

MINUTES
LENOIR COUNTY BOARD OF COMMISSIONERS
July 15, 2013

The Lenoir County Board of Commissioners met in open session at 4:00 p.m. on Monday, July 15, 2013, in the Board of Commissioners' Main Meeting Room in the Lenoir County Courthouse at 130 S. Queen St., Kinston, NC.

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

Also present were: Michael W. Jarman, County Manager, Tommy Hollowell, Assistant County Manager, Martha Martin, Finance Officer, Robert Griffin, County Attorney, members of the general public and news media.

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

PUBLIC INFORMATION

None

ITEMS FROM THE CHAIRMAN/COMMISSIONERS

Mr. Rouse updated everyone on the status of the East Carolina Council of Government. He stated although the ECCOG is receiving a lot of negative publicity, they are doing well. Mr. Rouse said the ECCOG's bank account is in better shape, they have written off bad debt and they are moving forward with a positive outlook.

Mr. Best gave an update on the East Carolina Council Workforce Development Board. He stated they are working with a \$5 million dollar budget with the CRC (Career Readiness Certification) program, which is preparing citizens for today's workforce. Lenoir County ranks high in our region in the CRC program and Mark Pope was recently recognized for his role in the CRC program. Mr. Best also said they are trying to get all companies on board for the CRC program.

ITEMS FROM THE COUNTY MANAGER

Mr. Jarman said another bid has been received on the property at 1201 Sycamore Road in the amount of \$3,000. Mr. Jarman stated this was a nice brick house and he felt this price was not enough. A motion was made by Mr. Hill and second by Ms. Sutton, to decline the \$3,000 bid. The motion was passed by common consent.

Mr. Jarman reminded the commissioners of the NCACC annual conference in August, and stated if anyone would be able to attend, a voting delegate needed to be designated. He asked them to think about who may be able to attend, and to be ready to choose the voting delegate at the first commissioners' meeting in August.

Mr. Jarman stated the following reports were included in the agenda packet: the 2011 CDBG NC Catalyst Project, the 2012 CDBG Scattered Site Housing Assistant Project and the June 2013 Lenoir County Inspections: Permit/Inspection Report.

CONSENT AGENDA

3. Approval of Minutes: Regular Board Meeting-June 17, 2013 Mervin/Jarman
4. Resolution Approving the Releases and Refunds to the Individuals Listed Herein Board

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

BUDGET ORDINANCE AMENDMENTS / RESOLUTION

Item No. 5 was a Budget Ordinance Amendment: General Fund: JCPC Parenting Matters: \$11,057: Increase. Ms. Kelly stated this was to appropriate the additional funds received by the County in the JCPC Parenting Matters program, which were being used to assist in purchasing a van. Upon a motion by Mr. Best and a second by Ms. Brown, Item No. 5 was unanimously approved.

Item No. 6 was a Resolution Authorizing Lenoir County Cooperative Extension's Acceptance of an Environmental Trust Fund (PETF) Grant: \$9,568. Ms. Kelly stated this will be used to continue their pesticide container disposal program which recycles and reuses plastic containers, thereby reducing improperly disposed containers. Upon a motion by Ms. Sutton and a second by Mr. Daughety, Item No. 6 was unanimously approved.

Item No.7 was a Resolution Authorizing the Acceptance of a Grant in the Amount of \$48,119 from Eastpointe Human Services to Operate a Youth Targeted Prevention Site. Ms. Kelly stated these funds have been received for the past six years from Eastpointe, and are used to educate elementary, middle and high school students in many different areas including substance abuse, goal setting, character building and bullying. Hopefully this program will help youth choose a better career plan and reduce the incidence of youth being referred to court. Upon a motion by Mr. Daughety and a second by Mr. Hill, Item No. 7 was unanimously approved.

Item No. 8 was a Budget Ordinance Amendment: General Fund: Finance/Process Funds: \$13,981: Increase. Ms. Martin stated these funds were received from the NC Department of Crime Control and Public Safety and will be used to offset the cost of training and aid in purchasing supplies for the Emergency Operations Center. Upon a motion by Ms. Brown and a second by Mr. Daughety, Item No. 8 was unanimously approved.

Item No. 9 was a Budget Ordinance Amendment: General Fund: Non-Departmental: 22,378: Increase. Ms. Martin stated this was to appropriate additional property tax received by the County as a result of a business personal property tax audit that was conducted by County Tax Services, Inc. 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: Community Development Block Grant Fund: Scattered Site #12-C-2422: \$225,000: Increase. Ms. Martin stated this budget amendment was to set up the revenue and expenditure lines for the 2012 CDBG Scattered Site Grant that was awarded to Lenoir County. Upon a motion by Ms. Brown and a second by Ms. Sutton, Item No. 10 was unanimously approved.

Item No 11 was a Resolution Approving the Assistance Policy for the Single Family Rehabilitation Program (SFR 13). Ms. Martin stated approving the assistance policy was part of the process for getting the SFR 13 program started, and the project would be administered by The Wooten Company. Upon a motion by Ms. Sutton and a second by Ms. Brown, Item No. 11 was unanimously approved

Item No. 12 was a Resolution Approving the Procurement and Disbursement Policy for the Single Family Rehabilitation Program (SFR 13). Ms. Martin stated the approval of both the procurement policy and the disbursement policy were necessary for the SFR 13 program to get under way. Upon a motion by Ms. Sutton and a second by Ms. Brown, Item No. 12 was unanimously approved.

Item No. 13 was a Budget Ordinance Amendment: General Fund: Health Department/WIC: \$14,352: Increase. Mr. Huff stated this budget amendment was to separate the Breast Feeding Peer Counselor monies into the appropriate salary and benefit lines in order to pay for a part-time employee in this program.

Item No. 14 was a Resolution Authorizing the Lenoir County Health Department to establish a Part Time Temporary Employee position with no benefits, to serve as the WIC Breastfeeding Peer Counselor (BFPC) with Program Funding Allocation of \$14,352. Mr. Huff stated this resolution would allow him to utilize the additional State WIC funds in hiring a part-time BFPC. If this position is not established, there will be a total loss of BFPC funding. Upon a motion by Ms. Sutton and a second by Ms. Brown, Items No. 13 and No. 14 were unanimously approved.

Item No. 15 was a Resolution Approving FY 13-14 Position and Pay Classification Plan. Mr. Jones addressed the Board and stated the HR Department has worked diligently to comprise a hierarchical ranking of all of the positions within the County. The proposed plan will promote a more uniform and consistent pay and classification plan for all County employees. Mr. Jones also said this plan complies with all State Personnel Act and County Personnel Policy requirements. Mr. Rouse asked if anyone would move to a higher salary with the implementation of the plan. Mr. Jones stated this plan did not affect anyone's current rate of pay. Mr. Rouse asked if this created movement in anyone's salary. Mr. Jones stated this policy was just for clarification of positions, salary grade and minimum and maximum salary amounts, and did not affect current salaries. He stated the grade and step table that was approved with the Budget was what determined salaries. Upon a motion by Ms. Sutton and a second by Ms. Brown, Item No. 15 was unanimously approved.

Item No. 16 was a Resolution Authorizing Sheriff Chris Hill to Enter into Mutual Assistance Agreements with Outside Law Enforcement Agencies Sheriff Hill addressed the Board and stated previous mutual aid agreements were executed by retired Sheriff Billy Smith and are now

required to be updated with the appointment of the new Sheriff. Upon a motion by Ms. Sutton and a second by Mr. Daughety, Item No. 16 was unanimously approved.

Item No. 17 was a Resolution Authorizing Sheriff Chris Hill to Enter into Agreements with County Sheriff's to House Inmates. Sheriff Hill stated he is currently housing inmates from Beaufort County at a rate of \$50 per day per inmate. He stated other counties have expressed an interest in having Lenoir County hold their excess inmates, and this resolution would allow him to enter into an agreement with those counties to house their inmates in cases of emergency, overflow or disaster. Sheriff Hill gave a brief update on the jail situation, stating they are averaging 200 inmates on a daily basis. The new jail houses 200 inmates and the old jail downstairs houses 85 inmates. He also stated he is able to house additional inmates under the State's misdemeanor program at a rate of \$40 per day per inmate. Sheriff Hill also said if medical attention was given, other than in house, the County who was responsible, or the State in the case of misdemeanants, would be responsible for the care. He stated it had been hard to fill the additional 21 approved positions, but as of today, the jail is fully staffed. Sheriff Hill also gave a brief rundown of the revenues that were being received as a result of running a commissary for the inmates and providing telephone access to the inmates. He also said the jail is contracting out the food service and is realizing a savings there as well.

Mr. Daughety asked if prisoners were received from other counties, what would the cost be for holding the inmates? Sheriff Hill replied it would be at a rate of \$50 per day per inmate. Mr. Daughety applauded Sheriff Hill and his employees for the efforts that are being made in the war on drugs.

Ms. Brown asked the Sheriff about the possibility of housing Federal inmates. Sheriff Hill responded by saying there are a total of 18 jails that are competing for the housing of 600 inmates, and they are typically held in jails that are in close proximity to the Federal Courthouses.

Upon a motion by Ms. Sutton and a second by Ms. Brown, Item No. 17 was unanimously approved.

Item No. 18 was a Resolution Approving/Authorizing the Execution of FY 13-14 Insurance Policies with W.A. Moore Company, Inc. and Discovery Insurance Co.: \$605,775. Mr. Hollowell addressed the Board and said this is the 12th year in which the County had contracted out all of its various insurance requirements to local agents. He stated these firms are independent agents and they bid the County's insurance needs with several different companies. He also stated two reasons our vehicle insurance cost has risen, is due to so many accidents by the Sheriff's Department and the Transit Department. The professional public liability insurance cost increased as well due to the adding of additional jailers in the new jail. Mr. Hollowell also stated Mr. Tommy Sutton and Mr. Ed Warren from W.A. Moore Company were present if there were any questions. Upon a motion by Ms. Sutton and a second by Ms. Brown, Item No. 18 was unanimously approved.

Item No. 19 was a Resolution Authorizing FY 13-14 Service Contracts and Purchase Orders for the Department of Social Services: \$1,534,950.50. Ms. Moore addressed the Board and updated them on their effort to go paperless. DSS is currently waiting on the Department of Archives for

approval to scan documents and then dispose of them. She also made the Board aware of contracts with outside attorneys for Child Support legal aid. This will be temporary until the Office of State Personnel approves the reclassification of the in-house attorney/attorneys positions. Upon a motion by Ms. Sutton and a second by Ms. Brown, Item No. 19 was unanimously approved.

Item No. 20-A was a Resolution Naming a New Road in the Falling Creek Area. Mr. Pope addressed the Board and said with the construction of the new section of C.F. Harvey Parkway at the US 70 Industrial Park, a new road had been created extending west from the north end of existing Enterprise Boulevard. He also said all property owners that were affected were contacted and asked to submit names for consideration. The only name submitted was Jacob Parrott Road, and this was approved by the Planning Board.

Item No. 20-B was a Resolution Naming A New Road in the Falling Creek Area. Mr. Pope said a service road had been created as a result of the C.F. Harvey Parkway construction at the US 70 Industrial Park. Affected property owners were contacted and asked to submit road names for consideration. Four possible names were received, and the Planning Board unanimously chose Sanderson Way as the name. Upon a motion by Mr. Daughety and a second by Mr. Best, both Items No. 20-A and No. 20- B were unanimously approved.

Item No. 21 was a Resolution Approving the Acceptance of an Agreement with NC Department of Transportation to Assist in the Acquisition/Funding of Right of Way for the Extension of Smithfield Way from Hill Farm Road (SR 1548) to US 258 North in Lenoir County. Mr. Pope updated the Board on the process. He said the appraisal of the State property had been received. Mr. Pope said the action today was to establish within the agreement the process that would be handled by the State, the City and the County and who was responsible for different actions. He also said this agreement would go before the City at their meeting tonight, but still has to go to the State for their approval. Mr. Pope said they are waiting for the hydrology report to come back and he has also talked with Mr. Poole about the land swap. He also stated the \$90,000 has been set aside by the legislature for this project.

Mr. Daughety said the Transportation committee would be holding a meeting with affected property owners as soon as the hydrology report comes back from the State. Mr. Rouse said he was concerned because no meeting has yet been held with those property owners. Mr. Daughety replied he thought the property owners would be pleased with this action, since the culvert will be so wide, the drainage in that area will improve. Mr. Daughety said they would share all of this information in a public forum once the hydrology report comes back. Mr. Rouse said he just wanted to ensure the citizens are taken care of, and he was afraid if the commissioners went forward with this agreement, they would be giving up any leverage they may possibly have. Mr. Daughety said this agreement was just procedural, and they were trying to get those things completed first.

Mr. Jarman stated the final action would have to come back before the commissioners before any work could be done. He also said Mr. Griffin would have to approve the contract with NCDOT.

Mr. Daughtey made a motion to approve Item No. 21 and Mr. Hill seconded the motion.

Mr. Davis asked Dr. Randy Jones who was in the audience and one of the affected land owners, if he would like to address the Board. Mr. Jones said he felt if the people had any concerns, nothing could be done at this time. He also said NCDOT was putting the road in the wrong place.

Mr. Davis called for the question. Item No. 21 passed with Mr. Rouse casting the only dissenting vote.

Mr. Jarman said the City of Kinston would be looking at this same agreement at their City Council meeting tonight, and they will discuss the removal of the building on the property. He stated the City had agreed to take down the building at no cost, if the County would waive the landfill fees on the materials being taken to the landfill. Mr. Jarman said the City would be using their resources to remove the building. Mr. Rouse asked the estimated dollar amount of the material to be taken to the landfill.

Mr. Bill Ellis, Parks and Recreation Director, addressed the audience. He said he had volunteered his department to take the building down, and he thought there would be about 60 dump truck loads of debris, or approximately \$10,000. Mr. Jarman said the only thing that would be of cost to the County, would be the actual space being used at the landfill, and since right now there is not a shortage of space for construction/demolition debris, it would not create a problem.

Upon a motion by Mr. Hill to waive the landfill fees on the demolition of the building to make room for the Smithfield Way Extension, and a second by Ms. Sutton, the motion was passed, with Mr. Rouse casting the only dissenting vote.

Mr. Ellis then gave an update on the Woodmen Waterpark. He stated the WWP had far exceeded its anticipated membership and is currently at 2,563 members. They have had over 8,000 visitors at the waterpark, and sometimes they have to turn folks away. They have leased the adjoining Ram Neuse property and will have a tram next year to take folks from that property to the waterpark. Mr. Ellis said he is currently looking to raise an additional \$2 million dollars in order to construct a wave pool and a speed slide. With the success of the waterpark, other counties are looking to install their own, so we need to move now to get ahead of the curve. He is hopeful he will have the money raised by October, so work can be completed by next summer.

Item No. 22 was a Resolution Approving Citizens to Boards, Commissions, Etc.

<u>BOARD/COMMITTEE/COMMISSION</u>	<u>APPLICANT/CURRENT MEMBER</u>	<u>TERM EXPIRATION</u>
Eastern Carolina Workforce Development	Keith Montgomery 1st Appearance	June 2015
North Carolina's Eastern Region	Michael Hill 1st Appearance	June 2017

Since this was the first appearance for both candidates, no action was taken.

Item No. 23 was Other Items: Items from County Manager/County Attorney/Commissioners/Public Comments There were no other items.

Item No. 24 was an add-on Resolution Approving and Authorizing Purchase: One (1) Used 2005 Volvo VHD Roll-off Truck: Apex Equipment Company: \$79,900. Mr. Hollowell addressed the Board and told them Tom Miller, Solid Waste Director, had been searching for a new or used roll-off truck for over a year. He currently has two (2) Sterling trucks with 200,000+ miles and an old Volvo truck with over 400,000 miles. Mr. Miller was able to find an used 2005 Volvo VHD roll-off truck in West Palm Beach Florida with a company that specializes in reconditioned roll-off trucks. Everything on this truck is set up just like his other trucks, so it would be a perfect fit. Mr. Miller and Mr. Stallings found only three minor things wrong, and the company will fix those at no extra charge. This truck will also come with a 2 year-200,000 mile drive-train warranty. If allowed to purchase this truck, it will serve as a backup truck for the Solid Waste Division. The old Volvo truck will be sold as is. Management explored the option of purchasing a new truck, but the cost would be almost twice the cost of this reconditioned one. The money for this truck was budgeted in FY 12-13, but because it was not spent, it was budgeted again in FY 13-14. Upon a motion by Ms. Sutton and a second by Mr. Daughety, Item No. 24 was unanimously approved.

Item No. 25 was a Resolution Honoring Connie Herring. Ms. Brown read the resolution recognizing and acknowledging Ms. Herring for her years of service. Ms. Herring said she would like to thank the commissioners and the Department of Social Services for allowing her the opportunity to hopefully improve the lives of children in Lenoir County. She stated she would now spend time with her grandchildren.

CLOSED SESSION

Mr. Davis declared a closed session at approximately 5:14 p.m. and the following cited: Number four (4) To discuss matters relating to the location or expansion of industries or other businesses in the area served by Lenoir County and 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.. Upon a motion by Mr. Rouse and a second by Ms. Sutton, the Board moved out of closed session at approximately 5:48 p.m.

OPEN SESSION

Mr. Davis stated a couple of items were discussed in closed session, but no action was taken.

Upon a motion by Mr. Rouse and a second by Ms. Brown, the meeting was adjourned at approximately 5:50 p.m.

Respectfully Submitted,

Reviewed By,

Martha H. Martin
Deputy Clerk

Michael W. Jarman
County Manager