

MINUTES
LENOIR COUNTY BOARD OF COMMISSIONERS
November 5, 2007

The Lenoir County Board of Commissioners met in regular session at 9:00 a.m. on Monday, November 5, 2007 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, Jr., Vice-Chairman, Paul Taylor, Jr., and Commissioners, Jackie Brown, Claude Davis, Earl Harper, Chris Humphrey and Claude Stroud.

Members absent: None

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

Chairman Graham called the meeting to order at approximately 9:00 a.m. Ms. Brown offered the invocation and Mr. Graham led the audience in the pledge of allegiance.

PUBLIC INFORMATION

Mr. Albert Little of LaGrange addressed the Board regarding Fox Trapping in Lenoir County. Mr. Little stated fox trapping was prohibited in the 1970s. Mr. Little stated he would like the amendment allowing fox trapping reinstated in Lenoir County. State Legislators are the only entity that can reinstate the amendment, but the local Board of Commissioners must approve it first. There are a lot of coyotes in the county as well as foxes. But, if foxes are caught in the coyote traps, by county law, they must be released back into the wild. If the amendment is reinstated, after capture foxes will be sold for their fur or sold to fox pens that help train-hunting dogs. Ms. Colleen Olfenbittel, N.C. Wildlife Resource Commission furbearer biologist, stated the red and gray fox populations are abundant in North Carolina. Foxes have high reproduction rates, so trapping the foxes is a way of managing them and keeping them from getting to high levels. Ms. Olfenbittel stated her office is in full support of the amendment. Upon a motion by Ms. Brown and a second by Mr. Davis the Board unanimously approved the amendment for taking of fox by trapping in Lenoir County. The County Manager's office will write a letter to the General Assembly requesting reinstatement of the amendment.

Ms. Sue Powell, Transportation Coordinator, presented the Board with an update on the Lenoir County Transit System. Ms. Powell stated Lenoir County Transit (LCT) was established as a Coordinated Human Service Transportation System. LCT started with seven (7) vans that provided 13,367 passenger trips and covered 70,465 miles. LCT receives funding through the Community Transportation Grant (CTP), Rural General Public (RGP), sales of \$2.50 tickets, sale of mobile advertisements and several other forms. Today, LCT operates twelve (12) vehicles six days a week and has provided 47,168 passenger trips covering 324,173 miles. Passengers utilize LCT for employment, educational, medical, shopping and many other transportation needs. Project Transit began on July 1, 2006 and operated three (3) days per week Monday, Wednesday, and Friday, traveling on a deviated fixed route. As of February 5, 2007, Project Transit expanded service to five (5) days a week Monday through Friday and increased to 307 passengers. As of July 31, 2007 Project Transit increased to 923 passengers and on August 1, 2007 expanded their services once

again by providing 2nd and 3rd shift transportation due to agency, passenger and general public requests. With this success Project Transit began providing services to the town of LaGrange, offering five (5) bus stops throughout town. With these increases in services Project Transit passengers have increased enormously. The largest monthly ridership to date: LaGrange – 484; Kinston Day Loop – 977; and Kinston 2nd and 3rd Shift transportation – 157. Ms. Powell ended her presentation by thanking the Board of Commissioners for their continued support in their time and effort in providing transportation for the citizens of Lenoir County.

ITEMS FROM THE CHAIRMAN/COMMISSIONERS

Item No. 1 was Items from the Chairman and County Commissioners. Mr. Graham addressed the Board regarding the \$.025-cent sales tax increase that will be on the Lenoir County Ballot on November 6, 2007. Mr. Graham stated it has always been the position of the North Carolina Association of County Commissioners (NCACC) to lobby the state for revenue enhancements for local governments. County governments have been called upon to do more with no additional funding. The counties asked the General Assembly to give relief in Medicaid expenditures. North Carolina was the only state delegating the cost of Medicaid to local governments. The State decided to give counties the relief, but in turn cut sales tax revenues for the county. If the sales tax is passed it will generate \$1.4 million in local dollars. We as government leaders must ensure that the needs of the county are being addressed. A Vote for the sales tax is a vote for Lenoir County citizens and Lenoir County. Ms. Brown stated citizens have been receiving phone calls, telling them not to vote for the sales tax increase. Ms. Brown stated she hopes the citizens ignore these calls and vote for the future of Lenoir County. Mr. Jarman stated County Administration has been educating the public on what the sales tax increase would mean to Lenoir County. It is the job of administration to educate and commissioners to advocate. Mr. Jarman stated in 2001 when the county was recovering from the floods, the county was down to \$1.9 million in Fund Balance, translating into one week of operating funds. Mr. Humphrey asked what is the county's fund balance currently. Mr. Jarman stated there is a little over \$6 million in Undesignated Fund Balance which is a 14.8% fund balance. Mr. Humphrey stated the citizens of Lenoir County have entrusted the Board with spending the money wisely or not spending the money at all. Mr. Jarman stated the county would be responsible with the county's funds. Mr. Graham stated people are feeling really good about what is happening in Lenoir County and it is important for this trend to continue for future generations in Lenoir County.

ITEMS FROM THE COUNTY MANAGER

Item No. 2 was Items from the County Manager. No items were reviewed.

CONSENT AGENDA

Upon a motion by Mr. Harper and a second by Ms. Brown, the Board unanimously approved the following Consent agenda items.

3. Approval of Minutes: Regular Board Meeting: October 15, 2007
Special Session Meeting: October 26, 2007 Aytch/Jarman
4. Resolution Approving the Releases and Refunds to the Individuals Listed Herein Parrish/Hollowell
5. Budget Ordinance Amendment: General Fund: Health (TB/CDC Program):
Increase: \$3,724 Huff/Hollowell

- 6. Budget Ordinance Amendment: General Fund: Health: (Lead Poisoning Prevention Program): Increase: \$6,500 Huff/Hollowell
- 7. Budget Ordinance Amendment: General Fund: CJPP-Day Reporting Center: \$13,311: Increase Early/Hollowell
- 8. Budget Ordinance Amendment: General Fund: Health (Environmental Health): Increase: \$20,000 Huff/Hollowell
- 9. Budget Ordinance Amendment: General – Construction Project: \$70,000: Increase Jarman/Hollowell

RESOLUTION

Mr. Graham acknowledged Mr. Roger Dail for serving as President of the North Carolina Emergency Management Association for the past year. Mr. Dail’s term expired on October 30, 2007.

Item No. 10A. was a Resolution Authorizing the Purchase of a Radio Tower Maintenance Contract for Central Avenue Tower Site, School Bus Garage Tower Site and Emergency Services Building Tower Site: Price Communications: \$2,072.38. Mr. Roger Dail, Emergency Services Director addressed the Board. Mr. Dail stated the contract is for the maintenance of the 800MHz radio tower located at 272 Central Avenue, the radio tower located on Hwy 11 South at the School Bus Garage, and the radio tower located at the Emergency Services Building at 200 Rhodes Avenue. These contracts include providing annual tower survey, furnish and install lamps once per year (during annual survey) and providing written documentation for annual survey. The contract is necessary for the proper upkeep of the radio towers. This equipment serves all emergency service agencies. Therefore, this equipment must be kept in superior condition. Coastal Electronics, the prior holder of this contract, went out of business effective Friday October 19, 2007. The Lenoir County Emergency Services Department currently does not have a contractor for tower maintenance. Upon a motion by Mr. Stroud and a second by Ms. Brown, Item No. 10A. was unanimously approved.

Item No. 10B. Resolution Authorizing Gately Communications as the Holder of Maintenance Contracts for: Radio Equipment Maintenance and Radio System Management: \$30,408. Mr. Dail stated the contract is for the maintenance of the 800MHz radio infrastructure and the county fire department radio system. This contract includes all computer hardware and software. Equipment will be maintained by contractor; items such as: oil, water, dust, and foreign substance will be removed from the equipment. The equipment will be maintained at levels necessary to provide the required communications. Routine maintenance procedures will be performed as prescribed by the equipment manufacturer and the communications division. The equipment will be inspected periodically as often as required. Radio system management contract is to manage the 800MHz radio system to include the system access control list for all 800MHz radios on the Lenoir County radio system. Coastal Electronics, the prior holder of the above-mentioned contracts, went out of business effective Friday, October 19, 2007. The Lenoir County Emergency Services Department – Communications Division did not sign a contract agreement with Coastal Electronics, as they were experiencing financial difficulties at the beginning of fiscal year 07-08; therefore, the county’s EMS division has no obligation to Coastal. Gately Communications is an authorized Motorola sales and service representative, home based in Hampton, Virginia. They have companies in Kill Devil Hills, North Carolina. Experienced employees previously employed with Coastal Electronics, having expert knowledge of our system, are now employed with Gately Communications. The contract is

necessary for the proper upkeep of the radio equipment. This equipment serves all emergency service agencies. Therefore, this equipment must be kept in superior condition. Upon a motion by Mr. Stroud and a second by Ms. Brown, Item No. 10B was unanimously approved.

Mr. Graham asked Mr. Dail if the Burn-ban was still in effect. Mr. Dail stated the Ban is still in effect and several tickets have been issued to citizens throughout the county. Mr. Dail stated when no ban is in effect only vegetative debris can be burned no other processed material can be burned.

Item No. 11A was a Resolution Authorizing a Purchase Order to Piedmont Parks for a 4-Point Hyper Sail to be Installed at Fairfield Water Park: \$2,920.60. Mr. Bill Ellis, Parks and Recreation Director addressed the Board. Mr. Ellis stated this is the county's portion of the project, which is being funded by the City of Kinston and private donations. This is a 24 x 20-shade tent that will be installed at the Fairfield Water Park adjacent to the new playground at a later date. Upon a motion by Mr. Harper and a second by Ms. Brown, Item No. 11A was unanimously approved.

Item No. 11B was a Resolution Authorizing a Purchase Order to NES Rentals for a One (1) Month Rental of a Track-Hoe for use at the old Webb's Salvage Yard: \$4,500. Mr. Ellis stated the funds are budgeted in the Parks & Recreation Capital Account. The funds will be used to clear around the ponds and front acreage of the Rotary Dog Park. The City of Kinston and the Down East Retriever Club are paying the labor cost. Upon a motion by Mr. Taylor and a second by Mr. Harper, Item No. 11B was unanimously approved. Mr. Ellis reminded the Board of the Grand Opening Ceremony of the Kinston-Lenoir County Visitor Center on November 13, 2007 starting at 10:00 a.m. An Open House will be held 11:00 a.m. through 5:00 p.m.

Item No. 12 was a Resolution Approving Purchase Order Execution for Actuarial Valuation of Health Care Plan of Lenoir County: Cavanaugh Macdonald Consulting, LLC: \$4,500. Mr. Tommy Hollowell, Finance Director, addressed the Board. Mr. Hollowell stated in 2004 the Government Accounting Standards Board (GASB) issued Statements 43 and 45 regarding the accounting and reporting requirements for "Other Post-Employment Benefits" (OPEB). These two statements created issues that management must address beyond the basics of accounting and reporting. Statement 43 established accounting and reporting standards for post-employment benefit plans established as "irrevocable trusts". Statement 45 established the accounting and reporting requirements for an employer's expenses and liabilities related to their post-employment benefit plan regardless of how it is funded. Statement 45 requires the calculation of actuarial liabilities for benefits related to past service and assess to what extent those benefits have been funded. It will provide information for the assessment of future cash needs to fund OPEB Plans. An actuarial study of Lenoir County's post-employment benefits is required under GASB Statements 43 and 45. Preparation of the study will be phased in over a three (3) year period based on the size of the unit of government. Lenoir County's study must be completed by June 30, 2008. The results of the study will be presented to the Board prior to budget work sessions. The Board can use the study to assess the future liability of the County's post-employment benefits package and determine if changes need to be made to the plan. The North Carolina Association of County Commissioners and the North Carolina League of Municipalities have entered into a long term arrangement with Cavanaugh Macdonald Consulting, LLC to prepare the actuarial studies at a reduced rate for all units of government in North Carolina. This study must be updated each year. Upon a motion by Ms. Brown and a second by Mr. Davis, Item No. 12 was unanimously approved.

Item No. 13 Resolution Authorizing the Award of a Contract for Certified Lead Based Paint Services for the 2007 Single Family Rehab Project. Mr. Brendan Noland of the Wooten Company addressed the Board.

Mr. Noland stated Lenoir County was awarded \$392,000 for the SFR07 project on June 1, 2007. This project will assist homeowners who are below 80% median income and are elderly or disabled in bringing their housing situations up to minimum standards. Bids were taken for the lead testing, risk assessment, abatement project design, cost estimates for abatement and clearance testing services necessary to complete the NCHFA SFR07 project. The contract will specify that the contractor will be allowed to do only the number of approved structures, and only the activities specified by the county and/or the project administrator. Carolina Environmental, Inc. came in as the lowest, qualified bidder for the services. Upon a motion by Mr. Harper and a second by Ms. Brown, Item No. 13 was unanimously approved.

Item. No. 14A was a Resolution Approving Purchase Order Dana Safety Supply: \$6,129. Mr. Chris Hill of the Lenoir County Sheriff's Department addressed the Board. Mr. Hill stated the Sheriff's Office currently supplies each deputy with a bullet resistant vest, which is utilized to protect the officer in the event he or she is shot. The Sheriff has been purchasing Legacy vests from Dana Safety Supply for the past 3 years because of their design, comfort and cost. Dana Safety Supply has offered competitive prices for several years. 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 Purchase Order with Capital Ford: \$192,175.40. Mr. Hill stated the Sheriff's Office annually replaces patrol vehicles that are approaching or exceed 125,000 miles. The vehicle of choice for law enforcement has primarily been the Ford Crown Victoria. As such, most of the Sheriff's fleet is Ford Crown Victoria's. The vehicles have proven to perform rather well for law enforcement purposes and are offered on the State contract. The State bid process has now concluded. Capital Ford of Raleigh will be providing the 2008 Ford Crown Victoria's (police package) for the price of \$21,310. The Sheriff is requesting to purchase (9) Crown Victoria's; one of the vehicles will have two (2) additional options totaling \$385.40. Upon a motion by Mr. Taylor and a second by Mr. Davis, Item No. 14B was unanimously approved.

Item No. 15A. was a Resolution Authorizing Award of Contract and Construction of E.M.S. Station: Jarman Construction Company: \$159,610. Mr. Jarman stated the county purchased a lot at 1891 Liddell Road in Deep Run, NC several years ago for the purpose on constructing an E.M.S. Station. After much discussion and research a metal building was chosen as the specific structure to be constructed. County Administration requested proposals from Griffis Development, Inc., Jarman Construction, and K & J Contractors to construct the E.M.S. Station. Jarman Construction is the lowest qualified bidder, meeting the specifications requested. Upon a motion by Mr. Stroud and a second by Ms. Brown, Item No. 15A was unanimously approved.

Item No. 15B. was a Resolution Authorizing County Administration to Proceed with Necessary Actions to Complete the Construction of E.M.S. Station at 1891 Liddell Road in Deep Run, NC: NTE: \$20,000. Jarman Construction will construct the building. In addition to the building construction, additional funds are needed for survey/line agreement, attorney fees, site-work, paving landscaping, and other contingencies that may arise during the construction process. Upon a motion by Mr. Taylor and a second by Ms. Brown, Item No. 15B was unanimously approved.

APPOINTMENTS

Item No. 16 was a Resolution Appointing Citizens to Boards, Commissions, Etc. The following reflects existing vacancies and appointments.

<u>BOARD/COMMITTEE/COMMISSION</u>	<u>APPLICANT/ CURRENT MEMBER</u>	<u>TERM EXPIRATION</u>
Lenoir County Health Board 1 st Appearance	Dr. Joseph E. Agsten (Appointment)	September 2010 M: Brown S: Davis

CURRENT VACANCIES:

- Lenoir County Health Board – One (1) Vacancy; (1) Veterinarian**
- Grifton Planning Board – One (1) Vacancy; ETJ Position**
- JCPC – One (1) Vacancy; 1-Juvenile Attorney**
- Lenoir County Planning Board – District 1, 3, & 6**
- 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**

Mr. Graham acknowledge Mr. Clark Tutt of Tacc-9 who would be receiving an award for his excellence in music production over the last year.

Mr. Taylor thanked Mr. Joey Bryan, MIS Director, for his hard work in putting the agenda on-line and placing the technical equipment in the Commissioners’ room. Mr. Bryan thanked the Board and acknowledged Mr. Tutt, Martha Bishop and other county staff in helping complete the work.

ADJOURNMENT

Upon a motion by Ms. Brown the meeting adjourned at 10:16 a.m.

Respectfully submitted,



Lashanda Aytch
Clerk to the Board

Reviewed By



Michael W. Jarman
County Manager