

M I N U T E S
REGULAR SCHEDULED MEETING OF THE BOARD OF COMMISSIONERS
OF EDGEcombe COUNTY
MARCH 7, 2011 AT 7:00 P.M.
IN THE COMMISSIONERS' ROOM, COUNTY ADMINISTRATIVE BUILDING
TARBORO, NORTH CAROLINA

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

MEMBERS PRESENT: Mr. Leonard Wiggins, Chairman Mr. Jonathan Felton, Ms. Evelyn Powell, Rev. E. Wayne Hines and Mr. Donald Boswell.

MEMBERS ABSENT: Mr. Charlie R. Harrell, Ms. Viola Harris were both out of town.

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 by Rev. E. Wayne Hines.
3. MINUTES OF PREVIOUS MEETING PRESENTED FOR APPROVAL

Rev. Hines moved to approve the minutes of the February 7, 2011 meetings and the February 14, 2011 meeting as presented. Mr. Felton seconded the motion which carried by unanimous vote.

4. PUBLIC HEARING (S):

Mr. Wiggins called the public hearing to order and called upon Mr. DeLoatch to read the public notice as published.

Mr. Carmon said this public hearing was in reference to the OSSID Corporation. He said the County had negotiated a loan from North Carolina's Eastern Region and the company had agreed to pay the principal, interest to pay a fee in lieu of taxes for a lease agreement.

Mr. Wiggins called for public comments. There being none the public hearing was adjourned.

Ms. Powell moved to adopt the authorizing resolution as presented. Rev. Hines seconded the motion which carried by unanimous vote.

Mr. Felton moved to approve the Interlocal agreement as presented. Mr. Boswell seconded the motion which carried by unanimous vote.

Mr. Boswell moved to approve the lease agreement as presented. Ms. Powell seconded the motion which carried by unanimous vote.

5. SCHEDULED APPOINTMENT(S):

Rev. Hines moved to recess the regular Board of Commissioners meeting and convene as Governing Body of Water and Sewer District No. 5. Ms. Powell seconded the motion which carried by unanimous vote.

**RECESS REGULAR BOARD OF COMMISSIONERS' MEETING AND CONVENE AS
GOVERNING BODY OF WATER AND SEWER DISTRICT NO. 5**

- A. Mr. Thurman Murphy with the US Department of Agricultural Rural Development

presented a Letter of Conditions for the New Hope Church Road/Dunbar Road District 5 Wastewater Collection System Project.

He recommended that the Board authorize the Chairman to execute the loan and grant documents associated with the project that included the following:

1. Resolution to accept the conditions set forth in the letter of conditions dated March 7, 2011, which included:
 - a. Letter of Intent to Meet Conditions
 - b. Grant Agreement
 - c. Certification Regarding Drug Free Workplace
 - d. Equal Opportunity Agreement
 - e. Assurance Agreement
 - f. Request for Obligation of Funds
 - g. Applicant Certification Federal Collection Policies
 - h. Certification Regarding Debarment Primary Covered Transactions
 - i. Certification for Contracts, Grants and Loans
 - j. Certification of Compliance

2. Approve a Grant Project Ordinance for the District 5 New Hope Church Road/Dunbar Road area for the Rural Center Supplemental Grant in the amount of \$585,815.

Mr. Thurman Murphy said the letter of conditions was virtually the same as prior letters and he reviewed all the documents. He said the interest rate was 2.5% for the loan portion, which was even lower than anticipated because of the potential health hazards resulting from failing septic tanks in the district. He said if the interest rate on the loan went down before closing the County would get the lower rate. He said the loan would be financed for 40 years, secured by revenue bonds in accordance with Local Government Commission (LGC) and construction financing has to be obtained by a private lender sale of bonds and when the loan is exhausted then the grant funds will be applied.

He asked that the Chairman be authorized to execute all forms necessary to obtain the loan and grant from USDA Rural Development including but not limited to the loan resolution, letter of intent, grant agreement, drug free workplace certification, Equal Opportunity and Assurance agreement, request for obligation of funds, applicant certification, debarment certification and other conditions as presented.

Mr. Felton moved to authorize the Chairman to execute all related documents and to approve the loan and grant agreements and the letter of conditions as presented. Mr. Boswell seconded the motion which carried by unanimous vote.

Mr. Boswell moved to approve the grant project ordinance #2009-360-40101-112 to serve New Hope Church Road/Dunbar area as presented. Ms. Powell seconded the motion which carried by unanimous vote.

**ADJOURN MEETING AS GOVERNING BODY OF WATER AND SEWER DISTRICT NO. 5
AND RECONVENE REGULAR BOARD OF COMMISSIONERS MEETING**

Rev. Hines moved to adjourn as Governing Body of Water and Sewer District No. 5 and resume the regular Board of Commissioners meeting. Mr. Felton seconded the motion which carried by unanimous vote.

6. PUBLIC PETITIONS:

The Board heard the public petitioners before the scheduled appointment with Mr. Bucky Moore of The Wooten Company because he would be able to provide professional feedback on the issues that the petitioners wanted to discuss.

Ms. Dora Davis, 101 Ashton Lane, Battleboro, stated her mother lives in Leggett and she was speaking on her behalf concerning a sewer substation system being erected in the middle of the residential area where her mother resides. She stated concerns of odor and potential overflow from the system.

Ms. Ruby Hinton said she lived next door to the substation and it did not make sense to have the system right next to their homes. She commented that none of the Board members would want this sewer system sitting right on top of them. She expressed concern of potential malfunctions that could put the resident's health at risk.

Another female citizen complained that they had not been informed that a pump station would be located at that particular location. She said that her property already had lost value because of it being designated a flood zone and with this pump station there it would be even more a struggle to sell the property.

She also asked why the County did not discuss this during the initial meetings they held two years ago and if they were not aware at the time why they did not hold another meeting to discuss the proposed location. She asked the Board to reconsider placing the sewer pump station in the middle of their residences.

One other female citizen came forward to say that they had already started a petition to see if they could do something to stop the action.

Mr. Carmon stated that the reason they started the wastewater project was to address the failing septic systems in the area, which consisted of about 72 properties. He said the site had been chosen to save money because the county already owned the property and would not have to purchase additional property.

Mr. Bucky Moore of The Wooten Company addressed the following concerns:

Odors and Overflow: He said that he could not guarantee that there would be no odors from the system but he thought it was highly improbable. He said that the county has other stations near residential properties with little or no problems.

He said that the plan has met all agency permitting reviews and the State mandates that certain standards be met to address overflow issues, power backup and dual pumps. He said the State agencies are very strict in their review process with safeguards built in and they had met all the minimum requirements.

Noise: He said the pumps and motors are 25 feet underground so noise should be at a minimal. Mr. Moore said he would recheck the noise from the neighboring properties but he did not think it would be an issue.

Contamination: He said he did not think contamination would be a problem and the reason for the project was to eliminate the existing contamination.

Not informed about the location of station: He said that initially the location was not designated and during the design process, the selection was made after looking at several options. He said the area could not be served without a pump station because the area was so low. He said that upon completion they would have a 3-4 ft. concrete construction around the station secured within a chain fence. He said there were other things they could do to mitigate the visibility of the station if need be. He said this was the prime location from an engineering standpoint and it would be a much higher cost to relocate to another site.

Ms. Davis asked if the station could be located near North Edgecombe where the county has other properties.

Mr. Moore responded that it would be less economical.

Mr. Wiggins, in consensus with the Board asked the County Manager and staff to meet with the immediately affected families to further discuss their concerns.

He further stated that it was not the Board's intent to impose anything on citizens that they would not accept but to merely address the concerns of the failing septic tanks and sewage spills.

Rev. Hines commented that he hoped the Board would be able to come back later with a way to address the concerns of the residents in the area.

- B. Mr. Bucky Moore with The Wooten Company presented a Preliminary Engineering Report (PER) for District 5 at NC 33 East/Logsboro Road area wastewater collections system. He recommended that the Board adopt the PER following his presentation.

Mr. Moore also provided the Board with an update on other water and sewer projects including the District 4 Phase 1, Dickens Road Water Extension Project and NC Hwy 97/Leggett Sewer Project and the Clean Water Management Trust Fund application for the Speed Sewer Project.

He said the County had received a \$35,000 grant, which included Dixon and Corbett mobile home parks. He said they had worked with environmental health and found numerous problems similar to those found in the Leggett area. He said of the 228 residents in the area at least 75% of them had problems with their septic systems. He said the best method to address this area was to install a collection system with two pump stations to serve the area with a cost estimate of \$3.5 million. He said he hoped the County could apply with USDA and other funding sources such as the Clean Water Management to obtain the funding.

He recommended the Board submit a reimbursement request to Rural Center and approve the Preliminary Engineering Report resolution as presented.

Mr. Felton moved to approve the resolution adopting the Preliminary Engineering Report, NEPA Environmental Report, Septic System Surveys and GIS Mapping for wastewater collection and transport system improvements for NC Highway 33 East & Logsboro Road service area in Edgecombe Water and Sewer District No. 5 as presented. Rev. Hines seconded the motion which carried by unanimous vote.

Mr. Moore advised the Board that the Highway 97 project was scheduled to be completed in August of this year and the public should expect a lot of excavation and noise along the road until the pipes are installed.

7. OTHER BUSINESS:

- A. Approval of Change Order No. 3 for Water District No. 4 Phase I water line extension project for \$40,185.83.

Mr. Carmon presented Change Order #3 for Water District No. 4, Phase I water line extension project for approval. He said the order was for \$40,185.83 bringing the current contract price from \$958,498.00 to \$998,683.83. He said this added an additional 2,900 feet of 6" water main along Dickens Road.

Mr. Felton moved to approve the change order as submitted. Ms. Powell seconded the motion which carried by unanimous vote.

- B. Approval of contract award to D.S. Simmons for the renovation of the Embarq building, Courthouse and Administration building for \$6,625,900.

Mr. Carmon presented a bid tabulation for the renovations of the Embarq, Courthouse and Administration buildings opened on December 21, 2010. He said D. S. Simmons of Goldsboro was the low bidder and recommended awarding the contract for the renovations to D.S. Simmons for a total contract amount of \$6,625,900.

Ms. Powell moved to approve awarding the contract to D. S. Simmons as

presented. Rev. Hines seconded the motion.

Mr. Telfaro Blue asked to speak and with Board, approval expressed his concerns that the contract was awarded to a contractor from Goldsboro. He asked what if any of the workers on this project would be from Edgecombe County and if the Commissioners considered using exoffenders from the "It Starts With U" program.

Mr. Wiggins suggested that Mr. Blue discuss this with the County Manager.

There being no further comments, the motion passed by unanimous vote.

C. Approval of contract award to Price Modern for the installation of cubicles and related components in the Embarq building for \$391,694.00.

Mr. Carmon presented bid tabulations for cubicles to be installed in the Embarq building. He said of the three bids received, Price Modern from Morrisville, NC was the low bidder at \$391,694. He recommended approval as presented.

Mr. Boswell moved to award the bid contract to Price Modern for \$391,694.00 as presented. Rev. Hines seconded the motion which carried by unanimous vote.,

D. Approval of an application to the Public School Building Capital Fund for \$30,000 for the design of the West Edgecombe School gym roof.

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

E. Approval of a \$200,000 budget amendment for Edgecombe Community College for the current fiscal year to cover additional utility and personnel costs.

Mr. Carmon presented a request for an additional \$200,000 appropriation from Edgecombe Community college for current expenses to cover additional utility and personnel costs. He also presented a budget amendment to reallocate the funds to Edgecombe Community College for approval.

Mr. Felton moved to approve the request and the associated budget amendment as presented. Ms. Powell seconded the motion which carried by unanimous vote.

F. Approval of budget amendments.

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

G. Awarding of bid from Lee Motor Company in the amount of \$27,122.48 for the purchase of five SUVs for the Sheriff's Department.

Mr. Carmon said they had received bids for five SUV's for the Sheriff's Department from Lee Motor Company and Doug Henry Ford and he recommended the contract be awarded to the low bidder, Lee Motor Company for \$135,612.40.

Rev. Hines moved to award the bid contract for five SUV's for \$135,612.40 to Lee Motor Company in Wilson as presented. Mr. Boswell seconded the motion which carried by unanimous vote.

H. Approval of Resolution No. 11-01 – Greater St. Stevens Church of Christ relative to the Property Identification Number.

Mr. Carmon said the Board and approved a resolution on August 4, 2008 ordering the building inspector of Edgecombe County to effectuate the purpose of NCGS as to the building at Lot 16-B Fillmore Subdivision owned by Greater St. Stevens Church of Christ. He said the identifying property identification number for the property was incorrect and needed to be corrected. He said the correct number is 4714-18-8181-00. He recommended adoption of the amended resolution as presented.

Mr. Felton moved to adopt the amended resolution as presented. Rev. Hines seconded the motion which carried by unanimous vote.

I. Approval of participation in the Down East Home Consortium Housing program.

Mr. Carmon said that Edgecombe County along with Nash County and other municipalities were members of the Down East Home Consortium, which received funding to address housing, needs of low income families. He said that this year the project had been amended to allow construction of new houses for those homes that were considered beyond repair.

He said that the County's three-year membership in the Consortium was scheduled for renewal and he recommended Board approval to continue participating in the group.

Mr. Boswell moved to approve Edgecombe County's continued participation in the Down East Home Consortium as presented. Rev. Hines seconded the motion which carried by unanimous vote.

8. APPOINTMENTS:

- A. City of Rocky Mount Board of Adjustment. DEFERRED
- B. Edgecombe County Pollution Control Financing Authority. DEFERRED
- C. Edgecombe County Board of Adjustment. DEFERRED
- D. Transportation Advisory Board.

Rev. Hines moved to appoint Ms. Evelyn Powell. Mr. Felton seconded the motion which carried by unanimous vote.

9. PLANNING BOARD REPORT: ***RECEIVED***

1. Action Items

- A. Naming of Lane off NC 124 East in Township No. 8.
- B. Naming of Lane off SR 1601 Colonial Road in Township No. 8.

Rev. Hines moved to call for and conduct a public hearing relative to the naming of both the aforementioned lanes on April 4, 2011 at 7:00 p.m.
Mr. Felton seconded the motion which carried by unanimous vote.

2. Other Items ***RECEIVED***

- A. Comprehensive Transportation Plan Update
- B. Rules of Procedure
- C. Multi-Jurisdictional Hazard Mitigation Plan Update
- D. Updated Floodplain Maps for Edgecombe County
- E. Community Development Projects
- F. Electronic Gaming Amendment for the UDO

3. Draft Minutes

4. Next Meeting scheduled for March 21, 2011 at 6:00 p.m.

9. CONTRACTS FOR REVIEW AND/OR APPROVAL.

Mr. Boswell moved to approve the contract for Flowers & Stanley Auditing Firm for \$51,000 as presented. Ms. Powell seconded the motion which carried by unanimous vote.

10. AFTERLISTS AND RELEASES FOR REVIEW AND APPROVAL.

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

11. DEPARTMENTAL REPORTS FOR REVIEW. ***RECEIVED***

- A. Water Services
- B. Veteran's Services
- C. Beacon Center
- D. Pretrial Release Program

12. MANAGER'S REPORT. ***RECEIVED***

A. \$500,000.00 Community Development Block Grant Economic Recovery Program funds were awarded to Edgecombe County to support the Housing project.

Mr. Carmon advised the Board that the Josephine Strickland tax appeal had been settled.

13. COMMISSIONERS' REPORT.

14. ATTORNEY'S REPORT.

15. CLOSED SESSION ITEM.

Rev. Hines moved to go into closed session to discuss economic development and a legal matter. Ms. Powell seconded the motion, which carried by unanimous vote.

- a. Economic Development and legal issue

Rev. Hines moved to go out of closed session and resume the regular meeting. Mr. Boswell seconded the motion which carried by unanimous vote.

16. REV. HINES MOVED TO ADJOURN MEETING UNTIL MONDAY, APRIL 4, 2011. MS. POWELL SECONDED THE MOTION WHICH CARRIED BY UNANIMOUS VOTE.

Leonard Wiggins

Leonard Wiggins, Chairman

Carolyn S. Hedgepeth

Carolyn S. Hedgepeth, Clerk