

MINUTES
LENOIR COUNTY BOARD OF COMMISSIONERS
February 20, 2012

The Lenoir County Board of Commissioners met in open session at 4:00 p.m. on Monday, February 20, 2012 in the Board of Commissioners Main Meeting Room in the Lenoir County Courthouse at 130 S. Queen St., Kinston, NC.

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

Members Absent: None

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

Chairman Graham called the meeting to order at approximately 4:00 p.m. Ms. Brown offered the invocation and Mr. Graham led the audience in the pledge of allegiance.

PUBLIC INFORMATION

Mr. Brantley Uzell, General Manager of the Lenoir County ABC Board presented an update. He was accompanied by Mr. Coley Little and Mr. Emmette Taylor, members of the ABC Board. The ABC Board's Performance Audit was completed on February 6, 2012. The Lenoir County ABC Board operates three (3) retail stores. There are two (2) in Kinston and one (1) in Pink Hill. The Board staffs fourteen (14) employees consisting of a business manager/general manager, finance officer, store managers, full-time and part-time sales associates, and a warehouse man. For Fiscal Year (FY) 2011, the ABC Board had an operating cost ratio of .74 and did not meet the target set by the ABC Commission. They have a profit percentage to sales of 5.51% and met the targeted rate set by the ABC Commission. In 2011, distributions of \$18,459 were made to law enforcement and \$158,560 to the County and municipalities. The ABC Board is in the process of buying a new computer system. The expense will be paid by the end of this year. The result will be a \$15,000 savings per year. Health insurance costs have also decreased with a savings of \$18,000 per year. Countertops were redone at the location on Phillips Road in Kinston. The main office was also redone for under \$3,000. A new policy manual has been adopted by the ABC Board. The employee evaluation process changed so raises and bonuses will be based on merit. Mr. Uzell stated they are seeking to open a location near Lowes on the east side of Kinston and he would like to meet with Mr. Jarman and Ms. Martin to discuss the potential of a new location. The east side of Kinston is a prime location due to beachgoers frequently traveling on Hwy 70 to get to the beach.

Mr. Rouse inquired what changes were made on health insurance for the significant savings. Mr. Uzell stated his personal age plays a main factor because the former general manager was older than he. Another employee was at the age where he qualified for a Medicare Supplement Plan. The Board pays the monthly premium for Medicare saving \$1,000 per month. The insurance carrier, Blue Cross Blue Shield told the ABC Board the risk factor had been reduced, thus bringing more savings. Mr. Davis asked if all stores were profitable. Mr. Uzell stated the only questionable profit would be for the Pink Hill location. There are currently no plans to close the location. Ms. Brown asked if Mr. Uzell thought the LaGrange ABC Store location would have a problem with the opening of a store on the east side of Kinston. Mr. Uzell stated he is not interested in opening a store too far outside the city limits, so it should not affect the sales for LaGrange. Mr. Graham asked if there have been any problems. Mr. Uzell stated there have not been any major problems. Some employees were reluctant to follow the new policy manual, but they have solved those issues. Mr. Graham stated when there is an issue with the ABC

Board, the State ABC Commission and the ABC Board address those issues. The Board of Commissioners does not govern the ABC Board. Salaries are also set by the ABC Board. When the Lenoir County ABC salaries were compared to ABC Boards from surrounding counties, the salaries in Lenoir County were lower. Mr. Jarman advised the Commissioners that a complete copy of the audit is in the County Manager's Office if they would like to review it. He reminded the Board the audit is a performance based audit and not a financial audit. Mr. Uzell stated a copy is also on the ABC Commission's website. Mr. Graham thanked Mr. Uzell for the update. He asked if Mr. Taylor or Mr. Little would like to make any comments. Mr. Little stated he was glad to attend the meeting and Mr. Taylor stated everything was going well.

ITEMS FROM THE COUNTY MANAGER

Mr. Jarman stated the County has received bids on two (2) properties up for auction. A \$500 bid was placed for 108 Hill Street in LaGrange. A \$775.50 bid was placed for 109 N. Adkin Street in Kinston. Mr. Jarman suggested accepting the bids to start the ten (10) day upset period to proceed with getting the homes renovated and back on the tax rolls. Both properties need work done. Upon a motion by Mr. Davis and a second by Ms. Brown, both bids were unanimously accepted.

The next Budget Work Session will be held after the next Board Meeting on March 5, 2012. The Sheriff's Department will attend to present their budget for the new jail. Other agencies may attend to present their budget, but as of right now, only the Sheriff's Department is scheduled to present. Mr. Graham stated two (2) Commissioners will be absent at the next meeting due to the NACo Legislative Conference from March 3 – 7, 2012. Mr. Jarman stated he could reschedule the presentation if the Board would like to delay the department's presentation due to absent commissioners. A Special Called Meeting can also be arranged once the conference is over to hear the presentation. Either way, the presentation will be video recorded for the absent members to watch when they return. Mr. Graham stated to continue with the plans in place for the budget to be presented at the next Budget Work Session.

ITEMS FROM THE COMMISSIONERS

Mr. Daughety stated the Transportation Summit will be held on March 16, 2012. He invited the Board to attend. The State of the Region Summit, Eastern Region will take place on March 14, 2012 in New Bern. He is pleased with the progress of the Convalescent Transportation Committee on their ideas and potential solutions.

Mr. Daughety wanted to address the Landfill issues with the citizens residing in the southern end of the County. Citizens living in Pink Hill or Pleasant Hill have a 60 mile round trip drive to the Landfill. These citizens pay a landfill user fee. Mr. Daughety stated he thinks it is a burden on those citizens living in the southern end of the County to have to drive a distance to take items to the landfill. He has had discussions with Mr. Tom Miller, Solid Waste Director, to find alternate solutions. Mr. Daughety stated a possible solution may be to establish a new satellite landfill location or contract the service out to a provider closer to the south end of the County. Mr. Jarman stated adding an additional location will put strain on the budget. If the service increases, fees may have to be increased to cover the cost of providing the extra services. Mr. Daughety stated Onslow Container Company may be a suitable contractor to be a receptor site. Individual taxpayers will have the option of paying a nominal fee for a closer site or driving to the main landfill for items not accepted at the current satellite sites. Mr. Jarman stated the current ordinance will have to be amended to include changes if made. Mr. Rouse stated this issue has been going on for an extended period of time. He believes some of the tonnage may even come from neighboring counties. A sticker system has been implemented in some counties to stop people who

are not residents of that particular county from utilizing the landfill. Mr. Miller stated citizens may be confused as to the difference between the smaller satellite sites and the main landfill. Large, bulky items such as furniture and mattresses are not recyclable and have to be taken to the main landfill for disposal. Only recyclable items and household garbage can be disposed of at the satellite sites. A sticker program may reduce the garbage flow by 15-20% by preventing residents from neighboring counties from dropping off their garbage. Mr. Graham stated the Board may want to revisit the locations of the smaller sites because there may have been a population shift. A site may not be utilized as much and can be moved to a different location with a higher population of citizens. Mr. Griffin advised the Board to be mindful of the inconvenience a sticker program may cause for some citizens who may have multiple cars, or have a family member or friend take their garbage for disposal. Mr. Jarman stated one solution will not fit all citizens. Mr. Miller stated the Wayne County landfill is closed on Wednesdays to reduce fuel costs, but work ten (10) hours a day on all other operating days. Mr. Jarman suggested discussing the correlation of the County landfill hours with the hours of Pink Hill, LaGrange, and the City of Kinston. Mr. Davis stated the option can be reviewed during the Budget Session. Mr. Miller stated sites are receiving more electronic items for disposal. To alleviate the problem, larger containers will be obtained.

Mr. Charlie Broadway, the contact for First Baptist Church on Rouse Road, informed the Board of upcoming Disaster Training performed by the North Carolina Baptist Men. The training will be held March 2-3, 2012. Approximately 400 people are expected to attend. There will be various training topics covered. Equipment utilized during a disaster will be showcased such as:

- Child Care Unit
- Command Unit
- Forklift
- International Search & Rescue (ISR) Unit
- Kitchen Unit (supplies between 20,000 – 30,000 meals per day)
- Laundry Units
- Recovery Unit
- Shower Units
- Support Trucks
- Water Tanker (supplies 5,000 gallons)

Mr. Broadway invited the Board and others from around the area to participate. He requested a Commissioner to attend the kick-off on March 2, 2012 at 4:30 p.m. to say a few words to welcome the group to Lenoir County. Mr. Rouse stated he will be able to attend the welcome. Ms. Sutton encouraged others to be present, but cannot attend herself due to a conference she will be attending. Mr. Daughety complimented the NC Baptist Men for their assistance after Hurricane Irene. Many disabled and elderly citizens in his district received aid from the organization. Mr. Graham stated he would like to get as many members to attend as possible to welcome them to the County. Mr. Broadway stated he would like for Mr. Roger Dail, EMS/Communications Director and staff member, Justin Tilghman to attend the training. He thanked the Board for their time.

Mr. Tom Ford and Mr. Richard Moore, both citizens from the Branchwood Community in Lenoir County addressed the Board. They had concerns regarding street conditions in their community. Mr. Ford stated a creek off Paul's Path floods and drains on the northeast side of Branchwood Drive. There is a sandbar built on the downstream side of the creek which causes water to flow under the road. Trash builds up in the pipe also causing flooding. Mr. Moore recently cleaned out the pipe with a pitchfork to allow the water to continue draining. Approximately two (2) years ago, work was done to attempt to alleviate the problem. There is also a problem with school buses turning around and

damaging the road when they do so. The road has been patched in the past, but has become an issue again. There is a hole in the street about three (3) inches in diameter from which water flows from below the road. Mr. Ford suggested removing the sandbar downstream to prevent the trash upstream from clogging up the pipe. He provided the Board with a sketch of his idea for reference. Mr. Daughety asked if the stream is on the state right of way. If so, then the State would have to maintain the drain and road. Mr. Daughety asked Mr. Ford for his contact information so he could contact DOT to have them review the situation. If the stream is on private property, then the owner of the property would be responsible for the maintenance. Mr. Jarman wanted to clarify if it was a creek or a ditch because if it is a creek, then NC Department of Environment and Natural Resources (DENR) may be the agency to deal with the issue. Mr. Ford stated the creek crosses Branchwood which is a state road. In closing, Mr. Moore complimented the County on the Landfill system. He stated it is convenient and works well.

CONSENT AGENDA

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

3. Approval of Minutes: Regular Board Meeting: February 6, 2012 Banks/Jarman
Special Called Meeting: February 6, 2012
4. Budget Ordinance Amendment: General Fund: Health (Environmental Health Martin
Lead Program) Increase.: \$348
5. Budget Ordinance Amendment: General Fund: Health: (Adult Health- Martin
Communicable Disease). Increase.: \$660

BUDGET ORDINANCE/RESOLUTIONS

Item No. 6 was a Resolution Declaring Property as Surplus and Authorizing the Sale of the Surplus Property by Auction. The County has a small inventory of various phone systems and phones that have outlived their useful life. This equipment is no longer of use to any County Department and there are no plans to put them back into service. Upon approval of the Board, the phone systems and phones will be listed for auction on GovDeals.com within the next 90 days. Upon a motion by Ms. Brown and a second by Mr. Pharo, Item No. 6 was unanimously approved.

Item No. 7 was a Resolution for Approval of an Easement to Piedmont Natural Gas Company, Inc.: \$5,159.88. Lenoir County received notification from a representative of Piedmont Natural Gas Company in January 2011, requesting permission to construct a gas regulator station on flood buyout property. The gas company was in need of the regulator station in order to provide natural gas to a local business located on Hwy 70 West of Kinston. A representative of Piedmont Natural Gas met with the NC Division of Emergency Management (NCDEM) and received a list of regulations and items needed in order to proceed with the project. Those items were provided to the Hazard Mitigation Branch of NCDEM in September 2011, along with the formal request from Piedmont Natural Gas for the grant of easement. Piedmont Natural Gas will build and maintain the natural gas regulator station on Hwy 70 West of Kinston, as well as provide gas to an area business. Upon a motion by Ms. Sutton and a second by Mr. Daughety, Item No. 7 was unanimously approved.

Item No. 8 was a Budget Ordinance Amendment: School Capital Fund School Building: \$192,732. Increase. This amendment is to adjust revenues and expenditures in the School Capital Fund to cover two (2) recently approved capital projects. The State still has ADM funds on hand to cover

County's match will come from fund balance in the School Capital Fund. Mr. Graham stated he had concerns with capital funds expended on projects previously budgeted for. He questioned if there was a need to reduce funds coming from the County. Mr. Daughety asked if the funds were already allocated or outside funds. He would prefer a representative from the school attend the meeting to make their requests. Mr. Hollowell stated the funds appropriated in the budget are for operations. Corporate ADM monies can be requested at any time. The County has to match those funds by 25 percent. The match comes from sales tax put aside specifically for this purpose. Once the ADM funds are expended completely, capital projects become 100 percent the County's responsibility. As of now, there is approximately \$700,000 in State ADM funds remaining. Mr. Hollowell stated funds for the schools are not budgeted at the beginning of the year, but budgeted as needed. Ms. Martin stated expenditures have to be signed before they are approved by the State to expend the ADM funds. They would have to request approval from the Board then seek approval from the State. Mr. Davis suggested approving the expenditure and discussing the issue in the upcoming Budget Work Session on March 5, 2012. Mr. Daughety stated the Board should have a joint meeting with the School Board or have the Chairman and Superintendent attend a Board Meeting. Upon a motion by Mr. Daughety and a second by Ms. Sutton, Item No. 8 was unanimously approved.

Item No. 9 was a Budget Ordinance Amendment: General Fund: DSS: \$229,885.: Increase. This amendment is for crisis line item adjustments to reflect actual State allocation received for FY 11-12. The allocation received is more than the State estimate approved in the FY 11-12 DSS Budget. These funds are 100 percent Federal/State funds. LIEAP (Low Income Energy Assistance Program) policy will change effective December 1, 2011. The County is now responsible for issuing LIEAP payments directly to energy vendors. The State issued the checks in previous fiscal years directly to the client. Upon a motion by Ms. Sutton and a second by Mr. Rouse, Item No. 9 was unanimously approved.

Ms. Moore informed the Board of Tracy Chestnut's resignation. She was the Business Officer for DSS. Her last day of employment was February 17, 2012. The recruiting period closed on the same day. Interviews will begin in approximately one week. The Business Officer needs to be good with people and possess the necessary accounting skills. If a candidate is not found, the position will reopen until it is filled. Joey Bryan also provided an update to the Board on the open Assistant Director of Transit position. Decisions will be made this week for interviews.

PUBLIC HEARING

Item No. 10 was a Public Hearing on the Requirements of the North Carolina Community Development Block Grant (CDBG) Program. Upon a motion by Mr. Graham and a second by Mr. Davis, the public hearing opened at 5:25 p.m. Mr. David Harris of RSM Harris and Associates, Inc. addressed the Board. Mr. Harris expects a lot of activity this year for the program. Mr. Daughety asked him to explain the application process. Mr. Harris stated personal contact information is gathered by Ms. Martin and kept on a list. The first category is the Scattered Site Housing which is county wide. Applications are received annually and when the cycle comes, they match the applications with funding. The selection committee is composed of various County and City personnel. Applications are submitted for a range of categories such as replacement, repair, and clearance. The funds are for low-income, owner occupied units. There is a Small Business and Entrepreneur Assistance Program. To be qualified for the program as a small business, there has to be less than 100 employees and in business for at least two (2) years. There were no comments made by the public. Mr. Graham declared the public hearing closed at 5:35 p.m.

APPOINTMENTS

Item No. 11 was a Resolution Approving Citizens to Boards, Commissions, Etc. Mr. Jarman clarified there is only one (1) Lenoir County Economic Development Board. Jim McLain and Bobby Merritt are seeking re-appointment. Anthony Hall is seeking appointment as an At-Large candidate. Mr. Daughety asked Mr. Mark Pope, Economic Development Director, to explain the Lenoir County Economic Development Board’s role. Mr. Pope stated they support Economic Development by discussing activities and offering a support system. The chairman of the board does attend the Transportation Committee Meetings. They are an advisory board. Mr. Pope stated he did not think there was an At-Large vacancy on the Economic Development Board and recommended no action be taken regarding Mr. Hall. Upon a motion by Ms. Brown and a second by Mr. Daughety, the following second appearances were approved.

<u>BOARD/COMMITTEE/COMMISSION</u>	<u>APPLICANT/ CURRENT MEMBER</u>	<u>TERM EXPIRATION</u>
Lenoir County Economic Development Board of Directors 1 st Appearance	Anthony D. Hall	February 2014
Community Advisory Committee – Nursing Home/Adult Care Home 1st Appearance	Mallie B. Stocks	February 2014
Lenoir County Economic Development Board of Directors 2 nd Appearance	Jim McLain Bobby Merritt	December 2014

CURRENT VACANCIES

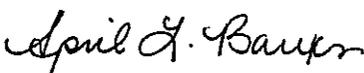
- Lenoir County Health Board – (1) Veterinarian, (1) Optometrist, (2) Public Members
- Lenoir County Planning Board – Districts One (1)
- CJPP – Three (3) Vacancies
- Kinston Board of Adjustment – Two (2) ETJ Members; (1) Primary – (1) Alternate

Mr. Graham asked Mr. Bill Ellis, Kinston-Lenoir Parks & Recreation Director to provide an update. Mr. Ellis stated the Freedom Classic will begin on February 24, 2012. There will be fireworks on Friday and a fly-over at 5:45 p.m. The Freedom Seekers, a local motorcycle club, will lead the parade to Grainger Stadium. On Saturday, February 25, 2012 at 2 p.m., parachute jumpers will display their skills. The baseball game will begin 2 p.m. on Saturday and 12:30 p.m. on Sunday. An estimated 5,000-7,000 people will attend. The cost is \$5 for adults and \$4 for children, seniors, and military.

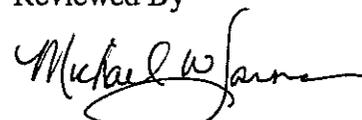
Mr. Ellis stated the Woodmen Center Project is progressing. The waterpark, pool, and therapy pool have been installed. Construction will start in the near future on the lazy river. The waterpark will have the longest slide in North Carolina.

Upon a motion by Mr. Graham and a second by Mr. Davis, the meeting adjourned at 5:42 p.m.

Respectfully submitted,


April L. Banks
Clerk to the Board

Reviewed By


Michael W. Jarman
County Manager