

**MINUTES**  
**LENOIR COUNTY BOARD OF COMMISSIONERS**  
**July 19, 2010**

The Lenoir County Board of Commissioners met in open session at 4:00 p.m. on Monday, July 19, 2010 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 Claude Stroud and Commissioners, Jackie Brown, Reuben Davis, Chris Humphrey, Tommy Pharo and Linda Rouse Sutton.

Members absent: None

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

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

**PUBLIC INFORMATION**

Mr. Sammy Aikens, Chairman of the Lenoir County Crime Stoppers, informed the Board of the 2<sup>nd</sup> Annual National Night Out. National Night Out will be held Tuesday, August 3<sup>rd</sup> at the Kinston Performing Arts Center with a talent show. Admission will be \$5 and all proceeds will go towards Crime Stoppers. To be part of the show the public can contact Mr. Aikens at 252-624-4361 for more information.

**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 reminded the Board of the NCACC Conference to be held in Greenville, NC from August 27<sup>th</sup> through the 28<sup>th</sup>. The Lenoir County Health Department will be hosting a Health Fair on Friday, July 23<sup>rd</sup> from 1-4 p.m.

**CONSENT AGENDA**

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

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| 3. | Approval of Minutes: Regular Board Meeting: June 21, 2010  | Hall/Jarman    |
| 4. | Resolution Approving the Releases and Refunds to the Individuals Listed Herein   | Parrish/Martin |
| 5. | Budget Ordinance Amendment: Community Development Block Grant: Hwy. 70 Industrial Park Water Project: \$.00: Increase/Decrease | Jarman/Martin  |
| 6. | Budget Ordinance Amendment: General Fund: DSS: \$214: Increase   | Jones/Martin   |
| 7. | Budget Ordinance Amendment: Transportation Fund: Operations: \$1,950: Increase   | Bryan/Martin   |

## **BUDGET ORDINANCE AMENDMENTS/RESOLUTIONS**

Item No. 8 was a Budget Ordinance Amendment: Capital Improvements Fund: Community Development: \$4,176: Increase. Ms. Martin stated the amendment budgets funds from received from the State of North Carolina Adopt a Trail Grant on July 7, 2010. On June 21, 2010 the Board approved the acceptance of a \$4,400 grant from the NC Department of Environment and Natural Resources for a Neuse River Paddle Trail. These Funds have been used to provide mile marker buoys and trail head signs along the Neuse River. Upon a motion by Ms. Brown and a second by Ms. Sutton, Item No. 8 was unanimously approved.

Item No. 9 was a Budget Ordinance Amendment: General Fund: Process Funds: \$13,685: Increase. Ms. Martin stated the amendment brings forward unexpended funds the EMPG Grant for 2009. In FY 09-10, \$13,684.54 in revenues was received, but the funds were not expended in FY 09-10. These funds are being rolled into FY 10-11 so the funds can be used to purchase equipment for the emergency operations center. Upon a motion by Ms. Brown and a second by Ms. Sutton, Item No. 9 was unanimously approved.

Item No. 10A was a Budget Ordinance Amendment: General Fund: DSS: \$53,057: Decrease. Mr. Ken Crossno, Business Officer for Social Services, addressed the Board. Mr. Crossno stated the amendment reflects a line item adjustment to reflect allocations received. Upon a motion by Ms. Brown and a second by Ms. Sutton, Item No. 10A was unanimously approved.

Item No. 10B was a Resolution Approving a Contract between Lenoir County Department of Social Services and North Carolina Department of Health and Human Resources, Division of Services for the Blind for FY 10-11: \$10,063. Mr. Crossno stated each year the County is drafted its share of the costs of Services to the Blind. This includes Special Assistance for the Blind, Chore Services and Blind Services Salary Administration. The County's portion for FY 10-11 is \$10,063. This will be a one (1) year contract, renewable with modification annually and is necessary to continue services for the blind through DSS in Lenoir County. Upon a motion by Ms. Brown and a second by Ms. Sutton, Item No. 10B was unanimously approved.

Item No. 10C was a Resolution Approving Contract for Commodities Distribution for FY 10-11: \$30,000. Mr. Crossno stated DSS contracts with the National Guard Armory for the distribution of USDA surplus commodities. The Department is planning four issuances in the upcoming fiscal year and the costs of the contract are 100% reimbursable by USDA-no local match required. Costs are for the actual administration, storage and distribution costs incurred by the Kinston Armory Commission in the amount of up to 18% of the total value of products distributed; not to exceed \$30,000 annually. Upon a motion by Ms. Brown and a second by Ms. Sutton, Item No. 10C was unanimously approved.

Item No. 10D was a Resolution Approving Contract with the Salvation Army: \$20,000. Mr. Crossno stated in prior years, DSS has contracted with a temp agency or an individual to take and process crisis related applications for needy individuals. For FY 2010/11, DSS will contract with the Salvation Army (5th consecutive year) to take and process applications for the Crisis Intervention, Share the Warmth and Energy Neighbor programs to assist low income families with heating or cooling related crises. This will be a one (1) year contract and is necessary in order to administer the CIP, Energy Neighbor and Share the Warmth programs through DSS. No county funds are included in either payments to clients or the administrative costs. Upon a motion by Ms. Brown and a second by Ms. Sutton, Item No. 10D was unanimously approved.

Item No. 11 was a Resolution Authorizing the Issuance of Purchase Order to DLL Public Finance for 1<sup>st</sup> year of a Three (3) Year Lease: \$47,000. Mr. Joey Bryan, MIS Director, addressed the Board. Mr. Bryan stated Lenoir County has over 30 servers that are going out of date with maintenance. It is very costly to purchase and replace all of these. After researching options, it has been decided that the most cost effective method to replacing these servers is to establish a virtual server setup utilizing VMWare. This will allow MIS to place multiple servers onto a single appliance. This will also allow for a much more manageable backup and storage system as well. Without this equipment purchase, the department will be coming back to the Board to begin replacing over \$100,000 of equipment this year alone and this would simply be one third of the County's needs. Upon a motion by Mr. Humphrey and a second by Ms. Sutton, Item No. 11 was unanimously approved.

Item No. 12 was a Resolution Approving FY 10-11 Position and Pay Classification Plan. Mr. Jarman stated the Position and Pay Classification Plan for FY 10-11 has a 2.5% Cost of Living or one (1) step pay increase beginning January 1, 2011. Upon a motion by Ms. Brown and a second by Ms. Sutton, Item No. 12 was unanimously approved.

Item No. 13 was a Resolution Approving the Appointment of Tax Collector and Tax Assessor. Mr. Jarman stated NCGS 105-349 charges the governing body of each county to appoint a Tax Collector on or before July 1<sup>st</sup>, to serve a term to be determined by the Board. NCGS 105-249 charges the Board of County Commissioners to appoint at its first meeting in July a County Assessor to serve a term of not less than two nor more than four years. The term previously approved by the Board on July 17, 2006 was for four years. Given Mr. Parrish's experience, expertise, and work ethic, it is recommended that he be appointed to serve another four year term in a dual capacity as Lenoir County's Tax Collector and Tax Assessor. Upon a motion by Ms. Sutton and a second by Ms. Brown, Item No. 13 was unanimously approved.

Item No. 14 was a Resolution Authorizing Grounds Maintenance: Wheat Swamp Landscaping: \$3,296. Ms. Tammy Kelly, Cooperative Extension Director, addressed the Board. Ms. Kelly stated Wheat Swamp Landscaping has provided service for all of Lenoir County Cooperative Extension grounds maintenance for the past four years. We have been very pleased with this 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 Mr. Stroud and a second by Ms. Brown, Item No. 14 was unanimously approved.

Item No. 15 was a Resolution Authorizing Emergency Repair of TEREX TC400 Trashmaster Compactor: Road Machinery Services, Inc.: \$16,678.91. Mr. Hollowell stated In May 2010, the compactor broke-down and needed emergency repairs. The landfill operations must continue; therefore, it was necessary to diagnose and repair the equipment as soon as possible. This unit was purchased in 2007 from Road Machinery Services, Inc. at a cost of \$434,331. This is a specialized piece of equipment designed exclusively for landfill operations; therefore, the dealer was contacted to repair the unit as soon as possible. After several days of tests, the problem was determined to be in the transmission and parts were ordered from the factory to repair the unit. The County opted not to purchase an extended 3-year warranty at a cost of over \$30,000. An extended warranty would have covered this repair, but the warranty would have expired during the same month. Approval of this resolution will allow for the emergency repair of the TEREX TC400 compactor, the encumbrance of funds, and the payment of the repair bill. Upon a motion by Ms. Sutton and a second by Ms. Brown, Item No. 15 was unanimously approved.

Item No. 16 was a Resolution Approving the Authorized Signers of Single Family Rehabilitation Program (SFR 10) Requisitions for Funds. Lenoir County was awarded \$200,000 in Single Family Rehabilitation Program funds on June 24, 2010. These funds are to assist homeowners who are below 80% of the area median income, are elderly or disabled and meet certain other criteria. The Wooten Company approached the County Manager in January of 2010 and asked if they could submit an application to the North Carolina Housing Finance Agency for Single Family Rehabilitation funds for Lenoir County. The Wooten Company will provide a Program Administrator and a Rehabilitation Specialist to take care of the entire project. The funds will be made available to homeowners who inhabit their dwelling, are 80% below the area median income, are either elderly or disabled and meet certain other criteria that are outlined in the County's Assistance Policy. These funds will be made available as a loan rather than a grant. However, the loan will be forgiven at a rate of \$3,000 per year. The smallest amount of rehab work that will qualify is \$5,000 and the maximum amount will be \$45,000. These funds will assist in rehabilitating approximately four to six homes in Lenoir County. Upon a motion by Ms. Brown and a second by Mr. Stroud, Item No. 16 was unanimously approved.

Item No. 17 was a Resolution Approving/Authorizing Execution of FY 10-11 Insurance Policies with WA Moore Company, Inc. and Discovery Insurance Co.: \$404,435. Mr. Hollowell stated this current fiscal year will be the ninth in which the County contracted out all of the above-referenced insurance policies to local agents. In the past, part of the insurance coverage was taken through local agents and part was through the NCACC/NC Risk Management Pool. In past years, the Pool became increasingly more expensive than the local insurance options so we are recommending continuing with the local companies. For FY10-11 the County increased coverage on buildings by 8.1%, added 30 additional part-time personnel to staff the landfill convenience sites, increased the number of Transit buses, and once again contracted with Discovery Insurance to handle compliance with mandated Medicare Secondary Payer reporting requirements. The JT Sutton Insurance Agency merged with WA Moore Company, Inc., on May 1, 2007; therefore, coverage previously provided by JT Sutton on auto, property, crime, general liability, and professional liability is now provided by WA Moore Company, Inc. Administration is recommending continuation of insurance coverage on County properties with WA Moore Company, Inc. for FY10-11. Administration did not bid this out because of the positive prior years' experience we had 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. Upon a motion by Mr. Davis and a second by Ms. Brown, Item No. 17 was unanimously approved.

Item No. 18 was a Resolution Authorizing Use of Points of Distribution for Support Services for Emergency Distribution of Disaster Relief Commodities. Ms. Melissa Greene, Emergency Management Coordinator, addressed the Board. Ms. Greene stated to improve Lenoir County's ability to distribute disaster supplies, Emergency Services has developed a Point of Distribution plan with pre-designated sites throughout the county. This plan provides guidance to local authorities to distribute emergency supplies to the general public during catastrophic disasters and allows disaster supplies to be placed into the hands of Lenoir County citizens. Points of Distribution are used to ensure that Lenoir County has facilities located throughout the county capable of receiving, storing and distribution of disaster supplies to the citizens. Past experience with hurricanes in the gulf states indicates that, although food and water was available from federal and state governments, the lack of distribution capability at the local level prevented supplies from reaching those in need. Lenoir County Emergency Services has pre-designated eight (8) Point of Distribution sites throughout the county;

1) City of Kinston – Grainger Stadium parking lot; 2) Southwood Memorial Christian Church; 3) Lenoir County Board of Education – <sup>1</sup>Banks Elementary and <sup>2</sup>LaGrange Elementary; 4) Vernon Park Mall; 5) Deep Run First Baptist Church; 6) Lenoir County Shrine Club; and 7) Town of Pink Hill. Upon a motion by Ms. Brown and a second by Ms. Sutton, Item No. 18 was unanimously approved.

Item No. 19 was a Resolution Authorizing Execution of Intergovernmental Contracts with the City of Kinston, Town of Pink Hill and Town of LaGrange for Debris Management Services with Unified Recovery Group, LLC. Mr. Roger Dail, Emergency Services Director, stated in order best to serve the interests of its citizens and to protect them from imminent health and safety hazards, the City of Kinston, Town of Pink Hill and Town of LaGrange agree to the terms of the Debris Removal Agreement which was entered into between the County of Lenoir and Unified Recovery Group. The City of Kinston, Town of Pink Hill and Town of LaGrange will retain authority to direct the execution of the scope of services of the contract within the boundaries of their municipality. The municipality shall assume the role of “Owner” under the Debris Removal Agreement in connection with any services provided by Unified within the municipality’s boundaries. Situations for such activation will include, but not be limited to a natural or manmade disaster, requiring the removal of mass debris. Each government has signed their respective agreements. Upon a motion by Ms. Sutton and a second by Ms. Brown, Item No. 19 was unanimously approved.

Item No. 20 was a Resolution Approving the Transfer of Ownership of the Sanderson Farms 12-Acre Site for Hatchery from Lenoir County to Sanderson Farms, Inc. Mr. Mark Pope, Economic Development Director, stated On April 25, 2008 Sanderson Farms, Inc. announced plans to construct a state-of-the-art poultry complex comprised of a new poultry processing plant, feed mill, hatchery and spray field that will create approximately 1,650 new jobs at full capacity and 130 new contract growers in the area. Construction of the facilities is now underway with initial operation of the new facility scheduled to begin during the third quarter of year 2010. The 12-acre site selected for the Hatchery is located in the Hwy 70 W Industrial Park on Hill Farm Road and Smithfield Way. The land/site was a vital part of the decision for Sanderson Farms to locate in Lenoir County. Upon approval from the Lenoir County Board of Commissioners, on June 30, 2008, Lenoir County purchased a 94.188 acre tract owned by Perry Brothers, LLC and a 35.978 acre tract owned by William T. Parrott, III and Robert J. Parrott in order to swap the State of NC and gain ownership of the 12± acre tract. On August 18, 2008 the Lenoir County Board of Commissioners approved a “resolution approving the land exchange between Lenoir County and the State of NC” and an “Offer to Purchase Agreement” between Lenoir County and the State of NC. The Agreement was executed on August 19, 2008. Upon a motion by Mr. Davis and a second by Mr. Stroud, Item No. 20 was unanimously approved.

Item No. 21 was a Resolution Approving the Transfer of Ownership of the Sanderson Farms 96.08 Acre Site for Feed Mill/Rail Loop from Lenoir County to Sanderson Farms, Inc. Mr. Pope stated the 96.08-acre site selected for the Feed Mill/Rail Loop project located in the Hwy 70 W Industrial Park was owned by the State of NC. The land/site was a vital part of the decision for Sanderson Farms to locate in Lenoir County. Upon approval from the Lenoir County Board of Commissioners, on June 30, 2008, Lenoir County purchased a 94.188 acre tract owned by Perry Brothers, LLC and a 35.978 acre tract owned by William T. Parrott, III and Robert J. Parrott in order to swap the State of NC and gain ownership of the 96.08 tract. Upon a motion by Mr. Davis and a second by Mr. Stroud, Item No. 20 was unanimously approved.

**APPOINTMENTS**

Item No. 22 was a Resolution Appointing Citizens to Boards, Commissions, Etc. Items were tabled due to first appearance.

<b><u>BOARD/COMMITTEE/COMMISSION</u></b>	<b><u>APPLICANT/ CURRENT MEMBER</u></b>	<b><u>TERM EXPIRATION</u></b>
<b>Tourism Development Authority Board</b> 1st Appearance	<b>Jackie Brown</b> <b>(Re-appointment)</b>	<b>June 2013</b>
<b>Lenoir County Transit Advisory Board</b> 1st Appearance	<b>Tracy Breasure</b> <b>(Appointment)</b>	<b>June 2013</b>
<b>Lenoir County Planning Board</b> 1st Appearance	<b>Frank White (Alternate #2)</b>	<b>June 2013</b>

**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

**PUBLIC HEARING/RESOLUTION**

Item No. 23 was a Public Hearing on the Proposed Rural Operating Assistance Program (ROAP) to be submitted to the North Carolina Department of Transportation. Upon a motion by Mr. Graham and a second by Ms. Brown, the public hearing opened at 5:09 p.m. Ms. Sue Powell, Transit Director, addressed the Board. Ms. Powell stated the hearing is to inform the public of the programs included in the Rural Operating Assistance Program such as: Elderly and Disabled Transportation Assistance (EDTAP) Program, which provides assistance for the transportation of elderly and disabled citizens; Employment Transportation Assistance Program is intended to provide operating assistance for the transportation of persons with employment related transportation needs; and the Rural General Public (RGP) Program funds are intended to provide operating assistance for the transportation of individuals who do not have human service agency assistance to pay for their transportation and live in non-urbanized areas. Total ROAP funding totals \$205,127. There were no comments made by the public. Upon a motion by Mr. Humphrey and a second by Mr. Pharo the public hearing closed at 5:11 p.m.

Item No. 24 was a Resolution Approving the Rural Operating Assistance Program (ROAP) Grants Consisting of EDTAP, EMP and RGP and Supplemental RGP Funding: \$205,127. Upon a motion by Mr. Humphrey and a second by Ms. Brown, Item No. 24 was unanimously approved.

Item No. 25 was a Resolution to Approve a Revised Drug and Alcohol Testing Policy for Lenoir County Transit. Ms. Powell stated on June 15, 2010, Lenoir County Transit (LCT) received a Drug and Alcohol Compliance Review to ensure NCDOT that LCT is in compliance with all areas of the Drug and Alcohol Testing Procedures and Reasonable Suspicion. LCT has not received a report from the review to date, but has revised the policy to become a “Zero Tolerance System.” This means should a drug and/or alcohol test show positive, the employee will be automatically terminated. LCT test employees after an accident if they are at fault. The Board recommended that testing occur for all accidents involving LCT employees. Mr. Bryan stated LCT employees have been involved with minor fender benders where no injuries or property damage reported. Commissioners asked the resolution be amended to require testing if law enforcement is called to the scene of an accident. Upon a motion by Ms. Sutton and a second by Mr. Stroud, Item No. 24 was unanimously approved with the amendment.

**ADJOURN**

Upon a motion by Mr. Graham and a second by Mr. Stroud the Board adjourned at 5:20 p.m.

Respectfully submitted,

Reviewed By

Lashanda A. Hall  
Clerk to the Board

Michael W. Jarman  
County Manager