

July 20, 2009

The Duplin County Board of Commissioners met in Regular Session on Monday, July 20, 2009 at 9:00 a.m. in Commissioners' Room, County Administration Building (224 Seminary Street), Kenansville, North Carolina.

Present: Commissioners David Fussell, Frances Parks, Harold Raynor (by conference call); Cary Turner, Reginald Wells; and Zettie Williams

Absent: Ms. Teresa Lanier, Finance Officer.

Also Present: Mr. Mike Aldridge, County Manager; Ms. Julia Herring, Administrative 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

Animal Control – June 2009  
Building Inspections – June 2009  
Cabin Lake – June 2009  
Communications – June 2009  
Finance – April, May, & June 2009  
Health Department – June 2009  
Maintenance – June 2009  
Manager's Office – June 2009  
Register of Deeds – June 2009  
Social Services – June 2009  
Soil & Water – June 2009  
Water Department – June 2009

Motion was made by Commissioner Wells, seconded by Commissioner Williams, carried unanimously, to approve the Consent Agenda which included the following: BA # 023 – 029; Health Department Bad Debt Write Offs for the Period Ending 7/6/2006; Minutes – July 6, 2009; to add BA #030 for library book sales; a compliance report to be signed by the chairman for Water District D; a report from Eastpointe Mental Health regarding the use of ABC funds; an Assignment of Bid for property in Faison; and a discussion on Duplin County's employment numbers.

Mr. Aldridge presented Administrative Budget Amendments #A001 - #A005; Motor Vehicles for June 2009 - \$9,086.78; and a GovDeals.com summary to be made part of the minutes.

Public Comments:

Mr. David Jones of Beulaville presented a plan to change the hours of operation for the solid waste collection sites in order for the solid waste enforcement officer to patrol all sites during hours of operation. He stated that this plan would also save the county money in salaries. (See handout in minutes.)

Mr. Wendell Murphy presented a resolution honoring the life and memory of Ms. Lois G. Britt by requesting the Duplin Commons Agricultural Building be named in her honor. (See handout in minutes.)

Motion was made by Commissioner Williams, seconded by Commissioner Wells, carried unanimously, to adopt the resolution to name the Duplin Commons Agricultural Building in honor of Ms. Lois G. Britt.

Mr. Steve Moore, Aging & Transportation Director, appeared before the board to conduct a public hearing regarding the Rural Operating Assistance Program (ROAP)

Application for FY 2009 – 10. Mr. Moore stated that the projected allocation for Duplin County is \$192,862. (See handout in minutes.)

The public hearing was called to order at 9:37 a.m.

Chairman Turner: Are there any comments or questions from the public?

With no comments, the hearing was called to a close at 9:38 a.m.

Motion was made by Commissioner Wells, seconded by Commissioner Parks, carried unanimously, to authorize the chairman to sign the 2009 Rural Operating Assistance Program Certified Statement.

Mr. Moore requested the reappointment of all the members of the Duplin United Transit System, Inc. Advisory board. The members to be reappointed are: Ms. Melisa Brown, Ms. Millie Brown, Ms. Joan Williams, Mr. Randall Tyndall, Mr. Jim Harris, Mr. Arthur Kornegay, Ms. Ila Davis, Mr. Victor Camacho, and Mr. Claude Morrissey. He stated that each term would be for one year effective July 1, 2009 – June 30, 2010. (See handout in minutes.)

Motion was made by Commissioner Wells, seconded by Commissioner Williams, carried unanimously, to approve the reappointments of the Duplin United Transit System, Inc. members as presented for a one year term effective July 1, 2009 – June 30, 2010.

Mr. Mike Barnette with McDavid Associates and Mr. Randall Tyndall, Planning Director, appeared before the board to conduct the second public hearing regarding the 2009 Community Development Block Grant Scattered Site Housing Program application cycle. The first public hearing was held July 6, 2009.

The public hearing was called to order at 9:45 a.m.

Chairman Turner: Any comments or questions from the public?

Chairman Turner: Are there any questions from the board?

Commissioner Fussell: Does our county planner have anything to add?

Mr. Randall Tyndall: There are currently 180 homes that we are considering that meet some of the basic criteria. We do not have any difficulty in justifying additional funds for this program because we do maintain a list with the board's input and calls from the general public. One of the things we are doing differently is we will have a numerical scale so you will know exactly how they were rated and how they measured up with the other applicants. This is something that has been recommended by our consultant.

Mr. Mike Barnette: There is no local match for this program.

Commissioner Williams: When you finish the house, will it be complete to specifications required by the program?

Mr. Mike Barnette: Yes.

Commissioner Williams: Suppose you give \$37,000 for one house but to get the work done would cost \$80,000 can the homeowner make up the difference?

Mr. Mike Barnette: The answer to your direct question is yes. However, we're going to work real hard not to get into that position. That's one of our evaluation criteria. When I said "moderately deteriorated", we're going to look at it to see that we can do what needs to be done for \$ 37,000. In general, if they want to do something extra they can certainly do that.

Commissioner Williams: They can do it at the time you are doing yours?

Mr. Mike Barnette: Yes.

Mr. Randall Tyndall: There's a misnomer that this is a remodeling program which it is not. This is to bring the home up to a livable standard. We look at mechanics rather than aesthetics.

Commissioner Williams: You do a good job Randall. . .trying to satisfy 300 people that you've had to deal with for the last several years.

Commissioner Turner: He has a lot of patience.

Commissioner Williams: Yes he does. He's recommended low-interest loans to people and gotten a lot of churches to help. You've done an excellent job.

Commissioner Turner: Any other questions?

With no further comments, the public hearing was called to a close at 9:48 a.m.

Mr. Randall Tyndall gave each member of the board a draft copy of the North Carolina Eastern Region's Military Growth Task Force "Regional Growth Management Plan". He stated that Mr. Jay Bender, Interim Executive Director, would be present at the next board meeting to give a formal presentation to review Duplin County's recommendations.

Mr. Chuck Reimel, President of Veteran Fire, Inc. appeared before the board to discuss Tract 4 at SouthPark that he purchased from the county in February 2007. He stated that part of the conditions of the sale was construction must begin on the property within 12 months. Mr. Reimel stated that his company has been acquired by another company and this company is not interested in building on Tract 4; therefore, he is requesting the county purchase the land back.

Motion was made by Commissioner Wells, seconded by Commissioner Fussell, carried unanimously, to defer this matter until the next meeting in order for the economic development director and the county attorney to review the terms of the sale and report back at the next board meeting.

Ms. Heather Beard, Economic Development Director, appeared before the board to discuss appointments needed for the advisory board. She stated that the Duplin County EDC is in the process of finalizing its non-profit status and according to the by-laws, the previous advisory board appointments have expired. Ms. Beard stated that no appointees are needed today but she wanted to make the board aware of in order for appointees to be given at the next board meeting.

Ms. Beard requested a public hearing to be held at the August 17, 2009 board meeting regarding economic incentives for "Project Chest".

Motion was made by Commissioner Parks, seconded by Commissioner Wells, carried unanimously, to schedule a public hearing for August 17, 2009 at 9:30 a.m. in order to receive citizen comments for "Project Chest".

Ms. Tammy Childers, Executive Director of the Eastern Carolina Workforce Development Board, Inc. appeared before the board to give an update on activities in Duplin County.

Sheriff Blake Wallace appeared before the board to discuss the house arrest monitoring program that began in March 2009. He stated that the program was on a trial basis until the end of the fiscal year to measure the success of the program. He stated that there are currently six participants in the program and it has been successful so far. Sheriff Wallace stated that at the time the program began, the House Arrest Officer position was created using a vacant full time deputy position. Sheriff Wallace requested the program continue as is without requesting a permanent House Arrest Officer position at this time. (See handout in minutes.)

Sheriff Wallace stated that the Sheriff's Department is eligible to apply for a Justice Assistance Grant in the amount of \$17,000 and if awarded, the funds could be used for the house arrest monitoring program.

Motion was made by Commissioner Wells, seconded by Commissioner Parks, carried unanimously, to authorize the Sheriff to apply for the Justice Assistance Grant.

As requested at the July 6<sup>th</sup> board meeting, Sheriff Wallace discussed the Solid Waste Enforcement Officer position. He stated that this employee works three days per week supervising the inmate road crew and two days monitoring the solid waste sites and other solid waste enforcement issues or as needed anytime. Sheriff Wallace explained that the Solid Waste Enforcement Officer would not have authority to arrest unless he was also a sworn law enforcement officer in the State of North Carolina. He stated that the Solid Waste Enforcement Officer could issue a civil summons or go to magistrates office to secure a warrant that would be forwarded to the Sheriff's Department to be served by a deputy.

Commissioner Williams stated that the Solid Waste Enforcement Officer position should be dedicated as a full time employee of the Solid Waste Department in order to patrol the solid waste sites and to enforce the Duplin County Solid Waste Ordinance.

Motion was made by Commissioner Fussell, seconded by Commissioner Raynor, carried unanimously, to approve Mr. Bee Barnett as the Solid Waste Enforcement Officer and to approve hiring a full time Solid Waste Enforcement Officer to assist Mr. Barnett with enforcement duties to include monitoring the solid waste sites on Saturdays with funds to come from the Solid Waste Enterprise Fund.

The board agreed that the current deputy serving in the capacity of the Solid Waste Enforcement Officer would revert back to a full time deputy with the Sheriff's Department.

Motion was made by Commissioner Fussell, seconded by Commissioner Parks, carried unanimously, to authorize the solid waste truck and laptop computer to remain as property of the Solid Waste Department and to authorize the purchase of the gun by the Sheriff's Department from the Solid Waste Department in the amount of \$300 with funds from Federally Seized Assets line item, thereby approving BA# 31.

Chairman Turner administered the oath of office for the Solid Waste Enforcement Officer to Mr. Bee Barnett. (See handout in minutes.)

Ms. Donna Rouse, Soil and Water Director, appeared before the board to discuss the B-MAP Cooperative Service Agreement between landowners and the Duplin County Soil & Water Conservation Department. She requested approval of the form and for the Soil & Water Director and the two watershed technicians be authorized to sign the form. (See handout in minutes.)

Motion was made by Commissioner Parks, seconded by Commissioner Williams, carried unanimously, to approve the B-MAP Cooperative Service Agreement form and authorize the Soil & Water Director and Watershed Technicians to be the designated signors.

Ms. Rouse presented the first amendment to the contract with Blizzard Construction of Beulaville for stream debris removal for the Limestone Creek and Muddy Creek Watershed Project. She stated that the contract was originally approved at the June 15, 2009 board meeting in the amount of \$127,857.01 with \$93,106.88 paid from the FY 2008-09 budget and the remainder to be paid from the FY 2009 - 10 budget. (See handout in minutes.)

Motion was made by Commissioner Williams, seconded by Commissioner Parks, carried unanimously, to approve the amendment to the contract with Blizzard Construction for the Limestone Creek and Muddy Creek Watershed Project and authorize the chairman and finance officer to sign same.

Ms. Wendy Sivori presented an Assignment of Bid for foreclosed property just outside of the Faison town limits that was sold on May 14, 2009 with Duplin County as the high bidder. She stated that since the sale, two individuals have contacted her wanting to purchase the property. Sealed bids were accepted with the highest bid of \$6,600 from Anglia Faison. (See handout in minutes.)

Motion was made by Commissioner Parks, seconded by Commissioner Wells, carried unanimously, to approve the Assignment of Bid as presented and authorize the chairman to sign same.

Mr. Aldridge stated that the Duplin County Airport Commission is recommending the reappointments of Mr. Bob Johnson, Mr. Ricky Kennedy, and Commissioner Cary Turner whose terms expired June 30, 2009. The appointments are three-year terms expiring June 30, 2012.

Motion was made by Commissioner Wells, seconded by Commissioner Williams, carried unanimously, to reappoint Mr. Bob Johnson, Mr. Ricky Kennedy, and Commissioner Cary Turner to the Duplin County Airport Commission for a three-year term to expire June 30, 2012.

Mr. Aldridge discussed a handout provided by Mr. Brian Pearce, EMS Director, of the detail of the call history regarding an EMS call on Lanefield Road on June 7, 2009 near Kenansville in response to the concern Commissioner Williams had regarding an ambulance in Faison responding to the call. (See handout in minutes.)

Mr. Aldridge presented the NC Rural Center Agreement for a \$360,000 grant for the Four County Peanut 2009 Value Added Project for approval and the chairman signature. (See handout in minutes.)

Motion was made by Commissioner Parks, seconded by Commissioner Williams, carried unanimously, to approve the NC Rural Center Grant Agreement for the Four County Peanut Value Added Project and authorize the chairman to sign same.

Mr. Aldridge presented the Duplin County Jail Medical Services Contract between the county and Dr. Corazon Ngo for the board's approval.

Motion was made by Commissioner Wells, seconded by Commissioner Williams, carried unanimously, to approve the Duplin County Jail Medical Services Contract between the county and Dr. Corazon Ngo and authorize the chairman and finance officer to sign same.

Mr. Aldridge gave an update on the county performance audit to be conducted by Evergreen Solutions beginning July 29<sup>th</sup>. He stated that a public forum will be held at the August 3, 2009 board meeting at 9:15 to receive citizen comments on the audit. Mr. Aldridge stated that a link has been set up on the county's website for citizens to make comments online. He stated that Dr. Recio and staff would like to meet with each commissioner individually.

Motion was made by Commissioner Wells, seconded by Commissioner Williams, carried unanimously, to recess Regular Session and go into session as the Board of Equalization and Review.

The board returned to Regular Session.

Commissioner Fussell presented a handout showing the number of full time and part time county employees and the total cost of salaries. He stated that he arrived at the number of employees [534 full time and 34 part time equivalent] by using the positions approved in the FY 2009 – 10 budget.

Mr. Aldridge responded that he had discussed this matter with Dr. Recio of Evergreen Solutions, LLC at it would be reviewed during the audit of the county that will begin soon.

The board adjourned to meet again on Monday, August 3, 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