

November 5, 2007

The Duplin County Board of Commissioners met in Regular Session on Monday, November 5, 2007 at 9:00 a.m. in the Commissioners' Room, County Administration Building (224 Seminary Street), Kenansville, North Carolina.

Present: Chairman David Fussell and Commissioners L. S. Guy, Jr., 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

Mr. Randall Tyndall, County Planner, gave the invocation.

The following reports were received by the board and are on file with the clerk:

Cooperative Extension – November 2007

Finance – September 2007

Health – September 2007

Parks & Recreation – October 2007

Social Services – September 2007

Motion was made by Commissioner Raynor, seconded by Commissioner Guy, carried unanimously, to approve the Consent Agenda which included the following: Minutes – October 15, 2007; Budget Amendments #0081 - #0092; Solid Waste Releases #4540 - #4546; Tax Releases #4523 - #4539; to add a list of proposed new animal control advisory board members; and a discussion on the rigging and acoustic needs at the Duplin County Events Center.

Mr. Mike Aldridge presented Administrative Budget Amendments # D014 - # D033 to be made a part of the minutes.

Motion was made by Commissioner Guy, seconded by Commissioner Turner, carried unanimously, to approve 2007 – 2008 North Carolina Department of Crime Control Juvenile Program Grant and authorize the county manager to sign same. (See handout in minutes.)

Public Comments:

Ms. Deborah Kornegay of Calypso, expressed appreciation to Commissioners Fussell, Guy, and Turner for attending the Citizens for a Safe Environment presentation on turkey litter incineration at James Sprunt Community College on October 16th.

Mr. Win Batten, Mayor of Warsaw, reminded everyone about the Warsaw Veteran's Day Celebration & Parade on Saturday, November 10, 2007.

Mr. Franklin Fussell of Kenansville, stated that the new Civil War trails map is available and copies have been placed in the lobby of the Administration Building. He stated that the Duplin County Historical Society held its quarterly meeting on Saturday, November 3rd and the guest speaker was Dr. Chris Fonvielle, a history professor at the University of North Carolina at Wilmington. Mr. Fussell also urged commissioners to tear down the old Chinquapin school and donate the land to the parks and recreation department in Chinquapin.

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

Roads discussed: Commissioners thanked Ms. Parker for work completed on Tram Road in Mt. Olive and Charity Road in Rose Hill; the residence of Ms. Doretha Dobbins on West Best Road in Kenansville – road needs elevation/rock repair at driveway entrance.

A public hearing was called to order at 9:21 a.m.

Mr. Mike Aldridge explained that the purpose of the meeting was to receive citizen comments on the proposed Water Shortage Response Plan Ordinance. He stated that McDavid Associates developed the ordinance for the county and the purpose of the ordinance is to provide for the declaration of official phases of water supply shortage situations as well as establishing the procedures and measures for essential conservation of water in the event that a shortage is declared.

Mr. Stanley Miller, Water Department Director, gave the board a handout showing the 2005 and 2007 well pumping levels. He stated that the county wells are fine but the ordinance is still needed in case of a water shortage situation. (See handout in minutes.)

Mr. Win Batten, Mayor of Warsaw, inquired if the ordinance would pertain to municipalities or just the county water supply.

Mr. Miller replied that it would just pertain to the county water supply and each water system should have its own water supply plan.

Mr. Thurman Herring of Mount Olive urged the commissioners to use caution before approving the ordinance that is not currently needed.

Ms. Evelyn Warren of Faison inquired about where the county water comes from.

Mr. Miller replied that it varies with each area of the county - some are drawing from the upper or lower Cape Fear River Basin, some from the Pee Dee River, and others from Black Creek.

With no further questions, the public hearing was called to a close at 9:33 a.m.

Motion was made by Commissioner Wells, seconded by Commissioner Williams, carried unanimously, to approve the Water Shortage Response Ordinance to be effective December 1, 2007 and authorize the chairman to sign same.

Attorney E.C. Thompson, President of the Duplin County Bar Association appeared before the board to urge the commissioners to adhere to the 1994 portrait policy for placement of portraits in the courthouse. Judge Henry Stevens IV and Attorney Freddie Hall also spoke against having the portraits of district court judges, Judge Kenneth Turner and Judge Stephen Williamson, remain in the Superior Courtroom. Other bar association members present were: Melissa Blizzard, Reginald Kenan, Garrett Ludlum, and Tim Smith.

It was the consensus of the board to postpone a decision until they tour the newly-renovated district courtroom.

Ms. Lynn Hardy, Executive Director, and Ms. Sue Wells, Marketing Director of Carolina East Home Care & Hospice, presented a resolution to the board proclaiming November 2007 as “Home Care & Hospice Month” in Duplin County. (See handout in minutes.)

Motion was made by Commissioner Guy, seconded by Commissioner Wells, carried unanimously, to adopt the resolution proclaiming November 2007 as “Home Care & Hospice Month” in Duplin County and to authorize the chairman to sign same.

Ms. Melisa Brown, Assistant Aging Director, appeared before the board to seek approval for several contracts:

Ms. Brown presented the contract for the Non-block Grant for Senior Center General Purpose Funding for FY 07-08. She stated that the NC General Assembly allocated \$5,467 that requires a 25 percent local match of \$1,822. (See handout in minutes.)

Motion was made by Commissioner Guy, seconded by Commissioner Wells, carried unanimously, to approve the Senior Center General Purpose Funding contract for Fiscal Year 07-08 and authorize the chairman to sign same.

Ms. Brown presented a contract for health education services with Ms. Catherine Newkirk and Mr. Tommy Fitzgerald Bostic. She stated that the total for these services is \$4,800 to be divided between the two providers. (See handout in minutes.)

Motion was made by Commissioner Williams, seconded by Commissioner Wells, carried unanimously, to approve the contract with Ms. Catherine Newkirk and Mr. Tommie Fitzgerald Bostic to provide health promotion/disease prevention/ health risk assessment education services in the amount of \$4,800 and authorize the chairman to sign same.

Mr. Leandrous Mathis of Warsaw appeared before the board to dispute what he feels he has overpaid on property tax. Ms. Clarette Sutton was also present and discussed the matter further. She stated that Mr. Mathis asked her to help determine which accounts were overpaid and that she has requested information from the tax office but has not received the items that she asked for. (See handout in minutes.)

Mr. Gary Rose, Tax Administrator, and Ms. Wendy Sivori, County Attorney, were present and both stated that they have discussed this matter in great detail with Mr. Mathis and Ms. Sutton to no avail. Mr. Mathis, along with various members of his family, own several property parcels listed with the Duplin County Tax Office. Ownership has been transferred several times which has contributed to the misunderstanding of taxes paid. Ms. Sivori stated that the case is scheduled to be heard in court in January 2008 and that her advice is to let the matter be settled in court.

Mr. Brian Pearce, EMS Director, appeared before the board to recognize the outstanding accomplishments of two Duplin County EMS crews that recently won awards in the 11th annual Carolina Competition held in Dunn. Team 1 members Susan Johnson and Angela Magill won 6th place and Team 2 members Richard Stump and Brian Pearce won 2nd place in the competition. Mr. Pearce also recognized EMS employees Jillian Taylor, Trish Forster, Mary Kaylor, and Fred Rouse for their life-saving skills administered on two recent calls they responded to.

Mr. Pearce also introduced Mr. Reid Southerland who was recently hired as the Emergency Management Coordinator and Safety Officer.

Motion was made by Commissioner Wells, seconded by Commissioner Williams, carried unanimously, to go into session as Water District G.

The board returned to Regular Session.

Mr. Mike Aldridge discussed an agreement between Ross Nutritional Products Division of Abbott Laboratories Inc. and Duplin County Services for the Aged for the purchase of Ensure.

Motion was made by Commissioner Wells, seconded by Commissioner Williams, carried unanimously, to accept the agreement with Ross Nutritional Products and authorize the aging director to sign same.

Mr. Aldridge discussed demolishing the old Chinquapin school. He stated that he had obtained a quote for asbestos removal from Mr. David Nugent, President of Republic Industries, Inc. for \$69,850. This quote includes all asbestos project design, clearance testing and verification documentation, labor, tools, materials, equipment, disposal, and insurance. (See handout in minutes.)

Mr. Aldridge stated that he has met with Mr. Charles Boney, Vice President of LS3P Architects to discuss the expansion plans for the existing jail as well as renovation plans for the mental health and board of education buildings. He stated that the cost to implement Phase I of this plan would not exceed \$15,000. Mr. Aldridge stated that he and Sheriff Blake Wallace have discussed the jail overcrowding situation and that there are two options; either purchase modular units or build an addition onto the existing jail. (See handout in minutes.)

As requested by the board at the October 15, 2007 meeting, Mr. Aldridge presented a list of all county-owned property. (See handout in minutes.)

Mr. Aldridge stated that Mr. Steve Moore, Aging and Transportation Director, has provided a list of items accumulated during the time that the county managed the adult day care at Wallace. Mr. Moore is recommending that the items be released to Carolina East for their use and ownership. (See handout in minutes.)

Motion was made by Commissioner Guy, seconded by Commissioner Wells, carried unanimously, to approve the transfer of ownership of the list of inventoried items to Carolina East.

Mr. Aldridge informed the board that Mr. Johnson Sheffield, partner with CropHoldings LLC, returned the keys to WestPark and has vacated the building with the exception of some large equipment items left behind. Mr. Aldridge stated that he would contact Mr. Woody Brinson to find out if any cleanup will need to be done.

Mr. Aldridge discussed the \$5,000 local match contribution for the Partnership for Health grant. He stated that funds from the Parks & Recreation matching grant line item would be used for this purpose.

Mr. Aldridge informed the board that Mr. Earl Brinkley has resigned as chairman of the Duplin County Transportation Committee due to an illness in his family. He stated that Mr. Win Batten has agreed to accept the duties as chairman.

Motion was made by Commissioner Wells, seconded by Commissioner Guy, carried unanimously, to appoint Mr. Win Batten as chairman of the Duplin County Transportation Committee.

Mr. Aldridge presented the Alcohol and Drug Free Workplace Policy for county employees. He stated that the policy consolidates current testing procedures and provides for a uniform policy that applies to all departments and will save money by utilizing the health department for testing procedures. Mr. Aldridge stated that the policy will also reduce the county's liability and will save approximately \$30,000 on worker's compensation insurance.

Motion was made by Commissioner Turner, seconded by Commissioner Guy, carried unanimously, to approve the Alcohol and Drug Free Workplace Policy to become effective January 1, 2008.

Motion was made by Commissioner Turner, seconded by Commissioner Raynor, carried unanimously, to approve the contract with Dr. Daniel M. Ricci to be the Medical Review Officer responsible for drug & alcohol testing of Duplin County employees.

Mr. Aldridge discussed the grid rigging and acoustic projects needed at the Duplin County Events Center. He stated that the work will need to be advertised for bid proposals.

Motion was made by Commissioner Turner, seconded by Commissioner Raynor, carried unanimously, to authorize the county manager to advertise for bid proposals for the grid rigging project.

Motion was made by Commissioner Williams, seconded by Commissioner Turner, carried unanimously, to authorize the county manager to advertise for bid proposals for the acoustical treatment project.

Mr. Aldridge discussed a list of individuals, submitted by members of the hunting community, which have volunteered to serve on the animal advisory board to assist in developing a new animal control ordinance. (See handout in minutes.)

Motion was made by Commissioner Guy, seconded by Commissioner Turner, carried unanimously, for the chairman of the board of commissioners to appoint a new advisory board that is representative of all animal interest groups to assist in drafting an animal control ordinance for consideration.

Mr. Eric West, District Conservationist, appeared before the board to discuss the Rockfish Creek drainage issues in Wallace. He stated that Rockfish Creek is the top priority on the list of proposed cleanout projects for the next grant cycle; however, he has been in contact with Mr. Ken Cornatzer, Wallace Town Manager, and officials with Pender County Soil & Water and they all think that it would be best to deal with the entire section of Rockfish Creek from the river to upstream 25.7 miles rather than just the 4.6 mile section the town asked assistance with. Mr. West stated that it is not clear whether Pender County is willing to share in the cost of the cleanout. (See handout in minutes.)

Motion was made by Commissioner Guy, seconded by Commissioner Tuner, carried unanimously, to develop a resolution to include Goshen Swamp in the January 2008 grant cycle and postpone Rockfish Creek until more information is available on Pender County's intent to share in the cost of the cleanout.

Mr. West presented the 2007-2008 Duplin County Drainage Plan. (See handout in minutes.)

Motion was made by Commissioner Guy, seconded by Commissioner Wells, carried unanimously, to accept the 2007-2008 Duplin County Drainage Plan.

Motion was made by Commissioner Wells, seconded by Commissioner Raynor, carried unanimously, to go into Closed Session pursuant to N.C.G.S 143-318.11 (a)(4) and N.C.G.S. 143-318.11(a)(6).

The board returned to Regular Session.

Motion was made by Commissioner Guy, seconded by Commissioner Turner, carried unanimously, to approve the contract with Stanley Miller / Miller Utilities for a minimum of 25 hours per week to be effective January 1, 2008 with the understanding that Mr. Miller will train his replacement upon his retirement. (See handout in minutes.)

The board adjourned to meet again on Monday, November 19, 2007 at 8:30 a.m. in the Commissioner's Meeting Room, County Administration Building (224 Seminary Street), Kenansville, North Carolina

Clerk