

**November 13, 2019**

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 Ronnie Smith, 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.

Chairman Bowen called the meeting to order at 7:00 p.m.

Chairman Bowen recognized those public/elected officials in attendance: Bear Grass Mayor Charlotte Griffin, Martin County Sheriff Tim Manning, and Parmele Mayor Jerry McCrary. 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 Smith. The Board unanimously APPROVED the motion (5-0).

## **PUBLIC COMMENTS**

No public comments were offered.

## **CONSENT AGENDA**

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

- 1. Minutes** for October 9, 2019 Regular and Closed Sessions
- 2. Financial Report** for September 2019 included for informational purposes.
- 3. Trillium Health Resources Quarterly Fiscal Monitoring Report** included for information purposes.
- 4. Tax Assessor – Tax Refund Requests – October 2019**

Element Fleet Corporation was requesting a refund for year 2019 (1 year) for a 2011 Ford F-150 truck that they listed by mistake twice. This vehicle had a regular year billed license plate on the truck. Element Corporation also listed the truck as business personal property on their listing form for 2019. The property was double billed 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 \$42.46. Element Fleet was requesting the refund be applied to any outstanding taxes that the company may owe and any remaining be mailed back to them.

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

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

Year Levy	Lname	Fname	Reason	Value	Total
2019	Barnes Motor & Parts Co.		Double Billed		246.11
2019	Brown	Rhonda Lee	Double Listed		48.25
2019	Brown	Rhonda Lee	Double Listed		47.40
2019	Butterfield	Michele Lynn	Error in Listing		102.96
2019	Butterfield	Michele Lynn	Error in Listing		101.22
2019	Hill	Normal	Error in Landfill Fee		172.00
2019	Lara De La Cruz	Jose Luciano	Error in Listing		14.35
2019	Peed	Dalton R	Double Listed		172.00
2019	Riddick	Lovonia Trustee	Error in Landfill Fee		172.00
2019	Short	Ben R Sr	Surrendered Tags		4.35
2019	SMS Trucking LLC		Sold Vehicle		209.16
2019	Tands Inc		Double Billed		51.92
2019	Taylor	Viola Griffin Heirs	Error in Landfill Fee		172.00
2019	Watts	Michael Sr.	Double Billed		197.47
			<i>Total Real &amp; Personal Releases</i>		\$1,711.19
2019	Adams	Robert Wayne	Situs Error		67.92
2019	Bullock	Jasper Thomas	Situs Error		40.93
2019	Dollbaum	Michael Joseph	Mileage		21.38
2019	Gray	Jeffery Abram	Situs Error		1.50
2019	Gray	Jeffery Abram	Situs Error		0.63
2019	Williams	Lucas Edwin	Situs Error		71.14
2019	Purgason	Joe Wesley	Adjustment		290.70
2019	Roberson	Angela Gayle	Situs Error		46.99
2019	Rogerson	William Brian	Situs Error		100.77
2019	Solomon	Jerry Jr.	Situs Error		145.37
2019	Spruill	Kenneth Raymond	Situs Error		0.22
			<i>TotalVTS Refund Requests</i>		787.55

## 6. Tax Collector's Report –October 2019

	Category	Oct-19	Oct 19 Y-T-D
<b>Real Property</b>	<b>20</b>	<b>\$428,360.32</b>	<b>\$2,674,120.91</b>
<b>Personal Property</b>	<b>25</b>	<b>59,438.18</b>	<b>870,821.85</b>
<b>Total</b>		<b>\$487,798.50</b>	<b>\$3,544,942.76</b>
<b>Motor Vehicle</b>	<b>30</b>	<b>148.39</b>	<b>703.87</b>
<b>Total MV</b>		<b>\$148.39</b>	<b>\$703.87</b>
<b>All Total</b>		<b>\$487,946.89</b>	<b>\$3,545,646.63</b>

7. **OPEB Trust Update** included for informational purposes.

## 8. Board Appointments/Reappointments

### MCRWASA

The terms of Board Members David Bone, Julius Patrick, and alternate Tommy Bowen on the Martin County Regional Water and Sewer Authority (MCRWASA) Board of Directors will expire November 30, 2019.

This reappointment would be a three-year term, which would expire November 30, 2022.

The reappointments of David Bone, Julius Patrick, and alternate Tommy Bowen were approved, as part of the consent agenda.

### Juvenile Crime Prevention Council

The Juvenile Crime Prevention Board recommended that the Board of Commissioners appoint/reappoint the following members for two (2) year terms each, which would expire December 31, 2021.

- Mr. Clay Wagner – Designee for Superintendent (Ex officio)
- Mr. Drew Robinson – Designee for Sheriff Tim Manning (Ex officio)
- Mr. Frank Halsey – Designee for DSS-Letecia Erby (Ex officio)
- Ms. Jessica Godard – Designee for County Manager David Bone (Ex officio)
- Ms. Sondra McCleary – Program Director of Network Initiatives for Families (NIFF)
- Ms. Beth Coltrain – Designee for Police Chief (Ex officio)
- Ms. Deborah Fonville
- Judge Regina Parker – Designee for Chief District Court Judge
- Mr. Mark Leggett

- Mr. Anthony Howell
- Mr. Willie Peel – Faith-based – Program Director of Smithwick Chapel Year Round Enrichment (Ex officio)

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

### **Central Communications Advisory Board**

The Central Communication Advisory Board was established by resolution on November 6, 1995. The Martin County Board of Commissioners believed that such a system would greatly improve the quality of emergency services provided to the citizens of Martin County.

The Advisory Board serves as an advisory group to the Director of Central Communications.

Each member of the Central Communication Advisory Board serves a three-year term. The terms for the current members are set to expire on December 31, 2019. The Board is asked to reappoint the following members for an additional three-year term that would expire December 31, 2022:

- Jason Steward, Director of Central Communications
- Jody Griffin, Director of Emergency Management, or Designee, Timmie Modlin
- David Bone, County Manager
- Jeff Harrell, Williamston Fire and Rescue Chief Designee
- Travis Cowan, Williamston Police Chief or Designee, Beth Coltrain
- Tim Manning, Martin County Sheriff or Designee, Drew Robinson
- Phillip Lee, Robersonville Police Chief or Designee, Chad Terry

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

### **Bertie-Martin Regional Jail Board**

The Bertie-Martin Regional Jail Commission recommended that the Board of Commissioners reappoint Mr. William Stalls to the BMR Jail Board for a two (2) year term, which would expire December 31, 2021.

The reappointment of Mr. Stalls was approved, as part of the consent agenda.

### **Martin-Tyrell-Washington District Health Board**

Dr. Ben Shelton had expressed an interest in serving on the Martin-Tyrell-Washington District Health Board. Dr. Shelton would serve a three-year term, expiring November 13, 2022.

The Board approved the appointment of Dr. Shelton, as part of the consent agenda.

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

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

Martin County Telecommunications Director Jason Steward introduced Ms. Kirsten Cooper to the Board. Ms. Cooper had been with Communications just over one month. She was pursuing her degree in Criminal Justice. Mr. Steward was excited to have Ms. Cooper as a part of the team.

## **PRESENTATIONS**

Martin County ABC General Manager Lynn Sadler was present to review that annual ABC report. Ms. Sadler stated retail sales were up by 5%, and mixed beverage had doubled from the previous year, thanks to local restaurants. Ms. Sadler reported an overall increase of \$91,000 in sales. Further, Ms. Sadler stated over the next year, the cost of insurance and related costs would go down due to upcoming retirements.

Ms. Sadler also discussed some recent issues with theft from the Williamston ABC store, the opening of the new Robersonville ABC store, and the planned grand opening at the Robersonville store on December 13, 2019. Also, discussion was had regarding a lottery system the ABC store would be using to access high-demand, specialty bourbons. Ms. Sadler then discussed a recent cyberattack that their store experienced. Martin County was not the only county targeted during the cyberattack. Two computers had to be completely replaced, but the store had insurance to cover the incident.

The Board thanked Ms. Sadler for the good work and commended the ABC Board, as well.

## **OLD BUSINESS – None**

## **NEW BUSINESS**

### **Approval of Bid / Award of Contract – Soil & Water Conservation District Storm Maintenance / Stream Debris Removal**

The Martin County Soil & Water Conservation District recently received notification of a grant allocation of \$395,219 to conduct vegetative debris removal work in several streams in Martin County as part of Phase V of this grant program. This grant was from the NC Department of Agriculture and Consumer Sciences.

The current allocation was in addition to the \$554,176 previously allocated to the District in Phases I, II, III, and IV bringing the District's total allocation to date to \$949,395.

Conservationist Lynn Whitehurst explained the planned scope of work involved Conoho Creek (both at the mouth near Williamston, as well as a portion in the Oak City area), Smithwick Creek, Long Creek, and 3 unnamed tributaries located between Jamesville and Plymouth. The planned scope of work also involved some cleanout out work on watershed laterals crossing on NC 171 South of Jamesville.

Conservationist Lynn Whitehurst explained the Soil & Water District Board wanted to be proactive, requesting for bids for the work to be performed. Three different contracts were bid on,

for three different locations within Martin County. On November 12, 2019, the Soil and Water Conservation Board received bids for Phase V. A recommendation for an award was presented at the November 13<sup>th</sup>, 2019 meeting.

Inland fishery regulations prevent this type of work from being done between February 15<sup>th</sup> and June 31<sup>st</sup>, so there was some time sensitivity on this matter.

Commissioner Lilley made a MOTION to approve the bids and award contracts to those presented by the Soil & Water Conservation Board for Kenneth Allen for \$15,000, with a SECOND from Vice Chairman Bond. The Board APPROVED the motion unanimously.

### **Repairs and Maintenance of Rail Lead Trach at the NC Rail & Commerce Park**

There is a dead-end rail spur line on county-owned property that serves the county's industrial park in Everetts, now known as the NC Rail and Commerce Park. Syfan and Weitron use this rail line to receive supplies via CSX Railroad.

In August, the Martin County Economic Development Corporation contracted with Douglas Cochran of Creative Rail Solutions (engineer for the Weitron track expansion project) to perform an annual track inspection and make maintenance recommendations. Mr. Cochran performed the inspection and provided a track condition assessment on October 9, 2019. As part of this inspection, Mr. Cochran identified and physically marked 315 rail ties from the original track (not the new tracks installed for the Weitron project) that need to be replaced.

On October 18<sup>th</sup>, 2019, MCEDC President Jason Semple sent out an email requesting quotes by November 1 for the replacement of approximately 315 rail ties.

On October 30<sup>th</sup>, 2019, at the request of CSX, 30 rail ties on the industrial park rail lead track were replaced in order to keep the track operational until the other ties can be replaced.

Due to timing, the quotes received were based upon replacing 315 ties instead of 285 ties. However, it still may be necessary to replace up to 315 ties once work began and at the CSX track inspector's discretion, so the cost comparison was still accurate.

A comparison spreadsheet was provided to the Commissioners for review. Five rail contractors responded to the request for quotes based on four different scenarios: a combination of used ties/new industrial grade ties; a combination of used ties/grade 4 or 5 ties; all new industrial grade ties; and all new grade 4 or 5 ties. Some contractors included the price of new spikes, while others gave separate pricing which is noted.

Mr. Semple stated the most competitive quote received was from Tar Heel Railroad Construction of Winston-Salem, with the next most competitive quote from Dirtworks Rail of Lexington, NC. According to Mr. Cochran, both were reputable companies who had been doing quality work for many years in North Carolina. Syfan had used Tar Heel in the past for repairs with good reports. Grade 4/5 ties are slightly superior to industrial grade ties. The Dirtworks quote for industrial grade with old spikes was \$41,950.00. The Tar Heel Railroad Construction quote for grade 4/5 ties with

new spikes was \$42,770.70. With Tar Heel's quote, the difference between all new industrial grade ties with new spikes and combination used/new ties with old spikes was \$9,998.10. When taking into account the quality and durability of all new materials, Mr. Semple said the best value was Tar Heel with all new grade 4/5 ties and new spikes at \$42,770.70.

The Board of Commissioners was asked to approve the bids and award the service contract to Tar Heel Railroad Construction Co., Inc. in the amount up to \$42,770.70. Commissioners Ayers made a MOTION approve the bids and award the service contract to Tar Heel Railroad Construction Co., Inc., with a SECOND from Vice Chairman Bond. The Board APPROVED the motion unanimously.

### **Approval of New Logo for the NC Rail & Commerce Park**

On June 22, 2018 the Department of Commerce announced that Martin County was one of ten grant applications approved for grant funding from the new Rural ReadySites program, which is geared to infrastructure projects in county-owned industrial parks.

The project involves expansion of the gravity sewer system and the rehabilitation of the existing elevated storage tank at the Martin County Regional Business Park. The rehabilitation of the water tank includes repainting gives the county the opportunity to rebrand the industrial park.

On February 21, 2019, Martin County Economic Development Corporation President Jason Semple pulled together a brainstorming team consisting of Emily Cox of the North Carolina Railroad; Winston Howell, Eddie Stocks, and Monica Speight of Edgecombe-Martin County EMC; and Kristie Aldridge, Corporate Director of Strategic Communications and Marketing at North Carolina's Electric Cooperatives. The group met in Tarboro at Edgecombe-Martin EMC's board room.

Mr. Semple asked the group to approach the rebranding effort with the understanding that a stand-alone website would be created, and he wanted to create a new name that would highlight the park's strengths and drive traffic to the website. There was much discussion around these strengths – primarily the rail access, transportation advantages, and electric capacity – and whether the park should include “Martin County” in the name. The group decided that site selection consultants and business owners performing web searches are more likely to use “North Carolina” or “NC” and the important descriptors – like “rail” or “park.” The group also thought it would be good to include “commerce” in the name, because it reflects the existing clientele, as well as takes advantage of anyone searching for “NC Commerce Department” or similar queries.

The group eventually settled on a suggested name of “North Carolina Rail & Commerce Park” with a slogan of “Global Access – Local Connections”, which segues into content about the strengths of Martin County and the industrial park specifically. Martin County Economic Development Corporation President Jason Semple presented this concept at the April 10, 2019 Board of Commissioners meeting, and the re-branding was approved.

After receiving two quotes from professional marketing firms for the creation of a website and new logo, the MCEDC Board of Directors approved the expenditure of up to \$9,500 for this

endeavor at its regular meeting on March 25, 2019. Edgecombe Martin EMC has pledged financial support for this project.

Ms. Cox, Mr. Stocks, and Mr. Semple interviewed the two firms from Greenville, Evolve and Igoe Creative, and after several discussions the group recommended Evolve to the MCEDC board, which approved the contract at its July 22, 2019 board meeting.

In October 2019 after several discovery conference calls, Evolve presented the team with five different iterations of the new logo. The logo was unanimously, and immediately, selected for the rebranded industrial park to be recommended to the Martin County Board of Commissioners.

The Board of Commissioners was asked to approve the new logo for the NC Rail & Commerce Park. Commissioner Lilley made a MOTION to approve the new logo, with a SECOND from Vice Chairman Bond. The Board APPROVED the motion unanimously.

President Semple stated the new website was set to go live in December of 2019.

### **Amendment to Audit Contract**

An audit contract with Carr, Riggs & Ingram, Inc. was approved on April 10, 2019. The contract involved the auditing of Martin County's accounts for the year ending June 30, 2019.

An issue with the classification of the management agreement for the water districts with the Town of Williamston had caused a delay in the preparation of the financial statements this year. Chris Burton with Carr, Riggs and Ingram was still planning on having the audit released by the due date of December 1, 2019. However, in order to plan for all possibilities, staff was requesting the Board approve a contract amendment to extend the contract to December 31, 2019. If approved, it would then be forwarded to the Local Government Commission for its approval.

Commissioner Smith made a MOTION to amend the audit contract as requested, with a SECOND from Commissioner Ayers. The Board APPROVED the motion unanimously.

### **Resolution Authorizing the Sale of Surplus Weapons**

The Martin County Sheriff's Office was replacing firearms. The old firearms had been deemed to be surplus. North Carolina General Statute § 160A-266 permits the county to sell such property by private sell, upon authorization by the Board of Commissioners at a regular meeting and notice to the public.

The Board of Commissioners was asked to authorize County Manager David Bone and Finance Officer Cindy Ange to sell weapons considered surplus through private negotiations.

Vice Chairman Bond made a MOTION to adopt the resolution giving County Manager David Bone and Finance Officer Cindy Ange to sell weapons considered surplus through private negotiations, with a SECOND from Commissioner Smith. The Board APPROVED the motion unanimously.



## **BUDGET AMENDMENTS**

### **Budget Amendment #6**

Last fiscal year, the Martin County Board of Commissioners approved two Engineering Services Agreements between The Wooten Company and Martin County pertaining to NCDOT projects to widen US-17 and upgrade Prison Camp Road.

Finance Officer Cindy Ange stated The Wooten Company began work on these projects last fiscal year; however, work was not complete at June 30, 2019 and therefore, the remaining funds must be re-appropriated in the current year. NCDOT will reimburse Martin County for these funds.

Commissioner Smith made a MOTION to approve Budget Amendment #6, with a SECOND from Commissioner Ayers. The Board APPROVED the motion unanimously.

### **BUDGET ORDINANCE AMENDMENT-6**

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 Water District #2, the expenditures are to be changed as follows.

	Increase	Decrease
Operations		
Professional Fees	\$ 113,888	

This will result in an increase of \$113,888 in the expenditures of Water District #2. To provide an increase in the revenues for the above, the following revenues will be changed.

Reimbursement from DOT	\$ 113.888
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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 #7**

Administered by the North Carolina Department of Agriculture, the Spay/Neuter Program is intended to “foster the spaying and neutering of dogs and cats for the purpose of reducing the population of unwanted animals in the State.” Counties and cities are eligible to apply for reimbursement of direct costs of spays and neuters of cats and dogs owned by low-income persons.

Finance Officer Cindy Ange stated Martin County had been participating in this program since 2016. Over the last six months, the County had seen an increase in the participation in this program. The County was reimbursed 100% of the cost of the veterinarian clinic service.

Vice Chairman Bond made a MOTION to approve Budget Amendment #7, with a SECOND from Commissioner Lilley. The Board APPROVED the motion unanimously.

### **Budget Amendment #7**

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
Public Safety Sheriff	\$15,000	

This will result in an increase of \$15,000 in the expenditures of the General Fund. To provide an increase in the revenues for the above, the following revenues will be changed.

Restricted Intergovernmental	\$15,000
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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 #8**

The Department of Agriculture and Consumer Services had allocated an additional \$395,219 to Martin County Soil and Water District to conduct vegetative debris removal in streams in Martin County. These funds were in addition to the \$554,176 previously allocated to the District, bringing the total allocation to \$949,395.

District Director Lynn Whitehurst was currently working on a bid package for the contractors. Director Whitehurst would be focusing on Smithwick Creek, Long Creek, and three unnamed tributaries located between Jamesville and Plymouth.

Commissioner Smith made a MOTION to approve Budget Amendment #8, with a SECOND from Commissioner Lilley. The Board APPROVED the motion unanimously.

### **BUDGET ORDINANCE AMENDMENT-8**

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
Economic & Physical Development		
Soil and Water	\$ 395,219	

This will result in an increase of \$395,219 in the expenditures of the General Fund. To provide an increase in the revenues for the above, the following revenues will be changed.

Restricted Intergovernmental	\$ 395,219	
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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 #9**

The County recently requested bids to repair approximately 275 rail ties on the Industrial Park rail spur. County funds remaining from the completed rail extension project would be utilized to fund this repair; therefore, no additional transfer from the general fund was needed.

Commissioner Lilley made a MOTION to approve Budget Amendment #9, with a SECOND from Commissioner Ayers. The Board APPROVED the motion unanimously.

### **BUDGET ORDINANCE AMENDMENT-9**

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 Business Park Fund, the expenditures are to be changed as follows.

	Increase	Decrease
Economic Development		
Rail Maintenance	\$55,000	

This will result in an increase of \$55,000 in the expenditures of the Business Park Fund. To provide an increase in the revenues for the above, the following revenues will be changed

Fund Balance	\$55,000	
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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.

### **BOARD REPORTS / COMMISSIONERS' COMMENTS**

Commissioner Lilley commended Conservationist Lynn Whitehurst and his staff on doing such a great job in the county. Conservationist Whitehurst stated he worked with a great board and had great representation from all over the county included in his efforts.

Vice Chairman Bond stated he was very proud of the Martin County ABC Board and all of their efforts in the county.

Commissioner Smith commended the county clerk for completing the certification course through the UNC School of Government.

Chairman Bowen echoed Commissioner Smith's sentiments regarding the clerk's certification. Chairman Bowen also expressed his gratitude to the staff at the Martin County Cooperative Extension building and the Soil & Water staff.

Commissioner Smith reported several upcoming meetings in Washington, D.C. in December 2019 for various funding programs.

**CLOSED SESSION – NC G. S. 143-318.11(a)(6) Personnel**

At 7:39 p.m., Vice Chairman Bond made a MOTION to enter a closed session pursuant to NC G.S. 143-318.11(a)(6) Personnel, with a SECOND from Commissioner Smith. The Board APPROVED the motion unanimously.

At 7:51 p.m., Vice Chairman Bond made a MOTION to go out of closed session, with a SECOND from Commissioner Smith. The Board APPROVED the motion unanimously.

**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 7:51 p.m. The next meeting would be held on Wednesday, December 11, 2019 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