

MINUTES

LENOIR COUNTY BOARD OF COMMISSIONERS

October 7, 2013

The Lenoir County Board of Commissioners met in open session at 9 a.m. on Monday, October 7, 2013, in the Board of Commissioner Main Meeting Room in the Lenoir County Courthouse at 130 S. Queen St., Kinston, NC.

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

Also present were: Michael W. Jarman, County Manager, Thomas L. Hollowell, Assistant County Manager, Martha Martin, Finance Officer, Robert Griffin, County Attorney, members of the general public and news media.

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

PUBLIC INFORMATION:

None

ITEMS FROM CHAIRMAN/COMMISSIONERS:

None

ITEMS FROM THE COUNTY MANAGER:

1. Memo: Kinston-Lenoir County Chamber of Commerce: Re: Human Relations

Mr. Jarman reminded the commissioners of the letter in their packet from the Lenoir 2020 Steering Committee. He said this letter was asking for two commissioners to serve on a Human Relations Committee, a part of the Lenoir 2020 strategy. Ms. Sutton and Mr. Hill volunteered to serve on the committee.

Mr. Jarman then advised the group of the partial Federal shutdown and told them he has been in contact with all departments that may possibly be affected by this action. He said the Health Department will be affected in the following areas: Tuberculosis, Family Planning, Prenatal and WIC. Mr. Jarman said in discussions with Mr. Huff, there were enough funds to run the Tuberculosis, Family Planning and Prenatal clinics through the end of October. However, WIC will not be issuing any vouchers after tomorrow, October 8th – they will only be answering phone calls. Mr. Jarman said there are seven employees in the WIC department, and right now he is not sure how this will affect the employees or their benefits.

Mr. Jarman said Transit also receives Federal dollars through the State, but hopefully they have enough local money from advertising and such to get them through this. He also said Soil Conservation has the same issue, with their State and Federal counterparts currently not working. However, the County's staff is currently working on locally funded projects.

Mr. Jarman then asked Susan Moore, DSS director to address the Board and make them aware of how her department is being affected. Ms. Moore told the group she and her staff had met with the DSS Board earlier in the morning to go over the possible implications of the shutdown on their services (a copy was provided to the commissioners). The first funding source she discussed was the TANF funding for all mandated child welfare services. Ms. Moore said these funds go for Child Protective Services and Foster Care Services impacting approximately 200 families whose children have been abused or neglected or are at high risk of abuse or neglect. This will also impact 38 staff members and completely shut down the Child Protective Services unit – a mandated service.

Ms. Moore also said the Work First Block Grant funds will be affected. This money is used to provide monthly cash assistance and employment services to low income families. It also provides funds for Child Protective Services and in-home services to children at risk of foster care placement. She said this will impact approximately 300 families, but it primarily affects children living with a relative other than a parent.

She also said the Child Development Fund (CCDF) would be greatly impacted. This child care subsidy makes payments to daycare providers, which will affect 452 children in low-income families and 59 child care facilities within the County.

Ms. Moore stated the low income energy assistance program (LIEAP) program will be affected as well. The program provides funding to assist elderly and disabled individuals in paying their heating and cooling bills.

Another program Ms. Moore said would be impacted is the Home and Community Care Block Grant (HCCBG) which provides adult day care services, in-home aid for the disabled, senior nutrition and transportation services. She stated the County administers \$122,687 of these funds and the Council on Aging receives \$369,941 to operate these programs for seniors.

Ms. Moore said the Social Services Block Grant (SSBG) would be affected as well. This program assists with child welfare services, including foster care and adoptions, adult protective services, guardianship services, in-home aid services and payee services for disabled adults.

Ms. Moore said in the past whenever there was a federal shutdown, the State would allow the counties to continue to spend funds, assuming the federal funding would be forthcoming. However, the current Deputy Secretary for Human Services at the NC Department of Health and Human Services has advised any local government continuing to operate programs impacted by the shutdown, will assume the financial responsibility for any costs incurred. She also said the funding for mandated and essential services is limited and full reimbursement for September services is currently not possible due to the shutdown. Ms. Moore also said the person she spoke with from the Division of Child Development was hopeful counties would receive reimbursement for their September services, but did not see how funding could be made available after October 15th. Ms. Moore said they do not have the option of not providing child services or adult services, but they can stop the daycare funding. Since they have to send out any funding notice ten days before an action, they will be mailing out letters today to parents to make them aware the funding will stop on October 21st. Ms. Moore also said even using the maintenance of effort local funds, the children's services and daycare payments would have to end at October 31st. She said there are really no good options.

Mr. Davis said we would have to provide the services which are mandated, but we do not have the funds to continue services that are not mandated. Ms. Sutton made a motion to accept Ms. Moore's recommendation, and Ms. Brown seconded the motion. The motion passed unanimously.

Mr. Daughety asked if there was a contingency plan for what to do should this continue 60 to 90 days. Ms. Moore replied she would have no choice but to furlough employees. She also said a lot depends on what happens on October 17th, whenever Congress votes on whether or not to raise the debt ceiling. Ms. Moore said it was possible all programs would be impacted then. Ms. Sutton commended Ms. Moore and her staff for their work in compiling the plan. Ms. Sutton said Ms. Moore and the DSS Board first looked at the DSS objectives. Ms. Brown said if any employees had to be furloughed, they could be moved into one of the current vacancies. Ms. Moore said the Food Stamp program was currently running, but all bets were off after October 17th.

Ms. Sutton said other counties were handling this situation in different ways. She said even if you decide to shut down a program, you are still liable under law to protect the children and the adults. Ms. Sutton also said everyone needed to contact their representatives and make them aware of the number of children and businesses that are being affected. Ms. Moore said whenever the funds are released, they will resume the services. Mr. Hill said this is a reminder to the Board of the time which is needed to be spent in the budget process for long range planning. He said they need to discuss how things can be affected in the budget and other such issues. Mr. Hill said this is the reason for being conservative and having rainy day funds available. He also said he appreciates all the work the department heads do, and what they have done in the past to put the

County in the best position possible. He said as we go into another budget year, this needs to be remembered.

Mr. Jarman said DSS and the other departments are trying to work within the funds budgeted and he may have to ask for a special meeting to discuss the mandated services and other services if he foresees anything that could cause financial problems. He said there are several departments affected and he will work to keep the Board informed.

Mr. Daughety asked with all of the uncertainty, should the Board consider freezing any non essential expenditures, until after October 21st. Mr. Jarman said the Board could make that decision, but he asked if the managers could be left to manage, and then bring it before the Board if they were unable to redirect or handle. He stated that is what Ms. Moore has done.

Ms. Moore said she has frozen the Emergency Assistance and frozen positions in Children's services as well as the mail clerk position. She said her department has stopped all non essential expenditures, including non essential travel as well as suspending any purchase not related to client services or essential administrative expenses.

Mr. Daughety said he was talking about countywide. Mr. Davis asked if the funds started flowing again, would they be reimbursed retroactively. Ms. Moore said they had in the past, but the State was in a better financial position then.

2. Paperless Agenda

Joey Bryan, MIS Director addressed the Board concerning the possibility of having paperless agendas. Mr. Bryan said he used two years' worth of actual data to determine the average number of pages per agenda. He then compiled an average cost of delivering the agendas and even used the cost involved in copier lease and maintenance. Mr. Bryan said this came to around \$2,750.40 per year for the paper agendas. He then expounded on two different types of Ipads, and said he had priced the cheaper version, which was a one-time cost of \$5,430.00. Mr. Bryan reminded the group this would be a greater cost up front, but would be an annual savings thereafter.

Ms. Brown asked Mr. Jarman what was his recommendation. Mr. Jarman said he realized there were a lot of things going on, but there were times when it was wise to invest. He said his recommendation was to go paperless with the less expensive Ipad. He stated the time spent by employees copying and delivering could be spent in other more productive areas. Mr. Rouse said he felt with the government shutdown, this should be tabled until a more relevant time. Mr. Davis said he agreed with Mr. Rouse. Mr. Daughety made a motion this be tabled until another time, and Mr. Hill seconded his motion. Ms. Sutton asked if this motion could be amended to include that this discussion

be included in next year's budget agenda. The motion passed by Common Consent.

Mr. Hill said even with the Ipad, you would need to download an application which would allow you to take notes on the downloaded agenda. He said he was willing to try to use his personal Ipad to do this. Mr. Rouse asked about the rest of the Board who owned their personal Ipads, if they could be notified once the agenda was available, and also be provided a link for downloading. Mr. Bryan said he and his staff would be glad to help in downloading the agenda or downloading an application which would allow for the note taking ability. Mr. Daughety said if the file was too large to download, they would notify Administration to print out the document, and they would pick it up.

3. Lenoir County Inspections Report

CONSENT AGENDA:

3. Approval of Minutes: Regular Board Meeting-September 16, 2013.

Special Called Meeting: September 26, 2013

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

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

RESOLUTIONS/BUDGET ORDINANCE AMENDMENTS:

Item No. 5 was a Resolution Honoring Evelyn Kittrell. Ms. Sutton read the resolution honoring Ms. Kittrell and stated it was an honor to be able to do so. Ms. Sutton said all of the employees at Cooperative Extension were like family to her. After the resolution was read, Ms. Kittrell was asked if she had any comments. Ms. Kittrell stated she had enjoyed her job working with children and their parents. She was then thanked individually by each of the Commissioners. Upon a motion by Ms. Sutton and a second by Ms. Brown, Item No. 5 was unanimously approved.

Item No. 6 was a Budget Ordinance Amendment: General Fund: Process Funds: \$2,923: Increase: Ms. Kelly stated this was to appropriate SHIIP (Seniors' Health Insurance Information Program) grant funds for FY 2013-2014. This grant is administered by Cooperative Extension and is designed to assist senior citizens in obtaining insurance information. Ms. Kelly stated they had received a lot of calls concerning health care for seniors and this was a critical year for many. A resolution was approved on August 19, 2013-Item #6 authorizing Tammy Kelly to execute the contract and continue managing the grant. The funds were received on 09/10/13. Upon a motion by Mr. Daughety and a second by Ms. Brown, Item No. 6 was unanimously approved.

Item No. 7 was a Budget Ordinance Amendment: General Fund: Conservation-Natural Resources: \$7,908: Increase: Mr. Jarman stated this was to budget funds for office rent and computer services for the Lenoir County Soil and Water District. He stated these funds were not included in the FY 13-14 budget because they had been budgeted in prior years, but not requested. They were taken out of the budget with the stipulation they be put back in if they were needed. Mr. Jarman also said they had talked about moving the Soil Conservation office from its current location, but it had not been feasible. USDA and NCDENR are now invoicing for these expenditures in the current year; therefore, it is necessary to reinstate these funds. Upon a motion by Ms. Sutton and a second by Ms. Brown, Item No.7 was unanimously approved. Mr. Best asked where the current offices were located and Mr. Jarman said they were located on Hwy 11 South. Mr. Rouse asked who paid the utilities and Mr. Jarman said they are included in the rent cost.

Item No.8 was a Resolution Approval of Contract for Mowing and Ditch Clean-up of County Owned Property in the Highway 70 West Industrial Park: Danny Smith Landscaping and Drainage of Kinston, NC: \$7,800. Mr. Pope addressed the group and stated there are currently several projects in process, and the first impression often has a lot of influence on decisions. He said the landfill staff had helped out, but didn't have the proper equipment for mowing ditch banks. He also said he had visited the site with another bidder, who was initially cheaper, and showed him all of the work entailed. His original bid did not include two properties, and his rebid of the job was much higher. Mr. Pope stated approval of this resolution will allow for the encumbrance of funds and payment to the contractor upon completion of the contract. Upon a motion by Ms. Sutton and a second by Mr. Daughety, Item No. 8 was unanimously approved.

Mr. Davis stated there was a small triangular shaped property at the corner of Hwy 258 North and Hwy 70 West that had not been mowed all year. Mr. Pope said he would contact someone at DOT to see if this could be mowed. Mr. Daughety stated with the State's new funding formula, there were no funds available for roadside maintenance.

Mr. Pope gave a brief update on the sale of Smithfield Foods to the Chinese. He said he had forwarded the email concerning the sale to the commissioners last week, and everything should remain pretty much the same as usual, just under new ownership. Mr. Pope also read some of the "Frequently Asked Questions" which are posted on Smithfield's website, which address continued safety efforts, etc. Mr. Pope said the outlook was positive, and he hopes there will be more growth with Smithfield.

Item No. 9 was a Resolution Authorizing Replacement of Split System Heat Pump at the Lenoir County Board of Elections' Offices: Ed Phillips, Inc.: \$7,850 Mr. Wiggins addressed the Board and stated there has been a problem over at the Board of Elections/ABC building for some time. In the initial construction of the building a heating/air unit that was too small was installed, and several years later a much larger unit replaced it. Since the installation of the larger unit, there has been a problem with too much moisture and mildew. Mr. Wiggins also said they were going

to need to replace the carpet, and may have to replace some of the ceiling tiles. Mr. Wiggins stated approval of this resolution will allow for the encumbrance of funds and payment to the contractor upon completion of the contract. Ms. Sutton made a motion to allow the replacement of the unit and Ms. Brown seconded the motion. When the question was called, Item No. 9 passed with Mr. Rouse and Mr. Daughety casting the only dissenting votes.

Item No. 10 was a Resolution Authorizing Purchase of Carpet for Board of Elections and Philson Building: Interface LLC., \$12,168 Mr. Mike Wiggins stated this resolution would allow maintenance to purchase carpet squares directly from the manufacturer and he and his staff were going to install the carpet in the Board of Elections/ABC building as well as the Philson building. Once the carpet has been installed in the Philson building, the voting machines, which are currently stored in the old MIS building behind DSS will be stored in the back of the building. This will also allow the MIS department to move into the front of the Philson building, since they currently have to carry equipment up and down the stairs of the Fire Station Museum. Mr. Wiggins stated approval of this resolution will allow for the encumbrance of funds and payment to the vendor upon receipt of the merchandise. Ms. Sutton made a motion to allow the purchase and installation of the carpet, and Ms. Brown seconded the motion. When the question was called, Item No. 10 passed with Mr. Rouse and Mr. Daughety casting the only dissenting votes.

Item No. 11 was a Resolution to Allow Sheriff Chris Hill to Purchase (11) Motorola Handheld Radios and (14) Radio Batteries: \$6,004.04. Sheriff Hill asked the Board of Commissioners to allow him to execute a purchase order with Gately Communications to purchase the radios and batteries, using Federal Forfeiture funds. Upon a motion by Ms. Sutton and a second by Ms. Brown, Item No. 11 was unanimously approved.

Item No. 12 was a Resolution to Allow Sheriff Chris Hill to Purchase an Emergency Notification System "Code Red": \$ 10,000. Sheriff Hill addressed the Board and said the County currently has no way of mass notifying its citizens of an impending emergency. He said this system would allow a message to be sent to a home phone, cell phone, computer, etc. Sheriff Hill also said this system is currently used by 54 other counties in the State, and can be used for other services as well. Ms. Sutton made a motion to approve the purchase of the system and Ms. Brown seconded the motion.

Mr. Rouse asked where the money to fund the service would come from in future years. Sheriff Hill stated he would include in the Sheriff Department budget if no Federal or State funds were available. Mr. Griffin asked if consideration had been given to the fact, not all citizens may want this service. Sheriff Hill stated the system could be designed to use any set of parameters they wanted to use. Ms. Sutton said if folks did not want the service, they could probably opt out. Commissioner Hill said whenever he worked in another county, the county had this feature, and it was a tremendous asset. Ms. Sutton said a similar system is being used by the schools and it is a big help. Ms. Sutton said she wanted to amend her motion to approve the system only if

citizens could opt out and Ms. Brown seconded. Mr. Rouse asked if the motion could also be amended to stipulate the system be funded in future years only if Federal money was available. Ms. Sutton said future years' budget items could not be approved in the resolution. The question was then called with Item No. 12 passing unanimously.

Item No. 13 was a Resolution to Allow Sheriff Chris Hill to Execute a Blanket Purchase Order with Blacks Tire Service: \$10,000. Sheriff Hill said this resolution was necessary due to the fact the tires under state contract price are no longer being carried by local vendors. Sheriff Hill asked the Board of Commissioners to allow him to execute a blanket purchase order with Blacks Tire Service to purchase Goodyear tires for its patrol car fleet. Upon a motion by Ms. Sutton and a second by Ms. Brown, Item No. 13 was unanimously approved.

Item No. 14 was a Resolution to Allow Sheriff Chris Hill to Purchase Two Full-Service Canines: \$28,000. Sheriff Hill asked the Board of Commissioners to allow him to execute a purchase order with Southern Police Canines, Inc., to purchase two full-service canines as well as the applicable handler training. Sheriff Hill further stated this was to make a canine available for each shift. Mr. Rouse asked if there were recurring charges, and Sheriff Hill said the only recurring fee was the food and veterinary bills. Upon a motion by Ms. Sutton and a second by Ms. Brown, Item No. 14 was unanimously approved.

Item No 15 was a Resolution Approving the Execution of Construction Contract: Harrod and Associates: \$2,330,000. Mr. Dail stated that County Administration, along with Jacob Swyper, evaluated each bid and following these evaluations, Harrod and Associates was selected based on their experience and lowest bid. Upon a motion by Mr. Daughety and a second by Mr. Best, Item No. 15 was unanimously approved.

Item No 16 was a Resolution Approving Provider Agreements for Subsidized Day Care: \$2,653,882. Ms. Moore stated the Board is requested to authorize contracting with the current listing of individual child care providers and child care centers (list is subject to change monthly) to provide subsidized child day care in Lenoir County effective July 1, 2013 through June 30, 2014. Upon a motion by Ms. Sutton and a second by Ms. Brown, Item No. 16 was unanimously approved.

Item No 17 was a Budget Ordinance Amendment: General Fund: DSS: \$148,534: Increase: Ms. Moore stated the day care line item adjustment was to reflect an increase in the day care subsidy allocation received for FY 13-14. The actual allocation received is more that the state estimate approved in the FY 13-14 DSS Budget 100% Federal State Funds. Upon a motion by Ms. Sutton and a second by Ms. Brown, Item No. 17 was unanimously approved.

APPOINTMENTS:

Item No. 18 was a Resolution Approving Citizens to Boards, Commissions, Etc.

<u>BOARD/COMMITTEE COMMISSION</u>	<u>APPLICANT/CURRENT MEMBER</u>	<u>TERM EXPIRATION</u>

There were no appointments.

CLOSED SESSION:

Ms. Brown made a motion to go into closed session to discuss matters relating to the location or expansion of industries or other businesses in the area served by Lenoir County. Mr. Daughety seconded the motion. The commissioners went into closed session at 10:49 a.m.

OPEN SESSION:

Ms. Brown made a motion to come out of closed session and Mr. Daughety seconded the motion. The commissioners came out of closed session at 11:06 a.m.

Mr. Davis stated the commissioners went into closed session to discuss matters relating to the location or expansion of industries or other businesses in the area served by Lenoir County, but no action was taken. Mr. Davis adjourned the meeting at approximately 11:08 a.m.

Respectfully Submitted,

Reviewed By,

Martha H. Martin

Michael W. Jarman

Clerk to the Board

County Manager