

MINUTES
LENOIR COUNTY BOARD OF COMMISSIONERS
July 18, 2011

The Lenoir County Board of Commissioners met in open session at 4:00 p.m. on Monday, July 18, 2011 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, April L. Banks, Interim Clerk to the Board, 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

NONE PRESENT

ITEMS FROM THE CHAIRMAN/COMMISSIONERS

No comments were made.

ITEMS FROM THE COUNTY MANAGER

Item No. 2 was Items from the County Manager. Mr. Jarman stated the Board needed to discuss member appointment for the Military Growth Task Force Board (MGTF). He informed them that he requested additional information regarding the study being performed along with an invoice for payment and that information was just received. Mr. Jarman suggested a decision be made no later than the next meeting for this Board. Mr. Graham stated Mark Pope of Economic Development expressed interest in serving on this Board. Possibly there could be 3 members from Lenoir County on the Board with only 2 having voting rights. These members would be Mark Pope, Eric Rouse, and J. Mac Daughety. Mr. Jarman strongly recommends that Mr. Pope be a member on the MGTF Board even if he has no voting rights. Mr. Graham and Mr. Daughety both agreed.

Mr. Jarman discussed the Planning Board's recommendation for an Ordinance Regulating Internet Sweepstakes. Mr. Jarman advised the Board to request Wayland Humphrey or his staff to obtain additional information concerning this recommendation. Research will be performed including reviewing any state regulations regarding the location of the Internet Sweepstakes businesses. Mr. Jarman stated the ordinance would have to be uniform and county-wide if adopted.

Mr. Graham addressed the selling of seafood on the side of the highways through various vendors. Mr. Jarman questioned if they have to have a license. Mr. Hollowell responded there was no requirement. Mr. Davis stated seafood does not follow the same regulations as selling beef and chicken. Mr. Jarman will check with the licensing department about these vendors. Mr. Joey Huff, Director of the Lenoir County Health Department, stated the regulations for selling seafood are passed through the Marine Fisheries Division. He will also do research to look into the regulations. Mr. Davis offered the Department of Revenue might get involved due to sales tax not being collected.

Mr. Jarman stated Lenoir County currently has thirty-seven (37) inmates housed in other county's correctional facilities. There are 27 in Greene County at a rate of \$50 per day, and 10 in Pamlico County at \$55 per day.

CONSENT AGENDA

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

3. Approval of Minutes: Regular Board Meeting: June 20, 2011 Hall/Jarman
4. Resolution Approving the Releases and Refunds to the Individuals Listed Herein Parrish/Martin

PUBLIC HEARING/RESOLUTION

Item No. 5A was a Public Hearing on the 2011 Update to the Lenoir County Multi-Jurisdictional Hazard Mitigation Plan. Upon a motion by Mr. Graham and a second by Ms. Brown, the public hearing opened at 4:11 p.m. Mr. Roger Dail, Director of Emergency Services / Communications – E911 and Mr. Justin Tilghman; Lenoir County Emergency Services planner addressed the Board. Mr. Dail stated the hearing is to inform the public of the updates made to the Hazard Mitigation Plan. FEMA requires the plan to be updated every 5 years. Mr. Tilghman stated several changes were made in order to update the plan. Chapter 4 was completely updated to reflect new census data and some maps were removed. A text analysis was inserted in its place. In Chapter 2, each hazard has been reanalyzed and flood plain designations have been updated. There were no comments made by the public. Mr. Graham declared the public hearing closed at 4:24 p.m.

Item no. 5B was a Resolution for Adoption of the 2011 Update to the Lenoir County Multi-Jurisdictional Hazard Mitigation Plan. The plan was sent to the North Carolina Division of Emergency Management for state review on June 3, 2011, and received state approval. On June 4, 2011, the plan was forwarded to FEMA for a federal review and on June 23, 2011, received the status of “Approved Pending Adoption” and will receive full approval status pending the formal adoption of the updated plan. Upon a motion by Mr. Davis and a second by Mr. Daughety, Item No. 5B was unanimously approved.

Mr. Daughety asked Mr. Dail to speak about the development of a Non-Emergency Transport Committee. Mr. Brian Murphy, David Weldon, Timmy Mooring, Tim Croom, and Wayne Rummings have all been asked to serve on the Board. There will also be a state EMS representative who will take the role of an advisor on the committee. Approximate start date of the meetings will be after Labor Day and an agenda will be sent out. Mr. Graham questioned the objective of this committee? Mr. Dail answered the objective is to look at the non-emergency transportation in the County to see if it needs to be continued and also other aspects of the service. Mr. Daughety expressed he is pleased with the balanced committee. A lot of people serving have a wealth of knowledge and broad experience. Mr. Dail commented he believes they will all have honest opinions. Mr. Graham suggested a deadline of the first meeting in December for the committee to decide on how to proceed with the service. Mr. Daughety asked to extend the deadline to March or April in order to have at least 6 months to do the research. Mr. Graham recommended after the first meeting of the committee that a calendar be provided.

Mr. Rouse spoke about his experience in accompanying Sheriff's Department Deputies to various calls in Lenoir County. He received a lot of insight on what their job entails and stated the ride along was very informative. Mr. Rouse encouraged the other commissioners to do the same.

BUDGET ORDINANCE AMENDMENTS/RESOLUTIONS

Item No. 6A was a Resolution Approving Mileage Reimbursement for county Employees from 51¢ per mile to 55.5¢ per mile Effective July 1, 2011. Mr. Jack Jones, Human Resources Director, stated Lenoir County has historically adjusted its mileage reimbursement rate for employees using their personal vehicles to the IRS established rate. Increasing the mileage rate will lessen the burden of increased gas prices on County Employees who are required to use their personal vehicles in the delivery of County Government Services. A mid-year increase has been announced by the IRS to 55.5¢ per mile as of July 1, 2011. Mr. Jones recommended adopting a policy to always follow the IRS Guideline regarding mileage reimbursement. Upon a motion by Mr. Daughety and a second by Ms. Brown, Item No. 6A was unanimously approved.

Item No. 6B was a Resolution Approving Fiscal Year (FY) 11-12 Position and Pay Classification Plan. Mr. Jones stated this plan shows current position, salary grade and minimum and maximum salaries of current positions. Changes made to the plan are with the Department of Social Services. Seven (7) positions have been abolished: Administrative Officer II, Income Maintenance Investigator I, Personnel Technician II and III, Social Worker III (Perm/Part-time), Staff Psychologist I, and a Clinical Social Worker and one (1) position has been added: Social worker Program Administrator I. Upon a motion by Mr. Daughety and a second by Ms. Brown, Item No. 6B was unanimously approved.

Item No. 7 was a Resolution Authorizing the Issuance of Blanket Purchase Orders to the Following Companies for FY 11-12:

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| Squires Auto and Generator Service – Vehicle Tires and Repairs | 70,000 |
| Corporate Resources – Office Supplies | 3,500 |
| CTS Software – Software Contract | 8,000 |
| Sparkle right – Cleaning & Washing Vans – Nineteen (19) Vehicles | 9,000 |
| Grant’s Service Company – Braun Lift Repairs | 3,500 |
| Right-On Signs – Installing & Removing Mobile Ads & Adding Logos to New Vehicles | 1,000 |
| UniFirst Corporation – Driver Uniforms for Eighteen (18) Drivers | 7,000 |
| Capps Promotions – Promotional Items for Festival, Fairs, & Events | 3,000 |
| Professional Nursing Services – New Employee Drug Test, Random Testing, and Reasonable Drug and/or Alcohol Testing | 1,800 |
| Total | \$106,800 |

Mr. Bill Allison, Director of Transportation, stated beginning March 10, 2008, Lenoir County Transit began operations in-house and are utilizing these various companies for repairs, office supplies, washing and cleaning the inside of the vans, and a certified Braun lift repair service, installing & removing mobile advertising, promotional items for festivals, fairs, and events, drug & alcohol testing, for the FY 11-12. These blanket purchase orders will allow the County to operate more efficiently by having them in place when the need for the service of one of the company’s arises. Upon a motion by Ms. Sutton and a second by Mr. Davis, Item No. 7 was unanimously approved.

Item No. 8A was a Resolution Authorizing the Award of a Contract for Asbestos Abatement Services for the 2009 CDBG Scattered Site Project: \$3,970. Ms. Martha Martin stated Lenoir County was awarded \$400,000 for the CDBG Scattered Site project on November 6, 2009. This project has allowed the clearance of dilapidated dwellings and the replacement of those dwelling in the County. Bids were taken for the abatement of asbestos on this last structure on June 10, 2011. Two (2) bids were received and the third declined to submit a bid. A B Control, Inc. was the lowest qualified bidder. Upon a motion by Mr. Daughety and a second by Ms. Sutton, Item No. 8A was unanimously approved.

Item No. 8B was a Budget Ordinance Amendment: General Fund/Emergency Telephone Fund Transfer to Other Funds/Emergency Telephone: \$6,068.64: Increase. Ms. Martin stated the budget amendment is to appropriate funds from general fund balance to cover telephone expenditures from FY 09-10 that are ineligible for expenditure from E911 funds. These funds were budgeted in the E911 fund in FY 09-10 and expended in FY 09-10. However, due to many changes in the guidelines for E911 eligibility, these are not allowable. Upon a motion by Mr. Pharo and a second Mr. Daughety, Item No. 8C was unanimously approved.

Item No. 8C was a Budget Ordinance Amendment: Finance/Economic Development/Communications/Emergency Management: \$34,848: Increase. Ms. Martin stated the budget amendment is to appropriate the funds received from the City of Kinston reconciling agreements from various projects shared by the city and the county. These funds will be used to offset difference increased costs, including the unanticipated retirement of an employee in economic development; the increased cost of paying overtime in communications due to the change in the way holidays are paid; the increase in utilities for Emergency Management; and the increase in the county's costs for housing of juveniles (cost has risen from \$84 to \$120 per person per day). The remainder of the funds will be used to offset fund balance appropriated. Upon a motion by Mr. Pharo and a second by Mr. Daughety, Item No. 8C was unanimously approved.

Item No. 8D was a Budget Ordinance Amendment: Community Development Block Grant Fund: 2009 CDBG Scattered Site Contingency Project #05-C-2175: \$80,000. Increase. Ms. Martin stated the budget amendment is to set up and appropriate funds for the 2009 Community Development Block Grant Contingency Project – Scattered Site Housing that was awarded to the county on March 31, 2011. This grant will be used in conjunction with remaining 2009 CDBG Scattered Site Housing funds to relocate another homeowner. This established the revenue and expenditure lines for budgeting purposed. Upon a motion by Mr. Davis and a second by Mr. Daughety, Item No. 8D was unanimously approved.

Item No. 8E was a Resolution Approving / Authorizing Execution of FY 11-12 Insurance Policies with WA Moore Company, Inc., and Discovery Insurance Co.: \$422,697. Mr. Hollowell stated this resolution will award insurance contracts for auto, property, crime, general, and professional liability to WA Moore Company, Inc. for \$266,961 and for workers compensation third party administration to Discovery Insurance Co. for \$33,000 and for EMS liability, equipment, auto, and \$10 million excess liability to WA Moore Company, Inc. for \$75,731 and for excess workers compensation to WA Moore Company, Inc. for \$47,005. Administration did not bid this out because of the positive prior years' experience with these firms. These firms are independent agents and bid our insurance needs with several companies to obtain the best renewal quote for the County. There are only a limited number of underwriters that write insurance for units of government. Mr. Marty Beam of WA Moore Insurance addressed the Board to answer any questions they may have regarding the insurance. Mr. Graham stated his appreciation for Mr. Beam's work with the County. He asked if Lenoir County had a Safety Officer and if this would possibly lower insurance premiums. Mr. Jarman stated Mr. Dail is the Safety Officer, but a training officer with the Human Resources Department may be possible. Upon a motion by Ms. Sutton and a second by Mr. Davis, Item No. 8E was unanimously approved.

Item No. 8F was a Budget Ordinance Amendment: General Fund/ Emergency Telephone Fund Transfer to Other Funds/Emergency Telephone: \$6,029.75. Ms. Martin stated the budget amendment is to appropriate funds from General Fund fund balance to cover a portion of a furniture purchase from FY 09-10 that is ineligible for expenditure from E911 funds. Only 75% of the purchase of E911 center consoles was eligible to be paid from E911 funds at the time of purchase. Upon a motion by Mr. Daughety and a second Ms. Brown, Item No. 8F was unanimously approved.

Item No. 9A was a Resolution Authorizing a Contract with USDA Animal and Plant Health Inspection Service, Wildlife Services Division Beaver Management Assistance Program Participation. Mr. Jarman addressed the Board on behalf of Ms. Tammy Kelly, Director Cooperative Extension. Mr. Jarman stated this program will increase public and landholder education concerning best practices for managing beaver damage. Wildlife specialists will provide alleviation of damage by removing offending animals and their dams. Results include reduction in destruction of agricultural crops, damage to roads, timberlands, drainage systems, landscape plantings, and other property. The contract has been exactly the same for the past several years to include pigeon control. This is a needed resource in the community. Upon a motion by Ms. Brown and a second by Mr. Daughety, Item No. 9A was unanimously approved.

Item No. 9B was a Resolution Authorizing Grounds Maintenance: \$3,296. Wheat Swamp Landscaping has provided service for all of Lenoir County Cooperative Extension grounds maintenance for the past five (5) years. They are very pleased with the service and wish to continue to extend a contract for the upcoming year. Contract fees remain the same as in the previous year. Upon a motion by Ms. Brown and a second by Mr. Daughety, Item No. 9B was unanimously approved.

Item No. 9C was a Resolution to Authorize Lenoir County Cooperative Extension to Initiate Second Round of Mac Computer Lease at \$4,354.54; a Decrease of \$2,662 from the previous year. North Carolina Cooperative Extension converted to the Mac Computer Lease System approximately four (4) years ago in 2007. This appears to be the most cost effective method to keep our computer system aligned with the University's as well as to keep our systems current and up to date. The program involves a three year lease. For the amount of \$4,354.54 our agency has installed 14 new hard drives and one Mac laptop. The amount includes installation, training, University technical support and any potential repair. Upon a motion by Ms. Brown and a second by Mr. Daughety, Item No. 9C was unanimously approved.

Item No. 10A was a Resolution Authoring the Issuance of Purchase Order to the DLL Public Finance for 1st of Three (3) yearly Lease Payments: \$21,508. Mr. Joey Bryan, Director MIS stated the County's backup data has grown tremendously to over 5 terabytes of information. Backing up the data on tape is not physically possible anymore and also backup on disk has been outgrown. A duplicated EMC DD360 networker backup system at the courthouse and also at the 911 center will be installed. These will mirror each other for disaster recovery and will initially allow for backup of up to 10.2 terabytes. Upon a motion by Ms. Sutton and a second by Ms. Brown, Item No. 10A was unanimously approved.

Item No. 10B was a Resolution Authorizing the Issuance of Purchase Order and 36 month contract to G.E. Capital/Centurylink for 1st of Three (3) Annual Lease Payments on Data Infrastructure Equipment: \$88,200. Mr. Bryan stated the current equipment is approximately four (4) years old and is aging out with maintenance costs starting to rise. Replacement of current data switches with new switches with a 10X faster backplane will reduce annual costs by \$33,000. In addition, this equipment would allow for increased traffic throughput for all of our data, voice and video applications including video arraignment, video training onsite, and video visitation. Mr. Rouse questioned if this would be a lease purchase and Mr. Bryan confirmed that it would be. Upon a motion by Ms. Sutton and a second by Ms. Brown, Item No. 10B was unanimously approved.

Item No. 11 was a Resolution Approving the Purchase of a SmartBoard for the Emergency Operations Center (EOC): \$7,288.03. Mr. Dail stated the SmartBoard will enhance the ability to show multiple items at one time. During emergencies, an EOC function is to collect information, analyze this information and share the information with a variety of partners located within the EOC. When the EOC is not being used during emergencies, it then converts to a training room for various departments. Equipment that is installed within this room must be flexible for emergency and educational situations. Personnel have researched different audio and visual equipment and have determined a SmartBoard

will meet the versatility and demands of emergent situations and training needs. Upon a motion by Ms. Sutton and a second by Mr. Daughety, Item No. 11 was unanimously approved.

Item No. 12A was a Resolution for Endorsement of the FY 11-12 Lenoir County Home and Community Care Block Grant Funding Plan. Ms. Susan Moore, Director of Social Services (DSS) stated Home and Community Care Block Grant (HCCBG) funds provide services to the elderly population of Lenoir County by providing meals, Level I, II, and III in-home care services, operating local senior centers, adult day care services and providing transportation. These funds are used by DSS and the local Council on Aging to provide senior services. HCCBG funds are 90% Federal and State funds requiring 10% County match. Upon a motion by Mr. Pharo and a second by Ms. Brown, Item No. 12A was unanimously approved.

Item No. 12B was a Resolution Approving a Blanket Purchase Order to Coastal Connections for FY 11-12: \$4,000. The Department of Social Services received Adoption Promotion Program funds for meeting and exceeding established adoption baselines. The purpose of the funds is adoption promotion and awareness. The Children's Services unit of the agency attends community fairs and events to increase awareness of available foster care and adoption services. It is necessary to purchase marketing items in support of these efforts. These funds are 100% Federal funds and require no County match. Mr. Rouse asked what the adoption goal in Lenoir County is. Ms. Moore stated the goal is 12, but Lenoir County has processed 16 adoptions. These adoptions are for children of all ages. Upon a motion by Ms. Brown and a second by Ms. Sutton, Item No. 12B was unanimously approved.

Item No. 12C was a Resolution Approving Blanket Purchase Order to Freedom ENC Communications for FY 11-12: \$8,000. Ms. Moore stated the Department of Social Services advertises job vacancies in the Kinston Free Press regularly for the purpose of recruiting new employees. This blanket purchase order is necessary in order to assist the agency with recruitment of new DSS employees. Reimbursement for advertising expenditures is approximately 50% Federal/State funding. Upon a motion by Mr. Daughety and a second by Ms. Brown, Item No. 12C was unanimously approved.

Item No. 12D was a Resolution Approving Purchase Order and Contract with Drake Janitorial Service, Inc. for FY 11-12: \$36,700. Ms. Moore stated janitorial services at DSS changed from direct staff to contracted services effective July 1, 2003. Drake Janitorial has agreed to continue their services for general cleaning (includes cleaning supplies) to be done five times per week. This includes a person to work from 8:30 a.m. to 4:30 p.m. as well as a night crew to complete duties that cannot be accomplished during regular work hours. Upon a motion by Ms. Brown and a second by Ms. Sutton, Item No. 12D was unanimously approved.

Item No. 12E was a Resolution Approving a Contract Amendment for FY 11-12: Day Break Life Center Inc.: \$39,101. Ms. Moore stated the 2011-2013 Governor's proposed budget included a cut to Adult Day Care funds. It also proposed that priority for services be given to adults age 19-59. In Lenoir County, the majority of the Adult Day Care funds support adults aged 60 and over. In response, the Lenoir County Council on Aging agreed to use Home & Community Care Block grant funds allocated to their agency to supplement the potential loss of funding within our agency. DSS has contracted with Day Break Life Center Inc. for the last several years and has found their services satisfactory and this contract is necessary in order to meet the needs of DSS's senior clientele. The state/federal reimbursable share for the Home & Community Care Block Grant is approximately 90% and 10% county funding. Upon a motion by Ms. Brown and a second by Ms. Sutton, Item No. 12E was unanimously approved.

APPOINTMENTS

Item No. 13 was a Resolution Appointing Citizens to Boards, Commissions, Etc. Items were tabled due to first appearance.

| <u>BOARD/COMMITTEE/COMMISSION</u> | <u>APPLICANT/CURRENT MEMBER</u> | <u>TERM EXPIRATION</u> |
|--|--|------------------------|
| Lenoir County Jury Commission 1 st Appearance | Doretha Branch William Harvey Howard (Re-appointment) | July 2013 |
| Community Advisory Committee – Nursing Home 1 st Appearance | Trudy Pickett Marva J. Brown | July 2013 |
| Juvenile Crime Prevention Council (JCPC) 1 st Appearance | Luberta Parker | July 2013 |

Mr. Graham addressed the need of the Greene Lamp Board for an appointee to replace Mr. Rouse. He asked Ms. Martha Bishop of TACC 9 if she would like to serve on the Board. Ms. Bishop agreed and was given an application to fill out for appointment. She will have her 1st appearance at the next scheduled Board Meeting on Monday, August 1, 2011.

CURRENT VACANCIES

Lenoir County Economic Development Board – At-Large Member
Lenoir County Health Board – (1) Veterinarian, (1) Optometrist, (2) Public Members
Lenoir County Planning Board – Districts One (1) and Four (4)
Grifton Planning Board – One (1) Vacancy
CJPP – Three (3) Vacancies
Kinston Board of Adjustment – Two (2) ETJ Members; (1) Primary – (1) Alternate

ADDENDUM

Item No. 15 was a Public Hearing on the closeout of the 2009 North Carolina Community Development Block Grant (CDBG) Program – Economic Development Category. Upon a motion by Mr. Graham and a second by Ms. Brown, the public hearing opened at 5:03 p.m. The County received \$1,000,000 in CDBG grant assistance (representing 21% of project costs) to construct a natural gas pipeline to serve Sanderson Farms, Inc. There were no comments made by the public. Mr. Graham declared the public hearing closed at 5:07 p.m.

CLOSED SESSION

Upon a motion by Mr. Graham and a second by Mr. Davis, and unanimous approval, closed session was entered at approximately 5:07 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. The Board discussed the project and no decision was made. Upon a motion by Mr. Graham and a second by Mr. Davis; the Board moved out of closed session at approximately 5:25 p.m.

ADJOURN

Upon a motion by Mr. Graham and a second by Mr. Pharo the Board adjourned at 5:26 p.m.

Respectfully submitted,

April L. Banks
Interim Clerk to the Board

Reviewed By

Michael W. Jarman
County Manager