

**April 8, 2020**

The Martin County Board of Commissioners met electronically in a Regular Session on Wednesday, April 8, 2020, 7:00 p.m. in the Commissioners' Boardroom of the Martin County Governmental Center, 305 East Main Street, Williamston, North Carolina.

## **ASSEMBLY**

Present at the Courthouse -- Chairman Tommy Bowen, County Manager David Bone, Clerk to the Board Jessica Godard, Sheriff Tim Manning, Chief Deputy Drew Robinson, and IT Director Jeb Gardner.

Present via Cisco Webex -- Vice Chairman Dempsey Bond, Jr., Commissioner Elmo "Butch" Lilley, Commissioner Ronnie Smith, Commissioner Joe R. Ayers, Finance Director/Deputy Clerk Cindy Ange, and County Attorney Nate James.

Chairman Bowen called the meeting to order at 7:00 p.m. and performed a roll call. County Manager Bone led the Pledge, and Chairman Bowen provided the invocation.

Prior to beginning the meeting, Chairman Bowen offered some remarks regarding the COVID-19 situation and the need to conduct the meeting electronically. He thanked those joining by phone or by computer. Chairman Bowen also thanked the staff for finding the technology to allow electronic meetings and for adjusting methods of operations to keep everyone safe. Chairman Bowen additionally thanked the front line workers in the pandemic. Chairman Bowen then asked County Manager Bone to provide some comments about how the electronic meeting would be conducted.

County Manager Bone reiterated in order to be compliant with Gov. Cooper's Executive Order #121, the meeting would be conducted electronically and the meeting would be broadcast on Facebook to be compliant with the open meetings law. Public comments could be offered via Facebook Live. No public comments were presented in writing prior to the meeting. County Manager Bone expressed his gratitude to staff and to the public for their patience. County Manager Bone asked each Commissioner to state their name when making a motion or offering comments for public records purposes. County Manager Bone also discussed the slight delay on the Facebook feed and stated staff would do their due diligence to read aloud any comments that may be offered on the Facebook feed. Anyone who offered comments on Facebook should provide their full legal name for documentation purposes.

## **AGENDA APPROVAL**

Commissioner Lilley made a MOTION to approve the agenda as revised, with a SECOND by Vice Chairman Bond. The Board unanimously APPROVED the motion (5-0).

## **PUBLIC COMMENTS**

County Manager Bone stated there were no written comments submitted to the Clerk prior to the meeting. In order to maintain transparency, a brief moment was observed to allow anyone

watching Facebook live to provide comments. No comments were offered on the Facebook live stream.

## **CONSENT AGENDA**

Commissioner Lilley made a MOTION to approve the consent agenda as presented, with a SECOND by Vice Chairman Bond. The Board APPROVED the motion unanimously (5-0).

### **1. Minutes for March 11, 2020 Regular Session**

### **2. Financial Report for February 2020**

### **3. Tax Assessor – Tax Refund Requests – March 2020**

No refund requests for the month of March 2020 from the Tax Assessor's Office for Real or Personal Property billing.

### **4. Tax Assessor – Tax Relief Orders –February 2020**

Year Levy	Lname	Fname	Reason	Value	Total
2020	Avando	Rabical Cupil	Double Billed		9.57
2020	Avando	Rabical Cupil	Double Billed		9.57
2020	Avando	Rabical Cupil	Double Billed		9.79
2020	Ayers	Donald E	Clerk Error		3.43
2020	Campbell	Allen Eugene	Sold Vehicle		10.05
2020	East Carolina Firearms, LLC		Bill of Sale		5.07
2020	East Coast Firearms, LLC		Bill of Sale		4.95
2020	East Coast Firearms, LLC		Bill of Sale		4.95
2020	East Coast Firearms, LLC		Bill of Sale		5.13
2020	Eastern Ground Farms, Inc.		Error in Value		256.70
2020	Fountain	Steven John	Double List		608.23
2020	Fountain	Steven John	Double Billed		20.97
2020	Holliday	William Franklin Heirs	Error in Listing		5.62
2020	Holliday	William Franklin Heirs	Error in Listing		5.49
2020	Holliday	William Franklin Heirs	Error in Listing		5.49
2020	Hollis	David Adam	Sold Vehicle		15.64
2020	Hollis	David Adam	Sold Vehicle		15.38
2020	Roberson	Derek Lee	Sold Vehicle		4.40

2020	Rogerson	James Roland Jr	Sold Vehicle		21.36
2020	Williamston	Ford-Mercury-Lincoln	Sold Vehicle		155.34
2020	Young	Dawn Renee Heirs	Double Billed		73.90
2020	Young	Dawn Renee Heirs	Double Billed		66.83
2020	Young	Dawn Renee Heirs	Double Billed		67.85
2020	Young	Dawn Renee Heirs	Double Billed		67.85
2020	Young	Dawn Renee Heirs	Double Billed		57.68
2020	Young	Dawn Renee Heirs	Double Billed		61.76
2020	Young	Dawn Renee Heirs	Double Billed		57.64
2020	Young	Dawn Renee Heirs	Double Billed		57.62
2020	Young	Dawn Renee Heirs	Double Billed		57.62
2020	Young	Dawn Renee Heirs	Double Billed		56.57
2020	Barber	Ray Thomas	Personal		196.03
			<i>Total Real &amp; Personal Releases</i>		\$2,002.24
2020	Beacham	Tina Louise	Situs Error		37.55
2020	Brown	Brittany Marche	Situs Error		0.90
2020	Carson	Samuel Taylor Jr	Situs Error		6.60
2020	Coppage	Ransom Shudell	Situs Error		6.29
2020	Cox	Shantaya Lachelle	Situs Error		72.97
2020	Cox	Shantaya Lachelle	Situs Error		78.47
2020	Diebold Nixdorf, Inc		Situs Error		5.69
2020	Dollar	Daniel Blake	Situs Error		0.44
2020	Green	Myssee King	Situs Error		28.23
2020	Griffin	Lashika Rochelle Lee	Situs Error		86.96
2020	James	Charles Wendell	Situs Error		33.70
2020	Little	James Rondell	Situs Error		42.21
2020	Moore	Kenneth Carlton	Situs Error		120.06
2020	Multi-Flow Industries LLC		Situs Error		6.80
2020	Oakley	Ella Carmichael	Situs Error		2.32
2020	Pace	Jerry Lee	Situs Error		0.20

2020	Pace	Jerry Lee	Situs Error		0.20
2020	Pace	Jerry Lee	Situs Error		0.24
2020	Peele	Sheronda Lashawn	Situs Error		71.83
2020	Pruett	Austen Christopher	Situs Error		40.88
2020	Rodgers	Alfred Lawrence	Situs Error		3.85
2020	Scarborough	Billy Jr	Situs Error		2.16
2020	Smith	Lonnie Wade	Situs Error		0.22
2020	Wiechel	John Baron	Situs Error		39.49
			<i>Total VTS Refund Requests</i>		\$ 687.96

## 5. Tax Collector's Report –February 2020

	Category	Mar-20	Mar 20 Y-T-D
<b>Real Property</b>	<b>20</b>	<b>\$350,384.52</b>	<b>\$9,187,293.95</b>
<b>Personal Property</b>	<b>25</b>	<b>23,330.09</b>	<b>4,887,649.06</b>
<b>Total</b>		<b>\$373,714.61</b>	<b>\$14,074,943.01</b>
<b>Motor Vehicle</b>	<b>30</b>	<b>361.30</b>	<b>1,530.96</b>
<b>Total MV</b>		<b>\$361.30</b>	<b>\$1,530.96</b>
<b>All Total</b>		<b>\$374,075.91</b>	<b>\$14,076,473.97</b>

## 6. Board Appointments/Reappointments – NONE

## 7. Resolution in Support of NC State Consumer & Family Advisory Committee (SFCFAC)

The State Consumer and Family Advisory Committee (SCFAC) advises the North Carolina Department of Health and Human Services (NCDHHS) and the General Assembly on the planning and management of the Division of Mental Health, Developmental Disabilities and Substance Abuse Services (DMH/DD/SAS).

The State Consumer & Family Advisory Committee (S-CFAC) composed a draft resolution asking each of NC's 100 counties to consider adoption showing support for the SCFAC as the members meet on May 19<sup>th</sup>, 2020 with NC legislators. The goal was to inform law makers of the needs associated with treatment and services for Mental Health (MH), Substance Use Disorder (SUD) and Intellectual Developmental Disabilities (IDD).

The resolution was approved as part of the consent agenda.

County of Martin

State of North Carolina

Resolution in Support  
Of  
NC State Consumer & Family Advisory Committee (SCFAC)

WHEREAS, North Carolina's 100 counties experience on a daily basis; short falls in treatment of its residents in resources to treat, support and sustain life and health;

WHEREAS, NC counties are challenged with the decision to spend tax dollars for needed services for those experiencing Mental Health/Intellectual Developmental Disabilities/Substance Use Disorder/Traumatic Brain Injury (MH/IDD/SUD/TBI) challenges;

WHEREAS, the NC State CFAC is tasked with seven (7) statutory mandates to advise the NC Department of Health and Human Services (DHHS) and the legislature;

- *Review, comment on, and monitor the implementation of the State Plan for Mental Health, Developmental Disabilities, and Substance Abuse Services*
- *Identify service gaps and underserved populations*
- *Make recommendations regarding the service array and monitor the development of different services*
- *Review and comment on the State budget for mental health, developmental disabilities, and substance abuse services*
- *Participate in all quality improvement measures and performance indicators*
- *Receive the findings and recommendations by local CFAC's regarding ways to improve the delivery of mental health, developmental disabilities, and substance abuse services*
- *Provide technical assistance to local CFACs in implementing their duties*

THEREFORE, the NC State CFAC in its efforts to address the needs of MH/IDD/SUD/TBI individuals, their families and the larger community; requests county support for the engagement of:

- Systems Advocacy;
- Improved Service Delivery;
- Ensurance of Quality Services and
- Cultivation of Community Engagement.

BE IT FURTHER RESOLVED that NC State CFAC is endorsed by the Martin County Board of Commissioners to represent the needs of all Martin County and North Carolina residents.

Adopted this the 8th day of April, 2020.

**8. Resolution to Approve the Submission of a Martin County Grant for the Drinking Water State Revolving Fund**

The Drinking Water State Revolving Fund (DWSRF) is a federally-seeded, state grant and loan program for public water systems. Eligible projects include source, treatment, storage or transmission / distribution systems. Eligible applicants could apply for low-interest loans and principal forgiveness loans. There were two funding cycles per year. The spring 2020 round had a deadline of April 30, 2020.

Martin County staff and The Wooten Company were developing a grant application for Martin County Water District #1. The potential project included system improvements near the Martin County Airport to address low-pressure issues during fire flow events. In addition, the low-pressure had inhibited tank filling operations by the Forestry Service at the airport.

Three (3) primary options had been discussed between The Wooten Company and County staff.

- Option 1: Included a water main extension along Campbell Road.
- Option 2: Included an interconnect with a dead-end main on Wild Cat Road which connects to the Williamston distribution system. Given Williamston uses chloramines rather than free chlorine, this option would require all of District 1 to convert to chloramines as the disinfectant of choice which would not match the project benefits.
- Option 3: Included a water main extension along Everetts Road. This would require a system interconnect with the Town of Everetts distribution system. The interconnect will be metered and will include a pressure reducing valve to only allow activation during defined pressure parameters (i.e. fire flow and emergency events).

County staff and The Wooten Company recommended a combination of Options #1 & #3. Project activities would include a waterline extension along Campbell Hill Road (Option #1), as well as Everetts Road (Option 3), to establish additional system loops thus increasing the flow and redundancy of the distribution system. The estimate of probable cost was \$700,000. By virtue of the Affordability Matrix provided by the NC Division of Water Infrastructure, Martin County was eligible for 100% grant, based on the existing water utility rates. A resolution authorizing the DWSRF application was required.

The resolution was approved as part of the consent agenda.

### **RESOLUTION BY GOVERNING BODY OF APPLICANT**

WHEREAS, The Federal Clean Water Act Amendments of 1987 and the North Carolina the Water Infrastructure Act of 2005 (NCGS 159G) have authorized the making of loans and grants to aid eligible units of government in financing the cost of construction of drinking water distribution system improvements, and

WHEREAS, Martin County has need for and intends to construct a drinking water distribution system improvement project described as Martin County Water and Sewer District 1 Waterline Improvements, and

WHEREAS, Martin County intends to request state grant assistance for the project,

**NOW THEREFORE BE IT RESOLVED, BY THE BOARD OF COMMISSIONERS FOR MARTIN COUNTY:**

That Martin County, the **Applicant**, will arrange financing for all remaining costs of the project, including matching funds, if approved for a State grant award.

That the **Applicant** will adopt and place into effect on or before completion of the project a schedule of fees and charges and other available funds which will provide adequate funds for proper operation, maintenance, and administration of the system and the repayment of all principal and interest on the debt.

That the governing body of the **Applicant** agrees to include in the loan agreement a provision authorizing the State Treasurer, upon failure of Martin County to make scheduled repayment of the loan, to withhold from Martin County any State funds that would otherwise be distributed to the local government unit in an amount sufficient to pay all sums then due and payable to the State as a repayment of the loan.

That the **Applicant** will provide for efficient operation and maintenance of the project on completion of construction thereof.

That David Bone, County Manager, the **Authorized Official**, and successors so titled, is hereby authorized to execute and file an application on behalf of the **Applicant** with the State of North Carolina for a grant to aid in the development of the project described above.

That the **Authorized Official**, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project: to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

That the **Applicant** has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto.

Adopted this the 8<sup>th</sup> day of April, 2020 at the Martin County Board of Commissioners Meeting in Williamston, North Carolina.

## 9. FEMA Designation of Applicant's Agent

In anticipation of submission of a reimbursement request through the NC Division of Emergency Management for the Coronavirus pandemic, staff asked the Board of Commissioners to designate Finance Director Cindy Ange as the primary agent and Emergency Management Director Jody Griffin as the secondary agent.

Staff recommended approval of the attached NC Division of Emergency Management resolution form designating Finance Director Cindy Ange as the primary agent and Emergency Management Director Jody Griffin as the secondary agent as part of the consent agenda.

The above request was approved as part of the consent agenda.

<b>RESOLUTION</b>		
<b>DESIGNATION OF APPLICANT'S AGENT</b>		
North Carolina Division of Emergency Management		
Organization Name (hereafter named Organization)	Disaster Number: <b>FEMA-3471EM-DR-NC</b>	
County of Martin		
Applicant's State Cognizant Agency for Single Audit purposes (If Cognizant Agency is not assigned, please indicate):		
Applicant's Fiscal Year (FY) Start	Month: 07	Day:01

Applicant's Federal Employer's Identification Number 56-6000317	
Applicant's Federal Information Processing Standards (FIPS) Number 117-99117-00	
<b>PRIMARY AGENT</b>	<b>SECONDARY AGENT</b>
<i>Agent's Name</i> Cindy Ange	Agent's Name Jody Griffin
Organization County of Martin	Organization County of Martin
Official Position Finance Director	Official Position Emergency Management Director
Mailing Address PO Box 668	Mailing Address PO Box 668
City ,State, Zip Williamston, NC 27892	City ,State, Zip Williamston, NC 27892
Daytime Telephone 252-789-4330	Daytime Telephone 252-789-4312
Facsimile Number 252-789-4339	Facsimile Number 252-789-4314
Pager or Cellular Number 252-799-6921	Pager or Cellular Number 252-799-7056
<p>BE IT RESOLVED BY the governing body of the Organization (a public entity duly organized under the laws of the State of North Carolina) that the above-named Primary and Secondary Agents are hereby authorized to execute and file applications for federal and/or state assistance on behalf of the Organization for the purpose of obtaining certain state and federal financial assistance under the Robert T. Stafford Disaster Relief &amp; Emergency Assistance Act, (Public Law 93-288 as amended) or as otherwise available. BE IT FURTHER RESOLVED that the above-named agents are authorized to represent and act for the Organization in all dealings with the State of North Carolina and the Federal Emergency Management Agency for all matters pertaining to such disaster assistance required by the grant agreements and <b>the assurances printed on the reverse side hereof</b>. BE IT FINALLY RESOLVED THAT the above-named agents are authorized to act severally. PASSED AND APPROVED this <u>8th</u> day of <u>April</u>, 2020.</p>	
<b>GOVERNING BODY</b> Martin County Board of Commissioner	<b>CERTIFYING OFFICIAL</b>
Name and Title Tommy Bowen, Chairman	Name Jessica Godard
Name and Title	Official Position Clerk to the Board
Name and Title	Daytime Telephone 252-789-4300
<b>CERTIFICATION</b>	
<p>I, <u>Jessica Godard</u>, duly appointed and <u>Clerk to the Board of the Governing Body</u>, do hereby certify that the above is a true and correct copy of a resolution passed and approved by the Governing Body of <u>the Martin County Board of Commissioners</u> on the _____ day of _____, 20__.</p>	
<b>Date:</b> _____	<b>Signature:</b> _____

**10. Clerk Report** included for informational purposes.



## **INTRODUCTION OF NEW EMPLOYEE(S)**

None

## **PUBLIC HEARINGS**

### **New Road Name Request for a Portion of NC-125 – Extension of North Haughton Street**

At 7:12 p.m., Commissioner Lilley made a MOTION to open the public hearing, with a SECOND from Vice Chairman Bond. The Board APPROVED the motion unanimously.

For the purposes of this item, a road or roadway is “a public or private one-way or multiple-lane route that is used for ingress or egress or route of transportation between specific points and/or areas”.

Martin County approved the Martin County Road Naming and Addressing Ordinance on July 12<sup>th</sup>, 2006 to better help the efforts of the E-911 emergency response team to serve our county citizens most effectively in an emergency situation.

It was recently determined that changing the name of a road required a public hearing (N.C. G.S. 153A-239.1). The public hearing had been duly advertised.

The purpose of the public hearing was to receive public comments on the proposed request to rename a portion of NC 125, located past the end of N. Haughton St. to N. Haughton St. starting with the addresses of 1400. This would be an extension of the current N Haughton St. This only pertained and included the portion starting at the Town of Williamston city limit line to the new by-pass NC 125 section of NC 125.

Tax Assessor Elisha Hardison stated the purpose of the road name change was to make emergency response easier and to eliminate confusion because of the new road and that was the only intent.

No public comments were provided prior to the meeting. Time was allotted for the viewers on Facebook to make comments; none were received.

At 7:16 p.m., Commissioner Ayers made a MOTION to close the public hearing, with a SECOND from Commissioner Lilley. The Board APPROVED the motion unanimously.

Commissioner Smith made a MOTION to approve the road name change from NC 125 to North Haughton Street as requested by Tax Assessor Elisha Hardison, with a SECOND from Vice Chairman Bond.

### **Acquiring of Williamston House by Urban Housing & Community Services Corporation**

At 7:18 p.m., Vice Chairman Bond made a MOTION to open the public hearing, with a SECOND from Commissioner Lilley. The Board APPROVED the motion unanimously.

County Manager Bone reported Urban Housing & Community Service Corporation and its affiliates asked the Board of Commissioners to hold a public hearing and adopt a resolution to help

them finance the acquisition of the Williamston House assisted living facility located at 160 Santree Drive, Williamston, North Carolina 27892.

County Manager further reported Urban Housing & Community Service Corporation and its affiliates are nonprofit entities and organizations described under Section 501(c)(3) of the Internal Revenue Code. An affiliate of the Borrowers currently managed the facilities on behalf of the existing owner. The Borrowers intended to finance the acquisition of the facilities with the help of tax “qualified 501(c)(3) bonds” issued by the Arizona Industrial Development Authority (AZIDA). The purpose of using these bonds was to lower financing costs for the Borrower.

Federal tax laws require that the elected legislative body (or highest elected representative) of the governmental unit that has jurisdiction over the area in which a facility to be financed with tax-exempt bonds issued by AZIDA is located approve the issuance of the bonds by AZIDA and the financing of the facility. Prior to this approval, a public hearing must be held so that the public is given the opportunity to comment on the bonds and the facility.

The Bonds would not be deemed to constitute a debt of the County or a pledge of the faith and credit of the County, and were payable solely from the revenues and other funds generated by assisted living facility. Because no taxes or other revenues of the County were pledged to pay these bonds, the staff of the County did not need to do financial analysis of the Bonds, the Borrowers or the assisted living facility.

The Bonds were expected to be issued by AZIDA in the maximum principal amount of \$75,000,000, a portion of proceeds of which, in the amount not to exceed \$8,650,000, would be loaned to Urban Housing & Community Services Corporation, a California nonprofit corporation and used, in part, to (1) finance the acquisition, construction and equipping of the 60-bed Williamston House assisted living facility located at 160 Santree Drive, Williamston, NC 27892 (collectively, the “**Project**”), (2) fund a portion of the interest on the Bonds, (3) fund certain reserve and other funds related to the Bonds, and (4) pay costs associated with the issuance of the Bonds. The Bonds would constitute “qualified 501(c)(3) bonds” within the meaning of Section 145(a) of the Code.

The Project would be owned and operated by the Borrower. Mr. Jeff Poley participated remotely during the public hearing on behalf of Urban Housing & Community Service Corporation to answer any questions. Mr. Poley reiterated the request for the public hearing and resolution to issue tax-exempt funds that would cover financing costs of the acquisition of Williamston House. Mr. Poley further reiterated there would be no financial responsibility to Martin County.

Mr. Poley stated Federal tax law required local government input on whether projects could occur. This was a unique project due to the project consisting of an acquisition of an existing building, not the erection of a new building. The project also included five other counties in North Carolina and two facilities in Alabama.

Commissioner Lilley stated the paperwork that was submitted by the borrower had very detailed information and data, outlying the project very well. Mr. Poley stated the monies outlined in the project would be used for acquisition and potential improvement costs. He said stated there were no plans for expansion of the facility.

County Manager Bone suggested the Board allow some time for any comments would be provided from the Facebook live stream, to give the public an opportunity to provide feedback. No public comments were offered. Commissioner Smith asked if the current residents of the facility would experience any changes that would disrupt their current situation. Mr. Poley stated there were no intended major changes in the operations of the facility.

At 7:27 p.m., Commissioner Ayers made a MOTION to close the public hearing, with a SECOND from Commissioner Smith. The Board APPROVED the motion unanimously.

Vice Chairman Bond made a MOTION to adopt the attached resolution for the acquisition of Williamston House, with a SECOND from Commissioner Lilley. The Board APPROVED the motion unanimously.

**PROCEEDINGS OF THE BOARD OF COMMISSIONERS OF THE COUNTY OF MARTIN,  
NORTH CAROLINA AT ITS REGULAR MEETING HELD ON APRIL 8, 2020**

At approximately \_\_\_\_\_, the Chair of the Board of Commissioners of the County of Martin, North Carolina (the **“Board”**) opened the public hearing relating to the Project and Bonds as set forth in the public hearing notice published on Friday, March 27<sup>th</sup>, 2020 and attached as Exhibit A.

A compilation of the comments received is set forth in Exhibit B.

Thereupon, the Chair closed the public hearing and the Board adopted the following resolution:

**A RESOLUTION**

**REGARDING THE ISSUANCE BY THE ARIZONA INDUSTRIAL  
DEVELOPMENT AUTHORITY OF ITS SENIOR LIVING REVENUE BONDS  
IN ONE OR MORE SERIES IN THE PRINCIPAL AMOUNT NOT TO  
EXCEED \$75,000,000, FOR THE PURPOSE OF FINANCING THE  
ACQUISITION AND CONSTRUCTION OF CERTAIN ASSISTED LIVING  
FACILITIES LOCATED IN THE COUNTY AND OTHER RELATED  
MATTERS.**

*WHEREAS*, The Arizona Industrial Development Authority (**“AZIDA”**) is a nonprofit corporation and political subdivision of the State of Arizona. AZIDA is a conduit issuer of municipal revenue bonds with the ability to assist private and public borrowers across the country. AZIDA issues conduit revenue bonds for the benefit of private users. Repayment of the bonds is the obligation of the private user only. The proceeds of these revenue bonds may be used for commercial enterprises of any kind, and the interest on the bonds may be exempt from federal income taxation;

*WHEREAS*, Urban Housing & Community Services Corporation, a California nonprofit corporation and an organization described in Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (the **“Code”**), or affiliates thereof (collectively, the **“Borrower”**), has applied to AZIDA to issue its Senior Living Revenue Bonds (the **“Bonds”**) in one or more series in an aggregate principal amount of \$75,000,000, of which approximately \$8,650,000 will be loaned to the Borrower to be used, in part, to (1) finance the acquisition, construction and equipping of the 60-bed Williamston House assisted living facility located at 160 Santree Drive, Williamston, NC 27892 (collectively, the **“Project”**), (2) fund a portion of the interest on the Bonds, (3) fund certain reserve and other funds related to the Bonds, and (4) pay costs associated with the issuance of the Bonds. The Bonds will constitute “qualified 501(c)(3) bonds” within the meaning of Section 145(a) of the Code;

*WHEREAS*, the Project will be initially owned and operated by the Borrower;

WHEREAS, pursuant to Section 147(f) of the Code and the Treasury Regulations promulgated thereunder (collectively, the “**Federal Tax Requirements**”), prior to the issuance of the Bonds by AZIDA, and after a public hearing held following reasonable public notice, the Borrower has requested the Board of Commissioners of the County (the “**Board**”), as the highest elected representatives of the County, the governmental unit having jurisdiction over the area in which the Project is located, to approve AZIDA’s issuance of the Bonds and the financing the Project in the County;

WHEREAS, on this date, prior to any deliberations regarding this Resolution, the County held a public hearing at which all interested persons have been given a reasonable opportunity to express their views on the location of the Project, the issuance of the Bonds and other related matters. The public hearing was duly noticed by publication, attached as Exhibit A, in a newspaper having general circulation in the County, not less than 7 days prior to the date hereof; and

WHEREAS, at the Borrower’s request, the Board now desires to approve AZIDA’s issuance of the Bonds and the financing of the Project in order to satisfy the Federal Tax Requirements.

NOW, THEREFORE, BE IT RESOLVED by the Board as follows:

**Section 1.** It is hereby found, determined and declared that Project and the Bonds will give rise to no pecuniary liability of the County, or a charge against its general credit or taxing power.

**Section 2.** As required by and in accordance with the Federal Tax Requirements, the Board, as the applicable elected representatives of the governmental unit having jurisdiction over the area in which the Project is located, approves AZIDA’s issuance of the Bonds and the financing of the costs of the Project in the County solely for the Federal Tax Requirements.

**Section 3.** **The County has no responsibility for the payment of the principal of or interest on the Bonds or for any costs incurred by the Borrower with respect to the Bonds or the Project. The County pledges neither its taxing power nor revenues for the Bonds. The County has no responsibility for, and has not reviewed the Borrower or the Project, and has no responsibility for the success of the Project.**

**Section 4.** All orders and resolutions and parts thereof in conflict herewith are to the extent of such conflict hereby repealed, and this resolution shall take effect and be in full force and effect from and after its adoption.

## **OLD BUSINESS**

### **Purchase of the Old Jamesville High School (NERSBA) Property**

County Manager Bone recalled the Board of Education directed Superintendent Chris Mansfield on April 1, 2019 to send a letter to the Board of Commissioners to ask if the County was willing to assume ownership of the former Jamesville High School (NERSBA) property in Jamesville. The property was being used by the Northeast Regional School of Biotechnology and Agriscience (NERSBA). NERSBA is a regional high school serving as a statewide model for STEM education in agriscience and biotechnology. The school started in 2012 at the Vernon James Research and Extension Center in Roper. NERSBA had been utilizing the former Jamesville High School property since approximately 2014. NERSBA had an interest in obtaining ownership of the property.

The disposition of school property is governed by NC General Statute § 115C-518. Part of this statute states:

“...Provided, when any real property to which the board holds title is no longer suitable or necessary for public school purposes, the board of county commissioners for the county in which the property is located shall be afforded the first opportunity to obtain the property. The board of education shall offer the property to the board of commissioners at a fair market price

or at a price negotiated between the two boards. If the board of commissioners does not choose to obtain the property as offered, the board of education may dispose of such property according to the procedure as herein provided...”

At the April 10, 2019 Board of Commissioners meeting, Commissioner Smith made a MOTION to accept the offer from Martin County Schools for the sale of the former Jamesville High School Building and to give the County Manager and the School Superintendent the opportunity to work out any details. Commissioner Lilley SECONDED. The Board APPROVED the motion unanimously.

County Manager Bone and Superintendent Mansfield had been coordinating with Mr. Hallet Davis, Principal of NERSBA, concerning the property. Recently, County Manager Bone and Superintendent Mansfield negotiated a purchase price of \$25,000. At its March 2, 2020 meeting, the Board of Education approved the purchase price of \$25,000.

Pursuant to NC G. S. §115C-518, the Board of Commissioners was asked to exercise its option to obtain from the Martin County Board of Education the former Jamesville High School (NERSBA) property in Jamesville, NC “As Is” for the negotiated price of \$25,000 and to authorize the Chairman, County Manager and County Attorney to execute any and all documents related to this purchase.

County Manager Bone stated the process of purchasing the property would take some time. A closing date would still need to be established to take ownership of the property. The intent would be to convey the property to NERSBA likely around June 2020, after the school year ended.

Commissioner Lilley made a motion to obtain the NERSBA property from the Martin County Board of Education for the negotiated price of \$25,000 and authorize the Chairman, County Manager, and County Attorney to execute all documents related to the purchase, with a SECOND from Commissioner Smith. The Board APPROVED the motion unanimously.

## **NEW BUSINESS**

### **Audit Contract**

The Board was provided with a copy of the proposed audit contract with Carr, Riggs & Ingram, LLC, formerly Pittard Perry & Crone, Inc. to audit the county accounts for the year ending June 30, 2020. This firm had done a tremendous job for Martin County and was always available to and did make yearly presentations to the Board. This contract was for \$39,450, which was \$600 more than the previous year’s amount.

County Manager Bone explained more auditors were choosing to not handle governmental audits due to the complexity and regulations set forth in the past few years. The Governmental Accounting Standards Board (GASB) was continuing to make changes for future years including major changes to how governmental financial statements were presented. This would further limit available auditors and increase fees.

Staff recommended approval of the contract and engagement letter for the financial audit. The contract would then be forwarded to the Local Government Commission for its approval.

Commissioner Smith made a MOTION to approve the audit contract presented (entered into these minutes by reference), with a SECOND from Commissioner Ayers. The Board APPROVED the motion unanimously.

### **Amendment to Agreement with The Wooten Company for Professional Services in Administration of CDBG Grant for Weitron**

County Manager Bone recalled on May 10, 2017, the Board of Commissioners approved a professional grant administration services agreement with The Wooten Company (TWC) in regards to a CDBG grant for Weitron. The grant approved was in the amount of \$620,000. The negotiated compensation for professional services was for a not-to-exceed amount of \$37,750, with this amount to be deducted from local incentive payouts, as agreed upon in the Memorandum of Understanding dated March 8, 2017 between Weitron and Martin County EDC.

At the November 14, 2018 meeting of the Martin County Board of Commissioners, the Board approved additional administration fees for two CDBG projects involving AR Textiles and Weitron. TWC requests a not-to-exceed increase in fees of \$9,000 to compensate them for additional time involved the CDBG grant administration for the Weitron project (and \$8,000 for AR Textiles).

Completion of building renovations was delayed until January 2019, prompting continued Labor Standards monitoring for a total of 24 contractors. The project was monitored by NC Commerce on March 20, 2019, with no concerns or findings.

After the monitoring visit by NC Commerce, TWC prepared a request on behalf of the County to extend closeout until March 21, 2020, but the extension was only approved by NC Commerce until September 27, 2019.

On June 26, 2019, the Board of Commissioners approved an additional \$6,000.00 in grant administration, which brought TWC's total agreement fee to \$52,750.00.

In September 2019, Weitron forecasted completion of their job creations by March 2020, but they were unable to hit their target due to delivery and programming delays of production machinery and equipment. For example, a major production and packaging contract was expected in the first quarter 2019, but was not received until the fourth quarter of 2019, causing further delay.

A second request was then prepared on behalf of the County to push closeout until September 2020 which was subsequently approved by NC Commerce until March 27, 2020. A third CDBG extension request is being prepared for submission to NC Commerce requesting a new closeout date of March 27, 2021. To date, 20 of 31 new full-time positions have been created by Weitron.

TWC has reached the agreement ceiling fee of \$52,750.00 and requests an amendment to:

- 1) Continue monitoring job creations until Weitron can achieve its commitment,
- 2) Conduct standard CDBG activities to maintain the County's compliance with its grant requirements, and
- 3) Prepare documentation requesting that Commerce allow Weitron and Martin County to cease job monitoring after the 31 job commitments are attained.

Closeout documents would then be prepared by The Wooten Company, a Public Hearing advertised by Martin County to obtain comment, and the project officially closed with NC Commerce. The additional scope of services was expected to take 12 months.

TWC anticipated the above scope of services to involve an additional \$13,600.00, which would increase the total agreement fee to \$66,350.00. Work would continue to be conducted on an hourly rate basis in accordance with TWC's Standard Fee Schedule. All other agreement terms would remain in effect.

Commissioner Smith made a MOTION to approve the contract amendment as presented (entered into these minutes by reference title "*Request for Amendment to CDBG Grant Administration for Weitron, Inc.*"), with a SECOND from Commissioner Lilley. The Board APPROVED the motion unanimously.

### **Memorandum of Understanding (MOU) with the NC Department of Information Technology (DIT) Concerning Network Monitoring**

County Manager Bone recalled Martin County recently hosted a team from the National Guard in November 2019 that conducted a cyber-security audit on the County's computer infrastructure. This originally was initiated to review cyber-security for the Board of Elections, and the project was expanded to involve the entire county network. The audit was completed in 3 days and was very positive. County staff recently received the report and met with the project officer to review the report.

I.T. Director Jeb Gardner had been working diligently to improve the county's computer networks and cybersecurity. A presentation about the county's cybersecurity improvement efforts would take place at a future Board of Commissioners meeting.

As a follow-up to the National Guard effort, Martin County was offered the opportunity to enter into a Memorandum of Understanding with the NC Department of Information Technology (DIT) concerning network monitoring.

The purpose of the MOU was to develop a management agreement and define the relationship and governing policies and procedures under which NC DIT and Martin County may accomplish the following:

- Share information through data exchange by using network monitoring and other information sharing platforms;
- Establish a shared risk architecture and establish roles and responsibilities for the operation of any information sharing and/or network monitoring and defense technologies procured by DIT and installed on county infrastructure;
- Build relationships for "whole of state" approach to cyber risk reduction;
- Share resources, including materials, people, infrastructure, and knowledge to move DIT and County cyber projects forward; and
- Other activities that might benefit the County, DIT and the State.

The MOU also stated DIT may request and utilize support from the North Carolina National Guard (NCNG), Private Sector organizations with whom DIT had a contractual relationship and, federal, state, and local cooperative law-enforcement organizations.

Vice Chairman Bond made a MOTION to approve the MOU with the NC DIT (entered into these minutes by reference title “*Memorandum of Understanding Between North Carolina Department of Information Technology State Chief Information Officer and Martin County*”), with a SECOND from Commissioner Smith. The Board APPROVED the motion unanimously.

### **Amendment #2 – Engineering Services Contract with W.K. Dickson for the Martin County Airport Design and Bidding for a Parallel Taxiway**

In 2018, Martin County received notification of a \$175,000 grant from the NC Department of Transportation, Division of Aviation, for the design of a full, parallel taxiway at the Martin County Airport. A parallel taxiway connects the end of the runway with the terminal, hangars and aprons. A parallel taxiway provides the ability to move aircraft so they will not interfere with takeoffs or landings.

Martin County Airport had a partial parallel taxiway, which was funded with mostly grant funds in 2012. A full parallel taxiway would run the full length of the 5,000-foot runway. The full parallel taxiway would help Martin County attract and accommodate larger aircraft and provide an additional layer of airport safety.

By having a full, parallel taxiway already designed, Martin County would be ready to pursue an additional grant for the construction of the project. Construction was currently programmed for discretionary funding by FAA during its 2021 fiscal year.

No local match was required for the grant.

The Board of Commissioners approved an original Work Authorization #6 on November 14, 2018, which authorized the County’s airport consultant, W. K. Dickson, to proceed with the design and bidding of the Parallel Taxiway project.

The Board of Commissioners approved Amendment #1 of Work Authorization #6 on June 12, 2019. Amendment #1 included the additional survey for design revisions necessary to meet FAA criteria. These revisions include shifting Taxiway A2 to the north enough to provide a profile for Taxiway A2 that meets FAA criteria, as well as the removal of the taxiway turnaround and construction of the new parallel taxiway all the way to the Runway 21 end. The Board of the NC Department of Transportation approved additional funding to pay for the work involved in Amendment #1.

A Modification of Standards (MOS) application was submitted to FAA for approval in November 2019, due to portions of the existing taxiway and apron centerline elevations being higher than the runway centerline elevation. During their review, FAA requested that other potential Taxiway A2 locations be explored that may provide better elimination of the direct access issue. A new Taxiway A2 location was identified south of the existing apron, on the end of the airfield that has an existing parallel taxiway. The new Taxiway A2 location was located outside the original project limits and will require additional topographic survey and design services.



Amendment #2 to Work Authorization #6 included the additional survey and design services for the design revisions necessary to relocate Taxiway A2 to the location recommended by FAA. The total additional fee for the work in this amendment was \$13,975. The NC Department of Transportation issued an additional grant award of \$15,000 to cover these costs in March 2020.

Commissioner Ayers made a MOTION to approve Amendment #2 of Work Authorization #6 for W.K. Dickson for the Parallel Taxiway Design project (entered into these minutes by reference title), with a SECOND from Commissioner Lilley. The Board APPROVED the motion unanimously.

### **Grant Agreement for the Martin County Airport's Airport Layout Plan (ALP) Update**

County Manager Bone explained an Airport Layout Plan (ALP) is a set of master planning documents that provide the tools to guide the development of the Airport for the next 20-year planning period. The Federal Aviation Administration (FAA) requires an ALP to be updated periodically (typically within 10 years). The last Martin County ALP Update was completed and approved in 2006.

The NC Board of Transportation at their August 8, 2019 meeting approved a state grant award of \$250,000 for the ALP Update project.

A scoping meeting for the ALP Update was held between WK Dickson, the Division of Aviation (DOA), and Martin County on August 5, 2019 to discuss the scope of the project and the airport's needs and desires. W.K. Dickson submitted the proposed work authorization to DOA for review on October 17<sup>th</sup> 2019. The project scope had been approved by DOA, and the Martin County Board of Commissioners approved a Work Authorization with W.K. Dickson on December 11, 2019 on a contingent basis, since the grant agreement had not been received. The grant agreement was delayed, due to the NC Department of Transportation's cash-flow issues.

A grant award letter was received on April 3<sup>rd</sup>, 2020. The project was funded by state funds - \$237,283, which represented 100% of the final, eligible project costs with no local match.

The ALP would consist of a narrative report and a set of drawings, in accordance with FAA AC 150/5070-6B. The narrative report would document the ALP update and will include an analysis of current conditions, projected growth over the next 20 years, and recommendations for development.

County Manager Bone stated in Martin County Airport's Transportation Improvement Plan (TIP) project list, an Airport Layout Plan (ALP) Update was listed as the Airport's #2 priority, behind the Parallel Taxiway construction. The Parallel Taxiway was in the design phase.

Commissioner Ayers made a MOTION to approve the grant agreement with the Division of Aviation for the Airport Layout Plan update (entered into these minutes by reference title), with a SECOND from Commissioner Smith. The Board APPROVED the motion unanimously.

## **NC Recreational Trail Program (RTP) Grant Contract for a Horse Trail Project**

County Manager Bone recalled Martin County had been working with various partners about a possible nature trail / horse trail project on part of the Kehukee Park property where trees were timbered (Fall of 2018). This involved an approximate 85-acre tract that had recently undergone a clear-cut forestry operation on approximately 66 acres.

The conversation began when the NC Forestry Service approached Martin County about a possible nature trail on part of property. This initial conversation with the NC Forestry Service led to additional conversations about potential uses for other parts of the timbered land at Kehukee Park. Conversations focused on the development of a horse trail as Phase 1, with a nature trail as Phase 2.

The development of a nature trail could provide an educational benefit and provide an opportunity for collaboration between Martin Community College, the NC Forestry Service, Martin County Cooperative Extension, Martin County Soil and Water Conservation and other partners. The development of a horse trail could provide another tourism asset, as well. Meetings with various partners had been ongoing.

David Hodges, who assisted the County with the PARTF grant at Moratoc Park, had been assisting the county on this project. At its February 13, 2019 meeting, the Board of Commissioners approved a budget amendment to pay David Hodges for consulting services to help develop the grant application. A second budget amendment for David's services was approved on June 26, 2019.

The NC Recreational Trail Program (RTP) was identified as a potential funding source for the horse trail. The RTP program was one of the grant sources for the Moratoc Park renovation project.

The RTP grant application is a two-stage process: the pre-application and the final application. The maximum grant award is \$100,000. The pre-application requested general information and scope of the project. The application deadline for the pre-application was March 15, 2019. Martin County's pre-application was approved, and the county was invited to submit a final application. The final application requires more technical and in-depth verification of the project's status. The final application deadline was August 2, 2019.

Martin County received a grant award letter on February 28, 2020. Martin County received a grant award in the amount of \$99,999.80. A 25% local match was required. Martin County TDA and Martin Community College have agreed to help fund the local match. The NC Forestry Service and Martin County would also provide in-kind services.

The project included the construction of trailhead facilities via upgrades to the USDA-Agricultural Service Center and Public Works Maintenance facility and parking areas. Approximately 3-5 miles of new Equine trails would be constructed beginning at this trailhead and connecting to the Martin Community College Equine facilities. The addition of a cross-country training field was planned to offer additional equine exercise opportunities.

The grant agreement was recently drafted and accessed electronically on April 7, 2020.

Chairman Bowen stated the addition of a horse trail would be a great addition to Martin County, stating many people in Martin County and surrounding areas would be served with this trail. County Manager Bone further stated it would be very beneficial because of the equine program at Martin Community College and the close proximity to the Bob Martin Agricultural Center.

Commissioner Ayers made a MOTION to approve the RTP Grant agreement, with a SECOND from Commissioner Lilley. The Board APPROVED the motion unanimously.

## **BUDGET AMENDMENTS**

### **Budget Amendment #19**

County Manager Bone stated Budget Amendment #19 was regarding the ALP project at the Martin County Airport. This budget amendment would cover the grant funds needed to complete the project. Matching funds were not required for these grants.

Commissioner Smith made a MOTION to approve Budget Amendment #19, with a SECOND from Vice Chairman Bond. The Board APPROVED the motion unanimously.

### **BUDGET ORDINANCE AMENDMENT-19**

BE IT ORDAINED by the Board of Commissioners of Martin County, North Carolina, that the following amendments be made to the annual budget ordinance for the fiscal year ending June 30, 2020.

Section 1. To amend the Airport Fund, the expenditures are to be changed as follows.

	Increase	Decrease
Transportation		
Engineering fees	\$250,000	
Construction	70,000	

This will result in an increase of \$320,000 in the expenditures of the Airport Fund. To provide an increase in the revenues for the above, the following revenues will be changed.

Intergovernmental Revenue	\$320,000
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Section 2. Copies of this budget amendment shall be furnished to the Clerk to the Governing Board and to the Finance Officer for their direction.

### **Budget Amendment #20**

Equipment approved on the 2018-2019 NC Department of Transportation Grant for capital items in Martin County Transit were not purchased until the 2019-2020 fiscal year; however, they were not included in the 2019-2020 County budget. Reimbursement for these items will still be allowed by the NCDOT. This budget amendment re-appropriates the funds to the 2019-2020 budget.

Commissioner Smith made a MOTION to approve Budget Amendment #20, with a SECOND from Commissioner Lilley. The Board APPROVED the motion unanimously.

#### BUDGET ORDINANCE AMENDMENT-20

BE IT ORDAINED by the Board of Commissioners of Martin County, North Carolina, that the following amendments be made to the annual budget ordinance for the fiscal year ending June 30, 2020.

Section 1. To amend the General Fund, the expenditures are to be changed as follows.

	Increase	Decrease
Transportation		
Martin County Transit	\$ 63,000	

This will result in an increase of \$63,000 in the expenditures of the General Fund. To provide an increase in the revenues for the above, the following revenues will be changed.

Fund Balance	\$ 63,000
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Section 2. Copies of this budget amendment shall be furnished to the Clerk to the Governing Board and to the Finance Officer for their direction.

#### **Budget Amendment #21 and #22**

County Manager Bone stated Budget Amendments #21 and #22 were together associated with the Weitron CDBG Administration Contract Amendment agenda item previously discussed in the meeting.

Commissioner Lilley made a MOTION to approve Budget Amendments #21 and #22, with a SECOND from Vice Chairman Bond. The Board APPROVED the motion unanimously.

#### BUDGET ORDINANCE AMENDMENT- 21

BE IT ORDAINED by the Board of Commissioners of Martin County, North Carolina, that the following amendments be made to the annual budget ordinance for the fiscal year ending June 30, 2020.

Section 1. To amend the Program Grant Fund, the expenditures are to be changed as follows.

	Increase	Decrease
Administration	\$ 13,600	

This will result in an increase of \$13,600 in the expenditures of the Program Grant Fund. To provide for an increase in revenue for the above, the following revenues will be changed.

Transfer from the General Fund   \$ 13,600

Section 2. Copies of this budget amendment shall be furnished to the Clerk to the Governing Board and to the Finance Officer for their direction.

#### BUDGET ORDINANCE AMENDMENT- 22

BE IT ORDAINED by the Board of Commissioners of Martin County, North Carolina, that the following amendments be made to the annual budget ordinance for the fiscal year ending June 30, 2020.

Section 1. To amend the General Fund, the expenditures are to be changed as follows.

	Increase	Decrease
Transfers		
Program Grant Fund	\$ 13,600	

This will result in an increase of \$13,600 in the expenditures of the General Fund. To provide for an increase in revenue for the above, the following revenues will be changed.

Fund Balance Appropriation   \$ 13,600

Section 2. Copies of this budget amendment shall be furnished to the Clerk to the Governing Board and to the Finance Officer for their direction.

#### BOARD REPORTS / COMMISSIONERS' COMMENTS

Vice Chairman Bond stated his congratulations to the staff at the Martin County ABC staff on their hard work over the past month, reporting the largest profit was seen in March 2020.

Commissioner Smith stated the Commissioners in Durham County were prohibiting the purchase of beer but were still allowing liquor sales. He stated there were problems because of that decision and added Martin County did not want to go that route.

Commissioner Ayers expressed his concerns regarding the closures of businesses and the potential sales tax loss. Commissioner Ayers questioned what the losses may be due to sales tax and revenue loss this year. County Manager Bone stated the sales tax revenues come in several months after the fact, and those figures would be dated. Staff was in contact with NCACC and League of Municipalities. Staff was keeping an eye on those figure. County Manager Bone stated the impacts would be felt well into the next fiscal year and would influence the budget. County Manager Bone stated staff would present as strong of a draft budget as possible and would share any loss projections with the Board.

Commissioner Lilley wanted to thank the staff for making the meeting run so smoothly electronically. Commissioner Lilley also thanked all County staff for working through the trying times.

Commissioner Smith echoed Commissioner Lilley's comments, and added how much he appreciated working with the Board of Commissioners. Commissioner Smith felt Martin County was doing well with abiding by Governor Cooper's executive order and should continue advocating for social distancing and following the advice of the experts.

Chairman Bowen echoed all of the comments by the Board. Chairman Bowen stated the set-up for the meeting was unusual but was thankful for the technology. Chairman Bowen commended the Board on how the meeting was conducted electronically and their professionalism.

## **ADJOURNMENT**

With no further business to discuss, Vice Chairman Bond made a MOTION to adjourn the meeting, with a SECOND from Commissioner Smith. Chairman Bowen adjourned the meeting at 8:03 p.m. The next meeting would be held on Wednesday, May 13, 2020 at 7:00 p.m. in the Commissioners Boardroom.

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Tommy Bowen, Chairman

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Jessica Godard, Clerk to the Board