

**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 Johnnie Sampson, Jr.  
Commissioner Jefferey S. Taylor  
Commissioner Steve Tyson

**MEMBERS ABSENT:**

Commissioner Theron McCabe

**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, Commissioner Taylor moved to amend the agenda to move Item #2, Petitions of Citizens, to be heard first, seconded by Commissioner Tyson and unanimously carried. Commissioner Mark moved to approve the minutes of February 18, 2013, seconded by Commissioner Taylor and unanimously carried.

**PETITIONS OF CITIZENS**

*Hal James, 305 Calico Drive*, representing the Coastal Carolina Taxpayer's Association, made suggestions for improving the upcoming budget process by having the Board determine at the outset what it would like to see accomplished. He suggested reducing the burden on the taxpayers.

*Ray Griffin, Vanceboro*, spoke about the need for prayer and the Ten Commandments to be put back in schools.

*Tom Balance, 101 Gibbs Road*, spoke in regards to the bill before the General Assembly for waiver of Craven County Schools to start school on August 5, with teachers starting on July 27. He advocated for more open discussion on the issue.

**PUBLIC HEARINGS**

*Tall Structures Ordinance*

A public hearing was scheduled for the purpose of receiving input from citizens regarding the proposed Craven County Tall Structures Ordinance. Required notices were published in the New Bern *Sun Journal* on February 21<sup>st</sup> and 28<sup>th</sup>. The proposed ordinance has been reviewed by the County Attorney and the Coastal Carolina Regional Airport Manager.

Landin Holland, Holland Consulting Planners, explained the scope of the proposed ordinance, relative to interference with military and civilian flight paths. He stated that the ordinance has been reviewed by Allies for Cherry Point's Tomorrow (ACT), Marine Corps Air Station(MCAS) – East, and members of industry. They are trying to mitigate conflicts.

Buildings and accessory structures are excluded. It is solely about communications and alternative energy structures and only applies to unincorporated areas, excludes Extraterritorial Jurisdictions. The proposed fees are \$1,000 for new structures and \$500 for co-locations.

At 7:30 p.m. the Chairman called the Board into public hearing. The following citizens spoke:

1. *Stephanie Duncan, Havelock Chamber of Commerce*, spoke in favor of the ordinance and asked that the Board please consider its adoption.
2. *Jamie Norment, Ward & Smith & ACT*, spoke in favor of the resolution, which he feels is an important tool in preserving MCAS Training Ranges.

At 7:35 p.m. Commissioner Mark moved to close the public hearing, seconded by Commissioner Taylor and unanimously carried. Commissioner Allen moved to adopt the ordinance, seconded by Commissioner Tyson and carried with five (5) "ayes", there being one (1) "nay" from Commissioner Sampson, who objected to voting in Commissioner McCabe's absence. A second vote will be required due to the absence of Commissioner McCabe. In the interim, staff was asked to reach out to windmill companies for input.

#### *Commissioners' Proposed Districts*

Following the 2010 census, the Board of Commissioners embarked upon the process of bringing population balance to the seven Commissioners' districts, as required by law. The public hearing notice was published in the *New Bern Sun Journal* on February 17<sup>th</sup> and maps of the proposed districts have been available for viewing by the public since that date at the County Administration Building, on the County's website and at all Craven County library locations.

The Chairman provided some background on the development of the plan and stated that the proposed plan meets several objectives;

1. The proposed districts are legal, as they preserve minority voting rights.
2. They are equitable, with not more than 1.4% variation from the mean number required.
3. Communities of interest are held together.

He stated that the Board will not vote on the plan tonight. They will consider public input over the next few weeks.

At 7:45 p.m. the Chairman called the public hearing to order. The following citizens spoke:

1. *Marshal Williams, 102 Neuchatel Rd., New Bern, NAACP President*, stated that it appears the proposed maps are "straddling the fence of fairness, but leaning toward one side". He expressed the opinion that charts containing the demographics and statistics that guided the process should have been posted to go with the maps.
2. *Chuck Tyson, 4507 West Fairway Drive, Trent Woods*, commended the Board for the difficult work on the plan, and stated his belief that it is a fair plan.
3. *Dana Alesani* signed up to speak, but did not come forth.
4. *Craig Allen* signed up to speak, but passed.
5. *Rachel Parnell, 5912 Santo Domingo Ct.*, asked that the Board spend some more time going through the demographics.
6. *Alfred Barfield, District Director of NAACP*, stated that he is not pleased with the maps.
7. *Perry Morris, 816 Piney Neck Road*, stated that Map #1 was a good map and mirrored the Board of Education map. He feels that politics interfered with the process. He is in favor of the first draft.

At 8:05 p.m. the public hearing was declared closed. The Chairman asked that the demographic handout that was distributed at the meeting be put on the County website.

Commissioner Taylor explained how lines between District #1 and District #2 were developed. Commissioner Sampson explained his position is based on the entire Board's having previously agreed upon Map #4.

At 8:30 p.m. the Chairman called for a ten minute recess.

At 8:45 p.m. the Board reconvened.

**DEPARTMENTAL MATTERS**

*Health*

Teresa Ellen, Public Health Nursing Director, presented the following two budget amendments for the Board’s approval.

***Health/BCCCP***

<b>REVENUES</b>	<b>AMOUNT</b>	<b>EXPENDITURES</b>	<b>AMOUNT</b>
101-6602-349-54-00 BCCCP – State	\$6,601.00	101-6602-440-40-00 Contract Services	\$6,601.00
<b>TOTAL</b>	<b>\$6601.00</b>	<b>TOTAL</b>	<b>\$6,601.00</b>

**Justification:** Additional state funds in the amount of \$6,601.00 has been awarded to provide services to BCCP patients. Funds will be used to provide mammograms primarily for women ages 40-64 who are low-income and have not been screened in the past year, as well as for women ages 21-64 who are low-income who have not been screened in the past five years.

Commissioner Sampson moved to approve the budget amendment, seconded by Commissioner Mark and unanimously carried in a roll call vote.

***Health/Hospice***

101-6502-371-02-00 Medicare	\$50,000.00	101-6502-440-32-05 Supplies/Prescription	\$50,000.00
<b>TOTAL</b>	<b>\$50,000.00</b>	<b>TOTAL</b>	<b>\$50,000.00</b>

**Justification:** The hospice census has continued to increase more than expected requiring coverage of more prescription drugs than last year.

Commissioner Sampson moved to approve the budget amendment, seconded by Commissioner Allen and unanimously carried in a roll call vote.

*Finance*

Rick Hemphill, Assistant County Manager, Finance/Administration, presented the following budget amendment for the Board’s approval. Commissioner Sampson moved for its approval, seconded by Commissioner Tyson and unanimously carried in a roll call vote.

***Schools***

101-0000-303-00-00 Late listing penalty	\$30,000.00	101-8500-480-37-12 School late listing penalty	\$30,000.00
<b>TOTAL</b>	<b>\$30,000.00</b>	<b>TOTAL</b>	<b>\$30,000.00</b>

**Justification:** Receipt of taxes attributable to late listing penalties has already exceeded amount projected for FY 13. Need to budget the additional revenue expected and corresponding expenditure to schools.

*2007 COPS Refunding*

Assistant County Manager, Finance/Administration, Rick Hemphill, announced work on an advance refunding of the callable (those maturing after 2017) portion of the 2007 COPS (Certificate of Participation) which will result in savings of over \$1 million to the County over the life of the loan. The refunding will be done as a private placement with Sun Trust Bank

rather than a public deal like the original COPS. Because the offer from Sun Trust is on a tight schedule (45 days), action to adopt the following resolution of findings, authorize filing of application with the LGC (Local Government Commission) and call for a public hearing for March 18, 2013 was requested. Commissioner Sampson moved to adopt the resolution, as follows, authorize filing of the application and schedule a public hearing for March 18, 2013, as requested, seconded by Commissioner Mark and unanimously carried.

The Board of Commissioners for the County of Craven, North Carolina, met in regular session in the Commissioners' Meeting Room at the Craven County Administration Building in New Bern, North Carolina, the regular place of meeting, at 7:00 p.m., on March 4, 2013, with Chairman Scott C. Dacey, presiding. The following Commissioners were:

PRESENT: \_\_\_\_\_

ABSENT: \_\_\_\_\_

ALSO PRESENT: \_\_\_\_\_

\* \* \* \* \*

\_\_\_\_\_ introduced the following resolution the title of which was read and copies of which had been distributed to each Commissioner:

**RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS REGARDING THE REFINANCING OF CERTAIN EXISTING INDEBTEDNESS PURSUANT TO AN INSTALLMENT CONTRACT FINANCING PURSUANT TO NORTH CAROLINA GENERAL STATUTE SECTION 160A-20 AND REQUESTING THE LOCAL GOVERNMENT COMMISSION TO APPROVE THE FINANCING ARRANGEMENT**

BE IT RESOLVED by the Board of Commissioners (the "Board") for the County of Craven, North Carolina (the "County") as follows:

Section 1. The Board does hereby find and determine as follows:

(a) In order to acquire, construct and equip certain capital improvements, the County entered into an Installment Purchase Contract, dated as of August 1, 2007 (the "Contract"), between the County and Craven County Finance Corporation, a North Carolina nonprofit corporation (the "Corporation"), pursuant to which the Corporation provided financing to the County of amounts sufficient to finance the costs of such capital improvements, and the County agreed to repay such financing in installments, with interest (the "Installment Payments").

(b) The Corporation entered into an Indenture of Trust, dated as of August 1, 2007 (the "Indenture"), between the Corporation and Wells Fargo Bank, N.A., as trustee (the "Trustee"), pursuant to which the Corporation may execute and deliver instruments evidencing proportionate and undivided interests in the right to receive certain Revenues (as defined in the Contract), including the Installment Payments, pursuant to the Contract, as supplemented from time to time. The Corporation has executed and delivered Certificates of Participation, Series 2007, dated August 22, 2007, in the outstanding principal amount of \$42,350,000 (the "2007 Certificates"), pursuant to the Indenture.

(c) In order to secure its obligations under the Contract, the County executed and delivered a Deed of Trust and Security Agreement, dated as of August 1, 2007 (the "Deed of Trust"), granting a lien of record on certain of the capital improvements financed under the Contract, together with all improvements and fixtures located and to be located thereon.

(d) The Contract provides that the County and the Corporation may enter into amendments or supplements to the Contract and the Indenture as funds are needed to refinance installment obligations of the County issued pursuant to the Contract.

(e) Based upon current market conditions, the County can realize debt service savings though the refinancing of a portion of the Installment Payments under the Contract, such

refinancing to be accomplished through the refunding of all or a portion of the 2007 Certificates maturing on June 1, 2018, 2019, 2023 and 2027 (the "Refunded 2007 Certificates").

(f) County staff has solicited proposals from various financial institutions for the refinancing of the Refunded 2007 Certificates through the issuance of a Limited Obligation Refunding Bond, Series 2013 (the "Bond") pursuant to the Indenture and has determined that the proposal submitted by STI Institutional and Governmental, Inc. ("STING") to purchase the Bond is in the best interest of the County.

(g) After due consideration, the Board has determined to proceed at this time with the (i) refinancing of all or a portion of the Refunded 2007 Certificates through the issuance of the Bond to STING, as the initial purchaser, pursuant to the Indenture and (ii) entering into a First Supplemental Installment Purchase Contract, to be dated as of April 1, 2013 (the "First Supplement"), with the Corporation to provide for financing thereunder to refinance all or a portion of the existing Installment Payments relating to the Refunded 2007 Certificates and to pay certain other costs associated therewith.

Section 2. The Board hereby ratifies and approves the filing of an application with the Local Government Commission for approval of the First Supplement and the issuance of the Bond and requests the Local Government Commission to approve such First Supplement and the issuance of the Bond and the proposed refinancing relating thereto. In connection therewith the Board hereby finds and determines that:

(a) entering into the First Supplement is preferable to a general obligation bond and revenue bond issue in that (i) the obligation to be refinanced is an outstanding installment financing obligation, (ii) the County does not have the constitutional authority to issue non-voted general obligation bonds pursuant to Article V, Section 4 of the North Carolina Constitution because the County has not retired a sufficient amount of debt in the preceding fiscal year to issue a sufficient amount of general obligation bonds for such purpose without an election; (iii) the nature of the project being refinanced is such that a revenue bond financing under The State and Local Government Revenue Bond Act is not feasible; (iv) the marketing conditions currently existing require that funds be available to provide for the refinancing as soon as practicable and the time required for holding an election for the issuance of voted general obligation bonds pursuant to Article V, Section 4 of the North Carolina Constitution and the Local Government Bond Act will delay the financing by several months; and (v) there can be no assurances that the issuance of general obligation bonds for such purpose would be approved by the voters;

(b) the cost of the refinancing described above is reasonable compared to the costs of issuing general obligation bonds or other available methods of financing and is acceptable to the Board;

(c) special counsel to the County will render an opinion to the effect that the proposed undertaking as described above is authorized by law and is a purpose for which public funds may be expended pursuant to the Constitution and laws of the State of North Carolina;

(d) the debt management policies of the County have been carried out in strict compliance with law, and the County is not in default under any obligation for repayment of borrowed money; and

(e) no tax rate increase is necessary to provide for the refinancing transaction pursuant to the First Supplement.

Section 3. In accordance with Section 160A-20(g) of the North Carolina General Statutes, the Board hereby fixes 8:30 a.m. on March 18, 2013, in the Commissioners' Meeting Room at the Craven County Administration Building in New Bern, North Carolina located at 406 Craven Street in New Bern, North Carolina, as the hour, day and place for the public hearing on the First Supplement and the issuance of Bond and the Board hereby directs the Clerk to the Board to publish notice of such public hearing once in The New Bern Sun Journal not later than the 10<sup>th</sup> day before said date.

Section 4. The Board hereby determines that it is in the County's best interest to proceed at this time with the issuance of the Bond.

Section 5. This resolution shall take effect immediately upon its passage.

Upon motion of Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_, the foregoing resolution entitled "RESOLUTION MAKING CERTAIN FINDINGS AND DETERMINATIONS REGARDING THE REFINANCING OF CERTAIN EXISTING INDEBTEDNESS PURSUANT TO AN INSTALLMENT CONTRACT FINANCING PURSUANT TO NORTH CAROLINA GENERAL STATUTE SECTION 160A-20 AND REQUESTING THE LOCAL GOVERNMENT COMMISSION TO APPROVE THE FINANCING ARRANGEMENT" was passed by the following vote:

Ayes: \_\_\_\_\_

Noes: \_\_\_\_\_

\* \* \* \* \*

I, Gwendolyn M. Bryan, Clerk to the Board of Commissioners for the County of Craven, North Carolina, DO HEREBY CERTIFY that the foregoing is a true copy of so much of the proceedings of said Board for said County at a regular meeting held on March 4, 2013, as it relates to the refinancing of certain capital improvements for said County through the issuance of a limited obligation bond and that said proceedings are recorded in the minutes of said Board for said County.

I DO HEREBY FURTHER CERTIFY that proper notice of such regular meeting was given as required by North Carolina law.

WITNESS my hand and official seal of said County this 4<sup>th</sup> day of March, 2013

*Recreation*

*Gazebo Naming*

Recreation Director, Eddie Games, presented a request that the gazebo be added to a list of opportunities for naming rights at Creekside Park. Commissioner Mark moved to add the gazebo to the list, as requested, seconded by Commissioner Sampson and unanimously carried.

*Budget Amendment*

Mr. Games presented a budget amendment to accept a picnic table donation by Mrs. Carolyn Whitehurst to be placed at the Nature Park. Commissioner Sampson moved for adoption of the budget amendment, seconded by Commissioner Tyson and unanimously carried in a roll call vote.

***Recreation & Parks***

101-8001-336-02-00	\$1,775.00	101-8001-460-32-40	\$1,775.00
Misc. donations		Other supplies	
<b>TOTAL</b>	<b>\$1,775.00</b>	<b>TOTAL</b>	<b>\$1,775.00</b>

**Justification:** This was a donation from Carolyn Whitehurst for two (2) picnic tables to be placed at the Nature Park.

*Tax*

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

*Credits*

<b>TAXPAYER NAME</b>	<b>TICKET#</b>	<b>AMOUNT</b>
AIRWAY MOVING & STORAGE CO INC DID NOT OWN 1/1/2011	2011-0090207	\$238.12
AIRWAY MOVING & STORAGE CO INC DID NOT OWN 1/1/2012	2012-0090364	\$206.74
BENJAMIN, WILLIAM FORECLOSURE – LIEN EXTINGUISHED	2012-0004290	\$519.18
BENJAMIN, WILLIAM FORECLOSURE – LIEN EXTINGUISHED	2011-0004332	\$572.08
BENJAMIN, WILLIAM FORECLOSURE – LIEN EXTINGUISHED	2010-0003945	\$618.16
BENJAMIN, WILLIAM FORECLOSURE – LIEN EXTINGUISHED	2009-0004225	\$603.72
BENJAMIN, WILLIAM FORECLOSURE – LIEN EXTINGUISHED	2008-0004215	\$645.60
BENJAMIN, WILLIAM FORECLOSURE – LIEN EXTINGUISHED	2007-0004140	\$687.48
BENJAMIN, WILLIAM FORECLOSURE – LIEN EXTINGUISHED	2006-0004024	\$718.36
BENJAMIN, WILLIAM FORECLOSURE – LIEN EXTINGUISHED	2005-0004014	\$759.66
BENJAMIN, WILLIAM FORECLOSURE – LIEN EXTINGUISHED	2004-0003880	\$745.30
BENJAMIN, WILLIAM FORECLOSURE – LIEN EXTINGUISHED	2003-0003832	\$783.70
BIZZELL, BETTIE RUTH FORECLOSURE – LIEN EXTINGUISHED	2012-0004867	\$151.88
BIZZELL, BETTIE RUTH FORECLOSURE – LIEN EXTINGUISHED	2011-0004896	\$170.54
BIZZELL, BETTIE RUTH FORECLOSURE – LIEN EXTINGUISHED	2010-0004467	\$184.34
BIZZELL, BETTIE RUTH FORECLOSURE – LIEN EXTINGUISHED	2009-0004784	\$164.43
BRANCH, BEATRICE HRS FORECLOSURE – LIEN EXTINGUISHED	2012-0006182	\$37.79

CARTER, CLAUDIE FORECLOSURE – LIEN EXTINGUISHED	2012-0009499	\$82.10
CARTER, CLAUDIE FORECLOSURE – LIEN EXTINGUISHED	2011-0009569	\$94.35
CARTER, CLAUDIE FORECLOSURE – LIEN EXTINGUISHED	2010-0008663	\$101.91
CARTER, CLAUDIE FORECLOSURE – LIEN EXTINGUISHED	2009-0009384	\$136.95
CARTER, CLAUDIE FORECLOSURE – LIEN EXTINGUISHED	2008-0009385	\$146.43
CARTER, CLAUDIE FORECLOSURE – LIEN EXTINGUISHED	2007-0009022	\$155.91
CARTER, CLAUDIE FORECLOSURE – LIEN EXTINGUISHED	2006-0008829	\$165.39
CARTER, CLAUDIE FORECLOSURE – LIEN EXTINGUISHED	2005-0008721	\$174.88
CARTER, CLAUDIE FORECLOSURE – LIEN EXTINGUISHED	2004-0008343	\$169.94
CARTER, CLAUDIE FORECLOSURE – LIEN EXTINGUISHED	2003-0008240	\$178.70
CHERRY, JOY M DWELLING CONTINUOUSLY UNOCCUPIED SINCE 2007	2012-0010311	\$36.99
CHURCH-MOUNT ZION HOLINESS BY DWELLING REMOVED IN 2011	2012-0010534	\$36.99
DALLACQUA, FRANCIS DISCOVERED PROPERTY VALUATION CORRECTION	2012-0091699	\$2,330.45
DILLAHUNT, MICHAEL HRS FORECLOSURE – LIEN EXTINGUISHED	2012-0015220	\$124.45
DILLAHUNT, MICHAEL HRS FORECLOSURE – LIEN EXTINGUISHED	2011-0015351	\$140.44
DILLAHUNT, MICHAEL HRS FORECLOSURE – LIEN EXTINGUISHED	2010-0013925	\$151.72
DILLAHUNT, MICHAEL HRS FORECLOSURE – LIEN EXTINGUISHED	2009-0015197	\$204.22
DILLAHUNT, MICHAEL HRS FORECLOSURE – LIEN EXTINGUISHED	2008-0015269	\$218.38
DILLAHUNT, MICHAEL HRS FORECLOSURE – LIEN EXTINGUISHED	2007-0014872	\$232.54
DILLAHUNT, MICHAEL HRS FORECLOSURE – LIEN EXTINGUISHED	2006-0014458	\$240.43
JACKSON, MARY M FORECLOSURE – LIEN EXTINGUISHED	2012-0029351	\$16.76

JACKSON, MARY M FORECLOSURE – LIEN EXTINGUISHED	2011-0029455	\$22.86
JACKSON, MARY M FORECLOSURE – LIEN EXTINGUISHED	2010-0026571	\$24.66
JACKSON, MARY M FORECLOSURE – LIEN EXTINGUISHED	2009-0029159	\$27.07
JACKSON, MARY M FORECLOSURE – LIEN EXTINGUISHED	2008-0029106	\$28.99
JACKSON, MARY M FORECLOSURE – LIEN EXTINGUISHED	2007-0028579	\$30.91
JACKSON, MARY M FORECLOSURE – LIEN EXTINGUISHED	2006-0027800	\$32.83
JACKSON, MARY M FORECLOSURE – LIEN EXTINGUISHED	2005-0027435	\$34.77
JORGENSEN, JEROME A & SANDRA L DID NOT OWN 1/1/2012	2012-0031143	\$73.89
KORNEGAY, JANIE L INOCRRRECT OWNER – SEE ACCT 79804	2012-0032730	\$70.25
LANCASTER, CARLTON NOT IN BUSINESS 1/1/2012	2012-0090857	\$42.52
LEXMI HOSPITALITY LLC DISCOVERED PROPERTY VALUATION CORR.	2012-0034434	\$4,162.29
LITTLETON, BEN FORECLOSURE-LIEN EXTINGUISHED	2012-0034864	\$41.05
LITTLETON, BEN FORECLOSURE – LIEN EXTINGUISHED	2011-0034963	\$49.45
LITTLETON, BEN FORECLOSURE – LIEN EXTINGUISHED	2010-0031415	\$53.41
LITTLETON, BEN FORECLOSURE – LIEN EXTINGUISHED	2009-0034491	\$27.07
LITTLETON, BEN FORECLOSURE – LIEN EXTINGUISHED	2008-0034415	\$28.99
LITTLETON, BEN FORECLOSURE – LIEN EXTINGUISHED	2007-0033867	\$30.91
LITTLETON, BEN FORECLOSURE – LIEN EXTINGUISHED	2006-0032933	\$32.83
LITTLETON, BEN FORECLOSURE- LIEN EXTINGUISHED	2005-0032493	\$34.77
LITTLETON, BEN FORECLOSURE – LIEN EXTINGUISHED	2004-0031426	\$34.21

LITTLETON, BEN FORECLOSURE – LIEN EXTINGUISHED	2003-0030930	\$36.01
LOVETTE, WILLIE L HEIRS FORECLOSURE – LIEN EXTINGUISHED	2008-0034851	\$20.48
LOVETTE, WILLIE L HEIRS FORECLOSURE – LIEN EXTINGUISHED	2009-0034848	\$19.16
LOVETTE, WILLIE L HEIRS FORECLOSURE – LIEN EXTINGUISHED	2010-0031772	\$39.11
LOVETTE, WILLIE L HEIRS FORECLOSURE – LIEN EXTINGUISHED	2011-0035356	\$36.23
LOVETTE, WILLIE L HEIRS FORECLOSURE – LIEN EXTINGUISHED	2012-0035269	\$28.97
MOORE, DEBRA & CORBIN, SEAN FORECLOSURE – LIEN EXTINGUISHED	2012-0040275	\$25.36
MOORE, DEBRA & CORBIN, SEAN FORECLOSURE – LIEN EXTINGUISHED	2011-0040375	\$32.34
MOORE, DEBRA & CORBIN, SEAN FORECLOSURE – LIEN EXTINGUISHED	2010-0036233	\$34.98
MOORE, DEBRA & CORBIN, SEAN FORECLOSURE – LIEN EXTINGUISHED	2009-0039760	\$34.62
MOORE, DEBRA & CORBIN, SEAN FORECLOSURE – LIEN EXTINGUISHED	2008-0039568	\$37.02
MOORE, DEBRA & CORBIN, SEAN FORECLOSURE – LIEN EXTINGUISHED	2007-0038915	\$39.42
MOORE, DEBRA & CORBIN, SEAN FORECLOSURE – LIEN EXTINGUISHED	2006-0037756	\$41.82
MOORE, DEBRA & CORBIN, SEAN FORECLOSURE – LIEN EXTINGUISHED	2005-0037172	\$44.23
MOORE, DEBRA & CORBIN, SEAN FORECLOSURE – LIEN EXTINGUISHED	2004-0036097	\$43.63
MOORE, DEBRA & CORBIN, SEAN FORECLOSURE – LIEN EXTINGUISHED	2003-0035562	\$45.91
NEW BERN-CITY OF CRAVEN COUN FORECLOSURE – LIEN EXTINGUISHED	2012-0042353	\$36.99
QUINTERO, ALMA PINA DOUBLE BILLED – SEE 67463	2010-0042381	\$113.22
QUINTERO, ALMA PINA DOUBLE BILLED – SEE 67463	2010-0090276	\$485.23
QUINTERO, ALMA PINA DOUBLE BILLED – SEE 67463	2011-0047134	\$101.58
QUINTERO, ALMA PINA DOUBLE BILLED – SEE 67463	2012-0046990	\$90.27

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REID, ROBERT W & GERALDINE A NOT TAXABLE TO CRAVEN COUNTY	2012-0091726	\$573.78
RHODES, HAYWOOD HRS FORECLOSURE – LIEN EXTINGUISHED	2012-0048001	\$70.16
RHODES, HAYWOOD HRS FORECLOSURE – LIEN EXTINGUISHED	2011-0048065	\$81.35
RHODES, HAYWOOD HRS FORECLOSURE – LIEN EXTINGUISHED	2010-0043231	\$87.95
RHODES, HAYWOOD HRS FORECLOSURE – LIEN EXTINGUISHED	2009-0047243	\$35.93
RHODES, HAYWOOD HRS FORECLOSURE – LIEN EXTINGUISHED	2008-0046803	\$38.45
RHODES, HAYWOOD HRS FORECLOSURE – LIEN EXTINGUISHED	2007-0046081	\$41.09
RHODES, HAYWOOD HRS FORECLOSURE – LIEN EXTINGUISHED	2006-0044639	\$43.61
RHODES, HAYWOOD HRS FORECLOSURE - LIEN EXTINGUISHED	2005-0043973	\$46.15
RHODES, HAYWOOD HRS FORECLOSURE – LIEN EXTINGUISHED	2004-0042723	\$44.73
RHODES, HAYWOOD HRS FORECLOSURE – LIEN EXTINGUISHED	2003-0042154	\$47.01
RUPPE, GROVER LEE JR RELEASED TO CARTERET COUNTY	2012-0049820	\$96.42
STILLEY, LENWOOD EARL DOUBLE BILLED – SEE ACCT 6925100	2012-0091503	\$23.82
STOLTZFUS, KENNETH L VALUE CORRECTION PER BILL OF SALE	2012-0091677	\$356.20
SWEESY, MARK WILLIAM JR DOUBLE BILLED – SAME ACCT NUMBER	2012-0090120	\$34.47
VAILES, MELISSA S FORECLOSURE – LIEN EXTINGUISHED	2003-0051479	\$82.88
VAILES, MELISSA S FORECLOSURE – LIEN EXTINGUISHED	2004-0052043	\$78.80
VAILES, MELISSA S FORECLOSURE – LIEN EXTINGUISHED	2005-0053533	\$79.35
VAILES, MELISSA S FORECLOSURE – LIEN EXTINGUISHED	2006-0054399	\$75.02
VAILES, MELISSA S FORECLOSURE – LIEN EXTINGUISHED	2007-0056133	\$73.35

VAILES, MELISSA S FORECLOSURE – LIEN EXTINGUISHED	2008-0056825	\$26.99
VAILES, MELISSA S FORECLOSURE – LIEN EXTINGUISHED	2009-0057768	\$25.19
VAILES, MELISSA S FORECLOSURE – LIEN EXTINGUISHED	2010-0090192	\$254.81
VAILES, MELISSA S FORECLOSURE – LIEN EXTINGUISHED	2010-0052792	\$200.49
VAILES, MELISSA S FORECLOSURE – LIEN EXTINGUISHED	2011-0058755	\$185.49
VAILES, MELISSA S FORECLOSURE – LIEN EXTINGUISHED	2012-0058709	\$165.54
WILLIFORD, CHARLES DOUBLE BILLED – SEE 90217 & 90211	2011-0063118	\$100.86
	106 – CREDIT MEMO (S)	\$22,187.21

***Refunds***

CHERRY, JOY M DWELLING UNOCCUPIED SINCE 2007	2008-0010234	\$36.00
CHERRY, JOY M DWELLING UNOCCUPIED SINCE 2007	2009-0010220	\$36.00
CHERRY, JOY M DWELLING UNOCCUPIED SINCE 2007	2010-0009431	\$36.00
CHERRY, JOY M DWELLING UNOCCUPIED SINCE 2007	2011-0010389	\$36.00
JORGENSEN, JEROME A & SANDRA L DID NOT OWN BOAT 1/1/2011	2011-0031261	\$76.00
QUINN, KENNETH H APPRAISAL ERROR CORRECTION	2012-0046967	\$33.11
QUINN, KENNETH H APPRAISAL ERROR CORRECTION	2012-0046968	\$40.62
R & R CLEANING SERVICES OF DOUBLE BILLED	2012-0091075	\$38.78
	8 – REFUND (S)	\$332.51

***Budget Amendment***

Mr. Antry presented the following budget amendment for the Board’s approval. Commissioner Tyson moved for its approval, as requested, seconded by Commissioner Mark and unanimously carried in a roll call vote.

***Tax Collections***

101-0000-399-01-00	\$40,000.00	101-0901-400-40-03	\$40,000.00
Current Year		Collections	

TOTAL	\$40,000.00	TOTAL	\$40,000.00
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**Justification:** To provide funds for estimated foreclosure costs through the end of the fiscal year.

*Planning*

*Request to Set a Public Hearing on Proposed Changes to the Flood Insurance Rate Maps*

The Planning Department requested that the Board of Commissioners set a public hearing for March 18, 2013 at 8:30 a.m. for the purpose of receiving input from citizens regarding the proposed changes in the National Flood Insurance Program Flood Insurance Rate Maps. The reason for the changes is due to Lenoir County updating their Flood Insurance Rate Maps and some of their map panels overlapping into Craven County. When the updated map panels overlap into an adjoining county, the county must recognize those map changes in their Flood Damage Prevention Ordinance. Commissioner Mark moved to set a public hearing for March 18, 2013 at 8:30 a.m., as requested, seconded by Commissioner Sampson and unanimously carried.

*Selection of a Consultant for Administrative Services of the FY 12 CDBG Scattered Site Project*

On January 3, 2013 the Craven County Planning Department solicited proposals for administrative services for the administration of the FY12 CDBG Scattered Site Program. There were two proposals received; one from Clayton Engineering and the other from Holland Consulting Planners. The Craven County Planning Department recommended that Holland Consulting Planners be awarded the contract as the most cost-effective and qualified firm to administer the FY12 CDBG Scattered Site Project.

Status: 2-3 homes; residents pay part based on sliding scale. Applications are currently being reviewed. Currently the County's application is being reviewed by the Governor's Office. Notification of grant receipt is pending. Chairman Dacey stated that a requirement of participation in training and having employment has been added for recipients of this funding. Commissioner Sampson moved to award the contract to Holland Consulting Planners, as recommended, seconded by Commissioner Tyson and unanimously carried.

## RESOLUTIONS

*Military Family of the Quarter*

The Board received a request to adopt a resolution honoring the family of Corporal Rachel L. Wood as Military Family of the Quarter. Commissioner Tyson will attend a recognition luncheon to be held on Thursday March 14 at noon at the New Bern Golf and Country Club. Commissioner Sampson moved to adopt the following resolution, seconded by Commissioner Mark and unanimously carried.

### RESOLUTION RECOGNIZING THE FAMILY OF CORPORAL RACHEL L. WOOD AS MILITARY FAMILY OF THE QUARTER

**WHEREAS**, Corporal Rachel L. Wood joined the Marine Transport Squadron One (VMR-1) Cherry Point, Marine Corp Air Station, in October 2012, and currently services as an Airframes Mechanic; and

**WHEREAS**, Cpl. Wood has set the example by leading the Airframes Shop after only three months of on-the-job training through 139.9 maintenance man hours and 41 maintenance action form sign offs, achieving this despite having no formal "C" school for any Organizational Maintenance Military Occupational Specialty (MOS); and

**WHEREAS**, Cpl. Wood has professionally taken on the role of Desk Sergeant for the Airframes Shop and flawlessly coordinated the daily work schedule laid out by Maintenance Control while balancing safety practices and procedures for all aircraft maintenance activities; and

**WHEREAS**, Cpl. Wood is a single parent to her 2 ½ year old son, Colton Isaiah LaBlance, and in her free time volunteers at the County Animal Shelter and as a mentor to four junior Marines, using her leadership to guide them in positive directions.

**NOW, THEREFORE BE IT RESOLVED** that the Craven County Board of Commissioners recognizes Corporal Rachel L. Wood for her focus, drive, maturity and attentiveness, making her an asset to the Airframes Division, as well as the community.

**BE IT FURTHER RESOLVED** that the Craven County Board of Commissioners congratulates her on being selected as Military Family of the Quarter.

Adopted this 4<sup>th</sup> day of March, 2013.

*Resolution to Support House Bill 107*

Chairman Dacey requested that the following resolution be considered for adoption. Commissioner Mark moved for its adoption, seconded by Commissioner Tyson and carried with five (5) "ayes", there being one (1) "nay" from Commissioner Sampson. A request was made to circulate the resolution to NCER Counties.

RESOLUTION IN SUPPORT OF H.B. 107

AN ACT TO ALLOW A COUNTY WITHDRAWING FROM THE EASTERN REGION TO RECEIVE A DISTRIBUTION OF ITS SHARE OF THE MOTOR VEHICLE REGISTRATION TAX PROCEEDS AS WELL AS PAYMENTS MADE BY THE COUNTY IN LIEU OF TAXES.

WHEREAS, the North Carolina Eastern Region (NCER) consists of 13 counties, and its Board of Commissioners consists of 19 people only one of whom is selected by Craven County's duly elected Board of Commissioners, and

WHEREAS, the stated purpose of the NCER is to "promote the development of the North Carolina Global TransPark and to promote and encourage economic development within the territorial jurisdiction of the Region by fostering or sponsoring development projects...", and

WHEREAS, NCER has used two tools to achieve the portion of its stated goal relative to encouraging economic development within its territory, and these are making low interest loans to the 13 member counties for economic development projects, and making grants to the member counties for the same purpose, and

WHEREAS, the stated purpose of the NCER may from time to time be wholly inconsistent with the economic development goals of its member counties, and

WHEREAS, in September our representative to NCER reported to us that NCER had suspended making grants until further notice due to lowered borrowing from NCER, and

WHEREAS, Craven County has recently decided to handle its own economic development activity and hire an Economic Development Director, and

WHEREAS, this step was desirable because Craven County does not benefit from additional funds continuing to be allocated toward the Global TransPark, and

WHEREAS, the paid staffs of NCER and Global TransPark require continuing expenditures of taxpayers' dollars, and

WHEREAS, the aforesaid paid staffs are overseen by the appointed NCER Board of Directors rather than by elected representatives of the taxpayers, and

WHEREAS, Craven County has NCER funds available to it of \$1,783,902.08, and if Craven County withdrew from NCER, it would not be entitled to an early distribution of its beneficial interest in NCER funds, and

WHEREAS, the Craven County Board of Commissioners believes it should have the ability to withdraw from NCER and take full responsibility for its own economic development if it can also withdraw its beneficial interest in NCER funds,

Now therefore BE IT RESOLVED THAT:

The Craven County Board of Commissioners hereby adopts this resolution in support of H.B. 107, an Act to allow a county withdrawing the North Carolina Eastern Region to receive a distribution of its share of the motor vehicle registration tax proceeds as well as payments made by the county in lieu of taxes, as introduced on February 14, 2013 by Representative Michael Speciale and requests that the North Carolina General Assembly enact this bill, or any other similarly designed bill, that will allow any member county withdrawing from NCER to be paid its beneficial interest in NCER funds upon completion of the withdrawal process.

This the 4<sup>th</sup> day of March, 2013

*Resolution to Preserve and Defend the United States Constitution and North Carolina Constitution*

Chairman Dacey requested that the following resolution be considered for adoption. The County Attorney has reviewed the resolution. Commissioner Sampson stated that he is opposed to the resolution. Commissioner Mark moved to adopt the resolution, as requested, seconded by Commissioner Tyson and carried with five (5) "ayes", there being one (1) "nay" from Commissioner Sampson.

Resolution to Preserve and Defend the United States Constitution  
and the North Carolina Constitution

WHEREAS, all members of the Craven County Board of Commissioners take an oath of office to defend the United States Constitution and the North Carolina Constitution; and

WHEREAS, The Second Amendment to the U.S. Constitution states "A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed;" and

WHEREAS, Article I, Sec. 30 in the NC Constitution states "A well regulated militia being necessary to the security of a free State, the right of the people to keep and bear arms shall not be infringed;" and

WHEREAS, Our rights are given by Our Creator and listed in the Constitution of the United States as a limit to government; and

WHEREAS, A Militia when properly formed is in fact the people themselves ... and includes ... all citizens capable of bearing arms; and

WHEREAS, "well regulated" means, that the militia i.e. the people must be well equipped; and

WHEREAS, It being "necessary to the security of a free State" means that the right of the people to bear arms was, and remains, the ultimate barrier to government tyranny; and

WHEREAS, The United States Supreme Court in recent months has twice upheld the Second Amendment as applying to individuals' right to keep and bear arms; and

WHEREAS, The lawless are unaffected by prohibitions to law abiding citizens natural rights; and

WHEREAS, The reasons given in support of such infringements, including gun registration, banning certain kinds of weapons and accessories, requiring extreme background checks, and other means of restricting the bearing of arms, have not been shown by the substantial weight of scientific evidence to have been effective in accomplishing the stated objective to protect the public safety,

Now therefore BE IT RESOLVED THAT:

The Craven County Board of Commissioners resolve as representatives of the people to defend the 2<sup>nd</sup> Amendment and Article I, Sec. 30 of the North Carolina Constitution and will not consent to unconstitutional laws, executive orders, or foreign/domestic tyranny. Furthermore, the Commissioners call upon the Governor and General Assembly of North Carolina to pass legislation that will guarantee the protection of our God-given right to the defense of liberty and our persons for all North Carolinians; and

This the 4th day of March, 2013

*Resolution to Oppose Ferry Tolls*

Chairman Dacey requested the following resolution be considered for adoption. Commissioner Allen moved for its adoption, as requested, seconded by Commissioner Taylor 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**, 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**, statistics support that 91% of the riders of the Cherry Branch to Minnesott Beach Ferry are North Carolina residents who already contribute to state coffers by paying sales, income, gas and other taxes; and

**WHEREAS**, tolls should be studied on a statewide basis and not focused on such a narrow part of the transportation system, creating an inequitable distribution of the burden; 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.

**FURTHER**, that any tolls, if imposed, be kept affordable so that use of the Cherry Branch to Minnesott Beach Ferry is not made prohibitive.

Adopted this 4<sup>th</sup> day of March, 2013.

## APPOINTMENTS

### *Pending*

#### *Fire Tax Commissioners*

The Board was advised at the February 4 meeting that the term of Casesell Martin (Twp. 5) was expiring. At the last meeting, Commissioner McCabe indicated that he would have a nominee at this meeting. He also submitted an application to fill the seat of Mr. Roy McCabe, who is deceased. Commissioner Allen nominated John Keeter and Ed Dozier for appointment to the Fire Tax Commission for District 5 and moved to waive the one meeting waiting requirement, seconded by Commissioner Sampson and unanimously carried.

### *Current*

#### *EMS Advisory Council*

The Board was advised that the terms of Crystal Davis, Johnathan Gaskins, Ian Jose, Elizabeth Melvin and Sarah Rakowski are due to expire on the EMS Advisory Council. Commissioner Mark nominated Ms. Davis and Mr. Jose for reappointment and moved to waive the one meeting waiting requirement, seconded by Commissioner Sampson and unanimously carried. The remaining expirations will be deferred until the next agenda.

#### *Firemen's Relief Fund Board of Trustees*

Commissioner Mark nominated Dennis Smith to replace Johnny Midgette and Keith Morris to replace Warren Richardson on the Firemen's Relief Fund Board of Trustees and to waive the one meeting waiting requirement. Commissioner Sampson seconded the motion, which carried unanimously.

#### *Fire Tax Commission*

Commissioner Mark nominated Howard Spence for reappointment, Tommy Cowan to replace William Stilley, Sammy Lilly to replace Grover Lancaster and Ronald Pate to replace Curtis Morris on the Fire Tax Commission, with appointments to be ratified at the Board's next meeting. Commissioner Taylor moved to reappoint James Smith and to waive the one meeting waiting requirement, seconded by Commissioner Mark and unanimously carried.

### *Upcoming*

The Board was apprised of the following upcoming appointments to boards and committees:

#### **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

County Manager, Jack Veit, announced placement of the Craven County 300<sup>th</sup> Anniversary time capsule will be held on March 18, 2013 following the Commissioners' meeting.

**COMMISSIONERS' REPORTS**

*Commissioner Sampson* commented on rising gas prices, and stated that there are a lot of homeless people here in our community. He announced that the MLK parade was rained out but the banquet was outstanding. He stated that many people who cannot find work have made one mistake in their lives, resulting in a criminal record.

*Commissioner Allen* announced his attendance at the Reagan Day celebration on February 28 and read a quote submitted by Commissioner Taylor.

*Commissioner Taylor* announced that on Sunday, March 10, at 12:30 p.m. the crew from Temple Baptist Church will be at Religious Community Services (RCS). He stated that the Family History Society of Eastern North Carolina is raising funds for a Heritage Park. He responded to Perry Morris by stating that the redistricting process has been open to the public all along. He also announced that he will be speaking at the Cove City Library on Thursday, March 7, at 7:30 p.m. for anyone who wishes to discuss redistricting.

*Vice Chairman Mark* seconded Commissioner Taylor's remarks to Perry Morris in regards to redistricting. He announced that he will be holding a Town Hall meeting on Thursday March 14 at the Little Swift Creek Fire Station and on March 19 from 4:00-6:00 p.m. in Room #2 at the Fairfield Harbour Activity Center.

*Chairman Dacey* thanked his colleagues on the Board for work on redistricting being done right and also thanked staff and citizens for their contributions to the process.

At 10:00 p.m. Commissioner Mark moved to adjourn, seconded by Commissioner Sampson and unanimously carried.

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Chairman Scott C. Dacey  
Craven County Board of Commissioners

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Gwendolyn M. Bryan  
Clerk to the Board