

MINUTES
LENOIR COUNTY BOARD OF COMMISSIONERS
August 1, 2011

Item No. 3

The Lenoir County Board of Commissioners met in open session at 9:00 a.m. on Monday, August 1, 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 9:00 a.m. Ms. Brown offered the invocation and Mr. Graham led the audience in the pledge of allegiance.

PUBLIC INFORMATION

Mr. Larry Moolenaar, Executive Director of the Eastern Carolina Council (ECC) provided an update on its activities to the Board. The ECC has a budget of approximately \$6,000,000 and collect \$200,000 in dues. Of the dues collected, 50% of this money is used as match money for grants in Economic Development. The ECC Area Agency on Aging's (AAA) mission of empowering senior citizens is achieved through advocacy and education. The AAA seeks to enhance living standards, provide responsive services, maximize tax dollar use, coordinate local programs, and provide technical assistance to local aging program service providers. The Family Caregiver Support Program (FCSP) supports informal caregivers to provide quality care for their loved ones wishing to remain in the community for as long as possible. This program provides information, referral to appropriate service providers, counseling, and direct respite care.

Mr. Moolenaar stated in an effort to direct more transportation dollars into traditionally neglected rural areas of North Carolina; the State sponsors Rural Transportation Planning Organizations (RPO). These planning organizations help officials and other stakeholders identify and prioritize transportation projects on a regional basis. The Economic Development Administration (EDA) provides grants for infrastructure development, local capacity building, and business development to help communities in economically distressed areas and regions. ECC insures the region remains qualified as an eligible Economic Development District, which insures that governments and other organizations within the region are eligible to apply for EDA funding. Since the late 1960's, EDA has provided over \$31 million for projects in the region.

Mr. Victor Kozinski, Commander of AmVets Post 1111 addressed the Board on the upcoming activities for the 9/11 Anniversary. Memorial services will be held on Saturday, September 10 at Pearson Park. Civilians, military personnel, and emergency responders who lost their lives will be honored. Mr. Kozinski stated if anyone would like to participate, please contact him at 252-268-4676. Mr. Rouse motioned to make AmVets Post 1111 the official coordinators for the 9/11 remembrance. Mr. Graham agreed and seconded the motion. The Board unanimously agreed.

Mr. Eric Cantu of Vietnam Veterans Chapter 892 provided an update on the Veteran's Nursing Home. The facility is ahead of schedule and progressing without any issues.

ITEMS FROM THE CHAIRMAN/COMMISSIONERS

Item No. 1 was Items from Chairman / Commissioners. Mr. Graham stated any time a new legislation is being considered, the information should come before the Board. He motioned that a letter be drafted to Representative Wainwright, Representative LaRoque, and Senator Jackson advising them when legislation is being debated that may possibly impact Lenoir County, information should be provided to the Board. Ms. Sutton and Ms. Brown agreed communication should be a common courtesy to the Board. Mr. Daughety seconded the motion. The Board unanimously agreed to draft the letter of concern.

ITEMS FROM THE COUNTY MANAGER

Item No. 2 was Items from the County Manager. Mr. Jarman reminded the Board of appointments to be made to the Military Growth Task Force Board. Mr. Graham appointed Commissioner Eric Rouse and Mark Pope as new members to the Board to represent Lenoir County.

Mr. Jarman provided the Board with the minutes from the Lenoir County Planning Board Meeting held June 16, 2011.

CONSENT AGENDA

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

- 3. Approval of Minutes: Regular Board Meeting: July 18, 2011 Hall/Jarman
- 4. Resolution Approving the Releases and Refunds to the Individuals Listed Herein Parrish/Martin

BUDGET ORDINANCE AMENDMENTS/RESOLUTIONS

Item No. 5 was a Resolution Approving Economic Development Grant Agreement: Spirit Aerosystems, Inc. Mr. Pope addressed the Board. In 2008, Spirit announced plans to construct a new facility on a 307 acre site located at the NC Global TransPark. The new facility will represent a total non-depreciated investment of over \$500,000,000 in machinery and equipment and would create at least 1031 new jobs in the County within seven years. Spirit is now producing a major composite fuselage and leading edge wing spars for the Airbus 350 WB and has created over 200 new jobs. The company now plans to expand its operations in a leased facility at the NC Global TransPark installing certain industrial machinery, equipment, and improvements that represent a non-depreciated investment in excess of \$22,000,000. Spirit will establish production for the Gulfstream G250 wing at the NC facility. The expansion will create approximately 150 to 200 additional full-time employees.

Mr. Rouse expressed his concern regarding specific information being withheld on Economic Development projects. He stated unless more detailed information is provided, he will vote "no" in the future for incentive packages in Economic Development. As a commissioner, he has a responsibility to make an informed decision on behalf of the citizens of the County. Ms. Brown stated many projects have been brought before the Board for approval. She understands certain information cannot be divulged for fear the company may choose another location. Mr. Pope has been forthcoming with information regarding Lenoir County contributions and other sharable information. Mr. Pharo stated he is not asking for information regarding the negotiation of the agreement. He wants more information in order to make decisions about incentives. Mr. Pope responded in business, relationships are vital. Specific information cannot be provided due to confidentiality. The Board has appointed him to manage Economic Development in Lenoir County and he will perform the task to the best of his ability. Mr. Jarman stated historically, a special meeting for the Board was scheduled 30 minutes prior to the announcement and reverting back to this policy would not be an issue. This would allow confidentiality to stay in place. Mr. Rouse reiterated he wants to be informed on events

in the County and when the event will happen. Ms. Sutton stated for the good of the project, confidentiality is best. She is very pleased on the success of Economic Development. Mr. Griffin stated before an incentive is officially approved, specific information has been provided. The Board is advised in closed session in advance regarding the nature of the potential business, incentive amount, and type of business. Mr. Daughety stated he would also like to be provided with more specific information but respects confidentiality. He questioned if the company is held accountable on project progression. Mr. Jarman responded the status update is done once a year.

Mr. Pope stated once a confidentiality agreement is signed, no information is to be disclosed until the appropriate time. He offered to provide the Board with a copy of the agreement for their review. Mr. Jarman stated proprietary information will not be provided unless the company specifies so. Mr. Graham stated the Board will revert back to the process of a meeting being held one hour prior to the official announcement. Upon a motion by Ms. Sutton and a second by Ms. Brown, Item No. 5 was approved with a 6 to 1 vote with Mr. Rouse dissenting.

Item No. 6 was a Resolution Authorizing Select Custom Apparatus, Inc. to Remount a 2008 Wheeled Coach Ambulance Box for the Amount of \$59,995. Mr. Roger Dail, Director of Emergency Services, stated in 2008, Lenoir County purchased a Chevrolet ambulance made by Wheeled Coach which included a 100,000 mile warranty covering the motor and drive train. Since the purchase, two separate transmissions have been installed along with numerous repairs to the air conditioning and brake systems. Maintenance costs for this vehicle in the last 18 months have exceeded \$23,000. Currently this truck needs a new motor. The cost of a new motor will be between \$10,000 - \$12,000. Remounting the box of the truck onto a new 2011 Chevrolet cab and chassis will be the best course of action. Mr. Daughety asked if there was money allotted in the budget for a new ambulance. Mr. Dail confirmed the funds were approved. Upon a motion by Ms. Sutton and a second by Ms. Brown, Item No. 6 was unanimously approved.

Item No. 7A was a Budget Ordinance Amendment: Transportation: Administration: \$29,100. Decrease. Ms. Martin stated this amendment is to bring budgeted amounts in line with actual approved numbers. Whenever the budget is being prepared, applications are also in the process of being submitted for funding, but the actual approved amounts are not received until after the new fiscal year has begun. Upon a motion by Mr. Pharo and a second by Ms. Brown, Item No. 7A was unanimously approved.

Item No. 7B was a Budget Ordinance Amendment: General Fund: (General) Aid to County Line Item Budget Increase: \$134,540. Mr. Joey Huff, Health Department Director, stated this amendment is to be designated for use in providing Ten Essential Services for any "Health Status or Health Need" as determined locally. Upon a motion by Ms. Brown and a second by Ms. Sutton, Item No. 7B was unanimously approved.

Item No. 8A was a Resolution Authorizing a Purchase Order to Oliver Glass for Replacing Broken Windows at the Old Pink Hill Gymnasium in the Amount of \$4,979. Ms. Debra Wicker, Administrative Manager II of the Recreation Department and Brian Dawson, County Program Supervisor I, addressed the Board. Ms. Wicker stated the Recreation Department has used this facility since 1980 for all of its recreation activities in Pink Hill. The windows in the back of the old Pink Hill gym have been vandalized and need to be replaced. The department is requesting to remove the old window casings and replace them with new casings and office resistance glass to deter further vandalizing of the windows. The Recreation Department leases the gym for \$1.00 per year in order to provide the Town of Pink Hill with recreation services. Mr. Graham reminded the department the gym is used as emergency shelter and the windows should be shatter proof. Ms. Wicker stated she will verify the new windows are shatter proof before the installation begins. Upon a motion by Ms. Sutton and a second by Ms. Brown, Item No. 8A was unanimously approved.

Item No. 8B was a Resolution Authorizing a Purchase Order to Stallings Plumbing, Heating, & A/C Co. Inc., to Replace Two (2) of the First Floor HVAC Units at the Newseway Planetarium, Health & Science Museum: \$5,301. Ms. Wicker stated the 500 square foot museum features hands-on health and science exhibits and programs. Thousands of visitors and school children visit the museum year round and the air conditioning unit has stopped working. Two (2) of the five (5) HVAC units downstairs in the Planetarium are no longer working. The price includes installing two (2), three ton wall mount heat pumps with heat strips digital thermostats. Upon a motion by Ms. Brown and a second by Ms. Sutton, Item No. 8B was unanimously approved.

Item No. 9A was a Resolution Approving Insolvent Personal Property Tax List. Mr. Hollowell addressed the Board. All uncollected taxes on personal property are declared "insolvent" after the close of the fiscal year. Pursuant to NCGS 105-373, the Tax Collector is required to provide a list of all persons whose personal property taxes for the preceding year remain unpaid and the amount owed by each. Upon receiving the report, the governing body of the taxing unit shall enter upon its minutes the names of person owing taxes whom it finds to be insolvent, and it shall by resolution designate the list entered into its minutes as the Insolvent List to be credited to the Tax Collector in his settlement. Upon a motion by Ms. Sutton and a second by Ms. Brown, Item No. 9A was unanimously approved.

Item No. 9B was a Resolution Approving 2010-2011 Tax Collectors Annual Settlement. The Tax Collector has worked diligently to collect all taxes due on real and personal property. This settlement provides documentation of these efforts. Pursuant to NCGS 105-373 the Lenoir County Tax Collector is required to make a full settlement with the governing body for all taxes. Upon a motion by Ms. Sutton and a second by Mr. Daughety, Item No. 9B was unanimously approved.

Item No. 10A was a Resolution Approving and Adopting the Revised Future Land Use Plan of Lenoir County, NC. Mr. Wayland Humphrey, GIS / Planning Coordinator, stated the current Future Land Use Plan was approved and adopted on July 1, 2001, and serves as a supporting document to our Zoning and other land use ordinances – manufactured housing park ordinance and subdivision regulations. The Lenoir County Planning Board held a public meeting on Thursday, June 16, 2011 to review and make a recommendation for the revised Future Land Use Plan. The Planning Board voted unanimously to recommend to the County Commissioners for the adoption of the revised Lenoir County Future Land Use Plan as submitted by the planning staff and to be retroactively effective as of July 1, 2011. Upon a motion by Mr. Davis and a second by Mr. Daughety, Item No. 10A was unanimously approved.

Item No. 10B was a Resolution Approving the Rezoning of Properties on Hwy. 258 North from Rural to Commercial. The current use of the property in question is mini-storage, used car sales, and office space for lease. The Lenoir County Planning Board held a public meeting on Thursday, July 21, 2011 to review and make a recommendation for the Hwy. 258 North properties to be rezoned. The Board found the rezoning would be consistent with the intent of the Lenoir County Land Use Plan. Highway commercial corridors are located along the major arrival areas for the community. These areas are well suited for a mixture of commercial and business uses that typically require high visibility and good access, or which cater to passing motorists. Upon a motion by Mr. Davis and Ms. Sutton, Item No. 10B was unanimously approved.

Item No. 11 was a Resolution Authorizing the County Manager to Execute a 36 Month Service and Use Contract with Carolina Telephone LLC – East ("Embarq") for Data Equipment with Subsequent Financing Agreement with GE Capital along with a Product and Services Agreement with Centurylink Sales Solutions, Inc. Lenoir County operates its own data infrastructure that includes phones, audio, video and data. Due to the ever increasing utilization of this infrastructure we

lease our hardware so that we can upgrade as more efficient less expensive equipment is manufactured. Our current equipment is 4 years old and is aging out with maintenance cost starting to rise. We can replace our current data switches with new switches with a 10X faster backplane and reduce our annual costs by \$33,000.00. 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. Upon a motion by Mr. Daughety and a second by Ms. Sutton, Item No. 11 was unanimously approved.

APPOINTMENTS

Item No. 12 was a Resolution Appointing Citizens to Boards, Commissions, Etc.

<u>BOARD/COMMITTEE/COMMISSION</u>	<u>APPLICANT/ CURRENT MEMBER</u>	<u>TERM EXPIRATION</u>
Home & Community Block Grant Advisory Committee 1 st Appearance	Christopher Harper (Re-appointment) Anne Gaddis (Re-appointment) Tammy Dawson (Re-appointment)	August 2014
Greene Lamp Board 1 st Appearance	Martha Bishop	August 2013
Lenoir County Jury Commission 2 nd Appearance	Doretha Branch William Harvey Howard (Re-appointment)	July 2013
Community Advisory Committee – Nursing Home 2 nd Appearance	Trudy Pickett Marva J. Brown	July 2013
Juvenile Crime Prevention Council (JCPC) 2 nd Appearance	Luberta Parker (Re-appointment)	July 2013

Mr. Graham stated Ms. Martha Bishop was nominated at the previous meeting and should be appointed at the current meeting. Upon a motion by Ms. Brown and a second by Mr. Daughety, the above second appearance appointments and Ms. Bishop were approved.

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

ADJOURN

Upon a motion by Mr. Graham and a second by Mr. Davis the Board adjourned at 11:10 a.m.

Respectfully submitted,

Reviewed By

April L. Banks
Interim Clerk to the Board

Michael W. Jarman
County Manager