

February 2, 2009

The Duplin County Board of Commissioners met in Regular Session on Monday, February 2, 2009 at 9:00 a.m. in Commissioners' Room, County Administration Building (224 Seminary Street), Kenansville, North Carolina.

Present: Commissioners David Fussell, Harold Raynor, Frances Parks, Cary Turner, Reginald Wells, and Zettie Williams

Absent: Ms. Julia Herring, Administrative Officer and Ms. Wendy Sivori, County Attorney.

Also Present: Mr. Mike Aldridge, County Manager and Ms. Teresa Lanier, Finance Officer.

Commissioner Wells gave the invocation.

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

Affidavits of Publication

Finance – November 2008

Finance – December 2008

Motion was made by Commissioner Williams seconded by Commissioner Wells, carried unanimously, to approve the Consent Agenda which included the following: Minutes – January 12, 2009, January 15, 2009, January 21, 2009, and January 21, 2009 [Water Districts B, D, E, F, and G], Budget Amendments #0138 - #0148; Solid Waste Releases #5906 - #5935, # 5961 - #5963; Tax Releases #5858 - #5905; #5936 - #5960; to add a discussion on several issues including the hiring freeze, budget cuts, county policy on displaying pictures on desk, and a letter on proposed legislation for adding a seventh commissioner.

Mr. Mike Aldridge presented administrative budget amendments #G214 - #G230 to be made part of the minutes.

Public Comments:

Mr. Jimmy Sauls appeared before the board and stated that leadership and not criticism is what will straighten out the current economic downturn.

Mr. Franklin Fussell appeared before the board to discuss several items. Mr. Fussell mentioned that he was trying to get the Board of Education to donate the Louis Froelich book to each school in the county. He also stated that he would like for the commissioners to attend the Board of Education meeting that is being held on February 3, 2009. Mr. Fussell also stated concerns over the James Kenan School of Engineering's future.

Dr. Hervey Kornegay appeared before the board to make the members aware that he is the only medical examiner for the county. He stated that two of his colleagues in Wayne County have offered to take over these duties when he is out of town. Dr. Kornegay also stated that if any of the board members knew any of the young physicians in the county, they should encourage them to become a medical examiner in the county.

Mr. Jimmy Dixon appeared before the board to discuss the use of Solid Waste Enterprise funds.

Ms. Jerri Parker, NCDOT Maintenance Engineer, appeared before the board to give an update on various roads throughout Duplin County.

Ms. Donna Brown, Utilities Director, appeared to conduct a public hearing on the proposed backflow ordinance. Mr. Mike Hill from the North Carolina Rural Water was also present to assist with any questions that may arise.

The public hearing was called to order at 9:35 a.m.

There were no comments received from the public.

The public hearing was closed at 9:36 a.m.

Motion was made by Commissioner Parks, seconded by Commissioner Williams, carried unanimously, to approve the backflow ordinance, to be effective March 1, 2009.

Mr. Dean Horne, CPA with Pittard, Perry, & Crone, appeared before the board to review the audit report for fiscal year ending June 30, 2008. The total fund balance for FY ending June 30, 2008 was \$11.6 million. He stated that the county's fund balance is projected to be at 17.96 % [\$9.33 million] by the end of the current fiscal year. (See handout in minutes.)

Mr. Earl Brinkley appeared before the board to give a report on the presentation given by Dr. James Johnson on January 22, 2009. The study by Dr. Johnson was entitled "Duplin County Competitive Assessment." (See handout in minutes.)

Mr. George Futrelle, Airport Director, appeared before the board to discuss several items.

Mr. Futrelle appeared before the board to request approval of Task Order #4 (Amendment #1) with W.K. Dickson Company, Inc., Airport Engineer, in an amount not to exceed \$264,700 for professional services relative to Airport Land Acquisition Project previously approved and budgeted. No budget amendment is necessary. The Duplin County Airport Commission reviewed and approved this document 1-27-09.

Motion was made by Commissioner Wells, seconded by Commissioner Williams, carried unanimously, to approve Task Order #4 (Amendment #1) with W.K. Dickson Company, Inc., and authorize the chairman to sign same. (See handout in minutes.)

Mr. Futrelle also requested permission to advertise for a Public Hearing to be held on March 2, 2009 for the purpose of presenting the Duplin County Airport Land Use - Height Restriction Ordinance. A prior public informational meeting with affected property owners has been scheduled for February 24, 2009 at the Duplin Commons Auditorium at 7:00 p.m.

Motion was made by Commissioner Wells, seconded by Commissioner Raynor, carried unanimously, to grant permission to advertise for a Public Hearing to be held on March 2, 2009 at 9:30 a.m.

Mr. Mike Aldridge presented the "State of the County" report. He emphasized that the recurring issues for all departments is employee compensation; staff development and retention; and capital needs. (See handout in minutes.)

Mr. John Vogt, Events Center Director, appeared before the board to present a six month profit report on the Events Center. (See handout in minutes.)

Ms. Melissa Kennedy, E-911 Project Coordinator, appeared before the board to request a public hearing for a road name change. The road name to be changed is Rouse & Teachey Lane in Rose Hill. Mr. Mike Teachey wants the name to be changed to Teachey Produce Lane. Mr. Teachey would be the only one affected by this road name change. Ms. Kennedy requested that the public hearing be held on March 2, 2009 at 9:15 a.m.

Motion was made by Commissioner Wells, seconded by Commissioner Parks, carried unanimously, to grant permission to advertise for a Public Hearing to be held on March 2, 2009 at 9:15 a.m.

Ms. Donna Rouse appeared before the board to present two contracts for approval.

Ms. Rouse presented a contract for watershed maintenance repair contract with Mr. Tommie Bostic. No budget amendment is required. (See handout in minutes.)

Motion was made by Commissioner Wells, seconded by Commissioner Raynor, carried unanimously, to approve the contract for watershed maintenance repair with Mr. Tommie Bostic and authorize chairman to sign same.

Ms. Rouse presented a contract for survey work with Johnny J. Williams Land Surveying, P.C. to be done on a N.C. Department of Agriculture & Consumer Services easement. No budget amendment is required. (See handout in minutes.)

Motion was made by Commissioner Williams, seconded by Commissioner Parks, carried unanimously, to approve the contract for survey work with Johnny Williams to be done on a N.C. Department of Agriculture & Consumer Services easement and authorize chairman to sign same.

Sheriff Blake Wallace appeared before the board to discuss several issues.

Sheriff Wallace presented a proposal by Brennan and Associates regarding what is needed for a county jail. Sheriff Wallace requested that the board approve the proposal and grant permission to pay for the study using federally seized assets monies. (See handout in minutes.)

Motion was made by Commissioner Wells, seconded by Commissioner Parks, to take federally seized assets and pay for an analysis by Brennan and Associates of possible jail construction options, thereby approving BA #149.

Commissioner Fussell amended the original motion to table it until the county's five year capital plan is presented. Commissioners Williams seconded the amended motion. Commissioner Turner voted for; Commissioners Parks, Raynor, and Wells voted against, causing a tie vote. A tie vote results in no action being taken.

Since the amended motion failed, the board voted on the original motion by Commissioner Wells. Commissioners Raynor, and Turner voted for; Commissioners Fussell and Williams voted against. Motion carried.

Sheriff Wallace said that he has researched the possibility of house arrest. He has received information from Lenoir County, which has a very successful house arrest program. Sheriff Wallace stated that he will continue to research this idea and will return to the board at a later date with the information.

Sheriff Wallace stated during the previous week, a jailer was caught giving contraband material to an inmate. The jailer was fired and arrested. Sheriff Wallace stated that one reason this incident may have happened was because there was not enough staff to supervise the activities of others. Sheriff Wallace stated that he would like permission to hire a new jailer.

Motion was made by Commissioner Wells, seconded by Commissioner Fussell, carried unanimously, to lift the hiring freeze for critical public safety departments (Communications, Emergency Medical Services, Public Health, and Sheriff's Department).

Motion was made by Commissioner Wells, seconded by Commissioner Raynor, carried unanimously, to instruct the county manager to ask all departments to cut their budget by five percent by February 16, 2009 and also report projected savings to be given on the same day. Commissioners Parks, Turner, and Williams voted for; Commissioner Fussell voted against. Motion carried.

Sheriff Wallace presented a proposed budget revision to cover future bills for inmate safekeeping. This budget amendment was created using money from not only the Sheriff's Department, but also Social Services. Ms. Teresa Lanier stated that in the future, finances may need to be rearranged once again, but that this revision was an attempt to have monies available for upcoming inmate bills and other needs within the Sheriff's Department. (See handout in minutes.)

Motion was made by Commissioner Wells, seconded by Commissioner Williams, carried unanimously, to approve the proposed budget revision as presented by Sheriff Wallace.

Commissioner Turner stated that he had talked to an auditor regarding the IRS regulations regarding vehicle use. He stated that he did not get a clear, concise answer. He also stated that if an audit was given regarding this matter, the auditor said that the county would not be penalized for this because of "good intentions."

Motion was made by Commissioner Wells, seconded by Commissioner Williams, to continue using county vehicles as in the past until proven otherwise. Commissioners Parks, Raynor, and Turner voted for; Commissioner Fussell voted against. Motion carried.

Mr. Gary Rose, Tax Administrator, appeared before the board to discuss several issues.

Mr. Rose gave a report on unpaid 2008 taxes that are a lien on real estate. This amount is \$2,843,260.51. Mr. Rose requested permission to advertise in the newspaper in March those taxes that are unpaid. (See handout in minutes.)

Motion was made by Commissioner Parks, seconded by Commissioner Raynor, carried unanimously, to advertise the unpaid taxes in the newspapers during the month of March.

Mr. Rose also presented guidelines for minimum values for tax listing for 2009. (See handout in minutes.)

Motion was made by Commissioner Wells, seconded by Commissioner Raynor, carried unanimously, to approve the guidelines for minimum values for tax listing for 2009.

Mr. Rose stated that he would like to set the dates for the Board of E & R meetings. He requested that the meetings be held on April 20, 2009 at 9:30 a.m. and May 18, 2009 at 9:30 a.m.

Motion was made by Commissioner Wells, seconded by Commissioner Williams, carried unanimously, to hold the Board of E & R meetings to be held on April 20, 2009 at 9:30 a.m. and May 18, 2009 at 9:30 a.m.

Commissioner Wells stated that he had a county employee call him regarding the policy of placing pictures on desks. He stated that this employee was told that she had to remove a picture of President Obama from her desk. Mr. Mike Aldridge stated that there was no policy regarding pictures on employees' desks.

Commissioner Wells stated that he received a letter from Senator Charlie Albertson stating that the Senator would be proposing legislation on Thursday, February 05, 2009 to implement a seventh commissioner to the board.

Motion was made by Commissioner Williams, seconded by Commissioner Wells, to instruct the county manager to write a letter and send it via registered mail to Senator Albertson expressing the board's opposition to the proposed legislation concerning a seventh commissioner. Commissioners Parks, Raynor, and Turner voted for; Commissioner Fussell voted against. Motion carried.

Mr. Mike Aldridge presented a spreadsheet depicting the general fund as of December 2008. This report showed all revenues and expenses for departments. (See handout in minutes.)

Mr. Aldridge presented a list of cost reduction ideas for the board's consideration. (See handout in minutes.)

Motion was made by Commissioner Parks, seconded by Commissioner Fussell, to discontinue the employee appreciation luncheon this year and hope that things will be better next year. Commissioners Raynor, Turner, and Williams voted for; Commissioner Wells voted against. Motion carried.

Commissioner Wells stated that he would like for the board to reconsider the discontinuation of the employee appreciation luncheon because it would cause a decrease in morale.

Motion was made by Commissioner Parks, seconded by Commissioner Fussell, to ask Mr. Brian Pearce, EMS Director, to come up with an EMS plan that would have six facilities instead of eight and that the commissioners accept his plan. Commissioner Turner voted for; Commissioners Raynor, Wells, and Williams voted against, causing a tie vote. A tie vote results in no action being taken.

Motion was made by Commissioner Parks, seconded by Commissioner Fussell, to ask Mr. Pearce to come up with an EMS plan that would have six facilities. Commissioners Raynor, Wells, and Williams voted for; Commissioner Turner voted against. Motion carried.

Mr. Aldridge informed the board that the county received three bids for providing labor and equipment for grading the Norwood Blanchard site. The low bid was submitted by Mr. John Kilpatrick of Warsaw in the amount of \$6,125.00 (See handout in minutes.)

Motion was made by Commissioner Raynor, seconded by Commissioner Williams, carried unanimously, to accept the bids and award the work to Mr. Kilpatrick in the amount of \$6,125.00, thereby approving budget amendment #0151.

Mr. Aldridge stated that Mrs. Rebecca Judge, who is a member of the WIC advisory board, spoke during public comment on October 6, 2008 concerning a charge of \$1,085.60 billed to WIC for repair of their air conditioner. Mrs. Judge was of the understanding that commissioners waived this charge and requested that the board entertain waiving the pending charge of \$1,085.60 to clear up WIC's audit report.

Motion was made by Commissioner Raynor, seconded by Commissioner Williams, carried unanimously, to waive the charge of \$1,085.60 for the repair of WIC's air conditioner.

Mr. Aldridge presented an application from Mr. Steve Moore, Services for the Aged Director. This contract is with MMCAP and is for the purchase of Ensure. This contract is needed because the department will now be required to purchase their Ensure products through a different distributor. (See handout in minutes.)

Motion was made by Commissioner Wells, seconded by Commissioner Parks, carried unanimously, to approve the agreement with MMCAP and authorize the aging director to sign same.

Motion to recess until February 9, 2009, 7:00 p.m. in the Community Meeting Room at the Department of Social Services for a joint meeting with the Board of Education was made by Commissioner Parks, seconded by Commissioner Wells, carried unanimously.

The board recessed to meet again on Monday, February 9, 2009 at 7:00 p.m. in Community Meeting Room in the Department of Social Services (423 North Main Street), Kenansville, North Carolina.

Clerk