

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, FEBRUARY 4, 2013. THE MEETING CONVENED AT 7:00 P.M.

MEMBERS PRESENT:

Chairman Scott C. Dacey
Vice Chairman Thomas F. Mark
Commissioner Lee Kyle Allen
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
Amber Parker, Human Resources Director
Jim Hicks, County Attorney
Aaron Arnette, County Attorney Associate

Following the Pledge of Allegiance, the Chairman asked that the following two (2) modifications be made to the proposed agenda:

1. Mark Griffin to be heard as a separate item and not as a petitioner
2. Defer Tax Matters, if necessary, past 7:30 p.m. to accommodate possible late arrival of the Tax Administrator

Commissioner Tyson moved to adopt the agenda, as modified, seconded by Commissioner McCabe and unanimously carried.

Commissioner Mark moved to approve the minutes of January 22, 2013, as presented, seconded by Commissioner McCabe and unanimously carried.

PUBLIC HEARING: FY 2014 TARGETED TRANSIT ASSISTANCE PROGRAM SECTION 5317 (NEW FREEDOM)

CARTS Transportation Coordinator, Kelly Walker, introduced the subject of the public hearing. She stated that CARTS desires to apply for the grant in the amount of \$91,000, which would be funded at 50% and require a 50% local match. The grant is intended to assist the disabled who are participants in sheltered workshops and psychological programs, and who need to travel locally for life necessities.

At 7:03 p.m. Chairman Dacey called the Board into public hearing, as advertised, to receive public comment on approval for CARTS to apply for the FY 2014 Targeted Transit Assistance Program Section 5317 grant. The following citizen spoke:

1. *Hal James, 305 Calico Drive*, representing the Coastal Carolina Taxpayers Association, stated that the proposed application is for federal funding, and dependent on New Bern MPO. It represents an increase in government. He inquired where the 50% match will come from, stating that it is use of taxpayers' money to benefit a few.

There were no additional speakers and at 7:07 p.m. the Board returned to regular session. The Board's ensuring discussion with Ms. Walker raised several questions concerning the local match sources, the target population and other alternatives available. She stated that approximately \$15,000 is anticipated from contracts with agencies and businesses, \$15,000 from advertising, and \$4,032 from fares. Approximately 400 unique riders would be eligible. She stated that private services are available, but they are prohibitively expensive. This grant would accommodate riders who are unable to make reservations 48 hours in advance, who need

transportation for life necessities. Staff was directed to compile more detailed information on some of these questions. Commissioner Tyson moved to defer this matter until the Board's next meeting, pending further information. The motion was seconded by Commissioner Allen and unanimously carried.

PLANNING DEPARTMENT MATTERS

Public Hearing – Road Closure

A public hearing was held, as advertised, for the purpose of receiving input from citizens regarding the proposed closure of a portion of Hoke Street in the James City area. Planning Director, Don Baumgardner, stated that the Planning Department sent out notices to affected property owners and did not receive any negative response.

At 7:24 p.m. Chairman Dacey called the Board into public hearing. The following citizen spoke.

1. *Charles Simmons, 2218 Tuscarora Rhems Road*, stated that everyone does not get a newspaper and feels that staff should have sent out letters. It was noted that letters were, in fact, sent out as reported by Mr. Baumgardner.

There were no additional speakers and at 7:25 p.m. the Chairman declared the Board back in regular session.

Commissioner Mark moved to adopt the resolution to close the portion Hoke Street, as requested, seconded by Commissioner Taylor and unanimously carried.

Request for Addition to State Maintained Secondary Road System

A road addition resolution was presented requesting that the Board of Commissioners approve Jacqueline Drive (from NC 306 N. to Bowie Court), Bowie Court, Mack Lane, Marie Court and Dolores Court in Cherry Branch South Section IV being turned over to the State of North Carolina for maintenance. Commissioner McCabe moved to approve the standard SR2 Road Addition Resolution, seconded by Commissioner Allen and unanimously carried.

Request to Set Public Hearing – Craven County Tall Structure Ordinance

The Planning Department requested the Craven County Board of Commissioners to set a public hearing for March 4, 2013 at 7:00 p.m. for the purpose of receiving input from citizens regarding the proposed Craven County Tall Structure Ordinance. Commissioner Mark moved to set a public hearing for March 4 at 7:00 p.m., as requested, seconded by Commissioner McCabe and unanimously carried.

Subdivision for Approval

The Planning Board recommended the following subdivision for the Board's approval. Commissioner Tyson moved for its approval, as presented, seconded by Commissioner McCabe and unanimously carried.

The Lighthouse Mennonite Church, Inc. – Final: The property, owned by Ralph Reimer and surveyed by Gaskins Land Surveying, P.A., is located within Twp. 1, off of Honolulu Rd. (SR 1458), Parcel ID 1-071-031. The subdivision contains 1 lot on 1 acre and is proposed to be served by County water and an individual septic tank.

PETITIONS OF CITIZENS

Tony Michalek

Mr. Michalek expressed concerns relative to school safety. He stated that the Board of Education wants to put School Resource Officers (SRO's) in all schools, which will come with a high dollar funding request, and thinks there are other alternatives. He feels that prevention measures, such as keeping perpetrators out of school facilities, is less costly than hiring SRO's for all schools, which would cost approximately \$1.7M. Chairman Dacey stated that there have

been discussions with the Board of Education about the possibility of using retired law enforcement personnel as volunteers to enhance security in the schools.

Ray Griffin

Mr. Griffin spoke about the spiritual state of the nation. He asked the Board to talk to the Board of Education about putting the Ten Commandments back in schools.

REPORT ON NORTH CAROLINA EASTERN REGION

Mark Griffin, Craven County’s representative to North Carolina Eastern Region (NCER), has attended all meetings representing Craven County and his focus has been on protecting Cherry Point and training airspace. He also stated his support for Highway 17 improvements. Mr. Griffin advised the Board that Craven County currently has no outstanding loans with NCER, and the County’s balance of funds remaining in the pool is \$2,093,239.

At this point he thinks Craven County should stay in NCER, as long as the County’s money is being held there. Having a voice and oversight is crucial. He stated that meetings are held every 2nd Thursday and encouraged Commissioners to attend sometimes, as well as the State of the Region presentation in Greenville next month.

He recommends withdrawing from NCER whenever a clear path is available to walk away with the County’s money, believing that ultimately Craven County would be better served looking out for its own economic development interests rather than maintaining the regional approach.

TAX DEPARTMENT MATTERS

Report of Unpaid 2012 Taxes

Craven County Tax Administrator, Ronnie Antry, presented to the Board the amount of 2012 taxes that remain unpaid which are a lien upon real estate.

He reported \$1,901,183.83 in uncollected taxes, to date, reflecting a 95.19% rate (higher than some prior years, but not as high as last year). Commissioner Mark moved to authorize that the liens be advertised in *The Sun Journal* on April 10, 2013, as requested, seconded by Commissioner Tyson and unanimously carried.

Tax Releases and Refunds

Mr. Antry presented the following requests for tax releases and refunds. Commissioner Sampson moved for their approval, seconded by Commissioner McCabe and unanimously carried in a roll call vote.

Credits

| TAXPAYER NAME | TICKET# | AMOUNT |
|---|--------------|---------|
| BACHELOR, CHARLES PATTERSON BOAT SITUS IN WAKE COUNTY FOR 2012 | 2012-0090418 | \$94.77 |
| BAILEY, BOBBIE JO VALUE CORRECTION ADJUSTMENT | 2012-0002320 | \$91.90 |
| COWARD, CHARMAIN & Q ESTER NOB FORECLOSURE – LIEN EXTINGUISHED | 2011-0012527 | \$70.86 |
| COWARD, CHARMAIN & Q ESTER NOB FORECLOSURE – LIEN EXTINGUISHED | 2010-0092648 | \$76.62 |
| COWARD, CHARMAIN & Q ESTER NOB FORECLOSURE – LIEN EXTINGUISHED | 2009-0012378 | \$73.59 |

| | | |
|---|--------------|------------|
| COWARD, CHARMAIN & Q ESTER NOB FORECLOSURE – LIEN EXTINGUISHED | 2008-0012495 | \$78.75 |
| DIONNE, RAYMOND A ADJUSTED VALUE PER BILL OF SALE | 2012-0091637 | \$457.55 |
| ELLISON, PAUL FORECLOSURE – LIEN EXTINGUISHED | 2012-0017476 | \$60.59 |
| GARMONG, JAMES M & SUMIKO BOAT ON BOARD MCAS CHERRY POINT | 2012-0020671 | \$41.92 |
| GOLDEN, CLYDE DWELLING VACANT SINCE 2011 | 2012-0022286 | \$36.72 |
| HARDISON, RICHARD DID NOT OWN 1/1/2012 | 2012-0090747 | \$50.88 |
| HASTINGS, NANCY L & HARACE W I NOT TAXABLE IN CRAVEN COUNTY | 2012-0091647 | \$89.34 |
| HERNANDEZ AVELAR, JORGE MAGDAL DOUBLE LISTED AND BILLED-SAME ACCT | 2012-0091709 | \$517.17 |
| HUMPHREY, LORI BOYD DWELLING UNOCCUPIED SINCE 2010 | 2012-0028475 | \$36.72 |
| JARMAN, MILAN B & FRANCES R DID NOT OWN 1/1/2012 | 2012-0029552 | \$62.90 |
| LEARN, LARRY RICHARD MILITARY EXEMPTION | 2012-0090864 | \$13.27 |
| NEEDHAM, ROBERT E MILITARY EXEMPTION | 2012-0041867 | \$129.96 |
| ROBINSON, CHRISTOPHER G & MARG MILITARY EXEMPTION | 2012-0048998 | \$24.49 |
| RUPERT, GREGORY DID NOT OWN 1/1/2012 | 2012-0049812 | \$24.69 |
| RYSTROM, JOSHUA J MILITARY EXEMPTION | 2012-0049999 | \$158.03 |
| SIMMS, JEREMY DANIEL DID NOT OWN 1/1/2012 | 2012-0052148 | \$36.72 |
| STALLINGS BROS. FURNITURE, INC APPRAISAL ERROR CORRECTION FOR DISC | 2012-0091729 | \$2,961.02 |
| TUCKER, WILLIE BERNARD DID NOT OWN 1/1/2006 | 2006-0053767 | \$60.22 |
| TUCKER, WILLIE BERNARD DID NOT OWN 1/1/2007 | 2007-0055481 | \$62.31 |
| TUCKER, WILLIE BERNARD DID NOT OWN 1/1/2008 | 2008-0091885 | \$58.25 |

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| TUCKER, WILLIE BERNARD DID NOT OWN 1/1/2009 | 2009-0057121 | \$53.75 |
| TUCKER, WILLIE BERNARD DID NOT OWN 1/1/2010 | 2010-0052232 | \$48.24 |
| TUCKER, WILLIE BERNARD DID NOT OWN 1/1/2011 | 2011-0058100 | \$44.40 |
| TUCKER, WILLIE BERNARD DID NOT OWN 1/1/2012 | 2012-0058061 | \$40.62 |
| | 29 – CREDIT MEMO (S) | \$5,556.25 |

Refund

| | | |
|--|----------------|---------|
| JONES, SYLVIA BERNICE M DOWELLING UNOCCUPIED SINCE 2010 | 2012-0030986 | \$36.72 |
| | 1 – REFUND (S) | \$36.72 |

HEALTH DEPARTMENT BUDGET AMENDMENT

Craven County Health Director, Scott Harrelson, presented the following budget amendment for the Board’s approval.

Health/Child Health

| REVENUES | AMOUNT | EXPENDITURES | AMOUNT |
|------------------------------------|-------------|---|-------------|
| 101-5800-335-00-00 Misc Revenue | \$31,000.00 | 101-5800-440-40-00 Contract Services | \$31,000.00 |
| TOTAL | \$31,000.00 | TOTAL | \$31,000.00 |

Justification: Allscripts was purchased last fiscal year and it did not perform to its standards as promised. For this reason, Allscripts has recently refunded the Craven County Health Department \$83,260. Of this amount, the department is requesting to utilize \$31,000. The remainder will be unbudgeted revenue. Funds will be used to contract with McGladrey for the purpose of catching up on the outstanding Medicaid receivables from Allscripts. Allscripts is scheduled to terminate and all prior billing of Medicaid revenue must be entered into the clearing house for payment. Should there be any denials and/or refunds, McGladrey will assist in the rebilling/resubmission of Medicaid claims. McGladrey’s rate is \$60 per hour.

Commissioner Taylor asked if there is anyone in the department that can accomplish the rebilling. Mr. Harrelson indicated that staff is capable; however, glitches have caused a tremendous backlog. Staff cannot dedicate time to back billing because a second application is being launched. Chairman Dacey asked if more action can be taken in the way of compensatory damages. Mr. Harrelson reported that the amount paid has been refunded in full by the company. Commissioner Sampson moved to approve the budget amendment, seconded by Commissioner McCabe and unanimously carried in a roll call vote.

REQUEST TO SET PUBLIC HEARING ON REDISTRICTING

County Manager, Jack Veit, requested that the Board set a public hearing for March 4 concerning the County’s proposed redistricting plan. Commissioner Taylor inquired if sets of maps can be placed at the libraries. It was the consensus, due to space limitations, to provide one countywide map at each library with directions for viewing individual district maps on-line or at the County Administration Building. Commissioner Tyson moved to set a public hearing for March 4, at 7:00 p.m., seconded by Commissioner Taylor and unanimously carried.

TEMPORARY DEED OF EASEMENT – WEYERHAEUSER

Assistant County Manager, Gene Hodges, presented a request on behalf of Weyerhaeuser Company to be granted a temporary easement over approximately 200 feet of land owned by Craven County in industrial park, to extend a logging road from the end of Executive Parkway to intersect with N. Warren Road and existing logging road. The access road will be gated to restrict trespassing and the logging operation should take approximately 6 weeks to harvest the trees. Commissioner McCabe moved to approve the temporary deed of easement, which was drafted by the County Attorney, granting Weyerhaeuser access for a term not to exceed 12 months. Commissioner Sampson seconded the motion, which was carried unanimously.

RESOLUTION

Commissioner Mark requested adoption of the following resolution recognizing Rotary International. He presented area Rotary presidents, Nathaniel Johnson, Havelock/Cherry Point Rotary; Deborah Taggart, New Bern Rotary; Mike Davis, New Bern Breakfast Rotary; and Chip Chagnon, Neuse Sunrise Rotary in Bridgeton.

APPOINTMENTS

Pending Appointments

Fire Tax Commissioners (West New Bern)

Commissioner Dacey nominated Dallas Ray Brown to replace Linwood Brown, who had exceeded his eligibility to serve, on the Fire Tax Commission. There being no additional nominees, Mr. Brown was appointed by acclamation.

Craven County Community Child Protection Team

At the last meeting the Board considered the application of Bradley Lanto. County Attorney, Jim Hicks, advised the Board that Mr. Lanto's residence outside the County does not preclude his service on this board. Commissioner Mark nominated Bradley Lanto for appointment. There being no additional nominees, Mr. Lanto was appointed by acclamation.

Coastal Regional Solid Waste Management Authority (CRSWMA)

At the last meeting, the Board appointed John Kirkland to replace William Ritchie, contingent upon the County Attorney's research relative to a possible violation of multiple office holding provisions in the North Carolina General Statutes. Mr. Hicks stated that the provisions do apply; however, Mayor Kirkland has resigned from the state board, making him eligible to serve on CRSWMA.

Recreation and Parks Advisory Board

Commissioner Taylor nominated Jennings "Buddy" Allen to replace Mike Marks, representing Twp. 9, on the Recreation and Parks Advisory Board. There being no additional nominees, Mr. Allen was appointed by acclamation. Commissioner Taylor moved to waive the one meeting waiting requirement, seconded by Commissioner Allen and unanimously carried.

Current Appointments

Craven County Community Child Protection Team

Commissioner Mark nominated Christopher Morning for appointment to the Craven County Community Child Protection Team. There being no additional nominees, Mr. Morning was appointed by acclamation. Commissioner Mark moved to waive the one meeting waiting requirement, seconded by Commissioner Taylor and unanimously carried.

Craven Aging Planning Board

Chairman Dacey nominated Paula Lassiter to fill the expiring term of B.J. Ipock on the Craven Aging Planning Board. There being no additional nominees, Ms. Lassiter was appointed by acclamation. Chairman Dacey moved to waive the one meeting waiting requirement, seconded by Commissioner Taylor and unanimously carried.

Firemen's Relief Fund Board of Trustees

Commissioner Allen nominated Roger Wetherington and Carl Jarman to fill the expiring terms of George Brown and Raymond White on the Firemen's Relief Fund Board of Trustees. There being no additional nominees, Mr. Wetherington and Mr. Jarman were appointed by acclamation. Commissioner Allen moved to waive the one meeting waiting requirement, seconded by Commissioner Taylor and unanimously carried. Commissioner Mark nominated Billy Joiner and Theron McCabe for reappointment. There being no additional nominees, both were reappointed by acclamation.

Nursing Home Advisory Committee

Chairman Dacey moved to nominate Donna Sigmund to fill the expiring term of Alvia Hearren on the Nursing Home Advisory Committee. There being no additional nominees, Ms. Sigmund was appointed by acclamation. Chairman Dacey moved to waive the one meeting waiting requirement, seconded by Commissioner Allen and unanimously carried. The second appointment was deferred in order to check on whether or not Brinda Moore wishes to continue serving on this board.

Fire Tax Commissioners

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

Zoning Board of Adjustment

Commissioner Tyson nominated Lee Kyle Allen III and Bud Stilley for reappointment to the Zoning Board of Adjustment. There being no additional nominees, Mr. Allen and Mr. Stilley were appointed by acclamation.

Upcoming Appointments

The Board was apprised of upcoming terms due to expire on the following boards and committees:

March

- EMS Advisory Council
- Firemen's Relief Fund Board of Trustees
- Fire Tax Commissioners

April

- Craven Aging Planning Board
- Firemen's Relief Fund Board of Trustees
- Fire Tax Commissioners
- Nursing Home Advisory Committee
- Planning Board
- Agricultural Advisory Board

COUNTY MANAGER'S REPORT*Budget Work Sessions*

County Manager, Jack Veit, presented the budget calendar for FY 14 and the following dates proposed by the Chairman for budget work sessions.

May 20, 2013 – after regular session meeting
May 21, 2013 – 12:00 p.m.
May 24, 2013 – 9:00 a.m.
June 3, 2013 – 1:00 p.m., if necessary.

MPO Update

Mr. Veit reported that he is still working on the New Bern MPO Memorandum of Understanding with the County Attorney.

COMMISSIONERS' REPORTS

Commissioner Allen reported on his attendance as a delegate to the NCACC Legislative Goals Conference. He highlighted the top 5 legislative goals, as follows:

1. Oppose shift of state transportation responsibilities to counties.
2. Reinstate ADM and lottery funds for school construction.
3. Oppose unfunded mandates and shifts of state responsibilities to counties.
4. Ensure adequate mental health funding.
5. Preserve the existing local revenue base.

Commissioner Taylor reported that the Economic Development Strategic plan was launched last week. He announced that he will be going with Don Baumgardner to Dover to look at water mitigation issues.

Commissioner Sampson commented on gas prices going up \$.16 in one day, as well as the rising costs of diesel fuel, kerosene and food. He encouraged citizens to help each other and stated that he would like to find a way to help some of the youth clean up their records in order to find employment.

Vice Chairman Mark announced a town hall meeting on February 21 at the Ernul precinct, including Antioch, Cayton, Truit, and Askin at the Little Swift Creek Fire Dept.

At 9:00 p.m. Commissioner Tyson moved to adjourn, seconded by Commissioner McCabe and unanimously carried.

Chairman Scott C. Dacey
Craven County Board of Commissioners

Gwendolyn M. Bryan
Clerk to the Board