

MINUTES

LENOIR COUNTY BOARD OF COMMISSIONERS

September 21, 2015

The Lenoir County Board of Commissioners met in open session at 12:00 p.m. on Monday, September 21, 2015, in the Board of Commissioners' Main Meeting Room in the Lenoir County Courthouse at 130 S. Queen St., Kinston, NC.

Members present: Chairman Craig Hill, Vice Chairman Jackie Brown, Commissioners, Roland Best, Mac Daughety, Reuben Davis, Eric Rouse, and Linda Rouse Sutton.

Members Absent: None

Also present were: Michael W. Jarman, County Manager, Martha Martin, Finance Officer, Vickie F. King, Clerk to the Board, Robert Griffin, County Attorney, Chris Harper, Special Projects Officer, members of the general public and news media.

Chairman Hill called the meeting to order at approximately 12:05 p.m. Ms. Brown offered the Invocation and Mr. Best led the audience in the Pledge of Allegiance.

PUBLIC INFORMATION:

None

PUBLIC COMMENTS:

None

CONSENT AGENDA:

1. Approval of Minutes: Regular Board Meeting: September 8, 2015.

Upon a motion by Ms. Brown and a second by Ms. Rouse Sutton, the consent agenda was unanimously approved. Common Consent

BUDGET ORDINANCE AMENDMENTS/RESOLUTIONS:

Item No. 2 was a Resolution approving the amended FY15-16 position and pay classification plan. April Martin, Human Resources Technician, stated the Human Resources Department is requesting an amendment to the position and pay classification plan which was brought to your (Commissioners) attention last month. This is to stay in compliance with the Office of State Human Resources which Lenoir County Department of Social Services is under. This will allow us to add the DSS Program Administrator I classification to the plan and to remove the Human Services Deputy Director classification. Upon a motion by Ms. Rouse Sutton and a second by Ms. Brown, Item No. 2 was unanimously approved. Common Consent

Item No. 3 was a Resolution approving contract with ECM Solutions for Affordable Care Act (ACA) Reporting not to exceed \$5,000. Martha Martin, Finance Director, stated the enactment of the Affordable Care Act has placed a huge burden on businesses and government entities regarding health care. With the mandated reporting requirement associated with providing health care, there is a vast amount of data to be compiled. The current payroll software the County uses does not support any type of ACA reporting and the information is currently being compiled on a huge spreadsheet. Although this information is stored on a spreadsheet, the reporting has to be formatted to be printed on standardized IRS forms. In 2017 when the Munis software is implemented, the County will be able to do its own reporting. Upon a motion by Mr. Davis and a second by Mr. Best, Item No. 3 was unanimously approved. Common Consent

Mr. Jarman stated this is something that we will have to deal with for the next two years. However, this report capability will be within the new Munis Financial and Human Resources software we are purchasing. Nevertheless, we will have to pay for this for the next two years, because our new system will not be implemented until January 1, 2017.

Item No. 4 was a Resolution authorizing replacement of split system heat pump at the Lenoir County Board of Elections' meeting room. Mike Wiggins, Maintenance Director, stated the HVAC unit that heats and cools the Lenoir County Board of Elections' Meeting Room in the County owned Multi-Purpose Building is over 30 years old. The existing heat pump is a 5 ton unit that originally heated and cooled the Board of Elections' meeting room. The current unit does not cycle properly to control moisture levels. As a result, the meeting room is extremely damp and mildew and mold are becoming a possibility. The area has a very musty, damp smell that is in the carpet and ceiling tiles. The solution to the problem is to replace the old 5 ton unit with a new more efficient split system heat pump with a variable speed air handler to control the moisture and humidity in the large meeting room. Tyson Electrical, Heating & Air Conditioning, Inc., of Kinston, N.C., provided the County with the best price to replace the old 5 ton system and all associated ductwork. Upon a motion by Ms. Rouse Sutton and a second by Mr. Best, Item No. 4 was unanimously approved. Called to Question

Item No. 5 was a Resolution authorizing acceptance of a North Carolina Governor's Crime Commission Grant in the amount of \$15,000. Sheriff Ingram, stated the Lenoir County Sheriff's Office has had manpower issues due to minimum staffing needs, transports and other emergency situations. The Sheriff requested additional personnel in the FY 2013-14 and FY 2014-15 budgets to assist, but the requests were not approved. In assisting the Sheriff's Office, the County Manager and Board of Commissioners allotted additional overtime funding to bring in additional personnel as needed. In an effort to aid the County and its citizens, the Sheriff's Office applied for and has been awarded a one-time \$15,000.00 grant by the North Carolina Governor's Crime Commission that requires no matching funds to be used for overtime. Upon a motion by Ms. Brown and a second by Ms. Rouse Sutton, Item No. 5 was unanimously approved. Common Consent

Item No. 6 was a Resolution approving purchase order for Capital Ford in the amount of \$30,087. Sheriff Ingram, stated the Lenoir County Sheriff's Office currently uses fleet vehicles to patrol the county and carry out their normal daily duties. One of the responsibilities of the Investigations Division is the Crime Scene Unit. This detective is required to carry numerous pieces of specialized equipment. Additionally, the detective is required to collect numerous pieces of evidence and needs a means of transportation to the Sheriff's Office and other locations. The Sheriff has chosen to use a pickup truck equipped with a bed shell to be the vehicle for the crime scene detective.

The cost of this vehicle was included in the approved fiscal year budget for the Sheriff's Office. Upon a motion by Mr. Davis and a second by Mr. Best, Item No. 6 was unanimously approved. Common Consent

Item No. 7 was a Resolution of support for Option 4 landscaped median in regards to the Queen Street redesign project. Commissioner Rouse stated this information is from the Transportation Committee. We have the unique opportunity to transform the face of Kinston. This is the solution that the Transportation Committee has decided on. This option would change the trees on the side of the road and end up with a median in the middle of Queen Street. The theory is over a period of time it would grow a canopy which would create a nice green tunnel as you go through Kinston. We have the chance with NCDOT to take advantage of this opportunity, and I would appreciate the Board's support with this resolution. Mr. Rouse read the resolution. Upon a motion by Mr. Rouse and a second by Ms. Rouse Sutton, Item No. 7 was unanimously approved. Common Consent

Item No. 8 was a Resolution approving bond order authorizing the issuance of General Obligation Refunding Bonds in the amount of \$26,100,000. Chris Harper, Special Projects Officer, stated this is an ongoing process. I received previous approval from this Board to move forward with school bond refinancing at the last meeting. At this point we do have cost incurred with the bond counsel in the amount of at least \$5,000. If we proceed further and if the RFP's are submitted back to a lending institution for us to refinance, there will be other costs involved. As we stated last month we wanted to keep you informed as we go along. At this time I am asking for your approval for this bond order authorization. Upon a motion by Mr. Rouse and a second by Mr. Davis, Item No. 8 was unanimously approved. Common Consent

Item No. 9 was a Budget Ordinance Amendment: Capital Improvements Fund: Economic Development: \$181,250. Martha Martin, Finance Officer, stated this amendment is to budget for the FY 15-16 incentive payment for Dupont-Sorona project. Whenever the FY 15-16 budget was compiled, the funding for this project and another were not budgeted in order to use existing fund balance in Fund 40 without requiring additional general fund money. Upon a motion by Ms. Rouse Sutton and a second by Ms. Brown, Item No 9 was unanimously approved. Common Consent

Item No. 10 was a Resolution Approving Citizens to Boards, Commissions, Etc. Mr. Griffin stated as a reminder he would like to share how the LMH Board of Directors appointments work. He stated the Board is not approving a primary and an alternate. This decision was a result of a lawsuit years ago between the County Commissioners and LMH. The agreement is the hospital will submit a primary recommendation and an alternate. If the Board accepts the primary recommendation the alternate is not approved. If you don't accept the primary recommendation then you approve the alternate. So today we are acting to approve William Harvey III to the Board of Directors not both names submitted. Upon a motion by Ms. Brown and a second by Mr. Davis, Item No. 10, was unanimously approved for Emily Moore to the Eastpointe Board of Directors, Joey Huff to the Lenoir County Transit Advisory Board, and William Harvey, III appointment to the Lenoir Memorial Hospital Board of Directors. Common Consent

Mr. Hill thanked Mr. Griffin for the explanation regarding Lenoir Memorial Hospital Board appointments. He encouraged the public to continue to look at the vacancies on the boards and submit their applications to serve. It is important that we have a wide variety of people serving on these boards, so that we can get a variety of ideas and opinions. Please visit our website and view the available openings and see if there is a board you would like to serve on.

Item No. 11 was items from the County Manager, Mike Jarman. Mr. Jarman stated he has a couple of things he would like to address. He stated many have been following the state budget and the talk of the sales tax distribution. They did not change the distribution formula that was talked about, but they did expand the tax base so it will generate some additional revenues. The additional revenues from the expanded base they predicted, would be about a \$1 million increase for Lenoir County. I think they did that based on showing a growth of 4.27% which is what they showed state wide. We generally keep our own (growth rate) and we are closer to about 1%. What we receive may be slightly less than what they are predicting. But it should still be an increase. They are actually predicting \$84.8 million extra to be divided among seventy-nine (79) counties, and we are one of the seventy-nine (79). Please be mindful that this revenue comes with strings attached and you will have to use it for economic development, the community college or public education.

Mr. Rouse asked if the money could be used to service bond debt?

Mr. Jarman replied at this point we are not sure, because they will have to measure and check to see if we are committing it for public education. However, if they were to say to us to freeze our expenditures at the current level so that anything that came in they would see go up, it would not help us. We are currently putting the equivalent of 2 cents of the property tax rate to make up for over \$600,000 that was lost by the reduction of lottery funds. We would really like to be able to offset it with this. Again, that will depend on how they measure it, and there being some way for us to document it. This is still a plus and we appreciate the efforts they have put forth to get these extra funds for us, and as I receive more information I will be glad to share it with the Board.

Mr. Jarman stated some of you may have heard or attended the Golden Leaf Foundation meeting where the Community Based Grantsmaking Initiative was introduced. They will be allowing each county to come up with one (1) to three (3) projects and the most funds to be received will be \$1.5 million. We did the Community Based Grantsmaking Initiative once in the past. There were several meetings facilitated by the Golden Leaf and multiple committees were put in place to listen to the projects ideas. This appeared to be too cumbersome for Golden Leaf and now they have placed the responsibility of decision making on County Managers.

I am excited about the \$1.5 million for our community and we will have further conversations. The Chairman and Vice Chairman may be part of the committee as well as some others, but it won't be just your County Manager. We will be getting more information out to the public so they can know the requirements. This will be a short turnaround to get the information out to the people and have our top three (3) reviewed by us and in place by November 6, 2015 to be submitted to Golden Leaf for them to make their decision by June 2016. We will come up with a precise advertisement to put in the paper, and on the website to get out to the media so people will be informed of the process. Anybody that would like more information can google the Golden Leaf Foundation and see all of the information listed.

Mr. Rouse stated he spoke with Representative John Bell and he said we should receive the exemption for the railroad crossing issue with our school buses on Highway 11 and Ferrell Road soon.

Smithfield Way is getting the final paving and Cricket Farm Road paving should be resolved shortly.

Mr. Rouse stated the citizens in his district are concerned with the recent shooting at the sweepstakes cafe on Highway 258 in Kinston. We have three (3) sweepstakes cafes within a mile of each other and the community is fed up. They have given me a petition with hundreds of names and signatures asking for the Commissioners to take some type of steps in regulating and monitoring. They are also asking us to provide a safe buffer between operations like this and community where there are residential areas. I would like for us to consider taking a good look at what the regulations are in regards to the cafe sites and see if it is an action we can take and help make the community safer and appease the people who are affected by this issue.

Mr. Jarman stated if the Board is ok with this, it would be a good idea to allow Sheriff Ingram, myself, and the Planning and Inspection Department to get together and give you some ideas of what other places have done. This would allow us to get more information before the Board considers taking any type of action.

Mr. Best stated Mr. Davis and himself attending Greene Lamp's 50th anniversary. It was a very good turnout. Greene Lamp is doing a good job and has done a lot for Greene and Lenoir County. We are fortunate that we have two of our Commissioners on their board.

Mr. Best stated he was privileged to attend Eastern Carolina Council of Governments Board of Directors meeting on September 10th. I attended orientation and received my new member packet prior to dinner and the meeting. They welcomed me aboard and stated they were glad to have us back on board with them. I look forward to working on that board.

Mr. Davis stated he was very impressed with the attendance at Greene Lamp's 50th anniversary, and the Community Center is a very nice facility.

Mr. Hill stated he attended the Wyse Fork Battlefield meeting. They are looking at the possible placement on the National Registry. I wanted you to be aware that they are looking at 4,000 acres in the area that we as Commissioners have talked about for the shallow bypass (NCDOT) project. Also, there is a lot of historical interest in that area. I went to gather information and I encourage you to get information as well as we move forward. We are aware of the conflict between NCDOT and the battlefield as well.

I've had the opportunity to talk with Jon Sargeant, the School Board Chairman and he advised me their board has had three (3) meetings regarding facilities, and the meetings have been progressive. I don't know where it will go, but he said they were meeting in consideration of some of the items we mentioned they needed to do. So the conversation is still ongoing. Jon and I agreed to have conversations on a monthly basis throughout the year to keep ourselves aware of what was going on.

Mr. Hill made a motion to move into closed session.

Upon a motion by Ms. Brown and a second by Mr. Davis, a closed session was entered into at approximately 12:45 p. m. with 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 the (public body).

CLOSED SESSION

Upon a motion by Mr. Daughety and a second by Mr. Best and unanimous approval, the Board moved out of closed session at approximately 1:00 p.m. The meeting re-convened in open session at approximately 1:10 p.m.

Mr. Hill stated we are back in open session. The Board went into closed session to discuss a potential business matter. We have attentively approved Project Hometown and will approve it at our next meeting.

Upon a motion made by Mr. Rouse and a second by Mr. Best, the meeting was adjourned.

Meeting Adjourned at 1:13 p.m.

Respectfully submitted,

Vickie F. King

Clerk to the Board

MINUTES – CLOSED SESSION

LENOIR COUNTY BOARD OF COMMISSIONERS

SEPTEMBER 21, 2015

Upon a motion by Ms. Brown and a second by Mr. Davis, a closed session was entered into at approximately 12:45 p. m. with 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 the (public body).

Members present: Chairman Craig Hill, Vice-Chairman Jackie Brown and Commissioners, Roland Best, Mac Daughety, Reuben Davis, Eric Rouse, and Linda Rouse Sutton.

Members Absent: None

Also present were: Michael W. Jarman, County Manager, Martha Martin, Finance Officer, Vickie F. King, Clerk to the Board, Robert Griffin, County Attorney, and Chris Harper, Special Projects Officer.

Mr. Jarman stated Governor Pat McCrory will be in Kinston today around 2:00 p.m. to announce this project. Everyone is invited to attend. It will be located at Hanger Four on 2300 John Mewborn Road. We are excited about this announcement and it is good for Kinston and Lenoir County. The company is already established in Winston Salem, NC. They started out with twenty (20) people and within a couple of years they had reached three hundred (300). They service several different air-lines and the main one is United Airlines. I was informed that they will have one of their planes on the ground today for the announcement. The first plane that they will work on is already here. Our issue today as usual, the current time is 12:55pm, and the Governor wants to make the announcement today at 2:00 pm. I'd like for you to approve it under the project name so that it's approved prior to the announcement. But, with today's wonderful world of technology if you revealed the name the Free Press would have it out before the Governor's announcement which is not what we want to do.

I was thinking you can either say you are approving a performance based agreement with a company in the name of project Hometown or approve it at your next meeting. It's up to this Board and the County Attorney. We can approve it under project name or if you really want to you can recess and come back this evening and approve it under the regular name, or approve it at your next meeting. Since we are in closed session you would need to come out of closed session and make some type of statement.

Mr. Jarman stated you can say that you entered into a performance based agreement under the name project Hometown and the Governor will officially announce all the specifics at 2:00 pm today.

Mr. Griffin stated he did not think we could/or have ever done anything under project name, and I am not sure if it's a legally binding agreement.

Mr. Jarman replied some people do it and some don't.

Mr. Griffin stated he was wondering if we could approve it under project name but say the actual entity will be announced at 2:00 pm by the Governor. This is a tricky task.

Mr. Hill stated basically we are going to run into this every time we have an announcement. This is the way society has things set up, and we will have to do it like this because of having to wait until the last minute. All of the announcements are being made out of the Governor's office. So this is not the first time and we will see this again.

Mr. Jarman stated we can say the Board went into closed session to discuss a potential business matter. We have attentively approved project Hometown and will approve it at our next meeting.

On another note, this is something I found out prior to me coming to the meeting today. This is the project that Mr. Pope told you there were 109 jobs, investing \$900,000 and probably in the third year they would be doing a hanger. You are actually putting \$200,000 into this the agreement. We normally have more revenues to cover our incentive however in this project jobs and the increase in tax base you get from \$900,000 leaves us about 80,000 short of covering the entire \$200,000. But the hanger coming in the third year puts you way over in revenue. The hanger is not showing on here so what this agreement holds them to is the 109 jobs and the \$900,000. So if the hanger did not happen you would be putting \$200,000 incentives into something that in the first three years your returns are \$125,000. We usually try to get the return back in five years. I want you to be fully aware of what is being done just in case somebody wants to pick this up and talk about it. They already discussed building another hanger and talked about placement of the hanger they are doing that, but I don't want you to feel like you are being misled by me. I personally thought the hanger was going to be included in this, but it's just the timing of it.

Mr. Daughety stated its fine because they are creating good jobs.

Mr. Hill stated that's fine and it is one of the few projects out there that fits the model of the GTP.

Mr. Hill stated once we are back into open session we will state the Board went into closed session to discuss a potential business matter. We have attentively approved Project Hometown and will approve at our next meeting.

Upon a motion by Mr. Daughety and a second by Mr. Best and unanimous approval, the Board moved out of closed session at approximately 1:00 p.m.

Respectfully submitted,

Reviewed By

Vickie F. King
Clerk to the Board

Chris Harper
Special Projects Officer