

## Regular Meeting February 19, 2018

A regular meeting of the Nash County Board of Commissioners was held at 2:30 PM, February 19, 2018 in the Commissioners' Conference Room at the Claude Mayo, Jr. Administration Building in Nashville, NC.

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

Others present were Mayor LuHarvey Lewis, Stacie Shatzer, Donna Wood, Amanda Clark, Lindell Kay, Janice Evans, Zee B. Lamb, Vince Durham, Battle, Winslow, Scott and Wiley, PA., and other staff members and members of the public.

Chairman Robbie B. Davis called the meeting to order, called on Mary P. Wells for the invocation, and invited the public to participate or have their own moment of silence or prayer.

Vice Chairman J. Wayne Outlaw introduced Mr. Rick Lanier and provided the following information.

## Rick Lanier Introduction

Since January, 2015, over 85 municipalities have voted “yes” to display “In God We Trust” in and on their government buildings. So far, over 250 displays have been installed in 53 N.C. counties and 39 town halls. In addition to providing these permanent displays on public buildings---38 N.C. sheriff departments, 17 police departments, and 22 fire department fleets have installed over 2700 “In God We Trust” reflective decals on their vehicles. All of this is a result of the efforts by the U.S. Motto Action Committee, which after receiving approval by the government bodies, pays for all the cost of these displays.

It all began on November 26, 2002, **when with a desire to promote patriotism**. Mr. Rick Lanier, who is with us today, led the Davidson County Board of Commissioners to publicly display “In God We Trust” on the exterior of the Davidson County Governmental Center, with the display being completed on December 29, 2002. On December 30, 2002 Rick co-founded the U.S. Motto Action Committee. On June 24, 2003 two ACLU funded attorneys filed a Federal lawsuit against Davidson County citing that the motto violated the “Separation of Church and State.” The Davidson County Board of Commissioners unanimously, with the support of the N.C. Association of County Commissioners, challenged this lawsuit. In May 2004, a U.S. District Court Judge dismissed the lawsuit, citing no church/state conflict. In May 2005, the U.S. 4<sup>th</sup> Circuit Court of Appeals affirmed the District Court Judge’s opinion. Then in finality, in November 2005, the U.S. Supreme Court refused to hear the case, making the 4<sup>th</sup> Circuit Court of Appeals ruling case law. (Ref. 407F 3d 266 Lambeth v. The Board of Commissioners of Davidson County, North Carolina, Case No. 04-1753 4<sup>th</sup> Circuit Court of Appeals).

By acts of the U.S. Congress, the U.S. Motto began appearing on coins in 1864 and paper currency in 1955. The slogan is also inscribed over the south entrance to the U.S. Senate Chamber, as well as above the Speaker’s Seat in the U.S. House of Representatives. In 1956, during the Dwight Eisenhower administration, the U.S. Congress adopted “In God We Trust” as the official motto of the United States of America.

For the last 3 years, Rick has tirelessly contributed many hours of his time promoting the display of the motto in and on government buildings, vehicles, etc. He does this with a deeply held conviction that **our nations identity and heritage are worth the effort**. Many county and city leaders have shared this same conviction, resulting in the organization’s overwhelming success.

It is now my pleasure to welcome Rick Lanier to Nash County.

Mr. Lanier made a presentation to the Board on the “United States Motto.”

It was the consensus of the Board that the County Manager be instructed to form a committee to move forward with gathering information regarding the “United States Motto” and bring back a recommendation to the Board.

Ms. Anne Melvin, Register of Deeds made a presentation to the Board on the Register of Deeds Office.

Ms. Patsy McGhee, Assistant to the County Manager/Grants & Intergovernmental Relations and Mike Barnette, McDavid Associates, Inc. presented for the Board's consideration a request to hold the first public hearing for the 2018 Community Development Block Grant – Neighborhood Revitalization – Grant Application. She advised that this grant would be used to complete low and moderate income owner-occupied housing improvements and supporting activities such as street and/or utility improvements. She also advised that the County would make good faith efforts to involve historically underutilized businesses and Section 3 individuals and businesses in execution of the program.

On motion of Fred Belfield, Jr. seconded by Mary P. Wells and duly passed that the Board go into a public hearing.

No one spoke at the public hearing.

On motion of J. Wayne Outlaw seconded by Lou M. Richardson and duly passed that the public hearing adjourn.

Mr. Scott Strufe, Assistant Emergency Services Director/EMS presented for the Board's consideration a request to award the contract for the ambulance remount bids to Select Custom Apparatus, Inc. in Falkland, NC in the amount of \$159,487.62.

On motion of Dan Cone seconded by Mary P. Wells and duly passed that the Board of Commissioners approve the request to award the contract for the ambulance remount bids to Select Custom Apparatus, Inc. in Falkland, NC in the amount of \$159,487.62.

Ms. Donna Wood, Finance Officer presented for the Board's consideration a Resolution of Intent to reimburse expenses related to the Public Safety Radio Project.

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

**RESOLUTION OF THE COUNTY DECLARING ITS OFFICIAL INTENT TO REIMBURSE EXPENDITURES UNDER UNITED STATES DEPARTMENT OF TREASURY REGULATIONS**

BE IT RESOLVED, by the Board of Commissioners (the "Board") of the County of Nash, North Carolina (the "County") as follows:

Section 1. It is hereby found, determined and declared by the Board as follows:

(a) Section 1.150-2 of the Treasury Regulations (the "Regulations") prescribes specific procedures which will be applicable to certain bonds or notes issued by the County including, without limitation, a requirement that the County declare its official intent to reimburse certain expenditures with proceeds of debt to be incurred by the County prior to, or within sixty (60) days of, payment of the expenditures to be reimbursed.

(b) This declaration of official intent is made pursuant to Section 1.150-2 of the Treasury Regulations to expressly declare the official intent of the County to reimburse itself from the proceeds of debt to be hereinafter incurred by the County for certain expenditures paid by the County on or after the date which is sixty (60) days prior to the date hereof.

(c) The County desires to expend its own funds for the purpose of paying certain costs of renovations, upgrades, radios and other preliminary expenditures in relation to the Public Safety Radio Project (the "Project"), for which expenditures the County reasonably expects to reimburse itself from the proceeds of debt to be incurred by the County.

(d) \$4,000,000 is the maximum principal amount of debt expected to be incurred for the purpose of paying the costs of the Project as specified in (c) above.

Adopted this 19th day of February, 2018.



Robbie B. Davis., Chairman

ATTEST:



Janice Evans, Clerk to the Board

Ms. Wood presented for the Board's consideration the Public Safety Radio Project Capital Project Ordinance.

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

**NASH COUNTY, NC  
PUBLIC SAFETY RADIO PROJECT FUND  
CAPITAL PROJECT ORDINANCE**

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 adopted:

Section 1. The project authorized is the Public Safety Radio Project for the purpose of a VIPER Radio System within the County.

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 anticipated to complete this project:

Transfer from General Fund	\$ 1,335,000
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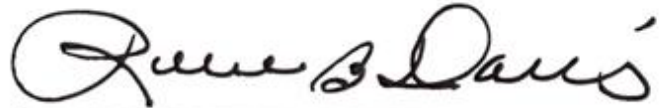
Section 4. The following expenditures are projected:

1454375-552000	Communication Equipment	\$ 410,000
1454375-558087	Tower Improvements	\$ 500,000
1454375-562901	VIPER Capacity Upgrade	\$ 425,000
		<u>\$ 1,335,000</u>

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

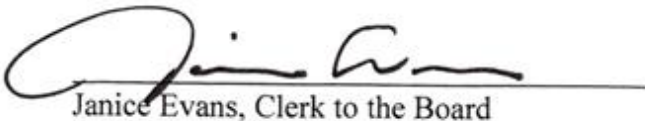
Section 6. Copies of this Capital Project Ordinance shall be made available to the Budget Officer and the Finance Officer for direction in carrying out this project.

Adopted this 19<sup>th</sup> day of February 2018.



Robbie B. Davis, Chairman

ATTEST:



Janice Evans, Clerk to the Board

Ms. Wood asked the Board to consider approval of a budget amendment to appropriate fund balance and transfer funding to the Public Safety Radio Project.

On motion of Dan Cone seconded by Lou M. Richardson and duly passed that the following budget amendment be approved.

## Transfers

This amendment is to appropriate fund balance and transfer funding to the Public Safety Radio Project.

Revenue:		
0100991-499100	Fund Balance Appropriated	<u>\$ 1,335,000</u> Incr

Expenditure:		
0109500-598145	Transfer to Other Fund	<u>\$1,335,000</u> Incr

Mr. Scott Rogers, Deputy Emergency Services Director asked the Board to consider approval to contract with Radio Communications and Motorola for the Public Safety Radio Project Standardization and Compatibility in accordance with G.S. 143-129(e) (6) (iii) that allows these purchases when standardization or compatibility is the overriding consideration. He advised that he would address the infrastructure cost that was just approved in the budget ordinance and that includes upgrade of the existing paging system and upgrade of the State's Viper Radio System, which we will be joining.

On motion of Mary P. Wells seconded by Dan Cone and duly passed that the request to contract with Radio Communications and Motorola for the Public Safety Radio Project Standardization and Compatibility in accordance with G.S. 143-129(e) (6) (iii) that allows these purchases when standardization or compatibility is the overriding consideration be approved.

Vice Chairman J. Wayne Outlaw called on Board Members for reports on the following boards and committees.

- Commissioner Lou M. Richardson (District 1)
  - Community Caregiver Advisory Board
  
- Commissioner Fred Belfield, Jr. (District 2)
  - Farmers Market Advisory Board
  - Juvenile Crime Prevention Council (Lou Richardson)
  - Upper Coastal Plain COG (Mary Wells)
  - Tar River Transit
  
- Commissioner Dan Cone (District 3)
  - Human Services Board
  - Agricultural Advisory Board
  
- Commissioner Lisa Barnes (District 4)
  - Nash UNC Health Care Board of Directors
  - Trillium Health Resources – Central Regional Advisory Board
  
- Commissioner J. Wayne Outlaw (District 5)
  - Nash Community College Board of Trustees (Mary Wells)
  - Upper Coastal Plain RPO
  - Broadband Committee (Dan Cone, Lisa Barnes)

- Commissioner Mary Wells (District 6)
  - Turning Point Work Force Development Board
  - STEP
  
- Commissioner Robbie B. Davis (District 7)
  - Tourism Development Authority
  - Rocky Mount MPO
  - MCC Shell Building (Dan Cone)
  - Gold Rock Improvements (Lou M. Richardson)

On motion of J. Wayne Outlaw seconded by Lisa Barnes and duly passed that the Board go into closed session as permitted 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.

During closed session, the Board consulted with the attorney to discuss matters that are subject to the attorney-client privilege between the attorney and Board.

On motion of Fred Belfield, Jr. seconded by Lisa Barnes and duly passed that the closed session adjourn.

On motion of Fred Belfield, Jr. seconded by Mary P. Wells and duly passed that the meeting recess until Monday, February 26, 2018 at 10:00 AM.

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Janice Evans, Clerk  
Nash County Board of Commissioners