

MINUTES
LENOIR COUNTY BOARD OF COMMISSIONERS
June 2, 2008

The Lenoir County Board of Commissioners met in regular session at 9:00 a.m. on Monday, June 2, 2008 in the Board of Commissioners Main Meeting Room in the Lenoir County Courthouse at 130 S. Queen St., Kinston, NC.

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

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 Taylor called the meeting to order at approximately 9:00 a.m. Ms. Brown offered the invocation and Mr. Taylor led the audience in the pledge of allegiance.

PUBLIC INFORMATION

Mr. Wayne Sullivan of Municipal Engineering Services Co., Inc. addressed the Board. Mr. Sullivan updated the Board on the municipal solid waste (MSW) and construction/demolition (C&D) Landfill. On January 1, 2007, new rules were adopted by the state regarding these landfills. The Solid Waste Management Act of 2007 legislation was passed that effects landfill operations. On July 1, 2008, the \$2.00/ton solid waste tax will become effective. This tax will be assessed to every ton that is disposed in a sanitary landfill. For Lenoir County, this includes the MSW and the C&D landfill. In FY 06-07, Lenoir County disposed 69,079 tons, which equates to \$138,158 in tax. To offset this cost, Lenoir County will need to increase the tipping fees and possibly the household fee. In FY 06-07, there was 58,651 tons of waste disposed in either MSW or C&D landfills that were charged a tipping fee. The remaining 10,428 tons were not charged a tipping fee because this waste was received from households covered by the landfill household fee.

Solid Waste Management Section Fees:

MSW Permit Amendment	\$15,000 approximately every 5 years
C&D Permit Amendment	\$9,000 approximately every 5 years
LCID Permit Amendment	\$500 approximately every 5 years
MSW Annual Permit Fee	\$3,500 annually
C&D Annual Permit Fee	\$2,750 annually
LCID Annual Permit Fee	\$500 annually

Annual Cost of Fees = \$11,650 = \$0.17/ton

The closure and post closure of the current landfill has to be budgeted as well. Mr. Sullivan stated it is advisable to set aside sufficient funds to cover the cost of closure in approximately 20 years and the 30-year post closure period following closure. Estimated funds needed are \$6,000,000 for closure and approximately \$2,000,000 for post closure or an annual cost of \$400,000 for 20 years. The operational costs of the landfill must be reviewed as well. The cost of fuel continues to rise and all private landfills have a fuel adjustment fee that they will annually charge their customers to offset the rising cost of fuel. The County does not have this benefit and has to attempt to budget this increase each year.

Household fees must be reviewed as well. Mr. Sullivan stated the County presently has 11,890 households that are charged a fee of \$60.00 per year. That fee has not increased since 1998. These households have free access to convenience sites. The convenience sites are manned by a private contractor and the County hauls and disposes of the waste at these sites. The annual cost of the contract is \$420,000 and the estimated costs for the County to haul the waste is \$200,000 for a total annual cost of \$620,000. The cost per household just for the convenience sites and hauling the waste is \$52.14 per household. Mr. Sullivan stated Municipal Engineering recommends the following: MSW tipping fee is presently \$34/ton. Including all the additional costs the MSW tipping fee should be raised \$9.41/ton or \$43.41/ton. C&D tipping fee is \$29/ton and should be raised the same amount as the MSW tipping fee of \$9.41/ton for a new C&D tipping fee of \$38.41/ton. The LCID tipping fee, which is presently \$12/ton, should be raised, at a minimum, to cover the costs of operations. Recommend \$3/ton increase for a new tipping fee of \$15/ton.

There is three (3) years of life on the current 5-year cell. Mr. Sullivan stated the County should have another phase permitted and available before the end of the 5-year cell. The permitting takes one year to complete; construction of a new cell will take approximately one year as well. Mr. Hollowell stated three (3) resolutions would be presented at the next meeting in regards to the landfill. Mr. Hollowell stated the County would like to have enough funds in the Landfill Fund to construct the cell without borrowing additional funds to do so. The Board thanked Mr. Sullivan and Mr. Hollowell for their information.

ITEMS FROM THE CHAIRMAN/COMMISSIONERS

Item No. 1 was Items from the Chairman and County Commissioners. Mr. Taylor stated he along with Mr. Graham, Mayor Pro Tem, Robert Swinson and Mr. Mark Pope, Economic Development Director, along with others toured the Spirit AeroSystems, Inc. facilities in Wichita, Kansas. Mr. Taylor and Mr. Graham agreed that the meeting was successful and lots of information was obtained. Mr. Taylor encouraged the county's youth to take full advantage of the upcoming employment opportunities presented by Spirit.

ITEMS FROM THE COUNTY MANAGER

Item No. 2 was Items from the County Manager. Mr. Jarman reviewed a letter from the Lenoir County SPCA regarding updating county ordinances. Sheriff Smith stated there were currently 141 inmates, 19 inmates on house arrest. There were 154 inmates in the jail this past weekend. Mr. Jarman stated he would email the Commissioners inmate populations in the future.

CONSENT AGENDA

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

- 3. Approval of Minutes: Regular Board Meeting: May 19, 2008 Aytch/Jarman
 Closed Session Meeting: May 19, 2008
- 4. Resolution Approving the Releases and Refunds to the Individuals Listed Herein Parrish/Martin
- 5. Budget Ordinance Amendment: General Fund: DSS: \$209:Increase Jones/Martin
- 6. Budget Ordinance Amendment: Capital Improvements: Community Development: Jarman/Martin
 \$750: Increase

PUBLIC HEARING/LENOIR COUNTY BUDGET ORDINANCE INTRODUCTION

Item No. 7 was a Public Hearing: Fiscal Year 2008-09 Lenoir County Submitted Budget & Introduction of Fiscal Year 2008-09 Lenoir County Budget Ordinance. Upon a motion by Ms. Brown and a second by Mr. Davis, the Public Hearing was opened at 9:37 a.m. Mr. Jarman stated all county funds are in balance. The tax rate of \$.84 per \$100 valuation remains the same as last year. The General Fund Appropriation totals \$60,726,544; this does show an appropriation of \$2,182,000 from the Fund Balance to balance the budget. All departments have held tight on all expenditures to help balance the budget. By using the savings the tax burden is minimized to the citizens of Lenoir County. There were no questions or comments made by the public. Upon a motion by Mr. Taylor and a second by Mr. Graham, the Public Hearing was closed at 9:40 a.m. Upon a motion by Mr. Graham and a second by Ms. Brown the Board approved the budget by a 6 to 1 vote with Mr. Humphrey dissenting. Ms. Brown stated she is happy the tax rate has remained the same and the level of services provided to the citizens has remained the same.

PUBLIC HEARING/ BUDGET ORDINANCE AMENDMENT/RESOLUTIONS

Item No. 8 was a Public Hearing: Requirements of the North Carolina Community Development Block Grant (CDBG) Program. Upon a motion by Ms. Brown and a second by Mr. Stroud the Public Hearing was opened at 9:41 a.m. Mr. David Harris, RSM Harris Associates, addressed the Board. Mr. Harris stated the purpose of the public hearing is to introduce the 2008 funding projects for the CDBG Program. To participate in the state CDBG program the County must hold two (2) public hearings. This public hearing gives a general overview of all the categories. The second public hearing would discuss details of a particular program the County wishes to participate in. The State's funding remains at \$45 million, which is divided into several categories, the largest being, community revitalization. Cycle applications are due at the end of August. The Community Revitalization program is geographical based. The State takes \$13 million of the funding and divides it into four (4) regions; Lenoir County is Region 4. For the Scattered Site program the County is eligible for \$400,000 every three (3) years, Lenoir County will be eligible again next fiscal year for this funding. Economic Development is still funded by the CDBG program. Under economic development water sewer extensions are available on a project by project basis for new or expanding industries. Citizens can contact the County Manager's Office for more information. Upon a motion by Mr. Taylor and a second by Mr. Graham the Public Hearing closed at 9:53 a.m.

Item No. 9 was a Budget Ordinance Amendment: General/Solid Waste: Finance/Landfill: \$25,954: Increase. Mr. Hollowell stated the Budget Amendment is to appropriate actual revenue from the landfill to the General Fund for indirect costs for FY 07-08. Actual indirect costs from the cost study are \$97,976.62. In FY 06-07 \$85,000 was budgeted which was increased by \$12,976.62. Upon a motion by Mr. Graham and a second by Ms. Brown, Item No. 9 was unanimously approved.

Item No. 10 was a Budget Ordinance Amendment: Vehicle Replacement Fund: Vehicle Replacement: \$36,500: Increase. Mr. Hollowell stated the Budget Amendment budgets funds in the vehicle replacement fund for the sale of surplus motor vehicles. The county is currently selling fifteen (15) surplus vehicles on Govdeals.com. Upon a motion by Mr. Mr. Davis and a second by Ms. Brown, Item No. 10 was unanimously approved.

Item No. 11 was a Budget Ordinance Amendment: Solid Waste: Landfill/Finance: \$121,000: Increase. Mr. Hollowell stated the Budget Amendment budgets insurance proceeds received from the county insurance carrier for the total loss, less salvage of a 1998 3-70C CMI Trash Compactor that was burned due to an electrical fire. Upon a motion by Ms. Brown and a second by Mr. Davis, Item No. 11 was unanimously approved.

Item No. 12 was a Budget Ordinance Amendment: Fire Districts: Fire Protection: \$210,664: Increase. Mr. Hollowell stated the Amendment appropriates funds to cover estimated revenues and expenditures for all fire districts for the remainder of FY 07-8. Upon a motion by Ms. Brown and a second by Mr. Stroud, Item No. 12 was unanimously approved.

Item No. 13 was a Resolution Declaring Property as Surplus and Authorizing the Sale of the Surplus Property by Auction. Mr. Hollowell stated this is for two (2) Ford trucks. These vehicles are no longer of use to any County Department and there are no plans to put them back into service. In accordance with procedures set forth in G.S. 153A-176, the County Manager’s Office is requesting the approval of the Board to sell the following vehicles by auction on GovDeals.com within the next 90 days. Proceeds resulting from the sale, less expenses, will be appropriated to the Vehicle Replacement Fund.

	<u>Vehicle</u>	<u>Serial Numbers</u>
1	1993 Ford Truck	1FTDF15N6PLA65938
1	1996 Ford Truck	2FTEF15Y7TCA74294

Upon a motion by Mr. Harper and a second by Ms. Brown, Item No. 13 was unanimously approved.

APPOINTMENTS

Item No. 14 was a Resolution Appointing 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>
Regional Aging Advisory Committee 2nd Appearance	Elaine Patterson (Re-Appointment)	May 2011 M: Brown S: Davis
Eastern Carolina Workforce Development Board 2nd Appearance	Dr. Brantley Briley (Re-Appointment)	June 2010 M: Brown S: Davis
Lenoir Community College Board of Trustees 2nd Appearance	James L. Hardison (Re-Appointment)	June 2012 M: Brown S: Davis

CURRENT VACANCIES:

- Lenoir County Health Board – Four (4) Vacancies; (1) Veterinarian, (1) Optometrist, (2) Public Members
- Grifton Planning Board – One (1) Vacancy
- JCPC – One (1) Vacancy; 1-Juvenile Attorney
- Lenoir County Planning Board – K-6 Precinct & At-Large
- 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

ADJOURNMENT

Upon a motion by Mr. Taylor the Board adjourned at 10:03 a.m.

Respectfully submitted,

Reviewed By

Lashanda Aytch
Clerk to the Board

Michael W. Jarman
County Manager