

## MONDAY, JANUARY 6, 2014

The Pender County Board of Commissioners met in regular session on Monday, January 6, 2014 at the Public Assembly Room, 805 S. Walker St., Burgaw, NC 28425.

**MEMBERS PRESENT:** Chairman David Williams, presiding; Vice Chairman Fred McCoy; and Commissioners George Brown, Jimmy Tate and Chester Ward.

**MEMBERS ABSENT:** None.

**OTHERS PRESENT:** Mickey Duvall, County Manager/Clerk to the Board; Trey Thurman, County Attorney; Butch Watson, Finance Officer/Assistant County Manager; Mike Taylor, Library Director/Deputy Clerk to the Board; other staff and members of the Press and public.

### CALL TO ORDER

Chairman Williams called the meeting to order at 4:00 p.m. and thanked and welcomed all.

### INVOCATION

Commissioner Tate offered the Invocation.

### PLEDGE OF ALLEGIANCE

Vice Chairman McCoy led the Pledge of Allegiance.

### PUBLIC INFORMATION

1. **Recognition of Library Director Mike Taylor: Appointment by Governor McCrory to Serve Four-Year Term to Chair the North Carolina Public Librarians Certification Commission.**

Dr. Duvall explained: Mr. Taylor was nominated by State Librarian Cal Shepherd to Governor Pat McCrory for appointment to chair the North Carolina Public Librarian Certification Commission; members appointed by the Governor serve four-year terms; and Mr. Taylor has been notified of his appointment and moderated his first meeting of the Commission on December 11, prior to this meeting. Chairman Williams read and presented the Certificate of Appointment from Governor McCrory to Mr. Taylor. Mr. Taylor said he appreciates the opportunity to serve in this way and thanked the Board of Commissioners for their support.

2. **Presentation of the 2013 State of the County Health Report.**

Health and Human Services Director Carolyn Moser presented highlights and statistics of the Health Report, which included: Demographics; Life Expectancy Continues to Improve; Poverty in Pender County; County Health Rankings; Comparison of Pender County Health Rankings, 2010-2013; Leading Causes of Death for Pender County 2008-2012 Age-Adjusted Rates; 10 Leading Causes of Death in Pender County, 2008-2012; Health Disparities; Pender County 2008-2012 Age-Adjusted Death Rates, Race-Specific and Sex Specific; 2008-2012 Infant Death Rates Comparison Data; Contributing Factors for Chronic Disease; Trends in Key Health Indicators; Health Concerns/Health Priorities; Tracking Progress of Health Priorities; New Initiatives; and Emerging Issues. Ms. Moser explained each category. Board members made comments and asked questions. The entire report is on file with the permanent records in the Clerk to the Board's Office.

## **PUBLIC COMMENT**

The following citizens spoke concerning Item #15.

Joe Rogers – Emphasized the importance of filling the position.

Tina Fore – Concerned no 4-H agent in place; testimony how previous agent supported their children in 4-H program; some clubs considering relocating to New Hanover County because of lack of support; Agent is important in modeling leadership.

James Fore – Reiterated Ms. Fore’s comments.

Faye Russell – Has two grandsons in separate clubs; moved here from Alabama; shared story of how 4-H agent influenced them to move to Pender County; without an agent, 4-H Clubs will decline.

Mr. Tate asked if there is a movement to consolidate counties and agents. Mr. Brown responded Mr. Seitz will share more during Item 15.

Joseph Noble – Retired police chief; got involved with 4-H fifteen years ago to help children get active away from TV; Pender County without an agent way too long; reviewed role and duties of 4-H agents; concerned the Pender County Program is going to flounder without BOCC funding.

Tom Carson – Valuable program; he’s here to support the 4-H request.

Karen Berger – President of Master Garden Volunteer Association; speaking in support of 4-H funding; Pender is second to last in support in North Carolina for financial support of Agriculture Extension/4-H.

## **CONSENT AGENDA**

Mr. Williams presented the thirteen items on the Consent Agenda and asked for any discussion or questions. There being none, Mr. Brown made a motion to approve the Consent Agenda, Mr. Tate seconded the motion and the Consent Agenda was unanimously approved as follows:

3. Approval of Minutes: Regular & Closed Session: December 9, 2013.
4. Resolution Authorizing Approval of Tax Releases and Refunds.
5. Resolution Authorizing Approval of FY 2013-14 Budget Ordinance Amendment Increasing State Aid to Public Library Fund Revenue and Library Department Expenditures by \$6,420.
- 6a. Resolution Authorizing Issuance of Purchase Order to Tritech for Software Maintenance and Support: \$38,053.99.
- 6b. Resolution Authorizing Issuance of Purchase Order to Creekridge Capital for the Annual Lease Payment for the Public Safety Virtual Network: \$40,106.
- 6c. Resolution Authorizing Issuance of a Purchase Order to Motorola Credit Company for the 911 Center Radio System Lease: \$79,832.29.
7. Resolution Authorizing Approval of Purchase Order to Moore’s Glass Company to Install Glass in Interior Doors at the Department of Social Services: \$23,490.
- 8a. Resolution Authorizing Budget Amendment to Approve Increase in Health Department Revenues and Expenditures for Fiscal Year 2013-2014: Family Planning \$3,700.
- 8b. Resolution Authorizing Budget Amendment to Approve Increase in Health Department Revenues and Expenditures for Fiscal Year 2013-2014: Health Promotion: \$10,783.

- 8c. Resolution Authorizing Budget Amendment to Approve Increase in Health Department Revenues and Expenditures for Fiscal Year 2013-2014: Migrant Health: \$11,925.
- 8d. Resolution /Authorizing Approval of Purchase Order to Mary Lynn Graham for Contract Dental Services: \$20,000.
- 8e. Resolution Authorizing Approval of Purchase Order to PSS World Medical for the Purchase and Installation of Exam Room Cabinets: \$30,000.
- 9. Resolution Appointing Rebekah Roth, Town of Burgaw Planning Administrator, as a Review Officer for the Town of Burgaw.

## RESOLUTIONS

- 10. **Resolution Authorizing Approval of the Award of the Base Bid and Add Alternate for the Removal of Identified Asbestos-Containing Materials and Interior Demolition and Cleanup from the Old Topsail School (New Hampstead Annex) Building in Hampstead to Eastern Environmental, Inc. and Authorization of a Purchase Order for the Contract: \$157,890.**

Utilities Director Michael Mack introduced Margaret Gray, a new staff member at the Utilities Department. Mr. Mack explained: Ms. Gray was formerly with McKim & Creed Engineers; she had over twenty-five years experience in engineering and civil design work; she was a Lead Senior Project Manager with McKim & Creed, designing and permitting the Pender Commerce Park Wastewater Treatment Plant; it is now her job to get the plant built; and we can use her expertise in the future Law Enforcement Center. Ms. Gray said Pender County is a great county to work with and noted she is a Pender County resident.

Mr. Mack explained: This resolution is requesting approval to award the base bid and add alternate for the removal of identified asbestos-containing materials and interior demolition and cleanup from the Old Topsail School; the amount is \$157,890; the abatement/demo contract was publically advertised for competitive bids; on December 10, 2013, six bids were received; and Eastern Environmental, Inc. of Hampstead, NC was the low bidder. Following discussion and questions, Mr. Brown made a motion to approve the resolution, Mr. McCoy seconded the motion and it was unanimously approved.

- 11. **Resolution Requesting Approval for Additional Meter Reader Technician Position within Pender County Utilities.**

Mr. Mack explained: Pender County Utilities has reached a point where they can no longer read all the water meters in the time required to provide timely and accurate water bills to customers; they are requesting the Board to approve an additional Meter Reader Technician position within the Rocky Point/Topsail Water & Sewer District; there is surplus salary and benefit funding that currently exists within the Rocky Point/Topsail Water & Sewer District Budget to fund both the salary and benefits for an additional Meter Reader Technician; after he checked with Human Resources Director Denise Mulhollen, he found the cost for salary and benefits would come in a little under \$36,000; and no additional funding is required or requested. Mr. Tate commented this request was made at budget time and the Board asked Mr. Mack to bring it back at a later date. He asked if the level of service had been the same since the position wasn't filled in June. Mr. Mack responded: The level of service is not the same; there are delays in billing; many new customers have been added; reconnections are delayed; staff is working longer hours; staff has to leave their normal jobs to help with meter reading; and there are safety issues in having only one reader. Mr. Ward spoke on safety issues, saying he likes to see meter readers in teams. Mr. Brown commented the funds are coming out of revenue from the water system and not out of the General Fund. Mr. Tate said even though the funds come out of user fees, it is still taxpayer dollars. Mr. Ward made a motion to approve the resolution, Mr. McCoy seconded the motion and it was unanimously approved. Mr. Brown asked if Ms. Gray is replacing someone or if it

is a new position. Mr. Mack said it is a combination of the vacancy of Melinda's job and an engineering intern position that hadn't been filled the past two years, but with a different job description.

**12. Resolution Authorizing Approval of Budget Amendment to Approve Increase in the Department of Social Services Revenues and Expenditures for Fiscal Year 2013-2014: \$300,000.**

Ms. Moser explained: During the budget 2013-2014 budget process, Medical Transportation was budgeted at \$380,000 based on previous years' actual budgets since FY 2010-11; DSS has spent 80% of the allocated budget for Medical Transportation Services; this is a mandated service; federal regulations require that state Medicaid programs assure necessary transportation for recipients to and from medical providers; and the County will be reimbursed 100% from the federal and state government for medical transportation services for mass transportation. Mr. Tate made a motion to approve the resolution, Mr. Brown seconded the motion and it was unanimously approved.

**13. Resolution Authorizing Approval of Purchase Order to MV Transportation for Medical Transportation Services: \$300,000.**

Ms. Moser explained: DSS contracts with MV Transportation as a sub-contractor through Pender Adult Services; Pender Adult Services is the lead transportation agency for Pender County; they ensure that Medicaid recipients who are unable to provide their own transportation are transported to their medical appointments; Federal regulations require that state Medicaid programs assure necessary transportation to and from medical providers; no county funds are needed; and the county receives 100% reimbursement. Mr. McCoy made a motion to approve the resolution, Mr. Brown seconded the motion and it was unanimously approved.

**14. Resolution Authorizing Approval to Add Temporary Income Maintenance Caseworker I Positions to the Department of Social Services.**

Ms. Moser explained: The NC Department of Health and Human Services Office recommends that local DSS agencies invest in adding temporary staff to fill the expected increase in workloads for the next phase of NC FAST; local DSS agencies will receive 50-75% federal reimbursement for allowable Medicaid activities; the Department of Social Services would like to add six Temporary Income Maintenance Worker I positions to assist with the additional workload; no additional funding is needed; and the money is in the budget. Ms. Moser emphasized that the State highly encourages Pender to bring on more temporary support for the upcoming demand. Mr. Ward said before, four positions were requested and asked why six now. Dr. Duvall said the backlog has grown; the analysis of workload justifies the increase; and Ms. Moser has reviewed this. Dr. Shiver reminded the Board that this is not a new issue; it goes back a year; and now more issues have developed. Ms. Moser said Pender is not unlike other counties in North Carolina. Mr. Brown spoke concerning issues of unfunded mandates from the Federal Government. Ms. Moser said she believes once we get past the kinks of NC FAST, things will improve. Mr. Ward asked how long the Temps will be needed and Ms. Moser responded that right now we are just asking through June 30, 2014. Mr. Tate made a motion to approve the resolution, Mr. Brown seconded the motion and it was approved by a 4-1 vote, with Mr. Ward casting the dissenting vote.

**DISCUSSION**

**15. Discussion of Cooperative Extension M.O.U. County Contribution Revisions.**

Pender County Extension Agent Mark Seitz explained: North Carolina Cooperative Extension partners with communities to deliver education and technology that enrich the lives, land and economy of North Carolinians; Pender County Extension professionals assist people who want to improve their personal

life or business prospects, their community and the environment; and they are currently focusing on field crops and livestock, consumer horticulture, and 4-H youth programs. Mr. Seitz explained the following topics: Cooperative Extension Programs; Extension Funding; Extension Resources; Pender County Cooperative Extension MOU; Current MOU; and Change in Cost. Mr. Seitz explained the MOU Change: Requesting a change to 50%/50% split on all single county positions and 1/3 split on two county positions; Increases Pender County's commitment to support Cooperative Extension programs; No additional cost to Pender County in FY 13/14; Ensures future support from North Carolina State University (NCSU) for Extension in Pender County to include filling of 4-H positions; and Projected future annual cost of \$16,000 to \$18,000. Mr. Tate made a motion to approve the changed MOU. Mr. Thurman reminded Chairman Williams that this is a "discussion" item only and Mr. Tate withdrew his motion. Human Resources Director Denise Mulhollen explained NCSU is currently reevaluating the program but is asking the County to fund it 50/50 without yet knowing where they are going. Ms. Mulhollen explained the salary and benefits of the current MOU versus the proposed changed MOU. Mr. Seitz said he is only asking for approval of the new MOU to get the positions in the NCSU pipeline. Following more discussion, Mr. Brown made a motion to add the new MOU to the agenda as presented, Mr. Tate seconded the motion and it was unanimously approved. Mr. Tate then made a motion to approve the new MOU, Mr. Brown seconded the motion and it was unanimously approved. Mr. Seitz's Supervisor Greg Hoover, Southeast District Director, NC Cooperative Extension was also in attendance.

#### **APPOINTMENTS**

**16. Resolution Approving Appointment of Commissioner to the CoastalCare County Commissioner Advisory Board.**

Dr. Duvall explained: He was appointed to the CoastalCare Area Board; this Advisory Board requires a Commissioner from each of the counties in the catchment area; and he doesn't think this Advisory Board meets as often as the Area Board. Mr. Williams explained this is a carryover from the last meeting because all Board members were not present. Mr. Williams asked if there is a Commissioner willing to serve in this position. As no one else volunteered, Mr. Williams said he would serve. Mr. Brown made a motion for Mr. Williams to serve on the CoastalCare Advisory Board, Mr. McCoy seconded the motion and it was unanimously approved.

**17. Resolution Authorizing Approval of Appointment to the Pender County Board of Adjustment; the Pender County Advisory Board of Health; the Pender County Library Board; & the Nursing/Adult Care Homes Advisory Board.**

Dr. Duvall explained each position and applicant. The following appointments were made: Mr. Brown made a motion to appoint Mark Walton to serve the remainder of a three-year term on the Board of Adjustment representing District 3, with term to expire January 4, 2015. Mr. Ward seconded the motion and it was unanimously approved. Mr. McCoy made a motion to appoint Thomas Lafferty to serve the remainder of a three-year term on the Advisory Board of Health representing the Dentist position, with term to expire January 31, 2015. Mr. Tate seconded the motion and it was unanimously approved. Mr. Tate made a motion to appoint Julianna Woodcock to serve a three-year term on the Pender County Library Board representing District 5, with term to expire January 31, 2017. Mr. Brown seconded the motion and it was unanimously approved. Mr. McCoy made a motion to re-appoint Thomas Dereneau to serve a three-year term on the Nursing/Adult Care Homes Advisory Board, with term to expire June 30, 2017. Mr. Brown seconded the motion and it was unanimously approved. Mr. Brown made a motion to appoint Dottie Webb to serve a one-year term on the Nursing/Adult Care Homes Advisory Board, with term to expire June 30, 2015. Mr. McCoy seconded the motion and it was unanimously approved.

Mr. Tate said he would like to serve on the Pender Memorial Hospital Board representing a citizen position in his district. Following discussion, Mr. Brown made a motion to appoint Mr. Tate to serve a three-year term on the Pender Memorial Hospital representing District 5 with term to expire July 25, 2017. Mr. McCoy seconded the motion and it was unanimously approved.

#### **ITEMS FROM THE COUNTY ATTORNEY**

Mr. Thurman apprised the Board of a possible conflict with the law firm the Tax Assessor hired to represent some tax appeal cases. He also said there are several items for Closed Session.

#### **ITEMS FROM THE COUNTY MANAGER**

Dr. Duvall said people have started moving back into the Agriculture Building and it will be reopening next Monday. He said the contract for the Jail Project has been pre-audited and sent to Moseley Architects who had started the due diligence process on the property in earnest.

#### **ITEMS FROM THE COUNTY COMMISSIONERS**

Mr. Tate said he has no comments but he will be speaking at Topsail Kiwanis Club next Tuesday morning at 7:00 a.m.

Mr. McCoy said he has a wish list of things to be done next fiscal year but he definitely wants the Board to look at merit raises.

Mr. Ward said the Board of Education passed a resolution to increase teachers' pay and he would like this Board to support them. He asked Dr. Duvall to look into it and bring a Resolution of Support at the next meeting if possible.

Mr. Brown said he has no comment at this time but he is researching several items for later.

Mr. Williams said he is also interested in supporting a teacher pay increase and said he would like a joint meeting with the Board of Education "Priority One Committee" called.

#### **CLOSED SESSION**

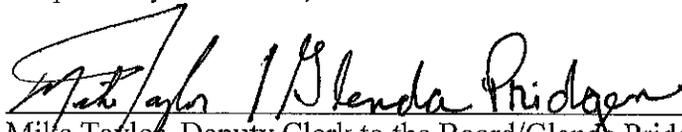
At 6:00 p.m., Mr. Brown made a motion to into closed session, pursuant to NCGS 143-318.11: 3) to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged. General policy matters may not be discussed in a closed session and nothing herein shall be construed to permit a public body to close a meeting that otherwise would be open merely because an attorney employed or retained by the public body is a participant. The public body may consider and give instructions to an attorney concerning the handling or settlement of a claim, judicial action, mediation, arbitration, or administrative procedure. If the public body has approved or considered a settlement, other than a malpractice settlement by or on behalf of a hospital, in closed session, the terms of that settlement shall be reported to the public body and entered into its minutes as soon as possible within a reasonable time after the settlement is concluded; 4) to discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body, including agreement on a tentative list of economic development incentives that may be offered by the public body in negotiations. The action approving the signing of an economic development contract or commitment, or the action authorizing the payment of economic development expenditures, shall be taken in an open session; and 6) to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by

or against an individual public officer or employee. General personnel policy matters may not be considered in a closed session. A public body may not consider the qualifications, competence, performance, character, fitness, appointment, or removal of a member of the public body or another body and may not consider or fill a vacancy among its own membership except in an open meeting. Final action making an appointment or discharge or removal by a public body having final authority for the appointment or discharge or removal shall be taken in an open meeting. Mr. McCoy seconded the motion and it was unanimously approved. The Board exited the closed session at 7:40 p.m. upon motion by Mr. Ward, second by Mr. Brown and unanimously approved. There were no announcements made upon exiting the Closed Session.

**ADJOURNMENT**

There being no further business, the meeting adjourned at 7:40 p.m.

Respectfully Submitted,



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Mike Taylor, Deputy Clerk to the Board/Glenda Pridgen, Deputy Clerk to the Board

Reviewed By:



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Mickey Duvall, Clerk to the Board/Ann Coombs, Administrative Assistant