

**MINUTES**  
**LENOIR COUNTY BOARD OF COMMISSIONERS**  
**January 3, 2011**

The Lenoir County Board of Commissioners met in open session at 9:00 a.m. on Monday, January 4, 2010 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, Tommy Pharo, Eric Rouse and Linda Rouse Sutton.

Members absent: None

Also present were: Michael Jarman, County Manager, Tommy Hollowell, Assistant County Manager, Martha Martin, Finance Officer, Robert Griffin, County Attorney; Lashanda A. Hall, Clerk to the Board; and members of the general public and the news media.

Chairman Graham called the meeting to order at approximately 9:00 a.m. Ms. Brown offered the invocation and Mr. Graham led the audience in the pledge of allegiance.

**PUBLIC INFORMATION**

Presentation of the Lenoir County, North Carolina Comprehensive Annual Financial Report for the Fiscal Year Ended June 30, 2010 by the Lenoir County Finance Department and Pittard, Perry & Crone: Mr. C. Dean Horne, CPA. Mr. Horne stated the section entitled "Management Discussion and Analysis" comes from Mr. Jarman and Ms. Martin, Finance Officer. If you read only one section of this report, this is the section you should read because it summarizes the audit in layman's terms. This is the seventh year this section has been implemented in the report. The highest level of opinion that an auditor can give is called an "unqualified opinion." This means that all audit tests were complete and no issues were reported. Lenoir County government has received an "unqualified opinion." Under Statement of Revenues, Expenditures, and Changes in Fund Balance – Budget and Actual – General Fund (page 19) shows the reader what the county's original budget was, and what changes were made to that budget throughout the year. Total revenues budgeted were \$55,414,680 and actual revenues were \$54,534,847 representing a total of \$1,924,643 less in revenue than was anticipated. Total expenditures budgeted were \$57,024,023 and actual expenditures were \$54,147,292. Revenues and other financing sources over total expenditures equaled \$3,086,533 with \$1 million resulting from the sale of land at the Industrial Park. Under Balance Sheet Governmental Funds (page 16) the General Fund Fund Balance totaled \$25,907,909. In the General Fund, the total unreserved fund balance was \$21,552,072 or 39.8% of General Fund expenditures, as compared to \$18,356,156 or 35.1% in the prior year. Of the \$21,552,072 Unreserved Fund Balance, \$11,720,832 is designated for subsequent years leaving \$9,831,240 as Undesignated. This figure amounts to 18.2% of General Fund Expenditures. The County has a goal of 20% Undesignated Unreserved Fund Balance. Mr. Rouse questioned the negative \$7,940,267 in net assets of governmental activities (page 16). Mr. Horne stated in building Lenoir County Schools the County has to show all outstanding debt as a liability; however, the buildings themselves are not on the County's Schedule of Fixed Assets, they are listed as fixed assets by the School Board, making them the assets of the Lenoir County School Board, making the liability, Lenoir County's. Mr. Rouse questioned the \$1.4 million shortfall at the Department of Social Services. Mr. Horne stated the \$1.4 million was potential grant funding that was not received due to various reasons by Federal or State Government. The Department of Social Services expenditures were under-spent by \$1,877,098 (page 60). Mr. Graham thanked the management team and commissioners for their hard work in keeping Lenoir County moving forward. The Board thanked Mr. Horne and his staff for all their work as well.

Mr. Bill Ellis, Parks and Recreation Director, informed the Board that he will present to the Board the System-wide Parks and Recreation Master Plan 2011-2017 at their next meeting. The plan enables Parks and Recreation to apply for Federal and State grant funds when they become available. The plan helps Parks and Recreation to maintain operating standards and procedures and establishes goals for the upcoming years. It also updates the 2000 Recreation Master Plan and 2007 Capital Improvements Plan, and meets NC Recreation Resources Standards for System-wide Comprehensive Recreation Plans. Since 2000 the plan has expanded use of flood buyout lands, saved the deconstructed NC Railroad Freight Depot, facilitated Woodmen of the World Community Center site & arrangements and developed the Visitor & Information Center just to name a few. Parks and Recreation developed a survey for all Kinston-Lenoir County residents to take part in, giving input on how to make Lenoir County Parks and Recreation better for all citizens. A total of 385 people were surveyed, representing 1,355 persons throughout Kinston/Lenoir County. The youth and adults were represented well in the survey, but senior citizens were under represented due to the survey being done on-line. The survey indicated a wide use of existing facilities throughout Kinston-Lenoir County in the past three (3) years. 61.4% of respondents stated that improvement of recreational facilities were very important. The top ten proposed projects for 2011-2017 are as follows:

1. Woodmen Community Center & Water Park
2. Reassemble NC Railroad Freight Depot for use at Grainger Stadium
3. Soccer Complex on former Harpers Auto Salvage land
4. Acquisition of Burkett's property and future expansion of Neuseway Park
5. Neuse Riverbank Greenway Trail –Farmers Market to Woodmen Park
6. The Battle of Kinston at Rivermont Parkway
7. Build Skateboard park
8. Develop Disc Golf Course No. 2
9. Expand Woodmen Community Center Park 23 Acres – Historic Ram Neuse Site
10. Construct Pedestrian Bridge & linking waterfront parks

Mr. Daughety asked Mr. Ellis about the potential use of the old Pink Hill Elementary School. Mr. Ellis stated the department would like to use the gymnasium for basketball and other after school activities, but there is still a lot to be done to the gymnasium to make it possible. The HVAC in the gym has to be replaced or repaired; making it very hard have any type of programs within the facility. Mr. Daughety asked if the Parks and Recreation Commission had any representation in the Pink Hill area. Mr. Ellis noted that Mr. Darrell Parish, Tax Administrator, represents the Pink Hill and Moss Hill areas. The Board thanked Mr. Ellis for the presentation.

Mr. J. Mark Sutherland, Executive Director of the Military Growth Task Force (MGTF), addressed the Board regarding membership in the MGTF. North Carolina's Eastern Region created the MGTF in 2007 to address issues related to rapid military growth in the region. Since then, the Task Force completed a Regional Growth Management Plan (RGMP), designed to analyze the combined impacts of military and normal growth, and to provide solutions to these growth challenges. Mr. Sutherland stated since 2007, he has been a proponent to the full inclusion of Lenoir County in the MGTF, not only as a reflection of the shared regional footprint, but because of the common transportation corridors, economic development initiatives, watershed/ecosystems and water resources. If the Board decides to join the MGTF, Lenoir County will have two (2) voting seats on the Task Force's Board of Directors as well as a seat on the Executive Committee; the share requested from Lenoir County will be \$6,250. Wayne County voted unanimously in November 2010 to join the task force making them the eighth county in the region to join. The Board thanked Mr. Sutherland for his report; the issue will be discussed during the Boards budget work sessions.

## **ITEMS FROM THE COUNTY MANAGER**

Item No. 2 was Items from the County Manager. Mr. Jarman recommended the Board decline the following bid: 311 E. Caswell St. Kinston, NC (\$800) and accept a bid on Hickory Nut Dr. LaGrange, NC (\$1,000). Upon a motion by Mr. Davis and a second by Ms. Sutton the recommendations were approved. Mr. Jarman also noted a letter from the Chair of the Department of Social Services regarding the closure of the Kinston Regional Training Center located at Lenoir Community College at the end of December, 2010. The closure of this facility will pass down even more financially responsibility to the County. Ms. Sutton stated the Board should send a letter as well to the Department of Health and Human Services (DHHS) regarding this closure and the effect it will have on not just Lenoir, but neighboring counties. Mr. Graham instructed Mr. Jarman to prepare a letter to DHHS regarding the county's concern of the closure of the facility. Ms. Brown reminded the Board of the Juvenile Crime Prevention Council (JCPC) Luncheon on January 12<sup>th</sup> at Select Foods.

## **CONSENT AGENDA**

Upon a motion by Ms. Brown and a second by Ms. Sutton, the Board unanimously approved the Consent Agenda with noted corrections to be made regarding Item No. 8 in the December 6, 2010 minutes regarding the recusal (to withdraw from a position of judging so as to avoid any semblance of partiality or bias) of Mr. Pharo from the vote. Mr. Pharo's vote should have been viewed as excused instead of a "yes" vote per Mr. Griffin.

3. Approval of Minutes: Regular Board Meeting: December 6, 2010 Hall/Jarman
4. Resolution Approving the Releases and Refunds to the Individuals Listed Herein Martin/Jarman

## **BUDGET ORDINANCE AMENDMENTS/RESOLUTIONS**

Item No. 5 was a Budget Ordinance Amendment: General Fund: DSS: \$19,925: Increase. Mr. Jack Jones, Social Services Director, addressed the Board. Mr. Jones stated the amendment is a line item adjustment to reflect actual allocation received. Crisis intervention funds are 100% Federal and State funds to assist with heating and cooling needs. Upon a motion by Mr. Davis and a second by Ms. Brown, Item No. 5 was unanimously approved.

Item No. 6 was a Resolution Authorizing the Lenoir County Department of Social Services to Discontinue the "Mass Distribution" of Surplus Food Commodities Made Available under the Federal Emergency Food Assistance Program (TEFAP) and to request that the North Carolina Department of Agriculture (NCDA) Deliver Lenoir County's Allocation of TEFAP Food Commodities to the Food Bank of Eastern North Carolina who will Make Such Items Available to the Needy Citizens of Lenoir County through Local Non-Profit and Faith-Based Emergency Feeding Organizations. Mr. Jones stated The Emergency Food Assistance Program (TEFAP) is a federal program that helps supplement the diets of low-income Americans, including the elderly, by providing emergency food and nutrition assistance and services. TEFAP is more commonly known in the community as the "Commodities Program." DSS has historically contracted with the National Guard Armory for the distribution of USDA surplus commodities in Lenoir County. In recent months, DSS has received complaints about long lines, inclement weather conditions for those waiting in line, lengthy wait-periods, inequities in the distribution of food, and reduced administrative revenues to cover the costs of distributions. With the increase in the number of citizens receiving food stamps and with the current economic climate, more people are requesting assistance in providing meals to their families. Currently there are only eleven (11) County Social Services distributing TEFAP Food Commodities in North Carolina including Lenoir County.

Most Counties are now using the Food Banks of North Carolina and Local Emergency Feeding Organizations. Lenoir County currently has three Emergency Feeding Organizations including St. Mark's, St. Mary's Soup Kitchen, and ICOR. DSS hopes to work with the Food Bank of Eastern North Carolina and NCDA in developing other potential food distribution sites in Lenoir County if this resolution is approved. This resolution is necessary to cancel the next mass distribution of TEFAP commodities scheduled in February as we are required to give the NCDA 30 days notice of cancellation and would need to inform our partner Agency, the National Guard Armory, of this decision. The National Guard is aware of this recommendation and is supportive of the County and the Agency in this decision. Upon a motion by Mr. Daughety and a second by Mr. Rouse, Item No. 6 was unanimously approved.

Item No. 7 was a Resolution Approving Presentation of Badge and Service Weapon to Retiring Lieutenant Michael Ray Powell. Ms. Sutton presented Mr. Powell with his badge and service weapon and thanked him for his years of service to the citizens of Lenoir County. Mr. Powell thanked Sheriff Smith for allowing him the opportunity to serve on the Lenoir County Sheriff's Department. Mr. Powell stated he has truly enjoyed serving the citizens of Lenoir County. Upon a motion by Mr. Graham and a second by Mr. Davis, Item No. 7 was unanimously approved.

Item No. 8 was a Resolution Approving Mileage Reimbursement for County Employees from \$.50 to \$.51 per Mile Effective January 1, 2011. Mr. Jarman stated Lenoir County follows the policy of mileage reimbursement set by the Internal Revenue Service annually. Upon a motion by Mr. Davis and a second by Ms. Sutton, Item No. 8 was unanimously approved.

Item No. 9 was a Resolution Authorizing Lenoir County Health Department to Purchase Equipment from Shor-Line a Six Compartment Unit with Mobile Base: \$2,779.22. Ms. Martin stated The Board is asked to grant permission for Lenoir County Health Department to execute a purchase order to cover a purchase for the SPCA for a six compartment unit to replace an existing unit. These existing cages are located outside and are unable to be repaired and need to be replaced with a six compartment unit with a mobile base. Upon a motion by Ms. Sutton and a second by Ms. Brown, Item No. 9 was unanimously approved.

Item No. 10 was a Resolution Authorizing the Purchase of Year 2011 Vehicle Valuation Services: \$4,061.27. Mr. Darrell Parrish, Tax Administrator, addressed the Board. Mr. Parrish stated this expenditure is an annual expense incurred by the county to update its vehicle pricing system. The pricing updates are needed to allow for an additional year of vehicles and the correction of values for motor vehicles which are 1 year older as of January 1, 2011. Upon a motion by Ms. Sutton and a second by Mr. Daughety, Item No. 10 was unanimously approved.

Item No. 11 was a Resolution Authorizing a Purchase Order to be issued to Ernie Everett Site Preparation in the amount of \$28,950 for the hauling of dirt. Mr. Ellis stated Sanderson Farms has donated 11,000 cubic yards of top soil to the Kinston/Lenoir County Parks and Recreation Department. This dirt is needed at the future Lenoir County Soccer Complex for the development of the park. The Parks and Recreation Department will begin working on the complex in the spring of 2011. There is \$300,000 currently budgeted for the completion of the project. Upon a motion by Mr. Davis and a second by Ms. Brown, Item No. 11 was unanimously approved.

### **APPOINTMENTS**

Item No. 12 was a Resolution Appointing Citizens to Boards, Commissions, Etc. The following reflects existing vacancies and appointments. Upon a motion by Ms. Brown and a second by Ms. Sutton, the Board approved the appointment of Morris Barbee, Jr. to the Lenoir County Planning Board.

<u>BOARD/COMMITTEE/COMMISSION</u>	<u>APPLICANT/ CURRENT MEMBER</u>	<u>TERM EXPIRATION</u>
<b>Lenoir County Planning Board</b> 2nd Appearance	Morris Barbee, Jr. (Alternate #2)	December 2013
<b>Criminal Justice Partnership Program</b> 1st Appearance	Jamie Wallace	December 2012

**CURRENT VACANCIES:**

**Lenoir County Health Board – (1) Veterinarian, (1) Optometrist, (1) Pharmacist**

**Lenoir County Planning Board – Districts One (1), Four (4) and Alternate**

**Grifton Planning Board – One (1) Vacancy**

**CJPP – Three (3) Vacancies**

**Kinston Board of Adjustment – Two (2) ETJ Members; (1) Primary – (1) Alternate**

Item No. 13 was a Resolution Approving Construction Materials Inspections and Special Inspections for Jail Project: Terracon Consultants, Inc: \$70,000. Mr. Hollowell stated The County has contracted with the Brennan Group, LLC. to design a new jail. Construction of the 65,100 square foot building has commenced. The project plans specify that construction materials inspections and special inspections are required for a number of trades and these inspections are the responsibility of the owner (Lenoir County). A baseline of special inspections and the frequency of these inspections are included in the project manual and require a significant amount of time on the project site prior to and during construction. North Carolina General Statute 143-64.31 requires that public agencies select architects, engineers, surveyors, and construction managers at risk based on qualifications instead of bid prices. The statute prohibits counties and cities from asking for pricing information, other than unit pricing (understood to mean hourly rates) until after the best qualified person or firm is identified. Approval of this resolution will allow for the encumbrance of funds and payment upon completion of the work performed. Estimated costs for this service, based on the construction manager’s experience with projects of similar size and complexity is approximately \$70,000. County Administration, in consultation with the jail construction manager, solicited proposals from several firms to provide their qualifications and unit prices for construction materials inspections and special inspections for the jail project. Terracom Consultants, Inc., of Winterville, N.C. was selected to perform the construction materials inspections and special inspections for the project based on their prior experience, unit prices, and company location. Proximity to the project site affects total costs since total travel cost and time are billed from portal to portal (office to site) at the hourly rate of the engineer, project manager, or field technicians. Mr. Hollowell introduced Mr. James DeMetro, Jail Construction Manager, if there were any additional questions. Upon a motion by Ms. Sutton and a second by Ms. Brown, Item No. 13 was unanimously approved.

**ADJOURNMENT**

Upon a motion by Mr. Graham and a second by Ms. Brown, the Board adjourned at 11:23 a.m.

Respectfully submitted,

Reviewed By

Lashanda A. Hall  
Clerk to the Board

Michael W. Jarman  
County Manager