

MINUTES
LENOIR COUNTY BOARD OF COMMISSIONERS
February 2, 2009

The Lenoir County Board of Commissioners met in open session at 9:00 a.m. on Monday, February 2, 2009 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 Claude Stroud and Commissioners, Jackie Brown, Reuben Davis, Chris Humphrey, Tommy Pharo 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 Aytech, 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

Mr. Jerry Henderson President of the Lenoir County SPCA presented a PowerPoint presentation to the Board regarding the SPCA's activities. Mr. Henderson stated the Lenoir County SPCA has been located on Rouse Road in Kinston, NC since its inception in 1978. The SPCA stands for the Society for the Prevention of Cruelty to Animals. It cost \$15,000 per month to operate the SPCA; the City allocates 11% at \$1,625, the County allocates 53% at \$7,900, and SPCA funds 36% at \$5,400. In 2008 the SPCA sheltered 3,490 animals. In the last three years the SPCA has spent \$70,000 for maintenance and upgrades to the facility. The SPCA facility has immediate needs such as: sewer upgrades (\$10,000), paving disinfection areas (\$5,000), laundry room (\$10-15,000), unloading station (\$5,000), kennels (\$20,000), quarantine areas (\$300,000), legal hold kennels for bad animals (\$5-10,000). Mr. Henderson stated the SPCA needs to answer to one owner; currently the facility is being operated on behalf of the City/County. By making this designation, it will make getting tasks completed easier. Mr. Henderson stated he would like the County to adopt a "dangerous dog" Ordinance to help law enforcement with dangerous animals. A county wide spay/neuter program would be very beneficial to Lenoir County as well. The SPCA would like to enter into a long-term lease for the property, so the facility can be better maintained and more projects completed. The SPCA is open to the public 6 days a week from Noon to 4:00 p.m. Upon a motion by Ms. Brown and a second by Ms. Sutton the Board approved management moving forward with discussions pertaining to a long-term lease of the SPCA facility.

Mr. Ken Jones, Director of Eastpointe addressed the Board regarding Mental Health Development Disabilities and Substance Abuse Services. Eastpointe operates as a Local Management Entity for services provided to clients in the Wayne, Duplin, Sampson and Lenoir Counties. Eastpointe's responsibility is now to develop and maintain a network of providers to ensure clients in our communities are served using the most effective and appropriate treatment. Lenoir County's allocations to Eastpointe total \$246,342.

The Eastpointe Budget totals \$21,354,119 with an Unrestricted Fund Balance of \$3,037,058. In 2008 Eastpointe serviced 4,902 new clients, 477 came in on an emergency basis. Over the past year Lenoir County client totals have increased to 1,422 which, is an increase of 264 clients from 2007. Eastpointe Highlights: Managing Medicaid Funds – Value Options has been managing all Medicaid authorizations for North Carolina for the past three years. Eastpointe and other local Management Entities (LMEs) have advocated for months for this function to be returned the LMEs. Eastpointe submitted a Utilization Management (UM) proposal to the NC Division of MH/DD/SA Services in December 2008. Eastpointe was notified on January 27, 2009 that it was one of four LMEs selected to manage Medicaid funding for their consumers. The other LMEs chosen were Mecklenburg, Western Highlands, and Durham. This accomplishment indicates much progress since the Tier-3 rating received from the Mercer Report. Eastpointe will need to hire an additional 13 to 14 members of clinical staff to manage the UM function: Eastpointe recently received a \$650,000 contract with the NC Division of MH/DD/SA service to manage inpatient beds at Brynn Marr Hospital in Jacksonville; these beds will be used when Cherry Hospital is at capacity.

Mr. Bob Canup, Finance Director of Eastpointe addressed the Board. Mr. Canup stated Pittard, Perry & Corne performed Eastpointe's audit report for FY 08-09. Eastpointe received an unqualified opinion, which is the highest opinion obtainable. The audit indicates Eastpointe has a \$3 million Unrestricted Fund Balance which consist of 14.3% of the total budget. Eastpointe's current budget is \$22 million. Revenues have exceeded expenditures by \$1 million. Mr. Graham stated he wanted to make the Board and the public aware that when the County operated mental health services the cost was \$2 million per year. To provide the same services to the citizens of Lenoir County now costs the County \$246,00 per year. The Board thanked Mr. Jones and Mr. Canupp for their updates.

ITEMS FROM CHAIRMAN/COMMISSIONERS

Item No. 1 was a memo regarding the 2009 TACC-9 Interview Schedule.

ITEMS FROM THE COUNTY MANAGER

Item No. 2 was Items from the County Manager. Mr. Jarman stated the Department of Health and Human Services: Division of Medical Assistance have reviewed the procedures at the Lenoir County Department of Social Services (DSS) regarding handling of Medicaid Cards. The investigators found no errors in the way Medicaid applications are received and handled by DSS.

Lenoir County Public Schools have declared the properties of Pink Hill Elementary, Contentnea Elementary and Savannah Middle Schools as surplus. By law, the Lenoir County Board of Education is required to offer the school sites to the Lenoir County Board of Commissioners before otherwise disposing of the property.

Mr. Jarman stated the County would need to maintain the gym and baseball fields at each school location if Lenoir County is to maintain their current level of recreational services. Mr. Jarman stated if the gyms were acquired by the County maintenance of the facilities would be required. Mr. Jarman stated he would like to initiate discussions with the Superintendent concerning the properties and work to assess the County's needs for the properties.

Mr. Jarman stated he is preparing to schedule joint meetings with the City Council, Town of LaGrange, Town of Pink Hill and the Lenoir County School Board for budget discussions. The Board will be notified of perspective dates and times. The Essentials of County Government classes have been rescheduled for March 24-26th in New Bern, North Carolina.

CONSENT AGENDA

Upon a motion by Ms. Brown and a second by Mr. Stroud, the Board unanimously approved the Consent Agenda:

- | | | |
|----|--------------------------------------------------------------------------------------------------------------------------|----------------|
| 3. | Approval of Minutes: Regular Board Meeting: January 5, 2009 | Aytch/Jarman |
| 4. | Resolution Approving the Releases and Refunds to the Individuals Listed Herein | Parrish/Martin |
| 5. | Budget Ordinance Amendment: General Fund: DSS: \$875: Decrease | Jones/Martin |
| 6. | Budget Ordinance Amendment: MSW Landfill Cell #1 Fund/Solid Waste Fund
MSW Landfill Cell #1/Landfill: \$300: Increase | Miller/Martin |
| 7. | Budget Ordinance Amendment: Solid Waste Fund: Landfill: \$1,200: Increase | Miller/Martin |

PROCLAMATION/BUDGET ORDINANCE AMENDMENTS/RESOLUTIONS

Item No. 8 was a Proclamation declaring February 12, 2009 as NAACP Day. Upon a motion by Ms. Sutton and a second by Ms. Brown, Item No. 8 was unanimously approved.

Item No. 9 was a Proclamation declaring February as Career and Technical Education Month. Upon a motion by Mr. Davis and a second by Mr. Stroud; Item No. 9 was unanimously approved.

Item No. 10 was a Budget Ordinance Amendment: General Fund: All Departments: \$324,325: Decrease. Mr. Tommy Hollowell, Assistance County Manager addressed the Board. Mr. Hollowell stated the amendment adjusts actual General Fund Revenues through December 31, 2008 and adjusts anticipated reductions in sales tax revenues for the remainder of the fiscal year. Upon a motion by Ms. Sutton and a second by Ms. Brown, Item No. 10 was unanimously approved.

Item No. 11 was a Resolution Approving the 2009 Transportation Improvement Program (TIP). Mr. Russell Rhodes, Transportation Committee Chairman, addressed the Board. Mr. Rhodes stated the Lenoir County Transportation Committee meets monthly and is very involved with Transportation issues throughout Lenoir County; Mr. Rhodes stated the Transportation Committee is a working partner with Lenoir County. Any projects of concern regarding transportation issues in the County can be directed to the Committee for immediate consideration. The TIP update takes place every two years and is given to the Rural Planning Organization (RPO). It is the same list of items in the same order as last year with the exception of Item No. 7 (US 70 Intersection with US 258, US 70 Business at Queen St., Kinston) which has been moved up the list due to recent traffic accidents at these intersections. Upon a motion by Mr. Humphrey and a second by Mr. Stroud, Item No. 11 was unanimously approved.

Item No. 12 was a Resolution Requesting the North Carolina Department of Transportation: Division of Highways to Create a Roundabout at King Street and Dr. Martin Luther King, Jr., Boulevard. Mr. Rhodes stated the City Council has held Public Hearings regarding the roundabout. The citizens have been more favorable to a roundabout in the area, than other ideas provided. The City Council has approved the preliminaries of the roundabout. Upon a motion by Ms. Sutton and a second by Ms. Brown, Item No. 12 was unanimously approved.

Item No. 13 was a Resolution Opposing County Maintenance of Secondary Roads. Mr. Rhodes stated currently DOT maintains secondary roads within the County. The North Carolina General Assembly passed House Bill 1513 during the 2007 Session. HB1513 allows counties to “voluntarily” participate in the costs of transportation projects. The 21st Century Transportation Committee and the Transportation Oversight Committee are considering eliminating the state’s Secondary Roads Program. Mr. Rhodes stated eliminating the state’s Secondary Roads Program could force counties to maintain and pave secondary roads. Approving this resolution states Lenoir County strongly opposes any efforts by the General Assembly or NCDOT to shift any transportation costs formerly paid by the State to the Counties, and also opposes any efforts by the North Carolina General Assembly to appropriate local revenues whether property taxes, sales tax, or any other local revenue for State Transportation programs or any other State Programs. Upon a motion by Ms. Sutton and a second by Ms. Brown, Item No. 13 was unanimously approved.

Item No. 14 was a Budget Ordinance Amendment: General Fund: DSS: \$29,751: Line Item Transfer. Mr. Jack Jones, Director of Social Services, addressed the Board. Mr. Jones stated the amendment transfers funds from MIS to cover lease costs of computer equipment for FY 08-09. Upon a motion by Ms. Brown and a second by Ms. Sutton, Item No. 14 was unanimously approved.

Item No. 15 was a Budget Ordinance Amendment: General Fund: DSS: \$12,980: Increase. Mr. Jones stated the amendment reflects additional allocations received. Upon a motion by Ms. Brown and a second by Ms. Sutton, Item No. 15 was unanimously approved.

Item No. 16 was a Resolution Approving a 36-Month Operating Lease for Coeco Office Systems: \$153,624. Mr. Jones stated DSS began making inquiries concerning replacement of its existing printers, copiers and fax machines with Multifunctional Printers that can print, copy, fax and scan earlier in FY 08/09. A great deal of research by DSS went into the appropriate specifications needed to meet the future needs of the department. DSS copies/prints an estimated 2,500,000 documents per year and the ability to scan documents and store them electronically adds additional security in compliance with HIPPA regulations. The North Carolina Families Accessing Services through Technology (NC FAST) Case Management System is scheduled to be implemented in 2011. This new case management system (along with technical support services) designed by the state will enable county social services workers to spend more time providing services to North Carolina families in need. This system will speak to the current and future automation needs of Aging and Adult services, Medical Assistance, Child Development, Work First and other Social Services programs. One of the requirements of this new system is the ability to store documents electronically; thus, the new machine’s ability to scan documents is a necessary component in order to interface with the NC FAST system. DSS is recommending that the contract be awarded to the low bidder, Coeco Office Systems for a 36-month lease at \$4,267 per month for a total of \$153,624.00 for the life of the contract. In the FY 08/09 Budget, \$111,000.00 was approved to cover this year’s cost for MFP’s. It is estimated that the cost for the remainder of this fiscal year for a contract beginning in March of 2009 would be \$17,068. Accordingly, more than a sufficient amount of funding has already been appropriated in the Budget to cover the proposed costs. DSS has contracted with Coeco Office Systems for the past several years and has found their equipment and service to be very satisfactory. . Upon a motion by Mr. Stroud and a second by Ms. Sutton, Item No. 16 was unanimously approved.

Item No. 17 was a Budget Ordinance Amendment: General Fund/Emergency Telephone Fund Transfer to Other Funds/Emergency Telephone: \$10,582.50: Increase. Mr. Roger Dail, Emergency Services Director addressed the Board. Mr. Dail stated the amendment appropriates funds from the General Fund Fund Balance to cover telephone expenditures from FY 07-08 that are ineligible for expenditure from E-911 Funds. These funds were budgeted in the E-911 Fund in FY 07-08 and expended in FY 07-08. However, due to many changes in the guidelines for E-911 eligibility, these are not allowable. Upon a motion by Mr. Stroud and a second by Mr. Davis, Item No. 17 was unanimously approved.

Item No. 18 was a Budget Ordinance Amendment: General Fund/Emergency Telephone Fund: Telephone Expense: \$60,000: Decrease/Increase. Mr. Dail states the amendment moves the appropriation of telephone expenditures in communications from the Emergency Telephone Fund to the General Fund. These expenditures are no longer an eligible expense from E-911 Funds per the new E-911 Board. Upon a motion by Mr. Stroud and a second by Mr. Davis, Item No. 18 was unanimously approved.

Item No. 19 was a Budget Ordinance Amendment: General Fund: Finance/Tax: \$15,000: Increase. Mr. Darrell Parrish, Tax Administrator, stated the amendment budgets additional tax penalties and interest collected on foreclosed property to pay the attorney that handled the foreclosure for the county Tax Department. Upon a motion by Mr. Humphrey and a second by Ms. Brown, Item No. 19 was unanimously approved.

Item No. 20 was a Budget Ordinance Amendment: General Fund: Non-Departmental/Public Buildings: \$20,500: Increase. Mr. Hollowell stated the amendment appropriates rental income for the remainder of the fiscal year from property acquired from Charles Bowen. The property was acquired to provide the necessary space to construct a new jail facility adjacent to the courthouse. Upon a motion by Ms. Sutton and a second by Mr. Stroud, Item No. 20 was unanimously approved.

Item No. 21 was a Budget Ordinance Amendment: School Capital Fund: School Building: \$57,032: Increase. Mr. Hollowell stated the amendment adjusts revenues and expenditures in the Public School Building Capital projects to cover additional projects that have been approved by the Department of Public Instruction during the second quarter of FY 08-09. Currently there are thirteen (13) projects approved and in progress. Upon a motion by Ms. Sutton and a second by Ms. Brown, Item No. 21 was unanimously approved.

Item No. 22 was a Budget Ordinance Amendment: Capital Projects Fund: Shell Building #3: \$100,000: Increase. Mr. Hollowell stated the amendment appropriates the contribution that the Committee of 100 is making toward the building of Shell Building #3. This money will be paid back to the Committee of 100 after the building has been sold. Upon a motion by Ms. Sutton and a second by Ms. Brown, Item No. 22 was unanimously approved.

Item No. 23 was an Order for Tax Collector to Advertise 2008 Taxes, which are a Lien on Real Property. Mr. Parrish stated pursuant to G.S. 105-369(a), the Governing Body should order the Tax Collector to advertise such tax liens. The outstanding 2008 taxes, which are a lien on real estate, are \$2,683,522.93. This figure includes county, fire and late listing penalty as of January 26, 2009. Upon a motion by Mr. Stroud and a second by Ms. Sutton, Item No. 23 was unanimously approved.

Item No. 24 was a Resolution Authorizing the Award of a Contract for Demolition/Clearance Services for the 2006 CDBG Concentrated Needs Project: \$4,829. Ms. Martha Martin, Finance Officer addressed the Board. Ms. Martin stated Lenoir County was awarded \$700,000 for the CDBG Concentrated Needs project on July 31, 2006. This project will allow for the rehabilitation of three homes, acquisition and clearance of nine parcels, relocate five families and provide water and drainage improvement in the Willie White Road area of Lenoir County. Bids were taken for the demolition and clearance of two structures in that area. The contract will specify that the contractor will be allowed to do only the number of approved structures, and only the activities specified by the county and/or the project administrator. Rick Bostic Construction and Demolition was found to be the lowest qualified bidder. Upon a motion by Ms. Brown and a second by Ms. Sutton, Item No. 24 was unanimously approved.

Item No. 25 was a Resolution Authorizing Issuance of a Blanket Purchase Order for Squires Auto Generator & Starter Service, Inc.: \$15,000: FY 08-09: Vehicle Maintenance and Repairs. Ms. Sue Powell, Lenoir County Transit Director, addressed the Board. Ms. Powell stated this Blanket Purchase Order for Fiscal Year 2008-2009 would allow Lenoir County Transit to operate more efficiently by having the Purchase Order in place when the need for the service arises. Upon a motion by Ms. Brown and a second by Ms. Sutton, Item No. 25 was unanimously approved.

Item No. 26 was a Resolution Approving a Revised Lease Agreement with CopyPro for Emergency Services Department: CopyPro: \$6,841.92. Mr. Roger Dail, Emergency Services Director, addressed the Board. Mr. Dail stated Lenoir County Emergency Services requires the use of a copy machine/printer/scanner on a daily basis for the four-(4) divisions that operate within the department. Emergency Services began the lease with Copypro in 2005. The current equipment is unable to handle the workload for the department and a different type of machine is needed to meet the current demands. The company has recognized our continual service repair requests and recommends a change in equipment. This does not include the property tax that has to be paid annually on any leased equipment. The ES Department recognizes we cannot complete the scanning jobs with the current equipment and recommend the department upgrade to a more efficient machine. Staff recommends this lease be upgraded, which will extend the current lease an additional five years, but will also allow for substantial savings. Current lease is \$740.99 and a new lease would be \$570.16. Upon a motion by Mr. Humphrey and a second by Ms. Sutton, Item No. 26 was unanimously approved.

Item No. 27 was a Resolution Authorizing the Purchase of CAD Server Hardware, SQL Server Software and Neverfail Software NTE: \$45,000. The Lenoir County Emergency Services Department-Communications Division must maintain an up-to-date computer-aided dispatch (CAD) system. The Communications Division uses a redundant server set up for no interruption in CAD capabilities even in the event of a server failure on the primary server. The current server, primary and backup, set up is approximately six (6) years old. The system that allows for redundancy is incapable of handling the backup responsibilities of the CAD server and, due to its age, is no longer supported for repair or replacement making the purchase of a new system a necessity. The purpose of the CAD server hardware, SQL server software and the Neverfail software is necessary for the Communications Division staff to effectively and efficiently perform the required telecommunicator duties of the Emergency Services Department. The total cost of this purchase is an allowable expense out of the Special Revenue Fund balance. Upon a motion by Ms. Brown and a second by Mr. Pharo, Item No. 27 was unanimously approved.

Item No. 28 was a Resolution Authorizing the Lenoir County Board of Commissioners to Sign a Resolution for a Parks and Recreation Trust Fund Grant (PARTF) in the Amount of \$300,000 with a Local Match of \$300,000 Over a Three (3) Year Period. Mr. Bill Ellis, Parks and Recreation Director addressed the Board. Mr. Ellis stated this grant would be used to construct a Lenoir County Soccer Complex where all county soccer will be played. It will be located on Hwy 11/55 South at the old Harper Salvage property. The facility will also be irrigated by the Clean Water Management Trust Fund water re-use grant. Upon a motion by Mr. Davis and a second by Mr. Humphrey, Item No. 28 was unanimously approved.

APPOINTMENTS

Item No. 29 was a Resolution Appointing Citizens to Boards, Commissions, Etc. The following reflects existing vacancies and appointments.

<u>BOARD/COMMITTEE/COMMISSION</u>	<u>APPLICANT/ CURRENT MEMBER</u>	<u>TERM EXPIRATION</u>
Lenoir County Juvenile Crime Prevention Council 2nd Appearance	Kayla Waller Tara Taylor (Appointment)	December 2010 M: Brown S: Sutton
Lenoir County Economic Development Board 1st Appearance	Bobby Merritt (Re-Appointment)	December 2011
Lenoir County ABC Board 1st Appearance	Wiley Dawson (Appointment)	June 2010

CURRENT VACANCIES:

- Lenoir County Economic Development Board – At-Large Member**
- Lenoir County Health Board – (1) Veterinarian, (1) Optometrist, (2) Public Members**
- Lenoir County Planning Board – Districts One (1) and Four (4)**
- Grifton Planning Board – One (1) Vacancy**
- CJPP – Three (3) Vacancies**
- Kinston Board of Adjustment – Two (2) ETJ Members; (1) Primary – (1) Alternate**

CLOSED SESSION

Upon a motion by Mr. Stroud and a second by Ms. Sutton, and unanimous approval, closed session was entered at approximately 11:30 a.m. and the following cited: Number four (4) to discuss matters relating to the location or expansion of industries or other businesses in the area served by Lenoir County. The Board discussed an economic development project. The Board took no action. Upon a motion by Mr. Stroud and a second by Mr. Pharo, the Board moved out of closed session at 11:40 a.m.

OPEN SESSION

Upon a motion by Mr. Stroud and a second by Mr. Pharo Open Session re-convened at 11:40 a.m. Mr. Graham stated an economic development project was discussed, the Board took no action during closed session.

PUBLIC COMMENTS

Mr. Harry Edwards expressed concerns regarding the number of Commissioners meetings that have been cancelled. Mr. Graham stated it was the responsibility of the Board to determine meeting dates and times. Mr. Graham thanked Mr. Edwards for his comments. Upon a motion by Mr. Graham the Board adjourned at 11:47 a.m.

ADJOURNMENT

Respectfully submitted,

Reviewed By

Lashanda Aytch
Clerk to the Board

Michael W. Jarman
County Manager