

MINUTES
LENOIR COUNTY BOARD OF COMMISSIONERS
February 7, 2011

The Lenoir County Board of Commissioners met in open session at 9:00 pm on Monday, February 07, 2011 in the Board 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, Martha Martin, Finance Officer, Robert Griffin, County Attorney, Lashanda A. Hall, Clerk to the Board, and members of the general public and news media.

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

PUBLIC INFORMATION

None Scheduled

ITEMS FROM THE COUNTY MANAGER

Item No. 2 was items from the County Manager; Mr. Jarman recommended the Board decline the following bid: 405 W Washington. Kinston, NC (\$1,000). Upon a motion by Mr. Davis and a second by Mr. Pharo the Board unanimously approved. Mr. Jarman received a letter from the Planning Board in regard to no term limits for Planning Board Members. Mr. Rouse stated the Planning Board is having problems keeping members on the Board. It was requested from the Planning Board that any member currently serving past their term be allowed to continue their service to the county until a replacement was found. Upon a motion by Mr. Pharo and a second by Mr. Daughety the Board unanimously approved. Mr. Jarman asked the Board to review audit information from Green Lamp in regard to the Community Services Block Grant Program. Mr. Jarman stated that the Eastern Carolina Council (ECC) has requested a member be appointed or reappointed to the ECC Board. Ms. Brown is currently serving as a member; Mr. Rouse has agreed to be appointed to the Council. Upon a motion by Mr.: Pharo a second by Mr. Daughety the Board unanimously agreed. Mr. Jarman stated that the North Carolina Department of Health and Human Service (NCDHHS) has responded to the Boards request to keep the Kinston Regional Training Center open. The letter stated they are looking at more economical ways to provide training. The Division has elected to close the Kinston Regional Training Center at Lenoir Community College (LCC). New methods of training are being developed to meet the challenges of partnering counties that have the same curriculum needs which are more cost efficient and/or free. Mr. Jarman stated he received a request from Kinston Charter Academy for Emergency Capital Funding for \$250,000 for a 50 ton HVAC Unit. Mr. Jarman stated the County has no obligation to provide funding to the Charter Schools, and the County is not responsible for facilities at the Charter Schools. Mr. Jarman does not recommend the Board approve the request. Ms. Sutton stated Charter Schools do not have to follow the same guidelines as Public Schools, which are a problem for her. Mr. Daughety concurred with Ms. Sutton's statement. Upon a motion by Mr. Graham and a second by Mr. Pharo the Item was tabled.

Mr. Jarman stated the General Assembly stated the completion date for the State Budget needs to be scheduled early. Mr. Jarman informed the Board of the Legislative Dates set by the General Assembly as follows: House Budget April 22nd, Senate Budget May 13th, Conference First Reading for the budget May 27th, Conference Second Reading May 30th, Adopt Budget June 1st. Mr. Graham stated it would not be fair to balance the State budget on the backs of counties in NC. The Board agreed that counties should not bear the burden of a tax increase and recommended they all meet with State Representatives to discuss the State budget and unfunded mandates.

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

3. Approval of Minutes: Regular Board Meeting: January 18, 2011
4. Resolution Approving the Releases and Refunds to the Individuals Listed Herein
5. Budget Ordinance Amendment: General Fund: DSS: \$219.98:Increase
6. Resolution Approving the Purchase Order and Contract with Telelanguage, Inc for Fiscal Year 10/11: \$1,500

PUBLIC HEARING

Item No. 7 was a Public Hearing on Amendment to the 2009 North Carolina Community Development Block Grant (CBDG) Project. Upon a motion by Mr. Graham and a second by Mr. Davis, the Public Hearing opened at 9:30 a.m. Mr. David Harris, RSM Harris Associates, addressed the Board. Mr. Harris stated in 2009, Lenoir County received \$400,000 to provide for the clearance of 3 dilapidated houses and the replacement of those owner-occupied structures with new houses. The work is completed on all 3 homes and the Division of Community Assistance (DCA) has monitored the project activities. Everything was in order and in accordance with CDBG Program requirements. There are 15 months remaining in the Project Period. DCA allows a County who completes their Scattered Site Project activities early to request additional funds for another family. Mr. Harris stated he is requesting/applying for an increase in funding of \$80,000 by moving one of the alternates up to be included in the program. Mr. Harris stated the project will cost at least an additional \$100,000. This home will be constructed to state building codes. Upon a motion by Mr. Graham and a second by Mr. Davis, Item No. 7 was unanimously approved. The Public Hearing Closed at 9:43 a.m.

PROCLAMATION/BUDGET ORDINANCE/RESOLUTIONS

Item No. 8 was a Proclamation declaring February 1-28, 2011 as Career and Technical Education Month. Upon a motion by Mr. Graham and a second by Ms. Sutton, Item No. 8 was unanimously approved.

Item No. 9 was a Budget Ordinance Amendment: General Fund: Transportation: \$18,854: Decrease. Ms. Martin stated this amendment is to correct budget lines within the transportation budget. At the time the county's budget was adopted the actual approved numbers had not been received from the North Carolina Department of Transportation (NCDOT). The approved budget from NCDOT was not received until December 2010. Upon a motion by Ms. Sutton and a second by Mr. Davis, Item No 9 was unanimously approved.

Item No. 10 was a Budget Ordinance Amendment: General Fund: Process Funds: \$34,553.25: Increase. Ms. Martin stated the amendment is to appropriate grant funds from the

National Park Service for the acquisition of land for the purchase of the King Tract of the Kinston Battlefield. The Board approved Resolution #20 on 8/17/09, authorizing the acceptance of grant funds on behalf of the Historical Preservation Group. The Historical Preservation Group submitted an application for funding through the National Park Service to acquire 3.08 acres of land on Hwy 258 South, which is a part of the First Battle of Kinston Battlefield Park in order to preserve the integrity of the remaining earthworks. The 50% match of this grant was provided through the remainder of the land being donated by the owner. Upon a motion by Mr. Pharo and a second by Mr. Daughety, Item No. 10 was unanimously approved.

Item No. 11 was a Budget Ordinance Amendment: Capital Improvements: \$75,000: Increase. Ms. Martin stated the amendment appropriates the State One-NC Funds received by the County for the West Pharmaceutical Expansion #2. This is the 3rd one fourth payment of a \$300,000 grant from the North Carolina Department of Commerce One NC Funds awarded to West Pharmaceuticals on October 26, 2007. The first one fourth payment was received in October 2009. The second one fourth payment was received on April 1, 2010. The final one fourth balance will be awarded whenever the company reaches its final 25% of its new jobs and has made its required investment. This is a pass-through grant. Upon a motion from Ms. Brown and a second by Mr. Daughety, Item No. 11 was unanimously approved.

Item No. 12 was a Budget Ordinance Amendment: General Fund: Health (H1N1 Phase III #851) Line Item Budget: Increase: \$64,000. Mr. Huff stated this amendment is to set up Phase III of the H1N1 Funds provided to the County through the Federal Government. Upon a motion by Mr. Davis and a second by Ms. Sutton, Item No. 12 was unanimously approved.

Item No. 13 was a Budget Ordinance Amendment: General Fund: Capital Projects: \$1,390,000: Increase. Mr. Hollowell stated this is a midyear budget amendment to more accurately reflect actual revenues, expenditures, and projections for the remainder of the fiscal year for the general fund projects fund. Upon a motion by Ms. Sutton and a second by Ms. Brown, Item No. 13 was unanimously approved.

Item No 14 was a resolution to approve the purchase order for 135 copies of Microsoft Office Access Database Software. Item No. 14 was pulled.

Item No. 15A was memo regarding G.S. 105-369(a) Unpaid Real Estate Taxes. Mr. Darrell Parrish, Tax Administrator requested an order for the Tax Collector to advertise 2010 Taxes which are on real property. The total of unpaid taxes is \$2,866,908.23. These tax items will be advertised in the newspaper on March 30, 2011.

Item No. 15B was an Order for Tax Collector to Advertise 2010 Taxes which are a lien on Real Property. Mr. Parrish stated the outstanding 2010 taxes which are a lien on real estate are \$2,866,908.83. This figure includes county, fire, and late listing penalty as of January 31, 2011. Upon a motion by Mr. Graham and a second by Mr. Daughety, Item No. 15B was unanimously approved.

Item No. 16 was a Resolution Naming a New Road in the Falling Creek Area. Mr. Wayland Humphrey, GIS Coordinator stated the construction of the new section of C.F. Harvey Pkwy project has created a split of Enterprise Blvd. and permanent closing of access to the north end of that existing road. On January 20, 2011, with the approval of representatives from West Co., the Planning Board held a public meeting to discuss the naming of the new road. West Co. is the only business affected by the new road name. The Planning Board approved the above-referenced road name for recommendation to the Commissioners. Staff and the Planning Board have discussed this subject and agree the Planning Board recommendation for the new road

name conforms to the County's Road Naming Ordinance and is the consensus choice for the area. The new road name was checked and approved by Emergency Management. Upon a motion by Ms. Sutton and a second by Mr. Daughety, Item No. 16 was unanimously approved.

APPOINTMENTS

Item No. 17 as a Resolution Approving Citizens to Boards, Commissions, Etc. The following reflects existing vacancies and appointments. Upon a motion by Ms. Brown and a second by Mr. Daughety.

| <u>BOARD/COMMITTEE/COMMISSION</u> | <u>APPLICANT/ CURRENT MEMBER</u> | <u>TERM EXPIRATION</u> |
|---|---|-----------------------------------|
| Criminal Justice Partnership Program 2 nd Appearance | Ken Jones (Re-Appointment) | January 2014 |
| Lenoir County Transit 2 nd Appearance | Robin Shaw (Appointment) | February 2014 |
| Lenoir County Board of Health 1 st Appearance | William S. Harvey, III DDS (Appointment) | February 2014 |

CURRENT VACANCIES:

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

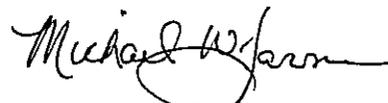
Mr. Daughety stated the names for the Non-Emergency Transport Committee will be discussed at the next meeting. Mr. Daughety stated he will chair the committee to ensure it is fair and balanced. The committee will consist of seven (7) members.

Upon a motion by Mr. Graham and a second by Mr. Davis, the meeting recessed at 9:58 a.m. to the Budget Work Session at the Administration Conference Room.

Respectfully submitted,

Lashanda A. Hall
Clerk to the Board

Reviewed By



Michael W. Jarman
County Manager