

**MINUTES**  
**LENOIR COUNTY BOARD OF COMMISSIONERS**  
**October 18, 2010**

The Lenoir County Board of Commissioners met in open session at 4:00 p.m. on Monday, October 18, 2010 in the Board of Commissioners Main Meeting Room in the Lenoir County Courthouse at 130 S. Queen St., Kinston, NC.

Members present: Chairman George Graham, Vice-Chairman Claude Stroud and Commissioners, Jackie Brown, Reuben Davis, Tommy Pharo, and Linda Rouse Sutton.

Members absent: Chris Humphrey

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

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

**PUBLIC INFORMATION** - None Scheduled

**ITEMS FROM THE CHAIRMAN/COMMISSIONERS** - No comments were made.

**ITEMS FROM THE COUNTY MANAGER**

Item No. 2 was Items from the County Manager. Mr. Jarman recommended the Board decline the \$500 bids for the following properties: 706 Chestnut St, Kinston, Randolph Farrow Rd., Kinston, 311 E. Caswell St., Kinston, and Hickory Nut Dr., Kinston, NC; and a \$600 bid on 1637 Old Ridgeway Dr., Kinston, NC. Upon a motion by Mr. Davis and a second by Ms. Brown the Board approved the recommendations as presented.

**CONSENT AGENDA**

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

3. Approval of Minutes: Regular Board Meeting: October 4, 2010 Hall/Jarman

**BUDGET ORDINANCE AMENDMENTS/RESOLUTIONS**

Item No. 4 was a Budget Ordinance Amendment: General Fund: Process Funds: \$19,387: Increase. Ms. Martin stated the amendment rolls forward the balance of the Gang Grant-Positive Behavior Grant from FY 2009-2010. On November 2, 2009, the Board voted to accept a grant from the North Carolina Department of Juvenile Justice and Delinquency Prevention Program (DJJDP) which would provide funding for the Lenoir County Youth Based Positive Behavior Support Program. This money was used within 12 months, but these 12 months spanned two fiscal years. This grant is being administered by the Lenoir County Board of Education. A total of \$34,780 was received in FY 09-10, with a 1/12 payment being received at the beginning of the program, and the balance of the funds were on a reimbursement basis. Since only \$30,613.70 was expended in FY 09-10, all of which was reimbursed, the first payment went into Fund Balance. Upon a motion by Ms. Brown and a second by Ms. Stroud, Item No. 4 was unanimously approved.

Item No. 5 was a Budget Ordinance Amendment: Trust and Agency Fund: Extension-Family Caregiver - \$102,721: Increase. Ms. Martin stated the amendment is to increase the budgeted amounts of the Extension Family Caregiver to 100% funding for the Fiscal Year 2010-2011. The beginning of this fiscal year the Extension Family Caregiver only received 25% of its funding from the Partnership for Children; therefore we are amending our budget in order to show that we are receiving 100% funding in the total amount of \$136,962. Upon a motion by Ms. Sutton and a second by Mr. Stroud, Item No. 5 was unanimously approved.

Item No. 6 was a Budget Ordinance Amendment: General Fund: DSS: \$209,017: Increase. Mr. Jack Jones, Social Services Director addressed the Board. Mr. Jones stated the amendment is a line item adjustment to reflect actual allocations received. Upon a motion by Ms. Sutton and a second by Ms. Brown, Item No. 6 was unanimously approved.

Item No. 7 was a Resolution Authorizing Acceptance of the Help America Vote Act (HAVA) Grant: \$2,574. Ms. Dana King, Board of Election Director, addressed the Board. Ms. King stated The State Board of Elections encourages all counties to apply for HAVA grant funds annually. Lenoir County has been approved to receive HAVA funds for the past four (4) years. These funds have been very beneficial in keeping each county precinct ready for Election Day and have allowed for necessary upgrades to equipment and to make all precincts accessible to all citizens. The source of this Grant is Title 1 Section 101 HAVA Funds. The Lenoir County Board of Elections requested \$40,000 in the grant at the beginning of the budget year. Portions of the grant have already been awarded, accepted and spent. The amount awarded for this grant is \$2,574. All monies received from HAVA are to make all polling places accessible to all voters. This grant will be used for privacy booths for each precinct, to purchase supplies for the precincts and to pay "One Stop" employees' salaries during the One Stop period. Upon a motion by Ms. Brown and a second by Ms. Sutton, Item No. 7 was unanimously approved.

Item No. 8A was a Resolution Requesting Authorization to Utilize Women's, Infants & Children (WIC) Mini Grant-417 Breast Feeding: \$9,996. Mr. Joey Huff, Health Director, stated the resolution increases breastfeeding promotion and support within the community and within the Health Department and upgrades existing services. Upon a motion by Ms. Sutton and a second by Mr. Stroud, Item No. 8A was unanimously approved.

Item No. 8B was a Budget Ordinance Amendment: General Fund: Health (WIC Program State): Increase: \$9,996. Upon a motion by Ms. Sutton and a second by Mr. Stroud, Item No. 8A was unanimously approved.

Item No. 9 was a Resolution Authorizing Lenoir County Health Department to Execute the Construction of Room #25 to create a New Breastfeeding Room by Manuel & Associates Real Estate Inv. & Services: \$3,910.71. Mr. Huff stated the monies will be used to renovate Room #25 for a new breastfeeding room at the Lenoir County Health Department, which will serve to strengthen and enhance breastfeeding promotion and support efforts of the North Carolina WIC Program. Upon a motion by Mr. Davis and a second by Ms. Brown, Item No. 9 was unanimously approved.

Item No. 10A was a Resolution Approving Purchase of Rifles: \$11,640. Major Chris Hill of the Sheriff's Department addressed the Board. Mr. Hill stated one year ago the Sheriff's Office began purchasing .223 caliber rifles for each patrol deputy. These rifles provide an enhanced ability to precisely terminate a life threatening event at a much greater and safer distance. The purchase of these rifles has been funded through the Justice Assistance Grant (JAG) which has typically been managed by the City of Kinston. The Kinston Department of Public Safety and the Sheriff's Office evenly split the JAG allocation each year. The 2010 JAG provided a total grant award of \$51,793. As such, \$25,896.50 was awarded to the Sheriff's Office. No local matching funds are required to receive this money. Because weapon purchases are particularly restrictive, the Sheriff's Office will be purchasing these rifles upfront but will be reimbursed by the city via the JAG. This is exactly how the transaction occurred last year. The Smith & Wesson, M&P15, .223 caliber rifle is designed for law enforcement purposes. It has been found to be a durable and precise weapon suitable for our needs. The Sheriff's Office already has 14 of these rifles in patrol cars. The goal is to provide one rifle for each patrol deputy. Lawmen's is a law enforcement dealer located in Raleigh, N.C. The Sheriff's Office has been purchasing various equipment and rifles from them for years. The total package cost, which includes slings, carrying cases, bandoleers, led lights, and cleaning kits is \$970 per rifle or \$11,640 for all twelve. The Sheriff respectfully request the Board of Commissioners to permit him to execute a purchase order with Lawmen's for the purchase of (12) M&P15, .223 caliber, Smith and Wesson rifles. Upon a motion by Mr. Sutton and a second by Mr. Stroud, Item No. 10A was unanimously approved.

Item No. 10B was a Budget Ordinance Amendment: General Fund: Sheriff's Department: \$11,640: Increase. Upon a motion by Mr. Sutton and a second by Mr. Stroud, Item No. 10A was unanimously approved.

Item No. 11 was a Resolution Approving the Acceptance of a Proposal for Advertisement by the Lenoir County Health Department for the Birth Control Program in Spanish on the Lenoir County Transit Vehicles and the Execution of a Contract. Mr. Joey Bryan, Transit Director addressed the Board. Mr. Bryan stated 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. The Lenoir County Health Department's Birth Control Program has received funding for advertising with the support of the Title X Federal Funds. The Health Department is currently advertising the Birth Control Program in English, but now wishes to advertise this Program in Spanish. The Health Department is a Lenoir County Transit (LCT) core agency. Attached is a sample proof of the ad that will be placed on the LCT van for the Health Department for the Board's evaluation. Based on a \$125/mo per advertisement charge by LCT, the following revenue is anticipated for a twelve-month advertisement period; Total County Revenue = \$1,336. Upon a motion by Ms. Brown and a second by Ms. Sutton, Item No. 11 was unanimously approved.

Item No. 12 was a Resolution to Approve an Amendment to the Drug and Alcohol Testing Policy for Lenoir County Transit. Mr. Bryan stated while attending Reasonable Suspicion Training for Drug and Alcohol given by RLS Associates (contractor for Drug and Alcohol Training) on September 15, 2010 by NCDOT/PTD, LCT was informed effective October 1, 2010 that FTA amended certain parts of 49 CFR Part 40. To remain in compliance with NCDOT/PTD and the FTA the Lenoir County Transit Drug and Alcohol Testing Policy is amended as follows: Testing for MDMA (Ecstasy) will be added to the amphetamine test panel; Initial testing for heroin will be mandatory for all opiate positives; Cutoff levels for drugs will be consistent with 49 CFR Part 40, as amended. With these amendments in place, this will allow Lenoir County Transit to be in full compliance with the Drug and Alcohol Policy as required by NCDOT/PTD. As of March 10, 2008, Lenoir County Transit (LCT) took Operations in-house which entailed complying with North Carolina Department of Transportation (NCDOT) in all areas of Operations with our Drivers, such as; Drug and Alcohol Testing, and Safety Policies and Procedures. LCT's Drug and Alcohol Testing Policy requires transit to test each employee that is Safety Sensitive. A Pre-employment Drug Test is also required to be employed by LCT. LCT has to ensure NCDOT that all Drug and Alcohol Testing is in place and policies are adhered to with our transit system. The Lenoir County Commissioner's passed LCT's Drug and Alcohol Testing Policy July 19, 2010. Upon a motion by Mr. Pharo and a second by Ms. Brown, Item No. 12 was unanimously approved.

Item No. 13 was a Resolution to Approve Grants and Financial Management Policies and Procedures for Lenoir County Transit. Mr. Bryan stated As of March 10, 2008, Lenoir County Transit (LCT) took Operations in-house which entailed complying with North Carolina Department of Transportation (NCDOT) in all areas of Operations with our Drivers, such as; Grants and Financial Management Policies and Procedures. LCT's Grants and Financial Management Policies and Procedures clearly states how the County Finance oversees Lenoir County Transit Budget, and the Board of Commissioners approve NCDOT Grants and the process of each. This Policy is a requirement of NCDOT. LCT has to ensure NCDOT that there is a policy and procedure in place as to how LCT is managed with the funding that is received to operate Lenoir County Transit. NCDOT contracted with KFH Group to conduct a Federal Compliance Review with all transit systems that receive funding from North Carolina Department of Transportation (NCDOT) on March 24, 2010. This group has assisted each transit system throughout North Carolina to implement Policies and Procedures that NCDOT has required each transit system to have so all transit systems will be in compliance with NCDOT. This was a finding that all transit systems had because NCDOT has never required this Policy and Procedure in the past. LCT has implemented the Grants and Financial Management Policies and Procedures. The reason for each transit system having the Review is to make sure that we are all in compliance with NCDOT. Upon a motion by Ms. Brown and a second by Ms. Sutton, Item No. 13 was unanimously approved.

Item No. 14 was Resolution Authorizing the Issuance of Blanket Purchase Orders to the Following Companies for the American Recovery and Reinvestment Act (ARRA) of 2009 for Preventative Maintenance. Mr. Bryan stated On May 4, 2009, a resolution was approved by the Board of Commissioners approving the American Recovery and Reinvestment Act of 2009 Application for FY 2009-2011. The ARRA provided funds to allow Transit Systems to apply for grants for Preventative Maintenance for vehicles. This resolution included preventative maintenance for eighteen (18) vehicles. NCDOT also approved preventative maintenance to include washing of vehicles, and interior cleaning, along with preventative maintenance for wheelchair lifts.

This will be for a two (2) year period with an option for up to five (5) years. On April 25, 2010, thirty seven (37) Requests for Proposals were sent to vendors in Lenoir and other counties. The Request for Proposal was advertised in the local paper, a minority owned paper and the State of NC Purchase and Contract Interactive Purchasing System. Seven (7) proposals were returned for three (3) types of preventative maintenance: Vehicle Washing, Vehicle Preventative Maintenance, and Wheelchair Lift Preventative Maintenance. A pre-proposal conference was held May 6, 2010. Bid opening was held on May 25, 2010. These Blanket Purchase Orders for Fiscal Year 2010-2011 will allow Lenoir County Transit to operate more efficient by having the Purchase Orders in place when the need for the service of one of the company's arises. Upon a motion by Ms. Sutton and a second by Ms. Brown, Item No. 14 was unanimously approved.

Item No. 15 was a Resolution Authorizing Approval and Execution of Inter-local Agreement between the City of Kinston and the County of Lenoir: Jail Construction Building Inspection Services. Mr. Jarman stated Lenoir County intends to construct a new 192 bed facility on County owned property adjacent to the existing Lenoir County Courthouse. NC General Statues empower the County and the City to enter into inter-local agreements in order to execute an undertaking whereby a unit of local government exercises any power, function, public enterprise, right, privilege, or immunity either jointly with or on behalf of another unit of government. The inter-local agreement specifically authorizes by law that the City will delegate, assign, and relinquish to the County all right, authority, and responsibility to provide inspections for the jail construction project and the County agrees to assume authority, responsibility, and liability for such inspections. Upon a motion by Mr. Davis and a second by Mr. Stroud, Item No. 15 was unanimously approved.

**APPOINTMENTS**

Item No. 16 was a Resolution Appointing Citizens to Boards, Commissions, Etc. Upon a motion by Ms. Brown and a second by Ms. Sutton, Item No. 16 was unanimously approved.

<b><u>BOARD/COMMITTEE/COMMISSION</u></b>	<b><u>APPLICANT/ CURRENT MEMBER</u></b>	<b><u>TERM EXPIRATION</u></b>
<b>Lenoir County Board of Health</b> 2 <sup>nd</sup> Appearance	Dr. J. E. Agsten <b>(Re-appointment)</b>	September 2013
<b>Lenoir County Criminal Justice Partnership Program (CJPP)</b> 2 <sup>nd</sup> Appearance	George Keller Stone <b>(Re-Appointment)</b>  Ben Bazemore, Jr Lesa A. Burges Laquita Richardson <b>(Appointment)</b>	September 2012

**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

**PUBLIC COMMENTS**

Reverend Donnie Dixon addressed the Board regarding the Contentnea/Savannah Recreation Department. Mr. Dixon stated games for the department have been cancelled due to a Kinston-Lenoir County Parks and Recreation ruling that each team must have a minimum of 20 players. Mr. Dixon stated the community is too small to have 20 players on each team and the issue was never addressed with the Contentnea/Savannah Recreation Department. Parents from the area are being forced to send their children to the Southwood community in order to play recreational sports. Mr. Dixon stated this was not fair to the parents or the community. Mr. Griffin advised Mr. Dixon to take his complaint before the Kinston-Lenoir County Parks and Recreation Commission for their consideration. If Mr. Dixon and the families are not satisfied with Parks and Receptions ruling they may then come back before the Board of Commissioners. The Board thanked Mr. Dixon for his comments.

**ADJOURN**

Upon a motion by Mr. Graham and a second by Mr. Stroud the Board adjourned at 4:40 p.m.

Respectfully submitted,

Reviewed By

Lashanda A. Hall  
Clerk to the Board

Michael W. Jarman  
County Manager