

**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 TUESDAY SEPTEMBER 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 M. Renée Sisk
- Commissioner Steve Tyson

**STAFF PRESENT:**

- Harold Blizzard, County Manager
- Jack B. Veit, III., Assistant County Manager
- Richard F. Hemphill, County Finance Officer
- Gwendolyn M. Bryan, Clerk to the Board
- Arey Grady, County Attorney Representative
- Aaron Arnette, County Attorney Associate

Following an invocation by Commissioner Morris and the Pledge of Allegiance, Commissioner Sampson moved to approve minutes of the August 16, 2010 regular session, seconded by Commissioner McCabe and unanimously carried in a roll call vote.

**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 McCabe and unanimously carried in a roll call vote..

***Tax Collections***

101-0000-301-02-00	\$1,000.00	101-0901-400-40-80	\$1,000.00
Property Tax 1-9 prior year		tax management asc	
<b>TOTAL</b>	<b>\$1,000.00</b>	<b>TOTAL</b>	<b>\$1,000.00</b>

**Justification:** Need to budget tax revenue (property tax 1-9 prior years) to cover current and anticipated Tax Management Associates, Inc. invoices.

***Emergency Services***

101-2301-348-89-00	\$9,000.00	101-2301-410-40-31	\$9,000.00
Grant/NC Crime Control		LEPC	
<b>TOTAL</b>	<b>\$9,000.00</b>	<b>TOTAL</b>	<b>\$9,000.00</b>

**Justification:** To cover invoice for Envirosafe Consulting for the Craven-Pamlico LEPC Haz-Mat Tabletop Exercise held on 7/15/10. The Craven Pamlico LEPC received a grant from the Department of Crime Control & Public Safety for reimbursement. Emergency Service Office is handling the grant for the LEPC this year.

***Health/Environmental Health/Lead***

101-3133-399-08-00	\$13,069.00	101-3133-420-40-50	\$13,069.00
Carryover Balance		Contract Employee	

TOTAL	\$13,069.00	TOTAL	\$13,069.00
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**Justification:** When budget was originally submitted, it was unknown that the lead safety class RRP (Renovation, Repair and Painting) would be so popular and that Debra Yarbrough would become the new Bio Terrorism Preparedness Coordinator. Due to Debra's time commitment in preparedness, request for carryover balance will be used to pay contract employee (Barbara Clifton) in order to continue RRP classes as needed.

***Cooperative Extension/SHIP***

101-4207-349-55-00	\$522.00	101-4207-420-32-40	\$522.00
		Other Supplies	
TOTAL	\$522.00	TOTAL	\$522.00

**Justification:** Additional revenue received.

***Economic Development***

101-4401-367-35-00	\$30,000.00	101-4401-430-33-36	\$30,000.00
NC's Eastern Region		Flex-Cap Regional	
TOTAL	\$30,000.00	TOTAL	\$30,000.00

**Justification:** Budget incentive funding for Project High Desert. Result of consolidation of Cabo and Hatteras boats in Craven County facility.

***Health/Family Planning***

101-6400-349-12-00	\$12,377	101-6400-440-32-05	\$6,189.00
State Rev-Family Plan		Prescription Drugs	
		101-6400-440-32-08	\$6,188.00
		Medical Supplies	
TOTAL	\$12,377.00	TOTAL	\$12,377.00

**Justification:** Additional state funds of \$12,377 have been awarded to provide services to Family Planning TANF patients. Funds will be used to purchase birth control and medical supplies.

***Convention Center/TDA***

101-8201-369-36-00	\$1,000.00	101-8201-430-96-64	\$1,000.00
TDA Authority		300 <sup>th</sup> Anniversary	
801-0000-399-01-00	\$1,000.00	801-9600-500-96-64	\$1,000.00
		Convention Center 300 <sup>th</sup>	
TOTAL	\$1,000.00	TOTAL	\$1,000.00

**Justification:** August 11, 2010 TDA meeting the Board allocated \$1,000 to be given to the 300<sup>th</sup> Committee for VIP gifts for dignitaries during the Jubilee Weekend.

***Dental***

101-0000-399-01-00	\$44,781.00	101-0567-400-98-16	\$44,781.00
Fund Balance		transfer to reserve	

JOURNAL ENTRY

101-0567-400-98-16	\$44,781.00	101-0000-101-00-00	\$44,781.00
Transfer to reserve		general fund cash	
371-0000-101-00-00	\$44,781.00	371-0000-366-01-00	\$44,781.00
County reserve cash		from general fund	
TOTAL	\$134,343.00	TOTAL	\$134,343.00

**Justification:** Fiscal year 10 dental profit (\$89,562). Agreed to transfer half (\$44,781) to Capital Reserve for future repair/replacement of dental trailer.

*Tax Releases and Refund*

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

**Credits**

<b>TAXPAYER NAME</b>	<b>TICKET#</b>	<b>AMOUNT</b>
ALLEN, LEROY & PATRICIA MH UNOCCUPIED IN 2006	2010-0090144	\$32.00
BOYD, SHENKA DOUBLE LISTED – SEE ACCT# 89098	2009-0005824	\$54.31
BOYD, SHENKA DOUBLE LISTED SEE ACCT# 89098	2008-0005789	\$59.85
MCCOY, JOYCE & EUGENE DID NOT OWN 1/1/2003	2003-0033320	\$123.19
	4 – CREDIT MEMO (S)	\$269.35

**Refund**

MIDGETTE, JOSEPH & MARGARET T DID NOT OWN DWMH 1/1/2009	2009-0038642	\$103.26
	1 – REFUND (S)	\$103.26

*Sickle Cell Awareness Month Proclamation*

Eastern North Carolina Chapter of Sickle Cell Disease Association of America requested that the Board adopt a proclamation recognizing September as Sickle Cell Awareness Month in Craven County. Commissioner Sisk moved to adopt the following proclamation, as requested, seconded by Commissioner McCabe and unanimously carried in a roll call vote.

**PROCLAMATION  
OF  
SICKLE CELL AWARENESS MONTH  
2010**

**WHEREAS**, sickle cell disease is an inherited blood disorder that causes pain, infection, disability, economic distress and even death among many ethnic groups,

including African-Americans, Caucasians, persons of Mediterranean, Caribbean, Middle Eastern, Southeast Asian, Central and South American heritage; and

**WHEREAS**, about one of every 294 African-American North Carolinians is born with sickle cell disease and about one out of every 10 has sickle cell trait, meaning that he or she carries the gene for this condition. No cure for this disease exists, though treatment is available to help those with sickle cell disease lead more productive and rewarding lives; and

**WHEREAS**, since 1973, the North Carolina Sickle Cell Syndrome Program has provided quality services throughout the state. Provision of services is a collaborative effort between regional educator/counselors, community-based programs, major medical centers, local health departments and the State Laboratory of Public Health. Services include screening of all newborns at birth, general screening by request for the public at local health departments, education, genetic counseling, service coordination, medical reimbursement and social support for affected persons; and

**WHEREAS**, 2010 marks 100 years since the discovery and documentation of sickle cell disease in western medical literature by Dr. James B. Herrick, Professor of Medicine at Rush Medical College in Chicago in 1910; and

**WHEREAS**, support for research on the treatment and management of this disorder is vital to improving the health and quality of life of persons with sickle cell disease;

**NOW, THEREFORE BE IT RESOLVED**, that the Craven County Board of Commissioners does hereby proclaim the month of September, 2010 as “**SICKLE CELL AWARENESS MONTH**” in the County of Craven and urges our citizens to recognize and support this observance.

Adopted this the 7<sup>th</sup> day of September, 2010.

*Military Family of the Quarter Resolution*

The Board received a request to adopt a resolution recognizing the family of Justin R. Edwards as Military Family of the Quarter. Commissioner Sisk moved to adopt the following resolution, as requested, seconded by Commissioner McCabe and unanimously carried in a roll call vote.

**RESOLUTION  
RECOGNIZING THE FAMILY  
OF JUSTIN R. EDWARDS  
AS  
MILITARY FAMILY OF THE QUARTER**

**WHEREAS**, Sergeant Justin R. Edwards currently serves on active duty aboard MCAS Cherry Point, NC, with MWSS-271, performing duties as the Data Shop Assistant Data Chief, to ensure that the Data Shop accomplishes its mission of providing communication service support to Marine Wing Support Squadron-271; and

**WHEREAS**, Sgt. Edwards contributes much of his personal time as an active participant and mentor in community activities and services, accumulating over eighty hours as a manager, umpire and coach with the local T-Ball League, teaching children ages four through seven the importance of teamwork, basic T-ball skills, and sportsmanship; and

**WHEREAS**, Sgt. Edwards’ unit MWSS-271 is actively supporting New Bern’s 300<sup>th</sup> Jubilee festivities and breakfast at Union Point Park on September 19, 2010; and

**WHEREAS**, his wife, Ryne, works as a photographer, dedicated housewife and mother, and in her off-shift time also volunteers in the community by serving as the Second Vice President of a local T-Ball League; and

**WHEREAS**, the Edwards devote much of their time to their three children, a son, Charles Nicholas, and two daughters, Magdalena Rose and Rhyannon Lily.

**NOW, THEREFORE, BE IT RESOLVED THAT THE CRAVEN COUNTY BOARD OF COMMISSIONERS** recognizes the family of Sergeant Justin R. Edwards for their strong commitment to family, superior leadership and significant contributions to the lives of others.

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

Adopted this 7<sup>th</sup> day of September, 2010.

**PETITIONS OF CITIZENS**

*Hal James* stated that the Craven County Taxpayers Association appreciates the accessibility of budget information but would like that all grant requests be available on the website at least two weeks prior to consideration by the Board. He also requested that the minutes of all boards and committees be posted.

*Charlie Simmons* requested to appear before the Board but was not present.

*Tyker Gonzalez* requested to appear before the Board but was not present.

Chairman Morris recognized Leadership Craven members in attendance and recognized Commissioner Allen for having received the Outstanding Commissioner Award conferred by the North Carolina Association of County Commissioners. Commissioner Allen gave remarks in response, and expressed appreciation for the recognition.

**PUBLIC HEARINGS**

*Qualified School Bonds*

The Board went into public hearing at 7:15 p.m. following a motion by Commissioner Sampson, seconded by Commissioner McCabe, to hear public comments concerning the proposed borrowing for the following school projects:

- |                             |   |
|-----------------------------|---|
| A H Bangert Elementary      | Bathroom Renovations                                |
| Vanceboro Farm Life         | Bathroom Renovations, Windows and Doors Replacement |
| Trent Park Elementary       | Bathroom Renovations                                |
| W J Gurganus Elementary     | Complete Roof Replacement                           |
| Brinson Memorial Elementary | Partial Roof Replacement                            |
| Havelock High               | Chiller Replacement                                 |
| West Craven High            | Chiller Replacement                                 |
| Grover C. Fields Middle     | Energy Management System Replacement                |

Finance Officer, Rick Hemphill, explained that the proposed method of financing these projects is to sell \$2,163,000 of Qualified School Construction Bonds, which were authorized through the American Recovery and Reinvestment Act. The bonds are intended to be issued at low or zero interest, making it more affordable for local governments to finance projects. The bonds are taxable; rather than the normal tax exempt bonds issued by the County, and are sold to a lender at a taxable interest rate.

The County will pay the principal and interest to the lender and will then file for a reimbursement of the interest amount from the federal government. Interest rates to determine the amount of reimbursement are established daily.

The Board of Education has agreed for the County to reduce the amount of annually appropriated capital outlay funds by \$200,000 per year for the next ten years, to be applied to the debt service for these bonds. The amount appropriated this year for capital outlay was reduced by \$200,000 in anticipation of this borrowing. The first payment on the bonds will not be until October 2011 at which time the County will have the \$200,000 on hand to apply to the payment.

The following citizens spoke:

*Hal James* asked that it be made binding that the amount of the school's annual capital outlay budget requests not increase to offset the deduction of \$200,000. There were no other citizens who wished to speak and at 7:17 p.m. Commissioner Sampson moved to close the public hearing, seconded by Commissioner McCabe.

The Board proceeded to consider the proposal for the QSCB Financing which was presented.

#### *Proposal for QSCB Financing*

The proposal was presented from BB&T Governmental Finance to purchase the \$2,163,000 of Qualified School Construction Bonds at a taxable interest rate of 4.72% for ten years. The interest rate for reimbursement from the federal government as of August 31, 2010 was 4.72%, resulting in a net zero rate to the County for the bonds. The proposal from BB&T has been tentatively accepted by the Finance Director to lock in this rate. The acceptance is subject to approval by the Board of Commissioners and the Local Government Commission. All administration costs will be paid from the proceeds of the bonds, including the fee charged by BB&T, bond counsel fee, LGC fee, and the County Attorney's fee. The application to the Local Government Commission has been filed. Commissioner Allen made a motion to accept the proposal by BB&T to borrow the \$2,163,000 at a taxable rate of 4.72% for ten years. In a roll call vote there were six (6) "Ayes" and one (1) "Nay" from Commissioner Tyson. During discussion Commissioner Tyson clarified that the principal is \$216,000, while capital outlay retained each year is \$200,000. As a result, there is \$16,000 that will not be supplanted by debt service funds. Commissioner Jones stated the need to pursue a Memorandum of Understanding regarding an agreement to deduct \$200,000 annually from the capital outlay appropriation for the benefit of future boards. Mr. Hemphill advised the Board that a Memorandum of Understanding would be prepared by bond counsel and also, that the County is holding the title to Gurganus School for collateral.

#### *Economic Development Performance Grant*

Attorney Arey Grady presented the proposed resolution and performance grant agreement necessary to move forward with Craven County Industrial Park/Brunswick Corporation (Hatteras/Cabo) to solicit input from the public. The Board was advised that Brunswick Corporation has approved the form and substance of the agreement, and is in the process of having the agreement executed and delivered. Mr. Grady stated that Hatteras will be hiring an additional 300 plus employees at a higher rate than the local average. He highlighted some administrative changes that will make grant payments easier for the County to manage.

At 7:24 p.m. Commissioner Tyson moved to go into public hearing, seconded by Commissioner Jones. There were no members from the public who wished to speak and at 7:24 p.m. Commissioner Sampson moved to close the public hearing, seconded by Commissioner McCabe. In a roll call vote, the Board unanimously approved adoption of the resolution, which follows, and approval of the performance grant agreement by motion of Commissioner Sisk, seconded by Commissioner Jones. Mr. Grady stated that \$30,500 is the County's maximum pay-out if Hatteras meets all the milestones.

**RESOLUTION OF THE CRAVEN COUNTY BOARD OF  
COMMISSIONERS APPROVING ECONOMIC DEVELOPMENT GRANT  
AGREEMENT**

WHEREAS, Craven County (hereinafter “County”) has determined that County has historically suffered a degree of economic and fiscal distress which can be remedied in part by the expansion of industries currently located in County and the location of new industries in County; and,

WHEREAS, citizens in County have an average wage level that is below average state wage levels, and the unemployment rate of County is greater than the national unemployment average and comparable to the state unemployment average, deficiencies which can be remedied in part by the expansion and location of industries in County. Furthermore, as most recently determined by the North Carolina Employment Security Commission (said Commission no longer publishing a statistic determining the median average wage for all insured industries in any county), the average weekly wage paid by private industries in County is \$605.00, an amount less than the average weekly wage of \$757.00 paid by private industries state-wide, and as most recently determined by the North Carolina Department of Commerce 2010 3J Wage Standards, the average weekly wage paid by private industries in County is \$574.00, an amount less than the average weekly wage of \$722.00 paid by private industries state-wide; and,

WHEREAS, the expansion and location of industries in County will benefit County and its citizens by increasing and diversifying both the personal property and real property ad valorem tax bases which will increase tax revenue, and resulting ancillary economic activity will increase sales tax revenues, all of which will make available to County more funds with which to improve the general health, safety and welfare of County’s citizens; by providing a greater number of jobs with higher salaries and better benefits than are now available to citizens of County; by stimulating secondary economic activity which is directly beneficial to County and its citizens, including residential real estate development and the expansion of existing services and businesses; by increasing and improving the infrastructure of County; by increasing the economic opportunity available to County’s citizens and by improving the general technical training of County’s workforce; and,

WHEREAS, Brunswick Corporation, through its Hatteras Yachts Division (hereinafter “Hatteras”), which manufactures luxury yachts, intends to expand its yacht manufacturing facilities located in Craven County by relocating its Cabo Yachts Division to its existing manufacturing facility and installing new machinery, equipment and miscellaneous business personal property therefore all valued at \$4,000,000.00, and projects to employ 350 additional workers at its expanded facility at an expected weekly average wage of \$683.00, a rate above the average rate paid to other employees in County. Hatteras’ proposed operations will aid tremendously in remedying the previously identified economic and fiscal distresses suffered by County and its citizens; and,

WHEREAS, County has determined that in an effort to encourage the location of other industries within County and to reward Hatteras for Hatteras’ intended investment in

County, County should agree to reward Hatteras for its expansion by granting an Economic Development Performance Grant Agreement (hereinafter "Agreement") to Hatteras; and,

WHEREAS, pursuant to N.C. Gen. Stat. § 158-7.1(a), local governments, including County, are authorized:

[T]o make appropriations for the purposes of aiding and encouraging the location of manufacturing enterprises, making industrial surveys and locating industrial and commercial plants in or near such city or in the county; encouraging the building of railroads or other purposes which, in the discretion of the governing body of the city or of the county commissioners of the county, will increase the population, taxable property, agricultural industries and business prospects of any city or county. These appropriations may be funded by the levy of property taxes pursuant to [G.S. 153A-149](#) and [160A-209](#) and by the allocation of other revenues whose use is not otherwise restricted by law.

Moreover, County has determined that the probable hourly average wage to be paid by Hatteras to its new employees to be employed at the expanded facility hereinabove described is \$17.07 for a weekly average hourly wage of \$683.00, which is a rate above County's weekly average hourly wage, as determined by both the N.C. Employment Security Commission and Department of Commerce; and,

WHEREAS, County has determined that the Agreement will stimulate the local economy, promote business, and result in the creation of a substantial number of jobs that pay at or above the average wage currently available in County; and,

WHEREAS, on September 7, 2010 and after proper public notice, pursuant to N.C. Gen. Stat. § 158-7.1 the Board of Commissioners for County held a public hearing concerning its intent to grant to Hatteras the Agreement; and,

WHEREAS, the Board of Commissioners of County does desire to grant to Hatteras the Agreement, and does further desire that this RESOLUTION serves as a memorial of the actions taken by the Board of Commissioners on this matter.

Now, therefore, be it resolved as follows:

1. That the Economic Development Performance Grant Agreement attached hereto and incorporated herein by reference as Exhibit "A" be executed by County at such appropriate time to be determined by counsel to County.

2. That, pursuant to said Agreement, County execute and deliver such documents and instruments as may be necessary in the opinion of counsel to County to accomplish the purposes of said Agreement.

3. That the Chairman, Clerk to the Board, Manager and such other officers and agents of County are hereby authorized to execute any and all documents necessary in the opinion of counsel to County to effectuate any of the transactions contemplated herein.

4. That this RESOLUTION be entered in the official minutes of the Board of Commissioners of County and that the Clerk to the Board certify copies of this RESOLUTION as may be necessary in the opinion of counsel to County.

This the 7<sup>th</sup> day of September, 2010.

*Industrial Park Property Sale*

A resolution and contract necessary to move forward with Craven County Industrial Park/American Towers land sale was presented. Mr. Grady pointed out several relatively minor items regarding the contract that are still under discussion, primarily the substance of deed restrictions for the property. He expressed his belief that the conveyance itself and the stated purchase price were ready for approval, with the execution and delivery of the final contract to come at such future time as any lingering issues are resolved. Mr. Grady stated that the proposed sale is of a parcel on the Craven Wood Energy side of the Park at \$100,000 for a ½ acre. The standard rate in the Industrial Park is \$40,000/acre.

At 7:31 p.m. Commissioner Sisk moved to go into public hearing, seconded by Commissioner Tyson. The following citizens spoke:

*Raynor James, 305 Calico Drive*, stated that the contract is an excellent buyer's contract; however, in response to the statement that there would be no legal or engineering fees, she inquired if legal costs and engineering costs were negotiated out in favor of the buyer. Mr. Grady stated that the reference was to the County's professional fees, not the buyer's. She also referenced a provision that the County agree to convey additional land to the buyer if any ordinances or regulations necessitate a larger parcel, and asked if this would be at an additional cost. Mr. Grady reassured the Board that he has verified that no County ordinances exist that would require more space.

At 7:40 p.m. Commissioner Sampson moved to close the public hearing, seconded by Commissioner Tyson. In a roll call vote Commissioner Tyson made a motion to adopt the following resolution to move forward with the sale of the property, seconded by Commissioner Allen and unanimously carried in a roll call vote. During discussion Commissioner Sisk inquired if it would be more beneficial leasing the land. Mr. Grady stated that a long term lease is more complicated from the County's perspective. Commissioner Tyson asked about the employment requirements. Mr. Grady responded that employment will be temporary design/construction only and is not held to the same standards as when property is donated.

**RESOLUTION OF THE CRAVEN COUNTY BOARD OF  
COMMISSIONERS APPROVING SALE OF REAL PROPERTY FOR ECONOMIC  
DEVELOPMENT PURPOSES**

**WHEREAS**, pursuant to N.C. Gen. Stat. §158-7.1(a), local governments, including Craven County (hereinafter "County"), are authorized:

To make appropriations for the purposes of aiding and encouraging the location of manufacturing enterprises, making industrial surveys and locating industrial and commercial plants in or near such city or in the county; encouraging the building of Railroads or other purposes which, in the discretion of the governing body of the city or of the county commissioners of the county, will increase the population, taxable property, agricultural industries and business prospects of any city of county. These appropriations may be funded by the levy of property taxes pursuant to G.S. 153A-149 and 160A-209 and by the allocation of other revenues whose use is not otherwise restricted by law.

Furthermore, N.C. Gen. Stat. §158-7.1(d) also permits local governments, including County, to convey property held for industrial or commercial use after notice to the public, a public hearing, the determination of the fair market value of the interest to be conveyed and a determination of the probably hourly wage to be paid by the prospective industry; and,

**WHEREAS**, County has received from **AMERICAN TOWERS, INC.** (hereinafter "American Towers"), a corporation organized and existing under and by virtue

of the laws of the State of North Carolina, an offer to purchase for the sum of One Hundred Thousand and no/100 Dollars (\$100,000.00) the following real property:

All of that certain tract or parcel of land lying and being situate in Number Eight (8) Township, Craven County, North Carolina and being more particularly described as follows:

All of that certain tract or parcel containing ½ acre and being described as “1/2 Acre Cell Tower Site” on a map entitled “Sketch Plan Portion of Craven County Industrial Park,” dated July 15, 2009, prepared by Robert M. Chiles, P.E., reference being hereby made to said map for a more accurate, detailed and precise description of the aforesaid tract.

American Towers intends to utilize the aforesaid real property for the construction of a communications tower; and,

**WHEREAS**, the location by American Towers of a communications tower in the Craven County Industrial Park will enhance the availability and quality of communications networks, both for existing tenants and owners in the Craven County Industrial Park, as well as potential and future tenants and owners; and,

**WHEREAS**, County has determined that the probable hourly average wage to be paid by American Towers to workers to be employed in constructing the facility hereinabove described is \$15.00-\$20.00 for a weekly average hourly wage of \$600.00-\$800.00 and that the fair market value of the property to be conveyed is One Hundred Thousand and no/100 Dollars (\$100,000.00); and

**WHEREAS**, County has determined that the sale to American Towers of the tract of land herein described for the consideration herein referenced will stimulate the local economy, promote business, and result in increased tax revenues to the County; and,

**WHEREAS**, on September 7, 2010 and after proper public notice, pursuant to N.C. Gen. Stat. § 158.7.1 the Board of Commissioners for County held a public hearing concerning its intent to sell to American Towers the real property hereinabove described; and,

**WHEREAS**, the Board of Commissioners of County does desire to convey and sell to American Towers the real property hereinabove described, for the consideration herein stated, and does further desire that this **RESOLUTION** serve as a memorial of the actions taken by the Board of Commissioners on this matter.

NOW, THEREFORE, be it resolved as follows:

1. That the sale of real property as hereinabove described is hereby approved.
2. That County shall execute and deliver such documents and instruments as may be necessary in the opinion of counsel to County to accomplish the purposes herein stated, including but not limited to the execution and delivery of a contract in form and substance substantially similar to the draft contract attached hereto as Exhibit A.
3. That the Chairman, Clerk to the Board, Manager and such other officers and agents of County are hereby authorized to execute any and all documents necessary in the opinion of counsel to County to effectuate any of the transactions contemplated herein, and are specifically authorized to execute and deliver the contract attached hereto at such time as counsel to County determines same to be in final form.

4. That this **RESOLUTION** be entered in the official minutes of the Board of Commissioners of County and that the Clerk to the Board certify copies of this **RESOLUTION** as may be necessary in the opinion of counsel to County.

This the 7<sup>th</sup> day of September, 2010.

**SCULPTURE LOCATION REQUEST**

Susan Moffat-Thomas, Executive Director of Swiss Bear, made a presentation to the Board to request the County’s approval and permission to place a 29 foot tall sculpture in the waterfront area of the Convention Center on the 30 foot strip of the Riverwalk owned by the City. As a portion of the completed project may encroach on County property, Swiss Bear asked the Commissioners to approve the location and agree to provide an easement to the City if a portion of the designed space, to include a circular bench and signage recognizing contributors, will encroach on the County property. During discussion it was the consensus that the Board would like to see where exactly the sculpture is going to be placed. A field trip to the site will be arranged for the Commissioners. Commissioner Allen moved to defer consideration until the September 20<sup>th</sup> meeting, seconded by Commissioner Sisk and unanimously carried.

**LITTLE SWIFT CREEK FIRE DEPARTMENT REQUEST**

Keul Whitford appeared before the Board on behalf of Little Swift Creek Volunteer Fire Department, which applied for the North Carolina Department of Insurance matching grant to fund new communications equipment for future upgrades, as well as turnout gear to replace some that are worn. The amount awarded was \$14,336.00.

An application was also submitted for a USDA grant for the match. Based on verbal approval, assistance from the County was not requested. Despite such approval from USDA, and after placing orders to meet the deadline of September 30<sup>th</sup> to have the equipment received, the department was notified that the USDA grant had been declined.

The department requested the County’s help in providing \$14,336.00 to match the above mentioned grant. Commissioner Jones moved to appropriate \$14,336 from fund balance, seconded by Commissioner McCabe and unanimously carried in a roll call vote.

*Little Swift Creek*

101-0000-399-01-00	\$14,336.00	101-0567-410-97-83	\$14,336.00
Fund Balance		VFD Grant Match transfer	
243-0000-366-01-00	\$14,366.00	243-2900-410-96-99	\$14,336.00
From General Fund		Little Swift Creek	
TOTAL	\$14,366.00	TOTAL	\$14,366.00

**Justification:** To appropriate \$14,366 to LSC FD for match of DOI grant. Same as the matches done earlier for other squads.

**PRESENTATION OF EFNEP GRANT PROPOSAL**

Cooperative Extension Director, Tom Glasgow, informed the Board that Craven County has the opportunity to participate in a grant project that would provide funding for two EFNEP (Expanded Food and Nutrition Program) educators (one for youth and one for adults) for a period of five years. At the end of this five-year period, Craven County would have the option of either discontinuing the program with no obligations, or continuing the program with a 50% cost share of salary and benefits. He asked for approval of an EFNEP program in Craven County, to be housed in the Cooperative Extension office, if funded by the Kellog Foundation. Craven County bears approximately \$132 million in costs annually due to medical issues related to obese adults. Commissioner Sisk inquired how much the salaries will cost and what the

positions will do. The Board was informed that the salaries would be in the \$22,000 range, and tasks will primarily be to conduct classes on nutrition and food preparation. During discussion concern was expressed that the program should not be a duplication of effort, as there are nutrition education components of ENRICH and DSS programs. It was also emphasized that approving inclusion in the multi-county grant application does not constitute an obligation. Commissioner Sampson moved to authorize inclusion of Craven County among the 21 counties in the application, seconded by Commissioner McCabe and carried by five (5) "Ayes", there being two (2) "Nays" from Commissioners Jones and Tyson.

### APPOINTMENTS

#### *Firemen's Relief Fund Board of Trustees*

The Board was advised that the term of Dred Mitchell, as a representative of Cove City, was due to expire. Commissioner Jones moved to reappoint Mr. Mitchell. There being no additional nominees, Mr. Mitchell was reappointed by acclamation.

#### *Promise Place*

The Board received a letter from Promise Place requesting the appointment of Jean Kenefick. Commissioner Sampson nominated Ms. Kenefick for appointment. There being no additional nominees, Ms. Kenefick was appointed by acclamation.

#### *Clean Sweep*

The Clean Sweep Committee requested that the Board appoint Lynn Rosania, Judi Lloyd and Cindy Seymour. Commissioner Sisk moved to appoint Ms. Rosania, Ms. Lloyd and Ms. Seymour. There being no additional nominees, all were appointed by acclamation.

### COUNTY ATTORNEY'S REPORT

#### *Amendments to Adult Establishment Regulations*

The County Attorney submitted a request to set a public hearing on October 4 at 7:00 p.m. to receive public input on proposed changes to the Adult Establishment Regulations. Commissioner Jones moved to set a public hearing for October 4 at 7:00 p.m., as requested, seconded by Commissioner Allen, and unanimously carried.

#### *Amendment to General Penalties – Code of Ordinances*

The County Attorney presented proposed changes to the General Penalties Section of the Code of Ordinances for the Board's review, and recommended that a public hearing, although not required, be scheduled for October 4. Commissioner Jones moved to set a public hearing for October 4 at 7:00 p.m., as requested, seconded by Commissioner McCabe.

#### *Amendment to 2009 Permit Extension Act – Resolution to Opt Out*

In 2009, the General Assembly enacted the 2009 Permit Extension Act, which suspended the running of the period for any local development approvals from January 1, 2008 through December 31, 2010. In August 2010, the General Assembly amended the Act to further extend the ending date for suspension from December 31, 2010 to December 31, 2011. It also authorized local governments the authority to "opt-out" of this extension by resolution of the Board of Commissioners. The Board, by consensus, opted to take no action.

## COUNTY MANAGER'S REPORT

### *Havelock Chamber of Commerce Request*

County Manager, Harold Blizzard, reminded the Board that in fiscal 2009 the Board of Commissioners appropriated \$4,500 to the Havelock Chamber of Commerce for a Youth Leadership program (similar to Leadership Craven program but for youth). The funds were paid to the Chamber on a monthly basis in the amount of \$375 per month. This program was not implemented by the end of fiscal 2009 and a request was made by the Chamber, and approved by the Board, to carry the money over to fiscal 2010. On August 25, 2010 another request was received from Stephanie Duncan, with the Havelock Chamber, to re-direct this money to the purchase of laptops for the Early College EAST program in Havelock. Ms. Duncan reported the Youth Leadership program never materialized and the Havelock Chamber of Commerce Board of Directors instructed her to request of the County that these funds be used for the purchase of laptops for the early college program in Havelock. He advised the Board that no request was made at the end of fiscal 2010 to carry the money over to fiscal 2011. Commissioner Allen moved to defer consideration until he can make contact with Ms. Duncan, seconded by Commissioner Tyson and unanimously carried.

### *House Bill 1717 – Modernization of the State ABC System*

As a result of changes made to the State's ABC laws by enactment of HB1717, the appointing authority (county board of commissioners) of the ABC Board must approve ABC Board members' compensation if it exceeds \$150 per meeting. The Craven County ABC Board members receive \$190 per meeting and the ABC Board Chairman receives \$286 per meeting. A table comparing Craven County ABC Board member compensations with counties surrounding Craven and with counties that have comparable retail liquor sales was presented. Commissioner Tyson moved to reduce compensation to \$150, seconded by Commissioner Jones and unanimously carried in a roll call vote.

### *Proposed Updates to World War I Monument at Craven County Courthouse*

Clerk to the Board, Gwen Bryan, updated the Board on the status of a request by Reference Librarian, Victor Jones, to research the names of local World War I veterans that were omitted from the courthouse monument. She explained the criteria based on residency and circumstances of death that were used by the committee to study their eligibility, and presented nine names, as follows, recommended by the committee for addition.

#### **Potential Names to Add to WWI and WWII Monument**

John Evans  
Alonza Havens  
Castello Henry  
James Arthur Hill  
William R. Mitchell  
George Felton Wilson, Jr.  
John C. Daugherty  
Joe Sprill  
Sherman Wise

A cost estimate of \$1,125 was received for adding the nine names. Commissioner Allen moved to proceed with adding the nine recommended names, seconded by Commissioner McCabe and unanimously carried.

## COMMISSIONERS' REPORTS

*Commissioner McCabe* announced that the Godette School was broken into last month and two outside doors had been damaged. He requested an appropriation of \$800 to replace the doors, and moved to appropriate \$800 from fund balance toward labor and materials, stating that the total cost will exceed \$800. Commissioner Sampson seconded

the motion. During discussion Commissioner Tyson stated that he would like to see a written proposal. The Board was assured that payment will be made only upon presentation of invoices. The motion carried unanimously in a roll call vote. Commissioner McCabe also reported that he learned a lot at the NCACC conference.

**Special Appropriation**

101-0000-399-01-00	\$800.00	101-0190-450-96-89	\$800.00
Fund Balance		Harlowe Community Center	
<b>TOTAL</b>	<b>\$800.00</b>	<b>TOTAL</b>	<b>\$800.00</b>

**Justification:** Appropriate funds for door repair at Harlowe Community Center up to \$800 – upon presentation of invoice.

*Commissioner Tyson* congratulated football teams of New Bern, West Craven and Havelock High Schools on their victories last week.

*Commissioner Sisk* commented that while traveling to Georgia, she found gas to be an average of \$.20 less than here.

*Commissioner Allen* announced that he enjoyed the NCACC Conference and that he appreciates the support of the Board.

*Commissioner Jones* commented on the recognition received by Commissioner Allen and Clerk to the Board, Gwendolyn Bryan at the NCACC conference.

*Commissioner Sampson* announced his enjoyment at the NCACC Conference and his attendance at a two hour ethics training. He commented on the gas prices and gave the following storm preparation tips for the public:

1. check batteries
2. check medicine cabinet
3. gather insurance papers and other important documents
4. update insurance coverage’s annually
5. prepare emergency kit

*Chairman Morris* announced that the NCACC Convention was a success and that the ethics training emphasized the necessity of adopting a County Code of Ethics.

At 9:30 p.m. Commissioner Jones moved to adjourn, seconded by Commissioner Tyson and unanimously carried.

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Chairman Perry L. Morris  
Craven County Board of Commissioners

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Gwendolyn M. Bryan  
Clerk to the Board