

MINUTES

LENOIR COUNTY BOARD OF COMMISSIONERS

November 20, 2017

The Lenoir County Board of Commissioners met in open session at 4:00 p.m. on Monday, November 20, 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, Commissioners, Roland Best, Mac Daughety, Reuben Davis, and Eric Rouse.

Members Absent: Ms. Jackie Brown, and Ms. Linda Rouse Sutton.

Also present were: Michael W. Jarman, County Manager, Joey R. Bryan, Assistant County Manager, Tracy Chestnutt, Finance Officer, Vickie F. 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 4:00 p.m. Mr. Roland Best offered the Invocation and Mr. Davis, led the audience in the Pledge of Allegiance.

PUBLIC INFORMATION:

None

PUBLIC COMMENTS:

CONSENT AGENDA:

1. Approval of Minutes: Regular Board Meeting: November 6, 2017.

Upon a motion by Mr. Eric Rouse and a second by Mr. Best, the consent agenda was unanimously approved.

BUDGET ORDINANCE AMENDMENTS/RESOLUTIONS:

Item No. 2 was a Resolution Approving Fireworks Show at Arendell Parrott Academy for the 2017 Football Championship Game. Mr. Roger Dail, EMS Director, stated the Board is requested to approve the fireworks display held at Arendell Parrott Academy by Arendell Parrott Academy and parents for the 2017 Football Championship Game that was held on November 11, 2017. The Fireworks show was performed by Hale Artificier, Inc. 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. Arendell Parrott Academy hired Hale Artificier, Inc. to handle all fireworks at Arendell Parrott Academy. The Fire Marshal's Office ensured all fire codes were met. Upon a motion by Mr. Rouse and a second by Mr. Daughety, Item No. 2 was unanimously approved.

Item No. 3 was a Resolution Approving the Purchase of Two (2) Iron Hourse Chairs: Evans Consoles: \$3,823.98. Mr. Roger Dail, EMS Director, stated during the Jones/Lenoir County E911 merger, the architectural design was for the primary Public Safety Answering Point (PSAP) located in Kinston to operate with twelve (12) workstation dispatch positions, to allow for future growth. The Jones/Lenoir County Emergency Communications Center primary PSAP in Kinston currently operates eight (8) workstation dispatch positions. This includes all required equipment, including dispatch furniture and chairs. The Emergency Services Department – Communications Division budgeted to add two (2) additional workstation dispatch positions to the primary PSAP in Kinston during FY17-18. In addition to the required equipment, including dispatch furniture, we will need to purchase two- (2) chairs. These chairs need to be a 24/7 heavy-duty chair to allow for a more productive and ergonomically-friendly work environment for the Communications staff. The cost for the Telecommunicator chairs from Iron Hourse Chair is a 100 percent allowable expenditure from the Special Revenue (E911) fund. Upon a motion by Mr. Daughety and a second by Mr. Best, Item No. 3 was unanimously approved.

Item No. 4 was a Resolution Authorizing the Issuance of Blanket Purchase Order: Carolina Gear & Engine: \$3,309.25. Mr. Hal Oliver, Landfill Manager, stated Lenoir County Solid Waste Department's trash hauling truck (Sterling Roll-off) transmission is in need of emergency repair. Once the vehicle has been repaired, it will continue to help service the needs of the landfill. Without these repairs, the Landfill could not continue to carry out routine work activities and servicing the needs of our county citizens. Upon a motion by Mr. Davis and a second by Mr. Daughety, Item No. 4 was unanimously approved.

Item No. 5 was a Resolution Authorizing the Issuance of Purchase Order: Lowe's: \$3,500. Mr. Hal Oliver, Landfill Manager, stated Lenoir County Solid Waste Department's Deep Run Site, #4, received a shell building from (Nathan's Products) which was approved at the October 16, 2017, Lenoir County Board of Commissioners meeting. Approval of this resolution will allow the building to be placed on the site and completed. This purchase order will allow the Solid Waste Department to encumber funds for eventual payment as invoiced. Upon a motion by Mr. Rouse and a second by Mr. Daughety, Item No. 5 was unanimously approved.

Item No. 6 was a Resolution Approving Amendment to Contract and Purchase Order: Dr. Amy D. James, Psyd.: \$10,000. Mr. Jeff Harrison, DSS Director, stated Dr. Amy D. James, Psychologist, provides forensic psychological evaluations as ordered by the court, requested by Attorneys, and requested by Social Services. Current evaluation areas include Criminal Competencies, Violence Risk Assessment, Criminal Responsibility, Parental Fitness/Capacity, Civil Competencies, Anger Management Assessments, and Child Custody. Dr. James has completed over 4500 hours of forensic evaluations and regularly engages in continuing education and supervision in this area. Her duties as a forensic evaluator are to aid the trier of fact in answering psychological questions within a legal context while applying objective evaluation and knowledge of case law.

Lenoir County DSS has a current contract with Dr. Amy D. James, Psychologist for the provision of Court Testimony Services and the provision of Family Evaluations that are ordered by the 8th Judicial District Family Court serving Lenoir County in child abuse, neglect and dependency petitions that are before the Court. Upon a motion by Mr. Davis and a second by Mr. Daughety, Item No. 6 was unanimously approved.

Item No. 7 was a Resolution Approving Amendment to contract and Purchase Order: Vanguard Professional Staffing: \$15,000. Mr. Jeff Harrison, DSS Director, stated Lenoir County DSS has contracted with Vanguard Professional Staffing for the last several years and has found their services satisfactory. This contract is necessary to accomplish the day to day work activities in several units within the agency, specifically our Child Welfare Division. Since May 2017, the Child Welfare Division has experienced a 38% staff turnover. Finding fully qualified applicants who have completed the NC General Assembly mandated 72-hour Pre-Service Training Child Welfare in NC has been difficult. As a result of the difficulty, DSS has had to extend the current contract with Vanguard Professional Staffing to meet the workload demands of the Child Welfare Division. Vanguard will recruit, credential, and place staff at Lenoir County Department of Social Services in Temporary positions. The volume of placement of such temporary staff will be dictated by the County's needs as identified by the Lenoir County Department of Social Services. Vanguard will credential each employee placed in the County. Credentialing shall include screening and evaluation of 1. An Application signed by the Employee, 2. Three work references, 3. A certified copy of the highest educational degree awarded to the employee, 4. A criminal background check, 5. A North Carolina Division of Motor Vehicles background check, 6. A determination before the placement that each employee meets the minimum qualifications for the positions, 7. Certify that the employee is bondable. Upon a motion by Mr. Best and a second by Mr. Daughety, Item No. 7 was unanimously approved.

Item No. 8 was a Resolution Authorizing the Acceptance of a Grant from the North Carolina Tobacco Trust Fund Commission: Ms. Tammy Kelly, Cooperative Extension Director, stated the LCFM had enjoyed seven very successful seasons since the beginning of revitalization and renovations of the Market project. The Lenoir County Farmer's Market Advisory Board was established in the early stages to assist in prioritizing projects for the market and market Annex to promote the Local Foods Initiative of NC Cooperative Extension and in Lenoir County. The customer base of the LCFM continues to grow and increase in diversity as a result of additional marketing and seasonal "food demonstrations" targeting fresh local products sold at the market. In response to increasing requests from farmers/vendors, community members, and potential vendors, LCFM plans to add capacity to the Market by renovating the Annex to house a community kitchen, a fully inspected, code-compliant facility vendors can use to prepare foods for sale in the Market. The kitchen will include space for planned healthy food preparation classes and demonstrations, generating increased Market vendors' sales. A community kitchen will be constructed and will receive a positive inspection from the Lenoir County Department of Health and Environment and the State of North Carolina's commercial kitchen examination.

Additional vendors will be generated, and there will be more opportunities for a variety of sales for the Lenoir County Farmers Market and other outlets. Low income, high risk, and senior populations will be targeted and offered participation in educational programs and entrepreneurial opportunities in the community kitchen. Upon a motion by Mr. Davis and a second by Mr. Best, Item No. 8 was unanimously approved.

Item No. 9 was a Resolution Approving Citizens to Boards, Commissions, Etc. Upon a motion by Mr. Rouse and a second by Mr. Daughety, Item No. 9 was unanimously approved for the appointment of Mr. Williams Harvey Howard and Mr. Wilbert Bernard Johnson to the Jury Commission.

Mr. Rouse asked if the county had received any applications for the available positions for the planning board? Ms. King replied no.

Mr. Jarman stated he and Mr. Bryan have had conversations as well as with Wayland Humphrey. The districts for the Planning Board are different than they are for commissioners. It would probably be easier to keep up with and understand if they were legally made the same. However, they are researching to see what they can find out.

Mr. Rouse suggested that all of the board were the same way or if the positions could be filled with at-large seats. Mr. Davis agreed with at-large seats since they are having a hard time filling those positions. Mr. Griffin asked if municipalities like City of Kinston and LaGrange were able to be on the Lenoir County Planning Board? Mr. Jarman replied they were not. Mr. Daughety stated to be careful with at-large representation because it may cause unequal representation. Mr. Jarman stated it is important that the board look at the planning board and prepare to do some streamlining, however, it would not include the municipality, but it can be made better than it currently is. Mr. Davis stated his main concern was the fact that the planning board had several meetings without a quorum, so whatever it takes to get more people interested in that board would be great. Mr. Jarman stated correct, especially with some of the issues that come before that board. Many of the issues deserve a lot of research, attention, and discussion, and if they are not going to have a quorum, then it will fall back on this Board. If that happens, this Board will have to act like a sitting planning board and ask the appropriate questions so you can make the best decisions. It is in the best interest of the county to get the Planning Board back up and operational as it has been in the past.

Item No. 10 was a Resolution Stating Intent to Proceed with a Non-Binding Advisory Referendum Authorizing a .25% Local Sales Tax for Lenoir County. Mr. Mike Jarman, County Manager, stated the 2007 State Appropriations Act (H1473) provided counties with authority to levy a local sales tax (.25%), following approval of the voters in a non-binding advisory referendum. H1473 created a new article under G.S. 105 - Article 46 for the local option .25% sales tax (H1473 Section 31.17 (b)). This option for counties was a component of H1473 Medicaid relief legislation passed by the State Legislature in August of 2007. The 2007 State Appropriations Act of 2007 (H1473) provided for a phase-out of the Medicaid burden to counties.

To accomplish this task, certain revenues previously distributed to counties by the State of North Carolina were withheld from the counties. Components of H1473 provided counties with authority to levy a local sales tax, following approval of the voters in a non-binding advisory referendum. Lenoir County Administration believes it is in the best interest of Lenoir County for the citizens to vote whether or not to levy a local sales tax (.25%) to replace revenues that are being withheld by the State of North Carolina, assist in the retirement of debt, and minimize necessary property tax increases. The Lenoir County Board of Elections will conduct the referendum in the manner provided by law on either March 6, 2018, or May 8, 2018, once the General Assembly decides on the election date. The Board is requested to authorize the County Manager and the Lenoir County Board of Elections to proceed with all legal steps specified under N.C. General Statutes to complete the process of authorizing a non-binding advisory referendum to be included on the ballot once the General Assembly determines the date.

Mr. Jarman stated we had a lot of discussion during the budget session about the fact the property revaluation value went down about \$270 million. The lost in revenue is about \$2.1 million, but we have had a change with the general assembly with sales tax which has increased our revenue approximately \$1 million sales tax revenue, but we still have about \$1.2 million from our achieving our previous funding levels. We have said for years that it may appear to be a broken record and have shown the same slides over and over where we talked about us not having enough recurring revenue, and we can't rely just on the property tax and add an additional burden, we needed a different source of revenue. In 2007 the state was taking some funds and doing other things at that time the option was made available, they gave counties the opportunity to get different revenues from the sales tax. All of this has been discussed. Therefore, this resolution states the Board intends to place it before the citizens of Lenoir County to vote on rather or not they want to levy the sales tax. Mr. Jarman stated he is presenting the resolution at this time because if we don't get it approved and give the Board of Elections time to get all of the wording done, it will not be an option for the next election. As stated in the resolution the date will either be March 6, 2018 or May 8, 2018. It is this Boards choice as to whether you will place this option before the citizens to vote on whether or not to levy the additional sales tax.

Mr. Daughety stated he would rather table Item No. 10 until the next meeting when the entire Board of Commissioners would be present to give everyone the opportunity to vote.

Mr. Hill stated the only issue he had with that request was it would be nice to have this resolution passed especially since the county manager and city manager will be the guest speakers at the Wake-Up Lenoir on November 28, 2017, so that it could be discussed openly. Also, it might be a missed opportunity if they waited until the next commissioners meeting. Mr. Hill stated they needed to begin to have conversations with their larger partners in the community as soon as possible to allow them the time to begin to have conversations with their groups before they go into the holidays as well. He would like to see the Board move forward with the approval of this resolution.

Mr. Jarman stated when he asked the Board of Elections when the deadline would be they stated December 1, 2017. He doesn't think they can give a concrete answer because they don't know the exact date of the election. Also, the board needs to have discussions with those partners because if the sales tax is not passed, it will impact their budgets. This past year we did the budget and didn't increase the property tax like the City of Kinston, they did revenue neutral along with other counties that had faced revaluation and increased property taxes. We did not, we spent fund balance, and that is not a sustainable practice. Mr. Jarman stated you would either have to raise the property tax, get the sales tax approved, or you will have to make substantial cuts that would probably be beyond where the county would want to take their level of services. It would not be only cuts to departments that you don't normally see. There would be cuts to law enforcement, EMS, and Schools. You will have to do something to every budget.

Upon a motion by Mr. Davis and a second by Mr. Best, Item No. 10 Resolution Stating Intent to Proceed with a Non-Binding Advisory Referendum Authorizing a .25% Local Sales Tax for Lenoir County was approved with two dissenting votes by Mr. Daughety, and Mr. Rouse.

Item No. 11 was items from the county manager Mike Jarman. Mr. Jarman stated other than the normal year to date budget report revenues and expenditures, and the Planning and Inspection report he would ask the Board to accept the bid of \$4,000 for county-owned property located on Dani Ct. Upon a motion by Mr. Davis and a second by Mr. Best, Item No. 11 for property located on Dani Ct. was unanimously approved.

Mr. Best shared information he received from the NC Association of County Commissioners workshop on Capital Budgeting for Elected Officials titled "How to Turn Your Dreams Into Reality." The meeting was held at the Chatham County Agriculture & Conference Center, in Pittsboro, NC. He stated the workshop taught city and county officials about the capital budgeting process to help with financial planning for schools, parks, greenways, public safety, water/sewer and other community needs. They were able to tour three facilities to allow them to see firsthand examples of various successful capital projects and discuss inter-local cooperation, and the challenges related to financing projects. The sites visited included Chatham County Agriculture & Conference Center, Chatham County Detention Center, and joint County School Bus Garage. The workshops were taught by Siler City Town Manager, Bryan Thompson and Renee Paschal, Chatham County Manager.

Mr. Hill thanked Mr. Best for his commitment to continual training.

Mr. Hill stated Wake up Lenoir will be held on November 28, 2017, at 7:30 am, at Olivia's. Tony Sears, the City of Kinston Manager and Mr. Jarman will be the keynote speakers.

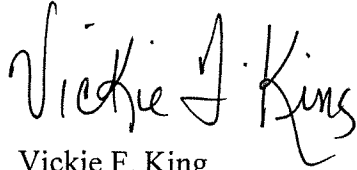
Mr. Hill reminded every one of the Boards upcoming Christmas party on December 18, 2017, at the Baron and the Beef restaurant and will be Dutch style.

Mr. Daughety stated the next Opioid meeting would be November 29, 2017, at 4:30 p.m. at the Woodmen Community Center.

Mr. Jarman shared information from an email Mr. Pope received regarding the upcoming Christmas parade stated the city of Kinston would provide the float, and the commissioners were invited to ride.

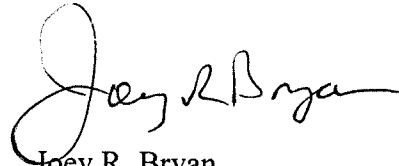
Meeting Adjourned at 4:24 p.m.

Respectfully submitted,

A handwritten signature in black ink that reads "Vickie F. King". The signature is written in a cursive style with a large initial "V" and "K".

Vickie F. King
Clerk to the Board

Reviewed by,

A handwritten signature in black ink that reads "Joey R. Bryan". The signature is written in a cursive style with a large initial "J" and "B".

Joey R. Bryan
Assistant County Manager