

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, MARCH 1, 2010. THE MEETING CONVENED AT 7:00 P.M.

MEMBERS PRESENT:

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

STAFF PRESENT:

- Harold Blizzard, County Manager
- Richard F. Hemphill, County Finance Officer
- Gwendolyn M. Bryan, Clerk to the Board
- Jim Hicks, County Attorney
- Aaron Arnette, County Attorney's Office

Following an invocation by Commissioner Sampson and the Pledge of Allegiance, Commissioner Sisk moved to approve minutes of February 15, 2010 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 McCabe and unanimously carried in a roll call vote.

Sheriff – Retirees

REVENUES	AMOUNT	EXPENDITURES	AMOUNT
101-0000-399-01-00	\$2,952.00	101-2004-410-10-23	\$2,020.00
Fund Balance		Retirees	
		101-2004-410-11-01	\$ 932.00
		FICA	
TOTAL	\$2,952.00	TOTAL	\$2,952.00

Justification: Sheriff Dept employee retired 01/01/10 – need to budget supplemental retirement for remainder of fiscal year.

Health/Home Health

101-6500-371-01-00	\$78,180.00	101-6500-440-40-20	\$78,180.00
H/H Medicare		Therapists	
TOTAL	\$78,180.00	TOTAL	\$78,180.00

Justification: During this FY, health therapy visits have increased by 18%. FY 2009-2010 is budgeted at \$900,000. For the past three months, the therapist line is averaging \$14,000/month. As of today, the line has only \$18,354 remaining. The department is requesting that the line be increased by \$78,180 in order to finish out year end.

Transportation/Grant

101-7024-348-21-00	\$35,521.00	101-7024-450-39-25	\$35,521.00
EHTAP-State Grant		Co System Transportation (EDTAP)	
101-7026-348-26-00	\$50,917.00	101-7026-450-39-25	\$50,917.00
Craven Gen Transportation (RGP)		Co System Transportation (RGP)	
101-7026-348-34-00	\$23,143.00	101-7026-450-39-50	\$23,143.00
Jones Co Transportation (RGP)		Jones Co Transportation (RGP)	
101-7026-348-43-00	\$23,906.00	101-7026-450-39-51	\$23,906.00
Pamlico Co Transportation (RGP)		Pamlico Co Transportation (RGP)	
101-7026-349-11-00	\$17,574.00	101-7028-450-39-25	\$17,574.00
DOT Trans-Work First (EMP)		Co System Transportation (EMP)	
101-7028-348-34-00	\$ 2,686.00	101-7028-450-39-50	\$ 2,686.00
Jones Co Transportation (EMP)		Jones Co Transportation (EMP)	
101-7028-348-43-00	\$ 3,785.00	101-7028-450-39-51	\$ 3,785.00
Pamlico Co Transportation (EMP)		Pamlico Co Transportation (EMP)	
TOTAL	\$157,532.00	TOTAL	\$157,532.00

Justification: FY 2010 ROAP funds were more than projected due to supplemental funding for Craven, Jones & Pamlico Counties.

DSS 7291 Mandated

101-7291-349-32-00	\$102,716.00	101-7291-450-23-04	\$102,716.00
Energy CIP, CP&L		Energy CIP	
TOTAL	\$102,716.00	TOTAL	\$102,716.00

Justification: Additional funding received for the Crisis Intervention Program (CIP). There is no County match and funds are 100% federal.

DSS 7291 Mandated

101-7291-349-42-00	\$36.00	101-7291-450-23-42	\$36.00
Share the Warmth		Share the Warmth	
TOTAL	\$36.00	TOTAL	\$36.00

Justification: Additional allocation has been received for the Share the Warmth Program. Funds are 100%, no County match required.

Sheriff's – Seized Property

114-0000-399-01-00	\$1,000.00	114-2011-410-22-00	\$1,000.00
		Telephone	
TOTAL	\$1,000.00	TOTAL	\$1,000.00

Justification: To cover line item shortage and provide for continuous cell phone and DSL services for our agency.

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, seconded by Commissioner McCabe and unanimously carried in a roll call vote.

Credits

TAXPAYER NAME	TICKET#	AMOUNT
ALVAREZ, FANNY SOLEDAD CLERICAL ERROR	2009-0000909	\$33.78
BECK, SONNY SOLD BOAT IN 2008	2009-0003718	\$45.76
BOWDEN, BILLY ANDREW JR DOUBLE BILLED-SEE ACCT #1317585	2010-0090099	\$72.00
BUTLER, DEBORAH S DOUBLE LISTED SEE ACCT #69024	2009-0008132	\$27.34
CALVARY MOBILE HOMES INC UNCOLLECTABLE	2000-0007376	\$311.80
CALVARY MOBILE HOMES INC UNCOLLECTABLE	2001-0007443	\$314.25
CHAPPELL, ERNEST WAYNE PROPERTY SOLD 2007	2009-0091362	\$33.21
DANIELS, EDWIN H SR & EDWIN H MIL ½ VAL LES 09 EDD-6/30/2009 FL	2009-0013759	\$35.38
FIDELITY NATIONAL CAPITAL INC DOUBLE BILLED COUNTY-OWES CITY	2010-0090101	\$52.84
FRAZIER, BARRY B & VERONICA H DID NOT OWN 1/1/2009	2009-0019788	\$61.08
FREDERICK, LYNDA DEWITT DID NOT OWN 1/1/09	2009-0019911	\$57.56
GODETTE, RANDY & JOYCE UNOCCUPIED SINCE 1994	2009-0022106	\$36.99
HARBORSIDE 17 PARTNERS LLC ANNEXED 12/8/09 – OWES NO COUNTY	2010-0090105	\$422.76
JAPHET, KIMBERLY A DID NOT OWN 1/1/2003	2003-0026291	\$50.16
JASINSKI, CHRISTOPHER RELEASED TO PAMLICO COUNTY	2009-0091256	\$660.95
KOLANCHICK, TERUKO RELEASED TO PAMLICO COUNTY	2009-0031621	\$41.13
KOLANCHICK, TERUKO RELEASED TO PAMLICO COUNTY	2009-0090024	\$200.59
LABRA, MARTIN CELIS & EVA LUZ DOUBLE LISTED SEE ACCT #72082	2008-0032637	\$89.28
LABRA, MARTIN CELIS & EVA LUZ DOUBLE LISTED SEE ACCT #72082	2007-0032079	\$99.31

LAUGHINGHOUSE, SHERYL ANN MH LEFT COUNTY BEFORE 7/1/09	2009-0033294	\$36.00
LEWIS, TIMOTHY L APPRAISAL ERROR	2010-0090106	\$78.06
MCCUNE, RICHARD SITUS NOT IN CRAVEN COUNTY	2009-0091278	\$528.12
MCNEAL, MICHAEL K & ADURA E CORRECTION FROM 2/15/2010	2009-0038008	\$.01
NAUTI-PAWS PET BOUTIQUE & BAKE CORRECTED TMA DISCOVERY	2009-0091521	\$161.67
PADGETT, LENORA MOORE DID NOT OWN 1/1/2000	2000-0037495	\$24.62
PADGETT, LENORA MOORE DID NOT OWN 1/1/2001	2001-0037846	\$25.16
PADGETT, LENORA MOORE DID NOT OWN 1/1/2002	2002-0038370	\$30.39
PADGETT, LENORA MOORE DID NOT OWN 1/1/2003	2003-0038665	\$27.67
PADGETT, LENORA MOORE DID NOT OWN 1/1/2004	2004-0039202	\$26.11
PADGETT, LENORA MOORE DID NOT OWN 1/1/2005	2005-0040380	\$104.89
PADGETT, LENORA MOORE DID NOT OWN 1/1/2006	2006-0041036	\$98.03
PADGETT, LENORA MOORE DID NOT OWN 1/1/2007	2007-0042397	\$91.78
PADGETT, LENORA MOORE DID NOT OWN 1/1/2008	2008-0042975	\$84.94
PADGETT, LENORA MOORE DID NOT OWN 1/1/2009	2009-0043323	\$75.13
PETERSON, GEORGE RELEASED TO CARTERET COUNTY	2009-0044465	\$10.67
PLANTATION HARBOR PROPERTY O CORRECTING APPRAISAL ERROR	2009-0045008	\$425.69
SANDLIN, WOODROW CLERICAL ERROR	2009-0091313	\$170.89
SPRINGSTON, JAMES N & CYNTHIA MAPPING ERROR	2009-0052885	\$24.30
SYKES, RUBY R OUT OF BUSINESS 2008	2009-0090885	\$39.95
TURNDELL INC BUSINESS CLOSED IN 2007	2009-0090932	\$63.14

UMBA, DENNIS W CLERICAL ERROR	2006-0054242	\$21.02
TOTAL		\$4,794.41

Refund

HARBORSIDE 17 PARTNERS LLC ANNEXED TO TOWN OF BRIDGETON ½ YR	2009-0024173	\$24.26
	1 – REFUND	\$24.26

CDBG Septic Tank Awards

The Planning Department received bids from four contractors for the CDBG Septic Tank project and requested that the bid be awarded to the low bidder, M&C Septic, in the following amounts: \$2,800 – Andrea Carter, 1630 Temples Point Rd., and \$3,500 – James Allen Richards Heirs, 1685 Temples Point Road. Commissioner Sampson moved to award the bid to the low bidder, M&C Septic, as requested, seconded by Commissioner McCabe and unanimously carried in a roll call vote.

Area Service Person of the Quarter

The Board was requested to adopt a resolution recognizing Sergeant Angie Fike as Area Service Person of the Quarter. Commissioner Sampson moved to adopt the following resolution, seconded by Commissioner McCabe and unanimously carried in a roll call vote.

**RESOLUTION
RECOGNIZING SERGEANT ANGIE FIKE
AS
AREA SERVICE PERSON OF THE QUARTER**

WHEREAS, Sergeant Angie Fike, joined the Marine Transport Squadron One aboard MCAS, Cherry Point, on December 2, 2008, where she serves as Collateral Duty Inspector for the two C-9B aircraft; and

WHEREAS, during her two tours of duty in Iraq, she participated in Iraqi Freedom by assisting in maintaining nine KC-130J aircraft and became a Brown Belt MCMAP instructor, training Marines regularly in the program on duty and in her off time as well; and

WHEREAS, on January 20, 2010, Sergeant Fike represented herself and the squadron at VMR-1’s NCO of the Quarter Board, earning her a position to compete for NCO of the Quarter where she won and was appointed the NCO of the Quarter at the Air Station level; and

WHEREAS, in addition to her daily duties and tasks as a Marine, Sergeant Fike devotes her free time to furthering her education, assisting the homeless and helping with the March of Dimes and St. Jude’s Children’s Research Hospital, and is currently enrolled at Park University, where she is focusing on earning a Bachelor’s Degree in Social Psychology.

NOW, THEREFORE, BE IT RESOLVED that the Craven County Board of Commissioners recognizes Sergeant Angie Fike for the outstanding example she exhibits towards her peers and fellow Marines.

BE IT FURTHER RESOLVED that the Craven County Board of Commissioners congratulates her on being selected Area Service Person of the Quarter.

Adopted this the 1st day of March, 2010.

**7:00 P.M. PUBLIC HEARING – CARTS COMMUNITY
TRANSPORTATION PROGRAM GRANT**

A required public hearing was held for the annual application for the Community Transportation Program grant. CARTS Director, Phyllis Toler, reported on what equipment CARTS has been able to acquire and services provided with grant funds previously awarded, and explained various service routes. She stated that the total grant application is for \$670,105, with a \$118,483 required local match, to be generated by CARTS, and which would not be requiring any County funds. At 7:10 p.m. Commissioner Sampson moved to go into public hearing, seconded by Commissioner Jones, and unanimously carried.

The Chairman invited comments from the public.

Mr. Bill Joyner of Trent Woods asked if CARTS is required to publish its ads in English and Spanish or if it is being done as a consideration. Ms. Toler responded that it is a requirement to publish the ads in English and the most widely spoken second language in the area, which is Spanish in this area. There were no other members of the public who wished to speak, and at 7:12 p.m. Commissioner Sampson moved to close the public hearing, seconded by Commissioner McCabe and unanimously carried. Commissioner Sampson moved to adopt a resolution approving the grant application, seconded by Commissioner McCabe and unanimously carried.

7:00 P.M. PUBLIC HEARING – CONDITIONAL USE PERMIT

A public hearing was set for March 1, 2010 at 7:00 p.m. to hear comments regarding a conditional use permit for the parcel located at 983 US Hwy 70 E. in the Trent East Shopping Center. The property is owned by Trent Development Group Partners and the current use is a vacant existing commercial unit. The zoning designation of the property is in the airport development-mix use zone and the proposed use is commercial for East Carolina Pool & Spa. Plans have been reviewed and approved by the Coastal Carolina Regional Airport Director and staff; and the Planning Board recommended approval of this requested use, inasmuch as the Planning staff did not perceive any inconsistencies in the request. At 7:20 p.m. Commissioner Sampson moved to go into public hearing, seconded by Commissioner Tyson. There were no citizens from the public who wished to speak and at 7:21 p.m. Commissioner Allen moved to close the public hearing, seconded by Commissioner McCabe and unanimously carried. Commissioner Tyson moved to approve the conditional use permit for the parcel located at 983 US Hwy 70 E. in the Trent East Shopping Center, seconded by Commissioner Jones and unanimously carried.

PETITIONS OF CITIZENS

Janet Lamb requested to speak before the Board about New Bern's First Night but was not present.

George Wetherington spoke to the Board concerning the right to pray. He cited Section 13 of the North Carolina Constitution in support of the Board's right to continue including an invocation at meetings.

Victor Jones, Reference Librarian in the Kellenberger Room at the New Bern Craven County Library, spoke to the Board concerning his research on the World War I Monument located on the Courthouse grounds. He expressed concerns about names that were omitted, stating that in 2004 the Kellenberger staff, sorting through obituaries from 1917-1919, discovered approximately twenty names missing from the memorial. He asked that the Board consider adding some of the twenty names that are deemed appropriate. Staff was asked to follow-up with research and recommendations.

Dorothy Fornes did not appear; however, Chairman briefed the Board on her community's efforts to get the County to advance funds to help bring Willis Landing Road up to State standard, as was done with residents of Neuse Harbour, in order to have the State take it over.

Charlie Simmons addressed the Board about taxes, speaking on behalf of the Tuscarora-Rhems community. He stated that area residents met with Ronnie Antry, Tax Administrator, on February 6 and expressed opposition to a tax increase due to drastic increases in other expenses during these tough economic times.

The Chairman stated that two more petitioners requested to speak if there was no objection from the Board. There was no objection from the Board.

Craig Hearne stated that he has been looking for someone to swap properties with Croatan Church in Township 7. He stated that in doing so, he has learned that the property is not worth what the church paid for it because of building restrictions. He stated that the Non-Denominational Pentecostal Church located nearby in the same zone, obtained a building permit in November 2009 for an addition. Commissioner Tyson stated that the Non Denominational Church decreased the footprint of the original building and there is now less square footage. The renovated building is no more non-conforming than the original structure. Mr. Hearne was advised that the next step would be to go before the Zoning Board of Adjustment. Planning Director, Don Baumgardner, explained permissible non-conforming use, such as in the case of the Non-Denominational Pentecostal Church. Commissioner Jones asked that the Board go into closed session to discuss the issue further and receive direction from Counsel. County Attorney, Jim Hicks, clarified that this Board would not be involved in the zoning decision. The Zoning Board of Adjustment is the body that is charged with interpreting application of the County's ordinance.

Ralph Potter announced that he attended the Kinston Transportation Improvement Plan (TIP) meeting last week and found the original plans for I-40 as a strategic corridor to go to Morehead from Raleigh. He is seeking cooperation from County staff on developing paperwork to follow through on efforts to create an interstate to Morehead.

Chairman Morris re-iterated the policy for getting on the agenda in a timely manner.

Commissioner Sampson recognized New Bern Alderman, Bernard White, who was in attendance, as well as the Interdenominational Ministerial Alliance in attendance to support prayer at the beginning of the meeting. Commissioner Tyson recognized Bill Joyner, Trent Woods Councilman.

GIRL SCOUT WEEK PROCLAMATION

The Board was requested to adopt a proclamation in observance of Girl Scout week. Commissioner Tyson moved to adopt the following proclamation, which was read by Commissioner Allen. The motion was seconded by Commissioner McCabe and unanimously carried.

WHEREAS, Juliette Gordon Low founded Girl Scouts of the USA on March 12, 1912; and

WHEREAS, Girl Scouting has been inspiring and teaching girls in North Carolina for more than 92 years; and

WHEREAS, more than 90,000 current Girl Scout girl and adult members in North Carolina and millions nationwide will be celebrating this American tradition; and

WHEREAS, throughout its distinguished history, Girl Scouting has welcomed girls and women from every background to join and has inspired them with courage, confidence, and character to make the world a better place; and

WHEREAS, through the Girl Scout Leadership Experience girls develop the skills and lessons that will serve them throughout their lives so that they may contribute to their communities and to our great state of North Carolina; and

WHEREAS, Girl Scouting takes an active role in increasing girls' awareness of the opportunities in math, science, sports, technology, and many other fields of interest that can expand their horizons.

NOW, THEREFORE, BE IT RESOLVED that the Craven County Board of Commissioners does hereby applaud the commitment Girl Scouting has made to support the development of North Carolina's girls and proudly proclaims the week of March 7-13, 2010, as Girl Scout Week in Craven County.

Adopted this the 1st day of March, 2010.

CDBG UPDATE

As part of the application review process, the North Carolina Division of Community Assistance asked that the County verify the availability of its cash match contribution to the FY08 James City Community Revitalization Grant request, in the amount of \$90,000. Commissioner Sisk moved to send a letter from the County reaffirming its commitment to provide the \$90,000 match to the requested grant in the amount of \$850,000. The motion was seconded by Commissioner Sampson and unanimously carried in a roll call vote. During discussion Don Baumgardner indicated that part of the match will be in-kind through staff services.

APPOINTMENTS

Down East Rural Planning Organization (RPO)

At its last meeting the Board deferred appointment of an elected municipal official and alternate to the Down East RPO, pending contact with New Bern Mayor, Lee Bettis. Commissioner Tyson indicated that Mayor Bettis has verbally agreed to serve. There being no other nominees, Mayor Bettis was appointed by acclamation.

Fire Tax Commissioner – Harlowe

The Board was advised that the term of Casesell Martin in Township 5 was due to expire. Commissioner McCabe nominated Mr. Martin for reappointment. There being no additional nominees, Mr. Martin was appointed by acclamation.

Craven Aging Planning Board

The Board received a request from the Craven Aging Planning Board for appointment of Linda LeDrew to an at-large position. Commissioner Sampson nominated Ms. LeDrew for appointment. There being no additional nominees, Ms. LeDrew was appointed by acclamation.

COUNTY MANAGER'S REPORT

Rescue Squads

Mr. Blizzard reported that staff has recently learned that New Bern Craven County Rescue Squad has been having trouble keeping a sufficient number of volunteer members and has had to rely on paid staff to properly respond to calls. The additional paid staff has cost the squad more than was anticipated forcing it to use nearly all of its reserves to maintain operations. Fort Barnwell Rescue Squad has also advised that its payroll is costing more than was anticipated and it too has been relying upon reserves to cover operational costs. Initially, the Captain of the Fort Barnwell Rescue Squad indicated that his agency may need additional assistance from the County, but subsequently indicated they had implemented some cost saving measures that should get them through June 30. Additionally, Township Seven EMS operates two (2) 1997 ambulances with over 100,000 miles each which are no longer considered to be reliable emergency response vehicles and the squad does not have the means to replace them.

Mr. Blizzard presented the following recommendations: 1) that New Bern Craven County Rescue Squad's March and April payments be advanced to March 5 in order to cover the next payroll and May and June payments be advanced to April. In return, New Bern Craven County Rescue should be required to provide the County bi-weekly expenditure reports and staffing schedules for review in order to project their needs for the remainder of the fiscal year. In the coming weeks the NBCC Rescue Squad will be urged to take some steps to cut costs similar to Fort Barnwell Rescue; 2) Township Seven EMS request for assistance to purchase a new ambulance should be deferred to the upcoming budget process.

He further stated that these recommendations are only temporary solutions and the trouble these rescue squads are experiencing will likely worsen. Long term plans to fund EMS next year and into the future must be agreed upon soon. Emergency Services Director, Stanley Kite, explained that part of the difficulty in finding volunteers is a requirement of 200+ hours for basic training to obtain credentials and 36+ hours per year in maintenance training for certification. Commissioner Jones recognized NBCC Rescue President Bobby Willis and Captain Terri Gaskins in attendance.

Commissioner Jones moved to approve the recommendations, as presented, seconded by Commissioner Allen and unanimously carried, with no new money needed immediately.

School Board Request

Mr. Blizzard presented a letter from David Clifton advising that the Board of Education has declared surplus a 1.5 acre lot near Gurganus School in Havelock. By law, the Board of Education must offer the property to the County before it can be sold.

He recommended that the County inform the Board of Education that the County has no interest in acquiring the property.

Commissioner Tyson moved to approve the recommendation seconded by Commissioner Sisk. During discussion, Commissioner Allen recommended deferring the motion until the property can be examined and the County Manager can research the fair market value. He put forth an amended motion to defer consideration, seconded by Commissioner McCabe, with two (2) "Ayes" from Commissioners Allen and McCabe, there being four (4) "Nays" from Commissioners Tyson, Sisk, Morris and Sampson. The original motion carried with five (5) "Ayes", there being two (2) "Nays" from Commissioners Allen and McCabe.

COMMISSIONERS' REPORTS

Commissioner Allen recognized Perry Zeleski at Havelock High School, who won a gold medal in wrestling.

Commissioner Tyson announced that the Colonel at Fleet Rediness Center stated that the center employs more than 400 engineers, and it is now possible, through Craven Community College and NC State collaboration, to obtain a four year engineering degree without leaving Craven County.

Commissioner Sisk reported that the unemployment rate in North Carolina was reported at 11.2% last week at a meeting in Raleigh.

Commissioner Jones announced that he attended the same TIP meeting in Kinston attended by Ralph Potter and that plans being discussed have potential for displacing some homes in the area. He commented that plans should be carefully monitored. He also announced that at 6:00 on Saturday, March 6, No. 9 Township is having Bingo at the Jasper Fire Department. He recognized Fire Tax Commissioner, James Jackson in attendance.

Commissioner Sampson commented on the high gas prices and announced that the hospital is doing well in comparison to other County hospitals in the state. He thanked the hospital for the great job they are doing in the community.

Commissioner Morris read a letter complimenting a recycling driver.

At 9:02 p.m. Commissioner McCabe moved to recess for the Water Board, seconded by Commissioner Sampson.

At 9:06 p.m. the Board was declared back in regular session.

CLOSED SESSION

At 9:07 p.m. Commissioner Sampson moved to go into closed session pursuant to NCGS 143-318.11 (a)(6)(3), attorney/client privilege and to discuss a personnel matter.

At 10:12 p.m. the Board was declared back in regular session, with no action being taken.

At 10:12 p.m. Commissioner McCabe moved to adjourn, seconded by Commissioner Sampson and unanimously carried.

Chairman Perry Morris
Craven County Board of Commissioners

Gwendolyn M. Bryan
Clerk to the Board