

MINUTES
REGULAR SCHEDULED MEETING OF THE BOARD OF COMMISSIONERS
OF EDGEcombe COUNTY
JANUARY 2, 2018 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, Vice-Chairman, Mr. Donald Boswell, Mrs. Viola Harris, Rev. E Wayne Hines, Mr. William Wooten and Mrs. Evelyn Powell.

MEMBERS ABSENT: None.

OTHERS PRESENT: Mr. Eric Evans, County Manager, Mr. Michael Peters, County Attorney and Ms. Frankie Mungo, Clerk to the Board.

2. PRAYER.

Rev. Hines provided the prayer.

3. MINUTES OF PREVIOUS MEETINGS PRESENTED FOR APPROVAL.

Mr. Felton moved to approve the minutes of the December 4, 2017 and December 19, 2017 meetings 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 and questions relative to the approval of the County to enter into an installment financing contract to provide funds for capital improvements for County facilities, costs and acquisition of land for economic development and to refinance an installment financing contract.

Mr. Peters read the public notice as published.

Mr. Evans stated that the County is considering financing for the capital to purchase land for economic development and for renovations at the County's Administration Building. This financing requires approval from the Local Government Commission. At the Board of Commissioners' special meeting on September 14, 2017, Raymond James was approved as the bank for the loan. He stated that the original plan was to purchase a tract of land just north of 64 Alternate, just across from Kingsboro Industrial Park; paying for part of it now, and the remainder in five years. Since then, we have reconsidered the possibility of financing the total amount, which would take the total financing from \$17 million to just under \$22 million. This change requires a second public hearing, and the Board's approval.

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

Mr. Wooten moved to approve the authorizing resolution to secure installment financing in an amount not to exceed \$22 million, subject to the approval of the Local Government Commission. Rev. Hines seconded the motion, which carried by unanimous vote.

5. SCHEDULED APPOINTMENT.

1. Recognition of the 2017 Tarboro High School Football Team.

Mr. Wiggins invited Coach Craddock and the 2017 Tarboro High School football team members and coaches to the front of the room and read the Resolution of Recognition on behalf of the Board of Commissioners. The resolution acknowledged the teams winning of the December 9, 2017 I-AA State Championship Title. He presented a plaque containing the exact wording of the official resolution.

Mr. Felton moved to approve the resolution as presented. Mrs. Powell seconded the motion, which carried by unanimous vote.

2. Recognition of the Edgecombe County Human Relations Commission for 25 years of

Service.

Mr. Felton presented to the Human Relations Commission members a plaque recognizing there 25 years of service to the citizens of Edgecombe County.

6. PUBLIC PETITIONS.

Ms. Janice Thompson, 110 Rollingwood Drive, Tarboro, came forth regarding the Animal Shelter. She stated that whenever she sees anything that is not right she will expose it. At first she will go through the proper channels and if that does not work, she goes public with it. Mrs. Thompson stated that at the Board's last meeting she gave the Board members letters and wanted to know if the issues had been addressed because she has not received a response.

Mr. Boswell stated that he has not gotten all the information he wants but he has looked into it.

Mr. Felton stated that he was informed that preliminary steps were being made to address the issues.

Mr. Wiggins stated that citizen complaints are referred to staff and staff has the responsibility to get back with the Board.

Mr. Evans stated that in talking with Sheriff Atkinson after the last meeting, the Sheriff and his staff were already aware of these issues and having some conversation with Ms. Thompson. His staff has been out to investigate some of the issues Ms. Thompson identified and pointed out to the Board and they found that the areas where she pointed out were in compliance, in particular a privately owned kennel that met all State requirements. Mr. Evans stated that his summary is that the Sheriff had already looked into it and found there to be no violation of his concern.

Ms. Thompson stated that she spoke with a government official employed by the State of North Carolina and they informed her that if Detective Muse thought that, with the pictures, that kennel were in compliance that she needed to escalate her concerns further. She stated that she told the State employee that she was going to give the Board a chance to respond before she escalated it further. Ms. Thompson stated that Big Dog Kennels is not in compliance and if the Board thought it was she would go further with it.

Mr. Wiggins asked Sheriff Atkinson if he wanted to respond to the issues at this time.

Sheriff Atkinson came forth and stated that an investigative team went out and addressed some of the complaints received. He stated that he was pleased with some of the pictures, however, they are looking into other instances and other issues. He stated that his investigative team saw best for the animals involved and he was pleased with that. He stated that he met with Ms. Thompson on several occasions and there is a misunderstanding back and forth with facebook with citizens getting citizens uptight. Sheriff Atkinson stated that he explained to Ms. Thompson that he believes in handling things like adults to resolve certain issues. He stated that he has met with Ms. Thompson and asked that her issues and concerns be addressed with him through face-to-face conversation and not attack his employees and they came to that common agreement. Sheriff Atkinson stated that any issues and concerns can be addressed before it goes outside of Edgecombe County. He stated that one particular property is still being watched and investigated regarding issues Ms. Thompson brought up.

Mr. Wiggins stated that any citizen that comes before the Board with issues and concerns are referred to the County Manager and whatever department is involved and the Board accepts their investigative report and if that is unsatisfactory to the citizen they are privileged to go further.

Sheriff Atkinson stated that they take all complaints really seriously. He stated that he called the State Investigative Team in on day one to make sure that his department is in compliance with the Animal Shelter and the State has rewritten his Animal Control policy.

Ms. Thompson stated that based on a post on the Sheriff Department's facebook page regarding civil penalties that were charged, it was stated that they had been waived. She stated that she that she called Animal Welfare today and was told that a review is going on and those fees have not been waived yet.

Sheriff Atkinson stated that his department met with a State representative and being that the Shelter does have some age on it they were penalized for certain issues, however the representative advised them that if they would correct and modify some of the issues at the Animal Shelter they would move forward and waive some of the penalties.

Ms. Kathy Williams, 2228 Robin Drive, Tarboro, came forth and reminded the Board of a previous request she made regarding the combination of the Edgecombe County and Tarboro animal shelters. She stated that there are only three Animal Control Officers for a 504 square mile County. She stated that detectives had to be pulled to investigate Big Dogs Kennel. Ms. Williams stated that Animal Control is small and the facility is small and outdated. She stated that the officers run about 200 calls a month. She stated that she understands that the budget is not due yet, but help is needed with animal control. She also stated that the Sheriff's Department was doing a good job.

Rev. Roosevelt Higgs, Speed, came forth and commended the Board on how things were handled during the flood. He also mentioned the need of affordable housing in the County. Rev. Higgs thanked the Board in advance for having the Dr. Martin Luther King, Jr. Resolution for consideration on the agenda.

7. **OTHER BUSINESS:**

A. Approval of budget amendments.

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

B. Approval of authorizing requested actions of the Edgecombe County ABC Board.

Mr. Evans stated that North Carolina General Statutes dictate the distribution of revenue generated by local ABC Boards. There are certain instances where the local ABC Board may exceed the limits of distribution for certain purposes, but only with the approval of the Board of Commissioners. Mr. Evans stated that Representative Shelly Willingham, the Chairman of the Edgecombe County ABC Board, would like to present on behalf of his board such a request. This includes a request to exceed the maximum set by the statute for the compensation of an ABC Board member, which is \$150 per meeting. The ABC Board had set their compensation at \$75 for members and \$150 for the chairman. It has been their practice to follow our pay increases when given. This has taken the chairman's salary above the \$150 limit, and therefore requires the Commissioners approval. He stated that it has been the practice of the ABC Board to withhold from its profits annually an amount to put in their capital improvement fund. This is used for major renovations, expansions or building new stores. The amount varies depending on the net revenues for the given year. This also requires the Commissioners approval. Mr. Evans stated that Representative Willingham was present to answer any questions.

Mr. Felton moved to approve the requests as presented. Mr. Wiggins seconded the motion.

Mr. Wooten asked if the annual amount for capital improvement a percent of net and is there an allotment set aside for future capital improvements.

Mr. Evans stated that it is based on net revenue minus other distributions.

Mr. Willingham stated that there is a set amount for money to be distributed to the County, which is set by the State. He stated that there is no set amount that they are looking to take each quarter, but because of the way they are set up and by statute the County has to approve it. He stated that currently in the capital fund they have about \$200,000, which is beneficial since the hurricane, because it was used to refurbish some of the stores.

Mrs. Harris asked which ABC Board originally set \$75 for member compensation. She stated that she serves on nine boards and none pay \$75 per meeting.

Mr. Willingham stated that it was set when the Board was created a long time ago.

Mr. Felton stated that the statute sets the limit of \$75 and \$150 per meeting so any special called meeting could be double for the month.

Mr. Willingham stated that their Board only will pay per month.

Mr. Wooten asked if there is a policy in the ABC Board that sets aside a certain percent of net profits for capital improvements or is it subject to each year.

Mr. Willingham stated that it is subject to what they have. He stated that if they do not have it they do not take any and it is also subject to the fact that they want to give the maximum amount to the County.

Mr. Wooten asked if the ABC Board has the authority to not pay the Board salary increases with the employee increases.

Mr. Willingham stated that they do have that authority.

After more discussion the motion carried by a vote of 5 for and 2 against. Voting for: Wiggins, Felton, Hines, Boswell and Powell. Voting against: Harris and Wooten.

C. Approval of adopting a resolution to request the abandonment of a portion of State Road 1217/Harts Chapel Road.

Mr. Evans stated that to accommodate the building of the recently announced Triangle Tire manufacturing plant at the Kingsboro Industrial Park, it is necessary to abandon a portion of Harts Chapel Road (SR 1217). There are only two structures that front Harts Chapel Road, both of which belong to the current owner of the tract of land the County will purchase for the project. Mr. Evans stated that to begin the abandonment process, the County must first petition the NC Department of Transportation for such action by approving a resolution to petition the abandonment of this state maintained road.

Mr. Boswell moved to approve the resolution as presented. Mr. Wooten seconded the motion, which carried by unanimous vote.

D. Approval of reclassifying Major Arthur Gene Harrell as the Chief Deputy.

Mr. Evans stated that the title for Edgecombe County's position in the Sheriff's Office has been, for the second in command, is Major. That position serves as the Chief Deputy. The Board needs to validate the Sheriff's appointment of Mr. Harrell as the Chief Deputy.

Mrs. Harris moved to approve the reclassification as presented. Mr. Felton seconded the motion, which carried by unanimous vote.

Mr. Evans stated that one of the dilemmas we have for the Sheriff's Office is that the budget that was approved for this current fiscal year included in the capital outlay \$250,000 to replace and add vehicles in the Sheriff's office. Even with that it puts us behind in replacing old vehicles and it will take us a while to catch up and make sure that all of our Officers out in the County are driving dependable vehicles. He stated that he met with the Sheriff regarding the possibility of leasing vehicles, which will put us in a position to be able to get more new dependable vehicles on the road. He stated that they have been looking at the numbers to see the cost effectiveness of leasing.

Sheriff Atkinson stated that 70% of his fleet is ten years old or older. He stated that within the last eight months, with operator error, deer wrecks and several vehicles around 200,000 miles, there is no way that they can catch up with just purchasing seven cars per year. Present was a gentlemen with Enterprise Fleet Maintenance State Contractor who provided a presentation on how the leasing process works.

E. Adopting a resolution to recognize the 50th Anniversary of the Assassination of the late Reverend Dr. Martin Luther King Jr.

Rev. Hines moved to adopt the resolution as presented. Mrs. Harris seconded the motion, which carried by unanimous vote.

F. Approval of the grant agreement from the Golden LEAF Foundation for the rebuilding of the Princeville Volunteer Fire Department's Fire Station.

Mr. Evans stated that with the assistance of the Governor's Recovery Office, the Town of Princeville is developing a recovery and redevelopment plan that includes rebuilding its critical facilities. Among those facilities is the fire station. Princeville has an agreement

for fire protection with the Princeville Volunteer Fire Department. The building they occupied was flooded after Hurricane Matthew. State recovery funds channeled through the Golden LEAF Foundation were ear-marked to assist with the rebuilding of the fire station. Mr. Evans stated that the Princeville Volunteer Fire Department is a 501(c)(4) corporation, but Golden LEAF only makes awards to 501(c)(3)'s and units of local government. So, the PVFD requested that the County submit and administer its grant. The grant was approved in an amount of \$540,000. Mr. Evans stated that the County will also need to own the fire station and enter into a long-term lease agreement with the PVFD because of their tax status per Golden LEAF staff. Mr. Evans recommended that the Board approve the acceptance of this grant award with its accompanying project ordinance and budget amendment. He also recommended that the Board take a separate action to agree to own the facility and authorize him to execute a long-term lease agreement with the Princeville Volunteer Fire Department.

Mrs. Harris moved to approve the acceptance of the grant award, project ordinance and budget amendment as presented. Mr. Boswell seconded the motion.

Mr. Felton asked if there was a match to the grant.

Mr. Evans stated no.

After discussion, the motion carried by unanimous vote.

G. Approving the franchise agreement for On Demand Transport Service, LLC for operating ambulances.

Mr. Evans stated that the County had previously issued a franchise agreement to operate ambulance services to K&L Transportation. This was to provide non-emergency ambulance transports secondary to Edgecombe County Rescue Squad. The principals of that company have since reorganized as On Demand Transport, LLC. Therefore, they need to receive a new franchise agreement under its new name in order to operate. Mr. Evans recommended that the Board approve the franchise agreement for On Demand Transport, LLC to serve as a back-up for non-emergency ambulance transports.

Mr. Felton moved to approve the franchise agreement as presented. Mrs. Powell seconded the motion, which carried by unanimous vote.

Mr. Wooten asked if we had anyone else or did we advertise for any other applicants for the franchise agreement.

Mr. Evans stated that we do not advertise for this typically and we have not received any other who are interested.

Mr. Wooten asked if there were any concerns with K&L before.

Mr. Evans stated that K&L had some issues. The State was doing some review of their Medicaid transport, not non-emergency ambulance services but the van transportation for Medicaid clients. Review of their billing practices for some time. To my knowledge that review has ceased and there has not been any follow up with him as far as any charges or anything that would cause him any concern.

Mr. Wooten asked if K&L still existed.

Mr. Evans stated that he believed that they do but they do not provide this particular service.

Mrs. Harris asked Mr. Evans what was reviewed from a person asking for a franchise that says everything is on the up and up.

Mr. Evans stated that the applications come to the Emergency Services Department for review.

Mr. Mark Walters, EMS Director, stated that if they are approved for a franchise they will go to the State for a license.

Mr. Wooten stated that it seems that they are trying to set up a new business because

they are not licensed nor in business from a company that has questionable practices in their prior business. He stated that you would think that we would go out and actively go and see if someone is interested in putting a bid in as well they might have more of a reputation and experience.

Mr. Kermit Perkins came forth to provide information on the formation of On Demand Transport.

Mr. Wiggins stated that if it is approved it should be conditional. He stated that no insurance information is provided and the application is incomplete.

Mr. Felton amended his motion to approve the franchise upon the submission of all documents required by the next Board of Commissioners regular meeting. Mrs. Powell seconded.

The motion carried by a vote of 5 for and 2 against. For: Wiggins, Felton, Hines, Harris and Powell. Against: Wooten and Boswell.

H. Approval of adding a Building Inspector II position to the pay plan.

Mr. Evans stated that there has been a challenge in hiring a full-time building inspector. Though we have managed by using two part-time inspectors, it is critical that we hire one full-time. Since other counties and municipalities are facing this same issue that position has become highly competitive. He stated that to have a better chance at hiring a fully-certified inspector, we need to be able to offer a higher salary range. Mr. Evans recommended that the Board approve the addition of a Building Inspector II position at a grade 21 on the County's Pay Plan. This grade had a minimum salary of \$45,876 and a maximum of \$75,315.

Mrs. Harris moved to approve the position as presented. Rev. Hines seconded the motion, which carried by unanimous vote.

I. Approving an easement agreement for The Hillshire Brands Company.

Mr. Evans stated that he recently received a request from Hillshire Brands to consider granting an easement needed for their plant here in Tarboro. When originally build by Sara Lee, part of the incentive was a grant that flowed through the County to build and own an on-site pretreatment facility. Company officials recently learned that there is no easement agreement in place to cover the area where the wastewater pipes run from the plant to this facility. Their request is for the Board to consider granting that easement.

Mr. Boswell moved to approve the easement agreement as presented. Mrs. Powell seconded the motion, which carried by unanimous vote.

8. AFTERLISTS AND RELEASES FOR REVIEW AND APPROVAL.

Mr. Felton moved to approve the afterlists and releases as presented. Mrs. Harris seconded the motion, which carried by unanimous vote.

9. DEPARTMENTAL REPORTS FOR REVIEW.*Received*****

- A. Water Services.
- B. Financial Summary Report.
- C. Update on the Animal Shelter Complaint

10. MANAGER'S REPORT. *Received*****

- A. Economic and Workforce Indicators.
- B. Dr. Martin Luther King, Jr. 2018 Activities.
- C. Update on grant from NC Emergency Management
- D. Report from the Rocky Mount-Wilson Regional Airport

11. COMMISSIONERS' REPORT.

12. ATTORNEY'S REPORT.

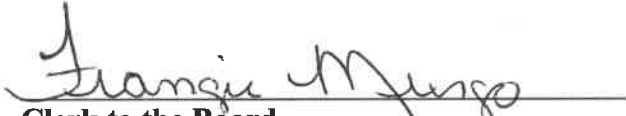
13. CLOSED SESSION.

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

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

14. MR. FELTON MOVED TO ADJOURN THE MEETING UNTIL MONDAY, FEBRUARY 5, 2018 AT 7:00 P.M. MRS. POWELL SECONDED THE MOTION, WHICH CARRIED BY UNANIMOUS VOTE.

Approved February 5, 2018.


Clerk to the Board