

THE BOARD OF COMMISSIONERS OF THE COUNTY OF CRAVEN MET IN REGULAR SESSION IN THE MATTOCKS HALL OF THE NORTH CAROLINA HISTORY CENTER, 529 SOUTH FRONT STREET STREET, NEW BERN, NORTH CAROLINA, ON MONDAY, JULY 2, 2012. THE MEETING CONVENED AT 7:00 P.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
 Aaron Arnette, County Attorney Associate

Following the Pledge of Allegiance, the Chairman called for any correction to the minutes. There being none, the minutes of June 13, 2012 regular session were accepted, as presented.

CHAIRMAN’S PRIVILEGE

Chairman Allen introduced Kay Williams, Executive Director of Tryon Palace Historical Sites and Gardens. Ms. Williams spoke about the mission and achievements of Tryon Palace Historical Sites and Gardens.

PUBLIC HEARING ON AMENDMENTS TO THE VOLUNTARY AGRICULTURAL DISTRICT ORDINANCE

At 7:14 p.m. Commissioner Sampson moved to go into public hearing, as advertised, seconded by Commissioner McCabe, to receive public comment on the proposed amendment to the Voluntary Agricultural District and Enhanced Voluntary Agricultural District Ordinance. There were no citizens from the public who wished to speak and at 7:15 p.m. Commissioner Sampson moved to close the public hearing, seconded by Commissioner McCabe. Commissioner Taylor stated that he had questions that could not be addressed in the absence of the County Attorney and moved to defer consider until July 16, seconded by Commissioner Mark and carried unanimously.

PETITIONS OF CITIZENS

Lovay Singleton requested to appear before the Board but was unable to attend.

Susan Cook requested to appear before the Board but cancelled before the meeting.

Sam Laughinghouse addressed the Board regarding prayer, stating that others should not be able to dictate how we should pray and that non-believers can avoid prayer by arriving at the meeting after the invocation is given.

Ray Griffin stated that citizens should defend their liberties.

Steve Ipock commented that we need to pray to Jehovah God and not just any “God”.

Chris Elks asked Craven County to stand in the gap regarding prayer.

Charles Simmons commented that prayers, to be effective, are instructed to be in Jesus’ name and that God will protect those who stand.

Hal James, representing the Craven County Taxpayer’s Association, spoke on transparency in the budget process, and in support of relief for taxpayers and greater budgetary commitment to public schools as opposed to funding for non-profit organizations.

Anthony French addressed the Board stating that according to his research of Supreme Court rulings, prayer at the beginning of a meeting is **not** an advancement of faith.

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

Credits

| TAXPAYER NAME | TICKET# | AMOUNT |
|--|----------------|---------------|
| ANDERSON, JAMES JR DID NOT OWN 1/1/2011 | 2011-0091868 | \$39.57 |
| BOYD, WINSTON DARRELL II MILITARY EXEMPTION | 2011-0005961 | \$7.82 |
| BROWN, MICHAEL & DENISE DID NOT OWN 1/1/2011-SEE ACCT 86298 | 2011-0007166 | \$126.71 |
| CATON, GARY PAUL BOAT NOT IN CRAVEN COUNTY 1/1/2011 | 2011-0009864 | \$65.59 |
| COASTAL SCRAPBOOK SUPPLY INC APPRAISAL ERROR CORRECTION | 2011-0090393 | \$37.08 |
| DAWSON, GUION NOT IN BUSINESS 1/1/2011 | 2011-0090461 | \$86.88 |
| DIXON, SHELTON EARL DWELLING UNOCCUPIED SINCE 2006 | 2011-0015652 | \$38.07 |
| DUNN, JENNIFER ANN DOUBLE BILLED – SEE ACCT 14956 | 2011-0016629 | \$76.09 |
| TACKETT, ANDREW SCOTT MILITARY EXEMPTION | 2011-0091190 | \$76.92 |
| TOLER, RICKY NOT IN BUSINESS 1/1/2011 | 2011-0092094 | \$14.54 |
| WILLIAMS, EDNA DWELLING UNOCCUPIED SINCE 2010 | 2011-0062726 | \$36.00 |
| 11 – CREDIT MEMO (S) | | \$605.27 |

Refunds

| | | |
|---|--------------|---------|
| DIXON, SHELTON EARL DWELLING VACANT SINCE 2006 | 2007-0015162 | \$37.53 |
| DIXON, SHELTON EARL DWELLING VACANT SINCE 2006 | 2008-0015569 | \$36.72 |

| | | |
|---|--------------|----------|
| DIXON, SHELTON EARL DWELLING VACANT SINCE 2006 | 2009-0015489 | \$37.80 |
| DIXON, SHELTON EARL DWELLING VACANT SINCE 2006 | 2010-0014190 | \$36.00 |
| 4 – REFUND (S) | | \$148.05 |

BUDGET AMENDMENTS

Assistant County Manager for Administration/Finance, Rick Hemphill, presented the following budget amendments for the Board’s approval. Commissioner Mark moved for their approval, as presented, seconded by Commissioner McCabe and unanimously carried in a roll call vote.

Health

| REVENUES | AMOUNT | EXPENDITURES | AMOUNT |
|------------------------------------|--------------|--|--------------|
| 371-0000-399-01-00 Fund Balance | \$162,381.00 | 371-0571-400-97-01 transfer to general fund | \$162,381.00 |
| TOTAL | \$162,381.00 | TOTAL | \$162,381.00 |

Justification: In FY 12 portion of Medicaid Maximization transferred to Capital Reserve for FY 13 capital needs. Need to budget the transfer back to health dept. to cover those capital needs.

DSS 7221/Senior 7295

| | | | |
|---|---------------|--|---------------|
| 101-7295-377-26-00 HCCBG Congregate | \$(5,955.00) | 101-7295-450-40-00 Contractual Services | \$(24,528.00) |
| 101-0000-399-01-00 Fund Balance | \$(662.00) | | |
| 101-7295-377-28-0 HCCBG Home Delivered | \$(16,120.00) | | |
| 101-00-399-01-0 | \$(1,791.00) | | |
| 101-7295-377-29-00 HCCBG Sen Ctr Hlt P | \$ 4,275.00 | 101-7295-450-39-39 Sen Ctr Health Promo | \$ 4,750.00 |
| 101-0000-399-01-00 Fund Balance | \$ 475.00 | | |
| 101-7221-349-27-00 HCCBG in Home St | \$(23,045.00) | 101-7221-450-40-00 | \$(25,605.00) |
| 101-00-399-01-0 | \$(2,560.00) | | |
| 101-0564-348-30-00 Senior Comp Pass | \$ 36,171.00 | 101-0564-450-91-23 Senior Comp Pass | \$ 36,171.00 |
| 101-0564-348-39-00 Hav Senior Ser Pass | \$ 27,086.00 | 101-0564-450-91-24 Hav Senior Ser Pass | \$ 27,086.00 |
| 101-0000-399-01-00 Fund Balance | \$ 3,010.00 | 101-0190-450-96-91 Hav Senior App | \$ 3,010.00 |
| TOTAL | \$ 20,884.00 | TOTAL | \$ 20,884.00 |

Justification: Actual funding allocations received from Area Agency on Aging for the Home Care Community Block Grant. Amounts differ from originally anticipated/requested amounts. There is a 10% County match.

Transportation CARTS

| | | | |
|--------------------------------------|---------------------|-----------------------------|---------------------|
| 101-7002-348-18-00 | \$128,700.00 | 101-7001-450-73-01 | \$143,000.00 |
| State Grant/Section 18 Capital State | | Capital Outlay Over \$5,000 | |
| 101-7002-369.30-0 | \$ 14,300.00 | | |
| Fare Box | | | |
| TOTAL | \$143,000.00 | TOTAL | \$143,000.00 |

Justification: FY 2013 – Budget amendment needed for funding that was approved in FY 2012, replacement vehicles ordered but not received during FY 2012. Capital Funding approved in CTP grant.

Transportation/CARTS

| | | | |
|--------------------|------------------|-------------------------|------------------|
| 101-7002-348-04-00 | \$ 787.00 | 101-7001-4650.31-01 | \$ 787.00 |
| HCCBG State Grant | | Regular Vehicle Expense | |
| TOTAL | \$ 787.00 | TOTAL | \$ 787.00 |

Justification: At time of budget preparation, Home Community Care Block Grant (HCCBG) was estimated. Funding has now been set.

Planning

| | | | |
|--------------------|---------------------|--------------------|---------------------|
| 101-4031-377-38-00 | \$132,455.00 | 101-4031-430-76-38 | \$132,455.00 |
| Grant-Fema | | Elevation | |
| TOTAL | \$132,455.00 | TOTAL | \$132,455.00 |

Justification: Budget amendment needed to accept and expend Repetitive Flood Claims Grant (RFC-PJ-04-NC-2011-002). To elevate and retrofit foundation of a residential structure – 101 New Street, Bridgeton. All funding for the \$132,455 project will be provided by FEMA.

Sheriff/Bullet Proof Vests

| | | | |
|----------------------------------|---------------------|--------------------|---------------------|
| 101-2005-399-08-00 | \$ 6,038.00 | 101-2005-410-73-21 | \$ 12,075.00 |
| Fund Balance approp/carryover bl | | C/O \$500-\$4,999 | |
| 101-2005-377-03-00 | \$ 6,037.00 | | |
| Bullet Proof Vest Grant | | | |
| TOTAL | \$ 12,075.00 | TOTAL | \$ 12,075.00 |

Justification: Budget bulletproof vest grant approved in fiscal year 2012. The 23 vests were not acquired by June 30, 2012.

RESOLUTION RECOGNIZING CRAVEN COUNTY AFRICAN AMERICAN REVOLUTIONARY WAR PATRIOTS

The Board considered a request to adopt the following resolution recognizing Craven County’s African American Revolutionary War Patriots, which was read into the record by the Chairman. Bernard George, local African American History enthusiast, addressed the Board in support of the resolution. Sheila Moore Cantine, family member of Revolutionary War Patriot, Simeon, Moore, was recognized to speak about her ancestors. Commissioner Dacey urged citizens to call upon senators and house representatives to pass companion bills. Commissioner McCabe requested that any other living family members who are aware of their relationship to African American Revolutionary War patriots be recognized at the next meeting. After discussion, it was the consensus to defer this until the December 3, 2012 meeting at the Stanley White Recreation Center to allow ample time for notice to the community. Commissioner McCabe moved to adopt the resolution, as presented, seconded by Commissioner Sampson and unanimously carried.

A Resolution Concerning African American Revolutionary War Patriots of Craven County, North Carolina and the Proposed National Liberty Memorial

BY:

SECONDED BY:

WHEREAS, from 1775 to 1783, an estimated 5,000 to 10,000 slaves and free persons served as soldiers, marines and patriots in the Revolutionary War in addition to tens of thousands of men, women and children who provided civilian assistance, ran away from slavery and petitioned courts and legislatures for freedom; and

WHEREAS, more than 250 African Americans served in the Revolutionary War from 39 of 100 counties in North Carolina and eleven (11) of the thirteen (13) Congressional Districts; and

WHEREAS, 11 African American soldiers and patriots from Craven County, including John Carter, Joshua Carter, William Dove, James Manley, Simeon Moore, George Perkins, Isaac Perkins, Aaron Spelman, Asa Spelman/Spelmore, Hezekiah Stringer and Mingo Stringer, participated in the struggle for independence; and

WHEREAS, the Committee on Energy and Natural Resources in January 2012 recommended that the United States Senate act favorably on a bill, S. 883, to create a citizen funded National Liberty Memorial in Washington to complete the unfinished business of two decades: the construction of a fitting honor to the inspiring struggle of African Americans of the Revolutionary War era; and

WHEREAS, the leadership of Senator Richard Burr, a member of the National Parks panel during the 111th Congress, and former Senator Elizabeth Dole, a cosponsor of a predecessor bill during the 110th Congress, contributed significantly to the progress of the legislation; and

WHEREAS, although the original memorial was not constructed, and the authority to do so has lapsed, genealogical research and the publication of hundreds of books over more than two decades reaffirm the significant contributions made by African Americans of the post colonial period and validates their influence on the patriotism of future generations and the fulfillment of the principles of the Declaration of Independence; and

WHEREAS, beginning in 1984, landmark legislation was approved by Congress, including Public Law 98-245 commemorating African American patriotism and Public Laws 99-558 and 100-265 that authorize a national memorial and declare the history of “preeminent historical and lasting significance to the nation.”

WHEREAS, these efforts over 24 years helped propel the publication in 2008 of *Forgotten Patriots, African American and American Indian Patriots in the Revolutionary War*, which contains the most extensive list so far of African Americans in the Revolutionary War.

NOW THEREFORE, BE IT RESOLVED THAT THE CRAVEN COUNTY BOARD OF COMMISSIONERS joins the National Mall Liberty Fund, D.C., (www.libertyfunddc.org) the congressional sponsors of the National Liberty Memorial Act and those who applaud the decision of Congress and President Reagan in 1988 to declare the history of “preeminent historical and lasting significance to the nation.”

BE IT FURTHER RESOLVED that the Craven County Board of Commissioners encourages volunteers to discover the names of still-unknown African American Revolutionary War soldiers, sailors and patriots, enlarge the body of knowledge about their lives and forward the information to National Mall Liberty Fund D.C. for inclusion in a database that will celebrate the trail blazers of Craven County together with those of hundreds of proud American communities.

BE IT FURTHER RESOLVED that the Craven County Board of Commissioners urges the North Carolina Delegation to the United States Congress to work for the enactment of the National Liberty Memorial Act and to spread knowledge of the history to the state's institutions and citizens while promoting its potential for understanding and unity throughout the nation.

BE IT FURTHER RESOLVED that the Clerk of the Craven County Board of Commissioners forward certified copies of this resolution to the North Carolina Delegation to the United States Congress, the Governor of North Carolina, the Speaker and President Pro Tempore of the General Assembly and the local superintendent of schools, librarian and historical society.

THE FOREGOING RESOLUTION WAS READ IN FULL, THE ROLL WAS CALLED ON THE ADOPTION THEREOF AND RESULTED AS FOLLOWS:

YEAS: 7

NAYS: 0

ABSENT: 0

Adopted this 2nd day of July, 2012.

PLANNING DEPARTMENT MATTERS

Adoption of CDBG Residential Antidisplacement and Relocation Plan for FY 2011 CDBG Contingency Program

The Board of Commissioners was requested to adopt a standard plan and policy for the FY 2011 CDBG Contingency Infrastructure Grant. There is no actual "relocation or displacement" involved with the infrastructure grants, and the policy was not included in the original resolution adopted at the beginning of the program. However, this policy is considered a HUD Regulatory Policy that must be in place for all CDBG Programs regardless if any actual displacement or relocation will occur. Commissioner Dacey stated that he is satisfied that there are no homes that meet the criteria, for which the County could incur future liability. Commissioner Dacey moved to adopt the standard plan and policy for FY 2011 CDBG Contingency Infrastructure Grant, as requested, seconded by Commissioner Mark and unanimously carried.

Subdivision for Approval

The Planning Board recommended the following subdivision for approval.

Craven County Well Sites – Final: The property, owned by Kern Company, Inc. and surveyed by Robert H. Davis, PLS, is located within Twp. 6, off of US Hwy 70, Parcel ID's 6-207-056, 6-213-189 and 6-213-178. The subdivision contains 6 one lot split

1. Flanner's Beach 3 (FB3) – 1.890 Acres, access from US Hwy 70 service road
2. Flanner's Beach 2 (FB2) – 1.873 Acres, access from Flanner's Beach Road (SR1107)
3. Flanner's Beach 4 (FB4) – 1.336 Acres, access from US 70 service road
4. Flanner's Beach 5 (FB5) – 1.532 Acres, access from Robertson Lane (SR 2058) off of Stately Pines Road
5. Stately Pines 3 (SP3) – 1.268 Acres, access from US Hwy 70 service road
6. Stately Pines 2 (SP2) – 2.782 Acres, access from US Hwy 70 service road

The lots proposed are to be for well sites only and will not be used for residential or commercial purposes; sites will not require sewer service. Commissioner Mark moved to approve the subdivision request, as presented, seconded by Commissioner McCabe and unanimously carried.

APPOINTMENTS

Pending Appointments

The following pending appointments were deferred by consensus of the Board:

- Craven County Clean Sweep Committee
- Industrial Facilities Pollution Control Financing Authority
- Agricultural Advisory Committee
- Regional Aging Advisory Committee

Appointments for Ratification

Commissioner Taylor moved to ratify the following pending appointments for which nominations were made at the June 13 meeting, seconded by Commissioner Mark and unanimously carried.

- Craven Community Child Protection Team – John Roberts
- Craven County Planning Board – Richard Maher
- North Carolina Eastern Region – Mark Griffin

Recreation and Parks Advisory Committee

Commissioner Taylor presented a new application from Forrestine Riggs to the Board for consideration for one of the two remaining vacancies. In addition, the Board was advised that the nomination of Brad White on June 13 for re-appointment was in conflict with term limits established by the Recreation and Parks Advisory Committee

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

Eastern Carolina Workforce Development Board

Commissioner Dacey nominated William Green for appointment to the Eastern Carolina Workforce Development Board. There being no additional nominees, Mr. Green was appointed by acclamation. Commissioner Dacey moved to waive the one meeting waiting period, seconded by Commissioner Mark.

Current Appointments – June

- Economic Development – Commissioner Taylor suggested reconstituting the group that was named the Economic Development Advisory Committee as an Economic Development special work group. He stated that the title “advisory committee” is a misnomer. It is to be an ad hoc study group, which should be constituted for a period not to exceed one year. Having been asked to assemble the study group, he named the following to the five member team: Catherine Chew, Pete Deichmen, Harold Blott, Champ Mitchell and Jeff Taylor.

Commissioner Taylor moved to approve the Economic Development special work group, seconded by Commissioner Mark and unanimously carried.

NCACC Voting Delegate

Commissioner Dacey nominated Chairman Allen to serve as Craven County’s voting delegate to the NCACC Annual Conference in Wake County August 16-19. There was no objection.

Upcoming Appointments

The Board was advised of the upcoming appointments on the following boards and committees:

July

Fire Tax Commissioner, Twp. 7
River Bend Planning Board, Extraterritorial

August

EMS Advisory Committee
Fire Tax Commissioners
Promise Place

COUNTY MANAGER'S REPORT*Recognition*

County Manager, Jack Veit, recognized Nicole Brooks and the History Center staff for their warm hospitality.

July 4th Holiday

Mr. Veit announced that County offices will be closed for the July 4 holiday in observance of Independence Day.

Work Session

Mr. Veit suggested a redistricting work session to be held on August 20 after the regular meeting, with an expectation that it would not require more than two hours. The Board, by consensus, agreed to meet with consultants in a work session at this time.

Ward & Smith Contract

Mr. Veit requested authorization for the Chairman to execute Ward & Smith contract amendment #2 relative to their role in efforts to protect MCAS Cherry Point and FRC-East. The amendment, if approved, is contingent upon funds flowing from the State. Should the funds not be forthcoming, the provision would be non-binding. Commissioner Mark moved to authorize the Chairman to sign the contract amendment, seconded by Commissioner Taylor and unanimously carried.

COMMISSIONERS' REPORTS

Commissioner McCabe requested that the Board consider an additional appropriation for Commissioners' travel and training, which would make adequate funds available for his attendance at the NACo Annual Conference in Pittsburgh.

Commissioners Dacey explained that the Board reached a decision during the budget process to divide the travel/training budget equitably among the Commissioners based on the previous year's experience. Commissioner Sampson commented that any time spent on travel and training was a sacrifice for the benefit of the County. Commissioner Taylor stated that he was not in favor of the travel/training budget at all. Commissioner Mark stated that volunteers do not receive reimbursement for travel, and do not have a fiduciary responsibility as do the Commissioners.

Commissioner McCabe decided not to proceed with plans to attend the conference. He expressed appreciation to the Department of Transportation for helping with the completion of three roads in his district: Blades, Fishertown and Adams Creek.

Commissioner Sampson commented that gas and commodity prices in Craven County are not decreasing at the same rate as elsewhere. He encouraged volunteerism.

Vice Chairman Dacey thanked Senator Preston and Representatives Sanderson and Wainwright for their activities throughout the budget process just concluded. Without their support, \$500,000 would not have been restored for Tryon Palace facilities. He also

thanked house leadership for funding for the defense of our military. He reminded citizens of the July 4 Riverbend Parade.

Chairman Allen wished everyone a Happy 4th of July.

At 9:05 p.m. Commissioner Tyson moved to adjourn, seconded by Commissioner Taylor.

Chairman Lee Kyle Allen
Craven County Board of Commissioners

Gwendolyn M. Bryan
Clerk to the Board