

MINUTES
LENOIR COUNTY BOARD OF COMMISSIONERS
August 7, 2017

The Lenoir County Board of Commissioners met in open session at 9:00 a.m. on Monday, August 7, 2017, 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, Vice-Chairman Linda Rouse-Sutton, Commissioners, Roland Best, Mac Daughety, Reuben Davis, and Eric Rouse.

Members Absent: Jackie Brown.

Also present were: Michael W. Jarman, County Manager, Joey R. Bryan, Assistant County Manager, Tracy Chestnutt, Finance Officer, Vickie Freeman King, Clerk to the Board, Robert Griffin, County Attorney, members of the general public and news media.

Chairman Hill called the meeting to order at approximately 9:00 a.m. Prior to offering the Invocation, Mr. Daughety asked for a moment of silence in remembrance a South Lenoir Volunteer Fireman the passed away unexpected last night, and Mr. Eric Rouse led the audience in the Pledge of Allegiance.

PUBLIC INFORMATION:

None

PUBLIC COMMENTS:

None

CONSENT AGENDA:

1. Approval of Minutes: Regular Board Meeting: July 17, 2017.
2. Resolution Approving the Releases and Refunds to the Individuals Listed Herein.

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

BUDGET ORDINANCE AMENDMENTS/RESOLUTIONS:

Item No. 3 was a Resolution Authorizing Lenoir County Health Department to Execute a Purchase Order to Contract with Dell Marketing LP: \$2,551.36. Mr. Joey Huff, Health Director, stated the two animal control officers have laptops installed in their service vehicles. The laptops allow them electronic access to the service requests log.

The officers can now download and print documents they use in the field, warning notices, and citations. One laptop has limited functionality and repairing it is not cost-effective. Both devices are several years old and scheduled for replacement this year. Proper running equipment is necessary to keep up with current changes. Upon a motion by Mr. Davis and a second by Mr. Best, Item No. 3 was unanimously approved.

Item No. 4 was a Resolution Authorizing the Approval of Firework Shows at the Lenoir County Fair for September 19 & 23, 2017. Per The North Carolina fire Code 2012 edition and North Carolina General Statute 14-410, the County Commissioners must grant permission of firework displays before a permit can be issued. The Lenoir County Fair Association has hired Hale Artificer, Inc. to handle all fireworks at the Lenoir County Fairgrounds. The Fire Marshal's Office will ensure all fire codes are met. The Fire Marshal's Office has reviewed all required documentation, and a representative from the Fire Marshal's Office will be at the event to ensure compliance with the fire code. It is recommended that the Commissioners approve this firework show. Upon a motion by Ms. Sutton and a second by Mr. Daughety, Item No. 4 was unanimously approved.

Item No. 5 was a Resolution Authorizing Roger Dail, EMS Director, as the Primary Agent and Joey Bryan, Assistant County Manager, as Secondary Agent for the Hazard Mitigation Program. Mr. Roger Dail, EMS Director, stated Lenoir County Emergency Services has been working with Federal and North Carolina Emergency Management since November 2016, on the acquisition project for Hurricane Matthew to develop a comprehensive listing of citizens adversely affected by Hurricane Matthew and the subsequent catastrophic flooding. This is a joint partnership with City and County leadership with a common goal of acquiring affected properties throughout Lenoir County and the City of Kinston that are eligible for acquisition by meeting specific acquisition guidelines. Based on a specific set of priorities, approximately 93 properties currently are on the list for acquisition. The list of priorities are as follows: 1) property more than 50% damaged; 2) owner/occupied; 3) single family; 4) residential property; 5) located in the AE or X flood zone (100 year or 500-year flood plain); 6) displaced due to flooding/damages. The board is requested to approve Roger Dail, Emergency Services Director, as the Primary Agent and Joey Bryan, Assistant County Manager, as Secondary Agent for Hazard Mitigation Project Grant DR-4285. Upon a motion by Mr. Rouse and a second by Mr. Daughety, Item No. 5 was unanimously approved.

Item No. 6 was a Resolution Authorizing the Increase of Purchase Order 20180113 to TriTech for CAD Maintenance: Communications Division: Emergency Telephone Fund: \$5,800.09. Mr. Roger Dail, EMS Director, stated an invoice from TriTech for CAD Maintenance for FY17-18 was received on July 18, 2017, in the amount of \$39,445.52. Upon receipt, staff realized this was a higher amount than budgeted and pulled the budgetary quote and contacted TriTech. When contacted, TriTech advised that the difference was due to a miscalculation on the part of the TriTech accounting department in calculating a prorated amount for two- (2) software positions added in FY16-17. The pro-rated amount for the two- (2) positions was only figured from 08/29/17-08/31/17.

Upon correcting their error and pro-rating the amount for those two- (2) positions from 08/29/17-08/31/18 to cover maintenance for the full fiscal year of FY17-18, the increased amount of maintenance equaled \$5,800.09. This resolution is to increase an existing purchase order in the amount of \$5,800.09 to cover the CAD maintenance contract. This money is from the E911 special revenue account. Upon a motion by Ms. Sutton and a second by Mr. Daughety, Item No 6 was unanimously approved.

Item No. 7 was a Resolution Approving the Purchase and Installation of Emergency Lights, Console, Siren, Camper Shell, and Slide Out Tray on Two (2) Ford F250 Administrative Vehicles: Garriss Body Shop, LLC: \$11,483.82, Leonard: \$7,068.00. Total \$18,551.82. Mr. Roger Dail, EMS Director, stated the Lenoir County Emergency Services Department (EMS) has recently purchased two (2) new Ford F250 Administrative vehicles. These vehicles are expected to respond to multiple calls during each shift, with the majority of those calls being driven emergency traffic – lights and siren. These vehicles will carry Advanced Life Support equipment that will assist in rendering patient care. As a result of the job responsibilities, it is a necessity to equip the two (2) recently purchased Ford F250 Administrative vehicles with emergency lights, console, and siren. This allows them to respond to calls while driving emergency traffic – lights and siren. Also, provide the camper shell and slide tray to house and transport the medical equipment and supplies needed to perform Advanced Life Support. Approval of this purchase will allow for the encumbrance of funds and payment to the vendors upon installation. Upon a motion by Mr. Davis and a second by Mr. Daughety, Item No. 7 was unanimously approved.

Mr. Davis mentioned that Brian Wade was appointed Fire Chief of the Year, and Lenoir County should be very proud of his accomplishments. Mr. Dail replied that he was awarded this by the International Fire Chief Association and it is a very big deal to be chosen to receive the award. Each recipient is nominated based on leadership, innovation, professional development, integrity and contributions to the fire service as a whole. Mr. Wade has represented Lenoir County well and we are proud of him.

Mr. Hill stated that a proclamation would be in order for Fire Chief Brian Wade to be presented at the next commissioners meeting.

Item No. 8 was a Resolution Approving a Purchase Order for Heritage Plank Flooring for the Old Pink Hill Gym Floor: \$8,800. Mr. Bill Ellis, Parks & Recreation Director, stated Lenoir County owns and operates the old Pink Hill Gym. In order to safely conduct programs and activities the gym floor is in need of repair. The Pink Hill Recreation Association, along with some Pink Hill community citizens have raised \$8,800 to match the county's portion so that the floors can get redone before the upcoming basketball season. We received bids from two companies, and Heritage Plank Flooring was the low bid. Upon a motion by Ms. Sutton and a second by Mr. Daughety, Item No. 8 was unanimously approved.

Item No. 9 was a Resolution Approving the Sidewalk and Concrete Work for the New Tennis Courts at Bill Fay Park: \$25,000. Mr. Bill Ellis, Parks & Recreation Director, stated the following was the amount funded for the reconstruction of the new tennis courts at Bill Fay Park: The City of Kinston: \$110,000, Lenoir County Public Schools: \$50,000, USTA Grant: \$35,000, and Lenoir County Government: \$25,000 for a total of \$220,000.00. Concrete work is now being done to make the courts handicapped accessible. At this time, the county is asked to provide their portion for the reconstruction of the new tennis courts at Bill Fay Park. Upon a motion by Ms. Sutton and a second by Mr. Best, Item No. 9 was unanimously approved.

Item No. 10 was a Resolution Authorizing Solid Waste Department to Contract with Specialty Contracting for Grinding Services: \$4.95 Per Ton. Mr. Hal Oliver, Landfill Manager, stated Lenoir County Solid Waste Department is in need of excess removal of land clearing debris and wooden pallets. We received bids from seven (7) companies and Special Contracting was the lowest bidder. Upon a motion by Ms. Sutton and a second by Mr. Daughety, Item No. 10 was unanimously approved.

Item No. 11 was a Resolution Authorizing the Issuance of Blanket Purchase Order to Ernie Everett: \$5,000. Mr. Hal Oliver, Landfill Manager, stated Lenoir County Solid Waste Department's grounds and Nine (9) sites are in need of new rocks to fill holes and for the grading of driveways. These repairs will allow the Landfill Department and Nine (9) drop off sites to be more accessible for our citizens. Upon a motion by Ms. Sutton and a second by Mr. Daughety, Item No. 11 was unanimously approved.

Item No. 12. was a Resolution Authorizing the Issuance of Blanket Purchase Order to May Heavy Equipment, LLC: \$15,000. Mr. Hal Oliver, Landfill Manager, stated Lenoir County Solid Waste Department's off-road dump truck is out of order due to hydraulics issues. In order to keep the dump truck in good running condition, it is necessary that the repairs are made. Upon a motion by Mr. Best and a second by Mr. Daughety, Item No. 12 was unanimously approved.

Item No. 13 was a Resolution Authorizing Solid Waste Department to Contract with DailCo & Associates, Inc.: \$16,300. Mr. Hal Oliver, Landfill Manager, stated Lenoir County Solid Waste Department received a complaint from NC Department of Labor regarding railing at the Fairground site. The law changed and now requires railing to be anywhere there is a 4 foot or more drop. By adhering to this request, our Landfill's sites will now be in compliance with the NCDOL safety rules. We received three (3) bids and DailCo, Inc. was the lowest bidder. Therefore, we would ask the board to approve the amount of \$16,300 for new fencing at both sites. Upon a motion by Mr. Best and a second by Mr. Daughety, Item No. 13 was unanimously approved.

Item No. 14 was a Resolution Authorizing the Issuance of Blanket Purchase Order to Gregory Poole: \$20,000. Mr. Hal Oliver, Landfill Manager, stated Lenoir County Solid Waste Department is getting a new loader and has other Caterpillar equipment in need of continued service.

These repairs and preventative maintenance services are needed to keep the Landfill running effectively. Without these service repairs, the Landfill cannot safely carry out regular routine work activities. Our new Loader, Compactor, and Bulldozer must be in good working order at all times. Upon a motion by Mr. Davis and a second by Mr. Best, Item No. 14 was unanimously approved.

Item No. 15 was a Resolution Authorizing Approval and Execution of Lease Agreement: Eastpointe: \$100,000 for Lease Period of July 1, 2017, through June 30, 2018. Mr. Mike Jarman, County Manager, stated Eastpointe provides mental health services to the citizens of Lenoir and a host of other Counties. Eastpointe wishes to continue to lease the Lenoir County owned Mental Health Facility located at 2901 N. Herritage Street in Kinston, N.C. so as to offer a central location for service providers who serve the citizens of Lenoir County. The building has been the home for mental health services in Lenoir County for a number of years. Eastpointe provides mental health services to the citizens of Lenoir County. In an effort to provide a central location for service providers who offer mental health services to the citizens of Lenoir County, Eastpointe wishes to continue to lease the mental health facility from the County of Lenoir. Approval of this lease agreement will provide Eastpointe with a well-known, established location to offer their services to the citizens of Lenoir County and assure the County that the building will only be used as a mental health facility for years to come. Upon a motion by Ms. Sutton and a second by Mr. Daughety, Item No 15 was unanimously approved.

Mr. Best asked what type of condition the building was in? Mr. Jarman replied in the past they had to do minor up keep like heating and air, upgraded fire alarm system, and at some point, they will have to repair the roof due to some leaks.

Item No. 16 was a Resolution Authorizing the Purchase of Replacement Vehicles One (1) Raised Roof Van, One (1) 20' Lift Equipped LTV Van, Surveillance Equipment, and Mobile Radio Equipment for One (1) Van: \$116,492. Ms. Angie Greene, Transit Director, stated Lenoir County Transit has not yet received their replacement vehicles which were budgeted for last fiscal year. Since both losses, Lenoir County Transit has had a difficult time meeting the transportation needs of the citizens of Lenoir County. It has also been difficult to accomplish preventive and unscheduled maintenance for the fleet due to the shortage of vehicles. The purchase price for a Lift Equipped Raised Roof Van, is \$58,481 from National Bus Sales & Leasing and a 20' Lift Equipped LTV Van is \$51,011 from Interstate Transportation Sales. The cost of replacing the surveillance equipment will be approximately \$3,750 with Everhart Consulting and replacing the mobile radio is approximately \$3,250 with Gately Communications. The total cost of both vehicles, surveillance equipment, and mobile radio is \$116,492. These funds will be re-appropriated from last fiscal year's budget. If the replacement vehicles are not purchased, the total amount of the insurance payments that were received must be returned to NCDOT/PTD since the vehicles lost had not yet met their useful life. Upon a motion by Mr. Davis and a second by Mr. Best, Item No. 16 was unanimously approved.

Item No. 17. was a Budget Ordinance Amendment: Transportation: \$120,117: New Appropriation. Ms. Angie Greene, Transit Director, stated the purpose for this amendment was to allocate funds from the transportation fund balance to cover replacement vehicles ordered prior to fiscal year and to cover camera and radio equipment as well as tax, tags and title fees for replacement vehicles. Upon a motion by Mr. Daughety and a second by Mr. Best, Item No. 17 was unanimously approved.

Item No. 18 was a Budget Ordinance Amendment: Trust and Agency Funds: \$5,651.10. Ms. Tracy Chestnutt, Finance Director, stated the purpose for this amendment was to roll forward unexpected grant funds. Upon a motion by Ms. Sutton and a second by Mr. Daughety, Item No. 18 was unanimously approved.

Item No. 19 was a Budget Ordinance Amendment: Capital Improvements. Increase: \$26,052.05. Ms. Tracy Chestnutt, Finance Director, stated the purpose for this amendment was to roll forward capital funds for Parks and Recreation and to adjust the capital balance for Lenoir Community College. Upon a motion by Mr. Best and a second by Ms. Sutton, Item No. 19 was unanimously approved.

Item No. 20 was a Budget Ordinance Amendment: General Fund: \$240,212.27. Ms. Tracy Chestnutt, Finance Director, stated the purpose for this amendment was to roll forward the unexpended grant funds within the general fund within various departments. Upon a motion by Mr. Rouse and a second by Mr. Daughety, Item No. 20 was unanimously approved.

Item No. 21 was a Budget Ordinance Amendment: General Fund: DSS: \$24,511.00. Decrease. Mr. Jeff Harrison, DSS Director, stated the purpose for this amendment was to adjust HCCBG line items to reflect the actual funding allocation for FY17-18 budget. The actual allocation received for the HCCBG revenue line item is an increase in estimates approved in the FY17-18 DSS budget. The Home Community Care Block Grant is 90% Federal/State funds and 10% local county match required. Upon a motion by Ms. Sutton second Mr. Daughety, Item No. 21 was unanimously approved.

Item No. 22 was a Resolution Approving the Revision/Replacement to the FY17-18 Lenoir County Home and Community Care Block Grant Funding Plan Submitted on June 5, 2017, in the Amount of \$464,224. New Amount \$539,365. Mr. Jeff Harrison, DSS Director, stated the Home and Community Care Block Grant began July 1, 1992. It is comprised of funding for in-home and community based services, currently available through the Division of Aging, as well as a portion of funding targeted for in-home and community based services previously administered by the North Carolina Division of Social Services. The majority of the funds, \$395,862 are used by the Lenoir County Council on Aging. HCCBG funds are 90% Federal and State funds and require a 10% County match. Upon a motion by Mr. Davis and a second by Mr. Best, Item No. 22 was unanimously approved.

Item No. 23 was an Ordinance to Allow the Sale of Alcoholic Beverage Before Noon on Sundays at Licensed Premises. Ms. Sutton read the Ordinance. Upon a motion by Mr. Davis and a second by Mr. Best; Item No. 23 was approved with 1 dissenting vote by Mr. Daughety. Mr. Griffin stated at this point, since the ordinance was not passed with a unanimous vote, someone needed to make a motion to amend the ordinance. He reminded the board of the general statutes that states when an ordinance is passed it is voted on twice unless it's a unanimous decision. He suggested to put in an effective date of the next meeting date which will be August 21, 2017, with an adopted date of August 7, 2017. Ms. Sutton made a motion to amend the previous motion made regarding the ordinance with an effective date of August 21, 2017, with the adopted date of August 7, 2017. Upon a motion by Ms. Sutton and a second by Mr. Best Item No. 23 was approved with 1 dissenting vote by Mr. Daughety.

The Ordinance will be placed on the agenda for the August 21, 2017, meeting for a second reading.

Item No. 24 was a Resolution Approving Citizens to Boards, Commissions, Etc. None at this time.

Item No. 25 was Items from County Manager Mike Jarman. Mr. Jarman stated the inspection reports are self-explanatory unless anyone had any questions. Also, he received a letter from a Ms. Cathy Cessna requesting funds. She is in the process of trying to raise funds for historic graves at a private cemetery in Lenoir County. It is a great cause and there are people buried there that have fought on both sides of the civil war. However, there are a lot of historic cemeteries that are private in this county. As it is an allowable act to put money into it, but it may not be the best idea. Mr. Jarman cautioned the board that they should not try and fund one, because they would end up funding many which could get into maintenance issues which is beyond the scope of what they could accomplish. Not to take anything away from the group that's fundraising because our history is precious and we appreciate those that died so we can live like we live, but again, he thinks it's not a good role for the board to fill. Mr. Hill agreed, and asked Mr. Jarman to follow up with a letter to Ms. Cessna.

Item No. 26 was Items from Clerk to the Board Vickie King. Ms. King stated in the month of July, Ms. Anne Gaddis, Committee Chairperson of the Lenoir County Nursing Home/Domiciliary Home Community Advisory Committee submitted a request for changes to be made under Article II of the General Rules Section to be updated to read "unexcused absences from a meeting and unexcused absences will be declared by the chairperson". Upon a motion by Ms. Sutton and a second by Mr. Daughety, Item No. 26 was unanimously approved.

Mr. Daughety asked Mr. Jarman to speak with Planning and Inspections and urge them to complete the ordinance for sweepstakes cafés. Mr. Daughety stated the reason he feels the ordinance is needed is because a sweepstake café has opened within close proximity of Southwood Elementary School. Also, because the cafés are beginning to pop up everywhere. He would like an ordinance to be in place for the board to be able to vote on it at the next meeting, to prevent that from happening somewhere else.

Mr. Jarman stated he has had some conversation with Gary O'Neal last week. Planning and Inspections have been to every sweepstake establishment and collected the fees that the board approved. They are working diligently and moving forward with getting an ordinance that makes sense at their earliest convenience.

Ms. Sutton reminded everyone about the upcoming installation ceremony for Dr. Rusty Hunt, President, Lenoir Community College.

Mr. Best reminded everyone about the masquerade party ECC is having at Pine Knoll Shores in October.

Meeting Adjourned at 9:37 a.m.

Respectfully submitted,

Reviewed by,

Vickie F. King
Clerk to the Board

Joey R. Bryan
Assistant County Manager