

MINUTES
SPECIAL CALLED MEETING
LENOIR COUNTY BOARD OF COMMISSIONERS

May 14, 2012

The Lenoir County Board of Commissioners met in open session at 4:00 P.M. on Monday, May 14, 2012 in the Board of Commissioner Main Meeting Room in the Lenoir County Courthouse at 130 S. Queen St., Kinston, NC.

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

Also present were: Michael Jarman, County Manager, Martha Martin, Finance Officer, Robert Griffin, County Attorney, and members of the general public.

Chairman Graham called the meeting to order at approximately 4:00 P.M. Ms. Brown offered the invocation and Mr. Graham led the audience in the Pledge of Allegiance.

RESOLUTIONS

This was a special called meeting to consider a resolution that was presented under Public Information, Item #5 at the May 7, 2012 Commissioners' meeting, and tabled until May 14, 2012. This resolution was a "Resolution Urging Non Passage of Senate Bill 655" that was presented by Mr. Jim Perry. Dr. Alec Parker, Executive Director of the North Carolina Dental Society, addressed the Board asking them not to pass the Resolution. Dr. Parker stated that he is in support of businesses such as Affordable Care, Inc., as long as they operate within the law. He said there had been some other dental businesses coming into North Carolina, in which they had trouble enforcing the law as it is written, and that the law had not changed in forty years. He also stated that he did not think passing this particular Senate Bill would affect Affordable Care.

Mr. Graham asked if all of the members on the Dental Society were in favor of the bill. Dr. Parker stated that the Dental Society is out front asking for the legislation, but they do not have the full support of all dentists. He said they had seen misbehavior in some organizations.

Ms. Sutton wanted to know why the local dentists had not contacted her in support of the bill. She said that from her perspective, the employees of Affordable Care were citizens of Lenoir County, and without knowing how they would be affected, she could not be in favor of the bill. She also stated the Affordable Care was a good corporate citizen of the County.

Mr. Rouse said he has a problem with government controlling business, and he thought that trade secrets were involved. He stated it was not fair to punish Affordable Care for the practices of other businesses. He personally thought the bill was too broad.

Mr. Graham stated that the commissioners were not there to interpret or mandate state law they were trying to protect the local citizens.

Ms. Brown stated that “If it isn’t broke – don’t fix it”.

Dr. Parker stated for other businesses not as ethical as ACI, they sometimes had to do things in the legislative arena to protect citizens, and as long as ACI was abiding by the current law, this bill would not affect them.

Mr. Perry then spoke, and said that he agreed with Dr. Parker, that the Society’s job was to protect the citizens. He also said that he knew of one dental business that was barred from doing business in North Carolina, and would have to stay out for a total of five years. He said Mr. Parker could go home and not worry about Lenoir County, and they were in the County to provide care for underserved people.

Upon a motion by Mr. Rouse, and a second by Mr. Pharo, the original resolution was passed unanimously.

Mr. Graham adjourned the meeting at approximately 4:26 P.M.

MINUTES
LENOIR COUNTY BOARD OF COMMISSIONERS
May 21, 2012

The Lenoir County Board of Commissioners met in open session at 4:00 p.m. on Monday, May 21, 2012 in the Board of Commissioners Main Meeting Room in the Lenoir County Courthouse at 130 S. Queen St., Kinston, NC.

Members present: Chairman George Graham, Vice-Chairman Reuben Davis and Commissioners, Jackie Brown, Mac Daughety, Linda Rouse Sutton, Tommy Pharo, 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, and members of the general public and news media.

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

PUBLIC INFORMATION

Ms. Jami Hardee, EMS Shift Commander presented a Proclamation declaring May 20-26 2012 as "Emergency Medical Services Week". Upon a motion by Mr. Pharo and a second by Ms. Brown, the proclamation was unanimously accepted.

ITEMS FROM THE CHAIRMAN/COMMISSIONERS

None reported.

ITEMS FROM THE COUNTY MANAGER

Item No. 2 was items from the County Manager. Mr. Jarman stated that three bids had been received on three of the properties being offered for sale by the County. The first property was 1215 Lincoln Street, Kinston – Mr. Jarman asked that this offer be tabled until he had time to discuss the property with someone from the City of Kinston. He said this property was in close proximity to properties purchased by the City with flood buyout monies, and he would like to see if the City had need of the property before we sold it. The second property he referred to, was 401 E. King Street, LaGrange. The bid on this property is currently \$1,000 – Mr. Jarman suggested the Board accept this bid. The third property was at 207 E. Highland Avenue, Kinston, and the current bid was \$2,500. Mr. Jarman suggested the Board decline this bid, since the tax value on the property is much more than the current bid. Upon a motion by Mr. Davis and a second by Ms. Sutton, the Board unanimously decided to accept only the bid for 401 E. King Street, LaGrange.

Mr. Jarman reminded the public of several road closings that will take place from May 22, 2012 through May 25, 2012 due to work on railroad crossings in the areas of Rouse Road and John Mewborne Road in the County.

CONSENT AGENDA: 10Min.

ACTION

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| 3. Approval of Minutes: | Regular Board Meeting: May 7, 2012
Budget Work Session: May 7, 2012 | Martin/Jarman |
| 4. Budget Ordinance Amendment: | Capital Improvements Fund: Buildings & Grounds: Increase.: \$4,797.15 | Hollowell |

Upon a motion by Ms. Brown and a second by Mr. Pharo the Board unanimously approved the Consent Agenda.

PUBLIC HEARING/LENOIR COUNTY BUDGET ORDINANCE INTRODUCTION

Item No. 5 was a Public Hearing: Fiscal Year 2012-13 Lenoir County Submitted Budget & Introduction of Fiscal Year 2012-13 Lenoir County Budget Ordinance. Mr. Graham declared the public hearing open at 4:12 p.m. Mr. Jarman gave a brief description of the submitted budget, stating the General Fund budget was in balance at \$63,122,087 at the same tax rate of \$.80 per \$100 valuation of property listed in Lenoir County as of January 1, 2012. He also stated this would keep all of the provided services at the current level and would keep employee benefits at the same level.

Mr. Graham asked if anyone from the audience had any questions or comments. No one responded. Mr. Graham then asked if any of the Commissioners had any discussion. Mr. Rouse asked to discuss the \$48,340 that was taken out of the budget for the volunteer fire departments. Mr. Daughety made a motion to put this funding back into place, and Mr. Davis seconded the motion. Ms. Sutton stated that she did not realize the burden it would place on the fire departments if it were taken away. Mr. Graham then made a motion to also include an additional \$50,000 be put into the budget for Lenoir Community College, and Mr. Daughety seconded it. Mr. Rouse asked if the additional \$50,000 was to be earmarked for anything in particular. Mr. Graham stated that it would not, it would be placed in their base budget. Mr. Daughety stated that since more general fund money was being used to cover the debt service on the schools, he felt it only right to give more to the college. The two amendments were unanimously approved. Upon a motion by Mr. Graham and a second by Ms. Sutton Item No. 5 (FY12-13 Budget) was approved with Mr. Rouse casting the only no vote.

Mr. Graham asked if there was any other discussion concerning the budget. Ms. Sutton stated that each year there is discussion concerning doing something for the employees. She said she realized this year was not the time to do anything, but she would like to sit down in the near future and develop a plan for doing something for the employees next year.

Mr. Graham stated he would like to see a Blue Ribbon Committee established that would work to implement the ¼ cent sales tax. He stated that most of the counties around us have already passed the tax, and that this was the General Assembly's way of allowing County's to increase their revenues. He asked that each Commissioner bring back 2-3 names of people they thought we would be willing to serve on the

committee. This committee would be educated to understand how the sales tax is generated, how it works in relation to the budget and how it might be used. Ms. Brown stated the last time it was put before the voters there was a lot of negative publicity, to which Mr. Davis added if the environment was not right, it did not need to be placed on the ballot. Upon a motion by Ms. Sutton and a second by Ms. Brown the motion to form a Blue Ribbon Committee to study the sales tax issue was unanimously approved. Mr. Graham closed the public hearing at 4:40 p.m.

PROCLAMATION/BUDGET ORDINANCE/RESOLUTIONS

Item No. 6 was a Proclamation declaring May as Community Action Month and was read by Ms. Sutton. Ms. Angela Bates, Executive Director of Greene Lamp was on hand to accept the proclamation. Ms. Bates introduced other members of her staff and stated that Greene Lamp has been serving Lenoir County for the past 47 years. Upon a motion by Mr. Pharo and a second by Ms. Brown, Item No. 6 was unanimously approved.

Item No. 7-A was a Budget Ordinance Amendment: General Fund: Health Department: Child Health: \$5,005 Increase and Item No. 7-B was a Resolution Authorizing a Purchase Order to Southern Regional AHEC in the amount of \$5,005 for Motivational Interviewing Champions Grant. Upon a motion by Mr. Pharo and a second by Ms. Sutton, both Item No. 7-A and Item No. 7-B were unanimously approved.

Item No. 8 was a Resolution Authorizing the Acceptance of BCBSNC Equipment Only funds in the amount of \$5,000. Tammy Kelly stated that these funds were to be used to assist in buying equipment for the Farmers' Market. Upon a motion by Mr. Daughety and a second by Ms. Brown, Item No. 8 was unanimously approved.

Item No. 9 was a Resolution Authorizing Cooperative Extension to Submit an Application to Participate in the Food Stamp Program at the Farmers' Market. Ms. Kelly stated this was just the first step in a long process which will allow food stamp recipients to purchase fresh local fruits and vegetables from the Farmers' Market. Upon a motion by Ms. Sutton and a second by Ms. Brown, Item No. 9 was unanimously approved.

Item No. 10 was a Budget Ordinance Amendment: General Fund: Social Services: Medicaid: Increase: \$55,000. Ms. Moore stated that due to increased costs by Transit and the increase in fuel costs, the cost of transporting Medicaid patients has risen. These are completely reimbursable federal funds. Upon a motion by Mr. Daughety and a second by Ms. Sutton, Item No. 10 was unanimously approved.

Item No. 11 was a Resolution Accepting a Battlefield Acquisition Grant in the amount of \$120,000. Mr. Lyle Holland spoke on behalf of the Historical Society. He stated that these funds would be used to purchase a conservation easement on 91.24 acres off of Hwy 70 in the Wyse Fork area. This would allow the farm land to still be farmed, but not developed. This grant comes from the American Battlefield Protection Program, with the 50% match coming from the Civil War Preservation Trust. Upon a motion by Mr. Pharo and a second by Ms. Sutton, Item No. 11 was unanimously approved.

Item No. 12 was a Budget Ordinance Amendment: General Fund: Process Funds: 8th Judicial District Community Intervention Grant: Increase: \$145,459. Mr. Milas Kelly addressed the Board and stated these funds were to be used in the three county area covered by the 8th Judicial District (Wayne, Greene and Lenoir) and were to be expended by June 30, 2012. Upon a motion by Ms. Brown and a second by Ms. Sutton, Item No. 12 was unanimously approved.

Item No. 13 was a Budget Ordinance Amendment: Transportation Fund: Operations: Increase: \$45,920. Mr. Hollowell addressed the Board and stated these funds were received from the County's insurance carrier relative to a wreck that occurred March 23, 2012. The van involved in the accident was declared a total loss, and this is the payout less the \$1,000 deductible. These funds will have to be used to purchase a like replacement van. Upon a motion by Mr. Daughety and a second by Ms. Brown, Item No. 13 was unanimously approved.

PUBLIC HEARING/LENOIR COUNTY TRANSPORTATION PROGRAM ROAP GRANT

Item No. 14 was a public hearing regarding the FY 2012-13 Rural Operating Assistance Program (ROAP) grant. Mr. Graham declared the public hearing open at 5:04 p.m. He asked if anyone from the audience had any questions or comments concerning the ROAP grant. No one came forward. Mr. Graham asked Ms. Durst to explain to the Board what the grant funds were used for. She stated the funds were used to offset costs for transporting the Elderly and Disabled, some Employment Transportation and the Rural General Public. Mr. Graham declared the public hearing closed at 5:08 p.m.

PROCLAMATION/BUDGET ORDINANCE/RESOLUTIONS

Item No. 15 was a Resolution Approving the Rural Operating Assistance Program (ROAP) grant funds for FY 12-13. Upon a motion by Mr. Daughety and a second by Ms. Brown, Item No. 15 was unanimously approved.

APPOINTMENTS

Item No. 16 was a Resolution Approving Citizens to Boards, Commissions, Etc. The following reflects existing vacancies and appointments.

<u>BOARD/COMMITTEE/COMMISSION</u>	<u>APPLICANT/ CURRENT MEMBER</u>	<u>TERM EXPIRATION</u>
East Pointe Mental Health 2 nd Appearance	Rita Hodges Eric Rouse Emily Moore (Re-Appointment)	May 2015

East Carolina Workforce Development 2 nd Appearance	Dr. Brantley Briley (Re-Appointment)	June 2014

Mr. Rouse asked why Ms. Moore's name was on the list as a second appearance, when her name was not listed as a first appearance on the last meeting's agenda. Mr. Jarman explained that all three of the people listed were re-appointments and Ms. Moore's name was discussed, but not on the list last time. Ms. Brown made the motion to re-appoint Mr. Rouse and Ms. Moore and Ms. Sutton seconded. Mr. Rouse then asked if both Ms. Hodges and Ms. Moore could be asked to fill out new applications. Ms. Sutton said this was a crucial year for Mental Health, and there were some things explained by the Eastpointe representative that were not true. She asked if both Ms. Hodges and Ms. Moore could serve, and Mr. Rouse serve as a liaison. Mr. Daughety said he thought it was important to have a commissioner on the Eastpointe Board and Mr. Davis agreed.

Mr. Rouse made a motion and Mr. Daughety seconded it, asking to amend the resolution and appoint Mr. Rouse for now and then take applications from the other two. The vote was as follows: Mr. Rouse, Mr. Daughety and Mr. Pharo yes, and Ms. Sutton, Mr. Davis, Mr. Graham and Ms. Brown no. The motion was defeated.

The vote was then taken on the original motion to appoint Mr. Rouse and Ms. Moore. Ms. Sutton, Mr. Davis, Mr. Graham, Ms. Brown and Mr. Daughety voted yes for the motion, with Mr. Rouse and Mr. Pharo voting no. The motion carried.

Ms. Brown made a motion and Ms. Sutton seconded it to appoint Dr. Brantley Briley to the East Carolina Workforce Development Board. The motion was carried unanimously.

Upon a motion by Mr. Daughety and a second by Ms. Sutton, Mr. Graham's name was listed to serve on the Greene Lamp Board. Three commissioners are allowed to serve on Greene Lamp's Board, and at the current time there are only two. Ms. Sutton said she had spoken to Mr. Graham, and he is willing to serve. The motion was carried unanimously.

Mr. Graham adjourned the meeting at 5:26 p.m.

Respectfully submitted,

Reviewed By

Martha H. Martin
Deputy Clerk to the Board

Michael W. Jarman
County Manager