

August 16, 2010

Board of Commissioners Meeting

The Duplin County Board of Commissioners met in Regular Session on Monday, August 16, 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 Wells gave the invocation.

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

Airport – June & July 2010
Animal Control – July 2010
Cabin Lake – July 2010
Social Services – July 2010
Soil Conservation – July 2010
E911 – July 2010
Fund Balance – June 2010
Inspections – July 2010
Managers Report – July 2010
Register of Deeds – July 2010
Water – July 2010

Motion was made by Commissioner Raynor, seconded by Commissioner Williams, carried unanimously, to approve the Consent Agenda which included the following: Minutes – August 2, 2010, Tax & Solid Waste Releases #7607 - #7701; Budget Amendment #0035 - #0046; Standard Grant Award Contract – NC Dept. of Correction CJPP; to add Public Hearing notice for September 7, 2010 at 9:00 in the commissioner meeting room; closed session for Wendy Sivori's evaluation; clarification on the procedure for replacement of Commissioner Wells from our County Attorney.

Mr. Aldridge presented Administrative Budget Amendments #A027 - #B047 to be made part of the minutes and motor vehicle tax release – July 30, 2010 - \$6893.93.

Mr. Tim Smith appeared before the board to speak about the North Carolina General Statutes regarding joint planning. The statute states local Boards of Education and Boards of County Commissioners are strongly encouraged to conduct periodic joint meetings during each fiscal year (See handout in minutes.)

Sheriff Blake Wallace appeared before the board to present Mr. Bobby Wallace his retirement plaque.

Sheriff Wallace also requested permission to restructure the department, reassign job responsibility, and make salary adjustments at the Sheriff's department due to one person resigning and one person retiring.

Motion was made by Commissioner Wells, seconded by Commissioner Parks, carried unanimously, to allow the Sheriff Office is make changes in personnel to circumvent requesting to fill two positions.

Mr. Bee Barnette appeared before the board to invite them to a demonstration of a slow speed shredder for tires and wood waste. This demonstration will be held at the Landfill on September 1, 2010 at 9:30 a.m. or 1:30 p.m. by Gregory Poole.

Mr. Brian Pearce, EMS, appeared before the board to give an update on all emergency services, since this is his last meeting due to resigning as EMS Director.

Brian requested to purchase one used ambulance and one new ambulance. The funds for the used ambulance will come out of the reserve account, which will not affect the fund balance. The EMS line item for collections would be increased and will not affect fund balance for a new ambulance. These budget amendments were part of the consent agenda. He requested to move funds from E911 fund balance into professional services account for training on an upgrade to E911 dispatch system in the amount of \$16,390.00.

Motion was made by Commissioner Wells, seconded by Commissioner Parks, carried unanimously, for EMS to purchase a used ambulance, a new ambulance and to move funds for dispatch software system, thus approving budget amendment #0047 (See handout in minutes.)

Ms. Donna Rouse, Soil and Water Conservation, appeared before the board to recognize Mr. Dale Dixon's retirement from BMAP and request the commissioners authorize the chairman to sign the letter of recognition for Mr. Dixon (See handout in minutes.)

Motion was made by Commissioner Wells, seconded by Commissioner Williams, carried unanimously, to approve Mr. Dixon's retirement and authorize the Chairman to sign the letter of recognition.

Ms. Kay Fulp, Interim Chief Finance Officer for Duplin County Schools, appeared before the board to give an update on the Board of Education finances.

Ms. Fulp request the commissioners allow local funds to be used to pay beginning teachers from local instead of restricting local funds to ROTC. The State provides funding that can be used for ROTC. She also requested to be allowed to pay

custodians and their worker's compensation from state funds, generating at minimum a \$20,000.00 savings (See handout in minutes.)

Motion was made by Commissioner Williams, seconded by Commissioner Wells, carried unanimously, to allow Ms. Fulp to pay beginning teachers from local funds instead of restricting to ROTC and also to pay custodians and their worker's compensation from state funds; thus approving budget amendment #0049.

Ms. Fulp requested the Board of Education County funding be received in 1/12 installments from the county with no requests involved.

Motion was made by Commissioner Wells, seconded by Commissioner Parks, carried unanimously, to approve the request to send the Board of Education 1/12 installments with no requests involved.

Ms. Pat Scholar, State Animal Health Technician/Inspector, appeared before the board to provide an update on Duplin County's animal services and facility. Ms. Scholar stressed that the animal shelter is old and inspections are difficult to pass. The number of personnel at the shelter is a problem. The shelter needs three people to operate efficiently. She suggested one full time person inside and two full time officers. Mr. Aldridge agreed with Ms. Scholar that there are not enough resources at the animal shelter to get the job done. He requested permission to create a full time position inside the dog pound and another full time officer position. Commissioner Turner replied to let the commissioners think about it.

Mr. George Futrelle, Airport Manager, appeared before the board to request permission for the Airport Commission to allow tenant, MFP AIR, LLC (aka Matthews Family Properties, Air, LLC) to sublease hangar space (See handout in minutes.)

Motion was made by Commissioner Parks, seconded by Commissioner Raynor, carried unanimously, to approve the first amendment to the Airport Hangar Lease Agreement between Duplin County and MFP AIR, LLC, and authorize the chairman to sign.

Ms. Constance Hyman, Partnership Specialist with US Census Bureau, appeared before the board to present the results of the Duplin County 2010 Census Awareness efforts (See handout in minutes.)

Mr. Ken Jones, Eastpointe, appeared before the board to give a year end update on their services and goals (See handout in minutes.)

Ms. Nannette Smith, Interim DSS Director, appeared before the board to request the commissioners accept funding of \$15,000.00 from the State for LINK monies to provide services to accelerate children between the ages of 13 and 21 to be able to transition from foster care into adulthood. The \$15,000 is 100% reimbursable from the State back into the fund balance. (See handout in minutes.)

Motion was made by Commissioner Parks, seconded by Commissioner Williams, carried unanimously, to approve DSS accepting \$15,000.00 State LINK monies for services to transition children from foster care into adulthood; thus approving budget amendment #0048 (See handout in minutes.)

Commissioner Fussell requested an update from Ms. Wendy Sivori, County Attorney, on the procedures for replacing Commissioner Wells in District VI.

Ms. Sivori appeared before the board to answer Commissioner Fussell's request. The statute requires the commissioners to accept his resignation and they will be the ones to vote on a new commissioner. The statute states the person appointed has to be from District VI and of Commissioner Well's political party, which is Democrat. The statute does provide a provision that the commissioners contact the head of the political party to see if they have a list of names or nominee to offer the board. The person appointed to Commissioner Well's seat will fill it from August 16 through December 5, 2010. Each political party can put someone on the ballot to run for Commissioner Well's seat at the next general election, which will be the November 2, 2010 general election. The individual elected will serve the remainder of Commissioner Well's term from December 2010 until December of 2012.

Motion was made by Commissioner Williams, seconded by Commissioner Parks, to accept Commissioner Wells's resignation as of August 16, 2010. Commissioners Parks, Turner, Raynor and Williams voted yes. Commissioner Fussell voted no. Motion carried 5 to 1.

It was the consensus of the board to allow the Democratic Party to follow the statute and to allow Mike Aldridge and Wendy Sivori to write a letter to notify both parties that the board has accepted Commissioner Wells's resignation and to notify both parties that they can appoint a candidate to be placed on the ballot for November 2, 2010 general election.

Mr. Mike Aldridge appeared before the board to request permission to advertise for two vacant Water Tech positions at the Water Department. These two positions are vacant because training requirements for the job were not met.

Motion was made by Commissioner Wells, seconded by Commissioner Parks, carried unanimously, to allow the Water Department to advertise for two vacant positions.

Mr. Aldridge went over the North Carolina Financial Condition Analysis report showing benchmark peers from five different counties per Commissioner Fussell's request from the last meeting (See handout in minutes.)

Change order #3 for the Rosemary Sewer Contract is complete and the close out documents include the adjusted changes which results in a net decrease of \$960.91 due the contractor (See handout in minutes.)

Motion was made by Commissioner Wells, seconded by Commissioner Raynor, carried unanimously, to approve the change order #3 for the Rosemary Sewer Contract and authorize the chairman to sign.

Mr. Randall Tyndall would like to request appointment of Mr. Allen M. Holmes as District 1 Planning Board Representative, as recommended by Commissioner Parks, replacing Mr. Gerald Bell.

Motion was made by Commissioner Parks, seconded by Commissioner Raynor, carried unanimously, to appoint Mr. Holmes as District 1 Planning Board representative replacing Mr. Gerald Bell.

Commissioner Wells asked to have the county surplus his laptop computer to him.

Motion was made by Commissioner Fussell, seconded by Commissioner Wells, carried unanimously, to surplus Commissioner Well's laptop computer to him pending Wendy's investigation of the counties ability to surplus the computer to an elected official.

Mr. Randall Tyndall request permission to schedule a public hearing for September 7, 2010 at 9:00 a.m. in the commissioner meeting room regarding Sanitary Sewer along Brinson Road through Interchange 373 to Magnolia.

Motion was made by Commissioner Parks, seconded by Commissioner Raynor, carried unanimously, to approve a public hearing for September 7, 2010 to review the funding offer from USDA on sewer along Brinson Road to Exit 373.

Commissioner Turner asked Mr. Aldridge to get DOT to check on the Jacksonville sign. Mr. Aldridge has asked Jerri Parker about it before and her response was they have done everything they could do but he will follow up with her again.

Motion was made by Commissioner Parks, seconded by Commissioner Williams, carried unanimously, to go into closed session pursuant to N.C.G.S. 143-318.11 (a) (3) legal matters and N.C.G.S. 143-318.11 (a) (6) personnel matters.

Commissioner Fussell left the meeting at 12:55 p.m.

Board returned to regular session.

Motion was made by Commissioner Parks, seconded by Commissioner Raynor, carried unanimously, to approve the Social Services contract with Sheriff Department for security services and the Social Services contract with the Sheriff Department for IV D Services (See handout in minutes.)

Motion was made by Commissioner Williams, seconded by Commissioner Wells to adjourn until September 7, 2010 at 9:00 a.m. in the commissioner's meeting room.

Clerk