

THE BOARD OF COMMISSIONERS OF THE COUNTY OF CRAVEN MET IN REGULAR SESSION IN THE COMMISSIONERS' ROOM OF THE CRAVEN COUNTY ADMINISTRATION BUILDING, 406 CRAVEN STREET, NEW BERN, NORTH CAROLINA, ON MONDAY APRIL 20, 2009. THE MEETING CONVENED AT 8:30 A.M.

MEMBERS PRESENT:

- Chairman Jason R. Jones
- Vice Chairman Theron McCabe
- Commissioner Lee Kyle Allen
- Commissioner Perry L. Morris
- Commissioner Johnnie Sampson, Jr.
- Commissioner M. Renée Sisk
- Commissioner Steve Tyson

STAFF PRESENT:

- Ray H. Moser, Assistant County Manager
- Richard F. Hemphill, County Finance Officer
- Gwendolyn M. Bryan, Clerk to the Board
- Jim Hicks, County Attorney
- Aaron Arnett, County Attorney's Office

STAFF ABSENT:

- Harold Blizzard, County Manager

Following an invocation by Commissioner Sisk and the Pledge of Allegiance, Commissioner Morris moved to approve the minutes of April 6, 2009 regular session, seconded by Commissioner McCabe and unanimously carried.

CONSENT AGENDA

Budget Amendments

Craven County Finance Officer, Rick Hemphill, submitted the following budget amendments for the Board's approval. Commissioner Sampson moved for their approval, seconded by Commissioner Allen and unanimously carried in a roll call vote.

3140

REVENUES	AMOUNT	EXPENDITURES	AMOUNT
101-3140-336-05-00 Donation	\$2,521.00	101-3140-420-40-50 Contract Employee	\$2,521.00
TOTAL	\$2,521.00	TOTAL	\$2,521.00

Justification: The United Way has approved a request to allocate funds to supplement wages for contract employee working with the Children's Environmental Health Section in Asthma.

Smart Start/Parents as Teachers

101-4242-348-59-00 General State Grant	\$(500.00)	101-4242-420-25-15 Training	\$(500.00)
TOTAL	\$(500.00)	TOTAL	\$(500.00)

Justification: Monies requested to be returned to Smart Start for fiscal budget 2008-2009 budget reduction.

DSS 7211 Income Maintenance

101-7211-349-19-00	\$41,378.00	101-7201-450-40-50	\$41,378.00
IM Staff & Overhead		Contract Employees	
TOTAL	\$41,378.00	TOTAL	\$41,378.00

Justification: New funding from the American Recovery and Reinvestment Act of 2009 (ARRA) providing administrative funds for the Food and Nutrition Services Program. This allocation is for April 9, 2009 thru September 30, 2009. The seconded installment to follow for October 1, 2009 thru September 30, 2010. Funds are for the purpose of hiring contract staff to assist with the increased demand for food assistance. Funds are 100% with no County match required.

Sheriff's/Seized Property

114-2001-377-01-00	\$750.00	114-2001-410-32-40	\$750.00
Forfeiture Fees		Other Supplies	
TOTAL	\$750.00	TOTAL	\$750.00

Justification: To cover the cost of 5 carriers for ballistic panels.

Tax Releases and Refunds

Craven County Tax Administrator, Ronnie Antry, submitted the following tax releases and refunds for the Board's approval. Commissioner Sampson moved for their approval, as requested, seconded by Commissioner Allen and unanimously carried in a roll call vote.

Credits

TAXPAYER NAME	TICKET#	AMOUNT
BUTTS, STEVEN F & MELINDA A MILITARY LES 08/09 ECC 8/21/11 NY	20008-0008116	\$83.36
CROCKRELL, JAMES R BOAT HAS NO TAX SITUS IN COUNTY	2008-0013123	\$149.39
GARRIS, EDNA L CORRECTING APPRAISAL ERROR	2007-0020210	\$2.10
JONES POTTS MUSIC COMPANY INC CORP OUT OF BUSINESS-UNCOLLECTABLE	2002-0026935	\$10.84
OPPENHEIMER, VALENTIN ALVARADO DID NOT OWN 01/01/2008	2008-0090751	\$48.52
QUALITY CABLE & FIBER SERVICES MOBILE HOME UNLIVABLE	2008-0090798	\$113.07
WOOTEN, SHIRLEY H VACANT SINCE 1994	2008-0061985	\$36.00
	7 – CREDIT MEMO (S)	\$443.28

Refunds

BUTTS, STEVEN F & MELINDA A MILITARY LES 08/09 ECC 8/21/11 NY	2006-0007815	\$97.43
--	--------------	---------

BUTTS, STEVEN F & MELINDA A	2007-0007985	\$91.43
MILITARY LES 08/09 ECC 8/21/11 NY		
	2 – REFUND (S)	\$188.86

Health Fee Recommendations

At its meeting of April 13, 2009, the Board of Health recommended the following schedule of adjustments to fees in Dental and Maternity. It is required that charges be equal to or greater than the rates paid by Medicaid and Medicare in order to receive full reimbursement for services. Commissioner Sampson moved to approve the following fee adjustments, seconded by Commissioner Allen and unanimously carried in a roll call vote.

<u>Procedure Code/Description</u>	<u>Medicaid Rate</u>	<u>Proposed Rate</u>
<u>Adult Immunizations</u>		
90716/Varicella (chicken pox vaccine)	\$89.86	\$90.00 (flat fee)

****To become effective April 1, 2009****

Dental Health

D0145/Oral Evaluation<3 yrs>	\$38.07	\$40.00
D0290/Skull/Facial Bone Survey Film	\$47.04	\$48.00
D0330/Panoramic Film	\$62.05	\$63.00
D0470/Diagnostic Tests	\$44.80	\$45.00
D1204/Topical Fluoride-Adult	\$16.80	\$19.00
D2970/Temporary Crown	\$146.34	\$147.00

****To become effective April 14, 2009****

Subdivision for Approval

Craven County Planning Director, Don Baumgardner, submitted the following subdivision for the Board’s approval. Commissioner Sampson moved for its approval, seconded by Commissioner Allen and unanimously carried in a roll call vote.

Hughes Farm – Final: The property, owned by Donald R. Hughes and surveyed by Kendall Gaskins, is located within Twp. 1 off of SR 1441 (Cowpen Landing Road). The subdivision contains 2 lots on 3.07 acres (Lot 2 is off-site septic for Lot 1) and is proposed to be served by community water and an individual off-site septic system.

ABC Commission Resolution

The Board received a request from the Craven County ABC Board for adoption of a resolution expressing concern about House Bill 768 and Senate Bill 839 “An Act to Modernize the North Carolina Alcoholic Beverage Control System.” Commissioner Sampson moved to adopt the following resolution, seconded by Commissioner Allen and unanimously carried in a roll call vote.

A Resolution Supporting Local Control of Local ABC Boards and Opposing Forced Mergers of Local ABC Boards

WHEREAS, the citizens of Craven County voted to permit the sale of spirituous liquor through the establishment of the Craven ABC Board, which is a part of the North Carolina’s state control system; and

WHEREAS, *SB 839/HB 768 -- Modernization of the ABC System* would require all ABC boards in a county to merge, allow the state ABC Commission to merge county-wide boards into regional boards, require the ABC Commission to develop performance standards, allow the ABC Commission to close or merge ABC boards, close ABC stores with low profitability,

contract directly with agency stores for the sale of spirits where ABC stores are authorized but not in operation, and require an ABC board to contract with an agency store; and

WHEREAS, it is a local decision to establish and operate an ABC store, and any decision to merge an ABC Board should be made by the local government based on local circumstances, and not by the state; and

WHEREAS, a local government balances control, profits and availability of spirits in operating ABC stores; and

WHEREAS, the decision by a local government to operate with a low profit margin does not reduce the amount of liquor excise tax received by the state, so the state does not have a financial interest in the profitability of ABC stores; and

WHEREAS, an “agency store” is a private retail seller, and the citizens of Craven County, when voting to permit the operation of ABC stores, did not vote to allow liquor to be sold in such private off-premise retail establishments; and

WHEREAS, sales of liquor may not be well-regulated in agency stores, thereby potentially creating law enforcement and other problems; Craven County desires to retain North Carolina’s control system over the sales of spirits and to continue to make spirits available to its citizens only through its ABC store(s).

NOW THEREFORE, BE IT RESOLVED BY THE Craven County Board of Commissioners that the establishment and operation of the Craven County ABC store(s) through the control system should be a local decision and that the Board, opposes any state mandate to merge ABC Boards, mandate the merger or closing of ABC stores and opposes the establishment of agency stores.

Adopted this the 20th day of April, 2009.

Request to Set CARTS Public Hearing

The Board received a request from CARTS Director, Phyllis Toler, to set a public hearing for May 4 to receive public comment on an application for funding with the American Recovery and Reinvestment Act of 2009. Commissioner Sampson moved to set a public hearing for May 4 at 7:00 p.m., as requested, seconded by Commissioner Allen and unanimously carried in a roll call vote.

Request for FY 2010 Criminal Justice Partnership Program Confirmation

The Board was request to officially confirm that they plan to be a part of the Criminal Justice Partnership Program for Fiscal Year 2010, as required by the application. The funding request/application for this fully funded grant was previously signed March 26, 2009. Commissioner Sampson moved to confirm that the Board of Commissioners plans to be a part of the Criminal Justice Partnership Program for Fiscal Year 2010, seconded by Commissioner Allen and unanimously carried in a roll call vote.

**JUVENILE CRIME PREVENTION COUNCIL FUNDING
RECOMMENDATIONS**

Mr. Robert Keeter, Chairman of the Funding and Review Committee of the Juvenile Crime Prevention Council (JCPC), presented a request for approval of the JCPC funded programs for the 09-10 fiscal year. A request for proposals was advertised in the paper and programs were asked to submit proposals to the Committee. The anticipated funding of \$249,210 was unanimously approved by the JCPC on Monday, April 13. Once the Council receives the exact funding amount from the State, any unallocated funds will be reviewed by the Funding and Review Committee. If needed, an additional request for proposals will be advertised to fund gaps in the service and/or to allow existing programs to request additional funding. Mr. Keeter stated that he was anticipating a 7% reduction from the state. Commissioner Tyson inquired if this will be discussed during budget sessions and Commissioner Jones responded that it was all state funding and no County funds were involved. Commissioner Sampson moved to approve the following funding

recommendations, as requested, seconded by Commissioner Morris and unanimously carried.

<u>NEEDED PROGRAMS</u>	<u>RECOMMENDATION</u>
Restitution/Community Service	\$ 56,475.00
Community Day – Structured Day	\$ 90,000.00
Interpersonal Skills Service	\$ 56,140.00
Teen Court Services	\$ 15,662.00
JCPC	\$ 3,200.00
*Anticipated unallocated funds	\$ 27,733.00
Totals	\$248,210.00

APPOINTMENTS

NC 20

The Board was advised of a need to designate a Board member for an appointment to the NC 20. Commissioner Sisk volunteered for this vacancy. There being no other nominations, Commissioner Sisk was appointed by acclamation.

Havelock Board of Adjustment

The Board was advised of the resignation of Cathy Ziegler from the Havelock Board of Adjustment as an extraterritorial alternate. Commissioner Allen requested that this appointment be deferred.

Upcoming Appointments – May

The Board was advised that the terms will expire in May on the Regional Aging Advisory Committee (Ethel Staten and Myrtle West) and the Craven Regional Medical Authority (Milt Gold and Barbara Lee). Commissioner McCabe nominated Virginia Gaddy to the Regional Advisory Committee. There being no other nominees, Ms. Gaddy was appointed by acclamation. All other appointments were deferred until the Board’s next meeting.

Craven County Agricultural Advisory Board

The following list of recommended appointees to the Craven County Agricultural Advisory Board were presented to the Board. There were no other nominees, and the list was appointed by acclamation.

<u>Township Name & Number</u>	<u>Candidate</u>	<u>Description/Comments</u>
Township 1, Vanceboro	Jackie Anderson 1660 Hwy 43 Vanceboro, NC 28586 244-0037	Large Scale Field Crop & Tobacco Production
Township 2, Hwy 17 N, Cayton, Fairfield Harbor	Wyatt Whitford, Jr. 170 High Bridge Road Ernul, NC 28527 638-5119	Large Scale Field Crop Production

Township 3, Cove City-West Dale Dawson Wintergreen Rd, Dover, Ft. Barnwell	393 Prentiss Riggs Rd Cove City, NC 28523 633-6932	Medium Scale Field Crop & Tobacco Production
Township 5, Havelock, Adams Creek	Patrick Pritchard 136 Murray Davis Rd. Havelock, NC 28532 444-6101	Small Field Crop Prod.
Township 6, Hwy 70 E, Riverdale	John T. "Curly" Brazelton 1000 Sunset Drive Havelock, NC 28532 447-5272	Small Farmer – Animals
Township 7, James City	Jimmy Arthur 1109 Brices Creek Rd New Bern, NC 28562 637-5960	Field Crop & Animal (cattle) Production
Township 8, New Bern, Trent Woods	Glenn Ipock 550 Ipock Lane New Bern, NC 28562 638-6789	Medium Scale Field Crop Prod. & Animals (cattle)
Township 9, Jasper, Cove City-East	David Parker 2755 Hwy 55 W New Bern, NC 28562 633-5326	Large Scale Field Crop & Tobacco Production
Craven County Soil & Water Appointment	Dietrich Kilpatrick 10900 Hwy 55 N Dover, NC 28526 527-4051	Large Scale Field Crop Prod.

COUNTY MANAGER’S REPORT

County Manager, Harold Blizzard, reported on a request received by the Sheriff’s Department to purchase a transport vehicle to transport inmates from Clarks Road to the Courthouse, and authorization to apply for the Edward Byrne Memorial Justice Assistance Grant to fund the purchase of the 2009 Chevrolet 550 Prisoner Transport Vehicle. The Sheriff requested scheduling of a public hearing on the grant application, as required by federal law. He stated that the eligible amount of the grant is \$81,595. The vehicle cost is \$89,997, with remaining balance of cost to come from the jail project fund. Commissioner Allen moved to set a public hearing for 7:00 p.m. on May 4 and to authorize the grant application, seconded by Commissioner Morris and unanimously carried.

COMMISSIONERS’ REPORTS

Commissioner Sisk congratulated Havelock on recognitions for military personnel. She also commented on the beauty of Craven County in springtime.

Commissioner Morris congratulated the City of New Bern for receipt of an award for electrical services. He solicited the public’s support for influencing several bills before the General Assembly: 1) secondary roads responsibility shifted to counties; and 2) ABC Board authority shifted to the state. He compared Craven County’s legislative representation to that of larger counties, and stated that in order to gain any leverage, it would be necessary to contact all legislators, not just Craven County’s legislative delegation. He announced a golf tournament taking place at River Bend on May 23 to benefit the West Craven High School Athletic Association.

Commissioner Tyson announced road work in the Brices Creek area on Madam Moore's Lane from Howell Road to Brices Creek Road to widen the road by 4 feet. Completion is scheduled for 2009, but he is expressed doubts that it will be completed by then.

Commissioner Sampson commented that the nine-County Workforce Development is receiving \$2.7 million from the American Recovery and Reinvestment Act (ARRA) for assistance in retraining workers. He announced DUFFEST taking place on May 2, and encouraged attendance.

Commissioner Allen stated the Wounded Warrior Program benefited from a fundraiser conducted by the Havelock Community Band. He commented that the appearance of the County, especially cleanliness, is improving. He stated that several critical bills are in the General Assembly relative to the following issues:

- Euthanesia
- Secondary Roads
- Coastal Insurance

Commissioner McCabe stated that he received an invitation for Commissioners and staff to attend the birthday celebration of Melinda Miller Harris at 2:00 p.m. at the Good Shepherd Home. He expressed appreciation to D.O.T. for Blades Road, Temples Point Road and Pine Cliff Road improvements. He announced that NC101 is scheduled to be paved in June or July and is looking for funding for a turning lane at NC 101 and Temples Point Road.

Commissioner Sampson moved that a resolution be done by the Board for Mrs. Harris, seconded by Commissioner Allen and unanimously carried.

Commissioner Jones announced that D.O.T. has advised that improvements on Hwy 55 West will be finished in 2009. He stated that he has had calls from citizens regarding water cut-offs during these economic times. He asked Rusty Hayes to come before the Board at the next meeting to explain the process. He also reported on his presentation at New Bern Rotary last week. He commented that Betty Rhem killed the first turkey on her farm last week.

At 9:07 a.m. the Board recessed to reconvene at Cooperative Extension at 11:30 a.m.

The Board reconvened at Cooperative Extension at 11:30 a.m. and received the annual program reports. At 12:30 p.m. The Board adjourned by motion of Commissioner Allen.

Chairman Jason R. Jones
Craven County Board of Commissioners

Gwendolyn M. Bryan
Clerk to the Board