

MINUTES

LENOIR COUNTY BOARD OF COMMISSIONERS

November 16, 2015

The Lenoir County Board of Commissioners met in open session at 5:00 p.m. on Monday, November 16, 2015, in the Board of Commissioners' Main Meeting Room in the Lenoir County Courthouse at 130 S. Queen St., Kinston, NC.

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

Members Absent: Jackie Brown

Also present were: Michael W. Jarman, County Manager, Martha Martin, Finance Officer, Vickie F. King, Clerk to the Board, Robert Griffin, County Attorney, members of the general public and news media.

Upon a motion by Mr. Davis and a second by Ms. Sutton, the Board unanimously approved to excuse Ms. Brown from the meeting.

Chairman Hill called the meeting to order at approximately 5:00 p.m. Ms. Sutton offered the Invocation and Mr. Davis led the audience in the Pledge of Allegiance.

Mr. Hill stated the Board was expecting a presentation from Mr. John Rouse with the NC Department of Transportation. Mr. Rouse was called to attend another meeting and was unable to be in attendance at this time.

PUBLIC INFORMATION:

None

PUBLIC COMMENTS:

Ms. Geraldine Barbour, Chairperson of the African-American Heritage Commission of Kinston-Lenoir County. Ms. Barbour stated the Heritage Commission is planning a Health and Heritage Festival for Lenoir County in the spring of 2016. This festival will benefit the community, tourist and visitors by making them more knowledgeable about the role African-Americans have played in the history of our area. The Commission will return early next year to present detailed information about the Health and Heritage Festival, and formally request support. Ms. Barbour concluded her comments by thanking the Board for the opportunity to provide a portion of the African-Americans Heritage Commissions focus. Mr. Hill thanked Ms. Barbour for the work the Heritage Commission is doing.

Mr. Hill stated he received a copy of a letter addressed to all Sweepstakes Café owners, from the Lenoir County District Attorney's Office (DA) at 10:00 am regarding the closure of all Café's within 30 days in Lenoir County. The letters were sent to Café owners on Friday, November 13, 2015.

The Lenoir County Board of Commissioners stance on the subject of the Sweepstakes remains exactly where it was, at its' last meeting. The Board's position was to move all concerns, thoughts, and ideas over to the Lenoir County Planning Board for their review and recommendation. The Board cannot and will not interfere or influence one way or the other the office of the DA regarding an action they could or will take. Those opposed to the decision made by the DA, will now have to take those concerns up with that Office and/or the judicial system. The Board will continue to move this subject to the Planning Board to process just as stated before. This may become a mute issue if it's deemed illegal from the DA's office but, the Board will do exactly what they said they would do in its' initial findings. Mr. Hill sated everyone must understand the Boards' position prior to coming and addressing the Board. Please understand that this is two separate issues and we cannot circumvent what the DA is stating. Mr. Hill stated as Chairman, he is disappointed that the letter was sent out in the middle of the Board working through this process. He stated he doesn't quite understand if it is illegal today, why it was not illegal 15 or 30 days ago, but that is a question the public will have to ask the DA, or the court. Basically that's the reality of where the Board stands today, and it's not a good place for business owners to be, nor a good place for Commissioners to be. Mr. Hill stated he would have liked to known about the letter prior to it going out, but again that was not his call. Questions should be addressed to the DA's office or be challenged in court or whatever direction café owners would like to take it. Again, the Board is open to hear any of the public's comments, but regardless to the outcome, the Board will still go through the planning process.

Ms. Janice Thompson, Owner, Clover City Internet Café, gave the Board a packet titled "Conspiracy Exposed." Ms. Thompson thanked the Commissioners for their time and read a prepared statement regarding Internet Cafés.

Mr. Healal Hamad, stated when he came to Lenoir County he did not come empty handed. His company has purchased property in Lenoir County, and has made many investments. Just in one location they have invested close to \$1.3 million dollars. They are currently looking at investing in additional property worth over \$750,000, all of this will end if they are forced to close down. These properties have been closed for two or three years, and yet they are willing to turn them into something to generate funds in Lenoir County. Mr. Hamad stated they are continuing to invest in Lenoir County because they believe in Lenoir County. Mr. Hamad stated he came from Nash County to Lenoir County to open businesses and to contribute not to take anything away.

Ms. Pauline Stroud, employee of Clover City Internet Café stated she was born and raised in Lenoir County. Ms. Stroud stated she felt like there is nothing the Board can do at this point, but did want to state that this has come at such a horrible time for everybody. I just want the Board to know that she contributes to Lenoir County.

Ms. Contessa Hayne, employee of Clover City Internet Café stated she is a single parent who is currently working two jobs to help her pay for school. Ms. Hayne's stated she has a daughter and has always looked forward to the Holidays. Now, two weeks before Christmas she will have to tell her daughter she no longer has her part-time job. Ms. Haynes stated everyone involved in this decision, has made it a bad time at Clover City Internet Café.

Ms. Brenda Solis, employee of Clover City Internet Café asked the question what is Christmas without a job? Ms. Solis stated she has medical issues, and has been unable to hold down a regular job. Ms. Solis stated Ms. Thompson is always willing to work with her and provide steady employment as well.

Mr. Mark McKnight stated he read an article in The Free Press regarding a study the Board had someone to complete regarding Internet cafes. Mr. McKnight stated he also performed a study when he began visiting six (6) cafés in Lenoir County. Mr. McKnight stated from his observations the computers are not only for entertainment, but are available to help people who need assistance with the use of the Internet. Due to the various work schedules of their customers, zoning times should be considered for the cafés, which may alleviate some issues within the communities. Mr. McKnight concluded his comments by stating the General Assembly has two (2) bills 938(I) and 938(N) pending. The approval of these two bills could possibly help to generate more tax revenue for Lenoir County.

Ms. Liz Vargus, employee of Clover City Internet Café, stated she is a mother and a soon to be grandmother, and wanted the Commissioners to put a face with a worker that would be unemployed very soon.

Mr. Nick Creech, employee of Clover City Internet Café, stated he provides for his family every year for Christmas, and without his job he will not be able to that this year.

Ms. Anne Meekler, stated everybody has an opinion, and they should be able to compromise with this decision. There is not much to do in Kinston, and she and her husband enjoy the fellowship we have when we go the cafe. Ms. Meekler stated she did not see the difference between playing the lottery and going to the bingo parlor; people are still spending money.

Ms. Mary Coward, employee of Clover City Internet Café, stated she has been employed for three (3) years. Ms. Coward stated she had to tell her daughter last night that she will get laid off two (2) weeks before Christmas. It will not be a good feeling waking up on Christmas morning and not having anything for my daughter to open. Ms. Coward stated she was employed by Ms. Thompson when the business was in Pitt County. At least Pitt County gave the cafes a sixty (60) day notice.

Mr. Steven Coward stated he is from Kinston and on a fixed income and needs the assistance of his wife's income from her part-time job at Clover City Internet Cafe.

Mr. Hill thanked the speakers for coming before the Board and stated the Board will continue to move forward with the process involving the Planning Board. Again, the challenge must be done through the courts and the DA. However, thank you for bringing the Board your information.

CONSENT AGENDA:

1. Approval of Minutes: Regular Board Meeting: November 2, 2015.

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

BUDGET ORDINANCE AMENDMENTS/RESOLUTIONS:

Item No. 2 was a Resolution Authorizing the Lenoir County Health Department to Execute a Purchase Order to Jackson Creek Manufacturing, Inc. for Two (2) Custom Animal Control Transport Boxes and Ten (10) 24x24x60 Large Dog Traps. Ms. Martha Martin, Finance Director, stated Mr. Huff was unable to attend the meeting and asked her to present the resolution to the Board.

The current transport boxes were purchased prior to 2000; Hinges, latches, and partitions have been repaired and replaced numerous times. The boxes are beyond repair and need to be replaced with more secure and reliable storage for transporting animals. The Health Department has grant funds that are available to make the purchase. Upon a motion by Ms. Sutton and a second by Mr. Best, Item No. 2 was unanimously approved.

Item No. 3 was a Resolution Authorizing Purchase Order Execution: Maximus, Inc.: Cost Allocation Plan and EMS Medicaid Reimbursement Report: \$6,000. Ms. Martin stated in 2011 the Board approved acceptance of a proposal from Maximus, Inc. The acceptance was for preparation of the Cost Allocation Plan for a three (3) year period at a fixed cost of \$5,750. Maximus has agreed to perform the FY14-15 Cost Allocation Plan and the EMS Medicaid Reimbursement for \$6,000. Upon a motion by Ms. Sutton and a second by Mr. Daughety, Item No. 3 was unanimously approved.

Item No. 4 was a Resolution Approving the Purchase and Installation of Norcold Refrigerators on Three (3) Wheeled Coach Ambulances: Select Custom Apparatus: \$5,672.40. Ms. Jerry King, Emergency Medical Services Assistant Director, stated Mr. Dail had a meeting in Raleigh and asked her to present the resolution to the Board. The Lenoir County Emergency Services Department maintains a fleet of twelve (12) ambulances. North Carolina Office of Emergency Medical Services (NCOEMS) requires cold fluids and medications that are essential to our operation be kept at certain temperatures. The layout of our ambulances provides ample room in the right front cabinet to be easily modified to provide room for the refrigerator unit while keeping cost at a minimum. Staff feels that installing a refrigerator in the box of our ambulances will cut cost in medical supplies by a minimum of \$1,400 per year. The refrigerators will be placed in the newer ambulances purchased. Upon a motion by Mr. Best and a second by Ms. Sutton, Item No 4 was unanimously approved.

Mr. Rouse stated he and Mr. Best attended the Association of County Commissioners meeting. Members of the Association were very complimentary when discussing the relationship between Lenoir and Jones County's EMS collaboration. Mr. Jarman stated the EMS staff does a great job; Mr. Roger Dail was asked to speak at the event he is attending tonight, and a lot of people take note of what Lenoir County's EMS staff is doing. Mr. Hill stated people take notice of how two counties can come together to make sure they are not duplicating services.

Item No. 5 was a Resolution Authorizing the North Fire Protection Association, Inc. to Purchase One (1) Pierce Rescue Truck in the Amount of \$687,903. Mr. Dustin Burkett, Fire Marshall, stated the contract signed between Lenoir County and the Volunteer Fire Departments states that any purchase of fire apparatus over \$100,000 must be approved by the Lenoir County Board of Commissioners. Staff has met with the North Lenoir Fire Protection Association, Inc and discussed financial records. The truck will be purchased for \$687,903 from Pierce Manufacturing, with a \$600,000 loan from Local Government Federal Credit Union, and North Lenoir Fire Protection Association, Inc will provide an \$87,903 down payment. The \$600,000 will be financed for fifteen (15) years with a 3.25% fixed rate. The age, call volume, and high cost of maintenance of the existing truck are the factors for replacing the truck. Upon a motion by Ms. Sutton and a second by Mr. Best, Item No. 5 was unanimously approved.

Item No. 6 was a Resolution Approving Citizens to Boards, Commissions, Etc. Upon a motion by Ms. Sutton and a second by Mr. Daughety, Item No 6 was unanimously approved with Judy Ellis and Eric Rouse appointment to the Lenoir County Transit Board.

Item No. 7 was Items from the County Manager, Michael W. Jarman. Mr. Jarman stated other than the typical financial performance summary and the permit/inspection report he had a couple of things to share with the Board. The County had six (6) people to turn in paperwork for the Golden LEAF Foundation Community Based Grants Making Initiative. The Chairman, Vice Chairman, and myself reviewed each project and chose the top three projects in priority order. The three (3) that were chosen went by the guidelines that Golden LEAF set. The final decision will still be up to the Golden LEAF Board. Lenoir County Public Schools was the top choice which involves improving middle school Stem labs, Lenoir Community College was second which featured a training program to train North State Aviation employees as well as other maintenance employees. It is called Mechantronic Training which encompasses mechanical engineering, computing, and electronics, as used in the design and development of new manufacturing techniques. This project fits in well with economic development guidelines. The third choice was the City of Kinston for additional Herritage Street improvements. With the last round of Golden LEAF funds, Phase I was completed. Parks and Recreation had a very interesting project which was a container park. Cooperative Extension had a good project for a commercial kitchen at the Farmers Market location, and Mr. Malcolm Beech submitted a project with a group which involved training construction workers by rehabbing vacant and foreclosed homes.

Mr. Jarman thanked Mr. Rouse and stated after the last Commissioners' meeting, Mr. Rouse immediately began contacting your elected officials and legislative leaders in trying to help us on the issue we were having with the Wyse Fork Battlefield District. He started getting some attention. I called Mr. Griffin at the last minute and he did an outstanding job with the resolution. From day one Mr. Pope has said the County was not obtaining the most vital information needed to make such a decision. Again, I thank Mr. Rouse for what he has done and Mr. Pope for meeting with some private citizens and land owners in that area. Mr. Ely Perry, Mr. John McNairy, Mr. Graham Knott, and Mr. Hill have been involved. I thank all of the Commissioners for their involvement. Mr. Jarman asked Mr. Rouse to give an update so the public can be aware of the status.

Mr. Rouse stated this was a team effort and he was glad to see how everyone stepped up to the plate. The resolution helped us greatly and was able to be forwarded to the Governor's Office, and to Senator Louis Pate, and Representative John Bell. Mr. Griffin did an excellent job with it and Representative Bell even commented as to how strong the resolution was. This all boils down to a property rights issue. Even though it was done by the book, and they provided proper notification. The Historical Group had a meeting with twenty (20) people present because of the way it was advertised it. There is a policy that when it goes over 50 land owners they have to notify them by advertising in the paper. Out of the twenty (20) people only four (4) were land owners. Thanks to Senator Louis Pate and the Governor's Office, and Representative John Bell, the State and the Historical office admitted they did not notify citizens in the manner in which they should. They have agreed to postpone forwarding the information to Washington and not take any action until the first of next year. At that time they will re-advertise to make sure it gives all citizens effected ample time to attend the meeting. Mr. Rouse stated there were a lot of irate people concerning this issue; He and Mr. Jarman intend on making sure everybody is notified correctly in the future.

Mr. Jarman stated in speaking with Mr. John Rouse, NCDOT, regarding the issue with the 4(f) designation, he stated that everything in the district would get designated 4(f). Mr. Rouse mentioned as an example the section of 4(f) land is part of what's currently holding up the Havelock by pass. Everything in the district as it stands would get the 4(f) recommendation and it is worse once it in the national registry. Mr. Rouse said this Board should continue to push this issue because once it becomes eligible it will really cause concerns. When the next public hearing takes place, our responsibility to the citizens will be to mail out notifications as if the Board were taking action.

Mr. Hill mentioned that he and Mr. Daughety met with Senators Pate and Davis and Representatives Bell and Graham regarding this issue, and they all understood the process. They all were a little surprised about it and mentioned during this rally for historic tax credits they had no indication that the Battlefield was being brought forth in this manner. They felt like it should have been shared with them prior to the meeting.

Mr. Jarman stated this conversation was needed so the public can be aware that you are in support of the historical part but not the designation of the entire. Mr. Hill stated he shared at the meeting the Board's intent was to look for some type of compromise that we could build roads and have progress and also support some components of the Battlefield itself. Mr. Hill stated the transportation meeting coming up on the Felix Harvey Extension could also have an impact on land down the road.

Item No. 8 was items from the County Commissioners. Mr. Hill stated he requested a letter from the County Manager and the Economic Development Director, and a follow up to the Resolution reminding citizens that Highway 70 had been declared a future Interstate.

Mr. Jarman stated the letter was a great idea, and it had been reviewed by the House and needs to go before the Senate. Should Administration wait to see the outcome or go ahead and submit the letter to the Senate. Mr. Hill replied whatever Mr. Jarman chooses to do will be fine.

Mr. Davis asked the Board to remember the family of Mr. Thomas Posey a long time county employee, local farmer and good friend who did an outstanding job in Lenoir County who recently passed.

Mr. Best stated he has been appointed to Justice and Public Safety Sub-Committee. The Committee spoke highly about Jones and Lenoir County's collaboration, and how the news had spread statewide. Mr. Best stated there is nothing like counties coming together so we can better serve our communities. They are very impressed with the services provided in Lenoir County. They also talked about mental health issues and jail inmates.

Mr. Jarman stated the mental health system requires some attention, and it correlates with the number of people we have in our jails. Mr. Jarman stated if someone is committed involuntary, law enforcement has to pick them up, escort them to the hospital and stay with them until an arrangement for the inmate is made. That can take several hours or days. If they have to return home, our deputy must take them back home, and we already have a limited number of law enforcement on the road.

Mr. Hill congratulated Parrott Academy football team for their state championship along with all of the other Lenoir County teams that are in the playoffs. Mr. Hill reminded the Board of the upcoming Christmas Parade, Commissioners have been invited to ride on a float, or drive their personal vehicles.

Mr. Hill made a suggestion to do something different this year and move the Commissioner's Christmas dinner to the Silver Lake Restaurant in Wilson, NC. This would give the Board the opportunity to support Commissioner Davis' new restaurant. Mr. Hill asked everyone to keep the family of Mr. Lucas from Wilson County who passed away in their thoughts and prayers.

Upon a motion by Mr. Hill and a second by Mr. Best, the meeting was adjourned.

Meeting Adjourned at 5:55 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Vickie F. King".

Vickie F. King
Clerk to the Board