

**MINUTES  
LENOIR COUNTY BOARD OF COMMISSIONERS  
March 8, 2006**

The Lenoir County Board of Commissioners met in regular session at 9:00 a.m. on Wednesday, March 8, 2006 in the Board of Commissioners Main Meeting Room in the Lenoir County Courthouse at 130 S. Queen St., Kinston, NC.

Members present: Chairman George Graham; Vice-Chairman Paul Taylor and Commissioners, Jackie Brown, Claude Davis, Earl Harper, Chris Humphrey, and Wayne Pittman.

Members absent: None

Also present were: Michael W. Jarman, County Manager; Tommy Hollowell, Assistant County Manager; Robert Griffin, County Attorney; Lashanda Aytch, Clerk to the Board; and members of the general public and the news media.

Chairman Graham called the meeting to order at approximately 9:00 a.m. Mr. Pittman offered the invocation and Mr. Graham led the audience in the pledge of allegiance.

**PUBLIC INFORMATION**

None scheduled.

**CONSENT AGENDA**

Upon a motion by Ms. Brown and a second by Mr. Davis, the Board approved the following items on the Consent Agenda.

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| 1. | Approval of Minutes: Regular Board Meeting: February 20, 2006<br>Budget Retreat Meeting: February 15, 2006 | Aytch/Jarman<br>Aytch/Jarman |
| 2. | Resolution Approving the Releases and Refunds to the Individual Listed Herein                              | Parrish/Hollowell            |
| 3. | Budget Ordinance Amendment: General Fund: Finance/Sheriff: \$2,157: Increase                               | Smith/Hollowell              |
| 4. | Budget Ordinance Amendment: General Fund: Health W. I. C. Program:<br>\$4,958: Increase                    | Huff/Hollowell               |
| 5. | Budget Ordinance Amendment: General Fund: Process Funds: \$10,000: Increase                                | Hollowell                    |
| 6. | Budget Ordinance Amendment: Solid Waste Management: Landfill: \$16,000:<br>Increase                        | Miller/Hollowell             |
| 7. | Budget Ordinance Amendment: Capital Improvements Fund: Economic<br>Development: \$25,000: Increase         | Pope/Hollowell               |

**PUBLIC HEARING/SCHOOL BONDS**

Public Hearing Regarding the Approval of Lenoir County School Bond Order in the Maximum Amount of \$69,700,000. Upon a motion by Ms. Brown and a second by Mr. Davis, the Public Hearing was declared opened at 9:02 a.m. Mr. David Fillippeli, Vice-Chair of the School Board, addressed the Board. Mr. Fillippeli thanked the Board for placing the Bond issue before the voters of Lenoir County. There were no other comments made by the public. Upon a motion by Ms. Brown and a second by Mr. Davis, the Public Hearing was closed at 9:05 a.m.

Item No. 18 was the Bond Order Authorizing the Issuance of General Obligation School Bonds in the Maximum Amount of \$69,700,000. Upon a motion by Mr. Harper and a second by Mr. Davis, Item No. 18 was unanimously approved.

Item No. 19 was a Resolution Regarding Publication of Bond Order and Details for Bond Referendum. Upon a motion by Ms. Brown and a second by Mr. Humphrey, Item No. 19 was unanimously approved. Ms. Brown read the resolution aloud as adopted. Mr. Humphrey stated that he was still concerned about the tax increase of \$0.05 not being in the language of the ballot question. Mr. Graham stated that it was not the Board of Commissioners responsibility to market the approval of the school bond referendum, but the job of the School Board itself.

Mr. Graham asked Dr. John Frossard, Lenoir County Superintendent, if he has seen an increase in methamphetamine use among children in Lenoir County. Dr. Frossard stated that laws have been created to prohibit the sell of large amounts of cold medication. It is a growing problem nationally, but it is not a growing problem for Lenoir County at this time.

### **PROCLAMATIONS/RESOLUTIONS/ORDINANCE**

Item No. 8 was a Proclamation Declaring March 31, 2006 as "Jet Kinston Day." Upon a motion by Mr. Harper and a second by Ms. Brown, Item No. 8 was unanimously approved.

Item No. 9 was a Proclamation for American Red Cross Month: March 2006. Upon a motion by Mr. Harper and a second by Ms. Brown, Item No. 9 was unanimously approved.

Item No. 10 was a Proclamation for National Library Week: April 2-8, 2006. Upon a motion by Mr. Humphrey and a second by Ms. Brown, Item No. 10 was unanimously approved.

Item No. 11 was a Resolution Approving a Purchase Order Increase with Coeco Office Systems: \$4,000. Mr. Jarman stated the cost of cartridges for the printers at DSS was estimated to be approximately \$6,250 at the beginning of the fiscal year. However, an additional \$4,000 is needed in order to maintain the printers for the remainder of FY 05-06. No additional money is needed as unencumbered budgeted funds will be used for this increase. Upon a motion by Mr. Taylor and a second by Ms. Brown, Item No. 11 was unanimously approved.

Item No. 12 was a Resolution Authorizing the Purchase of Baseball Equipment for County Recreation Programs: \$5,363.93. Mr. Bill Ellis, Recreation Director addressed the Board. Mr. Ellis stated the baseball equipment would be used in the three (3) county athletic leagues. Bids were received from three (3) vendors and the lowest bid (J.P. Sport) was accepted. This equipment will be used for youth baseball this season. Upon a motion by Ms. Brown and a second by Mr. Davis, Item No. 12 was unanimously approved.

Item No. 13 was a Resolution Authorizing the Purchase of Playground Equipment for the Neuseway Nature Park: \$8,000. Mr. Ellis stated the Nature Center teamed with Lenoir Memorial Hospital (LMH) to apply for the Duke Endowment Grant to purchase playground equipment. The playground equipment will be funded by Lenoir Memorial Hospital Safe Kids Program. At the present time there is no playground equipment at the Nature Center and several surrounding cities have constructed new state of the art Nature Centers. This equipment will be used to attract additional visitors to the center and for family reunions. Lenoir Memorial Hospital will be funding \$10,000, City of Kinston \$6,800, and the Kinston Exchange Club \$3,000. Upon a motion by Ms. Brown and a second by Mr. Davis, Item No. 13 was unanimously approved.

Item No. 14 was a Resolution Approving Acceptance and Execution of a Contract for Independent Audit Services per Proposal dated February 24, 2006: Fiscal Year 05-06: \$36,000. Mr. Tommy Hollowell, Finance Officer addressed the Board. Mr. Hollowell stated on March 17, 2003, the Board accepted a proposal for the certified public accounting firm Pittard, Perry & Crone, Inc. of LaGrange, NC, to conduct the annual financial audit. The cost to Lenoir County for Fiscal Year 02-03 was \$33,500; Fiscal Year 03-04 cost \$34,500; and Fiscal Year 04-05 cost \$35,500. Pittard, Perry, and Crone's proposal represented the lowest cost to the county of all proposals submitted. A new contract must be executed each year and submitted to the Local Government Commission for approval. Pittard, Perry & Crone, Inc. has agreed to prepare the annual audit for Fiscal Year 05-06 with a cost of living increase of 3%. Pittard, Perry, & Crone, Inc. has been the county's auditor for over 12 years and is well qualified to conduct the county's audit in compliance with all governmental accounting standards. Upon a motion by Mr. Humphrey, and a second by Mr. Taylor, Item No. 14 was unanimously approved.

Item No. 15 was a Resolution Approving Change of the Holiday Schedule, Under Section 139 (b), "Observance of Weekend Holiday" in the Lenoir County Personnel Policies Handbook to Mirror the Weekend Holiday Policy of the State of North Carolina. Mr. Jarman addressed the Board stating Lenoir County adopted its Personnel Policy on March 15, 2004. Under § 139 Holidays, (B) "Observance of Weekend Holiday," item (1) – Lenoir County policy states that if a holiday falls on Saturday or Sunday, the following Monday will be observed as the holiday. This situation has led to conflicts in scheduling the days of operation of the Lenoir County Courthouse. On some days that the county offices are closed in observance of a holiday, the State offices located in the Lenoir County Courthouse have been open. This has led to confusion regarding scheduling court calendars and court dates for the public and has resulted in increased operational costs for the courthouse. The State of North Carolina's holiday policy regarding observance of weekend designated holidays states, "Unless a special schedule has been adopted by institutions of higher education and agencies with twenty-four operations, when a designated holiday falls on Saturday, the preceding Friday will be observed and when the holiday falls on Sunday, the following Monday will be observed." Upon a motion by Mr. Harper and a second by Ms. Brown, Item No. 15 was unanimously approved.

Item No. 16 was a Resolution Accepting/Declining a .0083 Acre Parcel Located on Falling Creek Road. Mr. Jarman stated the Lenoir County Board of Education was asked to convey a .0083 acre parcel located on Falling Creek Road to NRWASA (Neuse Regional Water and Sewer Authority). This land is located along a 40' wide utility easement and is needed for a new water meter site. Upon a motion by Mr. Humphrey and a second by Ms. Brown, the property was declined unanimously by the Board.

Item No. 17 was a Resolution Approving a Contract with Everett's Lot Clearing and Grading: \$31,250. Mr. Jarman stated the county sold timber on approximately 25 acres of land located in the Hwy. 70 Industrial Park in early 2004. On August 16, 2004, J. D. & L. Operations, was awarded a contract in the amount of \$37,250 for clearing, grubbing and stumping the acreage. This contract, which included hauling 75 loads of debris to the landfill, left a large amount of vegetative debris in the Industrial Park. The 25 acres remain unsightly due to piles of wood chips, root debris, growth along ditches and roads, and weed growth over a large portion of the acreage. This will make the property clean for potential sale to clients. Upon a motion by Mr. Taylor and a second by Ms. Brown, Item No. 17 was unanimously approved.

**APPOINTMENTS**

Item No. 20 was a Resolution Appointing Citizens to Boards, Commissions, Etc. The following reflects existing vacancies and appointments.

<b><u>BOARD/COMMITTEE/COMMISSION</u></b>	<b><u>APPLICANT/ CURRENT MEMBER</u></b>	<b><u>TERM EXPIRATION</u></b>
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**CURRENT VACANCIES:**

- Lenoir County Health Board – One (1) Vacancy; (1) Veterinarian**
- Grifton Planning Board – One (1) Vacancy; Expired Term; Does Not Desire Re-Appointment**
- JCPC – One (1) Vacancy; 1-Juvenile Attorney;**
- Lenoir County Planning Board – One (1) Vacancy; Resignation: District Six**
- CJPP – Four (4) Vacancies**
- Kinston Board of Adjustment – Two (2) ETJ Members; (1) Primary – (1) Alternate**

**ITEMS FROM THE COUNTY MANAGER/COMMISSIONERS/COUNTY ATTORNEY**

Item No. 21 was a memo from Mr. Jarman regarding Items of Interest. Joint Meeting with the Town of LaGrange on March 14, 2006 at 6:00 p.m. Meeting/Dinner with the NC Cooperative Extension on March 20, 2006 at 5:30 p.m. Mr. Graham invited the Board to join him at Rotary on March 16, 2006 at 1:00 p.m. at Kings Restaurant. Mr. Graham addressed the public regarding Medicaid, Medicare, and Social Security. These three (3) programs will be in major trouble as far as funding in the years to come. Currently it cost the county \$5 million per year to fund Medicaid. Mr. Pope, Economic Development Director, stated the web-site would be running soon; the shell building plans are moving forward; economic development has been very busy. Mr. Humphrey wanted clarification regarding the language that was approved regarding deer hunting with dogs at the February 20<sup>th</sup> meeting. Mr. Taylor stated there was some confusion between he and Mr. Clyde Sutton, President of the Lenoir County Hunter’s Association, about the language of the proposed law, but he feels the language is appropriate as it stands. Mr. Pittman stated that he would like to see the resolution amended to state the hunter will be fined for trespassing on posted land not the dog. Mr. Graham stated that the law currently on the books is still in place until a bill is introduced to the General Assembly. Mr. Griffin stated the language of the proposed bill can be re-considered at any time; this is a political decision not a legal decision. Mr. Graham made a motion to amend the language of the proposed bill with a second by Mr. Humphrey. The motion was passed by a 5 to 2 vote with Mr. Harper and Ms. Brown dissenting. Mr. Pittman stated that he would like to invite Mr. Clyde Sutton to attend the next meeting to revise the bill.

**ADJOURNMENT**

Upon a motion by Ms. Brown and a second by Mr. Pittman the Board adjourned at 10:00 a.m.

Respectfully submitted,

Reviewed By

Lashanda Aytch  
Clerk to the Board

Michael W. Jarman  
County Manager