

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, AUGUST 15, 2011. THE MEETING CONVENED AT 8:30 A.M.

MEMBERS PRESENT:

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

STAFF PRESENT:

Harold Blizzard, County Manager
Jack B. Veit, III., Assistant County Manager
Richard F. Hemphill, County Finance Director
Gwendolyn M. Bryan, Clerk to the Board
Jim Hicks, County Attorney
Aaron Arnette, County Attorney Associate

Following an invocation by Commissioner Sampson and the Pledge of Allegiance, Commissioner Sampson moved to approve minutes of August 1, 2011, seconded by Commissioner McCabe and unanimously carried.

REQUEST FOR CORRECTIONS TO MINUTES

The Board was requested to approve corrections to the May 16, 2011 and July 18, 2011 minutes, as follows:

May 16, 2011 Minutes

At line #608, insert the following:

“County Manager, Harold Blizzard, presented the proposed budget for FY 2011-2012, along with the message which appears as Exhibit “A” to the minutes.”

July 18 Minutes

At line #196, insert the following (Insertions are underlined):

“...at a base purchase price of \$177,870, plus the cost of equipping it, for a total purchase price of \$200,000.”

...the borrowing for the purchase, *to be financed by First Citizens Bank* would take the place of debt that is ending.

Commissioner Allen moved for approval of corrections to the minutes, as requested, seconded by Commissioner Mark and unanimously carried.

TAX RELEASES AND REFUNDS

Craven County Tax Administrator, Ronnie Antry, presented the following routine requests for tax releases and refunds. Commissioner Mark moved for their approval, seconded by Commissioner Taylor and unanimously carried in a roll call vote.

Credits

TAXPAYER NAME	TICKET#	AMOUNT
CASTRO, NORMA DID NOT OWN 1/1/2010	2010-0008900	\$116.73
FASCIANO, RICK A DID NOT OWN 1/1/2011	2011-0090085	\$24.32
HTUN, YE WIN DID NOT OWN 1/1/2010	2010-0025547	\$79.14
JONES, JOSEPH B DOUBLE BILLED – SEE ACCT 6269680	2010-0027807	\$49.38
VELLEGAS, MAURO FLORES DOUBLE BILLED – SEE ACCT 75200	2010-0053164	\$48.96
VILLEGAS, MAURO FLORES DOUBLE BILLED – SEE ACCT 75200	2009-0058172	\$57.17
WALLACE, CHARLIE R DOUBLE BILLED – SEE ACCT 7510570	2007-0090979	\$243.75
WIN, ZAW A DID NOT OWN 1/1/2009	2009-0062574	\$60.07
WIN, ZAW A DID NOT OWN 1/1/2010	2010-0057164	\$49.83
9 – CREDIT MEMO (S)		\$729.35

Refunds

FIRST CITIZENS BANK & TRUST CO BUS. LOCATED ON BOARD CHERRY POINT	2009-0018712	\$71.80
FIRST CITIZENS BANK & TRUST CO BUS. LOCATED ON BOARD CHERRY POINT	2010-0017120	\$53.16
VILLEGAS, MAURO FLORES DOUBLE BILLED – SEE ACCT 75200	2008-0091909	\$49.82
3 – REFUND (S)		\$174.78

In a response to an inquiry by Commissioner Mark, Mr. Antry reported that the Tax Department has been successful in contacting more than 99% of motor vehicle owners aboard MCAS Cherry Point who are eligible for tax refunds. The last total of refunds aboard Cherry Point reported, \$150,000, reflects most of the refund liability. The final total of refunds is projected in the \$160,000 range. Mr. Antry also advised the Board that tax bills will be coming out in the next week to ten days.

CARTS REQUEST FOR PUBLIC HEARING

CARTS Director, Phyllis Toler, requested that the Board schedule a public hearing for September 6, 2011 at 7:00 p.m. to receive public comment on the County’s Rural Operating Assistance Program grant application. Commissioner Sampson moved to schedule a public hearing for September 6, 2011 at 7:00 p.m., as requested, seconded by Commissioner McCabe and unanimously carried.

PLANNING DEPARTMENT MATTERS

Recommendation of Bid Award for CDBG Replacement Home

Bids for the replacement home located at 310 Kennedy Drive within the James City CDBG target area were received from eight regional contractors, as follows:

Occupant	Address	Actual Bid	Contractor	Recommended
Hicksy Green	310 Kennedy Dr.	\$79,700	D. Griffin Builders	
		\$68,207	Billy Earp & Son	
		\$66,875	United Builders	
		\$69,280	Holland Construction	
		\$68,300	Clint Blanton Construction	
		\$88,263	Southern Reconstruction	
		\$63,500	D&B Builders	X
		\$73,800	B&B Construction.	

The contractor who submitted the lowest responsible bid was D&B Builders in the amount of \$63,500 for a 733 sq. ft., 2 bedroom, 1 bath new construction. Commissioner Sampson moved to approve the recommended award to the low bidder, D&B Builders in the amount of \$63,500, seconded by Commissioner McCabe. During discussion Commissioner Dacey inquired if there is an outstanding note on the property by the owner. Chip Bartlett with Holland Consulting Planners, responded that Craven County will hold a ten year lien on the subject property, and in the event of the owner’s demise, the property may be left to an heir, if income qualifies. Otherwise the money must be paid back. Commissioner Taylor requested a list of current Deeds of Trust. The motion carried with six (6) “ayes”, there being one (1) “nay” from Commissioner Dacey.

Subdivision for Approval

Planning Director, Don Baumgardner, presented the following subdivision for the Board’s approval.

James R. Miller, Jr. – Final: The property, owned by James R. Miller, Jr. and surveyed by Terry Wheeler, PE, PLS, is located within Twp. 5, off of Godette School Road (SR 1714), parcel ID 5-013-064. The subdivision contains 1 lot on .855 acres and is proposed to be served by community water and an individual septic system.

Commissioner McCabe moved to approve the subdivision, as presented, seconded by Commissioner Sampson and unanimously carried.

BUDGET AMENDMENTS

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

Soil Conservation

REVENUES	AMOUNT	EXPENDITURES	AMOUNT
101-4102-399-08-00	\$120.00	101-4102-420-32-01	\$120.00
Carryover Balance		Office Supplies	
TOTAL	\$120.00	TOTAL	\$120.00

Justification: Adjust carry forward for VAD. Current FY 12 budget is \$435 but should be \$555.

Health/Adult Health Primary Care

101-6612-349-59-00	\$21,750.00	101-6612-440-10-02	\$21,716.00
State Health Aid		Fulltime	
101-6612-348-00-00	\$40,000.00	101-6612-440-11-01	\$ 1,347.00
Grant-Office of Rural Health		FICA	
101-6612-352-09-00	\$22,000.00	101-6612-440-11-02	\$ 1,516.00
1 st Party Payments		Retirement	
101-6612-353-11-00	\$ 8,000.00	101-6612-440-11-03	\$ 869.00
3 rd Party Payments		401K	
101-6612-370-05-00	\$50,000.00	101-6612-440-11-04	\$ 612.00
Medicaid		Worker's Comp	
		101-6612-440-11-06	\$ 3,915.00
		Health	
		101-6612-440-11-07	\$ 288.00
		Dental	
		101-6612-440-11-08	\$ 16.00
		Life	
		101-6612-440-11-09	\$ 27.00
		Disability	
		101-6612-440-20-00	\$ 700.00
		Postage	
		101-6612-440-22-0	\$ 1,300.00
		Telephone	
		101-6612-440-25-00	\$ 500.00
		Travel/Training	
		101-6612-440-27-00	\$ 300.00
		Advertising	
		101-6612-440-32-01	\$ 1,000.00
		Office Supplies	
		101-6612-440-32-05	\$20,000.00
		Rx Drugs	
		101-6612-440-32-06	\$ 1,000.00
		Non Rx Drugs	
		101-6612-440-32-08	\$10,000.00
		Medical Supplies	
		101-6612-440-32-40	\$ 2,500.00
		Other Supplies	
		101-6612-440-40-00	\$ 663.00
		Contractual Services	
		101-6612-440-40-50	\$70,980.00
		Contract Employees	
		101-6612-440-73-21	\$ 2,500.00
		C/O \$500-\$4,999	
TOTAL	\$141,750.00	TOTAL	\$141,750.00

Justification: New department request to start October 1, 2011.

Health/Risk Reduction

101-6700-349-04-00	\$(22,37.00)	101-6700-440-10-02	\$(32,399.00)
Risk Reduction – State		Fulltime	
(**Funding Reduced**)		101-6700-440-10-05	\$(250.00)
		Longevity	
		101-6700-440-11-01	\$(2,480.00)
		FICA	
		101-6700-440-11-02	\$(2,279.00)
		Retirement	
		101-6700-440-11-03	\$(1,306.00)
		401k	

		101-6700-440-11-04	\$(134.00)
		Worker's Comp	
		101-6700-440-11-06	\$(5,220.00)
		Health	
		101-6700-440-11-07	\$(384.00)
		Dental	
		101-6700-440-11-08	\$(20.00)
		Life	
		101-6700-440-11-09	\$(35.00)
		Disability	
		101-6700-440-20-00	\$(900.00)
		Postage	
		101-6700-440-22-00	\$(250.00)
		Telephone	
		101-6700-440-25-00	\$(500.00)
		Travel/Training	
		101-6700-440-32-01	\$(145.00)
		Office Supplies	
		101-6700-440-32-40	\$(900.00)
		Other Supplies	
		101-6700-440-97-09	\$ 24,855.00
		From other health dept	
TOTAL	\$(22,347.00)	TOTAL	\$(22,347.00)

Justification: Budgeted \$34,025; awarded \$11,678 (reduced by \$22,347)

Health/Home Health

101-6500-371-01-00	\$(24,855.00)	101-6500-440-97-10	\$(24,855.00)
Home Health – Medicare		To Other Health Dept	
TOTAL	\$(24,855.00)	TOTAL	\$(24,855.00)

Justification: To decrease “transfer to” and “transfer from” accounts due to reduction in funding in Dept 6700 (Risk Reduction).

Fire Department – Multiple

240-0000-399-00-00	\$ 260.00	240-2900-410-11-04	\$ 260.00
Rhems		Worker's Comp	
244-0000-399-00-00	\$ 195.00	244-2903-410-11-04	\$ 195.00
Ft. Barnwell		Worker's Comp	
247-000-399-00-00	\$ 65.00	247-2900-410-11-04	\$ 65.00
Twp. #7 Fire		Worker's Comp	
246-0000-399-00-00	\$ 715.00	246-2900-410-11-04	\$ 715.00
Twp. #6		Worker's Comp	
101-0000-399-01-00	\$ 3,242.00	101-2828-410-11-04	\$ 500.00
		Worker's Comp Bridgeton	
		101-2829-410-11-04	\$ 1,910.00
		Worker's Comp Vanceboro	
		101-2830-410-11-04	\$ 2,462.00
		Worker's Comp Cove City	
		101-2825-410-11-04	\$(305.00)
		Worker's Comp New Bern/Craven	
		101-2827-410-11-04	\$(880.00)
		Worker's Comp Ft. Barnwell	
		101-2831-410-11-04	\$(445.00)
		Worker's Comp Twp. #7	
TOTAL	\$ 4,477.00	TOTAL	\$ 4,477.00

Justification: To cover shortage in Fire Department 7 and Rescue Squad Line Item for VFIS invoice dated 8/3/11 in the amount of \$71,292.50. Worker's Compensations premiums increased: (Premiums based on number and type of personnel)

HUMAN RESOURCES REQUEST FOR APPROVAL OF 2012 HOLIDAY SCHEDULE

Human Resources Director, Joan Harrell, presented the following 2012 Holiday Schedule for Craven County employees for the Board's consideration.

**2012
HOLIDAY SCHEDULE**

**NEW YEAR'S DAY
Monday, January 2, 2012**

**MARTIN LUTHER KING, JR.'S BIRTHDAY
Monday, January 16, 2012**

**GOOD FRIDAY
Friday, April 6, 2012**

**MEMORIAL DAY
Monday, May 28, 2012**

**INDEPENDENCE DAY
Wednesday, July 4, 2012**

**LABOR DAY
Monday, September 3, 2012**

**VETERANS' DAY
Monday, November 12, 2012**

**THANKSGIVING
Thursday, November 22, 2012
Friday, November 23, 2012**

**CHRISTMAS
Monday, December 24, 2012
Tuesday, December 25, 2012
Wednesday, December 26, 2012**

Approved by the Craven County Board of Commissioners at their regularly scheduled meeting on August 15, 2011.

Commissioner Allen moved to approve the 2012 holiday schedule, as presented, seconded by Commissioner McCabe and unanimously carried. Commissioner Allen asked how much it cost to give a paid holiday. Ms. Harrell responded that it depended upon the employee's salary.

PAMLICO COUNTY REQUEST FOR RESOLUTION

At the request of the Pamlico County Board of Commissioners, Commissioner Allen moved to approve the following resolution, seconded by Commissioner McCabe and unanimously carried.

RESOLUTION OPPOSING FERRY FEES

WHEREAS, Pamlico County is an isolated rural county with limited access to neighboring jurisdictions and is surrounded by water on the eastern and southern sides; and



WHEREAS, Craven, Pamlico and Carteret Counties have, over the years, forged a collaborative relationship in many matters of local government, regional concern and issues of importance to their respective citizenry; and

WHEREAS, the Cherry Branch to Minnesott Beach Ferry connection is important for providing transportation to and from certain parts of Carteret, Craven, and Pamlico Counties; and

WHEREAS, Section 31.3 of House Bill 200, ratified in the 2011-2012 session of the North Carolina General Assembly, legislates a toll for all ferry routes, excepting the Hatteras Island to Ocracoke and Knotts Island routes; and

WHEREAS, representatives of the state legislature have indicated that a toll of \$10 per car, one way, is proposed; and

WHEREAS, the Cherry Branch to Minnesott Beach branch of the ferry system is of regional importance by providing transportation for the citizens of the tri-county area, to local businesses, community colleges, and especially to U.S. Marine Corp Air Station Cherry Point; and

WHEREAS, any additional transportation costs would undoubtedly inhibit the growth of tourism, which is a major sector in sustaining the local and regional economies; and

WHEREAS, a \$10 fee as proposed would deter use of the ferry and furthermore, the expected benefits as proposed in the State budget would be offset by the administrative costs associated with collecting and managing revenues from the fees; and

WHEREAS, with the current cost of living challenges faced by our citizens, such additional transportation costs would hinder economic recovery in the area.

NOW, THEREFORE BE IT RESOLVED, that the Craven County Board of Commissioners stands with Pamlico County in opposition to the collection of any toll for use of the Cherry Branch to Minnesott Beach Ferry and urges legislators to exempt this route from any tolls.

Adopted this 15th day of August 2011.

Commissioner Mark read a letter from a citizen who is in support of charging user fees for the N.C. Ferry Services. Commissioner Dacey requested that the adopted resolution be presented to House Speaker, Tom Tillis at his listening session at the N.C. History Education Center on Friday, August 19.

HEALTH DEPARTMENT REQUEST FOR APPROVAL OF FEE ADJUSTMENTS

The Board of Health presented the recommended schedule of adjustments to fees in the clinics as follows:

Procedure Code/Description	Medicaid Rate	Proposed Rate
J7300FP/Paragard – IUD	\$386.89	\$387.00
J7302FP/Mirena – IUD	\$477.20	\$478.00

It is required that charges be 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 recommended adjustments, seconded by Commissioner Sampson and unanimously carried.

APPOINTMENTS

Agricultural Advisory Board

Commissioner McCabe asked to defer this appointment until the September 6, 2011 meeting.

Firemen's Relief Fund Board of Trustees

Commissioner Mark asked to defer this appointment until the Board's next meeting.

Juvenile Crime Prevention Council

It was the consensus of the Board to defer these appointments.

Fire Tax Commissioner

The Board was apprised of a vacancy on the Fire Tax Commission due to the death of Clarence Edwards, Twp. 6. Commissioner Allen nominated Harvey Hurst for appointment, as recommended by Twp. 6 Fire Department. There being no additional nominees, Mr. Hurst was appointed by acclamation.

Nursing Home Advisory Committee

The Board was previously apprised of vacancies on the Nursing Home Advisory Committee. Commissioner Mark nominated Britt Bendy and Deborah Shannon for appointment. There being no additional nominations, both were appointed by acclamation.

Adult Care Home Advisory Committee

The Board was apprised of vacancies on the Adult Care Home Advisory Committee. Commissioner Mark nominated Ruth Swank, Joan Taylor, Rick Walker, Laraine Mark, Kate Clark and Tom McDivor for appointment. There being no additional nominations, all were appointed by acclamation.

EMERGENCY SERVICES REQUEST

Emergency Services Director, Stanley Kite, presented a recommendation from the EMS Advisory Council that Township 7 Rescue Squad be granted a franchise for convalescent transport. He stated that his department does not support the concept of County subsidized services competing with private sector services, as there are private companies already franchised to provide this service. However, Vanceboro, along with several other squads, has been granted a franchise for operating non-emergency services. Commissioner Mark asserted that if the County is allowing Vanceboro to do non-emergency transport, he sees no justification in denying Twp. 7. He suggested that the Ambulance Franchise Ordinance may need amendment for it to be consistent among all squads. Commissioner Dacey moved to table the request for further review until the mid-September meeting, seconded by Commissioner Mark and carried with six (6) "ayes", there being one (1) "nay" from Commissioner Allen. The general sentiment among Commissioners was that dual service franchises could jeopardize delivery of emergency services, and that public entities should not be in competition with the private sector. For further study, the Board posed the following questions:

- *Are the for-profit entities meeting current demand?*
Mr. Kite responded that he is unaware of additional needs at this time.
- *Should any publicly supported squads be in competition with the private sector?*
- *Can public squads adequately handle dual services?*

**COUNTY ATTORNEY'S REPORT: CRAVEN COUNTY V. DARDEN LANDY
COMPANY (Clubfoot Creek MHP)**

In April 2011, the Board of Commissioners was apprised of numerous violations of the County's Manufactured Home Park Regulations at the Clubfoot Creek Mobile Home Park, and authorized the County Attorney to file a legal action to enforce the regulations. County Attorney Associate, Aaron Arnette, reported that at a hearing on August 8 the judge awarded the County \$25,000 in penalties and ordered owners of this property to bring the property into compliance within 30 days, or the County will have the authority to enter the property and bring it into compliance. The County's costs may become a lien held by the County against the property. County Attorney, Jim Hicks, stated that the County also has the authority to seek additional penalties at \$500 per day after the 30 day deadline.

COMMISSIONERS' REPORTS

Commissioner Mark announced several upcoming Town Hall meetings, as follows:

- August 16th 3:30 p.m.-6:00 p.m.– Bridgeton Town Hall
- August 17th 7:00 p.m.-9:00 p.m. – Vanceboro Town Hall
- August 18th 3:30 p.m. – 6:00 p.m. – Fairfield Harbor Town Hall

Commissioner Sampson urged citizens to continue to protest gas prices by writing letters to editors and putting pressure on lawmakers.

Commissioner Taylor thanked Don Baumgardner and Chad Strawn for Planning Department efforts to address problems on Farrow Road in his district. He also announced a meeting scheduled with the Sheriff on Wednesday, August 17th to address pending issues.

Commissioner Dacey announced a Town Hall meeting at 3:30 p.m. August 15th in the Commissioner's Room. He also announced that House Speaker, Thom Tillis, will be at the N.C. History Center on Friday, August 19th at 8:30 a.m. for a listening session, followed by a meeting with Commissioners at 10:00 a.m. Commissioners Tyson, Dacey, Taylor and Mark indicated their plans to attend.

Commissioner Allen reported that the air facility at Cherry Point has been notified that repair work will all go to the Air Force in California. Commissioner Dacey stated that the Defense Department is considering such consolidation, but it is not yet definite.

At 10:02 a.m. the Board moved to recess to reconvene as the Water Board.

At 10:29 a.m. the Board returned to regular session.

At 10:30 a.m. Commissioner Taylor moved to go into closed session, pursuant to NCGS 143-318.11(a)(6) to discuss a personnel matter, seconded by Commissioner McCabe and unanimously carried.

At 11:10 a.m. the Board returned to regular session. The Chairman reported that no action was taken in closed session, and declared the Board in recess to reconvene at 509 Broad Street, followed by a tour of the St. Luke's Building.

At the conclusion of the tour, Commissioner Dacey moved to recess to reconvene at 10:00 a.m. on Friday August 19 at the Convention Center, seconded by Commissioner Mark and unanimously carried.

Chairman Steve Tyson
Craven County Board of Commissioners

Gwendolyn M. Bryan
Clerk to the Board