Item No. 3

MINUTES
LENOIR COUNTY BOARD OF COMMISSIONERS
November 21, 2011

The Lenoir County Board of Commissioners met in open session at 4:00 p.m. on Monday, November 21, 2011 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 Reuben Davis and Commissioners, Jackie Brown, Mac Daughety, Linda Rouse Sutton, Tommy Pharo, and Eric Rouse

Also present were: Michael Jarman, Lenoir County Manager, Tommy Hollowell, Assistant County Manager, Martha Martin, Finance Officer, Robert Griffin, County Attorney, April L. Banks, Interim Clerk to the Board, and members of the general public and 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

Mr. Darrell Parrish addressed the Board regarding the Business Personal Property Audits. The purpose of the audit is to verify accuracy of tax listings on file at the Tax Department. This is an important way to ensure businesses are compliant with annual listing requirements. The audit also assures fair and equitable tax assessment and provides education to the person responsible for the listing. Mr. Parrish was appointed in 2003 as the Tax Administrator. In 1999, an audit contract was signed, but it concentrated on larger tax paying businesses. That audit was completed before 2003. In 2007, an audit on the local farmers was conducted. Mr. Hugh Woodard, Assistant Tax Administrator, completed this task on his own. He has over 21 years' experience in personal property audits. A total of 230 audits were conducted with 170 being billed. The additional tax amounted to over $575,000 with a 100% collection rate, resulting in $25,000,000 being added to the tax base in Lenoir County. Upon completion in December 2010, there were a few complaints. Most farmers understood the purpose of the audit. They were concerned about all businesses being audited and not just the farmers.

Most farmers utilize local CPA firms for their accounting needs. This makes the processes easier by having one central location for the information needed. In May 2010, the Board approved a contract with County Tax Services to assist with audits. Many large companies have a corporate office outside of Lenoir County and sometimes outside of the state. County Tax Services will be able to travel to those corporations to gather the information needed. They write the final report and provide support to the County with appeals. Without the audit in place, business tax listings can become "optional" with no way to know which businesses have listed and which ones haven't. Ms. Tonia Bowen, President, and Johnny Bailey, VP of Marketing and Compliance, of County Tax Services were available to answer questions and provide further clarification.

Mr. Rouse stated he has been contacted by businesses who say the audit is "invasive". A letter sent to a local business regarding the audit was provided to Mr. Rouse. He understands taxes must be paid, but in the current economy, the information requested for the audit seems broad. Mr. Parrish stated the audit personnel can legally request certain information. If the taxpayers are questioning the use of the tax return, they have the right to black out data not relevant to the audit. Mr. Daughety asked if the income is relevant to tax listings. Mr. Bailey stated income information is not needed. They require information regarding assets, expenses, and depreciation schedules. The depreciation data is verified against the information the Tax Department has in their listings. Items can be

depreciated out, but still taxable for property tax purposes. Mr. Rouse asked if the County Tax Service gets a fee for discovery. He fears County Tax Service is being too aggressive and invasive. He does not think alienating citizens is the right way to go. The process needs to be fair and count supplies on hand at that time. Ms. Bowen stated they do get 30% of all discoveries. Mr. Bailey stated the one-twelfth rule applies when the supplies on hand are enough for a year of service or use.

Ms. Bowen stated most businesses don't take an end of the year inventory. They abide by the one-twelfth rule if the inventory was not taken on January 1. Each business is asked if an inventory count was done at the end of the year, prior to January 1. The Tax Service also takes into account perishable or consumable supplies which may last less than one month. If a recent inventory is on hand, that information will be used for audit purposes. Audits are about making sure every taxpayer is paying their fair share according to laws and outlines. County Tax Service is in constant contact with Mr. Parrish and Mr. Woodard throughout the process. The Tax Department makes all decisions. Mr. Davis questioned the area with the most discoveries during the farm audits. Mr. Parrish stated equipment had the most. Mr. Davis confirmed the farmer has to list what is on hand as of January 1 of the year. Mr. Rouse stated asking for the income tax return and not being clear on the information needed causes problems. People are secretive about their personal finances. Mr. Parrish stated all information is confidential and not disclosed to anyone without the legal right to access such material.

Mr. Griffin stated he would like to see two (2) changes made to the letter being sent out to businesses getting audited. First, he would like the letter to specify the particular information needed from the income tax return. Second, he would like the letter to state County Tax Services have the same obligation to confidentiality as the Tax Department. This may put people at ease. Mr. Rouse stated the taxpayers' needs should be priority. Mr. Graham asked if the recommendations could be incorporated into the letter. Ms. Bowen stated yes, but the process does not initiate with the letter. Once assigned to conduct an audit on a business, an introduction letter prepared by the County informing the company that Lenoir County has asked County Tax Services to conduct the business personal property audits. A few weeks after the introduction letter, a representative from County Tax Services will call the business to establish an appointment with the person involved with the review. At that time, the letter Mr. Rouse is referring to is mailed. The letter is meant to be a briefing regarding the information needed for the audit. Some businesses will follow-up with a phone call to determine the specific information required. Mr. Griffin stated the change in verbiage would be helpful to the people receiving the letter.

Mr. Daughety agreed with the comments on asking for specific information instead of a broad range to put the businesses at ease. He questioned the next step in auditing since the farmers are complete. Mr. Parrish stated in May 2010, a resolution to audit additional businesses was approved. All audits are conducted equally between businesses and farmers. Mr. Daughety asked the reason for attorneys outside the County handling some foreclosures. Mr. Parrish stated currently there are three (3) attorneys handling foreclosures for Lenoir County. Two (2) are from the County and one (1) is not. The attorney outside of the County was handling a foreclosure that no other attorneys in the County wanted to take the case. The outside attorney also specializes in tax foreclosures, but he does not handle the majority of the foreclosures from Lenoir County. Attorneys who come to the Tax Department to offer their assistance are never turned down. Their information is kept on file for future use. Mr. Rouse inquired if the audit would be 100% of all businesses in Lenoir County. Mr. Parrish stated it has not been determined as of yet, but businesses with listings of $25,000 or greater will be audited. The criteria can be changed at any time. Mr. Jarman stated the suggestions to change the letter were good. He reminded taxpayers that an audit is not a form of punishment. If businesses are not audited and educated on the proper process, then those who are listed properly are being punished because they are paying more than their share. Audits ensure the tax burden is distributed equitably.

ITEMS FROM CHAIRMAN/COMMISSIONERS

At the previous Board Meeting held on November 7, 2011, the Board tabled discussion regarding the Late Listing Penalty assessed to Smithfield Packing. Mr. Graham stated the issue needed to be resolved. The penalty was assessed due to a clerical error in not putting proper postage on the envelope. The Tax Department does not have the ability to reduce or waive the penalty, but the Board can exercise those options due to the issue falling under discovery. Mr. Davis asked Mr. Parrish if he was provided proof of the mistake. Mr. Parrish stated he was contacted by Smithfield the first business day after April 15 when the envelope was returned to them. The error seems to be an honest mistake. Mr. Griffin clarified the listing was actually mailed on time, but returned to the sender because there was no postage. Mr. Parrish advised the Board of how the Tax Department keeps copies of all envelopes with the postmarks as proof. Upon a motion by Mr. Daughety and a second by Ms. Sutton, the Board unanimously approved to reduce the penalty to one percent (1%) which is equal to $5,582.

Mr. Graham recognized Mr. Charlie Diehl of GTP Authority to speak. Mr. Diehl stated he has been working in his position for almost two (2) years. He is also a member of the Transportation Committee and stated Mr. Daughety's leadership is inspiring. Mr. Diehl thanked the Board for allowing him to observe the meeting. He is currently working on a Strategic Plan with the County Transportation Committee and Eastern Carolina RPO. Ms. Sutton asked if Mr. Diehl was a DOT employee. He stated he is a contractor with GTP and DOT. Mr. Daughety stated Mr. Diehl understated his responsibilities. He is also conducting a study of the assets in NC and mapping out a strategic plan for the future.

ITEMS FROM COUNTY MANAGER

Mr. Jarman stated historically, the second meeting in December was not held, but the Commissioners had their Christmas Dinner. The information regarding the specifics of the event will be sent out soon. The date will be Monday, December 19, 2011. He asked the Board to save the date on their calendars. The first meeting in 2012 will be held on Tuesday, January 3, due to the New Year's Holiday being on the first Monday. Mr. Jarman stated Ms. Banks has been working for the County for the past six (6) months as a temporary employee. He appreciates the work she has done. Action has been taken to make Ms. Banks a permanent County employee in the role of Administrative Assistant to the County Manager. Usually, the person in the role has also served as the Clerk to the Board. The Board can take action to appoint Ms. Banks as Clerk. Upon a motion by Ms. Brown and a second by Mr. Daughety, the Board unanimously approved to appoint Ms. Banks as Clerk to the Board of Commissioners. Ms. Brown stated Ms. Banks has done a good job of getting agendas for the Board meetings to the Commissioners in a timely manner. Mr. Daughety stated Ms. Banks does an outstanding job for the Transportation Committee.

Mr. Daughety gave a brief update on Transportation. Lenoir County is part of a Rural Planning Organization which includes Greene, Duplin, and Wayne Counties. In a North Carolina Metropolitan Organization, they have signatory rights at the table when it comes to discussing road projects. Rural Organizations do not have that right. The Transportation Committee supports and recommends for the Rural Organizations have the same right. In September, a Public Hearing was held on the Hwy 70 Bypass Project. The Merger Committee met Thursday, November 17 to reduce the number of potential routes for the project. There are currently twenty (20) routes being considered with eleven (11) having a southern bypass route and nine (9) having a northern bypass route. Mr. Graham stated the Board asked Mr. Daughety to serve as Interim Chairman of the Transportation Committee. The position takes tremendous work and he has been there to lead the committee. They are making good progress. Mr. Daughety's leadership is appreciated. Mr. Graham motioned for Mr. Daughety to be

appointed to Chairman of the Transportation Committee. Mr. Rouse asked Mr. Daughety his thoughts on becoming Chairman. Mr. Daughety stated he hoped to find someone to be chairman while he served as Interim Chairman. He offered the role to several individuals, but they did not take him up on his offer. He would be happy to serve as Chairman of the Transportation Committee at the pleasure of the Board. Upon a motion by Mr. Graham and a second by Ms. Sutton, the Board unanimously approved to appoint Mr. Daughety as Chairman of the Lenoir County Transportation Committee. Mr. Graham thanked Mr. Daughety for serving and advised him to keep the Board informed.

Mr. Rouse stated he was approached by the Masonic Lodge regarding a cornerstone for the new jail. They would like to be involved with the project. Mr. Graham thought it would be an excellent idea to invite all lodges countywide to participate. Mr. Jarman stated the possibility has not been discussed, but he will look into the idea.

CONSENT AGENDA

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

3. Approval of Minutes: Regular Board Meeting: November 7, 2011 — Banks/Jarman
   Closed Session Minutes: November 7, 2011
   Special Called Emergency Meeting: November 10, 2011
4. Budget Ordinance Amendment: General Fund: Finance/Communications: $1,487. Increase — Parrish
5. Budget Ordinance Amendment: General Fund: Health: (Bioterrorism Program) $1,914. Decrease — Martin

PUBLIC HEARING

Item No. 6 was a Public Hearing on Closeout of 2009 North Carolina Community Development Block Grant (CDBG) Project – Scattered Site Category - $80,000. Upon a motion by Mr. Graham and a second by Mr. Davis, the public hearing opened at 5:06 p.m. Mr. David Harris of RSM Harris and Associates, Inc. addressed the Board. The County received $80,000 in federal CDBG grant assistance to provide housing assistance to one family. This represented 100% of project costs. A public announcement of the project's completion was made. Closeout paperwork is being processed to send to the State before the end of December. Any family with housing needs in the County can apply. There is no prejudice for geographic location, race, economic status, or sex. This is an open and equal process. There were no comments made by the public. Mr. Graham declared the public hearing closed at 5:08 p.m.

Item No. 7 was a Public Hearing on Closeout of 2009 North Carolina Community Development Block Grant (CDBG) Project – Scattered Site Category - $400,000. Upon a motion by Mr. Graham and a second by Mr. Davis, the public hearing opened at 5:08 p.m. The County received $400,000 in federal CDBG grant assistance to provide housing assistance to families. This represented 100% of project costs. A public announcement of the project's completion was made. Closeout paperwork is being processed to send to the State before the end of December. Any family with housing needs in the County can apply. There is no prejudice for geographic location, race, economic status, or sex. This is an open and equal process. There were no comments made by the public. Mr. Graham declared the public hearing closed at 5:10 p.m.

RESOLUTIONS /BUDGET ORDINANCE AMENDMENTS

Item No. 8 was a Resolution to Merge the Beacon Center, Eastpointe, and Southeastern Regional Local Management Entities. Mr. Ken Jones, Area Director and CEO of Eastpointe thanked the Board for their support. The Department of Health and Human Services is proceeding with State-wide restructuring of the management responsibilities for the delivery of services for individuals with mental illness, intellectual and developmental disabilities, and substance abuse disorders through expansion and implementation of the 1915(b)(c) Medicaid Waiver by July 1, 2013. The Division of Medical Assistance has determined to operate a Medicaid 1915(b)(c) Waiver efficiently, a Local Management Entity (LME) must have a minimum Medicaid population of at least 70,000 individuals and a total population of at least 500,000. The Division recommends LMEs having a population less than the minimum should collaborate or merge with one or more other LMEs in order to achieve the efficient population base. The Beacon Center, Eastpointe, and Southeastern Regional Local Management Entities, are considering their geographical locations, similarities, and other criteria in regards to joining with other counties. The combined catchment of Bladen, Columbus, Duplin Edgecombe, Greene, Lenoir, Nash, Robeson, Sampson, Scotland, Wayne and Wilson Counties will have approximately 178,000 Medicaid lives and a population base of approximately 806,000.

Mr. Graham asked if the merger will require a budget increase. Mr. Jones stated there will be no increase and they will maintain the current County allocation. They hope to see the funding decrease. The quality of services should increase with more monitoring and comprehensive service providers. Mr. Graham stated some individuals are not educated on where to go for assistance and therefore, end up in jail because of a mental health or substance abuse issue. Mr. Jones advised a new position has been created to view screening forms created upon admission to the correctional facility. If there are signs the service is needed, the detainee is made aware of the services once they are discharged into the community. The current budget is $250,000. This is a decrease from $1.8 million allocated in the past. Upon a motion by Mr. Davis and a second by Ms. Brown, Item No. 8 was unanimously approved.

Item No. 9A was a Resolution Approving Acceptance of a Grant from the North Carolina Department of Juvenile Justice and Delinquency Prevention, Division of Court Services: $2,000. The Department of Juvenile Justice and Delinquency Prevention has received a grant awarded by the U.S. Department of Justice through the North Carolina Department of Crime Control and Public Safety, Governor's Crime Commission, and the John D. and Catherine T. MacArthur Foundation through the Center for Children's Law and Policy. As a result, the Department is conducting forums across the state. Lenoir County will be the host for Wayne, Greene, and Lenoir County in this area. The forums will feature presentations about the latest research and strategies for dealing with undisciplined and lower-risk youth within the community, rather than using secure juvenile detention as a first response. The forum will be held on Friday, December 9, 2011 at King's Restaurant on Hwy 70 from 10 a.m. to 2 p.m. Mr. Joe Testino, Chief Court Counselor, District 8 stated the goal is to address the issue before it gets to the detention point. The $2,000 grant will be used to conduct a three (3) county forum to gather input from community stakeholders and increase knowledge and cooperation of our local partners. Upon a motion by Mr. Daughety and a second by Ms. Brown, Item No. 9A was unanimously approved.

Item No. 9B was a Budget Ordinance Amendment: General fund: Process Funds: $2,000. Increase. This amendment is to appropriate funds from the NC Department of Juvenile Justice and Delinquency Prevention (DJJDP). The grant is funded by the Governor's Crime Commission and the John D. and Catherine T. MacArthur Foundation through the Center for Children's Law and Policy. The funds will be used to host a community forum – Improving Outcomes for Our Youth on December 9, 2011 and will include Wayne, Greene, and Lenoir Counties. Upon a motion by Ms. Sutton and a second by Ms. Brown, Item No. 9B was unanimously approved.

Item No. 10 was a Budget Ordinance Amendment: General Fund: Process Funds: $117,000. Increase. This amendment is to appropriate funds from the NC DJJDP. The grant will provide funding for the 8th Judicial District to identify and reduce the risk of gang and youth violence. The money will be paid to and handled by the Lenoir County Structured Day Program. The Board voted to accept this grant at the November 7, 2011 Meeting. This is a pass through grant. Upon a motion by Mr. Daughety and a second by Ms. Brown, Item No. 10 was unanimously approved.

Item No. 11A was a Resolution Authorizing Lenoir County health Department to establish a Part Time Temporary Employee position with no benefits, to serve as WIC Breastfeeding Peer Counselor (BFPC) Program Funding Allocation. $15,131. The funds are additional state WIC funds from WIC BFPC funding allocation. They may only be used for costs associated with the implementation, expansion, and maintenance of breastfeeding peer counselor programs. By hiring a part time temporary employee, the health department will meet the criteria to satisfy the requirements of WIC Program – State, thereby, decreasing the loss of anticipated revenues for FY 2011-2012 and future years. Upon a motion by Ms. Sutton and a second by Ms. Brown, Item No. 11A was unanimously approved.

Item No. 11B was a Budget Ordinance Amendment: General Fund: Health (WIC Program State) Increase: $15,131. This amendment is to separate Breast Feeding Peer Counselor monies into separate salary line item as this will be paying for the part-time employee with no benefits as long as State monies are available. Upon a motion by Ms. Sutton and a second by Ms. Brown, Item No. 11B was unanimously approved.

Item No. 12 was a Budget Ordinance Amendment: General Fund: (General) Aid to County Line Item Budget Increase: $9,562. This amendment is to add additional State Funding to Aid to County. Upon a motion by Mr. Pharo and a second by Ms. Sutton, Item No. 12 was unanimously approved.

Item No. 13 was a Budget Ordinance Amendment: General Fund: Health: (Adult Health) Increase: $12,623. This amendment is to add additional state funding provided to support the Family Planning Program. Upon a motion by Mr. Daughety and a second by Ms. Brown, Item No. 13 was unanimously approved.

Item No. 14 was a Budget Ordinance Amendment: General Fund: Health (General) / Aid to County-Health Promotions: Decrease: $15,639. This amendment is to decrease monies due to the State Budget for Health Promotions being reduced. Upon a motion by Mr. Davis and a second by Ms. Brown, Item No. 14 was unanimously approved.

Item No. 15 was a Budget Ordinance Amendment: General Fund: Finance/Health Depart/Animal Control/SPCA Operation: $17,500. Increase. This amendment is to roll forward from the General Fund Balance the unexpended allocation approved by the Board on November 15, 2010. At that time, they approved an additional appropriation for the Community Council for the Arts, Lenoir Community College for parking lot improvements, the Library for repairs to the roof, and the SPCA. Nothing specific was tied to the money for SPCA, so on November 7, 2011, the SPCA sent a letter requesting the Board give them the monies to be used for operational expenses. The Board approved this one time pay out at the November 7, 2011 meeting. Mr. Rouse asked if there are any other remaining funds to be disbursed. Ms. Martin stated the Library still has not utilized their allocation for roof repair. Mr. Jarman stated a study is being done for the roof and proposals will be brought before the Board at that time. Mr. Rouse asked for an update on the roof. Mr. Jarman stated it has been patched numerous times, but it needs more attention. Upon a motion by Mr. Daughety and a second by Ms. Brown, Item No. 15 was unanimously approved.

Item No. 16 was a Resolution Approving Mutual Aid Agreements with Other Agencies. The governing body of a county may adopt appropriate guidelines for the purchase of mutual assistance

with other municipal and county law enforcement agencies. The law enforcement assistance to be rendered authorizes lending officers to work temporarily with officers of the requesting agencies, including in an undercover capacity, and lending equipment and supplies. These agreements are provided for by North Carolina law and facilitate emergency planning and support by all the agencies that enter into these agreements. While officers are working with other agencies in other jurisdictions, the officers have the same jurisdiction, powers, rights, privileges and immunities as the officers of the requesting agency in addition to those the officer normally possesses. Upon a motion by Ms. Sutton and a second by Mr. Daughety, Item No. 16 was unanimously approved.

Item No. 17 was a Resolution Approving Agreement for Purchase of Real Property: 105, 105-A, and 107 S. McLewean St., Kinston, N.C.: $160,000. Mr. Jarman stated the Board has had multiple discussions regarding the purchase of the property. The new jail is being designed with intake for five hundred (500) people. If the jail were to be expanded, the future growth would go where the property is located. There were also security concerns with the closeness of the building. The property was appraised at $160,000. The contract denotes gift to the County of $20,000 leaving a $140,000 balance for purchase. Mr. Rouse stated he does not think it is the time to purchase considering the economic environment. The monies used could be utilized on payments of the new jail. Mr. Daughety stated Sheriff Smith does a good job and he is very supportive of law enforcement. He would not be in favor of purchasing because there is a point in time to balance where expenditures are versus the economic status. Mr. Pharo agreed and stated he is concerned about the debt ratio coming up. Mr. Graham stated Lenoir County is on sound footing as it relates to the budget. The opportunity may not be there to purchase the property in the future. Mr. Jarman stated there is $500,000 designated in the fund balance to purchase property. Mr. Davis stated the previous Board had wonderful foresight in the plan for the government to acquire land around the Courthouse. There comes a time when money has to be spent. Ms. Brown stated the appraisal price of $160,000 is not being paid due to the $20,000 gift. Ms. Sutton stated the purchase of the property could provide another walk through. This would be better for the citizens, especially the elderly and handicapped. Mr. Rouse stated the entire $140,000 could be saved if the property was not purchased. Ms. Brown advised if a new jail facility was not being built, the County would still have to pay other counties for the housing of inmates due to overpopulation at the current jail. Upon a motion by Ms. Sutton and a second by Ms. Brown, Item No. 17 was approved by a 4 to 3 vote with Mr. Daughety, Mr. Pharo, and Mr. Rouse dissenting.

Item No. 18 was a Resolution Approving Lenoir County Farm and Preservation Plan. The goal of the Farm and Forest Preservation Plan is to recognize the importance of agriculture and assess the challenges, opportunities, and issues facing the industry. At the heart of the Plan are the recommendations based on the information provided by farmers, agribusiness leaders and non-farm residents through personal interviews and surveys. The plan needs to be evaluated annually to celebrate accomplishments and add new recommendations, as needed. The recommendations are:

1. Develop and adopt a Voluntary Agricultural District
2. Support programs and policies promoting agricultural growth
3. Develop technical, business and marketing training for maintenance and expansion of agriculture
4. Promote appreciation and awareness of the benefits of agriculture to elected officials and citizens
5. Expand and support youth agricultural educational programs
6. Promote agricultural career awareness and develop a new farmer mentoring/apprenticeship program

Upon a motion by Mr. Daughety and a second by Ms. Brown, Item No. 18 was unanimously approved.

Item No. 19 was a Resolution Approving 2012 County Holidays. It is good personnel management practice to officially adopt an annual calendar of County holidays in order to reduce ad hoc questions (when holidays arise) and in order to better schedule completing tasks and managing

work load. As per policy and practice, the County holidays are patterned after the schedule adopted by the State of North Carolina. Upon a motion by Ms. Brown and a second by Ms. Sutton, Item No. 19 was unanimously approved.

APPOINTMENTS

Item No. 20 was a Resolution Appointing Citizens to Boards, Commissions, Etc. Upon a motion by Ms. Brown and a second by Mr. Daughety, the following second appearances were appointed.

BOARD/COMMITTEE/COMMISSION	APPLICANT/ CURRENT MEMBER	TERM EXPIRATION
Lenoir County Economic Development Board 1st Appearance	Harold Thomas	November 2014
Town of Grifton Planning Board 1st Appearance	Darryl Rodgers	January 2015
Juvenile Crime Prevention Council 2nd Appearance	Jackie Brown (re-appointment)	November 2013
Planning Board District 4 2nd Appearance	Hilton Parker Sr. (alternate)	November 2014

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)
CJPP – Three (3) Vacancies
Kinston Board of Adjustment – Two (2) ETJ Members; (1) Primary – (1) Alternate

ADD-ON

The Resolution Requesting Revisions and Clarifications to the Lenoir County Work First Block Grant Plan for SFY 2012-2014 was an add-on request from Ms. Susan Moore, Social Services Director. Mr. Chris Harper, Work First Program Manager addressed the Board with Ms. Moore. 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. The Board approved the proposed Work First Block Grant Plan for SFY 2012-2014 on September 19, 2011 for submission to the N.C. Division of Social Services. On November 21, 2011, the Lenoir County Department of Social Services received a request from the Division of Social Services to make the following changes to the Lenoir County Work First Plan and resubmit the revised plan by November 30, 2011:

1. Remove any drug testing policy because the U.S. Supreme Court considers suspicion-less drug testing to be a search and seizure and an invasion of individual privacy.
2. Remove Supplemental Security Income (SSI) as a countable income. It is the opinion of the N.C. Attorney General's office that "federal law prohibits counting SSI as income when considering eligibility for other welfare benefits".
3. Remove services to non-custodial parents of children in Foster Care because Federal TANF or Work First funds allow only services to non-custodial parents of children receiving Work first benefits.
4. Remove exemption from program activities for incapacitated parents and allow "good cause" if an incapacitated parent is unable to complete their assigned work activities.
5. Revise the plan to comply with N.C.G.S. 108-A-29.1 by reducing the family's need standard and putting a protective payee in place rather than terminating the Work First benefit for non-compliance with Substance Abuse activities.

6. Clarify the Lenoir County Work First Plan will follow policy found in Work First Manual Sections 105A. IV. B and 117 for assessing cases twelve (12), six (6), and three (3) months before termination of services.
7. Clarify federal TANF funds will not be used to purchase medical services.

Lenoir County Department of Social Services also requests a change to the Lenoir County Work First Plan to allow five (5) workdays for release of the Work First Benefit Check following the participant's submission of adequate documentation of completed work activities. Mr. Graham asked Ms. Moore to define "non-custodial" parent. Ms. Moore stated the non-custodial parent is the parent who does not have physical custody of the child. Mr. Harper stated the Work First participants are required to submit time sheets every two (2) weeks. State regulations previously required the release of funds within three (3) days. He believes this is an unreasonable time frame when a worker may get 50-80 time sheets.

Mr. Pharo questioned if a company's drug testing policy can override the program policy. Ms. Moore stated the non-suspicious testing does not apply to private companies. If a person tests positive on a drug screen from the employer upon entering into the work phase of Work First, they will be required to participate in a substance abuse program. Mr. Daughety stated if the government is supplying income, then income should be counted. He also agreed participants should be tested upon entrance into the actual Work First Program. Ms. Moore clarified the drug testing was for employability and no eligibility. Upon a motion by Ms. Sutton and a second by Ms. Brown, the add-on Resolution was unanimously approved.

ADJOURN

Mr. Graham stated the first order of business for the December 5, 2011 meeting will be to elect a chair and vice chair for the Board. He stated Smithfield Packing is making progress and moving forward with implementation of the new addition. They are excited about the future. An estimated 73 million pounds of product is currently produced annually. This amount is expected to triple once the new facility is up and running. Mr. Daughety addressed a comment he reviewed from a citizen regarding the Smithfield decision not being a smart move. Investing $3.5 million in ten (10) years and getting $5 million in return is a smart investment. Ms. Sutton stated most of the job vacancies will be filled by Lenoir County residents. Smithfield has been an outstanding corporate citizen. Mr. Mark Pope, Lenoir County Economic Development Director, stated the company is bringing new robotic technology to the new facility. Mr. Pharo inquired as to when they would begin construction. Mr. Pope responded they should begin in a couple of weeks. Mr. Rouse and Mr. Jarman suggested displaying a Smithfield Packing banner to the display of major corporations present in Lenoir County. The Board wished everyone a safe and Happy Thanksgiving.

Upon a motion by Mr. Graham and a second by Ms. Brown the Board adjourned at 5:52 p.m.

Respectfully submitted,

April L. Banks
Interim Clerk to the Board

Reviewed By

Michael W. Jarman
County Manager