

MINUTES
LENOIR COUNTY BOARD OF COMMISSIONERS
September 8, 2009

The Lenoir County Board of Commissioners met in open session at 9:00 a.m. on Monday, September 8, 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, and Tommy Pharo.

Members absent: Linda Rouse Sutton

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 9:00 a.m. Ms. Brown offered the invocation and Mr. Graham led the audience in the pledge of allegiance.

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

PUBLIC INFORMATION:

Mr. Bill Whitaker, Post Commander of AM VETS Post 1111, addressed the Board. Mr. Whitaker invited the Board to attend the September 11, 2001 memorial services on Friday, September 11, 2009. Mr. Whitaker stated the purpose of the services are not just to remember the innocent, non-combatant victims, but also to honor the heroic actions of those who placed their own lives in jeopardy attempting to assist the many thousands of citizens who were in danger. The efforts of the firefighters, city police officers, port authority officers, and EMS personnel, dramatically minimized the loss of life on that day and their heroism needs to be remembered and honored by all Americans. The services will be as followed: At 8:35 a.m. there will be a brief service at the Lenoir County Courthouse to lower the flag to half-mast and observe a moment of silence at 8:46 a.m., the time the first plane hit the first building, culminating at approximately 8:50 a.m. Friday evening at 7:00 p.m. there will be another service held at Pearson Park. This service will include guest speakers and a slide show of recently declassified photos of Ground Zero on September 11, 2001. The keynote speaker will be a former NY State police officer and dog trainer who had the two youngest search and rescue dogs at Ground Zero. This service will end at approximately 8:30 p.m. Mr. Whitaker asked Board members to notify him as soon as possible if they would like to speak at the ceremonies. The Board thanked Mr. Whitaker for the invitation.

Mr. Joey Huff, Health Director addressed the Board. Mr. Huff stated the Health Department would host its seasonal flu clinic on September 19, 2009 at the vacant Goody's store location in the Vernon Park Mall. H1N1 clinics will be held as well when the vaccine becomes available. H1N1 has to be administered in two doses – the second dose given 21 days apart from the first dose. Pregnant women, children and persons ages 6 months to 24 years of age are the highest targeted group to be vaccinated. Mr. Huff stated he would provide more information as it becomes available. The Board thanked Mr. Huff for the update.

Mr. Edwin C. Jones, President and CEO of the Fannie B. Murrill and Ruth M. Jones Scholarship Foundation addressed the Board. Mr. Jones stated the foundation is gearing up for its upcoming annual scholarship fundraiser. The fundraiser will be held Friday, September 18, 2009 at 7:00 p.m., the Foundation and the Kinston Community Council for the Arts will present the Fall Music Explosion Benefit Concert. The event will be held at Southwood Memorial Church Christian Life Center at 1027 Highway 58. The event will feature all genres of music – pop, country, Rick Vernon and Some Assembly Required will play jazz, blues, and gospel, The Monitors, and vocalist Wilbert Croom will also be performing. Tickets for the event are \$20.00 per ticket, and proceeds will be used to provide five music scholarships in each of the five high schools in Kinston-Lenoir County. Each recipient will receive \$500 for a total distribution of \$2,500. The Board thanked Mr. Jones for the invitation.

ITEMS FROM CHAIRMAN/COMMISSIONERS

Item No. 1 was Items from the Chairman and Members of the Board. No items were discussed.

ITEMS FROM THE COUNTY MANAGER

Item No. 2 was Items from the County Manager. Mr. Jarman asked the Board to recognize the note of thanks from the Pearson Family, thanking the Board for care and concern. The members of the Elks Lodge behind the Tax Department have expressed their interest in selling the Elks building. The lodges’ numbers have dropped and the overhead is too high for them to continue to operate the facility. Two additional members are needed to serve on the US 70 Corridor Commission; a member is also needed to serve on the RPO Transportation Coordinating Committee. The jail population has reached all time highs; over the past weeks the population has been as high as 212-213. Mr. Jarman asked the Board to use caution in supporting/opposing the Merchant Marine issue being discussed by Mr. Don Horton of Camden County. Mr. Jarman stated in contacting Mr. Charlie Smith of the North Carolina Veteran Affairs, it is noted that the state office neither supports nor opposes the issue. The issue is a Federal/State matter and should be handled accordingly. Mr. Griffin stated this is yet another issue that is not an issue to be discussed by local government. By common consent the Board tabled the matter indefinitely.

CONSENT AGENDA

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

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| 3. | Approval of Minutes: Regular Board Meeting: August 17, 2009
Closed Session Meeting: August 17, 2009 | Aytch/Jarman |
| 4. | Resolution Approving the Releases and Refunds to the Individuals Listed Herein | Parrish/Martin |
| 5. | Budget Ordinance Amendment: General Fund: COOP Ext.-Prevention Block
Grant: \$1,593: Decrease | Kelly/Martin |
| 6. | Budget Ordinance Amendment: General Fund: COOP Ext.-Safe and Drug Free
Schools : \$7,803.20: Decrease | Kelly/Martin |
| 7. | Budget Ordinance Amendment: General Fund: DSS: \$200: Increase | Jones/Martin |
| 8. | Budget Ordinance Amendment: General Fund: DSS: \$600: Increase | Jones/Martin |

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| 9. | Budget Ordinance Amendment: Solid Waste Fund: Finance/Landfill: \$363: Increase | Jarman/Martin |
| 10. | Budget Ordinance Amendment: Finance/Sheriff's Department: \$462: Increase | Jarman/Martin |
| 11. | Budget Ordinance Amendment: General Fund: Health (Environmental Health Program): \$507: Increase | Huff/Martin |
| 12. | Budget Ordinance Amendment: Sheriff's Department: \$5,396: Increase | Smith/Jarman |

PUBLIC HEARING/RESOLUTIONS

Item No. 13 was a Public Hearing regarding the 2006 NC Community Development Block Grant (CDBG) Program – Concentrated Needs Category. Upon a motion by Mr. Davis and a second by Ms. Brown the public hearing opened at 9:41 a.m. Mr. David Harris of RSM Harris Associates addressed the Board. Mr. Harris stated the County received \$700,000 in CDBG grant assistance (representing 95% of project costs) to undertake various community revitalization activities in the Willie White Road Project Area. No comments were made by the public, upon a motion by Mr. Graham and a second by Ms. Brown, the public hearing closed at 9:43 a.m.

Item No. 14 was a Public Hearing regarding the 2009 NC Community Development Block Grant (CDBG) Program – Community Revitalization Category. Upon a motion by Ms. Brown and a second by Mr. Graham the public hearing opened at 9:44 a.m. Mr. Harris stated the County intends to apply for approximately \$850,000 in CDBG grant assistance under the Community Revitalization Category to be used for the following proposed activities; housing acquisition, clearance, relocation and rehabilitation assistance, street and drainage improvements and water and sewer improvements. The activities will be undertaken in the Spring Drive area near the Town of LaGrange, NC. The application will be submitted to the North Carolina Division of Community Assistance on or before September 30, 2009. Mr. Graham asked if the Mitchell Town area would be acceptable for such a CDBG project. Mr. Harris stated sewer systems have to be needed in order to be considered for such a program. Mr. Humphrey asked if the residents have been asked to be annexed into the Town of LaGrange. Mr. Harris responded that annexation has not been an issue for the residents. No comments were made by the public, upon a motion by Mr. Graham and a second by Ms. Brown, the public hearing closed at 9:55 a.m.

Item No. 15 was a Resolution of the Board of Commissioners for the County of Lenoir Authorizing the Filing of an Application for Community Development Block Grant Funds. Upon a motion by Mr. Davis and a second by Mr. Pharo, Item No. 15 was unanimously approved.

PROCLAMATIONS/BUDGET ORDINANCE AMENDMENTS/RESOLUTIONS

Item No. 16A was a Proclamation for Sickle Cell Awareness Month: September 2009. Upon a motion by Mr. Graham and a second by Ms. Brown, Item No. 16 was unanimously approved.

Item No. 16B was a Proclamation for Lenoir County's Big Read Month: September 2009. Upon a motion by Mr. Graham and a second by Ms. Brown, Item No. 16B was unanimously approved.

Item No. 17 was a Budget Ordinance Amendment: General Fund: DSS: \$165,094: Increase. The amendment reflects line item adjustments to reflect allocation received. No county match is required. Upon a motion by Ms. Brown and a second by Mr. Davis, Item No. 17 was unanimously approved.

Item No. 18 was a Resolution Requesting the Lenoir County Health Department to Impose Fees for Services Based on Approved Medicaid Rates Effective July 1, 2009-June 30, 2010. Mr. Huff asked that one correction be made regarding the fee for 90676: Pre-Exposure Rabies Vaccine – the new fee is the cost of the vaccine plus administration fee. Upon a motion by Ms. Brown and a second by Mr. Davis, Item No. 18 was unanimously approved.

Item No. 19 was a Resolution Authorizing Lenoir County Health Department to Execute a Purchase Order Contract with Garrison Enterprises, Inc.: \$7,500. Upon a motion by Ms. Brown and a second by Mr. Davis, Item No. 19 was unanimously approved.

Item No. 20A was a Resolution Approving Purchase of an Electro-Mechanical Security Lock: \$3,780. Two different vendors (Grayco and Federal Locking Services) were contacted about purchasing and installing an electric lock designed for use in jails. Federal Locking Services provided the lowest quote of \$3,780. Federal Locking Services has performed other minor lock services to the jail and their services were found to be satisfactory. The funds for this minor project will come from federal asset forfeiture line. These funds are not derived from the general fund. The Sheriff respectfully requests that the Board of Commissioners grant approval to execute a purchase order with Federal Locking Services in the amount of \$3,780. Upon a motion by Mr. Davis and a second by Ms. Brown, Item No. 20A was unanimously approved.

Item No. 20B was a Resolution Approving Purchase of (9) Lenovo Laptop Mobile Data Terminals (MDT): \$8,597.28. Gately Communications Co. has been in business in Lenoir County for the past couple of years. The Sheriff's Office currently purchases its two-way radio from Gately as well as other emergency equipment. Gately installs as well as repairs services for a wide range of emergency equipment. Since assuming the enforcement duties in LaGrange there exists a need to place mobile data terminals in each of the five patrol vehicles that are stationed in the town of LaGrange. In addition, the school resource deputies have indicated a need to be able to complete required reports at the schools. The Sheriff intends to purchase the MDT's from civil process service fees. The Sheriff respectfully recommends that the Board of Commissioners approve the request to purchase (9) Lenovo laptop computers from Gately Communications Company. Upon a motion by Mr. Davis and a second by Ms. Brown, Item No. 20B was unanimously approved.

Item No. 20C was a Resolution Approving Purchase of Field Based Reporting Software: \$9,222. Visionair provides a product that allows officers to perform data entry by utilizing their in-car mobile data terminals (MDT). Instead of the officer having to drive to the Sheriffs Office to enter the data, the officer can manually enter the information using their MDT. Once entered the officer can then wirelessly transmit and upload the data to the RMS server at the Sheriffs Office. Having this option allows the officer to remain in the community while completing their reports. This will provide officers with more time to serve civil and criminal papers and keeps them away from the courthouse where crime is not occurring. The quoted price for the purchase and installation of this software is \$9,222. The Sheriff intends to utilize a combination of civil process and capital outlay funds to pay for the software. Civil process funds are not derived from the general fund. The Town of LaGrange will reimburse the budgeted capital outlay funds. Upon a motion by Mr. Davis and a second by Ms. Brown, Item No. 20B was unanimously approved.

Item No. 21A was a Resolution Authorizing the MIS Director to Purchase Maintenance on the Cisco Ironport Anti-Spam/Anti-Virus Appliance for \$5,925 from Storbase. Lenoir County as well as all of the other counties and cities have been experiencing major spam and viruses via e-mail. The Ironport appliance allows us to control this major threat to our network. We have been using this since 2007. This will allow us to continue on as we have been in the past with our level of service protecting the county's data infrastructure. Upon a motion by Mr. Pharo and a second by Ms. Brown, Item No. 21A was unanimously approved.

Item No. 21B was a Resolution Authorizing the MIS Director to Execute a 3-Year Agreement with Authentium for \$2,800 for Enterprise CAV Multiplatform Virus Software off of State Contract. Over the past 14 years, Lenoir County's desktop PC's and Servers have been protected by Authentium's Virus Software known as Command Com. The MIS Department has had an excellent history with Command Com protecting county desktop units, and the new state contract is at an exceptional price. This resolution will also allow us to manage the changeover with minimal work expended. Upon a motion by Mr. Pharo and a second by Ms. Brown, Item No. 21B was unanimously approved.

Addendum was a Resolution to Approve a Contract for Non-Emergency Transportation Services Provided by Lenoir County Transit between County of Lenoir and East Carolina University Department of Internal Medicine. The contract has been reviewed by the County Attorney for Non-Emergency Transportation Services provided by Lenoir County Transit (LCT) between the County of Lenoir and East Carolina University Department of Internal Medicine and revoke the contract approved August 17, 2009 with Pitt County Memorial Hospital. East Carolina University Department of Internal Medicine will fund the transportation service for the passengers that Lenoir County Transit transports. This will allow Lenoir County Transit to provide transportation for passengers that do not receive assistance from any Human Service Agency. 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 Mr. Pharo and a second by Ms. Brown, the addendum was unanimously approved.

Item No. 22 was a Resolution Awarding Emergency Purchase of D6 Dozer Rails: \$6,211.99. As the Board is aware, since the landfill needs the D6 Dozer for daily cover, it was necessary to purchase a set of rails to continue this operation. The pins and bushings were turned two years ago. The Solid Waste Director sent the rails to Gregory Poole in Washington, NC, to replace the pins and bushings. Gregory Poole's mechanic stated the rails were not in good enough condition to replace the pins and bushings and advised that new rails were necessary. The D6 Dozer is used to push mulch and dirt where needed and to assist the 90 compactor on the MSW Landfill. Road Machinery Equipment company was the lowest responsible bidder. Upon a motion by Mr. Humphrey and a second by Ms. Brown, Item No. 22 was unanimously approved.

Item No. 23 was a Resolution Authorizing Emergency Repair of HVAC System in the Lenoir County Administration Building (Tax Office Building): Ed Phillips, Inc.: \$7,700. The County Maintenance Department contacted Ed Phillips, Inc. to analyze the problem and determine the most cost-effective solution for the County. It was determined that the #1 compressor needed to be replaced immediately to restore air conditioning to the building. Replacement of this compressor and a 55 amp 3-phase breaker would restore this unit to operational standards. County Administration authorized these emergency repairs. Ed Phillips, Inc. was able to by-pass the shorted-out compressor and restore partial cooling to the building. This allowed for the continued use of the building while the necessary replacement parts were ordered and installed. Approval of this resolution will allow the encumbrance of funds and payment to the contractor for the emergency repair. Upon a motion by Mr. Humphrey and a second by Ms. Brown, Item No. 23 was unanimously approved.

Item No. 24 was a Resolution Authorizing Replacement of Damaged Windows in the Courthouse Curtainwall Areas that Connect the Original Courthouse to the Courthouse Annex: Oliver Glass Company: \$7,128. Oliver Glass Company of Kinston, N.C. replaced 25 bronze insulated glass units in the curtainwalls and office areas of the Courthouse in early 2006 at a cost of \$7,178. Their price for replacing 24 additional damaged and failed units today is \$7,128. Oliver Glass Company has performed numerous repair and replacements projects for the County over the years. Oliver Glass Company is well qualified to perform this replacement and will do so in a timely manner at basically the same cost as 3 years ago. Approval of this resolution will allow the encumbrance of funds and the eventual payment upon completion of the work performed. Upon a motion by Mr. Davis and a second by Ms. Brown, Item No. 24 was unanimously approved.

Item No. 25A was a Resolution Authorizing the Purchase of a New Air Conditioning Unit at the Central Avenue Tower Site Location: \$3,528. The Lenoir County Emergency Services Department – Communications Division provides all two-way radio communications to all emergency responders in the County of Lenoir and its municipalities. The radio equipment building located at 272 Central Avenue, Kinston houses the primary conventional repeaters for EMS (155.295, 155.280, and 155.340) and the conventional county fire repeater. This building was purchased as part of the 800MHz-radio system in 1994 and was equipped with a 3-ton air conditioning system. This system has never been replaced and is currently 15 years old. During the past several years problems have been experienced with the air conditioning unit failing, either tripping a breaker or the compressor freezing up, or failing completely. These problems occur primarily in the summer months. Within the last two- (2) years the Communications Division has had the breaker replaced several times and has had a new compressor installed. The unit is still experiencing compressor failure problems and it has been recommended by Ed Phillips, Inc. that, due to its age, this unit be replaced. The purchase of the new air conditioning system for the radio equipment building for the main tower site located at 272 Central Avenue is necessary to ensure that no loss of radio coverage is experienced. Loss of coverage can occur due to extreme heat in the room in the event of an air conditioner malfunction. Upon a motion by Ms. Brown and a second by Mr. Stroud, Item No. 25A was unanimously approved.

Item No. 25B was a Resolution Authorizing the Purchase of Priority Dispatch Emergency Medical Dispatch (EMD), Emergency Fire Dispatch (EFD), and Emergency Police Dispatch (EPD) Dispatching Software and Aqua Quality Management System at a Cost NTE: \$8,404. The additional purchase of the EMD, EFD and EPD software licenses is necessary to assist the Communications Division personnel in the performance of their duties as Emergency Medical Dispatchers, Emergency

Fire Dispatchers and Emergency Police Dispatchers. This product cannot be bid out, due to it being vendor specific. Priority Dispatch is the only authorized dealer for this software package. Upon a motion by Mr. Humphrey and a second by Ms. Brown, Item No. 25B was unanimously approved.

Item No. 25C was a Resolution Authorizing the Purchase of Computer Hardware, Video Cards and Monitors to Complete CAD Upgrade NTE: \$26,310. The Lenoir County Emergency Services Department – Communications Division must maintain an up-to-date computer aided dispatch system. The Communications Division is in the process of upgrading the CAD servers and installing an updated software version from our existing CAD vendor. The Communications Division is also in the process of adding two- (2) additional user workstations to complete the center. As this would require the purchase of additional computers and monitors, the MIS department believes this to be the best time to upgrade the existing equipment as well. The purchase of the seven- (7) computer workstations and monitors would allow for the six- (6) existing workstations, with a spare for expedient replacement. The purchase of the three- (3) additional video cards would allow for the two- (2) additional workstations, with a spare for expedient replacement. The purchase of the computer hardware (work stations), additional video cards, and monitors is necessary for the Communications Division staff to effectively and efficiently perform the required telecommunication duties of the Emergency Services Department. The total cost of these purchases is an allowable expense out of the Special Revenue Fund balance. Upon a motion by Mr. Humphrey and a second by Ms. Brown, Item No. 25C was unanimously approved.

Item No. 26 was a Resolution Authorizing a Purchase Order for Annual Service of the Spitz AP3 Planetarium Projector to Pielock Planetarium Repair: \$3,000. The Board is requested to authorize a purchase order to Pielock Planetarium Repair for \$3,000 for annual service on the planetarium projector. This includes a \$900 bulb replacement, which must be replaced every 600 hours. Upon a motion by Mr. Pharo and a second by Ms. Brown, Item No. 26 was unanimously approved.

Item No. 27 was a Resolution Authorizing a Purchase Order to Moss Hill Recreation Association for Lenoir County's Portion of Renovations to the Concession Stand at Moss Hill Athletic Park: \$6,500. The Moss Hill Association has worked to construct a new concession stand and picnic-area. This facility is 1,000 square feet and is located at the new Moss Hill Park, adjacent to the Moss Hill Elementary School. The association helped to raise money and helped in the construction of the facility. This is the county's portion of the construction costs. Upon a motion by Mr. Pharo and a second by Ms. Brown, Item No. 27 was unanimously approved.

Item No. 28 was a Resolution Authorizing Lenoir County to Commit up to \$500,000 for the Woodmen Community Center at a Location Suitable to all Parties Involved. Mr. Bill Ellis, Director of Parks and Recreation, Mr. Danny Rice, Member of Woodmen of the World, and Mr. Bill McMahan, Chairman of the Parks and Recreation Commission addressed the Board. Mr. Ellis stated the Woodmen Community Center would be 40,000-sq. ft. facility with conference rooms, workout facility and an indoor/outdoor pool. Woodmen will be donating \$5 million towards to construction of the facility. Mr. Ellis stated the Board of Commissioners and City Council are being asked to contribute \$500,000 each towards the construction of the facility. Kinston-Lenoir County will become the hub for Woodmen of the World activities on the state and local level. Mr. Humphrey asked what would be the fee charged to the public. Mr. Ellis stated it would be a pay as you go service with monthly dues of \$30 to \$50 per month; Woodmen Fraternity Members will receive a discount on dues.

Mr. Humphrey stated he is in support of the center, but has a problem with the county helping to fund the project. Mr. Humphrey stated the facility would also be in competition with other healthcare facilities in town. Mr. Graham stated the construction of the center is a quality of life issue. The center is needed in the community and will be very beneficial to all of Kinston-Lenoir County. Mr. Jarman stated the construction of this facility couldn't be viewed as an economic development project. Mr. Jarman reiterated Mr. Graham's statement that this is a quality of life issue for the community. Mr. Jarman noted that other cities/communities have had to raise taxes, issue bonds, etc., in order to provide this type of service/facility to the community. Mr. Pharo asked if this could impact the taxpayers. Mr. Humphrey responded yes. Mr. McMahon stated this would be a missed opportunity if not taken by the Board. The Recreation Commission debated the same points mentioned today, and still agreed that it is a worthwhile opportunity. Mr. Graham stated that Mr. Rice should be commended for lobbying to get the center located in Kinston-Lenoir County. Upon a motion by Mr. Davis and a second by Ms. Brown the Board approved Item No. 28 by a 5 to 1 vote, with Mr. Humphrey dissenting. Upon a motion by Mr. Humphrey and a second by Mr. Graham the Board also approved the concept of the Woodmen Community Center.

APPOINTMENTS

Item No. 29 was a Resolution Appointing Citizens to Boards, Commissions, Etc. The following reflects existing vacancies and appointments. Item was tabled.

<u>BOARD/COMMITTEE/COMMISSION</u>	<u>APPLICANT/ CURRENT MEMBER</u>	<u>TERM EXPIRATION</u>
Juvenile Crime Prevention Council 1 st Appearance	Beth Heath (Re-Appointment) Jill Croom (Appointment)	June 2011

CURRENT VACANCIES

- Lenoir County Economic Development Board – At-Large Member**
- Lenoir County Health Board – (1) Veterinarian, (1) Optometrist, (2) Public Members**
- Lenoir County Planning Board – Districts One (1), 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**

ADJOURNMENT

Upon a motion by Ms. Brown and a second by Mr. Stroud the Board adjourned at 10:35 a.m.

Respectfully submitted,

Reviewed By

Lashanda Aytch
Clerk to the Board

Michael W. Jarman
County Manager