

## January 12, 2022

The Martin County Board of Commissioners met in a Regular Monthly Session on Wednesday, January 12<sup>th</sup>, 2021, 7:00 p.m. in the Commissioners Boardroom at the Martin County Governmental Center, 305 East Main Street, Williamston, North Carolina.

### ASSEMBLY

Present in the Boardroom: Vice Chairman Dempsey Bond, Jr., Commissioner Emily Biggs, Commissioner David “Skip” Gurganus, , Clerk to the Board Julia Rease, and Finance Officer Cindy Ange.

Other Present in the boardroom: Pastor Tomas Doubt, IT Austin Keel, Chief Deputy Drew Robinson, and Sheriff Tim Manning.

Present via Cisco WebEx: Chairman Ronnie Smith, Commissioner Joe. R. Ayers, and County Manager U. James Bennett. Mayor of Bear Grass Charlotte Griffin attended virtually as well

Vice Chairman Dempsey Bond Jr. called the meeting to order at 7:01 p.m. Commissioner Emily Biggs led the Pledge of Allegiance, and Pastor Tomas Doubt, Memorial Baptist Church, provided the invocation.

Vice Chairman stated that Chairman Ronnie Smith could not join the meeting due to his attendance at the National Council of County Association Executives (NCCAE) as the most recent past president of the NCCAC. Commissioner Joe R. Ayers and County Manager U. James Bennett could not be in attendance due to unforeseen and personal reasons. A roll call was conducted to ensure virtual attendance.

#### Roll Call:

Chairman Smith - Here

Vice Chairman Bond Jr. - Here

Commissioner Joe R. Ayers- Here

Commissioner Emily Biggs- Here

Commissioner David “Skip” Gurganus- Here

Vice Chairman Bond Jr. extended a welcome to all in attendance.

### AGENDA Approval

Vice Chairman Bond Jr., asked that Budget Admendment #16 is added to the agenda. Vice Chairman Bond Jr. stated that there was inability to record (Webex) during Closed Session and multiple Commissioners attending the meeting virtually would not be able to receive the information. Vice Chairman Bond Jr. asked that the agenda is amended to reschedule all Closed Sessions scheduled for the January 12, 2022 meeting.

Commissioner Gurganus made the **Motion** to move the items as stated, with a **Second** by Commissioner Biggs. The Board **Approved** the motion with a unanimous roll call.

Roll Call:

Chairman Smith - Aye  
 Vice Chairman Bond Jr. - Aye  
 Commissioner Joe R. Ayers- Aye  
 Commissioner Emily Biggs- Aye  
 Commissioner David “Skip” Gurganus- Aye

**PUBLIC COMMENTS**

Martin County Department of Social Services and Transit

Martin County Department of Social Services Director Angela Ellis provided a public comment and cards on the behalf of the DSS and Transit departments in appreciation of the Martin County Board of Commissioners and the Martin County Manager.

**CONSENT AGENDA**

Commissioner Biggs made a **Motion** to approve the Consent Agenda, with a **Second** by Commissioner Gurganus. The Board **Approved** the motion with a unanimous roll call (5-0).

Roll Call:

Chairman Smith - Aye  
 Vice Chairman Bond Jr. - Aye  
 Commissioner Joe R. Ayers- Aye  
 Commissioner Emily Biggs- Aye  
 Commissioner David “Skip” Gurganus- Aye

**1. Minutes Approval**

December 8, 2021 – Regular Session  
 December 8, 2021 – Closed Session

**2. Financial Report – December 2021**

**3. Tax Assessor – Tax Refund Request – December 2021 –None**

**4. Tax Assessor – Tax Relief Orders – December 2021**

Year Levy	Lname	Fname	Reason	Value	Total
2021	Masonry INC.	Bembridge	Double Billed	8,325	73.26
2021	Bonds	Barbie Perry	Landfill Error	0	182.00
2021	Carolina Seed Inc.	Coastal	Out of County	34,099	303.82
2021	Coltrain	David B.	Error in Value	40,500	356.40
2021	Deans	Joyce A. Heirs	Sold Vehicle	3,367	48.82
2021	Behavior	Distinct Advantage	Govern. ½ Exe	164,500	1,332.45

2021	Evans	Mable W. Heirs	Landfill Error		182.00
2018	Godette	Emmitt Clyde	Out of County	3,254	27.99
2019	Godette	Emmitt Clyde	Out of County	3,781	33.28
2020	Godette	Emmitt Clyde	Out of County	3,630	31.94
2021	Godette	Emmitt Clyde	Out of County	3,985	35.07
2021	Holliday	James Dennis Heirs	Put of County	1,825	16.06
2021	Newsome	J Eley	Sold Vehicle	6,991	67.67
			<i>Total Real &amp; Personal Releases</i>		\$2,690.76
2021	Griffin	Charles Thomas	Bill Adjustment		40.05
			<i>Total VTS Refunds</i>		40.05
			<i>Total Tax Relief Orders</i>		\$2,730.81

### 5. Tax Collector's Report – December 2021

	Category	21-Dec	DEC - 21 Y - T - D
Real Property	20	\$2,960,612.19	\$7,639,612.27
Personal Property	25	<u>\$3,664,675.51</u>	<u>\$4,478,246.30</u>
<b>Total</b>		<b>\$6,625,287.70</b>	<b>\$12,117,858.57</b>
Motor Vehicle	30	<u>\$0.00</u>	\$ 399.79
<b>Total MV</b>		<b>\$6,625,287.70</b>	<b>\$12,118,258.36</b>
<b>All Total</b>			<b>\$12,118,258.36</b>

### 7. CADA 2022-2023 CSBG Anti-Poverty Work Plan

Choanoke Area Development Association (CADA) announced its intent to apply for funding of \$476,398 through the Community Service Block Grant Anti-Poverty Plan for Fiscal Year 2022 – 2023. CADA's proposed WorkPlan for this program encompasses services to low-income residents of Bertie, Halifax, Herford, Martin and Northampton Counties. The program focuses on a self-sufficiency component to assists low-income residents obtain assistance with education, employment and supportive services to rise above federal poverty guidelines and become self-sufficient. The North Carolina Administrative Code [10A NCAC 97C.0111 (b)(1)(A)] required each CSBG grant recipient submit its Community Anti-Poverty Plan grant application to each County Commissioner Board that it serves. The Board is asked to approve the CADA 23022-2023 CSBG Anti- Poverty Work Plan.

The Board **Approved** the above item as part of the consent agenda.

### 8. Tax Assessors - Request for Record Purge/Destruction

Record storage has been an issue for the Tax Assessors Office. In an effort to help alleviate this situation, Tax Assessor Elisha Hardison requested permission to shred records in accordance with

the Amended Records Retention and Disposition Schedule provided by the North Carolina Department of Cultural Resources dated April 17, 2013.

Records to be destroyed:

Number	---Record to be Destroyed---	Recommended Retention	Years on File Through January 2022	Years Requested To Be Destroyed
1	Deferred Taxes	10 Years or 2 Revaluation cycles	10	1
2	Present Use Value Record	Until superseded or obsolete	10	1
4	Property Tax Abstracts & Lists	10 Years or 2 Revaluation cycles	11	1
5	Tax Relief Records	10 Years or 2 Revaluation cycles	11	1
6	Motor Vehicle Scrolls	10 Years	11	1
7	Release & Refund Records	Destroy in office release and refund monthly reports 1 year from date of submission.	8	1
8	Tax Scrolls & Books: All Other	Destroy in office after 10 years or 1 year after released by the governing board, whichever occurs first.	50	1

The Board **Approved** the above item as part of the consent agenda.

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

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

##### Martin County Cooperative Extension

Interim Cooperative Extension Director Lisa Smith was unable to attend due to unforeseen reasons.

##### Martin County Department of Social Services

MC DSS Director Ellis introduced the department's new employee, Ms. Jayla Clark, to the Board and Staff. MC DSS Director Ellis stated Ms. Clark started working with Martin County on January 3, 2022 as Social Worker in the Child Welfare Investigations Unit/ Lastly, MC DSS Director Ellis reported that Ms. Clark is a recent graduate of UNC Greensboro and has begun training in her new role.

#### **PRESENTATION (S)**

##### **Audit Presentation – NC Auditor Madonna Stafford**

Ms. Madonna Stafford, a partner with Carr, Riggs, and Ingram, reviewed the audit by three objectives. First was to conduct an audit and express an opinion on the financial statements as a whole. The audit was conducted in accordance with generally accepted auditing standards, as well as government auditing standards. Ms. Stafford stated that the auditing firm was able to express an unmodified opinion on the financial statements for the year. (The opinion letters for reference is on pages 14 -16 of the audit report.). One additional item on the opinion letter to point out is that there is an emphasis of matter paragraph, and that's related to the adoption of Gatsby 84 for fiduciary activities this year. This required some reclassification between funds based on some new accounting guidance that was coming out and the total restatement on that was \$65,150.

#### Major Federal Programs

The second objective for the year was to perform single audit testing over all major federal programs for the year and to express an opinion on whether the county complies with all derived material compliance requirements as noted in the grant agreements. Ms. Stafford reported for fiscal year 2021, there were two major federal programs. These programs were medical assistance and the Coronavirus Relief Fund. The Coronavirus Relief Fund was new for 2021, therefore it made a difference just by being a new program. There was an unmodified opinion noted on these programs as well (Pages 188 and 189 of the audit reports). This means that there were no noncompliance issues, no deficiencies, and no question costs that were reported that the auditor needed to report.

#### Major State Programs

Ms. Stafford stated the third objective on the audit was to perform single audit testing over the major state programs, very similar to the federal program. Ms. Stafford retorted that she had to express an opinion on whether the county complies with the directive material compliance requirements related to these grant programs. For fiscal year 2021, there was only one major CIP program, which was the Rural ReadySites Grant Fund. Ms. Stafford stated the auditing group has audited this fund in the prior year, which gave the auditors experience in this matter. Ms. Stafford reported an issuance of an unmodified opinion on this report as well. There were no client issues no deficiencies No touching costs that needs to be reported. (Opinion letter for the major state program is on pages 190 and 191 in the audit reports.)

#### Net Position

Moving on, Ms. Stafford discussed a few financial highlights for the year. The net position for the year in total for both governmental and business type activities increased \$2,432,000 this year, ending the net position for the year at \$27,405,490. This was around \$700,000- \$710,000 better than what was seen in 2020. The 2021 year was better because there were some increased revenues in the governmental segment, primarily property tax collections, state shared revenues, and some operating grant funds that were received (Exhibit 2, page 30 of the audit reports.)

#### General Fund and Fund Balance

Ms. Stafford stated the General Fund was the most important fund for the county and the largest fund since it absorbs different types of volatile activities year by year. Ms. Stafford reported the general funds balance increased approximately \$2,994,000 for the year. (Exhibit four page 33 of the audit report). Ms. Stafford stated Fiscal Year 2021 was much larger than what was seen in

previous years, primarily due to these increases in funds discussed earlier. The Operating Expenditures were in line with the previous years except a \$715,000 increase in property tax revenues and a \$795,000 increase in sales tax revenue. Ms. Stafford reported that the state revenue increases were very consistent with what was seen across the board on all of municipalities audited this year. Next, the Fund Balance and the General Fund, particularly the unassigned, is important because that amount represents county funds needed for unforeseen circumstances or emergencies. For fiscal year end 2021, the unassigned fund balance in the general fund was \$9,438,000, which represented 30.84% of the general fund expenditures for the year. Ms. Stafford stated that the Local Government Commission (LGC) monitors this amount closely because they consider it to be one of the key performance indicators to financial health. The LGC as well as the county's minimum policy, recommends that a county have a minimum of 20% in this account. Ms. Stafford reported Martin County had 30.84% worth of a general expenditure fund, which equates to three and a half months of paid expenditures. Ms. Stafford stated, "Should you have a town where you had zero revenue coming in at all, you will have three and a half months that you could continue to operate and or pay your expenses with no revenue coming in." Ms. Stafford reported on business type activity (Exhibit 8 on page 38) and stated overall, the net position for the year increased \$245,000 between Water Districts I and II. For comparison, the 2020 business type activities showed a profit of \$56,000. This was due to \$375,000 being received in capital related grant funds for certain projects, which increased the base line profit for last year. There were no grant funds for this year, so the 2021 audit results, look much more representative of the actual operations that are going on. One positive indicator on the enterprise fund is that both Water Districts I and II have positive operating cash, but the amount of debt service that is required to go to those funds causes a declaration of cash flow every year. (Exhibit non page 39 of the audit report.)

Ms. Stafford reported the LGC had one change implemented this year as part of the audit submission process, which was to require the auditor to fill out a performance indicator worksheet. This worksheet points out areas of weakness and concern that the LGC will monitor. The county's only performance indicator this year was related to the business type activities because the are not self-sufficient or fully funded. Ms. Stafford gave an example stating that if the quick ratio required is 1 and the county has a ratio of 0.16, the county doesn't have enough cash on hand to meet their current liabilities in that fund account. Ms. Stafford reported the general fund had to loan money and supplement these two funds for the last couple of years because the cash flow is not there.

#### Overall Tax Levy

Ms. Stafford stated the total Overall Tax Levy increased about \$610,000 this year, and this was due to a combination of increased valuation tax rate. (Page 16 of audit book). Ms. Stafford reported the tax collection rate also increased about a half a percent for Fiscal Year 2021 which was 95.21%. Ms. Stafford reported one upcoming change for the county in Fiscal Year 2022 audit will be a requirement to implement Gatsby 87 related to leases and could require a restatement for next year.

Finance Officer Cindy Anger reminded the Board that the county was still on the Unit Assistance List with the Local Government Commission (LGC) at the State Treasurer's Office, and there was some added reporting to do this year for the first time due to this. Finance Officer Ange reported that the additional reporting was a new requirement and everyone that's on the list has different requirements. Finance Officer Ange stated that the requirements for Martin County were to send the LGC a year to date budget report around March so the LGC can see if there are any changes.

The budget for next year is then sent to the LGC by the end of May, so that they can see what has been done and that the budget is completed timely. Finance Officer Ange stated the county was on the Unit Assistance list because of the Water Districts, which has been an ongoing issue. Auditor Stanford stated that this was certainly not something that had a quick fix or is easily fixed but it was something to be aware to always strive toward better results for constant improvement.

Ms. Madonna Stafford, the Finance Department, and all involved in the preparation of the audit report were thanked for their time and efforts.

### **COVID 19 Update**

MTW District Health Director Wes Gray spoke on the number of COVID-19 related incidents and vaccination information for the county as of January 12, 2022. MTW Health Director Gray reported North Carolina continued to report a huge number of cases from what has been seen throughout the two year pandemic. MTW Health Director Gray stated North Carolina reported over 24,000 new cases, with a seven day average of about 23,000 cases per day, including Saturdays and Sundays. MTW Health Department announced the largest number ever of cases in a single day in Martin County, which was 180 new cases. MTW Health Director Gray stated the average of new cases per day was about 45 to 50 cases. In comparison there were 29 new cases in Terrell County and 75 new cases in Washington County. MTW Health Director reported Martin County had two outbreaks, but the county had not had any increases in cases among staff or residents in over four weeks causing an expectation of the facilities to be removed from the outbreak list. MTW Health Director Gray stated that the most recent strain (Omicron) was showing lower rates in hospitalizations, deaths, and severe symptoms compared to the previous strains.

MTW Health Director Gray stated the two testing sites in Martin County had over 1000 people reported tested since last week with a possibility the vaccination reports will continue to increase. Statewide, about 30.9% of cases returned positive and in Martin County over the last two weeks 25.9% of those cases have returned positive. Martin County continues to remain about 52% vaccinated with first doses, 48% were second doses, and there was a vast majority of booster doses being taken. MTW Health Director Gray stated that there was an increase in children being vaccinated Pfizer is the only vaccine that's approved for kids five and older. MTW Health Director Gray compared Covid case trends amongst the different strands in graphs and there is an "icepick" trend where there is an increase in cases and the cases drop drastically after this increase. MTW Health Director Gray stated that the Omicron strand was less symptomatic and spread faster whereas previous strands were more aggressive in symptoms. MTW Health Director Wes Gray was thanked for his presentation and updates.

### **Center of Family Violence Prevention**

Counselor and Outreach Director Rhodes stated The Center for Family Violence Prevention is a private, non-profit agency primarily funded by state, federal and local grants. The center has offices in Pitt, Martin and Washington County. Through this funding, the Center for Family Violence Prevention provides resources and services to victims of domestic violence and their families. The mission of the center is to break the cycle of domestic violence while enhancing individual self-sufficiency and promoting healthy family relationships in our community.

Counselor and Outreach Director Sandy Rhodes and Victim Advocate Brianna Ipock made a presentation of services provided by the Center for Family Violence Prevention.

### Court Services

Victim Advocate Breanna Ipock reported that Victim advocates provide necessary support and resources for those who are experiencing domestic violence such as Crisis intervention, Safety planning, Case management, Referrals for legal assistance, the Address confidentiality program, Victim compensation claims, and Assistance in filing for a Domestic Violence Protection Order (sometimes referred to as a DVPO, restraining order, or 50b). Victim Advocate Ipock stated DVPO's can be an essential component of many victims' safety plans and can greatly impact a victim's ability to live free of abuse. Advocates accompany victims to civil and criminal court, educating them about the court process and providing emotional support and advocacy during court proceedings. Advocates cannot provide legal advice but can assist in navigating the court system.

### Counseling

Counselor and Outreach Director Rhodes stated the counselors at the center are trained in several specialties, including trauma-focused care, anxiety disorders (e.g. PTSD, social anxiety, phobias, panic disorder, generalized anxiety, OCD), domestic violence, relationship issues, bipolar disorder, depression, LGBTQ issues, grief and loss and many others. Counselors also assist clients with enhancing self-esteem and developing stress management and assertiveness skills. In addition, Spanish-speaking clients are able to access individual, children, family and group counseling services via the Center's Spanish-speaking counselor. Counselor Rhodes stated that clients do not have to be domestic violence survivors to receive counseling services. For clients experiencing domestic violence issues, counselors often seek the assistance of on-site victim advocates to help with law enforcement and legal concerns. Counselors also make appropriate referrals to community agencies. Moreover, counselors facilitate the following psycho-educational programs: anger management, Domestic Violence 101, and Spanish parenting classes using the Triple P and STEP programs (see Family Center).

### Family Centers

Outreach Director and Counselor Sandy Rhodes stated that Supervised Visitations were a safe way for parents to visit with their children under the supervision of the Family Center staff. For the safety of those involved in domestic violence and also for the mental health of the children, monitored exchanges provide a safe environment and omit the arguments between parents/guardians. Through monitored exchanges there is zero interaction between the visiting and custodial parents/guardians. Counselor Rhodes stated becoming a parent isn't always easy, especially where there has been trauma and unforeseen events thus parenting classes are available in group or individual settings. Classes are available weekly for the Triple P (Positive Parenting Program), STEP (Systematic Training For Effective Parenting), and PAD (Parenting After Divorce) Children Counseling Services are provided for children who have witnessed or are experiencing family violence, difficulties at school, aggressive behavior, low self-esteem, relationship problems, adjustment issues, depression, anxiety, trust issues or avoidance of family/friends. Our licensed counselors work one-on-one with children to build trust and understanding. This program is free and confidential for children ages 5 – 17. Counselor Rhodes explained The GREAT program is a 26-week rehabilitation program for individuals who are

identified as an abuser in a domestic violence situation, classes for male and female abusers are offered and participants can join immediately. Classes teach participants to recognize abusive patterns and to accept the responsibility for their actions.

#### Safe Houses

Lastly, Counselor Rhodes informed the Board and Staff that the New Directions Safe House is an emergency shelter for abused individuals and their children. New Directions Safe House provides individual case management, counseling, support groups, food, clothing, advocacy, and referrals to other agencies in the community. Safe and Secure is a safe house that provides anger management, which is a curriculum-based program that consists of ten sessions. The purpose of anger management is to understand the definition of anger, dispel myths about anger, identify triggers, and develop a self-control plan over thoughts and actions. Ms. Rhodes stated, last year alone the Safe House hosted 117 victims and children under their care. Lastly, Ms. Rhodes stated that there was a center in Williamston and Greenville and referrals were welcomed. Ms. Rhodes and Ms. Ipock were thanked for their presentation and their services for Martin County.

#### **Recognition of Awards**

Sheriff Tim Manning announced and awarded multiple law enforcement officers for awards and presented their accomplishments to the Board and staff. Sheriff Manning stated each officer could be depended on at any time, were well trained, and dedicated.

#### Lieutenant Brent Council

Lieutenant Brent Council of the Sheriff's Department was awarded the Advanced Law Enforcement Certificate as well as the Advanced Service Award. Sheriff Manning reported Lieutenant Council had more than 24 years of experience with the county, Lt. Council received his Bachelor's Degree in Criminal Justice, and received 47.95 points for training.

#### Sergeant Andy Beacham

Sheriff Manning presented the Advanced Law Enforcement Certificate to Sergeant Andy Beacham and informed the Board that Sergeant Beacham received that 104 points in training. Sheriff Manning reported that Sgt. Beacham had more than 14 years' experience working with the Sheriff's Department.

#### Sergeant Brandon Wynne

Sergeant Brandon Wynne was presented his Advanced Law Enforcement Certificate by Sheriff Manning. Sheriff Manning stated Sgt. Wynne had 720 training hours, had 19 years' experience with the Williamston Police Department, and Sgt. Wynne had 10 years' experience working with the Sheriff's Department.

Lt. Brent Council, Sgt. Andy Beacham, and Sgt. Brandon Wynne were all congratulated on their awards, thanked for their services, and were allowed time to take pictures with family members.

#### **OLD BUSINESS**

## **Rail Maintenance Agreements for Syfan 2022 and Weitron Naming Martin County EDC as Designee**

Martin County Economic Development Council CEO and President Jason Semple stated pursuant to Weitron's location in the NC Rail & Commerce Park, the County extended the County-owned lead rail track and created an additional rail spur to serve Weitron. The additional infrastructure and user necessitated new rail maintenance agreements to be created between the County and Weitron and the County and Syfan, who prior had been the only user of the rail spur. In the regular board meeting on September 9, 2020, these rail maintenance agreements were approved. On December 8, 2021, Martin County Economic Development President Jason Semple was notified by Syfan President Jim Rahn that Syfan is in the process of being purchased by Intertape Polymer Corporation (IPG) of Sarasota, Florida. On December 23, 2021, Mr. Rahn sent the attached Assignment and Assumption Agreement, which transfers responsibilities for rail maintenance from Syfan to IPG, for signature by the County. The document was reviewed and approved by County Attorney Nate James.

### **ASSIGNMENT AND ASSUMPTION AGREEMENT**

This ASSIGNMENT AND ASSUMPTION AGREEMENT (this "Assignment") is made as of December 23, 2021 (the "Effective Date"), by and between Syfan Manufacturing, Inc., a Delaware corporation ("Syfan"), and Intertape Polymer Corp., a Delaware corporation ("IPC").

**WHEREAS**, IPC and Syfan, along with Syfan Saad Company (99) Ltd., an Israeli company and sole shareholder of Syfan, have entered into that certain Asset Purchase Agreement, dated December 10, 2021, for the sale of Syfan's business to IPC; and

**WHEREAS**, at the closing of the abovementioned transaction (the "Closing"), Syfan shall assign to IPC all of Syfan's rights and interest in, and IPC shall assume, all of Syfan's duties and obligations under, the rail maintenance agreement dated July 1, 2019, by and between Syfan and Martin County (the "Rail Maintenance Agreement").

**NOW, THEREFORE**, in consideration of the mutual promises it contains, and for other good and valuable consideration, the receipt and sufficiency of which Syfan and IPC each acknowledge, the parties hereto agree as follows:

1. Assignment. Effective as of the Closing, Syfan does hereby sell, assign, convey and transfer unto IPC, its successors and permitted assigns, all of Syfan's right, title and interest in, to and under the Rail Maintenance Agreement. The Rail Maintenance Agreement shall continue in full force and effect following this Assignment. Any obligations to, and benefits from, Martin County under the Rail Maintenance Agreement will remain unchanged, except that they will run from or to IPC rather than from or to Syfan. As such, any legal notices or similar communications after the Closing should be directed to:

Intertape Polymer Corp.  
100 Paramount Drive, Suite 300  
Sarasota, Florida 34232  
Attn: Jeff Crystal, Chief Financial Officer, and  
Randi Booth, Senior Vice President & General Counsel  
Email: [jcrystal@itape.com](mailto:jcrystal@itape.com) and [rbooth@itape.com](mailto:rbooth@itape.com)

2. Acceptance and Assumption. Effective as of the Closing, IPC hereby accepts the foregoing Assignment and unconditionally and irrevocably assumes, undertakes and agrees to be bound by and to pay, satisfy, perform and discharge when due all of Syfan's duties and obligations under the Rail Maintenance Agreement.

3. Condition Precedent; Validity. The Assignment of the Rail Maintenance Agreement shall enter into force and effect as of the Closing. If, for any reason, the Closing does not occur, this Agreement and the assignment contemplated herein shall be null and void, and the Rail Maintenance Agreement with Syfan shall remain in full force and effect, and nothing in this Agreement shall modify the rights or obligations of Martin County or Syfan as set forth in the Rail Maintenance Agreement.

4. No Third-Party Remedies. This Assignment shall be binding upon and inure to the benefit of the Parties named in this Assignment and their respective successors and permitted assigns. This Assignment shall not confer any rights or remedies upon any person other than the parties hereto and their respective successors and permitted assigns.

5. Governing Law. This Assignment and all disputes relating thereto or arising therefrom shall be governed by and construed in accordance with the internal laws of the State of North Carolina without giving effect to any choice or conflict of law provision or rule (whether of the State of North Carolina or any other jurisdiction) that would otherwise require the application of the laws of any jurisdiction other than the State of North Carolina.

6. Amendments. This Agreement may not be amended or modified except by instrument in writing signed by, or on behalf of, Syfan and IPC.

7. Counterpart Copies. This Assignment may be executed in two or more counterparts, each of which shall be deemed an original but all of which together will constitute one and the same instrument. Delivery of an executed counterpart of this Assignment by email, .PDF, DocuSign or similar electronic transmission is as effective as delivery of an originally executed counterpart of this Assignment.

[Signature Page Follows]

IN WITNESS WHEREOF, the parties have caused this Assignment to be executed as of the Effective Date.

SYFAN MANUFACTURING, INC.

By: \_\_\_\_\_  
Name: Amos Megides  
Title: President/ Chair

INTERTAPE POLYMER CORP.

MARTIN COUNTY

We acknowledge and consent to this Assignment and Assumption Agreement.

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

Commissioner Gurganus **Motioned** to Approve the Assignment and Assumption Agreement, with a **Second** by Commissioner Biggs. Motion Carried unanimously by roll call.

Roll Call:

Chairman Smith - Aye  
Vice Chairman Bond Jr. - Aye  
Commissioner Joe R. Ayers- Aye  
Commissioner Emily Biggs- Aye  
Commissioner David "Skip" Gurganus- Aye

**NEW BUSINESS**

**Resolution in Appreciation of Mr. Barney Conway**

Martin County Tourism and Development Authority Director, Barney Conway announced his retirement in December of 2021. In appreciation of Mr. Conway and his many achievements, the Board of Commissioners were asked to approve a resolution in appreciation of Mr. Barney Conway. County Clerk Rease announced that the Tourism Development Authority also made a plaque for Mr. Conway.

**RESOLUTION IN APPRECIATION OF MR. BARNEY CONWAY**

**WHEREAS**, Mr. Barney Conway has served as the Director of the Martin County Tourism Authority; and

**WHEREAS**, Mr. Barney Conway has served over 10 years in his tenure as the Martin County Tourism Authority Director, and

**WHEREAS**, Mr. Barney Conway has grown the Authority in events, Economic Development, pioneered the Radio Program and Membership, and

**NOW, THEREFORE, BE IT RESOLVED** that the Martin County Board of Commissioners hereby approve this resolution in Appreciation of the hard work, dedication, and service of Mr. Barney Conway.

**AND BE IT FURTHER RESOLVED**, that a copy of this Resolution will be located and filed in the County Manager’s Office, and that this Resolution shall become effective on the date of adoption and recorded into the official minutes.

Adopted this the \_\_\_\_th day of January, 2022.

\_\_\_\_\_  
Ronnie Smith, Chairman  
Martin County Board of Commissioners

\_\_\_\_\_  
Julia S. Rease  
Clerk to the Board

**Motion** to approve the Resolution in Appreciation of Mr. Barney Conway by Commissioner Biggs, with a **Second** by Commissioner Biggs. Motion was **Carried** unanimously.

Roll Call:

Chairman Smith - Aye  
Vice Chairman Bond Jr. - Aye  
Commissioner Joe R. Ayers- Aye  
Commissioner Emily Biggs- Aye  
Commissioner David “Skip” Gurganus- Aye

**Budget Amendment(s)**

**Budget Amendment # 11**

Finance Officer Cindy Ange stated each year Martin County Department of Social Services administers the federally funded Low Income Energy Assistance Program (LIEAP) to assist citizens with heating bills. The budgeted estimate for this fiscal year was \$141,818. The allocation from the state is \$174,136 or an increase of \$32,318. This year the county received \$59,117 in Low Income Household Water Assistance. These funds will be awarded to households that are behind on their utility payments and will go directly to the utility vendor.

BUDGET ORDINANCE AMENDMENT-11

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, 2022.

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

	Increase	Decrease
Human Services		
Dept. of Social Services	\$ 91,435	

This will result in an increase of \$91,435 in the expenditures of the General Fund. To provide an increase in the revenues for the above, the following revenues will be changed.

Restricted Revenue \$ 91,435

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.

**Motion** by Commissioner Gurganus and **Seconded** by Commissioner Biggs to adopt the above budget ordinance amendment this 12th day of January 2022. Motion was **Carried** unanimously by roll call.

**Budget Amendment #12**

Finance Officer Ange stated The Martin County Co-operative Extension 4-H is establishing a shooting sports club for youth, ages 8-18, in Martin County. The goal is to enhance the development of the youth as individuals and as responsible and productive citizens. This goal will be reached through the following objectives:

- Teaching decision making, teamwork, self-discipline, self-confidence and problem solving
- Encouraging an appreciation for and an understanding of our natural resources
- Developing leadership abilities
- Building character and a willingness to assume citizenship responsibility
- Enable enjoyable, positive relationships with peers and adult instructors
- Strengthen families through participation in lifelong recreational activities
- Build awareness of related career opportunities

Activities for the program will be focused around a 4-H club environment to promote organized meetings and trainings where youth will interact in leadership roles along with established duties and responsibilities. To start with, the club will meet monthly to enforce the safe and responsible use of firearms, the principles of hunting and archery, and learn marksmanship. Participating 4-H club members will be eligible to compete in regional and state level competitions to build self-confidence, sportsmanship and teamwork. Funds for the program will be generated by grants, dues, and activities of the youth.

BUDGET ORDINANCE AMENDMENT-12

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 4-H Fund, the expenditures are to be changed as follows.

	Increase	Decrease
Economic & Physical Development		
Cooperative Extension	\$2,000	

This will result in an increase of \$2,000 in the expenditures of the 4-H Fund. To provide an increase in the revenues for the above, the following revenues will be changed.

Restricted Revenue \$2,000

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.

**Motion** by Commissioner Gurganus and **Seconded** by Commissioner Biggs to adopt the above budget ordinance amendment this 12th day of January 2022. Motion was **Carried** unanimously by roll call.

**Budget Amendment #13**

Finance Officer Ange explained due to delays and system impacts by contractors of both construction contracts for the Water Infrastructure Rehabilitation and Sewer Expansion project at the Business Park, the Wooten Company requested an amendment to the engineering services contract. Herring-Rivenbark and Utility Services have both exceeded the stated construction time to meet the requirements of substantial completion. Through this, Wooten had expended additional time and resources above their stated contract. In addition, there had been documented issues by the tenants of the NC Rail and Commerce Park in which solid debris had been discovered in water mains and sprinkler systems. This had also required Wooten to expend staff and resources to determine the impact and remedies to restore service and reliability to the water system. Budget amendments #37 & #38 would transfer the funds to the appropriate accounts.

BUDGET ORDINANCE AMENDMENT-13

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, 2022.

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

	Increase	Decrease
Public Safety		
Sheriff	\$ 9,051	

This will result in an increase of \$9,051 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	\$ 9,051
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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.

**Motion** by Commissioner Gurganus and **Seconded** by Commissioner Biggs to adopt the above budget ordinance amendment this 12th day of January 2022. Motion **Carried** unanimously. By roll call.

**Budget Admendment #14**

Finance Officer Ange stated a portion of the 911 Communications Center funding comes from a statewide E-911 surcharge placed on all landlines and wireless phones. The Emergency Telephone Fund is used to account for the 911 revenue distributed to the County by the NC 911 Board. These funds can only be used for specific 911 related purposes. The computers in the 911 are close to end of life and are being replaced. This is an eligible expense for the 911 fund.

**BUDGET ORDINANCE AMENDMENT-14**

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, 2021.

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

	Increase	Decrease
Public Safety		
Communications	\$ 20,000	

This will result in an increase of \$20,000 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 Appropriation	\$ 20,000
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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.

**Motion** by Commissioner Gurganus and **Seconded** by Commissioner Biggs to adopt the above budget ordinance amendment this 12th day of January 2022. Motion **Carried** unanimously by roll call.

**Budget Admendment #15**

Finance Officer Ange reported the horse trail project includes 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 will be constructed beginning at this trailhead and connecting to the Martin Community College Equine facilities. The addition of a cross-country training field is planned to offer additional equine exercise opportunities. Martin County received an \$8,000 grant from Dominion Energy. This funding will be used to help complete lighting, handicap accessibility to restrooms, water troughs, and water spigots.

BUDGET ORDINANCE AMENDMENT-15

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, 2022.

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

	Increase	Decrease
Construction	\$ 8,000	

This will result in an increase of \$8,000 in the expenditures of General Fund.. To provide an increase in the revenues for the above, the following revenues will be changed.

Horse Trail Grant	\$ 8,000	
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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.

**Motion** by Commissioner Gurganus and **Seconded** by Commissioner Biggs to adopt the above budget ordinance amendment this 12th day of January, 2022. Motion **Carried** unanimously by roll call.

**Budget Admendment #16**

Finance Officer Ange stated each year Martin County Department of Social Services administers the federally funded Low Income Energy Assistance Program (LIEAP) to assist citizens with heating bills. This year in addition to the regular LIEAP program. The NC Department of Health and Human Services is implementing Pandemic LIEAP. Martin County has been awarded \$229,548 for Pandemic LIEAP. These funds will be targeted to households with children ages 0-6 years.

BUDGET ORDINANCE AMENDMENT-16

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, 2022.

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

	Increase	Decrease
Human Services		
Dept. of Social Services	\$ 229,548	

This will result in an increase of \$229,548 in the expenditures of the General Fund. To provide an increase in the revenues for the above, the following revenues will be changed.

Restricted Revenue	\$ 229,548	
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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

**Motion** by Commissioner Gurganus and **Seconded** by Commissioner Biggs to adopt the above budget ordinance amendment this 12th day of January 12, 2022. Motion **Carried** unanimously by roll call.

**BOARD REPORTS/COMMISSIONERS' COMMENTS -NONE**

**ADJOURNMENT**

With no further business to discuss, at 8:22 pm, Commissioner Gurganus **Motioned** to adjourn and Commissioner Biggs **Seconded** the motion. The Board unanimously **approved** the motion (5-0).

The next Regular Board Meeting for the Martin County Board of Commissioners has been scheduled for February 9, 2022

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Ronnie Smith, Chairman

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Julia Rease, Clerk to the Board