

LENOIR COUNTY BOARD OF COMMISSIONERS REGULAR MEETING: AGENDA
MONDAY, FEBRUARY 15, 2010 – TIME: 4:00 P.M.
COMMISSIONERS' MEETING ROOM, LENOIR COUNTY COURTHOUSE
130 S. QUEEN ST., KINSTON, N.C.

CALL TO ORDER, INVOCATION, PLEDGE OF ALLEGIANCE: 5 Min. Est.

PUBLIC INFORMATION:

Coach Battle Holley and Members of the Kinston High School Varsity Football Team **10 Min.**

- 1. **Items from Chairman/Commissioners: 5 Min.** Board
- 2. **Items from County Manager: 5 Min.** Jarman

CONSENT AGENDA: 10 Min.

ACTION

- 3. Approval of Minutes: Regular Board Meeting: February 1, 2010
 Budget Planning Work Session: February 1, 2010 Aytch/Jarman
- 4. Budget Ordinance Amendment: General Fund: DSS: \$194.00: Increase Jones/Martin
- 5. Budget Ordinance Amendment: General Fund: Health: (Adult Health Promos):
 \$2,419: Increase Huff/Martin

END OF CONSENT AGENDA

RESOLUTIONS/BUDGET ORDINANCE AMENDMENTS: 25 Min.

- 6. Resolution Approving Presentation of Det. Rickie Allen Pearson, Jr. Service
 Weapon to Major Rickie Allen Pearson, Sr. Smith/Board
- 7. A. Resolution Honoring Joreen Fields Jones/Board
 B. Resolution Honoring Lizzie Grady
 C. Resolution Approving Contract with Mega Force Staffing Group Inc.: \$75,000
- 8. Budget Ordinance Amendment: General Fund: Finance/Jail: \$39,100: Increase Jarman/Martin
- 9. Resolution from the Southwood Volunteer Fire Department for Approval of a Tax-
 Exempt Loan from Southern Bank and Trust Company Dail/Martin
- 10. Resolution Authorizing the Upgrade of the Existing Positron Lifeline 100 to the
 Positron Viper Power 911: NTE: \$122,052.71 Dail/Martin
- 11. A. Resolution Authorizing Lenoir County Health Department to Establish a Part
 Time Temporary Employee Position to Serve as WIC Breastfeeding Peer
 Counselor (BFPC): \$2,253 Huff/Martin
 B. Budget Ordinance Amendment: General Fund: Health (WIC Program State):
 \$2,253: Increase

- | | | |
|-----|--|------------------|
| 12. | Resolution Authorizing Lenoir County Health Department to Execute the Construction of a WIC Area by Manuel & Associates Real Estate Inv. & Services: \$17,556.03 | HuffMartin |
| 13. | Resolution Authorizing Execution of an Addendum to the Sales Tax Audit Contract Dated October 18, 2004 with Tax Reduction Specialists: Sales Tax Re-allocation Audit | Hollowell/Martin |
| 14. | Resolution by the Board of Commissioners of the County of Lenoir: Selecting CDBG Project Administrator | Jarman/Martin |

APPOINTMENTS: 5 Min.

- | | | |
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| 15. | Resolution Approving Citizens to Boards, Commissions, Etc. 5 Min. | Aytch |
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OTHER ITEMS: 10 Min.

- | | |
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| 16. | Items from County Manager / County Attorney / Commissioners Public Comments/ Closed Session (if necessary) |
|-----|---|

ADJOURN

PROCLAMATION
CELEBRATING THE SUCCESSES OF THE
KINSTON HIGH SCHOOL VARSITY FOOTBALL TEAM

WHEREAS, all of Lenoir County joins to congratulate the players, coaches and staff of the Kinston High School Varsity Football team and celebrate, with great pride, their Division 2A Season; and

WHEREAS, the entire Vikings team demonstrated skill, tenacity and sheer will in every victory - more importantly, they embodied a spirit of sportsmanship that is characteristic of all champions from the Tar Heel State; and

WHEREAS, the Vikings had one of the most inspiring and momentous postseason runs in Kinston High's history and, in true fashion, undaunted by a few setbacks along the way and showing remarkable grit and fortitude, these tenacious athletes prevailed on the gridiron and their successes came down to playing the game both smart and fair.

NOW, THEREFORE BE IT RESOLVED, that the Lenoir County Board of Commissioners recognizes the Kinston High School Varsity Football Team for their efforts, dedication, enthusiasm and commitment that they so freely displayed to each student and Lenoir County resident during their season. **AND BE IT FURTHER RESOLVED**, that their influence will help players improve and capitalize on their own personal skills. They have provided an excellent example of leadership and community spirit.

Adopted this 15TH day of February 2010

LENOIR COUNTY BOARD OF COMMISSIONERS

George W. Graham, Jr., Chairman

Lashanda A. Hall, Clerk

TO: Members of the Board
FROM: George W. Graham, Chairman
DATE: February 15, 2010
SUBJECT: Items from Chairman

1. Employment Contract for Michael Jarman, County Manager

EMPLOYMENT CONTRACT

THIS AGREEMENT made and entered this ____ day of ____, 2010, by and between the Lenoir County Board of Commissioners, of the State of North Carolina, hereinafter called the "Board," as party of the first part, and Michael W. Jarman, hereinafter called "Manager".

WITNESSETH:

WHEREAS, the Board desires to employ the services of Michael W. Jarman as County Manager of Lenoir County; and

WHEREAS, the Board wishes to provide certain benefits, establish certain conditions of employment, and to set working conditions of the Manager; and

WHEREAS, it is the desire of the Board to (1) secure and retain the services of the Manager and to provide inducement for him to remain in such employment, (2) to establish a positive and productive working relationship between the Board and the Manager, (3) to provide a just means for terminating his services if he is unable to fully discharge his duties due to age or disability or when the Board may otherwise desire to terminate his employment.

NOW, THEREFORE, in consideration of the mutual covenants herein contained, the parties agree as follows:

Section 1. Duties.

The Board agrees to employ the manager as County Manager to perform the functions and duties of that office, including but not limited to those duties set forth in Section 153A-82 of the General Statutes of North Carolina, and to perform other legally permissible and proper duties and functions as the Commission shall from time to time assign.

- A. Budget Officer – The Manager shall be responsible for preparing the Budget of Lenoir County for adoption by the Board and shall accurately project the fiscal needs of the county and seek the revenues necessary to fund them, as well as accurately account for all county expenditures and funds held by the County.
- B. Purchasing Agent – The Manager shall act as the Purchasing Agent for the County and he, or his designees, shall be responsible for overseeing the purchase of all equipment and supplies for all departments, and where required giving legal notices and obtaining bids for County purchases.
- C. Personnel Officer – The Manger or his designee shall act has Personnel Officer for the County with general hiring and firing authority, within the confines of legal requirements. The Manager shall be responsible for the adoption and maintenance of an effective personnel policy to comply with all relevant law, and to ensure an effective and content county workforce. The Manager shall have all disciplinary authority, subject to the Board's direction, and shall approve all disciplinary action(s) taken against county employees.

Section 2. Goals.

The Manager shall be responsible for the achievement of the following goals and objectives in his role as County Manager:

- (A) Responsibly communicate relevant issues and information to the Board regarding County government operations and community service needs.
- (B) Effectively respond to Board directives and communicate status of follow-through efforts to the Board.
- (C) Help establish on an annual basis with the Board its immediate service priorities and long-term goals for the County.
- (D) Keep the Board informed of the latest trends and events at the regional, state and federal levels that effect and impact Lenoir County and County government.
- (E) Communicate Board directives, policy and expectations throughout the County government to develop with departments a clear sense of mission, purpose and task.
- (F) Direct and manage available staff resources to achieve Board articulated goals and objects.
- (G) Build and sustain a quality workforce and organize for results and productivity.
- (H) Ensure that employee's honor the value that citizens shall at all times be treated with respect, honesty, courtesy and professionalism.
- (I) Maintain and implement procedures and administrative policy to ensure the financial integrity of County operations and long-term financial stability.
- (J) Facilitate the access of members of the Board to County staff in order to ensure the availability of information and expertise relevant to the conduct of Board business.

Section 3. Administrative Policy.

Inasmuch as the Manager is responsible for the administration of all departments of the County government which the Board has the authority to control, it is desirable and a prerequisite to the efficiency and operation of the County Government that the Board of Commissioners and the members thereof conduct and channel all administrative services of the County through the Manager. This policy is not intended to imply that a member of the Board of Commissioners should feel restrained in making his or her own investigations of the County departments, functions and problems, nor dealing with the Press on such problems. It is important; however, that every member should refrain from transacting County administrative responsibilities except through the Manager in the same manner as the County Manager should refrain from policy making.

Section 4. Term.

- A. The manager shall serve at the pleasure of the Board and nothing in this agreement shall prevent, limit, or otherwise interfere with the right of the Board to terminate the services of the Manager at any time, subject only to the provisions set forth in Section 5, paragraphs A and B, of this agreement.

- B. Nothing in this agreement shall prevent, limit, or otherwise interfere with the right of the Manager to resign at any time from his position with the Board, subject only to the provisions set forth in Section 5, paragraph C and D of this agreement.

Section 5: Termination.

- A. In the event the Manger is terminated by the Board and at the time of termination the Manager is willing and able to perform his duties under this agreement, the Board agrees to continue to pay the Manager at his normal rate of pay for six (6) months following such termination, including those benefits associated with this position, such as insurance and retirement; provided the Manager, after termination, remains available, within reasonable limits, by telephone to respond to requests for information from the interim or subsequent manager, costs of which shall be borne by the County; provided, however, that in the event the Manager is terminated because of his conviction of any illegal act, other than a minor traffic offense, the Board shall have no obligation to pay the compensation sum designated in this paragraph.
- B. In the event the Board refuses, following written notice by the Manager, to comply with any other provision of this agreement benefiting the Manager, or the Manger resigns following a suggestion, whether formal or informal, be the Board that he resign, the Manager may, at his option, be deemed to be "terminated" for the purpose of the compensation provision, Section 5(A) as of the date of such refusal to comply or date of such resignation.
- C. In the even the Manager voluntarily resigns his position with the Board, then the Manager shall give thirty (30) days notice in advance, unless the parties otherwise agree. The Manager would be entitled to payment for accumulated unused annual leave and other benefits available to all employees.
- D. In the event the Manager voluntarily retires with full local government benefits after thirty (30) years of local government service, either worked or earned, Lenoir County agrees to pay the Manager's health insurance premium up to the Manager's age of 65.

Section 6. Disability.

If the Manager is permanently disabled or is otherwise unable to perform his duties because of sickness, accident, injury, mental incapacity or health for a period of four successive weeks beyond any accrued sick leave, the Board shall have the option to terminate this agreement, subject to the termination provision set forth above. However, the Manager shall be compensated for any accrued annual leave and other accrued benefits available to all employees.

Section 7. Compensation.

- A. The Board agrees to pay the Manager for his services rendered pursuant to this agreement an annual base salary of Ninety-Eight Thousand Four Hundred and Seventy Dollars in installments at the same time as other employees of the Board are paid. The Board agrees to increase the base salary and/or benefits of the Manager in such amounts and to such extent as the Board may determine that it is desirable to do, on the basis of an annual performance evaluation (Section 8) of the Manager.
- B. The Manager shall receive an allowance for his personal vehicle/travel for official business in the amount of Six Hundred Dollars (\$600) per month.

- C. The Manager shall receive the established County mileage allowance for any travel outside of Lenoir County.

Section 8. Performance Evaluation.

- A. The Board may review and evaluate the performance of the Manager at least once every fiscal year between July 1st and September 30th. Such review and evaluation shall be in accordance with the duties specified in Section 1 of this agreement. Criteria for evaluation may be added or deleted as the Board may from time to time determine, in consultation with the Manager. The annual evaluation shall be prepared by the Chairman and Vice-Chairman of the Board and then reviewed by the Board. The Board shall provide the Manager with a written evaluation on or before September 1st. The Manager shall be provided an adequate opportunity to discuss the evaluation with the Board.

Section 9. Other Terms and Conditions of Employment.

- A. The Board, in consultation with the Manager, shall fix any other terms, standards of performance and conditions of employment, as it may deem appropriate from time to time, relating to the performance of the Manager; provided such terms and conditions are non inconsistent with or in conflict with the provisions of this agreement or any other law.
- B. All provision of the Lenoir County regulations and rules of the Commission relating to vacation and sick leave, retirement and pension system contributions, holidays and other fringe benefits and working conditions as they now exist or hereafter may be amended, also shall apply to the Manager as they would to other employees of the Board, in addition to any additional benefits enumerated specifically in this agreement.
- C. The County shall defend, save harmless, and indemnify the manager against any tort, professional liability claim or demand or other legal action, whether groundless or otherwise, arising out of an alleged act or omission occurring in the performance of and within the scope of employee's duties as county manager. The County may, in its discretion, compromise and settle any such claim or suit and pay the amount of any settlement or judgment rendered thereon.

Section 10. No Reduction in Benefits.

The Board shall not at anytime during the term of this agreement reduce the salary, compensation or other financial benefits of the Manager except to the degree of such reduction across-the-board for all County Employees.

Section 11. Dues and Association Memberships.

The Board agrees to pay for the professional dues and subscriptions of the Manager necessary for his continued and full participation in national, regional and state and local associations and organizations necessary and desirable for his continued professional participation, growth and advancement for the good of the employer.

Section 12. Professional Development.

- A. The Board agrees to pay the travel and subsistence expenses of the Manager, for professional and official travel, meetings and occasions adequate for the Manager to continue his professional development and to fulfill necessary official and other functions for the Commission, including, should the Manager choose to attend, but not limited to the annual conference of the International County/City Management Association, the North Carolina City and County Management Association and other such national, regional, state and local government groups and committees of which the Manager is a member.
- B. The Board also agrees to pay for the travel and subsistence expenses of the Manager for short courses, institutes, and seminars that are necessary for his professional development and for the good of the County.
- C. In addition to the above, the Manager shall be reimbursed for expenses in attending local, state and national meetings with members of or as a representative of the Board, e. g. the annual meeting of the County Commissioner's Association, as part of his relationship with the Commission.

Section 13. Bonding.

The Board agrees to pay for the full cost of required and/or desired bonds to cover the Manager in the performance of required and expected duties.

Section 14. Outside Activities.

In the event the Manager desires to engage in outside activities in which monetary compensation is involved, the Manager shall present to the Board an explanation of the hours involved, the time away from normal working hours, if any, and the extent of said activities. The Board may limit such activities if they interfere with the normal responsibilities of the Manager. Nothing contained herein shall limit the outside activities of the Manager in community affairs or personal interest if carried out within the Personnel Rules of the County.

Section 15. Civic Club Membership.

The Board recognizes the desirability of representation in and before local civic and other organizations, and the Manager is authorized to become a member of such civic clubs or organizations, in his discretion, as a representative of the County for which the County shall pay all expenses.

Section 16. Amendment.

Any and all conditions of this agreement previously listed can be amended, altered, or eliminated at any time through mutual written agreement executed by the Board and the Manager.

IN WITNESS WHEREOF, Lenoir County has caused the execution of this agreement in its behalf by its Chairman, and Manager has executed it in his own behalf, in duplicate.

LENOIR COUNTY

(CORPORATE SEAL)

BY: _____,
CHAIRMAN
BOARD OF COMMISSIONERS

This instrument has been
Preaudited in the manner
Required by the Local
Government Budget and
Fiscal Control Act.

APPROVED AS TO FORM:

County Attorney

County Finance Officer

NORTH CAROLINA)
LENOIR COUNTY)

I, _____ a Notary Public of the State and County aforesaid, do hereby certify that _____ personally appeared before me this day and acknowledged that he is Chairman of the Board of Commissioners of Lenoir County, and acknowledged the due execution of the foregoing instrument by authority duly given and as the act of the Board.

WITNESS my hand and official seal, this _____ day of _____, 2010.

NOTARY PUBLIC

My Commission Expires: _____

NORTH CAROLINA)
LENOIR COUNTY)

I, _____, a Notary Public of the State and County aforesaid, do hereby certify that Michael W. Jarman personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and official seal, this ____ day of _____, 2010.

NOTARY PUBLIC

My Commission Expires: _____

Michael W. Jarman, County Manager

TO: Chairman and Members of the Board
FROM: Mike Jarman, County Manager
DATE: February 15, 2010
SUBJECT: Items of Interest

1. Bids on Property Owned by Lenoir County
2. Email: February 9, 2010: Re: Ethics for Local Elected Officials Webinar
3. Explanation of Transportation Strategic Planning Reform: Alex Rickard, ECC
Notice of Citizens: Informational Workshops on the Proposed Kinston Bypass (R-2553)
4. Email: January 26, 2010: RE: Deer Hunting with Dogs in Lenoir County
5. Letter: April 22, 2009: Re: Lenoir County Courthouse Portrait Policy
6. Lenoir County Inspections: Permit/Inspection Report: January 2010
7. Current ESC Workforce Information: February 5, 2010
8. Lenoir County ABC Board Minutes: January – December 2009
9. Memo: February 9, 2010: Greene Lamp, Inc. Annual Report: 2008-2009 FY
10. Spring 2010 Litter Sweep: April 17th thru May 1st

Picture Number	MC Pin Number	Record Number	Street #	Street Name	Town	Anything on Property	How Acquired	Taxes Owed	Foreclosure Costs	Tax Value	Previous Bid	Current Bid	Status
1.	1924 4525-1573-4532	12725	911	Chaibout Street	Kinston	No	Tax Foreclosure	\$ 1,421.86	\$ 1,546.60	\$ 3,000.00			
2.	1926 4525-1674-8242	13363	1024	Mason Street	Kinston	No	Tax Foreclosure	\$ 1,029.98	\$ 723.51	\$ 3,000.00			
3.	1935 4525-5643-7853	11371	307	E Blount Street	Kinston	Yes	Tax Foreclosure	\$ 3,085.62	\$ 1,937.35	\$ 24,858.00	\$ 200.00	\$ 500.00	Declined \$300.
4.	1925 4525-1574-3050	5599	912	Mason Street	Kinston	Yes	Tax Foreclosure	\$ 1,193.56	\$ 1,132.57	\$ 2,250.00			
5.	1920 4525-1544-9574	11334	510	Thompson Street	Kinston	Yes	Tax Foreclosure	\$ 2,016.85	\$ 1,517.96	\$ 2,257.00			
6.	1921 452515-64-7632	9283	506	Quincy Street	Kinston	No	Tax Foreclosure	\$ 541.77	\$ 1,646.97	\$ 3,000.00			
8.	1934 4525-0915-8087	14584	405	W. Washington	Kinston	No	Tax Foreclosure	\$ 5,340.55	\$ 1,727.53	\$ 4,500.00			Declined \$800
9.	1914 4525-1673-7356	11041	1008	E. Gordon Street	Kinston	Yes	Tax Foreclosure	\$ 2,930.33	\$ 2,523.68	\$ 11,437.00	\$ 800.00	\$ 2,000.00	Declined \$800
11.	1930 4525-1972-2289	36606		Berkey Alley	Kinston	No	Tax Foreclosure			\$ 750.00			
15.	1899 3557-2091-0378	16872	108	Hill Street	LaGrange	Yes	Tax Foreclosure	\$ 1,572.15	\$ 934.07	\$ 4,925.00	\$ 300.00		Declined \$300
16.	1902 3557-2091-1402	16873	106	Hill Street	LaGrange	Yes	Tax Foreclosure	\$ 209.22	\$ 944.06	\$ 4,733.00	\$ 300.00		Declined \$300
17.	1923 4525-1563-4781	13775	706	Chesnut Street	Kinston	No	Tax Foreclosure	\$ 981.00	\$ 1,939.41	\$ 4,500.00			
19.	1908 4547-0344-3975	601		Randolph Farrow Rd	Kinston	Yes	Tax Foreclosure	\$ 280.34	\$ 2,115.86	\$ 3,444.00			
20.	1930 4525-1972-3219	9760		Berkey Alley	Kinston	No	Tax Foreclosure	\$ 411.58	\$ 2,575.24	\$ 750.00	\$ 200.00		Declined \$200
21.	1928 4525-6442-8886	9302	311	E. Caswell Street	Kinston	No	Tax Foreclosure	\$ 449.13	\$ 2,234.08	\$ 3,000.00			
22.	1937 3566-0527-1703	13707		Railfence Drive	LaGrange	No	Tax Foreclosure	\$ 631.24	\$ 2,140.64	\$ 2,671.00			
26.	1909 4517-0492-3910	23848		E. Washington St.	LaGrange	No	Tax Foreclosure	\$ 1,508.80	\$ 2,173.08	\$ 8,000.00			
28.	1904 3557-4006-5317	17413	1313	County Line Road	LaGrange	No	Tax Foreclosure	\$ 1,463.33	\$ 2,478.07	\$ 2,250.00			
29.	1927 4525-1573-4139	9225	915	E. Gordon Street	Kinston	No	Tax Foreclosure	\$ 1,838.55	\$ 2,614.86	\$ 2,250.00	\$ 300.00		Declined \$300
30.	1932 4525-5524-6122	9114	407	Gordon Street	Kinston	Yes	Tax Foreclosure	\$ 1,408.76	\$ 1,432.44	\$ 3,000.00			
31.	1933 4525-5524-6026	9103	403	Michell Street	Kinston	Yes	Tax Foreclosure	\$ 1,476.88	\$ 2,264.81	\$ 1,508.00			
32.	1929 4525-1960-4387	13362	307	S. Trianon Street	Kinston	No	Tax Foreclosure	\$ 420.39	\$ 812.11	\$ 753.00			
								\$ 46,563.71	\$ 58,625.85	\$ 173,072.00			

Action Required

Picture Number	MC Pin Number	Record Number	Street #	Street Name	Town	Anything on Property	How Acquired	Taxes Owed	Foreclosure Costs	Tax Value	Previous Bid	Current Bid	Recommendation
3	1935 4525-5643-7853	11371	307	E Blount Street	Kinston	Yes	Tax Foreclosure	\$ 3,085.62	\$ 1,937.35	\$ 24,858.00	\$ 200.00	\$ 500.00	Decline
9.	1914 4525-1673-7356	11041	1008	E. Gordon Street	Kinston	Yes	Tax Foreclosure	\$ 2,930.33	\$ 2,523.68	\$ 11,437.00	\$ 800.00	\$ 2,000.00	Accept

From: "Wilkins, Gail" <wilkins@sog.unc.edu>
Copies to: "Warner, Donna E" <Warner@sog.unc.edu>, "Bell, A F II" <bell@sog.unc.edu>,
Date sent: Tue, 9 Feb 2010 17:21:50 -0500
Subject: Ethics for local elected officials webinar

Dear county manager,

The School of Government is offering a webinar on **Thursday, March 25th from 4:00-6:00 pm** as a convenient way for elected officials to fulfill the legal requirement for 2 clock hours of ethics training by January 1, 2011. The webinar is a live and interactive 2-hour seminar that will allow your board members to listen to the presenters, view the session presentation online and ask questions. All your board needs is a computer/laptop with Internet connection and speakers.

In keeping with the spirit of the new ethics law, and out of an abundance of caution concerning the legal requirements for board meetings, you should probably give special meeting notice for the webinar, if you think that a majority of your board might be in attendance at either the live webinar or at an archived presentation.

Registration fee: \$95. Elected officials are encouraged to view this webinar with their board or with other boards from their county or region. Groups of participants may gather in one location to view the webinar together; however, one individual from each site must register*.

The webinar may also be viewed on an individual basis for the same fee of \$95. *(Note for clerks who attended the January 21st City and County Clerks School in RTP: the price is changed back to the per-site fee of \$95 to reflect the interest in convening groups of elected officials to view the webinar together.)*

Archive: Can't join us on the March 25th? Don't worry. The webinar will be archived and can be accessed at any time and at your convenience after March 26th. The fee for viewing the archived session is also \$95. Your board will have 30 days from the date you purchase the archive in which to view the session. If board members want to view the archive independently, all they need is the access link from you and then to view the presentation within 30 days of the original purchase.

Verifying attendance: The law requires the clerk to the governing board to maintain a record verifying receipt of the ethics education by each board member. The School of Government will not provide verification of attendance for either the live webinar or the archived version. Instead, each elected official will be responsible for reporting their attendance to the clerk.

Registration: Please visit our website to register:

<http://www.sog.unc.edu/courses/0688/>. Upon registration, you will receive directions for accessing the site and viewing the webinar. These instructions include system requirements and how to test the link to help ensure that you can connect to, hear and see the webinar.

Your county clerk can register as the participant since the School of Government is not providing verification of attendance. The clerk can use his/her name as the registrant so that the confirmation, invoice, and access link are sent to their attention, to their email address. This will make it easier for the clerk to share the access link with their elected officials if the archived version is purchased.

If you still have questions, please contact Gail Wilkins at 919.962.9754, or wilkins@sog.unc.edu.

For more information about the legislation requiring ethics training for elected officials, please visit our [ethics webpage](#).



Gail Wilkins

Program Manager

School of Government

The University of North Carolina at Chapel Hill

Campus Box 3330, Knapp-Sanders Building

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T: 919.962.9754 F: 919.962.2705

www.sog.unc.edu

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Explanation of Transportation Strategic Planning Reform

By Alex Rickard, Eastern Carolina Council of Governments

In January the Governor signed Executive Order #2 requiring the Secretary of the Department of Transportation to “implement throughout the Department an approval process for all highway construction programs, highway construction contracts, and plans for the construction of projects.” Since that time, NCDOT’s Strategic Planning Office of Transportation (SPOT) has been working to reform how the State Transportation Improvement Program (STIP) is developed and how projects are prioritized for funding. As a result of this effort, NCDOT has established a new STIP planning framework that is transparent, understandable, and includes fiscally constrained elements.

The new framework replaces the traditional biennial seven-year STIP with a Five-year Work Program, a Ten-year Program and Resources Plan and a 20-year NC Transportation Plan. The Five-year Work Program is currently in draft form and can be found at www.ncdot.gov/performance/reform/. The Five-year Work Program is a fiscally constrained list of projects, programs and services. It serves as a basic budget document for NCDOT and will be updated and approved by the Board of Transportation annually. During the update process projects will be removed from the Five-year Work Program as they are completed and new projects will be added based on projected revenues for the five-year period. These new

projects will be pulled from the Ten-year Program and resource Plan. This list of projects will be reviewed and approved by the Board of Transportation every two years and will have a ten-year planning timeframe (years six through ten).

The Rural Planning Organizations (RPOs) and Metropolitan Planning Organizations (MPOs) will have the opportunity to submit local priorities and requests for new projects to be included in the Ten-year Program and Resource Plan. All highway projects are currently prioritized based on quantitative data from NCDOT, the priority lists from each NCDOT Division office and the priority lists from the RPOs and MPOs across the state. All of these factors are used to calculate an overall score for each highway project; and that score determines which projects are placed on the Ten-year Program and Resource Plan. For more information on the prioritization process please contact Alex Rickard at (252) 229-7088 or arickard@eccog.org.

Alex Rickard is a transportation planning professional working for the Eastern Carolina Council of Governments and serving the Downeast and Eastern Carolina Rural Planning Organizations (RPOs). The Highway 17 Association gratefully acknowledges their willingness to let us reproduce this article.



NOTICE OF CITIZENS INFORMATIONAL WORKSHOPS
Proposed Kinston Bypass (STIP Project R-2553)
 Lenoir, Craven & Jones Counties, North Carolina



The North Carolina Department of Transportation (NCDOT) is initiating planning and environmental studies for the proposed Kinston Bypass from US 70 near LaGrange in Lenoir County to US 70 near Dover in Craven County. NCDOT would like to invite citizens to attend the Citizens Informational Workshops for the Kinston Bypass Project at the following locations:

El Departamento de Transporte de Carolina del Norte (NCDOT) está iniciando estudios ambientales y de planificación para la construcción propuesta en Kinston, desde la carretera US 70 cerca de LaGrange en el condado de Lenoir, hasta la carretera US 70 cerca de Dover en el condado de Craven. NCDOT desea invitar a los ciudadanos a que participen en los talleres informativos para los ciudadanos que tendrán lugar en los siguientes lugares:

KINSTON HIGH SCHOOL
ESCUELA SECUNDARIA
KINSTON
 2601 N. Queen Street
 Kinston, NC 28501
 Tuesday February 23, 2010
 Martes 23 de febrero del 2010
 5:00 p.m. to 8:00 p.m.

KINSTON PUBLIC SERVICE COMPLEX
COMPLEJO DE SERVICIO
PUBLICO DE KINSTON
 2360 US Highway 258 South
 Kinston, NC 28504
 Thursday February 25, 2010
 Viernes 25 de febrero del 2010
 5:00 p.m. to 8:00 p.m.

For additional information please note the following resources:

Para más información favor contactarnos usando los siguientes medios de comunicación:

Project Website: [Página Web del Proyecto](http://www.ncdot.gov/projects/kinstonbypass/)
<http://www.ncdot.gov/projects/kinstonbypass/>

Project Hotline: Línea Callejera del Proyecto
 1.800.233.6315 (English/ Español)

NCDOT Project Manager: Gerente del Proyecto NCDOT
 Mr. Mark Pierce, P.E.
 Project Development and Environmental Analysis
 1548 Mail Service Center, Raleigh, NC 27699-1548
 Phone: 919.733.7844 ext. 214
 Email: [Correo Electrónico: mpierce@ncdot.gov](mailto:mpierce@ncdot.gov)

NCDOT will provide auxiliary aids and services under the Americans with Disabilities Act for disabled persons who wish to participate in this workshop. Anyone desiring special services may contact Mr. Pierce as soon as possible. NCDOT proporciona asistencia adicional y servicios según lo dispuesto en la Ley de Estadounidenses con Discapacidades para las personas con discapacidades que deseen participar en este taller. Quien desee solicitar servicios especiales puede hacer contacto con el Sr. Mark Pierce de antes posible.

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From: **Johnny Hill <johnhill@primacysearch.com>**
Date sent: **Tue, 26 Jan 2010 10:06:38 -0500**
Subject: **Deer Hunting with Dogs in Lenoir County - County Commissioners**
To: **mjarman@co.lenoir.nc.us, gwgrahamjr@suddenlink.net,**

Hi Manager Jarman, Chairman Graham, Representatives Wainwright and Braxton, and Senator Albertson,

I appreciate the efforts you and the commissioners have made in the county to cease the allowance of dog hunting on private landowners property without the express permission of that landowner. As discussed with you and/or your staff by phone, I have had a continued nuisance and problem on my property in Deep Run with dog hunters continue to run their dogs and hunt my property without my permission and I'm sure many times without my knowledge.

As mentioned on the phone I have encountered safety issues on multiple occasions having myself, one of my children, my brother, and on one occasion a group of children and their fathers having been in within a 10 - 15 degree angle of direct line of high powered rifle gunfire as hunters fired at deer on my property from the road side as their dogs were chasing deer on my property. I incur the same nuisance over and over and over from the same small group of hunters. I've had multiple conversations with them, but it now seems to be their understanding that their is absolutely zero that I can do to prevent them from hunting my property, so they now abuse the situation and hunt the property any time of their pleasing with complete disregard to my concerns or desires. In fact, the second to last occurrence this year, the primary instigator shouted in my face, that "I could go ahead and get mad, there was nothing I could do, and they were going to hunt there whenever they wanted".

Not only is this my concern, but many landowners in Lenoir County have the same issue. As addressed through multiple public hearings and council meetings, those concerns were heard by the council members and the Lenoir County Board of Commissioners passed a resolution in March of 2006 outlawing dog hunting and dog hunters from hunting on private landowners property without the permission of that landowner. The resolution states specifically:

"Dogs will be required to have a collar with the owner's name, address, and phone number. If the dog or hunter is caught trespassing on private property the hunter will be charged with a 1st offense of trespassing and will be fined \$250. The 2nd offense will be a \$500 fine along with the loss of the owners hunting license for one year." (From the Minutes of the March 20, 2006 Lenoir County Commissioners meeting)

It is my understanding that this resolution was sent up to our representative to be introduced as a bill. It is my understanding that the resolution was never introduced as a bill and in all regards the request was forgotten and left to flounder and die without anyone's knowledge.

This is a valid concern of the people of Lenoir County. The resolution by the commissioners representing the people of Lenoir County should be made into Law. I understand it is difficult to pass hunting and gun bills, but this is not a hunting or gun bill. This is not preventing anyone from hunting or from using their gun. This is a landowners rights bill. All hunters will still be able to hunt as they do today, but to hunt with dogs on a private landowner's property would require the permission of that landowner. That only seems fair and basic when it comes to hunter ethics and safety and the rights of landowners. I am a hunter, and I would suggest that 95% of the hunters in Lenoir County or North Carolina have no problem at all with the resolution that was passed by the Commissioners.

Not only has this been an issue in Lenoir County, but throughout the state of North Carolina and South Carolina. A majority of the county's in North Carolina have addressed the problem and in fact a majority of the county's in North Carolina have not only made it illegal to hunt with dogs on private property with permission, they have made it illegal to hunt deer with dogs at all. That's right, in most counties in North Carolina it is illegal to hunt deer with dogs at
(http://www.ncwildlife.org/Regs/2009_10/2009_10_Seasons.pdf).

In South Carolina, the senate just recently addressed the issue for the state as a whole and have recently passed a bill that prohibits hunters from using dogs to hunt on property without a landowner's permission

throughout the entire state.

""The Renegade Hunter Act" makes it illegal to use a dog to hunt a property from a road, a right of way, a property line or boundary for which a person does not have written permission, and imposes a minimum fine of \$500. Anyone convicted of violating the law also faces a one-year hunting license suspension for the misdemeanor." (<http://www.thestate.com/politics/story/1111091.html>)

Surly if most of the counties in North Carolina can outlaw hunting with dogs all together, and South Carolina can protect the rights of landowners throughout the state by making it illegal to hunt with dogs on private landowners property without the landowners permission, surely we can get the resolution passed by the Lenoir County Board of Commissioners introduced as a bill and passed into law. It is much needed throughout the county.

Is there anything they can be one to move this forward.

Best regards,

Johnny C Hill
Deep Run, NC



State of North Carolina
General Court of Justice
Judicial District 8A

PAUL L. JONES
RESIDENT SUPERIOR COURT JUDGE

KINSTON, NC 28502
P.O. BOX 68
TELEPHONE: (252) 520-5420
FACSIMILE: (252) 520-5421

April 22, 2009

Mr. Mike Jarman
Lenoir County Manager
Lenoir County Courthouse
Kinston NC 28501

Re: Lenoir County Courthouse Portrait Policy

Dear Mr. Jarman:

The North Carolina General Court of Justice as now comprised is only about 50 years old, but there has been a Superior Court for over 200 years in each county of the state. We are fortunate to have had a handful of Lenoir County judges with over 20 years of service that have retired during that time. In fact, in the last few years, former Chief District Court Judges J. Patrick Exum and Rodney R. Goodman both retired with over 20 years of service to the citizens of this judicial district, comprised of Lenoir, Wayne and Greene Counties.

We should all be reminded that the primary purpose of a courthouse is court business and should be treated as such. However, in the past, the position of county administration has been that there were too many other entities using space in the Lenoir County Courthouse to allow for portraits to be hung at that time. Since the County's acquisition of other space for some county offices and their subsequent move out of the Courthouse, this position no longer seems convincing or compelling.

Throughout almost the entire state, it is the well-accepted tradition and policy that a portrait of any retiring judge, district attorney and/or clerk of court who served honorably be hung at the courthouse. The county bar association, family and/or friends of any person honored normally pays for any such portrait. If one were to visit the courthouses in Greene, Wayne, Pitt, Duplin, Jones, or Wilson Counties, one would find that these counties have chosen to conform to the tradition of honoring these public servants. Lenoir County stands alone in the region as not paying homage to these individuals.

I have enclosed for your review and consideration a proposed Portrait Policy for Lenoir County. I humbly and respectfully request that Lenoir County consider adopting this or some similar policy to allow portraits of these elected citizens to be permanently hung in the Lenoir County Courthouse. Although not mentioned in the proposed policy, the procedure anticipates the bar association or

Lenoir County Courthouse Portrait Policy

In order to permanently honor those few select individuals who have diligently and valiantly served the citizens of Lenoir County, the following Policy is hereby adopted concerning the hanging of portraits in the Lenoir County Courthouse:

District Court Judges:

- ◆ Resident of Lenoir County at the time of election to the bench
- ◆ No longer on the bench and was not disbarred or removed from office for misconduct, served a minimum of ten years, and/or did not lose re-election
- ◆ Portrait to hang in hallway between Courtrooms #1 and #3

Superior Court Judges:

- ◆ Resident of Lenoir County at the time of election to the bench
- ◆ No longer on the bench and was not disbarred or removed from office for misconduct, served a minimum of ten years, and/or did not lose re-election
- ◆ Portrait to hang in Courtroom #4

District Attorneys:

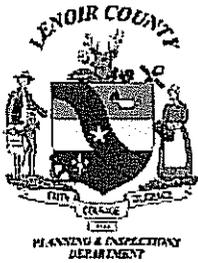
- ◆ Elected to the office
- ◆ No longer serving as District Attorney and was not disbarred or removed from office for misconduct, served a minimum of ten years, and/or did not lose re-election
- ◆ Fully retired from the practice of law
- ◆ Portrait to hang in hallway on the wall outside District Attorney's office across from the County Commissioners' meeting room

Clerks of Superior Court:

- ◆ Elected to the office
- ◆ No longer serving as Clerk and was not removed from office for misconduct, served a minimum of ten years and did not lose re-election
- ◆ Portrait to hang in hallway on the wall between Civil and Criminal Divisions of Clerk's office

Further Criteria Concerning Portraits:

- ◆ Any costs associated with any portrait will not be the responsibility of Lenoir County
- ◆ Uniform canvas size approximately 30" x 24", with a frame of an overall approximate size of 37" x 31"
- ◆ Any appropriate frame must be compatible with existing portraits, if any
- ◆ Subject of portrait must be depicted in appropriate business attire or judge's robe, in accordance with Rule 12 of the North Carolina Rules of Civil Procedure
- ◆ Lenoir County reserves the right to relocate any portrait for any reason
- ◆ Lenoir County reserves the right to not hang any portrait for any reason
- ◆ Any portrait is considered a gift to Lenoir County and immediately upon being hung becomes the sole property of Lenoir County



**LENOIR COUNTY
PLANNING & INSPECTIONS DEPARTMENT**

PO BOX 3289
101 NORTH QUEEN STREET
KINSTON, NC 28502
PHONE: 252-559-2260
FAX: 252-559-2261



**LENOIR COUNTY INSPECTIONS
PERMIT/INSPECTION REPORT**

JANUARY 2010

PERMITS ISSUED: 143

PERMITS VALUE: \$ 1,531,461

PERMIT FEES: \$ 10,018

SINGLE FAMILY DWELLINGS: 3

MOBILE HOMES: 10

COMMERCIAL: 2

ADDITIONS: 4

ELECTRICAL: 51

PLUMBING: 17

MECHANICAL: 35

OTHER: 21

TOTAL INSPECTIONS: 188

Lenoir County
 PERIODIC REPORT OF ISSUED PERMITS (GROUPED BY REPORT CODE)

Printed: 02-01-2010

Code Prms	Valuation	Designated period: 01/01/10 to 01/31/10		Prior period: 01/01/09 to 01/31/09				
		Fees Paid	Units	Fees Paid	Units			
NEW RES. HOUSEKEEPING - LENOIR COUNTY								
* Single Family Houses Attached	101B	2	393,000.00	1,051.00	2	594,500.00	1,369.00	2
* Single Family Houses Detached	102B		.00	.00	0	.00	.00	0
* 2 Family Building	103B		.00	.00	0	.00	.00	0
* 3 and 4 Family Buildings	104B		.00	.00	0	.00	.00	0
* 5 or More Family Buildings	105B		.00	.00	0	.00	.00	0
*TOTAL INFORMATION 101-105	109B		.00	.00	0	.00	.00	0
NEW RESIDENTIAL NON-HOUSEKEEPING BL:								
* Hotels, Motels & Tourist Cabins	213B		.00	.00	0	.00	.00	0
* Other Non-Housekeeping Shelter	214B		.00	.00	0	.00	.00	0

NEW NON-RESIDENTIAL BUILDINGS:

* Amusement, Social, & Recreational	318B		.00	.00	0	.00	.00	0
* Churches & Other Religious	319B		.00	.00	0	.00	.00	0
* Industrial	320B		.00	.00	0	.00	.00	0
* Pking Garages (Blds & Open Decked)	321B		.00	.00	0	.00	.00	0
* Service Stations & Repair Garages	322B		.00	.00	0	.00	.00	0
* Hospitals & Institutional	323B		.00	.00	0	.00	.00	0
* Offices, Banks, & Professional	324B		.00	.00	0	.00	.00	0
* Public Works & Utilities	325B		.00	.00	0	.00	.00	0
* Schools & Other Educational	326B		.00	.00	0	.00	.00	0
* Stores & Customer Services	327B		.00	.00	0	.00	.00	0
* Other Non-Residential Bldgs	328B	1	100,000.00	500.00	1	0.00	.00	0
* Structures Other than Buildings	329B		.00	.00	0	.00	.00	0

ADDITIONS, ALTERATIONS, & CONVERSION

* Residential	434B	4	162,000.00	419.00	4	25,000.00	50.00	1
* Non-Residential & Non-Housekeeping	437B	1	10.00	88.00	1	.00	.00	0
* Adds of Res. CP/Garages(Atch/Detc)	438B		.00	.00	0	29,000.00	50.00	1

DEMOLITIONS AND RAZING OF BUILDINGS:

* Single Family Houses (Atch/Detach)	645B		.00	.00	0	.00	.00	0
* 2 Family Buildings	646B		.00	.00	0	.00	.00	0
* 3 & 4 Family Buildings	647B		.00	.00	0	.00	.00	0
* 5 or More Family Buildings	648B		.00	.00	0	.00	.00	0
* All Other Buildings and Structures	649B		.00	.00	0	.00	.00	0

TOTALS FOR PERMITS THIS PAGE		8	655,010.00	2,058.00	8	678,500.00	1,648.00	6
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Designated Code	Prms	01/01/10 to 01/31/10			[Prior period: 01/01/09 to 01/31/09]			
		Valuation	Fees Paid	Units	Prms	Valuation	Fees Paid	Units
MOBILE/MODULAR OFFICE/CLASSROOM								
*MOBILE OFFICE	740B	.00	.00	0	0	.00	.00	0
*MODULAR CLASSROOM	750B	.00	.00	0	0	.00	.00	0
*MODULAR OFFICE	730B	.00	.00	0	0	.00	.00	0
ELECT./PLUMB/HEAT/A/C/INS/TEMP POLE:								
*ELECTRICAL	800B	60,550.00	2,560.00	50	22	76,070.00	1,523.00	22
*PLUMBING	810B	22,300.00	931.00	17	12	32,775.00	706.00	12
*HEATING/ AIR CONDITIONING	820B	118,851.00	1,775.00	34	21	76,900.00	1,149.00	21
*INSULATION	830B	16,000.00	325.00	7	7	17,800.00	353.00	7
*TEMPORARY POLE	840B	1,750.00	100.00	2	1	750.00	50.00	1
RESIDENTIAL ACCESSORY STRUCTURES								
*STORAGE/PORCHES/PATIOS/DECKS	900B	.00	.00	0	0	.00	.00	0
MISCELLANEOUS:								
*CHANGE OF OCCUPANCY	910B	.00	.00	0	2	.00	50.00	2
*INSPECT DWELLING	920B	.00	.00	0	0	.00	.00	0
*TENTS	930B	.00	.00	0	0	.00	.00	0
*SATELLITE DISH	940B	.00	.00	0	0	.00	.00	0
*AWNING	950B	.00	.00	0	0	.00	.00	0
*EXTRA INSPECTIONS	960B	1,500.00	110.00	3	12	45,025.00	425.00	12
*FIRE PROTECTION SPRINKLER SYSTEM	966B	.00	.00	0	0	.00	.00	0
*MOVING DWELLING ONLY	970B	.00	.00	0	0	.00	.00	0
*SIGN	980B	149,000.00	250.00	1	0	.00	.00	0
*FIREWORKS	985B	.00	.00	0	0	.00	.00	0
*SWIMMING POOL	990B	.00	.00	0	0	.00	.00	0
*TANKS	995B	.00	.00	0	0	.00	.00	0
MOBILE HOMES								
*SINGLE WIDE MOBILE HOME	700B	83,900.00	700.00	7	5	157,000.00	1,000.00	5
*DOUBLE WIDE MOBILE HOME	710B	235,000.00	375.00	3	0	.00	.00	0
*MODULAR HOME	720B	175,000.00	334.00	1	0	.00	.00	0

TOTALS FOR PERMITS ABOVE (incl. pg 1)	135	1,518,861.00	9,518.00	133	88	1,084,820.00	6,904.00	88
Totals of other permits in the period	8	12,600.00	500.00	1	1	5,000.00	50.00	1
TOTAL FOR ALL PERMITS IN THE PERIOD	143	1,531,461.00	10,018.00	134	89	1,089,820.00	6,954.00	89

This Report was printed on Monday, February 01, 2010

Item Totals for Inspector ID

Lenoir County

GO 85
GOVW 2
VM 101

188 Entries for Inspector ID

- S T A T I S T I C A L R E P O R T -

	<----- Inspections ----->			-----> Re-Inspections ----->			Based On #
ACTIVITIES	INSPECTIONS	PASSED	CORRECTIONS	RE-INSPECTIONS	PASSED	CORRECTIONS	RE-INSPECTIONS REQUIRED
188	167	142	25	21	18	3	27
	%INSPECTIONS	%PASSED	%CORRECTIONS	%RE-INSPECTIONS	%PASSED	%CORRECTIONS	%RE-INSPECTIONS REQUIRED
	89	85	15	11	86	14	14

Current ESC Workforce Information

from

LENOIR COUNTY

as of

February 5, 2010

- ◆ County Labor Force : 26,711
- ◆ Number Of Unemployed : 3,171
- ◆ County Unemployment Rate :

December 2009	3 Months Ago	6 Months Ago	12 Months Ago
11.9%	11.4%	12.4%	9.7%

- ◆ Unemployment Insurance (UI) Benefits Paid in Lenoir County :
 - Last 30 Days : \$1,433,180
 - Year-To-Date : \$1,457,177

- ◆ New Business/Industry Openings In Lenoir County:
 - Last 4 Weeks -

- ◆ Business/Industry Closings In Lenoir County:
 - Last 4 Weeks -

Current State & National Information

- ◆ Unemployed Workers Statewide (December 2009) :
 - 505,939
 - ◆ N.C. Unemployment Rate:

December 2009	3 Months Ago	6 Months Ago	12 Months Ago
11.2%	10.8%	11.0%	8.1%

- ◆ U.S. Unemployment Rate (January 2010) : 9.7%
- ◆ Unemployment Benefits Paid to N.C. workers:
 - Month To Date : \$205,440,471
 - Last Month : \$185,665,214
 - Year To Date : \$391,105,685

- ◆ Unemployment Benefits Paid to N.C. workers In February 2009 : \$205,440,471

- ◆ N.C. Unemployment Insurance Trust Fund Balance: (As Of Jan 27, 2010) : \$0

- ◆ Average N.C. UI Tax Rate For Business : 1.7%



Beverly Alston - Kinston
252.526.4435

January 9, 2009

On January 9, 2009 the Lenoir County ABC Board held its monthly meeting with all members present except Mr. Bill Taylor absent due to sickness. Chairman Stroud called the meeting to order. The minutes of the prior month were approved as read.

As the initial order of business Mr. Hill distributed sales reports for the month of December 2008. Following a review of these statements the Board made note of the increase in sales comparing December 2008 to December 2007.

Next Mr. Hill informed the Board that the installation of the new cash registers at Store #3 located in Pink Hill and Store #5 located at 701 Phillips Road, Kinston had been completed.

Next Mr. Hill informed the Board that surveillance, burglary and robbery systems for Store #One located at 110 South Heritage Street, Kinston, Store #3 located in Pink Hill and Store #5 located at 701 Phillips Road, Kinston were on schedule to be installed in January.

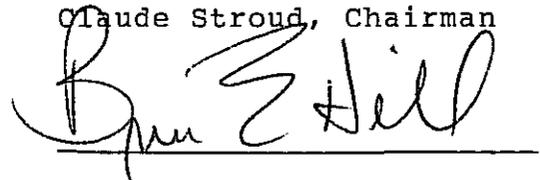
Next Mr. Hill informed the Board that the new flooring for Store #3 located in Pink Hill was also on schedule to be installed in January.

As the final order of business Mr. Hill informed the Board that January 19, 2009 was Martin Luther King Day. Following a brief discussion the Board instructed Mr. Hill to notify all employees as well as the general public that the Lenoir County ABC Stores would be closed on Monday, January 19, 2009 in observance of Martin Luther King Day.

With no further business at hand Chairman Stroud adjourned the January meeting.



Claude Stroud, Chairman



Bruce E. Hill, Supervisor

On February 13, 2009, the Lenoir County ABC Board held its monthly meeting. With all members present except Mr. Bill Taylor who passed away on Monday, January 19, 2009, Chairman Stroud called the meeting to order. The minutes of the prior month were approved as read.

As the initial order of business Mr. Hill distributed sales reports for the month January 2009 and audit reports for the quarter ending December 31, 2008. Following a review of these statements the Board made note of the significant increase in sales comparing January 2009 to January 2008. The Board also took note of the increase in sales, increase in operating expenses and decrease in net profit comparing the quarters ending December 31, 2008 to December 31, 2007. Mr. Hill commented that a majority of the increase in operating expenses stemmed from the remodeling of Store #One located at 110 South Hermitage and the purchase of new cash registers and a computer system.

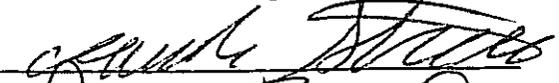
Next Mr. Hill informed the Board that the installation of the surveillance, burglary and robbery systems for Store #One located at 110 South Hermitage Street, Kinston, Store #3 located in Pink Hill and Store #5 located at 701 Phillips Road, Kinston had been completed. Mr. Hill commented that the new systems will add additional safety for the employees and security to the facilities.

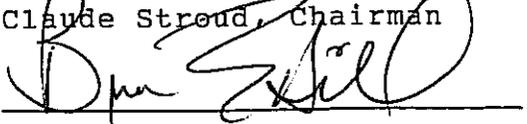
Next Mr. Hill informed the Board that the new flooring for Store #3 located in Pink Hill had been completed. Mr. Hill stated that additional improvements to the store would be forth coming.

Next Mr. Hill informed the Board that an attempt had been made to break into Store #3 located in Pink Hill on February 10, 2009. Mr. Hill stated that the facility had not been compromised but that damages had been sustained to the out door. Mr. Hill reported that the damages had already been repaired.

As the final order of business Mr. Hill informed the Board that March 1 was the anniversary date for the Board's employee hospitalization plan. Mr. Hill presented the Board with several renewal quotes from Blue Cross and Blue Shield of North Carolina. Following a lengthy discussion the Board decided in an effort to reduce cost to modify the existing hospitalization plan. The Board instructed Mr. Hill to notify Blue Cross and Blue Shield as well as the Lenoir County ABC Board employees of this decision.

With no further business at hand Chairman Stroud adjourned the February meeting.


 Claude Stroud, Chairman


 Bruce E. Hill, Supervisor

On March 13, 2009 the Lenoir County ABC Board held its monthly meeting. With all members present Chairman Stroud called the meeting to order. The minutes of the prior month were approved as read.

As the initial order of business the Board welcomed Mr. Wiley Dawson to the Lenoir County ABC Board. Mr. Dawson had been appointed by the County Commissioners to finish out Mr. James Taylor's term who passed away on January 19, 2009. The Board wished Mr. Dawson success while serving on the Board.

Next the Board asked Mr. Hill to draft a resolution of appreciation to Mr. Taylor for his service to the Lenoir County ABC Board to present to his family.

Next the Board asked Mr. Hill to draft a letter of recommendation to the County Commissioners to continue the practice of appointing one of its members from north of the Neuse River, one from south of the Neuse River and one from the City of Kinston. The Board felt this practice would continue to ensure equal representation of the County.

Next Mr. Hill distributed sales reports for February 2009. Following a review of these statements the Board made note of the significant decrease in sales comparing February 2009 to February 2008.

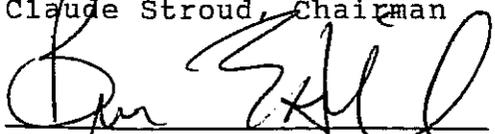
Next Mr. Hill informed the Board that Mr. Lyn Turner, owner of the facility designated as Lenoir County ABC Store #3 located in Pink Hill had made a request for an increase in the rent of \$50.00 per month effective March 1, 2009. Mr. Hill also stated that Mr. Turner has also requested a second increase of \$50.00 per month effective January 1, 2010. Following a lengthy discussion the Board agreed to Mr. Turner's request and instructed Mr. Hill to notify Mr. Turner of this decision.

As the final order of business Mr. Hill reminded the Board that Sunday, April 12, 2009 was Easter. Following a brief discussion the Board instructed Mr. Hill to notify all employees as well as the general public that the Lenoir County ABC Stores would be closed on Monday, April 13, 2009 in observance of Easter.

With no further business at hand Chairman Stroud adjourned the March meeting.



Claude Stroud, Chairman



Bruce E. Hill, Supervisor



Lenoir County Alcoholic Beverage Control Board
"Control • Service • Revenue"

ABC Board
Claude Stroud, Chair
Coley Little
Wiley Dawson

Bruce Hill
General Manager

March 24, 2009

Lenoir County Board of Commissioners
130 South Queen Street
Post Office Box 3289
Kinston, NC 28502

Lenoir County Board of Commissioners:

The Lenoir County ABC Board is comprised of three citizens from Lenoir County and tradition has dictated that one member residing in each of the following regions be chosen: north of the Neuse River, south of the Neuse River, and the City of Kinston. The Lenoir County ABC Board therefore recommends that the Lenoir County Board of Commissioners continue to implement this process when appointing members to the ABC Board to ensure equal representation of Lenoir County.

Respectfully,

Claude Stroud

Coley Little

Wiley Dawson

110 South Herritage Street • P.O. Box 3188 • Kinston, NC 28502 • (252)523-0775 • www.lenoircoabc@embarqmail.com

"An Equal Opportunity Employer"

**A RESOLUTION EXPRESSING APPRECIATION TO
JAMES E. "BILL" TAYLOR
FOR SERVICE AS A MEMBER
OF THE LENOIR COUNTY ABC BOARD**

.....

WHEREAS, James E. "Bill" Taylor, has served as a member of the Lenoir County ABC Board for nine and a half years; and

WHEREAS, James E. "Bill" Taylor, during his years of service to the people of Lenoir County has exercised the duties of his office with a dedication to the best interest of the citizens of Lenoir County; and

WHEREAS, James E. "Bill" Taylor, should be commended for the manner in which he has given of his time and talents in order to play an important role in the continuation of an outstanding ABC System in Lenoir County; and

WHEREAS, the ABC Board of Lenoir County wishes to acknowledge his contribution to the public life of Lenoir County as a citizen and public servant:

NOW, THEREFORE, BE IT RESOLVED by the ABC Board of Lenoir County:

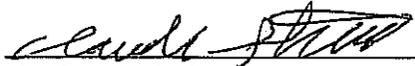
Section 1. That the ABC Board of Lenoir County does hereby express its gratitude and appreciation for the distinguished, dedicated and outstanding public service rendered by James E. "Bill" Taylor to the citizens of Lenoir County as a member of the Lenoir County ABC Board.

Section 2. That a copy of this Resolution be transmitted to the family of James E. "Bill" Taylor by the ABC Board of Lenoir County.

Section 3. That a copy of this Resolution be incorporated in the minutes of the Lenoir County ABC Board and become part of its permanent record.

This Resolution adopted this 10th day of April, 2009.

LENOIR COUNTY ABC BOARD



Claude Stroud, Chairman



Goley Kittle, Board Member



Wiley Dawson, Board Member

On April 10, 2009 the Lenoir County ABC Board held its monthly meeting. With all members present except Mr. Coley Little Chairman Stroud called the meeting to order. The minutes of the prior month were approved as read.

As the initial order of business Mr. Hill distributed sales reports for March 2009. Following a review of these statements the Board made note of the significant decrease in sales comparing April 2009 to April 2008.

Next Mr. Hill presented to the Board a resolution of appreciation to Mr. James Taylor for his service as a member of the Lenoir County ABC Board, to be presented to his family. A copy of this resolution is attached to these minutes.

Next Mr. Hill presented to the Board a letter of recommendation to the County Commissioners to continue the practice of appointing one of its members from north of the Neuse River, one from south of the Neuse River and one from the City of Kinston to continue to ensure equal representation of the County. A copy of this letter is attached to these minutes.

Next Mr. Hill informed the Board that Mr. Lyn Turner, owner of the facility designated as Lenoir County ABC Store #3 located in Pink Hill had agreed to allow his request for an increase in rent effective January 1, 2010 to remain the same thru December 31, 2011. The Board instructed Mr. Hill to obtain a letter from Mr. Turner to this effect.

As the next order of business Mr. Hill presented the Board with a request from Mr. Jon Carr, lobbyist for the North Carolina Association of ABC Boards for a resolution from the Lenoir County Board of Commissioners opposing mandatory mergers by the North Carolina ABC Commission of local ABC Boards and the creation of agency stores or privatization. The Board asked Mr. Stroud to present this request to the County Commissioners.

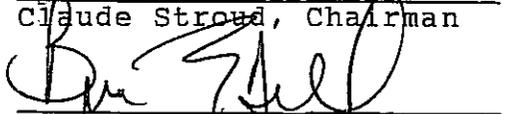
Next Mr. Hill informed the Board that the annual conference for the North Carolina Association of ABC Boards would be held July 19-22, 2009 in Asheville, North Carolina. Following brief discussion the Board instructed Mr. Hill to make the necessary arrangements for his attendance.

As the final order of business the Board asked Mr. Hill to review the Lenoir County ABC Board employee handbook and to make recommendations for revision.

With no further business at hand Chairman Stroud adjourned the April meeting.



Claude Stroud, Chairman



Bruce E. Hill, Supervisor

A Resolution Supporting Local Control of Local ABC Boards and
Opposing Forced Mergers of Local ABC Board

WHEREAS, the citizens of Lenoir County voted to permit the sale of spirituous liquor through the establishment of the Lenoir County ABC Board, which is a part of the North Carolina's state control system and;

WHEREAS, SB 839/HB 768 – "*Modernization of the ABC System*" would require all ABC Boards in a county to merge, allow the state ABC Commission to merge county-wide boards into regional boards, require the ABC Commission to develop performance standards, allow the ABC Commission to close or merge ABC Boards, close ABC stores with low profitability, contract directly with agency stores for the sale of spirits where ABC stores are authorized but not in operation, and require an ABC Board to contract with an agency store and;

WHEREAS, it is a local decision to establish and operate an ABC store, and any decision to merge an ABC Board should be made by the local government based on local circumstances, and not by the state and;

WHEREAS, a local government balances control, profits and availability of spirits in operating ABC stores and;

WHEREAS, the decision by a local government to operate with low profit margin does not reduce the amount of liquor excise tax received by the state, so the state does not have a financial interest in the profitability of ABC stores and;

WHEREAS, an "agency store" is a private retail seller, and the citizen of Lenoir County, when voting to permit the operating of ABC stores, did not vote to allow liquor to be sold in such private off-premise retail establishments and;

WHEREAS, sales of liquor may not be well-regulated in agency stores, thereby potentially creating law enforcement and other problems, Lenoir County desires to retain North Carolina's control system over the sales of spirits and to continue to make spirits available to its citizens only through its ABC stores.

NOW THEREFORE, BE IT RESOLVED BY THE Lenoir County Board of Commissioners, that the establishment and operation of the Lenoir County ABC stores through the control system should be a local decision and that the Board opposes any state mandate to merge ABC Boards, mandate the merger or closing of ABC stores and opposes the establishment of agency stores.

Adopted this May 4, 2009.

LENOIR COUNTY BOARD OF COMMISSIONERS

George W. Graham, Jr., Chairman

Lashanda Aytch, Clerk

May 8, 2009

On May 8, 2009, the Lenoir County ABC Board held its monthly meeting. With all members present Chairman Stroud called the meeting to order. The minutes of the prior month were approved as read.

As the initial order of business Mr. Hill presented sales reports for the month of April 2009. Following a review of these statements the Board made note of the significant increase in sales comparing April 2009 to April 2008.

Next Mr. Stroud presented the Board with a resolution from the Lenoir County Board of Commissioners opposing mandatory merger by the North Carolina ABC Commission of local ABC Boards and the creation of agency stores or privatization. A copy of this resolution is attached to these minutes.

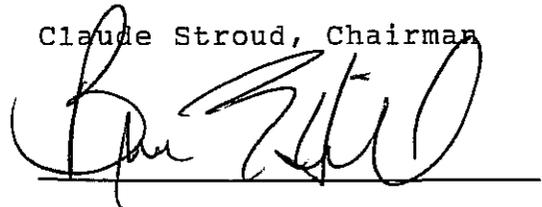
Next Mr. Hill reminded the Board May 25, 2009 was Memorial Day. Following a brief discussion the Board instructed Mr. Hill to notify all employees as well as the general public that the Lenoir County ABC Stores would be closed on Monday, May 25, 2009 in observance of Memorial Day.

As the final order the Board reviewed the Employee handbook. Following a lengthy discussion the Board made numerous changes to the handbook. The Board instructed Mr. Hill to update the Employee handbook with these modifications and to bring the handbook back to the Board for approval.

With no further business at hand Chairman Stroud adjourned the May meeting.



Claude Stroud, Chairman



Bruce E. Hill, Supervisor

June 12, 2009

On June 12, 2009 the Lenoir County ABC Board held its monthly meeting. With all members present Chairman Stroud called the meeting to order. The minutes of the prior month were approved as read.

As the initial order of business Mr. Hill presented sales reports for the month of May 2009 and audit reports for the quarter ending March 31, 2009. Following a review of these statements the Board made note of the increase in sales comparing May 2009 to May 2008. The Board also took note of the increase in sales, increase in operating expenses and decrease in net profit comparing the quarters ending March 31, 2009 to March 31, 2008. Mr. Hill commented that a majority of the increase in expenses stemmed from the remodeling of Store #One located at 110 South Herritage Street and the purchase of new cash registers and a computer system.

Next the Board considered salary adjustments for its employees. Following a lengthy discussion the Board decided to give all full time and part time employees a 2% cost of living raise. The Board also decided to give a \$300 per year salary bonus to all full time employees and a \$200 per year salary bonus to all part time employees. The Board instructed Mr. Hill to make these salary adjustments effective July 1, 2009.

As the final order of business Mr. Hill reminded the Board that July 4th was a mandatory holiday. Following a brief discussion the Board instructed Mr. Hill to notify all employees as well as the general public that the Lenoir County ABC Stores would be closed Saturday, July 4th, 2009 in observance of Independence Day.

With no further business at hand Chairman Stroud adjourned the June meeting.



Claude Stroud, Chairman



Bruce E. Hill, Supervis

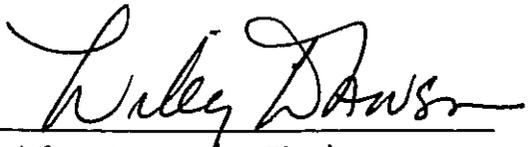
Next Mr. Hill informed the Board that the air conditioning unit for Store #3 located in Pink Hill was also in need of repairs. Mr. Hill stated that the unit was 12 years old and that repairs to the existing unit would cost almost as much as a new unit. Following a brief discussion the Board instructed Mr. Hill to have the existing air conditioning unit in Pink Hill replaced with a new unit.

Next Mr. Hill informed the Board that the City of Kinston Fire Department had made its annual inspection of Store #One, ABC Board Offices and ABC Board Warehouse, located at 110 South Heritage Street. Mr. Hill explained that the Fire Department stated that the building was in violation of the City's fire code by not having emergency push bars on the warehouse exit doors. Mr. Hill once again reminded the Board that the facility designated as Store #One was owned by Lenoir County and that the ABC Board paid rent to the County for the use of the facility. Following a lengthy discussion the Board instructed Mr. Hill to contact Mr. Mike Wiggins, Director of Maintenance for Lenoir County and to explore the possibility of having emergency push bars installed on the warehouse exit doors.

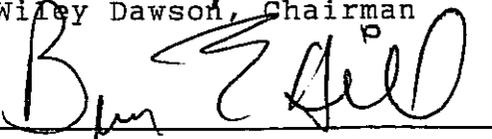
Next Mr. Hill informed the Board that Mr. Danny Sellers of the North Carolina ABC Commission had been sent by Mr. Mike Herring, Administrator of the North Carolina ABC Commission to conduct an investigation of the Lenoir County ABC Board's personnel policies and procedures. Mr. Hill stated that there had been complaints registered with the North Carolina ABC Commission concerning these policies and procedures. Mr. Hill stated that Mr. Sellers conducted a two day investigation by interviewing all full time employees and studying the Lenoir County ABC Board Employee Handbook. Mr. Hill reported to the Board that Mr. Sellers informed him that all the complaints that were received by the ABC Commission were frivolous and unsubstantiated and that no action was required.

As the final order of business Mr. Hill informed the Board that an employee had filed a discrimination charge against the Lenoir County ABC Board as well as himself. Following a lengthy discussion the Board instructed Mr. Hill to seek legal counsel and obtain legal advise on how to proceed with this issue.

With no further business at hand Chairman Dawson adjourned the July meeting.



Wiley Dawson, Chairman



Bruce E. Hill, Supervisor

July 10, 2009

On July 10, 2009 the Lenoir County ABC Board held its monthly meeting. With all members present Supervisor Bruce Hill called the meeting to order. On a motion of Emmette Taylor and a second by Coley Little the minutes of the previous month were approved as read. On a motion by Coley Little and a second by Emmette Taylor the agenda was approved as presented. The Board observed a moment of silence.

As the initial order of business Mr. Hill informed the Board that Chairman Claude Stroud had not been reappointed to the Board upon the expiration of his term ending June 30, 2009. Mr. Hill stated that Mr. Emmette Taylor had been appointed by the County Commissioners to serve a three year term beginning July 1, 2009. Mr. Hill also stated that policy allowed the Lenoir County ABC Board to select its own Chairman. Emmette Taylor nominated Wiley Dawson to serve as Board Chair. Wiley Dawson seconded the nomination. Coley Little nominated himself to serve as Board Chair. Emmette Taylor seconded the nomination. On a 2-1 vote Wiley Dawson was elected as Board Chair. Chairman Dawson expressed his gratitude to the Board for being elected Chairman of the Lenoir County ABC Board.

Next Chairman Dawson and Board Member Coley Little welcomed Mr. Emmette Taylor to the Board and expressed a desire for a successful relationship during his term. The Board also voiced a desire to express to Mr. Claude Stroud their gratitude for his service to the Lenoir County ABC Board. The Board instructed Mr. Hill to draft a letter of appreciation for Mr. Stroud.

Next Mr. Hill distributed sales reports for the month of June 2009. Following a brief discussion the Board made note of the significant increase in sales comparing June 2009 to June 2008. The Board also took note of the increase in sales comparing the fiscal year ending June 30, 2009 to June 30, 2008.

Next Mr. Hill informed the Board that the Employee Handbook was still in the process of being updated. The Board instructed Mr. Hill to notify all employees of the status of the Employee Handbook.

Next Mr. Hill informed the Board that the air conditioning unit for Store #One located at 110 South Herritage Street was in need of repairs. Mr. Hill explained that the unit was 30 years old and the Board had spent a substantial amount on the unit in the last two years. Mr. Hill also informed the Board that the facility designated as Store #One was owned by Lenoir County and that the ABC Board paid rent to the County for use of the facility. Following a lengthy discussion the Board instructed Mr. Hill to contact Mr. Mike Wiggins, Director of Maintenance for Lenoir County and to explore the possibility of having the unit replaced.

On August 14, 2009 the Lenoir County ABC Board held its monthly meeting. With all members present except for Mr. Coley Little Chairman Dawson called the meeting to order. On a motion by Emmette Taylor and a second by Wiley Dawson the minutes of the prior month were approved as read. On a motion by Emmette Taylor and a second by Wiley Dawson the agenda was approved as presented. The Board observed a moment of silence.

As the initial order of business Mr. Hill presented sales reports for the month of July 2009 and audit reports for the quarter and fiscal year ending June 30, 2009. Following a review of these statements the Board made note of the significant increase in sales comparing July 2009 to July 2008. The Board also took note of the increase in sales, increase in operating expenses and decrease in net profit comparing the quarters and fiscal years ending June 30, 2009 to June 30, 2008. Mr. Hill reminded the Board that a majority of the increase in operating expenses stemmed from the remodeling of Store #One located at 110 South Hermitage Street, the purchase of new cash registers for all three stores, the purchase of a new computer system for the central office and the purchase of new security systems for all three stores.

Next Mr. Hill informed the Board that he had contacted Mr. Mike Wiggins, Director of Maintenance for Lenoir County concerning the air conditioning unit for Store #One located at 110 South Hermitage Street. Mr. Hill explained that since the county owned the facility designated as Store #One and the ABC Board paid rent to the county for use of the facility the County had agreed to replace the air conditioning unit in Store #One.

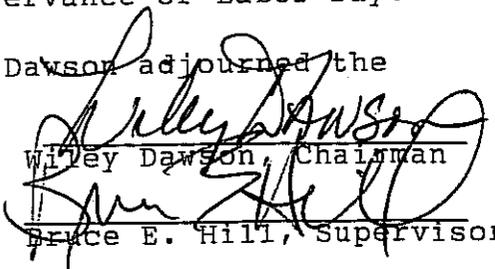
Next Mr. Hill informed the Board that the air conditioning unit in Store #3 located in Pink Hill had been replaced.

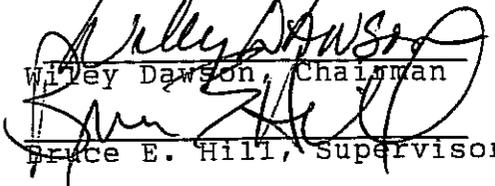
Next Mr. Hill informed the Board that he had contacted Mr. Mike Wiggins, Director of Maintenance for Lenoir County concerning emergency push bars on the warehouse exit doors for Store #One, ABC Board Offices and ABC Board Warehouse located at 110 South Hermitage Street. Mr. Hill explained the County had also agreed to install the emergency push bars on the warehouse exit doors.

Next Mr. Hill informed the Board that he had obtained legal representation for the Board pertaining to the discrimination charge filed against the Lenoir County ABC Board by an employee.

As the final order of business Mr. Hill reminded the Board that Labor Day was a mandatory holiday. Following a brief discussion the Board instructed Mr. Hill to notify all employees as well as the general public that the Lenoir County ABC Stores would be closed on Monday, September 7, 2009 in observance of Labor Day.

With no further business at hand Chairman Dawson adjourned the August meeting.


Wiley Dawson, Chairman


Bruce E. Hill, Supervisor

September 11, 2009

On September 11, 2009 the Lenoir County ABC Board held its monthly meeting. With all members present Chairman Wiley Dawson called the meeting to order. On a motion by Emmette Taylor and a second by Coley Little the minutes of the previous month were approved as read. On a motion by Emmette Taylor and a second by Coley Little the agenda was approved as presented. The Board observed a moment of silence with special regards for the victims of 9-11.

As the initial order of business Bruce Hill presented sales reports for the month of August 2009. Following a review of these statements the Board made note of the slight increase in sales comparing August 2009 to August 2008.

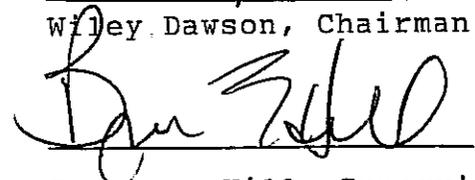
Next Mr. Hill gave an update on the Board's employee handbook. Mr. Hill stated that they were waiting on recommendations from Mr. Danny Sellers with the North Carolina ABC Commission. Mr. Hill also stated that he had contacted the County Manager and had asked for input concerning the employee handbook.

As the final order of business Mr. Hill reminded the Board that the lease agreement with Mr. Ken Wilson, owner of the facility designated as Store #5 located at 701 Phillips Road expired September 30, 2009. Mr. Hill stated that the lease would automatically renew at the end of the lease period for one year at the same rate if neither party objected. Mr. Hill stated that Mr. Wilson had not expressed any desire to terminate the lease agreement. Following a brief discussion the Board instructed Mr. Hill to renew the lease agreement under the same terms.

With no further business at hand and on a motion by Coley Little and a second by Emmette Taylor Chairman Wiley Dawson adjourned the meeting.



Wiley Dawson, Chairman



Bruce E. Hill, Supervisor

**A RESOLUTION EXPRESSING APPRECIATION TO
CLAUDE STROUD
FOR SERVICE AS A MEMBER
OF THE LENOIR COUNTY ABC BOARD**

.....

WHEREAS, Claude Stroud, has served as a member of the Lenoir County ABC Board for twelve years; and

WHEREAS, Claude Stroud, has served as Chairman of the Lenoir County ABC Board for seven years; and

WHEREAS, Claude Stroud, during his years of service to the people of Lenoir County has exercised the duties of his office with a dedication to the best interest of the citizens of Lenoir County; and

WHEREAS, Claude Stroud, should be commended for the manner in which he has given of his time and talents in order to play an important role in the continuation of an outstanding ABC System in Lenoir County; and

WHEREAS, the ABC Board of Lenoir County wishes to acknowledge his contribution to the public life of Lenoir County as a citizen and public servant:

NOW, THEREFORE, BE IT RESOLVED by the ABC Board of Lenoir County:

Section 1. That the ABC Board of Lenoir County does hereby express its gratitude and appreciation for the distinguished, dedicated and outstanding public service rendered by Claude Stroud to the citizens of Lenoir County as a member of the Lenoir County ABC Board.

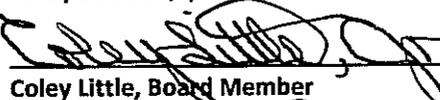
Section 2. That a copy of this Resolution be transmitted to Claude Stroud by the ABC Board of Lenoir County.

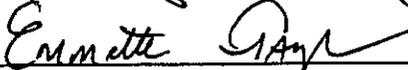
Section 3. That a copy of this Resolution be incorporated in the minutes of the Lenoir County ABC Board and become part of its permanent record.

This Resolution adopted this 9th day of October, 2009.

LENOIR COUNTY ABC BOARD


Wiley Dawson, Chairman


Coley Little, Board Member


Emnetta Taylor, Board Member

On October 9, 2009 the Lenoir County ABC Board held its monthly meeting. With all members present Chairman Wiley Dawson called the meeting to order. Mr. William Cooke, an independent substance abuse counselor was also present. The Board observed a moment of silence. On a motion by Emmette Taylor and a second by Coley Little the minutes of the prior month were approved as read. Also on a motion by Emmette Taylor and a second by Coley Little the agenda was approved as presented.

As the initial order of business Bruce Hill presented sales reports for the month September 2009. Following a review of these statements the Board made note of the significant increase in sales comparing September 2008 to September 2009.

Next Mr. Hill informed the Board that the lease agreement with Mr. Ken Wilson, owner of the facility designated as Store #5 located at 701 Phillips Road had been renewed for one year at the same rate effective October 1, 2009.

Next Mr. Hill presented to the Board a resolution of appreciation to Mr. Claude Stroud for his service as a member of the Lenoir County ABC Board. A copy of this resolution is attached to these minutes.

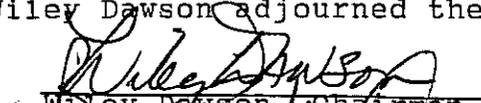
Next Mr. Hill presented the Board with a contract from Barrow, Parris and Davenport, P.A. the CPA firm that conducts the Board's quarterly and yearly audits with a request for an increase of \$ 75.00 per quarter. On a motion by Emmette Taylor and a second by Coley Little the Board accepted the audit contract for the fiscal year July 1, 2009 thru June 30, 2010.

Next Mr. Hill reminded the Board that General Statute 18B-700(i) requires a faithful performance bond on the members of a local ABC Board. Mr. Hill also informed the Board that if a board member does not handle board funds then the appointing authority may exempt that board member from the bond requirement. Following a lengthy discussion the Board instructed Mr. Hill to make a request to the Lenoir County Commissioners to exempt board members on the Lenoir County ABC Board who do not handle board funds.

Next Mr. Hill informed the Board that the Board's copier was in need of repairs. Mr. Hill explained that the copier was approximately twenty years old and that finding parts as well as someone to work on the copier was becoming increasingly more difficult. Following a lengthy discussion the Board instructed Mr. Hill to obtain quotes for the purchase of a new copier.

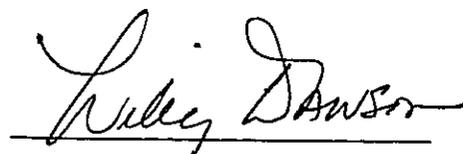
As the final order of business Mr. Hill reminded the Board that November 11 was Veteran's Day. Following a brief discussion the Board instructed Mr. Hill to notify all employees as well as the general public that the Lenoir County ABC Stores would be closed on Wednesday, November 11, 2009 in observance of Veteran's Day.

With no further business at hand and on a motion by Coley Little and a second by Emmette Taylor Chairman Wiley Dawson adjourned the October meeting.


Wiley Dawson, Chairman

Bruce E. Hill, Supervisor

With no further business at hand on a motion by Coley Little and a second by Emmette Taylor Chairman Wiley Dawson adjourned the November meeting.

A handwritten signature in cursive script that reads "Wiley Dawson". The signature is written in dark ink and is positioned above a horizontal line.

Wiley Dawson, Chairman

A handwritten signature in cursive script that reads "Bruce E. Hill". The signature is written in dark ink and is positioned above a horizontal line.

Bruce E. Hill, Supervisor

On November 13, 2009 the Lenoir County ABC Board held its monthly meeting. With all members present Chairman Wiley Dawson called the meeting to order. The Board observed a moment of silence. On a motion by Emmette Taylor and a second by Coley Little the minutes of the previous month were approved as read. Also on a motion by Emmette Taylor and a second by Coley Little the agenda was approved as presented.

As the initial order of business Bruce Hill presented sales reports for the month of October 2009 and audit reports for the quarter ending September 30, 2009. Following a review of these statements the Board made note of the significant increase in sales comparing October 2009 to October 2008. The Board also took note of the increase in sales, increase in operating expenses and decrease in net profit comparing the quarter ending September 30, 2009 to September 30, 2008.

Next Mr. Hill informed the Board that he had received a letter from Mr. Mike Herring, Administrator of the North Carolina ABC Commission as a follow up to Mr. Danny Sellers investigation of the Board's personnel policies and procedures. Mr. Hill reported that Mr. Herring's letter stated that "we found no evidence of ABC Law violations." Mr. Hill also reported that the letter gave recommendations for changes to certain personnel policies and procedures. The Board instructed Mr. Hill to acknowledge Mr. Herring's letter and to take the suggestions into consideration while studying the Lenoir County ABC Board policies and procedures.

Next Mr. Hill presented the Board with a letter from Mr. John Carr, lobbyist for the North Carolina Association of ABC Boards. The letter stated that the Governor had appointed a Budget Reform and Accountability Commission (BRAC) to assist her in formulating recommendations to improve government efficiency, save money and improve revenues. The letter also stated that the BRAC would be taking a serious look at privatization of all state services which would include the ABC system. Mr. Carr asked all local ABC Boards to contact their appointing authority, their local legislators and organizations who receive support from local Boards and to oppose privatization of the ABC system.

Next Mr. Hill presented a survey from the North Carolina Association of ABC Boards pertaining to the location of the annual summer conference. Following a review of the survey the Board instructed Mr. Hill to complete and return the questionnaire to the Association.

Next Mr. Hill informed the Board that the County had resurfaced the parking lot for Store One, the Central Office and the Central Warehouse located at 110 South Herritage Street.

As the final order of business Mr. Hill reminded the Board that Thanksgiving Day was a mandatory holiday. Following a brief discussion the Board instructed Mr. Hill to notify all employees as well as the general public that the Lenoir County ABC Stores will be closed on Thursday, November 26, 2009 in observance of Thanksgiving.

On December 16, 2009 the Lenoir County ABC Board held its monthly meeting. With all members present Chairman Wiley Dawson called the meeting to order. The Board observed a moment of silence. On a motion by Emmette Taylor and a second by Coley Little the minutes of the prior month were approved as read. On a motion by Emmette Taylor and a second by Coley Little the agenda was approved as presented.

As the initial order of business Bruce Hill presented sales reports for the month of November 2009. Following a review of these statements the Board made note of the decrease in sales comparing November 2009 to November 2008.

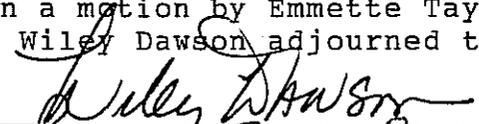
Next Mr. Hill informed the Board that the Lenoir County Commissioners had passed a resolution to exempt board members on the Lenoir County ABC Board who do not handle board funds from a faithful performance bond required by General Statute 18B-700(i). Mr. Hill explained that since Chairman Wiley Dawson was the only board member who signed checks that he would be the only board member required to be bonded. The Board instructed Mr. Hill to notify the Board's Insurance Agent of this change.

Next Mr. Hill informed the Board that their Insurance Agent, Rod Evans had recommended that the Board consider adopting a safety policy for the Lenoir County ABC Board in an attempt to help contain rising insurance costs. Mr. Hill presented the Board with a sample of a safety policy. Following a brief discussion and on a motion by Coley Little and a second by Emmette Taylor the Board voted to adopt the safety policy presented by Mr. Hill. The Board instructed Mr. Hill to notify their insurance agent of this decision.

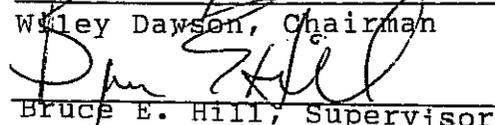
Next Mr. Hill informed the Board that the newly appointed Chairman of the North Carolina ABC Commission had requested salary and benefit data from all of the ABC Systems in North Carolina. Mr. Hill reported that this request was a result of unwillingness by some Boards to release this information. Mr. Hill explained that the Lenoir County ABC Board had complied with this request from the ABC Commission.

As the final order of business Mr. Hill reminded the Board that Christmas Day and New Years Day were mandatory holidays. Following a brief discussion the Board instructed Mr. Hill to notify all employees as well as the general public that the Lenoir County ABC Stores would be closed on Friday, December 25, 2009, Saturday, December 26, 2009 and Friday, January 1, 2010. The Board also instructed Mr. Hill to notify all employees as well as the general public that the Lenoir County ABC Stores would be closing at 6:00 p.m. on Thursday, December 24, 2009.

With no further business at hand and on a motion by Emmette Taylor and a second by Coley Little, Chairman Wiley Dawson adjourned the December meeting.



Wiley Dawson, Chairman



Bruce E. Hill, Supervisor

GREENE LAMP, INC.

A Community Action Agency

Since 1965

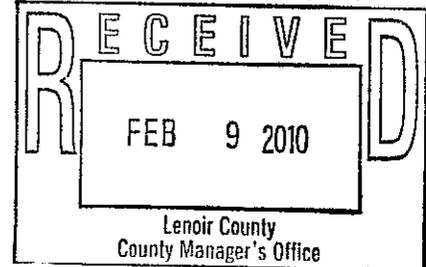
Snow Hill Office
Tel (252) 747-8146
Fax (252) 747-4339

309 Summit Avenue • Kinston, North Carolina 28501
Tel. (252) 523-7770 • Fax (252) 523-7868
greenclamp@embarqmail.com

Head Start Office
Highland (252) 527-5252
Fax (252) 527-7339
Grainger Hill (252) 523-7770
Fax (252) 523-7868

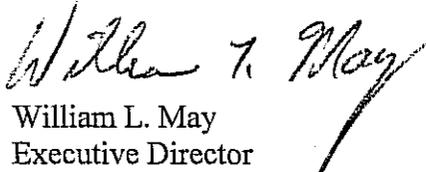
From the Executive Director

Mr. William May



I am pleased to send you a copy of the Greene Lamp, Inc. Annual Report for the 2008 – 2009 Fiscal year. Our Annual Report gives an overview of our programs and the families we serve. Greene Lamp continues to strive to empower our local low-income residents by providing educational resources and opportunities to achieve self-sufficiency.

Sincerely,


William L. May
Executive Director

NORTH CAROLINA DEPARTMENT OF TRANSPORTATION BIENNIAL CLEANUP DRIVE
Volunteers Wanted to Help Clean North Carolina's Roadsides!

SPRING-2010

**LITTER
SWEEP**

April 17 thru May 1

MINUTES
LENOIR COUNTY BOARD OF COMMISSIONERS
February 1, 2010

The Lenoir County Board of Commissioners met in open session at 9:00 a.m. on Monday, February 1, 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 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; 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. Philip Ahlschager of Suddenlink Communications addressed the Board. Mr. Ahlschager stated Suddenlink is in the process of making a \$350 million investment in programming across the United States. More High Definition (HD) channels will be offered, Internet speeds are being increased, and "Video on Demand" is being added to the line of services. Mr. Ahlschager stated Suddenlink continues to be innovative and concerned with its customers needs. Mr. Humphrey asked about Suddenlink's balance sheet; Mr. Ahlschager stated Suddenlink's finances are very good and the balance sheet is strong. Mr. Pharo and Mr. Stroud asked how is Suddenlink addressing the problems of the un-served populations of Lenoir County. Mr. Ahlschager stated there has to be at least 20 homes per mile for services to be added to any community, but any area of concern by the Board will be investigated. The Board thanked Mr. Ahlschager for his presentation.

Mr. Roger Dail, Emergency Services Director, addressed the Board regarding the winter storm that past through the area over the weekend. Mr. Dail stated the North Carolina Department of Transportation (NCDOT) along with the Lenoir County Public Schools made the decision to close school due to the bad condition of secondary road ways throughout the county. On Saturday, January 30th, 5,100 citizens lost electricity. The shelter at Lenoir Community College was opened at 4:00 p.m. manned with volunteers from the Red Cross; DSS employees were on standby. Mr. Graham was asked to sign an Emergency Declaration on Friday which put an Instant Action Plan in place to send to State and Federal governments and the local media. Mr. Dail stated everyone worked together during the storm to relay information to appropriate personnel throughout the city and county. The Board commended emergency service personnel, city officials and all other municipalities for the great work they did during the event.

ITEMS FROM CHAIRMAN/COMMISSIONERS

Item No. 1 was Items for the Chairman and Members of the Board. Mr. Graham notified the Board of a contract that will be submitted by Mr. Jarman for employment. Mr. Graham it is precedent for a County Manager to have an employment contract. The Board was asked to review the contract and respond with any questions or concerns.

ITEMS FROM THE COUNTY MANAGER

Item No. 2 was Items from the County Manager. Mr. Jarman showed the Board an advertisement from King’s Restaurant, showcasing Sanderson Farms chickens.

CONSENT AGENDA

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

- 3. Approval of Minutes: Regular Board Meeting: January 4, 2010 Hall/Jarman
- 4. Budget Ordinance Amendment: General Fund: DSS: \$226.00: Increase Jones/Martin
- 5. Budget Ordinance Amendment: Finance/Sheriff’s Dept.: \$2,000: Increase Smith/Martin
- 6. Budget Ordinance Amendment: Trust and Agency Fund: Extension-Family Caregiver: \$5,000: Increase Kelly/Martin

PROCLAMATION/BUDGET ORDINANCE AMENDMENTS/RESOLUTIONS

Item No. 7 was a Proclamation: Career and Technical Education Month. Upon a motion by Mr. Humphrey and a second by Ms. Sutton, Item No. 7 was unanimously approved.

Item No. 8A was a Memo regarding G.S. 105-369(a): Unpaid Real Estate Taxes.

Item No. 8B was an Order for Tax Collector to Advertise 2009 Taxes which are a Lien on Real Property. Mr. Darrell Parrish, Tax Administrator, addressed the Board. Mr. Parrish stated the outstanding 2009 taxes are \$3,139,945.20. This figure includes county, fire and late listing penalties as of January 25, 2010. Upon a motion by Ms. Brown and a second by Mr. Pharo, Item No. 8A and B were unanimously approved.

Item No. 9 was a Resolution Approving Authorizing Emergency Foam Filling of Case 621C Tires: Colony Tire: NTE: \$6,500. Mr. Hollowell stated when the Case 621C loader was moved over to the MSW Transfer station, it began experiencing flat tires. Repair of the flat tires is \$400 to \$500 each time a flat occurs. Foam filling of the tires is the best solution to prevent future flats and downtime of the loader. The Landfill Director received prices for foam filling from Colony Tire in Kinston and Black’s Tire in New Bern. Colony Tire provided the best price for the foam filling and was able to perform the task over the weekend thereby disrupting the transfer station operations as little as possible. A breakdown of the prices to foam fill the tires follows:

Colony Tire	Kinston, N.C.	\$6,414.90
Black’s Tire	New Bern, N.C.	\$7,033.20

Upon a motion by Ms. Sutton and a second by Ms. Brown, Item No. 9 was unanimously approved.

Item No. 10 was a Resolution by the Board of Commissioners of the County of Lenoir Selecting CDBG-ED Project Engineer. Mr. David Harris of RSM Harris Associates addressed the Board. Mr. Harris stated Lenoir County has authorized the filing of applications for grant funds under the NC Community Development Block Grant Program – Economic Development Category, the NC Industrial Development Fund and the NC Rural Economic Infrastructure Fund. Lenoir County anticipates receiving grant funds for the installation of natural gas pipelines to serve Sanderson Farms, Inc. The county has procured professional engineering services in accordance with all applicable Federal, State, and local requirements. M A Engineering Consultants, Inc. of Cary, NC submitted a proposal that demonstrates they are the most qualified to provide the professional engineering services necessary to complete the pipe line construction project in the best interests of the County. Their lump-sum fee of \$378,151.21 for complete engineering, design, inspections and contract administration services is reasonable and acceptable for the size and scope of the natural gas pipe line construction project. M A Engineering has a relationship with Sanderson Farms and Lenoir County as a community. Mr. Harris stated the county is very fortunate to have M A Engineering for this project. Upon a motion by Mr. Davis and a second by Ms. Brown, Item No. 10 was unanimously approved.

APPOINTMENTS

Item No. 11 was a Resolution Appointing Citizens to Boards, Commissions, Etc. The following reflects existing vacancies and appointments.

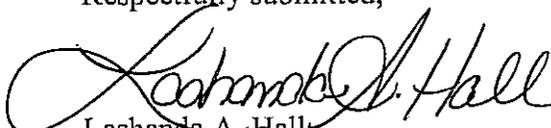
<u>BOARD/COMMITTEE/COMMISSION</u>	<u>APPLICANT/ CURRENT MEMBER</u>	<u>TERM EXPIRATION</u>
Lenoir County Economic Development Board 2 nd Appearance	Mr. Bill Whaley Dr. Jack Harrell (Re-Appointments)	December 2012 M: Brown S: Stroud
Home and Community Care Block Grant Committee 1st Appearance	Mr. Chris Harper Ms. Ava G. Humphrey (Re-Appointments)	January 2013

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**

Upon a motion by Mr. Graham the meeting recessed at 10:20 a.m. until 10:30 a.m. at 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

Item No. 3

MINUTES
LENOIR COUNTY BOARD OF COMMISSIONERS
BUDGET PLANNING WORK SESSION
Administration Building Conference Room
February 1, 2010

The Lenoir County Board of Commissioners began their scheduled retreat on Monday, February 1, 2010 at 10:30 a.m., at the Administration Building Conference Room, 101 North Queen St., Kinston, NC.

Members present included: 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 W. Jarman, County Manager, Tommy Hollowell, Assistant County Manager, Martha Martin, Finance Officer, Roger Dail, Emergency Services Director, Joey Huff, Health Director, Chris Hill, Sheriff's Department and Lashanda Hall, Clerk to the Board.

Mr. Graham welcomed the Board members to the Budget Work Session.

Mr. Jarman stated the purpose of the work session was to obtain Board input for the upcoming FY 2010-11 budget, this input will be very important in determining funding for the new budget year. Mr. Jarman reviewed information as follows:

Budget Philosophy – Mr. Jarman reviewed the budget philosophy with the Board. The Board agreed to keep the goal for the Unrestricted/Unreserved General Fund Fund Balance at twenty percent (20%). In regards to employee pay, Mr. Davis stated he did not see where the county could afford to give any type of pay increases for the upcoming fiscal year. Mr. Pharo stated he agreed with Mr. Davis and stated he would like for all employees to be able to keep their current positions. Mr. Graham stated the Board should look into giving the employees some type of compensation for the upcoming year such as additional days of vacation. Mr. Dail stated that employees are aware of the tough economy, but additional days of vacation would do more harm in his department. Mr. Dail stated he is currently down 5 to 8 positions, with overtime at an all time high. More vacation days granted would just make the current conditions in his department worse. Management and the Board discussed job vacancies in several departments. Mr. Graham then discussed the need for a Public Information Officer (PIO) and a Human Resource Director (HR) for the county. The Board concluded there would be no funds available for a PIO unless employee's duties were combined to create the proper step. Mr. Graham stated the county needs to expand its human resources department, and a HR Director would be the proper step. The Board directed administration to include some type of compensation for employee's in the upcoming fiscal year as long as it could be done within the current budget parameters and numbers.

Financial Performance Summary (as of 12/31/09) – Mr. Jarman reviewed the revenues and expenditures with the Board. The County is in line with budgeted numbers. Sales tax for the county is still very low; jail expenditures are high and increasing

Current Year Revenues vs. Expenditures as of January 31, 2010

Revenues Forecast Projected Over-run -\$106,950
Expenditures Forecast Projected Over-Run - \$368,000
Total Projected Under-Run to "The Bad" - -\$261,050
Projected Fund Balance Appropriated - \$871,374

General Fund Fund Balance Projection for the Remainder of FY 09-10

At current \$63,376,257 Amended General Fund Budget (1/31/10); the County has 7.8 weeks or working capital.

Projection: The county will increase the current Appropriated Fund Balance of \$610,324 (as of 1/31/10) by \$261,050 and finish FY 09-10 using \$871,374 of Fund Balance.

School Bond Payments with Lottery – Mr. Jarman reviewed the bond payments for schools. Mr. Jarman reminded the Board of the upcoming shortage in FY 12-13 for school bond payments.

Jail Debt Service – Mr. Jarman stated the estimated debt of the jail is \$17.5 million at 5% interest. Total debt service paid for FY 10-11 will be \$437,500. Mr. Jarman reminded the Board of the jail's capacity and the on-going overcrowding issue. Mr. Jarman asked the Board if they were still interested in constructing a jail; by common consent the Board stated their interest in jail construction.

ADJOURNMENT

Upon a motion by Mr. Graham and a second by Mr. Stroud, the Board concluded the meeting at 12:15 p.m.

Respectfully submitted,

Reviewed By


Lashanda Aytch
Clerk to the Board


Michael W. Jarman
County Manager

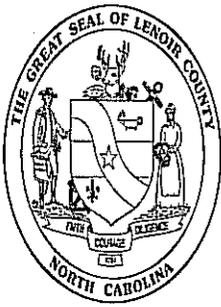
BUDGET ORDINANCE AMENDMENT:

General Fund:

DSS:

\$194.00 Increase

Item No. 4



LENOIR COUNTY, NORTH CAROLINA
BUDGET AMENDMENT REQUEST

FY 09/10
Appropriations

Distribution - Finance Office:

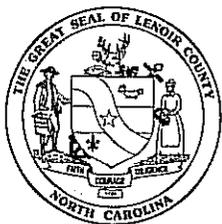
Budget Amendment # _____

Date Approved _____

FUND		DEPARTMENT		LINE ITEM DESCRIPTION	
GENERAL		SOCIAL SERVICES		VARIOUS	
Check One Box New Appropriation: <input checked="" type="checkbox"/> Line Item Transfer: <input type="checkbox"/> REVENUES			Check One Box New Appropriation: <input checked="" type="checkbox"/> Line Item Transfer: <input type="checkbox"/> EXPENDITURES		
Account # and Title	Amount	Account # and Title	Amount		
INCREASE		INCREASE			
103531.3001		105372.1151			
ADMINISTRATIVE REIMBURSEMENT	\$ 194.00	CRISIS-CP&L	\$ 194.00		
Total	\$ 194.00	Total	\$ 194.00		

Reason and Justification for Request:
Line item adjustments to reflect allocation received. No County match required.

Department Head Approval <i>[Signature]</i>	Date 2-11-10	Finance Officer Approval <i>[Signature]</i>	Date 2-11-10
Budget Officer Approval <i>[Signature]</i>	Date 2/11/10		
Board Approval (When Applicable)	Date	Date of Minutes	



LENOIR COUNTY, NORTH CAROLINA
BUDGET AMENDMENT REQUEST

FY 2009 -2010
 Appropriations

Distribution - Finance Office:

Budget Amendment # _____
 Date Approved _____

FUND	DEPARTMENT	LINE ITEM DESCRIPTION	
GENERAL	HEALTH	VARIOUS	
Check One Box New Appropriation: <input checked="" type="checkbox"/> Line Item Transfer: <input type="checkbox"/> REVENUES		Check One Box New Appropriation: <input checked="" type="checkbox"/> Line Item Transfer: <input type="checkbox"/> EXPENDITURES	
Account # and Title Amount <u>Increase</u> <u>Family Planning (State)</u> 10-3502-3300 \$ 2,419.00		Account # and Title Amount <u>Increase</u> <u>Educational Supplies</u> 10-5150-2300 \$ 2,419.00	
Total 2,419.00		Total 2,419.00	
Reason and Justification for Request: Additional Monies for New Family Planning Bonus Funds			
Department Head Approval Date <i>[Signature]</i> 2/9/10		Finance Officer Approval Date <i>Marta H. Marti</i> 2/9/10	
Budget Officer Approval Date <i>[Signature]</i> 2/11/10			
Board Approval (When Applicable) Date		Date of Minutes	

INTRODUCED BY: Michael Jarman, County Manager **DATE:** 02/15/10 **ITEM NO.** 6

Resolution Approving Presentation of Det. Rickie Allen Pearson, Jr. Service Weapon to Major Rickie Allen Pearson, Sr.

SUBJECT AREA: Personnel

ACTION REQUESTED:

The Board is requested to authorize the Sheriff to present to Major Rickie Allen Pearson, Sr. the service weapon carried by Det. Rickie Allen Pearson, Jr. who was killed on April 8, 2009 in the line of duty, pursuant to N.C.G.S. 20-187.2

HISTORY / BACKGROUND:

On April 8, 2009 Det. Rickie Allen Pearson, Jr. was killed in the line of duty. In accordance with N.C.G.S. 20-187.2, the local governing board may award to surviving relatives the service weapon of a law enforcement officer killed in the line of duty after the relative has secured a permit as required by G.S. 14-402. The board, in its discretion, may determine the price of said service weapon.

EVALUATION:

Major Christopher Hill spoke to the surviving spouse (Catherine Pearson) of Rickie Allen Pearson, Jr., on February 3, 2010, who indicated that she was not opposed to the service weapon being given to Det. Pearson's father, Major R. A. Pearson, Sr.

In keeping with the North Carolina General Statutes and local government practices, it is recommended that Major Rickie Allen Pearson, Sr. be presented with the service weapon (H&K .45 caliber handgun) of Det. Rickie Allen Pearson, Jr.

MANAGER'S RECOMMENDATION:

Respectfully Request Approval.

Initials

RESOLUTION: NOW THEREFORE BE IT RESOLVED by the Lenoir County Board of Commissioners authorize the Sheriff to present to Major Rickie Allen Pearson, Sr. the service weapon of Det. Rickie Allen Pearson, Jr.

AMENDMENTS:

MOVED _____ SECOND _____

APPROVED _____ DENIED _____ UNANIMOUS _____

YEA VOTES: Humphrey _____ Sutton _____ Stroud _____ Graham _____
Pharo _____ Brown _____ Davis _____

George Graham, Chairman 02/15/10
Date

ATTEST 02/15/10
Date

**A RESOLUTION HONORING
Joreen Fields**

Item NO. 7A

- WHEREAS,** the Lenoir County Board of Commissioners wishes to proudly acknowledge and to publicly recognize employees retiring from the County Government; and,
- WHEREAS,** Ms. Joreen Fields was employed by the County Director of Social Services as a Clerk-Typist II on July 1, 1980; and,
- WHEREAS,** Ms. Joreen Fields was promoted to a Social Services Eligibility Specialist I on January 19, 1983; and,
- WHEREAS,** Ms. Joreen Fields was promoted to an Income Maintenance Caseworker II on July 1, 1988; and,
- WHEREAS,** Ms. Joreen Fields was promoted to a Child Support Agent I on September 1, 1996; and,
- WHEREAS,** Ms. Joreen Fields was promoted to a Child Support Agent II on December 1, 1999; and,
- WHEREAS,** Ms. Joreen Fields has dedicated her professional career at Lenoir County Department of Social Services to public service and to the citizens of Lenoir County; and,
- WHEREAS,** Ms. Joreen Fields has submitted her notice of retirement from the Lenoir County Department of Social Services effective March 1, 2010.
- WHEREAS,** Ms. Joreen Fields will retire with thirty years of service from the Lenoir County Department of Social Services; and,
- WHEREAS,** The Board of Commissioners of Lenoir County is grateful for the fine services rendered by this outstanding citizen.

NOW THEREFORE BE IT RESOLVED, this the 15th Day of February in the Year 2010 of our Lord, that the Lenoir County Board of Commissioners recognizes Ms. Joreen Fields for her efforts, commitment and compassion that she has so freely given to the citizens of Lenoir County and further resolved that a copy of this Resolution be transmitted to Ms. Joreen Fields by the Clerk to the Board of Commissioners of Lenoir County.

BOARD OF COMMISSIONERS OF LENOIR COUNTY

BY:

Mr. George W. Graham, Jr., Chairman

ATTEST:

Clerk to the Board of Lenoir County Commissioners

DATE:

**A RESOLUTION HONORING
Lizzie Grady**

Item No. 7B

WHEREAS, the Lenoir County Board of Commissioners wishes to proudly acknowledge and to publicly recognize employees retiring from the County Government; and,

WHEREAS, Ms. Lizzie Grady was employed by the County Director of Social Services as a Processing Assistant III on February 24, 1997; and,

WHEREAS, Ms. Lizzie Grady was promoted to Accounting Technician I on October 1, 1997; and,

WHEREAS, Ms. Lizzie Grady was promoted to Accounting Technician II on July 1, 2000; and,

WHEREAS, Ms. Lizzie Grady has dedicated her professional career at Lenoir County Department of Social Services to public service and to the citizens of Lenoir County; and,

WHEREAS, Ms. Lizzie Grady submitted her notice of retirement from the Lenoir County Department of Social Services effective January 1, 2010.

WHEREAS, Ms. Lizzie Grady retired on December 31, 2009 with almost thirteen years of service from the Lenoir County Department of Social Services; and,

WHEREAS, The Board of Commissioners of Lenoir County is grateful for the fine services rendered by this outstanding citizen.

NOW THEREFORE BE IT RESOLVED, this the 15th Day of February in the Year 2010 of our Lord, that the Lenoir County Board of Commissioners recognizes Ms. Lizzie Grady for her efforts, commitment and compassion that she has so freely given to the citizens of Lenoir County and further resolved that a copy of this Resolution be transmitted to Ms. Lizzie Grady by the Clerk to the Board of Commissioners of Lenoir County.

BOARD OF COMMISSIONERS OF LENOIR COUNTY

BY:

Mr. George W. Graham, Jr., Chairman

ATTEST:

Clerk to the Board of Lenoir County Commissioners

DATE:

INTRODUCED BY: Michael Jarman, County Manager DATE: 02/15/10 ITEM NO.: 7C

Resolution Approving Contract with Mega Force Staffing Group Inc.: \$75,000

SUBJECT AREA: Financial

ACTION REQUESTED:

The Board is requested to approve a budget resolution for a contract with Mega Force Staffing Group Inc. for Income Maintenance Caseworkers and Child Support Enforcement Workers at DSS.

Account # 105310.3930 Temporary Employees \$75,000

HISTORY/BACKGROUND:

In an effort to assist with continual recruitment, retention and quality assurance, the Department of Social Services is seeking to temporarily contract with Mega Force Staffing Group Inc. for Income Maintenance Caseworkers and Child Support Enforcement Workers to staff vacancies in the Medicaid Program, the Food and Nutrition Services Program and the Child Support Program. Mega Force offers temporary experienced employees to cover vacancies for full-time or part-time schedules.

DSS has numerous vacancies in the Medicaid, Food and Nutrition Services and Child Support Programs that have proven difficult to fill. Mega Force has agreed to provide qualified temporary Income Maintenance Caseworkers and Child Support Enforcement Workers to work in the Medicaid, Food and Nutrition Services and Child Support programs as necessary. Mega Force will be used to staff long-term absences and difficult-to-fill vacancies. The contract with Lenoir County DSS and Mega Force Staffing Group Inc. will mature June 30, 2010.

EVALUATION:

Please note that this contract does not require a new appropriation as funds currently budgeted will be used for this purpose.

MANAGER'S RECOMMENDATION:

Respectfully recommend approval

INITIALS

RESOLUTION: NOW, THEREFORE BE IT RESOLVED that the Lenoir County Board of Commissioners approves a contract with Mega Force Staffing Group Inc. for Staffing for Income Maintenance Caseworkers and Child Support Enforcement Workers at DSS: \$75,000.

Account # 105310.3930
Temporary Employees

AMENDMENTS:

MOVED _____ SECOND _____

APPROVED _____ DENIED _____ UNANIMOUS _____

YEA VOTES: Brown _____ Davis _____ Graham _____ Humphrey _____
Pharo _____ Stroud _____ Sutton _____

George W. Graham Jr., Chairman 02/15/10
Date

ATTEST 02/15/10
Date

Item No. 8

BUDGET ORDINANCE AMENDMENT: GENERAL FUND
FINANCE/JAIL : \$39,100. INCREASE



LENOIR COUNTY, NORTH CAROLINA
BUDGET AMENDMENT REQUEST

FY 2009 -2010
Appropriations

Budget Amendment # _____
Date Approved _____

Distribution - Finance Office:

FUND		DEPARTMENT		LINE ITEM DESCRIPTION	
GENERAL		FINANCE/JAIL		10-3991-9910 FUND BALANCE APPROPRIATED 10-4320-3520 MAINT/REPAIRS	
Check One Box New Appropriation: <input type="checkbox"/> <input checked="" type="checkbox"/> Line Item Transfer: <input type="checkbox"/> <input type="checkbox"/>			Check One Box New Appropriation: <input type="checkbox"/> <input checked="" type="checkbox"/> Line Item Transfer: <input type="checkbox"/> <input type="checkbox"/>		
REVENUES			EXPENDITURES		
Account # and Title		Amount	Account # and Title		Amount
<u>INCREASE</u>			<u>INCREASE</u>		
10-3991-9910	FUND BALANCE APPROPRIATED	39,100.00	10-4320-3520	MAINTENANCE/REPAIRS	39,100.00
Total		39,100.00	Total		39,100.00

Reason and Justification for Request:
BUDGET AMENDMENT TO APPROPRIATE FUND BALANCE OF THE GENERAL FUND TO COVER UNEXPENDED EXPENSES FROM PRIOR FISCAL YEAR TO RENOVATE CELL BLOCKS IN THE JAIL. THE WORK WAS NOT COMPLETED UNTIL THIS FISCAL YEAR 2009-2010. THE COMMISSIONERS APPROVED \$120,400.28 IN FUNDS ON NOVEMBER 3, 2008 FOR JAIL RENOVATIONS , BUT ONLY \$79,489.00 WAS EXPENDED BY THE END OF FISCAL YEAR 2008-2009. THE BALANCE OF \$39,097.65 WAS EXPENDED IN THIS FISCAL YEAR 2009-2010.

Department Head Approval	Date	Finance Officer Approval	Date
<i>Michelle H. Martin</i>	2/10/10	<i>Michelle H. Martin</i>	2/10/10
Budget Officer Approval	Date		
<i>Michael W. Jarman</i>	2/11/10		
Board Approval (When Applicable)	Date	Date of Minutes	

STATE OF NORTH CAROLINA
COUNTY OF LENOIR

CERTIFICATE OF CLERK RE APPROVAL
OF TAX-EXEMPT LOAN TO VOLUNTEER FIRE
DEPARTMENT BY BOARD OF COMMISSIONERS

The undersigned, being the duly qualified Clerk of Lenoir County, North Carolina, does hereby certify that the following is a true and accurate copy of a Resolution passed by the Board of Commissioners of Lenoir County, North Carolina, at its regular/special meeting on the 15th day of February, Year 2010, which Resolution was duly introduced, seconded, and approved, and that said Resolution remains in full force and effect:

"NOW, THEREFORE, BE IT HEREBY RESOLVED, that the Board of Commissioners of Lenoir County, North Carolina does hereby approve a tax-exempt loan to the Southwood Volunteer Fire Dept. [name of Volunteer Fire Department] (the "VFD") from Southern Bank and Trust Company in the principal amount of \$ 250,000.00, which loan is for the following purpose (check applicable purpose):

1. () for the construction of a fire station for the VFD, (cross out the following if not applicable) including the purchase of the underlying real property.
2. () the purchase by the VFD of a fire truck or fire trucks, and

which fire truck(s) or fire station will be owned and operated by the VFD at the following address:"

1556 Hwy. 58 South
(street address)
Kinston, NC 28504
(city and state)

Duly certified by the execution hereof and the placing hereon of the seal of the said municipality, this the 15th day of February, 2010.
Year

CLERK (SEAL)
Lenoir COUNTY, NORTH CAROLINA

INTRODUCED BY: Michael Jarman, County Manager DATE: 02/15/10 ITEM: 10

Resolution Authorizing the Upgrade of the Existing Positron Lifeline 100 to the
Positron Viper Power 911: NTE: \$122,052.71

SUBJECT AREA: Financial

ACTION REQUESTED:

Authorize the upgrade of the existing Positron Lifeline 100 to the Positron Viper Power 911 at a cost not to exceed \$122,052.71 from budget line 24-4320-5101.

HISTORY/BACKGROUND:

Lenoir County Emergency Services Department – Communications Division receives all 911 calls, both wireline and wireless, for all citizens of Lenoir County. These calls are routed into the Communications Center through a piece of equipment in the back room that identifies the call information, including address and location information, and then transfers the call into the Communications Center. The current Positron Lifeline 100 is a system that was originally installed in 1993 and, due to the age of the system, will no longer be sold after this calendar year and within the next few years, will no longer be supported for maintenance. The Positron Lifeline 100 is almost at its full capacity and will not be able to support the additional growth of adding 911 trunk lines to support population growth.

EVALUATION:

The Positron Viper Power 911 System upgrade is necessary to bring the Lenoir County Emergency Services Department – Communications Division the continued ability to have service and replacement units/parts for the Communications Center and to continue with the Phase II wireless compliance in accordance with State of North Carolina wireless guidelines. The equipment currently located in the Lenoir County Emergency Service Department – Communication Division is provided by Embarq. To bid to other vendors would require changing out all equipment, at a higher cost to the County. This money will be budgeted out of the Special Telephone account, as it pertains to increase of wireless and/or 9-1-1 calls

MANAGER'S RECOMMENDATION:

Respectfully recommend approval.

Initials

RESOLUTION: NOW THEREFORE, BE IT RESOLVED by the Lenoir County Board of Commissioners to authorize the upgrade of the existing Positron Lifeline 100 to the Positron Viper Power 911 at price not to exceed \$122,052.71.

Account No.: 24-4320-5101

AMENDMENTS:

MOVED _____ SECOND _____

APPROVED _____ DENIED _____ UNANIMOUS _____

YEA VOTES: Brown _____ Davis _____ Graham _____ Humphrey _____
Pharo _____ Stroud _____ Sutton _____

George W. Graham Jr., Chairman 02/15/10
Date

ATTEST 02/15/10
Date

INTRODUCED BY: Michael Jarman, County Manager DATE: 02/15/2010 ITEM NO. 11A.

Resolution Authorizing Lenoir County Health Department to Establish a Part Time Temporary Employee Position to serve as WIC Breastfeeding Peer Counselor (BFPC): \$2,253.00

SUBJECT AREA: Financial

ACTION REQUESTED:

The Board is asked to grant permission to Lenoir County Health Department to utilize additional state WIC funds from WIC Breastfeeding Peer Counselor(BFPC) Program Funding Allocation. Previous funding is \$4503.00 increasing to \$13,532. Declination of funds will result in total loss of BFPC funding.

WIC State Funds-	
<u>Revenue</u>	<u>Expenditure</u>
10-3507-3300 WIC Program-State	10-5167-1260 Salaries/Wages-Part Time

HISTORY / BACKGROUND:

The funds may be used only for costs associated with the implementation, expansion and maintenance of breastfeeding peer counselor programs.

EVALUATION:

This action is necessary to provide sufficient accounting of expenditures and to comply with applicable laws. By hiring a part time temporary employee, the health department will meet the criteria to satisfy the requirements of WIC Program- State, thereby, decreasing the loss of anticipated revenues for FY 2009-2010 and future years. For 2009 - 2010 is \$2253.00. Anticipated funding for 2010-2011 is \$13,532

MANAGER'S RECOMMENDATION:

Respectfully Request Approval.

Initials

RESOLUTION: NOW THEREFORE BE IT RESOLVED by the Lenoir County Board of Commissioners to authorize utilization of funds as requested.

AMENDMENTS:

MOVED _____ SECOND _____

APPROVED _____ DENIED _____ UNANIMOUS _____

YEA VOTES: Brown _____ Davis _____ Graham _____ Humphrey _____

Pharo _____ Stroud _____ Sutton _____

George W. Graham Jr., Chairman 02/15/10
Date

ATTEST 02/15/10
Date



LENOIR COUNTY, NORTH CAROLINA
BUDGET AMENDMENT REQUEST

FY 2009 - 2010
 Appropriations

Budget Amendment # _____
 Date Approved _____

Distribution - Finance Office:

FUND		DEPARTMENT		LINE ITEM DESCRIPTION	
GENERAL		HEALTH		VARIOUS	
Check One Box New Appropriation: <input checked="" type="checkbox"/> Line Item Transfer: <input type="checkbox"/> REVENUES			Check One Box New Appropriation: <input checked="" type="checkbox"/> Line Item Transfer: <input type="checkbox"/> EXPENDITURES		
Account # and Title		Amount	Account # and Title		Amount
<u>INCREASE</u>			<u>INCREASE</u>		
<u>WIC Program (State)</u>			<u>Salaries & Wages -Part Time</u>		
10-3507-3300		2,253.00	10-5167-1260		\$ 2,253.00
Total		\$ 2,253.00	Total		\$ 2,253.00
Reason and Justification for Request: Needed separate Breast Feeding Peer Counselor monies into separate salary line item as this will be paying for part time employee with no benefits as long as State monies are available.					
Department Head Approval		Date	Finance Officer Approval		Date
<i>[Signature]</i>		2/9/10	<i>Manda H. Marti</i>		2/10/10
Budget Officer Approval		Date			
<i>M. W. [Signature]</i>		2/11/10			
Board Approval (When Applicable)		Date	Date of Minutes		

INTRODUCED BY: Michael Jarman, County Manager **DATE:** 02/15/10 **ITEM NO.** 12

Resolution Authorizing Lenoir County Health Department to Execute a Contract for the Construction of a WIC Area by Manuel & Associates Real Estate Inv. & Services: \$17,556.03

SUBJECT AREA: Financial

ACTION REQUESTED:

The Board is asked to grant permission to Lenoir County Health Department to utilize state WIC funds for renovation of the WIC area per Architectural Layout and award a contract to Manuel & Associates Real Estate Inv. & Services in the amount of \$17,566.03.

WIC State Funds-
10-5167-3500 Maintenance/Repairs-Bldg. & Grounds-\$17,556.03

HISTORY / BACKGROUND:

The money is to be used to renovate the WIC Office Area at the Lenoir County Health Department. This renovation is to make adequate room for work area as well as client services. This renovation and proposal has been approved by the State WIC Nutrition Services Branch.

EVALUATION:

This action is necessary to provide sufficient accounting of expenditures and to comply with applicable laws.

MANAGER'S RECOMMENDATION:

Respectfully Request Approval.

Initials

RESOLUTION: NOW THEREFORE BE IT RESOLVED by the Lenoir County Board of Commissioners to approve the renovation of the WIC area in the Lenoir County Health Department utilizing renovation funds received from the State WIC Nutrition Services Branch and award a contract to Manuel & Associates Real Estate Inv. & Services in the amount of \$17,566.03 to perform the renovations.

AMENDMENTS:

MOVED _____ SECOND _____

APPROVED _____ DENIED _____ UNANIMOUS _____

YEA VOTES: Brown _____ Davis _____ Graham _____ Humphrey _____
Pharo _____ Stroud _____ Sutton _____

George W. Graham Jr., Chairman 02/15/10
Date

ATTEST 02/15/10
Date

INTRODUCED BY: Michael W. Jarman, County Manager DATE: 2/15/10 ITEM NO. 13

Resolution Authorizing Execution of an Addendum to the Sales Tax Audit Contract Dated October 18, 2004 with
Tax Reduction Specialists: Sales Tax Re-allocation Audit

SUBJECT AREA: Financial

ACTION REQUESTED:

The Board is requested to authorize the County Manager to execute an addendum to the contract with Tax Reduction Specialists(a division of Utilities Reduction Specialists, Inc.) to conduct a sales tax re-allocation analysis audit of sales and use tax refund claims for Lenoir County for tax filing periods from December 31, 2009 through December 31, 2010.

HISTORY/BACKGROUND:

Utilities Reduction Specialists, Inc., was established in 1991 in Clemmons, North Carolina, with an objective to audit telecommunication and energy bills for billing errors. Utilities Reduction Specialists, Inc., acquired Tax Reduction Specialists in 2001. Tax Reduction Specialists focuses specifically on minimizing client's tax liabilities, conducting sales tax re-allocation audits, and securing refunds. Utility Reduction Specialists, Inc., has worked with 107 city and county governments in 4 states and is currently conducting sales tax re-allocation audits for 19 counties in North Carolina. Lenoir County contracted with Tax Reduction Specialists in October 2002 to audit the sales and use tax refund claims for tax filings in 1999 through June 2002. This time frame was significant because a three (3) year statute of limitations applies to requests for tax refunds and Lenoir County would not have been able to apply for any sales tax refunds for filings through June 1999. The County extended the contract with Tax Reduction Specialists on October 18, 2004 to include sales tax filings through December 31, 2003, on February 7, 2005 to include sales tax filings through December 31, 2006, on March 5, 2007 to include sales tax filings through December 31, 2007, on February 18, 2008 to include sales tax findings through December 31, 2008, and on October 6, 2008 to include sales tax findings through December 31, 2009. The requested addendum will extend the contract with Tax Reduction Specialists to include sales tax filings through December 31, 2010.

A sales tax re-allocation audit involves identifying the actual county that received credit for the county sales tax on the original sale of merchandise and verifying that the sales tax is credited to the correct county by the N.C. Department of Revenue. Conducting a re-allocation audit is the only way that a county can obtain a refund for improperly reported sales tax. The State of North Carolina will not do this for a county.

Tax Reduction Specialists, in the original agreement, was compensated 25% of the amount of the sales tax refund obtained by Lenoir County as a result of the sales tax re-allocation audit. Under subsequent addendums and the proposed addendum, the County compensates Tax Reduction Specialists at a reduced rate of 20% of the sales tax refund obtained by the County. If the county does not receive a refund, there will be no fee for the services of Tax Reduction Specialists. The County does not have the staff or the expertise to do this work in-house.

EVALUATION:

Execution of this agreement will provide Lenoir County with the assurance that it has properly received credit for sales tax re-allocations from the North Carolina Department of Revenue for filings through December 31, 2010 and secure any refunds due to the County for improperly filed or credited sales tax revenues. To date, the audit performed by Tax Reduction Specialists has produced a direct benefit to Lenoir County of \$399,756 in additional sales tax revenues that were allocated incorrectly by the State of North Carolina. Tax Reduction Specialists has estimated an additional benefit to the County of \$20,139 through the tax filing period ending December 31, 2009 and additional revenues for filings through December 31, 2010.

Approval of this resolution will allow Tax Reduction Specialists to continue their audit of prior sales tax filings and continue to audit sales tax filings through December 31, 2010.

MANAGER'S RECOMMENDATION:

Respectfully recommend approval. _____

RESOLUTION: NOW THEREFORE BE IT RESOLVED that the Board authorizes acceptance of the Addendum to the contract between Lenoir County and Tax Reduction Specialists, a division of Utilities Reduction Specialists, Inc., and be it further resolved that the County Manager is authorized to execute the attached agreement, which is incorporated and made part of this resolution by reference.

AMENDMENTS:

MOVED _____ SECOND _____

APPROVED _____ DENIED _____ UNANIMOUS _____

YEA VOTES: Brown _____ Davis _____ Graham _____ Humphrey _____

Pharo _____ Stroud _____ Sutton _____

George W. Graham Jr., Chairman Date

ATTEST Date

ADDENDUM TO SALES TAX CONTRACT
DATED OCTOBER 18TH, 2004
BETWEEN
LENOIR COUNTY, NORTH CAROLINA
AND
TAX REDUCTION SPECIALISTS
(A division of Utilities Reduction Specialists, Inc.)

This addendum hereby authorizes Tax Reduction Specialists (TRS) to audit sales and use taxes for Lenoir County through the tax period ending December 31, 2010. TRS will not audit tax periods ending after this date unless it receives written approval by the County. This audit will be conducted under the same terms and conditions as the original contract.

The fee for any tax refunds, credits or additional tax revenues recovered for Lenoir County as a whole for tax periods ending after December 2003, will be 20% of said refunds, credits, or revenues and will be invoiced only after receipt of same by the County.

APPROVED FOR LENOIR COUNTY

(Signature)

_____, 2010

(Title)

ATTEST:

APPROVED FOR TAX REDUCTION SPECIALISTS

Steven D. Mann
Steven D. Mann, President

1/28, 2010

ATTEST:

Cheryl Beckus

**RESOLUTION BY THE BOARD OF COMMISSIONERS
OF THE COUNTY OF LENOIR
SELECTING CDBG PROJECT ADMINISTRATOR**

WHEREAS, the County of Lenoir is applying for funds under the 2009 CDBG Community Development Program – Economic Development Category; and

WHEREAS, the County of Lenoir anticipates receiving grant funds from the North Carolina Commerce Finance Center; and

WHEREAS, the County of Lenoir has procured professional management services in accordance with all applicable Federal, State, and Local requirements; and

WHEREAS, the County of Lenoir has received proposals from more than one qualified firm to provide professional management services.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the County of Lenoir;

THAT, the County hereby selects RSM Harris Associates, Inc. to provide complete program management services as outlined in their proposal (including administrative and technical services) for a lump-sum fee of \$55,000.00.

THAT, Michael W. Jarman, County Manager, is hereby authorized to execute a professional services contract between the County of Lenoir and RSM Harris Associates, Inc. upon receipt and execution of the Grant Agreement and Funding Approval and adoption of a Grant Project Ordinance. The provision of professional management services is subject to satisfaction of all grant conditions and release of funds conditions where applicable. Services to be provided to be based on conditions being released for that activity.

Adopted this 15th day of February, 2010 at Kinston, Lenoir County, North Carolina.

Lashanda A. Hall

Clerk to the Board
Title

County of Lenoir

Board of Commissioners

George W. Graham, Jr., Chairman
Claude Stroud, Vice-Chairman
Jackie Brown
Reuben J. Davis
Chris Humphrey
Thomas A. Pharo
Linda Rouse Sutton



Lenoir County Courthouse
Post Office Box 3289
130 South Queen Street
Kinston, NC 28502

Telephone: (252) 559-6450
Fax: (252) 559-6454

Michael W. Jarman, County Manager
Thomas L. Hollowell, Asst. Cnty Manager
Lashanda Aytch, Clerk to the Board

MEMORANDUM

TO: Procurement File for Administrative Services

FROM: Michael W. Jarman, County Manager

SUBJECT: County of Lenoir 2009 CDBG-ED Program
Request for Proposals
Administrative Services

DATE: February 10, 2010

On December 23, 2009, Request for Proposals were forwarded to the following firms believed to be interested in providing administrative services for the 2009 CDBG-ED Project:

1. The Adams Company – Warsaw, NC
2. CMR Services - Kannapolis, NC
3. RSM Harris Associates, Inc. - Goldsboro, NC
4. The Wooten Company – Raleigh, NC
5. Ken Weeden and Associates – Wilmington, NC
6. Skip Green and Associates – Raleigh, NC
7. AECOM – Raleigh, NC

The Request for Proposals for Administrative Services was publicized through a public notice that was published on December 26, 2009 as a two-column display advertisement in the non-legal section of the Kinston Free Press, a newspaper having regional circulation in the area.

As of the deadline for receipt of proposals, January 8, 2010 at 12:00 noon, the following firm had responded:

1. RSM Harris Associates, Inc. – Goldsboro. NC

Due to the limited responses the County solicited proposals a second time. On January 19, 2010 Request for Proposals were forwarded to the following firms believed to be interested in providing administrative services for the 2009 CDBG-ED Project:

1. The Adams Company – Warsaw, NC
2. CMR Services - Kannapolis, NC
3. The Wooten Company – Raleigh, NC
4. RSM Harris Associates, Inc. - Goldsboro, NC
5. AECOM – Raleigh, NC
6. Green Engineering – Wilson, NC
7. Ken Weeden and Associates – Wilmington, NC
8. Skip Green and Associates – Raleigh, NC
9. Progressive Resources Opportunities – Roanoke Rapids, NC
10. Bob Stark – Mooresville, NC
11. Sandra Ridley – Ellerbe, NC

The Request for Proposals for Administrative Services was publicized through a public notice that was published January 19, 2010 as a two-column display advertisement in the non-legal section of the Kinston Free Press, a newspaper having regional circulation in the area. A public notice requesting proposals was also published in the Jacksonville Daily News, another regional paper, on January 19, 2010.

As of the deadline for receipt of proposals, February 5, 2010 at 12:00 noon, the following firms had responded:

1. RSM Harris Associates, Inc. – Goldsboro, NC
2. Progressive Resources Opportunities –
Roanoke
Rapids, NC
3. The Wooten Company – Raleigh, NC

A review of the responses is as follows:

1. **RSM Harris Associates, Inc.** presented a very detailed proposal that specifically addressed the important factors to be considered in the selection of a firm as outlined in the RFP. The firm has excellent general qualifications and competence based upon reputation and proposal information. They have extensive prior CDBG experience and have intimate knowledge of the County's CDBG Program including the preparation of CDBG-CN applications in 1995, 1997, 2003, 2005 and 2009; CDBG-ED applications in 1991 and 2000; CDBG-UN applications in 1997 and 1999 and CDBG-SS Applications in 2003, 2006 and 2009. Due to their office location in Goldsboro, the team of staff members is readily available to the County and is less than 30 minutes away from their office and 10 minutes away from their homes. Their hourly rates were comparable with the other firm and included all expenses. Their not-to-exceed price was the lowest of the firms submitting proposals. They have successfully administered numerous other CDBG Programs in eastern North Carolina. Based upon the selection factors as outlined in the RFP, RSM Harris Associates is well qualified and meets or exceeds the criteria required to successfully complete the County's 2009 CDBG-ED Program.
2. **Progressive Resources Opportunities** submitted a proposal with adequate detail and listed previous projects. The firm has CDBG experience and one staff member has several years of experience and appears to be qualified. The firm is approximately 100 miles away and has not worked for the County before. The firm is not familiar with the County's ED Project. The hourly rates were the lowest, but the proposed not-to-exceed fee of \$55,680 was the highest proposal.
3. **The Wooten Company** submitted a letter and indicated their other project commitments would not allow them the time required to administer the County's ED project.

In summary, it is my recommendation to the County Board that RSM Harris Associates, Inc. be selected to provide administration services for the 2009 CDBG-ED Project and that the County enter into negotiations with the firm for their services. Upon completion of satisfactory negotiations, it is recommended that the County enter into an Agreement with Harris Associates for the provision of administrative services subject to all grant conditions and release of funds provisions being satisfied.

Reasons for the selection of RSM Harris Associates, Inc. include the following:

1. General Qualifications and Competence
Harris Associates proposed to provide a "team approach" to administering the CDBG Program. The team is composed of competent and experienced individuals who are experts in the CDBG field. Program management will be handled by the President of the firm that specializes in community development program administration. The firm has adequate qualified personnel to accomplish the scope of services required. The qualifications, experience, and technical competence of the firm is excellent.

2. Familiarity and Understanding of the County's CDBG Program
Harris Associates has worked with the County for over 18 years in the preparation of CDBG applications in 1991, 1995, 1997, 1999, 2000, 2003, 2006 and 2009 including the preparation of the County's 2009 CDBG-SS application that was successfully funded. The firm demonstrated a broad understanding of the County's economic development needs through the administration of the County's 1991 CDBG-ED and 2000 CDBG-ED Projects. The firm has competed administration of previous CDBG Programs in Dover, Cove City, Trenton, Maysville, Fremont, Mount Olive, Onslow County, Wayne County and other communities in eastern North Carolina.
3. Prior CDBG Experience
Harris Associates has been established for over twenty-four years and is well respected for providing similar services in administration of other CDBG Programs and numerous other State and Federal grant programs. Based upon the track record of Harris Associates with respect to other CDBG projects completed and under contract, they obviously possess a firm knowledge and have an excellent reputation in the CDBG field. They have demonstrated an ability to prepare successful CDBG applications over a long period of time and in being funded nearly every year.
4. Previous Experience with the County
Harris Associates submitted applications in 1991, 1995, 1997, 1999, 2000, 2003, 2005, 2006 and 2009. The firm also successfully administered these same CDBG Projects.
5. Availability of the Firm to the County
The Firm's proposal indicated an extremely high degree of participation by project staff in the program's administration. The staff members are to be actively involved and directly responsible for carrying out all aspects of the project's activities. Harris Associates is less than 30 minutes away and will be in the County on a regular ongoing basis to deal with complaints and unforeseen problems that may develop during the program. The firm's staff members live in Lenoir County.
6. Capability to Perform Services within Time and Financial Constraints
Harris Associates provided a detailed technical approach to program implementation and a realist schedule for each activity that indicated an ability to carry out the project within the time allowed. The cost of the services (as indicated by the hourly rates) appeared to be reasonable and acceptable. The scope and level of services to be provided will be in the overall best interest and most advantageous to the County.
7. Cost of Service
Harris Associates' proposed hourly rates were consistent with the other firms and included all expenses and fees. The total not-to-exceed price of \$55,000 was considered justifiable and reasonable, based on the experience, competence, and level of service to be provided. Compared with the administrative costs of similar CDBG Programs in the past, the cost of service is considered reasonable.
8. Summary Harris Associates promotes a "team relationship" with emphasis on close cooperation between the County and the team members. A close cooperative spirit will prevent or eliminate the opportunities for misunderstandings, misinterpretations, and miscommunications. The Firm would be considered as an extension of the County's staff and would represent the County's best interest in administering the program. The Firm has demonstrated an ability to carry out the 2009 CDBG-ED Program through the successful administration of numerous other CDBG Programs in the County and surrounding towns.

This memorandum is being provided as documentation as to the justification and reasons for the selection of a firm to provide administration services for the 2009 CDBG-ED program for the County of Lenoir.

LENOIR COUNTY 2009 CDBG-ED ADMINISTRATIVE SERVICES

	<u>Points</u>	<u>Harris</u>	<u>PRO</u>
General Qualifications & Competence	20	20	18
Prior CDBG Experience	20	20	15
Qualifications of Involved Staff	20	20	19
Availability	15	15	11
Capability to perform within time and financial constraints	15	14	13
Cost of Service			
Hourly Rates	5	4	5
Not-To-Exceed Price	5	5	4
TOTAL	100	98	85
Lump Sum Proposal		\$55,000	\$55,680

INTRODUCED BY: Michael Jarman, County Manager **DATE:** 02/15/10 **ITEM NO.** 15

Resolution Approving Citizens to Boards, Commissions, Etc.

SUBJECT AREA: Boards and Commissions

ACTION REQUESTED:

Officially and publicly appoint various applicants to various vacancies on boards, commissions, task forces, etc.

HISTORY / BACKGROUND:

The County Manager/County Clerk advertises vacancies on boards, commissions, committees, task forces, etc. The County Manager/County Clerk serves only clearinghouse functions with respect to the appointment process; no influence is exerted in this role. Commissioners are welcome to recruit applicants, or citizens may apply on their own free will.

EVALUATION:

The following Boards currently have existing vacancies/expiring terms. No applications at this time.

<u>BOARD/COMMITTEE/COMMISSION</u>	<u>APPLICANT/ CURRENT MEMBER</u>	<u>TERM EXPIRATION</u>
Home and Community Care Block Grant Committee 2 nd Appearance	Mr. Chris Harper Ms. Ava G. Humphrey (Re-Appointments)	January 2013
Lenoir Memorial Hospital Board of Directors 1 st Appearance	Mr. Clifton Harrison (Primary) Mr. B. Holton Harrison (Alternate)	January 2014

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**

MANAGER'S RECOMMENDATION:

Initials

RESOLUTION: NOW THEREFORE BE IT RESOLVED by the Lenoir County Board of Commissioners that the following appointments are made:

<u>BOARD/COMMITTEE/COMMISSION</u>	<u>APPLICANT/ CURRENT MEMBER</u>	<u>TERM EXPIRATION</u>
Home and Community Care Block Grant Committee 2nd Appearance	Mr. Chris Harper Ms. Ava G. Humphrey (Re-Appointments)	January 2013
Lenoir Memorial Hospital Board of Directors 1st Appearance	Mr. Clifton Harrison (Primary) Mr. B. Holton Harrison (Alternate)	January 2014

AMENDMENTS:

MOVED _____ SECOND _____

APPROVED _____ DENIED _____ UNANIMOUS _____

YEA VOTES: Brown _____ Davis _____ Graham _____ Humphrey _____

Pharo _____ Stroud _____ Sutton _____

George W. Graham Jr., Chairman 02/15/10
Date

ATTEST 02/15/10
Date

APPLICATION FOR APPOINTMENT
to
LENOIR COUNTY ADVISORY BOARDS AND COMMISSIONS

The Lenoir County Board of Commissioners believes that all citizens should have the opportunity to participate in governmental decisions. One way of participating is by serving as a citizen member of one of the County's advisory boards. If you want to be considered for appointment to an advisory board, please complete the Application below and mail it to the Lenoir County Clerk to the Board, P.O. Box 3289, Kinston, NC 28502, or fax to (252) 559-6454.

Advisory Board/Committee/Commission interested in:

Home and Community Care Block Grant Committee

(I understand that this application will be kept on the active file for two years only, and I, hereby, authorize Lenoir County to verify all information included in this application.)

* * * * *

Name: Chris Harper
 Address: 1698W Pleasant Hill Rd.
 City/State/Zip: Pink Hill NC 28572
 Telephone: (Home) 252-939-0391 (Work) 252-559-6251
 Occupation: Adult and Family Services Program Manager
 Business Address: P.O. Box 6 Kinston, NC 28502
 Age: (Optional): 42
 Number hours available per month for this position: 2-4
 Training: Various training in Adult Services and Social Work
 Business and Civic Experience/Skills: 19 years at D.S.S.

Other County Boards/Committees/Commissions presently serving on: Lenoir Co. Transit

Expiration date of Term: _____

Circle your voting precinct

- | | |
|---|--|
| K-1 (Carver Courts Recreation Center) | Institute (Institute Methodist Church) |
| K-2 (Old Plummer Daniel's Building) | Moseley Hall (Frink Middle School Gym) |
| K-3 (Fairfield Recreation Center) | Neuse (Agricultural Center) |
| K-4 (Northwest Elementary School) | <u>Pink Hill 1</u> (Bethel Baptist Church) |
| K-5 (Spillman Baptist Church) | Pink Hill 2 (Pink Hill Rescue Station) |
| K-6 (Teachers Memorial School) | Sand Hill (Sand Hill VF Department) |
| K-7 (Emma Webb Recreation Center) | Southwest (Southwest VF Department) |
| K-8 (Holloway Recreation Center) | Trent 1 (Deep Run VF Department) |
| K-9 (Kinston Number 4 Fire Station) | Trent 2 (Moss Hill Ruitan Building) |
| Contentnea (Contentnea Ruitan Building) | Vance (GTP Ed & Training CTR.) |
| Falling Creek (Banks Elementary School Gym) | Woodington (Woodington Middle School) |

CERTIFICATION

I certify that I have read and understand the 75% attendance requirement established in the Lenoir County Board Appointment Policy. I further certify, that I am aware, if my attendance drops below the 75% attendance requirements that I will be automatically removed from said Board appointment.

Chris Harper
Signature of Applicant

1-21-10
Date

APPLICATION FOR APPOINTMENT to LENOIR COUNTY ADVISORY BOARDS AND COMMISSIONS

The Lenoir County Board of Commissioners believes that all citizens should have the opportunity to participate in governmental decisions. One way of participating is by serving as a citizen member of one of the County's advisory boards. If you want to be considered for appointment to an advisory board, please complete the Application below and mail it to the Lenoir County Clerk to the Board, P.O. Box 3289, Kinston, NC 28502, or fax to (252) 559-6454.

Advisory Board/Committee/Commission interested in:

Home and Community Care Block Grant Committee / Aging
 (I understand that this application will be kept on the active file for two years only, and I, hereby, authorize Lenoir County to verify all information included in this application.)

* * * * *

Name: Ava C. Humphrey
 Address: 690 New Liberty Rd
 City/State/Zip: New Bern NC 28562
 Telephone: (Home) 252-637-6504 (Work) 252-559-6231
 Occupation: Adult Services Supervisor, Lenoir Co. DSS
 Business Address: P.O. Box 6, Kinston, NC 28501
 Age: (Optional): 64
 Number hours available per month for this position: 2-4
 Training: BA Degree
 Business and Civic Experience/Skills: Heard Board for 10 yrs, Adult Social Worker for 25 years
 Other County Boards/Committees/Commissions presently serving on: None
 Expiration date of Term: _____

Circle your voting precinct

- | | |
|---|--|
| <ul style="list-style-type: none"> K-1 (Carver Courts Recreation Center) K-2 (Old Plummer Daniel's Building) K-3 (Fairfield Recreation Center) K-4 (Northwest Elementary School) K-5 (Spillman Baptist Church) K-6 (Teachers Memorial School) K-7 (Emma Webb Recreation Center) K-8 (Holloway Recreation Center) K-9 (Kinston Number 4 Fire Station) Contentnea (Contentnea Ruitan Building) Falling Creek (Banks Elementary School Gym) | <ul style="list-style-type: none"> Institute (Institute Methodist Church) Moseley Hall (Frink Middle School Gym) Neuse (Agricultural Center) Pink Hill 1 (Bethel Baptist Church) Pink Hill 2 (Pink Hill Rescue Station) Sand Hill (Sand Hill VF Department) Southwest (Southwest VF Department) Trent 1 (Deep Run VF Department) Trent 2 (Moss Hill Ruitan Building) Vance (GTP Ed & Training CTR.) Woodington (Woodington Middle School) |
|---|--|

CERTIFICATION

I certify that I have read and understand the 75% attendance requirement established in the Lenoir County Board Appointment Policy. I further certify, that I am aware, if my attendance drops below the 75% attendance requirements that I will be automatically removed from said Board appointment.

Ava C. Humphrey
 Signature of Applicant

1-21-10
 Date

CLIFTON O. HARRISON

Clifton Harrison was born on January 26, 1939 in Lenoir County. He and his wife, Joyce, reside at 102 South Charles Street in LaGrange, NC. They have four daughters: Donna, Kim, Lisa, and Kathy.

Mr. Harrison attended Lenoir County Public Schools and received a bachelors' degree in Business Administration from East Carolina University.

Mr. Harrison retired from DuPont after 30 years of service. His role there was Planning/Marketing Coordinator. He is currently chairman of the DuPont Retirees Association. Mr. Harrison continues to be active as a realtor/broker and is owner and operator of Harrison Realty in LaGrange.

Mr. Harrison is also active in community and civic affairs. He is past-president of the LaGrange Rotary Club and the LaGrange Elementary School PTA, and was a member of the LaGrange Jaycees. He is currently serving as LaGrange Town Councilman.

Mr. Harrison and his family are active members of LaGrange First Free Will Baptist Church, where he serves as a deacon.

In his spare time, Mr. Harrison enjoys fishing and gardening.

B. HOLTON HARRISON

B. Holton Harrison is a native of Lenoir County and resides in LaGrange, North Carolina. He graduated from East Carolina University with a Bachelor's Degree in Business Administration. He also obtained a Master's Degree in Education from the University of North Carolina at Chapel Hill.

Mr. Harrison's work experience includes approximately thirty years in the field of education. He served as Principal at several schools in Lenoir County and retired as Principal of Frink Middle School.

Mr. Harrison and his wife, Mary Margaret, live in LaGrange. They have two children and two grandchildren.

Mr. Harrison has been active in community affairs. He is a member of the LaGrange Rotary Club and was named Rotarian of the Year in 1996. He is a former member of the LaGrange Chamber of Commerce and was awarded their Citizen of the Year Award in 1995. He has also been involved with the Boys Scouts of America and the LaGrange Christmas Parade Committee. Mr. Harrison has also served as a member of the LaGrange Town Council, the LaGrange Redevelopment Foundation Board, and the Lenoir County Junior Miss Committee. He is also an active member of the Community Baptist Church in LaGrange, where he serves as a deacon and trustee.

Mr. Harrison served as a member of the Lenoir Memorial Hospital Board of Directors for two four- year terms, from April of 1994 through January of 2002. During his tenure on the board, Mr. Harrison served on the Retirement Committee, the Quality Assurance Committee, and the Bio-Ethics Committee.