

M I N U T E S
REGULAR SCHEDULED MEETING OF THE BOARD OF COMMISSIONERS
OF EDGECOMBE COUNTY
SEPTEMBER 6, 2011 AT 7:00 P.M.
IN THE COMMISSIONERS' ROOM, COUNTY ADMINISTRATIVE BUILDING
TARBORO, NORTH CAROLINA

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

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

MEMBERS ABSENT: None

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

Mr. Wiggins called for a moment of silence in honor of the late Dr. Stephen Hoard, former Edgecombe County Commissioner.

2. PRAYER.

Invocation provided by Rev. E. Wayne Hines.

3. MINUTES OF PREVIOUS MEETINGS PRESENTED FOR APPROVAL.

Mr. Felton moved to approve the minutes of the August 1, 2011 meeting as presented. Rev. Hines seconded the motion which carried by unanimous vote.

4. PUBLIC HEARING:

- (1) **Mr. Wiggins called a public hearing to order to receive citizen comments or questions relative to the proposed commissioner districts. He called upon Ms. Deborah Stagner of Tharrington Smith, LLP to explain the redistricting process.**

Ms. Stagner provided a review of the reason that the redistricting was required stating that because the Board of Commissioners were a Board that is elected by districts in order to comply with the Constitutional requirement of one- person, one- vote each district must remain substantially equal in size. She said in looking at the numbers after the ten-year census it indicated that all seven districts were at variance from the ideal size of one-seventh of the population some more than others.

She also stated that because Edgecombe County was one of the forty counties of the State under Section 5 of the Voting Rights Act the proposed plan had to be submitted to the Justice Department for pre-clearance.

Mr. DeLoatch, County Attorney read the public notice as published.

Mr. Carmon stated that to date, no comments had been received regarding the proposed redistricting boundaries.

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

Mr. Harrell introduced the resolution adopting the new Election District Boundaries and moved for its adoption. Mr. Boswell seconded the motion which carried by unanimous vote.

- (2) Mr. Wiggins called a public hearing to order to receive citizen comments or questions relative to the 2011-2012 Rural Operating Assistance Program (ROAP) application.

Mr. DeLoatch read the public notice as published.

Mr. Carmon stated that the County has approved this application each year and it was being presented for approval for FY 2011-2012. He said that Mr. Todd Gardner, Director of the program was present to answer any questions.

Ms. Viola Harris asked how many Edgecombe County citizens participated in the program and where the schedule was posted.

Mr. Gardner responded that schedules were available at Social Services and City Hall in Rocky Mount. He also stated that they provided approximately 6,000 trips in Edgecombe County.

Mr. Felton and Ms. Harris asked to receive a copy of the schedule.

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

Rev. Hines moved to approve the 2011-2012 ROAP application as presented. Mr. Felton seconded the motion which carried by unanimous vote.

5. PUBLIC PETITIONS:

No petitioners came forward.

Mr. Carmon provided an update on Hurricane Irene activities. He said that at certain times during the event all county residents were without power. He said critical locations operated by generators and the utility companies worked hard to get power restored to the residents and businesses. He said that many of the problems was due to transmission lines being down and once repaired the process was timelier.

He also stated that tobacco loss was estimated at between \$44-\$45 million dollars and cotton took a beating. Some people suffered personal property damages throughout the County.

He stated that the Federal Emergency Management Authority (FEMA) had granted approval for individual and public assistance in the County. Social Services had been approved for emergency food stamps, which prompts FEMA to open a disaster recovery in the County. He said that the North Carolina Department of Transportation (NCDOT) was approved to provide roadside debris pickup relieving the County from having to implement

our own debris removal. He said that FEMA would reimburse the County for individual landfill debris but contractors would have to pay and then seek reimbursement.

He asked the Board for approval to provide overtime pay for employees doing any work during the emergency period in accordance to the Edgecombe County Personnel Policy. He said that the County would be eligible for reimbursement from FEMA for exempt and non-exempt personnel. .

Mr. Boswell moved to approve the request to pay overtime wages for all employees, exempt and non-exempt during the emergency period in accordance to the Edgecombe County Personnel Policy as requested. Ms. Harris seconded the motion which carried by unanimous vote.

Mr. Harrell asked the County Manager to report to the Board on the total expenses incurred during this Hurricane event.

Mr. Felton stated that he had received calls from contractors regarding meter reconnection fees. He said that citizens called electricians to reconnect their meters and a \$40.00 permit fee was being assessed. He said that other entities were waiving the fee and he felt that the County should do the same.

Mr. Felton moved to abate the \$40.00 permit fee for everyone that can justify that the meter was damaged or disconnected due to damages incurred because of Hurricane Irene and that fees paid to date be refunded to the homeowner. Mr. Wiggins seconded the motion.

Following discussion, the motion carried by unanimous vote.

6. **OTHER BUSINESS:**

A. **Approval of amendment to the agreement for professional services with the Wooten Company for not to exceed \$3,233.00 for the Community Development Block Grant Project FY-09-C-1990.**

Mr. Carmon stated that Edgecombe County had received funds form the Department of Commerce, Division of Community Investment and Assistance to reconstruct four new houses for homeowners. He said The Wooten company was awarded the Administrative contract for this project. He said that a change order for \$3,233.00 was presented to cover the cost of additional work on one of the project cases as well as additional work needed to comply with state and federal regulations. He recommended approval.

Ms. Harris moved to approve the amendment to the Agreement for Professional Services as presented. Mr. Felton seconded the motion.

Following discussion, the motion carried by unanimous vote.

B. **Bid award of \$1,900 to E&M Contracting, Inc. of Rocky for demolition of County owned property located on Arlington Street Extension-Thorne Road, Rocky Mount.**

Mr. Carmon said the structure located on Arlington Street Extension was acquired through tax foreclosure and is beyond repair. He recommended awarding the

demolition bid to E & M Contracting, Inc. for \$1900.00.

Mr. Boswell moved to award the bid to E& M Contracting, Inc of Rocky Mount for \$1900.00 as presented. Ms. Powell seconded the motion which carried by unanimous vote.

C. **Budget amendments.**

Ms. Harris moved to approve budget amendments as presented. Rev. Hines seconded the motion which carried by unanimous vote.

D. **Approval of an Intent to Reimburse, resolution to apply to Local Government Commission, grant with Golden Leaf and a contract with Blue Source regarding the Landfill Gas to Energy Project.**

Mr. Carmon said the county had been awarded \$435,000 in grants toward a Landfill Gas to Energy project from Golden Leaf Foundation. He said that \$325,000 had previously been approved and he was presenting a \$100,000 grant for approval. He said that the county was also waiting on approval of a \$700,000 loan from USDA for the remaining funds to support this \$1.8 million dollar project.

He presented for approval an intent to reimburse the County from grant & loan funds for costs incurred prior to the final approval of the remaining funds for the project.

He also stated that in conjunction with the landfill project is a contract with Blue Source to create & market verified emission reductions (VER's) credits from the landfill. He said the contract would not have any upfront costs with the exception of equipment installation that is part of the overall project. He said the carbon credits sold would be split at 30% for Blue Source and 70% for the County after third party costs.

He recommended approval of the following:

Intent to Reimburse

Ms. Harris moved to approve the Intent to Reimburse as presented. Ms. Powell seconded the motion which carried by unanimous vote.

Resolution to apply to the Local Government Commission for the USDA loan

Mr. Boswell moved to adopt the resolution to apply to the Local Government Commission for the USDA loan as presented. Rev. Hines seconded the motion which carried by unanimous vote.

Accept the \$100,000 grant and approve the grant agreement with Golden Leaf Foundation

Ms. Powell moved to accept the grant and approve the grant agreement as presented. Rev. Hines seconded the motion which carried by unanimous vote.

Approve contract with 'Blue Source

Mr. Boswell moved to approve the contract with Blue Source as presented. Ms.

Powell seconded the motion which carried by unanimous vote.

The Board discussed at length the scope of the project.

- E. Approval of applying to the Clean Water State Revolving Fund (SRF) for a \$1 million grant/loan to install a sewer line in Speed and a \$3.244 million grant/loan to install a sewer line on Highway 33 and Logsboro Road.

Mr. Carmon said that the county was eligible to apply for funding through the Clean Water State Revolving Fund (SRF) administered by the North Carolina Department of Environment and Natural Resources. He recommended that the county apply for a \$1 million loan/grant to install a sewer line to serve the Town of speed. He said approximately \$500,000 would be in the form of a 20 year loan at a 2.45% interest rate and the remaining \$500,000 in the form of a grant.

Following discussion, Mr. Harrell moved to approve the loan and grant applications as requested. Ms. Powell seconded the motion which carried by unanimous vote.

- F. Approval of Change Order No. 2 for \$6,995.33 for the Highway 97/Leggett Sewer Project.

Mr. Carmon presented a change order on the Highway 97/Leggett sewer project reflecting an increase of \$6,955.33 in the contract amount. He said this cost would add a wooden stockade fence to each lift station site and patch and overlay old Highway 97 West. He also stated that the change order included a credit of \$45,043.81 .

Mr. Boswell moved to approve Change Order #2 as presented. Mr. Wiggins seconded the motion which carried by unanimous vote.

- G. Approval of resolution authorizing the filing of an application with the State of North Carolina for a loan/grant to aid in the replacement of 1,413 water meters with automatic meter readers in Water District No. 1.

Mr. Carmon presented a resolution authorizing an application to apply for loan and grant funds to replace 1,413 meters in Water District #1 with automatic read meters. He recommended approval.

Mr. Harrell moved to adopt the resolution by the governing Body of Edgecombe Water and Sewer District No. 1 to apply for loans and grants to replace 1,413 water meters as presented. Ms. Harris seconded the motion which carried by unanimous vote.

- H. Resolution adopting engineering plans and specifications for Phase III, Water Distribution System Improvements for District 4.

Mr. Carmon presented a resolution requiring the approval of the governing Body of Edgecombe Water and Sewer District No. 4 to adopt the engineering plans and specifications for Phase III, Water Distribution system improvements.

Mr. Boswell moved to adopt the resolution adopting plans and specifications for Phase III, Water distribution system improvements as submitted. Ms. Harris

seconded the motion which carried by unanimous vote.

I. Approval of bid award to Doug Henry Ford for \$20,345 to purchase one 2012 Ford Taurus for the Department of Social Services.

Mr. Boswell moved to award the bid to purchase one 2012 Ford Taurus to Doug Henry Ford as submitted. Ms. Harris seconded the motion which carried by unanimous vote.

J. Approval of acceptance of a grant for \$86,198 for the Criminal Justice Partnership Program from the North Carolina Department of Corrections for fiscal year 2011-2012.

Rev. Hines moved to accept the grant, approve the grant project ordinance and budget amendment as submitted. Ms. Powell seconded the motion which carried by unanimous vote.

K. Approval of resolution creating a policy authorizing mutual arrangements with other law enforcement agencies.

Mr. Carmon said the County had applied for and received an \$86,198 grant from the NC Department of Corrections. He recommended approval of the budget amendment and authorization for the Chairman and staff to execute the contract to accept the grant.

Rev. Hines moved to approve the budget amendment and authorize the Chairman and staff to execute the contract as presented. Ms. Harris seconded the motion which carried by unanimous vote.

L. Calling for and holding a public hearing relative to the approval of an Animal Nuisance Ordinance.

Mr. Felton moved to call for and hold a public hearing on October 3, 2011 at 7:00 p.m. Ms. Harris seconded the motion which carried by unanimous vote.

M. Approval of contract award contract for renovations of the blue and green pods at the Detention Center to Ainsley Construction of Tarboro in the amount of \$42,324 for the blue pod and \$41,274 for the green pod.

Mr. Felton moved to award the contract to Ainsley Construction as presented. Ms. Harris seconded the motion.

Mr. Harrell asked if there were any legal ramifications because of this bid award.

Mr. DeLoatch stated that because we already had problems with the work provided by J & J Construction it would authorize the County to take such action.

Following discussion, the motion carried by unanimous vote.

***** SUPPLEMENTAL AGENDA *****

A. Approval of Change Order No. 3 for the Highway 97/Leggett Corridor Sewer project for \$35,575.00.

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

B. Approval of contract award to Hagar Construction from Elm City for rehabilitation work to four dwellings scattered throughout the County through the Single Family Rehabilitation Housing Project.

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

C. Acceptance of a Governor's Crime Commission grant for \$10,000.00 for Viper Radios.

Mr. Felton moved to approve the grant award and authorize staff to execute the documents. Ms. Harris seconded the motion which carried by unanimous vote.

7. APPOINTMENTS:

A. City of Rocky Mount Board of Adjustment. Deferred

B. Human Relations Commission. Deferred

C. Fire Protection Tax District Commission. Approved

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

D. Twin County Competitiveness Study Steering Committee. DEFERRED

8. CONTRACTS FOR REVIEW AND/OR APPROVAL.

Mr. Felton moved to approve the contracts as presented. Rev. Hines seconded the motion.

Ms. Harris asked if we participated with NACO purchasing contract. She recommended using them if the price was cheaper.

The motion carried by unanimous vote.

9. AFTERLISTS AND RELEASES FOR REVIEW AND APPROVAL.

Mr. Felton 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. The Beacon Center

D. Finance Update: 20% fund balance

E. Pre-Trial Release Program

11. **MANAGER'S REPORT.** ***RECEIVED***
A. Crystal Broadband Networks Cable TV update
B. Skelton property sewer update

12. **COMMISSIONERS' REPORT.**

Ms. Harris asked for an update on Leggett wastewater project as it relates to the complaints regarding the sewer station and the progress on the Human Services Building:

Mr. Carmon said a change order had been approved to provide a stockade fence and road improvement to address citizen complaints regarding the sewer lift station.

He said the Human Services building is moving along according to schedule and once the floors are completed they will be able provide tours. He said the renovations on the fourth floor of the Administration building were underway and expected to be complete soon. He said the expected completion date for the Human Services building is January or February 2012.

13. **ATTORNEY'S REPORT.**

14. **CLOSED SESSION ITEM.**

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

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

Rev. Hines moved to approve the option agreement between Carolinas Gateway Partnership and Edgecombe County. Ms. Powell seconded the motion which carried by unanimous vote.

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

Ms. Powell moved to go out of closed session seconded by Mr. Boswell and approved by unanimous vote.

Mr. Carmon advised the Board of an invitation from Woodmen of the World.

15. **MR. FELTON MOVED TO ADJOURN THE MEETING UNTIL MONDAY, OCTOBER 3, 2011 AT 7:00 PM. MR. BOSWELL SECONDED THE MOTION WHICH CARRIED BY UNANIMOUS VOTE.**

Mr. Leonard Wiggins, Chairman

Ms. Carolyn S. Hedgepeth, Clerk