

**MINUTES
LENOIR COUNTY BOARD OF COMMISSIONERS
August 17, 2009**

The Lenoir County Board of Commissioners met in open session at 4:00 p.m. on Monday, August 17, 2009 in the Board of Commissioners Main Meeting Room in the Lenoir County Courthouse at 130 S. Queen St., Kinston, NC.

Members present: Chairman George Graham, Vice-Chairman Claude Stroud and Commissioners, Jackie Brown, Reuben Davis, Chris Humphrey, Tommy Pharo and Linda Rouse Sutton.

Members absent: None

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

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

PUBLIC INFORMATION:

None Scheduled.

ITEMS FROM CHAIRMAN/COMMISSIONERS

Item No. 1 was Items from the Chairman and Members of the Board. Mr. Pharo asked Mr. Joey Bryan, MIS Director, if Federal grant funding would be available to offer high-speed Internet access in the Institute area of the County. Mr. Bryan stated funds would be available soon; no specific date is available. Ms. Sutton stated that Dobbs School was approved for an additional year of State Funding; she thanked everyone for their support in the efforts to keep Dobbs School open. Mr. Stroud stated he would like the commissioner's to be able to tour some of the manufacturing facilities in Lenoir County to obtain more knowledge about what they do. Mr. Jarman stated he would set a potential date.

ITEMS FROM THE COUNTY MANAGER

Item No. 2 was Items from the County Manager. Mr. Jarman stated he needs further guidance from the Board on how to proceed with the smoking issue at the courthouse. Mr. Jarman stated prices for smoking huts vary based on the materials used to make them. A metal standing hut costs \$8,000 and a wood based structure costs at least \$4,000. There are no designated smoking areas at other facilities within the county for employees or the public. Mr. Jarman stated he advises that no smoking be prohibited at least within 50 ft. of the courthouse with no structures erected. Mr. Graham stated his main concern is to ensure that all facilities and people are treated the same. All Board members agreed that smoking at the entrances of the courthouse has become a problem. Upon a motion by Ms. Sutton and a second by Ms. Brown the Board unanimously approved to prohibit smoking within 50 ft. of the Lenoir County Courthouse. Mr. Jarman stated the meeting regarding the potential Lenoir County jail design went well and more information will be presented to the Board at a later date. Mr. Jarman stated now is a good time to bid the project due to the lower cost of construction. Mr. Jarman asked each Board member to travel through the industrial park and Spirit AeroSystem facilities to view the major construction on going.

CONSENT AGENDA

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

3. Approval of Minutes: Regular Board Meeting: August 3, 2009
Closed Session Meeting: August 3, 2009 Aytch/Jarman
4. Resolution Approving the Releases and Refunds to the Individuals Listed Herein Parrish/Martin
5. Budget Ordinance Amendment: General Fund: DSS: \$630.45: Decrease Jones/Martin
6. Budget Ordinance Amendment: General Fund: DSS: \$73.13: Increase Jones/Martin
7. Budget Ordinance Amendment: Finance/Sheriff's Department: \$699: Increase Jarman/Martin
8. Budget Ordinance Amendment: Capital Improvements Fund: Community
Development: \$9,587: Increase Jarman/Martin

BUDGET ORDINANCE AMENDMENTS/RESOLUTIONS

Item No. 9 was a Budget Ordinance Amendment: General Fund: DSS: \$21,220 Decrease. Mr. Jack Jones, Director of Social Services addressed the Board. Mr. Jones stated the amendment is a line item adjustment to reflect decreases in allocations received. Upon a motion by Ms. Sutton and a second by Ms. Brown, Item No. 9 was unanimously approved.

Item No. 10 was a Budget Ordinance Amendment: Trust Agency Fund: Extension – Family Caregiver: \$63,562: Decrease. Ms. Tammy Kelly, Cooperative Extension Director, addressed the Board. Ms. Kelly stated the amendment is a decrease in FY 09-10 Extension-Family Caregiver budget by \$63,562 per request by the Lenoir/Greene Partnership for Children due to the cut in the State Budget. The Partnership only appropriated 60% of the \$135,126 budget at this time. Upon a motion by Mr. Stroud and a second by Ms. Brown, Item No. 10 was unanimously approved.

Item No. 11 was a Budget Ordinance Amendment: General Fund: Finance/Board of Elections: \$27,664: Decrease. Ms. Martin stated the amendment is to decrease the expenditure amount for contracted services for the Board of Election. Per House Bill 2436 S/L 2008-107, Section 25.1 (b). The State will be paying for hardware maintenance and software licensing fees associated with the voting machines for FY 09-10. Based on the information provided by the State, the County will reduce its contracted services and the amount of Fund Balance required by \$27,664. Upon a motion by Ms. Sutton and a second by Ms. Brown, Item No. 11 was unanimously approved.

Item No. 12 was a Budget Ordinance Amendment: General Fund: Finance/Sheriff Dept.: \$11,582: Increase. Mr. Hollowell stated the budget amendment was to roll forward unexpended funds from the State Criminal Alien Assistance Program (SCAAP) from prior fiscal years in the amount of \$11,581.65. The funds are received from the U.S. Dept. 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. Upon a motion by Ms. Sutton and a second by Ms. Brown, Item No. 12 was unanimously approved.

Item No. 13 was a Budget Ordinance Amendment: Capital Improvements Fund: Economic Development: \$25,000: Increase. Mr. Hollowell stated the amendment is to budget funds received from the State of North Carolina One NC Fund to be paid to Spatial Integrated Systems, Inc. as per the grant awarded to Lenoir County July 26, 2006. The total grant is \$100,000, as per the grant agreement with 25% of the total to be paid to SIS based on performance goals attained by the company. Upon a motion by Mr. Pharo and a second by Ms. Brown, Item No. 13 was unanimously approved.

Item No. 14 was a Budget Ordinance Amendment: General Fund: Finance/Sheriff: \$85,037.03: Increase. Mr. Hollowell stated the amendment brings forward-unexpended Sheriff's Civil Process Service fees from prior years. The law regarding fees for civil papers served by the Sheriff's Department changed in September 2004. 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. This process will have to be done each year to bring forward the unexpended funds into the new fiscal year. Upon a motion by Mr. Pharo and a second by Ms. Brown, Item No. 14 was unanimously approved.

Item No. 15 was a Resolution Approving the Acceptance of a Proposal for Advertisement by the Lenoir County Health Department WIC Program on the Lenoir County Transit Vehicles and the Execution of a Contract for the Second Six (6) Month Period. Ms. Sue Powell, Transit Director, addressed the Board. Ms. Powell stated the Lenoir County Health Department WIC Program has received funding for advertising. After approving the first six (6) months, the Health Department has decided to continue with the same advertisement that was approved at the August 3, 2009 Board of Commissioners Meeting. Attached is a sample proof of the advertisement that will be placed on the LCT vans for the Health Department for the Board's evaluation. Based on a \$125/month advertisement charge by LCT, the following revenues are anticipated for the second six-month advertisement period. $125/\text{mo.} \times 1 \text{ advertisement on } 1 \text{ vehicle} \times 6 \text{ mos. (no cost for installation of advertisement sign because Health Department is using sign approved August 3, 2009)} = \750 . Upon a motion by Ms. Brown and a second by Mr. Stroud, Item No. 15 was unanimously approved.

Item No. 16 was a Resolution to Approve a Contract for Non-Emergency Transportation Services Provided by Lenoir County Transit between County of Lenoir and Pitt County Memorial Hospital. Ms. Powell stated Lenoir County Transit (LCT) is requesting the Board's approval to allow the County Manager to execute a Contract for Non-Emergency Transportation Services provided by LCT between the County of Lenoir and Pitt County Memorial Hospital on a scheduled basis providing Pitt County Memorial Hospital abides by the contract as written. Services provided to Pitt County for Medical Appointments currently are only provided Monday – Friday (2) times a day for morning and afternoon appointments. LCT will continue to provide transportation through the Human Service Agencies and should a passenger need transportation that can not be funded by any Human Service Agency or for any reason can not be funded by Pitt County Memorial Hospital, the passenger will be allowed to purchase (2) Rural General Public (RGP) Tickets @ \$3.00 each totaling \$6.00 one-way for Medical Appointments only and only if LCT has scheduled appointments in Pitt County. Upon a motion by Ms. Sutton and a second by Ms. Brown, Item No. 16 was unanimously approved.

Item No. 17 was a Resolution Approving County Participation in National Association of Counties (NACO) Prescription Drug Discount Card Program. Mr. Hollowell stated The National Association of Counties (NACO) has recognized an opportunity to help member counties offer a prescription discount card program to help uninsured and underinsured county residents save money on their prescriptions. NACO has contracted with Caremark to provide a prescription discount card for member counties to offer to their uninsured and underinsured residents. The NACO Prescription Discount Card provides the following benefits to program participants: (1) Average savings of 20%; (2) Extra savings through mail service; (3) No enrollment fees or income requirements; (4) Family coverage with just one card; (5) Over 57,000 participating pharmacies nationally; (6) Most commonly prescribed medicine is covered; (7) Unlimited use; (8) Web access to Caremark to learn more on health topics, list of participating pharmacies, drug interactions, and news articles from leading health journals. The NACO Prescription Discount Card offers the following benefits for member counties offering the program: (1) No enrollment fees; (2) No eligibility transmission required; (3) Marketing Kit which includes pre-approved news releases, promotional posters, newsletters, and card graphics; (4) Customer care support provided by Caremark; (5) Web site support; (6) Program ID cards branded with county seal at no cost to the county. The discount cards are free to county residents living in participating NACO member counties. November 1, 2009 is the target start date for the program in Lenoir County. Mr. Humphrey asked if a pharmacist had reviewed the program. Mr. Hollowell responded no; the discount program is available nationally at over 57,000 participating pharmacies. The Board was in consensus with offering the plan to all county residents. Upon a motion by Ms. Brown and a second by Ms. Sutton, Item No. 17 was unanimously approved.

Item No. 18 was a Resolution Declaring Property as Surplus and Authorizing the Sale of the Surplus Property by Auction. Mr. Hollowell stated in accordance with procedures set forth in G. S. 153A-176, the County Manager's office is requesting the approval of the Board to sell the following vehicles by auction on GovDeals.com within the next 90 days. Proceeds resulting from the sale, less expenses, will be appropriated to the Vehicle Replacement Fund.

	<u>Vehicle</u>	<u>Serial Numbers</u>
1.	2001 Jeep	1J4FT48S01L563462
2.	2001 Dodge Durango	1B4H528N81F566752

Upon a motion by Ms. Brown and a second by Ms. Sutton, Item No. 18 was unanimously approved.

Item No. 19A was a Resolution Approving Purchase Order for CDS: \$30,915. Mr. Jones stated the Department of Social Services budgeted funds in the 2009-10 budget to purchase 135 copies of Office Small Business 2007 to be installed on all computers in the agency. This upgrade was mandatory for Child Support and is needed throughout the agency to ensure intra-agency communication as well as compatibility with various State management information systems. This purchase order is necessary in order to accomplish the day to day work activities at DSS. Upon a motion by Ms. Brown and a second by Mr. Stroud, Item No. 19A was unanimously approved.

Item No. 19B was a Budget Ordinance Amendment: General Fund: DSS: \$69,105: Increase. Upon a motion by Ms. Brown and a second by Mr. Stroud, Item No. 19B was unanimously approved.

Item No. 20 was a Resolution Approving Battlefield Acquisition Grant: \$38,000: Increase. Ms. Martin stated the Historical Preservation Group Inc. successfully undertook this entire grant application/project in order to purchase 3.08 acres of land on Hwy 258 South in the amount of \$76,000. This land is part of the First Battle of Kinston Battlefield Park and is being purchased to preserve the integrity of the remaining earthworks. A \$38,000 match (50%) was required in order to obtain the NPS funding. The landowner is donating the remaining \$30,000 in land value and the balance of \$8,000 is being donated by the Kinston/Lenoir County Tourism Authority. Lenoir County will serve as the conduit or "pass through" for these funds. The County will receive and disburse the funds in accordance with Federal Grant requirements. Except for the administrative time involved, the County should not have any "out of pocket" costs on this project. The County manager has met with members of the Historical Preservation Group, Inc. and they will administer the grant, which is set to conclude on May 31, 2010. Ms. Jane Phillips of the Historical Preservation Group thanked the Board for the opportunity to apply for the grant. Ms. Phillips stated the battlefield site will be a welcomed attraction to Kinston-Lenoir County. Upon a motion by Ms. Sutton and a second by Ms. Brown, Item No. 20 was unanimously approved.

Item No. 21A was a Resolution Approving the Purchase Order with Royal Coat: \$3,700. Major Chris Hill of the Lenoir County Sheriff's Department addressed the Board. Mr. Hill stated the main jail (basement) consists of five cellblocks, which have cement floors. Over the years the cement floors have been repeatedly painted with epoxy paint. Because of the high foot traffic on these floors, the epoxy paint lasts approximately 6-8 months before they began to show considerable wear. The epoxy paint has worn away leaving the floors uncovered and having an unsightly appearance. In an effort to discover alternatives to past painting practices for the jail floors a jail construction expert was consulted and provided the Sheriff's Office with an alternative. The Franklin County Sheriff's Office jail was contacted about a new flooring system they had installed one-year prior. The method utilizes a xylem-based product to cover the floors. According to the representatives of the Franklin County jail, the floors of the jail were finished as well as other high traffic areas within the courthouse and show no wear. Royal Coat of New Bern provided an estimate of \$3700 to finish and paint cellblock (E) in the lower jail. The quote includes diamond grinding the floors, applying a penetrating coating and two coats of an acrylic paint with a flake appearance. According to Royal Coat, the coating should last 12-15 years. Royal Coat treated and painted the floors in two cellblocks in 2007, and two in 2009. The floors still look exceptional and show little to no wear. The painting of the floor in (E) cellblock is the conclusion of the flooring work for the cellblocks in the lower jail. Upon a motion by Mr. Stroud and a second by Ms. Brown, Item No. 21A was unanimously approved.

Item No. 21B was a Resolution Approving the Purchase Order with Creech's Painting Inc.: \$3,750. Mr. Hill stated cellblock (E) in the Lenoir County Jail would be converted from a sliding door locking system to a swinging door locking system. The cellblock is in dire need of new paint. The Board of Commissioners approved the allocation of funds for the paint project in the Jail's 2009-2010 fiscal budget. This represents phase III of the jail door replacement project. Creech's Painting striped and painted the two cellblocks during phase I of the jail door conversion project in 2007 and painted two others in 2009 in phase II. The updated quote covers sanding, cleaning, and painting the bars, tables, walls, and metal beds in (E) cellblock. Creech's Painting provided an estimate of \$3750 to paint this final cellblock. This concludes the painting of cellblocks within the lower jail. Upon a motion by Mr. Stroud and a second by Ms. Brown, Item No. 21A was unanimously approved.

Item No. 21C was a Resolution Approving Contract with Grayco Detention Equipment for Jail Door/Lock Replacement: \$33,633.44. The current doors slide in a track on rollers and are powered by electric motors. It is routinely reported that jailed inmates have escaped from their jail cells by sabotaging the locking mechanisms. In addition the detention staff is constantly reporting mechanical issues with the jail doors, which necessitates repairs that are expensive. The swinging door system requires little maintenance, is simplistic in its design, and is much less costly. Grayco has converted the jail doors in four cellblocks over the past two years. The conversion of jail doors for cellblock (E) is the conclusion of the jail door conversion project. The quote by Grayco to convert eight cell doors in cellblock (E) is \$33,633.44. The proposal was incorporated into the Jail's 2009-2010 budget. Upon a motion by Mr. Stroud and a second by Ms. Brown, Item No. 21A was unanimously approved.

APPOINTMENTS

Item No. 22 was a Resolution Appointing Citizens to Boards, Commissions, Etc. The following reflects existing vacancies and appointments.

<u>BOARD/COMMITTEE/COMMISSION</u>	<u>APPLICANT/ CURRENT MEMBER</u>	<u>TERM EXPIRATION</u>
Jury Commission 2 nd Appearance	Annie Parrish (Re-Appointment)	July 2011 M: Brown S: Pharo

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), 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

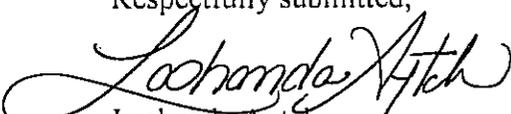
CLOSED SESSION

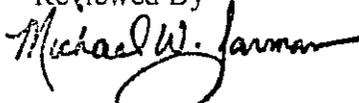
Upon a motion by Ms. Brown and a second by Ms. Sutton, and unanimous approval, closed session was entered at approximately 5:02 p.m. and the following cited: Number four (4) to discuss matters relating to the location or expansion of industries or other businesses in the area served by Lenoir County. Mr. Mark Pope, Economic Development Director addressed the Board regarding an economic development issue. The Board took no action during closed session. Upon a motion by Ms. Brown and a second by Mr. Stroud, the Board moved out of closed session at 5:32 p.m.

OPEN SESSION AND ADJOURNMENT

Upon a motion by Ms. Brown and a second by Mr. Stroud Open Session re-convened at 5:32 p.m. Mr. Pope discussed economic development issues with the Board; no action was taken. The Board adjourned at 5:33 p.m.

Respectfully submitted,


Lashanda Aytch
Clerk to the Board

Reviewed By

Michael W. Jarman
County Manager