LENOIR COUNTY BOARD OF COMMISSIONERS REGULAR MEETING: AGENDA
MONDAY, AUGUST 16, 2010 – TIME: 4:00 P.M.
COMMISSIONERS' MEETING ROOM, LENOIR COUNTY COURTHOUSE
130 S. QUEEN ST., KINSTON, N.C.

CALL TO ORDER, INVOCATION, PLEDGE OF ALLEGIANCE: 5 Min. Est.

PUBLIC INFORMATION: Mr. Ken Jones, Eastpointe Director: Update

1.	**Items from Chairman/Commissioners: 10 Min.**	Board
2.	**Items from County Manager: 5 Min.**	Jarman
	CONSENT AGENDA: 10 Min.	**ACTION**
3.	Approval of Minutes: Regular Board Meeting: August 2, 2010	Hall/Jarman
4.	Budget Ordinance Amendment: General Fund: Process Funds: $1,553.00: Increase	Jarman/Martin
5.	Budget Ordinance Amendment: General Fund: Board of Elections: $1,558: Increase	King/Martin
	END OF CONSENT AGENDA	
	BUDGET ORDINANCE AMENDMENTS/ RESOLUTIONS: 25 Min.	
6.	Resolution of Appreciation for Reverend Cozelle Mills Wilson	Board
7.	Resolution Honoring Edna Stancil	Jones/Board
8.	Resolution Honoring Beverly Hart	Jones/Board
9.	Budget Ordinance Amendment: Capital Improvements Fund: Community Development: $7,497: Decrease	Jarman/Martin
10.	Budget Ordinance Amendment: Trust and Agency Fund: Extension-Family Caregiver: $105,885: Decrease	Kelly/Martin
11.	Budget Ordinance Amendment: General Fund: COOP Ext-Prevention Block Grant: $48,119: Increase	Kelly/Martin
12.	Budget Ordinance Amendment: School Capital Fund: School Building: $1,801,611: Increase	Jarman/Martin
13.	Resolution to Support the Temporary Closure of Queen Street (US 70 Business) During the Bridge Replacement Project B-4565 in Kinston and Lenoir County	Jarman/Board
14.	Resolution Approving Purchase Order with Danny Smith Landscaping: $9,625	Smith/Martin
15.	Resolution Approving Acceptance of Fee Arrangements for Special Counsel Services in Connection with Proposed Bank Placement Installment Financing of a New Jail Facility: Sanford Holshouser, Attorneys at Law: Per Proposal Dated August 5, 2010: $27,500	Hollowell/Martin
16.	Resolution Approving First Amendment to Pipeline Operating Agreement	Jarman/Martin

APPOINTMENTS: 5 Min.

17. Resolution Approving Citizens to Boards, Commissions, Etc. **5 Min.** Hall

OTHER ITEMS: 10 Min.

18. **Items from County Manager / County Attorney / Commissioners Public Comments/ Closed Session (if necessary)**

19. Information Requested by the Board Board

Item No. 2

TO: **Chairman and Members of the Board**

FROM: **Mike Jarman, County Manager**

DATE: **August 16, 2010**

SUBJECT: **Items of Interest**

1. Lenoir County Financial Performance Summary 2010-11: July 31, 2010

2. Lenoir County Inspections Permit/Inspection Report: July 2010

LENOIR COUNTY
FINANCIAL PERFORMANCE SUMMARY-2010-11
JULY 31, 2010

REVENUES 8.33%

DESCRIPTION	BUDGET FOR YEAR	REVENUES TO DATE	REMAINING BALANCE	% REC'D
GENERAL FUND:				
Health Department	1,468,670	142,735	1,325,935	9.72%
Public Assistance (DSS)	9,785,170	204,125	9,581,045	2.09%
Property Taxes	29,275,016	363,550	28,911,466	1.24%
Sales Taxes	5,750,000	0	5,750,000	0.00%
Other General	14,371,147	745,774	13,625,373	5.19%
TOTAL GENERAL	**60,650,003**	**1,456,184**	**59,193,819**	**2.40%**
OTHER FUNDS:				
Employee Insurance	3,500,000	270,773	3,229,227	7.74%
Vehicle Replacement	230,000	0	230,000	0.00%
Fed Seized Property	20,000	0	20,000	0.00%
State Controlled Substance	20,000	7,956	12,044	39.78%
Capital Reserve Fund	5,224,975	1,439,325	3,785,650	27.55%
School Capital Fund	1,630,000	0	1,630,000	0.00%
Transportation Fund	1,642,087	35,124	1,606,963	2.14%
Scrap Tire Disposal	130,000	0	130,000	0.00%
Emergency Telephone	572,880	0	572,880	0.00%
Revaluation Fund	53,905	0	53,905	0.00%
Automation-Preservation Fnd	35,000	1,825	33,175	5.21%
MSW Landfill-Debt Service	0	4	-4	
Capital Improve Fund	1,318,305	0	1,318,305	0.00%
Solid Waste Management	3,040,700	159,614	2,881,086	5.25%
Trust and Agency Fund:				
Smart Start Program	140,126	0	140,126	0.00%
Fire Districts	1,241,755	13,728	1,228,027	1.11%
TOTAL OTHER FUNDS	**18,799,733**	**1,928,349**	**16,871,384**	**10.26%**
GRAND TOTAL	**79,449,736**	**3,384,533**	**76,065,203**	**4.26%**

Project Based Revenues:	BUDGET	TO DATE	REMAINING	% REC
CDBG CN GRANT '06	**735,000**	**551,581**	**183,419**	**75.05%**
CDBG SS GRANT '06	**400,000**	**361,442**	**38,558**	**90.36%**
CDBG SS GRANT '09	**400,000**	**161,324**	**238,676**	**40.33%**
SFR 07 HOME PROJECT	**392,000**	**353,409**	**38,591**	**90.16%**
HWY 70 INDUSTRIAL PARK-WATER	**551,268**	**275,634**	**275,634**	**50.00%**
RURAL CENTER - NOVA PROJECT	**480,000**	**480,000**	**0**	**100.00%**
SCHOOL CONSTRUCTION FUND	**72,622,621**	**72,622,450**	**171**	**100.00%**
CAPITAL PROJECTS FUND	**5,832,550**	**4,584,208**	**1,248,342**	**78.60%**
Total Project Based	**81,413,439**	**79,390,048**	**2,023,391**	

* **Bold** area represents **"Project Based"** funds in which Revenues to date includes revenues from prior years since the beginning of the project

Project Based Expenditures:	BUDGET	EXPENDED TO DATE	ENCMUMBERED	REMAINING
CDBG CN GRANT '06	**735,000**	**551,581**	**0**	**183,419**
CDBG SS GRANT '06	**400,000**	**361,442**	**0**	**38,558**
CDBG SS GRANT '09	**400,000**	**231,459**	**0**	**168,541**
SFR 07 HOME PROJECT	**392,000**	**353,410**	**0**	**38,590**
HWY 70 INDUSTRIAL PARK-WATER	**551,268**	**346,323**	**0**	**204,945**
RURAL CENTER - NOVA PROJECT	**480,000**	**480,000**	**0**	**0**
SCHOOL CONSTRUCTION FUND	**72,622,621**	**69,238,484**	**0**	**3,384,137**
CAPITAL PROJECTS FUND	**5,832,550**	**4,512,278**	**0**	**1,320,272**
Total Project Based	**81,413,439**	**76,074,977**	**0**	**5,338,462**

* **Bold** area represents **"Project Based"** funds in which Expenditures to date includes expenditures from prior years since the beginning of the project.

LENOIR COUNTY
FINANCIAL PERFORMANCE SUMMARY - 2010-11
JULY 31, 2010

EXPENDITURES

8.33%

DESCRIPTION	BUDGET FOR YEAR	EXPENDITURES TO DATE	ENCUMBRANCE	UNENCUMBERED BALANCE	% EXPEND/ENCUMBR
GENERAL FUND:					
Governing Body	225,848	32,220	0	193,628	14.3%
County Manager	271,088	20,680	0	250,408	7.6%
Finance	246,878	16,915	0	229,963	6.9%
Tax Office	855,200	90,703	5,999	758,498	11.3%
Legal	62,500	1,875	0	60,625	3.0%
Court Facility	337,625	20,680	93,392	223,553	33.8%
Elections	346,830	31,909	45,284	269,637	22.3%
Register of Deeds	308,336	21,228	60,474	226,634	26.5%
Non-Departmental	975,800	324,388	0	651,412	33.2%
Process Funds	1,050,256	13,732	1,800	1,034,724	1.5%
Outside Agencies	132,000	8,333	0	123,667	6.3%
Management Info Systems	894,437	75,936	88,504	729,997	18.4%
Public Buildings	497,946	34,258	62,217	401,471	19.4%
Sheriff	4,386,342	343,363	189,660	3,853,319	12.2%
Central Communications	1,192,488	79,470	84,860	1,028,158	13.8%
Jail	2,299,418	139,890	218,932	1,940,596	15.6%
Emergency Management	373,511	27,682	25,781	320,048	14.3%
Emergency Medical Services	3,611,149	293,754	308,007	3,009,388	16.7%
Non-Emergency Services	494,151	35,412	53,000	405,739	17.9%
Fire Protection	50,000	4,167	330	45,503	9.0%
Inspections	213,719	15,536	0	198,183	7.3%
Medical Examiner	40,000	0	0	40,000	0.0%
Economic Development	316,490	24,641	5,355	286,494	9.5%
Veterans Service Office	32,421	1,521	0	30,900	4.7%
Cooperative Extension	402,674	1,792	8,776	392,106	2.6%
JCPC - Parenting Matters	18,557	0	0	18,557	0.0%
Cooperative Ext-Grants	0	0	0	0	0.0%
Soil Conservation	120,476	8,786	0	111,690	7.3%
Health Department	3,473,277	230,428	192,401	3,050,448	12.2%
BioTerrorism - Health	50,722	3,330	0	47,392	6.6%
Grants-H1N1-Health	0	0	0	0	
M. Health Department	236,906	19,742	0	217,164	8.3%
CJPP - Day Reporting Center	124,851	10,194	0	114,657	8.2%
Public Assistance (DSS)	13,756,652	646,405	226,463	12,883,784	6.3%
Education	9,900,000	825,000	0	9,075,000	8.3%
Community College	2,185,000	182,083	0	2,002,917	8.3%
Cultural	740,500	61,708	0	678,792	8.3%
Recreation	733,000	61,083	0	671,917	8.3%
Debt Service	6,478,650	1,439,325	0	5,039,325	22.2%
Transfer to Other Funds	3,154,305	0	0	3,154,305	0.0%
Contingency	60,000	0	0	60,000	0.0%
TOTAL GENERAL	**60,650,003**	**5,148,169**	**1,671,235**	**53,830,599**	**11.2%**
OTHER FUNDS:					
Employee Insurance Fund	3,500,000	72,160	0	3,427,840	2.1%
Vehicle Replacement Fund	230,000	0	0	230,000	0.0%
Fed Seized Property Fund	20,000	0	0	20,000	0.0%
State Controlled Substance Fund	20,000	0	0	20,000	0.0%
Capital Reserve Fund	5,224,975	0	0	5,224,975	0.0%
School Capital Fund	1,630,000	0	0	1,630,000	0.0%
Transportation Fund	1,642,087	54,045	512,224	1,075,818	34.5%
Scrap Tire Disposal Fund	130,000	0	0	130,000	0.0%
Emergency Telephone Fund	572,880	21,615	100,202	451,063	21.3%
Revaluation Fund	53,905	3,826	0	50,079	7.1%
Automation-Preservation Fund	35,000	0	0	35,000	0.0%
MSW Landfill-Debt Service	0	0	0	0	
Capital Improvements Fund	1,318,305	5,100	2,414	1,310,791	0.6%
Solid Waste Management	3,040,700	93,123	124,292	2,823,285	7.2%
Trust & Agency Fund					
Family & Caregiver-Smart Start	140,126	961	0	139,165	0.7%
Fire Districts	1,241,755	0	0	1,241,755	0.0%
TOTAL OTHER FUNDS	**18,799,733**	**250,830**	**739,132**	**17,809,771**	**5.3%**
GRAND TOTAL	**79,449,736**	**5,398,999**	**2,410,367**	**71,640,370**	**9.8%**

LENOIR COUNTY
PLANNING & INSPECTIONS DEPARTMENT
PO BOX 3289
101 NORTH QUEEN STREET
KINSTON, NC 28502
PHONE: 252-559-2260
FAX: 252-559-2261

LENOIR COUNTY INSPECTIONS
PERMIT/INSPECTION REPORT

JULY 2010

PERMITS ISSUED: 170

PERMITS VALUE: $ 1,271,137

PERMIT FEES: $ 12,443

SINGLE FAMILY DWELLINGS: 1

MOBILE HOMES: 13

COMMERCIAL: 3

ADDITIONS: 6

ELECTRICAL: 59

PLUMBING: 22

MECHANICAL: 44

OTHER: 22

TOTAL INSPECTIONS: 287

Lenoir County

PERIODIC REPORT OF ISSUED PERMITS (GROUPED BY REPORT CODE)

Printed: 08-02-2010

	Code	[Designated period: 07/01/10 to 07/31/10] Prms	Valuation	Fees Paid	Units	[Prior period: 07/01/09 to 07/31/09] Prms	Valuation	Fees Paid	Units
NEW RES. HOUSEKPING - LENOIR COUNTY									
* Single Family Houses Detached	101B	1	130,000.00	352.00	1	1	252,000.00	665.00	0
* Single Family Houses Attached	102B		.00	.00	0	0	.00	.00	0
* 2 Family Building	103B		.00	.00	0	0	.00	.00	0
* 3 and 4 Family Buildings	104B		.00	.00	0	0	.00	.00	0
* 5 or More Family Buildings	105B		.00	.00	0	0	.00	.00	0
*TOTAL INFORMATION 101-105	109B		.00	.00	0	0	.00	.00	0
NEW RESIDENTIAL NON-HOUSEKEEPING BL:									
* Hotels, Motels & Tourist Cabins ..	213B		.00	.00	0	0	.00	.00	0
* Other Non-Housekeeping Shelter ...	214B		.00	.00	0	0	.00	.00	0
NEW NON-RESIDENTIAL BUILDINGS:									
* Amusement, Social, & Recreational	318B		.00	.00	0	0	.00	.00	0
* Churches & Other Religious	319B	2	100,000.00	310.00	2	0	.00	.00	0
* Industrial	320B		.00	.00	0	0	.00	.00	0
* Prkng Garages (Blds & Open Decked)	321B		.00	.00	0	0	.00	.00	0
* Service Stations & Repair Garages	322B		.00	.00	0	0	.00	.00	0
* Hospitals & Institutional	323B		.00	.00	0	0	.00	.00	0
* Offices, Banks, & Professional ...	324B		.00	.00	0	0	.00	.00	0
* Public Works & Utilities	325B		.00	.00	0	0	.00	.00	0
* Schools & Other Educational	326B		.00	.00	0	0	.00	.00	0
* Stores & Customer Services	327B		.00	.00	0	0	.00	.00	0
* Other Non-Residential Bldgs	328B		.00	.00	0	0	.00	.00	0
* Stuctures Other than Buildings ...	329B		.00	.00	0	0	.00	.00	0
ADDITIONS, ALTERATIONS, & CONVERSION									
* Residential	434B	6	236,745.89	618.00	6	13	423,000.00	1,434.00	0
* Non-Residential & Non-Housekeeping	437B	1	73.00	100.00	1	0	.00	.00	0
* Adds of Res. CP/Garages(Atch/Detc)	438B		.00	.00	0	0	.00	.00	0
DEMOLITIONS AND RAZING OF BUILDINGS:									
* Single Family Houses (Atch/Detach)	645B		.00	.00	0	0	.00	.00	0
* 2 Family Buildings	646B		.00	.00	0	0	.00	.00	0
* 3 & 4 Family Buildings	647B		.00	.00	0	0	.00	.00	0
* 5 or More Family Buildings	648B		.00	.00	0	0	.00	.00	0
* All Other Buildings and Structures	649B		.00	.00	0	0	.00	.00	0
TOTALS FOR PERMITS THIS PAGE		10	466,818.89	1,380.00	10	14	675,000.00	2,099.00	0

Printed: 08-02-2010

	Code	[Designated period: 07/01/10 to 07/31/10] Prms	Valuation	Fees Paid	Units	[Prior period: 07/01/09 to 07/31/09] Prms	Valuation	Fees Paid	Units
MOBILE/MODULAR OFFICE/CLASSROOM									
*MOBILE OFFICE	740B		.00	.00	0	0	.00	.00	0
*MODULAR CLASSROOM	750B		.00	.00	0	0	.00	.00	0
*MODULAR OFFICE	730B		.00	.00	0	0	.00	.00	0
ELECT./PLUMB/HEAT/A/C/INS/TEMP POLE:									
*ELECTRICAL	800B	59	89,500.00	4,278.00	59	41	72,350.00	3,035.00	0
*PLUMBING	810B	22	47,650.00	1,368.00	22	12	19,500.00	640.00	0
*HEATING/ AIR CONDITIONING	820B	44	252,269.00	2,782.00	44	24	88,220.00	1,465.00	0
*INSULATION	830B	6	10,001.00	300.00	6	11	24,680.00	575.00	0
*TEMPORARY POLE	840B	1	1,000.00	50.00	1	1	300.00	50.00	0
RESIDENTIAL ACCESSORY STRUCTURES									
*STORAGE/PORCHES/PATIOS/DECKS	900B		.00	.00	0	0	.00	.00	0
MISCELLANEOUS:									
*CHANGE OF OCCUPANCY	910B		.00	.00	0	0	.00	.00	0
*INSPECT DWELLING	920B		.00	.00	0	0	.00	.00	0
*TENTS	930B		.00	.00	0	0	.00	.00	0
*SATELLITE DISH	940B		.00	.00	0	0	.00	.00	0
*AWNING	950B		.00	.00	0	1	500.00	25.00	0
*EXTRA INSPECTIONS	960B	13	2,200.00	760.00	13	8	1,500.00	380.00	0
*FIRE PROTECTION SPRINKLER SYSTEM	966B	1	2,000.00	.00	1	1	10,000.00	240.00	0
*MOVING DWELLING ONLY	970B		.00	.00	0	0	.00	.00	0
*SIGN	980B		.00	.00	0	0	.00	.00	0
*FIREWORKS	985B		.00	.00	0	0	.00	.00	0
*SWIMMING POOL	990B	1	29,975.00	100.00	1	0	.00	.00	0
*TANKS	995B		.00	.00	0	0	.00	.00	0
MOBILE HOMES									
*SINGLE WIDE MOBILE HOME	700B	9	102,450.00	900.00	8	6	49,800.00	1,300.00	0
*DOUBLE WIDE MOBILE HOME	710B	4	267,274.00	525.00	4	4	107,250.00	800.00	0
*MODULR HOME	720B		.00	.00	0	0	.00	.00	0
TOTALS FOR PERMITS ABOVE (incl. pg 1)		170	1,271,137.89	12,443.00	169	123	1,049,100.00	10,609.00	0
Totals of other permits in the period			.00	.00	0	2	6,000.00	75.00	0
TOTAL FOR ALL PERMITS IN THE PERIOD		170	1,271,137.89	12,443.00	169	125	1,055,100.00	10,684.00	0

Summary of Inspection Results by Inspector ID For the period 07/01/10 through 07/31/10

This Report was printed on Monday, August 02, 2010

Lenoir County

Item Totals for Inspector ID

GO	154
GO DR	3
GO/DR	1
GOVW	1
VW	126
VW/DR	2
	287 Entries for Inspector ID

- S T A T I S T I C A L R E P O R T -

	<----- Inspections ---------->			<--------- Re-Inspections --------->			Based On # Activities
#ACTIVITIES	INSPECTIONS	PASSED	CORRECTIONS	RE-INSPECTIONS	PASSED	CORRECTIONS	RE-INSPECTIONS REQUIRED
287	251	218	33	36	29	7	40
	%INSPECTIONS	%PASSED	%CORRECTIONS	%RE-INSPECTIONS	%PASSED	%CORRECTIONS	%RE-INSPECTIONS REQUIRED
	87	87	13	13	81	19	14

Item No. 3

MINUTES
LENOIR COUNTY BOARD OF COMMISSIONERS
August 2, 2010

The Lenoir County Board of Commissioners met in open session at 9:00 a.m. on Monday, August 2, 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, 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. Sutton offered the invocation and Mr. Graham led the audience in the pledge of allegiance.

Upon a motion by Mr. Pharo and a second by Ms. Sutton, the Board excused Ms. Brown from the meeting.

PUBLIC INFORMATION

Ms. Jan Coley, Partnership Specialist for the US Census Bureau, addressed the Board. Ms. Coley thanked the Board and the Complete Count Committee for pushing the 2010 Census in Lenoir County. Lenoir County did experience a decline in select areas for responding to the mail return forms; but the overall count is 9% better than the 2000 Census numbers. If citizens have not completed a 2010 Census form they may contact the US Census at 1-866-868-6872 to complete a form over the phone. Census data will be compiled through September 2010, with final data presented to the President in December 2010. The Board thanked Ms. Coley for her presentation.

Mr. Jim McLain, Exalted Ruler of Kinston Elks Lodge #740, addressed the Board. Mr. McLain stated the Kinston Elks Lodge was chartered in July 1942. For the past 68 years the lodge has supported a drug awareness program. The North Carolina Elks Association has two (2) drug prevention trailers that travel throughout the state informing the youth of the dangers of drug and alcohol use. The trailers are available at no charge to any organization; to reserve a trailer the public can contact Mr. McLain at 252-527-6058. Mr. McLain stated the Elks Lodge is also a supporter of Veterans, and is looking forward to collaborating with the future Kinston Skilled Nursing Facility for Veterans. The Elks Lodge was one of the first organizations to donate household items to the first Veterans Home in Fayetteville, North Carolina. Mr. McLain stated the Elks stand by their motto "Elks Care, Elks Share." The Board thanked Mr. McLain for his presentation.

Mr. John Nix of 3003 Goodman Road, Kinston, NC, read a prepared statement written by Ms. Leigh Raynor in regards to illegal immigration reform. Ms. Raynor asked the Board to support a draft Resolution of the Lenoir County Board of Commissioners in Support of the State of Arizona Senate Bill 1070. Ms. Raynor stated a vote against the resolution would be a vote against Americans and Lenoir County.

ITEMS FROM THE CHAIRMAN/COMMISSIONERS

Item No. 1 was a Resolution of the Lenoir County Board of Commissioners in Support of the State of Arizona Senate Bill 1070. Mr. Humphrey stated he wanted the resolution introduced for the Board's consideration and discussion. New Hanover County recently passed a similar resolution. Mr. Humphrey stated illegal immigrants affect Lenoir County's budget by $5 million per year. Mr. Humphrey stated he feels Arizona is doing the right thing. Mr. Pharo stated he too supports the resolution and feels the issue has been ignored by all levels of politics for too long. Mr. Pharo stated the resolution is not about racism, it is about the law. Mr. Graham thanked Mr. Humphrey and Mr. Pharo for presenting the resolution but reminded everyone that the issue is a federal issue, not a county one. Mr. Graham stated when a county wants to affect federal change, the request is sent to the NCACC's Legislative Goals Committee for their review and recommendation. If the Legislative Goals Committee approves the request, it is then sent out to all 100 counties for a vote to make it a legislative goal. Mr. Graham made a motion to follow that process in presenting the resolution to the NCACC; the motion was followed by a second from Ms. Sutton. Ms. Sutton stated she has not fully read the Arizona Senate Bill and is not prepared to vote on the resolution. Mr. Davis stated he does not think the county can prepare itself to know the entire law presented by the State of Arizona to make an informed and accurate vote. Ms. Sutton and Mr. Stroud stated the Board is not in favor of illegal immigration, and wants the resolution presented in a proper manner. The motion by Mr. Graham and second by Ms. Sutton to send the resolution to the Legislative Goals Committee was passed by a 4-2 vote with Mr. Humphrey and Mr. Pharo dissenting. Mr. Humphrey made a motion to pass the resolution as presented; the motion was second from Mr. Pharo. The motion failed by a 2-4 vote with Ms. Sutton, Mr. Stroud, Mr. Graham and Mr. Davis dissenting.

ITEMS FROM THE COUNTY MANAGER

Item No. 2 was Items from the County Manager. Mr. Jarman stated the public hearing for jail construction has been postponed. County Administration has to meet with the architects and contractors in order to do value engineering. NCACC has presented a memorandum detailing the NC 10-11 State budget. The State budget will impact Lenoir County by approximately $800,000, mostly from the State taking lottery funds.

CONSENT AGENDA

Upon a motion by Mr. Pharo and a second by Mr. Davis, the Board approved the Consent Agenda.

3.	Approval of Minutes: Regular Board Meeting: July 19, 2010	Hall/Jarman
4.	Resolution Approving the Releases and Refunds to the Individuals Listed Herein	Parrish/Martin
5.	Budget Ordinance Amendment: General Fund: Process Funds: $1,796.10: Increase	Jarman/Martin

BUDGET ORDINANCE AMENDMENTS/RESOLUTIONS

Item No. 6A was a Resolution Awarding Contract for Construction of a Natural Gas Transmission Pipeline to Sanderson Farms, Inc. and the Hwy. 70 West Industrial Park: A & B Trenching Company: $2,288,857. Mr. Mark Pope, Economic Development Director, addressed the Board. Mr. Pope stated a natural gas transmission pipeline needs to be constructed along Hwy. 70 to provide natural gas to Sanderson Farms and to provide excess capacity for future tenants of the Hwy. 70 West Industrial Park. The pipeline has been engineered and three construction bids have been received. A & B Trenching Company was the lowest responsible bidder. Total project costs are $4,134,366.37 including construction, pipe, engineering, and administration. Upon a motion by Mr. Davis and a second by Ms. Sutton, Item No. 6A was unanimously approved.

Item No. 6B was a Budget Ordinance Amendment: Capital Projects Fund: Sanderson Gas Line Project: $1,000,000: Increase. The amendment appropriates grant funds from the Rural Center – NC Economic Infrastructure Program in the amount of $1,000,000. The county received notification of the $1,000,000 grant award on June 11, 2010. These funds will be used to pay a portion of the Hwy. 70 Industrial Park gas line construction project. Upon a motion by Mr. Davis and a second by Ms. Sutton, Item No. 6B was unanimously approved.

Item No. 6C was a Budget Ordinance Amendment: Capital Projects Fund: Sanderson Gas Line Project: $1,634,366.37: Increase. The amendment sets up additional revenue and expenditure lines for the Hwy. 70 (Sanderson Farms) gas line project. The county was previously awarded funding from the CDBG-ED Fund ($1,000,000). The Commerce IDF Fund ($500,000) and the Rural Center's Economic Development Fund ($1,000,000) in the amount of $2.5 million. These additional funds are necessary to see the project to completion. Upon a motion by Mr. Davis and a second by Ms. Sutton, Item No. 6C was unanimously approved.

Item No. 6D was a Resolution Approving Two Deeds of Easement for Utilities between Lenoir County and the City of Kinston/Progress Energy for Sanderson Farms Hatchery Site. Mr. Pope stated On July 23, 2009, Sanderson Farms Board of Directors approved to proceed with the construction and start-up of the Company's Kinston, NC poultry complex. Construction of the facilities has begun with initial operation of the new complex scheduled to begin during the first quarter of fiscal 2011. As part of the incentives, Lenoir County and the City of Kinston purchased and swapped land with the State of NC for location of the Hatchery site. Approval of this document is needed to provide utility easements for the City of Kinston and Progress Energy that provide the non-exclusive right, privilege and easement to go in and upon the land described in the Deed attached. Upon a motion by Mr. Humphrey and a second by Ms. Sutton, Item No. 6D was unanimously approved.

Item No. 7 was a Budget Ordinance Amendment: General Fund: Process Funds: $18,557: Decrease. Ms. Martin stated the amendment allocates the JCPC Program Funds into the correct revenue and expenditure lines, and to correct the balances. At the time the budget was passed the state had not adopted its FY 10-11 Budget. Upon a motion by Ms. Sutton and a second by Mr. Stroud, Item No. 7 was unanimously approved.

Item No. 8 was a Budget Ordinance Amendment: General Fund: DSS: $4,281: Increase. Mr. Jack Jones, Social Services Director, addressed the Board. Mr. Jones stated the amendment moves prior year funding forward; no County match required. Upon a motion by Mr. Davis and a second by Ms. Sutton, Item No. 8 was unanimously approved.

Item No. 9 was a Budget Ordinance Amendment: General Fund: Process Funds: $9,091.64: Increase. Ms. Martin stated the amendment re-appropriates SHIP Grant funds not expended in FY 08-09. Upon a motion by Ms. Sutton and a second by Mr. Pharo, Item No. 9 was unanimously approved.

Item No. 10 was a Budget Ordinance Amendment: General Fund: Finance/Sheriff Dept.: $12,250: Increase. Ms. Martin stated the amendment rolls forward unexpended funds from the State Criminal Alien Assistance Program (SCAAP) from prior fiscal years in the amount of $12,250. These funds are received from the US Department of Justice, Office of Justice Programs, and are given to help offset expenses incurred by the County in housing undocumented criminal aliens or aliens of unknown legal status, who have been convicted of at least one felony or two misdemeanors and have been incarcerated during the reporting period of the award. By law, these funds are restricted for use by the Sheriff's Department. Upon a motion by Mr. Davis and a second by Ms. Sutton, Item No. 10 was unanimously approved.

Item No. 11 was a Budget Ordinance Amendment: General Fund: Finance/Sheriff: $71,091.75: Increase. Ms. Martin stated the amendment brings forward unexpended Sheriff's Civil Process Service Fees from prior years. The amount charged for fees increased from $5 to $15 and 50% of the amount collected shall be used by the Sheriff's Department for the enhancement of the service of civil papers. Upon a motion by Ms. Sutton and a second by Mr. Stroud, Item No. 11 was unanimously approved.

Item No. 12 was a Resolution Approving Presentation of Badge and Service Weapon to Retiring Lieutenant Timothy Chase. Mr. Stroud read the resolution for the Board and the viewing public. Mr. Chase thanked the Board, citizens of Lenoir County and the Sheriff's Department for allowing him to serve the community. The Board thanked Mr. Chase for his years of service. Upon a motion by Ms. Sutton and a second by Mr. Graham, Item No. 12 was unanimously approved.

Item No. 13A was a Budget Ordinance Amendment: Transportation: Administration/ARRA: $369,822: Increase. Ms. Sue Powell, Transit Director, addressed the Board. Ms. Powell stated the amendment rolls forward funds from the New American Recovery and Reinvestment Act of 2009. These funds are a part of the President's Economic Stimulus Plan and will be used to purchase three (3) new vans, bus stop shelters, radios and provide preventive maintenance on the entire fleet of vans and buses. Upon a motion by Ms. Sutton and a second by Mr. Stroud, Item No. 13A was unanimously approved.

Item No. 13B was a Resolution to Approve Declaring Three (3) Lenoir County Transit Vehicles as Surplus Vehicles. Ms. Powell stated the vehicles are in good condition and have reached the 100,000 mile range set by the North Carolina Department of Transportation in order to replace the three (3) vehicles. These vehicles were replaced with three (3) Ford Lift Equipped Vans. Upon a motion by Ms. Sutton and a second by Mr. Stroud, Item No. 13B was unanimously approved.

Item No. 13 C was a Resolution Approving the Operator's Manual for Lenoir County Transit Drivers. Mr. Bill Allison, Transit Safety Officer, addressed the Board. Mr. Allison stated As of March 10, 2008, Lenoir County Transit (LCT) took operations in house, this included Dispatch and Drivers. With this, LCT is responsible by FTA and NCDOT/PTD to form an Operator's Manual for LCT Drivers. This manual will supply drivers with Policies and Procedures to educate them in knowing the appropriate use and operation of the LCT Vehicles. The Drivers will go through a process of trainings to receive the proper education. Upon a motion by Mr. Stroud and a second by Ms. Sutton, Item No. 13C was unanimously approved.

Item No. 14 was a Budget Ordinance Amendment: Capital Improvements: Finance: $1,225,595: Increase. Ms. Martin stated the amendment rolls forward and distributes prior year's unexpended economic development, community development, and buildings and grounds funds into the appropriate expenditure lines in the Capital Improvements Fund for FY 10-11. Upon a motion by Ms. Sutton and a second by Mr. Stroud, Item No. 14 was unanimously approved.

Item No. 15B was a Resolution Approving 2009-2010 Tax Collectors Annual Settlement. Mr. Darrell Parrish, Tax Administrator addressed the Board. Mr. Parrish stated pursuant to NCGS 105-373 the Lenoir County Tax Collector is required to make a full settlement to the governing body for all taxes. The Lenoir County Commissioners acknowledge with appreciation the diligent efforts of the Tax Collector that has resulted in a 94.83% collection rate for the fiscal year 2009-2010. During a three-year period 99% of all taxes are collected. Upon a motion by Ms. Sutton and a second by Mr. Stroud, Item No. 15B was unanimously approved.

Item No. 15D was a Resolution Approving Insolvent Personal Property Tax List. Mr. Parrish stated All uncollected taxes on personal property (for persons who listed no real property) are declared "insolvent" after the close of the fiscal year. However, every remedy allowable by law will continue to be pursued toward collection of these taxes. 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 persons owing taxes (but who listed no real property) 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 Mr. Stroud, Item No. 15D was unanimously approved.

Item No. 16A was a Resolution Authorizing HIV Social Worker Contract. Mr. Joey Huff, Health Director, addressed the Board. Mr. Huff stated the Board is asked to grant permission to the Lenoir County Health Department to increase the agency's budget by $36,908. The Health Department will enter into a contractual agreement with Pitt County Health Department, the regional grantee of Ryan White and HOPWA federal funds. This additional funding will support the activities of a Social Worker II who will provide outreach, coordinated medical case management, and referral services to people who are HIV positive or who have AIDS living in Lenoir County and surrounding counties. Lenoir County Health Department will submit monthly invoices to Pitt County Health Department seeking payment for services rendered under this arrangement. Current funding has been approved for the period Aug 1, 2010-March 31, 2011. Pitt County Health Department will submit a proposal for continued funding for future federal funding cycles. If funds are not allocated beyond March 31, 2011, the position will be vacated. Upon a motion by Ms. Sutton and a second by Mr. Stroud, Item No. 16A was unanimously approved.

Item No. 16B was a Budget Ordinance Amendment: General Fund: Health (HIV Social Worker Grant) $36,908. Upon a motion by Ms. Sutton and a second by Mr. Stroud, Item No. 16B was unanimously approved.

Item No. 16C was a Resolution Authorizing the Lenoir County Health Department to Purchase Equipment Using Building Maintenance Funds: Ed Phillips, Inc.: $3,478. Ms. Huff stated the existing heat pump is thirty (30) years old and is currently non-operational. It has been determined that repairing the unit would cost two-thirds of the replacement cost. It has been recommended by the Finance Officer and Maintenance Coordinator that the unit be replaced. Upon a motion by Ms. Sutton and a second by Mr. Stroud, Item No. 16C was unanimously approved.

Item No. 17 was a Resolution Approving the Expansion of Hugo Fire District to include the former Grifton Community Fire District. Mr. Roger Dail, Emergency Service Director, addressed the Board. Mr. Dail stated On May 18, 2009, the Lenoir County Board of Commissioners awarded the Fire Protection Contract for the Grifton Fire District to Hugo Fire and Rescue. On July 1, 2010, the contract with Grifton Community Fire District was not renewed. At this time, Hugo Fire Department is now answering calls in the Grifton Community Fire District. Staff has met with representatives of the State Fire Marshal's office and according to G.S. 69-25.11; the Board of County Commissioners must formally approve the expansion of a fire department to another district. Upon a motion by Ms. Sutton and a second by Mr. Pharo, Item No. 17 was unanimously approved.

APPOINTMENTS

Item No. 18 was a Resolution Appointing Citizens to Boards, Commissions, Etc. Items were tabled due to first appearance. Upon a motion by Mr. Pharo and a second by Ms. Sutton, second appearance applicants were unanimously approved.

BOARD/COMMITTEE/COMMISSION	APPLICANT/ CURRENT MEMBER	TERM EXPIRATION
Tourism Development Authority Board 2nd Appearance	**Jackie Brown** (Re-appointment)	**June 2013**
Lenoir County Transit Advisory Board 2nd Appearance	**Tracy Breasure** (Appointment)	**June 2013**
Lenoir County Planning Board 2nd Appearance	**Frank White (Alternate #2)**	**June 2013**
Criminal Justice Partnership Program (CJPP) 1st Appearance	**Dianne Stadiem**	**May 2012**

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. Stroud the Board adjourned at 10:58 a.m.

Respectfully submitted,

Lashanda A. Hall
Clerk to the Board

Reviewed By

Michael W. Jarman
County Manager

Item No. 4

BUDGET ORDINANCE AMENDMENT: GENERAL FUND: PROCESS FUNDS: $1,553.: INCREASE

LENOIR COUNTY, NORTH CAROLINA

BUDGET AMENDMENT REQUEST

FY 2010 - 2011
Appropriations

Budget Amendment #_____
Date Approved _____

Distribution - Finance Office:

FUND	DEPARTMENT	LINE ITEM DESCRIPTION
GENERAL	PROCESS FUNDS	10-3329-3627 GRANT-NC AGR COST SHARE PROG- 10-4201-6036 NC AGR COST SHARE PROG-REC

Check One Box		Check One Box	
New Appropriation:	X	New Appropriation:	X
Line Item Transfer:		Line Item Transfer:	

REVENUES			EXPENDITURES		
Account # and Title		Amount	Account # and Title		Amount
INCREASE			INCREASE		
10-3329-3627	GRANT-NC AGR COST SHARE PROG	1,553.00	10-4201-6036	NC AGR COST SHARE PROG-REC	1,553.00
Total		1,553.00	Total		1,553.00

Reason and Justification for Request:
Budget Amendment to appropriate a grant from the North Carolina Agriculture Cost Share Program for Best Management Practices to the Parks and Recreation Department. This grant was awarded on June 15, 2010, and will assist in purchasing pet waste receptacles at the new Dog Park.

Department Head Approval	Date	Finance Officer Approval	Date
Martha H. Martin	8/5/10	Martha H. Martin	8/5/10

Budget Officer Approval	Date
Michael W. Jarman	8/5/10

Board Approval (When Applicable)	Date	Date of Minutes

Finance Office - Copy Department - Copy Administration - Copy

Item NO. 5

BUDGET ORDINANCE AMENDMENT: GENERAL FUND:
BOARD OF ELECTIONS:$1,558. INCREASE

LENOIR COUNTY, NORTH CAROLINA

BUDGET AMENDMENT REQUEST

FY 2010 - 2011
Appropriations

Budget Amendment #_____
Date Approved _____

Distribution - Finance Office:

FUND	DEPARTMENT	LINE ITEM DESCRIPTION
GENERAL	BOARD OF ELECTIONS DWKing	10-3991-9910 FUND BALANCE APPROPRIATED 10-4170-3550 HAVA ACCESSIBILITY IMPROVE

Check One Box		Check One Box	
New Appropriation: ☒		New Appropriation: ☒	
Line Item Transfer: ☐		Line Item Transfer: ☐	
REVENUES		**EXPENDITURES**	
Account # and Title	Amount	Account # and Title	Amount
INCREASE		INCREASE	
10-3991-9910 FUND BALANCE APPROPRIATED	1,558.00	10-4170-3550 HAVA ACCESSIBILITY IMPROVEM	1,558.00
Total	1,558.00	Total	1,558.00

Reason and Justification for Request:
BUDGET AMENDMENT TO ROLL FORWARD FUNDS FROM THE 2010 HAVA GRANT THAT WERE NOT EXPENDED IN FY 2009-10. THE COUNTY RECEIVED A CHECK IN THE AMOUNT OF $1,558. ON JUNE 17, 2010, TO PURCHASE TWO CONE CAP SIGNS AT ALL OF THE TWENTY-SIX POLLING PLACES AND ONE-STOP SITES. THIS MONEY WAS NOT EXPENDED IN PRIOR FISCAL YEAR, SO IT IS BEING ROLLED FORWARD INTO THIS FISCAL YEAR.

Department Head Approval	Date	Finance Officer Approval	Date
Dana W. King	8-9-10	Martha H. Martin	8-11-10
Budget Officer Approval	Date		
Michael W Jarman	8/12/10		
Board Approval (When Applicable)	Date	Date of Minutes	

Finance Office - Copy Department - Copy Administration - Copy

A RESOLUTION OF APPRECIATION FOR REVEREND COZELLE MILLS WILSON

WHEREAS, the Lenoir County Board of Commissioners acknowledges Reverend Cozelle Wilson's long and prestigious career as an advocate, educator, philanthropist, community activist, confidant and friend; and

WHEREAS, the Board acknowledges Reverend Wilson worked for twenty-three years with the Department of Human Resources for the State of North Carolina, and retired on January 12, 1987; and

WHEREAS, the Board acknowledges Reverend Wilson showed her tremendous loyalty and love for the citizens of her community by volunteering her time with the following: Kinston-Lenoir County Chapter of the NAACP, Kinston-Lenoir County Drug Coalition, Chaplain Corps of Lenoir Memorial Hospital, and the North Carolina Rural Economic Development Center, Inc., just to name a few; and

WHEREAS, the Board acknowledges Reverend Wilson's visionary leadership in helping to charter the United Negro College Fund in Kinston-Lenoir County ; and

WHEREAS, the Board acknowledges that Reverend Cozelle Mills Wilson was a role model as she continued to mentor young men and women, throughout her life, helping them to become capable, productive, leaders within their communities, able to take the lessons learned from her and apply them in their adult lives.

NOW, THEREFORE BE IT RESOLVED, that the Lenoir County Board of Commissioners recognizes Reverend Cozelle Mills Wilson for her efforts, dedication, enthusiasm and commitment that she so freely gave to the citizens of Kinston-Lenoir County. **AND BE IT FURTHER RESOLVED,** that her influence has helped family members, and community leaders from the past to the present improve and capitalize on their own personal skills. Reverend Wilson provided an excellent example of leadership and community spirit.

Adopted this August 16, 2010.

LENOIR COUNTY BOARD OF COMMISSIONERS

_____
George W. Graham, Jr., Chairman

_____
Lashanda A. Hall, Clerk

Item No. 7

A RESOLUTION HONORING
Edna Stancil

WHEREAS, the Lenoir County Board of Commissioners wishes to proudly acknowledge and to publicly recognize employees retiring from the Lenoir County Department of Social Services; and,

WHEREAS, Ms. Edna Stancil was employed by the County Director of Social Services as a Receptionist II on March 15, 1984; and,

WHEREAS, Ms. Edna Stancil was promoted to a Social Services Eligibility Specialist I on September 10, 1984; and,

WHEREAS, Ms. Edna Stancil was promoted to an Income Maintenance Caseworker II on July 25, 1988; and,

WHEREAS, Ms. Edna Stancil was promoted to an Income Maintenance Caseworker III on May 1, 2003; and,

WHEREAS, Ms. Edna Stancil has dedicated her professional career at Lenoir County Department of Social Services to public service and to the citizens of Lenoir County; and,

WHEREAS, Ms. Edna Stancil submitted her notice of retirement from the Lenoir County Department of Social Services effective August 1, 2010; and,

WHEREAS, Ms. Edna Stancil retired on July 30, 2010 with over twenty-four years of service from the Lenoir County Department of Social Services.

WHEREAS, The Board of Commissioners of Lenoir County is grateful for the fine services rendered by this outstanding citizen.

NOW THEREFORE BE IT RESOLVED, this the 16th Day of August in the Year 2010 of our Lord, that the Lenoir County Board of Commissioners recognizes Ms. Edna Stancil for her efforts, commitment and compassion that she has so freely given to the citizens of Lenoir County and further resolved that a copy of this Resolution be transmitted to Ms. Edna Stancil by the Clerk to the Board of Commissioners of Lenoir County.

BOARD OF COMMISSIONERS OF LENOIR COUNTY

BY: _____
Mr. George W. Graham, Jr., Chairman

ATTEST: _____
Clerk to the Board of Lenoir County Commissioners

DATE: _____

Item NO. 8

A RESOLUTION HONORING
Beverly Hart

WHEREAS, the Lenoir County Board of Commissioners wishes to proudly acknowledge and to publicly recognize employees retiring from the Lenoir County Department of Social Services; and,

WHEREAS, Ms. Beverly Hart was employed by the County Director of Social Services as an Income Maintenance Caseworker I on May 12, 2004; and,

WHEREAS, Ms. Beverly Hart was promoted to an Income Maintenance Caseworker II on May 12, 2005; and,

WHEREAS, Ms. Beverly Hart has dedicated her professional career at Lenoir County Department of Social Services to public service and to the citizens of Lenoir County; and,

WHEREAS, Ms. Beverly Hart submitted her notice of retirement from the Lenoir County Department of Social Services effective August 1, 2010; and,

WHEREAS, Ms. Beverly Hart retired on July 30, 2010 with over six years of service from the Lenoir County Department of Social Services.

WHEREAS, The Board of Commissioners of Lenoir County is grateful for the fine services rendered by this outstanding citizen.

THEREFORE BE IT RESOLVED, this the 16th Day of August in the Year 2010 of our Lord, that the Lenoir County Board of Commissioners recognizes Ms. Beverly Hart for her efforts, commitment and compassion that she has so freely given to the citizens of Lenoir County and further resolved that a copy of this Resolution be transmitted to Ms. Beverly Hart by the Clerk to the Board of Commissioners of Lenoir County.

BOARD OF COMMISSIONERS OF LENOIR COUNTY

BY: _____
Mr. George W. Graham, Jr., Chairman

ATTEST: _____
Clerk to the Board of Lenoir County Commissioners

DATE: _____

Item NO. 9

BUDGET ORDINANCE AMENDMENT: CAPITAL IMPROVEMENTS FUND
COMMUNITY DEVELOPMENT: $7,497. DECREASE

LENOIR COUNTY, NORTH CAROLINA

BUDGET AMENDMENT REQUEST

FY 2010 - 2011
Appropriations

Budget Amendment #_____
Date Approved _____

Distribution - Finance Office:

FUND	DEPARTMENT	LINE ITEM DESCRIPTION
CAPITAL IMPROVEMENTS	COMMUNITY DEVELOPMENT	40-3991-9910 FUND BALANCE APPROPRIATED 40-4930-5100 LEN COMM COLLEGE - CAPITAL

Check One Box		Check One Box	
New Appropriation:	[x]	New Appropriation:	[ ]
Line Item Transfer:	[ ]	Line Item Transfer:	[ ]
REVENUES		**EXPENDITURES**	
Account # and Title	Amount	Account # and Title	Amount
DECREASE		DECREASE	
40-3991-9910 FUND BALANCE APPROPRIATED	-7,497.00	40-4930-5100 LENOIR COMMUNITY COLL-CAPITAL	-7,497.00
Total	-7,497.00	Total	-7,497.00

Reason and Justification for Request:
BUDGET AMENDMENT TO CORRECT A PORTION OF A BUDGET AMENDMENT APPROVED ON AUGUST 2, 2010 AGENDA. THE AMOUNT ROLLED FORWARD FOR LENOIR COMMUNITY COLLEGE ON ITEM #14 WAS $27,057.00 - HOWEVER ON AUGUST 5, 2010, AN INVOICE WAS SENT IN FOR PRIOR YEAR EXPENDITURES IN THE AMOUNT OF $7497.10. THIS BUDGET AMENDMENT WILL CORRECT THE AMOUNT ROLLED FORWARD.

Department Head Approval	Date	Finance Officer Approval	Date
Martha H. Martin	8/6/10	Martha H. Martin	8/6/10
Budget Officer Approval	Date		
Michael Williams	8/9/10		
Board Approval (When Applicable)	Date	Date of Minutes	

Finance Office - Copy Department - Copy Administration - Copy

Item No. 10

BUDGET ORDINANCE AMENDMENT: TRUST AND AGENCY FUND: EXTENSION-FAMILY CAREGIVER: $105,885.: DECREASE

LENOIR COUNTY, NORTH CAROLINA

BUDGET AMENDMENT REQUEST

FY 2010 - 2011
Appropriations

Budget Amendment #_____
Date Approved _____

Distribution - Finance Office:

FUND	DEPARTMENT	LINE ITEM DESCRIPTION
TRUST AND AGENCY	EXTENSION-FAMILY CAREGIVER	VARIOUS

Check One Box
New Appropriation: [x]
Line Item Transfer: [ ]

REVENUES

Account # and Title		Amount
DECREASE		
70-3495-3300	SMART START - EXTENSION	-105,885.00
Total		-105,885.00

Check One Box
New Appropriation: [x]
Line Item Transfer: [ ]

EXPENDITURES

Account # and Title		Amount
DECREASE		
70-4951-6000	EXTENSION-FAMILY CAREGIVER	-96,734.00
70-4951-6900	CONTRACTED SERVICES	-9,151.00
Total		-105,885.00

Reason and Justification for Request:
BUDGET AMENDMENT TO DECREASE THE BUDGETED AMOUNTS OF THE PARTNERSHIP FOR CHILDREN PROGRAM. WHENEVER THE BUDGET WAS BEING COMPILED, IT WAS THOUGHT THAT THE PARTNERSHIP FOR CHILDREN WOULD BE RECEIVING THE SAME FUNDING AS FY09-10. HOWEVER, ON AUGUST 3, THE COUNTY RECEIVED NOTIFICATION FROM THE LENOIR-GREENE PARTNERSHIP, THAT THEY HAD RECEIVED ONLY 25% FUNDING FROM THE NC PARTNERSHIP FOR CHILDREN. THEREFORE, IT IS NECESSARY TO ADJUST THE COUNTY'S FUNDING PORTION TO MATCH THAT 25% FUNDING.

Department Head Approval	Date	Finance Officer Approval	Date
Tammy D. Kelly	8-10-10	Martha H. Martin	8-10-10

Budget Officer Approval	Date
Michael W. Lam	8/12/10

Board Approval (When Applicable)	Date	Date of Minutes

Finance Office - Copy Department - Copy Administration - Copy

Item NO. 11

BUDGET ORDINANCE AMENDMENT: GENERAL FUND: COOP EXT-PREVENTION BLOCK GRANT: $48,119. INCREASE

LENOIR COUNTY, NORTH CAROLINA

BUDGET AMENDMENT REQUEST

FY 2010 - 2011
Appropriations

Budget Amendment #_____
Date Approved _____

Distribution - Finance Office:

FUND	DEPARTMENT	LINE ITEM DESCRIPTION
GENERAL	COOP EXT: PREVENTION BLOCK GRANT	Various

Check One Box
New Appropriation: [X]
Line Item Transfer: [ ]

REVENUES

Account # and Title		Amount
INCREASE		
10-3329-3625	GRANT-COOP EXT-PREVENTION B	48,119.00
Total		48,119.00

Check One Box
New Appropriation: [X]
Line Item Transfer: [ ]

EXPENDITURES

Account # and Title		Amount
INCREASE		
10-4957-1260	PART-TIME SALARIES	32,072.00
10-4957-1810	EMPLOYER - FICA	1,989.00
10-4957-1811	EMPLOYER - MEDICARE	465.00
10-4957-1820	EMPLOYER - RETIREMENT	2,935.00
10-4957-1830	EMPLOYER - INSURANCE	5,669.00
10-4957-2600	OFFICE SUPPLIES/MATERIALS	200.00
10-4957-2650	COMPUTER SOFTWARE & SUP	200.00
10-4957-2900	EDUCATIONAL/MEDICAL SUPP	500.00
10-4957-3110	TRAVEL	2,272.00
10-4957-3950	EMPLOYEE TRAINING	1,000.00
10-4957-4900	STIPENDS/INCENTIVES	817.00
Total		48,119.00

Reason and Justification for Request:
BUDGET AMENDMENT TO SET UP FUNDING FOR THE 4-H ALL STARS GRANT PROGRAM - PREVENTION BLOCK GRANT FOR THE 2010-2011 FISCAL YEAR.

Department Head Approval	Date	Finance Officer Approval	Date

Budget Officer Approval: Michael W. Jarman — Date: 8/11/10

Board Approval (When Applicable) — Date — Date of Minutes

Finance Office - Copy Department - Copy Administration - Copy

Item No. 12

BUDGET ORDINANCE AMENDMENT: SCHOOL CAPITAL FUND
SCHOOL BUILDING: $1,801,611. INCREASE

LENOIR COUNTY, NORTH CAROLINA

BUDGET AMENDMENT REQUEST

FY 2010 - 2011
Appropriations

Budget Amendment #_____
Date Approved _____

Distribution - Finance Office:

FUND	DEPARTMENT	LINE ITEM DESCRIPTION
SCHOOL CAPITAL	SCHOOL BUILDING	VARIOUS

Check One Box
New Appropriation: [x]
Line Item Transfer: [ ]

REVENUES

Account # and Title		Amount
INCREASE		
21-3593-3300	SCHOOL BLDG CAPITAL FUNDS	1,351,208.00
21-3991-9910	FUND BALANCE APPROPRIATED	450,403.00
Total		1,801,611.00

Check One Box
New Appropriation: [x]
Line Item Transfer: [ ]

EXPENDITURES

Account # and Title		Amount
INCREASE		
21-5900-5001	PUB SCHOOL BLD CAP FUNDS	1,351,208.00
21-5900-5002	SCH BLDG CAP FUNDS-LOCAL	450,403.00
Total		1,801,611.00

Reason and Justification for Request:
Budget Amendment to appropriate revenues and expenditures in the Public School Building Capital fund to cover capital projects that have already been approved by the State. The state's portion comes from the ADM money and the County's portion comes from Sales Tax.

Department Head Approval	Date	Finance Officer Approval	Date
Martha H. Martin	8/11/10	Martha H. Martin	8/11/10

Budget Officer Approval	Date
Michael W. Jarman	8/11/10

Board Approval (When Applicable)	Date	Date of Minutes

Finance Office - Copy Department - Copy Administration - Copy

Item NO. 13

A RESOLUTION TO SUPPORT THE TEMPORARY CLOSURE OF QUEEN STREET (US 70 BUSINESS) DURING THE BRIDGE REPLACEMENT PROJECT B-4565 IN KINSTON AND LENOIR COUNTY

WHEREAS, the North Carolina Department of Transportation (NCDOT) has identified bridges 42 & 43 on Queen Street crossing the Neuse River in Kinston/Lenoir County for replacement; and

WHEREAS, NCDOT intends to include the two overflow bridges immediately north of bridges 42 & 43 in the project; and

WHEREAS, NCDOT has studied the feasibility of an on-site and off-site detour route; and

WHEREAS, NCDOT has requested that due to cost, safety, and constructability concerns that the City of Kinston endorse the off-site detour and the closure of Queen Street at the Neuse River during the bridge replacement project which is anticipated to last 18 to 24 months; and

WHEREAS, NCDOT has agreed to include community requests for pedestrian access, bike access, decorative rails, and decorative lighting in the bridge replacement projects; and

WHEREAS, NCDOT has agreed to provide permanent roadway and directional sign improvements to the intersection of NC 11 and US 70 as part of the detour route; has agreed to provide vehicle preemption for emergency vehicles at each signalized intersection along US 70 from Hill Farm Road to NC 58 South and from Kinston's main fire station along Vernon Avenue, Queen Street and King Street; and will construct a 1,000' two-lane road to serve the Kinston's proposed fire substation at Carey and Rouse Roads to improve safety for all citizens and improve mobility for emergency vehicles during and after the bridge replacement projects.

NOW, THEREFORE, be it resolved that the County of Lenoir supports the closure of Queen Street (US 70 Business) during the bridge replacement projects beginning after 2012.

Adopted this _____ day of _____ 2010.

_____

ATTEST:_____

INTRODUCED BY: Michael Jarman, County Manager **DATE:** 08/16/10 **ITEM NO.:** 14

Resolution Approving Purchase Order with Danny Smith Landscaping: $9,625

SUBJECT AREA: FINANCIAL

ACTION REQUESTED:

The Board is requested to authorize the Sheriff to execute a purchase order with Danny Smith Landscaping for the purchase of ULC Base (rock).

HISTORY / BACKGROUND:

The Sheriff's Office maintains a large secure lot to hold vehicles and other materials that are seized for various reasons. Other large bulky items that will tolerate weather conditions are also placed at the lot, such as stolen and or recovered safe's, bikes, garden tools, ATV's, golf carts, etc. These items are held for a period of time and are eventually released to the owner, destroyed, or sold at auction. The land within the lot had many large sunken areas (holes) causing wrecker drivers who are pulling vehicles to get stuck. Crushed cement from the landfill was used to fill the holes and give the land a firmer surface. The pieces of cement proved to be a little larger than desired and did not cover the lot adequately. This has allowed weeds to grow on the surface between the cement pieces. The best advice we have received is to cover the lot with four inches of ULC base (rock aggregate). This alternative is far less than paving the lot.

EVALUATION:

The Sheriff's Office solicited two prices from two local vendors (Everette Clearing and Grading, and Danny Smith Landscaping) who have the ability to haul the rock to the site. Danny Smith Landscaping was the cheaper of the two at $9,625. This project was included in the 2010-2011 Sheriff's Office budget. The Sheriff respectfully requests that the Board of Commissioners allow for the execution of a purchase order with Danny Smith Landscaping to purchase and transport ULC base.

MANAGER'S RECOMMENDATION:

Respectfully Request Approval.

_____
Initials

RESOLUTION: NOW THEREFORE BE IT RESOLVED by the Lenoir County Board of Commissioners that the Sheriff execute a purchase order with Danny Smith Landscaping for the purchase and transportation of ULC base.

Danny Smith Landscaping----------$9,625

Account Number - 10-4310-3510

AMENDMENTS:

MOVED _____ SECOND _____

APPROVED _____ DENIED _____ UNANIMOUS _____

YEA VOTES: Humphrey _____ Sutton _____ Stroud _____ Graham _____

Pharo _____ Brown _____ Davis _____

_____ 08/16/10
George Graham, Chairman Date

_____ 08/16/10
ATTEST Date

INTRODUCED BY: Michael W. Jarman, County Manager **DATE:** 8/16/10 **ITEM NO.** 15

RESOLUTION: Approving Acceptance of Fee Arrangements for Special Counsel Services in Connection with Proposed Bank Placement Installment Financing of a New Jail Facility: Sanford Holshouser, Attorneys at Law: Per Proposal Dated August 5, 2010: $27,500.

SUBJECT AREA: Financial

ACTION REQUESTED: The Board is requested to authorize the acceptance of fee arrangements from Sanford Holshouser, Attorneys at Law, per a proposal dated August 5, 2010, for Special Counsel services in connection with proposed bank placement installment financing of a new jail facility. Fee amount $27,500.

HISTORY/BACKGROUND: To relieve overcrowding in the existing Lenoir County jail facility, the Board of Commissioners has considered the need for construction of a new 192 bed jail facility expansion. The new jail facility has been designed by the Brennan Group and bids were received on June 30, 2010. In an effort to construct the best facility at the lowest cost to the citizens of the County, value engineering options have been explored and (7) seven of the (13) thirteen bid packages have been advertised for rebidding. These rebids will be opened on August 19, 2010. The North Carolina Local Government must approve all local government construction projects involving borrowed funds. Jail projects are generally considered to be highly suitable for the use of installment financing. Representation for the County by a qualified Special Counsel is required. At the request of management, the law firm of Sanford Holshouser provided the County with a proposal for this service. Robert M. Jessup, Jr. will be the Special Counsel working with the County on the resolutions, approvals by the Local Government Commission, and supervising the closing of the loan. Mr. Jessup has represented the County on previous General Obligation Bond sales in 2007 and 2008 for the construction of the public library addition and Phase 1 of the Lenoir County School construction projects.

EVALUATION: The law firm of Sanford Holshouser has provided a proposal to Lenoir County for services as Special Counsel in connection with proposed bank placement installment financing of a new jail facility (copy attached). The North Carolina Local Government Commission must approve all local government construction projects involving the issuance of debt. Representation for the County by a qualified Special Counsel is required. The law firm of Sanford Holshouser has represented the County in the past as Bond Counsel on previous General Obligation Bond issues in 2007 and 2008.

Acceptance of this resolution will allow for the encumbrance of funds and the payment to Sanford Holshouser for Special Counsel services rendered to the County after closing of the loan. If the Board decides not to proceed with construction of the new jail facility expansion, the County will be billed for services already performed on the basis of the hourly rates of the Sanford Holshouser Law Firm plus out-of -pocket expenses.

MANAGER'S RECOMMENDATION:

Respectfully recommend approval. _____

RESOLUTION: NOW THEREFORE BE IT RESOLVED by the Lenoir County Board of Commissioners that the fee arrangement proposal for Special Counsel services from the law firm of Sanford Holshouser in the amount of $27,500, in connection with the proposed bank placement installment financing of new jail facility, be approved.

AMENDMENTS:

APPROVED_____**DENIED**_____**UNANIMOUS**

Yea Votes: Graham____**Stroud**____**Brown**____**Davis**____**Humphrey**____

Pharo____**Sutton**____

_____
George W. Graham, Jr., Chairman

_____
Date

_____
Attest

_____
Date

Sanford
Holshouser LLP

209 Lloyd St., Suite 350
Carrboro, NC 27510

August 5, 2010

By Electronic Mail

Thomas L. Hollowell
Assistant County Manager
Lenoir County

Lenoir County – 2010 Jail Installment Financing

Dear Tommy:

Thank you for calling on us at Sanford Holshouser to represent Lenoir County as special counsel in connection with a planned financing for a new County jail. We appreciate this additional opportunity to work with you and for Lenoir County.

In this letter, allow me please to set forth the terms of our engagement.

We understand that this project is expected to be a bank-placement installment financing for approximately $20,000,000 that is expected to close in October, 2010. We understand this financing may take the form of either Recovery Zone Economic Development Bonds, Build America Bonds or traditional tax-exempt financing.

I have attached a short memo describing the scope of our engagement. The scope of work described in this memorandum is certainly consistent with the scope of our work on similar financings for other local governments. Please let me know if you have any questions about the scope of our work.

As we have discussed, our fee for acting as the County's special counsel will be $27,500. This fee includes all our expenses. We will defer any billing until the closing of the financing (or until it becomes clear that the financing will not be completed). We will deliver a bill for our fee at the closing. Our fees are not contingent on closing, however; if the financing does not close, or proceeds with another firm as special counsel, we will charge the County on the basis of our hourly rates as in effect from time to time, plus out-of-pocket expenses.

* * * * * * * * *

We at Sanford Holshouser have a large and active public finance practice. It is entirely possible that during the course of our representation of the County, one or more of our other clients may become involved in transactions with the County.

We certainly do not expect that any such representation would produce an actual conflict with our work as special counsel on this transaction. We will endeavor to inform you of any such

Telephone 919/933-9891 Fax 919/933-9893 Bobjessup@aol.com

circumstance should it arise, but we would in any event expect to continue to represent the County in this jail financing.

In this regard, allow me to mention that as you know, we at Sanford Holshouser represent BB&T Governmental Finance on an on-going basis in connection with North Carolina local government finance projects. The County has selected BB&T to provide this financing. As special counsel to Lenoir County on this transaction, please know that we represent only the County, and we do not represent BB&T. We do not believe that our on-going work for BB&T in other transactions presents a reason for us not to represent Lenoir County in this transaction – but we wanted to be sure you were aware of this other relationship. We would be happy to talk about this with you further if that would be helpful to you.

* * * * * * * * *

I hope that you find this letter accurately reflects your understanding of the terms of our engagement. Please let me know if you have any questions or comments about any of the information in this letter. Otherwise, please sign a copy of this letter (or have it signed) in the space below, and then return a signed copy to me by facsimile, by email or by regular first-class mail. This will indicate the County's acceptance of the terms of our engagement as described in this letter.

Once again, let me say that we at Sanford Holshouser are pleased to be working for Lenoir County on this project. Thank you again for this opportunity.

Very truly yours,

Bob Jessup

Robert M. Jessup Jr.

Accepted and approved:

LENOIR COUNTY, NORTH CAROLINA

By: _____

Printed name: _____

Title: _____

MEMORANDUM

TO : Lenoir County Officials

FROM: Sanford Holshouser LLP
- Robert M. Jessup, Jr.

DATE: August 5, 2010

RE: Representation of Lenoir County as Special Counsel in Connection with Proposed 2010 Jail Financing

---

We look forward to working with you on the above-referenced financing. As special counsel for this transaction, we expect that our responsibilities will be as follows:

- examining the applicable law;

- general advice and discussions with County representatives regarding the general structure of and procedure for the financing;

* preparing the primary financing documents;

- drafting all necessary proceedings of the County Board, and a notice for publication of the required public hearing;

- coordinating the financing process with staff of the North Carolina Local Government Commission;

- discussing and negotiating draft financing documents with the lender and its counsel;

- coordinating the process for obtaining title insurance for the financing with the County Attorney or other counsel for the County;

- preparing, or reviewing on the County's behalf, all documents required for the closing of the financing;

- collaborating with all parties as to closing arrangements, supervising the closing, and delivering certain legal opinions upon the closing as may be negotiated with the lender; and

- preparing financing transcripts for all parties.

The scope of our engagement does not include any work related to real estate matters, including obtaining title insurance commitments or policies or doing any research as to title matters. As referenced above, we will of course work with the County Attorney to coordinate the required work, but these issues are ultimately within the scope of responsibility of the County Attorney (or any other counsel you may retain for this purpose).

We represent the County as a separate entity. We do not represent any individual officer or individual governing board member of the County. Our professional duty of confidentiality, for example, runs only to the County as an entity and not to any individual representative. In some cases the rules of professional responsibility for lawyers may require us to share information received from a County representative with other County representatives, or with directly with the Board of Commissioners. We will take direction for our work from the County Manager and the Assistant County Manager unless we are directed otherwise.

We generally consider our engagement as concluded with the bond closing, except for the completion of miscellaneous "post-closing matters," such as completing bond transcripts or other matters we may identify at closing. For example, any work on matters such as arbitrage rebate, document revision, loan modifications or refinancings, IRS or SEC inquiry, tax law compliance, subsidy payment filings or continuing disclosure would have to be the subject of a separate engagement.

In this transaction, we will serve as special counsel to the County with responsibility to deliver objective legal opinions upon closing. We will not represent any other party, although we will of course explain and discuss our view of the applicable law and requirements for compliance with all parties.

We will not review the County's financial condition or the adequacy of the security provided to the financing provider, and we will express no opinion relating to these matters.

Please let us know if we at Sanford Holshouser can in any way clarify our role.

-- SANFORD HOLSHOUSER LLP

INTRODUCED BY: Michael Jarman, County Manager **DATE:** 08/16/10 **ITEM NO.:** 11e

Resolution Approving the First Amendment to the Pipeline Operating Agreement

SUBJECT AREA: Economic Development

ACTION REQUESTED:

To approve the attached First Amendment to the Pipeline Operating Agreement.

HISTORY / BACKGROUND:

On May 29, 1990 Lenoir County entered into a Pipeline Operating Agreement with the North Carolina Natural Gas Company. This operating agreement was to facilitate providing natural gas to Lenoir County's Highway 70 Industrial Park. Lenoir County has constructed and will own the pipeline for 40 years. Piedmont Natural Gas, formerly NCNG operates and maintains the line.

It is necessary for the operation of the new Sanderson Farms Feedmill to construct a rail loop which crosses the Lenoir County pipeline. To facilitate this crossing approximately 200 feet of the existing pipeline must be relocated. This relocation would involve lowering the pipeline to a level at least 10 feet below the new rail spur. Article 10 d of the 1990 Operating Agreement reads, "County is the owner of the line and all easements, crossing agreements and other rights and privileges necessary for the location, construction, maintenance and operation of the line as constructed or to be constructed." Sanderson Farms has agreed to reimburse Lenoir County $88,000 for the cost of this operation.

EVALUATION:

Piedmont Natural Gas, upon review of the relocation plans, requested the relocation of the line include additional footage and agreed to pay $32,000 for the additional boring and construction. Lenoir County as the owner of the pipeline would be liable for possible additional cost if problems were to occur during construction.

County Administration along with Piedmont Natural Gas determined the County should transfer ownership of 684 feet of the Lenoir County Pipeline to Piedmont Natural Gas. This transfer protects Lenoir County from additional liabilities resulting from the increased scope of the construction.

MANAGER'S RECOMMENDATION:

Respectfully Request Approval.

_____
Initials

RESOLUTION: NOW THEREFORE BE IT RESOLVED by the Lenoir County Board of Commissioners that the First Amendment to the Pipeline Opearting Agreement as presented is approved.

AMENDMENTS:

MOVED _____ SECOND _____

APPROVED _____ DENIED _____ UNANIMOUS _____

YEA VOTES: Brown _____ Davis _____ Graham _____ Humphrey _____

Pharo _____ Stroud _____ Sutton _____

_____ 08/16/10
George W. Graham Jr., Chairman Date

_____ 08/16/10
ATTEST Date

FIRST AMENDMENT TO PIPELINE OPERATING AGREEMENT

This First Amendment to Pipeline Operating Agreement ("Amendment") is entered into this ____ day of _____, 2010, by and between Piedmont Natural Gas Company, Inc., a North Carolina corporation and successor in interest to North Carolina Natural Gas Corporation ("Piedmont") and Lenoir County, a political subdivision of the State of North Carolina ("County") (individually a "Party" and collectively "the Parties").

WHEREAS, Piedmont and County are parties to that certain Pipeline Operating Agreement dated May 29, 1990 ("Agreement"), pursuant to which, among other things, County agreed to construct and Piedmont agreed to operate certain natural gas transmission facilities located in Lenoir County (the "Line") and connecting to the natural gas transmission facilities now owned and operated by Piedmont; and

WHEREAS, in order to provide continuing service to customers off of the Line, Piedmont and County agree that approximately 684 feet of the Line requires replacement; and

WHEREAS, Piedmont and County have agreed that Piedmont shall perform such replacement and shall thereafter own and operate the portion of the Line replaced pursuant to the terms and conditions reflected herein and in the Agreement.

NOW, THEREFORE, in consideration of the premises and the mutual covenants and promises contained herein, Piedmont and County hereby agree to the following terms in amendment of the Agreement:

1. **Article One.** Notwithstanding the provisions of Article One of the Agreement, and in amendment thereof, Piedmont agrees to construct and the Parties agree that Piedmont shall thereafter own and have clear and exclusive title to, approximately 684.02 feet of new 4" steel natural gas pipeline to be constructed within the existing right-of-way of the Line, as

shown on the plats attached hereto as Exhibit A ("Piedmont Facilities"). These Piedmont Facilities are intended to replace the existing portion of the Line along this route. In conjunction with the construction of the Piedmont Facilities, Piedmont shall decommission and abandon in place the existing portion of the Line which the new Piedmont Facilities will replace.

2. **Payment by County.** County agrees to pay Piedmont the sum of eighty-eight thousand dollars ($88,000.00) upon the execution of this Amendment toward the construction of the new Piedmont Facilities and the retirement of the existing portion of the Line being replaced. Piedmont shall bear all other costs associated with the construction of the Piedmont Facilities.

3. **License and Agreement to Transfer Easement Rights.** County hereby grants to Piedmont an unrestricted license to utilize County's rights-of-way and easements along the route of the proposed Piedmont Facilities in order to allow Piedmont to construct, install, operate, and maintain the Piedmont Facilities as contemplated herein. Upon the completion and placement into operation of the Piedmont Facilities, County further agrees, upon Piedmont's request, to take all steps reasonably necessary and proper to transfer the County's underlying rights-of-way and easements to the property underlying the Piedmont Facilities to Piedmont.

4. **Obligations and Rights of the Parties with respect to the Piedmont Facilities.** Following the construction and placement into service of the Piedmont Facilities, such facilities shall no longer be included in the definition of the Line as used in the Agreement. Notwithstanding the foregoing, Piedmont hereby assumes with respect to the Piedmont Facilities, the same responsibilities and obligations to County applicable to

the Line specified in Articles Two, Three, Four and Five of the Agreement for the remaining term thereof.

5. **No Other or Further Amendment.** No other or further amendment of the Agreement is intended hereby and, except as expressly modified herein, the terms of the Agreement shall remain fully effective and binding on the Parties for the remaining term thereof.

6. **Miscellaneous.**

   a. Amendments. No modification or amendment to the terms hereof shall be effective unless executed in writing by Piedmont and County.

   b. Entire Agreement. This Amendment constitutes the entire agreement between the parties with respect to the subject matter hereof and supersedes, in pertinent part, the Agreement, and all other oral or written communications or representations between Piedmont and County prior to the date of this Amendment regarding the subject matter hereof.

   c. Headings. The paragraph headings of this Amendment are for reference only and shall not be considered in the interpretation of this Amendment.

   d. Joint Preparation. This Amendment shall be considered for all purposes as prepared through the joint efforts of the parties and shall not be construed against one party or the other as a result of the preparation, submittal, drafting, or execution hereof.

   e. Counterparts. This Amendment may be executed in counterparts (and by different Parties hereto in different counterparts), each of which shall constitute an original, but all of which when taken together shall constitute a single contract.

IN WITNESS WHEREOF, the Parties hereto have caused this Amendment to be executed by an authorized officer, official, or agent, all as of the date first above written.

PIEDMONT NATURAL GAS COMPANY, INC.

_____

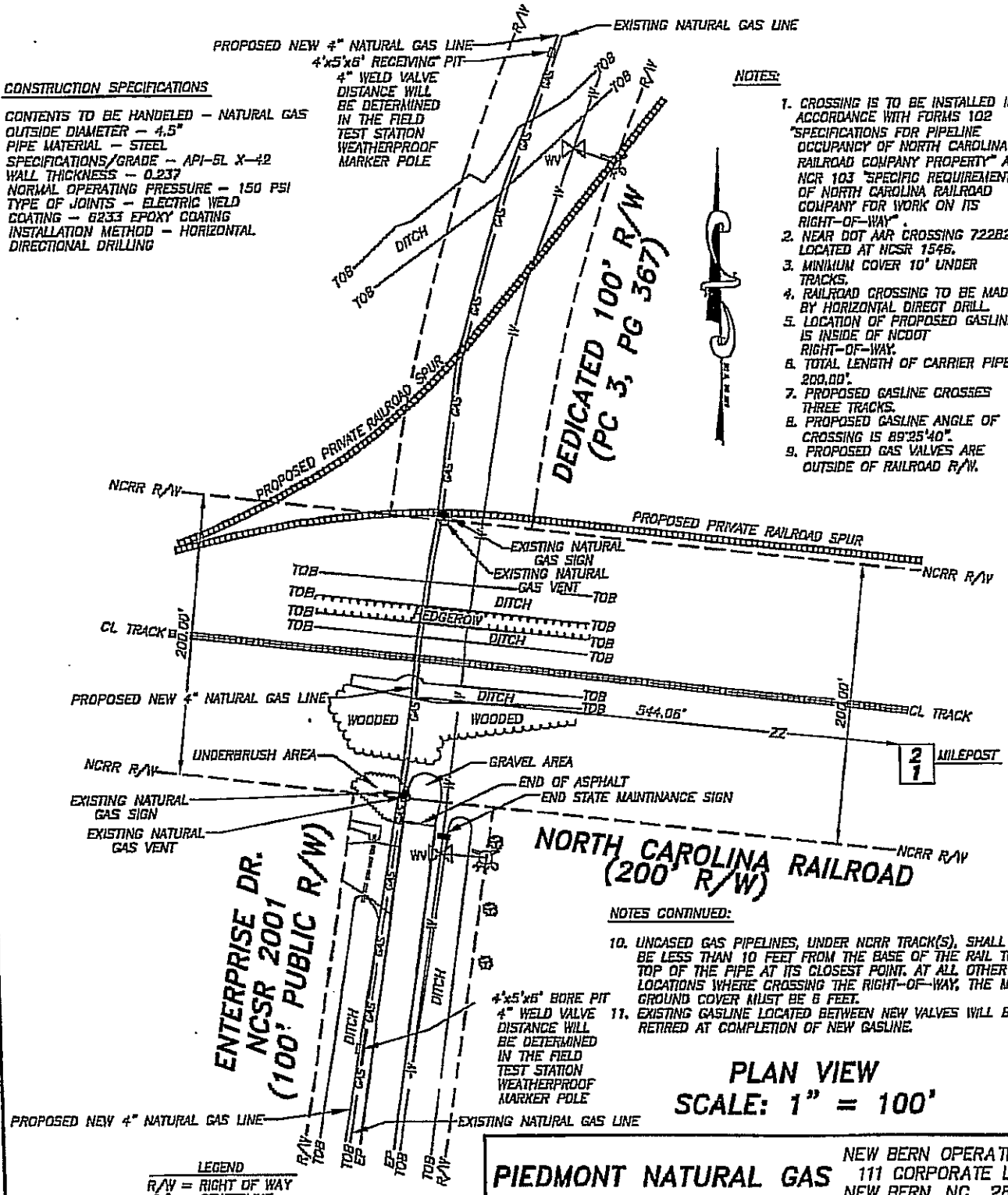
Title: _____

COUNTY OF LENOIR

_____

Title: _____

EXHIBIT A



CONSTRUCTION SPECIFICATIONS

CONTENTS TO BE HANDELED – NATURAL GAS
OUTSIDE DIAMETER – 4.5"
PIPE MATERIAL – STEEL
SPECIFICATIONS/GRADE – API-5L X-42
WALL THICKNESS – 0.237
NORMAL OPERATING PRESSURE – 150 PSI
TYPE OF JOINTS – ELECTRIC WELD
COATING – 6233 EPOXY COATING
INSTALLATION METHOD – HORIZONTAL DIRECTIONAL DRILLING

NOTES:

1. CROSSING IS TO BE INSTALLED IN ACCORDANCE WITH FORMS 102 "SPECIFICATIONS FOR PIPELINE OCCUPANCY OF NORTH CAROLINA RAILROAD COMPANY PROPERTY" AND NCR 103 "SPECIFIC REQUIREMENTS OF NORTH CAROLINA RAILROAD COMPANY FOR WORK ON ITS RIGHT-OF-WAY".
2. NEAR DOT AAR CROSSING 722824U LOCATED AT NCSR 1546.
3. MINIMUM COVER 10' UNDER TRACKS.
4. RAILROAD CROSSING TO BE MADE BY HORIZONTAL DIRECT DRILL.
5. LOCATION OF PROPOSED GASLINE IS INSIDE OF NCDOT RIGHT-OF-WAY.
6. TOTAL LENGTH OF CARRIER PIPE IS 200.00'.
7. PROPOSED GASLINE CROSSES THREE TRACKS.
8. PROPOSED GASLINE ANGLE OF CROSSING IS 89°25'40".
9. PROPOSED GAS VALVES ARE OUTSIDE OF RAILROAD R/W.

NOTES CONTINUED:

10. UNCASED GAS PIPELINES, UNDER NCRR TRACK(S), SHALL NOT BE LESS THAN 10 FEET FROM THE BASE OF THE RAIL TO THE TOP OF THE PIPE AT ITS CLOSEST POINT. AT ALL OTHER LOCATIONS WHERE CROSSING THE RIGHT-OF-WAY, THE MINIMUM GROUND COVER MUST BE 6 FEET.
11. EXISTING GASLINE LOCATED BETWEEN NEW VALVES WILL BE RETIRED AT COMPLETION OF NEW GASLINE.

PLAN VIEW
SCALE: 1" = 100'

PIEDMONT NATURAL GAS	NEW BERN OPERATIONS 111 CORPORATE LN. NEW BERN, NC 28562

PROPOSED RAILROAD CROSSING
NORTH CAROLINA RAILROAD / NORFOLK SOUTHERN
KINSTON, LENOIR COUNTY, NC

ENTERPRISE DR. – NCSR 2001

FALLING CREEK TOWNSHIP	MARCH 23, 2010	SCALE: 1" = 100'
DRAWING NUMBER 20100016	DRAWN BY: I. MONROE	SHEET NUMBER 1 OF 2

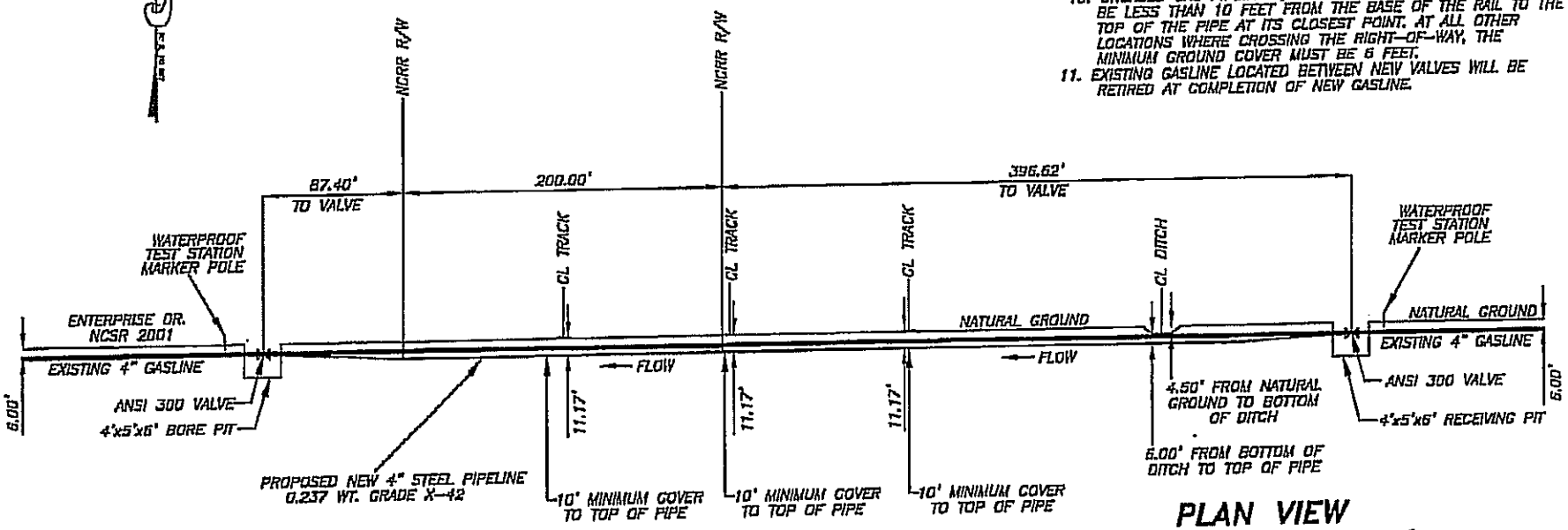
EXHIBIT A

CONSTRUCTION SPECIFICATIONS

CONTENTS TO BE HANDELED	– NATURAL GAS
OUTSIDE DIAMETER	– 4.5"
PIPE MATERIAL	– STEEL
SPECIFICATIONS/GRADE	– API–5L X–42
WALL THICKNESS	– 0.237
NORMAL OPERATING PRESSURE	– 150 PSI
TYPE OF JOINTS	– ELECTRIC WELD
COATING	– 6233 EPOXY COATING
INSTALLATION METHOD	– HORIZONTAL DIRECTIONAL DRILLING

NOTES:

1. CROSSING IS TO BE INSTALLED IN ACCORDANCE WITH FORMS 102 "SPECIFICATIONS FOR PIPELINE OCCUPANCY OF NORTH CAROLINA RAILROAD COMPANY PROPERTY" AND NCR 103 "SPECIFIC REQUIREMENTS OF NORTH CAROLINA RAILROAD COMPANY FOR WORK ON ITS RIGHT–OF–WAY".
2. NEAR DOT AAR CROSSING 722824U LOCATED AT NCSR 1546.
3. MINIMUM COVER 10' UNDER TRACKS.
4. RAILROAD CROSSING TO BE MADE BY HORIZONTAL DIRECT DRILL.
5. LOCATION OF PROPOSED GASLINE IS INSIDE OF NCDOT RIGHT–OF–WAY.
6. TOTAL LENGTH OF CARRIER PIPE IS 200.00'.
7. PROPOSED GASLINE CROSSES THREE TRACKS.
8. PROPOSED GASLINE ANGLE OF CROSSING IS 89°25'40".
9. PROPOSED GAS VALVES ARE OUTSIDE OF RAILROAD R/W.
10. UNCASED GAS PIPELINES, UNDER NCRR TRACK(S), SHALL NOT BE LESS THAN 10 FEET FROM THE BASE OF THE RAIL TO THE TOP OF THE PIPE AT ITS CLOSEST POINT. AT ALL OTHER LOCATIONS WHERE CROSSING THE RIGHT–OF–WAY, THE MINIMUM GROUND COVER MUST BE 6 FEET.
11. EXISTING GASLINE LOCATED BETWEEN NEW VALVES WILL BE RETIRED AT COMPLETION OF NEW GASLINE.



PLAN VIEW
SCALE: 1" = 100'

LEGEND

R/W = RIGHT OF WAY
C/L = CENTERLINE
EP = EDGE OF PAVEMENT
TOB = TOP OF BANK
EG = EDGE OF GRAVEL
RR = RAILROAD
NCRR R/W = NC RAILROAD RIGHT–OF–WAY
CL TRACK = CENTERLINE OF RAILROAD TRACK
ZZ = NOT TO SCALE
= FIRE HYDRANT

100' 50' 0 100'

PIEDMONT NATURAL GAS	NEW BERN OPERATIONS 111 CORPORATE LN. NEW BERN, NC 28562	
PROPOSED RAILROAD CROSSING NORTH CAROLINA RAILROAD / NORFOLK SOUTHERN KINSTON, LENOIR COUNTY, NC		
ENTERPRISE DR. – NCSR 2001		
FALLING CREEK TOWNSHIP	MARCH 23, 2010	SCALE: 1" = 100'
DRAWING NUMBER 20100016	DRAWN BY: I. MONROE	SHEET NUMBER 1 OF 2

INTRODUCED BY: Michael Jarman, County Manager **DATE:** 08/16/10 **ITEM NO.** 17

Resolution Approving Citizens to Boards, Commissions, Etc.

SUBJECT AREA: Boards and Commissions

ACTION REQUESTED:

Officially and publicly appoint various applicants to various vacancies on boards, commissions, task forces, etc.

HISTORY / BACKGROUND:

The County Manager/County Clerk advertises vacancies on boards, commissions, committees, task forces, etc. The County Manager/County Clerk serves only clearinghouse functions with respect to the appointment process; no influence is exerted in this role. Commissioners are welcome to recruit applicants, or citizens may apply on their own free will.

EVALUATION:

The following Boards currently have existing vacancies/expiring terms. No applications at this time.

BOARD/COMMITTEE/COMMISSION	APPLICANT/ CURRENT MEMBER	TERM EXPIRATION
Criminal Justice Partnership Program (CJPP) 2nd Appearance	Dianne Stadiem	May 2012

CURRENT VACANCIES:

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

MANAGER'S RECOMMENDATION:

_____
Initials

RESOLUTION: NOW THEREFORE BE IT RESOLVED by the Lenoir County Board of Commissioners that the following appointments are made:

BOARD/COMMITTEE/COMMISSION	**APPLICANT/ CURRENT MEMBER**	**TERM EXPIRATION**
Criminal Justice Partnership Program (CJPP) 2nd Appearance	Dianne Stadiem	May 2012

AMENDMENTS:

MOVED _____ SECOND _____

APPROVED _____ DENIED _____ UNANIMOUS _____

YEA VOTES: Brown _____ Davis _____ Graham _____ Humphrey _____

Pharo _____ Stroud _____ Sutton _____

_____ 08/16/10
George W. Graham Jr., Chairman Date

_____ 08/16/10
ATTEST Date

APPLICATION FOR APPOINTMENT
to
LENOIR COUNTY ADVISORY BOARDS AND COMMISSIONS

The Lenoir County Board of Commissioners believes that all citizens should have the opportunity to participate in governmental decisions. One way of participating is by serving as a citizen member of one of the County's advisory boards. If you want to be considered for appointment to an advisory board, please complete the Application below and mail it to the Lenoir County Clerk to the Board, P.O. Box 3289, Kinston, NC 28502, or fax to (252) 559-6454.

Advisory Board/Committee/Commission interested in:

Day Reporting Center CJPP

(I understand that this application will be kept on the active file for two years only, and I, hereby, authorize Lenoir County to verify all information included in this application.)

* * * * * * *

Name: Dianne R. Stadiem
Address: 1109 Margaret Lane
City/State/Zip: Kinston, NC 28501
Telephone: (Home) 252-522-4591 (Work) 252-527-1166 cell 252-521-4931
Occupation: Assistant Office Manager
Business Address: H. Stadiem Inc., 124 North Queen St., Kinston, NC 28501
Age: (Optional): 61
Number hours available per month for this position:
Training:
Business and Civic Experience/Skills: GED teacher at LCC; Rider Florist Inc.; H. Stadiem Inc.; Tree Commission; Chamber of Commerce; American Legion Auxiliary
Other County Boards/Committees/Commissions presently serving on: None

Expiration date of Term:

Circle your voting precinct

K-1 (Carver Courts Recreation Center)
K-2 (Old Plummer Daniel's Building)
K-3 (Fairfield Recreation Center)
K-4 (Northwest Elementary School)
K-5 (Spillman Baptist Church)
K-6 (Teachers Memorial School)
K-7 (Emma Webb Recreation Center)
K-8 (Holloway Recreation Center)
K-9 (Kinston Number 4 Fire Station)
Contentnea (Contentnea Ruitan Building)
Falling Creek (Banks Elementary School Gym)
Institute (Institute Methodist Church)
Moseley Hall (Frink Middle School Gym)
Neuse (Agricultural Center)
Pink Hill 1 (Bethel Baptist Church)
Pink Hill 2 (Pink Hill Rescue Station)
Sand Hill (Sand Hill VF Department)
Southwest (Southwest VF Department)
Trent 1 (Deep Run VF Department)
Trent 2 (Moss Hill Ruitan Building)
Vance (GTP Ed & Training CTR.)
Woodington (Woodington Middle School)

CERTIFICATION

I certify that I have read and understand the 75% attendance requirement established in the Lenoir County Board Appointment Policy. I further certify, that I am aware, if my attendance drops below the 75% attendance requirements that I will be automatically removed from said Board appointment.

Dianne R. Stadiem
Signature of Applicant

May 27, 2010
Date

LENOIR COUNTY DSS

Hispanic Population

As of August 2, 2010

Division	# of Hispanics Served	# of Illegal Immigrants Served
Adult & Family Services	75	0
Child Support Non-Custodial Parents-65 Custodial Parents-106 Children-90	261	Unknown*
Child Welfare	14	5**
Food & Nutrition Services	447	0
Medicaid Hispanics-459 Mexican Americans-282 Biracial-195	936	0
TOTAL	1,733	5

*Child Support does not have any reports that states if any of the Hispanics served are illegal.

**Parents/stepparents of children served.

Lenoir County, North Carolina

People QuickFacts	Lenoir County	North Carolina
Population, 2009 estimate	56,387	9,380,884
Population, percent change, April 1, 2000 to July 1, 2009	-5.4%	16.6%
Population estimates base (April 1) 2000	59,620	8,046,406
Persons under 5 years old, percent, 2008	6.8%	7.1%
Persons under 18 years old, percent, 2008	24.1%	24.3%
Persons 65 years old and over, percent, 2008	16.5%	12.4%
Female persons, percent, 2008	52.7%	51.0%
White persons, percent, 2008 (a)	57.7%	73.9%
Black persons, percent, 2008 (a)	40.9%	21.6%
American Indian and Alaska Native persons, percent, 2008 (a)	0.3%	1.3%
Asian persons, percent, 2008 (a)	0.4%	1.9%
Native Hawaiian and Other Pacific Islander, percent, 2008 (a)	0.1%	0.1%
Persons reporting two or more races, percent, 2008	0.6%	1.2%
Persons of Hispanic or Latino origin, percent, 2008 (b)	4.8%	7.4%
White persons not Hispanic, percent, 2008	53.3%	67.2%
Living in same house in 1995 and 2000, pct 5 yrs old & over	58.8%	53.0%
Foreign born persons, percent, 2000	2.7%	5.3%
Language other than English spoken at home, pct age 5+, 2000	5.3%	8.0%
High school graduates, percent of persons age 25+, 2000	71.9%	78.1%
Bachelor's degree or higher, pct of persons age 25+, 2000	13.3%	22.5%
Persons with a disability, age 5+, 2000	13,923	1,540,365
Mean travel time to work (minutes), workers age 16+, 2000	23.8	24.0
Housing units, 2008	27,950	4,201,378
Homeownership rate, 2000	67.0%	69.4%
Housing units in multi-unit structures, percent, 2000	13.3%	16.1%
Median value of owner-occupied housing units, 2000	$82,600	$108,300
Households, 2000	23,862	3,132,013
Persons per household, 2000	2.43	2.49
Median household income, 2008	$32,457	$46,574
Per capita money income, 1999	$16,744	$20,307
Persons below poverty level, percent, 2008	23.5%	14.6%