

March 15, 2010
Board of Commissioners Meeting

The Duplin County Board of Commissioners met in Regular Session on Monday, March 15, 2010 at 9:00 a.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, Zettie Williams and Reginald Wells

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

Commissioner Reginald Wells gave the invocation.

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

Animal Control – February 2010
Board of Education – FY 2009-2010
Cabin Lake – February 2010
E911 – February 2010
Finance Office Activity – January 2010
Fund Balance
Inspections – February 2010
Register of Deeds – February 2010
Service for the Aged – February 2010
Social Services – February 2010
Soil & Water – February 2010
Solid Waste – February 2010
Vehicle Tax Billing – 2009 – 2010
Water Dept. – February 2010

Motion was made by Commissioner Raynor, seconded by Commissioner Williams, carried unanimously, to approve the Consent Agenda which included the following: March 1, 2010 minutes, Budget Amendments #165 - #174; Tax & Solid Waste Releases #7357 - #7389; Resolution for Intersection at Hwy 117; managers report; recognition to EMS on award received, Commissioner Fussell to discuss a letter received.

Mr. Aldridge, County Manager, presented Administrative Budget Amendments #H299 – #I329 to be made part of the minutes.

Mr. Aldridge appeared before the board to announce the public hearing to hear the public comments on the sell, lease or conveyance of Duplin General Hospital.

The Public Hearing was called to order at 9:05 a.m.

Mr. Kenneth Smith, Hospital Board Trustee, appeared before the board and provided a short history of the hospital. He advised; the hospital is solvent today and able to provide high quality of care; however, the board of trustees understands that the challenges facing the hospital continue to grow and the future of the facility as a stand alone does not look promising.

Commissioner Fussell: Has there been any interest buying or leasing the hospital?

Mr. Smith: At the present time there are four systems that have filed their confidentiality agreements. Two of these systems are for profit and two of these systems are not for profit.

Chairman Turner: Any comments or questions from the public?

With no further comments or questions, the public hearing was called to a close at 9:15 a.m.

Public Comments:

Mr. David Jones, Beulaville, appeared before the board to remind the commissioners that several weeks ago they voted to allow the health department to take over the WIC program. Mr. Jones wanted to make sure the commissioners remembered that when the vote was taken it was said this program would be of no cost to the county.

Commissioner David Fussell appeared before the board to present statistics taken from the 2010 directory of North Carolina County Officials published by the North Carolina Association of County Commissioners (See handout in minutes.)

Mr. Win Batten appeared before the board to present a loan activity report from the North Carolina Eastern Region. The report reflected an economic development revolving loan fund that is available for Duplin County projects. The current amount available is \$1,004,606.00 with an interest rate of 3.5 percent. (See handout in minutes.)

Public Comments Closed.

Mr. Jamie Wallace, Board Chairman of CJPP, appeared before the board to recommend continuation of implementation funding for CJPP (Criminal Justice Partnership Program). He presented a contract for professional services between the County and its Criminal Justice Partnership Board and Connolly Counseling, Inc. for FY 2011. This continuation grant and contract are 100 percent funded by the state. (See handout in minutes.)

Mr. Gary Connolly, CEO of CJPP, appeared before the board to give a summary of the CJPP (Criminal Justice Partnership Program) and the success rate of this program. He spoke briefly on his involvement through this program regarding gangs (See handout in minutes.)

Motion was made by Commissioner Williams, seconded by Commissioner Raynor, carried unanimously, to approve the application for funding, to approve the contract for professional services between the County, its Criminal Justice Partnership Board, and Connolly Counseling, Inc., to authorize the county manager and finance officer to sign same and to approve the new board member, Lisa Kelley.

Mr. Randall Tyndall, Planning Department, appeared before the board to provide an update on the Multi-Jurisdictional Hazard Mitigation Plan and to request permission to advertise a public hearing to update this plan in accordance with disaster mitigation act 2000 (public law 106390). A grant was requested for this expense but the county was not successful in receiving the grant. The expense advertising this public hearing will be taken care of by the Planning Department budget line item.

Motion was made by Commissioner Parks, seconded by Commissioner Raynor, carried unanimously, to allow Mr. Tyndall to advertise the public hearing for Multi-Jurisdictional Hazard Mitigation Plan for April 19, 2010 at 6:30 p.m. at the Albertson Ruritan Building.

Mr. Tyndall appeared before the board to present CDBG (Community Development Block Grant) Rehabilitation Contracts for community revitalization. The process will be to rehabilitate three housing units, later replace four units and remove six units. Mr. Tyndall requested the board to: determine any potential conflicts of interest for the grant recipients receiving these grants; approve the resolution awarding contracts; validate no undisclosed conflicts of interest; award contract 08-01 and 08-09 to Holland Construction; award 08-04 to Duff's Fabricating, Inc.; and authorize the chairman and county manager to sign same. (See handout in minutes.)

Motion was made by Commissioner Williams, seconded by Commissioner Wells, carried unanimously, to approve contracts, validating no undisclosed conflicts of interest, award contract 08-01 and 08-09 to Holland Construction, 08-04 to Duff's Fabricating, Inc and authorize the chairman and county manager to sign same.

Ms. Heather Beard, Economic Development, appeared before the board to present amended EDC (Economic Development Committee) By-Laws for approval. The EDC decided to focus on a 501c3 status instead of both a 501c3 and 501c6. The commissioners approved this process a few months ago. With this change, the current by-laws developed for this process had to be amended (See handout in minutes.)

Motion was made by Commissioner Raynor, seconded by Commissioner Williams, carried unanimously, to approve amended EDC By-Laws and authorize the chairman to sign.

Ms. Grace Carter, Wallace, appeared before the board requesting that the bridge across Rockfish Creek on H C Powers Road be named after her father, Ivey J. Salmon (See handout in minutes.)

Motion was made by Commissioner Fussell that the request be given to the naming committee.

Motion died to lack of second.

Motion was made by Commissioner Wells for the county to submit a request on behalf of Ms. Carter for this process and that the board is in support of it. Commissioner Parks seconded the motion. Ms. Parks stated that the petition needed to start with the Department of Transportation.

Commissioner Wells withdrew is motion.

The board referred Mrs. Carter to Department of Transportation in Raleigh to begin the process of filing a petition to name the bridge. Mr. Aldridge, County Manger, provided Ms. Carter with a contact name at the Department of Transportation.

Commissioner Raynor left the meeting at 10:30 a.m.

Ms. Ila Davis, Health Department, appeared before the board and introduced Mr. Davis Haywood, Team Tobacco Prevention Coordinator working in the schools on tobacco prevention.

Ms. Davis discussed that the Health Department has been working on bringing the WIC program into the health department. She requested the establishment of nine WIC positions at the salary grades approved by state personnel and requested the county manager be authorized to sign the job descriptions. These positions will begin work July 1, 2010 (See handout in minutes.)

Motion was made by Commissioner Parks, seconded by Commissioner Fussell to approve positions and seek applicants to take over operation of the WIC unit as of July 1, 2010.

Motion was made by Commissioner Williams, seconded by Commissioner Wells to table to a later date after review of the salary comparison for these new nine positions and the present WIC positions. Commissioner Williams and Wells voted for. Commissioner Parks, Fussell and Turner voted against. Motion Failed.

With the motion to table failing, the original motion made by Commissioner Parks, seconded by Commissioner Fussell to approve positions and seek applicants to take over operation of the WIC unit as of July 1, 2010 was voted on. Commissioner Parks, Fussell and Turner voted for. Commissioner Williams and Wells voted against. Motion carried.

Ms. Ila Davis appeared before the board to present a proclamation proclaiming April as Public Health Month.

Motion was made by Commissioner Parks, seconded by Commissioner Wells, carried unanimously, to accept this proclamation and authorize the chairman to sign.

Mr. Steve Moore, Transportation Director, appeared before the board to request adoption of a resolution for the Transit System to apply for the Community Transportation Program 5311 grant funds for administrative, capital and basic technology for FY 2010 (See handout in minutes.)

Mr. Moore appeared before the board requesting approval for several documents:

- Federal and State Certification and Assurance Community Transportation Program (CTP)
- Special Section 5333B Warranty Labor Requirements and Regulations
- Title VI Program Plan
- Local Share Certification for Funding
- Disadvantaged Business Enterprise (DBE) Certification
- Transit System Safety Program Policy (SSPP) and Alcohol Testing Policy

Ms. Wendy Sivori, County Attorney, stated there will be a clause added to the alcohol testing procedures policy because Duplin County has a Drug and Alcohol policy as well. The added provision states that in the event there is any conflict between the current county drug policy and the proposed transit drug policy, the policy which is stricter shall control.

Motion was made by Commissioner Wells, seconded by Commissioner Williams, carried unanimously, to approve the list below and to authorize the chairman and county manager to sign same:

- Adopt the resolution authorizing the Transit System to apply for the Community Transportation Program 5311 grant funds for Administrative, capital and basic technology for FY 2010
- Approve Federal and State Certification and Assurance Community Transportation Program (CTP)
- Approve Special Section 5333B Warranty Labor Requirements and Regulations
- Approve Title VI Program Plan
- Approve Local Share Certification for Funding
- Approve Disadvantage Business Enterprise (DBE) Certification
- Approve Transit System Safety Program Policy (SSPP) and Alcohol Testing Policy

Mr. Moore requested a Community Transportation Program Public Hearing at the April 19, 2010 commissioner's night meeting.

Motion was made by Commissioner Wells, seconded by Commissioner Williams, carried unanimously, to approve a public hearing on the Community Transportation Program to be held on April 19, 2010 at 6:30 p.m. at the Albertson Ruritan building.

Mr. Ray Garris, Northeast Volunteer Fire Department, appeared before the board to discuss the decreased fire tax rate from 4 cents to 3.82 cents and requested that the fire tax rate be reinstated back to 4 cents.

Mr. Aldridge suggested that this could be entertained at budget time and this also was the consensus of the board.

Mr. Aldridge appeared before the board to discuss that the Northeast VFD is entering into a lease agreement to purchase equipment. The lender requires a letter from the commissioners acknowledging that North East Fire Department is meeting their contractual requirements for providing fire service and that they collect fire tax revenues that can support the purchase. (See handout in minutes.)

Motion was made by Commissioner Wells, seconded by Commissioner Parks, carried unanimously, to sign a letter addressed to United Financial of North Carolina acknowledging North East Fire Department meets the contractual requirements and collects fire tax revenue to make this purchase of equipment.

Mr. Stephen Williamson, Events Center Advisory Board, appeared before the board to give an update of the Event center and what the plan is to move forward. Mr. Aldridge, County Manager, Mr. Stephen Williamson, Commissioner Turner and Commissioner Parks, met with the advisory board to discuss a plan of transition. Recap from the conversations recommended that the commissioners decide to either terminate the contract as of May 31, 2010 under Mr. Steve Peter's terms (See handout in minutes) or terminate the contract as is with the 90 day out clause, which would be June 15, 2010. Mr. Williamson recommended that the board of commissioners appoint three commissioners to serve with the events center advisory board to work on a plan for operating the building after VenuWorks contract is terminated. Also, it was recommended that the commissioners be prepared to appropriate additional funding to operate the building through the end of VenuWorks contract.

Three commissioners, Turner, Parks and Wells, volunteered to serve with the Events Center Advisory Board. Commissioner Fussell suggested expanding the committee to include persons from Tourism and James Sprunt.

Mr. Gary Rose, Tax Administrator, appeared before the board to recommend that the Equalization and Review meeting be held separate from the regular commissioners meeting.

Motion was made by Commissioner Parks, seconded by Commissioner Wells, carried unanimously, to have the Board of Equalization and Review meeting on April 12 at 9:00 a.m. and again on April 26 at 9:00 a.m. in the commissioners meeting room.

Mr. Rose appeared before the board to request the board to order delinquent taxes be advertised. He also suggested advertising only in the Duplin Times Newspaper rather than the Wallace Enterprise and Warsaw Faison News to reduce the cost of advertisement (See handout in minutes.)

Motion was made by Commissioner Parks, seconded by Commissioner Fussell to order tax lien to be advertised and to advertise only in the Duplin Times Newspaper.

Motion was made by Commissioner Williams, seconded by Commissioner Fussell, carried unanimously, to defer this decision till next meeting on April 5, 2010. Mr. Gary Rose is to negotiate the advertising cost with Duplin Times.

Commissioner Fussell stated that Mr. David Thompson, Executive Director of the North Carolina Association of County Commissioners will be at the April 5, 2010 meeting to speak about the role of the State and County as we face the new budget.

Motion was made by Commissioner Williams, seconded by Commissioner Parks, carried unanimously, to go into Close Session pursuant to 143-318.11 (a) (3) for legal matters.

The board returned to regular session.

Mr. Mike Aldridge, County Manager, appeared before the board to present a pre approved contract that Animal Control has developed with TLC Farms & Hauling located in Onslow County. This contract will enable animal control officers to take necessary action dealing with large animals when the need arises. (See handout in minutes.)

Motion was made by Commissioner Williams, seconded by Commissioner Wells, carried unanimously, to authorize the chairman, clerk and finance officer to sign the contract with TLC Farm & Hauling for providing necessary transportation and care of large animals beyond the capability of county staff.

Mr. Aldridge appeared before the board, with continuation of discussion from the previous two meetings, to discuss adding a programmer to the IT staff. Ms. Sabra Duncan appeared before the board to talk about her position and the services she has provided to the county for the past 30 years.

Motion was made by Commissioner Wells, seconded by Commissioner Fussell, carried unanimously, to extend Ms. Duncan's (DBA Kirk Software) contract with Duplin County until June 30, 2010.

Mr. Aldridge appeared before the board with a letter from the state fire marshal outlining the fire departments performance and if they passed inspection. Warsaw was the only department in the county that did not pass inspection because of training documentation (See handout in minutes.)

Mr. Aldridge presented a letter from the Rural Economic Development Center inviting Duplin County to submit an application and an executed Performance Agreement under the North Carolina Economic Infrastructure Program. Funds have been awarded for the project in the amount of \$880,000.

Mr. Aldridge presented a letter from the Town of Greenevers inviting the commissioners to support the Annual Greenevers Firemen's Day Parade on April 24, 2010. Commissioner Williams will be attending and Commissioners Wells might attend.

Commissioner Parks requested to recognize the persons in the EMS competition from Duplin and Cumberland Counties. Mr. Aldridge will write a letter on behalf of the board congratulating them.

Commissioner Fussell withdrew his request to talk about a letter.

Commissioner Turner reminded the other commissioners that they need to provide the six names of the persons they choose to serve on the gang committee at the next meeting on April 5, 2010.

Mr. Win Batten stated that the Town Board of Warsaw is having a called session this afternoon, March 15, 2010, where they are accepting a grant/loan combination through USDA of \$100,000 grant and \$200,000 loan that will be used for equipment at the new fitness center.

Motion was made by Commissioner Parks, seconded by Commissioner Williams, carried unanimously, to adjourn to meet on April 5, 2010 at 9:00 a.m. at the Commissioners Room in the County Administrative Building.

Clerk

