

**SAMPSON COUNTY,  
NORTH CAROLINA**

**June 3, 2013**

The Sampson County Board of Commissioners convened for their regular meeting at 7:00 p.m. on Monday, June 3, 2013 in the County Auditorium, 435 Rowan Road in Clinton, North Carolina. Members present: Chairman Billy Lockamy, and Commissioners Albert D. Kirby, Jr., Harry Parker, and Jefferson Strickland. Absent: Vice Chairman Jarvis McLamb.

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

Commissioner Strickland reported that Commissioner McLamb had returned home on Friday and that his wife had reported that he had a good weekend. He was very happy to be home, and asked that people call before visiting.

**Approval of Agenda**

Upon a motion made by Commissioner Lockamy and seconded by Commissioner Strickland, the Board voted unanimously to approve the agenda with the addition of item e under Tab 1 (Planning and Zoning), a hearing regarding rezoning request RZ-5-13-1.

**Roads**

Monthly Report - NCDOT Keith Eason, NCDOT Assistant District Engineer, was present to answer questions and concerns of the Board and citizens in attendance. Mr. Eason reported that the resurfacing of SR 1446 (Autry Mill Road) from Green Path Road to US 13 had been completed in the past week. He further reported that work on Keith Road was awaiting the movement of utilities. Chairman Lockamy if contract had been let for Highway 24, and Mr. Eason reported that the contract for the last section in Cumberland County and first section in Sampson County had been let on the past Tuesday to Barnhill Construction, contingent upon approval by the Board of Transportation this week. He added that the other contracts were to be awarded in September; the sections were being "clustered." All four sections were scheduled to be completed by December 2016.

**Item 1: Planning and Zoning Items**

ZA-3-13-1 Chairman Lockamy opened the continued public hearing and called upon Planner Lyle Moore. Mr. Moore recapped the request for the text amendment to amend Section 4.6 of the Sampson County Zoning Ordinance with regard to Substandard Lots of Record. There were no comments from the public, and the hearing

was closed. Upon a motion made by Commissioner Strickland and seconded by Commissioner Parker, the Board voted unanimously to approve ZA-3-13-1, amending Section 4.6 of the Sampson County Zoning Ordinance with regard to a Substandard Lot of Record, as recommended by the Planning Board.

ZA-3-13-2 Chairman Lockamy opened the continued public hearing and called upon Planner Lyle Moore who reviewed the request to amend Section 9.3 of the Sampson County Zoning Ordinance to include Memorial Plaque as a Sign Not Requiring a Permit from the Zoning Officer. The following comments were offered:

Commissioner Kirby: This is one I have concerns about, and I think I expressed it before. There have been no other complaints. This is the first time it came up in the history of the County, this one incident.

Mr. Moore: Yes, sir. This is the first time this request has come to our office, and there has not been any complaints about it.

Commissioner Kirby: What I am saying is I think it is an issue that opens to bureaucracy to have to get into this. It may never ever come up again. In other words, it is something I don't think should be dealt with unless there is a need, where you are finding people coming in on a routine basis facing this issue.

Mr. Moore: If you don't feel like there needs be any restrictions upon it or anything like that , you can wipe those off as far as 64 square feet being the maximum and the height being the maximum. Planning staff would like to ask that you still make it a sue that does not require a permit so that it is in our ordinance, that it is addressed, and we have the authority to allow it to happen.

County Attorney Annette Chancy Starling: How did this arise? Didn't someone complain about a sign?

Mr. Moore: There was a sign that was built by a lady. I actually have a photo of it if you'd like to see it. It was basically built, and then she came in and also an adjoining property owner called. Not with negative concerns. She just wanted to make sure the sign was on the family's property, which it was. We told her that our ordinance was not, we did not have a provision for it, so we had to bring it before the Planning Board and the County commissioners to get it put into the ordinance. But, the lady did take it down, and she is awaiting your decision. Like I said, even if there is not a maximum size or setback or anything like that, we would still have to have it in the book as a permitted use whether or not.

Ms. Starling: So would you not let her put it back up until it was allowed?

Mr. Moore: That's right.

Commissioner Kirby: My question is, and help me out with this Madam attorney, why is it the business of Sampson County's government to tell somebody, a landowner who legally wants to put up on her property a sign that nobody is really complaining about, that they only asked a question that they could put it up there?

Mr. Moore: Well, it is not our intent to restrict the property owners of Sampson County. It is more to, I guess, allow everybody the same.

Ms. Starling: Don't you have provisions for other signs too?

Mr. Moore: We do. There's provisions for billboards, provisions for signs that deal with home occupations, signs that are on commercial property. They all have size and setback.

Ms. Starling: Not just that. Don't you have requirements for those like if an exterminator comes to a house or something like that?

Mr. Moore: Yes, if a tree service or something like that comes to your yard and does a job there, he can put his sign up there temporarily while he's working. That's one of the signs that are not restricted. They're exempt from the zoning ordinance, but the zoning ordinance provides for it. So, let's say, like you said this is the first time its coming to the office, and this lady is asking for an 8 x 8 sign, but think of the adjoining property owners. The next time somebody could come in, if it's not allowed for, and want to put up a 100 x 100 foot sign.

Ms. Starling: At the same time, you could just exempt it.

Mr. Moore: That's what I am saying. You could just exempt the size requirements, and it's still provided for in the ordinance.

Commissioner Kirby: What I'm saying is when we are doing an ordinance, we're actually taking an action to deal with a factor which doesn't exist. There are no complaints now. What would you say to a citizen who says this is just another example of County government getting into my business. Now, I'm not talking about situations where an individual comes in, an exterminator comes in, and they're putting up a temporary sign. All these commercial things, I understand that. We're talking about a property owner; this is her land. The sign is put up on her property. And, they've had no complaints about it. Nobody is saying it's getting in the way of ingress or egress, or it's blocking the traffic of the roadway. This is on her property, and I just don't understand why we ought to be meddling in it at all.

Mr. Moore: Well, like I said, it's just my experience. I've been a planner for five years, and if it's not in the ordinance, I can't allow anybody to do it on their property because there's not a provision for it.

Ms. Starling: But could you do something like, instead of allowing it, you could do something like, these are exempt?

Mr. Moore: That's what I was saying. We are already wanting it to be exempt if it's 8 x 8 and no taller than 12 feet. So you want to say there's no height restriction upon it and there's not maximum square footage. It's exempt. It's in the ordinance saying it's exempt, so we wouldn't regulate it at all. That's what the text amendment is for. We're not wanting to regulate it unless it is over a certain size.

Commissioner Kirby: But you are regulating it, though.

Mr. Moore: That's what I am saying. If you want to take the square footage and the height out, we wouldn't be regulating them at all. But, there would be a provision saying that you could have it, but it wouldn't be regulated.

Commissioner Kirby: Why not. That's the normal understanding of a property owner anyway.

Ms. Starling: I shared your view, too. I've had to go before other boards too for other clients. For some reason, every planning board I've run into, their staff always interprets their ordinance as if it's not permitted, it's prohibited. The School of Government tells them to do it that way. That's the way it's interpreted.

Mr. Moore: That's the way I've done it since I've been here. The way I was told to do it.

Commissioner Strickland: Unless I am interpreting this thing wrong, it's actually giving the citizen and landowners more privileges. I don't think it's taking anything away.

Commissioner Kirby: I can't see how it's giving them more privileges. You don't have to tell them they don't have to apply for it if they already own the land anyway. No more than you have to tell them that they don't have to go get a permit to plant a row of cotton or plant a row of corn. It's their land. So you don't have to come out and say: by the way landowner, you don't have to go out and get a permit to plant some beans out there on your land. That just doesn't make sense. Seems to me that if a person has property, the normal use of your property - especially if it's not interfering with anybody else - and in this situation nobody is saying, like I said nobody is complaining. They are just asking whether or not they could do it. So, I'm only asking ourselves are we getting into too much bureaucracy or red tape. Just let them go on, and until there is

a complaint, until there's a problem, deal with the problem. That's only in my humble opinion.

Chairman Lockamy: I think they are trying to deal with the problem now so they won't have no problem in the future. I'm thinking that if somebody wanted to put a sign up, and somebody said I can't, maybe it's in the zoning. But there's no zoning on it. It's not going to hurt anything.

Commissioner Kirby: Nobody's ever had this problem, ever, in the history of Sampson County. This has never come up like this.

Mr. Moore: No, sir. Like Ms. Rose said last month, this is an ordinance that we adopted from Bladen County. The ordinance is not the same as we adopted it in 2004. Meaning, when people wanted to do something that the ordinance did not address, they came in and there was a zoning amendment which allows them and future residents of Sampson County to be able to do that whether it's something like a home occupation or something to that extent. There's always had to be a first to come in.

Larry Sutton: I'm confused a little bit because what is the correct perception to take. Should we assume that it is okay and do it, or should we not assume that it can't be done unless there is a rule that says we can do it.

Ms. Starling (asking Mr. Moore): Whom do y'all answer to? Whom do you call at the School of Government for advice or to interpret things?

Mr. Moore: Usually, I think Mr. David Owens. I do call the School of Government, but they reference all of that to the General Statutes.

Ms. Starling: Generally, what most planning departments do is they say that it has to be permitted in the ordinance in order to be allowed. The reason they say that is because, what they tell me, is because if you just say it is allowed if it's not prohibited, then somebody can go building a big sign, and if you're assuming it's allowed, because it's not prohibited, you can't make them take that sign down because they are going to say it's already a pre-existing allowed use. And, so, then you have an argument that it is a pre-existing, non-conforming use, and so you shouldn't be required to take it down. I've seen the issue arise with sweepstakes whenever those sweepstakes businesses were coming into the town and the County. There was not a provision for it. In some counties, people would start sweepstakes buildings, and they would say well, it's not prohibited, so we assume it's permitted. By saying that then you're saying I already have a pre-existing, non-conforming use, and you can't make me shut down. But the planning departments I've run into have always said no, it's not assumed to be permitted, it's assumed that unless it is listed out, it's prohibited, and what you need to do is come talk to use and we'll go through proper steps to letting you allow it.

Larry Sutton: My own personal view of this is if I own the property, if it's my land and I choose to put a memorial plaque on my land, in my yard, that should be my business. Unless my memorial plaque is causing someone an issue, until it is causing someone an issue, it shouldn't be the County's business that it is there.

Mr. Moore: What I think is getting clouded here is we are wanting to exempt them so that it is not our business. That's what this provision is for, and if you want to get rid of the 12 foot height and the 64 square feet, it is exempt if it is 1000 square feet and 300 feet tall.

Commissioner Kirby: But what I'm saying to you, and with all due respect sir, is this. The Constitution of the United States of America, and the laws that deal with land purchase, that is land ownership, already exempts it, in my opinion, or it ought to. It ought to be if it's my property, I ought to be able to use it within the confines of the legal purpose within the Constitution of the United States that I have it for. There will be a number of others, I can think of four or five other situations where we'll be coming right back saying, well, there's a negative use on your property, and we'll have to exempt this and exempt that. All of a sudden you don't really own the land when you buy it. Really, somebody else owns it, and they tell you how. Anyway, it seems to create bureaucracy that should not be there, in my opinion.

Larry Sutton: Also, the point you made, Commissioner Kirby, about one's garden. That to me should be understood. That I have a right to use my land the way I choose to do as long as I'm not breaking any ordinance or any law, and I don't see a point in having a zoning ordinance that addresses what is not even a problem or an issue until there's a problem or an issue. Maybe then the Planning Board can come into the picture discuss and decide on how to handle that concern. I am of the opinion that it should be presumed to be okay until I break the law. That's my opinion on that.

Chairman Lockamy closed the hearing and entertained motions. Commissioner Strickland stated that it had been unanimously approved the Planning Board after careful consideration; they had thought about it, and it was their opinion it should be adopted. Commissioner Strickland moved that the request to amend Section 9.3 be approved, and Chairman Lockamy seconded the motion. Chairman Lockamy stated that he was like Commissioner Strickland. He stated that if the Planning Board sees there's a need for it, and the County had committees and citizens that service on the Planning Board seeing that they have a need for it, I could go along with it. Commissioner Kirby stated that the commissioners were not a rubber stamp of the Planning Board; they were independent and had their own obligations. He stated that he wasn't elected to come and do just because the Planning Board said to do it. Chairman Lockamy stated that the County Attorney had spoken and it was not bothering anything. He stated they were trying to solve a problem, to alleviate it to

begin with, and he did not see a problem with it and did not think it would create a problem. There being no other comments, Commissioners Strickland and Lockamy voted yea, and Commissioners Kirby and Parker voted nay; therefore, no action was taken on the request. Ms. Starling suggested talking to the Planning Department to ensure the ordinance has clarity as to whether if certain requests/users are allowed if they are not specifically prohibited.

ZA-3-13-3 Chairman Lockamy opened the public hearing and called upon Planner Lyle Moore who reviewed the request to amend Section 4.4 of the Sampson County Zoning Ordinance with regard to the Relationship of Buildings to a Lot. No comments were offered from the floor. Upon a motion made by Commissioner Kirby and seconded by Commissioner Parker, the Board voted unanimously to approve ZA-3-13-3, amending Section 4.4 of the Sampson County Zoning Ordinance with regard to the Relationship of Buildings to a Lot, as recommended by the Planning Board.

ZA-3-13-4 Chairman Lockamy opened the public hearing and called upon Planner Lyle Moore who reviewed the request to amend Section 4.13 of the Sampson County Zoning Ordinance with regard to the location of Accessory Structures/Buildings. No comments were offered, and the hearing was closed. Upon a motion made by Commissioner Strickland and seconded by Commissioner Kirby, the Board voted unanimously to approve ZA-3-13-4, amending Section 4.13 of the Sampson County Zoning Ordinance with regard to Accessory Structures/Buildings, as recommended by the Planning Board.

RZ-5-13-1 Chairman Lockamy opened the public hearing and called upon Planner Lyle Moore who reviewed the request from Prestage Farms to rezone approximately 26.45 acres located at 925 Wallace Highway from RA-Residential Agricultural to I-Industrial. Mr. Moore reported that this was unanimously recommended by the planning board, noted the facts with regards to this property, and reported that notification had been made to surrounding property owners with no response. Commissioner Kirby asked if there were any time restraints with respect to getting the property zoned, since the Board had not previously seen the walked-on material. Mr. Moore stated that he could not speak to the sensitivity of the time, but he could tell the Board that Prestage Farms had come into his office and explained that they had existing grain bins on the industrial tract and they wished to build more to the east, which would have crossed the zoning boundary. Mr. Moore explained that Prestage owned both tracts, and there was more than adequate setback on the property. There being no further comments, the hearing was closed. Commissioner Kirby asked for clarification that Prestage Farms already had their existing property zoned RA, and Mr. Moore stated that the existing property was RA, but the property they owned the west was already zoned Industrial. They wanted to get it all zoned Industrial in order to put grain bins on the property. Upon a motion made by Commissioner Strickland and seconded by Commissioner Parker, the board voted unanimously to approve rezoning

request RZ-5-13-1 as presented including the presented findings of fact and 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-5-13-1 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 major thoroughfare where commercial development is encouraged.*

## **Item No. 2: Action Items**

Appointment of Tax Administrator for Four-Year Term Assistant County Manager Susan Holder explained that Tax Administrator Jim Johnson was originally appointed for a two-year term, under the provisions of NCGS 105-294; however, now that Mr. Johnson had met the requirements of the statute, he was eligible for reappointment to a four-year term. Upon a motion made by Commissioner Kirby and seconded by Commissioner Parker, the Board voted unanimously to appoint Mr. Johnson for a four year term. Ms. Holder (as Clerk to the Board) administered the Oath of Office to Mr. Johnson. (Copy filed in Inc. Minute Book \_\_\_\_\_, Page \_\_\_\_\_.)

Consideration of Award of Bid for Medicaid Transportation DSS Director Sarah Bradshaw reported that the current contract for Medicaid Transportation with Enroute Transportation ends as of June 30, 2013, and the County had recently completed the bid process to obtain bids for the service. Ms. Bradshaw reported that two bids were received, from Enroute and Van-Go Transportation. She stated that DSS was currently recommending a contract with Enroute effective July 1, 2013, and that they were anticipating that they might have the possibility of contracting with Van-Go, once they were in operation and if they met all related pre-contract requirements. She stated that Enroute was a trained provider with 16 years experience in the County, and Van-Go was currently not, to their understanding, operating any transportation services, but were working toward setting up operations. She reported that the State and federal government were closely auditing local MA Transportation programs and noted that the Department had received their first audit final letter which referenced that future audit non-compliance issues as being subject to county chargebacks. Due to the recent closer scrutiny of the program, she stated, Enroute and DSS had worked together to implement new requirements, and staff reported a good working relationship. Ms. Bradshaw cautioned that due to this transportation involving medical services for recipients, continuity of federal and State compliant services was extremely important. To illustrate the volume of services, Mr. Bradshaw explained that the Department currently averages 125-150 calls per day as requests for transportation and approximately 1,150 trips per month were scheduled. She explained that staff was required by law to assess each request, to determine if person is eligible and has a qualifying medical need/ appointment and seek least expensive means for the transportation, which may include family, friends, neighbors, etc.; not all referrals go to

Enroute. She explained that the Department must follow the State contract process. She noted that counties may have multiple contracts for MA Transportation Services. It has just been the case, she noted, that Enroute had basically been the only responsible bidder to date for the level of services provided. She stated that in order to recommend a State contract for the services, the Department must first assess the providers and determine if they were compliant with all rules and regulations for their vehicles (insurance coverage, adequate fleet size, etc.) and employees (criminal background checks, drug-testing, etc.) as well as education and training. In summary, she stated that in considering the two bidders, Enroute was the only company currently in operation and compliant; however any other companies with an established business and meeting all requirements could be considered in the future for contracting. She stated that DSS was recommending the contract provided with Enroute Transportation at a rate of \$2.55 per mile, plus applicable fuel surcharge. She acknowledged that Van-Go's bid was \$1.65 without a fuel surcharge. Ms. Bradshaw stated that though she did not have actual rates from other counties, she had talked with a member of the State's Medicaid Transportation workgroup and learned that rates vary widely across the state. For Sampson County, she noted, the current rate of \$2.15 and the proposed rate of \$2.55 was likely one of the higher rates due to a our land mass, rural nature, lack of transportation options, a high number of Medicaid recipients (almost 17,000 monthly), and thus transportation requests and the distance from the County to certain medical providers. Ms. Bradshaw stated that they were anticipating that Van-Go Transportation would be establishing their business soon, and if that happened, the Department may have the opportunity to return to the Board with an additional contract proposal. She stated that she believed it to be premature to bring forth a contract proposal for Van-Go as their business would need to be established and operating with transportation services to the point that DSS could complete the inspection process prior to July 1. She reiterated that if they or any other company can come forward with a proposal to provide transportation services, that DSS was obligated to look at that proposal and to work with established transportation providers in County to determine the least expensive means for transportation.

In addition to other companies which may come forward, Ms. Bradshaw stated that they were anticipating bringing the Board other MA Transportation contracts with some of the County's Adult Care Home facilities. As of January 1, 2013, such facilities cannot get Medicaid reimbursement for transporting their own residents to medical appointments without going through DSS and the assessment process.

Ms. Bradshaw concluded by stating that no matter how many individuals and/or companies are authorized to provide MA Transportation services for Sampson County, DSS would consider each daily request for transportation and would either refer to or authorize the least expensive provider. Their mission is to provide the required service via the highest quality and most cost-efficient means, remaining

vigilant of the proper use of County funds and consistently working to eliminate potential County chargebacks/penalties.

The Board and staff discussed the recommendation, with comments as follows:

Commissioner Parker: You said that Enroute had proposed \$2.55 to Van-Go's \$1.65 with a surcharge if gas goes up. Do you know what extra that would be added onto that \$2.55?

Ms. Bradshaw/Hurmean Beach: Currently, 7 cents. In the contract and the bid proposal which proposes to do the same thing as the current contract calls for, the monthly gas prices are tracked and monitored and the amount goes up 1 cent for every 5 cents gas is over \$2.95/gallon.

Commissioner Kirby: You were speaking as if you have information about Van-Go. Tell me what you know about Van-Go.

Ms. Bradshaw: I didn't know about Van-Go at all as a business until they placed a bid for these services. Then I contacted Van-Go, as well as Enroute, in considering the bid.  
Commissioner Kirby: Do you have any understanding of Van-Go's financial position? Have you looked at any financial statements, any profit and loss statements or anything about the solvency of that business?

Ms. Bradshaw: They are non-existent right now. They have filed their Articles of Incorporation in March with the Secretary of State's office for Van-Go Transportation Services, Inc. They're not in operation with transportation services. I've talked to an owner and an employee there. They are hoping to get established as a transportation service, and they are specifically interested in non-emergency Medicaid transportation.

Commissioner Kirby: So where you are saying they are non-existent, that's not really true. They are a North Carolina corporation, in good standing, correct?

Ms. Bradshaw: My understanding.

Commissioner Kirby: As far as you know, you have no idea as to their financial capitalization, what position they're in, say for example to buy 1,000 vehicles. You don't know if tomorrow they could buy 1,500 vehicles. You have no idea about that, right?

Ms. Bradshaw: No. I mostly looked at the proposal. That's what I am supposed to do; look at the proposal and ask some questions. The \$1.65 rate was proposed with them seeking, I think, 10 vehicles - you have the tabulations; I don't have the copy before me - and a number of drivers and employees that would be well under what is currently needed to meet the Medicaid transportation service demands in Sampson County. I've

talked with the company, and Mr. Osman thanked me for some of the information that he learned through the conversation and asked if they could come sometime and just sit and talk about the Medicaid transportation program. Of course, I said certainly. Again, it is my understanding that they are working toward - I believe they are already advertising - a transportation service being established and provided in Sampson County, even with a location possibly in Sampson. The month of June, there's not enough time to establish the business, get people employed, get all that needs to be done, and then afford the time for the agency to turn around and go in and inspect and make sure and determine that everything is okay for us to propose a contract. And then we'd have to turn around and come back to you with a proposal of contract. Again, these are medical services; people cannot have a break in the transportation services that we're providing.

Commissioner Kirby: What are you relying on to come up with that conclusion you just made? That there would not be enough time, and they couldn't do it. What are you relying on?

Ms. Bradshaw: My personal knowledge of what it takes.

Commissioner Kirby: What it takes is just to have a van to go pick somebody up. Is that pretty much true?

Ms. Bradshaw: No, it's not that simple. It is a very complex program and service, and there are lots and lots of requirements. They are all in that material before you. There is a lot to consider. If you are looking at the type of contract with the volume of work, of services, to be provided with one company. I hope that some of what I said is not getting lost though. We can have multiple contracts. If the company is up and established and has everything, we could probably within a month or two, who knows. We could conceivably come to you with a proposed contract with that company and any others. I know as a DSS Director in the State that there is a lot more knowledge out there throughout the State, other businesses and folks about the Medicaid transportation program. It's gotten more attention by the federal government, State government, a lot more media coverage, and all kinds of things, and so a lot more people are in tune to this as a possible service that a business may want to provide. Counties across the state have multiple contracts; some don't have but one, and most are with their county transportation service. There's just all different kinds of models out there. We here, as I said earlier, authorize a lot of Medicaid transportation to be provided by neighbors, relatives, friends, folks that have the ability to take the recipients to a medical appointment at a cheaper rate than the contract rate. That is our requirement.

Commissioner Parker: Aren't we are talking about transportation between Van-Go and Enroute, I know that there are responsibilities, requirements that you must meet also

that you must meet to get with them and tell them what the requirements are. What was the lowest bid?

Ms. Bradshaw: \$1.65 per mile.

Commissioner Parker: What is the bidding process? How does that work? Does that work where you sit down with your people and determine who is experienced and get the nod of the bid for that transportation contract? Because they're the ones that fill out the contract. We're talking about transportation, now, we are not talking about models of other counties or companies. We're talking about Sampson County and they filled out a contract, a bid for that contract. I'm under the impression that experience in your favor, you take experience to be real serious. With the rest of the past contractors, did they have any experience before they bid for the contract.

Ms. Bradshaw: I was not the Director nor in a position to know sixteen years ago.

Commissioner Parker: I'm asking the question because there are certain things that you are responsible for also under these contracts, and that is to get with these different contractor and let them know what the requirements are for that contract. Have you done that with the other company?

Ms. Bradshaw: We work together with the County Office, David Clack and his section, who handles the bid process. We provide a bid packet to the County; they handle the bid process. I am not the person who has been trained and closely handles all contracts and bidding. The County administrative staff do.

Commissioner Parker: But you make the recommendations, am I correct?

Ms. Bradshaw: Once we receive bids, then the County looks to me to look at them and consider everything, and that's all I've done. I've considered the bids. I've considered the fact that we have a company that's established with 16 years of experience and then a company who's not established yet. We could contract with both. I'm proposing tonight a contract with one who is ready, set, go and the other, who may be ready, set, go soon. That one, I'm not proposing a contract for, yet. I'm saying that there is a potential we may get there, soon.

Commissioner Parker: In the bidding process, I'm confused about that. We have a guideline that we go by for the bidding. Normally the low bid is the one that would be considered.

Ms. Bradshaw: The lowest responsible bid.

Commissioner Parker: We don't know anything about responsible because we haven't gotten into the company; we don't know about the company. That's why I say the research hasn't been done to find out what their capabilities are. Now they fill out the bid for the contract. Anyone that would fill out that bid for the contract. And we take it under the impression that they are capable of doing that service. Do you understand where I'm coming from?

Ms. Bradshaw: Just because they place a bid? Can you help me understand? You said if they place a bid you take for granted they are capable of doing that service?

Commissioner Parker: If they submit the bid, they can produce the services for that bid.

Ms. Bradshaw. We are talking about timing. This comes down to timing, I believe, for the most part. It's just my prudent judgment that in three weeks, you cannot, I know what is all involved in purchasing vehicles, employing people, going through all the background checking, doing all of that, getting all the insurance, getting everything going, the location locally, and then our process. It would take us at least a week to go in and inspect everything and then turn around and a draft a proposed contract and bring to you.

Commissioner Kirby: So your conclusion of irresponsibility is based on ... are you using a legal term? Because the statute I think reads something like, the lowest responsible bidder, taking into consideration time of the project, the experience and other things involved. My question is when you start talking about, you making the statement openly, that you do not think Van-Go is responsible. Is that correct?

Ms. Bradshaw: That's not exactly the way I would put it.

Commissioner Kirby: Then how would you put it?

Ms. Bradshaw: As I just mentioned, I don't think that there is time for that company or that they have had that time or prepared with an established business, established service, established manpower, vehicles and equipment and everything, nor indicated that they have proposed to purchase or hire adequate numbers of vehicles or staff or that sort of thing to be ready July 1. If continued work by the company, Van-Go or anyone else, reveals that the company or other companies can get set up enough to adequately provide these services, and yes if we are comfortable with moving forward, we can come back with a proposed contract. We can have multiple contracts.

Commissioner Kirby: Make sure I'm clear about this. You're basically saying, based upon your years of experience, they're not responsible now. Is that what you are saying?

Ms. Bradshaw: That is not the way I would say it. We are talking about the bids. When we talk about responsible bids, and I can defer to Ms. Holder or Mr. Clack for assistance with this, my understanding the bid is what we are talking about, not the company, in terms of whether it is a responsible bid or not.

Chairman Lockamy: Do we have to put it out for bid? Is it required by law?

Ms. Bradshaw: Yes, when you are going to pay over \$25,000 for services like this to an entity, and you are going to negotiate a rate, then yes. And it's the State contract form.

Chairman Lockamy: So we did that the right way. Have you had any compliance, no compliance issues with the company that's doing it now? County chargeback or anything with Enroute?

Ms. Bradshaw: No chargebacks, and no compliance issues at this time.

Chairman Lockamy: How many employees do you think he would have?

Ms. Bradshaw: The company, that it would take? At least what they have now, and my understanding would be that they would need to increase their staff. The company president has acknowledged such as well. Because our Medicaid population is going to continue to grow, with the Affordable Care Act being implemented soon, just individuals who think they may be eligible for Medicaid are going to come out. The State is having us look at the woodwork effect of what's coming down the pipeline of Affordable Care Act changes. So, we're going to increase our number of Medicaid eligibles over time, over the time of this next contract period and therefore our requests are going to come in more for Medicaid transportation assistance. So, any provider of the service has to meet those demands with increasing their fleet size, increasing their staff, those sorts of things.

Chairman Lockamy: So you are saying in your professional opinion, the length of time, the shortness of time, you don't think they would have the opportunity to ... they've not been doing this before.

Ms. Bradshaw: There's not vehicles, staff in place. The business is not established. That's what I just determined in the conversation. It wasn't quite clear to me in their cover memo that they provided the packet that they submitted. I was seeing that they were saying that they were serving folks now. That was their service provided with a different business, a home health business. But, they have acknowledged to me that they do not have vehicles and staff and all in place, now.

Commissioner Kirby: I am still on the issue of what the law is, requires, and the lawyer here can get into, but if you're saying that you do not think that they are irresponsible.

The law basically says that the award goes to the lowest responsible bidder. If you are saying that they are responsible, then the law mandates that they get it. If you're saying that they are not responsible, I want to hear you say it. Are you saying that they are irresponsible, not responsive?

Ms. Bradshaw: With all due respect, I think I have answered that question twice. I am not prepared to say it that way; that is not the way I would understand it to be. I am not a lawyer, though, you know that. You are, Ms. Chancy is, Ms. Holder is more experienced with this, and Mr. Clack with bidding and contracting, and RFP, and all those processes. At this point, I would really respectfully need to turn some of these questions back to the folks who are better and the experts on the matter rather than me sit and try to answer your question. I would want to answer your questions correctly.

Commissioner Kirby: I didn't ask you as the legal term. I am asking basically from what you were thinking when you said they should not get it. When you said that Enroute should get it. Because there was a time when Enroute didn't have any experience. You go back sixteen years. There was a point in time when they didn't do anything at all. Somebody awarded them a contract. So, my question is, I'm trying to get to your thinking in wanting to award it to Enroute as opposed to Van-Go. Are you saying that in your mind, you felt like they were just not responsible.

Ms. Bradshaw: Going back to Enroute's beginnings, I was employed at the agency, but I was not in any kind of administrator capacity. But what I know is, that there possibly was, and I'm trying to speak without looking back in the history books and the actual information, so I might misspeak. If a bid was placed at an amount, and at a time frame ahead of time for the transportation services to be begun, at an amount where, and with time permitting that they could staff up, get the business operating and going and be ready, set, go, I would assume it would have been a July 1 date whatever year that was. Then, I'm sure that the administrators before me and the County and the commissioners who voted on it at the time felt that that was a responsible bid. They might have been the only bidder. I do know that there have not been any other bidders in the history, really, over the past 16 years, other than Enroute. Where we are at is at a junction where if everyone is following me on this, the federal and State government are closely scrutinizing this, the policies and the procedures, and the requirements, and they are training and are doing all kinds of things with those entities that they supervise like county Departments of Social Services. What they are drilling into us and auditing us on are things like are we contracting when we need to, are we doing multiple contracts, are we looking at various possible providers of Medicaid transportation providers each and every month, and are we authorizing Medicaid transportation services making a referral for the least expensive means. In doing so, those services that are provided have to be what meet the quality standards that the federal and State government sets forth. Can't have excessive wait times; therefore the provider has to have adequate fleet so that they can go all over this County and anywhere out of this

County and make multiple trips if need be to Chapel Hill or whatever so that there are not excessive wait times for the clients. There's just so much policy and so many regulations that are set forth, and we're in the capacity of having to manage those contracts and having to make sure that providers of all service meet whatever applicable federal and State guidelines that are out there. That's basically it. We sit in a position of having to monitor.

Commissioner Parker: Do we have anyone here representing Van-Go tonight?

Chairman Lockamy: We may have. I can see exactly what you are talking about. We've got a company here, Enroute, that's been established 16 years with no complaints, no chargebacks, probably hires 15- 20 people in the County I would think, maybe some out of the County. It provides jobs for our County and community. In a direct proportion, his vehicles has got to be serviced by mechanics; he probably has his own staff of mechanics, but others too. Buys tires, services from Sampson County, and then we let someone come it who's not established, we don't think, yet, and do this. And do away with his 15-20 employees, I don't know how many he has. I'm hearing that we don't feel comfortable, even though that it is the lowest bid, that they can provide the service.

Ms. Bradshaw: Effective July 1, that's all I'm saying.

Chairman Lockamy: I'm hearing that these people, Van-Go, is trying to get started. I welcome them to the business world. And, by doing so if they show that they can, have multiple contracts. I see that. We've got a commitment to serve the citizens of our County from Mingo, to Mintz, to Ivanhoe. Large county. I see these people go by my house, every morning before 7:30 - 8:00 o'clock. I know some of the drivers that they've got. It's jobs to them. Your recommendation is saying that you don't feel comfortable. I can see that. I think there's representatives of Van-Go, and Commissioner Parker has asked to ask some questions to them.

Commissioner Kirby: There's no likelihood that there would be any jobs lost at all. There's no contracts with the existing employees of Enroute that wouldn't prevent Van-Go from hiring every one of them. All 18 of those drivers could be hired to work for Van-Go, and I'm sure that Van-Go could take every one of them and have experienced drivers. It's just a framework that we're dealing with, because the corporation, Mr. Moore, he's not driving for everybody. All the other folks are driving. They work for a price. I'm sure that, in response to what the Chairman is saying, they've got to drive the cars, so they could hire every single one of them. No job would be lost. But, I do want to ask you this question: what would you say to somebody, Ms. Bradshaw, who would have concerns about your relationship to Mr. Moore. In your position, advocating for Enroute, being that your relationship with Mr. Moore personally.

Ms. Bradshaw: What do you feel that relationship is?

Commissioner Kirby: Isn't it true that Mr. Moore is the father of your nephew?

Ms. Bradshaw: Yes, and has been divorced from my sister for years.

Commissioner Kirby: But he's the father of your nephew, correct?

Chairman Lockamy: I don't think that has anything to do with that.

Commissioner Kirby: I was asking what would somebody think. I think it does.

Ms. Bradshaw: Have you had a concern raised?

Chairman Lockamy requested that the County Attorney speak to the effect it would have on the issue.

Ms. Starling: It is not termed as a conflict of interest, in the federal or the State regulations.

Commissioner Kirby: Yes there is. I'm speaking in terms, with all due respect Mr. Chairman, to what would a citizen say. I'm humbly saying this, plaintively, about the appearance of impropriety. You're advocating, and have been advocating for the last hour and a half, for your nephew's father.

Chairman Lockamy: That's irrelevant to this thing. I don't go along with that.

Ms. Bradshaw: I did not have any say so in Enroute's beginning with our agency with these services. They've been established, well established, well before I became Director. I have family members receiving services at my agency. We handle many, many types of programs and services in our agency. Yes, I am the Director, and yes I have responsibilities, but you also need for me to use the best judgment and put the best conflict of interest policies in place and enforce them for myself and my staff, and I stand here before you and tell you that I do that.

Commissioner Kirby: I'm just talking about the appearance of impropriety, Ms. Bradshaw. I'm talking about the appearance that for some reason, because of your relationship. I'm saying hypothetically, what if three weeks from now, two weeks from now, your nephew comes up and says thank you Aunt Sarah for helping my daddy get the contract.

Chairman Lockamy: I don't want to hear that.

Commissioner Strickland: That is almost out of order.

Chairman Lockamy: I've heard all I want to hear out of this. We have an attorney who said it didn't make any difference. If you keeping harping on our employee, I'm going to take a recess.

Commissioner Parker suggested that the Board hear from Van-Go, and Assistant County Manager Susan Holder recommended the Board vote to allow comments on the issue to be consistent with how the Board had handled allowing non-hearing comments in the past.

Commissioner Strickland: Before you do that, I want to ask. Can you reassure me you used all techniques of objectivity in the selection process.

Ms. Bradshaw: I absolutely did, and I can assure you that if both bidders, well if Van-Go was, like Enroute, had the time to and was already established or can be established by July 1, we could be standing here with a proposal to contract with both. I'm just saying time is preventing us from doing that with Van-Go or me to propose that. I just do not believe that would be proper for me. I don't believe that you should find that it would be proper for me to come here with a proposal for a company to do this level of service July 1 that's not ready and my in judgment, and the Department's judgment, not able to be ready. This is all because of the volume of federal requirements and state requirements related to this huge program. It's not a small service. One hundred and fifty calls a day, thousands of trips a month.

Upon a motion made by Commissioner Strickland, and seconded by Chairman Lockamy, the Board voted unanimously to allow a representative of Van-Go to speak and for the Board to ask questions.

Commissioner Parker ( directing question to Van-Go owner Assam Osman): How long has your company been in business?

Dr. Osman: If you don't mind, I want to answer like for questions she mentioned, Ms. Bradshaw. First of all, before I start the bid, I did a course of community transportation myself, and I met all the requirements for all of the drivers. The second, we already have a vehicle, and I mention that in my bid for her, and I told her the brand name of the vehicle that I already have for this bid. I told her in three weeks to allow her, one week to make the inspection. Our office in Dunn, Van-Go partner with my other home healthcare agency, and I mentioned right here that my insurance for the vehicle what we have including the coverage and everything. Already I mention for her I have four more vehicles the same in order to be ADA accessible and everything with seven passenger. I mentioned that in my bid, and on the bid I can provide you with the insurance, Geico, with the coverage of that vehicle I have. If we are awarded this bid I already have five vans with Dodge in Raleigh, and we can have five more with EMS

and four more with Mercedes. And, all what they right now in this company if you look last year contract you will find they used to have fourteen vehicles, and fourteen vehicles in one week I can have it ready, fourteen vehicles. About the drivers, we have twenty applications and resumes from drivers from Sampson County, and we decided to open office in Sampson County, in Clinton, to provide that services. This doesn't take us only one week. I provide all of that in my bid. With all of the calculations, I did \$1.65. Most counties in North Carolina provide the same service for \$1.65 or \$1.70 or less. There is big difference between the two bids, \$800,000, for two years, and I found that a little bit too much. This why I provide that bid. I didn't find any previous experience needed in the bid. I didn't find I need to have fifteen years previous experience. We are new in transportation, but we are not new in healthcare, and we studied all of the information needed for transportation and put it on policies and procedures, and she can review it. Now, we have twenty drivers application from Sampson County ready to be hired. Right her, the Department of Human Resources and Marketing, she can hire all of them tomorrow. Already we have 65 employees with our home healthcare agency, and we are serving Sampson County too. So, I don't have any problem. We are established company; we are existing company. Regardless if we did the Articles of Incorporation in March. But, there's nothing showing me on this bid that telling me I do have to have previous experience. Right here, I didn't find anything. Otherwise, I don't apply for it.

Commissioner Parker: You said that you can hire and that you have applications on, in Sampson County?

Dr. Osman: I have applications right here, and when we put the ad, we put it we will make coverage on Sampson County. This is how we putted the ad. We didn't say in Harnett County; we said in Sampson County, and we still have the newspaper showing that, and we'll receive resumes for the statures. We have resumes for the drivers, and we are ready to install the GPS in the vehicles. It doesn't take for us a long time. And, I can provide for you the information about vehicles if you are interesting on it - Mercedes Sprinter 2013. I purchase it only for this bid.

Commissioner Kirby: Have you ever in your experience, in your other operation, have you ever breached a contract or not fulfilled an agreement?

Dr. Osman: You can look at my credit history. It's very easy. Originally I am a doctor, a physician. I'm providing home healthcare. If you see my estimate, you will see I didn't put lots of profits - eight cents profit per mile. I tried to calculate normally, based on the last year bid and this year bid. If you look at the bid for last year, you will see the number of clients, like four thousand some. This year the number of clients is fifteen hundred. So, you can't calculate the estimate to estimate fourteen vehicles or nineteen vehicles. Ms. Bradshaw, she helped me a lot when she called me asking me why didn't you calculate 100,000 miles no show. I didn't know about it. When I look at the last year, the last time bid, I don't know Enroute, but I just found a bit like equal opportunity for

everybody. I have a group of people right here in Dunn and in Sampson County, and I put the bid. I didn't find I need transportation experience for fifteen years. I didn't know if Medicaid Transportation I can't transport three people in the same vehicle, and this why I'm telling you I didn't purchase the rest of the vehicles . Why, because I got that information, and it was helpful for me from Ms. Bradshaw. Most of the time I get to transport only one person at a time, and vehicles what I purchased and what I ordered, it fits eleven passengers without wheelchair and three wheelchair passengers and four non-wheelchair. It's seven passenger, and it's mentioned on my bid. I said everything in details, and I said I have no previous experience, but I did a training for transportation, for community transportation. I'm really clear with Medicaid related information. I did a certification in Medicaid, as a Medicaid provider and in transportation.

Chairman Lockamy: Are you in the business, are you a home provider?

Dr. Osman: Yes sir.

Ms. Bradshaw: I just wanted in summary again make sure that everyone understands we're not as an agency passing judgment on the future operations of potential businesses out there to do Medicaid transportation. We're talking about using prudent judgment right now, professional opinion about what is doable with the full knowledge that we have at the department of what is required before a business can take on the contracted services that we're talking about here tonight. I was just looking through the Medicaid Transportation Policy, which was all included in the bid package, it always is, and we stand, and always are, ready to answer any questions anyone has about anything in there. But, there are lots and lots of different procedures, policies, requirements that I haven't even mentioned tonight in this presentation that are required that we would have to go and of the provider before they start the service. We would have to go in and make sure to inspect all those things. There has to be full understanding and training on the policy and procedures for Medicaid transportation services. There has to be no show policies. There has to be, you know, all kinds of things, working with the limited English proficiency folks; you have to have interpreter services available. I mean, there's just a list of different requirements, and they're all in this State contract form that we put before you tonight, right now as a proposal with Enroute. What I guess I did want to clarify again is we're not saying that as an agency that we don't foresee coming to you again soon, at your additional meetings to come, with additional contracts. We are required as an agency to have multiple contracts actually, if others come forward to compete for the business and come to us with proposals. We would be working on that, getting that together, and coming forward before you with a request just like I'm doing tonight for Enroute. If it would come to fruition for Van-Go, I would be standing here before you with that. If it comes to fruition with the adult care home facilities, right now we've just got two of them talking to us. If they come to us with some rates, and that sort of thing, we're gonna, and we get to the point where we can propose a contract with those facilities, we'll be coming to

you with a proposed State contract with each one of those adult home care facilities. If you approve those contracts, they're sent off, and those entities can get Medicaid reimbursement rather than what they are doing right now in transporting without Medicaid reimbursement. I guess what I'm saying is, we're here tonight just because it's June 3rd, your regular meeting and the month before the current contract ends. There cannot be a break in service, these medical-related services for our citizens. We must as an agency make sure that all requirements be met by whoever is providing the service, and we're prepared tonight only to come to you with a recommendation, a request for a contract with Enroute. But that does not need to be interpreted as we won't be back, because we very possibly will be soon with other proposed contracts for additional folks. The State and federal, the federal government actually looks for counties to have a variety of providers for this service now, and that's basically it.

Chairman Lockamy: I agree that Van-Go has put in a very reasonable bid, but myself, personally, I don't feel comfortable for turning someone loose with our citizens of Sampson County who have had the service with no complaints, even though the bid is higher as someone at this point in time don't have any transportation experience at all. I know they're into home health. That's a different field than transportation. That's my opinion. I feel like that with some experience in a few months or a year, competition is coming. If Mr. Moore and all that's in the future, and they prove themselves where it be Van-Go or another organization, transportation want to submit a bid, I don't have any problem with it. I just don't feel comfortable honestly hiring someone that has never been in the transportation business at this point in time, putting our citizens through that and our staff through that. That's my opinion.

Commissioner Parker: I believe in fairness. I believe in being honest about things. Lots of times, it's not all about feelings. It's about doing the right thing. We have this system of bidding, and the way this system is, the lowest bidder are the ones that are supposed to get the contract. Not that saying Enroute hasn't done a good job, but I'm saying that because this shows a likeness on this board. We've got to do the right thing. We've got to be fair. We've got to be impartial. Now, I know we've got experience. We've got a company that's never had the transportation experience. How are they going to get it until they get involved in this situation. I just want to be fair about the matter. That's all I'm trying to say is to be fair and be honest about it. If not, we are undermining the whole bidding system. What do we need it for?

Chairman Lockamy: I honor your opinion, and I hope you do mine too. The cheapest man ain't always the best. I can go out there and bid on insurance and just because mine's cheaper, sometimes I don't get it because this guy, he's got ten years more experience. I see it every day, and it hurts my feelings sometimes too, but I go on. That's just my opinion of it. I just hate to put our citizens through this at this point in time. I feel like in the future after they get established, there'll definitely be competition coming. I don't want confusion with anything.

Commissioner Strickland: I think first that the needs of the citizens is what comes first, and in particular the part of our society, the citizens of Sampson County, the Medicaid recipients. Perhaps they in some cases do not have lots of other alternatives that they can turn to. Their main source of transportation is the transportation system. That's what they must rely on; that's what they do rely on, that or alternative methods that have been mentioned. I think the Department has been very objective. I think from what I've seen, have been very respectful of all concerned. I think they have a thorough understanding of the needs and what is needed. That's how I'm going to base my decision - their understanding of the need that they have and how they can best be met.

Commissioner Kirby: We've heard a quote that has been I suppose given to Benjamin Franklin; I don't think he really said it: a penny saved is a penny earned. That quote today is more important than any other time in our nation's history. We have become a nation of reckless, wasteful spending. You can't debate that. Wasteful spending is the slow undoing of America, and unfortunately, in my humble opinion, of Sampson County. And to satisfy the spending, we always try to justify it, and you put all these different associations with, explanations for, nothing that's plausible. There's always an explanation. No experience, but neglecting the fact that it is wasteful spending. But to satisfy it, what we do is increase the taxes of our citizens, and that is what we've done. Since 2001, we've increased the taxes of the citizens of Sampson County all but for two years. In 2001, it was increased. 2002, there was a tax increase. 2003, there's a tax increase. 2004, a tax increase. However, there was a revaluation year, so we don't know about that. It wasn't a revenue neutral rate, but it was a tax increase because spending didn't stop. 2005, there's a tax increase. 2006, there's a tax increase. 2007, there was a tax increase. 2008, there wasn't; it was 81 cents. 2009, it was an increase. 2010, it didn't increase. The point I'm making is nearly every year that we've had, for the last ten years, we've increased taxes. That increase is done to take care of spending. So, instead of following Benjamin Franklin's, or whoever it was who said that, Sampson County hasn't been saving things and cutting it. We've been spending and raising taxes to cover it. It's a slow process, and when it's slow, you don't think about it. That's what happens. This is an example of how it happens. With all due respect, this is an example of wasteful spending. You had an individual who had a contract, and he was charging the County \$2.15/mile. Another guy, who wants to do it for \$1.65. The guy who was doing it for \$2.15, he ups it to \$2.55. And the guy's at \$1.65, and you're going to give it to the guy who wants to do it for \$2.55. Two people placed bids in this - one \$2.55, and one \$1.65. It is irresponsible to give it to the one that's higher. It's just irresponsible. And there are public bid statutes. There are bid laws that deal with this issue. We're required to bid it because it's taxpayers' money. The bid statute was created. It was made for this purpose, and that is to protect the public coffer. That's why that law came into effect. Before the bid laws, you didn't have to worry about the lowest responsible bidder. You didn't have to worry about it at all. You'd just give it to whomever you wanted to. But, they passed these rules to say, wait a minute government, when you're dealing with

taxpayers' money we want you to be responsible with it. And the lowest individual, you give it to that person. That is why I cannot support giving it to an individual that's higher. It's irresponsible.

Chairman Lockamy: Tax increase. I wasn't in it a few years ago, but I think we built some nice schools, and I think we got the DSS buildings, and we got offices, and that tax just won't spending used throwing it away. How much is this going to cost the County, the bids?

Sarah Bradshaw: There's no County expense in this. It's State.

Commissioner Kirby: Let me respond to that , Mr. Chairman, unless you want to shut me up.

Chairman Lockamy: I wasn't trying to shut you up. What do you mean shut you up? I can shut you up if you want me to shut you up.

Commissioner Kirby: With all due respect, Mr. Chairman ....

Chairman Lockamy: You just mind, Mr. Chairman, whoever you are talking to, and I'll respect your opinion. But, I'm not trying to shut you up.

Commissioner Parker: Let's keep this professional.

Ms. Bradshaw: The purpose of me, once I got the bids from both bidders, of calling both, was to ask similar questions of both. I knew what Enroute had considered. They're established with us; they understand they program. I know what they consider. With Van-Go, I asked a few questions to see if I could gauge what they took into consideration already so I could know what hadn't been considered, and I think that's what Mr. Osman was referring to earlier when he mentioned. I just chose one thing to start with and asked who did you take into consideration the no shows that were referenced in the policy that they had gotten in their bid packet and what to do about the deadhead miles, basically, which we know are right many miles. And, with such a low rate, I was just curious as to how as a business they had considered those things. Mr. Osman said he didn't know anything about that and thanked me for some of the information. I had to be responsible in my position taking that kind of feedback and information, and realizing that I had, we had, before us as a County a \$1.65/mile compared to \$2.55. I had to take into consideration, and what that \$1.65 represented then to me was that there was not a full scope of understanding of the volume of this work and what they requirements are. It did not seem to me that the policy had been read thoroughly, understood, questioned, anything. That's where I came in with a professional hat on to try to determine do we have a responsible bid here. That's my understanding of what I'm supposed to do. And, I'm here tonight just to present that

Enroute Transportation Services, we are comfortable with and understand that they can provide this service seamlessly effective July 1. But, I'm also saying to you that if we had another bidder who was ready, set, go and could be, experience or not experience, it doesn't matter to me at this point. If they're ready to go, I could be standing here before you with two, or three, or four contracts. It depends upon how many responsible bidders we got, right now. I'm not speaking to what the future's going to hold. I'm telling you what I anticipate from Van-Go, and that we would be back. We could even be back at your July meeting or August meeting with a contract proposal with Van-Go or any others. I'm just here now with what I have at hand and that is comfortable with a State contract proposed to you as in your packet for July 1 with Enroute and others forthcoming if everything works in that direction.

Commissioner Kirby: What I was going to say while ago, Mr. Chairman, just in response to your comments and to Ms. Bradshaw's comments that this doesn't cost Sampson County. I think it does. It's tax dollars. We can't get around that. It's taxpayers' dollars. With respect to the mentioning of schools and things of that nature, sure, I've never been against doing things what government should do. But, there's no reason why we can't have good schools and other things and not have tax increases every year. It can be done, but nobody thinks that way. They always think you're supposed to raise taxes and then support waste. That's all I'm saying.

Ms. Bradshaw: And I will tell you, I have been the Director in the agency for a number of years, and I can tell you there has not been waste on Enroute Transportation's part that we have seen as an agency. The company is very conservative in what they do. It is seen that I am coming forward in an irresponsible way, and I'm telling you that I differ in that respectfully. I feel like I am doing what I am supposed to do as a department head responsibly right now with what we have right now and it seems like we can very much so come right back.

Commissioner Kirby: I did not mean in any way to suggest in any way that Enroute was wasteful or that you were being wasteful. If we were to make the assumption that Van-Go could put somebody together in a week's time, as he said, and they were to fulfill their contract, as they said at \$1.65. You would agree, then, that it would be a savings of nearly \$300,000 per year, for two years.

Ms. Bradshaw: We would have to go, every day we take the requests that come in and we find the least expensive means. If a neighbor can do it for 28 cents a mile, we will not refer that person to Van-Go or Enroute. If we have multiple contracts, ten different companies with contracts right now, we would go to the least expensive means. That's what we are required to do, what we stand behind and what we do.

Chairman Lockamy: So what you are saying, even if we thought we may approve it for two years, it may still be that if you have another contract come up you can do the same thing.

Ms. Bradshaw: We can have multiple contracts.

Commissioner Strickland: It does not have to be July 1st, at any time the contractor presents a valid contract?

Ms. Bradshaw: Right.

Commissioner Strickland moved that the two-year contract be awarded to Enroute Transportation. The motion was seconded by Chairman Lockamy. Commissioner Kirby stated that he just couldn't do it because of the cost. Chairman Lockamy stated that he felt that they did not need to put the citizens in jeopardy and that they were used to the services they had. He noted that he saw the people riding up and down the road every morning carrying people from one end of the County to the other, and he wished the company had more experience. Commissioner Kirby stated that there was not a legal reason to deny them, that it was irresponsible not to. The motion failed upon a tie vote of Commissioners Strickland and Lockamy voting yea, and Commissioners Kirby and Parker voting nay. Commissioner Strickland then moved that Enroute be employed on an interim month-to-month basis at their existing rate until such time as the issue could be resolved (contingent on Enroute's acceptance). The motion was seconded by Chairman Lockamy, but failed upon a tie vote of Commissioners Strickland and Lockamy voting yea, and Commissioners Kirby and Parker voting nay. Commissioner Kirby moved that the bid be awarded to the lowest bidder, Van-Go on the condition that Van-Go demonstrates to the DSS Director and County that they could be ready to go within the next two weeks. The motion was seconded by Commissioner Parker, but failed upon a tie vote of Commissioners Kirby and Parker voting yea, and Commissioners Strickland and Lockamy voting nay. Given the time sensitivity to those who had bid and who would be served, the County Manager recommended that he, the attorney and staff meet with vendors to come up with a potential solution to come back to the Board, potentially early the following week.

Public Hearing - Closeout of NC Tomorrow CDBG Grant Program (11-C-2280)  
Joel Strickland, Mid Carolina Council of Governments Grant Administrator, was present for the public hearing required by the Division of Community Assistance to close out the grant. Mr. Strickland recapped that the draft CEDS was presented to the Board in February and had been subsequently approved by the Association of Regional Councils and the Department of Commerce. There were no comments, so the hearing was closed. No action was required.

Public Hearing - Proposed Appropriations and Expenditures for Economic Development Activities for Project Trio Chairman Lockamy opened the hearing and called upon Economic Developer John Swope. Mr. Swope informed the Board that multiple aspects of the incentive package were not finalized and asked that they continue the hearing until their July meeting. Upon a motion made by Commissioner Kirby and seconded by Commissioner Parker, the Board voted unanimously to continue the hearing.

Mr. Swope requested that the Board schedule a separate hearing for the purpose of considering the offer of an option on the property proposed for the industrial project to allow the prospect to expedite their financing and do due diligence on the property. Upon a motion made by Commissioner Kirby and seconded by Commissioner Parker, the Board voted unanimously to schedule a public hearing on June 17, 2013 at 7:00 p.m.

Mr. Swope also offered to bring additional information as available regarding the option to the Board in Closed Session between the June 3 and June 17 meetings.

Appointment - Cumberland Community Action Program Board Upon a motion made by Commissioner Strickland and seconded by Commissioner Parker, the Board voted unanimously to appoint Commissioner Kirby to replace Commissioner Strickland on the Cumberland Community Action Program Board.

Commissioner Kirby suggested that the remaining appointments/reappointment be tabled until they could be reviewed with Commissioner McLamb, given that the Vice Chairman typically handles appointments. Therefore, action on the Transportation Advisory Board and JCPC Board were tabled.

The Board took a brief ten minute recess.

Presentation of Proposed Budget for Fiscal Year 2013-2014 County Manager Ed Causey reviewed his budget message for the proposed budget for Fiscal Year 2013-2014, which is attached hereto in its entirety. Mr. Causey suggested that the Board schedule the public hearing for the budget for June 17, 2013. Commissioner Kirby asked in general how tight cuts would be to avoid or reduce the amount budgeted from fund balance. Upon a motion made by Commissioner Kirby and seconded by Commissioner Parker, the Board voted unanimously to schedule the budget public hearing for Monday, June 17, 2013 at 7:00 p.m. The Board briefly discussed concerns with the additional fund balance appropriated and wondered what could be done if such additional fund balance could be reduced or eliminated. The Board also discussed the scheduling of a budget work session on July 10th to coincide with a follow-up on the Medicaid transportation issue and the Closed Session for economic development.

### Item No. 3: Consent Agenda

Commissioner Kirby requested that the minutes of the May 6, May 8 and May 14, 2013 meetings be tabled until July so that he could discuss them with the Clerk to the Board. Ms. Holder stated that she would provide a "red line" copy of the minutes, reflecting changes requested by Commissioner Kirby for the Consent Agenda in July. Upon a motion made by Commissioner Lockamy and seconded by Commissioner Kirby, the Board voted unanimously to approve the Consent Agenda, excluding item a as follows:

- a. ~~Approve minutes of the May 6, 2013; May 8, 2013; and May 14, 2013 meetings~~
- b. Adopted a resolution authorizing the execution of the State Aid to Airports Grant agreement for Grant Project 36237.12.10.2 (Obstruction Removal-Tree Topping (design/construction) (Copies filed in Inc. Minute Book \_\_\_\_\_, Page \_\_\_\_\_.)
- c. Approved the updated Records Retention and Disposition Schedule for County Management (April 15, 2013 version); authorized the development of internal policies for those documents with disposition instruction "destroy when administrative value ends"
- d. Authorized the extension of Department of Aging's nutrition services contract with Bateman for one additional year to allow Sampson County to bid services in same year as surrounding counties
- e. Adopted a resolution authorizing execution of the contract between the County and VFG Leasing for the propane equipment for the Sheriff vehicles
- f. Approved late property tax exemption application from Phillip Lee Hudson (parcels 19-1064200-09; 19-1064200-08)
- g. Approved the following tax refunds:

# 5688     Martin B. Wilson

\$ 2,768.13

- h. Approved the following budget amendments:

<b><u>EXPENDITURE</u></b>		<u>General Admin/Adult Health</u>	
<u>Code Number</u>		<u>Description (Object of Expenditure)</u>	
12551510	581002	Transfer to Other Health Programs	12,000.00
12551510	523900	Medical Supplies	12,000.00

<b><u>REVENUE</u></b>			
<u>Code Number</u>		<u>Source of Revenue</u>	
12535164	404096	Transfer to Other Health Programs	12,000.00
12535100	404000	State Assistance	12,000.00

<b><u>EXPENDITURE</u></b>		<u>Aging</u>	
<u>Code Number</u>		<u>Description (Object of Expenditure)</u>	
02558680	526200	SC Departmental Supplies	100.00

<b><u>REVENUE</u></b>			
<u>Code Number</u>		<u>Source of Revenue</u>	
02035868	408401	SC Garland Senior Center Donations	100.00

<b><u>EXPENDITURE</u></b>		<u>Aging</u>	
<u>Code Number</u>		<u>Description (Object of Expenditure)</u>	
02558670	524100	HR - Materials	20.00

<b><u>REVENUE</u></b>			
<u>Code Number</u>		<u>Source of Revenue</u>	
02035867	408401	HR - Donations	20.00

<b><u>EXPENDITURE</u></b>		<u>Tax</u>	
<u>Code Number</u>		<u>Description (Object of Expenditure)</u>	
11141400	519100	Professional Services	14,000.00
11141400	537000	Advertising	1,600.00
11141400	543000	Rental - Equipment	55.08
11141400	544000	Contracted Services	600.00
11141400	557000	Land Purchases	1,000.00
11141400	532100	Telephone and Postage	3,255.08

<b><u>REVENUE</u></b>			
<u>Code Number</u>		<u>Source of Revenue</u>	
11141400	404125	Legal Fees Collected	14,000.00

<b><u>EXPENDITURE</u></b>		<u>Sheriff</u>	
<u>Code Number</u>		<u>Description (Object of Expenditure)</u>	
11243100	581000	Transfer to State Agency	17,000.00

<b><u>REVENUE</u></b>			
<u>Code Number</u>		<u>Source of Revenue</u>	
11034310	404115	Concealed Weapons Fees	17,000.00

<b><u>EXPENDITURE</u></b>		<u>Aging</u>	
<u>Code Number</u>		<u>Description (Object of Expenditure)</u>	
02558680	526200	Garland Senior Center - Dept Supplies	500.00

<b><u>REVENUE</u></b>				
<u>Code Number</u>		<u>Source of Revenue</u>	<u>Increase</u>	<u>Decrease</u>
02035868	408401	Garland Senior Center - Donations	500.00	

<b><u>EXPENDITURE</u></b>				
<u>Code Number</u>		<u>Description (Object of Expenditure)</u>	<u>Increase</u>	<u>Decrease</u>
02558810	526200	FCG Departmental Supplies	535.00	

<b><u>REVENUE</u></b>				
<u>Code Number</u>		<u>Source of Revenue</u>	<u>Increase</u>	<u>Decrease</u>
02035881	408401	FCG Donations	535.00	

<b><u>EXPENDITURE</u></b>				
<u>Code Number</u>		<u>Description (Object of Expenditure)</u>	<u>Increase</u>	<u>Decrease</u>
02558680	526200	Senior Center Departmental Supplies	300.00	

<b><u>REVENUE</u></b>				
<u>Code Number</u>		<u>Source of Revenue</u>	<u>Increase</u>	<u>Decrease</u>
02035868	408900	Senior Center Misc Revenue	300.00	

<b><u>EXPENDITURE</u></b>				
<u>Code Number</u>		<u>Description (Object of Expenditure)</u>	<u>Increase</u>	<u>Decrease</u>
12551100	581002	Transfer to Other Health Programs	12,000.00	
12551640	523900	Medical Supplies	12,000.00	

<b><u>REVENUE</u></b>				
<u>Code Number</u>		<u>Source of Revenue</u>	<u>Increase</u>	<u>Decrease</u>
12535164	404096	Transfer to Other Health Programs	12,000.00	
12535100	404000	State Assistance	12,000.00	

<b><u>EXPENDITURE</u></b>				
<u>Code Number</u>		<u>Description (Object of Expenditure)</u>	<u>Increase</u>	<u>Decrease</u>
02558620	523800	CAP/DA Medical Supplies	5,000.00	

<b><u>REVENUE</u></b>				
<u>Code Number</u>		<u>Source of Revenue</u>	<u>Increase</u>	<u>Decrease</u>
02035862	363301	CAP/DA Medical Supplies	5,000.00	

<b><u>EXPENDITURE</u></b>				
<u>Code Number</u>		<u>Description (Object of Expenditure)</u>	<u>Increase</u>	<u>Decrease</u>
02558670	526200	Home Repairs - Dept Supplies	644.00	

<b><u>REVENUE</u></b>				
<u>Code Number</u>		<u>Source of Revenue</u>	<u>Increase</u>	<u>Decrease</u>
02035867	408403	Home Repairs - Fans	644.00	

<b><u>EXPENDITURE</u></b>				
<u>Code Number</u>		<u>Description (Object of Expenditure)</u>	<u>Increase</u>	<u>Decrease</u>
02558670	524100	Home Repairs - Materials	25.00	

<b><u>REVENUE</u></b>				
<u>Code Number</u>		<u>Source of Revenue</u>	<u>Increase</u>	<u>Decrease</u>
02035867	408401	Home Repairs - Donations	25.00	

<b><u>EXPENDITURE</u></b>				
<u>Code Number</u>		<u>Description (Object of Expenditure)</u>	<u>Increase</u>	<u>Decrease</u>
		<u>SRF 11 Grant</u>		
29549350	562004	Housing Rehabilitation	45,000.00	
29549350	519050	Other Professional Services	11,430.00	

<b><u>REVENUE</u></b>				
<u>Code Number</u>		<u>Source of Revenue</u>	<u>Increase</u>	<u>Decrease</u>
29534935	403614	Grant - NC Housing Finance	56,430.00	

<b><u>EXPENDITURE</u></b>				
<u>Code Number</u>		<u>Description (Object of Expenditure)</u>	<u>Increase</u>	<u>Decrease</u>
		<u>City Schools</u>		
26649100	581001	Transfer to City Schools	50,000.00	

<b><u>REVENUE</u></b>				
<u>Code Number</u>		<u>Source of Revenue</u>	<u>Increase</u>	<u>Decrease</u>
26031840	412000	Current Year Taxes	30,000.00	
26031840	414000	Prior Year Taxes	20,000.00	

**Item No. 4: Board Information**

The following items were provided to the Board for information only:

- a. Miscellaneous Counties Resolutions Regarding Legislative Issues

**County Manager Reports**

Other than the budget presentation above, County Manager Ed Causey had no further reports. Commissioner Strickland did note that the Midway High School baseball team had been the runner-up for the state baseball championship. It was suggested that the team and/or their representatives be invited to the July meeting to be recognized.

**Public Comments**

There were no public comments offered.

**Recess to Reconvene**

Upon a motion made by Commissioner Parker and seconded by Commissioner

Kirby, the Board voted unanimously to recess to reconvene at 6 p.m. on Monday, June 10, 2013 in the Conference Room of the Sampson County Administration Building.