

The Sampson County Board of Commissioners convened for their regular meeting at 7:00 p.m. on Monday, December 2, 2013 in the County Auditorium, 435 Rowan Road in Clinton, North Carolina. Members present: Chairman Billy Lockamy, Vice Chairman Jarvis McLamb and Commissioners Albert D. Kirby, Jr., Harry Parker, and Jefferson Strickland.

The Chairman convened the meeting and called upon Commissioner Parker for the invocation. Commissioner Strickland then led the Pledge Allegiance.

### **Approval of Agenda**

Upon a motion made by Commissioner Kirby and seconded by Commissioner Parker, the Board voted unanimously to approve the agenda as published.

### **Organization of the Board**

County Attorney Joel Starling reviewed the General Statute citations which require the Board to elect its officers during its first meeting in December each year and provided options for the Board to use for the process. County Manager Ed Causey conducted the election for Chairman. Commissioner Lockamy nominated Commissioner Jefferson Strickland. There were no other nominations, so the vote was called and Commissioner Strickland was unanimously elected as Chairman. Newly elected Chairman Strickland conducted the election for Vice Chairman. Commissioner Lockamy nominated Jarvis McLamb. There were no other nominations, so the vote was called and Jarvis McLamb was unanimously elected as Vice Chairman. Chairman Strickland took the opportunity to thank Commissioner Lockamy for his service as Chairman and to remark on the determination of Commissioner McLamb to return to service on the Board after his illness.

### **Roads**

Monthly Report - NCDOT Keith Eason, NCDOT Assistant District Engineer, was present to answer questions and concerns of the Board and citizens in attendance. He reported that the four unpaved roads on the county construction list (Ballance Road, Jasper Road, Darden Road and Fleet Naylor Road) had been completed; the final seeding had been done, and the roads had been signed off on. He noted that there were still some utility issues on Keith Road, and these were being worked through. He stated that the Department hoped to begin construction on this road in the spring.

Mr. Eason stated that many may have noted that the roadside litter in the County was bad. With less DOT and DOC personnel, the litter is problematic, but DOT was aware of the problem and trying to work on the issue. Commissioner Lockamy asked if both bridges were out toward McDaniels Crossroads, and Mr. Eason stated that the Department was working on both of them. Commissioner Kirby asked if there had been any information about expanding US 421 from Dunn to Wilmington, and Mr. Eason stated that he had not heard anything regarding that. Chairman Strickland asked if there were anything the Board or staff could do to increase funding for secondary road construction. Mr. Eason stated that he did not know of anything specifically, but the new funding formula showed an increase in resurfacing, but that comes with decreases in other places. Mr. Larry Sutton expressed appreciation for lines being repainted on Five Bridge Road. Commissioner Parker noted a lot of truck traffic going into landfill, which will necessitate resurfacing of adjacent roads due to the volume. Mr. Eason explained that a pavement condition survey is done every two years and will be done this winter.

The Chairman then recognized students Adi Saenez and Faith Faison for their attendance from the Chamber of Commerce's Junior Leadership Program.

## **Item 2: Planning and Zoning Items**

RZ-11-13-1 Planning Director Mary Rose reviewed a request to rezone approximately 11.23 acres located at 4590 Giddensville Road from R-Residential to I-Industrial, noting that it had been unanimously recommended by the Planning Board and that all adjoining property owners had been notified. She noted that the Sampson County Land Use Plan did support the request in that the property was located along a secondary road adjacent to property zoned Industrial, and there was spatial separation between non-compatible uses such as existing residential development. She explained that the request was from the packing company located on the property which desired to make a small expansion. She stated that no one attended the Planning Board meeting to speak in opposition to the request. Commissioner Kirby asked if the request would have fit into the new regulations regarding conditional zoning, and Ms. Rose stated that there had been no need for such as the industrial-zoned business already existed and the property owner owned the adjoining 11.23 acres. There were no comments from the floor, and the hearing was closed. Upon a motion made by Commissioner Kirby and seconded by Commissioner Lockamy, the Board voted unanimously to approve rezoning request RZ-11-13-1, accepting the presented findings of fact and making the following zoning consistency statement: *Whereas, in accordance with the provisions of North Carolina General Statute 153A-341, the Sampson County Board of Commissioners does hereby find and determine that the recommendation of the ordinance amendment RZ-11-13-1 is consistent with the goals and objectives of the Sampson County Land Use Plan and other long range planning documents due to the fact this property is located along a secondary road*

*adjacent to existing I-Industrial zoning and there is spatial separation from non-compatible uses such as existing residential development.*

### **Item 3: Reports and Presentations**

Recognition of Retiree This item was tabled as retiree Priscilla McLaurin was not present.

Tax Office Update on Software Tax Administrator Jim Johnson and Rob Howland of Tyler Technologies provided an update on the Tax Office software conversion. Mr. Howland reviewed the process used to build the system for Sampson County and demonstrated how the new CAMA software could be used during the next revaluation to use soil classification to value property. He also provided a demonstration of the new public assistance site which provides citizen access to property record cards. County Manager Ed Causey asked Mr. Johnson if the site would result in increased efficiencies for realtors, etc. and decreased traffic and calls in the Tax Office, and Mr. Johnson stated that calls and foot traffic should decrease and that he had received a lot of positive feedback from banks, attorneys and appraisers.

### **Item 4: Action Items**

Presentation of Audit for Fiscal Year Ending June 30, 2013 Bryon Scott, CPA of Thompson, Price, Scott, Adams & Co., PA, reviewed the independent audit for the fiscal year ending June 30, 2013. Mr. Scott reported no material errors or irregularities. He reviewed five-year comparisons for various fund types, unrestricted and restricted fund balances, revenues and expenditures, and property tax collection rates. He explained that the draft audit would be submitted to the Local Government Commission for approval, per statute. Mr. Scott also discussed the value of using business personal property audits to increase county revenues.

Sampson Community College - Update on Roofing Project and Request for Funding for HVAC Repairs SCC President Paul Hutchins and SCC Vice President of Administration Bill Starling were present. Dr. Hutchins reported that the onsite visit of the Southern Association of Colleges and Schools Commission on Colleges had gone well in October and that the Committee had recommended reaffirmation of the College's accreditation; he thanked the Board for their support in preparation of their visit. Dr. Hutchins and Dr. Starling then provided an update on the College's re-roofing of the Technology Building and Activities Center. Last month, he noted, the College Board of Trustees had selected low bidder Curtis Construction for the project. Because of the wind and rain of the last several months, they were concerned with mold on the walls and ceiling of the Activities Center, and felt they needed to do additional due diligence to determine if there were other problems in the building contributing to this in addition to the roof concerns. Thus, the College contracted with an architectural firm

and a mechanical engineering firm. Dr. Starling reported that the companies' findings confirmed water intrusion, flashing issues and that the mold issue had reached a potential level that the engineering firm could do no further work without a testing company coming into confirm that the building had been extinguished from mold. Dr. Starling noted that roof bids had come in lower than anticipated (the commissioners had previously approved \$336,716). With the original bid and the additional work to replace flashing and for architectural services, there is a residual balance of \$43,162, which they requested be used for further investigation of the mold problem and to redesign the mechanical system in anticipation of a bid to correct all the problems in the building. He noted that the anticipated cost to correct the problems of both buildings and replacement of the mechanical system was in excess of \$400,000 (beyond the roofing costs). He added that it would take until spring to complete the testing, exterminate the mold, and complete the mechanical design, and they would anticipate coming back to the Board of Commissioners after that for the full amount of money to complete the entire renovation of the mechanical system and the restoration of the building. He noted that at this point in time, the building was not in use; this was recommended to continue until the building was completely abated of mold. It was noted that even if there had been a design defect, the general contractor associated with the building construction ceased to exist shortly after the building was completed. Upon a motion made by Commissioner Kirby and seconded by Commissioner Parker, the Board voted unanimously to allow the Community College to utilize the remainder of the previously approved funding as requested.

Health Department – Smoking Ordinance Revisions Health Director Wanda Robinson presented a draft of the Smoking Ordinance with revisions pursuant to the Board of Commissioners requests following a discussion at the Board's work session in October. She noted that the revised ordinance had been reviewed by the Board of Health, who expressed concerns with revisions to Section 3 (which allows smoking in individually-assigned County-owned vehicles) given issues with secondhand smoke, allergies, and the cleaning/maintenance of the vehicles. She noted that while the Board of Health had recommended Section 3 differently, the Board of Commissioners maintained the authority to change or modify any section of the proposed ordinance. Upon a motion made by Commissioner Lockamy and seconded by Commissioner Parker, the Board voted unanimously to approve the ordinance with revisions as requested by the commissioners, with implementation as of February 1, 2014. (Copy filed in Ordinance Book \_\_\_\_\_, Page \_\_\_\_\_.)

Appointment – Workforce Development Commission This item was tabled.

Appointment – Board of Health Upon a motion made by Commissioner McLamb and seconded by Commissioner Kirby, the Board voted unanimously to reappoint Paul Bradshaw, Linda McKenzie and Beth Turner to the Board of Health. Upon a motion made by Commissioner McLamb and seconded by Commissioner Kirby, the Board

voted unanimously to appoint Robert Butler (an engineer) to replace Jason Walters and Jacqueline Howard (general public, due to shortage of optometrists) to replace Dr. Ron Faircloth.

Appointment - Library Board Upon a motion made by Commissioner McLamb and seconded by Commissioner Kirby, the Board voted unanimously to reappoint Linda Jewell-Carr and Polly Wilson to the Library Board.

### **Item No. 5: Consent Agenda**

Commissioner Kirby asked that item c (LEPC Bylaws, etc.) be pulled and tabled. Upon a motion made by Commissioner Kirby and seconded by Commissioner Lockamy, the Board voted unanimously to approve the remaining Consent Agenda items as follows:

- a. Approved the minutes of September 9, 2013 and November 4, 2013 meetings
- b. Approved the Department of Aging's submission of an application for United Way grant funding for construction of wheelchair ramps
- c. ~~Approved revisions to the LEPC Bylaws, Information Access Procedures and the Facility Emergency Planning Form. This item was tabled.~~
- d. Adopted a resolution authorizing the lease of agriculture tracts adjacent to Detention Center for period January 1, 2014 - December 31, 2014 to Jesse Sumner for farming purposes (Copy filed in Inc. Minute Book \_\_\_\_\_, Page \_\_\_\_\_.)
- e. Approved the execution of a site access agreement between the County and Cintas Corporation to conduct environmental sampling related to past operations of uniform rental facility at 117 West Elizabeth Street (Copy filed in Inc. Minute Book \_\_\_\_\_, Page \_\_\_\_\_.)
- f. Adopted a resolution authorizing the Sheriff's Office to apply for Governor's Highway Safety Grant funds in the amount of \$36,000 for in-car video cameras (seized asset funds to be used for match) (Copy filed in Inc. Minute Book \_\_\_\_\_, Page \_\_\_\_\_.)
- g. Approved a request from the Health Department for adjustment to immunization fees
- h. Approved the execution of the contract between the Sampson County Health Department and Clinton City Schools for nursing services (Copy filed in Inc. Minute Book \_\_\_\_\_, Page \_\_\_\_\_.)

- i. Approved disabled veterans tax exclusions for Jerry Scott Herring, Robert L. Brown, Evelyn D. McCalop (widow of deceased veteran Joseph G. McCalop)
- j. Approved the following tax refunds:

#5920	Gary W. and Christi B. Blackburn	\$ 673.82
#5901	George Almond Tyndall	\$ 793.60
#5903	Wendy Woolard	\$ 595.65
#5909	Reid and Alice G. Byrd	\$ 211.42
#5914	Wesley Allen Wooten	\$ 231.70
#5904	Ryan Eric Pringle	\$ 175.35
#5900	Boyd Arthur Mattocks	\$ 653.80

- k. Approved the following budget amendments:

<u>EXPENDITURE</u>		<u>Sheriff</u>			
<u>Code Number</u>		<u>Description (Object of Expenditure)</u>	<u>Increase</u>	<u>Decrease</u>	
11243100	552000	Capital Outlay - Data Processing	17,000.00		

<u>REVENUE</u>					
<u>Code Number</u>		<u>Source of Revenue</u>	<u>Increase</u>	<u>Decrease</u>	
11034310	403631	NC Substance Abuse Tax	17,000.00		

<u>EXPENDITURE</u>		<u>Health/Maternal Health</u>			
<u>Code Number</u>		<u>Description (Object of Expenditure)</u>	<u>Increase</u>	<u>Decrease</u>	
12551650	581000	Transfer to State Agency	20,000.00		
125516580	581000	Transfer to State Agency	20,000.00		
12551130	581000	Transfer to State Agency	7,260.00		

<u>REVENUE</u>					
<u>Code Number</u>		<u>Source of Revenue</u>	<u>Increase</u>	<u>Decrease</u>	
12535165	404097	Fund Balance Approp Title XIX	20,000.00		
12535168	404097	Fund Balance Approp Title XIX	20,000.00		
12535110	404097	Fund Balance Approp Local	7,260.00		

<u>EXPENDITURE</u>		<u>CES-Sr Health Ins Info Program (SHIIP)</u>			
<u>Code Number</u>		<u>Description (Object of Expenditure)</u>	<u>Increase</u>	<u>Decrease</u>	
04549580	526200	Departmental Supplies	171.00		

<u>REVENUE</u>					
<u>Code Number</u>		<u>Source of Revenue</u>	<u>Increase</u>	<u>Decrease</u>	
04034958	409900	SHIIP Fund Balance Appropriated	171.00		

<u>EXPENDITURE</u>		<u>Health/Family Planning</u>			
<u>Code Number</u>		<u>Description (Object of Expenditure)</u>	<u>Increase</u>	<u>Decrease</u>	
12551640	523900	Medical Supplies	7,667.00		

<b><u>REVENUE</u></b>				
<u>Code Number</u>		<u>Source of Revenue</u>	<u>Increase</u>	<u>Decrease</u>
12535164	404000	State Assistance	7,667.00	

<b><u>EXPENDITURE</u></b>				
<u>Code Number</u>		<u>Health/Health Promotions</u> <u>Description (Object of Expenditure)</u>	<u>Increase</u>	<u>Decrease</u>
12551550	512100	Salaries	4,760.00	
12551550	518100	FICA	295.00	
12551550	518120	Medicare FICA	69.00	
12551550	518200	Retirement	321.00	
12551550	518901	401K	121.00	
12551550	518300	Group Insurance	654.00	
12551550	518400	Dental Insurance	19.00	
12551550	531100	Travel	761.00	
12551550	526200	Department Supplies	1,000.00	

<b><u>REVENUE</u></b>				
<u>Code Number</u>		<u>Source of Revenue</u>	<u>Increase</u>	<u>Decrease</u>
12535155	404000	State Assistance	8,000.00	

- Approved the Clinton City Schools budget amendments No. 1 (Current Expense Fund), No. 1 (State Public School Fund), No. 1 (Federal Programs Fund), No. 1 (Capital Outlay), and No. 1 (Special Revenue Fund) as submitted.

#### **Item 6: Board Information**

The following items were provided to the Board for information:

- a. City of Clinton – Notice of Impact Assessment for Infrastructure Improvements for Chemtex Project

#### **County Manager Reports**

County Manager Ed Causey expressed his appreciation to the Tax Office and commissioners for the work done at the Tax Office, noting that the challenges they had been facing were even greater than had been alluded to by many people– only the sheer willpower of the employees allowed them to function as well as they did before the computer conversion. This is an example, he noted, of Administration’s diligent efforts to listen to comments and concerns expressed by citizens and departments.

Commissioner Kirby commented that the Board may wish to again work to consider the possibility of business tax audits – what if the County were losing in tax dollars the amount to cover the budget deficits? He wondered if there were a way to determine in advance a preliminary indication how much money would be recouped.

Chairman Strickland acknowledged the loss of Elections Director Donna Marshburn, who had passed away on November 19<sup>th</sup>.

### **Public Comments**

There were no public comments offered.

### **Closed Session**

Upon a motion made by Commissioner Lockamy and seconded by Commissioner Parker, the Board voted unanimously to go into Closed Session pursuant to GS 143-318.11(a)(4) regarding Industrial Recruitment and GS 143-318.11 (a)(6) regarding personnel. In Closed Session, the Board received updates on various industry prospects and discussed potential incentives for a new industry (NOVI). They also discussed the Board of Election's hiring of Sylvia Thornton, on a part-time basis, to act as Interim Elections Director. The Board returned to the auditorium, and upon a motion made by Commissioner McLamb and seconded by Commissioner Kirby, the Board voted unanimously to come out of Closed Session.

Upon a motion made by Commissioner McLamb and seconded by Commissioner Kirby, the Board voted unanimously to concur in the Board of Elections part-time employment of Sylvia Thornton as Interim Elections Director at a rate of \$20 per hour.

Upon a motion made by Commissioner Kirby and seconded by Commissioner Lockamy, the Board voted unanimously to direct the Clerk to advertise a public hearing to be held Wednesday, December 18, 2013 at 7:00 p.m. regarding economic development matters.

### **Adjourn**

Upon a motion made by Commissioner McLamb and seconded by Commissioner Kirby, the Board voted unanimously to adjourn.