

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, JUNE 7, 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 Steve Tyson

MEMBERS ABSENT:

- Commissioner M. Renée Sisk

STAFF PRESENT:

- Harold Blizzard, County Manager
- Jack Veit, III., Assistant County Manager
- Richard F. Hemphill, County Finance Officer
- Gwendolyn M. Bryan, Clerk to the Board
- Jim Hicks, County Attorney

Following an invocation by Commissioner Sampson and the Pledge of Allegiance, Commissioner Sampson moved to approve minutes of May 17, 2010 regular session, seconded by Commissioner McCabe and unanimously carried.

CONSENT AGENDA

Tax Releases and Refunds

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

Credits

| TAXPAYER NAME | TICKET# | AMOUNT |
|---|----------------|---------------|
| BEESON, PHILIP S SOLD BOAT 10/2006 | 2009-0003860 | \$2.02 |
| COASTAL CAROLINA FUSION NOT LOCATED IN CRAVEN COUNTY | 2008-0090344 | \$76.44 |
| COASTAL CAROLINA FUSION NOT LOCATED IN CRAVEN COUNTY | 2009-0090334 | \$70.44 |
| EQUITY TRUST COMPANY CUSTODIAN DID NOT OWN MOBILE HOMES 1/1/2010 | 2010-0090132 | \$325.62 |
| FORNES, CHARLIE & WENDY EUBANK SOLD BOAT IN 2007 | 2009-0019366 | \$8.24 |
| THE WIRELESS COMPANY BUSINESS CLOSED IN 2008 | 2009-0090909 | \$176.15 |
| TYSON, ROBERT M JR INCORRECT PARCEL-TO REBILL | 2010-0090125 | \$1,926.45 |
| 7 – CREDIT MEMO (S) | | \$2,585.36 |

Refunds

| | | |
|---|----------------|----------|
| BEESON, PHILIP S SOLD BOAT 10/2006 | 2007-0003788 | \$158.81 |
| BEESON, PHILIP S SOLD BOAT 10/2006 | 2008-0003850 | \$285.05 |
| BEESON, PHILIP S SOLD BOAT 10/2006 | 2009-0003860 | \$275.63 |
| FORNES, CHARLIE & WENDY EUBANK SOLD BOAT IN 2007 | 2008-0019307 | \$8.69 |
| | 4 – REFUND (S) | \$728.18 |

Budget Amendments

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

Transportation/CARTS

| REVENUES | AMOUNT | EXPENDITURES | AMOUNT |
|--|---------------------|---|---------------------|
| 101-7002-368-02-00 Craven Elderly Handicapped (EDTAP) | \$35,521.00 | 101-7002-450-10-04 Salaries/Part Time | \$25,000.00 |
| 101-7002-368-13-00 Craven Rural General Public (RGP) | \$50,917.00 | 101-7002-450-11-01 Benefits/FICA | \$ 1,600.00 |
| 101-7002-368-14-00 Jones Rural General Public (RGP) | \$23,143.00 | 101-7002-450-11-02 Benefits/Retirement | \$ 1,300.00 |
| 101-7002-368-15-00 Pamlico Rural General Public (RGP) | \$23,906.00 | 101-7002-450-11-03 Benefits/401K | \$ 700.00 |
| 101-7002-368-28-00 Craven Employment | \$17,574.00 | 101-7002-450-11-04 Benefits/Workers Compensation | \$ 1,600.00 |
| 101-7002-369-33-00 Jones Employment | \$ 2,686.00 | 101-7001-450-20-00 Postage | \$ 125.00 |
| 101-7002-369-38-00 Pamlico Rural General Public (RGP) | \$ 3,785.00 | 101-7001-450-26-02 Maintenance/Repair Equipment | \$ 600.00 |
| | | 101-7001-450-26-03 Maintenance/Repair Auto Truck | \$ 1,000.00 |
| | | 101-7001-450-31-01 | \$125,607.00 |
| TOTAL | \$157,532.00 | TOTAL | \$157,532.00 |

Justification: FY 2010 ROAP Funds were more than projected due to Supplemental Funding for Craven, Jones and Pamlico Counties. ROAP (Department 7024, 7026 and 7028) line items were corrected with budget amendment #1502 on March 2, 2010.

DSS 7291 Mandated

| | | | |
|--|-----------------|-----------------------------------|-----------------|
| 101-7291-349-32-00 Energy CIP, CP&L | \$591.00 | 101-7291-450-23-03 Energy CP&L | \$591.00 |
| TOTAL | \$591.00 | TOTAL | \$591.00 |

Justification: Additional funding received for the Progress Energy-Energy Neighbor (CP&L). There is no County match, funds are 100% federal.

DSS 7291 Mandated

| | | | |
|--------------------|-------------------|--------------------|----------------|
| 101-7291-349-10-00 | \$(249,726.00) | 101-7291-450-39-26 | \$(249,726.00) |
| Day Care Combined | | Day Care Combined | |
| TOTAL | \$\$ (249,726.00) | TOTAL | \$(249,726.00) |

Justification: Funding authorization from the Division of Child Development; allocation for Regular Subsidy Day Care funding has been reduced from previous authorization due to State reversion of funding.

Set Public Hearing July 6 for Hazard Mitigation Plan Updates

The Planning Department requested that the Board set a public hearing for July 6, 2010 at 7:00 p.m. to hear comments regarding the update of the Craven County Multi-Jurisdictional Hazard Mitigation Plan. Commissioner Allen moved to set a public hearing for July 6, 2010 at 7:00 p.m., as requested, seconded by Commissioner McCabe and unanimously carried in a roll call vote.

Parking Agreement

The Board was requested to authorize execution of the routine renewal agreement with the Sudan Temple for leasing the parking lot adjacent to the Administration Building and the Sudan Temple for employee and public parking. The annual rental fee has remained the same at \$11,520 for the last few years. Commissioner Allen moved to authorize execution of the renewal agreement, as requested, seconded by Commissioner McCabe and unanimously carried in a roll call vote.

Military Family of the Quarter

The Board was requested to adopt a resolution recognizing the family of Joshua L. Hawley as Military Family of the Quarter. Commissioner Allen moved for adoption of the following resolution, seconded by Commissioner McCabe and unanimously carried in a roll call vote.

**RESOLUTION
 RECOGNIZING THE FAMILY OF SERGEANT JOSHUA L. HAWLEY
 AS
 MILITARY FAMILY OF THE QUARTER**

WHEREAS, Sgt. Joshua Hawley currently serves on active duty with VMGR-252 as the Electric Shop NCOIC aboard MCAS Cherry Point, making sure that the Avionics Work Center 220 accomplishes its mission of providing sustained aviation service support to KC-130J aircraft attached to Marine Aircraft Group 14; and

WHEREAS, Sgt. Hawley has accumulated over two thousand volunteer hours as a Paramedic with Bridgeton EMS and over five hundred volunteer hours with Rescue Thirty in Jasper, while previously serving as the Captain and Secretary in the Tri-Community Volunteer Fire Department of Bridgeton; and

WHEREAS, his wife, Mary Elizabeth, works as an Occupational Therapy Assistant for Carolina East Medical Center, and in her off-shift hours she volunteers her time as a New Bern Rescue Squad member and supports youth services at Bethany Christian Church; and

WHEREAS, Sgt Hawley and his wife enrich the lives of their two daughters, Jordan Rae and Hayli Linn by providing them with positive family values and a strong dedication to their community.

NOW, THEREFORE, BE IT RESOLVED THAT THE CRAVEN COUNTY BOARD OF COMMISSIONERS recognizes the Family of Sergeant Joshua L. Hawley for their commitment to family and the lives of others in the community.

BE IT FUTHER RESOLVED THAT THE CRAVEN COUNTY BOARD OF COMMISSIONERS congratulates them on being selected as Military Family of the Quarter.

Adopted this 7th day of June, 2010.

Pyrotechnic Resolution

The Board received a request from the City of Havelock requesting authorization to issue pyrotechnic permits within its corporate limits, as was granted to the City of New Bern, and to adopt the following resolution. Commissioner Allen moved to authorize the City of Havelock to issue pyrotechnic permits within its limits and to adopt the following resolution, seconded by Commissioner McCabe and unanimously carried in a roll call vote.

CRAVEN COUNTY

RESOLUTION

GRANTING AUTHORITY TO THE
CITY OF HAVELOCK
TO ISSUE PYROTECHNICS PERMITS

WHEREAS, Article 54 (“Sale, etc., of Pyrotechnics”) of Subchapter XI (“General Police Powers”) of Chapter 14 (“Criminal Law”) of the North Carolina General Statutes regulates the manufacture, sale and use of pyrotechnics (hereinafter “Act”); and,

WHEREAS, pursuant to the Act, the Craven County Board of Commissioners (hereinafter “Board of Commissioners”), may issue permits for the use of pyrotechnics in connection with the conduct of certain concerts or public exhibition throughout the County, including those conducted within the corporate limits of all municipalities, subject to the terms and conditions of the Act; and,

WHEREAS, the Act allows a board of county commissioners, by resolution, to authorize the governing body of any city in the county to issue permits related to pyrotechnics within the corporate limits of said city, pursuant to the provisions of the Act; and,

WHEREAS, the City of Havelock (hereinafter “City”) has requested that the Board of Commissioners authorize it to issue permits related to pyrotechnics pursuant to the provisions of the Act within the corporate limits of the City; and,

WHEREAS, the Board of Commissioners desires to so authorize the City, in accordance with the terms and conditions of this Resolution and the Act.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners as follows:

1. The City is hereby authorized to issue permits for the use of pyrotechnics pursuant to the Act within the corporate limits of the City, as said corporate limits may exist from time-to-time.
2. In its review, evaluation and issuance of such permits, the City shall comply with the provisions of the Act. Further, to the extent allowed by law, the City shall indemnify and hold Craven County harmless from the same.
3. Pursuant to the Act, the Board of Commissioners may revoke this Resolution, and the authority granted to the City hereunder, upon not less than ten (10) days written notice; and in such an event, the authority for the City to issue permits for the use of pyrotechnics shall end on the date given in said notice.

ADOPTED this the 7th day of June, 2010.

Subdivisions for Approval

Craven County Planning Director, Don Baumgardner, submitted the following subdivisions, which were recommended by the Planning Board, for the Board's approval. Commissioner Allen moved for their approval, seconded by Commissioner McCabe and unanimously carried in a roll call vote.

Kelly Gaskins Division – Final: The property, owned by Tobey Eason and surveyed by Gaskins Land Surveying, is located within Twp. 1 off of US Hwy 17. The subdivision contains 1 lot on 2.2 acres and is proposed to be served by community water and an individual septic system.

William Thomas Arthur Division – Final: The property, owned by Fentress P. and Mary S. Brinn and surveyed by Gaskins Land Surveying, is located within Twp. 1 off of SR 1400 (River Road). The subdivision contains 1 lot on 2.00 acres and is proposed to be served by community water and an individual septic system.

Dawson Farm – Final: The property, owned by Marie S. Dawson and surveyed by Mayo and Associates, is located within Twp. 9 off of SR 1425 (Van Moreadith Road). The subdivision contains 2 lots on 2.05 acres and is proposed to be served by existing community water and existing septic systems.

Judy Eubanks Morris Division – Final: The property, owned by Judy Eubanks Morris and surveyed by Ted S. Hopkins, is located within Twp. 1 off of SR 1644 (Clark Road). The subdivision contains 1 lot on 3.65 acres and is proposed to be served by community water and an existing septic system.

Blades Village Section I – Final: The property, owned by First Mount Vernon Industrial Loan Associates Corp., and engineered by Thomas Engineering, is located within Twp. 5 off of SR 1715 (Blades Road). The subdivision contains 12 lots on 10.25 acres and is proposed to be served by community water and individual septic systems.

Letter of Interest for Hazard Mitigation Assistance Grant Program

The Planning Department informed the Board that staff submitted an investigative Letter of Interest to apply for funding under FY 2011 Hazard Mitigation Assistance Grant Program. The Letter of Interest is for the proposed elevation of ten structures that are located on the FEMA Severe Repetitive Loss List. Staff will request Board approval to submit a formal application for the Hazard Mitigation Assistance Elevation Project (September 2010) upon the State's determination of the cost benefits. If the County receives a grant, the funding share costs will be as follows; Federal-75% and up to 25% homeowner expense. No money will be required of the County.

PETITIONS OF CITIZENS

George Wetherington spoke to the Board concerning prayer and being able to worship the God of his conscience.

Maxine White requested approval of a pyrotechnic permit for a celebration to take place in Dover in July. Chief Building Inspector, Shelton Toler, made a site visit to the proposed site of the firework demonstration for the 2010 Dover Reunion and verified that it meets the requirements set forth for firework demonstration sites in the NC Fire Code. Commissioner Sampson moved to approve granting of the pyrotechnic permit, as requested, seconded by Commissioner McCabe and unanimously carried. Ms. White requested that the Board also consider a \$6,000 contribution to the reunion.

Nancy Masters Pils inquired who was the Board that crafted the Animal Control Ordinance and Dangerous Dog Ordinance, and stated that the Commissioners who adopted it are in violation of G.S. 67. She demanded that the County revise the ordinance. County Manager, Harold Blizzard, reported that he had offered to coordinate a meeting with the Health Department and Ms. Masters-Pils on the ordinance, but if she wants to appeal the decision, she will need to avail herself of the court process that has been put in place for that purpose.

PUBLIC HEARING ON THE PROPOSED FY 2010-2011 BUDGET

At 7:30 p.m. Commissioner Sampson moved to go into public hearing, as advertised, seconded by Commissioner McCabe, to receive public comment on the proposed FY 2010-2011 Craven County budget, which has been available for public inspection in the County Commissioners’ Office at the Craven County Administration Building since May 17, 2010. The following citizens spoke:

1. *Bud Stilley, 208 Bridgepointe Dr.*, asked that the Board re-instate the NC-20 dues in the upcoming budget.
2. *Zack Taylor, 3529 Country Club Rd.*, reiterated the request made by Mr. Stilley concerning NC-20 dues.
3. *Hal James, 305 Calico Dr., River Bluff*, and a member of the Coastal Carolina Taxpayers Association spoke to the Board concerning the funding of Environmental Health Services, Maternity, Child Health, Day Care, Food Stamp Program, CARTS, Home Health, and numerous other programs funded by the County, which he feels are optional, and considers the funding objectionable.
4. *Raynor James, 305 Calico Dr., River Bluff*, stated the opinion that charity should be kept in the private sector and the funding of charitable programs is not appropriate for government.
5. *Allen Thomas, 1315 South Glenburnie*, asked that the Board invest in the NC-20.

There were no additional speakers and at 7:40 p.m. Commissioner Sampson moved to close the public hearing, seconded by Commissioner McCabe and unanimously carried.

CRAVEN AGING PLANNING BOARD FUNDING RECOMMENDATIONS

Georgia Newkirk, Chair of the Craven Aging Planning Board (CAPB), presented the recommended Home and Community Care Block Grant budget, as follows, for FY 2010-2011 for the Board’s information. There was no action taken, but the Board received the report for the budget.

| FY 10/11 HCCBG Budget Request | HCCBG | Match | Total | USDA |
|--|------------------|-----------------|------------------|-------------|
| Care Management | \$88,829 | \$9,867 | \$98,696 | |
| In Home Level II In Home Level III Unit Rate 14.16 | \$131,133 | \$14,570 | \$145,703 | |
| Congregate | \$88,698 | \$9,855 | \$98,553 | \$9,611 |
| Home Delvd 26811/6.14169 | \$148,198 | \$16,466 | \$164,664 | \$16,087 |
| Transportation Unit Rate 6.75 | \$69,887 | \$7,765 | \$77,652 | |
| Senior Companion 7591/4.40 | \$31,487 | \$3,499 | \$34,986 | |
| TOTAL | \$558,232 | \$62,022 | \$603,127 | |
| USDA per meal | \$ | 0.60 | | |

FIRE DEPARTMENT MATTERS

Fire departments submitted their respective requests for the Department of Insurance grant matches, as follows:

1. Cove City Department - \$29,652.00
2. Greg Milliken for Ft. Barnwell \$11,384.40
3. Rhems \$30,583.00
4. David Cox for Twp. #9 \$ 4,655.00
5. Milton Everett for Harlowe \$ 8,462.50

6. Dover \$29,960.00

Emergency Services Director, Stanley Kite, advised the Board that Little Swift Creek and Tri-Community Departments also received grants; however, they are seeking other means for securing matching funds.

AWARD PROGRAM ADMINISTRATIVE SERVICE FOR FY 08 CDBG JAMES CITY COMMUNITY REVITALIZATION GRANT PROJECT

The Planning Department sent out Requests for Proposals for Program Administrative Services for the FY 08 CDBG James City Community Revitalization Grant Project. The department received proposals from the following

1. The Wooten Company of Raleigh, NC (60 Rating Factor Points)
2. Community Planning Partners, Inc., & American Housing Specialist of Richmond, VA (85 Rating Factor Points)
3. Holland Consulting Planners Inc., of Wilmington, NC (97 Rating Factor Points)

Both Holland Consulting Planners, Inc. and The Wooten Company have extensive knowledge in administrating North Carolina Community Revitalization Programs of the magnitude of the James City project. Staff recommended that Holland Consulting Planners, Inc. is more suitable to serve as consultant due to their extensive experience in administrating Community Revitalization Grant Programs for Craven County, and their familiarity with the James City Project.

A rating sheet displayed that Holland Consulting Planners, Inc. demonstrated a competitive fee schedule rating, therefore, being most cost effective and knowledgeable to serve as consultant for the County. The required County match is \$90,000, which will be included in the FY 2010-11 budget. Commissioner Jones moved to approve the award to Holland Consulting Planners, seconded by Commissioner Allen and unanimously carried.

APPOINTMENTS

NACo Voting Delegate

The Board was requested to appoint a voting delegate to the NACo annual conference being held July 16-20. Commissioner Morris nominated Commissioner Sampson. Commissioner McCabe volunteered to serve as an alternate.

Down East RPO

Several meetings ago the Board considered an appointment for a City of New Bern representative and alternate to the Down East RPO. Commissioner Tyson reported that Mayor Lee Bettis had verbally indicated his willingness to serve, and he was appointed by acclamation. Since that time; however, the City has contacted the Commissioners' office to advise that Sabrina Bengel has been designated as the representative and Victor Taylor as alternate. It was the consensus of the Board that Ms. Bengel and Mr. Taylor be appointed by acclamation.

Regional Aging Advisory Committee

Appointments to two positions on the Regional Aging Advisory Committee were deferred again.

Planning Board

At the last meeting the Board was advised that Louis Balogh, whose term expires this month, does not wish to be reappointed. Commissioner Allen nominated Hileo

Woudstra. There being no additional nominees, Mr. Woudstra was appointed by acclamation.

Recreation & Parks Advisory Board

The Board was advised that terms were due to expire on the Recreation & Parks Advisory Board. Commissioner Jones nominated Dickie Fairburn for reappointment. Commissioner Tyson asked to defer an appointment to replace Si Seymour, who is not eligible for reappointment. Commissioner Allen nominated Robert Sabdo for reappointment and Commissioner McCabe asked to defer an appointment to the expiring term of Demetrius Harkley. Mr. Sabdo was reappointed by acclamation.

COUNT ATTORNEY'S REPORT

County Attorney, Jim Hicks, indicated that the Board would be requested to go into closed session at the end of regular session business.

COUNTY MANAGER'S REPORT

County Manager, Harold Blizzard, asked if another budget study session would be desirable, and the Board scheduled one for Wednesday, June 9 at 9:00 a.m.

COMMISSIONERS' REPORTS

Commissioner Jones commented that prior budget study sessions have been productive and that the proposed budget, although it is not perfect, has been scrutinized carefully. He stated that he has received e-mails regarding the growth rate factor applied to the tax rate and that the mandated 32% increase for the Local Government Employees Retirement System is costing the County \$3 million.

Commissioner McCabe introduced Lee Burton, who was appointed to the Nursing Home Advisory Committee.

Commissioner Tyson commented that counties are just an extension of the State but without much control over what they are required to do. He stated that NC 20 was effective in keeping insurance costs down for eastern North Carolina.

Commissioner Allen stated that the Board has control over about 8% of the \$93 million budget. He believes in small government; but recognized that most special appropriations are made to agencies that are operated by volunteers.

Commissioner Sampson thanked the County Manager and management team on a job well done on the proposed budget. He stated that without volunteers, taxes would not be adequate to operate the County. He emphasized the importance of gas prices being challenged, and reported that the New Bernian Ball, which was held during Memorial Day weekend, brought much business to Craven County.

Commissioner Morris thanked staff and Commissioners for work on the budget.

At 8:35 p.m. Commissioner Allen moved to go into closed session, concerning personnel and pending and potential litigation, pursuant to NCGS 143-318.11(a)(3) and (6), seconded by Commissioner McCabe and unanimously carried.

At 10:12 p.m. the Board was declared back in regular session. There was no closed session action taken by the Board to be reported.

At 10:15 p.m. Commissioner Sampson moved to recess to reconvene at 9:00 a.m. on June 9, seconded by Commissioner McCabe and unanimously carried.

Chairman Perry L. Morris
Craven County Board of Commissioners

Gwendolyn M. Bryan
Clerk to the Board