

Board of Commissioners Meeting  
November 7, 2011

The Duplin County Board of Commissioners met in regular session on Monday, November 7, 2011 at 9:00 a.m. in the commissioner's meeting room.

Present: Commissioners: Kenn Thompson, Tim Smith, Frances Parks, Harold Raynor, Zettie Williams, and Jessie Ladson.

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

Commissioner Williams gave the invocation.

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

Animal Control – October 2011  
Cabin Lake – September 2011  
Finance Activity Report – September 2011  
E911 – October 2011  
Inspections – October 2011  
Register of Deeds – October 2011  
Soil & Water Conservation – September 2011  
Vehicle Tax Billing – July – November 2011

Motion was made by Commissioner Raynor, seconded by Commissioner Williams, carried unanimously, to approve the consent agenda which included the following: October 17, 2011 minutes; Tax & Solid Waste Releases #8765 - #8783, Budget Amendments #0089 - #0098. Mr. Mike Aldridge, County Manager, added to the consent agenda: Discussion on the Event Center.

Mr. Mike Aldridge, County Manager, presented Administrative Budget Amendments #D101 - #E126.

Mr. Lin Reynolds, NCDOT District Engineer, appeared before the board to conduct a public hearing on the Duplin County secondary roads construction program for 2011-2012 (see attached in minutes).

Mr. David Thomas, NCDOT Maintenance Engineer, was present with Mr. Lin Reynolds.

Mr. Lin Reynolds provided an introduction to the public hearing by stating: As required by NCGS 136-44.5, NCDOT is presenting the 2011-2012 secondary road construction program. The DOT makes a study of all State maintained unpaved roads in order to determine the unpaid mileage in each county and the total in the State. Each counties allocation is determined by

dividing the total allocation by the State wide mileage times the number of miles in each county. The secondary road construction allocation is based upon the amount of revenue generated by the gas tax. Based on approximately 21 unpaved miles in Duplin County compared to unpaved miles statewide, the allocation for Duplin County is estimated to be \$1,380,689.00, when approved by the Board of Transportation. Duplin County's unused balance from the previous year is \$640,039.00 for a total balance of \$2,020,737.00 that will be available for spending this year. The priority list was updated in 2009. The list was based on a paving priority rating system having two paving priorities for each county; one for rural roads and one for residential/subdivision roads. The board now requires a separate listing of roads for each county, showing the roads that have been previously skipped over for paving because the right-a-way was not available. Provisions have been made for any such road to be reinstated to its prior position at such time as the right-a-way becomes available. The allocation in Duplin County for highway funds is \$788,450.00; the unused balance is \$374,841.00, trust fund was \$592,248.00 and the unused balance is \$265,198.00 for a total of \$2,020,737.00.

Chairman Parks: Any questions from the board?

Commissioner Ladson: Why is it that fatalities are considered for some kind of action and not for prevention? On Hwy 117 at Warren and Bowden Road there are a lot of farmers with big equipment and big trucks that go through there. I have inquired about a caution light and was told there were not enough fatalities to justify putting one there.

David Thomas: Traffic signals are a traffic engineering situation. There are warrants that have to be met and they are mandated to be met. They study several things when considering putting a traffic signal in an area. I am not a traffic engineer, but I will have someone that is to get back with you.

Commissioner Smith: The Intersection at Hwy 24 and 903 is very dangerous when foggy.

Commissioner Williams: I reported that several months ago.

David Thomas: We need to get someone with traffic engineering with answers to these concerns.

Commissioner Parks: From personal experience living in Calypso, since they put in the bypass, there have been six people killed there and the citizens have tried to get DOT to install traffic lights but no one has been successful.

Mr. Lin Reynolds: I will get a traffic engineer to attend the next meeting and he will be able to explain it better.

Commissioner Parks opened the public hearing for public comments at 9:18 a.m.

Mr. Ray Bryant: I live at 117 Peachtree Lane for the last 15 years and the road I live on is the worst road in Duplin County.

David Thomas: Is it a private road?

Mr. Ray Bryant: Yes

David Thomas: That would be the issue. We cannot work on private roads. Have you ever questioned the State to investigate for addition?

Mr. Ray Bryant: Yes and the last time I asked they told me I had to see the owner. The owner has sold all the property there.

David Thomas: We are governed by the law but Mr. Reynolds could go and assess the situation.

Mr. Mike Aldridge: Mr. Bryant has called me in the past about this. The State is not going to fix a private road and in his situation the owner has sold all the lots and now the owner is left with the road easement and has no responsibility for it. This is exactly what led us to adopt the subdivision regulations to address this.

Commissioner Thompson: Do you know how your property is listed as to whether you own the road or does he still own the road?

Mr. Ray Bryant: He owns the road.

Commissioner Thompson: Maybe you should try to see if you can buy the easement to the road. This would be my suggestion.

Commissioner Smith: Is there anything we can do as far as petitioning?

Mike Aldridge: I don't know if the property owners have petitioned but that would be the only thing they can do as far as the State is concerned.

Commissioner Williams: If the lots were sold to different residents that are not family related, would that constitute a subdivision?

Mike Aldridge: Yes.

Williams: Why can't we do what we did for the Wiggin Lane in Wallace? The board did a resolution for the State to take over that road.

Mr. Lin Reynolds: It qualified because it was subdivided before 1975. It has to be subdivided by statute before 1985. There are a lot of people in subdivisions that bought property after 1975 and there is nothing to protect them from this situation. The county has an ordinance now that protects them.

Commissioner Ladson: I asked this gentleman to come in this morning and maybe if we all put out minds to it we could come up with something to help him. I have been there and the road is in very bad condition.

Commissioner Smith: The only thing we can do is to get the owner of the road to petition to the State and add it to the State system. There should have been a road maintenance agreement when all the lots were sold.

Chairman Parks: Sorry sir, we cannot help you. If no more comments, this public hearing is closed at 9:28 a.m., and I would entertain a motion at this time.

Motion was made by Commissioner Smith, seconded by Commissioner Ladson, carried unanimously, to adopt a resolution approving the Duplin County secondary road construction program for FY 2011-2012 as recommended by DOT, thereby, authorizing the Chairman and Clerk to sign same.

Ms. Jerri Parks appeared before the board for any road issues in Duplin County. She did not receive any comments.

### **Public Comments**

Ms. Sue Wells, Marketing and Development Director, with Home Care and Hospice appeared before the board to request the board to adopt the proclamation declaring November as Home Care and Hospice Month (see handout in minutes.)

Motion was made by Commissioner Smith, seconded by Commissioner Williams, carried unanimously, to adopt the proclamation declaring the month of November as “Home Care and Hospice Month” in Duplin County and authorize the chairman and clerk to sign same.

Mr. Clifton Melvin, Sr. appeared before the board on behalf of his church. He asked the board to consider recognizing their pastor, Reverend Dr. William Kenneth Raynor, for over 50 years of pastoral service in Duplin County. He also invited the board to join them in celebration on Sunday, November 13, 2011 at 3:00 p.m., 348 Church Street, Rose Hill. Commissioner Ladson responded that she would attend this celebration and present a resolution acknowledging Dr. Raynor’s service to the community (see handout in minutes.)

Motion was made by Commissioner Raynor, seconded by Commissioner Williams, carried unanimously, to approve a resolution acknowledging the service of Reverend Dr. William Raynor, authorize Commissioner Ladson to present the resolution on November 13, 2011, and authorize the Chairman and Clerk to sign same.

Ms. Deborah Kornegay, Calypso, appeared before the board with a press release from the Southern Environmental Law Center in Chapel Hill that deals with politics and pollution in North Carolina. Ms. Kornegay also presented a press release on Slowing Global Warning. (see handout in minutes.)

### **End of Public Comments**

Mr. Rob McDuffie, Emergency Services Director, appeared before the board to acknowledge Mr. Reid Southerland, EMS Coordinator, for receiving the Colonel Phillip Nichos Waters award at the EMS State Conference in Hickory. Out of 100 Emergency Management Coordinators, Reid brought this award back to Duplin County.

Mr. Randall Tyndall, Planning Director, appeared before the board for a public hearing on the receipt of an additional \$60,000.00 to the 2009 Scattered Sites Community Development Block Grant of \$400,000 (see handout in minutes.)

Motion was made by Commissioner Williams, seconded by Commissioner Ladson, carried unanimously, to receive public comments on an additional \$60,000 for the 2009 CDBG Scattered Community Development Program.

Chairman Parks: Are there any questions from the board?

Commissioner Smith: Is there a priority list?

Mr. Tyndall: There is a priority list that we have given to a selection committee that solicits volunteers. The additional monies will go to someone on that priority list based on most critical needs.

This public hearing was opened to the public at 9:53 a.m.

No comments from the public.

The public hearing was closed at 9:53.a.m.

Motion was made by Commissioner Williams, seconded by Commissioner Ladson, carried unanimously, to accept the additional \$60,000 for the 2009 CDBG Grant, authorize the chairman to sign, thus approve budget amendment # 0099 (see handout in minutes.)

Motion was made by Commissioner Smith, seconded by Commissioner Ladson, carried unanimously, to go out of regular session and into session as Water District A.

The Board returned to regular session.

Mr. Steve Moore, Transportation/Aging Director, appeared before the board to request permission from the board to advertise for the vacant part-time In-Home Aide II position for the Aging Department. This position is vacant due to the retirement of Ms. Eva Brinson.

Motion was made by Commissioner Smith, seconded by Commissioner Ladson, carried unanimously, to approve the advertisement for the vacant part-time In-Home Aide II position for the Aging Department.

Mr. Steve Moore appeared before the board to discuss funding needs for transportation for FY 2012 due to State budget cuts. This discussion was tabled at the last commissioner's meeting. After much discussion, Steve requested the Board revisit funding needs for transportation during the first quarter of 2012. The board agreed. No action was taken.

Mr. Chris Peluso, EMS Operations Officer, appeared before the board to request approval of the draft lease agreement prepared by Ms. Wendy Sivori, County Attorney, on the property for the EMS station in Rose Hill.

Motion was made by Commissioner Williams, seconded by Commissioner Smith, carried unanimously, to table this discussion till the next commissioner's meeting on November 21, 2011, to allow the commissioners more time to read the lease.

Mr. Gary Rose, Tax Administrator, appeared before the board to present a request for the board to accept the filing of a land use application as timely filed for Ms. Jackie Stroud. Ms. Stroud appeared before the board and presented her case.

Motion was made by Commissioner Smith, seconded by Commissioner Thompson, carried unanimously, to consider the land use application submitted by Ms. Jackie Stroud as a timely filed land use application.

Mr. Rose appeared before the board to request permission from the board to advertise for the vacant real estate appraiser position.

Motion was made by Commissioner Smith, seconded by Commissioner Ladson to allow Mr. Rose to advertise to the public for a Real Estate Appraiser. Commissioners Smith, Parks, Raynor, Williams and Ladson voted for. Commissioner Thompson voted against. Motion carried 5 to 1.

Ms. Lacey Ekberg, Events Center Director, appeared before the board to present her 2011-2012 strategic plan for the Events Center. She explained that for the Center to be successful, the management structure would require the Center be governed by the Board of Authority. It was her recommendation that the board would be solely responsible for the Center. Ms. Ekberg also asked the board for a one-time investment of \$150,000 to create a marketing fund. Ms. Wendy Sivori, County Attorney, was asked by the board to look into the legal aspects of the Events Center board governing the Center.

Motion was made by Commissioner Williams, seconded by Commissioner Smith, carried unanimously, to appoint Ms. Parks as a voting member of the Events Center board.

Motion was made by Commissioner Thompson, seconded by Commissioner Smith, carried unanimously, to table the discussion until the November 14, 2011 strategic planning meeting.

Mr. Mike Aldridge, County Manager, appeared before the board to request the board award the Guilford pipeline construction inspection contract to Cleveland Integrity Services, Inc. for \$126,468.00 to do the inspection of the pipeline going in the ground for the Guilford gas line project. This is being paid for by Piedmont and a grant from the Industrial Development Fund (see handout in minutes.)

Motion was made by Commissioner Raynor, seconded by Commissioner Ladson, carried unanimously, to award the construction inspection contract to Cleveland Integrity Services, Inc. for \$126,468.00 to inspect the Guilford gas line project.

Mr. Mike Aldridge, County Manager, appeared before the board to request the board to award the Guilford pipeline construction contract to the low bidder, Foremost Pipeline Construction Company in the amount of \$2,587,647.00 for the Guilford gas line project. This will be paid by Piedmont, Guilford, Eastern Region, and the Rural Center (see handout in minutes.)

Motion was made by Commissioner Smith, seconded by Commissioner Ladson, carried unanimously, to award the Guilford pipeline construction contract to the low bidder, Foremost Pipeline Construction Co., in the amount of \$2,587,647.00 conditioned upon Foremost becoming registered on the IS Networkworld Network as an approved contractor with Piedmont, thereby authorizing the Chairman to sign at such time that the contract documents are prepared.

Mr. Mike Aldridge provided employee meal reimbursements as requested by the board (see handout in minutes.)

Mr. Mike Aldridge presented that James Sprunt Community College is paying for security independent of the county but they are currently using a vehicle titled to the county. It is recommended that the vehicle, a 2003 Crown Vic (Vin 2FAHP71W73X215400), be declared surplus and transferred to JSCC.

Motion was made by Commissioner Raynor, seconded by Commissioner Ladson, carried unanimously, to surplus the 2003 Crown Vic to James Sprunt Community College.

Motion was made by Commissioner Ladson, seconded by Commissioner Williams, carried unanimously, to go into Closed Session pursuant to N.C.G.S. 143-318.11 (a) (3) legal matter and N.C.G.S. 143-31811 (a) (6) personnel matter.

Motion was made by Commissioner Williams, seconded by Commissioner Ladson, carried unanimously, to recess until Monday, November 14, 2011 for a strategic planning/commissioners meeting in the County Commissioner's room at 1:00 p.m.

---

Clerk