

MINUTES
LENOIR COUNTY BOARD OF COMMISSIONERS
April 16, 2007

The Lenoir County Board of Commissioners met in regular session at 4:00 p.m. on Monday, April 16, 2007 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, Claude Davis, Earl Harper, Chris Humphrey, and Claude Stroud.

Members absent: Jackie Brown

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 4:00 p.m. Mr. Davis offered the invocation and Mr. Graham led the audience in the pledge of allegiance.

Upon a motion by Mr. Harper and a second by Mr. Davis the Board unanimously agreed to excuse Ms. Brown whose flight was delayed in New York, from the meeting.

PUBLIC INFORMATION

Ms. Audrey Stroud Powell addressed the Board regarding the Renaming of a crossroad in Pink Hill. Ms. Powell stated she would like the crossroads named in honor of the Stroud family; the land that surrounds the crossroads (Liveoak Hog Company Road and Jonestown Road) has been in the Stroud name since 1750. Ms. Powell stated the crossroads have never been named. Ms. Powell stated she has two name choices, which are Jonas Stroud Crossroads or Stroud's Crossroads. Mr. Jarman asked to table the matter until further information can be gathered by the Manager's office from NCDOT. Mr. Graham stated the Board has to be very careful in the renaming of roads in the county as to not offend other families in the community. The Board will research this matter further, but wants to be fair in the process. Ms. Powell thanked the Board for the consideration.

ITEMS FROM THE CHAIRMAN/COMMISSIONERS

Item No. 1 was Items from the Chairman and County Commissioners. No items were discussed.

ITEMS FROM THE COUNTY MANAGER

Item No. 2 was Items from the County Manager. Mr. Jarman reminded the Board of the 2006 Commissioners Report immediately following today's meeting at 6:00 p.m. at the Cooperative Extension Office. Joint City/County Meeting on April 18, 2007 from 4:00 to 6:00 p.m. in the Administration Building. On May 7th after the regular scheduled Commissioner's Meeting the Board will re-convene into a budget work session. Mr. Jarman also reminded the Board of the NCACC Sponsored General Assembly Day on Wednesday, May 2, 2007.

CONSENT AGENDA

Upon a motion by Mr. Davis and a second by Mr. Harper, the Board unanimously approved the following Consent agenda items.

3. Approval of Minutes: Regular Board Meeting: April 2, 2007 Aytch/Jarman
Closed Board Meeting: April 2, 2007 Aytch/Jarman
Special Called Meeting: March 23, 2007
4. Budget Ordinance Amendment: General Fund/Vehicle Replacement: Jones/Hollowell
Sheriff/Vehicle Replacement: \$47,500: Increase

RESOLUTIONS

Item No. 5 was a Resolution Approving the Proposed 2007-2008 Secondary Road Improvement Program. Mr. Neil Lassiter, Division Engineer of the North Carolina Department of Transportation (NCDOT) addressed the Board. Mr. Lassiter introduced Mr. Preston Hunter, District Engineer for NCDOT. Mr. Hunter stated last years program included Pauls Path Road which has been completed; Hugo-Grifton Road which will be widen and paved; Pioneer Road was a gravel road and has been paved and completed; Harvey Rouse Road right of way acquisition has been completed; North Charles Street, Charlie Herring Road and Barwick Station Road right of way acquisition incomplete. Last year \$1.4 million was spent in road improvements in Lenoir County. Mr. Lassiter reviewed the current fiscal year Road Improvement Program. Causey Road (SR 1816) is 1.10 miles in length, the road will be graded, drained, based and paved at a cost of \$130,000 Hugo-Grifton Road (SR 1091) is 4.60 miles in length, the road will be widen and paved at a cost of \$350,000. Barwick Station Road (SR 1330), Fields Loop Road (NC 903), Canady Loop Road (SR 1727) will be completed once right of way acquisition is obtained. The total budget for 2007-2008 Secondary Road Improvement Program is \$1.5 million. Upon a motion by Mr. Harper and a second by Mr. Taylor, Item No. 5 was unanimously approved.

Item No. 6 was a Resolution to Endorse/Support the Lenoir County Transportation Committee's Actions/Recommendations Regarding US 70 West Industrial Park/Crescent Road (C.F. Harvey Parkway) as Outlined in its Resolution Adopted on March 14, 2007. Mr. Mark Pope, Economic Development Director, addressed the Board. Mr. Pope stated the viability of the industrial park and the growing needs of the companies in the park must be addressed. Mr. Pope stated he is concerned about the potential access in and out of the industrial park for the 1700 employees and truck traffic. If proper access in and out of the park is unavailable the viability of the park could diminish. Mr. Pope reviewed a current and alternate map of the industrial park and its accesses. Mr. Pope stated the alternate map does not provide adequate access to US 70 from the Lenoir County US 70 West Industrial Park, particularly the heavy traffic from Electrolux, Dopaco, and also severely limits the expansion and development of Lenoir County's Shell building and site. The Transportation Committee has asked for additional access to the park, which was approved by resolution on March 14, 2007. A similar resolution was passed by the Transportation Committee in 2002 also. Mr. Russell Rhodes, Transportation Committee Chairman, stated DOT has been asked to improve the project without further delay of the project. As per discussion with NCDOT the permits to begin work on the C.F. Harvey Parkway have been received; the cost to -construct the road will be \$80 million and is funded in the current TIP (2007-2013). The acquisition of right of way is underway

and construction could possibly begin on the road in 2009. It is the only TIP project funded in Lenoir County.

NCDOT has stated that a new design and additional access will possibly cause the restart of the permit process, which could delay the project for a minimum of two years. The Transportation Committee has asked that the access be granted without delaying the entire project. The Board of Commissioners should be informed about the elevation of the park, which presents further challenges. Mr. Graham asked Mr. Lassiter if NCDOT had any recommendations regarding this project. Mr. Lassiter stated NCDOT totally supports the industrial park becoming more accessible by the public, but the timing of the project is the area of concern. Elevation and environmental problems are the challenges in discussing the permit process. The project could be reviewed at a later date when the construction is underway. The county could lose the funding if the project is delayed. Mr. Graham stated the money would not be available in the future if the road is not constructed in the park as scheduled. Mr. Lassiter stated he understands the need for more access in and around the park, but to delay the project would be a mistake. Upon a motion by Mr. Davis and a second by Mr. Stroud, Item No. 6 was unanimously approved.

Item No. 7 was a Resolution Authorizing the Relocation of the Sutton-Brinson Family Cemetery. Mr. Ward Sutton of R. Ward Sutton Cemetery Services addressed the Board. Mr. Sutton stated he represents the North Carolina Global TransPark (GTP) in the relocation of the above-referenced cemetery. Mr. Sutton stated his company relocates cemeteries throughout the south. Mr. Sutton stated it is the desire of the GTP to relocate the cemetery under the guidelines set forth in the North Carolina General Statute #65-13. The statute requires the property owner to make reasonable search and inquiry to locate the next of kin. Mr. Sutton stated staff members of the GTP along with himself have been working with the relatives of the families represented in the cemetery. The decedents are in favor of relocating the cemetery to Pinelawn Memorial Park located at 4488 Hwy. 70 West in Kinston. The statute also required the GTP to give 30-days notice in a newspaper of general circulation in the county where the cemetery is located. The notices were published in the Free Press on April 4th, 11th, and will also appear on April 18th and 25th. The GTP will be responsible for the expenses pertaining to the relocation of the cemetery; no cost will be distributed amongst family members. Upon a motion by Mr. Harper and a second by Mr. Stroud, Item No. 7 was unanimously approved.

Item No. 8 was a Resolution Approving the Eastpointe Local Business Plan – 2007-2010. Mr. Ken Jones, Eastpointe Director, addressed the Board. Mr. Jones stated the goal is to improve services to the clients of Eastpointe. Over the past three-(3) years the mental health system has been through a major reform. The role of Eastpointe has changed significantly which is why the Business Plan was developed. Eastpointe's role is to develop a provider community; Eastpointe is acting more as a managed care organization. In developing the plan, Eastpointe held a stakeholder meeting in each of the counties to define problems and develop strategies for making the system better. The stakeholders and representation in each of the communities included the county manager, DSS director, health department director, judicial system representatives, sheriff department representatives, local hospital CEO's, providers, consumers, Eastpointe board members, the school system superintendent and guidance counselors. The goals and objectives were put into place for all four counties so that equitable support is given to each. Upon a motion by Mr. Davis and a second by Mr. Stroud, Item No. 8 was unanimously approved.

Item No. 9 was a Resolution Authorizing the Move of the Remaining 800 MHz Radio Equipment to the Central Avenue Tower Site: Not to Exceed: \$6,000. Mr. Jarman stated the equipment is housed in a prefab building, the county is having difficulty keeping the temperature regulated. The building at the Central Avenue is a better site to house the radio equipment.

The North Carolina Highway Patrol Division owns the building and has agreed to continue to pay all utilities for the building, even with the addition of the county's equipment. Upon a motion by Mr. Harper and a second by Mr. Stroud, Item No. 9 was unanimously approved.

Item No. 10 was a Resolution Authorizing Emergency Repair of CAT D6 Bulldozer: Gregory Poole: \$13,816.01. Mr. Hollowell stated the bulldozer is in constant use and was needed urgently at the landfill. The repairs on the equipment have already been made due to its value at the landfill. Upon a motion by Mr. Harper and a second by Mr. Taylor, Item No. 10 was unanimously approved.

Item No. 11 was a Resolution Authorizing Emergency Rental of Trashmaster Compactor: Road Machinery Services, Inc.: \$20,000. Mr. Hollowell stated two weeks ago the old compactor at the landfill caught on fire. Currently the insurance adjuster is investigating to ascertain if other hidden damages, as result of the extreme heat, may have in fact caused the machine to be a total loss. If the burned compactor can be repaired, the repairs will take 45-60 days to complete. The landfill operations must continue; therefore, it was necessary to rent a compactor until the repairs can be completed or a replacement machine can be purchased. Upon a motion by Mr. Harper and a second by Mr. Stroud, Item No. 11 was unanimously approved.

Item No. 12 was a Resolution Emergency Repair of 615-C Scraper Pan: Carraway's Truck & Equipment Service: \$21,800. Mr. Hollowell stated this is also an essential piece of equipment; the scraper pan is in constant movement throughout the landfill daily. The pan's engine has locked and is in immediate need of repair. Carraway's Truck and Equipment Service's bid is based on the damage with and without the engine block and/or cylinder head. Their estimate for parts and labor is \$16,900 if the cylinder heads need repair the cost is \$18,400, if the engine block requires repair the cost is \$20,300 and if both cylinder heads and engine block are damaged the cost will not exceed \$21,800. Upon a motion by Mr. Taylor and a second by Mr. Harper, Item No. 12 was unanimously approved.

Item No. 13 was a Resolution Authorizing the Sale of Two (2) Lenoir County Owned Lots to the City of Kinston. After the flood of 1999, many of the flooded homes were bought out in east Kinston. The City of Kinston has since received a Clean Water Management Trust Fund Grant that can be used to purchase lots that were flooded that do not have a permanent structure located on them. The two (2) parcels that the Lenoir County Tax Department has foreclosed on are listed on the submitted properties that have been approved for purchase by the grant funds. The North Carolina General Statute allows one government agency to transfer property to another government agency without going through a public bid process. Upon a motion by Mr. Harper and a second by Mr. Stroud, Item No. 13 was unanimously approved.

Item No. 14 was a Resolution Approving the Acceptance of a Consent Agreement for MV Transit to Purchase Apple Bus Company for the Management, Operation, and Maintenance of a Community Transportation System. Ms. Sue Powell, Transit Coordinator, addressed the Board. Ms. Powell stated MV Transit is purchasing the North Carolina Branch of the Apple Bus Company, which consist of Onslow, Wayne, Wilson, Pender, Lenoir and Edgecombe counties. The owner of Apple Bus wishes to retire and is selling his business to MV Transit. There will be no changes in the prices to riders of the transit or to personnel at the offices of MV Transit. The county is currently in its first year extension, if the county is not satisfied with MV Transit, the contract can be terminated and sent out to bid. Participants using the transit system have increased dramatically since the new loop system was approved. In July the transit was running the loop three days per week and has 90 customers.

From July 1st to January 31st the transit riders increased to 307; in February NCDOT granted supplemental funding which allowed the Transit System to travel five days a week and extend the loop out to Lenoir Community College. With this addition from February 1st to February 28th transit riders increased to 627; from March 1st to March 31st transit riders increased to 777 and as of the numbers today there will be an increase of 27 riders for the month of April. Upon a motion by Mr. Humphrey and a second by Mr. Stroud, Item No. 14 was unanimously approved.

APPOINTMENTS

Item No. 15 was a Resolution Appointing Citizens to Boards, Commissions, Etc. The following reflects existing vacancies and appointments. There were no current applications to present. Mr. Harper requested the Board get detailed information regarding the current vacancies that exist on Board. Mr. Harper also wanted an update on the financial information requested from each outside agency the county provides funding to. Mr. Jarman stated some information has been received and will be compiled for presentation at the next Board meeting.

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

- Lenoir County Health Board – One (1) Vacancy; (1) Veterinarian**
- Grifton Planning Board – One (1) Vacancy**
- JCPC – One (1) Vacancy; 1-Juvenile Attorney**
- Lenoir County Planning Board – District 1, 3, & 6**
- CJPP – Four (4) Vacancies**
- Kinston Board of Adjustment – Two (2) ETJ Members; (1) Primary – (1) Alternate**
- Lenoir County Transportation Committee – At Large Member – Business Community**

Mr. Harper invited everyone to attend the Third Annual Prayer Breakfast on Thursday, May 3, 2007. The breakfast will be held at Lenoir Community College from 7-8:00 a.m. Tickets are \$10.

Mr. Rhodes addressed the Board regarding the US 70 Access Management Study. Mr. Rhodes stated the study was paid for by NCDOT in two phases. The first phase consisted of Johnston and Wayne counties and phase two was all the counties east. In the first phase, public hearings were held to inform the public of what was being doing in the effort, but there have been no public hearings held in the east. Mr. Rhodes along with Mr. Alex Rickard of the East Carolina Council, proposes to have four (4) meetings in May to discuss access management and the overlay district to gain support for the Access Management Study throughout the county. Mr. Harper requested that the meetings be put on hold until July after the budget sessions are complete. Mr. Rhodes agreed and would come before the Board at a later date to schedule the meetings.

CLOSED SESSION

Upon a motion by Mr. Harper and a second by Mr. Graham, and unanimous approval, closed session was entered at approximately 5:28 p.m. and the following cited number five (5) to establish or instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating (i) the price or other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease; or (ii) the amount of compensation and other materials terms of an employment contract or proposed employment contract. No action was taken in closed session. A sub-committee was selected consisting of Mr. Jarman, Mr. Stroud and Mr. Humphrey for further research and discussion on contract negotiations. Upon a motion by Mr. Graham, a second by Mr. Harper and unanimous approval, closed session was adjourned and open session reconvened at approximately 5:43 p.m.

OPEN SESSION AND ADJOURNMENT

Upon a motion by Mr. Graham, the meeting was adjourned at 5:45 p.m.

Respectfully submitted,

Reviewed By

Lashanda Aytch
Clerk to the Board

Michael W. Jarman
County Manager