

MINUTES

LENOIR COUNTY BOARD OF COMMISSIONERS

April 4, 2016

The Lenoir County Board of Commissioners met in open session at 9:00 a.m. on Monday, April 4, 2016, in the Board of Commissioners' Main Meeting Room in the Lenoir County Courthouse at 130 S. Queen St., Kinston, NC.

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

Members Absent: Reuben Davis

Also present were: Michael W. Jarman, County Manager, Tracy Chestnutt, Finance Officer, Vickie F. King, Clerk to the Board, Joey Bryan, MIS Director, Robert Griffin, County Attorney, members of the general public and news media.

Chairman Hill called the meeting to order at approximately 9:00 a.m. Ms. Brown offered the Invocation and Mr. Best led the audience in the Pledge of Allegiance.

PUBLIC INFORMATION:

None

PUBLIC COMMENTS:

None

CONSENT AGENDA:

1. Approval of Minutes: Regular Board Meeting: March 21, 2016.

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

A motion was made by Ms. Sutton and a second by Ms. Brown, to excuse Commissioner Reuben Davis from the meeting.

BUDGET ORDINANCE AMENDMENTS/RESOLUTIONS:

Item No. 2 was a Proclamation honoring Public Safety Telecommunicator Week. Ms. Paige Johnson, Telecommunications Operations Manager read the proclamation. Upon a motion by Mr. Best and a second by Mr. Daughety, Item No. 2 was unanimously approved.

Item No. 3 was a Resolution to Approve a Grant Application to the Unified Hazard Mitigation Assistance Grant Program (HMA). Mr. Samuel Kornegay, EMS Emergency Planner, stated Lenoir County Emergency Services –Emergency Management Division is applying for grant funding through the Unified Hazard Mitigation Assistance Grant Program for funding assistance in the implementation of a power redundancy system for Lenoir County EMS station five. Last year an evaluation of critical infrastructures was done by Lenoir County Emergency Services – Emergency Management Division. The research showed that our EMS stations did not have backup power in the case of a power failure. It was brought to our attention a grant opportunity existed through North Carolina Emergency Management Hazard Mitigation Branch. The application process was then started in the hopes to strengthen our critical infrastructure to be more disaster resistant and better prepared. Upon a motion by Ms. Sutton and a second by Mr. Daughety, Item No. 3 was unanimously approved.

Item No. 4 was a Approval of Purchase and Installation of Security System at Primary 911 Site: Down East Protection: \$4,526.95. Mr. Roger Dail, EMS Director, stated over the past two years, Lenoir and Jones County officials have implemented a merger of the Jones County E-911 Center with the Lenoir County E-911 Center. It was determined that security upgrades were needed at the primary E-911 Center located at 200 Rhodes Avenue, Kinston. As part of the new construction, additional cameras were added to the exterior of the building, as well as in the Communications Center. Also, door strike plates were installed to secure the Emergency Operations Center. This equipment is required to maintain optimum security for this facility. Upon a motion by Mr. Daughety and a second by Ms. Brown, Item No. 4 was unanimously approved.

Item No. 5 was a Approval of Purchase and Installation of 20KW Duct Heater at Primary 911 Site: Harrod & Associates Constructors: \$8,087. Mr. Roger Dail, EMS Director, stated over the past two years, Lenoir and Jones County officials have implemented a merger of the Jones County E-911 Center with the Lenoir County E-911 Center. As part of the merger, the existing Lenoir County E-911 Center was remodeled and expanded, to include the addition of two- (2) workstations, with the ability to add four- (4) additional workstations, for a total of a twelve- (12) position dispatch center. To accommodate this expansion, the HVAC system was redesigned, with a 10-ton unit installed. The communications center has been experiencing high humidity in the room, requiring dehumidifiers to be used to help maintain humidity levels. After multiple conference calls with the architectural firm, the general contractor, and the HVAC designing engineers, it was determined that the reason for the high humidity was due to the size of the unit and the fact that there may not be enough equipment in the room to generate the necessary heat. The purchase of the 20KW duct heater would allow the unit to run longer to draw the moisture out of the room. Upon a motion by Mr. Daughety and a second by Mr. Best, Item No. 5 was unanimously approved.

Item No. 6 was a Resolution Requesting the Establishment of fees for Rabies Vaccinations. Ms. Tracy Chestnutt, Finance Director, stated Mr. Joey Huff had another appointment and asked her to share the following resolution.

Ms. Chestnutt stated NCGS 130A-187 requires the local health directors to organize and assist other organizations to conduct rabies vaccination clinics at least annually. NCGS 130A-188 requires the Board of County Commissioners to establish the fee for rabies vaccinations at County sponsored vaccination clinics. Rabies Vaccination Clinics have been scheduled for Tuesday, April 19, 2016, at Riverbank Animal Hospital, Northside Animal Hospital, Five Oaks Animal Hospital, Countryview Animal Hospital, Faithful Friends, and Animal Hospital of Lenoir County in LaGrange. Upon a motion by Mr. Rouse and a second by Ms. Brown, Item No. 6 was unanimously approved.

Item No. 7 was a Resolution Authorizing a Purchase Order to Marathon Equipment Company: \$18,682.20. Mr. Joey Bryan, MIS Director, stated Recycling Site #1, also known as the Dobbs Farm Road Convenience Site, has been using the current compactor since it was opened in 1990. It has achieved many years of service, but at this time is beyond the ability to be repaired. Landfill personnel contacted Marathon Equipment Company and received a replacement quote in the amount of \$18,682.20. Marathon Equipment Company is the only provider of the size and type compactor that will work at our drop off sites as they are currently designed. Upon a motion by Mr. Rouse and a second by Ms. Sutton, Item No. 7 was unanimously approved.

Item No. 8 was a Resolution Approving Citizens to Boards, Commissions, Etc. Ms. Brown stated, there are no applicants, so no action is required at this time.

Mr. Hill stated the citizens of Lenoir County should continue to look at the openings on the different boards and commissions because this Board has spent a lot of time over the past couple of years trying to make sure there is a good cross section of individuals. This is an important area of service especially for those who like to serve and maybe contemplating serving on this Board in the future.

Item No. 9 was items from County Manager. Mr. Jarman reminded every one of the North Carolina Association of County Commissioners upcoming District meeting, on April 20th in Duplin County at the Mad Boar restaurant from 5:30 p.m. – 8:00 p.m. We will be glad to make transportation arrangements so everyone attending can ride together. Please let Ms. King know today if you are going and she will make sure the registration is taken care of prior to the deadline. Ms. King will check with Mr. Davis to see if he will be attending. Mr. Jarman asked the Board if they could meet at 2:00 p.m. prior to the regular meeting at the Tax Building in the Administrative Conference room to have a budget work session and return to the Commissioners Room for the regular 4:00 p.m. meeting. Mr. Jarman stated at this time Joey Bryan has information regarding concealed carry ordinances from other counties.

Mr. Bryan shared information regarding concealed carry ordinances from other counties, along with a letter from Ms. Agnes Ho, Director of Kinston Lenoir County Public Library. Ordinances included were Carbarrus, Avery, and Charlotte-Mecklenburg Counties. Mr. Bryan stated within his research he found five (5) counties had concealed carry ordinances allowing on all county properties, one (1) county has a conceal excluding DSS and Health Departments, six (6) counties prohibits concealed carry but allows in parks, nature centers, and green places like hiking trails. Thirty-five (35) counties prohibit by ordinances, and fifty-three (53) counties have nothing on the books. Mr. Rouse asked if he had any information from Pitt County. Mr. Bryan replied yes, and they are included within the five (5) counties.

Mr. Bryan stated he did not specifically mention Pitt County because they are in the process of repealing a previous ordinance. Mr. Jarman stated Pitt County was basically amending theirs, and you must have the regular ordinance along with the amended one which is not straight forward. Mr. Bryan stated in Pitt County they are required to share a copy of their permit to their Human Resources department to be placed in employees permanent file, however, before that is done it must be approved by the county manager in order for them to bring the weapon to work. Mr. Jarman asked whatever the Board decided to do to make sure it is clear and straight forward. Mr. Rouse stated he would like to see something simple and not complex from this Board so a person would not have to know anything about the ordinance which would eliminate any further issues. Mr. Hill stated he has been all over the map and has searched different areas and has gone full circle regarding how he felt about this entire process. He has visited the Department of Homeland Security site and looked at some of their information to get their view/approach on this issue. From all of the information he was able to gather, he found several different scenarios of where he is regarding this issue. In the beginning he thought he would be in favor of the ordinance and after much research, thought and prayer he is not. #1. After receiving information from the department heads, the discernment of the surveys, hearing from Sheriff Ingram, speaking with security personnel outside of government agencies, including banks and medical facilities, there really is no consistence stance on the matter of concealed weapons in government buildings from a national level of security at this time. #2. We are talking about implementing a policy that our current local highest ranking law enforcement officer that was elected by our public who supports the right to carry concealed weapons, doesn't support. As Sheriff Ingram has stated he does not want to put his officers in a position that when they enter buildings he would have to guess which one is the shooter. #3. When you look at policies regardless of whatever policy is put in, there is going to be some exceptions to the policy which will eliminate the courts, maybe library, jail, and SPCA. Regardless of what is done, there will be a limited ordinance. This really becomes more of a political stance to some degree and not an actual change of policy even at the highest level of what is put in place. #4. When we start looking at the buildings in question DSS, Health Department, and the Tax Department all of those building are located within a block or two from the local sheriff and police departments. Response time to the buildings are going to be in 2-3 minutes or as quick as can be because of the demographics. Last but not least, #5. It lacks the support of our department heads. Mr. Hill stated it has taken him a long time to get to this point and he is not in favor of moving forward with an ordinance at this time. We appreciate Commissioner Rouse bringing this important topic forth, and it may at some point in time, if not today get voted on. This discussion has highlighted some very primary needs such as: training, prepared awareness and emergency action plans for each department as well as the need for our management team and our department heads in conjunction with our law enforcement agencies working in collaboration. Mr. Hill mentioned how he has gone online and viewed Homeland Security's sites and found that they have good information and pamphlets in place regarding how to train employees and at no point in time in any of those pamphlets, plans and other information when it says "fight" did it state to pull out your own weapon and shoot anybody. It labels it much different than his original interpretation. This may not be where others would like for him to be, but it has taken him a long time to get there, a lot of research, reading information, praying and soul searching. This is an important decision because it involves the safety and well being of our employees. At this time we can continue with the ordinance and bring it back for a vote at our next meeting, or we can vote now. Mr. Hill mentioned he is not in favor of adopting an ordinance for concealed weapons because we are not there yet, and we have not done any other things that need to be done prior.

If in the future after we have implemented our action plans and training and we get to the point where that has been done, at that point in time he might be in favor of adopting an ordinance. Mr. Rouse asked Mr. Hill if he would be in favor of developing an action plan and then look at adopting an ordinance once the action plan is in place. Mr. Hill replied if the action plan gets the Board to that point, yes, but that action plan would definitely have to get them there, but we are not there yet. Mr. Rouse stated he disagreed, and they are ready because the survey that was sent out made it very clear. Everyone understood going in what the department heads was going to say. Whereas it may not address the definition, most shootings happen when people are disarmed. Mr. Hill replied most of the workforce shootings are not active shooter incidents, they are either self-inflicted or accidental. Mr. Rouse stated since there is a special election coming up to place it on the ballot and let the public vote. Mr. Daughety stated 67% of the people stated on the survey they would feel safer if allowed to bring weapons and that's evident they have a great concern for their safety, which should be a question to this Board of how to address their concerns. Our question should be what is it that makes them feel unsafe because all of our county employees should always feel safe at their workplace. Mr. Hill replied that is the idea and purpose of the emergency action plan being developed as it is part of the process. Mr. Daughety stated he would like to make a motion to charge the county manager to put an action plan together and get back to the Board in a timely manner. Mr. Jarman stated for the record the 67% was only of the people that responded which is approximately 470 of the 700 employees that the survey was sent to, and you can prove both sides of the survey with statistics. Mr. Jarman asked for a more specifics pertaining to plan. From the conversation you had and from the research that was done, we will be doing some active shooter training. We will find the right resource and program that fit and implement it in all departments. The need for training has been evident through this discussion and as we start with the training we may become aware of other things that we need in place and take it from there. Ms. Sutton stated during the training we might find out other things that would also make the employees feel much safer. Mr. Daughety suggested re-sending the survey to the ones that responded asking them to make suggestions of what would make their workplace safer. Mr. Jarman stated we could do another survey but the instructions were to send the Pitt County survey and that is what was done. Ms. Sutton stated why not see what the training plans cover prior to resending another survey. Mr. Rouse stated what bothers him is they are getting into a situation where the majority has responded and the percentage that responded felt like it was needed. Mr. Hill responded this Board also had to use discernment, hear from department heads as well as doing our individual research. This is not a cut and dry decision that can be made without considering what its like to be a supervisor in these buildings, and input from our high ranking law officials because they would be the first responders. It was very clear where law enforcement stood and it was the same on a national level and that carried a lot of weight. When law enforcement tells him we are not ready, we are not ready. Mr. Hill stated in his opinion the bottom line is we have not taken enough steps to just jump into the ordinance. Mr. Rouse asked what if they make it part of the request to develop a policy that addresses allowing this. Mr. Hill replied that would be no different than what we are dealing with now, we need to let the training take us there and again if there is a need. He doesn't feel like the Board has taken enough steps within its own organization. Ms. Sutton stated she is not against guns and she is for the safety of all employees, but we had the survey and we also heard from the managers, and in essence, they are like this Board with citizens and they have to look at it from an entirely different perspective.

The employee looks from her perspective (individual) and the manager has to look at it from the entire department (whole), not just an individual employee scenario, so by going through the training it will heighten the awareness of the employees to what it could mean if employees had guns. I agree we are not to that point yet more training needs to be done and more awareness. Mr. Rouse asked what if the training is implemented and 67% of the people come back and say they still feel the same. Ms. Sutton replied to cross that bridge when they get there. Mr. Rouse replied that is the current situation now. Mr. Jarman stated you should give weight to the survey but many times when this Board has an issue before you, it depends on how you ask the questions, the people who are ok with it the way it is are not the ones who fill your room. They are not the ones who come in here and surveys are the same way so if you asked the survey geared to one perspective on it and if you are going to do a survey and rely heavy on it, it should have gone out very neutral so that the people taking the survey did not know if you were expressing for or against. Mr. Hill stated why not put it on the agenda next month and vote up or down because it's time to move on because they have been discussing it long enough. Mr. Best stated safety is a big concern and he has carried a firearm for many years. What he continues to hear throughout this conversation is guns/weapons are the solutions and yet we have not come up with any other ideas of safety for employees. Guns are not the answer because many people possess guns, but guns are not for all things. Rockingham County has had this same issue on their agenda for over a year and has not been able to make a decision because of one reason and that's safety. We need to look at the safety quality of this situation because it is this Board's job to make sure the employees are going to be safe in the workplace. Mr. Best stated in his opinion by allowing employees to have a gun at the workplace is not going to solve a safety problem. Mr. Daughety stated this is an overwhelming concern from county employees and the Board should not walk away without a plan for their safety because it was county employees that came to him expressing their concerns. Mr. Rouse stated he would prefer to put it to a vote and let the people decide on a ballot.

Ms. Sutton made a motion to allow the county manager to go forth with training as stated and possibly including the question asking employees what are their specific safety concerns and what will make them feel safer, Mr. Daughety second. Common consent. Mr. Rouse voted yes but stated it should be done in a timely manner.

Mr. Jarman stated Administration will not drag their feet but please keep in mind they are also working on the budget, so they will try to get it back to the Board promptly. Mr. Rouse asked what about the public because they should have a voice in this matter. Mr. Jarman replied he is not sure what specific questions you can put to the public with something like this. The public has elected this Board for them to correspond with you, and you to be the voices that conduct the business of the county. Therefore, this Board can continue to have discussions and gather information and bring it back and we can't have 59,000 or so people in on everything this Board will be tasked with. Mr. Griffin stated from a legal perspective the states along the east coast including North Carolina generally take the philosophy that the elected representative are there to make those decisions and not put issues in front of the public on the ballot and vote on it. Also, he is not sure if it would be legal to ask a referendum question like that. Mr. Hill stated the Board could take an additional vote on it if they prefer to do so. Mr. Rouse asked without Mr. Davis? Ms. Sutton replied it did not matter, anytime you have an issue you can vote on it. Mr. Jarman stated once this training is implemented, this Board will need to participate in the training as well.

Mr. Best reminded everyone of the legislative luncheon in New Bern on April 14, 2016, from 11:30 a.m. – 2:30. This event is sponsored by ECC.

Ms. Sutton stated she attended Lenoir Community College recent Board meeting. It was announced that Dr. Briley will retire effective October 1, 2016. Also, Chairman Grady Bethel stepped down as chairman but will remain an active member of the Board.

Mr. Daughety asked the Board to prepare a resolution honoring Dr. Brantley Briley.

Mr. Hill stated Lenoir Memorial Hospital is in current active negotiation with UNC Health Systems to become a managing partner with the hospital. UNC Health Systems recently signed an agreement with Wayne Memorial. They are a well-renowned name and brand that should strengthen our local hospital. As we are aware there are few stand-alone hospitals at this time. LMH have not yet signed the contract but we should hear something maybe with the next couple of months.

Meeting Adjourned at 9:51 a.m.

Respectfully submitted,

Vickie F. King
Clerk to the Board