

MINUTES

LENOIR COUNTY BOARD OF COMMISSIONERS

September 4, 2012

The Lenoir County Board of Commissioners met in open session at 9:00 a.m. on Tuesday, September 4, 2012 in the Board of Commissioners Main Meeting Room in the Lenoir County Courthouse at 130 S. Queen St., Kinston, NC.

Members Present: Chairman George Graham, Vice-Chairman Reuben Davis and Commissioners, Jackie Brown, Mac Daughety, Linda Rouse Sutton, Tommy Pharo, and Eric Rouse

Members Absent: None

Also present were: Michael W. Jarman, County Manager, Tommy Hollowell, Assistant County Manager, Martha Martin, Finance Officer, Robert Griffin, County Attorney, Clevette Roberts, Interim Clerk to the Board, and members of the general public and news media.

Chairman Graham called the meeting to order at approximately 9:03 a.m. Ms. Brown offered the invocation and Mr. Graham led the audience in the pledge of allegiance.

PUBLIC INFORMATION

Mr. Victor Kosinski, Veterans Employment Consultant with the Division of Workforce Solutions' Office and the Commander of AMVETS Post 1111, addressed the Board about a very important upcoming event that will be held to honor the civilians, military and emergency responders who lost their lives on September 11, 2001. Mr. Kosinski recalled the tragic event and how the lives of fellow Americans were changed forever. Mr. Kosinski stated nearly 3,000 people lost their lives on September 11, 2001. Mr. Kosinski encouraged the community to come together to mark the 11th Anniversary of the 9-11 events on September 11, 2012 at 10 a.m. at Pearson Park. A memorial service will be held to honor the victims of the 9-11 attacks, and the responders who acted selflessly to save the lives of others. Mr. Kosinski stated if anyone has questions about the memorial service please feel free to contact him at (252) 268-4676. Mr. Graham inquired about employment of individuals at the Veterans Retirement Home? Mr. Kosinski stated there are nine job vacancies and all applicants must complete their applications on the www.uhs-pruitt.com website. Mr. Kosinski encouraged all applicants to present their resumes on the website as well. Mr. Graham inquired about the opening of the Veterans Retirement Home. Mr. Kosinski stated an opening date has not been set.

Ms. Shannon Rouse Ruiz, PEACE Foundation Director, addressed the Board about Prescription Education Abuse Counseling Empowerment, a non-profit organization. Ms. Ruiz stated their mission is to educate the public about the dangers of prescription drugs and empower them with knowledge to recognize and stop abuse before it starts. Ms. Ruiz stated the PEACE Foundation raises awareness about what the Centers for Disease Control and Prevention (CDC) recognizes as an epidemic. Ms. Ruiz stated everyday across the country 2,500 teens try a prescription drug for the first time to get high. Ms. Ruiz stated the death toll for those who take prescription pain killers has tripled over the past decade. Ms. Ruiz stated due to high levels of prescription drug abuse, drug overdoses are now the leading cause of accidental deaths. Ms. Ruiz stated prescription drug overdoses cause more fatalities than car accidents, cocaine or heroin deaths combined. Ms. Ruiz stated across the country 70 people die each day, and to be specific, in North Carolina, 2 ½ people die each day from a prescription drug overdose. Ms. Ruiz stated in 2011 approximately 1,000 people died from a prescription overdose across the country. Ms. Ruiz stated the average age for a young child to start taking prescription drugs to get high is 11 years old. Ms. Ruiz stated in June 2011, she lost her 16 year old daughter to a prescription drug overdose. Ms. Ruiz stated this epidemic does not discriminate, it is not a white, black, young, old, rich or poor disease, it crosses all socioeconomic boundaries, and it is avoidable. Ms. Ruiz stated this disease is killing our children, our parents and our friends. Ms. Ruiz stated the need for serious prevention efforts related to medicine abuse has been well documented. Ms. Ruiz stated most recently the White House's Office of National Drug Control Policy implemented a Prescription Drug Abuse Prevention Plan in 2011, which created a four pillar approach; 1) to educate parents, youth, patients and prescribers; 2) monitoring the use of prescriptions to prevent doctor shopping; 3) proper medication disposal to decrease the supply of unused prescriptions drugs in the home, and 4) provide law enforcement with the tools necessary to eliminate improper prescribing practices and stop pill mills. Ms. Ruiz stated on September 29, 2012, the PEACE Foundation, ERASE and the Lenoir County Substance Abuse Coalition will be taking part in a national event called the Medicine Abuse Project. This campaign encourages parents and the public to take action. Ms. Ruiz mentioned that parents need to educate their children about the dangers of prescription drugs, and they also need to properly dispose of medications that are not being used. Ms. Ruiz stated the PEACE Foundation has also partnered with local businesses to donate a permanent prescription drop box that will be housed in the lobby of the Kinston Police Department. Ms. Ruiz invited the Board and the general public to come out to the National Medicine Abuse Project Event held at Pearson Park from 11:00 a.m.-3:00 p.m. on Saturday, September 29, 2012. Ms. Ruiz stated please feel free to contact her at shannonrouseruiz@gmail.com or at (252) 268-3483. Mr. Graham inquired if the PEACE Foundation is working along with the Lenoir County Health Department? Ms. Ruiz replied they are not currently working with the Health Department, however, they are working with other local businesses within the community and they are also working with children one on one and their parents as well. Mr. Graham inquired if the PEACE Foundation is working with local pharmacists? Ms. Ruiz replied they are currently working with local and surrounding pharmacists.

ITEMS FROM THE CHAIRMAN/COMMISSIONERS

None

ITEMS FROM THE COUNTY MANAGER

Mr. Jarman presented Sewer Grant Information to the Board. Mr. Jarman discussed the Hold Harmless letter between Smithfield Foods, Inc. and the City of Kinston, and stated it has been the topic of multiple Kinston Free Press articles and discussed at the last two City Council Meetings. Mr. Jarman stated the way the information was presented has not been fair to Smithfield Foods, Inc. Mr. Jarman stated Smithfield Foods, Inc. has been a great corporate citizen in the community for 34 years. Mr. Jarman stated the issues have also been linked to Economic Development Incentives and only portions of the picture have been presented. Mr. Jarman stated Kinston and Lenoir County are applying for \$2.75 million worth of grants to construct new sewer infrastructure in the Hwy 70 West Industrial Park. Mr. Jarman stated the sewer system in the industrial park is at 94% capacity and before the City can supply additional tenants in that area, there has to be some improvements made to the sewer system. The sewer issue in the County's industrial park has been discussed for several years. The County recognized in 2004 when Smithfield's K-2 Plant was constructed that the City Sewer System would need to be improved. Mr. Jarman stated \$2.75 million of grants have been applied for to construct the sewer system; all grants are tied to job creation. Mr. Jarman stated in order for the grants to be received, new job opportunities have to be created. Smithfield was asked to assist Kinston and Lenoir County in obtaining the grants, but they did not want to be held liable; however, Smithfield does have a liability on the job creation portion with the Performance Based Economic Development Agreement that was established with the County, the City and Smithfield. Mr. Jarman mentioned a statement was made at the City Council Meeting that worst case scenario, if Smithfield did not create any of the 330 jobs, the City would have to spend \$2.75 million to reimburse for grant funds received. This is true. Mr. Jarman stated viewers were left to believe that if the City had to payback the \$2.75 million, they would do this in addition to paying incentives promised in the Economic Development Agreement. This is not true. Mr. Jarman mentioned what was not stated, was if Smithfield did not create any of the 330 jobs; Smithfield would stand to lose \$250,000. Mr. Jarman stated that in the Performance Based Economic Development Agreement that was signed by the Board, if no jobs are created, Smithfield will lose \$3 million worth of incentives. Mr. Jarman stated Smithfield should not be held accountable for the sewer grant when they are working with Kinston and Lenoir County to provide a sewer system for future customers. Mr. Jarman mentioned it was stated in the Kinston Free Press Editorial, that the City and the County are backed in a corner by the incentive agreement and that is not the case. Mr. Jarman presented the current view of the plant on Smithfield Way and discussed where the new addition will be placed. Mr. Jarman stated the Smithfield facility was established in 2004 and their annual taxes paid to the City and County total \$1,035,000. Smithfield has paid the City and County a total of \$5,728,015 in taxes since 2008. The City and County have paid a total of \$1,014,000 in incentives to Smithfield since 2008. Smithfield's pays \$10,500,000 in annual payroll to their employees and 70% of their employees reside in Lenoir County.

Mr. Jarman stated the money that pays 70% of their employees is spent at our local grocery stores, gas stations and that sales tax goes to the County to provide services, etc. Mr. Jarman stated Smithfield's annual utility cost is \$3,536,000 for the City of Kinston and they are one of the top utility users in the city limits. Mr. Jarman discussed Smithfield's plant addition and stated the \$85 million capital investment provides an additional 192,000 square feet. Mr. Jarman stated Smithfield's production will more than double with their state of the art processing equipment and stated the plant's addition is where the 330 jobs will be located. Mr. Jarman stated Smithfield made the land available for the Woodmen Recreational Center. Smithfield has a Feed the Hungry Program where they donated 30,000 pounds of food to local pantries in Lenoir and Pitt Counties. Mr. Jarman stated Smithfield is a sponsor of the Festival on the Neuse, Lenoir Community College Golf Tournament and the Local Arts Council. Mr. Jarman stated the responsibility to expand the sewer system that provides additional sewer for future users, is Kinston-Lenoir County's responsibility. Ms. Sutton commended Mr. Jarman on providing vital information about incentives to the public, so there is not a misconception on how incentives to companies ultimately provides revenue for the County. Mr. Jarman discussed the Economic Development Performance Based Incentive Agreement that was signed by the Board; and stated there will be a positive return on Smithfield's investment, in the amount of taxes compared to incentives alone. Other factors such as; annual payroll, sales taxes paid, utility costs, etc. provide additional revenue. Mr. Jarman commended Smithfield Foods, Inc. for being a tremendous partner to Lenoir County. Ms. Sutton recommended the County send a letter of appreciation to Smithfield Foods Inc. for their outstanding continued service to the community. Mr. Daughety stated the sewer system is at 94% capacity and Smithfield Way is expanding to Hwy 258, and if the sewer system is not constructed, the County will not be able to increase capacity for the new land that will be available. Mr. Mark Pope, Economic Development Director, stated if the sewer system is not constructed, the County will not be able to add additional tenants in the Industrial Park. Mr. Pope commended David Harris, Economic Development Grant Writer, and stated he has done an excellent job for Economic Development. Mr. Pope stated jobs at Smithfield are being applied for, and there have been 700 Smithfield job applicants at Lenoir Community College alone. Mr. Pope stated employees at Smithfield come from thirteen counties. Mr. Pope stated the opportunity is there and it is up to the community to train their children and adults; so they may capitalize on the available job opportunities. Mr. Daughety inquired if the skill level is being raised for the 330 jobs that will be available at Smithfield? Mr. Pope stated the skill levels are being raised and Smithfield has a new robotic system that will assist with the packaging process. Mr. Daughety stated he gave Senator Louis Pate a tour of Lenoir County's Smithfield Packing Expansion, West Pharmaceutical Expansion, Veterans Retirement Home, Woodmen Community Center, etc. Mr. Daughety stated Senator Pate was amazed at the growth in Lenoir County. Mr. Graham stated Economic Development is a County wide function and there have been many articles in the newspaper and the media that have misled viewers about what Economic Development is all about. Mr. Graham encourages everyone to be mindful and be very careful when discussing Economic Development to the general public, press and media.

CONSENT AGENDA: 10Min.

ACTION

3. Approval of Minutes: Regular Board Meeting: August 20, 2012 Roberts/ Jarman
4. Resolution Approving the Release and Refunds to the Individuals Listed Here In

Upon a motion by Ms. Brown and a second by Ms. Sutton, the Consent Agenda was unanimously approved.

PUBLIC HEARING: 5Min.

Item No. 5 was a Public Hearing Notice on Requirements of the 2012 North Carolina Community Development Block Grant 2012. Mr. David Harris of RSM Harris Associates stated 2012 represents the third year since the last Scattered Site Grant was received. Mr. Harris stated the purpose of the Public Hearing was to inform the public that the application cycle for 2012 is now open. Mr. Harris stated the State will be receiving applications from 30 or more counties that are eligible for Scattered Site Housing Assistance for 2012. Mr. Harris stated a major change has been made. Instead of a \$400,000 allocation, the amount has been reduced to \$225,000. Mr. Harris stated RSM Harris Associates will be notifying the towns, asking for their recommendations for families that will need Scattered Site Housing Assistance. Mr. Harris stated the targeted households will be families that have special needs (elderly, handicapped, single parent households), low/fixed income households or homes that are in the worst conditions. Mr. Harris stated the program is eligible to any of the County residents. Mr. Harris stated applications are due by October 17, 2012. Mr. Harris stated a second Public Hearing will be done, and at that time the Board may authorize the filing of the Community Development Block Grant Application. Mr. Harris stated in addition to the Scattered Site Program, there are other categories of funding available such as Economic Development, Water & Sewer, and the Catalyst Program (Old Neighborhood Revitalization Program & the Housing Development Program) and that application cycles for the programs are now open. Mr. Graham inquired where was the largest need for improvement in Lenoir County? Mr. Harris stated there are a lot of homes in the small rural areas within the County, low/fixed income households, elderly households and other households that require home repairs. Mr. Harris stated there are a couple of replacement homes that may need demolition and it may cost \$75,000 or more to rebuild the home. Mr. Rouse inquired if the homes are constructed within HUD or IVC standards? Mr. Harris stated all of the homes that eligible to receive the Scattered Site Housing Assistance are improved according to State building code standards. Mr. Graham inquired if the County needs to help find eligible grant applicants who may need home repair? Mr. Harris stated as of now they currently have 120 applicants and they would like to spread the word to the general public about the Community Development Block Grant. The Public Hearing was closed.

BUDGET ORDINANCES/RESOLUTIONS

Item No. 6 was An Ordinance Regulating the Operation of Golf Carts. The purpose of this ordinance shall be to establish a Golf Cart Ordinance within Lenoir County to promote the health, safety and welfare of persons operating golf cart(s) within the County. This ordinance shall only apply to the unincorporated portions of Lenoir County, not including the City of Kinston or the Towns of LaGrange, Pink Hill, or Grifton. Upon a motion by Mr. Rouse and a second by Mr. Pharo, Item No. 6 was tabled indefinitely and was unanimously approved.

Item No. 7 was a Resolution to Authorize Lenoir County Cooperative Extension to Continue to Manage and Facilitate the Seniors Health Insurance Information Program (SHIIP) and Authorize Tammy Kelly, County Extension Director to Execute the Contract in the amount of \$6,493. Ms. Tammy Kelly, County Extension Director, stated the program is an important resource for the senior citizens of Lenoir County. SHIIP provides critical information to assist senior's in choosing the type of insurance they need. Last year approximately 489 Medicare recipients were assisted in selecting a prescription drug plan during open enrollment in October-December. Upon a motion by Ms. Brown and a second by Mr. Daughety, Item No. 7 was unanimously approved.

Item No. 8 was a Resolution Approving Purchase Order with COECO Office Systems in the amount of \$8,500 for Fiscal Year: 2012-2013. Ms. Susan Moore, Department of Social Services Director, stated the Department of Social Services is requesting approval to purchase Alchemy Software maintenance and support for their current scanning system allowing the agency to become paperless. Upon a motion by Mr. Davis and a second by Ms. Sutton, Item No. 8 was unanimously approved.

Item No. 9 was a Budget Ordinance Amendment: Automation Preservation Fund: Finance/Register of Deeds in the amount of \$10,000 Increase. Ms. Margaret Seymour, Register of Deeds, stated the budget amendment was to appropriate fund balance from the Automation Preservation Fund, fund balance to cover the cost of scanning maps in the Register of Deeds Office. This was approved by the Commissioners on August 20, 2012, Item No. 8. Upon a motion by Ms. Brown and a second by Ms. Sutton, Item No. 9 was unanimously approved.

Item No. 10 was a Budget Ordinance Amendment: Trust & Agency Fund: Cooperative Extension: Family Caregiver in the amount of \$65,508 Decrease. Ms. Kelly stated the budget amendment to reduce the budget of the Trust and Agency Fund's Family Caregiver Program that is administered by Cooperative Extension represents only partial funding of the program. Upon a motion by Ms. Sutton and a second by Ms. Brown, Item No. 10 was unanimously approved.

Item No. 11 was a Resolution Requesting the Establishment of Fees for Rabies Vaccination. Mr. Joey Huff, Health Department Director, stated the North Carolina General Statute 130A-187 requires the local health director to organize and assist other organizations to conduct rabies vaccination clinics at least annually. North Carolina General Statute 130A-188 requires the Board of County Commissioners to establish the fee for rabies vaccination at County sponsored vaccination clinics. Rabies Vaccination Clinics have been scheduled for Tuesday, October 2, 2012 (Riverbank Animal Hospital, Northside Animal Hospital, Country View Animal Hospital and Animal Hospital of Lenoir County in LaGrange, N.C.). Mr. Rouse inquired about the requirement for rabies shots for animals and if it was yearly? Mr. Huff stated every dog, cat, and ferret that is four months of age or older has to be vaccinated by a veterinarian that is licensed by the State of North Carolina or a Certified Vaccinator. Mr. Huff stated the first rabies vaccination is good for a year. Mr. Huff stated before the first vaccination expires, the animal is required to have a three year booster vaccination. Mr. Huff stated in order for the vaccination to be made current the animal is required to have a booster vaccination every three years. Mr. Huff stated if the first vaccination is missed and the animal receives the vaccination, it will only be good for a year and the animal will be required to have a booster vaccination every three years. Mr. Rouse inquired if the fee for the rabies shot was \$7 and Mr. Huff replied the amount of the rabies shot is \$7. Upon a motion by Mr. Rouse and a second by Ms. Sutton, Item No. 11 was unanimously approved.

Item No. 12 was a Resolution Requesting the Establishment of a Social Worker II Position. Mr. Huff stated the Lenoir County Health Department receives Medicaid funds to provide Care Management Services to Medicaid eligible pregnant women. Mr. Huff stated Medicaid stipulates that funds are to be used to hire Pregnancy Care Managers. Mr. Graham inquired if the funds received affect the baseline Medicare/Medicaid? Mr. Huff stated it does not affect the baseline Medicare/Medicaid. Mr. Huff replied the money received from Medicaid pays the Lenoir County Health Department to provide the service and the service has to be provided by the Lenoir County Health Department. Upon a motion by Mr. Rouse and a second by Ms. Sutton, Item No. 12 was unanimously approved.

Item No. 13 was a Budget Ordinance Amendment: General Fund: Health: (Adult Health): \$4,018 Decrease. Mr. Huff stated the State reduced funds for Title X Funds. Upon a motion by Mr. Rouse and a second by Ms. Sutton, Item No. 13 was unanimously approved.

Item No. 14 was a Budget Ordinance Amendment: General Fund: Health: General Aid to Essential-Services in the amount of \$134,540. Mr. Huff stated State Aid to County Funding is the only unrestricted funding for local health departments that they may use for locally determined needs or purposes. Mr. Huff stated the additional funding must be used to support delivery of the ten (10) Essential Services, the core functions of public health, and the specific health needs or health status indicators selected by each local health department; this is consistent with how they have always used this unrestricted funding. Mr. Graham inquired if the Lenoir County Health Department did not receive the amount of \$134,540 from the State, how would the Lenoir County Health Department provide the services needed? Mr. Huff stated the services are done on a Cost Base Report which is thirty days behind. The expenses incurred in July are reported in August and the monies in the Cost Base Reporting System are used every month until May 2013.

Mr. Graham inquired if the monies were not made available would the County have to provide the services? Mr. Huff stated it would be very difficult for the County to provide the services needed. Mr. Huff stated the County Manager asked all Department Heads to present a projected 5% budget reduction in case the Board requested it. Mr. Huff stated if the 5% budget reduction took place, the Lenoir County Health Department's budget would not balance at the end of the fiscal year and their department would incur losses. Mr. Huff stated the budget for Fiscal Year 2012-2013 did not include the \$134,540 and with these monies the health department may have the opportunity to restore losses that were incurred. Mr. Daughety inquired if there has been any West Nile cases reported in Lenoir County? Mr. Huff stated that currently there are no West Nile Virus Cases reported in Lenoir County. Mr. Huff stated there has been a lot of West Nile Virus cases reported in the news, and there have been over 1,200 cases reported nationwide. There have been several West Nile Virus cases reported in Texas and some cases have been reported in North Carolina. Mr. Huff discussed different preventive ways to eliminate mosquito breeding grounds, such as: eliminating standing water outside your home. Mr. Graham inquired if flu vaccines were available at the health department? Mr. Huff stated on Thursday, September 6, 2012, appointments will be scheduled for flu vaccines. Mr. Huff stated due to the wide availability of flu vaccines given at local pharmacies or at doctor's offices, the Lenoir County Health Department will be offering flu vaccinations by appointment only for the next several months. Mr. Huff stated there will be a transition to the new food code and there have been some significant changes on how food code inspections are done in restaurants. Mr. Huff stated the new food code is in effect as of September 1, 2012. Mr. Huff stated some components of the new food code will go into effect in January 2014 and the major equipment changes will not be required until the year 2019. Mr. Huff stated Barbara Sutton, Environmental Health Supervisor, and staff held two meetings at Lenoir Memorial Hospital for training restaurant operators in the County as to what the new State Food Code Inspections would mean to their facilities and daily operation. Commissioner Sutton inquired about the main concerns restaurants are having regarding the new State Food Code Inspections? Ms. Barbara Sutton, Lenoir County Health Department's Environmental Health Supervisor, stated one of the main concerns has been cold holding from 45 degrees to 41 degrees, which may cause new refrigerators to be purchased to hold food at 41 degrees; however, they have until 2019 to purchase the equipment. Ms. Barbara Sutton stated at this time, food may be stored at 45 degrees. Ms. Barbara Sutton stated the new food code requires a person to be in charge of prepping the food and operating at all times. Ms. Barbara Sutton stated the person in charge of prepping and operating the food during each shift must be certified by the State of North Carolina. Ms. Barbara Sutton stated if the restaurant does not have someone certified by the State during each shift, the restaurant will lose points during inspection. Ms. Barbara Sutton stated all restaurants have until January 2014 to comply with the new State Food Code Inspection. Upon a motion by Mr. Rouse and a second by Ms. Sutton, Item No. 14 was unanimously approved.

Item No. 15 was a Resolution Approving a Proposal and Contract From the L. R. Kimball Company for Project Management, Procurement, Facility Design, Transition Planning and Consulting Services Expertise: E-911 Consolidation with Jones County: \$272,100. Mr. Roger Dail, Emergency Services Director, stated over the past year, Lenoir and Jones County officials have been discussing the feasibility of merging the Jones County E-911 Center with Lenoir County's E-911 Center. Mr. Dail stated the merger would also involve an upgrade of both Counties' radio systems and renovations of the primary PSAP Center in Lenoir County and construction of a redundant Center in Jones County. Both Counties agreed that any consolidation was contingent upon the availability of grant funding for the entire project from the State E-911 Grant Fund and other sources. Due to the competitive nature of the grant awards, officials from both counties determined that a consultant with expertise in PSAP consolidations should be retained. Mr. Dail stated in February 2012, both Counties contracted with the L.R. Kimball Company to provide the necessary consulting support to document the plan, identify requirements, develop cost projections, and prepare and submit a grant application to the E-911 Board. Mr. Dail stated in June 2012, the E-911 Board approved the grant request and recommended funding in the amount of \$7,400,000 from the State E-911 Grant Fund for the project. The L.R Kimball Company was requested by both Counties to provide a proposal for continued project services to include project management, procurement, facility design, transition planning, and expertise to support all aspects of the next phase of the consolidation. Upon a motion by Ms. Sutton and a second by Mr. Daughety, Item No. 15 was unanimously approved

APPOINTMENTS

Item No. 16 was a Resolution Approving Citizens to Boards, Commissions, Etc.

<u>BOARD/COMMITTEE/COMMISSION</u>	<u>APPLICANT/CURRENT MEMBER</u>	<u>TERM EXPIRATION</u>
Lenoir County Health Board 1 st Appearance	Michael G. Wiggins, Jr.	August 2016

Mr. Graham adjourned the meeting at 10:17 a.m.

Respectfully submitted,

Reviewed By

Clevette F. Roberts
Interim Clerk to the Board

Michael W. Jarman
County Manager

