

The Sampson County Board of Commissioners convened for their regular meeting at 7:00 p.m. on Monday, November 4, 2013 in the County Auditorium, 435 Rowan Road in Clinton, North Carolina. Members present: Chairman Billy Lockamy, Vice Chairman Jarvis McLamb and Commissioners Albert D. Kirby, Jr., Harry Parker, and Jefferson Strickland.

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

Approval of Agenda

Upon a motion made by Commissioner McLamb and seconded by Commissioner Kirby, the Board voted unanimously to approve the agenda with the addition of an additional Closed Session item for attorney-client privilege.

Roads

Monthly Report - NCDOT Keith Eason, NCDOT Assistant District Engineer, was present to answer questions and concerns of the Board and citizens in attendance. Chairman Lockamy reported concerns with the east end of Keener Road and McCullen Crossroads back to NC 403, with road cracks. Commissioner Kirby asked if the county had lost any secondary roads money, and Mr. Eason stated that there was a slight increase in secondary roads funding, but there had been a change in the formula used to calculate funding. Commissioner Parker expressed his appreciation for the DOT's assistance with SR 1478.

Item 1: Planning and Zoning Items

CZ-C-10-13-1 Planning Director Mary Rose reviewed a conditional zoning request to rezone approximately 5.5 acres located at 6674 Plainview Highway from R-Residential to CZ-C (Conditional Zoning, Commercial), noting that it had been unanimously recommended by the Planning Board and that all adjourning property owners had been notified. She explained that the applicant proposed to use the existing structure for individual and family counseling outpatient services and medical case management, and an accessory building for storage. The applicant will have a maximum of 10 clients per day, with hours 8 am – 5 pm on Monday, Wednesday and Friday and 6 pm – 8 pm on Tuesday and Thursday. Ms. Rose explained that this request was site specific to this applicant; if the property changed hands, the new owner would have to come back to the Planning Board and Board of Commissioners for approval. Commissioner Kirby asked if there had been many conditional zoning requests since

the ordinance was amended to allow for them, and Ms. Rose stated that this was the first but that she anticipated a number of others given that Sampson County was a large, rural county and there were not a lot of areas zoned industrial or commercial. There were no comments from the floor, and the hearing was closed. Upon a motion made by Commissioner Kirby and seconded by Commissioner Parker, the Board voted unanimously to approve rezoning request CZ-C-10-13-1, accepting the presented findings of fact and making the 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 CZ-C-10-13-1 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 2: Reports and Presentations

Presentation of Badge and Side Arm to Retired Law Enforcement Officers The Chairman joined Sheriff Jimmy Thornton in recognizing and honoring retired officers John Conerly and Easton Ford by presenting their badges and side arms.

Veterans Service Officer Report Veterans Services Office Ann Knowles reported on the work accomplished by the Veterans Service Office and the benefits brought to veterans and to the local economy by serving them. She reported that Sampson County had just a few less than 5,000 veterans, and more than \$33 million in benefits had been received by those in Sampson County, which is funneled into the economy with them buying goods and paying taxes. She stated that these benefits keep people off Medicaid rolls, allow for home loans, provide auto loans for specially adapted vehicles, as well as educational scholarships. She invited the Board to attend the Veterans Day celebration on November 11th.

Item 3: Action Items

Public Hearing – Closeout of Scattered Site Block Grant Program The Chairman opened the hearing and called upon Finance Officer David Clack who explained that a public hearing was required by the Division of Community Assistance at the conclusion of a Community Development Block Grant project. He reported that the funding was federal, passed through the State and available to counties every other year. He reported that the funding had allowed the County to replace six homes, based upon applicant's income and need. The floor was opened for comments, and none were received. The hearing was closed, with no action required.

Public Hearing – FY 2015 Community Transportation Program The Chairman opened the hearing and called upon Sampson Area Transportation Coordinator Todd Daughtry. Mr. Daughtry reviewed the application for grant funding, explaining the two

areas of requested funding: administrative and capital. He noted the administrative part of the application included funding for salaries and fringe benefits for certain positions, drug and alcohol testing, office supplies, travel, utilities, the system's computer program, advertising (with state/federal funding at 85%, local costs at 15%) The capital portion of the grant application, he explained, included no vehicle replacements, but funding for wheel chair ramps for the Transportation Office and the replacement of a computer. The total local match required for administration and capital would be \$24,356, he reported. The floor was opened for comments, and none were received. The Chairman closed the hearing. Upon a motion made by Commissioner Strickland and seconded by Commissioner Kirby, the Board voted unanimously to adopt the grant resolution authorizing the submission of the grant and making assurances and certifications regarding compliance with federal and state requirements. (Copy filed in Inc. Minute Book _____, Page _____.)

Clinton City Schools - School Roof Presentation On behalf of Superintendent Stuart Blount who was out of town, Assistant Superintendent Clyde Locklear recognized School Board member Randy Barefoot to make the presentation. Mr. Barefoot introduced Clinton City School Board members, principals and staff present. He thanked those commissioners who had met with him individually and those who had made site visits to L.C. Kerr and Butler Avenue School. Mr. Barefoot thanked County Manager Ed Causey for being proactive in approaching the schools to determine future roofing needs and noted that the School Board wanted to echo his vision being proactive vs. reactive. He recalled that when Mr. Causey had asked about the needs, they referred him to the facility feasibility study that had been conducted in 2011. In that study, he stated, it was recommended to replace the Butler Avenue School roof in 2014 and L.C. Kerr's roof in 2015, as they had come to their life expectancy. The roofs were re-evaluated in 2013 by another architect, and their proposed costs were provided to the Board of Commissioners in previous agendas. Mr. Barefoot noted that the 2011 study also called for the replacement of the College Street School Offices roof in 2012, which was done with commissioners' assistance of \$80,000, with the City Schools paying the remainder of the costs from their fund balance. He noted that three years ago, Clinton City Schools used their fund balance (approximately \$130,000) to replace the roof on the Sunset Avenue School gym roof, without asking commissioners for funding. Mr. Barefoot stated that the problem with "the bucket test" method of determining when roofs were repaired was potential structural damage to roofing trusses, ceilings and walls and potential mildew and mold - added costs that could be eliminated by being proactive. He noted that filling the requests would take major roofing needs off the horizon until 2018. He added that Clinton City Schools did not have the funds for major needs like they did previously with Sunset Avenue School because they have had to supplement their current budget; next year they would have to make some hard decisions on their budget.

Commissioner Strickland noted that the 2011 report had ranked Butler Avenue's needs as more severe than L.C. Kerr's, but from his visit and observation he thought that L. C. Kerr's seem more severe. Mr. Barefoot noted that both were constructed in 1992 and have significant damage. He explained that the recommended costs were for metal roofing that would last longer than a typical shingle roof, approximately 30-45 years. He added that there was a membrane on the Kerr School that would have to be replaced. Commissioner McLamb asked about the roof warranties, and Mr. Locklear stated that the current roofs had met their warranty, they were beginning to curl and wind and rain were beginning to take more of the tabs; the metal roof would allow for a longer warranty.

Commissioner Kirby asked if the issue was leaking or if the roofs were just old, and Mr. Barefoot stated that there was some leaking that had been repaired several times. Mr. Locklear added that there had been some shingles missing that were repaired, along with some caulking and control joint issues.

Chairman Lockamy noted that a metal roof was about \$100,000 more than a shingle roof, but Mr. Barefoot stated that if a metal roof lasted 44 years, you would be getting two for one. Commissioner Kirby asked if research had been done to determine the cost of doing repairs instead, and Mr. Locklear stated that the contractor had advised that if they began work to lift, lace and replace the old shingles, they would just break, and it would be a continuous repair cycle due to age of shingles and their deterioration. Commissioner Strickland questioned if the roof would "outlive" the building, and Mr. Locklear noted that there were 50 year-old buildings being utilized currently; the buildings in question were about 22 years old.

Commissioner Strickland asked about the funds in the capital reserve, and Mr. Causey stated that staff had reported previously that there was about \$1 million available; the recent County school allocation for roofs had been about \$452,000, leaving a little over \$500,000.

Commissioner Kirby stated that he had visited both Kerr and Butler Avenue and wanted clarification on where the leaks were because the custodial staff he spoke with were unfamiliar with the leaks. Mr. Locklear explained that there was a large space between the roof and the interior ceiling, with the missing shingles the leaking was not pronouncing itself down to the interior ceiling; with patching and repairs, the leaks could be stopped for a given time. He added that there was a two-pipe heating system at Kerr, and from time to time, there was a problem with leaking onto ceiling tiles; this is not associated with the roof needs.

Chairman Lockamy asked if one school's need were worse than the other, and Commissioner Kirby stated that Kerr School looked worse to him. Mr. Barefoot reiterated that they had been asked by Mr. Causey to recommend their most pressing

needs, and L.C. Kerr and Butler Avenue were the most pressing needs; there are other needs. Mr. Causey recapped the incidence of the emergency needs with Community College roofs and the motivation to proactively identify additional roof needs that could be addressed with available funding, given the future budget challenges facing the Board. He stated that he had worked with the County since 2010 and had discussed roof needs every month since he started.

Commissioner Kirby stated that Clinton City Schools was dear to his heart; he was a product of Clinton City Schools, a 1976 CHS graduate. Many school officials were powerful role models, so he will pull for Clinton City Schools. However, he stated, this request came at a critical time in the County's fiscal considerations. No decisions with respect to spending, he stated, could be made without fully considering its impact or consequences. He stated that everyone in the County is aware of the financial challenges facing Sampson County government, none more so than the members of the Board of Commissioners. At the start of last year's budget negotiations, he recalled, Mr. Causey and staff had reported that County was facing \$800,000 shortfall, before considering big ticket items such as Courthouse security or employee salary adjustments - no new spending at all. In addition, he noted, the Board was looking at debt service for schools which would come on line in the next year. While commissioners worked hard to cut the deficit, the Board was only able to get at the shortfall not significantly below \$600,000, and decided to have monthly budget sessions to continue to reduce the shortfall. Regrettably, he noted, the Board had yet to identify any additional cuts to the deficit. He stated if there were any hope of avoiding a tax increase, all departments including the schools will have to share the burden of cutbacks. Given the financial situation, why would the County spend money to replace roofs which were not leaking, he asked. Patching to get five to ten more years out of them would be the more practical course, he added. The roofs of the County schools actually had leaks with water coming into the building, he stated, and that was where he made his difference.

Commissioner Strickland pointed out that the moneys being considered had been reserved for this reason and only for schools and the need will not get any less. Commissioner Strickland moved that the request for roof repairs be approved, with the use of shingles rather than a metal roof (\$439,920), thus leaving some funds available in reserve. The motion was seconded by Chairman Lockamy. The Board discussed whether engineering drawings/designs were required. When the voted was called, Commissioner McLamb failed to vote, and he was advised that under the Board's policies failure to vote without being excused due a conflict would be counted as an affirmative vote. When the vote was called again, the motion passed 3-2, Commissioners Strickland and Lockamy casting affirmative votes, Commissioner McLamb's failure to vote counting in the affirmative, and Commissioners Kirby and Parker voting nay.

Consideration of Exchange of Real Property between the County and Southern Produce Distributers, Inc. County Attorney Annette Starling explained that the Board ha previously discussed the exchange of County property totaling 11 acres located between Connector Road and Eldon Thornton road for 22 acres owned by Southern Produce Distributers, Inc. She called the Board’s attention to the proposed resolution which set forth the County’s findings and conditions for such exchange. She explained that pursuant to G.S. 160A-271, the Board is authorized to exchange real property by private negotiation if the County receives full and fair consideration for its property and after proper public notification of its intent to consider such exchange, which had been done. Upon a motion made by Commissioner Strickland and seconded by Commissioner McLamb, the Board voted unanimously to adopt the resolution authorizing the exchange of property. (Copy filed in Inc. Minute Book _____, Page _____.)

Appointment – Workforce Development Commission Upon a motion made by Commissioner McLamb and seconded by Commissioner Parker, the Board voted unanimously to appoint Donna Williams as a private section representative to the Workforce Development Commission.

Item No. 4: Consent Agenda

Upon a motion made by Commissioner Strickland and seconded by Commissioner McLamb , the Board voted unanimously to approve the Consent Agenda as follows:

- a. Approved the minutes of the June 24, 2013; August 5, 2013; August 9, 2013; and October 7, 2013 meetings
- b. Approved a request to declare listed items as surplus and schedule a public auction for Friday, December 13, 2013
- c. Approved a request to dispose of certain Finance Department records pursuant to the County Records Retention Policy
- d. Approved the amendment of contract for solid waste and recyclables collection service (document associated with Memorandum of Understanding approved at October 2013 meeting) (Copy filed in Inc. Minute Book _____, Page _____.)
- e. Adopted the 2014 County Holiday Schedule
- f. Adopted the 2014 Board of Commissioners Meeting Schedule
- g. Approved applications to draw down NC Education Lottery Public School Building Capital Funds for Sampson County and Clinton City School projects

(Copy filed in Inc. Minute Book _____, Page _____.)

h. Approved the following tax refunds:

# 5876	Prestage Farms, Inc.	\$ 356.51
# 5870	Melvin Allen Shipp	\$ 100.96
# 5884	James Dewey Barefoot	\$ 168.34

i. Approved the following budget amendments:

<u>EXPENDITURE</u>		<u>Aging</u>		
<u>Code Number</u>		<u>Description (Object of Expenditure)</u>	<u>Increase</u>	<u>Decrease</u>
16145000	535300	SAT - Maint & Repair of Vehicle	15,968.00	

<u>REVENUE</u>				
<u>Code Number</u>		<u>Source of Revenue</u>	<u>Increase</u>	<u>Decrease</u>
16134500	403645	SAT - ROAP - Employment		3,801.00
16134500	403703	SAT - ROAP - EDTAP	6,241.00	
16134500	403704	SAT - ROAP - RGP	13,528.00	

<u>EXPENDITURE</u>		<u>Social Services</u>		
<u>Code Number</u>		<u>Source of Revenue</u>	<u>Increase</u>	<u>Decrease</u>
13554810	568415	Duke Energy Settlement Funds	48,718.00	

<u>REVENUE</u>				
<u>Code Number</u>		<u>Source of Revenue</u>	<u>Increase</u>	<u>Decrease</u>
13535480	403318	Duke Energy Merger Settlement Funds	48,718.00	

<u>EXPENDITURE</u>		<u>Health/Medicaid Assistance</u>		
<u>Code Number</u>		<u>Description (Object of Expenditure)</u>	<u>Increase</u>	<u>Decrease</u>
12551130	512100	Salaries	14,539.00	
12551130	518100	FICA	901.00	
12551130	518120	Medicare FICA	210.00	
12551130	518200	Retirement	978.00	
12551130	518300	Group Insurance	4,323.00	
12551130	518400	Dental Insurance	14.00	
12551130	518901	401K County Contribution	368.00	
12551130	526200	Department Supplies	1,731.00	
12551130	531100	Travel		100.00
12551130	533000	Utilities		700.00
12551130	532100	Telephone & Postage		678.00
12551130	543000	Rental Equipment		1,000.00
12551130	544000	Contract Services		10,445.00
12551130	549100	Dues & Subscriptions		4,000.00

<u>REVENUE</u>				
<u>Code Number</u>		<u>Source of Revenue</u>	<u>Increase</u>	<u>Decrease</u>
12535113	404000	State Assistance	6,141.00	

<u>EXPENDITURE</u>		<u>Aging</u>		
<u>Code Number</u>		<u>Description (Object of Expenditure)</u>	<u>Increase</u>	<u>Decrease</u>
02558670	524100	HR-Materials	2,401.00	
02558670	544000	HR- Contracted Services	500.00	

<u>REVENUE</u>				
<u>Code Number</u>		<u>Source of Revenue</u>	<u>Increase</u>	<u>Decrease</u>
02035867	408900	Home Repairs - Misc Revenue	2,901.00	

<u>EXPENDITURE</u>		<u>CES - Master Gardener Program</u>		
<u>Code Number</u>		<u>Description (Object of Expenditure)</u>	<u>Increase</u>	<u>Decrease</u>
04449540	526200	Departmental Supplies	900.00	

<u>REVENUE</u>				
<u>Code Number</u>		<u>Source of Revenue</u>	<u>Increase</u>	<u>Decrease</u>
04434954	409900	Master Gardener Fund Bal Approp	900.00	

<u>EXPENDITURE</u>		<u>Aging</u>		
<u>Code Number</u>		<u>Description (Object of Expenditure)</u>	<u>Increase</u>	<u>Decrease</u>
02558710	526200	ADHC - Departmental Supplies	834.00	

<u>REVENUE</u>				
<u>Code Number</u>		<u>Source of Revenue</u>	<u>Increase</u>	<u>Decrease</u>
02035871	408900	ADHC - Misc Revenue	834.00	

- Approved Clinton City Schools budget amendment No. 3 (Special Revenue Fund), No. 3 (State Public School Fund), No. 3 (Current Expense Fund), and No. 3 (Federal Programs Fund)

Item 5: Board Information

The following items were provided to the Board for information:

- Update - NCDOT Response to Request by FSCW for NC 24 Boat Ramp Access
- Schedule of Topics for Remaining Budget Work Sessions

County Manager Reports

County Manager Ed Causey called the Board’s attention to the proposed schedule of topics for the remaining budget work sessions in the agenda. He noted that staff had tried to include all departments, and the schedule would allow them to prepare materials in advance. Commissioner Strickland voiced concerns that the Board’s budget sessions had yet to produce budget reductions, and Mr. Causey noted that starting with the December sessions, the department presentations would include a copy of their current budget for potential adjustments. Commissioner Strickland

recommended that the presentation also include how departments compared in size and costs to the same departments of other counties. Mr. Causey requested that the Board reconvene this meeting for a special meeting at 1:00 p.m. on November 7th for a closed session regarding economic development. He reminded the Board of their next budget work session scheduled for November 19th.

Public Comments

There were no public comments offered.

Closed Session

Upon a motion made by Commissioner Kirby and seconded by Commissioner Lockamy, the Board voted unanimously to go into Closed Session pursuant to GS 143-318.11(a)(3) to consult with the County Attorney. The Board did not enter into Closed Session under GS 143-318.11(a)(6), as originally planned for the Manager's annual evaluation, opting to postpone the evaluation to the next meeting. The Board returned to the auditorium, and upon a motion made by Commissioner McLamb and seconded by Commissioner Parker, the Board voted unanimously to come out of Closed Session. No action was taken in Closed Session.

Recess to Reconvene

Upon a motion made by Commissioner McLamb and seconded by Commissioner Parker, the Board voted unanimously to recess to reconvene on Thursday, November 7th at 1:00 p.m. in the County Administration Building.