

October 15, 2018

A regular meeting of the Bladen County Board of Commissioners was held at 6:30 pm on Monday, October 15, 2018 in the Commissioners’ Room located on the lower level of the Bladen County Courthouse.

The following members were present:

- Ray Britt, Chairman
- G. Michael Cogdell, Vice Chairman
- Charles R. Peterson
- Arthur Bullock
- Daniel Dowless
- David R. Gooden
- Russell Priest
- Dr. Ophelia Munn-Goins
- Ashley Trivette

Attorney: Allen Johnson, Johnson Law Firm

Prior to the meeting being called to order and due to a higher number of attendees, the meeting was moved from the Commissioners’ Room to the Superior Courtroom on the 2nd floor of the Courthouse.

Chairman Britt called the meeting to order at 6:47pm.

ITEM 1. Reverend Larry Hayes of Good News Baptist Church provided the Invocation. Guest 4-H’er Allayah Jarmon led the Pledge of Allegiance..

ITEM 2. Consent Items:

Upon a motion by Commissioner Munn-Goins, seconded by Commissioner Cogdell, the Board amended the Agenda to table Item 7 (A-C)-Division on Aging, and Item 15, Closed Session, and move Personnel topic from Item 15, and include it under Item 5, Matters of Interest to Commissioners. The motion passed upon a vote of eight (8) AYES (Munn-Goins, Cogdell, Priest, Gooden, Bullock, Britt, Dowless, Trivette) to one (1) NO (Peterson).

Upon a motion by Commissioner Gooden, seconded by Commissioner Priest, the Board unanimously approved the following amended Consent Items.

- A. Agenda, with the tabling of Items 7A-C, and 15, and moving Personnel topic from Closed Session to Item 5, Matters of Interest to Commissioners.
- B. Minutes of October 1, 2018 Regular Meeting.
- C. Budget Amendments, as follows:

Tax Administration

<i>Expenditures</i>		<i>Increase</i>	<i>Decrease</i>
104500.192	Professional Services – Legal	5,500.00	
<i>Revenues</i>			
103190.050	Fund Balance Appropriation	5,500.00	

Additional foreclosures legal expense.

Division on Aging

<i>Expenditures</i>		<i>Increase</i>	<i>Decrease</i>
106200.6230.200	Supplies	2,499.00	
106200.6230.0310	Travel	250.00	
<i>Revenues</i>			
103530.048	DOA-SHIIP Grant	2,749.00	

SHIIP Grant funds for supplies and travel.

Parks & Recreation

<i>Expenditures</i>		<i>Increase</i>	<i>Decrease</i>
106600.910	Special Use Appropriation	250.00	
<i>Revenues</i>			
103660.009	Recreation Donations	250.00	

Smithfield donation for 12U Softball All-Star Tournament.

JCPC

<i>Expenditures</i>		<i>Increase</i>	<i>Decrease</i>
106805.640	JCPC-Refund to State	4,405.00	
<i>Revenues</i>			
103190.010	Miscellaneous Revenue	4,405.00	

Supportive Services for Students and Parents unspent funding, due to State.

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Department of Social Services

<i>Expenditures</i>		<i>Increase</i>	<i>Decrease</i>
146100.6160.571	United Way – Caring for Kids	750.00	
<i>Revenues</i>			
143531.344	United Way – Caring for Kids	750.00	

United Way donation.

Department of Social Services

<i>Expenditures</i>		<i>Increase</i>	<i>Decrease</i>
146100.6160.650.002	Child Abuse Awareness	49.00	
<i>Revenues</i>			
143190.028	Child Abuse Awareness	49.00	

Donations for Child Abuse Awareness.

D. County Attorney Invoices.

Date	Department	Amount
9/27/2018	Board of Elections	2,125.00
9/28/2018	General Services	625.00
9/10/2018	Revenue Department	525.00
	Total	\$ 3,375.00

- E. Tax Releases No. 9-18, incorporated by reference and made a part of these Minutes.
- F. Solid Waste Disposal Agreement with Sampson County Disposal, Inc.
- G. Service Agreement with Mobile Communications America.
- H. Homeland Security Grant Program Notification (Grant #EMW-2018-SS-00053) in the amount of \$22,000 for the purchase of a regional rehab trailer.
- I. Homeland Security Grant Program Notification (Grant #EMW-2018-SS-00053) in the amount of \$8,345 for the purchase of night vision goggles.
- J. Amendment No. 01-2019 in the amount of \$52,688.08 to Contract with NC Department of Agriculture and Consumer Services-Division of Soil and Water Conservation.
- K. Fireworks Display at Camp Clearwater on Saturday, October 27, 2018 or an Undetermined Rain Date in Accordance with NCGS 14:410-413.
- L. North Carolina Division of Emergency Management Disaster Assistance Agreement Regarding Hurricane Florence.
- M. The following Resolution Designating Applicant’s Agent Regarding the NC Division of Emergency Management Disaster Assistance Agreement:



ITEM 3. Public Hearing:

- A. Chairman Britt declared open a Public Hearing to receive comments regarding a FY 2019-20 Community Transportation Program. The Public Hearing was advertised in a newspaper of general circulation on Friday, October 5, 2018. Following are copies of the Affidavits of Publication:



No one addressed the Board to provide feedback.

- B. Upon a motion by Commissioner Trivette, seconded by Commissioner Munn-Goins, the Board unanimously approved a FY 2019-20 Community Transportation Program Grant and Supporting Documentation.

ITEM 4. Special Recognition:

- A. Chairman Britt and the entire Board recognized the following employees for years of service:

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Employee	Department	Years of Service
Martha Walker	Division on Aging	10
Sharon Blanks	Dept. of Social Services	10
Jacquelyn Hilburn	Dept. of Social Services	15
Sandra Rogers	Dept. of Social Services	15
Chuck Heustess	Economic Development	20
Joey Coleman	Emergency Services	10
Kory Hair	Environmental Health	15
Maria Edwards	Gov Bd/Administration	5
Damiano Whittington	Parks and Recreation	5
Jillina Owens	Register of Deeds	10
Richard Allen	Sheriff's Office	10
Sheryl Young	Sheriff's Office	35
Joseph Smith	Solid Waste	10
Tina Burney	Water	30

Chairman Britt briefly recessed the meeting at 7:03pm for a reception.
Chairman Britt reconvened the meeting at 7:14pm.

ITEM 5. Matters of Interest to Commissioners:

Chairman Britt recognized Sheriff Jim McVicker to address the Board.

Sheriff McVicker expressed appreciation to Board members and provided a brief overview of an error when Kathreine McVicker, daughter-in-law to the Sheriff, was hired in July 2017 as a part time employee to complete background checks on potential Sheriff's Office employees. He assured the Board that it was an oversight and not intentional. According to NCGS 153A-103, "the board of commissioners must approve the appointment by such an officer or a relative by blood or marriage of nearer kinship than first cousin." He asked the Board to consider retroactively ratifying Katherine McVicker's record of appointment. The Board turned to County Attorney Allen Johnson to provide legal counsel. Mr. Johnson indicated that he and County Manager Greg Martin had discussed this issue at length with attorneys with the School of Government, and legal counsel with the North Carolina Association of County Commissioners Risk Pool. As there is no case law dealing with this general statute or any indication of what legal consequence could be within the statute, all legal experts indicated it would be at the Board's discretion whether to ratify the record of appointment.

Commissioner Gooden provided a motion to retroactively ratify Katherine McVicker's Record of Appointment to July 2017. Commissioner Trivette provided a second to the motion.

Commissioners Munn-Goins, Cogdell, and Bullock questioned the legal ramifications and integrity of providing retroactive ratification for a record of appointment.

Commissioners Britt and Peterson each stated their view of intended goodwill and good faith efforts for the Sheriff to provide extensive background checks and assure that certifications and training is provided to all employees.

Chairman Britt revisited the motion provided by Commissioner Gooden to retroactively ratify Katherine McVicker's Record of Appointment, with the second provided by Commissioner Trivette. Upon a show of hands, the vote proved to be five (5) AYES (Gooden, Trivette, Peterson, Britt, Dowless) to three (3) NOES (Bullock, Cogdell, Munn-Goins). Commissioner Priest did not indicate his vote. Therefore, based on the fact that the Board did not excuse him from voting and Board Policy states that "a failure to vote by a member who is physically present in the meeting, or who has withdrawn without being excused by a majority vote of the remaining members present, shall be recorded as an affirmative vote", the recorded vote was six (6) AYES (Gooden, Trivette, Peterson, Britt, Dowless, Priest) to three (3) NOES (Bullock, Cogdell, Munn-Goins).

Commissioner Cogdell asked the County Attorney to provide information regarding any and all legal ramifications with clarity related to the retroactive ratification of a record of appointment for the Sheriff's Office.

Commissioner Peterson asked the County Attorney to research what can be done when confidential information pertaining to a closed session is leaked.

Commissioner Munn-Goins asked the County Attorney to find out how select individuals are made aware of foreclosed property prior to public advertisement.

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Chairman Britt recognized Bladen County resident Patsy Sheppard to address the Board. Mrs. Sheppard expressed her view of the Sheriff, as the county's leading law enforcement officer, not following general statutes.

Chairman Britt recognized Bladen County resident Jeff Smith to address the Board. Mr. Smith expressed frustration regarding an incident in Dublin when two individuals may have been overdosing, and deputies in close proximity indicated they did not have Narcan or the training to properly administer Narcan. Mr. Smith further explained his view that deputies should have the tools needed to discharge the responsibilities of their jobs.

Chairman Britt recognized Larry Hayes to address the Board. Mr. Hayes shared that Juvenile Crime Prevention Council (JCPC) member Victoria Corbett submitted her resignation from the council due to a change in her employment. Mr. Hayes requested the Board consider appointing Jimmie Smith to the JCPC to assure continuity of the program. Mr. Hayes stated that Mr. Smith has served on the council in the recent past and was willing to participate.

Upon a motion by Commissioner Cogdell, seconded by Commissioner Munn-Goins the Board unanimously appointed Jimmie Smith to an unexpired term, with the term expiring June 30, 2020.

ITEM 6. Individual/Delegations Wishing to Address Commissioners:

- A. Chairman Britt recognized Golden LEAF Foundation President Dan Gerlach to address the Board. Mr. Gerlach expressed appreciation and praise for Bladen County employees, leadership, and contractors related to a recently completed generator project funded by Golden LEAF Foundation. He stated that the project came in under budget and on time. He confirmed that the strategic placement of generators at various well sites would further mitigate disaster situations and assist in providing much needed water to county water customers. Mr. Gerlach presented a ceremonial check to the County of Bladen in the amount of \$390,000, along with his congratulations.
- B. Chairman Britt recognized Holland Consulting Planners representative Jessie Miars to address the Board regarding professional services agreements associated with Hurricane Matthew HMGP, DRA 2017, and HM DRA-2017 projects. Mrs. Miars expressed appreciation to the Board members and shared recommendations to secure the following services:
- Asbestos Inspection Services to Keenan Construction and Consulting Company
 - Legal Services to Johnson Law Firm
 - Surveying Services to Walker Surveying Company
 - Engineering Services – to negotiate with Appian Consulting Engineers, PA, then with Anderson Engineering & Associates, and finally with Weston Lyall, in the event negotiations fail with other firms listed in order.

Following discussion and upon a motion by Commissioner Peterson, seconded by Commissioner Trivette, the Board unanimously approved Holland Consulting Planners' recommendations regarding professional services associated with Hurricane Matthew HMGP, DRA 2017, and HM DRA-2017 projects.

ITEM 7. Division on Aging: (Kelly Robeson, Director)

This item was tabled during the approval of Consent Items (see item 2A).

ITEM 8. Revenue Department: (Renee Davis, Tax Administrator)

- A. Mrs. Davis provided information regarding a NC Department of Revenue (NCDOR) site visit and remedies to enforce collections. She stated that historically, approximately 95.6% of Bladen County property owners pay their taxes in a timely fashion. However, the Revenue Department spends a great deal of time to collect the other 4.4% of taxes. She stated that following the site visit, the NCDOR provided four (4) suggestions, as follows:

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- Account Maintenance, keep contact information as current as possible, confirming the location of an asset.
- More aggressive payment plans;
- Enforcement of payment plans, assuring the safety and security of county staff; and
- Request a Task Force Review.

Mrs. Davis shared an updated payment plan which would assist property owners to not only catch up delinquent balances, but allow for prepayment for the upcoming year. She stated that a number of property owners had expressed appreciation for her help in budgeting monthly payments.

- B. Mrs. Davis provided a brief overview of a recently received bid in the amount of \$12,300 for county-owned property (PIN #1322-00-97-0120) located at 2566 US Hwy. 701 North, Elizabethtown. She stated that the investment to the county was \$12,285 on the property which holds a tax value of \$14,970. Upon a motion by Commissioner Peterson, seconded by Commissioner Cogdell, the Board unanimously accepted a bid in the amount of \$12,300 for county-owned property (PIN #1322-00-97-0120), located at 2566 US Hwy. 701 North, Elizabethtown.

ITEM 9. General Services Department: (Kip McClary, Director)

- A. Mr. McClary provided an overview of the bid process for solid waste transportation services. He reminded the Board that the intent was to contract with Custom Ecology, Inc. (CEI) based on a bid received earlier and presented during a prior Board meeting. Mr. McClary indicated that a CEI representative had contacted the County to let him know that they would not be able to honor the quote submitted. Mr. McClary began discussions with Hilco Transport, Inc., the other respondent.
- B. Upon a motion by Commissioner Peterson, seconded by Commissioner Gooden, the Board unanimously approved an Independent Contractor Agreement with Hilco Transport for solid waste transportation services.

ITEM 10. Finance Department: (Lisa Coleman, Finance Officer)

- A. Mrs. Coleman reviewed a Financial Dashboard for the 3-month period ending September 30, 2018.

ITEM 11. Advisory Board Appointments:

- A. **Child Fatality Protection Team (2):** Upon a motion by Commissioner Cogdell, seconded by Commissioner Munn-Goins, the Board unanimously tabled appointments.
- B. **East Arcadia Fire Service District Committee (2):** Upon a motion by Commissioner Munn-Goins, seconded by Commissioner Cogdell, the Board, waiving the rules on term limits, unanimously reappointed Harold Daniels and Cathy King to three-year terms of service, with the terms expiring October 30, 2020.
- C. **EMS Advisory Committee (15):** Upon a motion by Commissioner Peterson, seconded by Commissioner Cogdell, the Board unanimously appointed Dr. Roxy Wells and Sheriff Jim McVicker to three year terms of service, with the terms expiring October 31, 2020; and reappointed Dr. Craig Luisy, Dr. Kenneth Carter, Tracy Priest, Charles Ray Peterson, David Howell, Donald Bryan, Dr. Robert Taylor, Jackie Coleman, and Gene Lockamy to three-year terms of service, with the terms expiring October 31, 2020; and reappointed Greg Martin, Arthur Bullock, Linda Croom, and Anthony Davis to three-year terms of service, with the terms expiring October 31, 2021.
- D. **Keep Bladen Beautiful (5):** Upon a motion by Commissioner Peterson, seconded by Commissioner Cogdell, the Board unanimously appointed Cara Kinlaw to an unexpired term, with the term expiring March 31, 2019; and

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appointed Tayshawn Berkeley to a three-year term of service, with the term expiring April 20, 2021; and tabled three (3) appointments.

- E. Watershed Review Board (3):** Upon a motion by Commissioner Munn-Goins, seconded by Commissioner Bullock, the Board unanimously tabled appointments.
- F. White Lake Planning and Zoning (ETJ) (1):** Upon a motion by Commissioner Trivette, seconded by Commissioner Munn-Goins, the Board unanimously tabled an appointment.

ITEM 12. Advisory Board Appointments for Consideration During November 19, 2018 Board Meeting:

A. Bay Tree Lakes Fire Service District (2)

ITEM 13. County Manager: (Greg Martin)

- A. Mr. Martin reviewed Board calendars for the months of October and November 2018.
- B. Mr. Martin provided an overview of Charitable Organization/Community Funding requests. Following discussion, upon a motion by Commissioner Peterson, seconded by Commissioner Cogdell, the Board unanimously approved each of the requests, with funding the same as FY 2017-18 contributions. Details follow:

American Legion Post No. 404	\$ 1,095
Bladenboro Historical Society	\$ 1,095
Bladen County Youth Focus Project, Inc.	\$ 1,095
Lower Cape Fear Hospice and Life Care Center	\$ 1,095
Special Olympics North Carolina Bladen County	<u>\$ 1,095</u>
	<u>\$ 5,475</u>

ITEM 14. Individuals/Delegations Wishing to Address Commissioners:

No one addressed the Board members.

ITEM 15. Closed Session:

This item was tabled during the approval of Consent Items (see item 2A).

Upon a motion by Commissioner Peterson, seconded by Commissioner Gooden, the meeting was unanimously adjourned at 8:36pm.

ATTEST:

Maria C. Edwards, Clerk to the Board

Ray Britt, Chairman
Bladen County Board of Commissioners