

**LENOIR COUNTY BOARD OF COMMISSIONERS REGULAR MEETING: AGENDA**  
**MONDAY, MARCH 4, 2013 – TIME: 9:00 AM.**  
**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:** Resolution Honoring Marguerite G. Whitfield  
Johnny Metcalfe- Hwy 70 Update  
Susan Moore- Lenoir County Department of Services Annual Report for  
FY: 2011-2012

- |    |  |        |
|----|--|--------|
| 1. | <b>Items from Chairman/Commissioners: 5 Min.</b> | Board  |
| 2. | <b>Items from County Manager: 5 Min.</b>         | Jarman |

**CONSENT AGENDA: 10 Min. ACTION**

- |    |   |                |
|----|---|----------------|
| 3. | Approval of Minutes: Regular Board Meeting: February 18, 2013                               | Roberts/Jarman |
| 4. | Resolution Approving the Releases and Refunds to the Individuals Listed Herein              | Parrish        |
| 5. | Budget Ordinance Amendment: Finance/Sheriff's Department: \$251: Increase                   | Martin         |
| 6. | Budget Ordinance Amendment: General Fund: Health: (Adult Health-BCCCP)<br>Increase: \$2,199 | Huff           |

**END OF CONSENT AGENDA**

**BUDGET ORDINANCE/RESOLUTIONS: 35 Min.**

- |     |   |        |
|-----|---|--------|
| 7.  | Resolution Honoring Wayne Brock   | Jarman |
| 8.  | Resolution Approving Lenoir County Voluntary Agricultural District Program  | Kelly  |
| 9.  | Resolution Approving Purchase Order Execution for Actuarial Valuation of Health<br>Care Plan of Lenoir County: Cavanaugh Macdonald Consulting, LLC: \$5,500                 | Martin |
| 10. | Budget Ordinance Amendment: General Fund: Board of Elections: \$7,828: Increase   | King   |
| 11. | Budget Ordinance Amendment: Solid Waste Fund: Finance/Landfill: \$8,364:<br>Increase  | Miller |
| 12. | Budget Ordinance Amendment: General Fund: Health (Immunization Program<br>State) Decrease (\$9,408)   | Huff   |
| 13. | Budget Ordinance Amendment: General Fund: Non-Departmental: \$51,588:<br>Increase   | Martin |
| 14. | Resolution Authorizing the Four (4) year Lease of 162 Desktop Computers and 3<br>year lease of 31 tablets from Dell Computer Corp, Inc. Not To Exceed \$67,200 per<br>year. | Bryan  |

**APPOINTMENTS: 5 Min.**

- |     |   |        |
|-----|---|--------|
| 15. | Resolution Approving Citizens to Boards, Commissions, Etc. 5 Min. | Jarman |
|-----|---|--------|

**OTHER ITEMS: 10 Min.**

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

**RESOLUTION HONORING  
Marguerite G. Whitfield**

**WHEREAS;** The Lenoir County Board of Commissioners wishes to honor the life and service of Marguerite G. Whitfield, who passed away on Sunday, January 13, 2013; and

**WHEREAS;** Marguerite G. Whitfield was born in Lenoir County, the daughter of Harvey and Bertie H. Grady; and

**WHEREAS;** Marguerite G. Whitfield graduated from Deep Run High School (now South Lenoir) and attended Barton College (formerly known as Atlantic Christian College) upon the encouragement and support of her mentors (Randy and Cora Lee Munn) where she received a business certificate; and

**WHEREAS;** Marguerite G. Whitfield served as a member of the Lenoir County Board of County Commissioners for 12 years and also served in top leadership positions at the local, State, and national level of the North Carolina Extension Homemakers; and

**WHEREAS;** Marguerite G. Whitfield was a Guardian Ad Litem volunteer, a member of the Kinston Chamber of Commerce, an active member of the Episcopal Church at Holy Innocents Church (at the Diocesan level), a member of the Lenoir County Mental Health Board and served on the Lenoir County Arts Council's Board; and

**WHEREAS;** Marguerite G. Whitfield was a graduate of the Leadership North Carolina Program, and was a member of the N. C. Women's Leadership Forum, and

**WHEREAS;** Marguerite G. Whitfield was appointed by Governor James B. Hunt to the North Carolina Social Services Commission; and

**WHEREAS;** Marguerite G. Whitfield received the Legacy Award from the Boys & Girls Club of Lenoir County;

**NOW THEREFORE BE IT RESOLVED,** this the 4<sup>th</sup> day of March, in the year of our Lord, two thousand thirteen, that the Lenoir County Board of Commissioners recognizes Marguerite G. Whitfield for her dedicated services she so freely gave to the citizens of Lenoir County.

**BOARD OF COMMISSIONERS OF LENOIR COUNTY**

\_\_\_\_\_  
Reuben J. Davis, Chairman

\_\_\_\_\_  
Date

\_\_\_\_\_  
Clerk to the Board



# 2011 – 2012 ANNUAL REPORT

Lenoir County

Department of Social Services



**Susan E. Moore, Director**

The Lenoir County Department of Social Services is a county operated, state supervised, public non-profit, service delivery organization funded by federal, state and county revenues.

The purpose of the Lenoir County Department of Social Services is to provide economic assistance, child support enforcement, and professional social work services to individuals and families living in Lenoir County, and, to deliver a large number of specialized and complex programs designed to assist the county in coping with a variety of social and economic conditions.

It is our mission as agents of the Lenoir County Department of Social Services to provide an optimal level of services and assistance to children, families, seniors, and disabled adults as well as to other individuals targeted or determined to be in need of our services-in a compassionate, caring, courteous, confidential and professional manner. It is the intent of every action taken, or endeavor undertaken to promote and maintain the integrity and dignity of the individual while focusing on enhancing a quality of life that we believe is an integral part of the inalienable rights of every person for life, liberty, and the pursuit of happiness. It is our belief as human service professionals that service to humanity is the greatest work of life.

**MEET OUR BOARD MEMBERS**

**Jackie Brown  
Chair**



**Linda Sutton  
Vice Chair**



**Dorethea Branch**



**Jim Woodall**



**Clay Howard**



BECOME A FAN

# Coping with a variety of social and economic conditions...



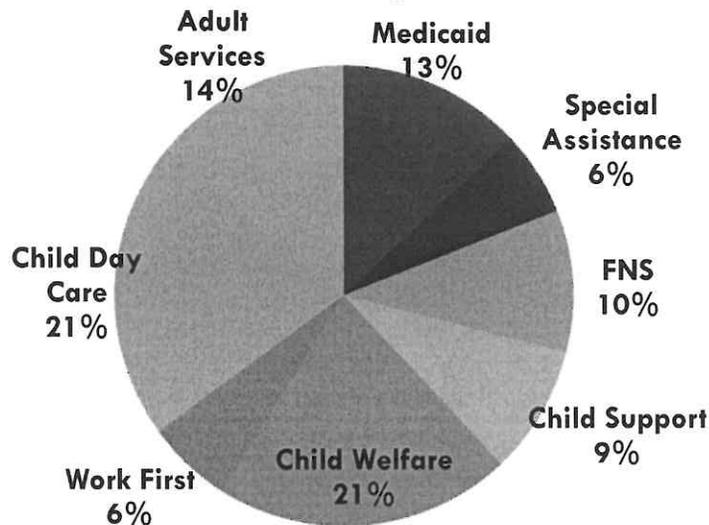
4 %  
County

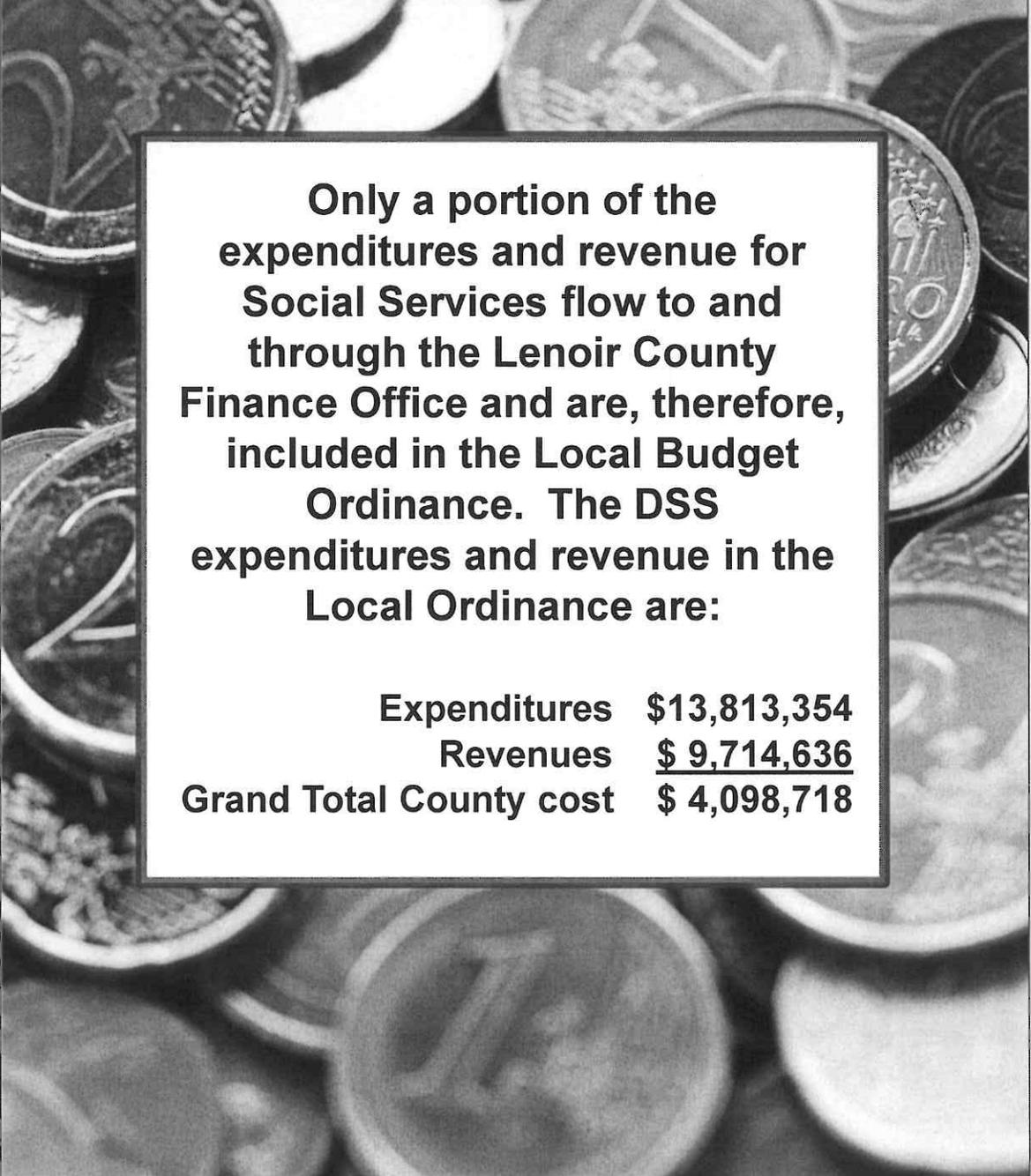
25 %  
State

71%  
Federal

Total DSS  
Expenditures  
\$ 140,415,524

## Estimated Expenditures





**Only a portion of the expenditures and revenue for Social Services flow to and through the Lenoir County Finance Office and are, therefore, included in the Local Budget Ordinance. The DSS expenditures and revenue in the Local Ordinance are:**

<b>Expenditures</b>	<b>\$13,813,354</b>
<b>Revenues</b>	<b><u>\$ 9,714,636</u></b>
<b>Grand Total County cost</b>	<b>\$ 4,098,718</b>

# Provide an optimal level of service...

## **Food and Nutrition Services**

The Food and Nutrition Services (formerly Food Stamps) program is designed to promote the general welfare and to safeguard the health and well-being of Lenoir County citizens by raising the level of nutrition among low income households.



The Lenoir County Food and Nutrition Services unit achieved this by:

- Taking 7,096 applications for assistance
- Providing benefits to 6,941 Lenoir County Households and 14,637 Lenoir County Citizens
- Issuing \$22,468,992 in benefits to the citizens of Lenoir County

## **Fraud Investigations**

The agency investigated suspected "Welfare Fraud" and ensures collection of overpayments of grants.

FY 11-12 Total collected = \$ 116,949.10

## **Crisis Intervention Program**

The Crisis Intervention Program (CIP) is a Federally-funded program that provides assistance to low income households that are in a heating or cooling related emergency.

The goal of the CIP program is to help families stay warm in the winter & cool in the summer. By doing so, this reduces the risk of health & safety problems such as illness, fire or eviction.

In FY 11-12, \$652,509.72 in CIP funds were issued for heating & cooling assistance.

## **Low Income Energy Assistance**

The Low Income Energy Assistance Program (LIEAP) is a Federally-funded program that provides for a one-time cash payment to vendors to help eligible families pay their heating bills. Energy Assistance is important to all that receive it, but more so if someone in your home is elderly, disabled or a young child under 6 years of age. These persons are especially at risk for life threatening illness or death if their home is too cold in the winter or too hot in the summer.

In FY 11-12, 658 Lenoir County citizens received benefits totaling \$153,400 to assist with heating/cooling bills.



**2011-2012 Annual Report**

**Lenoir County**

**Department of Social Services**

# Compassionate, Caring and Courteous...

## **Medical Assistance**

Medicaid is a health insurance program for low income individuals & families who cannot afford health care costs. Medicaid serves low income parents, children, seniors, and people with disabilities.

In FY 11-12, \$ 99,648,631.05 in medical benefits were issued on behalf of 15,393 Lenoir County Citizens.

State/County Special Assistance for Adults (SA) provides a cash supplement to help low income individuals residing in adult care homes (such as rest homes) pay for their care. Adult care homes are unlike nursing homes in that medical care is not provided by home staff. Designated staff may administer medications and provide personal care services such as assistance with bathing, eating and dressing.

In FY 11-12, \$ 1,667,621.18 in cash supplements were issued assisting 258 citizens.

The State/County Special Assistance In-Home Program for Adults (SA/IH) provides a cash supplement to help low income individuals who are at risk of entering a residential facility such as an adult care home or supervised living group home, and would like to remain at home. SA/IH provides an alternative to placement in this type of residential setting for individuals who could live at home safely with additional support services and income.

In FY 11-12, 18 individuals were able to remain in their home because of the SA In-Home Program.



## **Medicaid Transportation**

The purchase of Transportation Services enables individuals to have access to various medical and health related resources. Services are provided to the elderly, disabled, children, and pregnant women through Medicaid. In FY 11-12, \$578,073.36 in Medicaid Transportation payments were issued to Lenoir County Businesses.

# Service to Humanity is the Greatest Work of Life...

## Work First Family Services

Work First Family Assistance includes financial & medical assistance to families with children deprived of parental support, with monthly payments based on needs & resources.

154	Average families served
318	Persons served
322	Total case reviews
349	Applications completed
\$210	Average payment
8%	Quarterly reporting
101	Child only cases
1	Two-parent cases



The Work First Employment Program is devised to aid recipients of Work First Family Assistance in becoming self-sufficient and not dependent on the welfare system. The goal of the program is to teach and empower individuals to achieve personal responsibility through acquiring permanent employment.



74	Average monthly participants
134	Participants in Work Experience Placement
504	Assessments/Reassessments
49	Participants entering employment
83%	Participants who became employed & remained off WF for 12 months
\$9,716	Program participation expenditures
\$66,210.24	Transportation expenditures

**2011-2012 Annual Report**

**Lenoir County**

**Department of Social Services**

# Focusing on enhancing a quality of life...

Child Support staff work hard at the office and in court. We take approximately 500 – 600 cases per month for establishment, enforcement or modification of orders. Many of our customers seeking modification of their order have been extremely satisfied. In fact, through the efforts of Debbie Martin, our Review and Adjustment Agent, we had an order increase from \$25.00 to \$456.00 per month amounting to a 1117.24% percent increase in the obligation! Our attorney, Dal Wooten, and child support agents as well as court officials and sheriff's department staff work extremely well together to ensure that children of Lenoir County are supported and are proud to play such an important role in improving the lives of families.

## **Child Daycare Services**

The Child Daycare Program provides subsidized services to employed parents, parents involved in educational activities, children in the custody of the Lenoir County DSS and children with special needs.



\$ 2,619,646	Expenditures
968	Children served
\$356	Average monthly payment per child

## **General Assistance**

General Assistance is a program funded by 100% county funds for the purpose of helping with prescription medication and, in some instances, with emergency food and shelter needs.

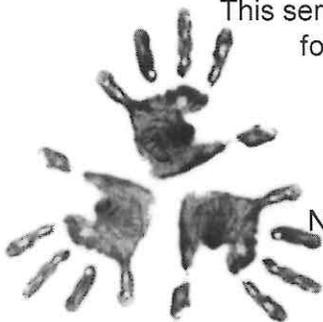
\$ 38,589.64 Spent

## **Child Support**

This service establishes & enforces support obligations for parents who are absent from the home.

Collected \$8,225,080.51  
Cases under order 91.38%

Non-Custodial parents located	763
Paternity Establishments	580
New Support Orders	375



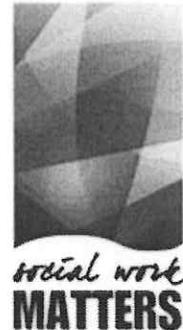
**2011-2012 Annual Report**  
**Lenoir County**  
**Department of Social Services**

# Every child deserves a forever home...

## **Child Protective Services**

Child Protective Services includes assessing reports of neglected and/or abused children under 18 years of age, treatment services designed to remove conditions which put the children at risk, and services to facilitate the removal of children in harmful situations.

- 786 Complaints
- 531 Complaints investigated
- 63 Juvenile Court petitions filed
- 59 Treatment/Case Management cases
- 31% Substantiation rate
- 45 Courtesy interviews for other counties



## **Foster Care and Adoption Services**

Foster Care for children includes services to children and their families to facilitate out-of-the-home care and for reunification, recruitment of volunteers to serve as foster parents, preparation of home studies, supervision of children in care, and the training and supervision of foster homes.

- 9 Licensed foster homes
- 37 Children in agency custody-placement responsibility
- 90 Case reviews by Permanency Planning Action Team
- 269 Judicial Reviews attended
- 101 Requests for assistance from other counties



### **A STORY FROM OUR SOCIAL WORKERS**

When this story began, a single mother of two young boys was recently widowed, unemployed, had unstable housing and was on probation for drug-related charges. She had also lost custody of her sons. Her prospects seemed bleak, yet after engaging in services with Lenoir County's Department of Social Services' Child Welfare Division, this young mother came to believe that she had the ability to turn her life around. She took charge of her situation with a dogged determination, persevering effort and a commitment to succeed.

This mother is now employed full time, has successfully completed probation and lives in stable housing with her two sons. Today she still faces challenges and has trials ahead, but she is the picture of a happy mother with two children who are pleased to be reunited with her. She has changed the course of her life, re-written her story and is moving towards a brighter future.

Adoption Services assist children in becoming a legal part of a new permanent family. This includes recruitment and study of adoptive homes & the provision of Adoption Assistance payments.

- 7 Orders of adoption were issued
- 88 Adoption Assistance cases
- 5 Children in legal custody whose plan is adoption

# Promote & maintain the integrity & the dignity of the individual...

## **Adult Protective Services**

Adult Protective Services include investigations of alleged abuse, neglect and exploitation of individuals 18 years of age or older. Services are offered to clients who cannot obtain the necessary services for themselves.

126 Reports of abuse, neglect or exploitation

## **Adult Day Care**

This program provides funds through the State Adult Day Care Fund to provide supervised care for individuals unable to care for themselves and to allow caretakers to pursue normal daily activities.

12 Individuals received services

## **Adult Care Home Case Management**

Services are directed toward improving the overall quality of care for Special Assistance/Medicaid eligible heavy care residents of adult care homes. Services are provided to those residents who are seriously impaired and require more extensive assistance in order to have their needs adequately addressed.

12 Residents of adult care homes received assistance

## **In Home Services**

In-Home Services are provided to the elderly and disabled to enable them to remain in the community and in their own homes with dignity and independence to the greatest extent possible.

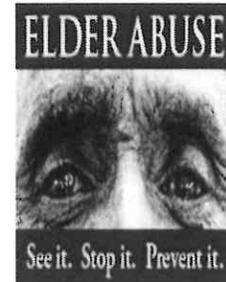


25 Adult recipients received services  
\$ 208,030.20

## **Guardianship Services**

Guardianship services are offered to legally declared incompetent adults.

- 9 Total cases
- 2 Clients in Long Term Care
- 5 Clients in an Assisted Living placement
- 2 Clients in a Group Home placement



# Economic Impact of DSS Programs on Lenoir County



Program	Benefit Amount	Multiplier Effect	Impact on Local Economy
Medicaid	\$ 177,432,311	1.73%	\$ 306,957,898
Day Care Subsidy	\$ 2,404,889	1.91%	\$ 4,593,338
Food Assistance	\$ 22,468,992	1.79%	\$ 40,219,496
<b>Totals</b>	<b>\$ 202,306,192</b>		<b>\$ 351,770,732</b>

The Lenoir County DSS programs funneled over \$202 million dollars into the local economy. Our programs help support jobs & economic activity in Lenoir County. Money used for economic assistance programs have a "multiplier effect" which occurs because the benefit dollars paid to service providers are then re-spent as wages, or salaries to their employees, rent for their buildings, utility payments, vehicle purchases and other business or personal expenses here in Lenoir County. Many of the employees of the service providers then re-spend the money for their own household or personal expenses. Economic assistance dollars cycle throughout the economy, thereby improving everyone's financial status.

**TO: Chairman and Members of the Board**  
**FROM: Mike Jarman, County Manager**  
**DATE: March 4, 2013**  
**SUBJECT: Items of Interest**

1. Kinston Elks Lodge Adward Dinner- March 27, 2013 at 7:00 p.m.
2. 2013 NCACC District Meetings
3. Lenoir County Planning Board Minutes

A FRATERNAL ORGANIZATION



*Kinston Elks Lodge No. 740*

BENEVOLENT AND PROTECTIVE ORDER OF ELKS

P.O. Box 2496

Kinston, NC 28502

(252) 527-3111

To: Kinston City and Lenoir County Officials  
Mike Jarman County Manager  
Linda Sutton Commissioner  
Roland Best Commissioner  
Jackie Brown Commissioner  
Craig Hill Commissioner  
Reuben Davis Commissioner  
Mac Daughtery Commissioner  
Eric Rouse Commissioner  
Tony Sears City Manager  
Kelly Jarman City Council  
Robert Swinson, IV City Council  
Joseph Tyson City Council  
Bobby Merritt City Council  
Sammy Aiken City Council  
BJ Murphy Mayor  
Nancy Saunders The Free Press

From: Hilda Byrd, Americanism Chairperson

Date: February 25, 2013

Re: Americanism Awards Dinner

The Kinston Elks Lodge #740 is very involved in various programs that support the youth of Lenoir County. We are hosting an awards ceremony for students who wrote winning essays titled "*What Does the National Anthem Mean to Me?*" Our lodge received 235 essays!

In celebrating the success of this program and the winning authors, the Kinston Elks Lodge is extending an invitation to you for our awards ceremony. A spaghetti dinner will be served at 7:00pm on Wednesday, March 27, at the Kinston Elks Lodge, located at 110 East Caswell Street, Kinston.

In order for the lodge to plan and prepare the meal, please call Jim McLain at 527-6058 **no later** than Monday, March 18.



Lenoir County  
Local Government

Mike Jarman <mjarman@co.lenoir.nc.us>

## 2013 NCACC District Meetings announced; seventh location added

1 message

Todd McGee <todd.mcgee@ncacc.org>

Fri, Feb 15, 2013 at 1:57 PM

To: "mjarman@co.lenoir.nc.us" <mjarman@co.lenoir.nc.us>



## 2013 District Meetings announced; seventh location added

The Association has announced locations for its series of seven district meetings to be held this April. The tentative times for each meeting are 5:30 - 8 p.m. Dinner will be included. There is no registration fee to attend the meeting, but county officials are asked to register in advance so the Association will have an accurate meal count for each meeting. To register, please fill out the [online registration form](#).

The Association will provide a legislative update, and counties are asked to report on their meetings with legislators, part of the NCACC's Grassroots Advocacy Program. The NCACC will mail the "Meetings in a Box" information to counties next week.

Date	County	Location	Address
Wednesday, April 3	Randolph	AVS Catering & Banquet Center (Center Room C)	2045 N. Fayetteville St., Asheboro
Thursday, April 4	New Hanover	Wilmington Convention Center, Rooms 106 & 107	10 Convention Center Dr., Wilmington
Wednesday, April 10	Jackson	WCU Liston B. Ramsey Center, Hospitality Room	92 Catamount Rd., Cullowhee
Thursday, April 11	Caldwell	Broyhill Civic Center, Room, 215	1913 Hickory Blvd. SE, Lenoir
Thursday, April 18	Wake	Quorum Center (Conference Center)	323 W. Jones St., Raleigh
Wednesday, April 24	Pitt	Hilton Greenville (Section A)	207 SW Greenville Rd., Greenville

Thursday, April 25 Pasquotank College of the Albemarle, Foreman Center, 1208 N. Road St., Elizabeth City  
121 A&B

## Essentials of Human Services daylong training seminars

One of the biggest challenges for newly elected and veteran county commissioners is to get up to speed on the complex human services programs that counties operate. Various state and federal laws and regulations typically govern these programs, and learning about all the responsibilities that counties have in the human services arena can be difficult and intimidating.

The NCACC and the School of Government at the University of North Carolina at Chapel Hill have collaborated on a program that is designed to offer county commissioners the opportunity to learn more about the three primary county human services program areas: (1) public health, (2) social services, and (3) mental health, substance abuse, and developmental disabilities.

The registration fee is \$180, and scholarships are available. The daylong course is offered twice: March 19 at the N.C. Arboretum in Asheville, and March 26 at the Doubletree by Hilton in New Bern. To register for either course, please click on the appropriate link. Commissioners who attend either session can qualify for credits through the Local Elected Leaders Academy.

For more information, contact Carolyn S. Boggs, Program Manager at the School of Government, at (919) 966-4157.

## County of Lenoir



P.O. Box 3289  
101 North Queen Street  
Kinston, North Carolina 28502  
Telephone 252-559-2260  
*Planning & Inspections Department*

### LENOIR COUNTY PLANNING BOARD JANUARY 17, 2013 MINUTES

*Regular Meeting  
January 17, 2013*

#### **Members Present:**

*C.L. Braxton-Chairman-District 3  
Russell Hill-Alternate-1  
Morry Barbee Jr.-At-Large  
Frank White-Vice-Chairman  
Barry Seay-District 5*

#### **Members Absent:**

*Derrick Carter-District 6  
Donna H. Hardy-District 1*

#### **1. Call Meeting to Order:**

Planning Board Chairman Mr. C. L. Braxton called the meeting to order at approximately 6:00 P.M. and Board Member Mr. Russell Hill provided the Invocation.

#### **2. Approval of Minutes:**

**May 17, 2012:** Mr. Frank White made a motion to accept the minutes as written and Mr. Morry Barbee Jr. seconded the motion. The vote was unanimous to approve the **May 17, 2012**, minutes as written.

**Election of Officers:** Mr. Russell Hill made a motion to leave the officers as they are and Mr. Morry Barbee Jr. seconded the motion. The Board voted unanimously to keep the officers as they are and Chairman Mr. C.L. Braxton stated the nomination was accepted by acclamation.

#### **3. Updates/Discussion:**

Lenoir County Planner Mr. Wayland Humphrey advised the board that new flood plain maps would be presented to them for approval before going to the Lenoir County Commissioners. He stated that the Lenoir

County Flood Ordinance may need to be amended or updated to the new state regulations and it would all be encompassed together.

Vice-Chairman Mr. Frank White asked if the flood plain map had any changes and Mr. Humphrey stated there are places that the base flood elevation will raise by a foot or so. Mr. Humphrey also advised the board that a flood plain meeting was schedule for January 24, 2013 at the Lenoir County Administration Building.

Mr. Humphrey stated that the Lenoir County Mobile Home Ordinance should be updated to reflect the way it was being applied and Chairman Braxton stated he did agree that some of the Lenoir County Ordinances should be updated. Mr. Humphrey stated that the Ordinances are online and suggested to the board that they view and determine which ones should be revised. Mr. Humphrey stated that the Lenoir County Attorney, Mr. Robert Griffin would look at the proposed changes.

Chairman Braxton asked Mr. Humphrey if he would recommend reviewing the Mobile Home Ordinance first and Mr. Humphrey stated yes because it is the one that is inquired about more frequently.

Mr. Morry Barbee asked if the Mobile Home Park Ordinance stated that the owner is responsible for the upkeep of the roads. Mr. Humphrey advised him that if not then it should be. He stated in a subdivision it is because it has to be either a dedicated public street that the state is planning to take over at some point in time. Mr. Humphrey stated that if it is private then there has to be a Home Owners Association.

Vice-Chairman Frank White expressed a concern about the access roads and the hardships on emergency vehicles. Mr. Humphrey stated that there are CDBG grants available for Lenoir County that could possibly help the situation. Mr. Seay stated that the CBDG grants for Lenoir County have to be applied for on a yearly basis.

Planning Board Member Mr. Barry Seay expressed a concern about mobile homes that are being underpinned with brick in a flood area. Mr. Wayland Humphrey advised that the policy regarding this was being enforced by the Lenoir County Building Inspections Office.

After a brief update on the D.O.T. Project from Mr. Barry Seay he stated there are about thirty-two different designs on the board. Mr. Seay also commended Lenoir County Commissioner Mac Daughety on his hard work and dedication to this project.

Mr. Wayland Humphrey stated that there is a new board member. He stated Mr. Michael Paul Whittington will join the Lenoir County Planning Board and fill the Alternate 2 position.

After a brief discussion it was decided to meet once a month whether there is anything on the agenda or not to discuss updates.

### **Adjournment**

There being no further business to discuss before the Lenoir County Planning Board member Mr. Barry Seay made a motion of adjournment and Board Member Mr. Russell Hill seconded the motion and the Board voted unanimously to adjourn at 6:50 P.M. It was announced that the next scheduled meeting date is Thursday, **March 21, 2013 6:00 P.M.**

**MINUTES**

**LENOIR COUNTY BOARD OF COMMISSIONERS**

**February 18, 2013**

The Lenoir County Board of Commissioners met in open session at 4:01 p.m. on Monday, February 18, 2013 in the Board of Commissioners Main Meeting Room in the Lenoir County Courthouse at 130 S. Queen St., Kinston, NC.

Members Present: Chairman Reuben Davis, Vice-Chairman Jackie Brown, and Commissioners, Mac Daughety, Linda Rouse-Sutton, Craig Hill, Roland Best and Eric Rouse.

Members Absent: None

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

Chairman Davis called the meeting to order at approximately 4:01 p.m. Jackie Brown offered the invocation and Mr. Davis led the audience in the pledge of allegiance.

**PUBLIC INFORMATION**

Mr. Mark Pope, Economic Development Director, introduced John Morrison, Chief Operating Officer of Strata Solar, LLC to the Board. Mr. Morrison has a 30 year career in clean energy with experience in utilities, non-profit organizations, government, academia and the private sector. Strata Solar is a solar development and construction company headquartered in Chapel Hill, North Carolina. Mr. Morrison joined Strata Solar in 2010 and has helped lead the company to explosive growth. This year Strata Solar will install over 70 Mega Watts of solar facilities up from 2 Mega Watts when he joined the company. In addition to his role at Strata Solar, he recently stepped down from the Advisory Council of the Electric Power Research Institute (EPRI), and is the former Assistant Secretary for Energy at North Carolina Department of Commerce, where his primary responsibility was the development of North Carolina's green economy. Mr. Morrison holds degrees in engineering from Yale and Stanford Universities, and an MBA from Harvard University. He and his wife, Dr. Mary Anne Dooley have three children and live in Chapel Hill, North Carolina. Mr. Pope stated Mr. Morrison is accompanied by Gerry Dudzik and Jordan Nance both of Carolina Solar Energy. John Morrison, Chief Operating Officer, stated Strata Solar builds solar farms and large solar rays. Mr. Morrison stated Strata Solar is committed to the concept of fostering sustainable energy. Strata Solar provides complete solar energy systems and installations for Utility, Government, Commercial and Residential purposes. Mr. Morrison stated they currently have three solar farms under construction and 20-25 solar farms are underway. Mr. Morrison stated Strata Solar will be constructing a large number of solar farms in the eastern region of North Carolina.

They are currently breaking ground to build a solar farm in Mount Olive, North Carolina. Mr. Morrison stated the solar farm is about 40 acres in size and will produce about 5 Mega Watts/AC Power at its peak. In addition there are four projects which will take place in Goldsboro, New Bern and in Lenoir County. They are all scheduled for construction this year. Mr. Morrison stated a 100 Mega Watt solar farm that is about 500-600 acres in size. It will be the largest solar farm in North Carolina and the largest in the eastern region of the United States. Mr. Morrison stated the business of building solar farms is a three-fold process which consists of the site, the necessary financing and the engineers to assist with the construction. Mr. Morrison stated a typical solar farm is about 40 acres in size which consists of about 20,000-28,000 solar panels, which takes about 100 people to build. The solar farm produces electricity which in turn is sold to local utility companies. Mr. Gerry Dudzik, Carolina Solar Energy, stated their company owns a large number of solar farms and they are currently locating sites to build additional solar farms. Mr. Dudzik stated Carolina Solar Energy will be looking for land zoned agricultural on which to build solar farms. Mr. Dudzik stated if trees have to be removed, they will contact North Carolina Department Environment of Natural Resources to obtain a permit to remove the trees. Mr. Dudzik stated they have received a large interest from land owners and businesses that would like to have solar farms built. Mr. Griffin inquired if Progress Energy or Duke Energy is required to purchase a certain amount of solar energy? Mr. Dudzik stated Progress Energy and Duke Energy are required to purchase a certain amount of electricity produced from solar energy also known as green energy generators by law. Mr. Griffin inquired if that law no longer existed, how would it affect solar farms? Mr. Morrison stated if the law changes, it will not affect the solar farms and they may continue to be built. Mr. Griffin inquired if there are long term contracts in place? Mr. Morrison stated there are long term contracts in place and some consist of leasing the land for a 20 year term. Ms. Rouse inquired about the negatives with building solar farms? Mr. Morrison stated solar farms give off positive energy and do not have any negative effects.

### **ITEMS FROM THE CHAIRMAN/COMMISSIONERS**

Mr. Rouse presented a Resolution to Preserve and Defend the United States Constitution and North Carolina Constitution to the Board. Mr. Rouse expressed thanks to everyone who came out in support of the resolution. Mr. Rouse read the Resolution to Defend the United Stated Constitution and North Carolina Constitution to the Board. Mr. Rouse stated the County Commissioners taking office solemnly swear that they will support the Constitution of the United States. Mr. Rouse stated the County Commissioners taking office also solemnly swear they will be faithful and bear true allegiance to the State of North Carolina and to the Constitutional Powers and Authorities which are or may be established for the government thereof and also promise to endeavor to support, maintain and defend the Constitution of the said State, not inconsistent with the Constitution Of the United States, to the best of our knowledge and ability. Mr. Rouse stated the Second Amendment to the U.S. Constitution states; "A well-regulated militia, being necessary to the security of a free State, the right of the people to keep and bear arms, shall not be infringed". Mr. Rouse stated Article I, Sec. 30 in the North Carolina Constitution states; "A well-regulated militia being necessary to the security of a free State, the right of the people to keep and bear arms shall not be infringed".

Mr. Rouse stated your rights are given by Our Creator and listed in the Constitution of the United States as a limit to government. Mr. Rouse stated a "Militia" when properly formed, is in fact the people themselves and includes all citizens capable of bearing arms. Mr. Rouse stated "well-regulated," means; that the militia, i.e., the people must be well equipped and it being "necessary to the security of a free State" means that the right of the people to bear arms was, and remains, the ultimate barrier to government tyranny. Mr. Rouse stated the lawless are unaffected by prohibitions imposed upon law abiding citizens' natural rights. Mr. Rouse stated the Lenoir County Board of Commissioners resolve as representatives of the people to defend the Second Amendment and Article I, Sec. 30 of the North Carolina Constitution. Upon a motion by Mr. Rouse and a second by Ms. Sutton, the Resolution to Preserve and Defend the United States Constitution and North Carolina Constitution was unanimously approved.

Mr. Rouse presented and read a Resolution to Protect the Privacy and Security of Law Abiding Gun Owners in North Carolina to the Board. Mr. Rouse stated the people of this state have an inherent right to privacy. Mr. Rouse stated the vast majority of gun owners are law-abiding citizens. Mr. Rouse stated owning a firearm for the defense of one's person, home, family and liberty is not the exercise of government privilege, but of God given right. Mr. Rouse stated the public disclosure of gun owner's personal information has resulted in slander as well as victimization by criminals. Mr. Rouse stated the public disclosure of gun owner's information also exposes an unarmed citizen to risk of victimization by being identified by as such. Mr. Rouse stated law enforcement, detention staff and correction officers have become targets of threat and intimidation following the release of their personal information as gun owners. Mr. Rouse stated forty (40) states and the District of Columbia have taken steps to make information concerning gun owners' private, and only ten (10) states, including North Carolina, continue to treat gun owner information as a public record. Mr. Rouse stated no public interest is served by the release of the personal information of private citizens that have committed no trespass of law. Mr. Rouse stated the Lenoir County Board of Commissioners resolves, as representatives of the people, to defend the safety and privacy rights of lawful citizens. Furthermore, the Lenoir County Board of Commissioners call upon the Governor and General Assembly of North Carolina to enact legislation protecting gun owners from undue and unwanted release of personal information by exempting said information from the public records laws. Upon a motion by Mr. Rouse and a second by Ms. Sutton, the Resolution to Protect the Privacy and Security of Law Abiding Gun Owners in North Carolina was unanimously approved.

Mr. Davis acknowledged Mr. Wes Wolfe, Kinston Free Press Journalist, and stated Mr. Wolfe has replaced David Anderson, former Kinston Free Press Journalist.

Ms. Brown stated she attended the North Carolina Association of County Commissioners' Education Steering Committee Meeting on February 14, 2013. Ms. Brown stated the meeting was very informative. Ms. Brown stated Dr. Edwin Dunlap, Executive Director of the North Carolina School Boards Association and Representative Holloway gave a presentation about capital funding of charter schools. Ms. Brown stated Forsythe County is considering becoming a charter school district. Wake County has adopted a bill about charter schools. The Education Steering Committee is opposing the capital funding of charter schools. Ms. Brown stated one of the main goals of the Education Steering Committee is to reinstate the ADM and the lottery funds for school construction.

Ms. Brown stated the next meeting will be held on May 23, 2013. Ms. Brown stated County Assembly Day will be held on May 22, 2013.

Mr. Hill stated he attended the North Carolina Eastern Region Meeting. Mr. Hill stated there has been a new bill introduced that may have a big impact on the Eastern Region. Mr. Hill stated the act will allow a county to withdraw from the Eastern Region and receive a distribution of its motor vehicle registration tax proceeds as well as its payments made by the County in lieu of taxes.

### **ITEMS FROM THE COUNTY MANAGER**

Mr. Jarman reminded the Board about the joint meeting with the City Council that will be held on March 7, 2013 in the Tax Department's Conference Room at 5:00 p.m. Mr. Jarman encouraged the Board to inform him of any topics that they would like to discuss at the joint meeting, so that it can be placed on the agenda.

### **CONSENT AGENDA: 10Min.**

### **ACTION**

- |   |                |
|---|----------------|
| 3. Approval of Minutes: Regular Board Meeting: -February 4, 2013                  | Roberts/Jarman |
| 4. Resolution Approving the Releases and Refunds to the Individuals Listed Herein | Parrish        |
| 5. Budget Ordinance Amendment: General Funds: Health: Increase: \$971             | Huff           |

Upon a motion by Ms. Brown and a second by Ms. Sutton, the consent agenda was unanimously approved.

### **BUDGET ORDINANCES/RESOLUTIONS**

Item No. 6 was a Budget Ordinance Amendment: Finance/Sheriff Department: \$3,556: Increase. Sherriff William Smith stated the budget amendment was to budget insurance proceeds received from Farm Bureau Insurance Company on February 4, 2013 in the amount of \$3,555.22. This is payment for damages to Sheriff's vehicle while in Princeton, N.C. Upon a motion by Ms. Sutton a second by Ms. Brown, Item No. 6 was unanimously approved.

Item No. 7 was a Resolution Approving Purchase of HP Switches, Transceiver and Installation: \$18,285. Sheriff Smith stated the Lenoir County Jail, located in the 1982 Courthouse annex, is designed for face to face visitation between the inmate and his or her family. Sheriff Smith stated on visitation day, the family member wanting to visit an inmate enters a room where there is a bank of booths each having a phone receiver. The inmate is removed from his cellblock and escorted to a room that adjoins the public side of the visitation room. The inmate and visitor are able to see each other through glass and are able to speak to each other over the phone receiver. The new jail carries out this function by allowing the inmate and visitor to communicate over a video and audio link. The inmate is never moved from the housing area because the video visitation device is located in the day room area of the housing unit. To reduce the number of officers used to carryout visitation in the old jail, a plan was implemented to convert the old jail to video visitation.

The purchase of four video visitation units has already occurred. The units must now be installed and connected to the network. Upon a motion by Ms. Sutton and a second by Ms. Brown, Item No.7 was unanimously approved.

Item No. 8 was a Resolution Authorizing the Purchase of Athletic Equipment for County Recreation Programs. Ms. Martha Martin, Finance Director, stated the equipment is to be used in the six (6) athletic leagues in the county. Bids were received from three (3) vendors and the lowest bid was accepted. This equipment will be used for youth sports. Upon a motion by Ms. Sutton and a second by Mr. Daughety, Item No. 8 was unanimously approved.

Item No. 9 was a Resolution Approval of the Purchase of Two (2) Sets Each of EMD, EFD & EPD Card sets for Dispatch Console Positions: Priority Dispatch: \$2,854. Mr. Roger Dail, Emergency Services Director stated Lenoir County Emergency Services Department – Communications Division has begun the implementation phase of the Jones and Lenoir County 911 centers merger. In the event of a computer failure, the Communications Division relies on a manual card-set system to continue providing EMD, EFD, and EPD services to the citizens of Lenoir County. With the addition of dispatching for Jones County, it is necessary that all dispatch console positions have the ability to offer assistance, both electronically and manually, to Jones and Lenoir County citizens. The purchase of the two- (2) additional EMD, EFD, and EPD dispatching card-sets will allow the Communications Division to provide service to citizens of both Counties in a more timely and accurate manner by utilizing the additional workstations, even in the event of a computer failure. Upon a motion by Ms. Sutton and a second by Mr. Daughety, Item No. 9 was unanimously approved.

Item No. 10 was a Resolution Authorizing North Lenoir Fire and Rescue to Purchase One (1) 2013 Pierce Commercial Cab Pumper and One (1) 2013 Commercial Cab Tanker Utilizing and Securing a Loan of \$459,902 from First Citizens Bank. Mr. Dail stated this will be Fire Marshal Deral Raynor's last week. Fire Marshal Deral Raynor stated he has taken a position as the Fire Marshal in the State division. Ms. Sutton commended Fire Marshal Raynor on a job well done. Fire Marshal Raynor stated the contract signed between Lenoir County and the Volunteer Fire Departments states that any purchase of fire apparatus over \$100,000 must be approved by the Lenoir County Board of Commissioners. North Lenoir Fire and Rescue will be replacing a 1998 Pierce Custom Cab Pumper which was sold to Snow Hill Fire Department and they will replace a 1987 Standard Cab Tanker. The age and high cost of maintenance and safety concerns of the existing trucks are the factors for replacing the trucks. Upon a motion by Ms. Brown and a second by Ms. Sutton, Item No. 10 was unanimously approved.

Item No. 11 was a Resolution for the Sale of Refunding Bonds. Mr. Tommy Hollowell, Assistant County Manager, stated the Lenoir County Board of Commissioners has previously authorized the issuance of up to \$35,000,000 in County general obligation refunding bonds (the "Bonds") to refinance bonds the County issued back in 2007. The Board has now determined that the County should issue these Bonds. This resolution provides for the issuance of these bonds and takes related action, such as approving the form of the disclosure document that will be used to provide information to prospective bond investors. Upon a motion by Ms. Sutton and a second by Mr. Daughety, Item No. 11 was unanimously approved.

Item No. 12 was a Resolution Approving a Drug and Alcohol Testing Policy for Lenoir County Transit. Mr. Chris Harper, Lenoir County Transit Director, stated as of March 10, 2008, Lenoir County Transit (LCT) took Operations in-house. This included complying with North Carolina Department of Transportation (NCDOT) in all areas of Operations which involve Safety Sensitive employees. As a sub-recipient of Section 5311 funds, Lenoir County Transit is required to have a Substance Abuse Program in place, to include a policy that meets the requirements of 49 CFR 655.15. LCT's Drug and Alcohol Testing Policy requires that Safety Sensitive employees submit to Drug and/or Alcohol testing in a variety of circumstances, including but not limited to, Pre-Employment and Random Selection. LCT must ensure that all DOT Drug and Alcohol Testing requirements are being met. Upon a motion by Ms. Sutton and a second by Ms. Brown, Item No. 12 was unanimously approved.

Item No. 13 was a Resolution Approving a Change to the Community Transportation Grant Local Share for FY 2013-2014: From \$39,364 to \$41,314 Administrative and from \$20,918 to \$19,618 Capital. Mr. Harper stated the Lenoir County Transportation Department began its operation in October 1994 with six vehicles. The Lenoir County Transportation Department provides "Coordinated Human Services" and "Rural General Public Transportation" to the citizens of Lenoir County through subscription and demand routes. The Lenoir County Transportation Department currently serves several agencies participating in the consolidated system. The agencies participating are the Department of Social Services, Council on Aging, Lenoir County Health Department, Lenoir County Mental Health Program (EastPointe), and Vocational Rehabilitation. The Lenoir County Transportation Program is a partnership between the North Carolina Department of Transportation/Public Transportation Division (DOT/PTD) and Lenoir County Government. The administrative funding for the Transportation Department provided by NCDOT/PTD includes salaries for a Transportation Coordinator's position, Administrative Assistant's position and a Grant Writer/Safety Officer @ 100 percent, and a Part-Time Secretary position @ 25 percent. The local match is provided by various local transit revenues. The Transportation Coordinator's position, now currently titled as Director's position, was established in April of 1996 to increase the coordination and efficiency of the Lenoir County Transportation Department and its participating agencies/departments. In 2010, NCDOT approved a request from Lenoir County Transit to increase its fleet to eighteen. This growth has allowed the County to qualify for increased funding through the North Carolina Department of Transportation's grant program. Mr. Harper stated the software needed to be updated and the software that they have is no longer used, so there is a need to update the software. Ms. Sutton commended a Lenoir County Transit driver, for his dedicated service to help others. Upon a motion by Ms. Brown and a second by Ms. Daughety, Item No. 13 was unanimously approved.

## **APPOINTMENTS**

Item No. 14 was a Resolution Approving Citizens to Boards, Commissions, Etc. Upon a motion by Ms. Brown and a second by Mr. Daughety, Item No. 14 was unanimously approved. Mr. Griffin mentioned to the Board, that some years ago, there was a lawsuit between Lenoir Memorial Hospital and Lenoir County regarding who could appoint a board member on the hospital's board. The settlement of that agreement was that the hospital would nominate and the County would appoint the board member.

The hospital sends the County two nominees which would be a primary and an alternate. If for some reason the primary was found unacceptable, the Board would be required to appoint the alternate.

<u>BOARD/COMMITTEE/COMMISSION</u>	<u>APPLICANT/CURRENT MEMBER</u>	<u>TERM EXPIRATION</u>
Regional Aging Advisory Committee	Walter Laroque Reappointment 2 <sup>nd</sup> Appearance	February 2016
Eastpointe	Rita Hodges 2 <sup>nd</sup> Appearance	July 2013

**CLOSED SESSION**

Upon a motion by Ms. Brown and a second by Ms. Sutton, and unanimous approval, closed session was entered at approximately 5:01 p.m. and the following cited: Number four (4) To discuss matters relating to the location or expansion of industries or other businesses in the area served by Lenoir County and Number six (6) To consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance, by or against an individual public appointment of a member of the public officer or employee. The Closed Session will not include discussion of the appointment of a member of the public body, or a vacancy on the public body, and any final action on appointment, discharge or removal by the public body will be made in open session. Upon a motion by Mr. Hill and a second by Ms. Sutton, the Board moved out of closed session at approximately 6:03 p.m.

**OPEN SESSION**

Mr. Hill stated during the course of trying to make a decision whether or not to make an appointment to replace Sheriff Smith’s position, they have had several highly qualified candidates to emerge with interest in the position. Mr. Hill stated the County is in a position of transition and that transition is extremely important at this point in time. Upon a motion by Mr. Hill and a second by Mr. Best, the Board appointed Chief Deputy Chris Hill as Interim Sheriff of Lenoir County effective March 31, 2013. The appointment was made with Mr. Daughety and Ms. Brown dissenting.

Mr. Davis adjourned the meeting at 6:08 p.m.

Respectfully submitted,

Reviewed By

\_\_\_\_\_  
Clevette F. Roberts  
Interim Clerk to the Board

\_\_\_\_\_  
Michael W. Jarman  
County Manager

INTRODUCED BY: Michael W. Jarman, County Manager DATE: 3/4/13 ITEM NO.: 4

**RESOLUTION** Approving the Releases and Refunds to the Individuals Listed

**SUBJECT AREA:** Finance

**ACTION REQUESTED:** Approval of Releases and Refunds as Prepared

**HISTORY/BACKGROUND:** Releases and refunds result from listing and assessing due to incorrect and incomplete information.

**EVALUATION:**

Taxpayers will or have overpaid taxes. Board action rectifies the mistake.

**RELEASES OVER \$100**

Year	Name	Account	Amount	Reason
2012	Aaron Fordham	54616	\$239.19	Legal Exemption
2010	Stephen Sandlin	15437	159.76	Corrected Listing
2011	Stephen Sandlin	15437	144.88	Corrected Listing
2012	Stephen Sandlin	15437	130.49	Corrected Listing
2008	Lo Spermiru Hussey	60085	207.42	Corrected Listing
2009	Lo Spermiru Hussey	60085	151.37	Corrected Listing
2010	Lo Spermiru Hussey	60085	166.71	Corrected Listing
2011	Lo Spermiru Hussey	60085	151.54	Corrected Listing
2012	Lo Spermiru Hussey	60085	136.86	Corrected Listing
2011	Angelina Hawkins	33246	192.54	Corrected Listing
2012	Angelina Hawkins	33246	176.59	Corrected Listing
2012	Deborah Shingleton	25864	108.94	Corrected Listing
2012	Eliza Hardy	56677	195.60	Double Listed
2010	Horacio Servin	8271	225.19	Corrected Listing
2012	Timothy Stallings	30179	130.05	Corrected Listing
2011	Jenny Smith	70891	140.08	Double Listed
2012	Aaron Gonzalez	55857	106.65	Corrected Listing

**Refunds**

Year	Name	Account	Amount	Reason
2012	PaPa Johns Pizza	71087	\$1024.95	Double Listed
2012	PaPa Johns Pizza	71087	2895.51	Double Listed

**MANAGER'S RECOMMENDATION:**

Approval of releases as set out above.



**AMENDMENTS:**

MOVED \_\_\_\_\_ SECOND \_\_\_\_\_

APPROVED \_\_\_\_\_ DENIED \_\_\_\_\_ UNANIMOUS \_\_\_\_\_

**YEA VOTES:** Davis \_\_\_\_\_ Brown \_\_\_\_\_ Daughety \_\_\_\_\_  
Hill \_\_\_\_\_ Rouse \_\_\_\_\_ Sutton \_\_\_\_\_ Best \_\_\_\_\_

\_\_\_\_\_  
Reuben J. Davis, Chairman

3/4/13  
Date

\_\_\_\_\_  
ATTEST      3/4/13  
Date

BUDGET ORDINANCE AMENDMENT: FINANCE/SHERIFF'S DEPARTMENT: \$251. INCREASE



**LENOIR COUNTY, NORTH CAROLINA**  
**BUDGET AMENDMENT REQUEST**

FY 2012 - 2013  
 Appropriations

Budget Amendment # \_\_\_\_\_  
 Date Approved \_\_\_\_\_

Distribution - Finance Office:

FUND		DEPARTMENT		LINE ITEM DESCRIPTION	
GENERAL FUND		FINANCE/SHERIFF DEPARTMENT		10-3842-8500 INSURANCE - MISCELLANEOUS 10-4310-3530 VEHICLES REPAIR/MAINTENANCE	
Check One Box New Appropriation: <input checked="" type="checkbox"/> Line Item Transfer: <input type="checkbox"/> <b>REVENUES</b>			Check One Box New Appropriation: <input checked="" type="checkbox"/> Line Item Transfer: <input type="checkbox"/> <b>EXPENDITURES</b>		
Account # and Title		Amount	Account # and Title		Amount
<u>INCREASE</u>			<u>INCREASE</u>		
10-3842-8500	INSURANCE-MISCELLANEOUS	251.00	10-4310-3530	VEHICLES REPAIR/MAINTENANCE	251.00
Total		251.00	Total		251.00

**Reason and Justification for Request:**  
 TO BUDGET INSURANCE PROCEEDS RECEIVED FROM ARGONAUT GREAT CENTRAL INSURANCE COMPANY ON 02/19/2013 IN THE AMOUNT OF \$250.83. THIS IS PAYMENT FOR DAMAGES RECEIVED TO A SHERIFF'S VEHICLE ON JANUARY 25, 2013, AS A RESULT OF AN ACCIDENT WHENEVER A DEPUTY'S CAR SLID ON AN ICY BRIDGE AND HIT THE GUARD RAIL. THIS CHECK IS FOR THE AMOUNT OF ESTIMATED CHARGES TO REPAIR LESS THE COUNTY'S \$1,000. DEDUCTIBLE.

Department Head Approval	Date	Finance Officer Approval	Date
<i>Martha H. Martin</i>	2/19/2013	<i>Martha H. Martin</i>	2/19/2013
Budget Officer Approval	Date		
<i>Michael W. James</i>	2/19/13		
Board Approval (When Applicable)	Date	Date of Minutes	

BUDGET ORDINANCE AMENDMENT:  
 GENERAL FUND:  
 HEALTH: (Adult Health-BCCCP)  
 Increase  
 \$2199.00

Item No. 6



**LENOIR COUNTY, NORTH CAROLINA**  
**BUDGET AMENDMENT REQUEST**

FY 2012-2013  
 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"/> <b>REVENUES</b>			Check One Box New Appropriation: <input checked="" type="checkbox"/> Line Item Transfer: <input type="checkbox"/> <b>EXPENDITURES</b>		
Account # and Title		Amount	Account # and Title		Amount
<u>Increase</u>			<u>Increase</u>		
10-3515-3301	Adult Health-Cancer Data Base	\$2,199.00	10-5150-1931	Contracted Services-Kinston RA	\$ 2,199.00
Total		2,199.00	Total		2,199.00

**Reason and Justification for Request:**  
 Increase to State monies received for BCCCP Program.

Department Head Approval	Date	Finance Officer Approval	Date
<i>[Signature]</i>	2/22/13	<i>Martha H. Martin</i>	2/22/2013
Budget Officer Approval	Date		
<i>Murgett Jarmon</i>	2/22/13		
Board Approval (When Applicable)	Date	Date of Minutes	

**The County of Lenoir  
Awards this  
Certificate of Recognition  
to**

**Wayne Brock**

For his outstanding leadership and dedication to the Boys Scouts of America.

Wayne Brock began his professional Scouting career in 1972 as a District Executive in New Bern, North Carolina, and then served on the staff in Knoxville, Tennessee. He also served as Scout Executive in Athens, Georgia; Scout Executive in Orlando, Florida; Regional Director of the Southern Region; and as Assistant Chief Scout Executive.

He is a recipient of the Distinguished Eagle Scout Award, Order of the Arrow Distinguished Service Award, and received his Bachelor of Music Education degree from East Carolina University.

Wayne Brock serves as the 12<sup>th</sup> Chief Scout Executive of the Boy Scouts of America, headquartered in Irving, Texas. His task is to work alongside his volunteer counterpart the National President to lead 1,100 National Council employees, 5,800 local council employees, and almost 1.2 million adult volunteers who serve more than 2.6 million youth across the nation.

The Lenoir County Board of Commissioners recognizes Wayne Brock for his dedicated services he so freely gives to the Boys Scouts of America this 4<sup>th</sup> day of March 2013.

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Reuben J. Davis, Chairman

**INTRODUCED BY:** Michael W. Jarman, County Manager **DATE:** 3/4/13 **ITEM NO.:** 8

**RESOLUTION:** Approving Lenoir County Voluntary Agricultural District Program Ordinance.

**SUBJECT AREA:** Lenoir County Agricultural District Program Ordinance

**ACTION REQUESTED:** To authorize approval of the Lenoir County Agricultural District Program Ordinance.

**HISTORY/BACKGROUND:** Agriculture is an important component of the fabric of life in Lenoir County. The purpose of this ordinance is to promote agricultural values and the general welfare of the county and more specifically, increase identity and pride in the agricultural community and its way of life; encourage the economic and financial health of agriculture; and increase protection from non-farm development and other negative impacts on properly managed farms. *Recommendation Two* of the approved Lenoir County Voluntary Farm and Forest Preservation Plan is to *Develop and Adopt a Voluntary Agricultural District Program*. Eighty-eight percent of the Lenoir County farmers interviewed were unaware of such an ordinance, and 100 % indicated that they would enroll in the program if it were available.

**EVALUATION:** The Lenoir County Voluntary Agricultural District Program Ordinance establishes many benefits for participating farmers and other county residents. These benefits include:

- The program preserves and maintains agricultural areas within the county;
- The program informs non-farming neighbors and potential land purchasers that the participating farm may emit noise, dust, and smells (this feature may help avoid conflicts between neighbors and potential nuisance claims);
- The program gives the farming community a better voice in Lenoir County Commissioners decisions affecting farmland;
- Farmer participation in the program is voluntary and the farmer may terminate his/her participation at any time;
- The program would provide greenspace and natural resources as the county's population and development expands.
- The program maintains opportunities to produce locally grown food and fiber.

**MANAGER'S RECOMMENDATION:**

Respectfully Recommend Approval

MW  
INITIALS

**RESOLUTION: NOW THEREFORE BE IT RESOLVED** by the Lenoir County Board of Commissioners that the Lenoir County Voluntary Agricultural District Ordinance which is attached and made a part of this resolution by reference, be approved and adopted.

**AMENDMENTS:**

MOVED \_\_\_\_\_ SECOND \_\_\_\_\_

APPROVED \_\_\_\_\_ DENIED \_\_\_\_\_ UNANIMOUS \_\_\_\_\_

**YEA VOTES:** Davis \_\_\_\_\_ Brown \_\_\_\_\_ Sutton \_\_\_\_\_

Best \_\_\_\_\_ Daughety \_\_\_\_\_ Hill \_\_\_\_\_ Rouse \_\_\_\_\_

\_\_\_\_\_  
Rueben Davis, Chairman  
Lenoir County Board of Commissioners

3/4/13  
Date

\_\_\_\_\_  
ATTEST

3/4/13  
DATE

LENOIR COUNTY  
VOLUNTARY AGRICULTURAL DISTRICT PROGRAM  
ORDINANCE

ARTICLE I  
TITLE

An ordinance of the Board of County Commissioners of LENOIR COUNTY, NORTH CAROLINA entitled "VOLUNTARY AGRICULTURAL DISTRICT PROGRAM ORDINANCE."

ARTICLE II  
AUTHORITY

The articles and sections of this program are adopted pursuant to authority conferred by the N.C.G.S. Sections 106-735 through 106-744 and Chapter 153A.

ARTICLE III  
PURPOSE

The purpose of this ordinance is to promote agricultural values and the general welfare of the county and more specifically, increase identity and pride in the agricultural community and its way of life; encourage the economic and financial health of agriculture; and increase protection from non-farm development and other negative impacts on properly managed farms.

This ordinance establishes many benefits for participating farmers and other county residents. These benefits include:

- The program preserves and maintains agricultural areas within the county;
- The program informs non-farming neighbors and potential land purchasers that the participating farm may emit noise, dust, and smells (this feature may help avoid conflicts between neighbors and potential nuisance claims);
- The program gives the farming community a better voice in Lenoir County Commissioners decisions affecting farmland;
- Farmer participation in the program is voluntary and the farmer may terminate his/her participation at any time;

- The program would provide greenspace and natural resources as the county's population and development expands.
- The program maintains opportunities to produce locally grown food and fiber.

ARTICLE IV  
DEFINITIONS

The following are defined for purposes of this ordinance:

Advisory Board: Lenoir County Agricultural Advisory Board.

Chairman: Chairman of the Lenoir County Agricultural Advisory Board.

District: Voluntary Agricultural District as established by this ordinance.

Board of Commissioners: Lenoir County Board of Commissioners.

ARTICLE V  
AGRICULTURAL ADVISORY BOARD

Creation

The Board of Commissioners establishes the Lenoir County Agricultural Advisory Board and delegates authority to the Advisory Board to implement the provisions of this program.

Appointments and Membership

The Advisory Board shall consist of 12 members appointed by the Board of Commissioners.

Requirements.

- (1) Each board member shall be a county resident, at least eighteen years of age, and an owner of qualifying farmland which is enrolled in the Voluntary Agricultural District Program in the county.
- (2) The members should have an active interest in farming or forestry. There will be one representative from each agricultural district, once land is enrolled in that district. This determination shall be made without reference to *ex officio* members.

- (3) The Advisory Board members shall be selected for appointment by the Board of Commissioners from the names of individuals submitted to the Board of Commissioners by the Lenoir County Farm Bureau, the Cooperative Extension Service, the Soil and Water Conservation District / Natural Resources Conservation Service, and the Farm Service Agency with an effort to have the broadest geographical representation possible.

Tenure. The members are to serve for terms of three years, except that the initial board is to consist of 4 appointee(s) for a term of one year, 4 appointees for terms of two years, and 4 appointees for terms of three years. Thereafter, all appointments are to be for terms of three years for a maximum of six consecutive years. Thereafter each member must be off the board at least one year before being re-appointed.

Vacancies. Any vacancy on the Advisory Board is to be filled by the Board of Commissioners for the remainder of the unexpired term from recommendations of above groups.

Removal for Cause. Any member of the Advisory Board may be removed for cause by the Board of Commissioners upon written charges and after a public hearing.

#### Funding

If per diem compensation is needed, it may be appropriated by the Board of Commissioners to defray expenses associated with the Agricultural Advisory Board to perform its duties. The Board of Commissioners is not required to appropriate compensation. Membership on the board is voluntary and may be terminated at any time.

#### Advisory Board Procedure

##### 1. Officers

The Advisory Board shall elect a chairman and vice-chairman each year at its first meeting of the fiscal year. The chairman shall preside over all regular or special meetings of the Advisory Board. In the absence or disability of the chairman, the vice-chairman shall preside and shall exercise all the powers of the chairman. Additional officers may be elected as needed.

##### 2. Jurisdiction

The Advisory Board may adopt rules of procedure not inconsistent with this ordinance or with other provisions of State law.

##### 3. Advisory Board Year

The Advisory Board shall use the Lenoir County fiscal year as its meeting year.

#### 4. Meetings

Meetings of the Advisory Board shall be held at the call of the chairman and at such other times as the Advisory Board may specify in its rules of procedure. A meeting shall be held at least every two months and notice of any meetings to the members shall be in writing unless otherwise agreed to by all Advisory Board members.

#### 5. Majority Vote

The concurring vote of a majority of the members of the Advisory Board shall be necessary to: reverse any order, requirement, decision, or determination of any administrative official or agency; to decide in favor of an applicant; or to pass any other matter on which it is required to act under this ordinance.

#### 6. Records

The Advisory Board shall keep minutes of the proceedings showing the vote of each member on each question, or if absent or failing to vote, indicating such fact and shall keep records of its examinations and other official actions, all of which shall be filed in the Office of the Advisory Board and shall be a public record. Lenoir County Cooperative Extension will provide administrative support for the advisory board.

#### Duties

The Advisory Board shall:

1. Review and approve applications to enroll qualified farmland into a voluntary agricultural districts and make recommendations concerning the establishment and modification of agricultural districts.
2. Conduct public hearings.
3. Advise the Board of Commissioners on projects, programs or issues affecting the agricultural economy or activities within the county that will affect agricultural districts, including but not limited to, the present use value tax program in Lenoir County.
4. Review and make recommendations concerning proposed amendments to this ordinance.
5. Review and make recommendations concerning implementing or amending the County Farm and Forest Protection Plan for presentation to the Board of Commissioners; and

6. Perform other agricultural related tasks or duties assigned by the Board of Commissioners.

ARTICLE VI  
CREATION OF VOLUNTARY AGRICULTURAL DISTRICTS

Implementation

1. In order to implement the purposes stated in Article III, the County is hereby divided into 12 Agricultural Districts, following the same geographical borders and having the same names of the current townships:

Moseley Hall	Trent	Pink Hill
Institute	Falling Creek	Neuse
Vance	Kinston	Woodington
Southwest	Sand Hill	Contentnea Neck

2. These voluntary agricultural districts must meet the following standards:

(A) The land enrolled in each district shall meet the requirements of Article VII below.

(B) The landowner(s) requesting inclusion in the district shall execute an agreement with the county to sustain agriculture in the district in accordance with Article VII of this program. Said agreement shall be in a form which is reviewed and approved by the Advisory Board.

(C) Once land is registered and accepted into the program it shall be placed in the appropriate agricultural district (listed above). If a parcel extends beyond the geographical border of a township, it will be placed in the district in which the majority of the parcel exists.

ARTICLE VII  
QUALIFICATIONS AND CERTIFICATION OF FARMLAND

Requirements

In order for farmland to qualify for participation under the terms of this program, it shall meet the following requirements:

1. The farmland shall be real property in Lenoir County.
2. The land enrolled in each district shall meet the definition of agriculture as defined in N.C.G.S 106-581.1

3. The property, if highly erodible land exists on the farm, is managed in accordance with the USDA Natural Resources Conservation Service defined erosion control practices that are addressed to said highly erodible land.
4. The property is the subject of a conservation agreement, as defined in G.S. 121-35, between the county and the owner of such land that prohibits non-farm use or development of such land for a period of at least ten years, except for the creation of not more than three lots that meet applicable subdivision regulations, or the regulations of any municipality which apply to the farm property. The property owner may at any time voluntarily revoke this conservation agreement by submitting a written request to the Advisory Board in accordance with Article IX .

### Certification

The owner of the farm seeking to qualify his property for participation in the voluntary agricultural district program shall submit a written application to the Chairman of the Advisory Board or the designated staff person on forms provided by the board.

## ARTICLE VIII APPLICATION, APPROVAL AND APPEAL PROCEDURE

### Application Procedure

- (1) A landowner may apply to participate in the program by making application to the chairman of the Advisory Board or a designated staff person. The application shall be on forms provided by the Advisory Board. The application to participate in a district may be filed with the certification for qualifying farmland.
- (2) The initial application fee, upon adoption of the ordinance will be \$50 until December 31, 2013. After this date the application fee will be determined by the Agricultural Advisory Board.
- (3) A conservation agreement (required by N.C.G.S. 106-737 and defined in N.C.G.S. 121-35) to sustain, encourage, and promote agriculture must be executed by the landowner with the Advisory Board, which shall record a copy of such with the Lenoir County Cooperative Extension office.

### Approval Process

- (1) Upon submission of the application to the Advisory Board, the Advisory Board shall meet within 90 days to approve or disapprove the application. The chairman shall notify the applicant by first class mail of approval or disapproval of participation in the district.
- (2) Upon receipt of an application, the chairman will forward copies immediately to the Lenoir County Farm Service Agency, Lenoir County Cooperative Extension, and the Lenoir County Tax office. Each office shall evaluate, complete and return their copies to the chairman within 30 days of receipt.

## Appeal

If an application is denied by the Advisory Board, the petitioner has 30 days to appeal the decision to the Board of Commissioners. Such appeal shall be presented in writing. The decision of the Board of Commissioners is final.

## ARTICLE IX REVOCATION OF CONSERVATION AGREEMENT

By written notice to the Advisory board, a landowner of qualifying farmland may revoke the Conservation Agreement or the Advisory Board may revoke the same Conservation Agreement based on non-compliance by the landowner subject to the same provisions as contained in Article VIII for appeal of denials. Such revocation shall result in loss of qualifying farm status for purposes of this voluntary agricultural district program and loss of eligibility to participate in a District.

## ARTICLE X PUBLIC HEARINGS

### Purpose

N.C.G.S. §106-740 provides that no state or local public agency or governmental unit may formally initiate any action to condemn any interest in land enrolled within a District until such agency or unit has requested the Advisory Board to hold a public hearing on the proposed condemnation. This provision ensures that the condemning agency or unit considers the impact of its actions upon agriculture, forestry, and/or horticultural prior to taking action that is not reversible. This provision is not intended to, and does not prohibit, the condemning agency or unit from taking action authorized by law. Prior to initiating condemnation proceedings which would convert registered farmland in a District to non-farm uses, the county or any other local unit of government shall submit to the Advisory Board a statement that the governmental unit has considered alternatives to condemning registered farmland in the District.

### Procedure

1. Upon receiving a request, the Advisory Board shall publish notice describing the proposed action in the appropriate newspapers of Lenoir County within five (5) business days of the request, and will in the same notice notify the public of a public hearing on the proposed condemnation, to be held within ten (10) days of receipt of the request.

2. The Advisory Board shall meet to review:
  - a. Whether the need for the project has been satisfactorily established by the agency or unit of government involved, including a review of any fiscal impact analysis conducted by the agency involved; and
  - b. Whether there are alternatives to the proposed action that have less impact and are less disruptive to the agricultural activities of the District within which the proposed action is to take place.
3. The Advisory Board shall consult with the County Agricultural Extension Agent, the Natural Resources Conservation Service District Conservationist, and any other individuals, agencies, or organizations deemed by the Advisory Board to be necessary for its review of the proposed action.
4. Within five (5) days after the hearing, the Advisory Board shall make a report containing its findings and recommendations regarding the proposed action. The report shall be made available to the public prior to its being conveyed to the decision-making body of the agency proposing the acquisition.
5. There will be a period of ten (10) days allowed for public comment on the report of the Advisory Board.
6. After the ten (10) day period for public comment has expired, the Advisory Board shall submit a final report containing all of its findings and recommendations regarding the proposed action to the decision making body of the agency proposing the acquisition.
7. The total time period, from the day that a request for a hearing has been received to the day that a final report is issued to the decision making body of the agency proposing the acquisition, shall not exceed thirty (30) days. If the agency agrees to an extension, the agency and the Advisory Board shall mutually agree upon a schedule to be set forth in writing and made available to the public.
8. Pursuant to N.C.G.S. §106-740, the Board of Commissioners shall not initiate condemnation while the proposed condemnation is properly before the Advisory Board.

## ARTICLE XI PUBLIC NOTICE

### Procedure

The Advisory Board, in cooperation with the county, shall provide notification to property owners, residents, and other interested persons within one half mile of any land

enrolled in a designated agricultural district. The purpose of such notification is to inform current and potential residents and property owners in and adjacent to an agricultural district, that farming and agricultural activities may take place in this district any time during the day or night. These activities may include, but are not limited to the following: pesticide spraying, manure spreading, machinery, truck, tractor operations, livestock operations, sawing, and similar activities.

#### Types of Notification

Notification may be provided by one or more of the following methods:

1. Signs identifying land enrolled in agricultural districts may be placed adjacent to the rights-of-way of major roads. Signs shall be purchased and maintained by the applicant if they so desire.
2. Upon certification of qualifying farmland and enrollment of real property in a District, the farmland and real property may be indicated on an overlay within the County's Geographic Information Systems website, to give notice reasonably calculated to alert a person researching the title of a particular tract that such tract is located within one half aerial mile of land enrolled in a voluntary agricultural district.
3. The following notice shall be posted in the office of the Register of Deeds and the Lenoir County Tax Office.

NOTICE TO REAL ESTATE PURCHASERS IN LENOIR COUNTY.  
LENOIR COUNTY VOLUNTARY AGRICULTURAL DISTRICTS.

Lenoir County has established Voluntary Agricultural Districts to protect and preserve agricultural lands and activities. These districts have been developed and land enrolled will be mapped by the county to inform all purchasers of real property that certain agricultural activities, including but not limited to pesticide spraying, manure spreading, machinery, tractor, truck operations, livestock operations, sawing, and similar activities may take place in these districts. Enrollment in Voluntary Agricultural Districts is voluntary and there are farms in Lenoir County that are not enrolled and do not participate in the program. The maps identifying enrolled land can be obtained from the Lenoir County Geographic Information Systems office at 101 N. Queen Street, Post Office Box 3289 Kinston, NC 28502; or on the website:  
<http://lenoir2.connectgis.com/Map.aspx>

\*Disclaimer- In no event shall any cause of action arise out of the failure of a person researching the title of a particular tract to report to any person the proximity of the tract to a qualifying farm enrolled in a voluntary agricultural district as defined in this ordinance.

### Limit of Liability

In no event shall the County or any of its officers, employees, or agents be held liable in damages for any misfeasance, malfeasance, or nonfeasance occurring in good faith in connection with the duties or obligations imposed by this ordinance.

### No Cause of Action

In no event shall any cause of action arise out of the failure of a person researching the title of a particular tract to report to any person the proximity of the tract to a qualifying farm enrolled in a voluntary agricultural district as defined in this ordinance.

## ARTICLE XII

### SUBDIVISION ORDINANCE AND ZONING ORDINANCE REVIEW

Developers of major subdivisions or planned unit developments shall designate on preliminary development plans, the existence of lands enrolled in the Districts within one half (1/2) mile of the proposed development.

## ARTICLE XIII

### WAIVER OF WATER AND SEWER ASSESSMENTS

#### Waiver of Assessment and Abeyance

A landowner belonging to the district shall not be assessed for or required to connect to Lenoir County water and/or sewer systems. Water and sewer assessments will be held in abeyance, without interest for farms whether inside or outside of a District until improvements on such property are connected to the water or sewer system for which the assessment was made.

#### Termination of Abeyance

When the period of abeyance ends, the assessment is payable in accordance with the terms set out in the assessment resolution.

#### Suspension of Statute of Limitations

Statutes of limitations are suspended during the time that any assessment is held in abeyance without interest.

Other Statutory Abeyance Procedures

Nothing in this section is intended to diminish the authority of the County to hold assessments in abeyance under N.C.G.S. 153A-201.

Conflict with Water and/or Sewer System Construction and Improvements Grants

To the extent that this section conflicts with the terms of federal, state, or other grants under which county utility systems are constructed this section shall not apply. This section shall not apply to utilities that are not owned by the County unless the County has entered into an agreement with the entity(ies) owning the utilities and that agreement provides that this Ordinance shall apply.

ARTICLE XIV  
COUNTY LAND-USE PLANNING

Duty of the Advisory Board

It shall be the duty of the Advisory Board to advise the Board of Commissioners or the agency or office to which the Board of Commissioners delegate authority to oversee county land use planning, on the status, progress, and activities of the county's Voluntary Agricultural District program and to also coordinate the formation and maintenance of Districts with the county's land use planning activities and the county's land use plan if one currently exists at the time this is enacted or when one is formed.

### Growth Corridors

If a new growth corridor is established that includes land enrolled in a voluntary agricultural district, such land may continue to be enrolled. Any addition to or expansion of such enrollment shall require approval of the Board of Commissioners

### ARTICLE XV CONSULTATION AUTHORITY

The Advisory Board may consult with the Lenoir County Farm Bureau, the Cooperative Extension Office, the Lenoir County Soil and Water Conservation District Office, the North Carolina Department of Agriculture, the North Carolina Farm Bureau, and any other such agency the Advisory Board deems necessary to properly conduct its business.

### ARTICLE XVI NORTH CAROLINA AGENCY NOTIFICATION

#### Record Annually with the Department of Agriculture & Consumer Services and the Board of Commissioners

A record of this ordinance shall be recorded with the North Carolina Commissioner of Agriculture's office after adoption. At least once a year the Agricultural Advisory Board shall submit a written report to the Commissioner of Agriculture concerning the status, progress and activities of the county's Farmland Preservation Program including District information regarding:

- (a) Number of landowners enrolled
- (b) Number of acres applied
- (c) Number of acres certified
- (d) Number of acres denied
- (e) Date certified

A copy of the above-stated report shall also be provided to the Board of Commissioners.

### ARTICLE XVII LEGAL PROVISIONS

Severability

If any article, section, subsection, clause, phrase or portion of this ordinance is for any reason invalid or unconstitutional as determined by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

Conflict with other Ordinances and Statutes

Whenever the provisions of this ordinance conflict with other ordinances of Lenoir County, this ordinance shall govern. Whenever the provisions of any federal or state statute require more restrictive provisions than are required by this ordinance, the provisions of such statute shall govern.

Amendments

This ordinance may be amended from time to time by the Board of Commissioners.

ARTICLE XVIII  
ENACTMENT

The Lenoir County Board of Commissioners hereby adopts and enacts the preceding articles and sections of this ordinance.

Adopted this the \_\_\_\_\_ day of \_\_\_\_\_ 2012.

Motion of adoption by \_\_\_\_\_ and

seconded by \_\_\_\_\_ .

LENOIR COUNTY BOARD OF COMMISSIONERS

\_\_\_\_\_  
(Chairman)

ATTEST:

\_\_\_\_\_  
(Clerk to Board of County Commissioners)

Approved as to form:

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(County Attorney)

**INTRODUCED BY:** Michael W. Jarman, County Manager **DATE:** 3/4/13 **ITEM NO.:** 9

**RESOLUTION:** Approving Purchase Order Execution for Actuarial Valuation of Health Care Plan of Lenoir County: Cavanaugh Macdonald Consulting, LLC: \$5,500.

**SUBJECT AREA:** Financial

**ACTION REQUESTED:** The Board is requested to authorize the Finance Officer to execute a purchase order to Cavanaugh Macdonald Consulting, LLC to prepare an Actuarial Valuation Study of the Lenoir County Health Care Plan in an amount not to exceed \$5,500.

**HISTORY/BACKGROUND:** In 2004 the Government Accounting Standards Board (GASB) issued Statements 43 and 45 regarding the accounting and reporting requirements for “Other Post-Employment Benefits” (OPEB). These two statements created issues that management must address beyond the basics of accounting and reporting. Statement 43 established accounting and reporting standards for post-employment benefit plans established as “irrevocable trusts”. Statement 45 established the accounting and reporting requirements for an employer’s expenses and liabilities related to their post-employment benefit plan regardless of how it is funded. Statement 45 requires the calculation of actuarial liabilities for benefits related to past service and assess to what extent those benefits have been funded. It will provide information for the assessment of future cash needs to fund OPEB Plans.

Other post-employment benefits are defined as those benefits paid at retirement, that are not offered through a pension plan **and** post-employment healthcare regardless of how long it is provided. OPEB can include such items as life insurance, disability insurance, and long-term care insurance for retirees and their dependents. Post-employment healthcare; however, is always classified as a post-employment benefit regardless of whether or not it is included in a pension plan. Statement 45 affects every local government unit that offers post-employment benefits.

**EVALUATION:** An actuarial study of Lenoir County’s post-employment benefits is **required** to be conducted under GASB Statements 43 and 45. Preparation of the study was phased in over a three (3) year period based on the size of the unit of government. Lenoir County’s first study was completed in FY07-08. The results of the study will be presented to the Board prior to budget work sessions. The Board can use the study to assess the future liability of the County’s post-employment benefits package and determine if changes need to be made to the plan. The North Carolina Association of County Commissioners and the North Carolina League of Municipalities have entered into a long term arrangement with Cavanaugh Macdonald Consulting, LLC to prepare the actuarial studies at a reduced rate for all units of government in North Carolina. **This study must be updated each year.**

**MANAGER'S RECOMMENDATION:**

Respectfully recommend approval.

*MW*  
Initials

**RESOLUTION: NOW THEREFORE BE IT RESOLVED** that the Board authorizes the Finance Officer to execute a purchase order to Cavanaugh Macdonald Consulting, LLC to prepare an Actuarial Valuation Study of the Lenoir County Health Care Plan in an amount not to exceed \$5,500.

**AMENDMENTS:**

MOVED \_\_\_\_\_ SECOND \_\_\_\_\_

APPROVED \_\_\_\_\_ DENIED \_\_\_\_\_ UNANIMOUS \_\_\_\_\_

**Yea Votes:** Davis \_\_\_\_\_ Brown \_\_\_\_\_ Best \_\_\_\_\_ Daughety \_\_\_\_\_ Hill \_\_\_\_\_  
Rouse \_\_\_\_\_ Sutton \_\_\_\_\_

\_\_\_\_\_  
Reuben J. Davis, Chairman

3/4/13  
Date

\_\_\_\_\_  
Attest

3/4/13  
Date

BUDGET ORDINANCE AMENDMENT: GENERAL FUND: BOARD OF ELECTIONS: \$7,828. INCREASE



**LENOIR COUNTY, NORTH CAROLINA**  
**BUDGET AMENDMENT REQUEST**

FY 2012 - 2013

Appropriations

Budget Amendment # \_\_\_\_\_

Date Approved \_\_\_\_\_

Distribution - Finance Office:

FUND		DEPARTMENT		LINE ITEM DESCRIPTION	
GENERAL FUND		BOARD OF ELECTIONS		VARIOUS	
<b>Check One Box</b> New Appropriation: <input checked="" type="checkbox"/> Line Item Transfer: <input type="checkbox"/> <b>REVENUES</b>			<b>Check One Box</b> New Appropriation: <input checked="" type="checkbox"/> Line Item Transfer: <input type="checkbox"/> <b>EXPENDITURES</b>		
Account # and Title		Amount	Account # and Title		Amount
<b>INCREASE</b>			<b>INCREASE</b>		
10-3329-8923	GRANT - HAVA - 2013	7,828.00	10-4170-1730	SALARIES/WAGES-COUNTY ELEC	7,828.00
Total		7,828.00	Total		7,828.00

**Reason and Justification for Request:**  
 BUDGET AMENDMENT TO APPROPRIATE FUNDS RECEIVED BY CHECK ON 2/15/2013 BY THE BOARD OF ELECTIONS FROM THE DEPARTMENT OF ADMINISTRATION IN THE AMOUNT OF \$7,828.01. THESE FUNDS ARE FOR THE 2013 HAVA (HELP AMERICA VOTE ACT) GRANT WHICH ARE PAID TO ASSIST THE COUNTY WITH THE ONE-STOP VOTING SITES.

Department Head Approval	Date	Finance Officer Approval	Date
<i>Dena W. King</i>	<i>2-18-13</i>	<i>Martha H. Martin</i>	<i>2-19-2013</i>
Budget Officer Approval	Date		
<i>MW Farman</i>	<i>2/19/13</i>		
Board Approval (When Applicable)	Date	Date of Minutes	

Item No. 11

BUDGET ORDINANCE AMENDMENT: SOLID WASTE FUND:FINANCE/ LANDFILL: \$8,364. INCREASE



**LENOIR COUNTY, NORTH CAROLINA**  
**BUDGET AMENDMENT REQUEST**

FY 2012 - 2013  
 Appropriations

Budget Amendment # \_\_\_\_\_  
 Date Approved \_\_\_\_\_

Distribution - Finance Office:

FUND	DEPARTMENT	LINE ITEM DESCRIPTION	
SOLID WASTE	FINANCE/LANDFILL	VARIOUS	
<b>Check One Box</b> New Appropriation: <input type="checkbox"/> Line Item Transfer: <input checked="" type="checkbox"/>		<b>Check One Box</b> New Appropriation: <input checked="" type="checkbox"/> Line Item Transfer: <input type="checkbox"/>	
<b>REVENUES</b>		<b>EXPENDITURES</b>	
Account # and Title	Amount	Account # and Title	Amount
<u>INCREASE</u>		<u>INCREASE</u>	
66-3842-8500 INSURANCE-MISCELLANEOUS	8,364.00	66-4720-3530 MAINT/REPAIRS-VEHICLES	8,364.00
Total	8,364.00	Total	8,364.00

**Reason and Justification for Request:**  
 BUDGET AMENDMENT TO APPROPRIATE INSURANCE PROCEEDS RECEIVED ON 2/15/2013 IN THE AMOUNT OF \$8,363.75 FROM ARGONAUT GREAT CENTRAL INSURANCE COMPANY. THIS IS FOR DAMAGES DONE TO A TRUCK FROM THE LANDFILL THAT STRUCK A LIGHT POLE IN THE WAL-MART PARKING LOT ON 12/27/2012. THESE FUNDS WILL BE USED TO ASSIST IN PAYING FOR THE REPAIRS TO THE 2007 STERLING TRUCK.

Department Head Approval <i>Tom Martin</i>	Date 2/19/2013	Finance Officer Approval <i>Martha N. Martin</i>	Date 2/19/13
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Budget Officer Approval <i>MW Jarman</i>	Date 2/19/13
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Board Approval ( When Applicable)	Date	Date of Minutes
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**LENOIR COUNTY, NORTH CAROLINA**  
**BUDGET AMENDMENT REQUEST**

FY 2012-2013  
 Appropriations

Budget Amendment # \_\_\_\_\_

Date Approved \_\_\_\_\_

Distribution - Finance Office:

FUND	DEPARTMENT	LINE ITEM DESCRIPTION
GENERAL	HEALTH	VARIOUS
<b>Check One Box</b> New Appropriation: <input checked="" type="checkbox"/> Line Item Transfer: <input type="checkbox"/> <b>REVENUES</b>		<b>Check One Box</b> New Appropriation: <input checked="" type="checkbox"/> Line Item Transfer: <input type="checkbox"/> <b>EXPENDITURES</b>
Account # and Title	Amount	Account # and Title Amount
<u>Decrease</u>		<u>Decrease</u>
<u>Immunization Action Plan(State)</u> 10-3516-3302	(9,549.00)	<u>Immunization Medical Supplies</u> 10-5114-2390 (8,908.00)
Increase		<u>Decrease</u>
Fund Balance Appropriations 10-3991-9910	141.00	Department Supplies 10-5114-2900 (500.00)
Total	\$ (9,408.00)	Total \$ (9,408.00)

**Reason and Justification for Request:**  
 State Funding reduced from Immunization Branch in order to comply with the limitations from the federal grantor.

Department Head Approval	Date	Finance Officer Approval	Date
<i>J. Grey</i>	2/26/13	<i>Martha H. Martin</i>	2/27/13

Budget Officer Approval	Date
<i>Michael W. Jarman</i>	2/27/13

Board Approval ( When Applicable)	Date	Date of Minutes
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BUDGET ORDINANCE AMENDMENT: GENERAL FUND:  
NON-DEPARTMENTAL: \$51,588. INCREASE



**LENOIR COUNTY, NORTH CAROLINA**  
**BUDGET AMENDMENT REQUEST**

FY 2012 - 2013  
Appropriations

Budget Amendment # \_\_\_\_\_  
Date Approved \_\_\_\_\_

Distribution - Finance Office:

FUND		DEPARTMENT		LINE ITEM DESCRIPTION	
GENERAL		NON-DEPARTMENTAL		VARIOUS	
<b>Check One Box</b> New Appropriation: <input checked="" type="checkbox"/> Line Item Transfer: <input type="checkbox"/>			<b>Check One Box</b> New Appropriation: <input checked="" type="checkbox"/> Line Item Transfer: <input type="checkbox"/>		
<b>REVENUES</b>			<b>EXPENDITURES</b>		
Account # and Title		Amount	Account # and Title		Amount
<b>INCREASE</b>			<b>INCREASE</b>		
10-3842-8500	INSURANCE-MISC	51,588.00	10-4200-4550	INSURANCE-BLDG/COMM	51,588.00
Total		51,588.00	Total		51,588.00

**Reason and Justification for Request:**  
 BUDGET AMENDMENT TO BUDGET A REFUND FROM OUR INSURANCE CARRIER (W.A. MOORE) RECEIVED 2/13/2013 IN THE AMOUNT OF \$51,588. WHENEVER THE REGULAR PROPERTY RENEWAL WAS RECEIVED, THE COST WAS SIGNIFICANTLY HIGHER THAN LAST YEAR. W.A. MOORE ADVISED US TO LET THEM SHOP OTHER CARRIERS FOR A LESSER COST, AND THE NEW CARRIER DID IN FACT GIVE A BETTER PRICE ON THE EXISTING BUILDINGS AND THE NEW JAIL.

Department Head Approval	Date	Finance Officer Approval	Date
<i>Martha H. Martin</i>	<i>2/15/2013</i>	<i>Martha H. Martin</i>	<i>2/15/2013</i>
Budget Officer Approval	Date		
<i>M. Jarm</i>	<i>2/19/13</i>		
Board Approval ( When Applicable)	Date	Date of Minutes	

**INTRODUCED BY:** Michael W. Jarman, County Manager **DATE:** 3/4/13 **ITEM NO.:** 14

**RESOLUTION:** Authorizing the Four (4) year lease of 162 Desktop Computers and 3 year lease of 31 tablets from Dell Computer Corp, Inc. Not to Exceed \$67,200 per year.

**SUBJECT AREA:** Purchases/Bid

**ACTION REQUESTED:** Approval of a Resolution authorizing the lease of 162 Desktop Personal Computers and 31 tablets From Dell Computer Corp, Inc from Budgeted Funds.

**HISTORY/BACKGROUND:** On April 21, 2008 the Lenoir County Commissioners approved a 4 year Technology Refresh Program that allowed Lenoir County to lease its desktop units. It has been very effective in keeping desktop pc's operating in an ever-changing changing environment that is IT. This also allows us to have all of the operating costs covered under warranty for the entire 4 years.

**EVALUATION:** We are returning the machines we leased back in 2009 as per the lease agreement. This lease will replace those machines and allow us to have new leased machines with warranty coverage for the entire lease. See the department distribution below:

Department of Social Services – 136 Desktops and 31 Tablets  
MIS Department – 7 Desktops  
Emergency Management – 16 desktops  
Health Department – 3 desktops

**MANAGER'S RECOMMENDATION:**

Respectfully Recommend Approval

  
INITIALS

**RESOLUTION: NOW, THEREFORE BE IT RESOLVED** By the Lenoir County Board of Commissioners that the County execute a lease NTE \$67,200 to Dell Computer Corp, Inc. for the lease of 162 desktops PCs and 31 tablets from budgeted funds.

**AMENDMENTS**

MOVED \_\_\_\_\_ SECOND \_\_\_\_\_

APPROVED \_\_\_\_\_ DENIED \_\_\_\_\_ UNANIMOUS \_\_\_\_\_

**YEA VOTES:** Davis \_\_\_\_\_ Brown \_\_\_\_\_ Best \_\_\_\_\_ Daughety \_\_\_\_\_

Hill \_\_\_\_\_ Rouse \_\_\_\_\_ Sutton \_\_\_\_\_

\_\_\_\_\_  
Reuben J. Davis, Chairman      3/4/2013  
Date

\_\_\_\_\_  
ATTEST      3/4/2013  
Date

INTRODUCED BY: Michael W. Jarman, County Manager DATE: 3/4/13 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.

<u>BOARD/COMMITTEE/COMMISSION</u>	<u>APPLICANT/ CURRENT MEMBER</u>	<u>TERM EXPIRATION</u>
Lenoir County Transit Board	Marc Camnitz 2 <sup>nd</sup> Appearance	February 2016
Kinston-Lenoir Parks & Recreation	Glenn Whitley 2 <sup>nd</sup> Appearance	February 2016
Lenoir Memorial Hospital	Adrian King-Primary Reappointment 2 <sup>nd</sup> Appearance	February 2017
Lenoir County Transportation Committee (One Vacancy)	Leigh McNairy 1 <sup>st</sup> Appearance  Michelle A. Nix 1 <sup>st</sup> Appearance	February 2016

**CURRENT VACANCIES:**

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

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

**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>
Lenoir County Transit Board	Marc Camnitz 2 <sup>nd</sup> Appearance	February 2016
Kinston-Lenoir Parks & Recreation	Glenn Whitley 2 <sup>nd</sup> Appearance	February 2016
Lenoir Memorial Hospital	Adrian King-Primary Reappointment 2 <sup>nd</sup> Appearance	February 2017

**AMENDMENTS:**

MOVED \_\_\_\_\_ SECOND \_\_\_\_\_

APPROVED \_\_\_\_\_ DENIED \_\_\_\_\_ UNANIMOUS \_\_\_\_\_

**YEA VOTES:** Davis \_\_\_\_\_ Brown \_\_\_\_\_ Daughety \_\_\_\_\_  
Hill \_\_\_\_\_ Rouse \_\_\_\_\_ Sutton \_\_\_\_\_ Best \_\_\_\_\_

\_\_\_\_\_  
Reuben J. Davis, Chairman

3/4/13  
Date

\_\_\_\_\_  
ATTEST 3/4/13  
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:

The Lenoir County Transportation 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: Leigh Harvey McNairy  
 Address: 1101 Walker Drive  
 City/State/Zip: Kinston, NC 28501  
 Telephone: (Home) 252-523-3155 (Work) 252-522-5963  
 Occupation: Consultant  
 Business Address: P.O. Box 189 Kinston, NC 28502  
 Age: (Optional): \_\_\_\_\_  
 Number hours available per month for this position: 80+ hrs  
 Training: \_\_\_\_\_  
 Business and Civic Experience/Skills: NC DOT for Ports/Aviation ('10-'13); Chairman of The Hwy. 70 Committee of the DOT ('10-'13); NC Eastern Region Economic Development Commission ('05-'10); see "\*" below  
 Other County Boards/Committees/Commissions presently serving on: Presently, I do not serve on any boards/committees/commissions in Lenoir County  
 Expiration date of Term: \_\_\_\_\_

### Circle your voting precinct

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

Leigh Harvey McNairy  
Signature of Applicant

02-15-13  
Date

\* Voting member of the Greenville Metropolitan Planning Committee ('10-'13);  
 Special Assistant to Gov. Easley and Lt. Gov. Perdue to coordinate preparations for 2005 Military Base Realignment and Closure (BRAC) (2005-2010)

**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:**

Lenoir County Transportation 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: Michelle A Nix  
 Address: 3003 Hillman Rd.  
 City/State/Zip: Kinston, NC 28504  
 Telephone: (Home) 252-560-4811 (Work) 252-522-5931  
 Occupation: Financial Consultant - First Citizens Investment Svc.  
 Business Address: 607 Plaza Blvd., Kinston, NC 28501  
 Age: (Optional): \_\_\_\_\_  
 Number hours available per month for this position: as needed  
 Training: \_\_\_\_\_  
 Business and Civic Experience/Skills: Registered Representative, Licensed NC L&T agent, Chamber of Commerce Ambassador  
 Other County Boards/Committees/Commissions presently serving on: Lenoir County GOP Chair  
 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)                       | Pink Hill 1 (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)       |
| <u>K-9 (Kinston Number 4 Fire Station) 1st Precinct</u> | 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.

Michelle Nix  
Signature of Applicant

2-18-2013  
Date