

**MINUTES**  
**LENOIR COUNTY BOARD OF COMMISSIONERS**  
**September 15, 2008**

The Lenoir County Board of Commissioners met in regular session at 4:00 p.m. on Monday, September 15, 2008 in the Board of Commissioners Main Meeting Room in the Lenoir County Courthouse at 130 S. Queen St., Kinston, NC.

Members present: Chairman Paul Taylor and Commissioners, Jackie Brown, Claude Davis, Earl Harper, Chris Humphrey, and Claude Stroud.

Members absent: Vice-Chairman George Graham

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

Chairman Taylor called the meeting to order at approximately 4:00 p.m. Ms. Brown offered the invocation and Mr. Taylor led the audience in the pledge of allegiance.

Upon a motion by Ms. Brown and a second by Mr. Harper, Mr. Graham was excused from the meeting due to a FEMA mission.

**PUBLIC INFORMATION**

Ms. Catharine Kosinski presented the Board information regarding Disability Awareness. Ms. Kosinski stated the title of her project is "Access Lenoir." Ms. Kosinski hopes to show resources that are available to people with disabilities. Ms. Kosinski stated she wanted to do this project due to an accident she was in five (5) years ago when she was forced to use a wheelchair for several months. Ms. Kosinski stated her goals are to increase public awareness through a Disability Resource Fair on October 15, 2008 at Vernon Park Mall, complete her projects with Ministries of Mercy to build wheelchair ramps for disabled citizens in Lenoir County, and finally to make access to public buildings around the city and county more accessible for the disabled. Ms. Kosinski hopes the Commissioners look to increase signage regarding ramps and wheelchair lifts around the courthouse, and research having automatic doors installed as well. The Board thanked Ms. Kosinski for her presentation.

The 2009 Re-appraisal Schedule of Values was tabled for further information.

**ITEMS FROM THE CHAIRMAN/COMMISSIONERS**

Mr. Taylor stated the Groundbreaking Ceremony for Spirit AeroSystems went very well today; Mr. Taylor stated he is looking forward to the construction process. Mr. Jarman stated the event was very well attended; the county is very excited about having Spirit in Lenoir County.

Mr. Harper stated the Day Reporting Center had five (5) new graduates this past week. The program is doing very well.

Ms. Brown updated the Board on expenditures of the Department of Social Services.

**ITEMS FROM THE COUNTY MANAGER**

Item No. 2 was Items from the County Manager. No items to review.

**CONSENT AGENDA**

Upon a motion by Ms. Brown and a second by Mr. Davis, the Board unanimously approved the Consent Agenda:

- 3. Approval of Minutes: Regular Board Meeting: September 2, 2008 Aytch/Jarman
- 4. Budget Ordinance Amendment: General Fund: Soil Conservation: \$1,364: Increase Anderson/Martin
- 5. A. Budget Ordinance Amendment: General Fund: JCPC Parenting Matters: \$140: Increase Kelly/Martin
- B. Budget Ordinance Amendment: Trust & Agency Fund: Extension – Family Caregiver: \$7,666: Increase
- 6. Budget Ordinance Amendment: General Fund: Finance/Sheriff: \$4,000: Increase Jarman/Martin

**BUDGET ORDINANCE AMENDMENT/RESOLUTIONS**

Item No. 7 was a Budget Ordinance Amendment: General Fund: Process Funds: \$20,000: Increase. Mr. Hollowell stated the Amendment sets up a pass through account for the Floodplain Mapping Fee. The 2008 North Carolina General Assembly enacted Session Law 2008-107 that amended G.S. 161-10 to increase the registration fee for deeds of trust and mortgages. This fee will be collected by Register of Deeds and forwarded to the North Carolina Department of Crime Control and Public Safety to offset the cost of floodplain mapping by the State. This new legislation will be effective October 1, 2008. Upon a motion by Mr. Humphrey and a second by Mr. Stroud, Item No. 7 was unanimously approved.

Item No. 8A was a Budget Ordinance Amendment: General Fund: DSS: \$34,681: Increase. Mr. Chris Harper, Family Support Program Manager addressed the Board. The amendment reflects a line item adjustment to reflect increase and/or decrease in allocations. No County funds required. Upon a motion by Mr. Harper and a second by Ms. Brown, Item No. 8A was unanimously approved.

Item No. 8B was a Resolution Requesting Appointment of the Planning Committee for the Lenoir County Work First Block Grant Plan for SFY 2010-2011. As State Law mandates, all counties must submit a county Work First Block Grant Plan to the Department of Health and Human Services for Work First biennial planning. This is an opportunity for counties to take full advantage of the local flexibility structure in the Work First Program. The planning process consists of several significant criteria. Those criteria include the designation of county status, the planning committee, the county plan model, public comment, and the primary contact designee.

North Carolina General Statute 108.27 and Work First Policy Section 103 provide guidelines for the appointment of a Welfare Reform planning committee. The required committee stakeholders include:

- County Board of Social Services
  - Board of Local Management Entity
  - Local public health board
  - Local school system
  - Business community
  - Board of County Commissioners
- Community based organizations

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 individuals selected for the Work First Planning Committee are very familiar with the Work First Program, the targeted population, and the planning process. Upon a motion by Mr. Harper and a second by Ms. Brown, Item No. 8B was unanimously approved.

Item No. 9 was a Resolution Authorizing Lenoir County Health Department to Execute a Purchase Order to C & W Electronics, Inc.: \$4,420. Mr. Joey Huff, Health Director addressed the Board. Mr. Huff stated the CO2 incubator is used by laboratory staff to culture clinical specimens for medical staff to make diagnosis and determine the most effective treatment. The current CO2 incubator has been in operation since March 1996, and is unable to be used due to a bad temperature sensor. Upon a motion by Mr. Davis and a second by Ms. Brown, Item No. 9 was unanimously approved.

Item No. 10 was a Resolution Authorizing Blanket Purchase Order: Squires Auto Generator & Starter Service: \$5,000. Mr. Hollowell stated the Lenoir County Transit System operates a fleet of approximately 12 vehicles. The Transit System utilizes local vendors for maintenance and repairs to its vehicles. Squires Auto Generator & Starter Service is a local vendor with many years of experience and is able to perform many of the repairs required for Transit Vehicles. Upon a motion by Ms. Brown and a second by Mr. Stroud, Item No. 10 was unanimously approved.

Item No. 11 was a Resolution Authorizing Painting of District Criminal Courtroom in the Lenoir County Courthouse: Creech's Painting, Inc.: \$6,270. Mr. Mike Wiggins, Maintenance Coordinator, addressed the Board. Mr. Wiggins stated The Lenoir County Courthouse addition was constructed in 1982-1983. The interior of the District Courtrooms has not been painted since that time. Medallions on the walls behind the Judge's benches have loosened and begun to fall. Water damage to ceilings has not been sealed and painted. The walls have become dirty and the existing paint has been rubbed off in places while trying to clean them. The current condition of the interior of the District Courtrooms does not present a favorable image for the County. Administration wishes to repair and paint the District Courtrooms one at a time in an effort to disrupt the legal proceedings as little as possible. The District Criminal Courtroom is in the worst condition and will be first on the repair and paint list. The County Maintenance Department received three (3) bids to clean, repair, and paint the interior of the Criminal District Courtroom in the Lenoir County Courthouse. Creech's Painting, Inc. of Kinston, N.C. provided the County with the lowest bid to perform the work as specified. Upon a motion by Mr. Stroud and a second by Ms. Brown, Item No. 11 was unanimously approved.

Item No. 12 was a Resolution Approving Engineering Services Geotechnical and Phase I Environmental Reports on Parking Lots for Proposed Jail Construction: Froehling & Robertson, Inc. and KCI Associates: \$6,815. Mr. Hollowell stated on August 4, 2008, the Board approved a 90-day option- to-purchase agreement on lots adjacent to the Lenoir County Courthouse for proposed jail construction. Before exercising the option-to-purchase agreement, the County must determine if the lots are suitable for construction of a jail facility. Geotechnical reports may include, but are not limited to, description of proposed construction and anticipated structural loads, site subsurface conditions, soil borings, test pits, groundwater conditions, requirements for fill/backfill, foundation depth recommendations, and recommendations for temporary excavations and permanent slope stability. A Phase I environmental report identifies recognized environmental conditions of the subject property. A historical review of the site and site activities is conducted to determine the environmental condition of the property. If a Phase I evaluation indicates a potential for contamination, a Phase II site assessment involving sampling and testing would be recommended. The cost of a Phase II evaluation is not included in this proposal. Lenoir County has a 90-day option-to-purchase agreement on lots adjacent to the Lenoir County Courthouse for proposed jail construction. Geotechnical and Phase I environmental reports need to be performed on the lots prior to the County exercising its option-to-purchase agreement on the lots. Froehling & Robertson, Inc. and KCI Associates, both of Raleigh, N.C., provided the County with the least expensive proposals to provide Geotechnical and Phase I environmental report on the lots. Upon a motion by Mr. Harper and a second by Mr. Stroud, Item No. 12 was unanimously approved.

Item No. 13A was a Resolution Authorizing Emergency Rental of Off-Road Truck: Hertz Rentals: \$7,825. Mr. Tom Miller, Landfill Director, addressed the Board. Mr. Miller stated the Terex off-road truck owned by the landfill is constantly moving dirt. In July 2008 the Terex off-road truck broke-down, requiring an engine replacement. On July 21, 2008, the Board authorized an engine replacement and brake system repair. A factory-rebuilt engine was ordered and the replacement is in progress. Landfill operations must continue and the landfill director attempted to use a smaller on-road truck to move the fill dirt required each day, but the massive amount of dirt needed was too much of a strain for the smaller truck. To avoid permanent damage to the smaller on-road truck, administration authorized the landfill director to rent an off-road truck to be used at the landfill for up to one (1) month while the repairs are being completed on the Terex off-road truck. The engine replacement and brake system overhaul should be completed in 2-3 weeks. Hertz Rental provided the lowest cost to the County for a one-month rental of an off-road truck for the landfill. Management recommends the emergency rental of this truck from Hertz Rentals for one month at a price not to exceed \$7,825. Upon a motion by Mr. Stroud and a second by Mr. Humphrey, Item No. 13A was unanimously approved.

Item No. 13B was a Resolution Authorizing Purchase of a 1990 Caterpillar 615C Scraper: Davie Grading, Inc.: \$46,000. Mr. Miller stated the landfill currently owns a 1990 Caterpillar 615C scraper. Last week the transmission locked-up and caused the driveshaft to break loose and penetrate the transmission housing. The hole in the transmission housing can not be repaired. The landfill director has contacted suppliers to acquire a new rebuilt transmission. The cost of a new rebuilt transmission is \$30,000 plus labor to install. The scraper is in constant use leveling; grading the landfill property, and hauling fill dirt to all areas of the landfill facility. In the past 2 years, the scraper has been overhauled except for the transmission. Landfill operations must continue. The cost of a newer scraper (2000 – 2006 model) ranges from \$200,000 to \$550,000.

A used 1990 Caterpillar 615C scraper identical to the model currently owned by the landfill was located in High Point NC. A picture of this scraper is attached. The landfill director went to High Point last week to operate the scraper. The scraper in High Point had \$25,000 in engine work done within the past 60 days. The chains are 90% good, the brakes are new, the tires (which cost \$2,500-\$3,000 each) are almost new, and the transmission has just been serviced. The scraper has only about 25 hours of use since all repair and service work has been completed. Comparing the cost of replacing the transmission on the scraper owned by the landfill to purchasing this scraper in High Point, the landfill director feels that the purchase of the used scraper is in the best interest of the landfill. This scraper can be used immediately or parts can be interchanged on either unit as the landfill expands, the transmission may need to be replaced on the existing scraper and return it to service. The transmission on the 1990 Caterpillar 615C scraper owned by the landfill needs to be replaced at a cost of \$30,000 plus labor. The landfill director has located an identical used scraper in High Point for \$46,000 delivered. The engine on the unit in High Point has recently been rebuilt and other expensive parts replaced and serviced. The tires are almost new. It is ready to be placed in service. Parts are interchangeable between the two scrapers. The scraper in High Point can be used now and delay the replacement of the transmission on the existing unit. Upon a motion by Mr. Taylor and a second by Mr. Harper, Item No. 13B was unanimously approved.

Item No. 14A was a Resolution Approving Deeds to the State of North Carolina. Mr. Jarman stated the City of Kinston and the County of Lenoir deeded property at the former Kinston Regional Airport to the State of North Carolina on June 21, 1988 (Deed Book 881 Page 777) for the purpose of constructing a new National Guard Armory. The City of Kinston and the County of Lenoir also deeded property to the North Carolina Global TransPark Authority on March 6, 1995 (Deed Book 1022 Page 469) for the purpose of constructing the Mountain Air Cargo Facility. Both of the land transactions reserved the right to reversionary interest in the event the grantees failed to construct the specified facilities. The State of North Carolina has constructed a National Guard Armory on Dobbs Farm Road and therefore the property at the former Kinston Regional Airport transferred by deed dated June 21, 1988 is no longer needed for an Armory site. Also the Mountain Air Cargo Facility has been constructed on the property deeded to the North Carolina Global TransPark Authority on March 6, 1995 thereby meeting the requirements specified. Since the land specified in each of these transactions is a portion of the 307 acre site needed for Spirit AeroSystems, it is in the best interest of the citizens of Lenoir County to terminate the reversionary rights reserved by both deeds. Upon a motion by Mr. Harper and a second by Ms. Brown, Item No. 14A was unanimously approved.

Item No. 14B was a Resolution Approving Easement to Progress Energy. Item was tabled.

**APPOINTMENTS**

Item No. 15 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>
Lenoir County ABC Board <b>2<sup>nd</sup> Appearance</b>	Coley Little, Jr. (Re-Appointment)	June 2011 M: Brown S: Stroud
Lenoir County Board of Health <b>1<sup>st</sup> Appearance</b>	Brenda B. Grant (Re-Appointment)	June 2011

**CURRENT VACANCIES:**

- Lenoir County Health Board – One (1) Vacancy; (1) Veterinarian**
- Grifton Planning Board – One (1) Vacancy**
- JCPC – One (1) Vacancy; 1-Juvenile Attorney**
- Lenoir County Planning Board – K-6 Precinct & At-Large**
- CJPP – Four (4) Vacancies**
- Kinston Board of Adjustment – Two (2) ETJ Members; (1) Primary – (1) Alternate**
- Lenoir County Transportation Committee – At Large Member – Business Community**

**CLOSED SESSION**

Upon a motion by Mr. Harper and a second by Mr. Stroud, and unanimous approval, closed session was entered at approximately 4:40 p.m. and the following cited: Number four (4) to discuss matters relating to the location or expansion of industries or other businesses in the area served by Lenoir County. The Board discussed an economic development project. The Board took no action. Upon a motion by Ms. Brown and a second by Mr. Stroud, the Board moved out of closed session at 4:51 p.m.

**OPEN SESSION AND ADJOURNMENT**

Upon a motion by Ms. Brown and a second by Mr. Stroud Open Session re-convened at 4:51 p.m. Mr. Taylor stated an economic development project was discussed, the Board took no action during closed session.

**ADJOURNMENT**

Upon a motion by Mr. Taylor, the meeting was adjourned at 4:52 p.m.

Respectfully submitted,

Reviewed By

Lashanda Aytch  
Clerk to the Board

Michael W. Jarman  
County Manager