



000249

BOARD OF COUNTY COMMISSIONERS SPECIAL MEETING

Monday, June 30th, 2025

224 Seminary Street

Kenansville, N.C. 28349

The Duplin County Board of County Commissioners held a special meeting at 9:00 a.m. on Monday, June 30th, 2025 in the Commissioners Room located at 224 Seminary Street, Kenansville, N.C.

Present: Commissioners: Chairman Dexter B. Edwards; Vice-Chairman Elwood Garner; Jesse L. Dowe, III; Wayne Branch; and Justin Edwards.

Also Present: Bryan Miller, County Manager; Carrie Shields, Deputy County Manager; Tim Wilson, County Attorney; Chelsey Lanier, Finance Officer; Jaime W. Carr, Clerk to the Board; and Jasmine Savage, Administrative Specialist.

Call to Order

The meeting was called to order by Chairman Edwards.

Invocation and Pledge of Allegiance

Invocation was given by Commissioner Branch. Commissioner Branch then led those in attendance in the pledge of allegiance to the flag of the United States of America.

Approval of the Consent Agenda

CONSENT AGENDA

Chairman Edwards asked if the Board members approved the proposed Consent Agenda and if any Board Member, County Manager/Deputy County Manager, or Clerk to the Board wished to make any changes or additions to the Consent Agenda. Commissioner Garner asked to remove from the Consent Agenda the appointment of Jonathan Guy and Phil Humphrey to the James Sprunt Board of Trustees for a four (4) year term – July 1, 2025 through June 30, 2029.osed session.

Motion was made by Commissioner Garner, seconded by Commissioner J. Edwards, carried unanimously to approve the consent agenda items as amended: Approve a Budget Amendment to Establish Grant Project Budget for USDA Decentralized Sewer Pilot Program for East Log Cabin & Calico Bay Road and Approve an Amendment to the Food Services Contract Between Duplin County and Diamond Food Enterprises and Authorize the Chairman to Sign and to remove the appointment of Jonathan Guy and Phil Humphrey to the James Sprunt Community College Board of Trustees for a Four (4) Year Term - July 1, 2025 through June 30, 2029 and place it on the regular agenda after closed session.

Approval of Regular Meeting Agenda

Chairman Edwards asked if the members of the Board approved the proposed meeting agenda, and if any Board Member, County Manager/Deputy County Manager, or Clerk to the Board wished to make any changes or additions to the agenda. Commissioner Garner requested to add the appointment of two (2) members to the James Sprunt Community College Board of Trustees.

Motion was made by Commissioner Garner, seconded by Commissioner J. Edwards, carried unanimously, to approve the regular meeting agenda as amended.

AGENDA

Bryan Miller, County Manager, appeared before the Board to discuss the reorganization of Tourism and the Tourism Development Authority.

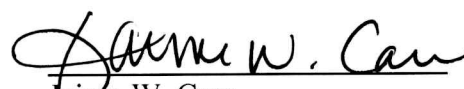
Motion was made by Commissioner Garner, seconded by Commissioner J. Edwards, carried unanimously, to go out of regular session and into closed session for Legal Matters pursuant to NCGS § 143-318.11(a)(3) and Personnel Matters pursuant to NCGS § 143-318.11(a)(6).

Motion was made by Commissioner Garner, seconded by Commissioner Branch, carried unanimously, to go out of closed session and back into open session.

Motion was made by Commissioner Garner, seconded by Commissioner Branch, carried unanimously, to adopt a Resolution of the Duplin County Board of Commissioners Reducing the Room Occupancy Tax Rate and Dissolving the Tourism Development Authority.

Motion was made by Commissioner Garner, seconded by Commissioner J. Edwards, carried unanimously, to appoint Jonathan Guy and Roger Davis to the James Sprunt Community College Board of Trustees for a four (4) year term beginning July 1, 2025 and ending June 30, 2029.

Motion was made by Commissioner J. Edwards, seconded by Commissioner Dowe, carried unanimously, to adjourn until Monday, July 14, 2025 at 6:00 p.m. for a Board of a Commissioners Meeting held in the Administrative Building, 224 Seminary Street, Kenansville, NC.


Jaime W. Carr
Clerk to the Board

NORTH CAROLINA
DUPLIN COUNTY

AMENDMENT AND RENEWAL

This Amendment is made and entered into this 30th of June, 2025 by and between the County of Duplin (hereinafter "County") and Diamond Food Enterprises (hereinafter "Contractor"), collectively referred to as "Parties".

WITNESSETH:

THAT WHEREAS, the Parties previously entered into a food services contract dated June 5, 2023 (hereinafter the "Original Agreement");

WHEREAS, the Original Agreement, inclusive of a document labeled as Attachment 1 which specified the precise services to be provided by Contractor, indicated that compensation would be paid to Contractor in an amount not to exceed \$167,700.00 unless additional grant funding was obtained;

WHEREAS, the parties subsequently executed an Amendment to the Original Contract reflecting a change in the maximum total compensation payable under the Original Agreement;

WHEREAS, the Original Agreement was for a term from July 1, 2023 through June 30, 2024 but could be renewed for two additional one-year terms upon mutual agreement of the parties;

WHEREAS, the parties have renewed the Original Agreement for a term of July 1, 2025 through June 30, 2026;

WHEREAS, the Original Agreement indicates that it may be amended only by written mutual agreement of the parties; and

WHEREAS, the Parties desire to amend and renew the Original Agreement, while keeping in effect all terms and conditions of the Original Agreement not inconsistent with the terms and conditions set forth below.

NOW THEREFORE, for and in consideration for the mutual covenants and agreements made herein, the parties agree to amend the Original Agreement as follows:

1. Section 3. PAYMENT TO CONTRACTOR is hereby amended to reflect a total compensation amount not to exceed \$159,485.00.
2. Except for the changes made herein, the Original Agreement and Attachment 1 shall remain in full force and effect to the extent not inconsistent with this Amendment. In the event that there is a conflict between the Original Agreement and this Amendment, this Amendment shall control.

IN WITNESS WHEREOF, the Parties have expressed their agreement to these terms by causing this Amendment to be executed by their duly authorized office or agent. This Amendment shall be effective as of the date herein.

DIAMOND FOOD ENTERPRISES

DUPLIN COUNTY

By:  Printed Name: Steve Lambros
By:  Printed Name: Dexter Edwards
Title: President, Diamond Food Enterprises Title: Chairman, Duplin County Board of Commissioners



RESOLUTION OF THE DUPLIN COUNTY BOARD OF COMMISSIONERS REDUCING THE ROOM OCCUPANCY TAX RATE AND DISSOLVING THE TOURISM DEVELOPMENT AUTHORITY

WHEREAS, "An Act To Authorize Duplin County To Levy A Room Occupancy And Tourism Development Tax" of "up to three percent (3%) of the gross receipts derived from any the rental of any room, lodging, or similar accommodation furnished by a hotel, motel, inn, or similar place within the county" to "promote travel and tourism in Duplin County" was ratified by the General Assembly on the 8th day of June, 1987; and

WHEREAS, similar legislation (Session Law 2005-53 | House Bill 843) was ratified on the 18th day of May, 2005 titled "An Act To Authorize Duplin County To Levy An Additional Room Occupancy And Tourism Development Tax" which allowed Duplin County to "levy an additional room occupancy tax of up to three percent (3%); and

WHEREAS, Session Law 2005-53 | House Bill 843 section 1(a2) Administration states that "A tax levied under this section must be levied, administered, collected, and repealed as provided in G.S. 153A-155"; and

WHEREAS, Session Law 2005-53 | House Bill 843 section 1.1 Duplin County Tourism Development Authority instructs when "annual net proceeds of the occupancy tax exceed two hundred thousand dollars (\$200,000), the Duplin County Board of Commissioners shall adopt a resolution creating a county Tourism Development Authority"; and

WHEREAS, the Duplin County Board of County Commissioners by resolution created "The Duplin County Tourism Development Advisory Board" pursuant to Chapter 53 of 2005 Session Laws of North Carolina on March 5th, 2007; and

WHEREAS, on the 19th day of May, 2014 by resolution the Duplin County Board of Commissioners clarified the intent of the action taken on March 5th, 2007 which was to form the Duplin County Tourism Development Authority pursuant to Chapter 53 of 2005 Session Laws of North Carolina; and

WHEREAS, NCGS 153A-155 Uniform provisions for room occupancy taxes reads: (f) Repeal or Reduction. – A room occupancy tax levied by a county may be repealed or reduced by a resolution adopted by the governing body of the county. Repeal or reduction of a room occupancy tax shall become effective on the first day of a month and may not become effective until the end of the fiscal year in which the resolution was adopted. Repeal or reduction of a room occupancy tax does not affect a liability for a tax that was attached before the effective date of the repeal or reduction, nor does it affect a right to a refund of a tax that accrued before the effective date of the repeal or reduction.; and

NOW, THEREFORE, BE IT RESOLVED by the Duplin County Board of Commissioners that pursuant to G.S. 153A-155;

1. The Board hereby reduces the occupancy tax rate authorized by Session Law 2005-53 | House Bill 843 titled "An Act To Authorize Duplin County To Levy An Additional Room Occupancy And Tourism Development Tax" to one and seventy-five one-hundredths of a percent (1.75%), thereby rendering a total room occupancy tax rate of four and seventy-five one-hundredths of a percent (4.75%), to become effective at the end of FY2024-2025 and implemented beginning the 1st day of August, 2025; and
2. The Board finds that, applying the 4.75% reduced occupancy tax rate established by this Resolution, the annual net proceeds of the occupancy tax do not exceed two hundred thousand dollars (\$200,000), as is required for a Tourism Development Authority pursuant to Session Law 2005-53 | House Bill 843; and
3. The Board further finds that, applying the 4.75% reduced occupancy tax rate established by this Resolution, the County no longer has statutory authority to maintain a Tourism Development Authority; and
4. Therefore, the Board hereby dissolves the Duplin County Tourism Development Authority; and
5. Prior to August 1, 2025, the Board directs the County Finance Officer to transfer any remaining funds belonging to the Tourism Development Authority to a fund expressly set aside only to be used to promote travel and tourism in Duplin County and in strict compliance with Section 1 of Session Law 2005-53 | House Bill 843; and
6. Prior to August 1, 2025, the Duplin County Tourism Development Authority is hereby directed by the Board to transfer to the County all assets that have been purchased or otherwise acquired with occupancy tax funds, and the County is directed to take possession of such assets, which shall then be used in strict compliance with Section 1 of Session Law 2005-53 | House Bill 843.

This the 30th day of June, 2025.


Dexter Edwards, Chairman
Duplin County Board of Commissioners



ATTEST:


Jaime Carr, Clerk to the Board