

January 19, 2010

The Duplin County Board of Commissioners met in Regular Session on Tuesday, January 19, 2010 at 6:30 p.m. at the Fountaintown Fire Department, 1698 Fountaintown Road, Chinquapin, North Carolina.

Present: Commissioners David Fussell, Frances Parks, Harold Raynor, Cary Turner, and Zettie Williams. Commissioner Reginald Wells present by teleconference.

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

Commissioner Zettie Williams introduced Ms. Geraldine Bryant, who gave the invocation.

Commissioner Fussell asked the Boy Scouts from Troop 47 to present our colors and lead us in the Pledge of Allegiance.

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

Affidavits of Publication

Mr. Aldridge presented the following:

Board of Education Expenditure Report  
Outstanding Tax/Solid Waste – Dec. 2009  
Fund balance report as of Jan 11, 2010  
2010 Census Partner Proclamation  
State of the County  
Priorities Evergreen Audit

Motion was made by Commissioner Raynor, seconded by Commissioner Williams, carried unanimously, to approve the Consent Agenda which included the following: Budget Amendment # 125 - #132; Tax and Solid Waste Releases # 7069 - #7166.

Mr. Aldridge presented Administrative Budget Amendments # F214 - # F234, December 19, 2010 minutes, and Motor Vehicle Releases for December 2009 in the amount of \$6,831.47 to be made part of the minutes.

Public Comments:

Mr. Roger Davis of Calypso, a volunteer fireman, spoke on the quarter-cent sales tax for the Duplin County Fire Departments. He stated that the fire departments were thankful for the \$26,000 in which they now receive. Mr. Davis supports the tax referendum if it is split equally between all the fire departments. Mr. Davis will attend the next board meeting for public comments regarding the school issue.

Mr. George Futrelle, Airport Director, appeared before the board to request approval of the Transportation Improvement Program for 2011-2015. This is a five year planning document used to present future projects for consideration. The county is required to review and approve the submittal, however; this in no way obligates the county to accept the grant, budget or local funds if ultimately approved. Mr. Futrelle will be presenting this to Raleigh on Thursday, January 21, 2010. (See handout in minutes.)

Motion was made by Commissioner Williams, seconded by Commissioner Raynor, carried unanimously, to approve the Transportation Improvement Program for 2011-2015 and authorize the chairman to sign the same.

Mr. George Futrell appeared before the board to request approval to accept the Vision 100 Grant. The Vision 100 Grant is our annual non-primary entitlement funding of \$150,000 in federal funds administered by NC Division of Aviation under the State Aid to Airports Block Grant Program. The total Vision 100 Grant is in the amount of \$166,667.00 and requires a local 10 percent match that can be cash or "in-kind". The Airport will be using the land that the county provided as in-kind match; therefore no county funds are needed. Mr. Futrell requested that Ms. Teresa Lanier, County Finance Officer to be authorized to sign the certification of local funds saying that the Airport is using \$16,667 worth of property as in-kind match for the Vision 100 Grant. (See handout in minutes.)

Motion was made by Commissioner Francis Parks, seconded by Commissioner Zettie Williams, carried unanimously, to accept the Vision 100 Grant and authorize the chairman and finance officer to sign the same.

Mr. George Futrell informed the board that the Duplin County Airport will be hosting a special operation with the Military on February 5, 2010. They will reside in Kenansville for two weeks and will be supporting a persistent optical surveillance submission with the Marines.

Mr. Mike Barnett, with McDavid Associates, appeared before the board to conduct a public hearing regarding the 2006 CDBG Scattered Site Housing (SSH) Program. Duplin County adopted a Citizen's Participation Plan at the beginning of the 2006 CDBG SSH Program. The program requires the county to conduct a public hearing at the closing of every CDBG program. In the program we rehabilitated two houses and cleared and replaced three houses. Housing rehabilitation was done for Ms. Dorothy Parker of Faison and Ms. Mary Hill of Magnolia. Housing clearing/replacement was done for Ms. Maude Brown of Pink Hill, Mr. James Carlton of Warsaw and Ms. Elnora Stanley of Pink Hill.

Chairman Turner: Any questions or comments from the board?

The public hearing was called to order at 6:50 p.m.

Chairman Turner: "There may be someone here tonight that does not know what the program is all about. Can you please explain?"

Mr. Barnette: Every three years the county can apply for a \$400,000 allocation for CDBG SSH. If approved, that money comes from the federal government through a block granted to the state then to the county to allow work on scattered site houses for low to modern income citizens. We have just recently had a public hearing for 2009 since this 2006 CDBG program is now completed.

Chairman Turner: Any more questions?

Mr. Geno Kennedy: How much do these projects cost?

Mr. Barnet: To replace a home is approximately \$70,000 and to repair one is roughly around \$40,000. It is based on individual needs and conditions of the home.

Chairman Turner: Any more questions?

With no further comments or questions the public hearing was called to a close at 7:00 p.m.

Mr. Bobby Norwood, Duplin County Board of Education Maintenance Director, appeared before the board to request approval of an educational lottery application to complete H.V.A.C renovations at James Kenan High School. The renovation will take out 27 window air conditioners and replace them with roof top heat

pumps. The entire project will cost \$989,220.00. The balance in the North Carolina Educational Lottery as of 12/22/09 was 2.6 million. This is unallocated money. The BOE will soon be receiving approximately \$576,000 for window improvement at James Kenan which Duplin County approved last year. The money should be sent to the county manager's office week of Jan. 25. This would be deducted from the \$2.6. If this is approved, we will be left with approximately one million. Duplin County Education lottery, from the beginning, has received \$3,464,509 plus interest of \$204,987. These figures can be found on the internet website at: schoolclearinghouse.org, capital building fund, lottery summary.

Motion was made by Commissioner Williams, seconded by Commissioner Raynor, carried unanimously, to approve the lottery application for H.V.A.C. renovations at James Kenan High School. (See handout in minutes.)

Mr. Randall Tyndall, Planning Director, appeared before the board seeking approval on several farm land leases for property that Duplin County owns at WestPark and Duplin Commons. He made the recommendation to accept the highest bidder from each of these bids, being Mr. Benny Grady and Mr. Lee Swinson. Mr. Tyndall recommended that the chairman be allowed to sign the resolution stating that this board has accepted these bids and to enter into these contracts which will be executed concurrently with our current contract that ends March 18, 2010. These contracts will require that the lessee pay fees no later than April 15 and allows for automatic option to renew these leases in three years. (See handout in minutes.)

Motion was made by Commissioner Parks, seconded by Commissioner Wells, carried unanimously, to award the bids to the high bidders, Mr. Benny Grady and Mr. Lee Swinson to approve the lease agreement as presented and to authorize the chairman to sign the lease agreements.

Mr. Joe McKemey of McDavid Associates appeared before the board to discuss the Rosemary Sanitary Sewer Project.

Mr. McKemey advised the board that Mr. Alfredo Barrios has requested installation of sanitary sewer to serve his residence along US 117. This work is not part of the original scope of work. Adding this service will require a bore under US 117 which makes this work much different than other services in the contract. NCDOT will not allow US117 to be open cut. The contractor has agreed to install the service at a cost of \$5,500 with the use of a hydraulic punch. If the punch method is not successful, the service will have to be installed by dry bore method at a cost of \$75 per linear foot. Under worst case scenario, using dry bore methods adds \$7,500 to the contract for a revised amount of \$228,336.30 and requires a time extension of 30 days for the addition of this work. The revised completion date would be March 1, 2010. The project is funded 100% by grant, 50% from the Clean Water Management Trust Fund and 50% from the NC Rural Center. Mr. McKemey requested the board to approve and adopt the "Resolution Amending Capital Project Budget Ordinance" which approves Contract 1 – Change Order 2 and amends the budget.

Motion was made by Commissioner Wells and seconded by Commissioner Williams, carried unanimously, to adopt the "Resolution Amending Capital Project Budget Ordinance" which approves Contract 1-Change Order 2 and approves BA #133.

Motion was made by Commissioner Williams, seconded by Commissioner Raynor, carried unanimously, to go into session as County Water District D. (See separate Water Minutes.)

The board returned to regular session.

Motion was made by Commissioner Wells, seconded by Commissioner Williams, carried unanimously, to go into session as County Water District E.

The Board returned to regular session.

Ms. Teresa Lanier, Finance Officer, left the meeting.

Ms. Wendy Sivori, County Attorney, appeared before the board to present the subordination agreement with Thompson & Thompson. They contacted her last week to discuss refinancing the loan with another bank. The current Deed of Trust is for \$700,000. At a better finance rate, this amount would be reduced to \$550,000. The bank requires subordination of the deed as trust which means we will subordinate our loan priority to third tier, not losing or gaining priority. The advantage would be when they refinance, it would help the businesses of Duplin County and the deed of trust would be at a lesser amount. Ms. Sivori has come before the commissioners to ask for a motion to agree to the subordination, ask approval for the chairman to sign the subordination and ask for approval for Ms. Sivori to sign off as trustee of the deed of trust for the subordination agreement.

Motion was made by Commissioner Wells, seconded by Commissioner Parks, carried unanimously, to authorize Mr. Cary Turner, Chairman and Ms. Sivori, County Attorney to sign the subordination agreement. (See handout in minutes.)

Mr. Mike Aldridge presented the debt schedule for the next five years and rental revenues for the Cooperative Extension Auditorium. (See handout in minutes.)

At the last meeting, Mr. Jack Zoesch spoke to the commissioners concerning the need for the Board of Education presenting a "business case" for building the new high school as proposed by Mr. Robbi Ferris. Mr. Aldridge presented Mr. Zoesch's outline of the information that a "business case" like this should follow. Mr. Fussell asked were we planning on doing this. Mr. Aldridge suggested asking the school board to get their architect to articulate the information in this format. No motion was made. Commissioner Williams would like to see it tabled until after they see the business plan.

Mr. Aldridge advised the board that Mr. Randy Norwood was promoted to Maintenance Director. This satisfies audit recommendations 7-2 to move the Building Maintenance III position from DSS to centralized Facilities Maintenance. However, with Mr. Emery Brown's retirement and this move, there remains a vacancy in the maintenance department. In the last 30 years there has only been one new position added to the building maintenance department.

Mr. Aldridge discussed the importance of having a carpenter position with a grade 62 which is consistent with others in that department. Mr. Aldridge, County Manager asked for a motion to establish, advertise and fill a carpenter's position in the maintenance department. Commissioner Fussell requested Mr. Aldridge to move a person from another department and not hire a new person. Mr. Turner suggested that Mr. Aldridge email all departments asking if they have anyone available that is qualified as a carpenter for this position.

Mr. Mike Aldridge advised the board that Mr. Joshua Lamb has been selected to represent Duplin County at the 100<sup>th</sup> Anniversary Report to the Governor of the State of North Carolina. Attached is a resolution proclaiming February 8, 2010 as "Boy Scouts of America Day". (See handout in minutes.)

Motion was made by Commissioner Parks, seconded by Commissioner Turner, carried unanimously, to adopt the resolution proclaiming February 8, 2010 as "Boy Scouts of America Day". (See handout in minutes.)

Mr. Aldridge spoke on the fox revision trapping bill. Commissioner Raynor had been approached by a group of hunters to propose revisions to the proposed local Fox Trapping Bill. Commissioners previously voted to forward this request to Senator Charlie Albertson's office. Senator Albertson's legislative assistant suggested the commissioners forward the proposed revisions as soon as possible so it could be drafted and considered in the short session. Commissioner Turner will get a draft put together for this and present it at the next meeting on February 1, 2010 and give it to Mr. Aldridge to send to Senator Charlie Albertson. Commissioner Turner agreed to initiate this and was in favor of the recommendations. (See handout in minutes.)

Mr. Aldridge presented the calendar of events for the upcoming 2010-2011 budget. He emphasized that it would be very important to have the commissioners present on the dates that are blocked at the end on page 1. The commissioners will hear from the department heads at that time and hear what they are up against to help make decisions on budget recommendations. (See handout in minutes.)

Mr. Aldridge, provided as a point of information discussed briefly, the draft contract for the event center. He did correspond and shared what he asked for from Ms. Recio and received feedback from Mr. Fussell and he shared this information with the other commissioners. Mr. Aldridge was trying to get Ms. Recio to help him with the terminology that could actually be put into a performance contract on the recommendations she made. Comments followed by Commissioner Fussell and Commissioner Williams. Mr. Aldridge was asked to find out how many events take place at the events center that the county does not charge for. (See handout in minutes.)

Mr. Aldridge advised the board that Ms. Gomes could not attend the meeting but asked him to present, on her behalf, the proclamation to declare Saturday, February 8, 2010 as Duplin County 2010 Census Awareness Day.

Motion was made by Commissioner Parks and seconded by Commissioner Wells, carried unanimously, to adopt this resolution making February 8, 2010 Duplin County 2010 Census Awareness Day.

Mr. Aldridge stated that due to conflicting days and times there still is no definite date and time set for the Board Of Education and commissioners to meet on the high school issue. Mr. Aldridge will work on this with Mr. Kenan again.

Motion was made by Commissioner Turner, seconded by Commissioner Parks, carried unanimously, to go into Closed Session pursuant to N.C.G.S. 143-318.11 (4)(a) for economic development matters.

The board returned to regular session.

Motion was made by Commissioner Park and seconded by Commissioner Raynor, carried unanimously, to recess to January 25, 2010 at Department of Social Services Community Room, Kenansville at 9:00 a.m. for a work session.

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Clerk

