

**MINUTES**  
**LENOIR COUNTY BOARD OF COMMISSIONERS**  
**October 20, 2008**

The Lenoir County Board of Commissioners met in regular session at 4:00 p.m. on Monday, October 20, 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, Jr., Vice-Chairman George Graham, Jr., and Commissioners, Jackie Brown, Claude Davis, Earl Harper, Chris Humphrey, and Claude Stroud.

Members absent: None

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. Taylor, the Board excused Mr. Graham who will be late for the meeting today.

**PUBLIC INFORMATION**

Proclamation: National Arts and Humanities Month. Mr. Taylor read the proclamation aloud for the Board and the viewing public.

**ITEMS FROM THE CHAIRMAN/COMMISSIONERS**

Mr. Taylor asked the status of the K. W. Harper tree line. Mr. Jarman stated to date Mr. Harper has not begun the clean up process or planting of the tree line. The matter may have to go before the court system to be resolved. Mr. Taylor encouraged all citizens to get out and vote early. Ms. Brown reminded the public of the Jazz Concert hosted by the Community Council for the Arts on Sunday, October 26, 2008; the Miller Group will be performing.

**ITEMS FROM THE COUNTY MANAGER**

Item No. 2 was Items from the County Manager. Mr. Jarman stated the Senior Tar Heel Legislature has released their priorities for the next two-years for the Board to review. Mr. Jarman reviewed a letter from Foresight Investments, LLC regarding a new easement to Piedmont Natural Gas. Lenoir County will be compensated for the easement in the amount of \$5,000. Lenoir County will retain ownership of the property and Piedmont Natural Gas would reserve an easement for an updated regulator station. Mr. Jarman stated County Administration would continue to research the project.

**CONSENT AGENDA**

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

- 3. Approval of Minutes: Regular Board Meeting: October 6, 2008 Aytch/Jarman  
 Closed Session Meeting: October 6, 2008
- 4. Budget Ordinance Amendment: Finance/Emergency Medical Services: \$1,921: Increase Dail/Martin
- 5. Budget Ordinance Amendment: General Fund: Process Funds: \$4,731: Increase Jarman/Martin

**PUBLIC HEARING/RESOLUTION**

Item No. 6 was a Public Hearing Regarding the Proposed Schedules, Standards and Rules to be used in the appraising of real property. Upon a motion by Mr. Taylor the Public Hearing opened at 4:19 p.m. Mr. Darrell Parrish, Tax Administrator, addressed the Board. There were no public comments made. Upon a motion by Mr. Taylor and a second by Mr. Humphrey, the Public Hearing closed at 4:19 p.m.

**ADDENDUM:** Resolution Authorizing Establishment of an Ordinance Levying Tax on Gross Receipts Derived from Retail Short-term Lease or Rental of Heavy Equipment. Mr. Parrish stated pursuant to Senate Bill 1852, the property tax on rental or leased heavy equipment has been repealed effective July 1, 2009. While Senate Bill 1852 repeals the law allowing for property taxation on rental or leased heavy equipment, it also authorizes counties to levy a gross receipts tax of one and two tenths percent (1.2%) as a substitute revenue source. The County will administer and collect from operators of leasing and rental establishments the taxes levied hereby and the county may promulgate additional rules and regulations necessary for implementation of the taxes. Mr. Taylor requested the Resolution be tabled until the Board can review the information further. Upon a motion by Mr. Harper and a second by Mr. Stroud the Board tabled the Resolution.

Item No. 7 was a Public Hearing Regarding the Lenoir County Work First Block Grant Plan: FY 2010-2011. Upon a motion by Mr. Taylor the Public Hearing opened at 4:26 p.m. Mr. Jack Jones, Director of Social Services, addressed the Board. Mr. Jones stated 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 including the designation of our county status as either a Standard County or an Electing County. 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. Choosing Electing Status has proven very successful for Lenoir County, by allowing the county to save \$102,373 per year while still reducing the number of families who receive public assistance from 573 families in July 2001 to 155 families on May 1, 2008. Also, as an Electing County, Lenoir County has used available Work First Cash Assistance Funds for protective services for children, day care services for children, transportation services for employment and training, and STRIVE classes for Work First Participants. As a Standard County, these services would have only been available with 100%

County Funds. The Electing County status saves local tax dollars and makes federal funds available for services described above. To abandoned the Electing County Status at this time would costs approximately \$800,000 local tax dollars. Mr. Chris Harper of DSS presented a PowerPoint presentation for the Board and the viewing public. There were no comments made by the public. Upon a motion by Mr. Taylor and a second by Mr. Stroud, the Public Hearing closed at 4:44 p.m.

Item No. 8 was a Resolution Requesting to Continue Electing Status for the Work First Program during State FY 2010-2011. Upon a motion by Ms. Brown and a second by Mr. Harper, Item No. 8 was unanimously approved.

### **BUDGET ORDINANCE AMENDMENT/RESOLUTIONS**

Item No. 9 was a Budget Ordinance Amendment: Capital Improvements Fund: Economic Development: \$20,000: Increase. Mr. Tommy Hollowell, Assistant County Manager addressed the Board. Mr. Hollowell stated the amendment sets up the Eastern Region Flex Grant for West Pharmaceutical's No. 2 expansion project. This is a pass through grant. The County received the Funds from North Carolina's Eastern Region on October 7, 2008. Upon a motion by Mr. Harper and a second by Ms. Brown, Item No. 9 was unanimously approved.

Item No. 10 was a Budget Ordinance Amendment: General Fund: Finance/CJPP: \$22,955: Increase. Mr. Hollowell stated the amendment's to bring the budget in line with the State's approved budget. At the time the County's budget was prepared, the State had not yet approved their budget. Therefore, the County budgeted the same amount as Fiscal Year 2007-08. On September 29, 2008 the State sent its approved budget. It was \$2,955 more than last year. This budget amendment also budgets a \$20,000 contribution from Eastpointe – this amount was in the original revenues budgeted by the County for the Day Reporting Center program, but was omitted in the expenditure lines. Upon a motion by Mr. Harper and a second by Ms. Brown, Item No. 10 was unanimously approved.

Item No. 11 was a Budget Ordinance Amendment: Solid Waste Fund: Landfill: \$126,000: Increase. Mr. Hollowell stated the amendment Budgets funds for the newly implemented Solid Waste Disposal Tax. Session Law 2007-550 enacted by the 2007 General Assembly requires owners of landfills to remit to the State \$2.00 for each ton of Municipal Solid Waste and construction debris deposited in a landfill. This law was effective July 1, 2008. Payments to the State are to made on a quarterly basis. Upon a motion by Ms. Brown and a second by Mr. Davis, Item No. 11 was unanimously approved.

Item No. 12A was a Resolution Authorizing Lenoir County Cooperative Extension to Implement Children's Birth to Kindergarten Component to the Parenting Matters, Parent Education Program. Ms. Trudy Pickett of the Lenoir County Cooperative Extension addressed the Board. Ms. Pickett stated this year Lenoir County Cooperative Extension was allocated Juvenile Crime Prevention Council dollars to fund parent education for parents at high risk of becoming involved in the Juvenile Court System due to negative conditions of the family unit. The Parent Education Program provides a comprehensive parent education program for parents and caretakers through increased parental knowledge of child development, nurturing, appropriate discipline, effective parenting and early literacy. Parenting Matters research based curriculum is being used for the educational component. Parenting Matters offers skill-building and educational opportunities to

parents. The program targets parents and caretakers of Lenoir County children ages six through seventeen who are experiencing parenting problems or wish to improve on parenting skills. Another aspect of the program is attendance by the entire family. JCPC dollars are specific in that they cannot be spent for children other than those mentioned above. In order to provide an educational experience for the children in the range of Birth to K, dollars were secured from the Lenoir/Greene Partnership for Children. Participants will attend eight two-hour sessions. Following a family meal the family will separate into age appropriate sessions. Pre and Post-Test Evaluations will be administered. Assessments will also be made by Caseworkers from DSS, and Parent Educators. Upon a motion by Mr. Harper and a second by Mr. Davis, Item No. 12A was unanimously approved.

Item No. 12B was a Budget Ordinance Amendment: General Fund: Process Funds/LGPFC Parenting Skills: \$2,860: Increase. The amendment appropriates Funds from the Lenoir-Greene Partnership for Children to be used in conjunction with the JCPC Parenting Matters Funds. The JCPC Parenting Matters Funds are used to reach children age's kindergarten through 19. The funds from the Lenoir-Greene Partnership for Children will be used to reach children birth through 5. This grant is on a reimbursement basis. Upon a motion by Mr. Harper and a second by Mr. Davis, Item No. 12B was unanimously approved.

Item No. 13 was a Resolution Authorizing a Purchase Order to Contract Flooring and Design for Vinyl Tile and Proam Rubber for the Weight Rooms and Fitness Rooms at Mock Gym: \$6,862. Mr. Bill Ellis, Parks and Recreation Director addressed the Board. Mr. Ellis stated these rooms currently have carpet that needs to be replaced. The proam rubber flooring will be used in the weight rooms and the vinyl tile will be used in the fitness area. The City of Kinston is funding the proam rubber on the walking track. Approximately 300 people per day use this facility, seven days a week. Upon a motion by Mr. Stroud and a second by Ms. Brown, Item No. 13 was unanimously approved.

Item No. 14 was a Resolution Exercise of "Option to Purchase" Real Property: 112S. Queen St., 109, 111, 113, and 115 E. Caswell St., Kinston, N.C.: \$750,000. Mr. Jarman stated the County desires to purchase real property located at 112 S. Queen St., 109, 111, 113, and 115 E. Caswell St., Kinston, N.C. All of these properties are contiguous to Lenoir County Courthouse property. Future needs for expansion of County facilities and operations make these properties an essential acquisition for the County. At the request of the Board, County Administration contracted with the real estate appraisal firm of Raspberry Shackelford & Associates to perform an appraisal of the properties. An "Option to Purchase" these properties was prepared by the County Attorney. The Board approved the "Option to Purchase" on August 4, 2008. The Option shall exist and continue from July 28, 2008 until 5:00 p.m. on October 28, 2008. Future needs for expansion of County facilities and operations require the purchase of additional real estate. The properties located at 112 S. Queen St., 109, 111, 113, and 115 E. Caswell St., Kinston, N.C., are all contiguous to Lenoir County Courthouse property. A Phase II Environmental study was done and has been completed with property being cleared of contamination. The County will have to have a conditional use permit in order to build a detention center on the property. The Board has approved the design process of the detention center with finalization forth coming. The land is a critical piece in the design process. The County has the funds to pay for the land and the design of the center. Mr. Humphrey stated he recommends that the option be extended to allow new Board members the opportunity to express their opinions regarding the issues. Mr. Graham stated Board members are called upon to serve on the Board until their terms have expired, it would be unfair to limit the participation of Board members due to term expirations.

Upon a motion by Mr. Harper and a second by Mr. Taylor, Item No. 14 was approved with Mr. Humphrey dissenting.

**APPOINTMENTS**

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

<b><u>BOARD/COMMITTEE/COMMISSION</u></b>	<b><u>APPLICANT/ CURRENT MEMBER</u></b>	<b><u>TERM EXPIRATION</u></b>
Lenoir County Planning Board <b>2<sup>nd</sup> Appearance</b>	L. Russell Hill Alternate (Appointment)	October 2011 <b>M: Brown</b> <b>S: Davis</b>
Nursing Home and Adult Care Home Committee <b>2<sup>nd</sup> Appearance</b>	Eugene McCoy (Appointment)	October 2011 <b>M: Brown</b> <b>S: Davis</b>

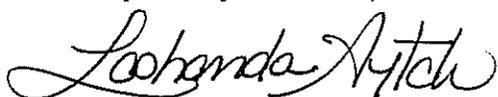
**CURRENT VACANCIES:**

- 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**

**ADJOURNMENT**

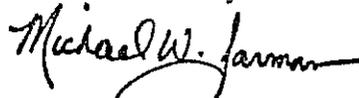
Upon a motion by Mr. Taylor, the meeting was adjourned at 5:25 p.m.

Respectfully submitted,



Lashanda Aytch  
Clerk to the Board

Reviewed By



Michael W. Jarman  
County Manager