

**MINUTES**  
**LENOIR COUNTY BOARD OF COMMISSIONERS**  
**September 5, 2006**

The Lenoir County Board of Commissioners met in regular session at 9:00 a.m. on Tuesday, September 5, 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: Michael W. Jarman, County Manager

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

Mr. Jarman was excused from the meeting due to health reasons.

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

**PUBLIC INFORMATION**

Ms. Cindy Brochure, Assistant Executive Director, of the Kinston-Lenoir County Convention and Visitors Bureau updated the Board on events regarding the bureau. Ms. Brochure invited the Board to attend "Treasures in our Community," a Tourism Conference that will be held on Thursday, September 14, 2006 at Lenoir Community College in the Waller Auditorium. Mr. Mitch Capel will end the evening with a storytelling event. The Commissioners asked questions regarding the duplication of work between the Convention and Visitors Bureau and the Lenoir County Tourism Department. Ms. Brochure invited the Board to attend the Convention and Visitors Bureau meeting on September 12, 2006 at 3:00 p.m. at the Chamber of Commerce to receive in-depth knowledge of what the Bureau does.

Sheriff Smith addressed the Board on the current jail situation and construction costs update. Sheriff Smith stated the total jail population to date is 165 inmates, making the county over capacity by 44 inmates. Of the inmates 7 are charged with murder, 107 are charged with felonies; 58 misdemeanor; 7 domestic cases and 23 females; housing capacity for females is eight inmates. The average daily population is 135 inmates over the 121-jail capacity. The overcrowding situation is becoming a safety issue for jail employees. Since October 2005 cost to construct the jail has gone up over \$800,000. Mr. Todd Brennan of Brennan and Associates addressed the Board regarding the increase in construction cost. There has been an 11% increase in construction cost since October 2005. Construction could begin in January 2008 and be completed in February 2009. The capacity of the new jail will be 108 inmates. Mr. Harper asked if an existing structure could become a jail. Sheriff Smith stated he is sure there are facilities in the county that could be done but security would be the main issue in making that solution work. A Regional jail was looked at years ago, but transportation would be the major issue. Mr. Brennan stated that another building could be looked at to create another jail, but this will be more expensive due to duplication of services. Mr. Graham stated the overcrowding situation must be addressed soon before more problems arise. The Board thanked the Sheriff and Mr. Brennan for the update.

Citizen Concern – Mr. Earlwin Layden, Jr.; 4807 Clayton Place LaGrange, NC. Mr. Layden stated he has purchased a mobile home that is 13 years old, which was placed in the LaGrange ETJ. LaGrange will not accept mobile homes in there area over 5 years old. The Lenoir County Inspections Department issued Mr. Layden his permits and inspected the property. The property has passed inspection and was cleared for light connection. The Town of LaGrange had the lights turned off two days later. Mr. Gary O’Neal, Chief Building Inspector, stated the county did issue Mr. Layden’s permits due to web information that was incorrect stating that Mr. Layden was within the county jurisdiction. It was later discovered that Mr. Layden’s property was in LaGrange’s ETJ were the county has no jurisdiction. Mr. Taylor asked if the situation could be waved due to mistakes made by the county. Mr. Graham asked Mr. Humphrey to set up a meeting between Mr. Layden and the Town of LaGrange to correct this situation. Mr. Layden can be reached by 252-521-6332 (Cell) or 252-560-3338.

**CONSENT AGENDA**

Upon a motion by Mr. Harper and a second by Mr. Davis, the Consent Agenda was unanimously approved.

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| 1. | Approval of Minutes: Regular Board Meeting: August 21, 2006<br>Closed Session Meeting: August 21, 2006     | Aytch/Jarman      |
| 2. | Resolution Approving the Releases and Refunds to the Individuals Listed Herein                             | Parrish/Hollowell |
| 3. | Budget Ordinance Amendment: General Fund: DSS: \$1,675 Decrease  | Jarman/Hollowell  |
| 4. | Budget Ordinance Amendment: General Fund: Non-Departmental: \$1,906.51: Increase                           | Jarman/Hollowell  |
| 5. | Budget Ordinance Amendment: General Fund: Finance/DSS: \$4,132: Decrease                                   | Jones/Jarman      |
| 6. | Budget Ordinance Amendment: General Fund: DSS: \$8,057: Increase   | Jones/Jarman      |
| 7. | Budget Ordinance Amendment: Capital Improvements: Eco. Dev.; Comm. Dev.; Bldgs/Grounds: \$18,470: Increase | Hollowell/Jarman  |

**PROCLAMATIONS/RESOLUTIONS/BUDGET ORDINANCE:**

Item No. 8 was a Proclamation for Sickle Cell Awareness Month: September 2006. Upon a motion by Mr. Taylor and a second by Ms. Brown, Item No. 8 was unanimously approved.

Item No. 9 was a Proclamation for Ready Lenoir County Month: September 2006. Upon a motion by Mr. Humphrey and a second by Mr. Pittman, Item No. 9 was unanimously approved.

Item No. 10 was a Resolution Authorizing the Approval of a Fireworks Show for the Town of LaGrange: September 9, 2006. Commissioners must approve all fireworks shows held within the county. Approval must be granted prior to the issuance of permits. The Town of LaGrange holds the Garden Spot Festival annually and has hired Class A Services and Storage, Inc. to handle all fireworks at a vacant lot across from the ball field at LaGrange Elementary School. The Fire Marshal will ensure that the fire code is met. Upon a motion by Ms. Brown and a second by Mr. Davis, Item No. 10 was unanimously approved.

Item No. 11 was a Resolution Approving the Fire Districts for Hugo Volunteer Fire Department and Grifton Volunteer Fire Department. At the present time, Hugo and Grifton Fire Districts are designated by written, descriptive terms. The Lenoir County Board of Commissioners in 1987 and 1994 approved these written descriptions. These terms delineate the five-mile districts for both Hugo and Grifton. With the inception of GIS, fire district maps now replace written descriptions. In August 2004, the Board approved North Lenoir, LaGrange, Sand Hill, Sandy Bottom, Southwood, Deep Run and Pink Hill maps. Hugo and Grifton were not done, because they could not expand to a six-mile district. Now that these terms are in map form, the Board must approve the maps for these two departments. Upon a motion by Mr. Taylor and a second by Mr. Humphrey, Item No. 11 was unanimously approved.

Item No. 12 was a Resolution Authorizing Contract for Professional Services with Computer Sciences Corporation for the Re-Banding of the 800 MHz Radio System. Beginning in 1999, the Federal Communications Commission began receiving reports of interference to 800 MHz public safety communications systems originating from Commercial Mobile Radio Services (CMRS) provider's operating systems on channels in close proximity to those utilized by public safety entities. At that time the FCC developed a reconfiguration plan adopted July 8, 2004. This reconfiguration plan is the commission's solution to eliminating interference from the CMRS providers. If licensed on certain 800 MHz Frequencies you are required to move to new channels according to a designated schedule, to resolve the cause of interference to the Lenoir County public safety radio network and provide additional 800 MHz spectrum for those public safety agencies operating in Lenoir County. This is to include all Law Enforcement Agencies, Fire Agencies, EMS and other 1<sup>st</sup> responders in our county. Motorola has recommended the contracting services of Computer Sciences Corporation or "CSC", on a "no-cost" contract for Lenoir County. CSC will be contracted to facilitate all functions regarding the re-banding effort. Sprint/Nextel in accordance with Transition Authority Guidelines will make reimbursement for the reconfiguration. Upon a motion by Ms. Brown and a second by Mr. Harper, Item No. 12 was unanimously approved.

Item No. 13 was a Resolution Authorizing the Lenoir County Health Department Permission to Participate in the Public Health Training and Information Network Expansion Program. Mr. Joey Huff, Health Director, stated the Public Health Response and Surveillance Team and the Albemarle Regional Health System have been working to expand IP/Video services to the entire region. Funding has been secured from the state Public Health Preparedness and Response Program to implement the Public Health Training and Information Network services in each Region 1 Health Department in an effort to expand services in local health departments to facilitate participation in regional preparedness conferencing, training and expansion. The value of the services and equipment being provided to the health department at no cost to the county is \$22,360.80. After the first year, the health department will be responsible for networking costs if services are continued at a maximum monthly fee of \$1,613.40. Lower costs for these services may be negotiated with other contractors. The state Bio-terrorism Program funding may be used to support these costs. Participation in this program will provide the health department with IP/Video services that will insure up to date participation in regional preparedness conferencing, training and expansion. Mr. Humphrey asked if the Cyber Campus could handle this type of program without any additional funding required. Mr. Huff stated he would inquire about the monthly networking cost of the Cyber Campus. Item was tabled until further information could be obtained. Mr. Graham asked Mr. Huff to speak with the Sheriff and to Dr. Atilla of the Kinston Community Health Center to discuss if the KCHC can handle some of the county's inmate care. Mr. Huff stated he would set up the meeting.

Item No. 14 was a Resolution Authorizing the Lenoir County Health Department to Impose Fees for Services Based on Approved Medicaid Rates Effective July 1, 2006-June 30, 2007. Mr. Huff stated the N.C. Medicaid Program revised rates for services effective July 1, 2006. The program requires that local fees must match or exceed the approved Medicaid rates. Therefore, local fees have to be adjusted to accommodate this requirement. Local fees are higher to absorb subsequent Medicaid rate increases that go into effect after July 1, 2006 and reflect actual costs of providing the services. The approval of revised health department fees for services will bring the department in line with approved Medicaid rates and, therefore, maintain the department's compliance with Medicaid requirements. Local fees charged to non-Medicaid patients are based on a sliding fee scale, which discounts the actual charge. Upon a motion by Mr. Harper and a second by Mr. Pittman, Item No. 14 was unanimously approved.

Item No. 15A. was a Memo from David Harris of RSM Harris Associates addressing the Board regarding the CDBG Program. Item No. 15B. was a Resolution Approving Program Policies and Administrative Guidelines for CDBG Scattered Site Grant #06-C-1532: CDBG Concentrated Needs Grant #06-C-1515. Item No. 15C. was a Budget Ordinance CDBG: 2006 Concentrated Needs Grant #06-C-1515. Item No. 15D. was a Resolution Authorizing Execution of CDBG 2006 Concentrated Needs Documents. Item No. 15E. was a Resolution Approving the 2006 Concentrated Needs Housing Project: Willie White Road Revitalization. Item No. 15F. was a Resolution Approving the 2006 Scattered Site Housing Project. Item No. 15G. was a Resolution Approving the CDBG 2006 Scattered Site Grant #06-C-1532. Item No. 15H. Resolution Authorizing Execution of CDBG 2006 Scattered Site Documents. Upon a motion by Ms. Brown and a second by Mr. Davis, Item No. 15A-15H were unanimously approved. Mr. Harper asked for pictures showing the progress of the projects that have been completed through the concentrated and scattered site housing improvements program. Mr. Harris stated he would furnish pictures of all the completed projects.

**APPOINTMENTS**

Item No. 16 was a Resolution Appointing Citizens to Boards, Commissions, Etc. There were no appointments for this meeting.

<b><u>BOARD/COMMITTEE/COMMISSION</u></b>	<b><u>APPLICANT/ CURRENT MEMBER</u></b>	<b><u>TERM EXPIRATION</u></b>
<b>Lenoir County Economic Development Board 2<sup>ND</sup> Appearance</b>	Woodard Gurley Bill Whaley Jack Harrell (Re-Appointment)	<b>December 2009 M: Brown S: Taylor</b>
<b>Lenoir Memorial Hospital 1<sup>ST</sup> Appearance</b>	Leslie Reynolds (Primary) Michel Haddad (Alternate)	<b>January 2007 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. 17 was a memo from Mr. Jarman regarding Items of Interest. Mr. Hollowell stated that a special announcement would be made on Wednesday, September 6, 2006 at 10:00 a.m. at the Kinston Regional Jetport. A Groundbreaking Ceremony will be held at Dobbs School for the new Youth Development Center on Friday, September 8, 2006 at 10:00 a.m.

**ADJOURNMENT**

Upon a motion by Mr. Harper and a second by Mr. Graham the Board adjourned at 10:47 a.m.

Respectfully submitted,

Reviewed By

Lashanda Aytch  
Clerk to the Board

Michael W. Jarman  
County Manager