

October 6, 2008

A regular meeting of the Bladen County Board of Commissioners was held on October 6, 2008 at 6:30 pm in the Commissioners Meeting Room of the Courthouse with the following members present:

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

Chairperson Moore called the meeting to order. Billy Ray Pait provided the invocation and County Manager Greg Martin led the Pledge of Allegiance.

Chairperson Moore requested that the following items be added to the agenda:
8E East Arcadia Fire District Board Appointments
8F Closed Session, Personnel Matter

A motion was made by James G. Smith, seconded by Greg Taylor and approved the following consent items:

- A. Approve Minutes (September 15, 2008)**
- B. Approve Agenda**
- C. Approve Budget Amendments**

	Increase	Decrease
<u>Social Services</u>		
Exp: 146100.573	\$75.80	
<i>DSS-System of Care Grant</i>		
Rev: 143190.010	\$75.80	
<i>Misc. Revenue</i>		
<u>Social Services</u>		
Exp: 146100.637	\$19,600.00	
<i>WF Functional Assessment</i>		
Rev: 143550.045	\$19,600.00	
<i>WF Functional Assessment</i>		
<u>Health Department</u>		
Exp: 105920.330	\$6,050.00	
<i>Supplies</i>		
Rev: 103530.090	\$6,050.00	
<i>DHHS – Family Planning</i>		
<u>JCPC</u>		
Exp: 106805.290	\$8,971.00	
<i>CBA Refund</i>		
Rev: 103190.050	\$8,971.00	
<i>FBA</i>		
<u>JCPC-Strategies for Success</u>		
Exp: 106805.321	\$58,870.00	
<i>JCPC-Strategies for Success</i>		
Rev: 103230.024	\$58,870.00	
<i>JCPC-Strategies for Success</i>		

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Administration

Exp: 106800.674 \$2,471.55

Segal Recovery Cost

Rev: 103190.050 \$2,471.55

FBA

Administration

Exp: 106900.630 \$42,652.94

TO DSS

Rev: 103190.050 \$42,652.94

FBA

DSS

Exp: 146100.635 \$16,530.00

WF Demonstration Grant

Rev: 143550.040 \$16,530.00

WF Demonstration Grant

Administration

Exp: 106900.630 \$34,276.00

TO DSS

Rev: 103190.050 \$34,276.00

FBA

DSS

Rev: 143550.040 \$34,276.00

WF Demonstration Grant

Rev: 143550.080 \$34,276.00

FM General Fund

Tobermory Fire District

Exp: 335090.570 \$34,000.00

Miscellaneous Expense

Exp: 335090.990 \$17,355.00

Contingency

Rev: 333290.020 \$16,645.00

FBA

D. Approve County Attorney Invoices

- **September Retainer \$300.00**
- **Review of Contract with ECU \$250.00**
- **Equipment Finance Agreement \$1575.00**
- **Radio Dispatch Financing Agreement \$5,075.00**

E. Approve Families First Domestic Violence Month Proclamation

**DOMESTIC VIOLENCE AWARENESS MONTH
PROCLAMATION (2008)**

WHEREAS, domestic violence is more than the occasional family dispute. According to the Department of Health and Human Services, it is the single largest cause of injury to American women, affecting six million of all racial, cultural, and economic backgrounds; and

WHEREAS, the problem of domestic violence are not confined to any group or groups of people but cross all economic, racial, and society barriers; and supported by societal indifference; and

WHEREAS, the crime of domestic violence violates an individual's privacy, dignity, security and humanity due to systematic use of physical, emotional, sexual, psychological, and economic control and/or abuse; and

WHEREAS, the impact of domestic violence is wide ranging, directly affecting women and children and society as a whole; and

WHEREAS, the health-related costs of rape, physical assault, stalking and homicide committed by intimate partners exceed \$5.6 billion each year.

NOW, THEREFORE, BE IT RESOLVED, we, the Bladen County Board of Commissioners, do hereby proclaim that October 2008, is **DOMESTIC VIOLENCE AWARENESS MONTH** in Bladen County and call upon all citizens to join in making every home a safe home and to support Families First in working toward the elimination of personal and institutional violence against women.

ADOPTED, this the 6th day of October, 2008.

ATTEST:

Ashley C. Sasser
Ashley C. Sasser, Clerk

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



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F. Approve National 4-H Week Proclamation



Proclamation

WHEREAS, 4-H youth across the nation are keeping it green by leading efforts to solve problems in their communities, raise awareness about environmental issues, and make a difference for their futures.

WHEREAS, 4-H is one of the largest youth development organizations in North Carolina and the largest in the nation with six million young people participating.

WHEREAS, 4-H in North Carolina claims 204,000 youth members and 19,000 adult volunteers, while Bladen County's 4-H program numbers more than 2,500 members and more than 150 volunteers.

WHEREAS, 4-H, as part of North Carolina Cooperative Extension and housed out of NC State University and NC A&T State University, is a program where youth learn through opportunities that provide them hands-on experiences in 4-H's mission mandates of science, technology, engineering, and math; healthy living; career exploration, leadership, and citizenship.

WHEREAS, 4-H has connected youth and their communities with the innovative research and resources from our nation's 106 land-grant universities and colleges for more than 100 years;

NOW, THEREFORE, I, Margaret Lewis-Moore, Chair of the Bladen County Board of Commissioners, do hereby proclaim October 5-11, 2008, as National 4-H Week in Bladen County. I urge the people of this community to take advantage of the opportunity to become more aware of this special program that enhances our young people's interests in their futures as part of Bladen County 4-H Youth Development and to join us in recognizing the unique partnership between our county and our state University System.



Margaret Lewis-Moore

Margaret Lewis-Moore, Chair
Bladen County Board of Commissioners

October 6, 2008 Date

G. Approve Agreement for the Protection, Development and Improvement of Forest Land in Bladen County, NC

H. Schedule Employee Appreciation Luncheon for November 12, 2008 from 11:30-1:30pm

I. Schedule Public Hearing for October 20, 2008 at 6:30 pm Regarding Work First Plan for 2009-2011

J. Approve Guaranteed Energy Savings Contract Amendment

October 6, 2008

**AMENDMENT NO. 1 TO
GUARANTEED ENERGY SAVINGS PERFORMANCE CONTRACT**

This AMENDMENT NO. 1 to Guaranteed Energy Savings Performance Contract (herein referred to as "Amendment No. 1"), made this _____ day of September, 2008 by and between Bladen County Government, North Carolina (hereinafter called "County") and Energy Systems Group, LLC, an Indiana limited liability company (hereinafter called "ESG"),

WITNESSETH, That

WHEREAS, ESG and County entered into a Guaranteed Energy Savings Performance Contract on September 4, 2008 (hereinafter the "Contract"); and

WHEREAS, ESG and County desire to amend the Contract as specified in this Amendment No. 1.

NOW, THEREFORE, in consideration of the mutual covenants herein contained, the parties hereto agree to amend the Contract as follows:

1. County and ESG desire to amend Section 3.4 of the Contract by adding the following new paragraph to the end of Section 3.4: "ESG shall procure an Energy Savings Guarantee Bond in the amount of One Million Eight Hundred Eighty-Seven Thousand, Four Hundred Eighty-Two Dollars (\$1,887,482.00) which, when executed by ESG and the Surety, shall guarantee to County energy savings of \$101,484 during the first one (1) year following County's Final Acceptance of the Project. At such time, the Surety at its option may renew for a comparable or additional one (1) year term depending on the length of the obligation."

2. Except as modified by this Amendment No. 1, ESG and County agree that all other terms of the Contract shall remain the same and shall be unaltered by this Amendment. No.1.

BLADEN COUNTY GOVERNMENT

By: Margaret Lewis Moore
Margaret Lewis-Moore
Its: Chairman, Board of Commissioners

ENERGY SYSTEMS GROUP, LLC

By: James L. Adams
James L. Adams
Its: President

THIS INSTRUMENT HAS BEEN PREAUDITED IN THE
MANNER REQUIRED BY THE LOCAL GOVERNMENT
BUDGET AND FISCAL CONTROL ACT
Asia C. Coleman
FINANCE OFFICER

ITEM 2. MATTERS OF INTEREST TO COMMISSIONERS:

- A. Chairperson Moore presented the Domestic Violence Month Proclamation to Majorie Walker and Annie Brown with Families First.
- B. Chairperson Moore presented the National 4-H Week Proclamation to Extension Director Dalton Dockery

ITEM 3. INDIVIDUALS/DELEGATIONS WISHING TO ADDRESS COMMISSIONERS:

- Currie Burns requested that the Board help him in having his ditches cleaned out. The Board provided Mr. Burns with a contact for the North Carolina Department of Transportation District Engineer.
- Lee Mckoy addressed the Board in regards to opening a laundry business in Dublin, NC.

ITEM 4. ECONOMIC DEVELOPMENT: (Chuck Heustess, Director)

- A. Public Hearing Regarding Close-Out of CDBG Incubator Grant Project – Chairperson Moore declared the public hearing open. County Manager Greg Martin discussed the project. There were no public comments and Chairperson Moore declared the public hearing closed.

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- B. Consider Initiating Close-Out Process – A motion was made by Greg Taylor, seconded by W.D. Neill, Jr. and approved to initiate the Close-Out Process for the CDBG Incubator Grant Project.

ITEM 5. WATER DISTRICT: (Randy Garner, Director)

- A. Enter Session as Water District Board of Directors – A motion was made by W.D. Neill, Jr., seconded by Larry Smith and approved to enter session as the Water District Board of Directors.
- B. Consider Approving Updated Water District Rules and Regulations – A motion was made by James G. Smith, seconded by Greg Taylor and approved to update the Water District Rules and Regulations regarding Multiple Unit Connections.
- C. Consider Awarding Bid for Iron Filter System at Tobermory Well – Upon a motion by James G. Smith, seconded by W.D. Neill, Jr., the Board awarded the bid to Bill's Well Drilling Company, Inc in the amount of \$269,000 for an Iron Filter System at Tobermory Well. The vote was approved by a vote of 8 AYES (James G. Smith, Charles Ray Peterson, Delilah Blanks, Margaret Lewis-Moore, Billy Ray Pait, Greg Taylor, W.D. Neill, Jr. and Lewis Tatum) to 1 NO (Larry Smith).
- D. Exit Session as Water District Board of Directors – A motion was made by Greg Taylor, seconded by Lewis Tatum and approved to exit session as the Water District Board of Directors.

ITEM 6. FINANCE: (Lisa Coleman, Director)

- Consider Approving Banking Services with First Citizens – A motion was made by Larry Smith, seconded by W.D. Neill, Jr. and approved Banking Services with First Citizens Bank for a five year term effective January 1, 2009.

ITEM 7. E-911: (Alisha Evans, Supervisor)

- Consider Request to Upgrade E-911 Center Software and to Initiate Piggybacking Process for System Purchase – Upon a motion by Charles Ray Peterson, seconded by James G. Smith, the Board approved to intitate the piggybacking process

ITEM 8. COUNTY MANAGER: (Greg Martin)

- A. Calendar Update – Mr. Martin reviewed the calendar for upcoming events. Upon a motion by Charles Ray Peterson, seconded by James G. Smith, the Board rescheduled its November meetings to November 10th and 24th.
- B. Consider Approving Resolution Regarding Dissolution of Bladen Fitness Services, LLC. – Upon a motion by Greg Taylor, seconded by Billy Ray Pait, the Board approved the following Resolution Regarding the Dissolution of Bladen Fitness Services, LLC.

October 6, 2008

RESOLUTIONS OF THE SPECIAL MEETING
OF THE MANAGERS
BLADEN FITNESS SERVICES, L.L.C.

The following Resolutions were duly adopted by the Managers of Bladen Fitness Services, L.L.C., a North Carolina limited liability company (the "L.L.C.") in a special meeting on _____, 2008, in accordance with Article I, Section 1.3 of the Bylaws of the Company:

Dissolution and Complete Liquidation of the L.L.C.

WHEREAS, the Managers of the L.L.C. has concluded that the dissolution of the L.L.C. and liquidation of its assets is in the best interest of the L.L.C. and its members; and

WHEREAS, the terms and conditions of such dissolution and liquidation, as set forth in the Plan of Dissolution and Complete Liquidation attached hereto as Appendix A, are deemed to be fair and equitable;

NOW, THEREFORE, IT IS RESOLVED, that the L.L.C. be dissolved and completely liquidated, in accordance with the Plan of Dissolution and Complete Liquidation set forth in Appendix A attached hereto.

FURTHER RESOLVED, that the Managers of the L.L.C. be and hereby are authorized and directed to execute and file, or to cause to be filed, Articles of Dissolution with the Secretary of State of North Carolina affecting the dissolution approved in these resolutions, effective as of September 30, 2008.

FURTHER RESOLVED, that the Managers of the L.L.C. be and hereby are authorized and directed, in the name and on behalf of the L.L.C, to execute such agreements, certificates, and other instruments, to make such filings and recordings, and to take from time to time such other action, as they shall deem necessary or appropriate to carry out the purposes of the foregoing resolutions.

These Resolutions were duly adopted by a vote of the majority of the members and the Managers of the L.L.C., plus the affirmative vote of a majority, plus one (1) of the members of the Commissioners of Bladen County and the governing board of Southeastern Regional Medical Center, effective as of _____, 2008 and has been attached to the Minutes of the Managers for its special meeting on that date.

This, the _____ day of _____, 2008

(SIGNATURES ON FOLLOWING PAGE)

C. Discuss Transportation Improvement Projects for 2011-2017 – The Board requested that County Manager Greg Martin obtain information regarding the 4-laning of Highway 87 to Highway 74/76.

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- D. Discuss Bladen Health Watch-Medication Assistance Program – Mr. Martin informed the Board that during a recent Health Watch Board of Directors meeting, he was informed that the Bladen Health Watch-Medication Assistance Program has grant funding to continue operating through approximately October 24, 2008. Furthermore, discussion was held about the possibility of the County providing funding. This issue may be discussed in more detail at the October 20, 2008 meeting.
- E. East Arcadia Fire District Board - Upon a motion by Delilah Blanks, seconded by Charles Ray Peterson, the Board approved to appoint Curtis Andrews, Charles Bennerman, Harold Daniels, Cathy King, and Clela Mosely to serve on the East Arcadia Fire District Commissioners Advisory Board with expiration dates of October 30, 2011.
- F. Closed Session in Accordance with N.C.G.S. 143-318.11 (a)(6) Personnel Matter – A motion was made by Charles Ray Peterson, seconded by James. G. Smith, and approved to enter Closed Session.

A motion was made by Charles Ray Peterson, seconded by Lewis Tatum and approved to exit Closed Session and enter Regular Session.

A motion was made by Charles Ray Peterson that after an employee has provided 20 years of service to Bladen County that the employee shall receive Longevity pay if the employee decides to depart from Bladen County.

A substitute motion was made by Delilah Blanks, seconded by W.D. Neill, Jr. and approved to Table this matter until the policy has been reviewed more closely. The motion passed by a vote of 5 AYES (Larry Smith, Delilah Blanks, Margaret Lewis-Moore, Greg Taylor, W.D. Neill, Jr.) to 4 NOES (Lewis Tatum, Billy Ray Pait, Charles Ray Peterson, James G. Smith).

A motion was made by Lewis Tatum, seconded by James G. Smith and approved to adjourn at 7:55 pm.

Margaret Lewis-Moore, Chairperson
Bladen County Board of Commissioners

ATTEST:

Ashley C. Sasser, Clerk