

April 19, 2010
Board of Commissioners Meeting
Albertson Ruritan Building
3714 N NC 903

The Duplin County Board of Commissioners met in Regular Session on Monday, April 19, 2010 at 6:30 p.m. at the Albertson Ruritan Building, 4625 NC 903 Highway, Seven Spring, NC

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 and Ms. Teresa Lanier, Finance Officer.

Absent: Ms. Wendy Sivori, County Attorney

Boy Scott Troop 37 led the Pledge of Allegiance.

Ms. Linda Grider, Woodland Church, gave the invocation.

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

Affidavits of Publication

Animal Control – March 2010
Board of Education Budget
Cabin Lake – March 2010
Communications – March 2010
Duplin County Fund Balance
Inspections – March 2010
Managers Report – March 2010
Motor Vehicle Tax
Outstanding County Tax – March 2010
Register of Deeds – March 2010
Services for the Aged – March 2010
Social Services – March 2010
Soil & Water – March 2010
Water – Oct. 2009 – March 2010

Motion was made by Commissioner Raynor, seconded by Commissioner Williams, carried unanimously, to approve the Consent Agenda which included the following: April 5, 2010 minutes; April 12, 2010 Board of Equalization & Review minutes; Budget Amendments #191 - #203; Tax and Solid Waste Releases #7418 - #7459; to add Closed Session 143-318.11 (a) (4) economic development matters; to add public hearing for May 17, 2010 at 10:00 a.m. regarding Duplin General Hospital responses for proposal (RFP); to add Water District D inspection agreement contract #30; to add status on the Board of Education lawsuit, and hosting a county district meeting on May 22, 2010.

Mr. Aldridge, County Manager, presented Administrative Budget Amendments #I369 – #I399 and Motor Vehicle Releases for March 2010 in the amount of \$7,506.68 to be made part of minutes.

Public Comments:

Mr. Jim Harris appeared before the board to announce the resignation of Mr. Rob Wells with Tourism.

Ms. Rebecca Judge, Beulaville, appeared before the board to express her opinion about the two resolutions sent to the General Assembly of North Carolina and Attorney General regarding the health care bill by the board of commissioners. She did not agree with their actions and believed it misrepresented many citizens of Duplin County.

Mr. Curtis Simmons, Chairman of the Albertson Community Watch, announced there will be a meeting at the Albertson Ruritan Building, April 21, 2010, at 7:30 p.m.

Mr. Jimmy Dixon appeared before the board with a list of comments regarding the Board of Education v/s Duplin County lawsuit. (See handout in minutes.)

Mr. Steven Max C. Williams appeared before the board to encourage the commissioners to continue supporting James Sprunt Community College with their programs and projects.

Mr. Steve Moore, Transportation Director, appeared before the board to conduct a public hearing regarding funding through the 2011 Community Transportation Program grant applications for administration and capital needs. (See handout in minutes.)

The public hearing was called to order at 6: 54 p.m.

Chairman Turner: Any questions from the board?
No questions from the board.

Chairman Turner: Any questions from the public?
No questions from the public.

Chairman Turner: Public hearing is now closed.

Mr. Moore presented a resolution for adoption authorizing the Transit System to apply for FY 2011 Community Transportation Program 5311 funding.

Motion was made by Commissioner Wells, seconded by Commissioner Williams, carried unanimously, to adopt a resolution authorizing the Transit System to apply for FY 2011 Community Transportation Program 5311 funding and authorize the chairman to sign.

Mr. Randall Tyndall, Planning Director, appeared before the board to conduct a public hearing regarding proposed updates to the hazard mitigation plan for Duplin County.

The public hearing was called to order at 7:10 p.m.

Chairman Turner: Any questions from the board?

No questions from the board.

Chairman Turner – Any questions from the public?

Mr. Steven Max C. Williams: Is there a plan in place to respond to damage by floods in Duplin County?

Mr. Tyndall: For Duplin County to be eligible for a flood damage program, similar to Hurricane Floyd, the criteria requires that more than 100 families are flooded to the extent they cannot live in their homes. Duplin County now has a local emergency planning committee managed by the emergency management office that is included in the mitigation planning update.

Chairman Turner: Are there any more questions from the public?

Chairman Turner: With no more questions this public hearing is closed.

Mr. Tyndall appeared before the board to discuss the board of commissioners meeting held on April 20, 2009 when records were audited for a \$75,000.00 CDBG hookup grant. One of the grant documentations was not signed at that time. Mr. Tyndall asked the chairman for his signature, as was agreed to at the April 20, 2009 meeting.

No motion needed. The request was granted on April 20, 2009.

Mr. Tyndall reported on the census status. As of today, April 19, 2010, Duplin County has reported a 68 percent census return rate, which is a 11 percent higher return rate than in year 2000.

Mr. Brian Pierce, EMS Director, appeared before the board to discuss fire district modifications between Oak Wolfe and Faison. The way the current response districts are set up, it is a greater distance from Faison's Fire Department that Oak Wolfe Fire Department to respond to some residents located on Tear Shirt Road. Since the distance is greater than eight miles from Faison Fire Department but within six miles of Oak Wolfe Fire Department, if the response and insurance districts are changed, it would allow the residents in this area to receive a lower fire insurance rating. Since this response district change will not affect and is not contiguous to Oak Wolfe Fire Department's fire tax district; and Faison does not have a fire tax district, this change will not require a petition or a public hearing. If approved by the board, the

fire districts response line will be changed from Faison's district to Oak Wolfe's district. Both Oak Wolfe and Faison Fire Departments were in agreement to make this fire district change to benefit the citizens (See handout in minutes.)

Motion was made by Commissioner Wells, seconded by Commissioner Raynor, carried unanimously, to move the fire district line (per map) from Faison into Oak Wolfe which will lower the property tax rate for citizens involved.

Ms. Donna Brown, Utilities Manager, appeared before the board to present an ordinance to authorize garnishment, attachment and placement of liens on real property for unpaid water bills in Districts, A, B, D, E, F, G and County (See handout in minutes.)

Motion was made by Commissioner Wells, seconded by Commissioner Parks, to adopt a water ordinance to garnish, attach and place liens on real property for unpaid water bills in the county water district. Commissioner Williams suggested that this new ordinance be advertised for the public notice. Commissioner Fussell suggested we hold a public hearing before submitting the ordinance. Mr. Mike Aldridge, County Manager, suggested May 17, 2010 at 9:00 a.m. to hold the public hearing.

Motion was made by Commissioner Fussell to hold a public hearing before submitting the ordinance.

Commissioner Turner asked Commissioner Wells if he wanted to resend his motion.

Commissioner Wells did not want to resend his motion.

Commissioner Parks, Turner, Raynor, Williams and Wells voted for. Commissioner Fussell voted against. Motion carried 5 to 1.

Motion was made by Commissioner Wells, seconded by Commissioner Parks, carried unanimously, to go out of regular session and go into water district B.

Motion was made by Commissioner Fussell, seconded by Commissioner Williams to table the motion until there is a public hearing at the next meeting. Commissioner Fussell and commissioner Williams voted for. Commissioner Parks, Turner, Raynor and Wells voted against. Motion failed 4 to 2. Motion to table failed, so original motion was voted on.

The Board returned to regular session.

Motion was made by Commissioner Parks, seconded by Commissioner Wells, carried unanimously, to go out of regular session and go into water district D.

The Board returned to regular session.

Motion was made by Commissioner Parks, seconded by Commissioner Williams, carried unanimously, to go out of regular session and go into water district E.

The board returned to regular session.

Motion was made by Commissioner Wells, seconded by Commissioner Raynor, carried unanimously; to go out of regular session and go into water district F.

The board returned to regular session.

Motion was made by Commissioner Wells, seconded by Commissioner Raynor, carried unanimously, to go out of regular session and go into water district G.

The board returned to regular session.

Motion was made by Commissioner Parks, seconded by Commissioner Wells, carried unanimously, to go out of regular session and go into water district A.

The Board returned to regular session.

Motion was made by Commissioner Parks, seconded by Commissioner Williams, carried unanimously, to go out of regular session and go into district D.

The board returned to regular session.

Ms. Heather Beard, Economic Development Director appeared before the board to request a public hearing on incentives for project pipeline on May 17, 2010 at 9:30 a.m.

Motion was made by Commissioner Parks, seconded by Commissioner Raynor, carried unanimously, to approve a public hearing on project pipeline on May 17, 2010 at 9:30 a.m.

Ms. Heather Beard presented a rural center grant resolution for project pipeline to be approved. This grant award of \$880,000 is contingent upon this resolution being passed, and the full submitted application and documentation to be sent to the rural center (See handout in minutes.)

Motion was made by Commissioner Wells, seconded by Commissioner Williams, carried unanimously, to approve the resolution and submit full application and documentation to the rural center for project pipeline and authorize the chairman and clerk to sign same.

Ms. Heather Beard presented an industrial development fund grant resolution for project pipeline to be approved. This grant award at \$500,000 is contingent upon the resolution being approved (See handout in minutes.)

Motion was made by Commissioner Wells, seconded by Commissioner Williams, carried unanimously, to approve the development fund grant resolution for project pipeline and authorize the chairman and clerk to sign same.

Ms. Heather Beard wants to apply for a USDA grant match of 35 percent to assist with the economic development budget to help offsets some costs (See handout in minutes.)

Motion was made by Commissioner Parks, seconded by Commissioner Williams, carried unanimously, to apply for USDA funding of 35 percent for economic development.

The Board of Education lawsuit was discussed very briefly. Ms. Wendy Sivori, County Attorney, was present at the meeting; therefore, several questions could not be answered. Mr. Turner suggested that the public be allowed to attend the next meeting regarding the lawsuit. It was the consensus of the board for this meeting to be on Thursday, April 22, 2010 at 2:00 p.m.

Commissioners were asked if they would like to visit other hospitals that UHS leases, that would be comparable to Duplin General Hospital, to ask questions. It was the consensus of the board that they would be interested in visiting other hospitals. Mike Aldridge will ask Wendy Sivori to schedule some possible dates and times and let the commissioners know.

A public hearing has been scheduled on the response from UHS regarding the lease/sell of Duplin General Hospital. This public hearing will be held May 17, 2010 at 10:00 a.m. in the commissioner's room.

Motion was made by Commissioner Williams, seconded by Commissioner Raynor, carried unanimously, to have a public hearing on May 17, 2010 at 10:00 a.m. on the response that UHS has submitted regarding the lease/sell of Duplin General Hospital.

A letter as been submitted from Eastern Carolina Council stating that the Regional Aging Advisory Committee has three (3 year term) reappointment requests regarding Duplin County's representation. The reappointed are Mr. Carl Pate, Beulaville, Mr. Alexander Leach, Rose Hill and Mr. JB Helms, Magnolia (See handout in minutes.)

Motion was made by Commissioner Parks, seconded by Commissioner Williams, carried unanimously, to reappoint those individuals to the Regional Aging Advisory Committee.

A proclamation from Lee Smith, Eastpointe Chairman, was presented on "Developmental Disabilities Awareness Month" for the board to approve (See handout in minutes.)

Motion was made by Commissioner Williams, seconded by Commissioner Parks, carried unanimously, to approve the proclamation recognizing March, 2010 as "Developmental Disabilities Awareness Month.

Mr. Mike Aldridge graciously thanked our hosts, Mr. and Mrs. Cary Turner for the service and refreshments provided and for allowing the board of commissioners meeting to take place at the Albertson Ruritan Building.

Mr. Turner submitted four names to be on the Gang Committee. He is still trying to find a Hispanic and a African American representative to be part of the team (See handout in minutes.)

Budget meetings begin on April 20, 2010 at 1:30 p.m. It is important for commissioners to be present at these meetings.

The ABC license at the Event Center, that was cancelled by VenuWorks, was discussed. There are three events scheduled at this time. The Board needs to decide if it will allow each individual event to apply for their own ABC license; therefore, the event will profit from the proceeds made from the concessions.

Motion was made by Commissioner Williams, seconded by Commissioner Parks for each individual event to apply for their own ABC license. Commissioner Parks, Fussell, Turner, Raynor and Williams voted for and commissioner Wells voted against. Motion carries 5 to 1.

Commissioner Turner called the Association of County Commissioners last week and they told him 35 out of county persons have registered to come to Duplin County for the District Association Meeting to be held on May 22, 2010. Mr. Turner suggested the commissioners should meet and greet them to Duplin County.

Motion was made by Commissioner Parks, seconded by Commissioner Raynor, carried unanimously, to go into closed session pursuant to 143-318.11 (a) (4) economic development matters.

The Board returned to regular session.

Motion was made by Commissioner Williams, seconded by Commissioner Parks, to allow Duplin County to apply for the ABC license, allowing Duplin County to make the profit. Commission Williams and Parks voted for. Commissioner Fussell, Turner, Raynor and Wells voted against. Motion failed 4 to 2.

Motion was made by Commissioner Wells, seconded by Commissioner Williams, carried unanimously, to recess on Thursday, April 22, 2010 at 2:00 p.m. in the Commissioner's Room in the County Administration Building.

Clerk

