

The Martin County Board of Commissioners met in a Regular Session on Wednesday, November 13, 2019, 7:00 p.m. in the Commissioners Boardroom of the Martin County Governmental Center, 305 East Main Street, Williamston, North Carolina.

## **ASSEMBLY**

Chairman Tommy Bowen, Vice Chairman Dempsey Bond, Jr., Commissioner Elmo “Butch” Lilley, Commissioner Joe R. Ayers, County Manager David Bone, Clerk to the Board Jessica Godard, Finance Director/Deputy Clerk Cindy Ange, and County Attorney Richard James were present.

Commissioner Ronnie Smith was not present but participated via phone.

Chairman Bowen called the meeting to order at 7:00 p.m. Commissioner Bond led the Pledge, and Commissioner Lilley provided the invocation.

Chairman Bowen recognized those public/elected officials in attendance: Bear Grass Mayor Charlotte Griffin, Martin County Sheriff Tim Manning, Parmele Mayor Jerry McCrary, and newly elected Robersonville Mayor Tina Brown. Chief Deputy Drew Robinson was also in attendance.

## **AGENDA APPROVAL**

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

## **BOARD REORGANIZATION**

### *Election of Chairman & Vice Chairman*

NC G.S. § 153A-39 states on:

- (1) The first Monday in December of each even-numbered year; and
- (2) Its first regular meeting in December of each odd-numbered year, the board of commissioners shall choose one of its members as chairman for the ensuing year, unless the chairman is elected as such by the people or otherwise designated by law. The board shall also at that time choose a vice-chairman to act in the absence or disability of the chairman. If the chairman and the vice-chairman are both absent from a meeting of the board, the members present may choose a temporary chairman.

Chairman Bowen turned the meeting over to County Manager Bone, who in turn, asked for nominations for Chairman.

Commissioner Lilley made a motion to elect Commissioner Tommy Bowen as Chairman for the upcoming year, with a SECOND from Commissioner Smith. The Board unanimously reelected Commissioner Bowen as Chairman. Chairman Bowen thanked the Board for their vote of confidence and support.

Chairman Bowen asked for nominations for Vice Chairman. Commissioner Smith made a MOTION to reelect Dempsey Bond, Jr. for Vice Chairman. Commissioner Lilley SECONDED the motion. The Board unanimously reelected Dempsey Bond, Jr. for Vice Chairman for the upcoming year.

County Attorney

N C G. S. § 153A-114 states the Board of Commissioners shall appoint a county attorney to serve at its pleasure and to be its legal adviser.

Vice Chairman Bond made the MOTION for Richard James / Peel and James Firm to continue as Martin County Attorney, with a SECOND by Commissioner Smith. The Board unanimously APPROVED the motion as stated.

Clerk to the Board

N C G.S. § 153A-111 states the Board of Commissioners shall appoint or designate a clerk to the board. The board may designate the register of deeds or any other county officer or employee as clerk. The clerk shall perform any duties that may be required by law or the board of commissioners. The clerk shall serve as such at the pleasure of the board.

Commissioner Ayers made a MOTION to reappoint Jessica Godard as Clerk to the Board, with a SECOND by Vice Chairman Bond. The Board APPROVED the motion unanimously.

2020 Schedule of Meetings

Commissioner Lilley made a MOTION to approve the 2020 meeting schedule, with a SECOND from Commissioner Ayers. The Board APPROVED the motion unanimously.

|                            |        |  |  |
|----------------------------|--------|--|--|
| January 8, 2020            | 7 p.m. | Regular Meeting  |  |
| February 12, 2020          | 7p.m.  | Regular Meeting -- SUPERIOR COURTROOM                  |  |
| March 11, 2020             | 7p.m.  | Regular Meeting  |  |
| March 18, 2020             | 7p.m.  | Departmental Budget Presentations                      |  |
| March 19, 2020             | 7p.m.  | Departmental Budget Presentations (if needed)          |  |
| March 25, 2020             | 7 p.m. | Agency Budget Presentations/Budget Workshop            |  |
| April 8, 2020              | 7p.m.  | Regular Meeting  |  |
| April 22, 2020 (Tentative) |        | Joint Budget Meeting with Board of Education           |  |
| May 13, 2020               | 7p.m.  | Regular Meeting  |  |
| To Be Announced            |        | Budget Workshop (s) (After Receipt of Bd of Ed Budget) |  |
| June 10, 2020              | 7p.m.  | Budget Public Hearing                                  |  |
| June 10, 2020              | 7p.m.  | Regular Meeting  |  |
| June 10, 2020              | 7p.m.  | Adopt Budget   |  |
| June 24, 2020              | 7p.m.  | Year End Budget Ordinance Amendments                   |  |
| July 8, 2020               | 7p.m.  | Regular Meeting  |  |
| August 12, 2020            | 7p.m.  | Regular Meeting  |  |
| September 9, 2020          | 7p.m.  | Regular Meeting  |  |
| October 14, 2020           | 7p.m.  | Regular Meeting  |  |
| November 4, 2020           | 7p.m.  | Regular Meeting  |  |
| December 7, 2020           | 9a.m.  | Regular Meeting  |  |

**PUBLIC COMMENTS**

**Ms. Mercedes Fornay** came before the Board to thank them for the flower that was sent to her family after the passing of her mother in October.

**CONSENT AGENDA**

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

1. **Minutes** for November 13, 2019 Regular and Closed Sessions

2. **Financial Report** for October 2019 included for informational purposes.

3. **Tax Assessor – Tax Refund Requests – November 2019**

Mr. Kevin Hyman was requesting a refund for years 2018-2014 (5 years) for a 2010 home utility trailer that was sold, per the taxpayer, in 2014. The trailer had a permanent license plate on it. Mr. Ben Short, Sr. is now deceased. Mr. Short does owe the 2014 tax year bill, and in 2017 Mr. Short signed the listing form, confirming he still owned the trailer. The 2018 bill only needs to be refunded by the Martin County Tax Office. Per General Statute 105-381(a)(1), Martin County is allowed to refund the current year plus 5 additional years due to an error from within the Tax Assessor’s office. If approved, the refund amount would be \$4.25. Mr. Hyman was requesting the refund be applied to any outstanding taxes that Ben Short Sr. owed, and any remaining to be mailed back to him.

The above tax refund request was APPROVED as part of the consent agenda.

4. **Tax Assessor – Tax Relief Orders –August 2019**

| Year Levy | Lname                  | Fname         | Reason                                    | Value | Total      |
|-----------|------------------------|---------------|---|-------|------------|
| 2019      | Coltrain               | James Russell | Personal Property                         |       | 270.23     |
| 2019      | Coltrain               | Steven R      | Personal Property                         |       | 289.33     |
| 2019      | Coltrain               | Steven R      | Personal Property                         |       | 2.89       |
| 2019      | Stalls Farming, Inc    |               | Personal Property                         |       | 7,664.60   |
| 2019      | Watts & Watts Trucking |               | Personal Property                         |       | 258.51     |
|           |                        |               | <i>Total Real &amp; Personal Releases</i> |       | \$8,485.56 |
| 2019      | Taylor                 | Jimmy Darrell | Adjustment                                |       | 72.00      |
| 2019      | Taylor                 | Jimmy Darrell | Over Assessment                           |       | 41.60      |
| 2019      | Whitaker               | Odis Ward     | Adjustment                                |       | 40.00      |
|           |                        |               | <i>Total VTS Refund Requests</i>          |       | 153.60     |

5. **Tax Collector’s Report –October 2019**

|                          | Category  | Nov-19                | Nov 19 Y-T-D          |
|--------------------------|-----------|-----------------------|-----------------------|
| <b>Real Property</b>     | <b>20</b> | <b>\$1,793,530.84</b> | <b>\$4,467,651.75</b> |
| <b>Personal Property</b> | <b>25</b> | <b>143,396.44</b>     | <b>1,014,218.29</b>   |
| <b>Total</b>             |           | <b>\$1,936,927.28</b> | <b>\$5,481,870.04</b> |
| <b>Motor Vehicle</b>     | <b>30</b> | <b>194.48</b>         | <b>898.35</b>         |
| <b>Total MV</b>          |           | <b>\$194.48</b>       | <b>\$898.35</b>       |
| <b>All Total</b>         |           | <b>\$1,937,121.76</b> | <b>\$5,482,768.39</b> |

6. **Board Appointments/Reappointments/Resignations**

**Martin County Mid-East RPO Representatives**

The Mid-East Regional Planning Organization (RPO) provides rural areas the opportunity to work in partnership with NCDOT to develop sound, short and long-range transportation planning for the rural areas of our region. The RPO utilizes a Transportation Advisory Committee (TAC) and a Technical Coordinating Committee (TCC) to assist in the decision-making process for the region. Representation on each committee is appointed by the Board of Commissioners from each participating county.

The Board of Commissioners was asked to approve the appointments of the following individuals:

RPO Technical Coordinating Committee:

Martin County Representative – County Manager David Bone  
Transit – Martin County Transit Deputy Director Frank Halsey  
Martin County Airport – Board Member Mitch Manning

RPO Technical Advisory Committee:

County – Commissioner Dempsey Bond, Jr.  
Towns – Bear Grass Mayor Charlotte Griffin

The reappointments of the above individuals were approved, as part of the consent agenda.

**Fireman’s Relief Fund Trustees**

Fire Chiefs for the various local fire departments asked the Board of Commissioners to appoint / reappoint the following persons as Fireman’s Relief Fund Trustees for two (2) year terms each, which would expire December 31, 2021.

Those individuals recommended for appointment/reappointment are:

- |                                 |   |
|---------------------------------|---|
| • Bear Grass Fire Department    | Mr. James Ward                                      |
| • Griffin Fire Department       | Mr. Gary Griffin                                    |
| • Jamesville Fire Department    | Mr. Phillip Pierce                                  |
| • Oak City Fire Department      | Mr. Willie Bunch                                    |
| • Robersonville Fire Department | Mr. Charlie Gurganus                                |
| • Williamston Fire Department   | Mr. Thomas Roberson (to replace Mr. Junious Horton) |

Staff was unable to make contact with a representative from Hamilton Fire Department; a recommendation for that department will be included in the January 2020 consent agenda.

The reappointments were approved, as part of the consent agenda.

**Choanoke Area Development Association (CADA) Board Appointments/Resignation**

Social Services/Transit Director Letecia Erby currently represents Martin County on the CADA Board and expressed a willingness to serve another term. Martin County Business Owner Callie Northern-Herring had been serving, but had not indicated that she could serve another term.

The Board was asked to reappoint Ms. Erby for a two-year term, which would expire December 31, 2021. The Board was also asked to accept the resignation of Ms. Callie Northern-Herring.

The reappointment of Ms. Erby and the resignation of Ms. Northern-Herring were approved as part of the consent agenda.

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

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

Prior to introducing new employees, DSS Director Letecia Erby had two staff members who had recently received promotions, and she wanted to bring those employees before the board for recognition. Ms. Shameka James was promoted to a foster care Social Worker, as she recently graduated with her Bachelor's Degree in Social Work. Also, Ms. Erby introduced Ms. Renee Joyner, who was promoted to a supervisor position to fill Ms. Judy Moses' position, who has retired.

The Board congratulated those employees on their hard work and promotions.

Next, Director Erby introduced Mr. Matthew Fess to the Board. Mr. Fess had previously worked with DSS as an intern. After finishing his training for the National Guard, Mr. Fess returned to the area and was hired with Martin County DSS as a Social Worker as an adult home specialist with adult protective services.

DSS Deputy Director Frank Halsey introduced two new drivers to the Board of Commissioners. First, Mr. Halsey introduced Mr. Reginald Wallace, who was the new part-time transit driver. Next, Mr. Halsey introduced Ms. Tuwanda Sanders as the newest full-time driver.

The Board welcomed all new employees to Martin County.

### **OLD BUSINESS – None**

### **NEW BUSINESS**

#### **Tax Assessor Appointment**

In accordance with NC G.S. Article 16 §105-294, the Board of Commissioners of each county shall appoint a county assessor to serve a term of not less than two nor more than four years.

Current Tax Assessor Elisha Hardison had served as Tax Assessor in Martin County since 2016. Her current term would run until December 31, 2019. County Manager David Bone stated Ms. Hardison had done a great job, making great strides in her work. The Board of Commissioners was asked to reappoint Ms. Elisha Hardison as the Martin County Tax Assessor for a term four years, ending December 31, 2023.

Commissioner Lilley made a MOTION to reappoint Tax Assessor Elisha Hardison for an additional four year term, expiring December 31, 2023, with a SECOND from Commissioner Ayers. The Board APPROVED the motion unanimously.

#### **Adoption of an Equal Employment Opportunity Policy**

The purpose of equal employment opportunity (EEO) is to ensure fairness in hiring, promotion and other workplace practices. Ultimately, this would encourage a diverse, multi-talented workforce. Equal employment opportunity goals are promoted through a set of federal laws, dating back to the 1960s and addressing many different forms of on-the-job discrimination. EEO laws prevent employers from withholding job opportunities based on a worker's sex, race, age, national origin, certain health conditions and other personal characteristics.

Staff has drafted an Equal Employment Opportunity policy for consideration, and was requesting the Board adopt the policy. County Manager Bone highlighted that County Clerk Jessica Godard would be serving as the Equal Employment Opportunity officer, and would take any complaints regarding a violation of the policy.

Vice Chairman Bond made a MOTION to adopt the Equal Employment Opportunity policy (entered into these minutes by reference), with a SECOND from Commissioner Lilley. The Board APPROVED the motion unanimously.

### **Approval of a DSS Appeal Policy**

Employees who work in the Department of Social Services (DSS) are subject to the State Personnel Act. Employees who have achieved career status are given certain rights for their job.

Employees with career status have earned a property right to their job. Employees who go through a disciplinary process due to unsatisfactory job performance, including gross inefficiency or unacceptable personal conduct, have a right to appeal final disciplinary decisions.

In the January 22, 2018 meeting, the Social Services Board unanimously voted to revise the appeal policy removing the board out of the appeals process. Administrative Code 25 NCAC 011 states that county policy must be in compliance with DSS policy.

The Board of Commissioners was asked to approve the policy adjustment approved by the Social Services Board. Staff will update the county handbook with the appeals policy to reflect uniformity and consistency.

Commissioner Lilley made a MOTION to approve the DSS appeal policy, with a SECOND from Vice Chairman Bond. The Board approved the motion unanimously.

At 7:18 p.m., Commissioner Smith had to end the phone call and could not participate in the rest of the meeting.

### **Approval of Bids for the Industrial Park Water & Sewer Project**

County Manager Bone stated staff had hoped to have bids for approval at tonight's meeting, but there were some setbacks. Mr. Will Larsen from The Wooten Company was present to provide an update and to answer any questions. Mr. Larsen provided a brief summary of the progress of the RuralReady Site project thus far over the past year.

A bid opening for the tank maintenance and painting project were opened on November 19<sup>th</sup>, 2019, but only one bid was received, so it was re-advertised. The re-bid for the tank maintenance portion of the project was held on December 3, 2019. One bid was received (from Utility Service Company). The base bid was \$308,400.

Bids for the gravity sewer portion of the project were also received on December 3, 2019. Seven bids were received. Herring and Rivenbark was the apparent low bidder, with a base bid of \$813,292.50. The re-bid for the tank maintenance portion of the project was held on December 3, 2019. One bid was received (from Utility Service Company). The base bid was \$308,400.

Mr. Larsen stated bids came in higher than budgeted/anticipated – approximately \$275,000 over. Many contractors were very busy, and there were some unexpected equipment costs that were discovered (new generator needed). The Wooten Company was working with the apparent low bidders to adjust the scope, where possible that would not impact the overall performance of the project.

Mr. Larsen stated there was about a \$200,000 funding gap, and further discussion would be had with IDF (Industrial Development Fund – NC Department of Commerce). Additionally, Mr. Larsen brought forth the idea that the County may need to increase local funds to help close the funding gap.

County Manager Bone thanked Mr. Larsen and The Wooten Company for considering adjustment in their fees for the project. Also, County Manager Bone asked if a decision was needed tonight. After further discussion, Mr. Larsen stated that the County was not in a position to award any bids at tonight's meeting. An award in January 2020 would be more ideal, giving time to discuss any additional local funds and other pricing issues (\$195,000 funding gap) and roughly \$100,000 from local funds if IDF could provide additional funds).

Mr. Larsen mentioned add alternate features that were bid out, such as lighting for the elevated tanks. A competitive bid of \$35,000 was received. This could be considered a marketing benefit and would not alter the effectiveness of the tanks. County Manager Bone mentioned that grant funds for these types of projects and felt the County should provide additional local funds if needed in order for the work to be completed.

Vice Chairman Bond made a MOTION for Martin County to offer a 50/50 match, so long as IDF was willing to provide additional funding for the elevated tank project, with a SECOND from Commissioner Ayers. The Board APPROVED the motion unanimously.

### **Work Authorization – W.K. Dickson – Airport Layout Plan Update**

County Manager Bone stated a work authorization (presented to the Board prior to the meeting) would authorize the County's airport consultant, W. K. Dickson, to proceed with the update to the Airport Layout Plan (ALP) for the Martin County Airport.

County Manager Bone stated the 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 FAA requires an ALP to be updated periodically (typically within 10 years), and it has been a while since the Martin County ALP has been updated. The last ALP Update was completed and approved in 2006.

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.

County Manager Bone stated a state grant award of \$250,000 for the ALP Update project was approved by the NC Board of Transportation at their August 8, 2019 meeting.

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>. The project scope had been approved by DOA, and the required Independent Fee Estimate (IFE) had been initiated.

County Manager Bone stated the ALP sets out a plan for improvements to the airport, and helps have things lined up to apply for additional grant funds in the future.

The Board of Commissioners was asked to conditionally approve the work authorization for W. K. Dickson for the Airport Layout Plan update, pending final approval of the work authorization by the Division of Aviation.

Commissioner Lilley made a MOTION to conditionally approve the work authorization for W. K. Dickson for the Airport Layout Plan, pending final approval of the work authorization by the Division of Aviation, with a SECOND from Commissioner Ayers. The Board APPROVED the motion unanimously.

### **Resolution Recognizing January 2020 as Radon Action Month in Martin County**

County Manager Bone stated the NC Department of Health and Human Services was asking all 100 counties to recognize January 2020 as Radon Action Month.

Each year, January is nationally recognized as National Radon Action Month by the Environmental Protection Agency. MTW District Health had assisted Martin County in the past with distributing free radon test kits during National Radon Action Month, and many NC Cooperative Extension Service agents continued to provide educational programs on radon in their counties each January.

Radon is undetectable without radon testing. Radon has no smell and is a colorless naturally occurring radioactive element. Radon is the leading cause of lung cancer among non-smokers and is responsible for more than 20,000 deaths annually in the United States.

The NC Radon Program would be providing 3,000 free radon test kits through their website beginning the first week of January 2020. DHHS was also working with the NC Cooperative Extension Service and a number of other partners in providing four free webinars on radon during National Radon Action Month.

The Board of Commissioners was asked to adopt the resolution. Commissioner Ayers made a MOTION to adopt the Resolution Declaring January 2020 as Radon Awareness Month in Martin County, with a SECOND from Commissioner Lilley. The Board APPROVED the motion unanimously.

### **Resolution In Support of National Radon Action Month in Martin County, NC**

**WHEREAS**, radon is a colorless, odorless, radioactive gas that may threaten the health of our citizens and their families; and

**WHEREAS**, radon is the second leading cause of lung cancer in the U.S. and is the leading cause of lung cancer in non-smokers; and

**WHEREAS**, the National Academy of Sciences estimates that up to 21,000 lung cancer deaths occur in the United States each year; and

**WHEREAS**, radon is found in one in 15 homes across the U.S. have elevated radon levels; and

**WHEREAS**, any home may have elevated levels of radon, even if neighboring homes do not, and living in a home with an average radon level of 4 picocuries per liter of air poses a similar risk of developing lung cancer as smoking half a pack of cigarettes a day; and

**WHEREAS**, testing for radon is simple and inexpensive and radon problems can be fixed; and

**WHEREAS**, the Martin County Board of Commissioners, the U.S. Surgeon General, the U.S. Environmental Protection Agency, the NC Department of Health and Human Services' NC Radon Program and the North Carolina Advisory Committee on Cancer Coordination and Control support efforts to encourage homeowners to test their homes for radon, have elevated levels of radon reduced; and

**WHEREAS**, many residents in Martin County don't know about radon, yet need to know, for the safety and health of their families and a proclamation of National Radon Action Month is an opportunity to educate individuals on the available measures to reduce radon;



**NOW, THEREFORE, BE IT RESOLVED** that the Martin County Board of Commissioners do hereby recognize JANUARY 2020 as National Radon Action Month in Martin County, North Carolina.

### **North Everetts School Building Offer to Purchase from Martin County Schools**

County Manager Bone recalled the Board of Education directed Superintendent Chris Mansfield on November 4, 2019 to send a letter to the Board of Commissioners to ask if the County is willing to assume ownership of the North Everetts School property (former Head Start facility) in Everetts. A copy of the letter of offer for sale of the school was provided to each Commissioner for review.

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...”

The statute requires the Board of Education to offer the property to the Board of Commissioners at a fair market price or at a price negotiated between the two boards.

The Board of Commissioners was asked to provide direction concerning the offer from the Martin County Board of Education to purchase the North Everetts School property. Commissioner Lilley made a MOTION to turn down the offer for the North Everetts School property from the Board of Education, with a SECOND by Commissioner Ayers. The Board APPROVED the motion unanimously.

### **Approval of State Funding for “Raise the Age” Program**

Effective December 1, 2019, 16 and 17 year-old individuals who commit crimes in North Carolina were no longer automatically charged in the adult criminal justice system. In 2017, lawmakers raised the age of juvenile jurisdiction for nonviolent crimes to age 18, following years of research, study and education on this topic. There would be some opportunities and challenges with the judicial system with the age of juveniles.

The Board of County Commissioners must accept the state funding. The “Raise the Age” expansion funds for Martin County were \$14,273. No local match was required for this fiscal year, but an increase in the local match was anticipated for the following fiscal year.

The Board of Commissioners was asked to accept the state funds for the “Raise the Age” program. Vice Chairman Bond made a MOTION to accept the funding for “Raise the Age”, with a SECOND from Commissioner Ayers. The Board APPROVED the vote unanimously.

**BUDGET AMENDMENTS -- None**

**BOARD REPORTS / COMMISSIONERS’ COMMENTS**

Vice Chairman Bond announced the ribbon-cutting ceremony for the new Robersonville ABC store that would take place on Friday, December 13, 2019 at 10:00 a.m. He stated everyone was invited to attend.

No other comments were offered.

## **ADJOURNMENT**

With no further business to discuss, Vice Chairman Bond made a MOTION to adjourn the meeting, with a SECOND from Commissioner Ayers. Chairman Bowen adjourned the meeting at 7:38 p.m. The next meeting would be held on Wednesday, January 8, 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