

**April 11, 2018**

The Martin County Board of Commissioners met in Regular Session on Wednesday, April 11, 2018 at 7:00 p.m. in the Martin County Governmental Center, Commissioners' Boardroom at 305 East Main Street, Williamston, North Carolina.

## **ASSEMBLY**

Those in attendance: Chairman Elmo "Butch" Lilley, Vice Chairman Tommy Bowen, Commissioner Ronnie Smith, Commissioner Dempsey Bond, Jr., Commissioner Joe R. Ayers, County Manager David Bone, County Attorney J. Melvin Bowen, Clerk to the Board Marion B. Thompson and Finance Director/Deputy Clerk Cindy Ange.

Chairman Lilley called the meeting to order shortly after 7:00 p.m. Commissioner Ayers led the pledge of allegiance. Vice Chairman Bowen provided the invocation.

Chairman Lilley extended a welcome to all in attendance, thanked them for his/her participation and counted it a special opportunity to hear their concerns. Chairman Lilley recognized the following elected/appointed officials in attendance: Bear Grass Mayor Charlotte Griffin and Williamston Town Administrator David Jaynes. Chairman Lilley thanked Deputy Sheriff/Lieutenant Brent Council for attending in the absence of Sheriff Tim Manning.

## **AGENDA APPROVAL**

County Manager Bone requested the following revisions to the agenda:

- Add – Use of Public School Building Capital Fund NC Education Lottery
- Remove/Delete - Closed Session NC G.S. § 143-318.11(a)(4) – Economic Development

Commissioner Smith made the MOTION to approve the agenda as revised, with a SECOND by Commissioner Ayers. The Board APPROVED the motion unanimously.

**PUBLIC COMMENTS** – None

## **CONSENT AGENDA**

Vice Chairman Bowen made the MOTION to approve the Consent Agenda, as presented, with a SECOND by Commissioner Bond. The Board APPROVED the motion unanimously.

1. **Minutes** for March 14, 2018 Regular & Closed Sessions, March 21, 2018 Special Session, March 26, 2018 Special Called Session, and March 28, 2018 Special Session
2. **Financial Report** for February 2018 included for informational purposes.
3. **Tax Assessor – Tax Refund Request – March 2018**

**Parcel # 18-08602** – Mr. George L. Beecham, Jr. requested a refund for a 2009 Sea Fox 25ft. boat for tax year 2016. The boat was repossessed and sold in December 2015. After extensive research, the Tax Assessor’s Office discovered the boat was retitled in December 2015. The tax value for the boat was \$27,550 in 2016. As per NC G. S. § 105-381(a)(1), Martin County is allowed to refund the current year, plus five (5) additional years, due to an error within the Tax Assessor’s Office. The refund amount would be \$246.98 plus any additional interest and fees. Mr. Beecham requested the refund be mailed back to him, since all taxes were currently paid.

**4. Tax Assessor – Tax Relief Orders – March 2018**

Year Levy	Lname	Fname	Reason	Value	Total
2017	Durham	Jonathan	Error in Listing	4,750	41.33
2017	Grimes	Lance Robert	Double Listing		584.90
2017	Peaks	Phillip Morris III	Error in Listing		9.09
2017	Williams	Gary M	Surrendered Tags	1,449	12.03
2017	Groves	Claudia Elizabeth	Situs Error		41.28
2017	Hopkins	Dallas Wayne	Over Assessment		81.12
2017	Hopkins	Dallas Wayne	Over Assessment		262.28
2017	Manning	Timothy Lee	Situs Error		50.29
2017	Mid-East	Reg. Housing Auth.	Exempt Property		163.93
2017	Mohamad	Samer Maroof	Situs Error		33.35
2017	Teele	Latina Harrington	Situs Error		222.79
				Total	1,502.39

**5. Tax Assessor – Request for Records Purge/Disposal**

Tax Assessor Elisha Hardison requested permission to shred the following records, in accordance with the Amended Records Retention and Disposition Schedule provide by the North Carolina Department of Cultural Resources dated July 31, 2008.

Record To Be Destroyed	Recommended Retention	Years on File Through June 2018	Years Requested to Be Destroyed
Property Tax Abstracts & Lists	10 Years or 2 Revaluation Cycles	11	1
Tax Relief Records	10 Years or 2 Revaluation Cycles	11	1
Motor Vehicle Scrolls	10 Years	11	1
Release & Refund Records	Destroy in office Release & Refund monthly reports 1 year from date of submission	5	4
Tax Scrolls & Books: All Other	Destroy in office after 10 years or 1 year after released by the governing board, whichever occurs first	20	9

## 6. Tax Collector's Report – March 2018

	Category	Mar-18	Mar-18 Y-T-D
Real Property	20	\$378,214.74	\$8,773,170.08
Personal Property	25	<u>24,298.53</u>	<u>5,017,127.95</u>
Total		\$402,513.27	\$13,790,298.03
Motor Vehicle	30	<u>2,837.84</u>	<u>6,667.13</u>
Total MV		\$2,837.84	\$6,667.13
All Total		\$405,351.11	\$13,796,965.16

## 7. Board Appointments/Reappointments/Resignation

### a. Airport Commission

Airport Commission Chairman William Gene Powell, Sr. rendered his resignation from the Martin County Airport Commission, Rural Planning Organization (RPO) & Metropolitan Planning Organization (MPO) Boards, Martin County Transportation Board, Airport Height Restriction Ordinance Board of Appeals and the Southern Albemarle Association, effective April 1, 2018.

Chairman Powell spent four decades being an Ambassador and a Champion for the Martin County Airport and its mission.

The Board voted to accept Mr. Powell's resignation, as part of the Consent Agenda.

Later on the agenda, the Board would be asked to approve a Resolution of Appreciation for presentation to Mr. Powell for his many years of loyalty, commitment, and leadership to the citizens of Martin County.

### b. Animal Control Board of Appeals

The Martin County Animal Control Board was established as a quasi-judicial board in 2011 to oversee appeals regarding dogs that have been declared potentially dangerous, dangerous, or vicious. The Dangerous Dog Ordinance calls for a Board of Appeals. The Animal Control Board of Appeals shall consist of five members: a Commissioner, Veterinarian, and three citizens at large. At the present time, there is a vacancy on the board for a citizen-at-large.

In the interest of having a citizens at large, who was knowledgeable of quasi-judicial proceedings, Sheriff Tim Manning communicated the need to fill the vacant position of a citizen-at-large on the Animal Control Board of Appeals to Martin County Clerk of Court Tonya Leggett. As a result of that conversation, Ms. Leggett agreed to serve, if appointed.

The Board approved the appointment of Ms. Leggett to the Animal Control Board of Appeals for a three year term, which would expire April 30, 2021, as part of the Consent Agenda.

**c. Bear Grass ETJ Planning & Zoning**

On behalf of the Bear Grass ETJ Planning & Zoning Board, Mayor Charlotte Griffin asked that the Martin County Board of Commissioners reappoint Mr. Jerry Rogerson for another three year term which would expire March 31, 2021.

The Board approved the reappointment, as part of the Consent Agenda.

**d. Industrial Facilities & Pollution Control Financing Authority**

On behalf of the Martin County Industries Facilities and Pollution Financing Authority, County Attorney Melvin Bowen recommended the reappointment of Mr. Delmus Cumbee, Jr. and Mr. Simon Griffin for another six (6) year term, which would expire April 3, 2024.

Mr. Cumbee and Mr. Griffin have been contacted and have agreed to serve for another term. The Martin County Industries Facilities and Pollution Financing Authority Board meets only when circumstances warrant a meeting, which would be called by the County Attorney.

The Board of Commissioners approved the reappointments, as part of the Consent Agenda.

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

**INTRODUCTION OF NEW EMPLOYEE (S)**

Department of Social Services/Transit Deputy Director Frank Halsey introduced the following new employee: Child Support Agent Regena Andrews-Jones.

The Board welcomed Ms. Andrews-Jones back to the Martin County workforce family.

**PRESENTATIONS**

**Resolution of Appreciation – Airport Chairman Gene Powell**

After 40 years of service on the Airport Commission, Chairman William Gene Powell, Sr. rendered his resignation from the Martin County Airport Commission, as well as Rural Planning Organization (RPO) & Metropolitan Planning Organization (MPO) Boards, Martin County Transportation Board, Airport Height Restriction Ordinance Board of Appeals and the Southern Albemarle Association, effective April 1, 2018.

Commissioner Ayers made the MOTION to approve the Resolution of Appreciation below for presentation to Mr. Powell, with a SECOND by Vice Chairman Bowen. The Board unanimously APPROVED the motion.

The Board expressed thanks and gratitude to Mr. Powell for his many years of service. Mr. Powell thanked the Board for the honor given. Adding, it had been a pleasure to work with the County Commissioners and the citizens of Martin County. Mr. Powell encouraged all to come and see “their” Airport.

**RESOLUTION OF APPRECIATION  
MR. WILLIAM GENE POWELL, SR.**

**WHEREAS**, Mr. William Gene Powell, Sr. has been an Ambassador and a Champion for the Martin County Airport for 40 years; and

**WHEREAS**, Being one of only two Airport Commission Chairmen, Dr. William H. Gray being the first, Mr. Powell served as Chairman of the Airport Commission for 38 years; and

**WHEREAS**, Mr. Powell's passion for the Martin County Airport, transportation and Martin County, in general, has been so evident and inspirational; and

**WHEREAS**, through the years, the Martin County Airport grew from a 3,000 feet long by 160 feet wide grass strip to a 5,000 feet paved runway, partial parallel taxiway, T-hangars, corporate hangar, 24-hour fuel service, a firefighting hydrant for the NC Forestry Service, an updated remodeled terminal facility and a courtesy car for pilots; and

**WHEREAS**, under the leadership of Mr. Powell, the Airport has developed plans for a full parallel taxiway, Automated Weather Observing System (AWOS) and a beacon replacement; and

**WHEREAS**, in addition to serving on the Airport Commission, Mr. Powell extended this representation by serving on the Rural Planning Organization (RPO), Metropolitan Planning Organization, Martin County Transportation Board, the Airport Height Restriction Ordinance Board of Appeals, as well as the Southern Albemarle Association; and

**WHEREAS**, Mr. Powell spearheaded another organization for the benefits of Martin County youth, the Wright Flight of Martin County, NC Inc., a program to encourage elementary youth to exceed in school in exchange for an opportunity to experience science and the pleasure of flight.

**NOW, THEREFORE BE IT RESOLVED**, that the Martin County Board of Commissioners hereby honors, recognizes, and extend gratitude to Mr. William Gene Powell, Sr. for his outstanding dedication, commitment, and leadership to the Martin County Airport Commission and the citizens of Martin County throughout his years of service.

Adopted this 11<sup>th</sup> day of April 2018.

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Elmo "Butch" Lilley, Chairman

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Marion B. Thompson, NCCCC, NCMCC  
Clerk to the Board

**North Carolina Senior Center of Excellence Certification**

County Manager Bone explained the Adult & Aging Services Department (AASD) had been working for the last couple of years to become SCOPE (Senior Center Operations and Program

Evaluation) certified. State certification is a voluntary process that senior centers can use to be recognized in their communities and across the state.

The purpose of the process is to strengthen the capacity of senior centers by providing a set of measurable indicators of best practice. Certification enhances a center's professionalism, provides accountability, assures quality, improves credibility, markets the organization, identifies excellence, provides a snapshot of the organization, and promotes consistency/uniform standards.

The NC Division of Aging and Adult Services (DAAS) links funding to the level of certification. So, certification means more funds would become available for the department.

Certified senior centers receive a certificate of recognition from the Division of Aging and Adult Services identifying the centers as viable, fundable, and qualified providers of services within the community. Certified senior centers gain the right to be described as state-certified Centers of Merit or Centers of Excellence in their literature, grant applications, and marketing materials. Over 80 certified centers of excellence/merit are in NC, indicating exceptional standards of operation.

County Manager Bone congratulated and commended the Adult & Aging Services Department for their efforts. Additionally, the Council on Aging was thanked for partnering and supporting the Adult & Aging Services Department's efforts to become SCOPE certified and for investing in improvements to the facility.

Enhancing the senior center facilities was an integral part of preparing for the SCOPE certification. A big part of this effort was the construction of a 1,200 square foot addition to the Williamston Senior Center facility. The Council on Aging provided all of the funds for this addition. No tax dollars were used in the construction. The building extension allows the department to accommodate its rapidly growing senior clientele and is used as a multi-purpose room for exercise and education classes, meetings and more.

County Manager Bone also thanked Martin County Public Works Director Justin Harrison and his staff for assistance with facility improvements that helped support Martin County's SCOPE certification application.

Chairman Lilley, who serves on the Council On Aging Board, stated AASD does an excellent job. The public opinion has been positive. The Board commended and thanked AASD for excelling in providing services to the adult and aging population in Martin County.

Adult & Aging Services Department Director Charmaine Hardison thanked the Board, County Manager Bone, and the Council On Aging for their support. Additionally, Director Hardison thanked her staff and volunteers, as well as the Public Works staff for their hard work and commitment to make this a reality.

The Board of Commissioners presented the Center of Excellence certification to AASD Director Charmaine Hardison, who was accompanied by AASD staff, Senior Administrator Support Specialist Lisa Edmonds, Office Assistant Edna Minor, Health and Wellness Coordinator Deborah Hollis and Respite Coordinator Jessica Godard.

**OLD BUSINESS** – None

**NEW BUSINESS**

**Use of Public School Building Capital Fund NC Education Lottery**

NC G. S. Chapter 18C provides that a portion of the NC’s lottery proceeds are allocated to each county within the Public School Building Capital Fund (PSBCF) based on average daily membership (ADM) in accordance with N C G. S. §115C-546.2. The Public School Building Capital Fund is housed in the N.C. Department of Public Instruction and is comprised of two sources of revenue: a set-aside from the corporate income tax, known as the ADM fund, which was allotted based on average daily membership (ADM) in each county; and a percentage of the net proceeds from the N.C. Education lottery.

Monies in the Fund are used to pay for public school construction projects and to retire indebtedness incurred for school construction projects. PSBCF also may contain some residual corporate income tax distributions.

County Manager Bone stated the application would request funds from lottery proceeds to assist in making the debt and interest payment on Riverside Middle School. Approximately \$15 million was used to build Riverside Middle school in 2013. The annual debt payment is approximately \$1 million. The PSBCF request included \$264,000 for the debt payment and one-half of the interest – \$25,193, which was required to be paid, due to the federal government sequestration.

A County Board and School Board must jointly apply to the NC Department of Public Instruction (NC DPI) on a project-by-project basis to access the monies in the Fund. The Martin County Board of Education approved the request at its April 9, 2018 meeting.

Commissioner Smith made the MOTION to approve the application/request for funds from the Public School Building Capital Fund (PSBCF) for \$289,193, with a SECOND by Commissioner Bond. The Board APPROVED the motion unanimously.

**Budget Amendments**

**Budget Amendment # 32**

Finance Director Cindy Ange stated the NC Department of Transportation were removing a large culvert on Roy Beach Rd. In order to turn off the water, if needed, during construction, NC DOT requested valves be installed. NC DOT would reimburse the County for the expense. The cost of this maintenance would be \$19,450.

**BUDGET ORDINANCE AMENDMENT-32**

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, 2018.

Section 1. To amend Water District #1, the expenditures are to be changed as follows.

	Increase	Decrease
Operations		
Maintenance	\$ 19,450	

This will result in an increase of \$19,450 in the expenditures of Water District #1. To provide an increase in the revenues for the above, the following revenues will be changed.

Reimbursement from DOT	\$ 19,450
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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 Vice Chairman Bowen and SECONDED by Commissioner Ayers to adopt the above budget ordinance amendment this 11th day of April 2018. The Board APPROVED the motion unanimously.

### **Budget Amendment # 33 & #34**

Finance Director Ange recalled to provide Weitron rail access for the new facility located in the Martin Regional Business Park, Martin County pursued and was awarded multiple funding sources, including NC Railroad Company, NC Commerce, NC DOT, and the Golden Leaf Foundation.

The project would involve the installation of approximately 4,900 track feet of industrial track, 4 switches, demolition, clearing and grubbing, excavations, grading, importation of select fill material, if not available on-site, storm drainage (pipes and structures) and associated sedimentation/erosion control measures and related appurtenances to serve the Martin Regional Business Park.

On November 8, 2017, the Board adopted the capital projects ordinance for the project.

Budget Amendment #33 would amend that ordinance to account for additional undercut excavation. The proof-roll test, which was performed last month, revealed that the soil would not be structurally sound for the railroad bed.

Budget Amendment #34 would transfer an additional \$120,000 from the general fund to cover the remaining additional costs. The total general fund contribution to this project would now be \$589,354.

### **BUDGET ORDINANCE AMENDMENT-33**

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, 2018.

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



	Increase	Decrease
Rail Extension Project Construction	\$120,000	

This will result in an increase of \$120,000 in the expenditures of the Business Park Fund. To provide an increase in the revenues for the above, the following revenues will be changed.

Transfer from general fund	\$120,000
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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 Ayers and SECONDED by Vice Chairman Bowen to adopt the above budget ordinance amendment this 11th day of April 2018. The Board APPROVED the motion unanimously.

#### BUDGET ORDINANCE AMENDMENT-34

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, 2018.

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

	Increase	Decrease
Transfers		
Business Park Fund	\$120,000	

This will result in an increase of \$120,000 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	\$120,000
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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 Ayers and SECONDED by Vice Chairman Bowen to adopt the above budget ordinance amendment this 11th day of April 2018. The Board APPROVED the motion unanimously.

#### **Budget Amendment # 35**

Finance Director Ange stated the Martin County Board of Commissioners approved the grant program budget for the 2015 Single Family Rehab Program in May 2015 for \$170,000. Our

contractor, McDavid Associates was able to access additional funds for Martin County residents for this program. Additional funds were made available on a first come first serve basis. Six additional residents were added to the program, which would now bring the program budget to \$504,903.

#### BUDGET ORDINANCE AMENDMENT-35

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, 2018.

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

	Increase	Decrease
Administration	\$ 70,602	
Rehabilitation	\$264,301	

This will result in an increase of \$334,903 in the expenditures of the General Fund. To provide an increase in the revenues for the above, the following revenues will be changed.

2015 Single Family Rehab	\$334,903
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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 Vice Chairman Bowen and SECONDED by Commissioner Bond to adopt the above budget ordinance amendment this 11th day of April 2018. The Board APPROVED the motion unanimously.

**BOARD REPORTS / COMMISSIONERS' COMMENTS – None**

**RECESS** – A brief recess was taken before continuing with the agenda item.

**CLOSED SESSION – Personnel N C G. S. §143-318.11(a)(6)**

Around 7:24 p.m., Commissioner Smith made the MOTION to enter Closed Session in pursuant of NC G.S. §143-318.11(a)(6) Personnel, with a SECOND by Commissioner Ayers. The Board APPROVED the motion unanimously.

Around 7:49 p.m., Commissioner Smith made the MOTION to end Closed Session in pursuant of NC G.S. §143-318.11(a)(6) Personnel, with a SECOND by Commissioner Bond. The Board APPROVED the motion unanimously.

## **OPEN SESSION**

In Open Session, Chairman Lilley stated the Board would not be taking action regarding the Closed Session discussion, at this time.

## **ADJOURNMENT**

With no further business to discuss, Vice Chairman Bowen made the MOTION to adjourn at 7:51 p.m., with a SECOND by Commissioner Bond. The Board APPROVED the motion unanimously.

The Martin County Board of Commissioners' next regular meeting would be Wednesday, May 9, 2018 at 7:00 p.m. in the Commissioners' Board Room of the Martin County Governmental Center, 305 East Main Street, Williamston, North Carolina.

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Elmo "Butch" Lilley, Chairman

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Marion B. Thompson, NCCCC, NCMCC  
Clerk to the Board