

MINUTES
LENOIR COUNTY BOARD OF COMMISSIONERS
September 19, 2011

Item No. 3

The Lenoir County Board of Commissioners met in open session at 4:00 p.m. on Monday, September 19, 2011 in the Board of Commissioners Main Meeting Room in the Lenoir County Courthouse at 130 S. Queen St., Kinston, NC.

Members present: Chairman George Graham, Vice-Chairman Reuben Davis and Commissioners, Jackie Brown, Mac Daughety, Linda Rouse Sutton, Tommy Pharo, and Eric Rouse
Members Absent: None

Also present were: Michael W. Jarman, County Manager, Tommy Hollowell, Assistant County Manager, Martha Martin, Finance Officer, Robert Griffin, County Attorney, April L. Banks, Interim Clerk to the Board, and members of the general public and news media.

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

PUBLIC INFORMATION

Mr. Wilbur King addressed the Board to thank the employees of Lenoir County for their response to Hurricane Irene. He also expressed appreciation to Mr. Jarman. Mr. Jarman stated Mr. King has always supported the employees and the County. Ms. Sutton commented Mr. King supports the community all year long. Mr. Graham thanked Mr. King and his family for years of dedicated service to the citizens of Lenoir County.

Ms. Mary Williams of H.O.P.E, Helping Other People Establish, spoke about her new business. She is a non-profit designed to assist those needing self-improvement skills. Her program will encourage education and employment skills. Mr. Graham asked about the program structure and funding. Ms. Williams responded, she currently is in need of a Grant Writer to secure funding to obtain homes for Veterans who wish to take part in her program. Mr. Graham stated Mr. Larry Moolenaar of the East Carolina Council assists non-profits in securing grants. Mr. Moolenaar's contact information will be provided to Ms. Williams.

Ms. Henri McClees addressed the Board regarding the New Landowner Protection Act. She is a lobbyist for the NC Sporting Dog Association Inc. This act will attempt to address the problem of people trespassing on others property during hunting season. The new law will go into effect November 1, 2011. Ms. McClees stated if land is posted as being private, then the hunter or fisherman must have written permission from the owner to be on the land. There have been issues in the past with paper land postings being torn down. Another option to identify land as being private is posting with purple paint. The landowner can paint a vertical line of purple paint on trees or posts around the property boundary, or areas intended to prohibit trespass. The paint line needs to be at least eight inches long and the bottom of the line should be between three feet and five feet from the base of the tree or post. The law will make larceny of a dog a Class I Felony, temporary taking of an animal a Class 2 Misdemeanor, and unlawful removal or destruction of electronic dog collars a Class 2 Misdemeanor. All dogs are required to have the name and address of the owner on the dog tag and wear a tracking collar. Mr. Graham inquired as to who would enforce these new laws. Ms. McClees responded Game Wardens will be able to issue citations on the scene and also the Sheriff's Deputies. Ms. Sutton commented the Hunters Association educates their members on new legislature so they are in compliance at all times.

ITEMS FROM THE CHAIRMAN/COMMISSIONERS

Item No. 1 was Items from the Chairman/Commissioners. Mr. Graham stated on September 19, 2011 at 7:00 p.m. the North Carolina Democratic Caucus will have a town hall meeting. There will be senators and house members present to discuss current legislation, budget and the jobs program. Mr. Graham asked about the article printed in the Saturday edition of the Free Press regarding Transportation. Mr. Daughety stated the issue is in regards to the Rail spur and Hull Road closure. City Councilman Bobby Merritt received calls from business owners concerned about the delay and length of the project. Mr. Daughety discussed the concerns with the Department of Transportation (DOT) and they are seeking alternatives to speed up the progress or mitigate the issues with the business owners. The delay is not due to DOT, as the work is being completed by a contractor. DOT will review the contract to determine if fines can be assessed for the delay. Mr. Daughety stated he did not inform the Board because the minutes of the Transportation Committee are public. Mr. Graham stated the flow of information should come from the Transportation Committee to the Board. If the Board determines there is a need for additional contact, then it is the Board's responsibility to contact the appropriate personnel to address the request. Mr. Graham stressed the importance of following protocol.

Governor Perdue announced via letter the approval of a matching grant in the amount of \$500,000 from the Parks and Recreation Trust Fund for the Woodmen Water Park project. She thanked the Board for their efforts to make Lenoir County, as well as North Carolina, a better place to live. There will be an announcement made on Tuesday, September 20, 2011 at 3:30 p.m. at the Lenoir County Visitors Center.

Mr. Daughety presented a letter of support for PlanIt East in obtaining a HUD Sustainable Communities Planning Grant. This is a division of the Military Growth Task Force charged with doing strategic planning for eastern North Carolina. PlanIt East will not be funded by Lenoir County or the Eastern Region. Letters of support have been requested from a variety of government entities. There will be no cost associated. Mr. Jarman stated he would like to alter the final two sentences of the letter so there is no binding agreement. Upon a motion by Ms. Sutton and a second by Mr. Pharo, the Board unanimously agreed to the letter of support with the alterations.

Ms. Sutton commented the Vietnam Veterans Memorial Wall That Heals was very impressive. She recognized Mr. Eric Cantu of Vietnam Veterans Chapter 892, for an exceptional job done with this memorial. Mr. Davis stated he is extremely impressed with the number of people that visited the site. Mr. Rouse stated the ceremonies were moving and also thanked Mr. Cantu for a job well done. Upon a motion by Mr. Davis and a second by Ms. Sutton, the Board unanimously agreed to draft a resolution in honor of Mr. Cantu and his partners for their work in bringing the Memorial to Kinston. Mr. Cantu will be invited to the next Board meeting to be recognized formally and presented with the resolution.

Mr. Graham reminded everyone the Lenoir County Fair will open on Tuesday, September 20, 2011 and run through Saturday, September 24, 2011. He provided an update on FEMA and post hurricane recovery. FEMA has already distributed \$175 million in funds to the citizens for assistance. Mr. Graham reiterated the only way to apply for assistance is to first call 1-800-621-3362 and then speak with a representative in person at the Cooperative Extension Office. He urged people to apply for assistance if needed even if they think they may not qualify. Mr. Jarman stated by mid-week of last week, approximately 40,000-45,000 cubic yards of debris had been removed by contractors. Removal of construction debris will start soon. Next Monday, the contractors will start a second pick up through other areas for more debris removal. Mr. Daughety stated the County has contractors to pick up debris from public and private roads and the DOT will pick up debris from main roads. Mr. Rouse asked if the landfill will grind the debris once it arrives at the dump. Mr. Jarman confirmed this task has already been contracted out. Ms. Susan Moore, Director of Social Services stated 5,620

applications for the Disaster Food Stamp Program were received. The State has issued approximately \$1,848,698 in Disaster Benefits. In total, approximately \$2,129,223 has been spent in the local economy due to disbursements. The Department of Social Services incurred costs of \$13,572 in facilitating the Disaster Food Stamp Program. These costs covered deputies, interpreters, furniture, and other needed equipment. The staff worked 12 hour days for eight days straight for a combined total of 4,000 hours. Approximately 2,202 hours were overtime. Meals were delivered onsite to the staff for lunch. Ms. Moore stated they had volunteers from Cumberland County, Scotland County, Kinston Community Health Center and the Salvation Army. They also had volunteers from other agencies and even private citizens. Mr. Graham asked if FEMA would reimburse some expenses to the department. Mr. Jarman stated some of the overtime hours incurred will qualify for reimbursement and some of the other expenses. Ms. Moore stated 50% will be reimbursed by the USDA. Ms. Brown stated she volunteered for four days and commended Ms. Moore on her staff doing an excellent job. Ms. Moore stated a lot of people did not apply because they did not think they would be eligible. The Salvation Army has become the intake for citizens with unmet needs. Citizens who need additional assistance can contact the Salvation Army and they will refer them to the appropriate agency for assistance.

ITEMS FROM THE COUNTY MANAGER

Item No. 2 was Items from the County Manager. Mr. Jarman stated a Public Citizen Workshop will be held on Tuesday, September 20, 2011 from 4 p.m. to 7 p.m. at Kinston High School regarding the Highway 70 Bypass Project. An additional workshop will be held on Thursday, September 22, 2011 at the Kinston Public Services Complex. Mr. Daughety encouraged the people to attend and provide their input. The original 180 routes have been narrowed down to 30 routes. The Transportation Committee supports a northern route because it is strategically the best for future economic development of Lenoir County. The DOT will be present with eight to ten experts to answer questions.

CONSENT AGENDA

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

3. Approval of Minutes: Regular Board Meeting: September 6, 2011

Banks/Jarman

PUBLIC HEARING

Item No. 4 was a Public Hearing on the 2011 Redistricting Plans for Lenoir County Board of Commissioners and Lenoir County School Board. Upon a motion by Mr. Graham and a second by Mr. Davis, the Public Hearing opened at 5:15 p.m. Mr. Griffin stated there were no submissions during the Draw Your Own District period. The plans provided to the Board are the same they were provided. Mr. Graham stated Mr. Griffin did a good job on the plans. No public comments were made. Upon a motion by Mr. Pharo and a second by Ms. Sutton, the Public Hearing closed at 5:17 p.m.

RESOLUTIONS /BUDGET ORDINANCE AMENDMENTS

Item No. 4A was a Resolution by the Lenoir County Board of Commissioners Adopting 2011 Redistricting Plans. Upon a motion by Mr. Pharo and a second by Mr. Daughety, the Board unanimously agreed on Proposed 2011 Lenoir County Electoral District Plan A.

Item No. 5 was a Budget Ordinance Amendment: General Fund: Process Funds: \$10,578.70. Increase. Ms. Martin stated this amendment is to re-appropriate SHIP Grant Funds not expended in previous years. From fiscal year 2006-2007 through fiscal year 2010-2011, a total of \$18,537.84 in

revenue has been received. Of that amount received, only \$7,959.14 has been expended. This leaves a total of \$10,578.70 of SHIP Grant Funds to be rolled forward into fiscal year 2011-2012. Upon a motion by Ms. Brown and a second by Mr. Daughety, Item No. 5 was unanimously approved.

Item No. 6 was a Budget Ordinance Amendment: General/Capital Improvements Fund Transfers-Other Funds/Community Development: \$12,500. Increase. Ms. Martin stated this amendment is to appropriate funds from the General Fund to the Capital Improvements Fund to cover the cost of the County's commitment to the Military Growth Task Force. On June 20, 2011, the Commissioners voted to join the Military Growth Task Force. Upon a motion by Ms. Sutton and a second by Mr. Daughety, Item No. 6 was unanimously approved.

Item No. 7 was a Budget Ordinance Amendment: General Fund: Finance/Non-Departmental/Emergency management: \$12,630. Increase. Ms. Martin stated this amendment is to budget insurance proceeds received from VFIS Insurance Company on 9/12/2011 in the amount of \$10,676.69 and proceeds received from Great West Casualty Company on 9/12/2011 in the amount of \$1,952.66. The VFIS checks are to cover the cost of repairs to the 2008 Ford Expedition driven by Roger Dail that was involved in an accident on 7/13/2011. The check from Great West Casualty Company was to cover the cost of renting a replacement vehicle. Upon a motion by Ms. Brown and a second by Ms. Sutton, Item No. 7 was unanimously approved.

Item No. 8A was a Resolution Requesting the Establishment of Fees for Rabies Vaccinations. Mr. Joey Huff, Health Department Director addressed the Board. This resolution is to establish the fee for rabies vaccinations at \$7.00 to be administered at the county sponsored Rabies Vaccination Clinics. North Carolina General Statute 130A-188 required the Board of County Commissioners to establish the fee for rabies vaccination at County sponsored vaccination clinics. The clinics have been scheduled for Tuesday, September 27, 2011 at Riverbank Animal Hospital, Northside Animal Hospital, Countryview Animal Hospital and Animal Hospital of Lenoir County in LaGrange. Mr. Rouse asked if there would be a cost associated with the vaccinations. Mr. Huff responded there are only media costs incurred by the County. Upon a motion by Mr. Daughety and a second by Mr. Pharo, Item No. 8A was unanimously approved.

Item No. 8B was a Resolution Approving the Lenoir County Health Department to Increase the 2011-2012 Budget with Lenoir County School Nurse Funding Initiative (SNFI) Funds: \$150,000. Mr. Huff stated the Health Department will enter into a contractual agreement with Lenoir County Schools for the School Nurse Funding Initiative with State funds. House Bill 200 directed that SNFI funds be appropriated to the local health department for disbursement to the local school system pursuant to terms in a contract between the local health department and the local school system. Lenoir County Health Department has been allocated \$150,000 in SNFI funds to support three (3) school health nurse positions. Upon a motion by Mr. Daughety and a second by Ms. Sutton, Item No. 8B was unanimously approved.

Item No. 8C was a Budget Ordinance Amendment: General Fund: (General) School Health Nurse Line Item Budget Increase: \$150,000. This amendment is to allocate additional State funding for support for the School Health Nurse Initiative Program. Upon a motion by Mr. Daughety and a second by Ms. Sutton, Item No. 8C was unanimously approved.

Item No. 8D was a Resolution Authorizing Lenoir County Health Department to Execute a Purchase Order: Lenoir County Schools: \$150,000. Mr. Huff stated this resolution will grant permission to Lenoir County Health Department to pay monthly expenditures to Lenoir County Schools on a monthly basis for the School Health Nurse Initiative program. The Health Department and Lenoir County Public Schools will enter into a contract. They will submit a monthly invoice in which the Health Department will pay out of these funds. Mr. Rouse questioned if the contract is for new hires or existing employees. Mr. Huff responded the contract is for existing employees. Mr. Huff reminded everyone to participate in the 2011 Community Health Survey. The Health Department

worked with Lenoir Memorial Hospital to print 25,000 copies at no cost. The hospital paid for the survey to be distributed as an insert in the Free Press. They are currently working with East Carolina University to get the survey online. The survey is postage free and he encouraged everyone to participate. Upon a motion by Ms. Brown and a second by Ms. Sutton, Item No. 8D was unanimously approved.

PUBLIC HEARING

The Department of Social Services held a Public Hearing regarding the 2012-2014 Electing County Work First Block Grant Plan. Upon a motion by Mr. Graham and a second by Mr. Davis, the Public Hearing opened at 5:30 p.m. Ms. Moore stated an Executive Order of Governor Jim Hunt in 1995 set a two-year time limit on assistance. In 1997, Temporary Assistance to Needy Family (TANF) became Federal Law. Five year time limits were set and the program placed emphasis on work. This gave local government significant control over their TANF program. By choosing Lenoir County to be an Electing County, there is a savings of \$102,372 each year. In August 1995, there were 1,773 families receiving a Work First Family Assistance (WFFA) check. In July 2011, there were only 161 families receiving a Work First Check. DSS budgeted a total of \$2,909,458 (Federal & County money) for the 2011 Work First Budget. This is down from over \$6 million in 1995. There are time limits for receiving assistance. Federal allows 60 months in a lifetime and state allows 24 months. Recipients must remain off WFFA for 3 years between active periods. There is no time limit for Child Only Cases. The income limits for WFFA are as follows:

Family Size	1	2	3	4	5
Income Limit (Monthly)	\$362	\$472	\$544	\$594	\$648

Currently, 78% of WFFA Families are black, 17% are white and 5% are of other races. In Lenoir County, the Work First program has 333 individuals with 273 being children and 60 being parents. The average payment is \$213.

Work First activities include Job Readiness Training, Job Search, On-the-Job Training and Subsidized Employment. Supportive Services include Case Management, transportation (\$600 max), uniforms, tools, job-related equipment, child day care, substance abuse treatment and family counseling. Lenoir County has different requirements than other counties. The family must cooperate with Child Support first and single parents are exempt from work-related activities up to three (3) months after the birth of a baby. Parents must complete 35 hours a week of work or work-related activities. No check is issued until after activities are completed. A recipient is not eligible for three (3) months if they quit the job without good cause or reason or if they are fired from the job for any reason other than not being able to do the job or employer lay-off. A recipient is not eligible until compliance is met regarding: failure to get regular medical check-ups for their child, refusing a drug screen, refusing drug treatment, or if they have a school-aged child not attending school regularly. New differences are: drug screening before job search or work experience activities, counting SSI income, counting income for everyone in the household, Kinship Care Payment, and Kinship Care Supportive Services. Kinship Care is a new component to assist WFFA cases in which the children are living with someone other than the parent. Children’s Protective Services have placed the children with relatives to avoid Foster Home Placements. Kinship Care will provide a small payment to a Caretaker Relative to offset the initial costs of assuming care of a new child. These are monthly payments for one (1) year. DSS also has a Diversion Benefits program in which eligible citizens can receive a one-time lump sum payment equal to three (3) months of benefits.

Emergency Assistance is intended to help with short-term income interruptions of low-income working families. The need must be unplanned and unavoidable. These benefits are limited to \$600

per year and can assist with housing, utilities, transportation, child care, and employment-related expenses.

The income limits used for Emergency Assistance are as follows:

Family Size	1	2	3	4	5
Monthly Income	\$1,815	\$2,452	\$3,089	\$3,725	\$4,364
Annual Income	\$21,780	\$29,424	\$37,068	\$44,700	\$52,344

No public comments were made. Upon a motion by Mr. Graham and a second by Mr. Daughety, the Public Hearing closed at 5:50 p.m.

RESOLUTIONS

Item No. 9 was a Resolution Approving the Recommended Electing County Work First Block Grant Plan for FY 2012-14. During a regularly scheduled meeting on August 15, 2011, the Board voted unanimously to request to be designated as an Electing Work First County and appointed a Work First Block Grant Planning Committee. The committee's charge was to develop a qualified Electing County Plan that would reduce the County's Maintenance of Effort to 90% while avoiding program changes that would increase the County's administrative costs. Upon a motion by Mr. Davis and a second by Ms. Sutton, Item No. 9 was unanimously approved.

Item No. 10 was a Resolution Authorizing Replacement of Windows Damaged by Hurricane Irene at the Tax Office and Upgrading Framing Structure and Windows to One Inch Insulated Solar Reflective Bronze Glass Units: Oliver Glass Company: \$6,699. Mr. Hollowell stated on Saturday, August 27, 2011, Hurricane Irene blew out a large ¼" plate glass window and cracked another at the front of the Administration Building in the Tax Office areas. The estimate to replace the two (2) windows is approximately \$1,500. Since the storm, staff has evaluated the replacement of the two (2) windows and has made a recommendation to administration to redesign all four (4) storefront windows at the Administration Building. Replacing all four (4) storefront windows on the Queen Street side of the building with one inch insulated solar reflective bronze glass units will be a safer and more energy efficient solution than just replacing the two (2) broken large windows with ¼" plate glass. Mr. Rouse asked if three (3) bids were received on the project. Mr. Hollowell stated the project was not bid due to the urgency of the project. Oliver Glass has been replacing windows over the years for the County. Mr. Jarman stated the replacements may be reimbursable through FEMA. Mr. Rouse stated there are grants available for upgrades through the State and Federal Government. He asked what the minimum amount is in order to bid a project. Mr. Jarman stated the minimum amount is \$30,000. Mr. Rouse stated he would like to allow community vendors the opportunity to bid on projects in the future. Upon a motion by Ms. Sutton and a second by Ms. Brown, Item No. 10 was unanimously approved.

PUBLIC HEARING

Item No. 11 was a Public Hearing on the Proposed Rural Operating Assistance Program (ROAP) Application Submission. Upon a motion by Mr. Graham and a second by Mr. Davis, the Public Hearing opened at 5:59 p.m. Mr. Bill Allison, Director of Transit stated this is an annual grant with three (3) components. There is a \$28,000 cut from last year. Mr. Rouse stated the community believes the Transit System is being subsidized by the County, but expenses are covered through ticket sales and grants. County tax payer money does not fund the system. Mr. Allison stated tax payers should be aware the Transit System is open to the public. There is a tremendous amount of riders who pay fares to Lenoir Community College, Sanderson Farms, and Electrolux. There are

currently 8,500 people who utilize the Transit System per month. The cost for the disabled and seniors over age 60 is only \$1. No public comments were made. Upon a motion by Mr. Rouse and a second by Mr. Daughety, the Public Hearing closed at 6:04 p.m.

RESOLUTION

Item No. 11A was a Resolution Approving the Rural Operating Assistance Program (ROAP), Elderly Disabled Transportation Assistance Program (EDTAP) \$70,817, Employment Transportation Assistance Program (EMP) \$38,486, and Rural General Public (RGP) Funding \$66,794 for FY 2011-2012 Totaling \$176,097. EDTAP and EMP programs are 100% State funded and require no local match; RGP requires a minimum match of 10% local funds (RGP ticket sales). Lenoir County Transit will be receiving 40% of EDTAP and Council on Aging will be receiving 60% of EDTAP funds. Upon a motion by Ms. Sutton and a second by Ms. Brown, Item No. 11A was unanimously approved.

APPOINTMENTS

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

<u>BOARD/COMMITTEE/COMMISSION</u>	<u>APPLICANT/ CURRENT MEMBER</u>	<u>TERM EXPIRATION</u>
Home & Community Block Grant Advisory Committee 2 nd Appearance	Terrance Body	September 2014
Lenoir County Transit Advisory Board 2 nd Appearance	Jamie Wallace	September 2014

Upon a motion by Ms. Brown and a second by Mr. Daughety, the above second appearance appointments were unanimously approved.

CURRENT VACANCIES

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

OTHER ITEMS /RESOLUTION

The add-on Item was a Resolution Appointing Roger Dail as Designated Primary Agent and Michael W. Jarman as Designated Secondary Agent for Hurricane Irene Recovery Projects. This resolution will authorize them to execute necessary documents associated with the application and reporting. The County has submitted a “Request for Public Assistance” to FEMA to cover expenses incurred prior to, during, and after Hurricane Irene. FEMA requires the County appoint a Designated Primary Agent and a Designated Secondary Agent to execute necessary documents associated with the application for assistance and reporting. Upon a motion by Mr. Daughety and a second by Ms. Brown, the Resolution was unanimously approved.

Mr. Graham asked Mr. Jarman to express appreciation to the staff for their effort and hard work during the County’s time of need.

ADJOURN

Upon a motion by Ms. Brown and a second by Mr. Daughety the Board adjourned at 6:07 p.m.

Respectfully submitted,

Reviewed By

April L. Banks
Interim Clerk to the Board

Michael W. Jarman
County Manager