

April 6, 2009

The Duplin County Board of Commissioners met in Regular Session on Monday, April 6, 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, and Reginald Wells

Absent: Commissioner Zettie Williams

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

Mr. George Futrelle gave the invocation.

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

Affidavits of Publication

Emergency Services – March 2009

Finance – March 2009

Manager's Office – March 2009

Motion was made by Commissioner Wells, seconded by Commissioner Raynor, carried unanimously, to approve the Consent Agenda which included the following: Minutes – March 12, 2009 & March 16, 2009; Budget Amendments #0175 - #0187; Solid Waste Releases # 6115 - # 6136; Tax Releases # 6060 - # 6141.

Mr. Mike Aldridge presented Administrative Budget Amendments # I305 - # I349; Motor Vehicle Releases – March 2009 -\$10,099.93; and a Cooperative Service Agreement Revision between Duplin County and USDA Wildlife Services to be made part of the minutes.

Mr. Danny Baker with the NCDOT appeared before the board to give a report on various roads in the county. Roads discussed: Edwina Kornegay Road in Calypso – street sign is down; Exit 380 at Rose Hill – gang graffiti on sign; Pettifoot Road in Mount Olive – caution sign is down at curve; Cornwallis Road in Wallace – gang graffiti on signs; airport directional sign is missing at Mae Spicer Road in Kenansville; need heavy equipment caution sign at Landfill Road in Rose Hill; Maready Road at Hwy 50 – stop sign is down; Butterball Road in Wallace – grass needs mowing.

Public Comments:

Mr. Ray Kennedy of Kenansville presented a resolution opposing same-sex marriages to be sent to the North Carolina General Assembly. (See handout in minutes.)

It was the consensus of the board to review the resolution and discuss it at the next board meeting.

Mr. Vinson Hobbs of Kenansville discussed the proposed Airport Land Use and Height Ordinance. He stated that if the county purchases his land, he will not accept less than \$8,000 per acre. Also, a family cemetery is located on his property and if the county does purchase his land, his family would like to retain the cemetery and have access to it.

Mr. Ralph Hall of Kenansville stated that the land to be purchased around the airport should be zoned as commercial land and landowners should be compensated fairly for it.

Mr. George Ammons of Kenansville inquired if the airport commission had complied with what the commissioners instructed them to do regarding the acquisition of land surrounding the airport. Also, Mr. Ammons inquired about how capital gains could affect landowners that sell their property to the county.

Ms. Joan Williams, Executive Director of the Duplin County Partnership for Children, appeared before the board to seek approval on a resolution proclaiming April 2009 as "The Month of the Young Child". (See handout in minutes.)

Dr. Corazon Ngo appeared before the board to give a report on health services that she provides at the county jail.

Ms. Cynthia Potter, Interim Economic Development Director, appeared before the board to conduct a public hearing on a proposed loan in the amount of \$40,000 to 40 East Steel Company from the Revolving Loan Fund.

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

Chairman Turner: Any comments or questions from the public?

Ms. Sheila Young: Is this at South Park in Wallace?

Ms. Potter: Yes.

Commissioner Fussell: Tell us where this money is coming from and how they will pay it back. The lending requirement is \$8,000 per job, tell us about that.

Ms. Potter: The money is coming from the county's Revolving Loan Fund from a grant provided by the USDA many years ago.

Commissioner Turner: How much is in there now?

Ms. Potter: \$791,000 plus. We're requesting to loan it to them at four percent for five years.

Commissioner Wells: Those funds are regenerated when companies pay back the loan - it goes back into the fund, correct?

Ms. Potter: Yes, it goes back into that fund. This company has had a loan from us before and has paid timely payments and is paid up.

Commissioner Fussell: What security do we have from them to guarantee this loan?

Ms. Potter: At this time, most of his funds are tied up with other loans. This company has received a couple of large contracts prior to the economy going bad. They approached us for a loan of \$200,000. The committee met and approved that but in reading the guidelines we found out that we could only loan them \$8,000 per job created. The committee at that time was willing to take a chance on this company because they had paid off the previous large loan they had in years past. So, basically good faith right now. But we can take a secondary position on another loan if you'd like.

Commissioner Fussell: I think we should.

Ms. Potter: They are willing to do that.

Ms. Rebecca Judge: How much did you say was in the loan fund?

Ms. Potter: \$791,137.27

Commissioner Wells: Cynthia, please elaborate on the criteria to ascertain those funds.

Ms. Potter: It's more or less your "last source" loan. You have to be turned down by the other banks. The committee debated on this one really hard because he is over-extended. But in addition to the two large contracts, he came back and gave us proof that he has received three more contracts. This company is booming with business in this economy. We felt like it would be justifiable to take this step. We like to help our existing industries.

Commissioner Wells: Has our attorney seen this?

Ms. Wendy Sivori: This is the first I've heard of it but I assume the package is going to be sent to me.

Commissioner Wells: I think we should approve it but with the understanding that the attorney needs to review it.

Chairman Turner: Any more questions?

With no further comments, the public hearing was called to a close at 9:40 a.m.

Motion was made by Commissioner Parks, seconded by Commissioner Wells, carried unanimously, to approve the \$40,000 loan to 40 East Steel Company at four percent for a term of five years with the county having a second lien position on equipment to secure the loan and pending review of the loan documents by the county attorney.

Sheriff Blake Wallace appeared before the board to request approval for a Community Policing Services (COPS) grant in order to fund four gang officers. He stated that the grant would be for three years and would fund the salary, fringe benefits, and overtime for the officers. The county would be committed to fund the positions for a minimum of 12 months following the initial three years. (See handout in minutes.)

Motion was made by Commissioner Wells, seconded by Commissioner Parks, carried unanimously, to authorize Sheriff Wallace to submit an application for the Community Oriented Policing Services grant.

Mr. George Futrelle, Airport Director, appeared before the board to give an update and seek adoption of the Airport Land Use & Height Restriction Ordinance to be effective May 1, 2009. (See handout in minutes.)

Motion was made by Commissioner Fussell to approve the Airport Land Use & Height Restriction Ordinance subject to each affected landowner agreeing to a purchase price of their land beforehand.

Motion died due to lack of a second.

Motion was made by Commissioner Parks, seconded by Commissioner Raynor, to adopt the Airport Land Use & Height Restriction Ordinance to be effective May 1, 2009. Commissioners Parks, Raynor, Turner, and Wells voted for; Commissioner Fussell voted against.

Mr. Randall Tyndall, Planning Director, appeared before the board to seek approval of relocation benefits for Ms. Eleanor Stanley. He stated that Ms. Stanley is the final remaining client in the 2006 CDBG program and the consulting firm of McDavid Associates has requested the rehabilitation benefit previously considered be substituted with a relocation benefit of \$ 64,500. Mr. Tyndall stated that the benefits are contingent on approval by NC Division of Community Assistance and the authorized extension of the grant previously submitted. No local county funds are being obligated. (See handout in minutes.)

Motion was made by Commissioner Wells, seconded by Commissioner Parks, carried unanimously, to authorize the chairman to sign the request to NC DCA approving the relocation benefit for Ms. Eleanor Stanley in an amount not to exceed \$64,500 per consultant's recommendation.

Ms. Marcia Wright, Chairman of the Eastern Carolina Human Services Agency, Inc. Board of Directors, appeared before the board along with Ms. Daphany Hill, ECHSA Executive Director; to discuss the Supplemental Nutrition Program for Women, Infants, & Children (WIC) Program housed at the Duplin County Health Department. (See handout in minutes.)

Motion was made by Commissioner Wells, seconded by Commissioner Raynor, to leave the WIC program as a stand alone program to remain housed at the Duplin County Health Department.

Motion was made by Commissioner Fussell, seconded by Commissioner Parks, to postpone action on this matter until the April 20, 2009 board meeting in which Ms. Alice Lanihan, Branch Head of Nutrition Services for the North Carolina Department of Health and Human Services, will be present to discuss the program. Commissioners Fussell and Parks voted for; Commissioners Raynor, Turner, and Wells voted against.

Since the motion failed, the vote on the original motion was: Commissioners Raynor, Turner, and Wells voted for; Commissioners Fussell and Parks voted against.

Motion was made by Commissioner Wells to instruct the county manager, the county attorney, and representatives from the Eastern Carolina Human Services Agency to update the 1994 space agreement for the WIC program.

Commissioner Wells withdrew his motion in order for the county attorney to review the matter and report back at the next commissioners' meeting.

Mr. Bee Barnett, Solid Waste Director, appeared before the board to request tipping fees be waived on Saturday, May 16, 2009 for "Spring Cleanup Day" at the landfill.

Motion was made by Commissioner Wells, seconded by Commissioner Raynor, carried unanimously, to waive tipping fees on May 16, 2009 at the landfill.

Mr. Johnny Summerlin, Environmental Health Director, gave a departmental update and discussed new public swimming pool regulations.

Mr. Mike Aldridge presented a resolution on behalf of the Duplin County Health Department proclaiming April 2009 as "Public Health Month". (See handout in minutes.)

Motion was made by Commissioner Parks, seconded by Commissioner Wells, carried unanimously, to adopt the resolution proclaiming April 2009 as "Public Health Month".

Mr. Steve Moore, Aging and Transportation Director, introduced Mr. Ray Williams, counselor for NC Division of Vocational Rehabilitation; and Ms. Donna Bracey, Regional Supervisor for NC Division of Vocational Rehabilitation. Ms. Bracey gave a report on the independent living services program for disabled adults in Duplin County.

Ms. Melisa Brown, Assistant Aging Director; and Ms. Frankie Hobbs, In Home Aide Supervisor; gave departmental updates.

Commissioner Fussell discussed the Evergreen Solutions, LLC response to the Duplin County Board of Education's rebuttal to the audit. He stated that of the 34 recommendations offered by Evergreen Solutions, the board of education disputed all but two. Commissioner Fussell reviewed the North Carolina General Statutes that state the financial responsibilities of each board. (See handout in minutes.)

Mr. Gary Rose, Tax Administrator, appeared before the board to seek approval for a contract with Tax Management Associates, Inc. to provide services for processing business personal property accounts not currently on the tax roll. (See handout in minutes.)

Motion was made by Commissioner Wells, seconded by Commissioner Parks, carried unanimously, to approve the contract with Tax Management Associates, Inc. and authorize the chairman to sign same.

Mr. Aldridge presented a resolution on behalf of the Duplin County Veterans Memorial Museum in Warsaw seeking support of the purpose and mission of the museum. (See handout in minutes.)

Motion was made by Commissioner Wells, seconded by Commissioner Raynor, carried unanimously, to adopt the resolution of support for the Duplin County Veterans Memorial Museum.

Mr. Aldridge stated that the Board of Directors for Duplin General Hospital is recommending that Commissioner Reginald Wells be reappointed to serve as the County Commissioner Ex Officio member of the board for a one year term beginning July 1, 2009.

Motion was made by Commissioner Raynor, seconded by Commissioner Parks, carried unanimously, to reappoint Commissioner Wells as the County Commissioner Ex Officio member of the Duplin General Hospital, Inc. Board of Directors for a one year appointment effective July 1, 2009.

Mr. Aldridge stated that the Eastern Region, of which Duplin County is one of nine county members, is developing an Aviation Cluster Development Initiative to create an environment for developing an industry lead aviation cluster in Eastern NC and will need \$128,600 in grants. He stated that each of the nine counties will be asked to give \$1,100 with Lenoir County and the City of Kinston supplying the balance of the needed funds.

Motion was made by Commissioner Fussell, seconded by Commissioner Parks, carried unanimously, to defer this matter until budget discussions are held.

Mr. Aldridge discussed the Reduction in Force section of the county's personnel policy – Section 3, Article 7. He stated that the current policy is cumbersome and difficult to implement and presented a revised, more flexible policy for adoption. Mr. Aldridge stated that the new policy has been reviewed by the Personnel Policy Committee and the county attorney. (See handout in minutes.)

Motion was made by Commissioner Wells, seconded by Commissioner Raynor, carried unanimously, to rescind Section 3, Article 7 of the current personnel policy and replace with the revised policy as presented to be effective immediately.

Mr. Aldridge discussed the upcoming budget process and requested the board's direction on what areas to cut funding. (See handout in minutes.)

Commissioner Turner gave a presentation on his recent trip to Cambodia to recover the remains of his cousin, LCPL Joseph Hargrove.

The board adjourned to meet again on Monday, April 20, 2009 at 9:00 a.m. in the Commissioners' Meeting Room, County Administration Building (224 Seminary Street), Kenansville, North Carolina.

Clerk