

February 18, 2008

A regular meeting of the Bladen County Board of Commissioners was held in the Commissioners Room of the Courthouse at 6:30 p.m. with the following members present:

Margaret Lewis-Moore
Billy Ray Pait
Lewis Tatum
W.D. Neill, Jr.
James G. Smith
Larry Smith
Charles Ray Peterson
Greg Taylor

Absent: Delilah B. Blanks

Attorney: Allen Johnson, Johnson Law Firm

Chairperson Moore called the meeting to order. Commissioner Larry Smith provided the invocation and County Manager Greg Martin led the Pledge of Allegiance.

Chairperson Moore requested the following revisions to the proposed agenda:

- Item 5A-C Health Department move to Item 6
- Item 6A-B Keep Bladen Beautiful move to Item 5

A motion was made by James G. Smith, seconded by Larry Smith and approved to adopt the following consent items with revisions to the proposed agenda.

- A. Approve Minutes (February 4, 2008)**
- B. Approve Agenda**
- C. Approve Budget Amendments**

	Increase	Decrease
<u>Social Services</u>		
Exp: 146100.573 <i>DSS-System of Care Grant</i>	\$15,000	
Rev: 143590.102 <i>System of Care Grant</i>	\$15,000	
<u>Health Department</u>		
Exp: 105900.330 <i>Supplies</i>	\$1,517.00	
Rev: 103530.060 <i>DHHS-General</i>	\$1,517.00	
<u>Health Department</u>		
Exp: 105200.330 <i>Supplies</i>	\$480.00	
Rev: 103260.040 <i>AC Revenue</i>	\$480.00	
<u>Sheriff's Department</u>		
Exp: 105100.741 <i>Capital Outlay-Vehicles</i>	\$1,957.50	
Rev: 103190.014 <i>Loan Proceeds</i>	\$1,957.50	
<u>Water Department</u>		
Rev: 254700.740 <i>Capital Outlay</i>	\$36,975.00	
Rev: 253190.011 <i>Insurance Claims</i>	\$36,975.00	

February 18, 2008

E911 Addressing

Rev: 225300.740 \$800.00
Capital Outlay
Exp: 223260.020 \$800.00
Wireless Fund Balance

Computer Operations

Exp: 104600.740 \$77,453.80
Capital Outlay
Rev: 103190.014 \$77,453.00
Loan Proceeds

Division on Aging

Exp: 106210.570 \$4,964.00
Miscellaneous Expense
Exp: 106800.090 \$496.00
Unemployment Insurance
Rev: 103530.045 \$4,468.00
DOA-Adult Daycare

D. County Attorney Invoices

- **Review of Letter from David L. Henderson \$350.00**
- **February Retainer Fee \$300.00**

E. Approve Tax Refunds and Releases

F. Approve Resolution Celebrating NCAAC's 100 Years of County Unity

G. Approve Spring Litter Cleanup Proclamation

ITEM 2. MATTERS OF INTEREST TO COMMISSIONERS:

ITEM 3. INDIVIDUALS/DELEGATIONS WISHING TO ADDRESS COMMISSIONERS:

ITEM 4. PLANNING: (Greg Elkins, Director)

A. Public Hearing Regarding Request to Rezone PIN 1322-00-86-2740

Chairperson Moore declared the Public Hearing Open

- John H. Melvin, pastor of St. John AME Church expressed a concern for the safety of citizens traveling on Hwy 701 North.
- Frankie Keene, owner of Hog Slat, stated that he did not feel that moving to the location across the street and building a new building for Hog Slat would change the amount of traffic in that area. Furthermore, he expressed his willingness to work with the St. John AME Church in any way that he could, such as, allowing the church make use of his parking lot when needed.
- The Board of Commissioners agreed to request NCDOT to perform a traffic study for the area of 701 North between Elizabethtown and White Lake.
- **Consider Approving Request to Rezone PIN 1322-00-86-2740 – A motion was made by Larry Smith, seconded by James G. Smith and approved to rezone PIN 1322-00-86-2740 from Residential Agriculture to Commercial for the use of a parts/hardware store to serve local farmers. This request is consistent with the adopted 1999-2010 Bladen County Land Use Plan; and the rezoning request is reasonable; and the rezoning is in the public interest.**

February 18, 2008

ITEM 5. KEEP BLADEN BEAUTIFUL:

(Tammy Smith, Chairperson and Gloria Dove, Coordinator)

- A. **Present Proclamation to Tammy Smith, KBB Chairperson and Gloria Dove, KBB Coordinator-** Chairperson Moore presented the Spring Litter Cleanup proclamation.
- B. **Consider Appropriation for KBB Billboard Trailer- Upon a motion made by Charles Ray Peterson, seconded by James G. Smith, the Board approved an appropriation of \$480.00 to KBB for a billboard trailer. These funds are available in the advertising line item of the Solid Waste Budget.**

ITEM 6. HEALTH DEPARTMENT: (Wayne Stewart, Director)

- A. **Review Revised Draft of Animal Control Ordinance** – Mr. Stewart highlighted the revisions of the proposed Animal Control Ordinance.
- B. **Consider Scheduling Public Hearing to Receive Public Comments Regarding Proposed Animal Control Ordinance** – *Tabled until March 10, 2008 meeting.*
- C. **Health Department Update** – Mr. Stewart provided the Board with a 2007 update of the Health Department's many activities and accomplishments.

ITEM 7. E911 ADDRESSING: (Larry Hammond, Director)

- Presentation Regarding Use of E-911 Funding –Larry Hammon Director of E911 Addressing and Supervisor Alisha Evans informed the Board of the policies and procedures regarding expenditures from the proceeds of the Wireless and Wireline funds.

ITEM 8. FINANCE: (Lisa Coleman, Director)

- A. **Consider Approving Installment Purchase Contract**
- B. **Consider Approving Declaration of Official Intent to Reimburse**

A motion was made by James G. Smith, seconded by Greg Taylor to approve the following Installment Purchase Contract and Declaration of Official Intent to Reimburse Contract.



**First Citizens
Bank**

February 13, 2008

Installment Purchase Contract Proposal for:
County of Bladen
PO Box 965
Elizabethtown, NC 28337
Attn: Lisa C. Coleman, Finance Officer

Offered By:
First-Citizens Bank & Trust Company
P.O. Box 29519
16 E Rowan Street
Raleigh, North Carolina 27626-0519

Type of Contract: A municipal installment purchase contract structure with the County responsible for all expenses related to the use of the equipment including taxes and maintenance. The County shall also be responsible for selecting the equipment and the vendor.

Description of Equipment: Finance the purchase of two (2) new police vehicles at a cost not to exceed \$56,000.00.

Installment Terms & Fees: First Citizens will provide three (3) year term at a tax exempt fixed rate of 3.30%. Annual payments made in advance would be \$19,275.89. There would be a \$300.00 origination fee due at closing.

Prepayment: The County may early terminate the contract by paying the unpaid principal balance plus earned interest per an amortization schedule to be provided by Bank. The principal balance may be prepaid, in full and at any time, at a prepayment price equal to 100% of the principal balance plus \$250.00, together with accrued interest to the date of prepayment, upon thirty (30) days prior written notice to the Bank. This pertains to each exhibit under the installment sale agreement.

Non-Appropriation/Early Termination: The County shall exercise its best efforts to obtain annual appropriations to meet fiscal year installment sale payments. The contract may be terminated without penalty, in the event of non-appropriations.

Rate Modification/Refinancing: The County may refinance or modify the existing rate on the contract, with a flat fee of \$500.00 or 1% of the outstanding principal balance, whichever is greater. The refinancing or modification may only be made on the annual anniversary date of the contract.

Tax Status: The County is qualified as a governmental entity within the meaning of Section 103 (A) of the Internal Revenue Code of 1954, as amended.

Qualified Tax Exempt Obligation: The County will certify that the contract will be designed as a qualifying obligation under the \$10,000,000 small issue exemption as described within Section 265b3 of the Tax Reform Act of 1986.

February 18, 2008

North Carolina General Statute: The installment sale will conform to the requirements of North Carolina General Statute 159, Article 8 and 160A-20.

Documents Required:

- (1) Installment Sale Finance Contract.
- (2) Exhibit A - Schedule of equipment.
- (3) Exhibit B - Schedule of payments, rate and term including amortization structure.
- (4) Exhibit C - Incumbency and Authorization Certificate.
- (5) Exhibit D - Validity Letter prepared by County's counsel.
- (6) Exhibit E - Bank Eligibility Certificate
- (7) Certified copy of minutes approving the transaction.
- (8) IRS Form 8038-GC.
- (9) Titles & UCCs.

Proposal and Conditions: This proposal is not a commitment to provide funding, nor is it a commitment as to pricing. Final and full approval for funding and pricing is subject to the approval of the Executive Management of First-Citizens Bank & Trust Company. The closing of the transaction must occur on or before April 15, 2008.

This proposal will expire unless it is accepted in writing and the acceptance is received by the undersigned on or before March 5, 2008.

First-Citizens Bank & Trust Company

By: Robert J. Watt
Vice President

The foregoing proposal is accepted and approval of rate and funding is requested:

County of Bladen

By: _____
Title: _____

Date _____

**BLADEN COUNTY, NORTH CAROLINA
DECLARATION OF OFFICIAL INTENT TO REIMBURSE**

This declaration (the "Declaration") is made pursuant to the requirements of the United States Regulations Section 1.150-2 and is intended to constitute a Declaration of Official Intent to Reimburse under such Treasury Regulations Section.

The undersigned is authorized to declare the official intent of Bladen County, North Carolina (the "Issuer") with respect to the matters contained herein.

- 1. **Expenditures to be Incurred.** The Issuer anticipates incurring expenditures (the "Expenditures") for the two Sheriff Department Dodge Chargers (the "Project").
- 2. **Plan of Finance.** The Issuer intends to finance the costs of the Project with the proceeds of debt to be issued by the Issuer (the "Borrowing"), the interest on which is to be excluded from gross income for Federal income tax purposes.
- 3. **Maximum Principal Amount of Debt to be Issued.** The maximum principal amount of the Borrowing to be incurred by the Issuer to finance the Project is \$56,000.00
- 4. **Declaration of Official Intent to Reimburse.** The Issuer hereby declares its official intent to reimburse itself with the proceeds of the Borrowing for any of the Expenditures incurred by it prior to the issuance of the Borrowing.

Adopted this _____ day of _____, 2008.

SEAL

By: _____
Clerk to the Board of Commissioners
Bladen County, North Carolina

By: _____
Chairperson, Board of Commissioners
Bladen County, North Carolina

ITEM 9. COUNTY MANAGER: (Greg Martin)

- A. **Calendar Update** – Mr. Martin reviewed the calendar for upcoming events.
- B. **Consider Re-scheduling Meeting Dates in March** – A motion was made by James G. Smith, seconded by Lewis Tatum and approved to re-schedule the March meeting dates to Monday, March 10 and Tuesday, March 25, 2008.
- C. **Consider Closed Session in Accordance with N.C.G.S. 143-318.11 (a)(6) Personnel Matters** – A motion was made by W.D. Neill, Jr., seconded by Greg Taylor and approved to enter closed session.

A motion was made by Greg Taylor, seconded by Lewis Tatum and approved to enter Regular session.

February 18, 2008

A motion was made by Charles Ray Peterson, seconded by Lewis Tatum and approved to advance \$361, 000 to Bladen County Hospital. The motion was February 18, 2008 approved by a vote of 5 AYES (Charles Ray Peterson, Margaret Lewis-Moore, Greg Taylor, W.D. Neill, Jr., and Lewis Tatum) to 3 NOES (James G. Smith, Larry Smith, and Billy Ray Pait).

A motion was made by W.D. Neill, Jr., seconded by Greg Taylor and approved to request the Bladen County Hospital CEO to provide the Board of Commissioners with a written monthly financial report including a cash- flow statement.

A motion was made by Lewis Tatum, seconded by W.D. Neill, Jr. and approved to adjourn at 8:50 p.m.

**Margaret Lewis-Moore, Chairperson
Bladen County Board of Commissioners**

ATTEST:

Ashley C. Sasser, Clerk