

**MINUTES**  
**LENOIR COUNTY BOARD OF COMMISSIONERS**  
**March 20, 2006**

The Lenoir County Board of Commissioners met in regular session at 4:00 p.m. on Monday, March 20, 2006 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 Paul Taylor and Commissioners, Jackie Brown, Claude Davis, Earl Harper, Chris Humphrey, and Wayne Pittman.

Members absent: None

Also present were: Michael W. 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 4:00 p.m. Mr. Pittman offered the invocation and Mr. Graham led the audience in the pledge of allegiance.

**PUBLIC INFORMATION**

Sheriff "Billy" Smith introduced Mr. Jim Brennan and Mr. Todd Davis of Brennan and Associates. Mr. Smith stated the gentlemen would be giving a follow-up presentation on the jail construction cost and the staffing requirements. Mr. Brennan stated Brennan and Associates have researched the forecasted need for a new jail facility. The county will need at least 100 new beds to keep up with the projected jail population growth. The cost to build a 108-bed facility, including construction cost will total \$7,661,728 million. Mr. Harper asked would any improvements be made to the existing jail. Mr. Brennan stated security up-grades would be made, but no major renovation would occur. Mr. Davis addressed the Board regarding staffing and annual operating cost. Mr. Davis stated the county will need 5.21 jailers for a 24 hour period to staff the entire jail facility. The staffing budget which includes the new addition with proper shift relief totals over \$1.2 million; a total of 50.89 employees will be needed to fully staff the jail. The operational budget for the new facility including the existing facility will total over \$2.6 million. Mr. Smith stated there are currently 151 inmates with a jail capacity of 121 beds. Mr. Smith stated he fully recommends the construction of the new jail facility.

Mr. Lonnie Blizzard of the Battlefield Commission thanked the Board for their support of the re-enactment program held in Lenoir County March 3-5, 2006. Ms. Jane Phillips, Chair of the Historical Preservation Group, thanked the Board for giving the commission the opportunity to preserve the Rivermont property where a historic battle took place in 1862. The Battlefield Commission has plans to turn the property into a battlefield park for future generations to visit. Mr. Lyle Holland, Chairman of the Battlefield Commission, also thanked the Board for the opportunity to preserve the property. The Battlefield Commission had an excellent turnout; the three (3) day re-enactment had over 6,500 spectators and over 3,000 participants.

Mr. Michael Abernathy introduced Ms. Robin Clayton, new Free Press reporter. Ms. Clayton will be covering the county news stories. The Board welcomed Ms. Clayton to the Board meeting.

## **CONSENT AGENDA**

Upon a motion by Ms. Brown and a second by Mr. Davis, the Board approved the following items on the Consent Agenda.

1. Approval of Minutes: Regular Board Meeting: March 8, 2006 Aytch/Jarman
2. Budget Ordinance Amendment: General Fund: DSS: \$737: Increase Jones/Hollowell
3. Budget Ordinance Amendment: General Fund: Health (Breast/Cervical Cancer Control Program): \$2,580: Increase Huff/Hollowell
4. Budget Ordinance Amendment: Trust & Agency Fund: Extension-Family Caregiver: \$5,000: Increase Kelly/Hollowell
5. Budget Ordinance Amendment: General Fund: Health: Adult Health (Family Planning): Increase: \$19,728 Huff/Hollowell
6. Budget Ordinance Amendment: General Fund: DSS: \$75,000: Increase Jones/Hollowell

## **PUBLIC HEARING/SCHOOL BONDS**

Item No. 7 was a Public Hearing Regarding the 2006 North Carolina Community Development Block Grant (CDBG) Program – Scattered Site Category. Upon a motion by Mr. Graham and a second by Ms. Brown, the Public Hearing was declared opened at 4:21 p.m. Mr. David Harris of RSM Harris and Associates addressed the Board. Mr. Harris stated every three (3) years the county receives \$400,000 in CDBG Scattered Site funds for Housing Assistance. These funds can be used for any household within the county. Some limitations are: 1) Candidates must own their homes, 2) low-income requirements, and 3) special need requirements. In the past the monies were used for housing replacement, this year renovation will be the main goal for the grant. The following candidates have been recommended as housing assistance recipients: Wanda Stroud, Linwood Mae, Guadalupe Juan, Louvenia Cantey, and Alyssia Jones. These candidates represent the 2006 Scattered Site Program – a decision will be received from the state within 60-90 days regarding the county’s approval for the program. There were no other comments made by the public. Upon a motion by Mr. Graham and a second by Mr. Davis, the Public Hearing was closed at 4:27 p.m.

Item No. 8 was a Resolution Approving the Recipients of the 2006 CDBG Scattered Site Project. Upon a motion by Ms. Brown a second by Mr. Pittman, Item No. 8 was unanimously approved.

## **RESOLUTIONS**

Item No. 9 was a Resolution Approving Academy of Pediatrics – 2006 CATCH Planning Grant Award - \$2,000 (Awarded to Dr. Joan Perry). Mr. Joey Huff, Health Director, addressed the Board. Mr. Huff stated the resolution is for a “pass through” planning grant. The grant has to be applied for by a local pediatrician in collaboration with a public entity such as a Health Department or non-profit organization. Dr. Joan Perry of Kinston Pediatrics has asked the Health Department to partner with her for this grant. There are plans to write a much larger grant within the year. This grant will address the childhood obesity problem and will target children 12-18 years of age. The program will screen children for obesity by using the body mass index scale.

The children/family will then agree to a daily program by going to Mock Gymnasium or the Wellness Center at Lenoir Memorial Hospital. Their progress will be checked periodically. Upon a motion by Mr. Harper and a second by Mr. Davis, Item No. 9 was unanimously approved.

Item No. 10 was a Resolution Approving Increase of Purchase Orders with Systems Sales and Corporate Resources: \$5,500. Mr. Jarman stated that Mr. Jones has encumbered a blanket amount, which does not cover his entire office supplies budget. No additional county money will be required; as unencumbered budgeted funds will be used for this increase. Upon a motion by Ms. Brown, and a second by Mr. Davis, Item No. 10 was unanimously approved.

Item No. 11 was a Resolution to Purchase Bar-coding Software and Associated Equipment to Track Accountable Documents that are Received, Served and Returned at the Sheriff’s Office: \$11,868. Mr. Smith stated this would upgrade the tracking system in the jail for paper information. This will be paid out of the civil process line item, if the program works well, the Sheriff will proceed with an evidence bar-coding system. Upon a motion by Mr. Harper and a second by Ms. Brown, Item No. 11 was unanimously approved.

Item No. 12 was a Resolution Approving the Lenoir County Criminal Justice Partnership Programs (CJPP) Satellite Substance Abuse Program be changed to a Day Reporting Center (DRC) for FY 06-07. Mr. Harper stated this program would be changed from Eastpointe control to county control. The program allows inmates to obtain counseling on substance abuse, GED programs etc. The program achieved a 40% success rate, a 55% employment rate and maintained a 94% attendance rate for the year. Mr. Harper stated he fully recommends the approval of the program. Upon a motion by Mr. Harper and a second by Ms. Brown, Item No. 12 was unanimously approved.

**APPOINTMENTS**

Item No. 13 was a Resolution Appointing Citizens to Boards, Commissions, Etc. The following reflects existing vacancies and appointments.

<b><u>BOARD/COMMITTEE/COMMISSION</u></b>	<b><u>APPLICANT/ CURRENT MEMBER</u></b>	<b><u>TERM EXPIRATION</u></b>
<b>Kinston-Lenoir County Public Library 1<sup>st</sup> Appearance</b>	Allen Mewborn	April 2012 <b>Tabled</b>

**CURRENT VACANCIES:**

- Lenoir County Health Board – One (1) Vacancy; (1) Veterinarian**
- Grifton Planning Board – One (1) Vacancy; Expired Term; Does Not Desire Re-Appointment**
- JCPC – One (1) Vacancy; 1-Juvenile Attorney;**
- Lenoir County Planning Board – One (1) Vacancy; Resignation: District Six**
- CJPP – Four (4) Vacancies**
- Kinston Board of Adjustment – Two (2) ETJ Members; (1) Primary – (1) Alternate**

**ITEMS FROM THE COUNTY MANAGER/COMMISSIONERS/COUNTY ATTORNEY**

Item No. 14 was a memo from Mr. Jarman regarding Items of Interest. Meeting/Dinner with the NC Cooperative Extension on March 20, 2006 at 5:30 p.m. Letter to Mr. Roy Cooper, Attorney General regarding Ambulance transport regulations. The NCACC Meeting April 6, 2006 at 9:00 a.m. in Beaufort County; Mr. Harper, Mr. Taylor, Mr. Graham, and Ms. Brown have agreed to go. Mr. Graham asked Board members to continuing lobbying their legislatures to help with Medicaid Relief. Mr. Graham stated that the Committee of 100 would be celebrating their anniversary on April 12, 2006; Thursday, March 28, 2006 the Board is invited to photo session at Grainger Stadium with the City Council to promote the Kinston Indians; March 30, 2006 1<sup>st</sup> anniversary of the Kinston Jetport Service from 5:30 p.m. to 7:30 p.m. Mr. Pope, Economic Development Director, stated the web site is almost complete for economic development; projects are very active.

Mr. Virgil Byrd addressed the Board regarding the Deer Hunting with Dog Issue. Mr. Byrd stated he was upset about the way the public hearing was handled due to non-county residents being able to participate. He is also upset about the wording of the proposed law the Board approved, which fines the hunter for trespassing on posted land. Mr. Byrd stated the core of the hunting issue is property rights; property owners should have the right to protect their land. Mr. Brad Turner stated there has to be a law passed for the landowners to protect their property. Mr. Turner stated that he agreed with the fines established in the proposed law.

Mr. Taylor made a motion, which states: "Dogs will be required to have a collar with the owner's name, address, and phone number. If the dog or hunter is caught trespassing on private property the hunter will be charged with a 1<sup>st</sup> offense of trespassing and will be fined \$250. The 2<sup>nd</sup> offense will be a \$500 fine along with the loss of the owners hunting license for one year," Mr. Graham made a second to the motion. Mr. Pittman stated that he does not feel this is an appropriate time to introduce this motion without the public being notified. Mr. Pittman stated that equal representation from both sides should be allowed to speak regarding the proposed law. Mr. Graham stated that a public hearing was held enabling both sides to address the issue in a public forum. Mr. Humphrey stated that property owner's rights have to be protected. The County Manager's Office will take the recommendation and contact the Representatives of the General Assembly to get the recommendation made into Lenoir County law. The Board approved the motion by a 6 to 1 vote with Mr. Pittman dissenting. Mr. Graham stated that he would not like to see this issue before the Board again for another six (6) months.

**ADJOURNMENT**

Upon a motion by Ms. Brown and a second by Mr. Pittman the Board adjourned at 5:10 p.m.

Respectfully submitted,

Reviewed By

Lashanda Aytch  
Clerk to the Board

Michael W. Jarman  
County Manager