

MINUTES

LENOIR COUNTY BOARD OF COMMISSIONERS

November 4, 2013

The Lenoir County Board of Commissioners met in open session at 9 a.m. on Monday, November 4, 2013, in the Board of Commissioners 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 9:00 a.m. Ms. Brown offered the Invocation and Mr. Hill led the audience in the Pledge of Allegiance.

PUBLIC INFORMATION:

None

ITEMS FROM CHAIRMAN/COMMISSIONERS:

Ms. Sutton stated she was not able to attend the Hall of Fame Induction ceremony held by Cooperative Extension in Raleigh recently, but said two Lenoir County members were inducted. Those two members were Ms. Isabelle Fletcher Perry and Ms. Marguerite Whitfield. Mr. Davis stated these were two great ladies and both of them had done a lot for Lenoir County. Mr. Davis also said he had been honored to work with Ms. Perry on the Board of Commissioners in the past.

Mr. Davis asked if anything needed to be voted on concerning the Kinston Bypass. Mr. Daughety stated a potential alternate route is being looked at for the bypass, but it is not yet official. He said this alternate route will have to be accepted by the merger team and then they will do the due process on this eighth proposal, as has been done on other routes. He stated it is actually a corridor and not a route. Mr. Daughety stated a corridor is a 1000 ft. wide swatch of land where a route (250 ft.) will go. He stated there is still a lot of work to be done and once it is officially a route, he will bring that information back to the Board. Mr. Daughety stated all of the governing boards of the four corners of the Quad East have signed their resolution in support of the interstate. Greenville's mayor has asked for a press conference today just to announce all that has been done. Mr. Daughety said everyone was invited to attend if they so desired, but it would probably only take about ten minutes to announce Goldsboro, Wayne County, Kinston, Lenoir County, Ayden, Pitt County, Greene County and Wilson have all signed up.

Ms. Brown stated she had several people who live on Hwy 11 North express concerns about the bypass going beside their home and having to move. Mr. Daughety advised Ms. Brown to inform the public to just be patient because there would be no record decision until 2015, and then construction probably would not begin until 2020-2024.

Mr. Davis asked if traffic was being allowed on Part A of the Felix Harvey Parkway yet. Mr. Daughety stated not yet – they are still waiting for the completion of the sound walls. He further stated a firm from Texas was awarded the contract to build the sound walls, but they were not accustomed to the water table in our area, and had to make some changes. Mr. Daughety said a lot would also depend on the weather, since they were not able to lay asphalt unless the temperature was above 50 degrees. He also said it may be the end of this year, or possibly some time next year before this section opens.

Mr. Griffin said he understood there were three northern bypass proposals and three southern bypass proposals as well as looking at upgrading the existing route, and after doing studies, it was determined all three of the northern routes would not pull enough traffic off of Hwy 70. Therefore, the three northern bypass proposals are not viable and DOT will be asking the merger team to remove these three. Mr. Daughety said the furthest point of this new corridor is less than a mile from existing Hwy 70. It will deviate off somewhere around the interchange of the parkway, go behind Lowe's, come out the other side of the community college and back into Hwy 70. All of this time it will be less than a mile from existing Hwy 70, trying to protect the commercial economic base on Hwy 70. If this corridor route is chosen, then it will take the routes off of the northern end of the county, and will speed up the construction of Part C of the parkway. Part C was held hostage by being one of the potential northern bypass routes, but will now be taken off of the books as a northern route, so work can begin on Part C.

Ms. Brown asked if a stretch from Hwy 11 North across the bridge to Hwy 70 was still being looked at. Mr. Daughety said if this new proposed corridor is approved, the new route would come in somewhere in the vicinity of Neuse Road. He also said there are two other projects, one which is the Hwy 58 connector, connecting Hwy 58 North via Hwy 11 into Hwy 58 South. The other project, which would potentially be Part D of the parkway, would start where Part C of the parkway ends on Hwy 11 North and would come across the river and back into Hwy 70. Mr. Daughety said he didn't think that bridge would ever be built, which was a shame.

Mr. Davis said one of his concerns was if one of the longer routes were chosen, it would mean a tremendous amount of acreage would be taken off of the tax rolls. This would have a huge financial impact on the County. Mr. Daughety said this was correct, but by this new proposed route staying close to existing Hwy 70, and also freeing up the construction of Part C, this should spur economic growth.

Mr. Griffin said he had spoken with one of the engineers about the reason behind the northern routes not taking enough traffic off of Hwy 70 and the engineer explained to him that current GPS equipment being used by travelers may direct them to stay on existing highways in order to save time. Mr. Daughety urged everyone to attend the Transportation meetings, and Mr. Griffin agreed, stating it was an educational experience.

Mr. Hill said he would like to give an update on the things happening with the Eastern Region. He stated if everyone had been following the changes taking place with the Rural Center, that process would shed some light as to the situation with the Eastern Region. Mr. Hill asked Mark Pope to come forward and address the group and expound on the situation with the Rural Center.

Mark Pope came forward and addressed the group. He stated the funds held by the Rural Center have now been transferred back to the State's general fund. Mr. Pope also said a \$1 million grant approved for the City of Kinston's Smithfield project is being held. He said another grant which has been approved for another project, has also been pulled. Mr. Pope said he had tried to forward all correspondence he has received concerning the Rural Center to the commissioners in order to keep them abreast of the situation. Mr. Pope said the Rural Center and Commerce have reached an agreement on how to handle the funds, and Dr. Pat Mitchell has been appointed to oversee the transition. He also said he had served on the NCEDA Board with Dr. Mitchell and since she was from a rural area in North Carolina, he thought she would be good to work with. Mr. Pope said boards have not yet been formed so he doesn't know if and when any money will be released. He also said the pot of monies from the Rural Center has decreased significantly. Mr. Pope went on to say the Rural Center had been very instrumental in the County receiving projects. The Rural Center funds have helped in supplying water, sewer and gas to the Hwy 70 Industrial Park. Mr. Pope said he had contacted the Secretary, Dr. Mitchell and the legislators to let them know how important the Rural Center is to Eastern North Carolina.

Mr. Hill said the reason he had asked Mr. Pope to address the Rural Center situation, was a similar situation was occurring with the Eastern Region. He said initially the Rural Center was going to use its interest income to start a non-profit initiative, but those funds were withheld. He said they had the same dynamics with the interest income currently held by the Eastern Region. Mr. Hill said there had been a couple of proposals, one of which was a fund raiser, but it was currently being tabled. He said the County is close to having to make a definitive decision as to whether to remain a part of the Eastern Alliance, which is taking the place of the Eastern Region. He said we had remained a part of the Eastern Region in order to monitor what is taking place, and be in a better position to make the best decision for the County. Mr. Hill said we will see other counties facing the same situation, since the region will dissolve as of June 30, 2014. He said the license tag fees collected on behalf of the counties will be returned to those counties less any outstanding loans. Mr. Hill did say a total of \$7 million dollars could be turned over to the State or borrowed by the members at 0% interest fee. A fee of 1% will be charged. Another option was the \$3.2 million to \$3.6 million dollars that is currently interest income, could possibly be used to start up the Eastern Alliance.

He said this is why he had mentioned the Rural Center's situation. Mr. Hill said the Rural Center had about \$24 million in interest income and the auditors initially allowed them to keep those funds. They have since come back and said \$20 million of those interest dollars would have to go to the State. Mr. Hill said they currently did not know if the Eastern Region would be allowed to keep the interest income to aid in setting up the Eastern Alliance with the balance going back to the counties, or if they would have to turn those funds over to the State.

Mr. Hill said the question would then become if we remain in the Eastern Alliance, would we be at odds with the State. He said he thinks the entire board supports regionalism, but questioned whether remaining an Eastern Alliance member would cause problems, since the State has set up prosperity zones. He also said he did not know if the Eastern Alliance would remain as the current 13 counties, or if the footprint would change altogether. Mr. Hill said things are changing, and hopefully after he attends the Eastern Region meeting in December, he will have more information to bring back to the Board.

Mr. Rouse asked about the loan, and Mr. Hill answered the amount would be proportionate to the amount going back to the Counties. Mr. Rouse asked Mr. Jarman if we could borrow the County's portion to offset current outstanding debt. Mr. Hill replied the funds had to be used for economic development and targeted for a specific project – the funds cannot be used to backfill current debt. He said if you do this, you end up incurring more debt than you had planned on. Mr. Hill suggested we leave it alone for now, unless there is a specific project in mind, since at any point in time, the county could wind up in an entanglement issue similar to what the Rural Center is experiencing.

Mike Jarman agreed and said management is cautious about incurring any more debt even if it would be at a great interest rate. He said it would have been wonderful if they had opened the door for the counties to get the funds to offset other debt. Mr. Hill replied there would still be the entanglement issue with the State. He also said with the \$7 million to be loaned, but with the interest rate being waived, if the State were to take the funds, they would be accepting loans with no interest being paid. Mr. Hill said everyone needed to be aware of that issue. He further stated John Chaffee had been to the Managers and to other groups and had explained the issues involved. Mr. Hill stated if we pulled out early, we could lose our proportionate share of the \$3.2 million to \$3.6 million and it needed to be a collective decision. He said another piece of this was if the \$3.2-\$3.6 million was moved to the operating budget of the Eastern Alliance, it was possible the County would receive none of those funds, but we definitely wouldn't receive any if we pulled out early. Mr. Hill said the County would be getting some funds back, but there would not be a huge windfall due to the fact we currently have a loan with the Eastern Region.

Mr. Jarman said we would have to wait and see how it plays out so we would know how to handle the situation. He said he may come before the Board and asks to use fund balance to pay off the loan, so the County would receive its entire share, and then, when the funds are received, the money would be placed back in fund balance.

Mr. Jarman said it will depend on how things happen. He also commended Mr. Hill for his participation on the Eastern Region board and for his bringing back information to the Commissioners. Mr. Jarman said Mr. Chaffee had volunteered to come before the Board and let them know what was going on, but he said he felt Mr. Hill's interpretation was a more objective view, not one of self preservation. Mr. Jarman further stated with all of the new people in place and with all of the changes that are taking place, we need to keep our options open.

Ms. Linda Sutton said she and Mr. Hill had attended their first human relations committee meeting last week and she felt it was very productive. She said they bounced around ideas of how to select and approve members. Ms. Sutton said they looked at enrolling members from various groups and organizations, but decided if this was going to be a county-wide committee, they would do much like the County currently selects members for Boards. She also said there may be a need for funds in the future to pay for a coordinator. Mr. Hill said initially he thought funding would be very limited and he thought they would just need funds for holding meetings. He said he thought it would be further down the road before any personnel would be needed. Ms. Sutton said Mr. Hill had done research on similar groups, but the information he found was mainly what municipalities had done, but the group decided they wanted this to be a county-wide effort. Mr. Hill said this was basically to provide a place where people could air their complaints/concerns and show others we are a caring community. He further said in his research he found other communities had dealt with issues of housing, issues targeting the public and if the fire and police services were adequate to provide proper coverage. Mr. Hill said several things have been addressed and they were there to show the citizens and others this was a caring community.

Mr. Best asked about the number of members on the committee and Mr. Hill said most of the boards he had researched were from 11-18 members. He said they had discussed having 11-13 members. Ms. Sutton said the group had discussed political representation and it had been suggested there be a city and a county liaison.

ITEMS FROM THE COUNTY MANAGER:

Mr. Jarman reminded the Board of the Employee Christmas Luncheon which will be held on Friday, December 20, 2013. He said it will start promptly at 11:30 a.m., so everyone will need to be in place at that time. Ms. Sutton asked if the Board was planning to get together as a group this year for Christmas. Mr. Jarman said that was the commissioners' call. Mr. Davis said he always enjoyed the Employees' Christmas Luncheon.

CONSENT AGENDA:

3. Approval of Minutes: Regular Board Meeting, October 21, 2013.

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

PROCLAMATION/BUDGET ORDINANCE AMENDMENTS/RESOLUTIONS :

Item No. 4 was a Proclamation proclaiming Lenoir County as a Purple Heart County in North Carolina. Mr. Eric Rouse read the Proclamation. Mr. Davis stated he had the opportunity to go to Normandy, Utah Beach and Omaha Beach while overseas last week. He stated he did not know what to expect but found it was in the same condition as it was in 1944. Mr. Davis stated he went to the American cemetery in Holland and it was a very moving experience. He stated all 17,000 Americans buried there were adopted by the citizens of Holland and the Holland people put wreaths on the graves. Mr. Davis said due to the government shutdown, they were not supposed to be allowed in, but were able to do so.

Item No. 5 was a Budget Ordinance Amendment : General Fund: Process Funds: \$78,000: Increase: Ms. Martin stated this amendment is to appropriate funds from the NC Department of Juvenile Justice and Delinquency Prevention. It will provide funding for the 8th Judicial District to identify and reduce the risk of gang violence. This money will be paid to and handled by the Lenoir County Structured Day Program and is a pass through grant. In previous years this grant was awarded for the FY beginning October and running through September of the following year. This required the rolling forward of 3 months of revenues and expenditures after the budget was adopted each year. This time the grant is actually for October through June, and will hopefully have the funding following the county's fiscal year. Upon a motion by Ms. Sutton and a second by Mr. Daughety, Item No. 5 was unanimously approved.

Item No. 6-A was a Resolution Authorizing Acceptance of Regional Grant Funds for Positive Parenting Program: \$136,584. Mr. Huff stated this resolution is to authorize the Lenoir County Health Department to apply for, accept and administer Regional Grant Funds for the Positive Parenting Program to include Lenoir, Greene and Jones County in collaboration with the Health Department, Cooperative Extension and Lenoir Greene Partnership for Children, and authorize the chairman of the Lenoir County Board of Commissioners or the Lenoir County Health Director to execute all grant documents for these funds on behalf of Lenoir County. Upon a motion by Mr. Hill and a second by Mr. Best Item No.6-A was unanimously approved.

Item No. 6-B was a Budget Ordinance Amendment: General Fund: Health: General/Positive Parenting Program: \$136,584: Increase: Mr. Huff stated this was a regional grant to include Lenoir, Greene and Jones County in collaboration with the Health Department, Cooperative Extension and Lenoir County Partnership for Children to implement Triple P (Positive Parenting Program) to educate and support for parents and caregivers of children and adolescents.

Mr. Rouse asked how long the program would be funded. Mr. Huff stated this was being funded through May 2014 and after that time, there will be additional funds coming from the Federal government to the State. He further stated there are pilot projects already in place. Mr. Huff also said if a director was hired, it would be contracted out, it would not go through the County's payroll. Upon a motion by Mr. Hill and a second by Mr. Best, Item No. 6-B was unanimously approved.

Item No. 7 was a Resolution Authorizing Lenoir County Cooperative Extensions' Purchase of Three (3) Pesticide Container Recycling Bins from the Environmental Trust Fund (PETF) Grant: \$9,496. Mr. Walter Adams requested the Board to authorize the purchase of three Pesticide Container Recycling Bins in the amount of \$9,496.00 and to authorize the Lenoir County Cooperative Extension Director to execute all paperwork on behalf of Lenoir County for the purchase. Upon a motion by Ms. Brown and a second by Ms. Sutton, Item No. 7 was unanimously approved.

Item No. 8 was an Addition to State Road System of Whitfield Ridge Drive, Susan Gray Court, Duck Pond Court, and King William Court in Whitfield Acres Subdivision (Part 2) in Lenoir County. Mr. Jarman stated there was a letter of request from Keith Green with the NCDOT and all roads are in Whitfield Acres (Part 2). He said for the roads to be added to the NCDOT system, the roads have to meet minimum standards. Mr. Jarman said this had come up before the commissioners a couple of years ago, but it did not contain all of the owners' signatures. He said if NCDOT signs off the roads are okay, all owners do not have to sign. Upon a motion by Mr. Daughety and a second by Mr. Hill, Item No. 8 was unanimously approved.

Item No. 9 was a Resolution Approving Four (4) Deeds of Easement to the City of Kinston through Pearson Park for 2011 Sewer Project. Mr. Griffin addressed the Board. He stated the sewer lines were run through Pearson Park and there were legal issues that should have been corrected. Mr. Griffin stated the City went through the process without the easements being recorded. He stated this Resolution was to clean up this action. Upon a motion by Ms. Sutton and a second by Mr. Best, Item No. 9 was unanimously approved.

APPOINTMENTS:

Item No. 11 was a Resolution Approving Citizens to Boards, Commissions, Etc.

<u>BOARD/COMMITTEE COMMISSION</u>	<u>APPLICANT/CURRENT MEMBER</u>	<u>TERM EXPIRATION</u>
Lenoir County Jury Commission	Annie Ruth Parrish William Harvey Howard Marva Brown (Reappointments) 1st Appearance	November 2015
Lenoir County Nursing Home and Adult Care Home Community Advisory Committee	Ella Hall 1st Appearance	
US 70 Corridor Commission	Russell Rhodes Gordon Vermillion 1st Appearance	

Ms. Brown said this was the first appearance for all so no action was needed. Mr. Rouse said there is interest in the various boards, especially the Hwy 70 Corridor Commission, and he said he felt the County needs to hold the position open a month and put the opening on the website to give other people ample time to sign up.

Mr. Jarman said if this is the route the County wants to take, there needs to be a policy established. He said most of the time, staff is not aware of vacancies until we receive an application. Mr. Jarman said we may need to be made aware of the vacancies and then post for one month, unless for some reason there is an urgency in filling the position. Mr. Hill said he agrees and he also said the commissioners need to be cautious of recommending names in opening meeting, since the commissioners are there to serve all of the citizens. The way it is currently handled may limit who applies and it needs to be available to everyone.

Ms. Sutton made a motion for Mr. Jarman to draft something to be presented at next meeting. Mr. Daughety seconded the motion.

Ms. Sutton asked again if they commissioners wanted to get together for Christmas and Mr. Davis said he thought they needed to get together and since it is dutch treat, there should be no complaints. Mr. Jarman asked if there was a preference for location to which Ms. Sutton said anything that is available will be fine. Mr. Jarman said it has traditionally been the 3rd Monday of December, but this could be changed. Ms. Sutton reminded everyone this usually takes the place of the second meeting of the month, and it should probably be that date.

CLOSED SESSION:

A motion was made by Ms. Brown and a second by Mr. Daughety, to go into closed session at 9:55 a.m. with the following cited: Number four (4) To discuss matters relating to the location or expansion of industries or other businesses in the area served by Lenoir County. There was no action taken, and upon a motion by Mr. Daughety and a second by Ms. Brown, the commissioners came out of closed session at 10:25 a.m.

OPEN SESSION:

With no further discussion Mr. Davis adjourned the meeting at approximately 10:27 a.m.

Respectfully Submitted,

Reviewed By,

Martha Martin

Clerk to the Board

Michael W. Jarman

County Manager