

The Sampson County Board of Commissioners convened for their regular meeting at 6:00 p.m. on Monday, September 13, 2021. Due to mechanical issues in the County Auditorium, the meeting was convened in the Conference Room of the Sampson County Administration Building, 406 County Complex Road, in Clinton, North Carolina. Members present: Chairman Clark Wooten, Vice Chairperson Sue Lee, and Commissioners Thaddeus Godwin, Jerol Kivett, and Lethia Lee.

Chairman Clark Wooten called the meeting to order and acknowledged Vice Chairperson Sue Lee who called on Economic Development Director Stephen Barrington to provide the invocation. Commissioner Jerol Kivett then led the Pledge of Allegiance.

### **Approval of Agenda**

Upon a motion made by Vice Chairperson Lee and seconded by Commissioner Godwin, the board voted unanimously to approve the agenda with the addition of a Resolution of Tentative Bid Award to Item 3(b) and the addition of a Preparedness Month Resolution to the Consent Agenda.

### **Item 1: Planning and Zoning Items**

Consideration of Final Plan for Taylors Creek Phase II (23-lot) Located on Autry Mill Road Senior Planner, Austin Brinkley reviewed the request for approval of the final plan for Taylors Creek Phase II (correcting the typographical error on the agenda page identifying it as Phase III). He reported that the Planning Board had reviewed the plat at their August 9, 2021 meeting and unanimously recommended it for approval. Upon a motion made by Commissioner Godwin and seconded by Commissioner Lethia Lee, the Board voted unanimously to approve the final plan as recommended.

### **Item 2: Public Hearings**

Public Hearing Regarding Proposed Expenditures for Economic Development Purposes: Loan of NC Reuse Project Grant to Cayenne Acquisitions Group The Chairman opened the hearing and called upon County Attorney Joel Starling who discussed the proposed loan of a \$250,000.00 North Carolina Department of Commerce Building Reuse Program Grant to Cayenne Acquisitions Group, LLC. He explained that the loan funds will be used to partially reimburse Cayenne (Garland Apparel) for certain qualifying expenditures related to the renovation and reuse of a ±78,000 square foot building located at 120 W. Warren Street in Garland. The loan would be evidenced

by a legally binding commitment and promissory note and secured by a deed of trust on that real property. A repayment would only be necessary, however, if the company were not to meet certain agreed upon performance commitments of job creation and taxable investment. No local match is required for this state loan. The floor was opened for comments, but none were received. Upon a motion made by Commissioner Kivett and seconded by Commissioner Godwin, the Board voted unanimously to authorize execution of the grant documents. (Copies filed in Inc. Minute Book \_\_\_\_\_, Page \_\_\_\_\_.)

Public Hearing Regarding Amendments to the Economic Development Budget for FY 21-22 The Chairman opened the hearing and called on Economic Development Director Stephen Barrington who reviewed the additional funding to be allocated to the Economic Development budget. The floor was opened for comments, and none were received. Upon a motion made by Vice Chairperson Lee and seconded by Commissioner Kivett, the Board voted unanimously to approve the following budget amendments budgeting the additional funds:

<b><u>EXPENDITURE</u></b>		Economic Development		
<u>Code Number</u>		<u>Description (Object of Expenditure)</u>	<u>Increase</u>	<u>Decrease</u>
11449200	558000	Construction Cost	1,281,995	

<b><u>REVENUE</u></b>				
<u>Code Number</u>		<u>Source of Revenue</u>	<u>Increase</u>	<u>Decrease</u>
11034920	403614	Grant NC Dept of Commerce	1,281,995	

<b><u>EXPENDITURE</u></b>		Economic Development		
<u>Code Number</u>		<u>Description (Object of Expenditure)</u>	<u>Increase</u>	<u>Decrease</u>
11449200	529902	Building Reuse Grant	250,000	

<b><u>REVENUE</u></b>				
<u>Code Number</u>		<u>Source of Revenue</u>	<u>Increase</u>	<u>Decrease</u>
11034920	403602	State Building Reuse Grant	250,000	

<b><u>EXPENDITURE</u></b>		Economic Development		
<u>Code Number</u>		<u>Description (Object of Expenditure)</u>	<u>Increase</u>	<u>Decrease</u>
11449200	544000	Contract Services	10,010	

<b><u>REVENUE</u></b>				
<u>Code Number</u>		<u>Source of Revenue</u>	<u>Increase</u>	<u>Decrease</u>
11034920	403603	Municipal Contributions	10,010	

Public Hearing – Proposed FY23 Community Transportation Program (CTP) Grant Funding Application The Chairman opened the hearing and called on Sampson Area Transportation Director Ro Oates-Mobley who reviewed the proposed transportation grant requests for FY 2022-23, as follows:

Administrative	\$242,747	Requires 15% local match of \$36,413
Capital (Vehicles and Other)	\$288,870	Requires 10% local match of \$28,887
5310 Operating	\$40,000	Requires 50% local match of \$20,000
<b>Total Grant Requests</b>	<b>\$571,671</b>	<b>Total Local Share \$85,300</b>

The floor was opened for public comments, and none were received. Upon a motion made by Commissioner Kivett and seconded by Commissioner Godwin, the Board voted unanimously to authorize submission of the transportation grant application documents as presented, including a Certifying Resolution which designates the County Manager as the authorized official. (Copies of grant documents filed in Inc. Minute Book \_\_\_\_\_, Page \_\_\_\_\_.)

**Item 3: Action Items**

Water District – Authorize Submission of Funding Applications Public Works Director Lin Reynolds and Dewberry Engineer Matt West reviewed three proposed applications for State grant funding, noting the increased costs were due to market conditions:

Keener Well and South McCullen Road (Project Cost: \$2,283,000) – design, permit and install a drinking water supply well to supplement the Johnston County interconnect, and a 1.5-mile water 6-inch line on South McCullen Road from Keener Road to King Road as a backup transmission line to support the Johnston County Phase II project. Upon a motion made by Commissioner Godwin and seconded by Commissioner Kivett, the Board voted unanimously to authorize the submission of the project’s funding application, authorizing the County Manager to sign the application and fund transfer certifications and the Finance Officer to sign the financial information forms. (Copies filed in Inc. Minute Book \_\_\_\_\_, Page \_\_\_\_\_.)

Governor Moore Road Extension (Project Cost: \$1,459,180) – design, permit and install 4.2 miles of 8-inch water line on Governor Moore Road from H. B. Lewis Road to King Road to serve as a backup transmission line to support the Johnston County Phase II project. Upon a motion made by Commissioner Kivett and seconded by Commissioner Godwin, the Board voted unanimously to authorize the submission of the project’s funding application, authorizing the County Manager to sign the application and fund transfer certifications and the Finance Officer to sign the financial information forms. (Copies filed in Inc. Minute Book \_\_\_\_\_, Page \_\_\_\_\_.)

Harrells Interconnection, Kader Merritt, Herring and Moon Johnson (Project Cost: \$3,321,000) – design, permit and install 5.5 miles of 6-inch water lines from the Union High School vault to the Town of Harrells vault near 421, including a booster pump, ground storage tank and master meter. Upon a motion made by Commissioner

Lethia Lee and seconded by Commissioner Kivett, the Board voted unanimously to authorize the submission of the project's funding application, authorizing the County Manager to sign the application and fund transfer certifications and the Finance Officer to sign the financial information forms. (Copies filed in Inc. Minute Book \_\_\_\_\_, Page \_\_\_\_\_.)

Water District – Award of Bid and Construction Contract for Johnson County Water Interconnection, Phase II Mr. West then reviewed the summary of bid results for the Johnson County Water Interconnection Phase II project, recommending the lowest responsive bidder of Herring & Rivenbark, Inc. with a bid of \$2,002,109.45. Upon a motion made by Commissioner Kivett and seconded by Commissioner Godwin, the Board voted unanimously to adopt the Resolution of Tentative Award. (Copy filed in Inc. Minute Book \_\_\_\_\_, Page \_\_\_\_\_.)

Courthouse Roof Replacement Bid Award and Contract Approval The Chairman called upon County Attorney Joel Starling who explained that the Board had previously awarded a bid for a composite roof for the Courthouse, and staff had subsequently negotiated and signed a contract with the successful bidder, Henry Faircloth (Generations Construction). The bid tabulation was provided in the agenda. Upon a motion made by Commissioner Godwin and seconded by Vice Chairperson Lee, the Board voted unanimously to ratify the execution of the contract. (Copy filed in Inc. Minute Book \_\_\_\_\_, Page \_\_\_\_\_.)

Consideration of Execution of a Memorandum of Agreement Between the State of North Carolina and Local Governments on Proceeds Relating to the Settlement of Opioid Litigation County Attorney Joel Starling reported that the State of North Carolina (through the Department of Justice), the NCACC, and the League of Municipalities had reached an allocation agreement regarding the National Opioid Settlement. He discussed changes in the attorney fees issue, a ruling from the North Carolina Attorney General confirming that the fees may be paid from the opioid settlement funds. Upon a motion by Vice Chairperson Lee and seconded by Commissioner Kivett, the Board voted unanimously to adopt the Resolution Approving the Memorandum of Agreement. (Copies of the resolution and agreement filed in Inc. Minute Book \_\_\_\_\_, Page \_\_\_\_\_.)

Allocation of American Rescue Plan Funding County Manager Ed Causey reported that Sampson County was slated to receive \$12,340,152 in ARP funds. He noted that the final rules for how the funds may be spent had not yet come out, but the staff wished to do some budgeting so that plans for potential projects could commence. He proposed that a general funding plan budget be established as follows, understanding the allocation of funding would be contingent upon the final rules promulgated by the US Treasury Department and determining eligibility of employees for bonuses.

\$ 8,000,000	Water Infrastructure
\$ 2,000,000	Broadband
\$ 750,000	Employee Bonuses (hopefully the equivalent of a 2% bonus)
\$ 1,590,152	Contingency/Future Expenses

He asked the Board to consider approval of the general funding plan, then consider priority water projects as reviewed by Public Works Director Lin Reynolds. Commissioner Kivett asked about the availability of broadband funds from the State, and Mr. Causey stated that staff would attempt to match ARP funding with funds available from both the state and other sources, to get the biggest bang for the buck. Specific project information would come back to the Board. Commissioner Lethia Lee discussed the need for broadband in the Harrells area, including proposed projects by Star Communications. Upon a motion made by Commissioner Kivett and seconded by Commissioner Godwin, the Board voted unanimously to approve the general funding plan as described above.

Mr. Reynolds reviewed a list of priority water projects for which he sought approval to begin engineering and development, including:

Overhead tank near Spivey’s Corner	Lakewood School Road
Booster Pump	Bubba Gump Lane
Keener Well	NC 24 Loop Around Roseboro
South McCullen Road	Overhead Tank Near
Governor Moore Road	NC 242 from Lakewood to NC 24

For each need, any other available state or federal funds would be used to develop the projects, staff would confirm that the final rules for the ARP funding would allow, and that Board approval would be sought for any other potential projects. Upon a motion made by Commissioner Godwin and seconded by Vice Chairperson Lee, the Board voted unanimously to authorize Public Works to begin development of the priority projects.

Authorization for Market Study of Position Classifications for Certain Departments County Manager Ed Causey provided a background regarding efforts to maintain competitive, market-based employee salaries, noting the pay plan and classification study completed in 2015 (implemented at a cost of approximately \$1.0 million per year over four years), and then subsequent periodic COLAs and increases, trying to move employees to the midpoint of their salary grade. Recognizing the changes in the marketplace due to COVID, staff proposes to do a market study initially of public safety positions - Sheriff’s Department, Detention Center and Emergency Services - implementing changes as soon as it is determined to be feasible, with the assumption that additional work would be done in

subsequent years for all departments. Mr. Causey noted that at the same time, internal work was being done to temporarily address Detention Center salaries, which would be adjusted to be in line with the market study (up or down) once it was completed. Upon a motion made by Commissioner Kivett and seconded by Commissioner Godwin, the Board voted unanimously to authorize staff to negotiate a consultant contract not to exceed \$15,000 for a market study of the position classifications in the Sheriff's Department, Detention Center and Emergency Services, budgeting the costs with the following budget amendment:

<u>EXPENDITURE</u>		Human Resources		
<u>Code Number</u>		<u>Description (Object of Expenditure)</u>	<u>Increase</u>	<u>Decrease</u>
11141250	544000	Contract Services	15,000.	
11999000	509700	Contingency		15,000.

Juvenile Crime Prevention Council Upon a motion made by Vice Chairperson Sue Lee and seconded by Commissioner Godwin, the Board voted unanimously to appoint Dulce Banos, Clinton Police Department; Tiffany Faircloth, Juvenile Court Counselor; Charlotte Leach, Triangle South Workforce Development Board; and Angela Nicholson, Harnett County Workforce Development to the Juvenile Crime Prevention Council.

**Item 4: Consent Agenda (as Board of Commissioners)**

Commissioner Kivett commented on the Preparedness Month resolution, noting that it was an initiative of NCACC President Frank Williams of Brunswick County. Upon a motion made by Commissioner Kivett and seconded by Commissioner Godwin, the Board voted unanimously to approve the Consent Agenda as follows:

- a. Approved the minutes of the July 27, 2021 and August 2, 2021 meetings
- b. Approved a request from Sampson-Clinton Public Library to surplus and discard withdrawn materials pursuant to the library's Materials Selection Policy and the County Records Retention Policies (Copy filed in Inc. Minute Book \_\_\_\_, Page \_\_\_\_.)
- c. Approved the Sampson Area Transportation System Safety Plan for 2021 (Copy filed in Inc. Minute Book \_\_\_\_, Page \_\_\_\_.)
- d. Approved the Contract Amendment No. 1 to the Basic Services Agreement between Sampson County, the City of Clinton and AVCON Engineers & Planners, Inc. dated June 25, 2019, and Task Order 2019.01 dated September 1, for the FBO Apron Rehabilitation Project and authorize Chairman to execute same (Copy filed in Inc. Minute Book \_\_\_\_, Page \_\_\_\_.)

- e. Approved the execution of contracts between Sampson County (DSS) and service providers: Sampson Area Transportation (NEMT); Warrick & Bradshaw (Legal); Carolina Care & Consulting (Psychological Evaluation); Department of Aging (Adult Day Health); Sampson County Sheriff (Child Support Deputy and Juvenile Court Officer); Corinne Railey (Legal); Vanguard (Temporary Social Workers); The Gardens of Roseboro (NEMT); The Magnolia (NEMT); Sampson Home Health (In Home Services); and Candii Homes (NEMT) (Copies filed in Inc. Minute Book \_\_\_\_\_, Page \_\_\_\_\_.)
- f. Approved the Sampson County Finance request to declare certain vehicles and unclaimed property as surplus and authorize, by resolution, staff to conduct a public auction on October 8, 2021 (Copy filed in Inc. Minute Book \_\_\_\_\_, Page \_\_\_\_\_.)
- g. Authorized the execution of the Duke Progress Energy easement for the 911 & Emergency Services property on Commerce Street (Copy filed in Inc. Minute Book \_\_\_\_\_, Page \_\_\_\_\_.)
- h. Approved late applications for disabled veterans tax exclusions for Bruce Glenwood Owens and Allen Lynn Spell
- i. Approved tax refunds and releases as submitted:

#9688	Melissa Boney	\$ 157.58
#9683	Jeffrey Shipp	\$ 396.23
#9684	David Charles Schulte	\$ 327.01
#9686	Dale Parrish	\$ 170.70
#9685	Ronnie S. Strickland	\$ 195.72
#9639	Kaylin Rose Prestage	\$ 329.76
#9660	Thomas Level Jackson	\$ 109.61
#9654	John Withers Donaldson, Jr.	\$ 142.42
#9645	Sherrie Martin Baxley	\$ 177.23
#9646	Emma Grace Armstrong	\$ 109.02
#9652	James William Lynch	\$ 137.17
#9657	Susan Norine Marler	\$ 146.39
#9637	Ram R. Neupane	\$ 273.08
#9658	Amy Rose	\$ 168.04
#9672	Genia Newkirk	\$ 197.61
#9669	Stephen & Kaylynn Brown	\$ 312.47
#9667	Gregory F. Bradshaw	\$ 1,328.86
Release	Wendy & James Melvin	\$ 258.46
Release	Squires Land Com.	\$ 590.52
Release	Elvie J. Newkirk	\$ 381.39
Release	Mercadito Juanita LLC	\$ 321.95
Release	Tracy L. Naylor	\$ 596.17
Release	Jackson & Honeycutt Farms	\$ 482.28

Release	Stephanie Williams Beretich & others	\$ 338.52
Release	LPC Transport	\$ 187.25
Release	Alvin Earl Benton, Sr.	\$ 104.52
Release	Daniel Payton & Kimberly Hodges McPhail	\$ 216.99
Release	Edna Earle Sutton	\$ 250.73
Release	JFC Partnership LLC	\$ 1,470.20
Release	Donald Pope	\$ 1,363.32

j. Approved budget amendments as submitted:

<b><u>EXPENDITURE</u></b>		Aging		
<u>Code Number</u>		<u>Description (Object of Expenditure)</u>	<u>Increase</u>	<u>Decrease</u>
02558680	526200	HCCBG Senior Center Dept Supplies	500.	
02558800	526200	HCCBG Nutrition Dept Supplies	300.	

<b><u>REVENUE</u></b>				
<u>Code Number</u>		<u>Source of Revenue</u>	<u>Increase</u>	<u>Decrease</u>
02035868	408401	HCCBG Senior Center Revenue	500.	
02035880	408401	HCCBG Nutrition Revenue	300.	

<b><u>EXPENDITURE</u></b>		Cooperative Extension		
<u>Code Number</u>		<u>Description (Object of Expenditure)</u>	<u>Increase</u>	<u>Decrease</u>
11449500	529900	Misc Expenses	500.	

<b><u>REVENUE</u></b>				
<u>Code Number</u>		<u>Source of Revenue</u>	<u>Increase</u>	<u>Decrease</u>
11034950	408900	Miscellaneous Revenue	500.	

<b><u>EXPENDITURE</u></b>		Various Departments		
<u>Code Number</u>		<u>Description (Object of Expenditure)</u>	<u>Increase</u>	<u>Decrease</u>
11243250	538100	Data processing programs	399.	
11243250	526201	Dept supplies equipment	1,179.	
11243800	535100	Maint/repair buildings & grounds	16,255.	
11141700	526200	Depart supplies	19,764.	
11449500	529900	Miscellaneous	627.	

<b><u>REVENUE</u></b>				
<u>Code Number</u>		<u>Source of Revenue</u>	<u>Increase</u>	<u>Decrease</u>
11999000	409800	Fund balance approp Encumbrances	38,224.	

<b><u>EXPENDITURE</u></b>		Schools Capital Outlay		
<u>Code Number</u>		<u>Description (Object of Expenditure)</u>	<u>Increase</u>	<u>Decrease</u>
11659140	555030	Capital outlay category 1	1,679,054.	
11659140	555031	Capital outlay category 2	139,944.	
11659140	555032	Capital outlay category 3	177,473.	
11659140	550000	Unallocated capital outlay		1,200,506.



19959140	582096	Transfer to general fund	795,965.	
11659110	555030	Capital outlay category 1	422,125.	
11659110	555032	Capital outlay category 2	45,629.	
11659110	555033	Capital outlay category 3	99,599.	
11659110	550000	Unallocated capital outlay		377,840.
19959110	582096	Transfer to general fund	189,513.	

**REVENUE**

<u>Code Number</u>		<u>Source of Revenue</u>	<u>Increase</u>	<u>Decrease</u>
19932320	409900	Fund balance appropriated	985,478.	

**EXPENDITURE**

<u>Code Number</u>		<u>Description (Object of Expenditure)</u>	<u>Increase</u>	<u>Decrease</u>
		Emergency Mgmt Facilities Grant		
15981530	509700	Contingency	358,050.	
15981530	519900	Other prof services	42,500.	
15981530	551000	Capital outlay furniture & equip	572,000.	
15981530	552000	Capital outlay technology	851,903.	
15981530	555000	Capital outlay other	74,500.	
15981530	558100	Construction	3,238,387.	

**REVENUE**

<u>Code Number</u>		<u>Source of Revenue</u>	<u>Increase</u>	<u>Decrease</u>
15038153	420000	NC 911 PSAP Grant	5,137,340.	

**EXPENDITURE**

<u>Code Number</u>		<u>Description (Object of Expenditure)</u>	<u>Increase</u>	<u>Decrease</u>
		Airport		
11141250	544000	Contract Services	28,500.	
11141250	544001	Contract Services Airport Engineer	5,000.	
11999000	509700	Contingency		33,500.

**EXPENDITURE**

<u>Code Number</u>		<u>Description (Object of Expenditure)</u>	<u>Increase</u>	<u>Decrease</u>
		Aging		
02558680	526200	Departmental Supplies	2,175.	

**REVENUE**

<u>Code Number</u>		<u>Source of Revenue</u>	<u>Increase</u>	<u>Decrease</u>
02035868	409900	Fund balance appropriated	2,175.	

- (WALK ON) Adopted a resolution proclaiming September as Preparedness Month (Copy filed in Inc. Minute Book \_\_\_\_ Page \_\_\_\_.)

**Item 5: County Manager's Report**

No report was given.

## Item 6: Public Comment Period

Chairman Wooten opened the floor for comment. The following was received:

Jerol Kivett: Addressing the issue of the vaccination mandate, speaking as a recovering patient of COVID and not for or against the vaccination. If you think you might have COVID, go get checked and then get treated. I've been through a hard time; I waited ten days before I went. Whatever you do, don't do that. I do have a concern about mandating vaccination. I am speaking only for me, not as a commissioner, but as a citizen. You need to get with your healthcare provider, do your own research, and decide what you want to do. That's my personal opinion. You can find pros and cons both ways. There's information out there, and you've got to discern what's the truest and most recent. As you recall, when we started, we were going to have two million deaths, even if we did shut down the country, and we didn't have that. It's a crapshoot; they don't know. The virologists, they are working hard. I'm appreciative of every healthcare worker. I just feel that it's wrong to tell anyone what you have to put in your body. It's not right for me to tell you you can't have the vaccination. It's not right for me to tell you that you've got to take it, especially if you tell that person you are going to lose your job if you don't do it. That's as un-American as anything I've seen in my life. I am as pro-American as anyone. I'm as red, white and blue. I've never seen us go down this road before, and I'm ashamed that we're even here. We shouldn't have to do that. It's not right. It doesn't pass the smell test. I'm for it. If you want it, take it. You can't tell me that I've got to take it, and I'm not going to tell you the same. At the same time, as commissioners, we have job representing all Sampsonians - not the unvaccinated, not the ones that are vaccinated - all. We do set policy. However, sometimes that policy is set way above us, and we don't have the latitude to do anything. I think that's where we are at this point. The people are expecting us to do something we aren't capable of doing because it's not legal. I have a problem with that. I think it's wrong. We're where the rubber meets the highway. For the federal government to come in and overstep on this is as egregious as anything I've seen in my lifetime. But, there again, we as commissioners are limited in what we can do. I will continue to fight to see that everyone is represented and that no one will be told that you are going to lose your job if you don't do something. As a businessman I can't do my people that way, but they're telling me I'm supposed to as a businessman.

Harriet Bryant: I am a retired nurse. We are in a pandemic, and we all have our rights. Our personal rights. But when your rights are infringing on someone else's health, that's another story. We work with patients every day at the hospital, trying to save their lives, who have been affected with COVID. Some have been brought in by families; some have been brought in by coworkers. Some have been brought in by ... they don't know. Some people bring the virus, and they don't know they have it. But, at least if you have the vaccine, you will be some protected - 4% from Moderna, and 5% from Pfizer. So, during a pandemic, this is my personal feeling, that personal feeling

goes out. When we were younger, we were told that we had to receive smallpox, that we had to receive polo. We didn't know what that vaccine consisted of, but we had to do it. And, I think the same thing should be done with the COVID vaccine.

### **Closed Session**

Upon a motion made by Vice Chairperson Lee and seconded by Commissioner Godwin, the Board voted unanimously to go into Closed Session pursuant to GS 143-318.11(3) and GS 143-318.11(5). In Closed Session, the Board was briefed on matters related to a potential land purchase and the Mallinckrodt opioid claims settlement. Returning to open session, upon a motion made by Commissioner Wooten and seconded by Commissioner Kivett, the Board voted unanimously to come out of Closed Session.

### **Recess to Reconvene**

Upon a motion made by Chairman Wooten and seconded by Vice Chairperson Lee, the Board voted unanimously to recess to reconvene on September 27, 2021 at 6:00 pm, virtually via Zoom, for the Sampson Regional Board of Trustees annual budget presentation.

/signed copy on file in Clerk's Office

Clark H. Wooten, Chairman

/signed copy on file in Clerk's Office

Susan J. Holder, Clerk to the Board