LENOIR COUNTY BOARD OF COMMISSIONERS REGULAR MEETING: AGENDA
MONDAY, OCTOBER 6, 2008 TIME: 9:00 A.M.
COMMISSIONERS' MEETING ROOM, LENOIR COUNTY COURTHOUSE
130 S. QUEEN ST., KINSTON, N.C.

CALL TO ORDER, INVOCATION, PLEDGE OF ALLEGIANCE: 5 Min. Est.

PUBLIC INFORMATION: Ms. Agnes Ho, Neuse Regional Library Director:
Re: Dedication Ceremony

Ms. Lucy Marston, Lenoir County Tourism Director:
Re: Lenoir County Paddlers Guide

Mr. Russell Rhodes, Lenoir County Transportation Chairman:
Re: Rail Corridor

Mr. Darrell Parrish, Tax Administrator:
Re: 2009 Reappraisal Schedule

Mr. Mac Wood, North Carolina Veterans Affairs:
Re: Veterans Service Officer

1. **Items from Chairman/Commissioners: 5 Min.** — Board
2. **Items from County Manager: 5 Min.** — Jarman

CONSENT AGENDA: 10 Min. — **ACTION**

3. Approval of Minutes: Regular Board Meeting: September 15, 2008
   Closed Session Meeting: September 15, 2008 — Aytch/Jarman
4. Resolution Approving the Releases and Refunds to the Individuals Listed Herein — Parrish/Martin
5. Budget Ordinance Amendment: Capital Improvements Fund: Economic Development: $10,000: Increase — Jarman/Martin

END OF CONSENT AGENDA

PUBLIC HEARING: 20 Min.

6. Public Hearing Regarding the Proposed Shell Building No. 3 — Pope/Board

BUDGET ORDINANCE AMENDMENT/RESOLUTIONS: 40 Min.

7. **A.** Budget Ordinance Amendment: General Fund: COOP Ext-Safe & Drug Free Schools Grant: $27,032: Increase — Kelly/Martin
   B. Budget Ordinance Amendment: General Fund: COOP Ext-Prevention Block Grant: $48,119: Increase

8. **A.** Resolution Approving Purchase of a Patrol/Narcotics Canine: $16,000 — Smith/Martin
   B. Budget Ordinance Amendment: Federally Seized Property Fund: Sheriff-Federally Seized Property: $8,000: Increase

9. Resolution Approving Purchase of Equipment & Monitoring Services from Reliant: $11,500 — Smith/Martin
10. Resolution Approving Purchase of Field Based Reporting Software: $37,322 — Smith/Martin
11. Resolution Authorizing the City of Kinston to become Primary Applicant for the Battlefield Parkway and Soccer Complex Water Re-Use Project — Ellis/Martin
12. Budget Ordinance Amendment: General Fund: Health (Adult Health) : Increase $12,623 — Huff/Martin
13. Budget Ordinance Amendment: General Fund: Board of Elections: $35,900: Increase — King/Martin
14. Budget Ordinance Amendment: Capital Improvements Fund: Economic Development: $17,500: Increase — Hollowell/Martin
15. Resolution Authorizing Execution of an Addendum to the Sales Tax Audit Contract Dated October 18, 2004 with Tax Reduction Specialists: Sales Tax Re-allocation Audit — Hollowell/Martin
16. Resolution Approving Engineering Services for Limited Phase II Environmental Report on Parking Lots for Proposed Jail Construction: KCI Associates: $3,400 — Hollowell/Martin
17. **A.** Resolution to Approve Declaring One (1) Lenoir County Transit Vehicle as Surplus Vehicle — Powell/Martin
    B. Resolution Approving the Acceptance of a Proposal for Advertisement by Tar Heel Home Health on the Lenoir County Transit Vehicles and the Execution of a Contract
    C. Resolution Authorizing the Issuance of a Blanket Purchase Order For Squires Auto Generator & Started Service, Inc. For $20,000 For Fiscal Year 2008-2009 for Vehicle Maintenance and Repairs

APPOINTMENTS: 5 Min.

18. Resolution Approving Citizens to Boards, Commissions, Etc. — Aytch

OTHER ITEMS: 10 Min.

19. **Items from County Manager / County Attorney / Commissioners Public Comments/ Closed Session (if necessary)**

ADJOURNED:

County of Lenoir

Office of the
Tax Administrator

Drawer 3289
Kinston, N.C. 28502

Public Information Item for the Lenoir County Board of Commissioners Meeting Scheduled for Monday October 6, 2008

To: Lenoir County Commissioners
Mike Jarman, Lenoir County Manager

From: Darrell Parrish
Lenoir County Tax Administrator

Re: Submitting of the proposed 2009 Reappraisal Schedule of Values and timeline for adopting the Schedule of Values

Date: October 1, 2008

Below is a recommended timeline for adopting the uniform schedules of values, standards, and rules to be used in appraising real property in Lenoir County for the 2009 revaluation. This timeline adheres to the legal requirements set forth in NC General Statue 105-317: Appraisal of real property; adoption of schedules, standards, and rules.

OCTOBER 6, 2008 – SUBMIT PROPOSED SCHEDULE OF VALUES

Upon receipt of the proposed schedules, standards, and rules, the Board of Commissioners shall publish a statement in the newspaper stating the schedules have been submitted to the Board of County Commissioners and are available for public inspection in the Tax Assessor's office. The published statement shall also include the time and place of a public hearing on the proposed schedules, standards and rules.

OCTOBER 20, 2008 – PUBLIC HEARING ON THE PROPOSED SCHEDULES, STANDARDS, AND RULES

The public hearing must be held at least seven days before adopting the final schedules, standards and rules.

NOVEMBER 3, 2008 – RESOLUTION REQUESTING THE BOARD OF COUNTY COMMISSIONERS TO ISSUE AN ORDER ADOPTING THE SCHEDULES, STANDARDS AND RULES.

Notice of this order shall be published once a week for four (4) successive weeks in the newspaper. Notice shall state that the Schedules have been adopted and are open to examination and that property owners have 30 days from the date the first notice was published to appeal to the Property Tax Commission.

DECEMBER 4, 2008 – LAST DAY PROPERTY OWNER MAY APPEAL THE SCHEDULES, STANDARDS, AND RULES TO THE PROPERTY TAX COMMISSION. *(IF FIRST NOTICE DATE WAS 11/03/08)*

LENOIR COUNTY VETERANS SERVICE OFFICER

JUSTIFICATION

The implementation of a new Department, Lenoir County Veterans Affairs Office would employ a staff of two people, a County Veterans Service Officer (CVSO) and one Personnel Assistant (PA). {**The PA position is already funded**}

We feel that now is the appropriate time for Lenoir County to seriously consider funding this position, County Veterans Service Officer. The justification lies in the facts that Lenoir County is on the precept of a major influx of veterans and dependents with the coming of recently secured industries, e.g. Sanderson & Spirit to Lenoir County and others that are in the pipeline.

For years, the North Carolina Division of Veterans Affairs District Office located in Lenoir County has tried to provide needed services to veterans of the county and their dependents. However, the duties of the District Office will be expanding with the coming of the NC Veterans Nursing Home to Lenoir County and increase in veterans population in counties serviced by District 2 of the North Carolina Division of Veterans Affairs.

Currently, the two District Officers attempt to provide services to veterans in the county, visit other offices within their district (Jones, Duplin, Craven, Pamlico, Greene, Carteret) on regular weekly basis providing training, assisting with leadership issues, and assisting with unusual cases. Additionally, they work with County Managers and commissioners in these counties when there are vacancies to be filled.

With the potential increase of veterans moving into Lenoir County, along with new industries arriving, we feel that the time required to service Lenoir County veterans

will be shortened or missed inadvertently. Also, North Carolina is only one of two states in the union to increase in veterans population, Tennessee the other.

Currently there is not a District Officer reporting veterans activities in Lenoir County to the County Manager/Commissioners monthly. The District Office in Lenoir County has little or no working relationships with county veteran service organizations and no active working relationship with civic groups to promote veterans holiday's under the auspice of their current workload. A final issue that lacks activity is the routine contacting of local businesses on a regular basis that are directly impacted by Lenoir County veterans benefits.

In conclusion, we feel that the development of a County Veteran Affairs Office In Lenoir County would help improve the services to veterans and their dependents and be more consistent with regular follow-ups. We would assure veterans that even with increased industry and population in the county, the veterans and their dependents would be serviced daily on a walk-in basis. This department would be involved with all service organizations in the county, local civic groups and be in and out of merchants businesses in Lenoir County on a regular basis.

It is obvious that a newly assigned County Department of Veteran Affairs with a County Veterans Service Officer and Personnel Assistant in Lenoir County will be a win-win situation for the county and the veterans.

Lenoir County Veterans Service Officer

REQUIREMENTS TO FURNISH OFFICE

I. Salaries for County Veteran Service Officer (CVSO) and Personnel Assistant

A. Salary for full-time CVSO

B. Salary for full-time Personnel Assistant is being paid by county being used by NCDVA District Office

II. Computers and copier and Internet service

A. Computers belonging to Lenoir County are at NCDVA office

B. Copier belonging to Lenoir County is located at NCDVA office

C. Internet service will need to be furnished by Lenoir County

III. Multi-line telephone system and dedicated FAX line

A. Multi-line telephone system will have to be furnished by Lenoir County

B. Dedicated FAX line will have to be furnished by Lenoir County

IV. Office desk and file cabinets

A. Desk and file cabinets necessary are in Lenoir County storage.

V. Working files, office supplies, etc

A. This will have to be purchased by Lenoir County

VI. Office space and location

A. **Will have to be furnished by Lenoir county**

B. **Will have be handicap accessible.**

Lenoir County Veterans Service Officer

County	Veteran Population	2007 Lenoir Co. Veterans Benefits
Lenoir	5145	21,235,000.00

Similar counties across state in veteran population

County	Veteran Population	CVSO Salary	Department Budget	2007 Lenoir Co. Veteran Benefits
Surry	5654		117,075	20,952,000.
Wilkes	5185		146,189	18,279,000.
Columbus	4404	$43,000		18,063,000.
Richmond	3993	30, 520		19,673,000.
Sampson	4555			21,019,000.

LENIOR COUNTY JOB DESCRIPTION

JOB TITLE: **County Veteran Service Officer**
Veteran Service Department

GENERAL STATEMENT OF JOB

Under minimal supervision, performs administrative work of the County Veteran Service Office. Employee is responsible for providing service and representation to veterans, their dependents, and survivors with new and reopened claims and appeals to the U.S. Department of Veteran Affairs.

Duties include interviewing clients, advising and counseling clients of entitlements under various Federal and State laws, medical and legal research, preparation of claims, review of Department of Veteran Affairs (DVA) rating decisions, composition of appeals, and transmitting correspondence to appropriate officials. The County Veteran Service Officer (CVSO) must manage each case while maintaining a working relationship with the claimant. Work includes answering telephones, greeting veterans and/or dependents, preparing visitor and telephone log, and maintaining tangible files of veterans. The CVSO must receive National Accreditation from the General Counsel of the United States to represent veterans, widows, widowers, dependents and children. The County Veteran Service Officer will supervise one employee. The Lenoir County Veteran Service Department of will be managed by the Lenoir County Manager.

Continual education and training is critical to keep informed on the latest changes in DVA policies, procedures, regulations and recent precedent decisions from the U.S. Court of Appeals for veteran claims. Education is received by attendance at NCDVA DSO Schools, N.C. Association of CVSO Conferences, National Association of CVSO Conferences, and Department of Veterans Affairs Seminars.

SPECIFIC DUTIES AND RESPONSIBILITIES

· Greet visitors, answers telephone and handle correspondence.

· Interview veterans and their dependents providing information and direct assistance/representation with new and reopened claims concerning matters of burial, compensation, education, health care, insurance, loans pensions, etc.

· Selects, develops and prepares proper applications and obtains documents, medical records, and affidavits as evidence of proof of entitlements for submission to the U.S. Department of Veterans Affairs.

· Reviews all U.S. Department of Veterans Affairs rating decisions for correctness according to current regulations.

· Researches and prepares appeals to the U.S. Board of Veterans Affairs.

· Works closely with all local businesses to include funeral homes, banks, military units, etc.

· Maintain a variety of tangible veteran/dependent files, to include a diary system for management of each claim.

· Maintain records of potentially eligible dependent children for the NCDVA Scholarship Program, assisting such with application to the NCDVA during their senior year of high school.

· Act as a strong advocate for the veteran to secure medical benefits from VAMC.

COUNTY VETERAN SERVICE OFFICER

ADDITIONAL JOB FUNCTIONS

- Prepares and manages annual budget for the Veterans Service Department.
- Visit and work with all service organizations.
- Be an active working participant in the Annual Veterans Day ceremonies.
- Speak on behalf of veteran issues using newspaper, radio/TV as available.
- Report Annual Assessment of Veterans benefits to Lenoir County Manager and Commissioners.
- Perform other related work as required.

MINIMUM TRAINING AND EXPERIENCE

Bachelor degree and a minimum of two years of related veterans experience or accreditation by the National Association of County Veterans Service Officers and /or the North Carolina Division of Veterans Affairs.

SPECIAL RECOMMENDATIONS

Non-accredited Service Officer must obtain accreditation from the North Carolina Division of Veterans Affairs within one year and obtain accreditation from the National Association of County Veterans Service Officers within two years. U.S Department of Veterans Affairs' TRIP certification should be obtained within one year.

Continual education and training through the NCDVA DSO schools, NC Association of CVSO Conferences, National Association of CVSO Conferences and the U.S. DVA seminars is required.

County Veterans Service Officer

KNOWLEDGE, SKILLS AND ABILITIES

Extensive knowledge of Federal and State laws pertaining to veterans' benefits available through the US Department of Veterans Affairs and the North Carolina Division of Veterans Affairs.

Extensive knowledge of the various procedures, applications and forms used in applying for veterans benefits.

Considerable layman knowledge of various disabilities common to veterans.

Considerable knowledge of office equipment, procedures and standard clerical skills.

General knowledge of where and procedures for obtaining public documents in North Carolina, other states and foreign countries.

General knowledge of community organizations, agencies and facilities related to veterans affairs.

Skills in organizing work flow and coordinating activities.

Skills in the usage of office equipment including computers, typewriters, copiers, adding machines, etc.

Management background.

Ability to interview, obtaining maximum information available to ascertain proper benefits for the client.

Ability to exercise tack, courtesy and discretion in frequent contact with clients, veterans, and veteran program officials.

Ability to research and interpret and apply obscure federal laws, state laws and current law cases.

Ability to handle independently all communications.

Ability to work without close supervision.

Ability to maintain effective files and records and prepare reports for monthly briefs.

Ability to establish and maintain effective working relationships as necessary with all inter-agencies.

Item No. 2

TO: **Chairman and Members of the Board**

FROM: **Mike Jarman, County Manager**

DATE: **October 6, 2008**

SUBJECT: **Items of Interest**

1. Lenoir County Inspections Permit/Inspection Report: September 2008

2. Financial Outlook

3. Minutes: Lenoir County ABC Board: July 11, 2008 and August 8, 2008

LENOIR COUNTY
PLANNING & INSPECTIONS DEPARTMENT
PO BOX 3289
101 NORTH QUEEN STREET
KINSTON, NC 28502
PHONE: 252-559-2260
FAX: 252-559-2261

LENOIR COUNTY INSPECTIONS
PERMIT/INSPECTION REPORT

SEPTEMBER 2008

PERMITS ISSUED: 117

PERMITS VALUE: $ 1,274,823

PERMIT FEES: $ 9,978

SINGLE FAMILY DWELLINGS: 1

MOBILE HOMES: 11

COMMERCIAL: 1

ADDITIONS: 11

ELECTRICAL: 40

PLUMBING: 11

MECHANICAL: 21

OTHER: 21

TOTAL INSPECTIONS: 261

KINSTON/LENOIR COUNTY

PERIODIC REPORT OF PERMITS ISSUED (GROUPED BY REPORT CODE)

DATE RANGE: 09/01/08 TO 09/30/08 Printed on: OCTOBER 1, 2008

	CODE	PRMS	VALUATION	FEES PAID	UNITS
NEW RES. HOUSEKPING - LENOIR COUNTY					
* Single Family Houses Detached	101B	1	143,000.00	310.00	1
* Single Family Houses Attached	102B	0	0.00	0.00	0
* 2 Family Building	103B	0	0.00	0.00	0
* 3 and 4 Family Buildings	104B	0	0.00	0.00	0
* 5 or More Family Buildings	105B	0	0.00	0.00	0
*TOTAL INFORMATION 101-105	109B	0	0.00	0.00	0
NEW RESIDENTIAL NON-HOUSEKEEPING BL:					
* Hotels, Motels & Tourist Cabins ..	213B	0	0.00	0.00	0
* Other Non-Housekeeping Shelter ...	214B	0	0.00	0.00	0
NEW NON-RESIDENTIAL BUILDINGS:					
* Amusement, Social, & Recreational	318B	0	0.00	0.00	0
* Churches & Other Religious	319B	0	0.00	0.00	0
* Industrial	320B	0	0.00	0.00	0
* Prkng Garages (Blds & Open Decked)	321B	0	0.00	0.00	0
* Service Stations & Repair Garages	322B	0	0.00	0.00	0
* Hospitals & Institutional	323B	0	0.00	0.00	0
* Offices, Banks, & Professional ...	324B	0	0.00	0.00	0
* Public Works & Utilities	325B	0	0.00	0.00	0
* Schools & Other Educational	326B	0	0.00	0.00	0
* Stores & Customer Services	327B	0	0.00	0.00	0
* Other Non-Residential Bldgs	328B	1	260,000.00	1,725.00	1
* Stuctures Other than Buildings ...	329B	0	0.00	0.00	0
ADDITIONS, ALTERATIONS, & CONVERSION					
* Residential	434B	11	209,590.00	978.00	11
* Non-Residential & Non-Housekeeping	437B	0	0.00	0.00	0
* Adds of Res. CP/Garages(Atch/Detc)	438B	0	0.00	0.00	0
DEMOLITIONS AND RAZING OF BUILDINGS:					
* Single Family Houses (Atch/Detach)	645B	0	0.00	0.00	0
* 2 Family Buildings	646B	0	0.00	0.00	0
* 3 & 4 Family Buildings	647B	0	0.00	0.00	0
* 5 or More Family Buildings	648B	0	0.00	0.00	0
* All Other Buildings and Structures	649B	0	0.00	0.00	0
TOTALS FOR PERMITS THIS PAGE		13	612,590.00	3,013.00	13

KINSTON/LENOIR COUNTY

PERIODIC REPORT OF PERMITS ISSUED (GROUPED BY REPORT CODE)

DATE RANGE: 09/01/08 TO 09/30/08 Printed on: OCTOBER 1, 2008

	CODE	PRMS	VALUATION	FEES PAID	UNITS
MOBILE/MODULAR OFFICE/CLASSROOM					
*MOBILE OFFICE	740B	0	0.00	0.00	0
*MODULAR CLASSROOM	750B	0	0.00	0.00	0
*MODULAR OFFICE	730B	0	0.00	0.00	0
ELECT./PLUMB/HEAT/A/C/INS/TEMP POLE:					
*ELECTRICAL	800B	40	76,440.00	2,414.00	40
*PLUMBING	810B	11	14,950.00	634.00	11
*HEATING/ AIR CONDITIONING	820B	21	77,200.00	1,219.00	21
*INSULATION	830B	4	13,800.00	208.00	4
*TEMPORARY POLE	840B	2	1,500.00	100.00	2
RESIDENTIAL ACCESSORY STRUCTURES					
*STORAGE/PORCHES/PATIOS/DECKS	900B	0	0.00	0.00	0
MISCELLANEOUS:					
*CHANGE OF OCCUPANCY	910B	0	0.00	0.00	0
*INSPECT DWELLING	920B	0	0.00	0.00	0
*TENTS	930B	0	0.00	0.00	0
*SATELLITE DISH	940B	0	0.00	0.00	0
*AWNING	950B	0	0.00	0.00	0
*EXTRA INSPECTIONS	960B	13	6,375.00	715.00	13
*FIRE PROTECTION SPRINKLER SYSTEM	966B	0	0.00	0.00	0
*MOVING DWELLING ONLY	970B	0	0.00	0.00	0
*SIGN	980B	1	11,000.00	50.00	1
*FIREWORKS	985B	0	0.00	0.00	0
*SWIMMING POOL	990B	0	0.00	0.00	0
*TANKS	995B	0	0.00	0.00	0
MOBILE HOMES					
*SINGLE WIDE MOBILE HOME	700B	6	42,500.00	850.00	6
*DOUBLE WIDE MOBILE HOME	710B	5	416,968.00	625.00	5
*MODULR HOME	720B	0	0.00	0.00	0
TOTALS FOR PERMITS ABOVE (incl. pg 1)		116	1,273,323.00	9,828.00	116
Totals of other permits in the period		1	1,500.00	150.00	11
TOTAL FOR ALL PERMITS IN THE PERIOD		117	1,274,823.00	9,978.00	127

SUMMARY OF INSPECTIONS COMPLETED BY INSPECTOR ID DURING THE PERIOD 09/01/08 THROUGH 09/30/08

THIS REPORT WAS PRINTED ON OCTOBER 1, 2008

KINSTON/LENOIR COUNTY

((S T A T I S T I C A L B R E A K O U T))

	(Inspections)			(Re-Inspections)			Based On # Activities
# ACTIVITIES	INSPECTIONS (I)	PASSED	CORRECTIONS	RE-INSPECTIONS (R)	PASSED	CORRECTIONS	RE-INSPECTIONS REQUIRED
261	197	154	40	64	56	7	47
	% INSPECTIONS	% PASSED	% CORRECTIONS	% RE-INSPECTIONS	% PASSED	% CORRECTIONS	% RE-INSPECT. REQUIRED
	75	78	20	25	88	11	18

On August 8, 2008 the Lenoir County ABC Board held its monthly meeting. With all members present Chairman Stroud called the meeting to order. The minutes of the prior month were approved as read.

As the initial order of business Mr. Hill distributed sales reports for the month of July 2008. Following a review of these statements the Board took note of the significant increase in sales comparing July 2008 to July 2007.

Next Board Member Coley Little gave a report on the annual conference for the North Carolina Association of ABC Boards. Mr. Little stated that it was his first conference as an ABC Board Member and was very imperessed with how the Association conducted its meeting. Mr. Little stated that the Conference was very informative and very well organized. Mr. Little also stated that going to the Conference and seeing things first hand helped him to better understand how the Association and ABC Board operate.

Next Mr. Hill reported that the survey sent out by the Program Evaluation Division of the General Assembly in connection with the evaluation of the effectiveness of the ABC System in North Carolina had been completed and returned on time.

As the final order of business Mr. Hill reminded the Board that Labor Day was a mandatory holiday. Following a brief discussion the Board instructed Mr. Hill to notify all employees as well as the general public that the Lenoir County ABC Stores would be closed on Monday, September 1, 2008 in observance of Labor Day.

With no further business at hand Chairman Stroud adjourned the August meeting.

Claude Stroud, Chairman

Bruce E. Hill, Supervisor

On July 11, 2008 the Lenoir County ABC Board held its monthly meeting. With all members present Chairman Stroud called the meeting to order. The minutes of the prior month were approved as read.

As the initial order of business Mr. Hill distributed sales reports for the month of June 2008. Following a review of these statements the Board made note of the decrease in sales comparing June 2008 to June 2007. The Board also took note of the significant increase in sales comparing the years ending June 30, 2008 to June 30, 2007.

Next Mr. Hill informed the Board that the contract with Design Plus Store Fixtures Inc. of Monroe, NC for the remodeling of Store #One located at 110 South Herritage Street had been executed. Mr. Hill stated that the remodeling process would start around the middle of August 2008 and would take approximately two weeks. The Board instructed Mr. Hill to take the appropriate measures necessary to accomodate the closing of Store #One during these two weeks.

Next Mr. Hill informed the Board that the first step in the installation process of the new cash register system for the Lenoir County ABC Stores and the new computer system for the Lenoir County ABC Board Office would begin around the end of August 2008. Mr. Hill stated that the entire process would take approximately three months.

Next Mr. Hill informed the Board that the Program Evaluation Division of the General Assembly had notified all ABC Boards that a survey in connection with their evaluation of the effectiveness of the ABC system in North Carolina would be sent out at the end of July 2008. Following a brief discussion the Board instructed Mr. Hill to complete the survey as soon as possible once it had been received.

As the final order of business the Board considered salary adjustment for its employees. Following a lengthy discussion the Board decided to give all full-time and part-time employees a 3% cost of living increase as well as a $200 per year salary bonus to all full-time employees and a $100 per year salary bonus to all part-time employees. The Board instructed Mr. Hill to make these salary adjustments effective July 1, 2008.

With no further business at hand Chairman Stroud adjourned the July meeting.

Claude Stroud, Chairman

Bruce E. Hill, Supervisor

MINUTES
LENOIR COUNTY BOARD OF COMMISSIONERS
September 15, 2008

The Lenoir County Board of Commissioners met in regular session at 4:00 p.m. on Monday, September 15, 2008 in the Board of Commissioners Main Meeting Room in the Lenoir County Courthouse at 130 S. Queen St., Kinston, NC.

Members present: Chairman Paul Taylor and Commissioners, Jackie Brown, Claude Davis, Earl Harper, Chris Humphrey, and Claude Stroud.

Members absent: Vice-Chairman George Graham

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

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

Upon a motion by Ms. Brown and a second by Mr. Harper, Mr. Graham was excused from the meeting due to a FEMA mission.

PUBLIC INFORMATION

Ms. Catharine Kosinski presented the Board information regarding Disability Awareness. Ms. Kosinski stated the title of her project is "Access Lenoir." Ms. Kosinski hopes to show resources that are available to people with disabilities. Ms. Kosinski stated she wanted to do this project due to an accident she was in five (5) years ago when she was forced to use a wheelchair for several months. Ms. Kosinski stated her goals are to increase public awareness through a Disability Resource Fair on October 15, 2008 at Vernon Park Mall, complete her projects with Ministries of Mercy to build wheelchair ramps for disabled citizens in Lenoir County, and finally to make access to public buildings around the city and county more accessible for the disabled. Ms. Kosinski hopes the Commissioners look to increase signage regarding ramps and wheelchair lifts around the courthouse, and research having automatic doors installed as well. The Board thanked Ms. Kosinski for her presentation.

The 2009 Re-appraisal Schedule of Values was tabled for further information.

ITEMS FROM THE CHAIRMAN/COMMISSIONERS

Mr. Taylor stated the Groundbreaking Ceremony for Spirit AeroSystems went very well today; Mr. Taylor stated he is looking forward to the construction process. Mr. Jarman stated the event was very well attended; the county is very excited about having Spirit in Lenoir County.

Mr. Harper stated the Day Reporting Center had five (5) new graduates this past week. The program is doing very well.

Ms. Brown updated the Board on expenditures of the Department of Social Services.

ITEMS FROM THE COUNTY MANAGER

Item No. 2 was Items from the County Manager. No items to review.

CONSENT AGENDA

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

3.		Approval of Minutes: Regular Board Meeting: September 2, 2008	Aytch/Jarman
4.		Budget Ordinance Amendment: General Fund: Soil Conservation: $1,364: Increase	Anderson/Martin
5.	**A.**	Budget Ordinance Amendment: General Fund: JCPC Parenting Matters: $140: Increase	Kelly/Martin
	B.	Budget Ordinance Amendment: Trust & Agency Fund: Extension – Family Caregiver: $7,666: Increase	
6.		Budget Ordinance Amendment: General Fund: Finance/Sheriff: $4,000: Increase	Jarman/Martin

BUDGET ORDINANCE AMENDMENT/RESOLUTIONS

Item No. 7 was a Budget Ordinance Amendment: General Fund: Process Funds: $20,000: Increase. Mr. Hollowell stated the Amendment sets up a pass through account for the Floodplain Mapping Fee. The 2008 North Carolina General Assembly enacted Session Law 2008-107 that amended G.S. 161-10 to increase the registration fee for deeds of trust and mortgages. This fee will be collected by Register of Deeds and forwarded to the North Carolina Department of Crime Control and Public Safety to offset the cost of floodplain mapping by the State. This new legislation will be effective October 1, 2008. Upon a motion by Mr. Humphrey and a second by Mr. Stroud, Item No. 7 was unanimously approved.

Item No. 8A was a Budget Ordinance Amendment: General Fund: DSS: $34,681: Increase. Mr. Chris Harper, Family Support Program Manager addressed the Board. The amendment reflects a line item adjustment to reflect increase and/or decrease in allocations. No County funds required. Upon a motion by Mr. Harper and a second by Ms. Brown, Item No. 8A was unanimously approved.

Item No. 8B was a Resolution Requesting Appointment of the Planning Committee for the Lenoir County Work First Block Grant Plan for SFY 2010-2011. As State Law mandates, all counties must submit a county Work First Block Grant Plan to the Department of Health and Human Services for Work First biennial planning. This is an opportunity for counties to take full advantage of the local flexibility structure in the Work First Program. The planning process consists of several significant criteria. Those criteria include the designation of county status, the planning committee, the county plan model, public comment, and the primary contact designee.

North Carolina General Statute 108.27 and Work First Policy Section 103 provide guidelines for the appointment of a Welfare Reform planning committee. The required committee stakeholders include:

- County Board of Social Services
- Board of Local Management Entity
- Local public health board
- Local school system
- Business community
- Board of County Commissioners

Community based organizations

North Carolina General Statute 108.27 and Work First Policy Section 103 provide instructions for the development of the local Work First plan to meet local needs. The individuals selected for the Work First Planning Committee are very familiar with the Work First Program, the targeted population, and the planning process. Upon a motion by Mr. Harper and a second by Ms. Brown, Item No. 8B was unanimously approved.

Item No. 9 was a Resolution Authorizing Lenoir County Health Department to Execute a Purchase Order to C & W Electronics, Inc.: $4,420. Mr. Joey Huff, Health Director addressed the Board. Mr. Huff stated the CO2 incubator is used by laboratory staff to culture clinical specimens for medical staff to make diagnosis and determine the most effective treatment. The current CO2 incubator has been in operation since March 1996, and is unable to be used due to a bad temperature sensor. Upon a motion by Mr. Davis and a second by Ms. Brown, Item No. 9 was unanimously approved.

Item No. 10 was a Resolution Authorizing Blanket Purchase Order: Squires Auto Generator & Starter Service: $5,000. Mr. Hollowell stated the Lenoir County Transit System operates a fleet of approximately 12 vehicles. The Transit System utilizes local vendors for maintenance and repairs to its vehicles. Squires Auto Generator & Starter Service is a local vendor with many years of experience and is able to perform many of the repairs required for Transit Vehicles. Upon a motion by Ms. Brown and a second by Mr. Stroud, Item No. 10 was unanimously approved.

Item No. 11 was a Resolution Authorizing Painting of District Criminal Courtroom in the Lenoir County Courthouse: Creech's Painting, Inc.: $6,270. Mr. Mike Wiggins, Maintenance Coordinator, addressed the Board. Mr. Wiggins stated The Lenoir County Courthouse addition was constructed in 1982-1983. The interior of the District Courtrooms has not been painted since that time. Medallions on the walls behind the Judge's benches have loosened and begun to fall. Water damage to ceilings has not been sealed and painted. The walls have become dirty and the existing paint has been rubbed off in places while trying to clean them. The current condition of the interior of the District Courtrooms does not present a favorable image for the County. Administration wishes to repair and paint the District Courtrooms one at a time in an effort to disrupt the legal proceedings as little as possible. The District Criminal Courtroom is in the worst condition and will be first on the repair and paint list. The County Maintenance Department received three (3) bids to clean, repair, and paint the interior of the Criminal District Courtroom in the Lenoir County Courthouse. Creech's Painting, Inc. of Kinston, N.C. provided the County with the lowest bid to perform the work as specified. Upon a motion by Mr. Stroud and a second by Ms. Brown, Item No. 11 was unanimously approved.

Item No. 12 was a Resolution Approving Engineering Services Geotechnical and Phase I Environmental Reports on Parking Lots for Proposed Jail Construction: Froehling & Robertson, Inc. and KCI Associates: $6,815. Mr. Hollowell stated on August 4, 2008, the Board approved a 90-day option- to-purchase agreement on lots adjacent to the Lenoir County Courthouse for proposed jail construction. Before exercising the option-to-purchase agreement, the County must determine if the lots are suitable for construction of a jail facility. Geotechnical reports may include, but are not limited to, description of proposed construction and anticipated structural loads, site subsurface conditions, soil borings, test pits, groundwater conditions, requirements for fill/backfill, foundation depth recommendations, and recommendations for temporary excavations and permanent slope stability. A Phase I environmental report identifies recognized environmental conditions of the subject property. A historical review of the site and site activities is conducted to determine the environmental condition of the property. If a Phase I evaluation indicates a potential for contamination, a Phase II site assessment involving sampling and testing would be recommended. The cost of a Phase II evaluation is not included in this proposal. Lenoir County has a 90-day option-to–purchase agreement on lots adjacent to the Lenoir County Courthouse for proposed jail construction. Geotechnical and Phase I environmental reports need to be performed on the lots prior to the County exercising it's option-to-purchase agreement on the lots. Froehling & Robertson, Inc. and KCI Associates, both of Raleigh, N.C., provided the County with the least expensive proposals to provide Geotechnical and Phase I environmental report on the lots. Upon a motion by Mr. Harper and a second by Mr. Stroud, Item No. 12 was unanimously approved.

Item No. 13A was a Resolution Authorizing Emergency Rental of Off-Road Truck: Hertz Rentals: $7,825. Mr. Tom Miller, Landfill Director, addressed the Board. Mr. Miller stated the Terex off-road truck owned by the landfill is constantly moving dirt. In July 2008 the Terex off-road truck broke-down, requiring an engine replacement. On July 21, 2008, the Board authorized an engine replacement and brake system repair. A factory-rebuilt engine was ordered and the replacement is in progress. Landfill operations must continue and the landfill director attempted to use a smaller on-road truck to move the fill dirt required each day, but the massive amount of dirt needed was too much of a strain for the smaller truck. To avoid permanent damage to the smaller on-road truck, administration authorized the landfill director to rent an off-road truck to be used at the landfill for up to one (1) month while the repairs are being completed on the Terex off-road truck. The engine replacement and brake system overhaul should be completed in 2-3 weeks. Hertz Rental provided the lowest cost to the County for a one-month rental of an off-road truck for the landfill. Management recommends the emergency rental of this truck from Hertz Rentals for one month at a price not to exceed $7,825. Upon a motion by Mr. Stroud and a second by Mr. Humphrey, Item No. 13A was unanimously approved.

Item No. 13B was a Resolution Authorizing Purchase of a 1990 Caterpillar 615C Scraper: Davie Grading, Inc.: $46,000. Mr. Miller stated the landfill currently owns a 1990 Caterpillar 615C scraper. Last week the transmission locked-up and caused the driveshaft to break loose and penetrate the transmission housing. The hole in the transmission housing can not be repaired. The landfill director has contacted suppliers to acquire a new rebuilt transmission. The cost of a new rebuilt transmission is $30,000 plus labor to install. The scraper is in constant use leveling; grading the landfill property, and hauling fill dirt to all areas of the landfill facility. In the past 2 years, the scraper has been overhauled except for the transmission. Landfill operations must continue. The cost of a newer scraper (2000 – 2006 model) ranges from $200,000 to $550,000.

A used 1990 Caterpillar 615C scraper identical to the model currently owned by the landfill was located in High Point NC. A picture of this scraper is attached. The landfill director went to High Point last week to operate the scraper. The scraper in High Point had $25,000 in engine work done within the past 60 days. The chains are 90% good, the brakes are new, the tires (which cost $2,500-$3,000 each) are almost new, and the transmission has just been serviced. The scraper has only about 25 hours of use since all repair and service work has been completed. Comparing the cost of replacing the transmission on the scraper owned by the landfill to purchasing this scraper in High Point, the landfill director feels that the purchase of the used scraper is in the best interest of the landfill. This scraper can be used immediately or parts can be interchanged on either unit as the landfill expands, the transmission may need to be replaced on the existing scraper and return it to service. The transmission on the 1990 Caterpillar 615C scraper owned by the landfill needs to be replaced at a cost of $30,000 plus labor. The landfill director has located an identical used scraper in High Point for $46,000 delivered. The engine on the unit in High Point has recently been rebuilt and other expensive parts replaced and serviced. The tires are almost new. It is ready to be placed in service. Parts are interchangeable between the two scrapers. The scraper in High Point can be used now and delay the replacement of the transmission on the existing unit. Upon a motion by Mr. Taylor and a second by Mr. Harper, Item No. 13B was unanimously approved.

Item No. 14A was a Resolution Approving Deeds to the State of North Carolina. Mr. Jarman stated the City of Kinston and the County of Lenoir deeded property at the former Kinston Regional Airport to the State of North Carolina on June 21, 1988 (Deed Book 881 Page 777) for the purpose of constructing a new National Guard Armory. The City of Kinston and the County of Lenoir also deeded property to the North Carolina Global TransPark Authority on March 6, 1995 (Deed Book 1022 Page 469) for the purpose of constructing the Mountain Air Cargo Facility. Both of the land transactions reserved the right to reversionary interest in the event the grantees failed to construct the specified facilities. The State of North Carolina has constructed a National Guard Armory on Dobbs Farm Road and therefore the property at the former Kinston Regional Airport transferred by deed dated June 21, 1988 is no longer needed for an Armory site. Also the Mountain Air Cargo Facility has been constructed on the property deeded to the North Carolina Global TransPark Authority on March 6, 1995 thereby meeting the requirements specified. Since the land specified in each of these transactions is a portion of the 307 acre site needed for Spirit AeroSystems, it is in the best interest of the citizens of Lenoir County to terminate the reversionary rights reserved by both deeds. Upon a motion by Mr. Harper and a second by Ms. Brown, Item No. 14A was unanimously approved.

Item No. 14B was a Resolution Approving Easement to Progress Energy. Item was tabled.

APPOINTMENTS

Item No. 15 was a Resolution Appointing Citizens to Boards, Commissions, Etc. The following reflects existing vacancies and appointments.

BOARD/COMMITTEE/COMMISSION	APPLICANT/ CURRENT MEMBER	TERM EXPIRATION
Lenoir County ABC Board **2nd Appearance**	Coley Little, Jr. (Re-Appointment)	June 2011 M: Brown S: Stroud
Lenoir County Board of Health **1st Appearance**	Brenda B. Grant (Re-Appointment)	June 2011

CURRENT VACANCIES:
Lenoir County Health Board – One (1) Vacancy; (1) Veterinarian
Grifton Planning Board – One (1) Vacancy
JCPC – One (1) Vacancy; 1-Juvenile Attorney
Lenoir County Planning Board – K-6 Precinct & At-Large
CJPP – Four (4) Vacancies
Kinston Board of Adjustment – Two (2) ETJ Members; (1) Primary – (1) Alternate
Lenoir County Transportation Committee – At Large Member – Business Community

CLOSED SESSION

Upon a motion by Mr. Harper and a second by Mr. Stroud, and unanimous approval, closed session was entered at approximately 4:40 p.m. and the following cited: Number four (4) to discuss matters relating to the location or expansion of industries or other businesses in the area served by Lenoir County. The Board discussed an economic development project. The Board took no action. Upon a motion by Ms. Brown and a second by Mr. Stroud, the Board moved out of closed session at 4:51 p.m.

OPEN SESSION AND ADJOURNMENT

Upon a motion by Ms. Brown and a second by Mr. Stroud Open Session re-convened at 4:51 p.m. Mr. Taylor stated an economic development project was discussed, the Board took no action during closed session.

ADJOURNMENT

Upon a motion by Mr. Taylor, the meeting was adjourned at 4:52 p.m.

Respectfully submitted,

Lashanda Aytch
Clerk to the Board

Reviewed By

Michael W. Jarman
County Manager

INTRODUCED BY: Michael Jarman, County Manager **DATE:** 10/06/08 **ITEM NO.:** 4

Resolution Approving the Releases and Refunds to the Individual Listed Herein

SUBJECT AREA: Finance

ACTION REQUESTED: Approval of Releases and Refunds as Prepared

HISTORY/BACKGROUND:

Releases and refunds result from listing and assessing due to incorrect and incomplete information.

EVALUATION:

Taxpayers will or have overpaid taxes. Board action rectifies the mistake.

RELEASES OVER $100

Year	Name	Account	Amount	Reason
2006	Juan Rayo	55890	$337.54	Double Listed
2008	Elizabeth Mujica	15138	241.46	Double Listed
2007	Frank Mallory	44646	187.26	Corrected Listing
2008	Frank Mallory	44646	170.87	Corrected Listing
2008	James Boyette	2437	1,106.05	Double Listed
2008	James Boyette	2437	188.22	Double Listed
2007	Rose Stephens	42575	120.07	Corrected Listing
2008	Rose Stephens	42575	116.33	Corrected Listing
2008	Cherrie Heath	64447	380.53	Double Listed
2008	Jeff Thompson	15597	325.01	Double Listed
2008	Douglas Myers	8007	138.01	Corrected Listing
2007	Juan Rayo	55890	286.23	Double Listed
2008	Clinton Elmore	8062	189.40	Corrected Listing
2008	Jazmine Henriquez	17142	348.57	Corrected Listing
2008	Cobos Sergio	57382	127.20	Double Listed
2008	Lannie Turner	30375	201.14	Corrected Listing
2008	Susan Lococo	15746	345.44	Corrected Listing
2008	Dorothy Eitelmann	8015	101.48	Corrected Listing
2007	Dorothy Eitelmann	8015	108.83	Corrected Listing
2008	James Best	1937	336.41	Legal Exemption
2008	Virginia Gray	51628	140.25	Corrected Listing
2008	Alicia Flores	59952	160.88	Corrected Listing
2008	Leslie Perry	90492	183.92	Double Listed
2007	Patricia Woodcock	64836	107.36	Listed in other county
2003	Sherrie Sledge	36198	202.27	Double Listed
2004	Sherrie Sledge	36198	187.03	Double Listed
2005	Sherrie Sledge	36198	171.69	Double Listed
2006	Sherrie Sledge	36198	174.56	Double Listed
2007	Sherrie Sledge	36198	158.36	Double Listed
2003	Lee Booth	2325	165.19	Corrected Listing

2005	Lee Booth	2325	145.90	Corrected Listing
2006	Lee Booth	2325	139.37	Corrected Listing
2008	Dennis Humphrey	14418	167.10	Adjusted Value
2008	Margaret Wood	21084	494.39	Corrected Listing
2008	Thomas Mann	21312	353.53	Corrected Listing
2008	Dorothy Lawhorn	17816	362.58	Corrected Listing
2008	Jack Grady	10042	4,255.25	Corrected Situs
2008	St. James AME Church In	40706	1,058.94	Legal Exemption
2007	Comekia Edwards	45202	140.68	Corrected Listing
2005	Roger Creech	5716	227.08	Corrected Listing
2006	Roger Creech	5716	230.27	Corrected Listing
2007	Roger Creech	5716	212.44	Corrected Listing
2008	Dolores Collins	57162	375.50	Listed in other county
2008	Alpha & Omega	7853	158.18	Legal Exemption
2008	William Cauley	4499	127.96	Corrected Situs
2008	Nadine Cobb	40554	171.20	Double Listed
2008	Ruby Turner	54082	374.33	Legal Exemption
2008	Benelux Inc	17107	11,273.13	Corrected Listing
2008	Bio Medical Application	41780	1,144.12	Adjusted Value
2008	Timothy Davis	66392	351.46	Legal Exemption
2008	Cassandra Joyner	16358	220.81	Legal Exemption
2008	Kinston MHP	30632	175.10	Corrected Listing
2008	Wall Lenk Corp	31004	179.84	Keying Error
2008	Curtis Green	195	341.70	Legal Exemption
2008	BFS Retail & Commercial	56901	1,548.12	Keying Error
2008	Joan Styles	66478	210.00	Legal Exemption
2008	Virginia Leary	17901	210.54	Legal Exemption
2008	Mark Prybylinski	39639	156.72	Corrected Listing
2008	Xerox Corp	33594	3,581.45	Corrected Listing
2008	Xerox Lease Equipment	56998	848.94	Corrected Listing
2008	Xerox Corp	33594	501.12	Corrected Listing
2008	Xerox Corp	33594	261.52	Corrected Listing
2008	Xerox Corp	33594	172.18	Corrected Listing
2008	North Carolina RSA 9 Inc	39348	162.57	Adjusted Value
2008	Dade Behring Finance Co	18486	1,057.45	Double Listed
2008	Cecil Davis	4443	325.90	Legal Exemption
2007	Rhonda Herring	12590	316.96	Legal Exemption
2008	Rhonda Herring	12590	316.96	Legal Exemption
2007	Diamond Jet 5 Inc	57788	168.66	Corrected Listing
2005	Ann Jones	60677	128.83	Corrected Listing
2006	Ann Jones	60677	129.89	Corrected Listing
2007	Ann Jones	60677	119.81	Corrected Listing
2008	Ann Jones	60677	111.70	Corrected Listing
2008	Tashia Kamper	30067	236.80	Legal Exemption
2008	Regina Venters	47009	149.60	Listed in other county
2008	Larry Lowe	56066	117.28	Legal Exemption
2008	Noah Schwartz	62166	185.68	Legal Exemption
2008	Antonio Hardy	2465	255.95	Legal Exemption
2003	Carl Grady	19387	193.30	Corrected Listing
2007	Bobby Holmes	56521	182.02	Listed in other county
2008	Bobby Holmes	56521	163.14	Listed in other county

2008	Vanderbilt Mtg & Fin	28072	119.09	Double Listed
2008	Craig Fried	26647	309.08	Legal Exemption
2008	Frank Burgess	42638	129.62	Legal Exemption
2008	Henry Dail	2375	285.27	Adjusted Value
2006	Elsie Moore	47817	216.81	Corrected Listing
2007	Elsie Moore	47817	197.13	Corrected Listing
2008	Elsie Moore	47817	179.72	Corrected Listing
2008	Lelia Hall	12270	181.79	Listed in other county
2008	Janine Garner	57279	129.10	Legal Exemption
2008	Janine Garner	57279	128.69	Legal Exemption
2008	Duane Spears	62399	220.97	Legal Exemption
2008	Richard Lucas	6529	124.28	Legal Exemption
2008	Jeremy Crawford	66339	164.80	Legal Exemption

Refunds

Year	Name	Account	Amount	Reason
2008	Michael Johnson	15463	$458.37	Adjusted Value
2008	Harvey Fertilizer	11993	105.20	Adjusted Value

MANAGER'S RECOMMENDATION:

Approval of releases as set out above.

AMENDMENTS:

MOVED _____ SECOND _____

APPROVED _____ DENIED _____ UNANIMOUS _____

YEA VOTES: Brown _____ Davis _____ Graham _____ Harper _____
Humphrey _____ Stroud _____ Taylor _____

_____ 10/06/08
Paul H. Taylor, Jr., Chairman Date

_____ _____
ATTEST Date

Item NO. 5

BUDGET ORDINANCE AMENDMENT: CAPITAL IMPROVEMENTS FUND:
ECONOMIC DEVELOPMENT: $10,000. INCREASE

LENOIR COUNTY, NORTH CAROLINA

BUDGET AMENDMENT REQUEST

FY 2008 - 2009
Appropriations

Budget Amendment #_____
Date Approved _____

Distribution - Finance Office:

FUND	DEPARTMENT	LINE ITEM DESCRIPTION
CAPITAL IMPROVEMENTS	ECONOMIC DEVELOPMENT	40-4920-5880 FIELDS CONTROL-EASTERN REGION FLEX (40-3980-9842 GRANT-FIELDS CONTROL-EASTERN REGIO

Check One Box
New Appropriation: [X]
Line Item Transfer: [ ]

REVENUES

Account # and Title	Amount
INCREASE	
40-3980-9842 GRANT-FIELDS CONTROL-EASTERN REGION FLE	10,000.00
Total	10,000.00

Check One Box
New Appropriation: [X]
Line Item Transfer: [ ]

EXPENDITURES

Account # and Title	Amount
INCREASE	
40-4920-5880 FIELDS CONTROL-EASTERN REGION FLEX GR	10,000.00
Total	10,000.00

Reason and Justification for Request:
BUDGET AMENDMENT TO SET UP THE EASTERN REGION FLEX GRANT FOR THE FIELDS CONTROL EXPANSION PROJECT.
THIS IS A PASS THROUGH GRANT - THE COUNTY RECEIVED THE FUNDS FROM NORTH CAROLINA'S EASTERN REGION ON 9/14/08.

Department Head Approval	Date	Finance Officer Approval	Date
Marcia H. Martin	9/16/08	Marcia H. Martin	9/16/08

Budget Officer Approval	Date
Michael W. Jarman	9/18/08

Board Approval (When Applicable)	Date	Date of Minutes

Finance Office - Copy Department - Copy Administration - Copy

Item No. 6

NOTICE OF PUBLIC HEARING
Proposed Shell Building No. 3

The Lenoir County Board of Commissioners will hold an **open public hearing** some time during a **regular scheduled meeting**, which is scheduled to begin and be held as follows:

TIME:	9:00 AM or as soon as the matter can be reached
DAY:	Monday
DATE:	October 6, 2008
PLACE:	1st floor Main Meeting Room, Lenoir County Courthouse, Kinston, NC
PURPOSE:	The purpose of this public hearing is to receive comments for and against a proposal that Lenoir County construct a shell building. The proposed source of funds is a loan of up to $1.6 million available to Lenoir County as a member of North Carolina's Eastern Region Development Commission.

The proposed shell building No. 3 will be on a 10± acre tract of land owned by Lenoir County and located in the 70 West Industrial Park. The initial size of the proposed building will be 35,000 to 40,000 square feet.

Lenoir County Administration has recommended approval of this proposal for the following reasons: A basic shell building is one of the most effective "drawing cards" a community can have to attract industrial clients. Approximately 85% of projects expanding/locating to a community go into an existing building. Lenoir County has historically been very successful with Shell No. 1, now owned and occupied by Lenox China; and Shell No. 2, now owned/occupied by West Pharmaceuticals. Either directly or indirectly, Lenoir County can boast that numerous companies have expanded or relocated to Lenoir County because we had an available building.

The additional tax base that will be created by the up-fitting of this building and the total number of jobs to be created by having another shell building is unknown at this time.

Questions concerning this project may be directed to Mr. Michael W. Jarman, Lenoir County Manager at (252) 559-6450.

Michael W. Jarman
Lenoir County Manager

Item No. 7A

BUDGET ORDINANCE AMENDMENT: GENERAL FUND: COOP EXT-SAFE & DRUG FREE SCHOOLS GRANT
$27,032. INCREASE

LENOIR COUNTY, NORTH CAROLINA

BUDGET AMENDMENT REQUEST

FY 2008 - 2009
Appropriations

Budget Amendment #_____
Date Approved _____

Distribution - Finance Office:

FUND	DEPARTMENT	LINE ITEM DESCRIPTION
GENERAL	FINANCE: COOP EXT-SAFE & DRUG FREE SCHOOLS GRANT	Various

Check One Box
New Appropriation: [x]
Line Item Transfer: [ ]

REVENUES

Account # and Title		Amount
INCREASE		
10-3329-3626	Grant-Coop Ext-Safe & Drug Free Sc	27,032.00
Total		27,032.00

Check One Box
New Appropriation: [x]
Line Item Transfer: [ ]

EXPENDITURES

Account # and Title		Amount
INCREASE		
10-4658-1260	Salaries & Wages	15,375.00
10-4958-1810	FICA	4,485.00
10-4958-1811	Medicare	1,045.00
10-4958-2600	Office Supplies & Material	500.00
10-4958-2650	Computer Software & Supplies	500.00
10-4958-2900	Education/Medical Supplies	1,200.00
10-4958-3110	Travel	1,262.50
10-4958-3950	Employee Training	1,400.00
10-4958-4900	Stipends/Incentives/Scholarships	1,264.50
Total		27,032.00

Reason and Justification for Request:
To set up the 4-H All Stars Program, Safe and Drug Free Schools Grant. This is the second year Lenoir County has received this funding. These funds were applied for by Wayne County on behalf of the four county Eastpointe region. This grant will be on a reimbursement basis from Eastpointe. This program provides substance abuse programming for high risk youth in churches, in 4-H clubs, schools and community centers.

Department Head Approval	Date	Finance Officer Approval	Date
		Martha H. Martin	10/2/08

Budget Officer Approval	Date
Michael W. Jarman	10/02/08

Board Approval (When Applicable)	Date	Date of Minutes

Finance Office - Copy Department - Copy Administration - Copy

Item No. 7B

BUDGET ORDINANCE AMENDMENT: GENERAL FUND: COOP EXT-PREVENTION BLOCK GRANT
$48,119. INCREASE

LENOIR COUNTY, NORTH CAROLINA

BUDGET AMENDMENT REQUEST

FY 2008 - 2009
Appropriations

Budget Amendment #_____
Date Approved _____

Distribution - Finance Office:

FUND	DEPARTMENT	LINE ITEM DESCRIPTION
GENERAL	FINANCE: COOP EXT: PREVENTION BLOCK GRANT	Various

Check One Box
New Appropriation: [x]
Line Item Transfer: [ ]

REVENUES

Account # and Title		Amount
INCREASE		
10-3329-3625	Grant-Coop Ext-Prevention Block	48,119.00
Total		48,119.00

Check One Box
New Appropriation: [x]
Line Item Transfer: [ ]

EXPENDITURES

Account # and Title		Amount
INCREASE		
10-4957-1260	Salaries & Wages	31,402.00
10-4957-1810	FICA	7,470.00
10-4957-1811	Medicare	1,746.00
10-4957-2600	Office Supplies & Material	500.00
10-4957-2650	Computer Software & Supplies	200.00
10-4957-2900	Education/Medical Supplies	1,000.00
10-4957-3110	Travel	2,272.50
10-4957-3950	Employee Training	1,600.00
10-4957-4900	Stipends/Incentives/Scholarships	1,928.50
Total		48,119.00

Reason and Justification for Request:
To set up the 4-H All Stars Program, Prevention Block Grant. This is the second year Lenoir County has received this funding. These funds were applied for by Wayne County on behalf of the four county Eastpointe region. This grant will be on a reimbursement basis from Eastpointe. This program provides substance abuse programming for youth ages 5 - 19 in churches, in 4-H clubs, schools and community centers.

Department Head Approval	Date	Finance Officer Approval	Date
		Martha H. Martin	10/2/08

Budget Officer Approval	Date
Michael W. Carman	10/2/08

Board Approval (When Applicable)	Date	Date of Minutes

Finance Office - Copy Department - Copy Administration - Copy

INTRODUCED BY: Michael Jarman, County Manager **DATE:** 10/06/08 **ITEM NO.:** 8A

Resolution Approving Purchase of a Patrol / Narcotics Canine: $16,000

SUBJECT AREA: Financial

ACTION REQUESTED:

The Board is requested to authorize the Sheriff to execute a purchase order with Southern Police Canine, Inc., for training two handlers and the purchase of a patrol/narcotics canine.

HISTORY / BACKGROUND:

For the past several years the Sheriff's Office has utilized specially trained dogs to detect the presence of narcotics, track fleeing criminals and missing persons, defend the handler and locate items used in connection with crimes. Recently one of the Sheriffs Office K-9's escaped its compound and found its way to a near-by neighbor's property where it was shot. In addition, two other canines have been retired. The county insurance carrier has paid the county $4000 for the loss of the animal.

EVALUATION:

Southern Police Canine, Inc. has been supplying canines to the Sheriff's Office over the past several years. The Sheriffs Office has negotiated with Southern Police Canine, Inc., to purchase a patrol/narcotics canine for $12,000 and to retrain two handlers for $4000. The Sheriff will use a combination of insurance and federal asset forfeiture funds to purchase both the canine and the required training for the handlers.

The Sheriff respectfully requests that the Board of Commissioners permits the Sheriff to execute a purchase order with Southern Police Canine, Inc., for the purchase of a patrol/narcotics canine and the associated training for two handlers.

MANAGER'S RECOMMENDATION:

Respectfully Request Approval.

_____
Initials

RESOLUTION: NOW THEREFORE BE IT RESOLVED by the Lenoir County Board of Commissioners that the Sheriff is permitted to execute a purchase order with Southern Police Canine, Inc., for the purchase of a patrol / narcotics canine and the assoicated handler training.

Southern Police Canines------ $ 16,000

Funding Account #: 15-4316-5100 $12,000
10-4310-3950 $ 4,000

AMENDMENTS:

MOVED _____ SECOND _____

APPROVED _____ DENIED _____ UNANIMOUS _____

YEA VOTES: Brown _____ Davis _____ Graham _____ Harper _____
Humphrey _____ Stroud _____ Taylor _____

_____ 10/06/08
Paul H. Taylor, Jr., Chairman Date

_____ 10/06/08
ATTEST Date

Item No. 8B

BUDGET ORDINANCE AMENDMENT: FEDERALLY SEIZED PROPERTY FUND:
SHERIFF-FEDERALLY SEIZED PROPERTY: $8,000. INCREASE

LENOIR COUNTY, NORTH CAROLINA

BUDGET AMENDMENT REQUEST

FY 2008 - 2009
Appropriations

Budget Amendment #_____
Date Approved _____

Distribution - Finance Office:

FUND	DEPARTMENT	LINE ITEM DESCRIPTION
FEDERALLY SEIZED PROPERTY	SHERIFF-FEDERALLY SEIZED PROPERTY	15-3991-9910 FUND BALANCE APPROPRIATED 15-4316-5999 CAPITAL ITEMS < $5,000 15-4316-5100 CAPITAL OUTLAY - EQUIPMENT

Check One Box
New Appropriation: [X]
Line Item Transfer: [ ]

REVENUES

Account # and Title	Amount
INCREASE	
15-3991-9910 FUND BALANCE APPROPRIATED	8,000.00
Total	8,000.00

Check One Box
New Appropriation: [X]
Line Item Transfer: [ ]

EXPENDITURES

Account # and Title	Amount
INCREASE	
15-4316-5100 CAPITAL OUTLAY - EQUIPMENT	12,000.00
DECREASE	
15-4316-5999 CAPITAL ITEMS < $5,000	-4,000.00
Total	8,000.00

Reason and Justification for Request:
BUDGET AMENDMENT TO BUDGET FUNDS FROM THE FUND BALANCE OF THE FEDERALLY SEIZED PROPERTY FUND. THESE FUNDS WILL BE USED TO COVER THE PURCHASE OF A NEW CANINE THAT WILL REPLACE THE ONE KILLED EARLIER THIS YEAR.

Department Head Approval	Date	Finance Officer Approval	Date
[signature]	10/2/08	Martha H. Martin	10/2/08

Budget Officer Approval	Date
Michael W. Jarman	10/2/08

Board Approval (When Applicable)	Date	Date of Minutes

Finance Office - Copy Department - Copy Administration - Copy

INTRODUCED BY: Michael Jarman, County Manager **DATE:** 10/06/08 **ITEM NO.:** 9

Resolution Approving Purchase of Equipment & Monitoring Services from Reliant: $11,500

SUBJECT AREA: Financial

ACTION REQUESTED:

The Board is requested to authorize the Sheriff to execute a purchase order with Reliant Management Group to provide equipment and monitoring services for inmates released under the electronic house arrest program.

HISTORY / BACKGROUND:

The Lenoir County Sheriffs Office began electronic monitoring in April of 2007. Currently the North Carolina Department of Corrections provides the personnel and equipment that receives the signal from electronic transmitters that are worn by inmates released to the electronic monitoring program. The Sheriff's Office was recently notified that the NCDOC would no longer provide monitoring services for transmitters that utilize a radio frequency (RF) to transmit a signal. The NCDOC is now transitioning to GPS technology. As a result, the Sheriffs Office was forced to find another vendor who would provide RF based monitoring services. The Sheriffs Office will terminate its contract with the NCDOC effective November 1, 2008.

EVALUATION:

There are a number of businesses that offer both equipment leasing and monitoring services for inmates. Reliant Management Group is a North Carolina based company located in Hillsborough, North Carolina. This business will provide the same monitoring services for the same rate that the NCDOC had provided. The rate is currently $1.28 per day per inmate. Once, the contract with G4S (business that provides ankle transmitters) has expired Reliant will provide both the transmitters and the monitoring services for the Sheriffs Office. The transmitter costs will remain the same. The lease amount of each transmitter is $1.45 per day per inmate. The total anticipated costs are $ 11,500.

The Sheriff respectfully requests that the Sheriff be permitted to execute a purchase order with Reliant Management Group to provide equipment and monitoring services for the Lenoir County Sheriff's Office.

MANAGER'S RECOMMENDATION:

Respectfully Request Approval.

_____
Initials

RESOLUTION: NOW THEREFORE BE IT RESOLVED by the Lenoir County Board of Commissioners that the Sheriff is permitted to execute a purchase order with Reliant Mangement Group to provide equipment and monitoring services for the Lenoir County Sheriff's Office.

Reliant Management Group------ $11,500

Funding Account #: 10-4310-6900 $11,500

AMENDMENTS:

MOVED _____ SECOND _____

APPROVED _____ DENIED _____ UNANIMOUS _____

YEA VOTES: Brown _____ Davis _____ Graham _____ Harper _____
Humphrey _____ Stroud _____ Taylor _____

_____ 10/06/08
Paul H. Taylor, Jr., Chairman Date

_____ 10/06/08
ATTEST Date

INTRODUCED BY: Michael Jarman, County Manager **DATE:** 10/06/08 **ITEM NO.** 10

Resolution Approving Purchase of Field Based Reporting Software: $37,322

SUBJECT AREA: Financial

ACTION REQUESTED:

The Board is requested to authorize the Sheriff to execute a purchase order with Visionair for the purchase and installation of field based reporting software.

HISTORY / BACKGROUND:

The Sheriffs Office currently utilizes a Visionair product to manage all of its in-house records. These records consist of arrest reports, incident reports, civil documents, jail documents, etc. Incident and arrest reports are entered by officers who have to travel to the Sheriffs Office and input the data using a desktop computer. Once entered, the data is saved on a server for quick retrieval and long term storage. The current procedure for data entry takes the officer out of service and out of the community while the deputy enters data into the records management system (RMS) at the courthouse.

EVALUATION:

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 save the data to a portable memory device and upload the data at the Sheriffs Office at a later time. 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 $37,322. The Sheriff intends to utilize civil process funds, which will not impact the general fund.

MANAGER'S RECOMMENDATION:

Respectfully Request Approval.

_____
Initials

RESOLUTION: NOW THEREFORE BE IT RESOLVED by the Lenoir County Board of Commissioners that the Sheriff is permitted to execute a purchase order with Visionair for the purchase and installation of field based reporting software for twenty-six mobile data terminals.

Visionair------ $ 37,322

Funding Account #: 10-4310-3970 $37,322

AMENDMENTS:

MOVED _____ SECOND _____

APPROVED _____ DENIED _____ UNANIMOUS _____

YEA VOTES: Brown _____ Davis _____ Graham _____ Harper _____
Humphrey _____ Stroud _____ Taylor _____

_____ 10/06/08
Paul H. Taylor, Jr., Chairman Date

_____ 10/06/08
ATTEST Date

INTRODUCED BY: Michael Jarman, County Manager **DATE:** 10/06/08 **ITEM NO.** 11

Resolution Authorizing the City of Kinston to become Primary Applicant for the Battlefield Parkway and Soccer Complex Water Re-Use Project

SUBJECT AREA: Community Development

ACTION REQUESTED:

The Board is requested to authorize the City of Kinston as primary applicant for the Battlefield Parkway and Soccer Complex.

HISTORY/BACKGROUND:

The Clean Water Trust Fund Authority Board recommended that the City of Kinston be primary applicant because they own the wastewater treatment plant and will own the pipeline. Lenoir County will be the secondary applicant and will retain ownership and be responsible for maintaining the Battlefield Parkway and Soccer Complex. The City of Kinston will be responsible for the maintenance of the pipeline.

EVALUATION:

The Board is asked to consider making the City of Kinston the primary grant applicant for the Battlefield Parkway and Soccer Complex Cleanwater Trust Fund Grant.

MANAGER'S RECOMMENDATION:

Respectfully Recommend Approval.

_____
Initials

RESOLUTION: NOW THEREFORE BE IT RESOLVED by the Lenoir County Board of Commissioners that the City of Kinston be the primary applicant for the Clean Water Trust Fund Grant for the Battlefield Parkway and Soccer Complex.

AMENDMENTS:

MOVED _____ SECOND _____

APPROVED _____ DENIED _____ UNANIMOUS _____

YEA VOTES: Brown _____ Davis _____ Graham _____ Harper _____

Humphrey _____ Stroud _____ Taylor _____

_____ 10/06/08
Paul H. Taylor, Jr., Chairman Date

_____ 10/06/08
ATTEST Date

BUDGET ORDINANCE AMENDMENT: GENERAL FUND:HEALTH(AdultHealth Program:)Increase $12,623.00 Item No. 12

LENOIR COUNTY, NORTH CAROLINA

BUDGET AMENDMENT REQUEST

FY 2008-2009
Appropriations

Budget Amendment #_____
Date Approved _____

Distribution - Finance Office:

FUND	DEPARTMENT	LINE ITEM DESCRIPTION
GENERAL	HEALTH	VARIOUS

Check One Box	Check One Box
New Appropriation: [X]	New Appropriation: [x]
Line Item Transfer: [ ]	Line Item Transfer: [ ]
REVENUES	**EXPENDITURES**

Account # and Title	Amount	Account # and Title	Amount
INCREASE		INCREASE	
Family Planning (State)		Adult Health Program	
10-3502-3300	12,623.00	10-5150-2390 Medical Supplies	12,623.00
Total	12,623.00	Total	12,623.00

Reason and Justification for Request:
Additional state funding to provide clinical family planning services to at risk individuals not covered by Medicaid (TANF-$12,623.00.)

Department Head Approval	Date	Finance Officer Approval	Date
[signature]	9/15/08	Maxie H. Martin	9/16/08
Budget Officer Approval	Date		
[signature]	9/18/08		
Board Approval (When Applicable)	Date	Date of Minutes	

Finance Office - Copy Department - Copy Administration - Copy

Item No. 13

BUDGET ORDINANCE AMENDMENT: GENERAL FUND: BOARD OF ELECTIONS: $35,900. INCREASE

LENOIR COUNTY, NORTH CAROLINA

BUDGET AMENDMENT REQUEST

FY 2008 - 2009
Appropriations

Budget Amendment #_____
Date Approved _____

Distribution - Finance Office:

FUND	DEPARTMENT	LINE ITEM DESCRIPTION
GENERAL FUND	BOARD OF ELECTIONS	VARIOUS

Check One Box
New Appropriation: [X]
Line Item Transfer: [ ]

REVENUES

Account # and Title		Amount
INCREASE		
10-3329-8919	GRANT - HAVA 2009	35,900.00
Total		35,900.00

Check One Box
New Appropriation: [X]
Line Item Transfer: [ ]

EXPENDITURES

Account # and Title		Amount
INCREASE		
10-4170-1720	ELECTION EXPENSE - COUNTY	3,400.00
10-4170-1730	SALARIES/WAGES-COUNTY ELECTIO	23,400.00
10-4170-2600	OFFICE SUPPLIES	400.00
10-4170-3110	TRAVEL	400.00
10-4170-3210	TELEPHONE	500.00
10-4170-5999	CAPITAL OUTLAY < $5,000	7,800.00
Total		35,900.00

Reason and Justification for Request:
BUDGET AMENDMENT TO BUDGET FOR HAVA GRANT FUNDS. THESE ARE STATE FUNDS PAID TO COUNTIES TO ASSIST WITH ADDITIONAL ONE-STOP VOTING SITES IN THE 2008 GENERAL ELECTION. THESE FUNDS WILL BE EXPENDED IN FY 08-09 AND REIMBURSEMENT WILL BE RECEIVED AFTER SENDING IN ALL APPROPRIATE PAPERWORK TO THE STATE AFTER THE ELECTION.

Department Head Approval	Date	Finance Officer Approval	Date
Dana W. Kerr	09-26-08	Martha H. Martin	9/29/08

Budget Officer Approval	Date
Michael W. Jarman	10/1/08

Board Approval (When Applicable)	Date	Date of Minutes

Finance Office - Copy Department - Copy Administration - Copy

Item No. 14

BUDGET ORDINANCE AMENDMENT: CAPITAL IMPROVEMENTS FUND:
ECONOMIC DEVELOPMENT: $17,500. INCREASE

LENOIR COUNTY, NORTH CAROLINA

BUDGET AMENDMENT REQUEST

FY 2008 - 2009
Appropriations

Budget Amendment #_____
Date Approved _____

Distribution - Finance Office:

FUND	DEPARTMENT	LINE ITEM DESCRIPTION
CAPITAL IMPROVEMENTS	ECONOMIC DEVELOPMENT	40-4920-5879 FIELDS CONTROL-STATE ONE NC 40-3980-9841 GRANT-FIELDS CONTROL-ST ONE NC

Check One Box
New Appropriation: [X]
Line Item Transfer: [ ]

REVENUES

Account # and Title	Amount
INCREASE	
40-3980-9841 GRANT-FIELDS CONTROL-ST ONE NC	17,500.00
Total	17,500.00

Check One Box
New Appropriation: [X]
Line Item Transfer: [ ]

EXPENDITURES

Account # and Title	Amount
INCREASE	
40-4920-5879 FIELDS CONTROL-STATE ONE NC	17,500.00
Total	17,500.00

Reason and Justification for Request:

BUDGET AMENDMENT TO SET UP THE FIELDS CONTROL STATE ONE NC GRANT FUNDS. THIS IS ONE-HALF OF A GRANT OF $35,000, FROM THE NORTH CAROLINA DEPARTMENT OF COMMERCE THAT WAS AWARDED TO FIELDS CONTROLS ON SEPTEMBER 22, 2007. THIS IS A PERFORMANCE BASED GRANT, WITH THE BALANCE OF THE GRANT TO BE AWARDED WHENEVER THE COMPANY ACHIEVES 90% OF ITS NEW JOBS AND HAS MADE 100% OF ITS REQUIRED INVESTMENT. THIS IS A PASS THROUGH GRANT - THE COUNTY WILL WRITE A CHECK TO FIELDS CONTROL IN THE AMOUNT OF THE GRANT, $17,500.

Department Head Approval	Date	Finance Officer Approval	Date
Martha H. Martin	9/16/08	Martha H. Martin	9/16/08

Budget Officer Approval	Date
Michael W. Jarman	9/18/08

Board Approval (When Applicable)	Date	Date of Minutes

Finance Office - Copy Department - Copy Administration - Copy

INTRODUCED BY: Michael Jarman, County Manager **DATE:** 10/06/08 **ITEM NO.:** 15

Resolution Authorizing Execution of an Addendum to the Sales Tax Audit Contract Dated October 18, 2004 with Tax Reduction Specialists: Sales Tax Re-allocation Audit

SUBJECT AREA: Financial

ACTION REQUESTED: The Board is requested to authorize the County Manager to execute an addendum to the contract with Tax Reduction Specialists (a division of Utilities Reduction Specialists, Inc.) to conduct a sales tax re-allocation analysis audit of sales and use tax refund claims for Lenoir County for tax filing periods from December 31, 2008 through December 31, 2009.

HISTORY/BACKGROUND: Utilities Reduction Specialists, Inc., was established in 1991 in Clemmons, North Carolina, with an objective to audit telecommunication and energy bills for billing errors. Utilities Reduction Specialists, Inc., acquired Tax Reduction Specialists in 2001. Tax Reduction Specialists focuses specifically on minimizing client's tax liabilities, conducting sales tax re-allocation audits, and securing refunds. Utility Reduction Specialists, Inc., has worked with 107 city and county governments in 4 states and is currently conducting sales tax re-allocation audits for 19 counties in North Carolina. Lenoir County contracted with Tax Reduction Specialists in October 2002 to audit the sales and use tax refund claims for tax filings in 1999 through June 2002. This time frame was significant because a three (3) year statute of limitations applies to requests for tax refunds and Lenoir County would not have been able to apply for any sales tax refunds for filings through June 1999. The County extended the contract with Tax Reduction Specialists on October 18, 2004 to include sales tax filings through December 31, 2003, on February 7, 2005 to include sales tax filings through December 31, 2006, on March 5, 2007 to include sales tax filings through December 31, 2007, and on February 18, 2008 to include sales tax findings through December 31, 2008. The requested addendum will extend the contract with Tax Reduction Specialists to include sales tax filings through December 31, 2009.

A sales tax re-allocation audit involves identifying the actual county that received credit for the county sales tax on the original sale of merchandise and verifying that the sales tax is credited to the correct county by the N.C. Department of Revenue. Conducting a re-allocation audit is the **only** way that a county can obtain a refund for improperly reported sales tax. The State of North Carolina **will not** do this for a county.

Tax Reduction Specialists, in the original agreement, was compensated 25% of the amount of the sales tax refund obtained by Lenoir County as a result of the sales tax re-allocation audit. Under subsequent addendums and the proposed addendum, the County compensates Tax Reduction Specialists at a reduced rate of **20%** of the sales tax refund obtained by the County. If the county does not receive a refund, there will be no fee for the services of Tax Reduction Specialists. The County does not have the staff or the expertise to do this work in-house.

EVALUATION: Execution of this agreement will provide Lenoir County with the assurance that it has properly received credit for sales tax re-allocations from the North Carolina Department of Revenue for filings through December 31, 2009 and secure any refunds due to the County for improperly filed or credited sales tax revenues. To date, the audit performed by Tax Reduction Specialists has produced a direct benefit to Lenoir County of $381,424 in additional sales tax revenues that were allocated incorrectly by the State of North Carolina. Tax Reduction Specialists has estimated an additional benefit to the County of $46,668 through the tax filing period ending December 31, 2008 and additional revenues for filings through December 31, 2009.

Approval of this resolution will allow Tax Reduction Specialists to continue their audit of prior sales tax filings and continue to audit sales tax filings through December 31, 2009.

MANAGER'S RECOMMENDATION:

Respectfully recommend approval. _____

RESOLUTION: NOW THEREFORE BE IT RESOLVED that the Board authorizes acceptance of the Addendum to the contract between Lenoir County and Tax Reduction Specialists, a division of Utilities Reduction Specialists, Inc., and be it further resolved that the County Manager is authorized to execute the attached agreement, which is incorporated and made part of this resolution by reference.

AMENDMENTS:

MOVED _____ SECOND _____

APPROVED _____ DENIED _____ UNANIMOUS _____

YEA VOTES: Brown _____ Davis _____ Graham _____ Harper _____

Humphrey _____ Stroud _____ Taylor _____

_____ 10/06/08
Paul H. Taylor, Jr., Chairman Date

_____ 10/06/08
ATTEST Date

INTRODUCED BY: Michael W. Jarman, County Manager **DATE:** 10/06/08 **ITEM NO.** 16

Resolution Approving Engineering Services for Limited Phase II Environmental Report on Parking Lots for Proposed Jail Construction: KCI Associates: $3,400

SUBJECT AREA: Purchases / Bids

ACTION REQUESTED:

The Board is requested to approve an engineering services proposal for a limited Phase II environmental report on parking lots for proposed jail construction from KCI Associates in an amount not to exceed $3,400.

HISTORY/BACKGROUND:

On August 4, 2008, the Board approved a 90-day option- to-purchase agreement on lots adjacent to the Lenoir County Courthouse for proposed jail construction. Before exercising the option-to-purchase agreement, the County must determine if the lots are suitable for construction of a jail facility. On September 15, 2008 the Board approved a resolution to proceed with Geotechnical reports and a Phase I environmental report. Geotechnical reports may include, but are not limited to, description of proposed construction and anticipated structural loads, site subsurface conditions, soil borings, test pits, groundwater conditions, requirements for fill/backfill, foundation depth recommendations, and recommendations for temporary excavations and permanent slope stability. A Phase I environmental report identifies recognized environmental conditions of the subject property. A historical review of the site and site activities is conducted to determine the environmental condition of the property. If a Phase I evaluation indicates a potential for contamination, a Phase II site assessment involving sampling and testing would be recommended. The Phase I report conducted by KCI Associates revealed the existence of a former undocumented underground gasoline storage tank on the subject property. KCI Associates recommends that the soil and groundwater should be investigated to determine whether petroleum impacts are present. A brief summary copy of their Phase I investigation is attached.

EVALUATION:

Lenoir County has a 90-day option-to–purchase agreement on lots adjacent to the Lenoir County Courthouse for proposed jail construction. Geotechnical and Phase I environmental reports need to be performed on the lots prior to the County exercising it's option-to-purchase agreement on the lots. As a result of the Phase I environmental assessment, KCI Associates found the existence of a former undocumented underground gasoline storage tank on the subject property. KCI Associates recommends that a limited Phase II environmental assessment of the soil and groundwater be performed on the subject property to determine whether petroleum impacts are present.

Approval of this resolution will allow for the encumbrance of funds and payment upon completion of the work performed.

MANAGER'S RECOMMENDATION:

Respectfully recommend approval. _____

RESOLUTION: NOW THEREFORE BE IT RESOLVED by the Lenoir County Board of Commissioners that KCI Associates is approved to conduct a limited Phase II environmental assessment on parking lots for proposed jail construction in an amount not to exceed $3,400 and be it further resolved that the County Manager is authorized to execute an agreement with KCI Associates for these engineering services.

AMENDMENTS:

MOVED _____ **SECOND** _____

APPROVED _____ **DENIED** _____ **UNANIMOUS** _____

YEA VOTES: Brown _____ **Davis** _____ **Graham** _____ **Harper** _____

Humphrey _____ **Stroud** _____ **Taylor** _____

_____ 10/06/08
Paul H. Taylor, Jr., Chairman Date

_____ 10/06/08
ATTEST Date

Executive Summary

Lenoir County retained KCI Associates of North Carolina, P.A. (KCI) to perform a Phase I Environmental Site Assessment (ESA) for the property identified as the Bowen Property Site located on S. Queen Street and E. Caswell Street in Kinston, North Carolina. The site is comprised of five parcels that occupy approximately 0.92-acres. Two parcels contain buildings. The parcel at 110/112 S. Queen Street contains an approximately 27,000 square feet (ft^2) three story former hotel with first floor offices. The parcel at 111 E Caswell Street contains an approximately 6,000 ft^2 two story office building currently occupied by Integrity Ministries. Both buildings are connected to public utilities. The remaining three parcels are asphalt parking lots. This report was prepared in general accordance with KCI Proposal: *Proposal Phase I Environmental Site Assessment, Future Lenoir County Jail, Kinston, North Carolina,* dated August 28, 2008; ASTM Standard E 1527-05: "*Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process*;" and the United States Environmental Protection Agency "All Appropriate Inquiries" Final Rule. This summary is intended as an overview of the Phase I ESA and does not include the full findings and conclusions of the complete report. This ESA did not include a building assessment of mechanical systems, the presence of asbestos-containing material, or the presence of lead-based paint.

The subject property is in downtown Kinston, North Carolina and is "L" shaped. The current building at 110/112 S. Queen Street is a former hotel that was constructed in approximately 1906. The first floor has been renovated and is currently being used for offices. The second and third floors have not been renovated and are being used for storage. The building is currently called "Courthouse Square." The rear of the building abuts an asphalt parking lot and the other building at 111. E. Caswell Street. The current building at 111 E. Caswell was constructed in approximately 1950. Both of the parcels containing buildings contained previous structures that were present as early as 1895. One of the parcels that is currently asphalt parking previously contained a bakery. The site is bordered by other commercial/retail offices and the Lenoir County Courthouse.

No evidence of environmental impairment was observed during the site reconnaissance. Mr. Charles Bowen, the current owner of the property, reported that a 500-gallon gasoline underground storage tank (UST) was installed in the parking lot behind the building at 111 E. Caswell Street in the early 1970s and was removed in the late 1970's. Review of records at the North Carolina Department of Environment and Natural Resources indicate the tank was not permitted as there are no records of installation or removal. Therefore, there is no documentation on the condition of the tank upon removal or if petroleum impacts were present in surrounding soil.

A review of the environmental database search provided by EDR, Inc. indicated the subject property is not listed in any environmental databases. However, several nearby sites are listed as having registered underground storage tanks, including the Lenoir County Courthouse. None of the properties in the immediate vicinity have documented environmental impairment, therefore; they do not present an environmental risk.

This assessment has revealed the following REC in connection with this property:

- Former un-permitted 500-gallon gasoline underground storage was removed without documentation

Based on the findings of this Phase 1 ESA, KCI recognizes the need for additional investigation on this site as follows:

- Soil and groundwater quality should be investigated to determine whether petroleum impacts are present from the former gasoline underground storage tank.

Scope and Cost Estimate for Limited Phase II investigation

KCI will collect soil samples from 3 locations in the area of the former UST. The soil samples will be collected using direct-push technology and screened for organic vapors on two-foot intervals using a photoionization detector (PID). The borings will be advanced to the water table. If elevated PID readings are recorded or visual impacts are present, KCI will collect a soil sample for laboratory analysis. The samples will be analyzed for gasoline-range total petroleum hydrocarbons by USEPA Method 8015/5030. Up to three samples will be collected for laboratory analysis. One groundwater sample will be collected from the boring with highest PID reading (assuming the water table can be reached via direct-push). The groundwater sample will be collected from the open borehole and will be analyzed for volatile organic compounds (VOCs) by USEPA Method 8260 and semi-VOCs by USEPA Method 8270. Upon receipt of the analytical results, KCI will prepare a letter report summarizing the field investigation and the laboratory analysis.

The estimated cost to conduct the scope of work is $3,400 based on the following:

Drilling subcontractor	$1,150
Laboratory (3 soils, 1 water)	$ 700
Expenses	$ 250
KCI Labor	$1,300
TOTAL	$3,400

INTRODUCED BY: Michael Jarman, County Manager **DATE:** 10/06/08 **ITEM NO.:** 17A

Resolution to Approve Declaring One (1) Lenoir County Transit Vehicle as Surplus Vehicle

SUBJECT AREA: Administrative

ACTION REQUESTED:

Approve declaring one (1) Lenoir County Transit vehicles as surplus vehicle.

HISTORY/BACKGROUND:

Lenoir County Transit (LCT) has one (1) vehicle that is not currently being used because it was replaced with one (1) 2008 – 28ft Light Transit Vehicle that was approved in our FY 2007-2008 Community Transportation Grant with North Carolina Department of Transportation.

EVALUATION:

Lenoir County Transit (LCT) is requesting the Board's approval to declare the one (1) vehicle listed below as surplus vehicle. The vehicle listed is in good condition and has reached the 100,000 mile range that is set by the North Carolina Department of Transportation in order to replace a vehicle.

Year	Make	Model	Miles	Vin#
2002	Dodge	Lift Van	170,571	2B7LB31Z32K126702

Proceeds resulting from any type sale will be appropriated to the Lenoir County Transportation Department for replacing future vehicles.

MANAGER'S RECOMMENDATION:

Respectfully Recommend Approval.

_____
INITIALS

RESOLUTION: NOW, THEREFORE BE IT RESOLVED by the Lenoir County Board of Commissioners that the Board hereby approves and authorizes the County Manager to declare one (1) Lenoir County Transit vehicle listed below surplus vehicle and will be sold as determined by the County Manager and be it further resolved that any proceeds derived from any type of sale, less any expenses, will be appropriated to the Lenoir County Transportation Department for replacing future vehicles.

Year	Make	Model	Miles	Vin#
2002	Dodge	Lift Van	170,571	2B7LB31Z32K126702

AMENDMENTS

MOVED _____ SECOND _____

APPROVED _____ DENIED _____ UNANIMOUS _____

YEA VOTES: Brown _____ Davis _____ Graham _____ Harper _____
Humphrey _____ Stroud _____ Taylor _____

_____ 10/06/08
Paul H. Taylor, Jr., Chairman Date

_____ 10/06/08
ATTEST Date

INTRODUCED BY: Michael Jarman, County Manager **DATE:** 10/06/08 **ITEM NO.:** 17B

Resolution Approving the Acceptance of a Proposal for Advertisement by Tar Heel Home Health on the Lenoir County Transit Vehicles and the Execution of a Contract

SUBJECT AREA: Administrative

ACTION REQUESTED:

Approve / authorize the following advertisement proposal by Lenoir County Transit (LCT) advertisement by Tar Heel Home Health on one (1) Lenoir County Transit vehicle for a twelve-month period.

HISTORY/BACKGROUND:

The Board, at its 3-17-03 regular board meeting, approved the management, marketing, operation, and maintenance of an advertisement program for the Lenoir County Transportation Department and authorized the execution of a contract by the County Manager with HighetKracker Freelance Partnership, Inc. As of July 1, 2007, Lenoir County Transportation has chosen to market the advertisements to allow all revenues to be allocated to the transit system.

EVALUATION:

Tar Heel Home Health Services is in their second year of advertising with Lenoir County Transit. Tar Heel Home Health Services provides home health care services for individuals requiring in-home care. Attached is a sample proof of the ads that will be placed on the LCT vans for Tar Heel Home Health for the Board's evaluation. Based on a $125/mo per advertisement charge by LCT, the following revenues are anticipated for a twelve-month advertisement period.

$125/mo. x 1 advertisement on 1 vehicle x 12 mos. minus $164 (1 time cost for sign and installation by Right-On Signs – Kinston) = $1,336.

Total County Revenue = $1,336

MANAGER'S RECOMMENDATION:

Respectfully Recommend Approval

_____
INITIALS

RESOLUTION: NOW, THEREFORE BE IT RESOLVED by the Lenoir County Board of Commissioners that advertisement by the Tar Heel Home Health on one (1) Lenoir County Transit vehicle for a twelve (12) month period is approved.

AMENDMENTS:

MOVED _____ SECOND _____

APPROVED _____ DENIED _____ UNANIMOUS _____

YEA VOTES: Brown _____ Davis _____ Graham _____ Harper _____

Humphrey _____ Stroud _____ Taylor _____

_____ 10/06/08
Paul H. Taylor, Jr., Chairman Date

_____ 10/06/08
ATTEST Date

INTRODUCED BY: Michael Jarman, County Manager **DATE:** 10/06/08 **ITEM NO.:** 17C

Resolution Authorizing the Issuance of a Blanket Purchase Order For Squires Auto Generator & Started Service, Inc. For $20,000 For Fiscal Year 2008-2009 for Vehicle Maintenance and Repairs

SUBJECT AREAS: Purchases / Bids

ACTION REQUESTED:

Approval of a Resolution authorizing the issuance of blanket purchase order for Fiscal Year 2008-2009 for Tires & Repairs 22-4511-3530 for Squires Auto Generator & Starter Service, Inc. for $20,000.

HISTORY/BACKGROUND:

Beginning March 10, 2008, Lenoir County Transit began Operations in-house and will be utilizing Squires Auto Generator & Started Service, Inc. for repairs for the Fiscal Year 2008-2009.

EVALUATION:

This Blanket Purchase Order for Fiscal Year 2008-2009 will allow Lenoir County Transit to operate more efficient by having the Purchase Order in place when the need for the service arises.

MANAGER'S RECOMMENDATION:

Respectfully Recommend Approval.

_____
INITIALS

RESOLUTION: NOW, THEREFORE BE IT RESOLVED By the Lenoir County Board of Commissioners that the County execute a purchase order for $20,000 for Squires Auto Generator & Started Service, Inc. for Fiscal Year 2008-2009 for recurring Vehicle Maintenance and Repair costs.

AMENDMENTS:

MOVED _____ SECOND _____

APPROVED _____ DENIED _____ UNANIMOUS _____

YEA VOTES: Brown _____ Davis _____ Graham _____ Harper _____
Humphrey _____ Stroud _____ Taylor _____

_____ 10/06/08
Paul H. Taylor, Jr., Chairman Date

_____ 10/06/08
ATTEST Date

INTRODUCED BY: Michael Jarman, County Manager **DATE:** 10/06/08 **ITEM NO.** 18

Resolution Approving Citizens to Boards, Commissions, Etc.

SUBJECT AREA: Boards and Commissions

ACTION REQUESTED:

Officially and publicly appoint various applicants to various vacancies on boards, commissions, task forces, etc.

HISTORY / BACKGROUND:

The County Manager/County Clerk advertises vacancies on boards, commissions, committees, task forces, etc. The County Manager/County Clerk serves only clearinghouse functions with respect to the appointment process; no influence is exerted in this role. Commissioners are welcome to recruit applicants, or citizens may apply on their own free will.

EVALUATION:

The following Boards currently have existing vacancies/expiring terms.

BOARD/COMMITTEE/COMMISSION	APPLICANT/ CURRENT MEMBER	TERM EXPIRATION
Lenoir County Board of Health **2nd Appearance**	Brenda B. Grant (Re-Appointment)	June 2011
Lenoir County Planning Board **1st Appearance**	L. Russell Hill Alternate (Appointment)	October 2011
Nursing Home and Adult Care Home Committee **1st Appearance**	Eugene McCoy (Appointment)	October 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) 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

MANAGER'S RECOMMENDATION:

_____
Initials

RESOLUTION: NOW THEREFORE BE IT RESOLVED by the Lenoir County Board of Commissioners that the following appointments are made:

BOARD/COMMITTEE/COMMISSION	**APPLICANT/ CURRENT MEMBER**	**TERM EXPIRATION**
Lenoir County Board of Health **2nd Appearance**	Brenda B. Grant (Re-Appointment)	June 2011
Lenoir County Planning Board **1st Appearance**	L. Russell Hill Alternate (Appointment)	October 2011
Nursing Home and Adult Care Home Committee **1st Appearance**	Eugene McCoy (Appointment)	October 2011

AMENDMENTS:

MOVED _____ SECOND _____

APPROVED _____ DENIED _____ UNANIMOUS _____

YEA VOTES: Brown _____ Davis _____ Graham _____ Harper _____

Humphrey _____ Stroud _____ Taylor _____

_____ 10/06/08
Paul H. Taylor, Jr., Chairman Date

_____ 10/06/08
ATTEST Date

APPLICATION FOR APPOINTMENT
to
LENOIR COUNTY ADVISORY BOARDS AND COMMISSIONS

The Lenoir County Board of Commissioners believes that all citizens should have the opportunity to participate in governmental decisions. One way of participating is by serving as a citizen member of one of the County's advisory boards. If you want to be considered for appointment to an advisory board, please complete the Application below and mail it to the Lenoir County Clerk to the Board, P.O. Box 3289, Kinston, NC 28502, or fax to (252) 559-6454.

Advisory Board/Committee/Commission interested in:

LENOIR COUNTY BOARD OF HEALTH

(I understand that this application will be kept on the active file for two years only, and I, hereby, authorize Lenoir County to verify all information included in this application.)

* * * * * * *

Name: BRENDA B. GRANT
Address: 2381 WEST DOWNS TERRACE
City/State/Zip: KINSTON N.C. 28504
Telephone: (Home) 252-522-1299 (Work) N/A
Occupation: REGISTERED NURSE (RETIRED)
Business Address: N/A
Age: (Optional): 65
Number hours available per month for this position: AS NEEDED
Training: 3 YR. NURSING SCHOOL & 40 YRS. AS RN
Business and Civic Experience/Skills: WORKED AT BELKS during high school. CURRENTLY VOLUNTEER AT LMH IN CHEER CORNER
Other County Boards/Committees/Commissions presently serving on: NONE

Expiration date of Term: Sept. 2008

Circle your voting precinct

K-1 (Carver Courts Recreation Center)
K-2 (Old Plummer Daniel's Building)
K-3 (Fairfield Recreation Center)
K-4 (Northwest Elementary School)
K-5 (Spillman Baptist Church)
K-6 (Teachers Memorial School)
K-7 (Emma Webb Recreation Center)
K-8 (Holloway Recreation Center)
K-9 (Kinston Number 4 Fire Station)
Contentnea (Contentnea Ruitan Building)
Falling Creek (Banks Elementary School Gym)
Institute (Institute Methodist Church)
Moseley Hall (Frink Middle School Gym)
Neuse (Agricultural Center)
Pink Hill 1 (Bethel Baptist Church)
Pink Hill 2 (Pink Hill Rescue Station)
Sand Hill (Sand Hill VF Department)
Southwest (Southwest VF Department)
Trent 1 (Deep Run VF Department)
Trent 2 (Moss Hill Ruitan Building)
Vance (GTP Ed & Training CTR.)
Woodington (Woodington Middle School)

CERTIFICATION

I certify that I have read and understand the 75% attendance requirement established in the Lenoir County Board Appointment Policy. I further certify, that I am aware, if my attendance drops below the 75% attendance requirements that I will be automatically removed from said Board appointment.

Brenda Grant
Signature of Applicant

09-04-08
Date

APPLICATION FOR APPOINTMENT
to
LENOIR COUNTY ADVISORY BOARDS AND COMMISSIONS

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Advisory Board/Committee/Commission interested in:

LENOIR COUNTY PLANNING

(I understand that this application will be kept on the active file for two years only, and I, hereby, authorize Lenoir County to verify all information included in this application.)

* * * * * * *

Name: L. RUSSELL HILL
Address: 365 JACKSON Heights ST.
City/State/Zip: KINSTON N.C. 28504
Telephone: (Home) 252 527-2590 (Work) CELL 526-7285
Occupation: TOOL MAKER
Business Address:
Age: (Optional): 45 AGE
Number hours available per month for this position: 40 HOUR
Training: 2 YEARS ASSOCIATE IN Applied SCIENCE IN MACHINING Technology
Business and Civic Experience/Skills: PART-TIME TEACHERS ON A college Level And High school Level.
Other County Boards/Committees/Commissions presently serving on: N/A

Expiration date of Term: 10/2011

Circle your voting precinct

K-1 (Carver Courts Recreation Center)
K-2 (Old Plummer Daniel's Building)
K-3 (Fairfield Recreation Center)
K-4 (Northwest Elementary School)
K-5 (Spillman Baptist Church)
K-6 (Teachers Memorial School)
K-7 (Emma Webb Recreation Center)
K-8 (Holloway Recreation Center)
K-9 (Kinston Number 4 Fire Station)
Contentnea (Contentnea Ruitan Building)
Falling Creek (Banks Elementary School Gym)
Institute (Institute Methodist Church)
Moseley Hall (Frink Middle School Gym)
Neuse (Agricultural Center) Alternate
Pink Hill 1 (Bethel Baptist Church)
Pink Hill 2 (Pink Hill Rescue Station)
Sand Hill (Sand Hill VF Department)
Southwest (Southwest VF Department)
Trent 1 (Deep Run VF Department)
Trent 2 (Moss Hill Ruitan Building)
Vance (GTP Ed & Training CTR.)
Woodington (Woodington Middle School)

CERTIFICATION

I certify that I have read and understand the 75% attendance requirement established in the Lenoir County Board Appointment Policy. I further certify, that I am aware, if my attendance drops below the 75% attendance requirements that I will be automatically removed from said Board appointment.

L. Russell Hill
Signature of Applicant

8/21/08
Date

APPLICATION FOR APPOINTMENT
to
LENOIR COUNTY ADVISORY BOARDS AND COMMISSIONS

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Advisory Board/Committee/Commission interested in:

Nursing Home and Adult Care Home Committee

(I understand that this application will be kept on the active file for two years only, and I, hereby, authorize Lenoir County to verify all information included in this application.)

* * * * * * *

Name: REV. EUGENE LIONEL McCOY
Address: 1501 Bond St
City/State/Zip: Kinston NC 28501
Telephone: (Home) 252 527 8439 (Work) RETIRED
Occupation: RETIRED - NEW YORK CITY LAW ENFORCEMENT
Business Address: PO Box 843 Kinston NC 28501
Age: (Optional):
Number hours available per month for this position: 20 to 30 HRS PER MO.
Training: MENTAL HEALTH + NURSING HOME ADMIN.
Business and Civic Experience/Skills: LENOIR MEM. HOSP. CHAPLAIN - VOL.
FAMILY CARE HOME ADMINISTRATOR
Other County Boards/Committees/Commissions presently serving on: NONE - LENOIR COUNTY
Expiration date of Term: N/A

Circle your voting precinct

K-1 (Carver Courts Recreation Center)	Institute (Institute Methodist Church)
K-2 (Old Plummer Daniel's Building)	Moseley Hall (Frink Middle School Gym)
K-3 (Fairfield Recreation Center)	Neuse (Agricultural Center)
K-4 (Northwest Elementary School)	Pink Hill 1 (Bethel Baptist Church)
K-5 (Spillman Baptist Church)	Pink Hill 2 (Pink Hill Rescue Station)
K-6 (Teachers Memorial School)	Sand Hill (Sand Hill VF Department)
K-7 (Emma Webb Recreation Center)	Southwest (Southwest VF Department)
K-8 (Holloway Recreation Center)	Trent 1 (Deep Run VF Department)
K-9 (Kinston Number 4 Fire Station)	Trent 2 (Moss Hill Ruitan Building)
Contentnea (Contentnea Ruitan Building)	Vance (Army Reserve Center, Airport)
Falling Creek (Banks Elementary School Gym)	Woodington (Woodington Middle School)

CERTIFICATION

I certify that I have read and understand the 75% attendance requirement established in the Lenoir County Board Appointment Policy. I further certify, that I am aware, if my attendance drops below the 75% attendance requirements that I will be automatically removed from said Board appointment.

Eugene L. McCoy
Signature of Applicant

Sept. 11 '08
Date