

February 1, 2010
Board of Commissioners Meeting

The Duplin County Board of Commissioners met in Regular Session on Monday, February 1, 2010 at 9:00 p.m. in the Commissioners Room, County Administration Building (224 Seminary Street), Kenansville, North Carolina.

Present: Chairman Cary Turner, Commissioners David Fussell, Frances Parks, Harold Raynor, Reginald Wells and Zettie Williams.

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

Chairman Cary Turner gave the invocation.

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

Finance Office Activity – December 2009
Airport Improvement Projects
Services for the Aged – December 2009
Duplin County Fund Balance
Venu-Works – December 2009

It was the consensus of the Board of Commissioners that tonight's board meeting be between the board of commissioners and hospital therefore no public comments allowed.

Commissioner Turner commented on the dental write off. The date on the documents for dental services was not correct and requested they be excluded from the minutes until the date is correctly addressed.

Motion was made by Commissioner Parks, seconded by Commissioner Williams, carried unanimously, to approve the Consent Agenda which included the following: Budget Amendments #BA136 - #BA141; Tax & Solid Waste Releases #7167 - #7257; Health Department Bad Debt Write Off - \$4,524.05 [general services]; to add a discussion on board of education technology infrastructure presented by Ms. JoAnn Hartley and Ms. Dawn Craft; to approve the revised fire tax resolution; to announce a public hearing to be held on February 15, 2010 regarding the hospital notice of intent to sell/lease or convey the hospital; Ms. Nannette Smith and Ms. Pricilla Bryant request for two vacancies at DSS and Budget Amendment #142 budgeting lottery funding. Ms. Sivori, County Attorney, requested a closed session 143-318-.11 (a) (3) legal matters.

Mr. Aldridge presented Administrative Budget Amendments #G235 – #G253 to be made part of the minutes.

Public Comments:

Mr. Roger Davis appeared before the board to discuss the school consolidation. He opposed the consolidation of the school facilities plan due to no resources to finance this, other than a tax increase.

Mayor Wynn Batten appeared before the board to support the school consolidation. He stated there may be some funding from USDA and the school could be built now for less than 30 million dollars versus the 54 million dollar cost estimate several months ago. There are probably four different studies in the superintendent's office, all of which came up with the same recommendation, to build a central school in the northern part of the county. He encouraged the board to support the consolidation plan.

Ms. Jerri Parker, North Carolina Department of Transportation, appeared before the board to discuss any road issues in Duplin County.

Commissioner Parks addressed a sign on Hwy 117, road #2530. The sign is still in the ditch.

Commissioner Fussell addressed Hwy 11 adjacent to exit 384, the citizens are very concerned about the drainage getting worse. Ms. Parker stated she would contact the hydraulic unit to take a look at this problem.

Commissioner Williams addressed Hwy 117, at the Scotchmans West to East, there are a lot of divots in the road.

Commissioner Fussell asked Ms. Parker to speak about driveway tiles. Ms. Parker responded that DOT has had a moratorium on installing driveway tiles for residents since July of 2009. The procedure for driveway tile is a citizen should call DOT prior to installing tile. DOT will go out and size the tile for the citizen. The citizen is responsible for installing the tile that is met by the department specifications. If the tile does not meet DOT specifications, it will be removed.

Mr. Jimmy Sauls expressed the concern about the railroad at Murphy Brown. The railroad is very hazardous and needs repair.

Commissioner Wells was concerned about the road going to the Chicken Plant from Cornwallis. It is unsafe and needs to have caution signs in place due to the road being busy and curvy.

Ms. Dawn Craft and Ms. JoAnn Hartley appeared before the board to give an update on the funds that the board approved to spend on technology infrastructure. The board allowed these funds to be moved for improvement and upgrades in Duplin County Schools. An e-rate application has been submitted for savings on eleven schools for new switches, routers and wiring for internet upgrade. Schools will find out if application is approved this fall. Since the five high schools are not eligible to apply for e-rate, the Board of Education is requesting the county to approve moving \$727,000 allocated to the eleven schools to the five high schools; with the understanding that e-rate may be approved for the eleven schools this fall. She proposed spending \$727,000 on the five high schools (See handout in minutes.)

Motion was made by Commissioner Williams, seconded by Commissioner Wells, carried unanimously, to move the technology funds for the elementary schools to the five high schools for use in the current year.

Ms. Kay Nichols, Tax Administration, appeared before the board to discuss land use appeals for untimely applications.

Ms. Nichols presented the request for: Ms. Patricia Tyndall, Mr. Zennie Quinn and Ms. Avis Ridenhour. These citizens sent in an affidavit to Ms. Nichols in request for their appeal.

Ms. Amy Hanchey appeared before the board to present her case. Ms. Hanchey just forgot to send it in.

Ms. Nichols did not support Ms. Hanchey excuse.

Mr. Robin Rhodes appeared before the board to discuss the late land use appeal for Davis Brinson.

Mr. Marty Harper of Westbrook Farms was not present to present his case; however, Ms. Nichols presented his case for him.

Motion was made by Commissioner Raynor, seconded by Commissioner Parks, carried unanimously, to accept the applications for Ms. Avis Ridenhour, Ms. Patricia Tyndall, Mr. Zennie Quinn.

Motion was made by Commissioner Wells, seconded by Commissioner Williams to make an exception in this case of Ms. Amy Hanchey. Commissioner Wells, Commissioner Williams, Commissioner Parks, Commissioner Raynor, Commissioner Fussell voted for and Commissioner Turner voted against.

Ms. Joan Barnette, assistant tax administration, appeared before the board on behalf of Mr. Gary Rose, Tax Administrator, to report the delinquent 2009 taxes that are a lien on real estate. The amount is \$3,303,366.24 which is an increase from last years \$2,843,260.51 (See handout in minutes.)

Motion was made by Commissioner Wells, seconded by Commissioner Parks, carried unanimously, to accept the report and authorizing advertizing in the paper.

Mr. Dexter Edwards, Duplin County Farm Bureau, appeared before the board to speak on the Duplin County farmer's perspective of the economic status of agribusiness in Duplin County. Duplin County Farm Bureau Board of Directors is very concerned about the budget status in Duplin County. In formulating the 2010-2011 budget, Mr. Edwards encouraged the Board of Commissioners to adopt a balanced budget and adhere to it without a property tax increase. There is no additional unlimited source of funds to pay taxes, as the agriculture economy is very weak.

Motion was made by Commissioner Fussell, seconded by Commissioner Parks to have our 2010-2011 budget balanced with no contributions from fund balance.

Commissioner Fussell, Commissioner Parks, Commissioner Turner and Commissioner Raynor voted for and Commissioner Williams and Commissioner Wells voted against.

Ms. Nannette Smith and Ms. Priscilla Bryant with Duplin County Social Services appeared before the board to request permission to fill two vacant positions. The positions are a Income Maintenance Caseworker II and a Human Resource Placement Specialist . These positions have been vacant since December.

Motion was made by Commissioner Wells, seconded by Commissioner Parks to fill these two positions. Commissioner Wells, Commissioner Williams, Commissioner Parks and Commissioner Raynor voted for. Commissioner Fussell and Commissioner Turner voted against.

Mr. Rob Wells appeared before the board to discuss a new visitor center at the Warsaw I-40 interchange, Exit 364. The Duplin County Tourism Development needs permission from the NCDOT to open a Visitors Center at the I-40 rest area. In accordance with the DOT policy on adding a visitor center to a rest area, the Duplin County Board of Commissioners must write a letter of support endorsing the Duplin County Tourism Development Authority's construction of the visitor's center. (See handout in minutes.)

Motion was made by Commissioner Williams, seconded by Commissioner Parks, to authorize the chairman to sign.

Commissioner Parks, Commissioner Fussell, Commissioner Raynor, Commissioner Williams and Commissioner Wells voted for. Commissioner Turner voted against.

Mr. Doug Kohnel, Venu Works Director, Mr. John Vogt, Events Center Manager, Mr. Steven Williams, Chairman of Events Center Advising Board and Ms. Wendi Sivori, County Attorney, appeared before the board with a drafted contract for the operation of the Events Center. Ms. Sivori requested guidance of contract modifications to meet board's expectations. (See handout in minutes.)

Commissioner Williams asked how many events take place at the Events Center that does not bring in revenue. Mr. Vogt answered with “roughly 40%” and would like to have a more stable number and get back with Commissioner Williams.

Mr. Vogt briefly spoke on the cancellation of the Willie Nelson concert on January 28, 2010. He advised the current position would be “no comment” until facts are available.

Ms. Sivori requested to pull the Events Center contract off the agenda today and to put it back on after revisions are made.

Mr. Aldridge appeared before the board to discuss the Old Chinquapin School. Mr. Ken Kennedy, the adjourning property owner, requested the commissioners to consider declaring approximately 1/3 of an acre where the old gym is located as surplus property and advertise the parcel for public bid. (See handout in minutes.)

Motion was made by Commissioner Williams, seconded by Commissioner Parks, carried unanimously, to declare approximately 1/3 acre surplus property and advertise for public sale and the highest bidder will be responsible for all legal expenses.

Mr. Aldridge discussed the NC Department of Environment and Natural Resources contract to provide forestry services to Duplin County for FY 09-10. The county’s contribution of \$144,078 is already budgeted. (See handout in minutes.)

Motion was made by Commissioner Parks, seconded by Commissioner Raynor, carried unanimously, to approve the contract and authorize the Chairman and the County Finance Officer to sign the same.

Mr. Aldridge recommended approving the contract for Pittard-Perry & Crone, Inc. of LaGrange to conduct the annual audit for FY ending June 30, 2010. The total cost of the contract is \$44,100, which is the same for the audit ending June 30, 2009. (See handout in minutes.)

Motion was made by Commissioner Williams, seconded by Commissioner Wells, to approve the contract as presented and to rebid audit services next year. Commissioner Parks, Commissioner Raynor, Commissioner Turner, Commissioner Wells and Commissioner Williams voted for and Commissioner Fussell voted against.

Mr. Aldridge requested the approval of a revised resolution for the ¼ cent sales tax referendum to support fire service. There is language that needs to be included that was not in the original resolution. (See handout in minutes.)

Motion was made by Commissioner Wells, seconded by Commissioner Parks, carried unanimously, for the board to approve resolution and authorize for the chairman to sign the revised resolution.

Mr. Aldridge discussed the Notice of Intent and Public Hearing Notice on the hospital RFP discussed January 25, 2010. Notice of meeting and public hearing to adopt a resolution of intent to lease, sell or convey Duplin General Hospital will need to be approved for advertisement in the local media on February 15, 2010. (See handout in minutes.)

Motion was made by Commissioner Wells, seconded by Commissioner Parks, carried unanimously, to adopt the resolution of intent as revised and to schedule a public hearing for 9:30 a.m. on February 15, 2010 in the commissioners meeting room.

Mr. Brian Pearce, EMS Director, appeared before the board to discuss the ¼ cent sales tax for fire departments. Mr. Pearce expressed the fire departments have the understanding that each fire department will receive an equal share of the ¼ cent sales tax. Mr. Pearce commented that a public hearing is not needed and all fire departments are in agreement.

Commissioner Fussell questioned if there too many fire departments and should they be audited? Mr. Pearce commented that insurance cost for each fire department is \$25,000 and with county contribution of about \$26,000 per fire department, no audit is needed.

Motion was made by Commissioner Fussell, seconded by Commissioner Parks carried unanimously, to go into closed session pursuant to N.C.G.S. 143-318.11 (a) (3) legal matter

The board returned to regular session.

Commissioner Fussell proposed that Mr. Dick White, Whitewood Management Associates, to be hired as a transaction manager to manage the hospital RFP upon final return, prepare and review all proposals, coordinates communication, and market facilities. His fees will be \$175.00 an hour not to exceed \$70,000, no 1% fee. He will not receive any inside county mileage reimbursement and \$50.00 mileage reimbursement if he goes out of the county. He is to be available at the hospital for the interested parties to view the facility and answer any questions. Budget #143 is for \$70,000.

Motion was made by Commissioner Fussell, seconded by Commissioner Parks, carried unanimously, to hire Mr. Dick White as transaction manager to manage the RFP.

Motion was made by Commissioner Raynor, seconded by Commissioner Fussell, carried unanimously, to recess to tonight at 7:00 p.m. at the Ed Emory Auditorium Building.

Clerk

CLOSED SESSION

FEBRUARY 1, 2010

Present: Chairman Cary Turner and Commissioners David Fussell, Frances Parks, Harold Raynor, Reginald Wells and Zettie Williams.

Absent: None

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

Ms. Wendi Sivori, County Attorney, appeared before the board to give an update about the Willie Nelson concert being cancelled at the Duplin County Events Center on January 28, 2010.

Ms. Wendi Sivori, County Attorney appeared before the board to discuss the hospital RFP.

Motion was made by Commissioner Raynor, seconded by Commissioner Wells, carried unanimously, to approve the minutes of the Closed Session and to return to Regular Session.

Clerk

