

**RICHMOND COUNTY BOARD OF COMMISSIONERS  
RICHMOND COUNTY ADMINISTRATIVE OFFICE BUILDING  
REGULAR MEETING  
MONDAY, OCTOBER 6, 2008, 6:30 P.M.**

The Richmond County Board of Commissioners met for a Regular Meeting on Monday, October 6, 2008 at 6:30 P.M. with the following present: Chairman Kenneth R. Robinette; Vice-Chairman John B. Garner; Commissioners Pamela N. Dillman, Jimmy L. Maske, Thad Ussery, J. C. Watkins, and Paul Wilson, Jr.

The meeting was called to order by Chairman Robinette at 6:30 P.M.

**ITEM NO. 1 – INVOCATION BY REV. FRANK MCQUAGE**

The invocation was delivered by Reverend Frank McQuage.

**ITEM NO. 2 – APPROVAL OF AGENDA**

Commissioner Garner offered a motion to make two amendments in the Agenda as presented: one to recognize Mr. Art Barnhardt of the Division of Water Quality as a speaker, and to cancel the Regular Mid-Month Noon Meeting of October 21. The motion was seconded by Commissioner Ussery and unanimously carried.

**ITEM NO. 3 – OPEN FORUM FOR PUBLIC COMMENT – 6:30 – 7:00 P.M.**

**A) APPEARANCE BY SERGEANT FIRST CLASS BRIAN L. WEBB OF NORTH CAROLINA ARMY NATIONAL GUARD, HAMLET, NC TO DISCUSS ACTIVITIES ASSOCIATED WITH DEPLOYMENT OF COMPANY E TROOPS TO IRAQ (5-min. presentation)**

SFC Brian Webb appeared before the Board, advising that he had taken over the N. C. Army National Guard Unit in Hamlet in 1999. Sgt. Webb described how the Hamlet Unit had become a separate unit through reorganization, and that in December troops will be deployed from Hamlet to Iraq. Sgt. Webb explained that on December 16 activities to honor these troops and their families have been planned at the Cole Auditorium. Sgt. Webb went on to say that this will be the last time that these soldiers will be with their families until 2010. Sgt. Webb stressed the need for community and monetary support of these families, and he stated that he would like to appear before the Board again in November with Family Support Coordinator Rhonda Jones.

Commissioner Dillman asked the average age of these troops and Sgt. Webb advised that 24 was the average age.

Chairman Robinette thanked Sgt. Webb for sharing information about the troops.

**B) APPEARANCE BY MS. LISA ENGLAND, MS. JO ANNE WILSON, AND MR. BILLY WILSON TO DISCUSS CONTAMINATED WELLS IN FOX ROAD AREA (10-min. presentation)**

Mr. Billy Wilson appeared before the Board concerning contaminated wells that have been identified in the Fox Road area. Mr. Wilson questioned why some wells are contaminated and some are not when they are located so close together. Mr. Wilson expressed concern about the pond behind his house and whether this water might be contaminated by the spring that feeds the pond. Mr. Wilson questioned whether a filtration system might be installed for his well. In further discussion of the Fox Road area, Mr. Wilson suggested that the soil might also be contaminated, and he questioned use of this soil by the contractor on the Hwy.

Ms. Lisa England discussed the sacrifice that she and other residents of Fox Road are making by not being able to use the water in their homes to cook. Ms. England mentioned the potential for declining property values and she questioned a comment that had been made in the prior meeting by Commissioner Garner that running county water lines to the Fox Road area would help to promote development in this area. Ms. England commented that Montgomery County is a separate situation and that Richmond County's contaminated wells should not be compared to those in Montgomery. In further discussion, Ms. England referred to hog farms, sick animals, and possible contamination of the soil.

Mrs. Jo Anne Wilson appealed to the Board for assistance to the Fox Road residents in dealing with contaminated wells, and she stressed that her main concern was the health of her children and grandchildren who also live in the area.

Chairman Robinette called on Mr. Art Barnhardt of the Division of Water Quality to address the concerns and questions voiced by these citizens.

Mr. Barnhardt thanked the Board for asking him to come and to allow him to explain how his agency can help. Mr. Barnhardt advised that he is with the Division of Water Quality in the Fayetteville Regional Office, and he has been involved in testing in this area since December 2007. Mr. Barnhardt stated that he has learned a great deal about the use of pesticides in the Sandhills area, and findings indicate that the contamination identified in wells is associated with former peach orchards. Mr. Barnhardt explained that the practice from the 1950's to the 1970's was heavy use of pesticides on peach orchards until banned in 1978. Mr. Barnhardt noted that a peach orchard had been located in the middle of the Fox Road area, but many samples have been collected across Richmond County by the Health Department.

In response to the question as to why a clean well could be located next to a contaminated well, Mr. Barnhardt advised that some contaminants are non-detectable at a level of two parts per billion. Another variable in the testing he advised was differing well depths. Mr. Barnhardt commended the job that the County is doing to establish where the contaminants exist.

In response to concerns about ponds, Mr. Barnhardt advised that he has been involved in pond sampling in Montgomery County, and he noted that contaminants generally migrate deeper into the soil below the depth of springheads.

In discussion of filters, Mr. Barnhardt advised that this is a temporary solution and that filters fill up so quickly that efficiency is reduced and frequent monitoring would be required.

Mr. Barnhardt did not feel that soil in the area was a real issue, and he had not heard of any sickness in animals in the area.

Mr. Barnhardt offered to answer questions that the Board might have.

Commissioner Ussery asked if the soil in the Fox Road area is scheduled for testing. Mr. Barnhardt stated that he would not commit to that right now, and he added that the Department of Agriculture is another possibility for soil sampling. Commissioner Ussery asked if the Department of Agriculture would sample soil on individual properties if asked, and Mr. Barnhardt offered to contact them.

Commissioner Watkins suggested that Cooperative Extension Service might be helpful with testing, and Mr. Barnhardt advised that Dr. Henry Wade is the pesticide specialist with the Department of Agriculture and that they may have the ability to do sampling.

Commissioner Dillman inquired about the cost for soil sampling, but Mr. Barnhardt did not know the cost. Commissioner Dillman felt that ponds should be checked.

Commissioner Maske asked how long a filter would last and the cost. Mr. Barnhardt advised that one filter for tap water would last approximately a month or two and would cost \$100.00 to \$150.00. A carbon filter to filter all water into a home would cost approximately \$2,000.00. Mr. Barnhardt added that he did not recommend filters as the best solution.

Commissioner Dillman asked about water lines in Montgomery County, and Chairman Robinette advised that no lines have yet been installed, but grant funds for the project have been approved.

Commissioner Garner asked Mr. Barnhardt how long his agency would investigate the contamination issue. Mr. Barnhardt advised that he hoped to reach conclusions about exposure and extent of the contamination, and then health implications would be handled through Health and Human Services by a doctor who specializes in this kind of issue.

Commissioner Ussery asked if any ponds in this area would be tested, and Mr. Barnhardt advised that they would be, but he did not want to place a schedule on this, as well water is more of a priority.

Chairman Robinette asked Mr. Barnhardt what Richmond County should be doing toward well testing and Mr. Barnhardt advised that testing should be continued for those who request it, and to work with the Department of Agriculture. Mr. Barnhardt noted that these chemicals were not used in all peach orchards.

Commissioner Dillman expressed concern that well testing is not mandatory, and Mr. Barnhardt confirmed that it is the responsibility of the homeowner to request that a well be tested.

Chairman Robinette asked Mr. Barnhardt what the State's responsibility is with regard to testing of wells. Mr. Barnhardt advised that the State is responsible for anything that impacts groundwater. Mr. Barnhardt pointed out that contamination from agricultural chemicals is completely different from a spill since use of agricultural chemicals is a legal activity.

In further discussion of the source of contaminants, Commissioner Garner asked if any other source could be identified in Richmond County's contaminated wells. Mr. Barnhardt advised that nematode treatment was the only source of this kind of contaminant and therefore very difficult to prove liability since these chemicals had been used long years ago.

Commissioner Watkins asked if there are any government funds available for the cost of clean-up of well contaminants. Mr. Barnhardt advised that a portion of the gasoline tax is used for petroleum testing of soils but there is no source of funds to address agricultural contaminants.

There was no further discussion, and Chairman Robinette thanked Mr. Barnhardt for taking his time to address this issue and to answer questions. Mr. Barnhardt stated that he would be happy to come any time.

**ITEM NO. 4 – MONTHLY STAFF REPORT BY PLANNING DIRECTOR JAMIE ARMSTRONG – UPDATE ON EAST ROCKINGHAM INITIATIVE AND SAFIE MILL PROPERTY**

Planning Director Jamie Armstrong reported on the Nordstrom property at the Safie Mill site and provided a map depicting both the Nordstrom and Barfield properties. Mr. Armstrong advised that a Phase I evaluation had been performed on the sites and that there were no significant problems and no underground issues. Mr. Armstrong did recommend further investigation since a machine shop had once been located on the property, and there is asbestos in the buildings.

Commissioner Ussery confirmed that the Phase I assessment is primarily file based, and Mr. Armstrong confirmed that no negative information was found, but some soil sampling may be needed.

Commissioner Maske asked what the next step would be and what the cost might be. Mr. Armstrong advised that groundwater and soil testing may be recommended, but he did not know the cost.

Commissioner Dillman asked who paid for the Phase I report. Mr. Armstrong advised that Cole Foundation funds were used.

Mr. Armstrong stated that this property has been offered for donation to the County.

Commissioner Dillman felt that additional testing should be completed, once funds for the testing are identified, before the County would agree to accept the property and the liability for it. Mr. Armstrong did not know how much the testing would cost, and he asked Commissioner Dillman if she was directing staff to proceed with a Phase II Environmental Assessment.

A motion was then offered by Commissioner Maske to direct Mr. Armstrong to obtain a price for additional environmental assessment of the Safie property. The motion was seconded by Commissioner Dillman. Chairman Robinette felt that both the Nordstrom and the Barfield tracts of the Safie property should be tested at the same time in the best interest of the County.

Mr. Armstrong agreed to bring back more information to the Board on testing the site in November.

Commissioner Watkins stressed that the study should be in-depth enough to protect the county by due diligence.

Commissioner Ussery did not feel that the County should pay the cost to clean up the Barfield site and that the heirs to this property should be responsible. Mr. Armstrong advised that there is a judgment against this property, and he agreed that the County should not test on that site. The motion carried unanimously.

In closing, Mr. Armstrong advised that the East Rockingham Senior Center will be the meeting place for the next Board of Adjustment meeting to further discuss the East Rockingham Initiative. Commissioner Dillman requested copies of minutes for these meetings.

#### **ITEM NO. 5 – REQUEST FOR BOARD CONSIDERATION OF HEIGHT VARIANCE REQUEST FOR ALLTEL TOWER**

Planning Director Jamie Armstrong advised that the Board of Adjustment had granted a Conditional Use Permit to Alltel Communications to locate a telecommunication tower at the northwest corner of the Dockery Road/Sandy Ridge Road intersection. However, Alltel has requested authorization for a 300 ft. tower, which will require a variance from the regulated height of 200 ft. Mr. Armstrong requested that the Board set a public hearing date to consider the variance request.

A motion was offered by Commissioner Dillman and seconded by Commissioner Ussery to set the public hearing date for November 3, 2008. Commissioner Maske asked if the Board of Adjustment would act on this, and Mr. Armstrong advised that in accordance with the County Code, variances must be granted by the Board of Commissioners.

Commissioner Ussery confirmed that the fall distance is adequate for this tower location. The motion carried unanimously.

**ITEM NO. 6 – MONTHLY STAFF REPORT BY DIRECTOR OF DEVELOPMENT  
RICK SAGO**

Director of Development Rick Sago reported that grading has begun on the new industry site at the county industrial park, the building pad should be ready by the end of October, and Southern Builders will begin construction of the shell building right away.

Mr. Sago advised that he had met with Rockingham City Council recently; October 24 is the rescheduled date for the Industry Appreciation golf tournament and dinner; and he continues to talk with prospective clients.

Commissioner Dillman asked if the County could apply for Golden Leaf funds to address the need for water in the Fox Road area. Mr. Sago advised that the County is eligible to apply for these funds at any time, and that in fact, the preference is to distribute these funds in Tier One counties.

Commissioner Watkins commented on the construction that is underway in the County's industrial park and how fortunate we are to have this activity during this economy. Commissioner Watkins went on to state that the economic downturn will improve and will not last forever. Mr. Sago agreed that the economy will correct, and that Richmond County is in a good location with good infrastructure that will enable us to move forward.

**ITEM NO. 7 – MONTHLY REPORT BY COUNTY MANAGER JAMES E. HAYNES**

County Manager Haynes emphasized the importance of county departments continuing to operate within the funds that have been budgeted. Mr. Haynes cautioned that in this economy, the state budget is unpredictable, and that in difficult economic times the State may offer rebates in taxes, but often county money is used to do this.

Mr. Haynes noted that as a result of the Board's decision to offer a 1% discount on property taxes paid during the month of August, the collection rate was 10% above last August, and the collection rate for September was 13% above last September. Mr. Haynes noted that this is especially important to the County because of the unpredictability of the state budget next spring. Mr. Haynes added that the State has already requested that RCC return 2% of state funds budgeted for the current fiscal year, and he feared that the schools may face the same problem with state funds. In

further discussion of the State budget, Mr. Haynes cautioned that the County may face similar problems with the State not following through with Medicaid relief to counties.

Mr. Haynes advised that the County's auditors have begun work on the annual audit report, which should be completed by the end of the calendar year.

In discussion of the contaminated wells that have been identified in Montgomery and Richmond County, Mr. Haynes emphasized that the County's immediate response was determining how to get water into this area. Mr. Haynes advised that the estimated cost of extending water to the Fox Road area is \$1.3 million to \$1.9 million, according to consulting engineers. Mr. Haynes went on to say that we hope to use in-house crews for the project in order to save money. In discussion of funds for the project, Mr. Haynes advised that we may be able to access \$400,000.00 to \$500,000.00 in funding for this project, but nothing can be done until the funds are committed.

**ITEM NO. 8 – REQUEST FOR BOARD CONSIDERATION OF RESOLUTION IMPOSING A GROSS RECEIPTS TAX ON HEAVY EQUIPMENT IN LIEU OF PROPERTY TAX**

County Attorney Futrell advised the Board that the General Assembly has authorized counties to impose a gross receipts tax based on where leased or rented equipment is located once a Resolution is adopted to implement the tax.

By a motion of Commissioner Garner, seconded by Commissioner Ussery and unanimously carried, the Board approved the following Resolution to impose a gross receipts tax on heavy equipment in lieu of property tax:

**RESOLUTION BY RICHMOND COUNTY BOARD OF COMMISSIONERS  
IMPOSING A GROSS RECEIPTS TAX ON  
HEAVY EQUIPMENT IN LIEU OF PROPERTY TAX**

Pursuant to North Carolina General Statute 105-275(42a) and S. L. 2008-144, the Richmond County Board of Commissioners does hereby adopt the following Resolution:

**WHEREAS**, North Carolina General Statute 105-275(42a) designates Heavy Equipment on which a gross receipts tax may be imposed under 153A-156.1 and 160A-215.2 as a special class of property which is exempted from property taxation and shall not be listed, appraised, assessed or taxed after January 1, 2009; and

**WHEREAS**, in lieu thereof, North Carolina General Statute 153A-156.1 authorizes a County by resolution to impose a tax at the rate of one and two-tenths percent(1.2%) on the gross receipts from the short term lease or rental of heavy equipment by a person whose principal business is the short-term lease or rental of heavy equipment at retail; and

**WHEREAS**, this tax provides an alternative to a property tax on the equipment;

**NOW, THEREFORE, IT IS HEREBY RESOLVED**, that a tax of one and two-tenths percent(1.2%) on the gross receipts from the short-term lease or rental of heavy equipment by a person whose principal business is the short-term lease or rental of heavy equipment at retail is imposed

pursuant to 153A-156.1 in lieu of the personal property tax. This Resolution shall be effective January 1, 2009.

Adopted this the 6<sup>th</sup> day of October, 2008.

**ITEM NO. 9 – REQUEST FOR BOARD APPROVAL TO APPLY FOR USDA GRANT/LOAN FOR WATER TREATMENT PLANT EXPANSION**

County Manager Haynes requested Board authorization for Richmond County to apply for USDA grant and loan money that would be used toward expansion of the water plant. Mr. Haynes explained that once a package is put together he would return to the Board to determine how to proceed.

A motion was offered by Commissioner Maske, seconded by Commissioner Wilson and unanimously carried to authorize an application for USDA Grant/Loan funds for water treatment plant expansion.

**ITEM NO. 10 – REQUEST FOR BOARD APPROVAL TO APPLY FOR USDA GRANT FOR ASSISTANCE WITH FOX ROAD WATER PROJECT**

County Manager Haynes advised that the Board has been assured of a \$500,000.00 USDA Grant if application is made by Richmond County for assistance with the Fox Road water extension project. The Board was requested to authorize an application to USDA for funding assistance.

A motion was offered by Commissioner Dillman and seconded by Commissioner Watkins to authorize a USDA grant application for \$500,000.00 for the Fox Road water project. Commissioner Maske confirmed that this is for grant funds. The motion carried unanimously.

**ITEM NO. 11– CONSENT AGENDA**

By a motion of Commissioner Ussery, seconded by Commissioner Wilson and unanimously carried, the Board approved the following items of the Consent Agenda:

- A) MINUTES OF REGULAR MEETING OF SEPTEMBER 8, 2008 WERE APPROVED AS SUBMITTED BY THE CLERK.**
- B) TAX RELEASES TOTALLING \$24,256.73 AND TAX REFUNDS TOTALLING \$1,716.91 FOR THE MONTH OF SEPTEMBER 2008 WERE APPROVED AS SUBMITTED BY THE OFFICE OF THE TAX ADMINISTRATOR AND ARE HEREBY MADE A PART OF THESE MINUTES BY REFERENCE.**
- C) CONSIDERATION OF HEALTH DEPARTMENT BUDGET AMENDMENT TO DECREASE SENIOR HEALTH INSURANCE INFORMATION PROGRAM (SHIP)**

Revenue: SHIIP  
115220-331103 SHIIP Decrease by (\$800.00)

Expenses: SHIIP  
Salaries 115220-4100 Decrease by (\$566.00)  
FICA 115220-4110 Decrease by ( 56.00)  
Group Ins. 115220-4120 Decrease by ( 117.00)  
Retirement 115220-4130 Decrease by ( 25.00)  
Supp Retirement 115220-4135 Decrease by ( 36.00)  
(\$800.00)

**D) CONSIDERATION OF HEALTH DEPARTMENT BUDGET AMENDMENT TO ACCEPT AND APPROPRIATE STATE HEALTHY CAROLINIANS FUNDS FOR THE PERIOD OF OCTOBER 1, 2008 THROUGH MAY 31, 2009**

Revenue: Healthy Carolinians  
115215-384009 State Reimbursement Increase by \$5,727.00

Expenditures: Healthy Carolinians  
115215-4275 Purchases Subject to Inventory Increase by \$5,727.00

**E) CONSIDERATION OF HEALTH DEPARTMENT BUDGET AMENDMENT TO ACCEPT FUNDS AWARDED FROM THE NORTH CAROLINA HEALTH AND WELLNESS TRUST FUND COMMISSION FOR THE PILOT PROGRAM "QUIT FOR TWO"**

Revenue: Maternal Health  
115160- To Be Established Quit For Two (NCHWTF) Increase by \$10,800.00

Expenses: Maternal Health  
115160-4275 Purchases Subject To Inventory Increase by \$10,800.00

**F) CONSIDERATION OF HEALTH DEPARTMENT BUDGET AMENDMENT FOR TANF OUT-OF-WEDLOCK BIRTH PREVENTION FUNDS FOR FAMILY PLANNING PROGRAM**

Revenue: Family Planning  
115130-333010 State Reimbursement Increase by \$10,114.00

Expenditures: Family Planning  
115130-4220 Medical Supplies Increase by \$ 1,114.00  
115130-4225 Drug Supplies Increase by \$ 9,000.00  
\$10,114.00

**G) CONSIDERATION OF HEALTH DEPARTMENT BUDGET AMENDMENT FOR STATE FUNDING FOR SUMMER FOOD PROGRAM**

Revenue: Summer Food  
115186-333130 State Reimbursement Increase by \$1,115.00

**Expenditures:**

115186-4100	Salaries	Increase by	\$ 890.00
115186-4110	FICA	Increase by	68.08
115186-4220	Group Insurance	Increase by	77.34
115186-4230	Retirement	Increase by	39.37
115186-4135	Supplemental Retirement	Increase by	<u>40.21</u>
			\$1,115.00

**H) CONSIDERATION OF HEALTH DEPARTMENT BUDGET AMENDMENT TO ACCEPT ADDITIONAL BIO TERRORISM FUNDS FROM THE STATE**

**Revenue: BioTerrorism**

State Reimbursement	115212-341111	Increase by	\$5,566.00
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**Expenditures: BioTerrorism**

Supplies & Materials	115212-4210	Increase by	\$5,566.00
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**I) CONSIDERATION OF HEALTH DEPARTMENT BUDGET AMENDMENT TO ACCEPT ADDITIONAL STATE FUNDS FOR THE CANCER PROGRAM**

**Revenue: Cancer Program**

State Reimbursement	115180-333104	Increase by	\$ 690.00
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**Expenditures: Cancer Program**

Supplies & Materials	115180-4210	Increase by	\$ 690.00
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**J) CONSIDERATION OF HEALTH DEPARTMENT BUDGET AMENDMENT FOR ADDITIONAL STATE FUNDING FOR GENERAL-AID-TO-COUNTIES TO CONDUCT "RANDOM MOMENTS TIME STUDIES"**

**Revenue: Local Health**

State Reimbursement	115110-333005	Increase by	\$15,018.00
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**Expenditures: Local Health**

Purchases Subject to Inventory	115110-4275	Increase by	\$15,018.00
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**K) CONSIDERATION OF BUDGET AMENDMENT FOR BOARD OF ELECTIONS TO UTILIZE STATE GRANT FUNDS TO REIMBURSE FOR THE COST OF CONDUCTING ONE-STOP VOTING AT ADDITIONAL SITES FOR 2008 GENERAL ELECTION**

**Expenditures:**

State Grant-Elections HAVA	114170-4415	Increase by	\$29,700.00
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**Revenues:**

State Grant-Elections HAVA Expense	114170-336106	Increase by	\$29,700.00
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**ITEM NO. 12 – REQUEST BY HEALTH DIRECTOR DR. TOMMY JARRELL FOR BOARD AUTHORIZATION FOR HEALTH DEPARTMENT TO USE MEDICAID ESCROW FUNDS TO RENOVATE REGISTRATION AREA FOR OPEN ACCESS AND FOR COMPUTER SYSTEM UPDATE**

Health Director Tommy Jarrell requested Board approval to transfer \$100,000.00 in Medicaid Escrow funds to renovate the Health Department registration area in order to begin open access for an appointment based system. Dr. Jarrell stated that this would improve efficiency of the Health Department, along with updates in the computer system for implementation of the new statewide HIS system by April 2009.

By a motion of Commissioner Ussery, seconded by Commissioner Maske and unanimously carried, the Board approved the following Budget Amendment as requested by the Health Director:

**Revenue: Local Health**

<b>Appropriated Medicaid Escrow</b>	<b>115110-399501</b>	<b>Increase by</b>	<b>\$100,000.00</b>
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**Expenditures: Local Health**

<b>Professional Health</b>	<b>115110-4160</b>	<b>Increase by</b>	<b>\$ 1,000.00</b>
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<b>Purchases Subject to Inventory</b>	<b>115110-4275</b>	<b>Increase by</b>	<b>\$ 39,000.00</b>
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<b>Building Improvement</b>	<b>115110-5140</b>	<b>Increase by</b>	<b>\$ 60,000.00</b>
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**ITEM NO. 13 – REQUEST BY HEALTH DIRECTOR DR. TOMMY JARRELL FOR BOARD APPROVAL TO APPROPRIATE ADDITIONAL AID-TO-COUNTY FUNDING FOR SUPPORT OF TWO CLERK/TYPIST III POSITIONS**

Health Director Dr. Tommy Jarrell advised the Board that a receptionist and switchboard operator position had been eliminated a few years ago when state funds for the positions were discontinued, but additional Aid-to-County funds are now available from the State to support these two positions. Dr. Jarrell requested Board authorization to re-establish these two positions with no county funds involved.

A motion was offered by Commissioner Garner and seconded by Commissioner Watkins to approve the following Budget Amendment to appropriate additional Aid-to-County Funds for support of two positions. Commissioner Maske confirmed that if the State discontinues funding, then the positions would be eliminated. The motion carried unanimously.

**Revenue: Maternal Health**

115160-333009	State Reimbursement	Increase by	\$33,169.00
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**Revenue: Local Health**

115110-333005	State Reimbursement	Increase by	<u>\$14,831.00</u>
Total			\$48,000.00

**Expenditures: Maternal Health**

Salaries	115160-4100	Increase by	\$25,500.00
FICA	115160-4110	Increase by	1,951.00
Insurance	115160-4120	Increase by	2,678.00
Retirement	115160-4130	Increase by	1,255.00
Supp Retirement	115160-4135	Increase by	<u>1,785.00</u>
Total			\$33,169.00

***Expenditures: Local Health***

Purchases Subj to Inventory Control	115110-4275	Increase by	<u>\$14,831.00</u>
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<b><u>Total Expenditures</u></b>			<b>\$48,000.00</b>
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Commissioner Ussery asked Dr. Jarrell if he would like to address any of the Fox Road questions about well testing. Dr. Jarrell confirmed that 35 more tests have now been requested, and all others have been completed. As soon as test kits are received from the State, Dr. Jarrell advised that the additional tests will be performed. Dr. Jarrell further advised that a community meeting is being arranged as soon as all speakers can be confirmed.

Commissioner Wilson asked why the test kits are slow in arriving, and Dr. Jarrell advised that they usually receive the kits 10 at the time. On some days as many as 20 tests can be done when state officials assist.

Commissioner Watkins asked if the State could expedite the testing process since this is an emergency situation. Dr. Jarrell advised that part of the problem is that the state lab does not have the resources to provide the sampling.

Commissioner Dillman suggested that a private lab be contracted for the testing, and she asked Dr. Jarrell to provide the names of agencies that could perform the testing and a price for the testing. Watkins asked if emergency funds might be available from the State for the cost of private testing. Dr. Jarrell advised that the State has not considered this an emergency as long as the Health Department is proceeding with the testing.

A motion was offered by Commissioner Dillman that a letter be written in behalf of the Board requesting that the state lab expedite the testing process since this is an

emergency situation, and that either additional funds or expedited testing be provided. The motion was seconded by Commissioner Watkins and carried unanimously.

**ITEM NO. 14 – REQUEST FOR BOARD APPROVAL OF BUDGET AMENDMENT TO RECAPTURE PROGRAM INCOME FOR COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM**

County Manager Haynes requested Board approval of a Budget Amendment to recapture program income for the CDBG Program.

A motion was offered by Commissioner Maske, seconded by Commissioner Dillman and unanimously carried to approve the following Budget Amendment for the CDBG Program:

**Expenditures:**

<b>334930-336053</b>	<b>Program Recapture Income</b>	<b>Increase by</b>	<b>\$26,138.07</b>
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**Revenues:**

<b>3349-30-4173</b>	<b>CDBG Program Expense</b>	<b>Increase by</b>	<b>\$26,138.07</b>
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**ITEM NO. 15 – REQUEST FOR BOARD APPROVAL OF BUDGET AMENDMENT TO APPROPRIATE INTEREST INCOME AND CLOSE OUT BUDGET FOR URGENT REPAIR PROGRAM ACTIVITIES THROUGH N. C. HOUSING FINANCE AGENCY**

County Manager Haynes requested Board approval of a Budget Amendment to appropriate interest on investments for the Urgent Repair Program and to close out the budget.

A motion was offered by Commissioner Garner, seconded by Commissioner Wilson and unanimously carried to approve the following Budget Amendment:

**Expenditures:**

<b>414940-381001</b>	<b>Interest on Investments</b>	<b>Increase by</b>	<b>\$252.39</b>
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**Revenues:**

<b>414940-5130</b>	<b>Urgent Repair Activities</b>	<b>Increase by</b>	<b>\$252.39</b>
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**ITEM NO. 16 – REQUEST FOR BOARD APPROVAL TO TRANSFER EMERGENCY SERVICES FUNDS FROM FY 2007-2008 BUDGET TO 2008-2009 BUDGET FOR EQUIPMENT PURCHASES**

County Manager Haynes requested Board approval of a Budget Amendment to transfer funds for equipment purchases for Emergency Services from the prior year budget to the current year budget, since the funds had been appropriated but not expended by June 30, 2008.

By a motion of Commissioner Wilson, seconded by Commissioner Watkins and unanimously carried, the following Budget Amendment was approved:

**Expenditures:**

**114395-4275 Purchases Subject to Inventory Increase by \$15,017.00**

**Revenues:**

**119900-399001 Undesignated Fund Bal.-Appropriated Inc. by \$15,017.00**

**ITEM NO. 17 – REQUEST FOR BOARD APPROVAL OF BUDGET AMENDMENT TO INCREASE FUND BALANCE FOR COOPERATIVE EXTENSION DEPARTMENT FOR THE COST OF PURCHASING 2007 FORD TRUCK**

County Manager Haynes advised that purchase of a 2007 Ford truck for Cooperative Extension Service had been budgeted in the prior year budget, but the truck had to be ordered and was not delivered until the current year budget. Mr. Haynes requested a Budget Amendment to appropriate the funds in the current year budget for the truck purchase.

By a motion of Commissioner Ussery, seconded by Commissioner Dillman and unanimously carried, the following Budget Amendment was approved:

**Expenditures:**

**114950-5105 Ford Truck Increase by \$17,297.00**

**Revenues:**

**119900-399001 Undesignated Fund Bal. Appropriated Inc. by \$17,297.00**

**ITEM NO. 18 – REQUEST BY DEPARTMENT OF SOCIAL SERVICES FOR BOARD TO ADOPT RESOLUTION TO DECLARE VARIOUS FURNITURE AND EQUIPMENT AS SURPLUS PROPERTY**

By a motion of Commissioner Maske, seconded by Commissioner Wilson and unanimously carried, the Board approved the following Resolution to declare various furniture and equipment at the Department of Social Services as surplus property:

**RESOLUTION  
TO DECLARE SOCIAL SERVICES  
FURNITURE & EQUIPMENT  
AS SURPLUS PROPERTY FOR DISPOSAL**

*WHEREAS, it has been determined that the following items of outdated or broken furniture and equipment are no longer beneficial to the operations of the Richmond County Department of Social Services:*

*36 Client Chairs and Task Chairs  
Various Items of Furniture & Equipment Identified as Follows:  
Asset Numbers 14121, 10127, 10250, 7910  
7754, 7753, 7751, 7759, 7757, 5513, 5561*

*WHEREAS, the Richmond County Board of Commissioners is hereby requested to authorize disposal of said furniture and equipment in accordance with the requirements and procedures for disposal of county property as set forth in North Carolina General Statute 160A-266.*

*NOW, THEREFORE, BE IT RESOLVED, that the above listed furniture and equipment is hereby declared as surplus county property by official action of the Richmond County Board of Commissioners.*

*BE IT FURTHER RESOLVED, that the County Manager is hereby authorized to dispose of said equipment as described herein in accordance with North Carolina General Statute 160A-266.*

*This Resolution shall become effective upon its adoption this 6th day of October, 2008.*

**ITEM NO. 19 – REQUEST FOR BOARD APPROVAL OF 2008-2009 CONTRACT AND BUDGET FOR NORTH CAROLINA DIVISION OF FOREST RESOURCES**

By a motion of Commissioner Watkins, seconded by Commissioner Wilson and unanimously carried, the Board approved the contract with the Division of Forest Resources and the budget for FY 2008-2009, with \$110,000.00 in county funds budgeted for the agreement.

**ITEM NO. 20 – REQUEST FOR BOARD APPROVAL OF APPOINTMENTS TO CHILD FATALITY PREVENTION TEAM**

By a motion of Commissioner Garner, seconded by Commissioner Dillman and unanimously carried, the Board approved the following appointments to the Child Fatality Prevention Team:

**Hamlet Police Chief John Haywood – Local Law Enforcement Officer  
EMS Director Grant Hunsucker – EMS Provider or Firefighter  
Rev. Dena White – Parent of child who died prior to 18<sup>th</sup> birthday  
Charlotte McNeil, FNP  
Cheryl Speight, RN  
Robby Hall, DSS Employee  
Glenn Alexander  
Dr. Larry Weatherly**

**ITEM NO. 21 – REQUEST FOR BOARD APPROVAL OF APPOINTMENT TO BOARD OF HEALTH**

By a motion of Commissioner Wilson, seconded by Commissioner Ussery and unanimously carried, Mr. Rick Sago was appointed to fill an unexpired term on the Board of Health created by a resignation. Mr. Sago will be serving in his capacity as a Professional Engineer.

**ITEM NO. 22 – DISCUSSION OF POSSIBILITY OF STATE OF NORTH CAROLINA FILING CLASS ACTION LAWSUIT AGAINST THE STATE OF SOUTH CAROLINA**

Chairman Robinette asked the County Attorney to respond to Commissioner Dillman's recommendation that the Board consider requesting the State of North Carolina to file a Class Action Lawsuit against the State of South Carolina for plans to site a landfill on the border between the two states.

County Attorney Futrell advised that the Attorney General would know if there is any basis for filing a lawsuit.

Commissioner Dillman referenced a letter from Senator Purcell advising that a letter from the Board of Commissioners would be needed to make this request of the Attorney General's Office.

Chairman Robinette noted that that letters have been written by the Board of Commissioners to South Carolina officials formally stating the Board's opposition to the proposed location of the mega dump on the North Carolina – South Carolina border, but no response has been received.

County Attorney Futrell stated that a letter to the Attorney General could be written to determine if there is basis for a lawsuit and to request that appropriate action be taken.

Commissioner Dillman stressed the need to protect our people, although she hated to have to go to this length.

Chairman Robinette confirmed that the request is to seek advice from the Attorney General.

Commissioner Maske confirmed that the County would not be responsible monetarily and that the State of North Carolina would be filing the suit.

Commissioner Dillman offered a motion to write letter to the Attorney General requesting that he take all appropriate legal action to protect the residents of North Carolina from the proposed construction of a mega dump at the North Carolina – South Carolina border. County Attorney Futrell added that the County could offer to provide any additional information needed. Commissioner Ussery asked if a lawsuit should be requested or just to ask for the Attorney General's opinion. County Attorney Futrell

restated the recommended language of the letter – to request all appropriate legal action to stop construction of a proposed landfill on the border of North Carolina and South Carolina.

Commissioner Maske seconded the motion based on the County Attorney's recommended language, and Commissioner Dillman agreed. Commissioner Watkins agreed that the County Attorney's advice should be followed. The motion carried unanimously.

### **ITEM NO. 23 - ADJOURNMENT**

Commissioner Watkins commented on the Fox Road well situation, and he noted that the County Water Department operates as an Enterprise Fund, utilizing funds generated through water bills rather than tax dollars. Commissioner Watkins stressed that water lines follow main highways and that being a county taxpayer does not entitle a citizen to a water line being extended to their home.

There being no further business for discussion, a motion was offered by Commissioner Wilson, seconded by Commissioner Dillman and unanimously carried to adjourn the meeting at 8:30 P.M.

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Marian S. Savage, CMC  
Clerk to the Board of Commissioners