

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, APRIL 16, 2012. THE MEETING CONVENED AT 8:30 A.M.

MEMBERS PRESENT:

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

STAFF PRESENT:

Jack B. Veit III., County Manager
Gene Hodges, Assistant County Manager – Operations/Facilities
Richard F. Hemphill, Assistant County Manager – Finance/Administration
Gwendolyn M. Bryan, Clerk to the Board
Jim Hicks, County Attorney
Aaron Arnette, County Attorney Associate

Following an invocation by Chairman Allen and the Pledge of Allegiance, the Chairman called for any correction to the minutes. There being none, the minutes of April 2, 2012 regular session were accepted, as presented.

VANCEBORO RESCUE TRUCK PURCHASE

Chief Stacey Lewis announced the planned purchase by the Vanceboro Volunteer Fire Department of a Pierce Encore truck as a replacement vehicle. He explained that the original plan was to pay \$291,860 for the truck, utilizing a \$175,000 loan through First South Bank at 2.8% over seven years. However, a better deal through the USDA was negotiated at 3.75% on a \$135,000 loan, in combination with a grant for \$40,000. The monthly payment is \$981.75 over fifteen years and the Department plans to double up on payments and complete the loan in seven years. The purchase of the truck will not necessitate a raise in the fire tax rate.

PUBLIC HEARING – FY 08 CDBG JAMES CITY “ADD-ON” PROJECT

A public hearing was advertised for the purpose of receiving input from citizens and reviewing the budget and activities that have been accomplished through the County's FY08 CDBG-James City “Add-on” Project. Chip Bartlett with Holland Consulting Planners, Inc., reported that the project included completion of street, drainage and sewer improvements, and two home completions, totaling \$250,000.

At 8:40 a.m. Commissioner Tyson moved to go into public hearing, seconded by Commissioner Dacey. The following citizen spoke:

Hal James, 305 Calico Drive, representing the Craven County Taxpayer's Association stated that he objects to funding homes without any effort on the part of the homeowners. He urged the County to continue in an effort to utilize CDBG funds for partnering with agencies such as Habitat for Humanity or Neuse River Community Development Corporation, which require homeowner investment.

At 8:45 a.m. Commissioner McCabe moved to close the public hearing, seconded by Commissioner Tyson and unanimously carried.

TAX RELEASES AND REFUNDS

Craven County Tax Administrator, Ronnie Antry, presented the following tax releases and refunds for the Board's approval. Commissioner Sampson moved for their approval,

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

Credits

TAXPAYER NAME	TICKET#	AMOUNT
BB&H DEVELOPMENT LLC DEDICATED AND ACCEPTED FOR STATE MAINTENANCE 7-9-09	2010-0003329	\$13.72
BB&H DEVELOPMENT LLC DEDICATED AND ACCEPTED FOR STATE MAINTENANCE 7-9-09	2011-0003656	\$9.39
BROCKLEHURST, DONNA BOAT NOT TAXABLE TO CRAVEN COUNTY	2011-0006783	\$96.22
CASTELLON, MARIA DID NOT OWN 1/1/2011	2011-0009807	\$60.08
FORCE, ARRILD E DOUBLE LISTED – SEE ACCT #51315	2010-0017642	\$27.26
GALE, IAN & NITZIA CORRECTING APPRAISAL ERROR	2006-0091598	\$130.31
HERRERA, PEDRO DOUBLE LISTED – SEE ACCT# 85037	2006-0025127	\$133.16
HERRERA, PEDRO DOUBLE LISTED – SEE ACCT# 85037	2007-0025837	\$126.78
HERRERA, PEDRO DOUBLE LISTED – SEE ACCT #85037	2008-0026281	\$115.09
HERRERA, PEDRO DOUBLE LISTED – SEE ACCT #85037	2009-0026347	\$104.03
HERRERA, PEDRO DOUBLE LISTED – SEE ACCT #85037	2010-0024026	\$81.69
HERRERA, PEDRO DOUBLE LISTED – SEE ACCT #85037	2011-0026625	\$73.32
IPOCK, TRACY JOE DWELLING FOR STORAGE ONLY	2011-0029205	\$37.26
MINGUS, FRANKIE G JR & JORDAN MILITARY EXCLUSION	2011-0039706	\$7.97
ROBERTS, MARK D II & REBEKAH J MILITARY EXEMPTION	2011-0049002	\$22.03
TAYLOR, GARY & BEVERLY C RELEASED TO BEAUFORT COUNTY	2010-0050356	\$136.56
TAYLOR, GARY & BEVERLY C RELEASED TO BEAUFORT COUNTY	2011-0056002	\$121.24
VALENZUELA, ANGELA DID NOT OWN OAKWOOD 1/1/11	2011-0058771	\$2.49
WILLIAMS, CLARINO F	2011-0062678	\$100.20

DID NOT OWN 1/1/2011

19 – CREDIT MEMO (S) \$1,398.80

Refunds

GIBSON, MARVIN W JR 2011-0091975 \$13.49
 OUT OF BUSINESS 1/1/2011

JIM CONGLETON DDS MS PLLC 2011-0030020 \$611.11
 DOUBLE LISTED LEASED MACHINERY

2 – REFUND (S) \$624.60

RESOLUTIONS AND PROCLAMATIONS

Craven County Tartan

Craven 300th Committee member, Kelly Beasley, reported on efforts of Commissioner District 2 in working with Mr. Brian Dodds on creating a Craven County tartan. He created four possible designs for the 300th Birthday, and District 2 gathered a committee to help select the tartan, with input from the County staff. Ms. Ila Grey White has offered to purchase the material to make a 3x5 banner to be placed in the County Courthouse or the County Administration Building. This is being done as a gift to the County by these interested citizens; however, a resolution of support for this endeavor was requested in order to proceed through the registration of an official tartan. Commissioner Mark moved to adopt the following resolution, seconded by Commissioner Dacey and unanimously carried.

**RESOLUTION
 BY THE CRAVEN COUNTY BOARD OF COMMISSIONERS:
 CRAVEN COUNTY TARTAN**

WHEREAS, District Two Committee of the Craven County 300 Year Celebration, at a meeting on March 20, 2012 unanimously proposed the adoption of an official Craven County Scottish Tartan to be registered with the Scottish Register of Tartans; and

WHEREAS, the District Two Committee of the Craven County 300 Celebration chose the following colors: 1. Blue as the primary color from the Craven County Coat of Arms, the military, a popular Craven County school color, the water and sky. 2. Green for the forest industry, agricultural heritage; planting of trees, tobacco, corn, soybeans, indigo, turf and other crops and the environment. 3. Brown for tobacco, soil, and trees. 4. Red from Craven County Coat of Arms. 5. Purple for history of royalty, the Lord Proprietors, Colonial Governors, and others. 6. Yellow from the Craven County Coat of Arms and from the sunlight; and

WHEREAS, the Craven County Tartan has six different colors with differing numbers of threads woven together in a unique plaid to create a tartan. The blue, green, and brown threads are chosen as primary colors to represent Craven County heritage of farming and forestry under a Carolina blue sky; and

WHEREAS, the creation and registry of the Craven County Tartan are donations by interested citizens as their gift to the County in honor of its 300th Anniversary.

NOW, THEREFORE, the Craven County Board of Commissioners endorses the proposal from District Two Committee of the Craven County 300 Celebration for the official Craven County Scottish Tartan to be registered with the Scottish Register of Tartans.

Adopted this the 16th day of April, 2012.

Earth Day Proclamation

Water Superintendent, Rusty Hayes, requested the Board to adopt a proclamation recognizing Earth Day in Craven County on behalf of the Craven County “Less Means More” initiative. Commissioner Sampson moved to adopt the following resolution, as requested, seconded by Commissioner McCabe and unanimously carried.

Earth Day Proclamation

WHEREAS, in 1970, the Environmental Protection Agency (EPA) was created with the mission to protect the environment and public health; and in this same year, 20 million people in the United States celebrated the first Earth Day; and

WHEREAS, the idea for Earth Day has evolved into a national day of awareness and education focused on environmental concerns; and

WHEREAS, Earth Day will be observed by other communities throughout the world, providing an opportunity for governments to work together with business, industry, environmental groups, community organizations, and residents for a prosperous and sustainable future; and

WHEREAS, Earth Day celebrations in Craven County will include recognition of and awards to businesses and organizations that practice conservation efforts; and

WHEREAS, Earth Day is an excellent opportunity for all Craven County residents to join the effort to protect the planet by becoming conscious of the challenges facing the environment locally, nationally, and globally; and to take great pride in their responsibility for preserving our natural resources, and maintaining the cleanliness and beauty of our environment; and

WHEREAS, **Craven County** has formed the “Less Means More” Task Force to promote a water conservation initiative.

NOW, THEREFORE, BE IT RESOLVED that the Craven County Board of Commissioners does hereby proclaim April 23, 2012 as **Earth Day in Craven County** and invites all Craven County residents, businesses, civic groups, government agencies, and other organizations to participate in local and regional celebratory and educational activities.

Adopted this 16th day of April, 2012.

GOVERNOR’S VOLUNTEER AWARDS

Theresa Lee, Governor’s Volunteer Awards Coordinator for Craven County, presented Craven County’s 2012 recipients of the Governor’s Volunteer Awards.

The following honorees were present:

Frank Owens, faith-based volunteer and retired Navy Chief Petty Officer and Coast Guard, continues to serve his community as a Chaplain and teacher at the Craven County Confinement Facility, the Rainbow Prison Ministry, and the Craven-Pamlico Christian Coalition and Gideon International.

Lydia Allen, faith-based volunteer, coordinates meals once a month to the local homeless shelter and organizes her church’s effort to feed the fair workers when they come to the community. She has traveled to Swaziland, Africa as a missionary and serves as the church’s Director of Women’s Ministry, teaches Sunday school and serves as the Mission Director.

Reverend Ethel Belle Sampson, Senior Volunteer Award and Medallion Award winner, has been a lifelong resident of Craven County, who feeds the hungry, finds shelter for the homeless, provides transportation for people in need of medical attention and provides counseling for those in trouble with the law. She is known as the Mother Teresa of the community, and serves equally in both the political community as well as the religious arena.

MONARCH PRESENTATION

Eileen Bress, Quality Management Community Coordinator, provided a PowerPoint presentation concerning the Monarch Ability Garden project.

PLANNING DEPARTMENT MATTERS

HCP Contract Amendment

A contract amendment to the CDBG Contingency Infrastructure Project was requested by Planning Director, Don Baumgardner, to increase the HCP contract amount from \$69,000 to \$76,500 to compensate the Consultant for administering the following services related to the County's Community Development Block Grant (CDBG) Contingency Infrastructure Category Project:

- Assisting the Project Engineer and County Attorney in obtaining 22 easements for the Old Pollocksville Road sewer extension activity.
- Delay in execution of Willis Landing Road waterline construction contract due to additional required submittals for environmental review process.
- Assistance with developing CDBG needs assessment for Hurricane Irene recovery.

The proposed amendment will come out of the Contingency Project budget and is 100% grant funded. Commissioner Sampson moved to approve the contract amendment, as requested, seconded by Commissioner McCabe and unanimously carried.

Flood Damage Prevention Ordinance – Repetitive Loss Provision

In response to a request by Mr. Tony Michalek at the Board's meeting of April 2nd, the Planning Department investigated adding a repetitive loss provision to the County's Flood Damage Prevention Ordinance. Planning Director, Don Baumgardner, reported on findings, as follows:

Positive – If a flood *insured* structure receives damages two times in a 10 year period, where the cost of repairing the flood damage, on the average, equals or exceeds 25 percent of its market value at the time of each flood then that property owner could receive \$30,000 in Increased Cost of Compliance funds from the National Flood Insurance Program. The structure would be required to be elevated to the regulatory flood protection elevation.

Negative – If an *uninsured* structure receives damages two times in a 10 year period, where the cost of repairing the flood damage, on the average, equals or exceeds 25 percent of its market value at the time of each flood, that property owner would be required to elevate their structure to the regulatory flood protection elevation by their own means and with no assistance from the National Flood Insurance Program. The amount of actual value of damage is the trigger. The current provision is 50% of the market value and the threshold would have to be reduced to 25%.

Enactment of the repetitive loss provision within the Flood Damage Prevention Ordinance would require enforcement of this provision uniformly across the County with no regard for the citizen's insurance status.

FY 11 Repetitive Flood Claim Project Agreement and Administrative Guidelines/Policies

The Planning Department requested that the Board accept the forthcoming grant agreement for the \$132,455 Repetitive Flood Claim Project #RFC-PJ-04-NC-2011-002 and authorize the Chairman to execute the grant agreement. This grant will provide 100% of the cost of elevation on one residential structure located at 101 New Street in Bridgeton. Commissioner McCabe moved to accept the grant and adopt the following resolution, seconded by Commissioner Tyson and unanimously carried in a roll call vote.

**CRAVEN COUNTY FY2011 REPETITIVE FLOOD CLAIM (RFC) PROGRAM
Resolution Approving Administrative Guidelines and Policies**

WHEREAS, Craven County wishes to carry out its FY2011 Repetitive Flood Claim (RFC) Program in accordance with established state and federal administrative guidelines.

NOW, THEREFORE, the Craven County Board of Commissioners hereby collectively adopts the following resolutions, guidelines, plans and policies, and resolves that they be utilized during the administration of the Craven County FY2011 Repetitive Flood Claim (RFC) Program:

1. Financial Management Resolution
2. Elevation Contract Award Policy
3. Local Economic Benefit for LMI Persons (Section 3) Plan
4. Equal Employment and Procurement Policy
5. Designation of Project Agent

Adopted this 16th day of April, 2012.

APPOINTMENTS

Craven County Clean Sweep Committee

Commissioner Tyson indicated that he has appointees in mind, but wished to defer until they could complete and submit applications for consideration.

There was discussion concerning the necessity of the applications, and it was noted by the Chairman that the practice has not been consistent. Commissioners Allen, McCabe and Sampson expressed the opinion that the nominating Commissioner's judgment should be trusted. Commissioner Tyson moved to require all potential appointees to complete the application form prior to appointment, seconded by Commissioner Mark. During discussion, Commissioner McCabe requested that the application form be simplified. Commissioner Dacey suggested that the issue may be more appropriately addressed in Commissioners bylaws. The motion was withdrawn to allow time to further study.

Commissioner Taylor moved that citizens who wish to be considered for appointment to the volunteer boards or committees must complete a volunteer board application, as stated on the County website, seconded by Commissioner Mark. County Attorney, Jim Hicks, noted that Rule 32 of the Commissioners' bylaws already requires an application to the Clerk, although it does not specify in what form. Commissioner Tyson offered an amendment to add language "Consistent with Rule 32 of the bylaws", seconded by Commissioner Mark. The amendment and original motion were later withdrawn. Commissioner Taylor re-stated the motion as follows: citizens who are interested in being considered for appointment to the following boards or committees which appear on the County website as "Volunteer Boards and Committees" must complete a Volunteer Board Application which is available at the site or by request from the Clerk's office. Following a second by Commissioner Mark the motion was carried unanimously.

Industrial Facilities Pollution Control Financing Authority

It was the consensus of the Board to defer appointments to this body.



Agricultural Advisory Committee

It was the consensus of the Board to defer appointments to the Agricultural Advisory Committee.

Craven Aging Planning Board

It was the consensus of the Board to defer appointments on the Craven Aging Planning Board.

EMS Advisory Council

It was the consensus of the Board to defer appointments on the Emergency Medical Services Advisory Council.

Regional Aging Advisory Committee

It was the consensus of the Board to defer appointments on the Regional Aging Advisory Committee.

Upcoming Appointments

The Board was advised of the following upcoming appointments:

May

Eastern Carolina Workforce Development Board

June

- ABC Board*
- Eastern Carolina Council of Governments*
- Economic Development Commission*
- North Carolina Eastern Region*
- Planning Board*
- Recreation Advisory Committee*
- Coastal Carolina Airport Authority*
- Tourism Development Authority*

BUDGET AMENDMENTS

Craven County Assistant County Manager-Finance/Administration, Rick Hemphill, presented the following budget amendment for the Board’s approval. Commissioner Sampson moved for its approval, seconded by Commissioner McCabe. In a roll call vote, there were six (6) “ayes”, there being one (1) “nay” from Commissioner Tyson

3101

REVENUES	AMOUNT	EXPENDITURES	AMOUNT
101-0000-399-01-00	\$10,584.00	101-3101-420-10-02	\$6,053.00
Fund Balance C YR		Full Time Salaries	
		101-3101-420-11-03	\$ 315.00
		401K	
		101-3101-420-11-04	\$1,466.00
		Worker Comp	
		101-3101-420-15-15	\$ 50.00
		Due	
		101-3101-420-25-0	\$1,200.00
		Travel	
		101-3101-420-32-40	\$1,500.00

Other Supplies

TOTAL	\$10,584.00	TOTAL	\$10,584.00
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Justification: Unemployment invoice, vacation payout, new employee training – all unanticipated expenses.

COUNTY MANAGER’S REPORT

Animal Control Issues

County Manager, Jack Veit, reported on the staff’s research on animal control issues as a result of a petition for a Craven County leash law which was made at the April 2 Commissioners’ meeting.

The following issues related to domestic animal ownership are being studied:

- Feral animals, and how they are dealt with by Animal Control and the Sheriff’s Department
- The number of dogs kept on premises
- Destruction of personal property
- Dangerous dogs and how this title is defined and used by the Sheriff
- Animal pens and backyard smells affecting other citizens
- Absence of a leash law
- Noise from barking dogs affecting use of neighboring property
- Farm and domestic animals attacked by loose animals

Several action items identified for follow-up have been assigned to staff, with a progress update to be provided at the Board’s next meeting.

Emergency Operations Center (EOC)

Mr. Veit announced that the demolition on the interior of the Emergency Operations Center has been completed.

COMMISSIONERS’ REPORTS

Commissioner Mark announced the Strawberry Festival being held on May 4 and 5 in Vanceboro. He requested help in carrying the banner in the parade on May 5.

Commissioner Taylor reported on Fort Barnwell Heritage Day. He thanked organizers, Jimmy and Betty Smith, Terry Cox, property owner and District 2 Committee, let by Kelly Beasley. He announced that early voting will begin on April 19 with the following four voting sites being available: New Bern, Havelock, Vanceboro and Cove City.

Commissioner Tyson announced his attendance on April 14 at Ft. Barnwell Heritage Day and the Unity Ball Celebration of 300 Years of Shared History.

Commissioner Sampson commented on rising gas prices and resulting commodity prices. He praised volunteers in the County and encouraged citizens to volunteer their time. He reported on his attendance at the Unity Ball.

Vice Chairman Dacey yielded a portion of his time to Hal James. Mr. James stated that it was a courageous move for the Board to do the invocation. He feels confident of citizen support. Vice Chairman Dacey announced a Town meeting at River Bend Town Hall on April 27 from 3:00 p.m.-4:00 p.m. He stated that Speaker Tom Tillis was in town last week. He commented on a meeting with Dr. Catherine Chew regarding upcoming challenges and that he also sat in on a weekly conference call regarding protection of MCAS Cherry Point and FRC East.

At 10:52 p.m. Commissioner Taylor moved to go into closed session, seconded by Commissioner McCabe pursuant to NCGS 143-318.11 (a)(6) to consider a personnel matter.

The Board returned to regular session at 11:15 a.m. County Attorney, Jim Hicks, reported that the Board had discussed personnel matters but no action had been taken.

Commissioner Mark moved to approve a salary adjustment for the Sheriff, as previously agreed to with the Sheriff upon satisfaction of specified conditions, and as previously budgeted. Commissioner McCabe seconded the motion, which carried unanimously.

At 11:20 a.m. Commissioner Taylor moved to adjourn, seconded by Commissioner Mark and unanimously carried.

Chairman Lee Kyle Allen
Craven County Board of Commissioners

Gwendolyn M. Bryan
Clerk to the Board