

MINUTES
REGULAR SCHEDULED MEETING OF THE BOARD OF COMMISSIONERS
OF EDGECOMBE COUNTY
NOVEMBER 4, 2019 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, Rev. E. Wayne Hines, Vice-Chairman, Mr. Donald Boswell, Mrs. Viola Harris, Mrs. Evelyn Powell, Mr. William Wooten and Mr. Ralph Webb.

MEMBERS ABSENT: None.

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

2. SAFETY INSTRUCTIONS.

Mr. William Johnson, Assistant County Manager, provided safety instructions for all present.

3. PRAYER.

Rev. Hines provided the prayer.

4. MINUTES OF PREVIOUS MEETINGS PRESENTED FOR APPROVAL.

Rev. Hines moved to approve the October 1, 2019, October 7, 2019 and October 14, 2019 minutes as presented. Mrs. Harris seconded the motion, which carried by unanimous vote.

5. PUBLIC HEARING.

1. Mr. Wiggins called a public hearing to order to receive citizen comments and questions relative to a Board Policy on Remote Participation of Meetings.

Mr. Peters read the public notice as published.

Mr. Evans stated that the Board is considering making a change to the County ordinance that will allow for remote participation in meetings by phone, video or other type of communication. The proposed amendment does include important provisions and limitations, which are noted in the document. Before a vote is taken on this amendment a public hearing is required. After the close of the public hearing and consideration of the public's input he recommended that the Board approve the proposed amendment as presented.

Mr. Wiggins asked Mr. Peters to give an explanation to the public.

Mr. Peters stated that the Commissioners discussed the possibility of being able to participate in meetings remotely, which is typically done by phone if one or more of them are unavailable, out of town, or out of state and cannot be at a meeting. The statute gives the Board the authority to alter their ordinances to allow one or more of them to participate by phone remotely. They have considered such things as if someone is participating remotely, whether it will constitute a quorum or not, whether that person has the authority to vote on the matter or not, if their vote is the deciding vote and what sort of notice will be given to the public. So, this proposed ordinance that the Board will discuss tonight attempts to address those things which includes things like if someone is participating remotely, they would announce to the Board and to the public before their participation that they are doing so and before a vote and what their

vote is.

Mr. Wiggins called for public comment.

Rev. Roosevelt Higgs, Speed, NC, stated that he read the ordinance and what he does not understand is why would a Board member be handicap from voting in favor of something were at the same time they can vote against something. He stated that it is an unnecessary evil. If a person has a right to participate, they should be able to participate fully. He stated that he just did not understand the rational, what is the rational of a person not being able to vote in favor of a motion.

Mr. Boswell stated that it allows them to communicate with the other commissioners on whatever subject it might be though the vote is not countable, but still be involved in the conversation.

Rev. Higgs stated that he understood that part, but as he read it, it states you can participate and hear it and you can actually vote, but you cannot vote in favor of something, specially item 8(d)

Mr. Wiggins stated that he thought Rev. Higgs read it wrong. He stated that you cannot make a quorum and asked Mr. Peters to explain.

Mr. Peter stated that item 8(d), which says a member may not participate remotely if his/her vote is a deciding vote. They can still vote, but they cannot be the fourth vote. Or if there are two participating remotely they cannot be the third and fourth vote.

Mr. Wiggins stated that this is what this Board has decided to impose upon themselves, if we have chosen not to be present that is the price we pay.

Rev. Higgs stated that he understands the Board has the final decision, but felt that it should not be any difference if you are participating remotely.

There being no further public comments Mr. Wiggins adjourned the public hearing.

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

2. Mr. Wiggins called a public hearing to order to receive citizen comments and questions relative to the renewal of permit for C&D Landfill.

Mr. Peters read the public notice as published.

Mr. Evans read the permit application fact sheet for the Edgecombe County Construction and Demolition Landfill located at 2872 Colonia Road, Tarboro (State Road 1601), stating that the County will be applying for a life-of site permit option for this renewal, in accordance with NCGS 130A-294(a2). The fact sheet summarized the C&D Landfill permit renewal process.

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

Mrs. Harris moved to approve the resolution relative to the renewal of permit for C&D Landfill as presented. Mrs. Powell seconded the motion, which carried by unanimous vote.

6. **SCHEDULED APPOINTMENTS.**

A. Karen Lachapelle, Health Director, presented on the Health Department's accreditation.

She stated that back in 2002 North Carolina decided to start implementing a program where all health departments were evaluated equally. In 2006 it became mandated by the legislature to have the accreditation and all health departments have to be re-accredited every four years. If they did not get their accreditation they could not qualify for some grants and some state monies. She stated that they had their accreditation site visit on October 9th and 10th, but they were able to complete their evidence review and site visit and interviews all in one day, and they received accreditation with honors. Mrs. Lachapelle stated that they met 100% of their 41 bench marks and 147 activities. She stated that Environmental Health received two best practices in the site evaluation, meaning that two of their things will be taken across the State and shared with other County Health Departments to help them improve. She acknowledged some of the team present at the meeting and their responsibilities during the process. Leigh Saner, Michelle Etheridge, Susan Rogerson and Melanie Hudson.

Mrs. Powell acknowledged that several were present to support Melanie Hudson, Environmental Health Supervisor and the entire Health Department for their efforts. They were asked to stand and her Pastor Elbert Heath said a few words.

She also thanked Mrs. Harris who took time out of her busy schedule who came on behalf of the Human Services Board. She thanked several others who supported them during this process.

B. Mark Walters, Emergency Services Director, was present to recognize First Responders.

Mr. Eric stated that Mr. Walters will come forth to recognize some first responders whose brave acts saved a life.

Mr. Walters stated that on September 8, 2019 at 10:31 p.m. a fire call came in on Coles Mill Road. Two men, Blake McKeel, Macclesfield Fire Department and Cameron Cole, Edgecombe County Sheriff's Office, stepped above and beyond their duties by putting their own lives at risk. He stated that the house was lost but a life was saved. Mr. Walters called upon Mr. Teddy Stamatis, Fire Chief of the Macclesfield Fire Department to come and describe what went on that night.

Mr. Stamatis stated that the fire started from a lightening strike that caught the back of the house on fire. He stated that the lady in the house cannot walk and was on the floor. Mr. McKeel arrived on the scene and hears her screaming and he kicked the front door open and got her on the front porch and could not go any further. Deputy Cole pulled up and assisted in picking her up and carried her to the back of a truck to safety.

Sheriff Clee Atkinson thanked the gentlemen and thanked the Board for acknowledging them.

Mr. Wiggins thanked them on behalf of the Board and asked that any acts of courage such as this be brought to the Board for public recognition.

Mr. Evans thanked Mr. Webb for bringing this to his attention.

7. **PUBLIC PETITIONS.**

Rev. Roosevelt Higgs, Speed, NC, stated that on December 17, 2019 at 6:00 p.m. at Edgecombe Community College the Democratic Party will convene to act on the vacancy of the Register of Deeds to move swiftly as possible to get a name to the

Board of Commissioners in the thirty-day period. He stated that also during that same window, starting December 2nd, anybody running in 2020, the filing period starts December 2nd at noon until December 20th at noon

8. **OTHER BUSINESS:**

A. **Approval of budget amendments.**

Mr. Evans provided explanations on some budget amendments.

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

B. **Approval of calling for a public hearing on an ordinance prohibiting smoking on County owned property.**

Mr. Boswell moved to call for a public hearing at the December 2, 2019 meeting. Mr. Wooten seconded the motion, which carried by unanimous vote.

C. **Approval of offering Leak Protection Program to utility customers.**

Mr. Evans stated that the County currently has a policy to offer a leak adjustment for water customers if it can be shown that a plumbing leak has contributed to an extraordinary high bill. Though this certainly is beneficial for our customers, it is costly for our utilities operations. Therefore, Mr. Michael Matthews, Utilities Director, will present to the Board a proposed change to that policy as well as a Leak Protection Program we would like to make available to our customers. Mr. Evans stated that following the presentation, he recommends that the Board approve the policy change as recommended and to authorize him to approve a contract with Servline to offer the Leak Protection Program to our customers.

Mr. Matthews called up Marie Walton, Office Manager for the Water Department and Shelby Winstead with Servline. Mr. Matthews stated that the County's policy currently reads that if you have a leak on your property and you can prove to them that it has been repaired, the Water Department will give you an adjustment. The month in question plus the three prior months average usage. He stated that the County eats that money. He stated that after he was approached about the leak protection program, he realized that the County is basically giving away \$47,000 per year because of leaks. He stated that Servline would step in and take over the Leak Protection Policy. The County would no longer have a leak policy. Under the policy a customer Servline would step in and pay for high water bills caused by leaks and the customer will pay their average bill. Mr. Matthews stated that everyone will be on the new policy. If you opt out of this policy there is no leak adjustment policy. The customer would pay the full price of the leak. He stated that there are three options for this program:

	Residential	Commercial Multiple Occupancy	Commercial Single Occupancy
Option 1:\$500 per occurrence	\$1.45	\$11.65	\$23.30
Option 2:\$1,000 per occurrence	\$1.70	\$16.05	\$32.10
Option 3:\$2,500 per occurrence	\$1.95	\$20.50	\$41.00

Ms. Winstead provided additional information on the program.

Mrs. Walton provided additional information on the incidences in prior years.

After Board discussion Mr. Wiggins suggested that a public hearing be held to receive public input.

Rev. Hines moved to call for a public at the December 2nd meeting. Mrs. Powell seconded the motion, which carried by unanimous vote.

D. Approval of contract for Speed sewer project.

Mr. Evans stated that we recently completed the first phase of the infrastructure project in and around the Town of Speed. We have now secured additional funding to proceed with the second phase. This will include extending sewer lines on Acorn Hill Road and vicinity. The total project cost for both phases is now \$6,739,569, with the sources of funding as follows:

USDA-Rural Development Loan	\$503,000
USDA-Rural Development Grant	\$3,255,000
CDGB-IF Grant	\$2,981,569
Total	\$6,739,569 (87% grant – 13% loan)

Ralph Hodge Construction was the low bidder, and included is a contract for work on phase 2 totaling \$1,170,550. Mr. Evans recommended approval of the contract as presented. He also recommended that the Board approve the contract amendment for The Wooten Company for engineering and construction oversight services for phase 2 of the project. The amendment for \$289,500, will take the overall contract to \$868,500.

Mr. Boswell moved to approve the contract with Ralph Hodge Construction for \$1,170,550. Mrs. Powell seconded the motion, which carried by unanimous vote.

Mrs. Powell moved to approve the contract amendment for the Wooten Company as presented. Mr. Boswell seconded the motion, which carried by unanimous vote.

Mr. Wooten moved to except the funding offer for the additional funds for phase II of \$93,000 in loan and \$607,000 in grant and to authorize the Chairman to sign the documents. Mr. Boswell seconded the motion, which carried by unanimous vote.+

E. Approval of overtime pay for Hurricane Dorian response.

Mr. Evans stated that the County activated our Emergency Operations Center on September 3rd to responds to Hurricane Dorian as it approached the North Carolina Coast. He then closed regular county operations on September 5th all day and from 8:00 a.m. to 1:00 p.m. on September 6th. Those employees who did not work during the shutdown were given administrative leave. However, most of those who worked in various functions in our response to the storm accumulated overtime that week. He stated that for non-exempt employees, federal laws require that we either pay them for the overtime at the time it is earned at 1 ½ times their hourly pay, or, as is our normal practice, give them compensatory time as that same rate, which they can use as leave. Any remaining at the exit of the employee has to be paid out. Mr. Evans stated that considering the nature of the work and the challenges it often presents for employees to report to work during such situations, he recommended that we pay overtime for all staff who worked over 40 hours that week due to their assignment with hurricane response. This will include both exempt and non-exempt staff. The total cost for the 85 employees involved, including benefits, is \$21,521.91. This could be paid from the Hurricane Response budget the Board previously approved, and would not require an additional appropriation.

Mrs. Harris moved to approve the overtime pay as presented. Mr. Webb seconded the motion, which carried by unanimous vote.

F. Approval of Edgecombe County Public Schools application to NC Education Lottery.

Mr. Evans stated that Edgecombe County Schools has plans to do repairs on the roof at Stocks Elementary School using funds from the NC Lottery building Capital fund. To use these funds for this project, the Board of Commissioners must jointly request the release of these funding along with ECPS.

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

G. Approval of funding to Edgecombe County Public Schools for adaptive playground at Carver Elementary.

Mr. Evans stated that during the budget process, the Board agreed to allocate \$10,000 to Edgecombe County Schools for the development of an Adaptive Playground at Carver Elementary School. This will allow students with special needs, developmental delays and physical disabilities the opportunity to explore, learn and play. ECPS has now secured grant funds for the project, and the County's appropriation will assist them in meeting the grant's match requirement. He stated that he realized it was not included in the budget ordinance when passed. Therefore, a budget amendment is needed. He stated that the Board had also expressed a desire to fund a like project in another one of the schools. Though that project has not yet developed, he recommended that the Board add an additional \$10,000 to the capital outlay budget line for ECPS for the project when it is ready.

Mrs. Powell moved to approve the budget amendment to appropriate an additional \$20,000 to the capital outlay line for ECPS. Mr. Webb seconded the motion, which carried by unanimous vote.

H. Approval to close Register of Deeds office on November 19, 2019 from 3 to 5 p.m.

Mr. Evans stated that Robin Braswell, our Register of Deeds, is retiring effective December 1, 2010. There is a retirement reception planned for her on November 19th from 3-5 pm. Her staff would like to attend this reception. Therefore, she is requesting permission to close the Register of Deeds office for those two hours.

Mrs. Powell moved to approve the closing as requested. Mr. Webb seconded the motion, which carried by unanimous vote.

I. Approval of a resolution endorsing "Welcome To" slogan signs for the City of Rocky Mount.

Mr. Evans stated that the City of Rocky Mount has approved a resolution in support of adding a slogan sign "The Center of it All" underneath the four existing "Welcome to Rocky Mount" signs located at or near the city limits on Us 64 and US 301. NCDOT also requires that the County approves a resolution to support this.

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

9. APPOINTMENTS.

A. Recreation Mini-Grant Committee

Mrs. Harris moved to appoint Yvonne Murphy, Edgecombe Cooperative Extension, Lanetta Scott, ECPS, Brian Everett, Edgecombe Memorial Library, Sandra Henderson, Retired-ECC, Eric Evans, County Manager and Ralph Webb, County Commissioner. Rev. Hines seconded the motion, which carried by unanimous vote.

B. Jury Commission

Mrs. Powell moved to re-appoint Mr. Rueben Thompson IV. Mr. Boswell seconded the motion, which carried by unanimous vote.

10. AFTERLISTS AND RELEASES FOR REVIEW AND APPROVAL.

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

11. **DEPARTMENTAL REPORTS FOR REVIEW.*****Received***

- A. Water Services.
- B. Financial Summary report.
- C. Hurricane recovery update.
- D. Volunteer Fire Department rating inspection.
- E. TDA finance report.

12. **MANAGER'S REPORT.**

- A. Workforce Development Indicators.
- B. Allocation expansion for JCPC programs FY 2020.
- C. Notice of closeout for CDBG Infrastructure Project.
- D. Notice of proposed FEMA map revisions.
- E. Annual Farm City Breakfast December 11th, 7:30 a.m.

13. **COMMISSIONERS' REPORT.**

Mrs. Harris thanked Mr. Evans and Mr. Wiggins for doing a resolution honoring her mother-in-law's 100th birthday.

Mrs. Powell stated that she participated in the Suicide Awareness Walk in Pinetops and presented a plaque.

Mr. Boswell asked if we were still on schedule for the solid waste stickers.

Mr. Evans confirmed that we were.

14. **ATTORNEY'S REPORT.**

None.

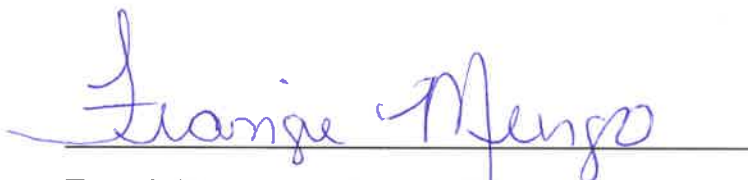
15. **CLOSED SESSION.**

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

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

16. **MR. WOOTEN MOVED TO ADJOURN THE MEETING UNTIL DECEMBER 2, 2019 AT 7:00 P.M. REV. HINES SECONDED THE MOTION, WHICH CARRIED BY UNANIMOUS VOTE.**

Approved December 2, 2019.



Franje Mungo, Clerk to the Board