

November 2, 2009

The Duplin County Board of Commissioners met in Regular Session on Monday, November 2, 2009 at 9:00 a.m. in the 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: 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 Williams gave the invocation.

Motion was made by Commissioner Williams, seconded by Commissioner Wells, carried unanimously, to approve the Consent Agenda which included the following: Minutes – October 19, 2009 and Water Districts A, B, D, E, F, and G – October 19, 2009; Budget Amendments #092 - #099; Tax and Solid Waste Releases #6902 - #6931; to add a discussion on the hospital lease/sale transition management firm; a discussion on a letter written to the board regarding the purchase of Sheriff's vehicles; a discussion on a letter to the board regarding the Duplin County Events Center; clarification on BA# D134 regarding the wellness program; and a discussion on the ¼ cent sales tax for volunteer fire departments.

Mr. Aldridge presented Administrative Budget Amendments # D125 - #D137 to be made part of the minutes.

Public Comments:

Mr. Win Batten, Mayor of Warsaw, invited everyone to the 89th Veterans Day Celebration and Parade on Saturday, November 7th.

Mr. Rodney Scott of Pink Hill invited everyone to the Duplin County Hall of Fame Banquet on Thursday, November 5th at 6:30 p.m. at the Country Squire Restaurant.

Mr. Franklin Fussell of Kenansville discussed the Confederate Sword Factory Fundraising event to be held on November 16th and 17th at the Duplin Winery. He also stated that the Duplin County Historical Society will honor the World War II Veterans at a service at 2:00 p.m. on Saturday, November 7th at the Ed Emory Auditorium in Kenansville. Mr. Fussell stated that a "No Dr. Doby" demonstration was held earlier in the morning across from the post office for the purpose of letting the board of education know that many feel that Dr. Wiley Doby's contract should not be renewed.

Mr. Jimmy Dixon of Calypso stated that part of the effort of the "No Doby" demonstration is for the Duplin County Board of Education to become more transparent and to be more forthcoming with the public on discussions that are being held behind closed doors. Mr. Dixon discussed the state cuts to the local school system. He stated that the cuts haven't been properly represented by the Duplin County Board of Education. He read a statement from Mr. Paul Lesieur, Director of School Business Services with the NC Department of Public Instruction, regarding the state budget cuts in local school funding and the replacement of the funding using federal stimulus funds that would allow local school officials the decision on how to spend the money. Mr. Dixon stated that the board of education wants the public to think that the commissioners are responsible for the cuts of clerical and custodial staff like they did last summer with JROTC and athletics. He stated that the board of education has the decision on whether or not to fund the clerical and custodial staff, not the board of commissioners.

Mr. Rick Summerlin of Kenansville urged the commissioners to not demolish the old Chinquapin school. He stated that he examined the school buildings recently and there's no sign of termite damage, just damage from gross negligence on the county's part. Mr. Summerlin stated that the old school has potential if someone would develop it.

Commissioner Turner responded to Mr. Summerlin. He stated that for approximately six months, the county offered the old Chinquapin School property for sale for \$1 with the understanding that whoever purchased the property had to develop it into a tax base and several looked at purchasing it but the costs to renovate were too much. Commissioner Turner stated that he hates to tear down a historical building, but for the safety to citizens and to avoid the potential for a lawsuit for the county, the building needs to be torn down.

Ms. Jerri Parker, NCDOT Maintenance Engineer, gave an update on various roads in the county.

Roads discussed: D.S. Williamson Road in Kenansville – needs repaving; directional signs are needed for the new facility of Carolina East Home Care & Hospice in Kenansville; signs are still down at the intersection of Hwy 41 & 50.

Ms. Lynn Hardy, Executive Director; and Ms. Sue Wells, Marketing and Development Director for Carolina East Home Care and Hospice, appeared before the board to seek adoption of resolution to proclaim November 2009 as “Home Care and Hospice Month” in Duplin County. (See handout in minutes.)

Motion was made by Commissioner Wells, seconded by Commissioner Parks, carried unanimously, to adopt the resolution proclaiming November 2009 as “Home Care and Hospice Month” in Duplin County.

Ms. Wendy Sivori stated that a public hearing had been scheduled in order to receive citizen comments concerning the proposed revision to guidelines for the county's Revolving Loan Program. Ms. Sivori stated that she had contacted Ms. Valerie Moore with Natural Resource and Community Development (NRCD). Ms. Moore explained that the county would have to submit a written proposal of what changes are to be made to the Revolving Loan Fund or dissolve the current Revolving Loan Fund.

Commissioner Williams stated that she doesn't want to change the Revolving Loan Fund guidelines and the stipulation that new jobs are to be created as a condition of the loan.

Motion was made by Commissioner Williams, seconded by Commissioner Wells, carried unanimously, to not modify the Revolving Loan Fund guidelines and to continue to use the Revolving Loan Fund as an incentive tool for new industries.

Ms. Heather Beard, Economic Development Director, appeared before the board to discuss the Recovery Zone Economic Development Bonds and Recovery Zone Facility Bonds created by the America Recovery and Reinvestment Act of 2009 (ARRA). She stated that in order to be eligible for the bonds, the board of commissioners would need to adopt a resolution to designate Duplin County as a recovery zone. (See handout in minutes.)

Ms. Beard stated that as part of the process to be eligible for the bonds, the county has to have a six-member Industrial Pollution Control Bond Authority in place. She recommended that the members of the Revolving Loan Committee be appointed to the Industrial Pollution Control Bond Authority as well as two additional members to be appointed by the board of commissioners. (See handout in minutes.)

Motion was made by Commissioner Parks, seconded by Commissioner Wells, carried unanimously, to adopt the Recovery Zone Bond resolution and authorize the chairman to sign same.

Motion was made by Commissioner Wells, seconded by Commissioner Williams, carried unanimously, to appoint Ms. Lynn Davis, Ms. Alfreda Johnson, Mr. Ross Powell, Ms. Anita Powers, Mr. Kim Quinn, and Mr. Richard White to the Industrial Pollution Control Bond Authority for a three-year term effective November 2, 2009.

Mr. Bee Barnett, Solid Waste Director, introduced the new Solid Waste Enforcement Officer, Mr. Randy Cashwell.

Chairman Turner administered the Oath of Office for the Solid Waste Enforcement Officer to Mr. Cashwell. (See handout in minutes.)

Mr. Mike Aldridge discussed the three management firms that submitted proposals to manage the sale/lease of Duplin General Hospital. He reminded the board that the purpose of hiring a management firm is to assist the county's legal and administrative staff and to save on attorney fees for the sale/lease transaction. Mr. Aldridge recommended accepting the proposal from Health Planning Source of Durham at a cost of \$150,000 with the fee to be reimbursed from the proceeds of the sale/lease. (See handout in minutes.)

Mr. Harvey Case, CEO of Duplin General Hospital; and Mr. Kenneth Smith, DGH Board Member, were present and discussed this matter. Mr. Smith agreed that Health Planning Source of Durham would be his choice of the three management firms that submitted a proposal but still feels that the sale/lease transaction can be handled between the two boards and their legal counsel without a management firm. Mr. Case stated that although legal fees could be recouped by the proceeds of the sale/lease, this would probably take from investments in new equipment or renovations at the hospital once the transaction is complete.

It was the consensus of the board of commissioners to schedule a joint meeting with the Duplin General Hospital Board of Trustees to discuss this matter further.

Mr. Joe McKemey with McDavid Associates appeared before the board to discuss the federal stimulus project for Water District D. He reviewed funding options that were discussed at the October 19, 2009 board meeting to cover the \$150,000 shortfall needed to award Contract 30 to the low bidder, Herring-Rivenbark, Inc. He stated that he has written a letter to the NC Department of Environment and Natural Resources – Public Water Supply Section requesting additional stimulus funding but has not received a response yet. (See handout in minutes.)

Motion was made by Commissioner Fussell, seconded by Commissioner Williams, that if Water District D can not obtain the \$150,000 needed then the county will loan Water District D the funds from the county's general fund balance to be repaid, thereby approving BA #100. Commissioners Fussell, Parks, Turner, Wells, and Williams voted for; Commissioner Raynor voted against.

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

The board returned to Regular Session.

Mr. McKemey stated that a time extension is needed for the Rosemary Community Sewer Project. He stated that the project is near completion with all sewer lines installed and tested with the only items remaining being the clean up, repaving of streets, and hooking up residences to the sewer lines. (See handout in minutes.)

Motion was made by Commissioner Wells, seconded by Commissioner Parks, carried unanimously, to extend the "Term of Agreement" for the Rosemary Community Sewer Project from June 30, 2009 until January 31, 2010 and authorize the chairman to sign the amended document.

Mr. Rich Moore with McDavid Associates appeared before the board to give an update on the current status of the county-wide sewer study and the feasibility study for installing sewer lines at the Magnolia interchange located at I-40, Exit 373. He stated that the Town of Magnolia has the best capacity to handle the sewer needs at Exit 373 rather than the Town of Kenansville. Mr. Moore presented an updated cost estimate to install sewer at the Magnolia interchange at \$1 million. He stated that USDA is offering an opportunity through the end of 2009 to apply for 45 percent grant money and 55 percent loan money at 3.375 % for 38 years. (See handout in minutes.)

Motion was made by Commissioner Fussell, seconded by Commissioner Williams, carried unanimously, to proceed with the necessary steps to obtain stimulus funding from USDA to have sewer installed at the Magnolia interchange located at I-40, Exit 373.

Commissioner Fussell discussed a letter from Mr. Fred Lanier of Friendly Ford of Wallace. He asked Mr. David J. Jones to give more information regarding the letter. (See handout in minutes.)

Mr. Jones stated that he has learned that the county doesn't purchase vehicles locally. He stated that money should stay in the county by shopping locally and vendors should be given the opportunity to bid. Mr. Jones emphasized that the county should purchase with the cheapest vendor even if it is not a Duplin County vendor, but at least give local vendors the opportunity to bid.

Commissioner Fussell stated that he wanted to clarify how the Muscadine Festival came to be held at the Duplin County Events Center. He explained that the North Carolina Grape and Wine Council hosted a festival in the western part of the state near Winston Salem. The eastern North Carolina wineries decided a festival should be held in the eastern part of the state so the North Carolina Grape Council, the North Carolina Muscadine Grape Growers Association, and the eastern muscadine wineries organized a festival and hired Ms. Lynn Davis to coordinate the event as the success of the festival grew. Mr. Robb Wells, Tourism Director, also assisted in the event. Commissioner Fussell stated that the management of the events center does not put on the festival, this is done by outside individuals and organizations. He stated that Mr. Guy Guthrie's letter alluded that VenuWorks is responsible for bringing in tourists to festival but that is incorrect. (See handout in minutes.)

Commissioner Parks discussed the proposed ¼ -cent sales tax referendum to benefit the volunteer fire departments. She stated that a fireman discussed the tax with her and asked how the money generated would be distributed to the fire departments, what would happen to the current county contribution to each department, and what happens to the districts that have a fire tax if the referendum passes. Commissioner Parks requested a date be set by the end of December to have answers to these questions.

It was the consensus of the board for the county manager to contact Mr. Clayton Herring, Jr., Chairman of the Duplin County Fire Chiefs Association, to arrange a meeting with the fire chiefs to discuss the ¼ cent sales tax referendum.

Mr. Aldridge presented an updated listed of members and alternates to the Duplin County Local Emergency Planning Committee (DC LEPC). He stated that the committee was established for the purpose of oversight and development of emergency action plans for the county and its supporting agencies and the updated listing is needed to maintain records at the Duplin County Emergency Management Office as set forth in the by-laws of the agency. (See handout in minutes.)

Motion was made by Commissioner Wells, seconded by Commissioner Williams, carried unanimously, to approve the members of the Duplin County Local Emergency Planning Committee as presented for a one-year term effective November 2, 2009.

Mr. Aldridge stated that Jury Commission fees need to be updated. He stated that Ms. Katie Harrell, Clerk of Court, recommends the fees be reduced from \$600 every other year to \$300 every other year due to implementation of a new Jury Commander selection software that reduces the amount of time the jury commission spends editing the jury selection list.

Motion was made by Commissioner Parks, seconded by Commissioner Williams, carried unanimously, to change the Jury Commission fees from \$600 every other year to \$300 every other year.

Mr. Aldridge discussed the lease agreement for space at Liberty Square Shopping Center to house a county wellness center. He stated that he and Ms. Sivori had reviewed the terms of lease and were not in agreement with the lease company. Mr. Aldridge stated that another alternative would be to use the ground floor of the Hardison Building to house the wellness center.

Chairman Turner asked for clarification on BA# D134 for durable medical equipment.

Mr. Aldridge explained that the BA# D134 was for the Health Department to purchase breathing machines and other medical equipment to distribute to employees at a reduce cost rather than go through the insurance company.

Motion was made by Commissioner Wells, seconded by Commissioner Williams, carried unanimously, to approve BA #D134 for durable medical equipment.

Mr. Aldridge presented the list of recommendations by chapter from the draft copy of the Evergreen Solutions, LLC audit of the county. He stated that Dr. Linda Recio would be at the November 16th board meeting to discuss the audit.

Chairman Turner yielded the chair to Vice Chairman Wells in order to discuss the repairs needed to the Warsaw Veterans Museum at the LP Best House. He stated that Mr. Randall Albertson got an estimate on the repairs needed which are to strip and repaint the tin roof, repair the rot to the exterior, and repaint the exterior for a total of \$60,000. Commissioner Turner stated that he would like the county to consider a contribution of \$30,000. He stated that the Town of Warsaw has agreed to contribute \$5,000 and with these contributions, it will show the county and town's support and should make it easier to obtain future grant funding from federal sources if available.

Motion was made by Commissioner Turner, seconded by Commissioner Williams, carried unanimously, to contribute \$30,000 towards the repair of the Warsaw Veterans Museum with funds coming from the general fund balance; thereby approving BA # 102.

Commissioner Fussell inquired about the board's decision to maintain a 12 percent in the general fund balance. He requested that the board be given a general fund balance report at each commissioners' meeting.

The board adjourned to meet again on Monday, November 16, 2009 at 9:00 a.m. in the Commissioners' Room, County Administration Building (224 Seminary Street), Kenansville, North Carolina.

Clerk