

September 27, 2023
Special Call Meeting

The Martin County Board of Commissioners met in a Special Call Meeting on Wednesday, September 27, 2023 at 6:00 p.m. in the Commissioner's Boardroom at the Martin County Governmental Center, 305 East Main Street, Williamston, North Carolina.

ASSEMBLY

Present in the Courtroom: Chairman Ronnie Smith, Vice Chairman Dempsey Bond Jr., Commissioner Joe R. Ayers, Commissioner David "Skip" Gurganus, Commissioner Emily Biggs County Manager U. James Bennett, Clerk to the Board Julia Rease.

Webex: Attorney Tom Stukes and Finance Officer Cindy Ange.

Chairman Ronnie Smith called the meeting to order at 6:01 p.m. Commissioner Biggs led the Pledge of Allegiance and Commissioner Gurganus provided the invocation.

Chairman Smith extended a welcome to all.

PUBLIC COMMENTS

County Attorney Eisner read the Public Comment Procedures before public comments were given.

Mr. John MacDonald- 20770 HWY 64, Williamston, NC – Martin General Hospital and Raises

Mr. John Macdonald introduced himself as a Retired Army Command Sergeant Major. Mr. MacDonald stated that he heard about the closed session meetings going on with the Board and it did not sit well with him. Mr. MacDonald stated that there was a Retired Air Force Lieutenant on the Board, which showed poor leadership to Mr. MacDonald, being a Retired Army Command Sergeant Major. Mr. MacDonald that you lead from the back and not from the front and if you had something to say, you say it to all, not some. Mr. MacDonald asked Chairman Smith if this was correct and Chairman Smith responded that he was a Major, Retired. Mr. MacDonald stated Chairman Smith informed him that he was a Lieutenant and asked if this was not correct. Chairman Smith stated that this was not correct and Mr. MacDonald stated they needed to get their business straight. Mr. MacDonald stated "Mr. Bennett... you're leadership, in my eyes, lacks. I think that if anybody has presented themselves to another County, during an election process, and didn't present themselves within this County as a knowing candidate, it should not have ever happen. All you had to do was go on Facebook and find out what happened. A lot of people didn't know that, but it is known now." Mr. MacDonald stated that the people in the County deserve better. Mr. MacDonald stated that Martin County was a Tier 1 County, which meant it was a poor County. Mr. MacDonald, which meant it, was one of the poor Counties with a population of about 22,000 plus, and it was getting smaller everyday population wise, residents were looking for leadership. Mr. MacDonald stated, "When you closed the hospital, you wonder where you going to take your people to. You can't take them anywhere, other than Bertie County, Windsor or take them to Tarboro, or maybe if you're lucky enough, take them down to Jamesville, or take them to Plymouth. Mr. MacDonald stated that this didn't say too much for people in Williamston. Mr.

MacDonald stated at one time there was a thriving hospital here. Mr. MacDonald stated to look at the LEO's that have to put their lives everyday on the line. Mr. MacDonald asked what would happen if one of them were injured by a gunshot wound or tragic car accident. Mr. MacDonald asked if they had 45 minutes to play around and be able to take that officer to Windsor, to Tarboro, to Greenville, and stated that they didn't. Mr. MacDonald stated that he served two tours in Vietnam and was wounded twice seriously. Mr. MacDonald stated that there was no time to play, it was a need for the hospital, the hospitals doors needed to be opened, and something needed to be done. Mr. MacDonald stated that if anyone pats themselves on the back with amount of pay raises County Manager Bennett had lately, that don't work. Mr. MacDonald stated that he did not know what County Manager Bennett had done to think that he deserved the Merit/ pay raises that he patted himself on the back for. Mr. MacDonald stated that County Manager Bennett didn't deserve the increases and County Manager Bennett should put the money into the hospital. Mr. MacDonald stated again that County Manager Bennett didn't deserve the raise and he would like for him to resign immediately, walk out the door, take the rest of his people with him, and say bye bye to Martin County.

Ms. Patricia Smith – Martin General Hospital and Raises

Ms. Patricia Smith stated that she spoke with some people at a facility that was very close to the hospital. Ms. Smith stated that she really did believe that the facility could possible bring some type of solution as the hospital was going to open up or move to another solution. Ms. Smith stated that the facility was Agape, whom was already established and in place. Ms. Smith suggested that Agape was spoken with to extend their hours, assist Agape with a larger space. Ms. Smith stated that lives were being played with transporting people from one County to another. Ms. Smith stated that it didn't take long for someone to have a heart attack and be dead. Ms. Smith reported that there was a "Human Relations Board", which took off some of the pressure of having situations coming straight at the Board. Ms. Smith stated that the Human Relations Boards played as a middle person and some of the subjects that the Board was being addressed with could have helped before things escalated to this point. Ms. Smith suggested bringing the Human Relations Board back. Ms. Smith stated that there were some things that people had got away from and it was best to go back. Ms. Smith stated that things were working well with the things that they had in place. Ms. Smith then spoke about seven raises given at seven times. Ms. Smith stated that it was hard to believe that the Board was giving a packet, to read over prior to coming to a meeting that it has taken this long, to be aware of what was actually going on in the budgets. Ms. Smith reiterated that there were seven incidents of raises. Ms. Smith stated that she felt the budgets and/or packets were not being looked at prior to the meetings, maybe somebody wasn't reading through the information. Ms. Smith stated that she assumed that the Board members got their packets before the meeting, so they could have time to look at the packet, and be able to hold a meeting without issues or concerns that come up at the meeting. Ms. Smith stated that it may have been a situation where packets weren't being read or that no one know how to read budgets.

Dr. John Meredith, Former Martin General Hospital Emergency Room Chair and Medical Doctor

Dr. Meredith stated that the hospital needed to open and soon, if not immediately. Dr. Meredith reported that that there was a healthcare crisis in the County with the transport times were worse and people suffering. Dr. Meredith stated that a budget was passed that had money available for a Rural Emergency Hospital through Medicaid Expansion. Dr. Meredith stated the longer it took to open the hospital, the more difficult it would be to reconstitute services because the people that

worked there, the people that were committed to this County and to this Hospital, would have left to work for other jobs. Dr. Meredith stated that the employees would be hard to get back and that they were the strength in their commitment to the community. Dr. Meredith transferred the rest of his time to Dr. Chawla.

Dr. Dhruva Chawla -1067 Cruise Street, Williamston, NC

Dr. Chawla gave updates on the clinic he was proposing to open. Dr. Chawla stated that the bankruptcy trustee was handing over the County property, back to the County. Dr. Chawla stated that he was looking forward to getting the lease to the clinic, but it may take a few weeks. Dr. Chawla stated that he applied for all of the necessary credentials for Medicare/Medicaid to see those patients. Dr. Chawla stated that it would take around 45 days to get, but once received he should be able to open up the clinic. Dr. Chawla stated there were some things in the State budget that could help healthcare. Dr. Chawla reported that there was a \$150 million grant that was allocated for new hospitals, fixing hospitals that need repairs, but it was not stated where the money would be allocated. Dr. Chawla stated that he felt that Martin County would be on this list to receive funding. Dr. Chawla reported that there was a new grant coming in for a new Access Point for specialty clinics. The grant was around \$2.4 million and the County could use the funding to build a new clinic. Dr. Chawla stated that the grant opened in November with a possible 30-day deadline. Then, Dr. Chawla reported that ECU and UNC were awarded a \$210 million grant (105 million each). Dr. Chawla stated that his concern was that there were plans to build and or restore hospitals in surrounding counties to Martin County, but Martin County was not on this list.

Mr. Tony Gainpoalo – 118 N. Haughton Street, Williamston - Martin General Hospital

Mr. Gainpoalo had a written public comment from his wife, whom could not attend. Mr. Gainpoalo read the document talked about Mrs. Gainpoalo assisting a man who was walking in the street with a hospital robe on, hospital socks, white hospital bracelet, and bandages on his body. The document stated that Mrs. Gainpoalo placed a 911 call and retrieve some clothing for the man. Mrs. Gainpoalo stated in the document that she found out the man fell and was sent to Bertie County, wherein he was discharged and Bertie County dropped him off at Shewels. The patient reportedly had to walk to his home on Hwy 125. Williamston Police reportedly took the patient home. Mrs. Gainpoalo gave statics in her document to the Board that detailed the poverty levels of the County, felt that the monies given in raises could have been spent better, and the community needed better. Mrs. Gainpoalo stated that the Board needed to do more with less and that she prayed that the Board would do what was best.

Mr. Robert Mack Stalls

Mr. Stalls read Proverbs Chapter 29 verses 1-2 aloud as his public comment as stated, “1 He, that being often reprov'd hardened his neck, shall suddenly be destroyed, and that without remedy. 2 When the righteous are in authority, the people rejoice: but when the wicked beareth rule, the people mourn”.

Mr. Paul Roberson

Mr. Roberson stated that there was still a pandemic going on and how dare the Board pack the citizens that the Board worked for in a room like the Commissioners Boardroom and leave majority of them sitting outside when there was a perfectly good courtroom upstairs. Mr. Roberson stated that the Board hid in the darkness of closed sessions and meetings, which he believed in some

cases, were illegal, private and secret meetings that have taken place. Mr. Roberson stated that this would come to light and they would have to answer for those issues. Mr. Roberson stated that the public was mad and was mad, as he has ever seen them in 47 years. Mr. Roberson stated that they people would be held accountable for their actions and everything would come out in time. Mr. Roberson stated people had lost faith in the Board's ability to govern, especially the Chairman and County Manager. Mr. Roberson stated that to have the audacity to accept a raise at a time when more than 180 people at Martin General Hospital have lost their jobs, an assault on the people. Mr. Roberson stated that someone deserve to answer to this in short order. Mr. Roberson reported that since the hospital closed, each Board member had blood on their hands, and he hoped that it kept them up at night. Mr. Roberson stated that he believed that Chairman Smith and County Manager Bennett had both worked together with Agape and this was not the answer. Mr. Roberson stated the hospital needed to be opened and the County needed to get the hospital employees back employed, and if not, the County won't have any workers and the County would be in the same boat.

AGENDA APPROVAL

Commissioner Ayers made a **Motion** to add an item to tonight's agenda in accordance with G.S. 143-318.11(a)(5) and (6) to discuss the qualifications , competence, performance, character, fitness, conditions of appointment, or conditions of initial employment; or to hear any complaints, charges or grievances concerning Martin County Manager U. James Bennett. Commissioner Gurganus **Seconded** the Motion.

Discussion:

Commissioner Ayers passed out the general statutes and stated that the County Manager's situation was to be discussed in Open Session. The handouts provided by Commissioner Ayers stated: "Per G.S. 143-318.11(a) and (5):

- (a) Permitted Purposes. – It is the policy of this State that closed sessions shall be held only when required to permit a public body to act in the public interest as permitted in this section. A public body may hold a closed session and exclude the public only when a closed session is required
 - (5) To establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating... (ii) the amount of compensation and other material terms of an employment contract or proposed employment contract.
 - (6) To consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee. General personnel policy issues may not be considered in a closed session. A public body may not consider the qualifications, competence, performance, character, fitness, appointment, or removal of a member of the public body or another body and may not consider or fill a vacancy among its own membership except in an open meeting"

There was discussion between Board members and the County Attorney about the wording of the general statutes being used, wherein "may" gave the Board.

The motion was raised again for a vote and the vote is as stated:

Commissioner Ayers made a **Motion** to add an item to tonight's agenda in accordance with G.S. 143-318.11(a)(5) and (6) to discuss the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment; or to hear any complaints, charges or grievances concerning Martin County Manager U. James Bennett. Commissioner Gurganus **Seconded** the Motion. Motion was **Carried** unanimously (5-0).

CLOSED SESSION(S) - 1. N.C.G.S. §143-318.11(a)(3)Attorney-Client Privilege and 2. N.C.G.S. §143-318.11(a)(5)Real Property Purchase/Contracts/Leases, and 3.N.C.G.S. §143-318.11(a)(6) Personnel,

At: 6:48 p.m. Commissioner Gurganus made the **Motion** to Enter Closed Session(s) 1.N.C.G.S. §143-318.11(a)(3)Attorney-Client Privilege 2.N.C.G.S. §143-318.11(a)(5)Real Property Purchase/Contracts/Leases and 3.N.C.G.S. §143-318.11(a)(6) Personnel, with a **Second** by Vice Chairman Bond Jr. Motion was **Carried** Unanimously (5-0).

At: 9:09 p.m. Vice Chairman Bond Jr. made the **Motion** to Enter Closed Session(s) 1.N.C.G.S. §143-318.11(a)(3)Attorney-Client Privilege 2.N.C.G.S. §143-318.11(a)(5)Real Property Purchase/Contracts/Leases and 3.N.C.G.S. §143-318.11(a)(6) Personnel, with a **Second** by Commissioner Ayers. Motion was **Carried** Unanimously (5-0).

OPEN SESSION

Commissioner Gurganus made the **Motion** to Approve of the Contract with Albemarle Solid Waste Regional, with a **Second** by Vice Chairman Dempsey Bond Jr. Motion was **Carried** unanimously (5-0).

Commissioner Gurganus made the **Motion** to Approve of security services for the hospital with Wisser Security Services, with a **Second** by Commissioner Biggs. Motion was **Carried** unanimously (5-0).

Vice Chairman Bond Jr. made the **Motion** to Approve salaries in the Department of Social Services by 4% excluding the Department of Social Services Director, with a **Second** by Commissioner Biggs. Motion was **Carried** (4-1).

Ayes: Chairman Ronnie Smith. Vice Chairman Dempsey Bond Jr., Commissioner David "Skip" Gurganus, and Commissioner Emily Biggs.

Nays: Commissioner Joe R. Ayers

Commissioner Ayers stated that the raises should have been taken up three months ago. Commissioner Ayers also stated that there was many concerns about how the hospital situation was handled by the County Manager's Office as well as the salary increases that were out of line.

Vice Chairman Bond Jr. stated that he was served lawsuit documents and his lawyer informed him not to speak on anything.

Commissioner Gurganus talked about the different raises and the construction of County Manager Bennett's contract, and how the hiring of the County Manager was hired in a meeting in which he was unaware of what was going on. Commissioner Gurganus stated that he hadn't seen the contract for the County Manager until recent, when someone else requested it. Commissioner Gurganus stated that there was no greater issue in the County than the hospital, but the Board was focused on salaries. Commissioner Gurganus stated that the Board was a position of service.

Commissioner Ayers made the **Motion** Due to Cause to terminate the employment of U. James Bennett as Martin County Manager U. James Bennett, with a **Second** by Commissioner Gurganus. Motion was **not carried** (2-3).

Ayes: Commissioner Joe R. Ayers and Commissioner David "Skip" Gurganus

Nays: Chairman Ronnie Smith, Vice Chairman Dempsey Bond Jr., and Commissioner Emily Biggs.

ADJOURNMENT

With no further business to discuss, at 9:30 pm, Vice Chairman Bond Jr. made a **Motion** to adjourn and was **Seconded** by Commissioner Biggs. The Motion was **Carried** unanimously (5-0).

Ronnie Smith, Chairman

Julia Rease, Clerk to the Board