

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, JULY 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 Johnnie Sampson, Jr.
- Commissioner M. Renée Sisk
- Commissioner Steve Tyson

MEMBERS ABSENT:

- Commissioner Perry L. Morris

STAFF PRESENT:

- Harold Blizzard, County Manager
- Ray H. Moser, Assistant County Manager
- Gwendolyn M. Bryan, Clerk to the Board
- Jim Hicks, County Attorney
- Aaron Arnett, County Attorney's office

STAFF ABSENT:

- Richard F. Hemphill, County Finance Officer

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

CONSENT AGENDA

Budget Amendments

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

Cooperative Ext – VAD

REVENUES	AMOUNT	EXPENDITURES	AMOUNT
101-4204-348-27-00 NC State	\$6,195.00	101-4204-420-20-00 Postage	\$420.00
		101-4204-420-24-0 Meeting Exp	\$1,500.00
		101-4204-420-32-30 Signs	\$3,500.00
		101-4204-420-32-40 Other Supplies	\$775.00
TOTAL	\$6,195.00	TOTAL	\$6,195.00

Justification: Budget state grant for Voluntary Agricultural District (VAD) carried over from 2008-2009.

DSS 7201 Admin

101-7211-349-19-00 Inc Maint Staff & Ovhd	\$23,981.00	101-7201-450-40-50 Contractual Employee	\$23,981.00
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TOTAL	\$23,981.00	TOTAL	\$23,981.00
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Justification: Roll forward unspent funds received from the ARRA Food Nutrition Services funding received in May. Funds are used for three temporary employees thru Vanguard to assist with increased case loads in the Food Stamp (Food Nutrition Services) Division. Funds are 100% reimbursed, no County match.

DSS 7291 Mandated

101-7291-349-32-00	\$(125,647.00)	101-7291-450-23-04	\$(125,647.00)
Energy CIP, CP&L		Energy CIP	
TOTAL	\$(125,647.00)	TOTAL	\$(125,647.00)

Justification: Initial allocation has been received for the Crisis Intervention Program less than budgeted amount. There is no County match, funds are 100% federal.

Convention Center

101-0000-399-01-00	\$(13,830.00)	101-8201-430-96-58	\$(18,330.00)
Fund Balance		Gov cnf tourism	
		101-8201-430-96-64	\$4,500.00
		Cnv cntr 300 th anniversary	
TOTAL	\$(13,830.00)	TOTAL	\$(13,830.00)

Justification: Portion of governor’s conf tourism spent FY 09. Only needed to budget unspent balance of \$21,670 instead of \$40,000 originally budgeted. Should have been budgeted \$64,500, unspent balance for 300th anniversary, only budgeted \$60,000.

Tax Releases and Refunds

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

Credits

TAXPAYER NAME	TICKET #	AMOUNT
GARCIA, JOSE ALFREDO & SANDRA REBILLED FOR CORRECT TOWNSHIP	2008-0020465	\$9.58
HART, CHRISTY CAROL DID NOT OWN IN 2008	2008-0025111	\$372.22
HART, CHRISTY CAROL DID NOT OWN IN 2007	2007-0024677	\$417.22
HART CHRISTY CAROL DID NOT OWN IN 2008	2008-0025110	\$82.70
HART, CHRISTY CAROL DID NOT OWN IN 2007	2007-0024676	\$86.78
SHAFFER, WILLIAM & ELIZABETH P REPOSSESSED IN 2001	2002-0044811	\$466.63
SHAFFER, WILLIAM & ELIZABETH P REPOSSESSED IN 2001	2003-0045208	\$408.51

SHAFFER, WILLIAM & ELIZABETH P REPOSSESSED IN 2001	2004-0045729	\$367.28
SHAFFER, WILLIAM & ELIZABETH P REPOSSESSED IN 2001	2005-0047115	\$355.91
SHAFFER, WILLIAM & ELIZABETH P REPOSSESSED IN 2001	2006-0047746	\$317.25
SHAFFER, WILLIAM & ELIZABETH P REPOSSESSED IN 2001	2007-0049310	\$286.14
SHAFFER, WILLIAM & ELIZABETH P REPOSSESSED IN 2001	2008-0091769	\$254.50
UZZEL, PARKER DID NOT OWN IN 2008	2008-0091896	\$128.03
WETHERINGTON, CHRISTOPHER DOUBLE BILLED SEE ACCT # 59396	2006-0091833	\$55.07
WETHERINGTON, CHRISTOPHER DOUBLE BILLED SEE ACCT #59396	2007-0058271	\$48.69
WETHERINGTON, CHRISTOPHER DOUBLE BILLED SEE ACCT # 59396	2008-0091965	\$43.09
	16 – CREDIT MEMO(S)	\$3,699.60

Refunds

GARCIA, JOSE ALFREDO & SANDRA BOAT NOT IN TOWN OF BRIDGETON	2006-0019444	\$4.21
GARCIA, JOSE ALFREDO & SANDRA BOAT NOT IN TOWN OF BRIDGETON	2005-0019305	\$4.64
GARCIA, JOSE ALFREDO & SANDRA BOAT NOT IN TOWN OF BRIDGETON	2004-0018538	\$4.81
GARCIA, JOSE ALFREDO & SANDRA BOAT NOT IN TOWN OF BRIDGETON	2007-0019997	\$4.35
	4 – REFUND (S)	\$18.01

Request to Set Public Hearing for FY 09 CDBG-CR

The Planning staff requested to set a public hearing for August 3, 2009 at 7:00 p.m. to hear citizen comments on the FY 2009 CDBG-CR application which is funded by the NC Division of Community Assistance. The grant is for housing and infrastructure in the James City community and is for \$750,000. Commissioner Sisk moved to set a public hearing for August 3, 2009 at 7:00 p.m. for FY 09 CDBG-CR, as requested, seconded by Commissioner Tyson and unanimously carried in a roll call vote.

RECOGNITION FOR CERTIFICATE OF ACHIEVEMENT IN FINANCIAL REPORTING (CAFR)

The Chairman presented the Certificate of Achievement for Excellence in Financial Reporting to Assistant Finance Officer, Aletta Brown, and the Finance Department personnel for the fiscal year ended June 30, 2008. This award is the highest recognition given for governmental financial accounting and reporting and is conferred by the Government Finance Officers Association of the United States and Canada.

**SECOND PUBLIC HEARING FOR FY 2009 CDBG SCATTERED SITE
HOUSING GRANT**

At 8:45 a.m. Commissioner Allen moved to open the second public hearing, as advertised, seconded by Commissioner Sampson to hear citizen comments related to the County's intention to apply for a FY 2009 CDBG Scattered Site Housing Grant, which is funded by the NC Division of Community Assistance. The total grant amount for the County's FY 2009 CDBG-SS program will be \$400,000. Dale Holland of Holland Consulting Planners introduced the public hearing. He explained that the NC Division of Community Assistance has, since 1993, allocated block grants on a rotating cycle, one-third of counties each year. Craven County received funds in 2003 and 2006. Grants must be used for housing assistance, based on needs, throughout the County, including municipalities. As of May, there were 51 potentially eligible recipients on the list. Notices were sent out to all, with pre-application statements of interest responses received back from 21 by the June 26 deadline. Based on an objective evaluation of the criteria, the following six potential recipients were selected:

- 1) Willie Whitehead, Vanceboro
- 2) Mary Harris, New Bern
- 3) Gloria Lewis, New Bern
- 4) Patty Murrell, Cove City
- 5) Jessie Elliot, Havelock
- 6) Isaiah Carter, Havelock

Minnie Coward of Vanceboro and Betty Johnson of Havelock were chosen as alternates.

Bernard George spoke representing the New Bern Planning Department. He stated that the City had not received its letter regarding the application until July 14, which was very close to the deadline for responding, and the close deadline effectively eliminated New Bern from the process. He advised the Board that the City and County planners had reached agreement on the following points during a meeting held on July 17: 1) municipalities should be brought in earlier in the process; 2) the waiting list of applicants needs to be updated; 3) priority should be given to the oldest listing, based on the earliest sign-up date; 4) municipalities should be given an opportunity to participate in development of the application, and 5) letters should be mailed to chief elected officials of municipalities. At 8:49 a.m. Commissioner Allen moved to close the public hearing, seconded by Commissioner McCabe and unanimously carried.

Commissioner Sisk expressed concern about City and County Planners' agreement that priority be given to the oldest entries on the waiting list, rather than those in greatest need. Commissioner Sampson responded that all residences are in very bad condition to be eligible.

Mr. Holland indicated that staff will begin developing an updated, ongoing eligibility list.

**PUBLIC HEARING ON THE CRAVEN COUNTY CAMA CORE LAND USE
PLAN**

At 9:08 a.m. Commissioner Sampson moved to open the public hearing, as advertised, seconded by Commissioner McCabe to hear citizen comments regarding the County's CAMA plan. This plan has been approved by the Planning Board, and it was recommended that the plan be submitted to the Commissioners for approval. Dale Holland provided background on the plan update, which began in January 2007. The Planning Board has since conducted upwards of twelve public information meetings.

Commissioner Allen recommended moving forward with the public hearing and to defer action until the next meeting. It was the consensus of the Board to proceed with this recommendation.

The following citizens spoke:

Mr. Charlie Simmons, 2218 Tuscarora Road, New Bern, inquired what CAMA stood for.

At 9:10 a.m. Commissioner Sisk moved to close the public hearing, seconded by Commissioner McCabe. The Chairman asked Mr. Holland to explain what CAMA means. By consensus, consideration on the plan was deferred until the Board's next meeting.

ZONING WORK SESSION FOLLOW-UP

Jason Frederick of the Planning Department explained basics of the proposed Township 6 and 7 Highway 70 Corridor Zoning Ordinance. The ordinance would prevent extension of municipalities' ETJ, but not annexation. Dale Holland explained temporary uses and non-conformity, stating that the proposed ordinance is a permissive ordinance. If the ordinance does not state that an activity is permitted, then it is not allowed. Current non-conforming uses will be grandfathered. County Attorney, Jim Hicks, stated that there will be three zoning ordinances and he suggested consolidation of the three to simplify the Board of Adjustment's function, as opposed to three separate boards. He advised the Board of requirements for a board of adjustment, as follows:

- Five-member minimum
- One member needed from each of the affected areas; remainder from other areas
- Alternates needed

Planning Director, Don Baumgardner, stated that the document, as originally adopted, would be for three separate ordinances, due to their dissimilarity, with the possibility of consolidating them at a later time.

The Board reached consensus to set a public information meeting for 7:00 p.m. on July 30 at Brinson School.

At 9:50 a.m. the Board was declared in recess.

At 10:02 a.m. the Board reconvened in regular session.

BOARD OF EDUCATION REQUEST

Superintendent of Craven County Schools, Larry Moser, presented zero percent/low interest construction bond information concerning an allocation received of \$2.1 million from ARRA stimulus funds. He emphasized that the funds must be used for new construction or improvements, but can not be used for land acquisition for future projects. If the funds are accessed, the Board of Education proposes utilizing the funds for roofs on existing buildings. The purpose is to make the Board aware of the allocation, and discussion of options. It was the consensus of the Board not to pursue an application for these funds, because there is no secure revenue stream for repaying the bonds, even at 0% interest.

MILITARY GROWTH TASK FORCE DRAFT PLAN

Interim Executive Director for the Military Growth Task Force, Jay Bender, presented the draft of the Regional Growth Management Plan, along with a request that the Board review and comment prior to final publication. The final plan is due by the end of September. He stated that he will come back before the Board if they have any questions.

PRESENTATION OF 10-YEAR SOLID WASTE PLAN

Bobbi Waters, Solid Waste Planner/Outreach Coordinator, presented a three-year update to the 10-Year Plan for three counties and 28 municipalities, stating that it does not reflect much change. Craven County was asked for a 10% reduction versus the current year's 7 ½%. Pamlico County has adopted a resolution approving the plan. Commissioner Allen commented that Havelock's new trash plan takes away some of the

incentive for recycling, because of the acceptable volume. As of October 1, 2009, rigid plastic bottles, intact wooden pallets and oil filters will not be accepted at the landfill. Pallets can be broken up and accepted. Convenience centers will make provisions to accept oil filters.

APPOINTMENT FOR AUGUST – NEW BERN BOARD OF ADJUSTMENT

The Board was advised that the term of Doris Foy as an extraterritorial member on the New Bern Board of Adjustment will expire in August. It was the consensus of the Board to consider an appointment to this board on the next agenda.

COMMISSIONERS' REPORTS

Commissioner Sisk stated that she has received several complaints about leaking garbage trucks on Country Club Road, Stafford Road and Gatewood Drive in River Bend.

Commissioner Tyson urged Commissioners and citizens to attend the July 30 public information meeting on zoning along the Highway 70 corridor.

Commissioner Sampson noted that gas prices are decreasing, but slowly.

Commissioner Allen stated that he had attended the National Boards of Health Conference the first of July.

Commissioner McCabe announced that he had attended the Vanceboro ABC store opening, along with Commissioner Morris. He also stated that DOT continues work on Hwy 101 and Ferry Road.

Commissioner Jones stated that he and Commissioner McCabe had met with John Jenkins regarding his complaints at the last meeting, and they agreed to write a letter to DOT regarding the drainage issue.

CLOSED SESSION

At 10:50 a.m. Commissioner McCabe moved to go into closed session concerning potential litigation, pursuant to NCGS 143-318.11 (a) (3), seconded by Commissioner Allen and unanimously carried.

At 11:22 a.m. the Board returned to regular session. County Attorney, Jim Hicks, announced that the Board had discussed the recent issue concerning Children's Castle Day Care, which was recently reported, under the attorney/client privilege. The Board reported that no action had been taken.

At 11:23 a.m. Commissioner Sisk moved to adjourn, seconded by Commissioner McCabe and unanimously carried.

Chairman Jason R. Jones
Craven County Board of Commissioners

Gwendolyn M. Bryan, Clerk to the Board