**Item No. 1**

# MINUTES

## LENOIR COUNTY BOARD OF COMMISSIONERS

### October 03, 2016

The Lenoir County Board of Commissioners met in open session at 9:00 a.m. on Monday, October 03, 2016, 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, Joey R. Bryan, Assistant County Manager, Tracy Chestnutt, Finance Officer, Vickie F. King, Clerk to the Board, Robert Griffin, County Attorney, members of the general public and news media.

Chairman Hill called the meeting to order at approximately 9:00 a.m. Ms. Brown offered the Invocation and Mr. Davis led the audience in the Pledge of Allegiance.

**PUBLIC INFORMATION:**

None Scheduled

**PUBLIC COMMENTS:**

None

**CONSENT AGENDA:**

1. Approval of Minutes: Regular Board Meeting: September 19, 2016.

2. Resolution Approving Releases and Refunds Listed to the Individuals Herein.

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

**CLOSED SESSION**

Upon a motion by Ms. Brown and a second by Mr. Daughety a closed session was entered into at approximately 9:06 a.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 Lenoir County.

## OPEN SESSION

Upon a motion by Mr. Daughety and a second by Ms. Sutton and unanimous approval, the Board moved out of closed session at approximately 9:12 a.m. The meeting re-convened in open session at approximately 9:13 a.m. Mr. Hill stated the Board went into closed session 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 Lenoir County. No action was taken.

## PUBLIC HEARINGS/RESOLUTIONS

Upon a motion by Mr. Davis and a second by Mr. Daughety, a Public Hearing regarding Community Development Block Grant (CDBG) Catalyst Program Amendment was entered into at 9:15 a.m.

Item No. 3A was a Public Hearing regarding the 2011 Community Development Block Grant (CDBG) Catalyst Program Amendment. Mr. David Harris, RSM Harris and Associates, Inc., CDBG Project Manager, addressed the Board. Mr. Harris stated they have been working with the state regarding the changes and updates with the activity to make sure they get the project completed by the first part of next year. They have already approved most of the changes. The following was included in the program amendment: to delete the sewer improvements; provide for the replacement of a house meeting the HUD Prevention or Elimination of Slums or Blight National Objective; use remaining funds from the 2012 CDBG Scattered Site Project to pay for the replacement of a house occupied by a low-income family; and amend the budget to provide for the water and housing improvements. No activities are proposed which would result in the permanent displacement of families. Mr. Harris asked if anyone had any questions or comments. There were no comments. Upon a motion by Ms. Sutton and a second by Mr. Best, the Public Hearing was closed at 9:20 a.m.

Item No. 3B was a Resolution Authorizing a Program Amendment to the 2011 CDBG Catalyst Project: Spring Drive Housing and Community Development Project. Mr. Harris, CDBG Project Manager, stated Lenoir County was awarded $500,000 for the CDBG 2011 Catalyst project on October 12, 2012. Along with the grant funds, the County has committed $25,000 and the Town of LaGrange has committed $5,000 to address housing and infrastructure needs in the Spring Drive area of LaGrange. Several changes have been discussed recently with REDD staff to address the current needs in the project area. The REDD staff has recommended incorporating all of the proposed changes into one program amendment so it will provide the details for completing all of the project activities in one document. The Board is requested to approve the submittal of program amendment to the NC Rural Economic Development Division (REDD) for the 2011 Community Development Block Grant Catalyst project on Spring Drive. Upon a motion by Ms. Sutton and a second by Ms. Brown, Item No. 3A and 3B was unanimously approved.

## BUDGET ORDINANCE AMENDMENTS/RESOLUTIONS:

Item No. 4 was a Resolution Requesting the Establishment of Fees for Rabies Vaccinations. Mr. Joey Huff, Health Director, stated NCGS 130A-187 requires the local health director to organize and assist other organizations to conduct rabies vaccination clinics at least annually. NCGS 130A-188 requires the Board of County Commissioners to establish the fee for rabies vaccinations at County sponsored vaccination clinics.

Rabies Vaccination Clinics have been scheduled for Tuesday, October 4, 2016, at Riverbank Animal Hospital, Northside Animal Hospital, Five Oaks Animal Hospital, Countryview Animal Hospital, Faithful Friends, and Animal Hospital of Lenoir County LaGrange. Upon a motion by Mr. Daughety and a second by Mr. Best, Item No. 4 was unanimously approved.

Item No. 5 was a Resolution Authorizing Board of Elections the Release of the Help America Vote Act (HAVA) Funds: Best Buy: $5,420.12. Ms. Dana King, BOE Director, stated the Board is requested to approve the release of HAVA funds in the amount of $5,420.12 to allow the Board of Elections to purchase from Best Buy twenty-four (24) cameras and SD cards for use at the Precincts and one-stop sites for the Curbside Voting parking spaces. The Lenoir County Board of Elections has researched the different ways to alert Precinct workers of a person's location at the Polls, parking in the Curbside and Handicap spaces to assist Curbside Voters in a timely matter. Commissioner Davis made mention of the dollar amount in the resolution area read $5,420.12, and in the action requested area, it read $5,421.12. The correct figure should read $5,420.12 in both areas. Upon a motion by Mr. Daughety and a second by Ms. Sutton, Item No. 5 was unanimously approved with the amount of $5,421.12 being corrected to read $5,420.12 in the action requested area of the resolution.

Item No. 6 was a Resolution Approving Purchase Order for Carolina Software, Inc.: $5,695. Mr. Joey Bryan, Assistant County Manager, stated over the past 15 years Lenoir County's Solid Waste Department has utilized the WasteWORKS DBF version of the software to manage the weighing, billing, and collecting of Solid Waste tipping fees. In the past, the collection of data was done at the County landfill from the scale house and then was billed and collected out of the Finance Department at the Courthouse. We are moving forward with letting the Landfill Manager start doing their own billing and collections from the landfill to enhance customer service and place collections where more information on individual accounts is known. In order to make this change in billing workflow, we need to install the SQL version of the WasteWORKS software so we can access the latest changes and take advantage of the new versions enhancements. Upon a motion by Ms. Sutton and a second by Mr. Best, Item No. 6 was unanimously approved.

Item No. 7 was a Resolution Approving Purchase Order for Lawmen's, Inc.: $6,600. Sheriff Ingram stated the Lenoir County Sheriff's Office maintains a detention facility with 285 beds for pre-trial and convicted inmates. This facility has certified detention officers who are trained to conduct cell extractions as needed for inmates who refuse to follow commands of officers and barricade themselves in a cell. Occasionally, assistance from Deputy Sheriffs is needed. Trained Detention Officers and deputies must enter the cell of these inmates to secure them so they can be moved if needed to a more secure location. Inmates have shown in past experiences that they will try to protect themselves from other compliance weapons by covering themselves with contraband to reduce or eliminate the effects of OC Spray and Tasers. This requires employees to physically contact the inmate to restrain them.

This act exposes the employees to possible acts of assault by these inmates. Specialized equipment consisting of a helmet, upper body protective padding, thigh and groin padding, shin guards and arm padding attachments are routinely worn by teams of 6 to 8 personnel when they must undertake a cell extraction of an inmate. These suits provide expanded padded protection to the employee as they encounter the inmates. Sheriff Ingram stated the Lenoir County Sheriff's Office and Detention Center currently have none of these protective suits. The Detention Officers and Deputies have completed specialized training through community colleges with other local agencies in detention centers that currently have this equipment and which have justified the need for this equipment. The Sheriff believes these protective suits will protect his employees in the event of one of these incidents and wishes to purchase 12 suits based on the various sizes that must be ordered to accommodate for different employee sizes. Upon a motion by Mr. Daughety and a second by Mr. Sutton, Item No. 7 was unanimously approved.

Item No. 8 was a Resolution Approving Change of Board Appointee for North Lenoir Fire and Rescue, Inc. Firemen's Relief Fund. Mr. Roger Dail, EMS Director, stated a local Firefighters' Relief Fund Board of Trustee's shall be elected/appointed to control the local funds. The Firefighters' Relief Fund Board of Trustee's is comprised of five- (5) people: two shall be elected by the fire department and shall either be a resident of the fire district or an active or retired member of the fire department; two shall be elected by the City/or County governing body, and members appointed pursuant to this section shall be residents of the fire district; and one shall be appointed by the Insurance Commissioner. On September, 8 & 12, 2016, the Lenoir County Emergency Services Department received a letter from North Lenoir Fire and Rescue, Inc. requesting a change of the existing Board appointed representative to their Firemen's Relief Fund Board. North Lenoir Fire and Rescue, Inc. is requesting the Board remove the existing Board appointed designees Harold Jones and Bobby Rouse, and appoint Hiram Grady and Will Thaxton to be effective immediately. Upon a motion by Mr. Daughety and a second by Mr. Best, Item No. 8 was unanimously approved.

Item No. 9 was a Resolution Authorizing FY16-17 Purchase Order for: Emergency Services: B&G Electronics and Communications, Inc.: $9,822. Mr. Roger Dail, EMS Director, stated this action was previously approved on Resolution #7 at the August 15, 2016, board meeting; however, it was approved for Gately Communication Co. In efforts to cut cost while still providing an equal or greater product the Emergency Service Director recommends the change in vendors. This resolution is to correct the payee information. Upon a motion by Ms. Sutton and a second by Mr. Daughety, Item No. 9 was unanimously approved.

Item No. 10 was a Resolution Authorizing Reimbursement to the City of Kinston for Leased Computers: Hewlett-Packard Financial Services Company: $4,136.89. Mr. Bill Ellis, Parks & Recreation Director, stated four years ago the City of Kinston began leasing computers for their Parks & Recreation Department. This process has allowed Parks & Recreation Department to keep up with the latest trend by replacing them every 4 years.

The Board is requested to authorize reimbursement to the City of Kinston for a lease to Hewlett-Packard Financial Services Company in the amount of $4,136.89 for the lease of laptop and desktop computers. This reimbursement will cover Lenoir County's portion for county recreation facilities and staff. Upon a motion by Ms. Sutton and a second by Mr. Best, Item No. 10 was unanimously approved.

Item No. 11 was a Resolution Approving Purchase Order for Moye Fence Company: $6,335. Mr. Bill Ellis, Parks and Recreation Director, stated in order to open up the Randall Pet Memorial at the Rotary Dog Park a perimeter fence is needed. This fence will keep vehicles from destroying the walking and cross country track at the dog park. Also, this fence will allow citizens to drive to the ponds and the memorial in addition to keeping the dogs free from potential injuries. The Board is requested to approve a purchase order for Moye Fence Company for the installation of a 390 foot chain link fence around the back perimeter of the Rotary Dog Park in the amount of $6,335. Upon a motion by Ms. Sutton and a second by Mr. Daughety, Item No. 11 was unanimously approved.

Item No. 12. was a Budget Ordinance Amendment: Capital Outlay: Increase: $50,000. Ms. Tracy Chestnutt, Finance Officer, stated the purpose of this amendment is to increase revenue and expenditures to record receipt of One NC Grant funds. Upon a motion by Mr. Daughety and a second by Mr. Best, Item No. 12 was unanimously approved.

Item No. 13 was a Resolution Authorizing the Lenoir County Economic Development Department to File a Formal Application for the NC Rural Center Building Reuse Grant Program for $62,500 for Business Expansion Related to Project French. Ms. Amanda Conner, Economic Development Administrative Assistant, stated the North Carolina Rural Economic Development Center, Inc. (Rural Center) has authorized the awarding of grants from appropriated funds to aid eligible businesses in financing the cost of building renovations associated with an economic development project. Project French needs assistance in financing the renovations that may qualify for Rural Center funding. Project French has committed to a $393,141 investment and the creation of 5 new jobs. Lenoir County Board of Commissioners has previously indicated its desire to assist in economic development efforts within the County. Upon receipt of the Grant Agreement for the 2016 Building Reuse project by the Rural Center, the County Manager, and the Economic Development Executive Director are hereby authorized to proceed with the execution of documents and return them to the funding agencies in the interest of proceeding with grant execution. Upon a motion by Mr. Davis and a second by Ms. Sutton, Item No. 13 was unanimously approved.

Item No. 14 was a Resolution Authorizing the Lenoir County Economic Development to File a Formal Application for the NC Rural Center Building Reuse Grant Program for Up to $300,000 for Business Renovations to the Midtown Motor Lodge. Ms. Amanda Conner, Administrative Assistant, Economic Development stated the North Carolina Rural Economic Development Center, Inc. (Rural Center) has authorized the awarding of grants from appropriated funds to aid eligible businesses in financing the cost of building renovations associated with an economic development project. The Midtown Motor Lodge owners need assistance in financing the renovations that may qualify for Rural Center funding.

Midtown Motor Lodge owners have committed to a $4,192,000 investment and the creation of 24 new jobs. Lenoir County Board of Commissioners has previously indicated its desire to assist in economic development efforts within the County. Lenoir County Board of Commissioners wishes the County to pursue a formal application for Rural Center Building Reuse funding to benefit the Midtown Motor Lodge and will invest a 5% match of the grant amount toward the proposed renovations as committed to in the application. Lenoir County certifies it will meet all statutory requirements of the Program. Upon receipt of the Grant Agreement for the 2016 Building Reuse project by the Rural Center, the County Manager, and the Economic Development Executive Director are hereby authorized to proceed with the execution of documents and return them to the funding agencies in the interest of proceeding with grant execution. Upon a motion by Ms. Sutton and a second by Mr. Best, Item No. 14 was unanimously approved.

Item No. 15 was a Resolution Approving the Adoption of the Lenoir County Courthouse Portrait Policy. Mr. Mike Jarman, County Manager, stated he received a letter in the County Administrative Office on September 21, 2016, from White & Allen, PA signed by David J. Fillippeli, Jr., Attorney along with a petition that was signed by thirty-two (32) members of their local bar. He mentioned in the letter their expression of permission to hang a portrait of retiring Senior Resident Superior Court Judge Paul L. Jones in the large Superior Courtroom. They asked that this matter be placed before the Lenoir County Board of Commissioners for approval. This policy was presented to us about two or three years ago from Judge Jones, but we had no need for a portrait policy at that time so we held on to it. At this time since we have received a request to put a portrait up, so we will need some type of policy in place to deal with it. Mr. Jarman stated throughout the state, it is the well-accepted tradition and policy that a portrait of any retiring judge, district attorney and/or clerks of court who served honorably to be hung at the courthouse. The county bar association, family and/or friends of any person honored normally pays for any such portrait. If one were to visit the courthouses in Greene, Wayne, Pitt, Duplin, Jones, or Wilson Counties, one would find that these counties have chosen to conform to the tradition of honoring these public servants. Lenoir County stands alone in the region as not paying homage to these individuals. The Lenoir County Courthouse Portrait Policy has been established to provide Lenoir County with consistent regulation and guidelines relating to the hanging of portraits in the courthouse. As stated in the policy it will only pertain to, District Court Judges, Superior Court Judges, District Attorneys, and Clerks of Superior Court, who are no longer serving on the bench or office, was not disbarred or removed from office for misconduct, served a minimum of ten years, and/or did not lose re-election. The Board is requested to approve/adopt the Lenoir County Courthouse Portrait Policy. This policy would allow portraits of District and Superior Court Judges, District Attorneys, and Clerks of Superior Court to be permanently hung in the designated areas in the Lenoir County Courthouse. Attorney Griffin stated to be consistent with the other listings, regarding the title of District Attorney, under the bulleted items add: "resident of Lenoir County at the time of election". Upon a motion by Ms. Sutton and a second by Ms. Brown, Item No. 15 was unanimously approved with the addition added to District Attorney's area.

Item No. 16 was a Resolution Approving Citizens to Boards, Commissions, Etc. Ms. Brown stated since this is the first appearance for each person no action is needed at this time.

Item No. 17 was items from the county manager Mike Jarman. Mr. Jarman stated he did not have anything other than the attached planning and inspections and transit reports.

Mr. Hill stated he wanted to make sure the Board was on the same page in regards to the letter he received from Ms. Geraldyne Barbour, Chairman of the African-American Heritage Commission of Kinston and Lenoir County, North Carolina. They are asking if the Commissioners would provide them with a letter of support regarding their efforts to develop the Harvey E. Beech Building, and a historic highway marker. Their plans are to have a Civil Rights History Center and Museum focusing on the impact of the late Attorney Harvey E. Beech and the civil rights achievements of other Lenoir County residents. Also, if accepted this will be the first African-American historic highway marker in Lenoir County. Upon a motion by Ms. Sutton and a second by Mr. Daughety, the Board agreed unanimously to provide the letter to the African-American Heritage Commission.

Meeting Adjourned at 9:45 a.m.

Respectfully submitted,

Vickie F. King
Clerk to the Board

Reviewed by,

Joey R. Bryan
Assistant County Manager