

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 21, 2011. THE MEETING CONVENED AT 8:30 A.M.

MEMBERS PRESENT:

Chairman Steve Tyson
 Vice Chairman Lee Kyle Allen
 Commissioner Thomas L. Mark
 Commissioner Theron L. McCabe
 Commissioner Johnnie Sampson, Jr.
 Commissioner Jefferey S. Taylor

MEMBERS ABSENT:

Commissioner Scott C. Dacey

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
 Jim Hicks, County Attorney

Following an invocation by Commissioner Sampson and the Pledge of Allegiance, Commissioner Sampson moved to approve the minutes of March 7, 2011 regular session, seconded by Commissioner McCabe and unanimously carried.

TAX RELEASES AND REFUNDS

Craven County Tax Administrator, Ronnie Antry, submitted the following routine requests for 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
BAKER, RAYMOND ALAN JR DID NOT OWN 1/1/2008	2008-0002384	\$22.70
BAKER, RAYMOND ALAN JR DID NOT OWN 1/1/2009	2009-0002395	\$20.95
BAKER, RAYMOND ALAN JR DID NOT OWN 1/1/2010	2010-0002261	\$11.75
BATTS, WILLIE EDWARD UNOCCUPIED SINCE 11/2009	2010-0003189	\$37.26
BRINGMAN, MARIBEL VALERIA BOAT NOT IN CRAVEN COUNTY 1/1/2010	2010-0005888	\$27.48
BRINGMAN, MARIBEL VALERIA BOAT NOT IN CRAVEN COUNTY 1/1/2009	2009-0006342	\$38.28
BRINKLEY, DAVID LEE RELEASED TO JONES COUNTY	2010-0005896	\$41.60

BULLOCK, JACOB HEIRS VACANT SINCE 1-2008	2010-0007189	\$37.26
BYITA SAUNAS/SPAS NOT IN BUSINESS 1/1/2010	2010-0007576	\$53.83
CHURCH-BRIDGETON UNITED METH EXEMPT PER GS 105-278.3	2010-0009597	\$151.02
COX, HARVEY A DID NOT OWN 1/1/2010	2010-0011441	\$951.00
CROCKER, WESLEY MIL-HIS NAME LES 11 ECC-3/10/11 FL	2008-0013120	\$36.79
CROCKER, WESLEY MIL-HIS NAME LES 11 ECC-3/10/11 FL	2009-0013045	\$35.67
CROCKER, WESLEY MIL-HIS NAME LES 11 ECC-3/10/11 FL	2010-0011904	\$21.86
DETTLING, THOMAS R MIL-HIS NAME LES 11 ECC-9/29/13 FL	2010-0013698	\$7.63
DOAK, FRANCES RELEASED TO PAMLICO COUNTY	2010-0014221	\$279.36
FOYE, DEBORAH PERRY DID NOT OWN 1/1/2010	2010-0017920	\$191.35
FRAZIER, QUEENIE GODETTE & APPRAISAL ERROR CORRECTION	2010-0095934	\$553.66
GEORGE, JOSEPH GRAYSON HOUSE VACANT SINCE 2008	2010-0019604	\$37.26
GEORGE, JOSEPH GRAYSON HOUSE VACANT SINCE 2008	2010-0090162	\$38.10
GODETTE, FETTIE DENISE MH BILLED AS REAL PROPERTY IN ERROR	2010-0098151	\$1,210.24
GODFREY, LARRY BERNELL CORRECTING SCE & RELEASE OF 1 RECYCLE	2010-0020177	\$47.22
HENSLEY, BILLY & LISA DID NOT OWN 1/1/2010	2010-0023946	\$33.53
KINCAID, BRANDON DOUGLAS MIL-HIS NAME 11 ECC-12/17/2011 IN	2010-0028904	\$88.70
MCLAUGHLIN, MARK DANIEL MIL-HIS NAME LES 11 ECC-9/8/14 FL	2010-0034558	\$234.54
MCLEOD, MAX W NEVER LOCATED IN CRAVEN COUNTY	2010-0034641	\$278.65
NEW BERN RIVERFRONT DEVELOP ORDERED BY BOARD OF E&R 3/1/2011	2010-0038071	\$94.56
PJNC RESTAURANTS LLC APPRAISAL ERROR CORRECTION	2010-0041172	\$269.14

PLUNKETT, MARTHA MCCLELLAN CORRECTED APPRAISAL ERROR	2010-0041213	\$94.10
POWELL, TERRANCE T & PATRICIA DID NOT OWN 1/1/2009	2009-0045577	\$84.75
POWELL, TERRANCE T & PATRICIA DID NOT OWN 1/1/2010	2010-0041689	\$63.33
PRICE, TONY BILLED INCORRECT PERSON-SEE 86486	2010-0098229	\$510.65
PURDIE, COREY CORRECTED APPRAISAL ERROR	2010-0042175	\$336.87
RILEY, JOSEPH B CORRECTED APPRAISAL ERROR	2010-0093852	\$186.04
WATERS, APRIL R & CHARLES LEE DOUBLE LISTED SEE ACCT 87139	2010-0054092	\$132.22
WILLIAMS, ERIC NOT TAXABLE TO CRAVEN COUNTY	2010-0056438	\$89.11
WILLIAMS, VANESSA DWELLING UNOCCUPIED SINCE 2008	2010-0056743	\$36.54
	37 – CREDIT MEMO (S)	\$6,385.00

Refunds

BARROW, KENNETH M & MARY NASH ORDERED BY BOARD OF E&R 3/15/2011	2010-0002898	\$18.37
DOBBINS, GEORGIA & CHARLES ORDERED BY BOARD OF E&R 3/15/2011	2010-0014225	\$84.25
GODETTE, FETTIE DENISE MH BILLED AS REAL IN ERROR-APPLY TO SAME ACCT FOR 2	2010-0098151	\$200.00
GODFREY, LARRY BERNELL RELEASE OF RECYCLE FEE VACANT 2002	2009-0022153	\$36.00
GODFREY, LARRY BERNELL RELEASE OF 1 RECYCLE FEE VAC 2002	2008-0022094	\$36.00
HOWELL, RICHARD LEE BUILDING NOT ON SITE 1/1/2009	2009-0027970	\$99.20
PRICE, TONY DID NOT OWN 1/1/2010	2010-0098204	\$83.23
RIVENBARK, STUART & DEBBIE ORDERED BY BOARD OF E&R 3/15/2011	2010-0043716	\$25.49
S&T LAND LLC ORDERED BY BOARD OF E&R 3/15/2011	2010-0097920	\$294.03
TYNDALL, ROBERT E & DEBRA T APPRAISAL ERROR CORRECTION	2010-0097975	\$161.05

TYNDALL, ROBERT EARL APPRAISAL ERROR CORRECTION	2010-0097976	\$324.97
WITHERINGTON, CURTIS & DEAN, EL CORRECTION OF PRESENT USE VALUE	2011-0090076	\$528.64
WITHERINGTON, CURTIS & DEAN, EL CORRECTION PRESENT USE VALUE	2011-0090075	\$484.43
	13 – REFUND (S)	\$2,375.66

Mr. Antry reported that the first letters prepared for property owners of boats at the marina who paid tax on board MCAS Cherry Point will go out today, followed by letters to vehicle owners, when coordinated by Information Technology.

BOARD OF ELECTIONS REQUEST

Elections Director, Erin Burrige, presented a request from the Board of Elections that the Commissioners approve acceptance of grant funding from the N.C. State Board of Elections HAVA DHHS funds in the amount of \$32,767 for the purpose of purchasing 31 Four Station Voting Booths for use by the voters of Craven County.

She explained that the funds were made available to all N.C. County Boards of Elections on a first come first serve basis, with Craven County having received \$43,610 of these funds in 2009 to bring all 27 polling locations into ADA compliance. During a conference in summer of 2010 an announcement was made that there were still funds available. The County has 263 voting booths of which an estimated 25 are either broken or missing components.

Commissioner Allen initiated discussion regarding reverting to paper ballots. Ms. Burrige indicated that many voters have a higher comfort level with paper ballots, which are already available at Election Day sites. They will now be available for one-stop voting. She announced that the Board of Elections is coordinating with the Board of Education, which is trying to align Board of Education districts to Commissioners’ districts.

Commissioner Allen moved to approve acceptance of grant funding in the amount of \$32,767, seconded by Commissioner Sampson and unanimously carried in a roll call vote.

FINANCE MATTERS

Budget Amendment

Craven County Finance Director, Rick Hemphill, submitted the following budget amendment, as follows, to accept additional Elections grant funds. Commissioner Allen moved to grant the budget amendment, seconded by Commissioner McCabe and unanimously carried in a roll call vote.

Elections/Accessibility Improvement

REVENUES	AMOUNT	EXPENDITURES	AMOUNT
101-0602-348-00-00 State grant	\$32,767.00	101-0602-400-73-21 C/O \$500-\$4,999	\$32,767.00
TOTAL	\$32,767.00	TOTAL	\$32,767.00

Justification: Grant awarded from NC State Board of Elections HAVA DHHS funds in the amount of \$32,767.00. This is to purchase 31 Four Station Voting Booths for Craven County voters.

Finance Monthly Report

A new format for the Finance Department was presented and explained to the Board.

Audit Proposal Results

The results of the bids for audit services were presented to the Board and a recommendation was made based on the following bid tabulation. Commissioner Sampson moved to accept the recommendation to award the bid to McGladrey & Pullen, seconded by Commissioner Mark and unanimously carried in a roll call vote.

	<u>McGladrey</u>	<u>Martin Starnes</u>	<u>Pittard Perry</u>
Cost – Year 1	\$62,656	\$59,000	\$58,000
Cost – Year 2	\$63,596	\$60,000	\$60,500
Cost – Year 3	\$64,550	\$61,000	\$61,750
Total – 3 Years	\$190,802	\$180,000	\$180,250
Office Location	New Bern	Hickory	New Bern
Estimated Hours for Audit	712	546	559
Average Hourly Rate	\$88	\$108	\$108
Number of Partner/ Director Hours	164	40	92
Manager Hours	178	52	0
Senior Hours	178	190	241
Use of Statistical Sampling	Y	N	N
Computer Specialist on Audit	Y	If Required	If Required
Interim Fieldwork Timing 5/15-6/15		Week in Mar-June	June

Matrix for Audit Responses
Craven County FY 2011 Audit

	<u>Possible Points</u>	<u>McGladrey</u>	<u>Martin Starnes</u>	<u>Pittard Perry</u>
Cost	5	3	5	5
Location of Office	4	4	2	4
No. of Hrs above staff Level	3	3	1	2
Use of Stat Sampling	3	3	0	0
Use of Computer Spec	3	3	2	2
Timing of Interim Fieldwork	3	3	3	2
TOTAL	21	19	13	15

Health Fee Request

The Board of Health recommended the following schedule of adjustments to fees in the clinics, to make them equal to or greater than the rates paid by Medicaid and Medicare in order to receive full reimbursement for services. Commissioner Allen moved to approve the schedule of fee adjustments effective for March 10, 2011, as recommended, seconded by Commissioner Sampson and unanimously carried in a roll call vote.

Child Health Immunizations

<u>Procedure/Code Description</u>	<u>Medicaid Rate</u>	<u>Current</u>	<u>Proposed Rate</u>
90473EP/Immun Admin for oral/intranasal	\$11.27	\$7.00	\$12.00
90474EP/Immun Admin for addit oral/intranasal*	\$7.47	\$8.00	\$9.00

*both without counseling

**combined with an injectable vaccine

Adult Health Immunizations

<u>Procedure/Code Description</u>	<u>Medicaid Rate</u>	<u>Current</u>	<u>Proposed Rate</u>
90473/Immun Admin for oral/intranasal*	\$11.27	\$7.00	\$12.00
90474/Immun Admin for addit oral/intranasal**	\$7.47	\$8.00	\$9.00

*both without counseling

**combined with an injectable vaccine

APPOINTMENTS

New Bern ETJ

The Board considered New Bern’s request for appointment of an ETJ member to its Planning Board to replace Mark Best. Commissioner Allen nominated Velda Whitfield. There were no additional nominees and Commissioner Sampson moved to close nominations, seconded by Commissioner McCabe. Ms. Whitfield was appointed by acclamation.

Firemen’s Relief Fund Board of Trustees

Appointments were made at the last meeting to replace Firemen’s Relief Fund Trustees who were not interested in continuing to serve; however, an appointment was not made to replace deceased member, James Johnson, from Township Six. This appointment was further deferred. Commissioner Allen stated that he will find someone to fill this vacancy.

Criminal Justice Advisory Committee

The Criminal Justice Advisory Committee requested to update its membership. Commissioner Taylor moved to defer these appointments, seconded by Commissioner Mark and unanimously carried.

EMS Advisory Council

The EMS Advisory Council requested that the Board approve the following appointments, as recommended. Commissioner Allen moved to adopt the slate of recommendations for appointment, seconded by Commissioner McCabe and unanimously carried.

- | | |
|--|--------------------------|
| Ian Jose – Captain
Med 1 Medical Transport | Replacing Pamela DeWitt |
| Jonathan Gaskins – Captain
New Bern Craven Rescue Squad | Replacing Mary Hawley |
| Carrie Crawford – Captain
Township Seven EMS | Replacing Randi Barwick |
| Crystal Davis – Representative
Coastline Care DBA/First Med | Replacing Kevin Holmes |
| Sarah Rakowski – Representative
Tarheel Medical Transport | Replacing Steve Williams |
| Elizabeth Melvin – Captain
Ft. Barnwell Rescue Squad | Replacing Linda Bland |

COUNTY ATTORNEY'S REPORT

Amendments to Junk Motor Vehicles Ordinance (Ch. 38, Article III)

County Attorney, Jim Hicks, presented recommended amendments that are technical in nature, and to further elaborate upon the due process rights of the owners of alleged junk motor vehicles. The amendments include transferring the responsibilities for investigation to the Solid Waste Director. Commissioner Taylor moved to set a public hearing for April 4 at 7:00 p.m. to receive public input on the proposed amendments, seconded by Commissioner Mark and unanimously carried.

Amendments to Parking on County Property Ordinance (Ch. 38, Article II)

Mr. Hicks advised the Board that the current ordinance only regulates parking of motor vehicles at the County Administration Building, and at a parking lot no longer utilized by the County. There have been other unauthorized activities on County parking lots reported for non-parking related uses, such as the placement of boats for sale without permission.

He presented proposed amendments, which will more fully regulate parking or placement of motor vehicles, boats, RVs, etc., on all County property.

AN ORDINANCE TO AMEND CHAPTER 38 ("TRAFFIC AND VEHICLES") OF THE CRAVEN COUNTY CODE OF ORDINANCES

BE IT ORDAINED by the Craven County Board of Commissioners that Article II ("Parking Lots") of Chapter 38 ("Traffic and Vehicles") of the Craven County Code of Ordinances be replaced in its entirety as follows:

"Article II. Parking Lots

Sec. 38-19. Definitions.

The following words, terms and phrases, when used in this Article, shall have the meanings ascribed to them in this Section, except where the context clearly indicates a different meaning:

County Property means any real property owned by the County, and any real property under the exclusive control and possession of the County, including but not limited to property leased to the County. Without limitation, it shall include those properties identified in Sec. 38-20.

Manager means the Craven County Manager, or his designee.

Vehicle means every device in, upon, or by which any person and/or personal property is, or may be, transported or drawn upon a highway. A *vehicle* includes, but is not limited to, motor vehicles, trailers, RVs, and boats.

Sec. 38-20. County Property to Which Article Applicable

The provisions of this Article shall apply to all County Property held and maintained for governmental and related purposes to provide services to its citizens and those properly utilizing the facilities thereon, including, but not limited to, the following:

1. County Administration Building, 302 Craven St. New Bern, NC
2. Sudan Temple Parking Lot, 302 Craven St. New Bern, NC
3. Planning/CARTS Building, 2828 Neuse Blvd. New Bern, NC
4. Human Services Complex, 2818 Neuse Blvd. New Bern, NC
5. St. Luke's Building, 403 George St. New Bern, NC
6. Judicial Center, 1100 Clarks Rd. New Bern, NC
7. Convention Center, 203 South Front St. New Bern, NC
8. Tax/Register of Deed's Office, 226 Pollock St. New Bern, NC

9. District Attorney/Judges Parking Lot, 310 Broad St. New Bern, NC
10. Old Jail Parking Lot, 411 Craven St. New Bern, NC
11. 509 Broad Street Building, 509 Broad St. New Bern, NC
12. Economic Development Office, 100 Industrial Dr. New Bern, NC
13. Agricultural Services Building, 300 Industrial Dr. New Bern, NC
14. Animal Shelter Building, 1639 Old Airport Rd. New Bern, NC
15. Water Department/County Garage Building, 300 Howell Rd. New Bern, NC
16. Vanceboro Work Release Building, 545 Alligator Rd. Vanceboro, NC
17. All County Solid Waste Convenience Sites
18. George Street Senior Services Building, 811 George St. New Bern, NC
19. Havelock Magistrate’s Office, 300 Miller Blvd. Havelock, NC
20. Maintenance Building, 308 New St. New Bern, NC

Sec. 38-21. Designation of enforcement officials.

The Manager may designate such officials or employees as deemed advisable to administer and enforce the rules and regulations contained in this Article.

Sec. 38-22. Authorization for parking by county officers, employees, etc.

The Manager may authorize county officials, agents, employees or other officials to park vehicles on County Property referred to in Section 38-20, and may provide the method and manner for assigning specific parking spaces in his discretion.

Sec. 38-23. Designation of public parking areas.

The Manager may authorize and prescribe public parking areas for those persons properly utilizing facilities located upon County Property, with such conditions as he may proscribe

Sec. 38-24. Unauthorized parking prohibited.

It shall be unlawful for any person to park a vehicle upon any County Property, including but not limited to those properties referred to in Section 38-20, unless such person has been authorized to park as provided in this Article, and then only in accordance with any conditions imposed for the same.

Sec. 38-25. Removal of illegally parked vehicles.

A. Any vehicle found parked in violation of this Article may be removed or towed away from the County Property to a storage area or garage. The owner of such vehicle shall be deemed to have appointed the Manager as his agent for the purpose of arranging for the transportation and safe storage of such vehicle and accepting appropriate documentation from the person or firm providing such transportation and storage. The owner of such vehicle, before obtaining possession thereof, shall pay to the County all reasonable costs incidental to the removal and storage of the vehicle, and any storage and towing fees of third-parties.

B. Upon removal of a vehicle pursuant to this Section, the County shall make reasonable efforts to ascertain the identity of the owner of the vehicle. Upon determining the identity of the owner, notice of removal and storage of the vehicle shall be sent to the owner in writing or by telephone within ten (10) days, which notice shall provide the date on which the vehicle was removed, and the location to which it was removed.

Sec 38-26 – 38-47. Reserved.”

Commissioner Allen moved to approve the amended ordinance, seconded by Commissioner Mark and unanimously carried. Due to Commissioner Dacey’s absence on the first reading, a second vote is required.

Amendments to Parks and Recreation Ordinance

Proposed amendments were presented which will allow parking enforcement at parks and boat landings to be conducted in the same manner as set forth in the amended Ch. 38, Article II.

AN ORDINANCE TO AMEND
CHAPTER 28 (“PARKS AND RECREATION”)
OF THE
CRAVEN COUNTY
CODE OF ORDINANCES

BE IT ORDAINED by the Craven County Board of Commissioners that Articles I and II of Chapter 28 (“Parks and Recreation”) of the Craven County Code of Ordinances are amended as follows:

Section 1. A new Section 28-1(5)(f) is added to read as follows:

“(f) A motor vehicle parked in violation of this Sec. 28-1(5) may also be towed or removed in accordance with the provisions of Sec. 38-25 of the Code of Ordinances.”

Section 2. A new Section 28-21(a1) is added to read as follows:

“(a1) A motor vehicle, trailer, boat or similar item parked in violation of Sec. 28-21(a) may also be towed or removed in accordance with the provisions of Sec. 38-25 of the Code of Ordinances.”

Commissioner Allen moved to approve the ordinance amendment, as presented, seconded by Commissioner McCabe and unanimously carried. Due to Commissioner Dacey’s absence, a second vote is required.

COUNTY MANAGER’S REPORT

County Manager, Harold Blizzard, distributed the Board of Education Facilities Needs Assessment. The Board of Commissioners is required only to see and review the assessment. No action of the Board is required.

COMMISSIONERS’ CLOSING COMMENTS

Commissioner McCabe introduced Ken and Judy Tyminski representing the Moorings HOA in his district.

Commissioner Sampson noted that rising gas prices are driving all other costs, except wages.

Commissioner Mark announced that he visited Little Swift Creek Fire Station. He reported that the department received a \$33,000 grant for radio equipment, with no required match, and suggested that the source be researched by other departments. He announced that he will be hosting a town hall meeting on April 14 at 7:00 p.m. at the Little Swift Creek Station.

Commissioner Allen acknowledged his absence at the previous meeting and advised that, as a matter of courtesy, the Chairman had been notified in advance.

At 9:27 a.m. Commissioner Sampson moved to adjourn, seconded by Commissioner McCabe and unanimously carried.

Chairman Steve Tyson
Craven County Board of Commissioners

Gwendolyn M. Bryan
Clerk to the Board