

## Regular Meeting April 6, 2020

A regular meeting of the Nash County Board of Commissioners was held at 9:00 AM, April 6, 2020 in the Frederick B. Cooper, Jr. Commissioners' Room at the Claude Mayo, Jr. Administration Building in Nashville, NC.

Chairman Davis provided an outline of the format for the meeting and explained the process for public comment.

The following notice for the meeting was provided to the public:

**\*\*\*\*\* IMPORTANT CORONAVIRUS (COVID-19) NOTICE \*\*\*\*\***

**Due to the threat of COVID-19, members of the public are encouraged to participate online instead of in person.** The process for this meeting, in order to comply with social distancing and the reduced size of gatherings to 10 people, will only allow the seven (7) commissioners and two (2) staff members in the Commissioners' Room at one time during the meeting. Other staff members and participants will wait in the hallway to alternate entering to make presentations.

**Members of the public attending the meeting in person and viewing the meeting from the hallway are asked to avoid contact with others and to stay at least six feet away from others at all times in order to limit potential exposure. The gathering restriction to 10 people will also apply to the hallway.**

**Public comments emailed to [public.comment@nashcountync.gov](mailto:public.comment@nashcountync.gov) at least thirty minutes prior to the start of the meeting will be addressed at the meeting during the public comment period. The meeting may be watched live online at [www.youtube.com/nashcountync](http://www.youtube.com/nashcountync).**

Present were Chairman Robbie B. Davis and Commissioners Fred Belfield, Jr., Dan Cone, Sue Leggett, J. Wayne Outlaw, Lou M. Richardson, and Mary P. Wells.

Others present at various times during the meeting were Stacie Shatzer, Donna Wood, Bill Hill, Brent Fisher, Jonathan Boone, Major Miste Strickland, Janice Evans, Zee B. Lamb, Vince Durham and other staff members were located in the hallway and watched the meeting remotely.

Chairman Davis called the meeting to order and provided a brief explanation regarding prayer and the Pledge of Allegiance in Nash County. He stated it is customary that Nash County starts each meeting with a prayer by a Commissioner and Pledge of Allegiance and that anyone wishing to participate in the prayer, moment of silence, or a prayer of their own choice was welcomed.

Chairman Davis called on Mr. Fred Belfield, Jr. for the invocation and Mr. J. Wayne Outlaw to lead the Pledge of Allegiance.

Chairman Davis asked the Board to consider approval of the minutes.

On motion of Dan Cone seconded by Mary P. Wells and duly passed that the minutes of the March 5, 2020 regular meeting, March 11, 2020 recessed meeting, and April 1, 2020 special called joint meeting with NRMS be approved.

Chairman Davis provided a brief explanation of Nash County's Public Comment Policy.

Chairman Davis called on Mr. Zee B. Lamb, County Manager to read a public comment letter submitted by Mr. Marvin Winstead of Nashville, NC regarding the Atlantic Coast Pipeline.

Mr. Jonathan Boone, Engineer/Director of Public Utilities and Facilities made a presentation to the Board and provided an update on the Nash County Detention Center – Facilities.

Major Mistie Strickland, Nash County Sheriff's Office provided an update to the Board on the Nash County Sheriff's Office Detention Center (Operations).

Agenda Item 8, Public Hearing on General Rezoning Request Z-200301 to Rezone 0.24 Acres on White Oak Road from R-30 (Single & Two-Family Residential) to R-20 (Medium Density Residential), and Agenda Item 9, Public Hearing on UDO Text Amendment Request A-200301 to Establish "Event & Conference Venue" as a Permitted Land Use were postponed until the May 4, 2020 regular meeting to allow proper publications on two occasions of the notice of the public hearings by the newspaper.

Mr. Boone presented for the Board's consideration North Carolina 811 Safe Digging Month Proclamation.

On motion of Sue Leggett seconded by Fred Belfield, Jr. and duly passed that the following proclamation be adopted.

## Proclamation

Nash County, designating the month of April 2020 as "North Carolina 811 Safe Digging Month."

**WHEREAS**, as utility owners, excavators, designers, and homeowners work to keep pace with North Carolina's economic development, it is important to minimize damages to underground utility lines, danger to workers and the general public, environmental impact, and loss of utility services to the citizens of North Carolina; and

**WHEREAS**, North Carolina 811, a utility service notification center and leader in education celebrates its 42<sup>nd</sup> year of continuous service to the State, is key to preventing injuries and damages when excavating; and

**WHEREAS**, this unique service provides easy, one-call notification about construction and excavation projects that may endanger workers and jeopardize utility lines while promoting workplace and public safety, reducing underground utility damage, minimizing utility service interruptions and protecting the environment; and

**WHEREAS**, this vital service, which began in 1978 serves the citizens of North Carolina from the mountains to the coast, educates stakeholders about the need for excavation safety whether the project is as small as planting a tree to designing and beginning construction on a new interstate; and

**WHEREAS**, in 2019, the North Carolina one call system received 2.2 million notification requests and transmitted over 12.2 million requests, providing protection to utility companies infrastructure, their employees, excavators, and customers;

**NOW, THEREFORE, BE IT RESOLVED**, That the Nash County Board of Commissioners has designated the month of April 2020 as "North Carolina 811 Safe Digging Month" to encourage all excavators and homeowners of Nash County to contact 8-1-1 either by dialing 8-1-1 or contacting NC811 via the webpage of NC811.org at least three working days prior to digging in order to "Know What's Below," avoid injury, protect the environment, prevent millions of dollars in damages and to remind excavators that three working days' notice is the law, for safe digging is no accident, and that more information may be obtained by visiting [www.nc811.org](http://www.nc811.org).

This the 6<sup>th</sup> day of April, 2020.



Robbie B. Davis, Chairman  
Nash County Board of Commissioners

ATTEST:



Janice Evans, Clerk to the Board

Mr. Boone presented for the Board's consideration approval of the Nash County staff recommendation to ratify the selection of Moseley Architects for the Nash County Detention Facility Project contract and authorize the County Manager to enter into negotiations with Moseley Architects regarding the scope and fee for the project.

On motion of Mary P. Wells seconded by J. Wayne Outlaw and duly passed that the Nash County Board of Commissioners approve the recommendation by staff to ratify the selection of Moseley Architects for the Nash County Detention Facility Project contract and authorize the County Manager to enter into negotiations with Moseley Architects regarding the scope and fee for the project.

Ms. Donna Wood, Finance Officer presented for the Board's consideration Courthouse/Sheriff Expansion Project Fund Capital Project Ordinance Amendment #9.

On motion of J. Wayne Outlaw seconded by Dan Cone and duly passed that the following amendment to the Capital Ordinance be approved.



**NASH COUNTY, NC  
COURTHOUSE/SHERIFF EXPANSION PROJECT FUND  
CAPITAL PROJECT ORDINANCE  
AMENDMENT #9**

Be it ordained by the Nash County Board of Commissioners that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following Capital Project Ordinance is hereby amended:

Section 1. The project authorized is the Courthouse/ Sheriff Expansion Project for the purpose of construction and renovation on the existing site.

Section 2. The officers of this unit are hereby directed to proceed with the capital project within the terms of this ordinance and all rules and regulations within North Carolina General Statutes as it pertains to capital projects and the budget contained herein.

Section 3. The following revenues are amended for this project:

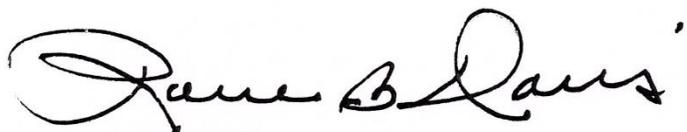
	<u>Previously Amended</u>	<u>Amended</u>
0890600-492089 Installment Financing	\$ 14,000,000	\$ 14,000,000
0890600-433010 Sales Tax Refund	\$ 100,881	\$ 105,940
0890600-483100 Investment Earnings	\$ 149,621	\$ 150,168
0890600-498100 Transfer From General Fund	<u>\$ 2,000,000</u>	<u>\$ 2,000,000</u>
	\$ 16,250,502	\$ 16,256,108
0894161-549500 Moving	\$ 9,698	\$ 9,698
0894161-551000 Furniture/Office Equipment	\$ 337,749	\$ 337,488
0894161-552227 Security System	\$ 402,307	\$ 402,307
0894161-557003 Property Survey	\$ 16,715	\$ 16,715
0894161-558010 Building Demolition	\$ 62,012	\$ 62,011
0894161-559002 Renovation	\$ 283,756	\$ 505,860
0894161-559005 Construction	\$ 11,757,970	\$ 11,757,970
0894161-559110 Architectural Design & Engineering	\$ 858,775	\$ 858,775
0894161-559120 Legal and Administrative Expenses	\$ 30,545	\$ 30,545
0894161-559140 Inspections and Testing	\$ 105,456	\$ 105,456
0894161-559160 Data/Telephone	\$ 191,555	\$ 194,269
0894161-559223 Environmental/Geotechnical	\$ 29,157	\$ 29,157
0894161-594801 Financing Expenses	\$ 144,807	\$ 144,807
0894161-598010 Transfer to General Fund	\$ 2,000,000	\$ 1,801,050
0894161-599100 Contingency	<u>\$ 20,000</u>	<u>\$ 0</u>
	\$ 16,250,502	\$ 16,256,108

Section 5. The Finance Officer shall report on the financial status of each project element in Section 4 and total revenues received or claimed.

Section 6. The County Manager shall have the authority to approve incidental change orders up to \$25,000 per occurrence within the budgeted project.

Section 7. Copies of this Capital Project Ordinance shall be made available to the Budget Officer and the Finance Officer for direction in carrying out this project.

Adopted this 6th day of April 2020.



Robbie B. Davis, Chairman

ATTEST:



Janice Evans, Clerk to the Board



Ms. Wood requested approval of FY 2019-2020 budget amendments.

On motion of Lou M. Richardson seconded by J. Wayne Outlaw and duly passed that the following budget amendments be approved.

**Emergency Management**

This amendment is for a supplemental grant from the State of NC Department of Public Safety. These funds are to fund projects related to Homeland Security Planning, Operations, Equipment purchases, Training and Exercises and other Emergency Management Performance Grant requirements. No County funds required.

Revenue:		
0100213-445005	Emergency Mgmt Supp Gran	<u>18,279</u> Incr
Expenditure:		
0104370-569655	Emergency Mgmt Supp Grant	<u>18,279</u> Incr

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**Insurance Proceeds**

This budget amendment makes funding available from insurance proceeds received for: roof repairs to Administrative Building, roof repairs to Senior Center, Sheriff vehicle repairs and Environmental Health vehicle repairs. No county funds are requested.

Revenue:		
0100600-492005	Insurance Proceeds	<u>\$8,444</u> Incr
Expenditure:		
0104310-535305	Sheriff - Vehicle Repairs	2,862 Incr
0104165-535100	Admin – Building Maint	1,382 Incr
0104260-535122	Senior Ctr – Building Maint	2,904 Incr
0105330-569075	HCCBG Senior Ctr –Ops	296 Incr
0105220-535305	Enviro Health – Vehicle Repairs	<u>1,000</u> Incr
		<u>\$8,444</u>

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**Federal Asset Forfeiture**

This budget amendment makes funding available from insurance proceeds received for a totaled F150 purchased out of Federal Asset Forfeiture Funds. No county funds are requested.

Revenue:		
0290600-492005	Insurance Proceeds	<u>\$37,061</u> Incr
Expenditure:		
0294310-554000	Vehicles	<u>\$37,061</u> Incr

This budget amendment is to budget additional funding for informant funds, telephone subpoenas, payout of comp time accrued over 80 hours for Detention officers covering additional shifts due to FY20 staff shortages and staffing required for the Bertie Detention Center for Nash County inmates. The amendment also includes funding for a K9 to replace Bosh who was retired in 2019 and additional funds from insurance proceeds to replace a totaled vehicle (this additional funding is not related to the replacement of the totaled F150). No additional county funds are requested.

Revenue:		
0290991-499100	Fund Balance Appropriated	<u>\$82,240</u> Incr
Expenditure:		
0294310-539910	Informants	20,000 Incr

0294310-532103	Telephone Subpoena	10,000 Incr
0294310-513000	Overtime Pay	40,650 Incr
0294310-555015	K9 Program	9,615 Incr
0294310-554000	Vehicle	<u>1,975 Incr</u>
		<u>82,240</u>

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**County Capital**

This amendment is correct the funding request for the Spring Hope Playground Equipment. The winning bid with Site Concepts was for \$49,983 and the Budget Amendment in January 2020 incorrectly stated the bid was \$49,493. This amendment is to request an additional \$490 for the correct budget funding for the contract.

Revenue:

0100213-445005	Fund Balance Appropriated	<u>490 Incr</u>
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Expenditure:

0104370-569655	P&R Spring Hope Project	<u>490 Incr</u>
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**Disaster Recovery**

This budget amendment is to activate the accounting mechanism and initial funding needed to properly designate the county's expenses during COVID-19 emergency operations. These costs need to be tracked for reimbursements considering a formal disaster declaration has been made. An estimate of the actual costs is yet to be determined. We request the Board initially to allocate \$50,000 to cover personnel/supplies costs related to the emergency response— primarily related to Category B Emergency Protective measures and Category Z Management Costs.

**Revenue:**

0100991-499100	Fund Balance Appropriated	<u>100,000 Incr</u>
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**Expenditure:**

0104131-Various	COVID-19	<u>100,000 Incr</u>
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Ms. Stacie Shatzer, Assistant County Manager asked the Board to consider appointments to the Nash County Board of Adjustment and approval of the following recommendations by Mr. Adam Tyson, Planning Director:

1. Promote Dennis Ray Cobb from Alternate Member #1 to a Regular Member to replace Mr. Tilley.
2. Reappoint Kenneth Mullen and promote him from Alternate Member #2 to Alternate Member #1 to replace Mr. Cobb.
3. Promote Brandon Moore from Alternate Member #3 to Alternate Member #2 to replace Mr. Mullen.
4. Appoint a new candidate to serve as Alternate Member #3 to replace Mr. Moore.

On motion of Sue Leggett seconded by Mary P. Wells and duly passed that the Nash County Board of Commissioners approve the following recommendations for appointment to the Nash County Board of Adjustment:

1. Promote Dennis Ray Cobb from Alternate Member #1 to a Regular Member to replace Mr. Tilley.
2. Reappoint Kenneth Mullen and promote him from Alternate Member #2 to Alternate Member #1 to replace Mr. Cobb.
3. Promote Brandon Moore from Alternate Member #3 to Alternate Member #2 to replace Mr. Mullen.
4. Appoint a new candidate to serve as Alternate Member #3 to replace Mr. Moore.

Ms. Shatzer asked the Board to consider appointments to the Nash County Tourism Development Authority (TDA).

On motion of Fred Belfield, Jr. seconded by Dan Cone and duly passed that Wayne Murphy be reappointed and Percell Kelly be appointed to the Nash County Tourism Development Authority (TDA).

Ms. Doris Sumner, Acting Tax Administrator presented the Monthly Tax Collector's report.

The Monthly Tax Collector's report was accepted.

Ms. Sumner presented for the Board's consideration tax refund requests for April 2020.

On motion of Fred Belfield, Jr. seconded by J. Wayne Outlaw and duly passed that the following tax refunds be approved.

REFUND REQUESTS  
APRIL 6, 2020

1.	DELOACH MICHAEL & STEVE	NCO 2018	\$	879.58
	717 PARHAM ST			
	ROCKY MOUNT NC 27803	TOTAL	\$	879.58

PARCEL 027119 QUALIFIED TO DOWNTOWN REVITATLIZATION INCENTIVE BEGINNING 2018. REFUND BASED ON 100% VALUE DIFFERENCE OF \$131,280 FOR MOE & D'S RESTAURANT

	DELOACH MICHAEL & STEVE	NCO 2019	\$	703.66
	717 PARHAM ST			
	ROCKY MOUNT NC 27803	TOTAL	\$	703.66

PARCEL 027119 QUALIFIED TO DOWNTOWN REVITATLIZATION INCENTIVE BEGINNING 2018. REFUND BASED ON 80% VALUE DIFFERENCE OF \$131,280 FOR MOE & D'S RESTAURANT

2.	HYPES JASON E & SANDRA J	NCO 2019	\$	6.16
	821 BELL DR	NCOL 2019		1.23
	ROCKY MOUNT NC 27803	INTEREST 2019		<u>.20</u>
		TOTAL	\$	7.59

DISCOVERY BILL 1009601 FOR TAX YEAR 2019 WAS A DUPLICATE BILL FOR DISCOVERY BILL NUMBER 1009595 TAX YEAR 2019

Chairman Davis called for a short recess.

Upon reconvening, Chairman Davis called on Mr. Bill Hill, Health and Human Services Director.

Mr. Hill presented for the Board's consideration National Public Health Week Proclamation.

On motion of Dan Cone seconded by Sue Leggett and duly passed that the following proclamation be adopted.

## National Public Health Week Proclamation

**Whereas**, the week of April 6-12, 2020, is National Public Health Week, and the theme is "NPHW@25: Looking Back, Moving Forward."; and

**Whereas**, since 1995, the American Public Health Association, through its sponsorship of National Public Health Week, has educated the public, policymakers and public health professionals about issues important to improving the public's health; and

**Whereas**, U.S. life expectancy has decreased in recent years and the three-year drop represents the longest sustained decline in expected lifespan since the Great Recession; further, studies consistently show the United States has a lower life expectancy than comparable countries; and

**Whereas**, there is a significant difference in health status, such as obesity, poor mental health and drug use, among people living in rural areas compared with people living in urban areas, and this variance increases because rural residents are often more likely to face social determinants that negatively impact health, such as poverty, transportation barriers and lack of economic opportunity; and

**Whereas**, public health professionals help communities prevent, prepare for, withstand and recover from the impact of a full range of health threats, including disease outbreaks such as measles, natural disasters and disasters caused by human activity; and

**Whereas**, public health action, together with scientific and technologic advances, has played a major role in reducing and in some cases eliminating the spread of infectious disease, and in establishing today's disease surveillance and control systems; and

**Whereas**, 60 percent of Americans live with a preventable chronic disease, and health risks such as alcoholism, obesity and tobacco use are the primary reason for 7 of every 10 deaths annually in the United States.

**NOW, THEREFORE BE IT RESOLVED**, that the Nash County Board of Commissioners does hereby proclaim the week of April 6-12, 2020, as **National Public Health Week 2020** in Nash County and calls upon the people of Nash County to observe this week by helping our families, friends, neighbors, co-workers and leaders better understand the value of public health and supporting great opportunities and to celebrate public health's accomplishments in light of this year's theme, "**NPHW@25: Looking Back, Moving Forward.**"

Adopted this 6<sup>th</sup> day of April 2020.



Robbie B. Davis, Chairman  
Nash County Board of Commissioners

ATTEST:



Janice Evans, Clerk to the Board

Mr. Hill provided a COVID-19 Public Health update to the Board.

Mr. Brent Fisher, Assistant Director/Fire/Rescue & Emergency Management provided a COVID-19 Emergency Management update to the Board.

Chairman Davis called on the Commissioners for any comments and/or reports.

Mr. Lamb provided a Manager's Report to the Board.

On motion of Fred Belfield, Jr. seconded by J. Wayne Outlaw and duly passed that the Board go into closed session as permitted by NCGS 143-318.11(a)(3) to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege; NCGS 143-318.11(a)(4) for the discussion of matters relating to economic development and the location or expansion of industries or other businesses in the County; and NCGS 143-318(a)(6) to consider the qualifications, competence, fitness and conditions of appointment or conditions of initial employment of a prospective public officer or employee.

During closed session, the Board received updates on economic development projects, consulted with the attorney to discuss matters that are subject to the attorney-client privilege between the attorney and the Board, and discussed a personnel matter.

On motion of Dan Cone seconded by Lou M. Richardson and duly passed that the closed session minutes of March 5, 2020 be approved.

On motion of Fred Belfield, Jr. seconded by J. Wayne Outlaw and duly passed that the closed session adjourn.

On motion of Dan Cone seconded by Sue Leggett and duly passed that the regular meeting recess until Wednesday, April 8, 2020 at 2:00 PM for a teleconference.

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Janice Evans, Clerk  
Nash County Board of Commissioners