

October 5, 2009

The Duplin County Board of Commissioners met in Regular Session on Monday, October 5, 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; Cary Turner, Reginald Wells; and Zettie Williams

Absent: None

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

Commissioner Parks gave the invocation.

Motion was made by Commissioner Parks, seconded by Commissioner Raynor, carried unanimously, to approve the Consent Agenda which included the following: Minutes – September 21, 2009; Budget Amendments #068 - #075; Tax and Solid Waste Releases #6805 - #6872; and to add a discussion on a budget amendment needed for an economic development project.

Mr. Aldridge presented Administrative Budget Amendments # C085 - #C102 to be made part of the minutes.

Public Comments:

Mr. Franklin Fussell of Kenansville invited everyone to the fundraising banquets at the Duplin Winery on November 16th & 17th at 6:30 p.m. to benefit the Confederate Sword Factory in Kenansville.

Mr. Charles Ingram, President of the Duplin County Historical Society, gave an update on the efforts to recognize men from Duplin County that died in World War II. He invited the board to the memorial service to honor WWII veterans to be held November 7, 2009 at the Ed Emory Auditorium. Mr. Ingram stated that he would like the county to be a co-sponsor along with the historical society so that the event will be an official county event. He presented each member of the board with a copy of the book "In Honor of Duplin County's Vietnam War Dead" and stated that a similar book will be compiled for those who died in WWII. Mr. Ingram thanked the board for their contribution to the Vietnam Memorial and stated that it would be appreciated if the county would consider making the same type of contribution to the WWII memorial (\$100 per veteran listed on memorial) for a total contribution of approximately \$9,000.

Mr. Nelson Washington discussed a highway concern in front of the daycare he owns, LuAnna's Child Care, located at 486 Summerlins Crossroads Road near Kenansville. Mr. Washington stated that vehicles speed in this area and he has observed several vehicles passing stopped school buses. He stated that he would like caution signs installed and lower the speed limit in this zone.

Ms. Marcia Wright, Chairperson of the Eastern Carolina Human Services Agency, Inc. Board of Directors, appeared before the board to discuss the decision at the September 21, 2009 board meeting to have the Duplin County WIC program administered by the health department. She stated that the full board of commissioners should have been present for the vote, Commissioner Wells was absent.

Motion was made by Commissioner Wells, seconded by Commissioner Williams, to reconsider the action taken at the September 21, 2009 board meeting regarding the WIC program being administered by the Duplin County Health Department effective July 1, 2010. Commissioners Raynor, Wells, and Williams voted for; Commissioners Fussell, Parks, and Turner voted against. A tie vote results in no action taken.

Ms. Jerri Parker, NCDOT Maintenance Engineer, appeared before the board to give an update on various roads in the county. She stated that she has already spoken with Mr. Washington about his traffic concerns in front of the daycare and has ordered a traffic study to be conducted.

Roads discussed: Stacy Britt Road – thank you for dragging work done; Fountaintown Road and Lynn Brown Road – intersection blocked by tree; Hwy 11 in Kenansville – thank you for work done on cave-in on highway in front of New Christian Chapel Baptist Church; Thank you for mowing and maintenance along bicycle route for the NC Cycle Event on October 2nd and 3rd; Hwy 50 & 41 intersection – sign down.

Commissioner Turner asked Ms. Parker what could be done to stop NCDOT signs from being stolen. He stated that it is a very dangerous situation when stop signs and warning signs are missing. He suggested a letter be sent to state representatives to have legislation passed with a tougher penalty if caught in possession of stolen signs.

Ms. Parker replied that the NCDOT will prosecute anyone that steals a sign but it is difficult to catch the thieves.

Ms. Erica Brody, National Children's Study Project Manager for Duplin County, appeared before the board to give an update. She stated that the purpose of the project is to track children from birth to age 21 to study their health and well-being. Ms. Brody stated that Duplin County was one of 105 counties chosen at random from across the United States. She stated that the goal is to recruit 250 kids per year for five years from Duplin to participate in the study. (See handout in minutes.)

Mr. Steve Moore, Aging and Transportation Director, appeared before the board to seek approval for an agreement and funding plan between Duplin County and the Eastern Carolina Council Area on Aging for additional funding for county-based nutrition services through the American Recovery and Reinvestment Act of 2009. (See handout in minutes.)

Motion was made by Commissioner Wells, seconded by Commissioner Williams, carried unanimously, to approve the agreement and funding plan between Duplin County and the Eastern Carolina Council Area Agency on Aging as presented and authorize the chairman to sign same, thereby approving BA# 076.

Mr. Bee Barnett, Solid Waste Director, appeared before the board to seek approval for a substitute employee, Mr. Richard Duprey, to be made a permanent part-time employee at the transfer station. Mr. Barnett explained that this person has been working on a regular basis and has exceeded the 1,000 hour limit and will need to be added with retirement benefits.

Motion was made by Commissioner Fussell, seconded by Commissioner Parks, to defer this matter until after the Evergreen Audit is presented in November. Commissioner Fussell voted for; Commissioners Parks, Raynor, Turner, Wells, and Williams voted against.

Motion was made by Commissioner Williams, seconded by Commissioner Parks, to approve the transfer station substitute employee to permanent part-time status. Commissioners Parks, Raynor, Turner, Wells, and Williams voted for; Commissioner Fussell voted against.

Ms. Jo Ann Hartley, Finance Officer for the Duplin County Board of Education, appeared before the board to seek approval of the 2009 – 2010 County Appropriation and County Capital Outlay Budgets as adopted by the BOE at their September 15, 2009 meeting. (See handout in minutes.)

Motion was made by Commissioner Wells, seconded by Commissioner Williams, to approve the Duplin County Board of Education budget revisions as presented, thereby approving the associated budget amendment. Commissioners Parks, Wells, and Williams voted for; Commissioners Fussell, Raynor, and Turner voted against. A tie vote results in no action taken.

Commissioner Raynor discussed the old Chinquapin School. He stated that for safety purposes, the building should be demolished. Commissioner Turner stated that he had reports of teenagers having a party in the building recently. He stated that someone could get hurt and the county would be held liable. (See handout in minutes.)

Motion was made by Commissioner Raynor, seconded by Commissioner Williams, carried unanimously, to tear down the old Chinquapin School with the bid award going to the low bidder, Baucom Clearing, Grading, & Demolition, with funds to come from the general fund balance, thereby approving BA #079.

Representative Russell Tucker appeared before the board to award the Order of the Long Leaf Pine to Mr. Dale Dixon.

Commissioner Turner asked Representative Tucker about what could be done to prevent NCDOT road signs from being stolen.

Representative Tucker stated that legislation was already in place that requires scrap metal dealers to request identification from sellers. He stated he would check into the matter of the stolen signs to see what tougher penalties could be imposed for those caught stealing or having possession of a NCDOT road sign.

Mr. Mike Aldridge discussed a change order for Water District E.

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

The board returned to Regular Session.

Mr. Mike Aldridge discussed Change Order 1 for Contract 1 for the Rosemary Sewer Project resulting in a net increase of \$10,402.40. (See handout in minutes.)

Motion was made by Commissioner Wells, seconded by Commissioner Williams, carried unanimously, to adopt the resolution "Amending Capital Project Budget Ordinance" which approves Contract 1 – Change Order 1 for the Rosemary Sewer Project and authorize the chairman to sign same, thereby approving BA # 077.

Commissioner Fussell discussed involuntary annexation and presented a resolution opposing towns having the authority to involuntarily annex privately owned property outside of town limits without obtaining a resolution of support from the board of commissioners. Mr. Win Batten, Mayor of Warsaw, was present and was asked to speak about this matter. He stated that if a town annexed an area into the city limits, the following five things have to be provided to the newly annexed area: police protection, fire protection, water, sewer, and garbage service. Mr. Batten stated that the NC League of Municipalities is currently working with legislators to draft a bill regarding involuntary annexation.

Motion was made by Commissioner Fussell, seconded by Commissioner Raynor, carried unanimously, to adopt the resolution of opposition regarding involuntary annexation and authorize the chairman to sign same.

Mr. Aldridge presented information regarding charging an admission fee for the Cowan Museum compiled by Mr. Ed Emory, Ms. Donna Cowan, Mr. Robb Wells, and Ms. Jo Ann Stroud. Mr. Aldridge explained that during the FY 2009 – 10 budget deliberations, the board agreed to begin charging fees for the museum but no set fee was established. (See handout in minutes.)

Commissioner Parks reminded the board that the Cowan family donated their collection with the understanding that admission fees would not be charged.

Motion was made by Commissioner Fussell, seconded by Commissioner Williams, carried unanimously, to bring this matter to the attention of the Duplin County Tourism Development Authority in order for them to work with the Cowan Museum and Liberty Hall to market both together to increase visitation.

Mr. Aldridge discussed a reply received from Ms. Jerldine Kenan, Executive Director of the Duplin County Farm Services Agency, regarding the county's request for a list of farmers in the county in order to study the feasibility of implementing a solid waste user fee for farmers. He stated the request was denied due to Freedom of Information guidelines that prohibit the disclosure of this information. (See handout in minutes.)

Mr. Aldridge presented a handout compiled by the tax office staff regarding solid waste user fees in neighboring counties. Ms. Sivori stated that she had also contacted neighboring counties regarding this matter and was provided information that varied from what the tax office handout showed. (See handout in minutes.)

Mr. Aldridge stated that two employees had announced their retirement plans effective December 31st, Mr. Ferrell Thigpen, Chief Building Inspector, and Mr. Emery Brown, Facilities Maintenance Director. Mr. Aldridge also stated that the Secretary I position in the County Manger's Office is vacant. He stated that the position originally became vacant in August 2008 when the full time employee in that position resigned during maternity leave. Since then, the part time secretary from the former Parks and Recreation Department has been filling in but now has enrolled as a full time student in the Registered Nursing Program at James Sprunt Community College. Mr. Aldridge requested permission to advertise and fill all three positions.

Motion was made by Commissioner Parks, seconded by Commissioner Wells, to authorize the county manager to advertise and fill the vacancies of the Chief Building Inspector, the Facilities Maintenance Director, and the Secretary I position. Commissioners Parks, Raynor, Wells, and Williams voted for; Commissioners Fussell and Turner voted against.

Mr. Aldridge presented the Local Firemen's Relief Fund Board Trustees for 2010 to be appointed for two-year terms. (See handout in minutes.)

Motion was made by Commissioner Wells, seconded by Commissioner Williams, carried unanimously, to approve the appointees to the Local Firemen's Relief Fund and authorize the county manager to sign same.

Mr. Aldridge discussed the sample code of ethics document prepared by Ms. Wendy Sivori. He stated that a code of ethics for the Duplin County Board of Commissioners will need to be adopted by January 2010. Commissioner Fussell introduced Mr. Gary Ange, a retiree from Abbott Laboratories in charge of their ethics program, and stated that Mr. Ange will speak at the October 19th commissioners' meeting. (See handout in minutes.)

Mr. Aldridge stated that Ms. Heather Beard, Economic Development Director, is requesting permission from the board to spend \$3,500 of EDC funds to partner with Sampson County in order to conduct a study of timberland in an area of Duplin County near the Sampson County line. He stated that Sampson County will also spend \$3,500 along with a \$5,000 grant from the Eastern Region for this study.

It was the consensus of the board to have Ms. Heather Beard present more information on this study at the October 19th board meeting.

The board adjourned to meet again on Monday, October 19, 2009 at 9:00 a.m. in the Commissioners' Room, County Administration Building (224 Seminary Street), Kenansville, North Carolina.

Clerk