members and exists in addition to the city board and county board, and the interim board shall remain in existence until the date set under subsection (d) of this section.

(b) The interim board shall consist of four existing city board members to be elected by and from the then current membership of the city board, and shall include all eight county board members.

(c) Vacancies occurring on the interim board shall be filled as follows:

(1) If the vacancy occurs in the seat of a member appointed by the city board, the city board shall fill the vacancy by appointing a member from that board.

(2) If the vacancy occurs in the seat of a member of the county board, the person appointed by the county board to fill the vacancy on the county board shall also fill the vacancy on the interim board.

(d) On July 1, 1986, the interim board shall become the Pitt County Board of Education, at which time the Pitt County Board of Education shall consist of 12 members who shall be inducted according to law and the members shall serve as provided in this act. On that date, after induction of the 12-member Pitt County Board of Education, the interim board shall cease as a body politic.

Sec. 4.1. Pitt County is divided into nine residence districts for election to the Pitt County Board of Education. Members shall reside in and represent the districts according to the apportionment plan adopted in Section 5 of this act.

Sec. 5. (1) District 1 shall consist of the Townships of Bethel and Belvoir and shall elect one member.

- (2) District 2 shall consist of the Townships of Arthur, Falkland and Fountain and shall elect one member.
- (3) District 3 shall consist of the Townships of Carolina and Pactolus and shall elect one member.
- (4) District 4 shall consist of the Townships of Chicod, Grimesland and Swift Creek and shall elect one member.
- (5) District 5 shall consist of the Township of Farmville and shall elect one member.
- (6) District 6 shall consist of the Township of Winterville and shall elect one member.
- (7) District 7 shall consist of the Township of Grifton and shall elect one member.
- (8) District 8 shall consist of the Township of Ayden and shall elect one member.
- (9) District 9 shall consist of the Greenville Township and shall elect four members.

Sec. 5.1. All terms of office on the Pitt County Board of Education shall begin on the first Monday in December following the election.

Sec. 5.2. (a) In 1986 and every six years thereafter, a member shall be elected for each of districts 3, 6 and 7.

(b) In 1988 and every six years thereafter, four members shall be elected from district 9.

(c) In 1990 and every six years thereafter, a member shall be elected for each of districts 1, 2, 4, 5 and 8.

Sec. 5.3. (a) The term of office for persons serving on the Pitt County Board of Education because of service on the county board in seats 1, 2, 4, 5 and 8 shall expire on the first Monday in December of 1990.

(b) The term of office for persons serving on the Pitt County Board of Education because of service on the county board in seats 3, 6 and 7 shall expire on the first Monday in December of 1986.

(c) The term of office for persons serving on the Pitt County Board of Education because of selection by the city board under Section 4(b) of this act shall expire on the first Monday in December of 1988.

Sec. 6. In 1986 and thereafter as terms expire, the Pitt County Board of Education shall be elected by the nonpartisan plurality method of election as follows:

- (1) A candidate seeking election to the Pitt County Board of Education shall file notice of candidacy with the Pitt County Board of Elections during the period provided for filing notice of candidacy for county office under G.S. 163-106(c).
- (2) Candidates shall be placed on the ballot in the election by district but shall be voted on by the electors of the total county, and the candidate of each district receiving the highest total vote shall be elected to the Pitt County Board of Education from that district, except that the four

candidates in district 9 receiving the highest number of votes shall be elected.

- (3) Except as is specifically provided in this section, the election to the Pitt County Board of Education is governed by Article 24 of Chapter 163 of the General Statutes.
- (4) The results shall be determined in accordance with G.S. 163-292.
- (5) The election shall be at the same time as the primary for county officers.

Sec. 7. All members elected to the Pitt County Board of Education shall hold office for terms of six years.

Sec. 8. The Pitt County Board of Education shall elect a chairman to preside at meetings and a vice-chairman to preside at meetings in the absence of the chairman. The chairman may vote on all matters considered by the Pitt County Board of Education. All vacancies occurring in the Pitt County Board of Education by reason of death, resignation, removal of residence from the district from which elected, or otherwise, shall be filled by the remaining members of the board by appointing a member from the district creating the vacancy to serve the unexpired term.

Sec. 8.1. The Pitt County Board of Education shall have the powers of a board of education as conferred by this act and as are conferred by general law on boards of education in general.

Sec. 9. (a) Upon the creation of the interim board and until July 1, 1986, the city board and the county board shall continue to exercise all powers and authority with respect to the administration and operation of all existing schools in the administrative unit of each respective board of education, together with all other powers conferred by law except those which are specifically given to the interim board for the purpose of supervising, coordinating, contracting for and acquiring all new school plants and sites to be built in Pitt County.

(b) The financial administration of the existing city board and the county board until otherwise terminated herein shall be governed by the provisions of the General Statutes of North Carolina except that the interim board shall have specific authority between ratification and June 30, 1986, to prepare and submit to the county commissioners all necessary budgets, and at the same time required by law to prepare and submit to the county commissioners all the necessary capital outlay, debt service and current expense budgets for school purposes, all for and on behalf of the Pitt County Board of Education notwithstanding the creation of the Pitt County Board of Education effective July 1, 1986.

Sec. 10. When any vacancy occurs on the city board and the county board prior to July 1, 1986, such vacancy shall be filled in the manner now prescribed by law.

Sec. 11. As of July 1, 1986, when the Pitt County Board of Education shall assume all of the authority of administering and operating all schools in the city administrative unit and county administrative unit, all authority and power of the interim board, the city board and the county board shall end and the same shall be

vested in the Pitt County Board of Education which shall control, administer and operate all of the public schools located in Pitt county.

Sec. 12. On July 1, 1986, the title to all property of the city board and the county board and the interim board, both real and personal of every kind and description vests in the Pitt County Board of Education; and the city board, the county board and the interim board may between ratification and July 1, 1986, execute all deeds and other instruments of conveyance necessary to vest record title to any such property heretofore held by them in and to the Pitt County Board of Education as of July 1, 1986. All claims and demands of every kind which the city board and the county board and the interim board may have as of July 1, 1986, shall pass and be transferred to the Pitt County Board of Education, and that board of education shall have the same powers and authority to enforce said claims and demands as the existing county board and the city board and the interim board would have had in the event of their continued existence. Any obligations and liabilities of the city board and county board and interim board existing as of July 1, 1986, shall be and become the obligations and liabilities of the Pitt County Board of Education as of July 1, 1986, and such obligations and liabilities may be enforced against the Pitt County Board of Education thereafter to the same extent that they might have been enforced against the existing boards had they continued in existence.

Sec. 13. Effective July 1, 1986, Chapter 360, Session Laws of 1971 is repealed, and no election shall be held under that act in 1986.

Sec. 14. Effective July 1, 1986, Chapter 44, Session Laws of 1977 is repealed, no election shall be held under that act in 1986, and no appointments shall be made under Section 7 of that act in 1986.

Sec. 15. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 12th day of February, 1985.