

May 4, 2009

The Duplin County Board of Commissioners met in Regular Session on Monday, May 4, 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: None

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

Commissioner Parks gave the invocation.

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

Affidavits of Publication

Finance – March 2009  
Health Department – March 2009  
Services for the Aged – March 2009

Motion was made by Commissioner Williams, seconded by Commissioner Wells, carried unanimously, to approve the Consent Agenda which included the following: Minutes – April 20, 2009; Budget Amendments #0205 - #0208; Solid Waste Releases # 6213 - # 6242; Tax Releases # 6166 - # 6212; to add BA #210 & 211; to add Closed Sessions for Economic Development and Personnel; to add a discussion on the Manager's Report; to add a resolution in regards to returning the remains of LCPL Joseph Hargrove; and a grant agreement with McDavid Associates, Inc.

Mr. Mike Aldridge presented Administrative Budget Amendments # J385 - # J408 to be made part of the minutes.

Public Comments:

Ms. Violette Branch of 1869 W. Wards Bridge Road informed the board that property adjoining hers was being used as a trash dump by the owner, Ms. Dora Evans. Ms. Branch stated that concrete had been dumped by Ms. Evans and now others were starting to dump their garbage there as well.

Mr. Aldridge stated that he would have the Solid Waste, Sheriff, and Health Departments investigate the matter.

Mr. Lynwood Lee of 129 Juniper Road in Faison discussed drainage and mowing concerns on his road.

Mr. Win Batten, Mayor of Warsaw, invited everyone to join town officials at Noon on Thursday, May 7<sup>th</sup> for prayer at the flagpole at town hall to commemorate "National Day of Prayer".

Ms. Anne Taylor of Faison, discussed Fibrowatt's plans to locate a plant in Sampson County near Faison. She stated that Sampson County officials want to take back a section of Faison's ETJ in order to sell property to Fibrowatt.

Ms. Jerri Parker, NCDOT Maintenance Engineer, appeared before the board to discuss various roads in the county. Roads discussed: 114 Coltren Lane in Mount Olive – ditches need cleaning out; Elaine Carlton Residence on Hallsville Road in Beulaville – ditches need cleaning out; Greenevers Community – ditches need cleaning

out; bridges on US 117 and Hwy 403 in Calypso – water stands in road; Hwy 41 near Jackson’s Crossroads – water stands in road.

Mr. Steve Moore, Aging and Transportation Director, appeared before the board to conduct a public hearing regarding an application for grant funding for the transportation system from the federal “American Recovery and Reinvestment Act”. He stated that the application would be for \$ 248,517 for capital needs and would not require any matching county funds. Mr. Moore stated that if the grant was awarded, the funds would be used for new vehicles, facility improvements, monitoring equipment, and preventive maintenance for transportation vehicles. (See handout in minutes.)

The public hearing was called to order at 9:30 a.m.

Chairman Turner: Any comments or questions from the public?

Commissioner Fussell: This is for five new vehicles? I know you got an email from Valley of Hope because we got a copy of it. They were wanting a good deal on a used vehicle. Could we make the used vehicles available to our churches?

Mr. Moore: Do you mean free of charge?

Commissioner Fussell: No, surplus sales.

Mr. Moore: Yes, they have the same opportunity to acquire vehicles sold as surplus through the county website.

Commissioner Fussell: Would you let us know that so we can circulate it around?

Mr. Moore: Yes, as soon as those vehicles go on the website, I will let you know.

Ms. Rebecca Judge: In regards to funds for people to utilize the transportation system, some people say that they don’t have the money to pay to use the system even though it’s not that much, plus you can’t cover some of the territory some people would like for you to cover on certain days, do you have any funds for that?

Mr. Moore: Those funds are what we call “ROAP funds” or Rural Operating Assistance Program funds for the elderly and for the general public and for Work First Recipients. The application for those funds will come out sometime later this month or the first of June. How much that will be, I have no idea. Last year was somewhere close to \$200,000. There’s another program 5315 and 5316 that funds are available through the job program that’s for people that are working or looking for jobs but the county match on that is 50 percent. There’s 5310 that’s for the elderly and disabled people and that match is also 50 percent. In order for us to apply for those funds, we have to have enough people that meet those criteria before we can apply for those funds. I don’t like to apply for funds and have to turn it back in at the end of the year like a lot of other systems have to.

Mr. Franklin Fussell: Has the ridership picked up since the economy has been going down?

Mr. Moore: It did pick up then the fuel prices dropped and so it slacked off some.

Chairman Turner: Any more questions?

With no further comments, the public hearing was called to a close at 9:34 a.m.

Motion was made by Commissioner Wells, seconded by Commissioner Parks, carried unanimously, to adopt the resolution to authorize the Transportation Director to apply for grant funding from the federal “American Recovery and Reinvestment Act”.

Mr. Brian Pearce, Emergency Services Director, appeared before the board to give an update on the recent warehouse fire at Southern Produce in Faison. He stated that 82 fire departments responded from nine surrounding counties. Approximately 250 fire fighters helped to extinguish the blaze over a three day period using approximately 2 million gallons of water. Mr. Pearce stated the estimated loss is \$20 million and the fire has been ruled arson by the SBI.

Commissioner Wells left at this time.

Ms. Ila Davis, Health Department Director gave an update on the recent outbreak of H1N1 [Swine Flu]. Ms. Davis presented a contract between the county and Ms. Cindy Hawes for physical therapy services for county employees (See handout in minutes.)

Motion was made by Commissioner Parks, seconded by Commissioner Fussell, carried unanimously, to approve the physical therapy contract between Duplin County and Ms. Cindy Hawes of Comprehensive Rehab and Wellness, Inc.

Commissioner Wells returned at this time.

Mr. Joe McKemey, P.E. with McDavid Associates, Inc. appeared before the board to discuss bid proposals for Water District E and to give an update on the countywide sewer planning study.

Motion was made by Commissioner Raynor, seconded by Commissioner Williams, carried unanimously, to recess Regular Session and go into session as Water District E.

The board returned to Regular Session.

Mr. McKemey gave an update on the countywide sewer planning study. He stated that the North Carolina Clean Water Management Trust Fund provided Duplin County with a grant in the amount of \$ 40,000 for the feasibility of a countywide sewer system. Mr. McKemey stated that all the town limits have been verified, an initial coordination with towns for existing sewer flows and sewer treatment capacities has been completed, areas of concentrated populations with the potential need for sewer facilities has been identified, and initial preparation of information for input into GIS format has been completed. (See handout in minutes.)

Mr. Mike Barnette with McDavid Associates appeared before the board to discuss an amendment for the 2006 CDBG Scattered Site Housing Program. He stated the amendment was needed in order to clear and replace the Eleanor Stanley Home and to include the Gertie Williams house in a subsequent CDBG Program. (See handout in minutes.)

Motion was made by Commissioner Parks, seconded by Commissioner Williams, carried unanimously, to authorize the chairman to sign the amendment and cover letter and to authorize the finance officer to amend the budget and authorize the chairman to sign a time extension agreement, thereby approving BA# 212.

Mr. Bobby Norwood, Duplin County Board of Education Maintenance Director, appeared before the board to seek approval on revised applications for lottery funding. The original applications were approved at the March 9, 2009 board meeting. Mr. Norwood explained that the state has requested additional information concerning design fees, plans, and specifications in order to process the applications. The priorities and the particular projects are the same as previously approved. (See handout in minutes.)

Motion was made by Commissioner Parks, seconded by Commissioner Wells, carried unanimously, to approve the amended lottery applications as presented.

Motion was made by Commissioner Wells, seconded by Commissioner Williams, carried unanimously, to approve BA# 213 for \$ 202,304 for the repair and replacement of school bleachers.

Mr. Ferrell Thigpen, Chief Building Inspector, appeared before the board to request changes in the inspection fee schedule due to the adoption of the Minimum Housing Standards Ordinance. Mr. Thigpen also requested a change in fees for renovations, additions, and alterations from square footage to cost of project. (See handout in minutes.)

Motion was made by Commissioner Raynor, seconded by Commissioner Parks, carried unanimously, to approve the schedule of fees as presented to be effective July 1, 2009.

Motion was made by Commissioner Parks, seconded by Commissioner Raynor, carried unanimously, to authorize the Chief Building Inspector to enforce a penalty fee of \$50 for anyone not obtaining the proper permits prior to set up of mobile homes to be effective July 1, 2009.

Ms. Donna Rouse, Soil and Water Director; and Mr. Eric West, District Conservationist; appeared before the board to present two contracts for the Don Hargrove Farm [Parcel #25600574937] in Calypso. The first contract is to Land Management Group, Inc. for a Phase I Environmental Assessment. The second contract is to Rasberry, Shakelford, and Associates for an appraisal. Ms. Rouse stated that both contracts are needed to comply with the terms of the NC Agricultural Development and Farmland Preservation Trust Fund and the NC Foundation for Soil & Water Conservation Grant. (See handout in minutes.)

Commissioner Turner asks to be excused from voting on this matter due to a potential conflict of interest.

Motion was made by Commissioner Fussell, seconded by Commissioner Wells, carried unanimously, to excuse Commissioner Turner from voting on this matter.

Motion was made by Commissioner Williams, seconded by Commissioner Raynor, carried unanimously, to approve the contract with Rasberry, Shakelford, and Associates for appraisal services.

Motion was made by Commissioner Parks, seconded by Commissioner Raynor, carried unanimously, to approve the contract with Land Management Group, Inc. for a Phase I Environmental Assessment.

Mr. Jimmy Dixon of Calypso discussed improper use of Solid Waste Enterprise Funds and his review of county audit reports in regards to interest revenue projections in the Solid Waste Budget. (See handout in minutes.)

Ms. Sivori advised the board to go into Closed Session.

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

The board returned to Regular Session.

Mr. Aldridge requested a budget amendment to reimburse the Solid Waste Enterprise Fund for mowing other county properties, moving dirt at the Events Center, and clearing land at James Kenan High School. He stated that in order for the county to legally use existing equipment to mow all county-owned property, funds would need to be transferred from the General Fund to the Solid Waste Fund to purchase the tractor and mower from the Solid Waste Department. Mr. Aldridge also stated that this would correct past violations to the extent that can be accounted for and would eliminate future inappropriate uses of the equipment purchased with Solid Waste Enterprise Funds. The tax value for the 2004 New Holland TL90 tractor and dealer's estimate on the mower totals \$32,570; clearing for James Kenan High School Athletics totals \$720; moving dirt

at the Events Center totals \$4,728; and mowing at the Events Center totals \$252 for a grand total of \$38,270.

Motion was made by Commissioner Parks, seconded by Commissioner Raynor, to approve the transfer of funds for the solid waste equipment thereby approving BA# 209. Commissioners Parks, Raynor, Turner, Wells, and Williams voted for; Commissioner Fussell voted against.

Motion was made by Commissioner Raynor, seconded by Commissioner Williams, carried unanimously, to continue to pursue the performance audit of all county departments originally approved at the February 16, 2009 with the audit to begin July 13, 2009.

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)(3) to discuss legal matters and N.C.G.S. 143-318.11(a)(4) for economic development matters.

The board returned to Regular Session.

Motion was made by Commissioner Williams, seconded by Commissioner Raynor, carried unanimously, to adopt the economic development resolution of support for "Project Chest".

Motion was made by Commissioner Williams, seconded by Commissioner Raynor, carried unanimously, to promote Ms. Cynthia Potter to Assistant Economic Development Director effective July 1, 2009 with salary pending the development of the 2009-10 budget.

Mr. Aldridge discussed the Manager's Report for April 2009 in regards to the county's bond rating. He stated that Moody's Investor Services has contacted the manager's office to survey information that may affect the county's bond rating. Mr. Aldridge stated that the fund balance percentage has declined for five consecutive years. He advised the development of fiscal policies that will enhance the county's bond rating. (See handout in minutes.)

Commissioner Turner presented a resolution of support to have the remains of LCPL Joseph N. Hargrove's returned for proper burial. (See handout in minutes.)

Motion was made by Commissioner Wells, seconded by Commissioner Fussell, carried unanimously, to authorize each board member to sign the resolution of support as presented.

The board adjourned to meet again on Monday, May 18, 2009 at 9:00 a.m. in the Commissioners' Meeting Room, County Administration Building (224 Seminary Street), Kenansville, North Carolina.

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Clerk