

July 19, 2010
Board of Commissioners Meeting

The Duplin County Board of Commissioners met in Regular Session on Monday, July 19, 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. Teresa Lanier, Finance Officer; and Ms. Wendy Sivori, County Attorney.

Commissioner Fussell gave the invocation.

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

Animal Control – June 2010
Cabin Lake – June 2010
Fund Balance – June 2010
Register of Deeds – June 2010
Services for the Aged – June 2010
Solid Waste – June 2010
Soil & Water – June 2010
Vehicle Tax Billing – June 2010
Water – January 2010 – June 2010

Motion was made by Commissioner Raynor, seconded by Commissioner Williams, carried unanimously, to approve the Consent Agenda which included the following: Minutes – July 6, 2010, Tax & Solid Waste Releases #7533 - #7541. Budget Amendment #017 - #025.

Added to the Agenda:

- Request from Clayton Bryant to help fund Dixie Youth Ball Team.
- A resolution for Mr. Jimmy Strickland from James Sprunt Community College.
- Delete Project Slick Public Hearing and Bunge North American from the agenda.
- Budget amendment to repair items at jail.
- Mr. Steve Moore to request a public hearing.
- Commissioner Wells to comment on the animal control shelter.
- Commissioner Turner to comment on the Personnel Report, Social Service positions, WIC, and corrections to July 6, 2010 minutes. Corrections made.
- Commissioner Fussell to comment on the Events Center report and Personnel Management. He wants to know if the 19 budget amendments add any cost to the budget and to discuss the good report Teresa provided on the Events Center.

Mr. Aldridge presented Administrative Budget Amendments #A002 - #A012 to be made part of the minutes and motor vehicle tax release - \$4,250.38.

Public Comments:

Mr. Vincent Hobbs, Warsaw, appeared before the board to discuss the property of his grandfather, Mr. Robert Hobbs. His concern was that this property is worth more than it was appraised at. He also requests that the Airport runway be named after his grandfather.

Mr. Tim Smith appeared before the board to inform the public that he will be running for Mr. Cary Turner's seat, District II, as County Commissioner. Mr. Smith gave a history of his background, experience, and credentials.

Mr. George Mainor, Magnolia, appeared before the board to discuss his property near the airport. He was told it was going into eminent domain and he does not feel like he is being treated fairly. He request a fair market price and should be compensated for this property and not put it in eminent domain.

Mr. George Futrelle, Airport, appeared before the board to comment on Mr. Mainor's concern. George said that from the beginning they wanted their airport neighbors to be compensated fairly, to the very maximum extent that is allowable by the Federal Aviation Administration (FAA) and the Land Acquisition Program. The Airport is bound by FAA guidelines through the Land Acquisition Program. They cannot offer more than the fair market value, which is established by the appraisal and the review appraisal. The County Commissioners can decide to compensate differently and they will give the final decision.

Mr. Steve Moore, Transportation, appeared before the board to request authorization to advertise a public hearing on August 2, 2010, for the annual ROAP funds that are received from the State Department of Transportation in the amount of \$194,000.

Motion was made by Commissioner Wells, seconded by Commissioner Parks, carried unanimously, to authorize Mr. Steve Moore to advertise a public hearing on August 2, 2010 at 9:00 a.m. for annual ROAP funds that are received from the State Department of Transportation in the amount of \$194,000.

Ms. Heather Beard, Economic Development, appeared before the board for a public hearing on Guilford and the natural gas line. There is now an issue about an income tax that would be put on the line that would have to be paid by the county or the customer, preferably by the owner of the line in the amount of \$454,000. Guilford has agreed to be responsible for the tax if the county is able to come to terms on the incentive agreement changing from 50% of taxes paid over a five year period to 100% of taxes paid over a ten year period, which will be \$391,563. The incentive of \$115,000 was previously committed directly to the gas line, and the remaining \$276,563 of the \$391,563 will be paid in the form of a tax grant. Guilford will pay taxes each year and the county will reimburse those taxes back to Guilford in the form of grant funding. The performance agreement has been received back from Guilford and approved by Ms.

Wendy Sivori, County Attorney, and Heather. Heather requests approval from the board to move forward with this agreement, based on Ms. Wendy Sivori's approval.

Motion was made by Commissioner Parks, seconded by Commissioner Williams, carried unanimously, to approve the 10 years of incentives towards the project of a natural gas line for Guilford, per Ms. Wendy Sivori's approval.

Public Hearing began at 10:05 a.m.

Mr. Thurman Herring, Mt. Olive, asked if the people that were laid off from Guilford would be given first opportunity for the new job positions.

Ms. Heather Beard: The jobs would be open to anyone; they would have to apply for the position and the decision would be up to Guilford.

Mr. Jimmy Dixon, Calypso, appeared before the board with concern that the public did not have enough time to give a qualified informed opinion about the public hearing about Guilford.

Mr. Win Batten, Mayor of Warsaw, appeared before the board to agree that if Guilford creates 65 new jobs, this will add to our tax base, growth and development in Duplin County.

Public Hearing closed at 10:10 a.m.

Mr. Bob McCain, representing Piedmont Gas, appeared before the board to explain that Guilford wanted this to be a joint project between the County and Piedmont. Piedmont's purpose is to get a gas line connected to provide service to Guilford and to support the County's effort to secure jobs, and expand as their market continues to grow.

Motion was made by Commissioner Parks, seconded by Commissioner Wells, carried unanimously, to provide incentive of \$276,000 for the gas line project for Guilford.

Ms. Heather Beard appeared before the board to speak about the "Project Slick" Public Hearing that was cancelled. Project Slick references a company called Whole Harvest. Mr. Jerry Tysinger, Vice President with Whole Harvest, asked to cancel the public hearing at this time, but he is going through with the expansion of the business. Whole Harvest will be investing about 1 million dollars in Duplin County and creating six to ten new jobs. The county will be selling them an adjacent lot for their rail expansion, going from 25 cars a month to 100 cars a month for importing products.

Ms. Heather Beard appeared before the board to discuss the natural gas line agreement between the County and Piedmont Natural Gas.

Motion was made by Commissioner Parks, seconded by Commissioner Raynor, carried unanimously, to allow Heather and Wendy to move forward with the performance agreement between Guilford and the County.

Heather continued discussion about the construction and sale of the gas line between the County and Piedmont Natural Gas. There were items in the natural gas agreement that the County requested and Piedmont refused to change. Ms. Wendy Sivori, County Attorney, is very uncomfortable about the way the agreement is reading. She wants it to be understood that there is **not** an automatic sale after five years. The agreement still reads “may” instead of “shall” which means if they do not opt to purchase this gas line; it would belong to the county after five years. Wendy amended the natural gas agreement by taking out stipulations that would assist the county and take requirements off the county that have now been inserted in the agreement presented by Piedmont. As the attorney representing the Board of Commissioners, Wendy does not recommend signing the natural gas agreement. Piedmont originally accepted Wendy’s agreements and modifications, but changed them at the last minute (See handout in minutes.)

Motion was made by Commissioner Fussell, seconded by Commissioner Raynor, carried unanimously, to follow the recommendation of the County Attorney and take the original natural gas agreement that was revised by Wendy back to Piedmont.

Ms. Lynn Davis with James Sprunt Community College and Duplin Rotary Club appeared before the board requesting adoption of a resolution honoring Mr. James F. Strickland on his 90th birthday. A reception will be held at the Boyette Building, Room 113 at James Sprunt on July 22, 2010 from 4:00 p.m. to 6:00 p.m (See handout in minutes.)

Motion was made by Commissioner Parks, seconded by Commissioner Williams, carried unanimously, to adopt the resolution honoring Mr. James F. Strickland on his 90th birthday.

Mr. Brian Pearce, EMS, appeared before the board to recognize Mr. Josh Parker who has spent the summer with EMS doing his internship.

Ms. Donna Rouse, Soil & Conservation, appeared before the board to present the annual BMAP agreement #1072373117TF for approval and to request the board to authorize the chairman to sign. The funds are in the budget (See handout in minutes.)

Motion was made by Commissioner Williams, seconded by Commissioner Wells, carried unanimously, to approve the annual BMAP Agreement and authorize the chairman to sign.

Mr. Aldridge appeared before the board to request a status change for one park attendant position at Cabin Lake. The previous full time employee left this position in June, 2010. Mr. Steven Wilson would like to change this position from full time to part time.

Motion was made by Commissioner Parks, seconded by Commissioner Williams, carried unanimously, to change the park attendant position at Cabin Lake from full time to part time.

Mr. Clayton Bryant, coach of Duplin County Dixie Boys Major ball team, along with four members of the team, appeared before the board requesting sponsorship to help the team to travel to play in the World Series in Louisiana.

Motion was made by Commissioner Wells, seconded by Commissioner Fussell, carried unanimously, to allocate \$3000.00 to help the Dixie Major ball team go to the World Series thereby authorizing budget amendment #0027 (See handout in minutes.)

Mike appeared before the board to request a budget amendment for several items that the jail needs. The jail roof reserve has a budget of \$150,000; however the low quote to repair the jail roof is \$64,800. Other needs are a water heater that will cost \$15,000 and an air conditioning unit that will cost \$10,500.

Motion was made by Commissioner Williams, seconded by Commissioner Parks, carried unanimously, to move funds from the jail capital reserve account to cover repairs needed at the jail thereby authorizing budget amendment #0026.

At the last meeting Commissioner Fussell requested verification of expenses at the Event Center. This information was provided in the commissioner's packet (See handout in minutes.)

It was the consensus of the board to do Wendy Sivori's evaluation from the Orange County example form. The evaluation will be a closed personnel session on August 16, 2010.

At the last meeting, Commissioner Williams requested a report of employees by race per department. This information was provided in the commissioner's packet (See handout in minutes.)

In April, 2010 the board of commissioners approved the changes to the fire response and insurance district boundary for Oak Wolfe and Faison. However, the resolution was not prepared at that time. EMS requests the board to adopt the resolution presented today and authorize the chairman to sign (See handout in minutes.)

Motion was made by Commissioner Parks, seconded by Commissioner Williams, carried unanimously, to adopt the resolution and authorize the chairman to sign.

The Health Department received a subscription agreement offer to provide Broadband Services to organizations registered as potential sites on the NC TeleHealth Network. This is a three year agreement. By participating the county receives an 85% discount on broad band access which is necessary to bill Medicaid and to comply with electronic medical records. The agreement will also benefit the county in that the Health

Department network will free up bandwidth on the county's network (See handout in minutes.)

Motion was made by Commissioner Parks, seconded by Commissioner Williams, carried unanimously, for the Health Department to subscribe to the agreement with Broadband Services.

Mr. Mark Eastman, Transportation Engineer with Transport Planning Branch, conducted a public hearing at the last meeting. Mr. Eastman is requesting adoption of the resolution for the Comprehensive Transportation Plan for Beulaville, North Carolina and to authorize the chairman to sign (See handout in minutes.)

Motion was made by Commissioner Raynor, seconded by Commissioner Williams, carried unanimously, to adopt the resolution for the Comprehensive Transportation Plan and to authorize the chairman to sign.

Dr. Obasahon will be attending the next commissioner's meeting and also will be holding a leadership meeting on August 10, 2010 at the Ed Emory Auditorium at 6:00 p.m. with the County Commissioners, Board of Education, Chambers of Commerce and Town Mayors.

Commissioner Wells was not at the last commissioner's meeting. The vote on the new animal control shelter was not passed. Mr. Wells wanted to make sure it was on record that his vote on this would be no as well.

Commissioner Fussell is concerned about the need of another Human Resource person to free Mike from the majority of that job so he can have more time to spend on management of the county.

Two IT positions were created, approved by the board and are in the budget. Mike requests the boards' approval to advertise these positions.

Motion was made by Commissioner Wells, seconded by Commissioner Parks, carried unanimously, to advertise the two IT positions.

Motion was made by Commissioner Wells, seconded by Commissioner Raynor, carried unanimously, to adjourn until August 2, 2010 at 9:00 a.m. in the commissioner's meeting room.

Clerk

