

M I N U T E S

**REGULAR SCHEDULED MEETING OF THE BOARD OF COMMISSIONERS
OF EDGECOMBE COUNTY**

FEBRUARY 7, 2011 AT 7:00 P.M.

**IN THE CUMMINS CONFERENCE ROOM, THOMAS S. FLEMMING BUILDING,
EDGECOMBE COMMUNITY COLLEGE
TARBORO, NORTH CAROLINA**

1. MEETING CALLED TO ORDER BY CHAIRMAN WIGGINS AT 7:00 P.M.

MEMBERS PRESENT: Mr. Leonard Wiggins, Chairman, Mr. Charlie R. Harrell, Vice-Chairman, Ms. Evelyn Powell, Mr. Donald Boswell, Mr. Jonathan Felton, Ms. Viola Harris and Rev. E. Wayne Hines.

MEMBERS ABSENT: None

OTHERS PRESENT: Mr. Lorenzo Carmon, County Manager, Mr. Mahlon DeLoatch, County Attorney and Ms. Carolyn S. Hedgepeth, Clerk to the Board.

2. PRAYER

Invocation provided Rev. E. Wayne Hines.

3. MINUTES OF PREVIOUS MEETING PRESENTED FOR APPROVAL

Rev. Hines moved to approve the minutes of the January 3, 2011 meeting as presented. Mr. Felton seconded the motion which carried by unanimous approval.

4. SCHEDULED APPOINTMENT(s):

Mr. Rudolph Knight, Chairman of the Perry-Weston Education and Cultural Institute, Inc. came forward and introduced other members present as Dr. Florence Armstrong and Dr. Larry Auld. He said their organization promotes African American History in Edgecombe County via tours, special events and other activities. He said the organization was financially supported by private sponsors and patrons as well as the county allocation. He presented to the Board a copy of the publication *From Water Street to East Tarboro, Keechtown, and The Depot: Tarboro African American Neighborhoods* which they prepared as part of the 250th Anniversary Celebration for the Town of Tarboro which depicts the presence and contributions of African Americans in Edgecombe County since 1733.

5. PUBLIC PETITIONS:

No petitioners came forward.

6. OTHER BUSINESS:

A. Approval of a contract and agreement between the Speed Community Water Association and Edgecombe County Water and Sewer District No. 4.

Mr. Carmon presented a contract and agreement between Speed Community Water Association and Edgecombe Water and Sewer District No. 4 detailing the transfer of all rights, title, interest, estate and assets of the Association's water supply distribution operations to Water District No. 4 for operations and upgrading. He this was the same action that was taken with Leggett Water Association several years ago when Edgecombe Water and Sewer District No. 5 took over their operations. He said the agreement becomes effective February 15, 2011 and he recommended approval.

Ms. Harris moved to approve the contract and agreement between the Speed Community Water Association and Edgecombe County Water and Sewer District No. 4 as presented with an effective date of February 15, 2011. Ms. Powell seconded the motion which carried by unanimous vote.

B. Budget amendments.

Mr. Carmon highlighted the \$6,000 budget amendment that transferred funds

from E911 to purchase an air conditioner unit in the E911 equipment room.

Mr. Harrell moved to approve the budget amendments as presented. Ms. Powell seconded the motion which carried by unanimous vote.

- C. Approval of resolution, grant application and legally binding commitment for NC Department of Commerce Industrial Development Fund for the installation of a natural gas line to benefit FCA.

Mr. Carmon presented a resolution, grant application and legally binding commitment for \$25,000 for a NC Department of Commerce industrial development fund to install a natural gas line to benefit FCA located in Kingsboro Industrial Park. He said that FCA manufactures skids that house engines for Cummins Engines.

Ms. Harris moved to approve the resolution, grant application and legally binding commitment and authorize Chairman to execute the same.

Rev. Hines seconded the motion which carried by unanimous vote.

- D. Approval of resolution authorizing the Finance Officer to file an application with the North Carolina Local Government Commission for the approval of a \$1.3 million loan for economic development project from NC Eastern Region.

Mr. Carmon presented a resolution authorizing the Finance Director to apply to the Local Government Commission for the approval of a \$1.3 million loan from NC Eastern Region for the purchase of a building with the intent to lease the building to Bearcat Company for the amount of debt service payments and taxes in order to keep the company from relocating to another state. He said this would and save approximately 79 jobs. He also presented an intent to reimburse for \$100,000 for the same project. He recommended approval.

Ms. Powell moved to approve the resolution and authorize Chairman and staff to execute required documents needed for project. Ms. Harris seconded the motion which carried by unanimous vote.

- E. Approval of a temporary easement to Edgecombe Water and Sewer District No. 4.

Mr. Carmon presented a request for a temporary easement to Edgecombe County Water and Sewer District No. 4 on county owned property located on Catherine Street to construct a water main through the property.

Mr. Felton moved to approve the temporary easement as presented. Rev. Hines seconded the motion which carried by unanimous vote.

- F. Approval of the purchase of 4.11-acre tract of land from Edgecombe County Public Schools for \$30,000 for placement of an above ground storage tank.

Mr. Carmon said that the county needed 26,600 square feet of a 4.11 acre tract of land owned by Edgecombe County Public Schools to build an above ground storage tank for Water District No. 4. He said the site was appraised at \$10,000; however, the school system said they did not have any plans for the remaining property. He recommended that the County offer the School Board \$30,000 to purchase the entire tract, which can be used for storage.

Rev. Hines asked why the County would pay \$30,000 if the property were appraised at \$10,000. Mr. Carmon explained that the appraisal was for the 26,600 feet tract only and he recommended purchasing the entire 4.11 acres.

Mr. Harrell moved to approve the offer of \$30,000 for the purchase of the entire tract as presented. Mr. Felton seconded the motion.

Mr. Harrell asked if the money would be coming from general funds for the purchase. Mr. Carmon stated that the funds were from the Water District No. 4 grant/loan project.

The board raised several questions regarding the purchase of property from the school system.

Mr. Boswell expressed concern about the water tower being placed on the road frontage.

Following continued discussion, the Board approved the offer to purchase 4.11 acres from Edgecombe County Public Schools by unanimous vote.

G. Approval of \$18,250 contract amendment for grant administration by The Wooten Company.

Mr. Carmon presented a proposed contract amendment to adjust the fees for construction administration, inspections and grant administration between the County and The Wooten Company. He said the \$18,250 amendment was needed to cover the cost of installing 3,600 LF of waterline along Dickens Road beginning at the Cutchin Farm Road intersection. He said if approved the total contract would increase from \$155,000 to \$173,250.

Ms. Powell moved to approve the contract amendment for \$18,250 as presented. Ms. Harris seconded the motion.

Rev. Hines asked Mr. Carmon to explain the increase.

Mr. Carmon stated that there was additional work involved with the project and this would pay the cost for the additional work.

The motion was approved by unanimous vote.

H. Approval of awarding bids for purchase of equipment for the Water Department with USDA grant funds.

Mr. Carmon said that District No. 5 waterlines were completed in areas that we had interested customers with the exception of one or two isolated spots. He said there was approximately \$680,000 in USDA grant funds remaining in the project and USDA had approved a list of expenditures that could be included in the project as follows:

1 pre-engineered metal storage building	\$43,350.00	Nash Co.
1 loader backhoe	\$68,730.00	Hill Machinery
1 excavator	\$28,761.73	Hines Equipment
3 F-150 pickup trucks	\$73,431.15	Doug Henry
1 Ford Ranger pickup truck	\$11,903.00	Doug Henry
1 Ford F-250 pickup truck	\$33,837.80	Doug Henry
<u>Total</u>	<u>\$260,013.68</u>	

He recommended awarding the bids to the lowest bidder for the items listed as presented.

Mr. Felton moved to award the bid to Nash Company for \$43,350.00 as presented. Mr. Boswell seconded the motion which carried by unanimous vote.

Mr. Boswell moved to award the bid to Hill Machinery for \$68,730.00 as presented. Ms. Powell seconded the motion which carried by unanimous vote.

Rev. Hines moved to award the bid to Hines Equipment for \$28,761.73 as presented. Mr. Boswell seconded the motion which carried by unanimous vote.

Mr. Boswell moved to award the bid to Doug Henry for (3) Ford 150 pickup

trucks for \$73,431.15 as presented. Ms. Powell seconded the motion which carried by unanimous vote.

Mr. Felton moved to award the bid to Doug Henry for (1) Ford Ranger pickup truck for \$11,903.00 as presented. Mr. Boswell seconded the motion which carried by unanimous vote.

Mr. Boswell moved to award the bid to Doug Henry for (1) Ford 250 pickup truck as presented. Rev. Hines seconded the motion which carried by unanimous vote.

I. Approval of surplus items.

Mr. Felton moved to declare the items presented from the Sheriff department as surplus and to authorize their disposal by listing on GovDeals. Ms. Harris seconded the motion which carried by unanimous vote.

J. Approval of Settlement Agreement and Release of Claims Between North Carolina Department of Health and Human Services and Edgecombe County.

Mr. Carmon presented a copy of a settlement agreement and release of claims between the North Carolina Department of Health and Human Services (NCDHHS) and Edgecombe County. He said the purpose of the agreement is to settle reimbursement claims from January 1, 2004 through December 31, 2007. He said a review of the claims filed and paid during this period revealed that NCDHHS paid \$8,750 in claims that should have been paid by Edgecombe County and they are seeking reimbursement of the paid claims. He recommended approval.

Following discussion, Mr. Boswell moved to approve the Settlement Agreement and authorize the Chairman to execute related documents as presented. Ms. Powell seconded the motion which carried by unanimous vote.

K. Approving the donation of Gendex Orthoralix 8500 X-ray Machine to Martin-Tyrell-Washington District Health Department.

Mr. Carmon said that this equipment was previously approved for sale on GovDeals and has not been successful. He said that the Edgecombe County Health Department would like to donate this machine to Martin-Tyrell-Washington District Health Department, which is allowed in accordance to GS 160A-280.

Ms. Harris moved to approve the donation of a Gendex Orthoralix 8500 X-Ray machine to Martin-Tyrell-Washington District Health department as presented. Ms. Powell seconded the motion which carried by unanimous vote.

L. Approval of bid award to Ainsley Construction to refurbish yellow pod at jail.

Mr. Carmon said that included in this year's budget are funds to refurbish one of the pods at the Detention Center. He said bids had been solicited and Ainsley Construction was the low bidder at \$28,388.00. He recommended awarding the contract to refurbish the yellow pod to Ainsley Construction as presented.

Mr. Felton moved to award the bid to Ainsley Construction for \$28,388.00 as presented. Rev. Hines seconded the motion.

Following discussion the motion carried by unanimous vote.

M. Franchise application submitted by K&L Transport Services, LLC.

Mr. Carmon said that on January 19, 2011 the Edgecombe County Emergency Medical Services Advisory Council met to review the franchise application submitted by Mr. Kermit Perkins of K & L Transport Services, LLC. He said that the Advisory Board voted to recommend to the Board of Commissioners not to approve the franchise request at this time because the proposed service would not fit within the existing services and may have an adverse affect on the non-emergency transport revenue and there was not documentation establishing the need for the proposed service.

The Board discussed at length how this proposed service might adversely affect the non-emergency service and established that K & L Transport Services, LLC would only be dispatched at the request of the Edgecombe County Rescue Squad.

Mr. Wiggins moved to approve the franchise application as presented. Ms. Powell seconded the motion.

Motion was approved by majority vote. Voting in favor of granting the franchise application for non-emergency transport services to K & L Transport Services, LLC were Mr. Wiggins, Mr. Felton, Rev. Hines, Ms. Powell, Mr. Harrell and Ms. Powell. Voting against the motion was Mr. Boswell.

N. Approval of submission of a request to establish a Tourism Development Authority to the NC General Assembly.

Mr. Carmon said that the Tourism Development Advisory Council approved a favorable recommendation for the Board of Commissions to proceed with seeking legislation to create a Tourism Development Authority. He said the legislation must be passed by the NC General Assembly, which would include language to authorize the levy of an occupancy tax at the discretion of the Board of Commissioners. He said the Advisory Council was not recommending that an occupancy tax be levied at this time. He recommended that the Board authorize staff to present the request to local delegates and to proceed with the steps to gain legislation to create a Tourism Development Authority.

Mr. Boswell moved to grant the authority for staff to take the necessary steps to gain legislation to create a Tourism Development Authority as presented. Ms. Powell seconded the motion.

Following discussion, the Board voted to approve the authorization by unanimous vote.

O. Approval of Authorizing Resolution to apply for a grant to the North Carolina Clean Water Management Trust Fund for the Speed and vicinity wastewater collection system.

Mr. Carmon said that in order for the County to apply for a grant from the North Carolina Clean Water Management Trust Fund for the Speed and vicinity wastewater collection system the Board of Commissions must approve an authorizing resolution. He said the grant application was due on January 31, 2011 and had already been submitted for \$3 million. He recommended approval of the authorizing resolution as presented.

Ms. Harris moved to approve the authorizing resolution to apply for a grant to the North Carolina Clean Water Management Trust Fund for the Speed and vicinity wastewater collection system. Rev. Hines seconded the motion which carried by unanimous vote.

7. APPOINTMENTS:

A. City of Rocky Mount Board of Adjustment. DEFERRED

B. Edgecombe County Human Relations Commission.

Ms. Viola Harris nominated Ms. Linda Joyner. Rev. Hines moved to appoint Ms. Linda Joyner seconded by Mr. Felton and approved by unanimous vote.

C. Edgecombe County Pollution Control Financing Authority. DEFERRED

D. Tourism Development Advisory Council.

Rev. Hines moved to reappoint Ms. Evelyn Powell seconded by Mr. Felton and approved by unanimous vote.

E. Edgecombe County Board of Adjustment. DEFERRED

8. CONTRACTS FOR REVIEW AND/OR APPROVAL.

Mr. Felton moved to approve the contracts as presented. Ms. Harris seconded the motion which carried by unanimous vote.

9. AFTERLISTS AND RELEASES FOR REVIEW AND APPROVAL.

Ms. Harris moved to approve the afterlists and releases as presented. Ms. Powell seconded the motion which carried by unanimous vote.

10. DEPARTMENTAL REPORTS FOR REVIEW. ***RECEIVED***

- A. Water Services
- B. Veteran's Services
- C. Pre-trial Release Program
- D. Social Services Community Child Protection Team report and survey
- E. Community Development Update

11. MANAGER'S REPORT. ***RECEIVED***

A. NC Department of Transportation annual state of expenditure for Secondary Road Improvement Program funds for 2010.

Mr. Carmon said that the North Carolina Department of Transportation had agreed to the County's request to expand the sidewalk on St. Andrew Street from the bridge as soon as they complete the bridge project.

B. Green Point International tax appeal.

Mr. Carmon said that the company had withdrawn their tax appeal to the North Carolina Property Tax Commission

C. The Rural Center funding for \$60,000.00 for SePRO project was approved.

Mr. Carmon said this project would create 5 jobs in the County.

D. Adopted Legislative Goals and Policy Statements.

E. Edgecombe County Public Schools Facility Needs Survey.

F. It Starts With "U" Foundation Report 2009-2010

G. Joint meeting with Nash County Board of Commissioners and City of Rocky Mount Council to receive and review Twin County Competitiveness Study

February 9, 2011 3:30 p.m. in Braswell Memorial Library

H. Dinner and joint meeting with Edgecombe County Public Schools Board of Education

February 14, 2011, 5:00 pm. Dinner 6:00 p.m. Joint Meeting Edgecombe County Administrative Building Auditorium

12. COMMISSIONERS' REPORT.

13. ATTORNEY'S REPORT.

14. CLOSED SESSION ITEM.

Rev. Hines moved to go into closed session to discuss economic development and a personnel matter. Mr. Felton seconded the motion which carried by unanimous vote.

Mr. Harrell moved to go out of closed session. Rev. Hines seconded the motion which carried by unanimous vote.

Rev. Hines moved to grant Sheriff Knight a salary increase that would bring his salary to \$91,000 over the next two years by providing a \$6000.00 increase effective January 21, 2011 and \$6,000 January 2012. Ms. Harris seconded the motion which carried by majority vote. Voting in favor of the motion was Mr. Wiggins, Mr. Harrell, Ms. Powell, Mr. Felton, Ms. Harris and Rev. Hines. Voting against the motion was Mr. Boswell.

15. MS. POWELL MOVED TO ADJOURN THE MEETING, SECONDED BY MR. FELTON AND APPROVED BY UNANIMOUS VOTE.

Leonard Wiggins

Mr. Leonard Wiggins, Chairman

Carolyn S. Hedgepeth

Ms. Carolyn S. Hedgepeth, Clerk