

April 2, 2007

The Duplin County Board of Commissioners met in Regular Session on Monday, April 2, 2007 at 9:00 a.m. in the Social Services Community Meeting Room, (423 N. Main Street), Kenansville, North Carolina.

Present: Chairman David Fussell and Commissioners L. S. Guy, Harold L. Raynor, Cary Turner, Reginald Wells and Zettie Williams.

Absent: None

Also Present: Mr. Mike Aldridge, County Manager; Ms. Julia Herring, Administrative Officer; Ms. Teresa Lanier, Finance Officer; and Ms. Wendy Sivori, County Attorney

Reverend Debra Marshall from Stanford Presbyterian Church gave the invocation.

Motion was made by Commissioner Wells, seconded by Commissioner Williams, carried unanimously, to approve the Consent Agenda which included the following: Minutes – March 19, 2007; Budget Amendments #0177 - #0181; Solid Waste Releases #3881 - #3884; and Tax Releases #3874 - #3880; to add a summary of Senate Bill 1492 regarding pending solid waste legislation; an annual report from the Adult Care and Nursing Home Community Advisory Committee; and a personnel report to be made part of the Minutes.

Mr. Mike Aldridge presented Administrative Budget Amendments # I027 - # I064 to be made a part of the minutes.

Public Comments:

Mr. Win Batten, Mayor of Warsaw, spoke about the need for a full traffic light at the intersection of Hwy 24 & 50 (Joe Sutton's Corner) and Wards Bridge Road. Mr. Batten stated that there have been numerous accidents at this intersection, one last week resulted in a fatality. Mr. Batten stated that the Warsaw Town Board had adopted a resolution in support of installing a full traffic light to be sent to Senator Charlie Albertson, Representative Russell Tucker, and to the Department of Transportation. He asked that the Duplin County Board of Commissioners adopt a similar resolution. (See handout in minutes.)

Motion was made by Commissioner Williams, seconded by Commissioner Wells, carried unanimously, to adopt a resolution in support of installing a full traffic light at the intersection of Hwy 24 & 50 and Wards Bridge Road to be sent to Senator Charlie Albertson, Representative Russell Tucker, and the Department of Transportation.

Mr. Franklin Fussell of Kenansville, spoke against uniforms for Duplin County students; he congratulated the county and Mr. Bee Barnette, Solid Waste Director, on the new transfer station; and spoke in support of state legislation to provide funds to build a climate-controlled building to house the CSS Neuse Replica in Kinston.

Mr. Eric West, District Conservationist, appeared before the board to present two resolutions in order to proceed with obtaining grant funding for the Island Creek and Stewarts Creek Water Management Projects. (See handout in minutes.)

Motion was made by Commissioner Wells, seconded by Commissioner Guy, carried unanimously, to adopt the resolutions to proceed with the restoration of Island Creek and Stewarts Creek Water Management Projects and authorize the chairman to sign same.

The board presented retirement plaques to the following retirees: Ms. Earnestine Brinson, Cook with the Jail (February 24, 1997 – March 30, 2007); Mr. Walter Lee Brown, Services for the Aged Director (July 6, 1977 – March 30, 2007); Mr. James Cavanaugh, Solid Waste Site Attendant (November 8, 1997 – February 14, 2007); and Ms. Nona Tippet-Honeycutt, Soil & Water Director (October 1, 1968 – February 28, 2007).

A Public Hearing was called to order at 9:31 a.m.

Mr. Woody Brinson, Economic Development Director, explained that the purpose of the public hearing was to receive citizen comments on the proposed sale of Lots 9 & 10 located at West Park to Mr. Vic Swinson and Mr. Jart Hudson. Mr. Brinson stated that the two tracts consist of 15.36 acres and will be sold for \$6,000 per acre for a total of \$92,160.

Commissioner Fussell: Any questions or comments from the public? Woody, please tell everyone about this project.

Mr. Woody Brinson: Mr. Vic Swinson is here, I'll let him talk about the project.

Mr. Vic Swinson: We're going to construct a grain storage facility on this land at West Park. With the ethanol production coming to North Carolina, corn will be in greater demand and therefore will be harder to unload and store the corn. So we're in need of a place to store our corn until we can get it delivered to market.

Commissioner Guy: Vic, will there be a grain elevator?

Mr. Vic Swinson: Yes, there will be an elevator but nothing like what Nash Johnson has. It will be flat storage. The buildings are approximately 125 feet wide and 250 feet long. There will be an elevator but not a silo. The building will be approximately 20 feet high, and the elevator about 50-60 feet high.

Commissioner Fussell: Any additional comments? How's the peanut business? Can you use this building for peanut storage?

Mr. Vic Swinson: The peanut business is doing fairly well. This storage facility can be used for other storage as well. That's why we're constructing buildings instead of bins, so that we can store a variety of products. A bin has one purpose, a building has several.

With no additional public comments made, the public hearing was called to a close at 9:33 a.m.

Motion was made by Commissioner Wells, seconded by Commissioner Turner, carried unanimously, to approve the sale of Lots 9 & 10 consisting of 15.36 acres at West Park for \$6,000 per acre totaling \$92,160 to Mr. Jart Hudson and Mr. Vic Swinson and to authorize the chairman to sign the deed.

Representative Russell Tucker and Senator Charlie Albertson appeared before the board to hear the concerns regarding legislative issues in Duplin County.

It was the consensus of the board that the following issues should be supported in the General Assembly for the betterment of Duplin County: (1) Medicaid relief; (2) half cent local sales tax option to be restricted for school construction; (3) funding to provide clean-up of storm & hurricane debris to help the flooding & drainage problems in the county; (4) allow Duplin County the same options as other counties for levying fees; (5) no change in the calculations for lottery fund dispersing; (6) a state-wide school bond referendum; and (7) allowing Duplin County to garnish wages for any fees that are owed to the county.

Representative Tucker commented on the issues presented. He stated that the regulations for Medicaid eligibility have not changed, it's just that more people are learning about it and qualifying for it and that he will support the state paying all of the Medicaid share and not the counties. For the half cent local sales tax option, he will ask for a whole cent and then the county may get at least a half-cent. Last year, the local sales tax option was passed in the House, but went dormant when it reached the Senate. He will support any legislation to allow all counties to levy the same fees. He will oppose any change in the lottery formula calculations. For the state-wide school bond referendum, there are so many bonds presented that it's doubtful that any of them will pass. He will support any funding to help with the drainage problems. There is a bill to give more funding for this issue, but the down side is that it requires more money for the local share.

Senator Charlie Albertson stated that the flooding issues in the county should be addressed to the US Army Corp of Engineers and any funding requests to help with those issues should be directed to federal representatives. He stated that he would check with the NC Wildlife Commission on regulations regarding placing a bounty on beaver hunting. He will support legislation to help counties with the cost of Medicaid. He will oppose any legislation that changes the calculation for lottery disbursements. He wasn't aware of certain counties being allowed to levy fees or taxes that all counties couldn't levy. For the request to add Duplin County with Sampson County on the bill for a local half-cent sales tax increase to be used for school and community college construction needs, he would only support it if the board voted unanimously in favor of it.

Motion was made by Commissioner Guy to rescind the half cent sales tax voted at the February 19, 2007 board meeting and instead reintroduce a proposal to have a half cent sales tax attached to the Sampson County senate bill and for the funds to be spent on public school construction needs. Motion died due to lack of a second.

Commissioner Fussell stated that the board voted not to add items to the agenda that weren't agreed to in advance by the commissioners. He stated that this half cent sales tax discussion was not on the agenda.

Motion was made by Commissioner Williams, seconded by Commissioner Wells, carried unanimously, to make an exception to allow this one time discussion and a vote on the local sales tax option since Senator Albertson was present for the purpose of the legislative discussion.

Motion was made by Commissioner Williams, seconded by Commissioner Turner, to add Duplin County to the Sampson County senate bill to levy a half cent local sales tax with the funds to be spent for public school and community college construction needs. Commissioners Guy, Raynor, and Turner voted for. Commissioner Fussell voted against.

Ms. Jerri Parker, NC DOT Maintenance Engineer, gave an update on various roads in the county.

Roads discussed: 496 Penny Road – the state cleaned out the ditch when it was wet, now it's worse than before; a private landowner is digging up a culvert at his residence on Yellow Cut Road near Registers Crossroads; the driveway at Matthew Southerland Lane; the driveway at Commissioners Williams residence; Kelly Springs Road in Mt. Olive – need informational signs warning of the curves; West Pine Forest right-of-way at Calypso; informational signs county-wide are missing or vandalized; Faison Avenue – state maintenance crews encroaching onto the property owned by Evelyn Warren; High School Road near Wallace-Rose Hill High School – 35 mph speed limit sign is missing; Solid Waste Recycling Sites – entranceways need paving; Edwina Kornegay Road in Calypso – need to haul in dirt to fill in holes where county water lines were installed; Kenansville Bypass – more directional signs for Jacksonville are needed; Bridge on Butterball Road in Wallace – thank you for cleaning up the graffiti.

Motion was made by Commissioner Williams, seconded by Commissioner Turner, carried unanimously, to authorize the county manager to write a resolution requesting that the state add the following roads at the Grove Creek Subdivision into the state system: Brairwood, Fox Ridge, and Lake View.

Commissioner Fussell presented a resolution of respect to Mr. Bob Herring on behalf of Dr. Dallas Herring. (See handout in minutes.)

Commissioner Turner gave a presentation on The Mayaguez Incident that took place at the end of the Vietnam War. He spoke specifically about LCPL Joseph N. Hargrove, a Duplin County native, that was one of three marines accidentally left behind on the Cambodian Island of Koh Tang and was eventually executed while in captivity.

Commissioner Turner asked the board to support a resolution to have LCPL Joseph N. Hargrove's remains returned to Duplin County for burial. He stated that Representative Russell Tucker has sent letters of support of this effort to President George Bush, Senator Elizabeth Dole, Senator Richard Burr, Congressmen Walter B. Jones, and Congressman Mike McIntyre. (See handout in minutes.)

Motion was made by Commissioner Wells, seconded by Commissioner Raynor, carried unanimously to adopt the resolution in support of bringing the remains of LCPL Joseph N. Hargrove back to Duplin County for proper burial and to authorize all commissioners to sign same.

Ms. Lillie Sanders, founder of Sanders Service Center, appeared before the board to discuss her plans to build a four unit facility to temporarily house families displaced by disaster. Ms. Sanders stated that the cost to construct this facility is approximately \$250,000 and will be funded by private donations. She asked the board for a letter of support for this project. (See handout in minutes.)

Motion was made by Commissioner Guy, seconded by Commissioner Wells, carried unanimously, to authorize the county manager to write a letter of support for Ms. Sander's "Refuge Emergency Housing Project" on behalf of the Duplin County Board of Commissioners.

Ms. Linda Hadden appeared before the board to give a report on the results of the library usage survey that was requested at the January 16, 2007 board meeting. (See handout in minutes.)

Mr. Wyatt Blanchard, retired engineer with New Hanover County, appeared before the board to oppose the county's water extension policy. He stated that in New Hanover County, a private developer was allowed to hire an engineer of their choice to design an extension and that New Hanover County had staff engineers to approve the plan. Mr. Blanchard stated that he would be willing to assist the county in revising the water policy to allow any certified engineer to develop an extension from the master plan.

Mr. Jeff Foster spoke in opposition of the county's current water extension policy.

Ms. Janice Teachey of Carolina East Home Care appeared before the board to give an update on the Wallace Adult Day Care Service.

Mr. Bee Barnette, Solid Waste Director, appeared before the board to give a report on the Solid Waste Availability/Disposal Fee if it were reduced to \$60 as requested by the board at the February 19, 2007 meeting. (See handout in minutes.)

Ms. Ila Davis, Health Department Director, appeared before the board to discuss several items.

Ms. Davis presented the annual consolidated agreement between the state and the Duplin County Health Department. Ms. Davis stated that this agreement was for Fiscal Year 2007 – 2008 and is necessary to receive state and federal funding. (See handout in minutes.)

Motion was made by Commissioner Wells, seconded by Commissioner Williams, carried unanimously, to approve the consolidated agreement for Fiscal Year 2007 -2008 and to authorize the chairman and finance officer to sign same.

Ms. Davis explained to the board the reason for the bad debt write-offs for the Health Department. After three years, the debt can not legally be collected and therefore must be written off to clear the books.

Motion was made by Commissioner Guy, seconded by Commissioner Wells, carried unanimously, to approve the bad debt write-off in the amount of \$2,891.63 for general health department services and \$6,077.25 for dental services at the Health Department for the period ending March 2004.

Ms. Davis also discussed the critical staffing issues regarding the pay plan for nurses at the Health Department. She stated that there are now four vacancies for nurses counting the one who resigned today and that she has spent \$9,263 advertising for the positions with no success. All of the nurses who have left said it is because of the low salary. Ms. Davis requested that all nursing positions be reclassified to a higher salary and to do so would cost \$25,000 for the remainder of the fiscal year and \$106,000 annually thereafter.

Motion was made by Commissioner Guy, to approve the \$25,000 expenditure for the remainder of the year and encourage the county manager, the health department director, the board of health, and the board of commissioners to spend time to see if there are ways between now and then to deliver that service at a lesser cost. Motion died due to a lack of a second.

Motion was made by Commissioner Wells, seconded by Commissioner Williams, carried unanimously, to defer the Health Department salary adjustments for the nurses until the budget process.

Commissioner Williams spoke against holding the board meetings in the Community Room at Social Services. She stated that the recording equipment & computers cost \$10,000 and could be damaged by having to be moved and set up. Also, the wires and cords across the floor are a hazard.

Motion was made by Commissioner Williams, seconded by Commissioner Turner, to return to having the meetings in the Commissioner's Meeting Room in the Administration Building with an audio & video monitoring system placed in the lobby until other suitable arrangements can be made. Commissioners Fussell, Guy, and Raynor voted for. Commissioner Wells voted against.

Commissioner Turner left at this time.

Mr. Stephen Williamson, Chairman of the Events Center Advisory Board, introduced members of the advisory board and the current staff at the Events Center. He discussed a letter that he wrote in support of Compass Facility Management, Inc. (See handout in minutes.)

Mr. Carl St. Clair, Vice President of Operations; Mr. Doug Kuhnel, Senior Vice President; and Ms. Tammy Koolbeck, Vice President of Marketing; with Compass Facility Management appeared before the board to discuss the revised contract, revised marketing & business plan, and proposed budget for Fiscal Year 2007 – 2008. (See handout in minutes.)

Mr. St. Clair stated that in order to attract more events, certain improvements would need to be made. He specifically spoke about the need for acoustical treatments in order that more concerts could be booked; a barn to attract equestrian events, and improvements to the two existing concession booths in order to cook on site.

Motion was made by Commissioner Fussell to table this matter until the budget process. Motion died due to a lack of a second.

Motion was made by Commissioner Fussell to table this matter until the next board meeting so that Commissioner Turner can vote. Motion died due to a lack of a second.

Motion was made by Commissioner Wells, seconded by Commissioner Williams, to accept the Compass Marketing & Business Plan, and the proposed budget and to authorize the Chairman to sign the addendum to the contract. Commissioners Guy and Raynor voted for and Commissioner Fussell voted against.

Mr. Mike Aldridge presented the Community Care Block Grant Budget for 2006 – 2007 on behalf of Ms. Betty Whitman with Services for the Aged. Ms. Whitman is requested that funds be transferred from the Medical Transportation/Adult Day Care line item to the In-home Aide/Home Delivered Meals/Congregate Nutrition line item in order to spend all state and federal funds. (See handout in minutes.)

Motion was made by Commissioner Wells, seconded by Commissioner Guy, carried unanimously, to transfer funds from Medical Transportation/Adult Day Care to In-home Aide I/Home Delivered Meals/Congregate Nutrition and authorize the chairman and finance officer to sign same.

Mr. Aldridge informed the board that the Faison Community Action Club, Inc., a non-profit corporation, would like to renew the lease on the property located on Juniper Road in the Faison Township. (See handout in minutes.)

Motion was made by Commissioner Wells, seconded by Commissioner Williams, carried unanimously, to authorize the chairman to sign the lease agreement for the Faison Community Action Club, Inc.

Mr. Aldridge stated that Mr. Gary Rose, Tax Administrator, is requesting that the board schedule the Board of Equalization and Review to meet on April 16th and May 7th at 9:15 a.m.

Motion was made by Commissioner Wells, seconded by Commissioner Williams, to schedule the Board of Equalization and Review for April 16, 2007 and May 7, 2007 at 9:15 a.m.

Mr. Aldridge presented the NC Rural Center Quarterly Report for the Case Farms Water & Sewer Project. He stated that the new Case Farms Feed Mill was completed and operational by December 2006. Case Farms has fulfilled their original job commitment of 30 jobs and will maintain them over the next 18 months in order to fulfill the NCRC requirements. He stated that the infrastructure improvements have been completed and final pay estimates are being processed.

Motion was made by Commissioner Guy, seconded by Commissioner Wells, carried unanimously, to authorize the chairman to sign the NC Rural Center Quarterly & Final Report Form.

Mr. Aldridge discussed the proposed Animal Control Ordinance prepared by the Duplin County Humane Society. He advised that if the board would like to proceed with the adoption of the ordinance, a public hearing would need to be scheduled.

It was the consensus of the board to hold informational meetings in each commissioner's district sponsored by the Duplin County Humane Society as well as the Duplin County Board of Commissioners and to give notice to all hunting clubs, veterinarian offices, kennel clubs, and each town hall in the county.

Motion was made by Commissioner Guy, seconded by Commissioner Williams, carried unanimously, to conduct a public hearing in each district sponsored by the Board of Commissioners and the Duplin County Humane Society with a member from humane society present at each to discuss the proposed ordinance and to notify all hunting clubs, veterinarian offices, kennel clubs and each town hall of the public hearings.

Mr. Aldridge informed the board that Mr. Carl Pate, Sr., the delegate from Duplin County to the NC Senior Tar Heel Legislature, attended the Spring meeting held in Raleigh on March 20th & 21st. (See handout in minutes.)

The board adjourned to meet again on Monday, April 16, 2007 at 9:00 a.m. in Commissioner's Room, County Administration Building (224 Seminary Street), Kenansville, North Carolina

Clerk