

THE BOARD OF COMMISSIONERS OF THE COUNTY OF CRAVEN MET IN REGULAR SESSION IN THE COMMISSIONERS' ROOM OF THE CRAVEN COUNTY ADMINISTRATION BUILDING, 406 CRAVEN STREET, NEW BERN, NORTH CAROLINA, ON MONDAY, AUGUST 5, 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 Steve Tyson

MEMBERS ABSENT:

Commissioner Jefferey S. Taylor

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 an invocation by Commissioner Allen and the Pledge of Allegiance, Commissioner Mark moved for approval of the agenda, seconded by Commissioner McCabe and unanimously carried. Commissioner Sampson moved to approve the minutes of July 15, 2013 regular session, April 15, 2013 and April 25, 2013 reconvened sessions, January 8, 2013 special sessions and July 15, 2013 reconvened session, with a correction to the July 15 reconvened minutes offered by Chairman Dacey. Commissioner McCabe seconded the motion, which was unanimously carried.

PETITIONS OF CITIZENS

Hal James spoke about North Carolina Eastern Region and stated that he opposes setting up a 501(c) (3) as an Economic Development entity, as proposed. He feels that such entities do not have a good record for fiscal responsibility.

Nancy Masters-Pils appeared before the Board stating that items #1,5,7,8,9 and 10 of her public records request were not answered. She stated that her dog was not a dangerous dog and asked that Craven County's Dangerous Dog Ordinance be made consistent with general statutes: declare after dog has exhibited dangerous behavior. She wants her dog off of the list and a \$50 rebate.

Ray Griffin spoke about the need for prayer.

DEPARTMENTAL MATTERS: TAX RELEASES AND REFUNDS

Chief Tax Appraiser, Glenn Jones, presented the following routine requests for tax releases and refunds. Commissioner McCabe moved for their approval, seconded by Commissioner Mark and unanimously carried in a roll call vote.

Credits

TAXPAYER NAME	TICKET #	AMOUNT
CONNER, DONALD SCOTT NOT IN NEW BERN 1/1/2012	2012-0011683	\$86.46
	1 – CREDIT MEMO (S)	\$86.46

Refunds

DILLAHUNT, FRED D HRS DWELLING UNOCCUPIED	2012-0015165	\$36.00
FRIENDLY FITNESS INC VALUE CORRECTION – EQUIPMENT LEASED	2012-0020100	\$198.64
	2 – REFUND (S)	\$234.64

DEPARTMENTAL MATTERS: PLANNING

Request to Adopt Language Access Plan

The Planning Department requested that the Board of Commissioners adopt an updated Language Access Plan (LEP) and Resolution, which has been updated by the State of North Carolina and is required to be adopted in its entirety for the County to be eligible to receive FY 12 CDBG grant funds.

RESOLUTION

WHEREAS, Craven County wishes to ensure that all citizens are able to access programs available through the County; and

WHEREAS, the County acknowledges that not all citizens have an equal understanding of the English language.

NOW, THEREFORE BE IT RESOLVED, by the Board of Commissioners that the policy entitled “PROVIDING MEANINGFUL COMMUNICATION WITH PERSONS WITH LIMITED ENGLISH PROFICIENCY”, a copy of which is attached hereto and incorporated herein by reference, is hereby adopted and approved for the period August 5, 2013, through August 4, 2016, and the Chairman is hereby authorized and directed to execute the same for and on behalf of the County.

Adopted this 5th day of August, 2013.

Commissioner Mark moved for approval of the plan, as presented, and the foregoing resolution, seconded by Commissioner McCabe and unanimously carried.

FY 12 CDBG Infrastructure Project – Engineering Award

Chip Bartlett of Holland Consulting Planners reported that a Request for Proposals for Engineering Services for the County’s FY12 CDBG Infrastructure Program was advertised in the *Sun Journal* and mailed to regional contractors on July 7, 2013. Eight proposals were received by the July 22nd deadline from Withers & Ravenel, the Adams Company, Avolis Engineering, Lamm Engineering Services, Robert M. Chiles, Quible & Associates, Thomas Engineering and CT Clayton.

The following analysis and ranking of the eight proposals in accordance with the criteria detailed in the RFP, resulted in Avolis Engineering scoring highest in total points. Staff recommended award of the Engineering Services Contract to Avolis Engineering.

Rating Factor	Max Points	The Adams Company	Avolis	Lamm Engineer Assoc.	Withers & Ravenel	Clayton	Chiles	Quible	Thomas
Municipal/CDBG Experience	40	38	33	34	36	34	34	30	33
Personnel Qualifications	20	15	18	18	20	19	18	15	18
Time Frame/Budget	10	10	10	10	10	10	10	10	10
RI Availability/	10	8	10	9	9	9	9	7	8

Qual's

Workload Evaluation	10	7	9	8	8	8	8	8	8
Hourly Rates	10	10	10	8	6	9	8	7	9
TOTAL POINTS	100	88	90	87	89	89	88	77	86

Commissioner Mark moved to award the contract to Avolis Engineering, as recommended, seconded by Commissioner McCabe and unanimously carried.

FY 12 CDBG Scattered Site Program – Awards

Legal

A Request for Proposals for Legal Services for the County’s FY12 CDBG Scattered Site Housing Program was advertised in the *Sun Journal* and mailed out to regional firms on July 9, 2013. Two proposals were received by the July 22nd deadline from Sumrell Sugg and Stricklin Law Firm. Sumrell Sugg was recommended for award of the bid due to having successfully assisted Craven County with several of its CDBG programs, and their fee proposal of \$400 per title opinion and \$200 per hour for legal services being the more cost-effective. Commissioner Sampson moved to award the contract for legal services to Sumrell Sugg, as recommended, seconded by Commissioner McCabe and carried with five (5) “ayes”, there being one (1) “nay” from Commissioner Tyson.

Surveying

A Request for Proposals for Surveying Services for the County’s FY 12 CDBG Scattered Site Housing Program was advertised in the *Sun Journal* and mailed out to regional firms on July 9, 2013. Two proposals were received by the July 22nd deadline from Robert M. Chiles and Gaskins Land Surveying.

The most cost effective rates were submitted by Gaskins Land Surveying at \$95 per hour for a main surveyor and \$60 per hour for drafting.

The Planning staff recommended award of the FY 12 CDBG Scattered Site Housing Surveying Services Contract to Gaskins Land Surveying.

Commissioner McCabe moved to award the contract to Gaskins Land Surveying, as recommended, seconded by Commissioner Sampson and unanimously carried.

Asbestos Inspection

A Request for Proposals for Asbestos Inspection Services for the County’s FY 12 CDBG Scattered Site Housing Program was advertised in the *Sun Journal* and mailed out to regional firms on July 9, 2013. Two proposals were received by the July 22nd deadline from Enviro Assessments East, Inc. and WF Bulow Inspections.

Both inspection firms that submitted proposals possess the experience and state certification needed to complete the inspection required for the County’s program; however, the most cost-effective rates were submitted by Enviro Assessments at \$150 per unit inspection fee plus an additional per sample fee of \$12.00, with a total cost per unit of \$270 based on taking the standard measure of ten (10) samples.

The Planning staff recommended award of the FY 12 CDBG Scattered Site Housing Asbestos Inspection Services Contract to Enviro Assessments East, Inc.

Commissioner McCabe moved to award the contract to Enviro Assessments East, Inc, as recommended, seconded by Commissioner Sampson and unanimously carried.

Request to Adopt CDBG FY 12 Infrastructure Grant Budget Amendment and Ordinance

In order to move forward with the CDBG Infrastructure Program, the Board of Commissioners was requested to adopt the following Budget Amendment, Budget Ordinance and a Financial Management Resolution for the CDBG FY 12 Infrastructure Project. Commissioner Sampson moved for their approval, seconded by Commissioner McCabe and unanimously approved in a roll call vote.

Budget Amendment:

Planning

REVENUES	AMOUNT	EXPENDITURES	AMOUNT
282-0000-377-02-00 Grant CDBG	\$750,000.00	282-4082-430-76-67 Sewer Improvements	\$484,874.00
		282-4082-430-76-68 Water Improvements	\$215,423.00
		282-4082-430-76-70 Administration	\$ 49,703.00
TOTAL	\$750,000.00	TOTAL	\$750,000.00

Justification: Budget amendment needed to accept and expend grant funds awarded for CDBG FY 12 Water and Sewer Infrastructure Project CDBG#: 12-C-2493.

Budget Ordinance:

CDBG FY 12 Water & Sewer Infrastructure
Fund 282

This ordinance is hereby approved in the following amounts for expenditures of the CDBG FY 12 Water & Sewer Infrastructure Project.

Expenditures:

Sewer Improvements	\$ 484,874.00
Water Improvements	\$ 215,423.00
Administration	\$ 49,703.00
TOTAL	\$ 750,000.00

Revenues:

CDBG Grant	\$ 750,000.00
TOTAL	\$ 750,000.00

This ordinance is hereby approved this 5th day of August, 2013.

**Craven County FY2012 CDBG Infrastructure Program
Project Ordinance**

Be it ordained by Craven County, North Carolina, that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following grant project ordinance is hereby adopted:

Section 1. The project authorized is the FY2012 Community Development Block Grant Infrastructure (CDBG-IF) Program described in the work statement contained in the grant agreement (#12-C-2493) between Craven County and the North Carolina Department of Commerce. This project is more familiarly known as the Craven County FY2012 CDBG-IF Project.

Section 2. The Craven County staff is hereby directed to proceed with the grant project within the terms of the grant document(s), the rules and regulations of the Department of Commerce, and the budget contained therein.

Section 3. The following revenues and resources are anticipated to be available to complete the project activities:

- FY 2012 CDBG – IF Project

CDBG Grant	\$750,000
Total Project Resources	\$750,000

Section 4. The following amounts are appropriated for the project activities:

- FY2012 CDBG-IF Project

Project Budget	\$750,000
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Section 5. The Grant Finance Officer is hereby directed to maintain within the Grant Project Fund sufficient specific detailed accounting records to provide the accounting to the North Carolina Department of Commerce required by the grant agreement(s) and federal and state regulations.

Section 6. Funds may be advanced from the General Funds for the purpose of making payments as due. Reimbursement requests should be made to the North Carolina Department of Commerce in an orderly and timely manner.

Section 7. The Grant Finance Officer is directed to report quarterly on the financial status of each project element in Section 4 and on the total grant revenues received or claimed.

Section 8. The Grant Finance Officer is directed to include a detailed analysis of past and future costs and revenues on this grant project in every budget submission made to this council.

Section 9. Copies of this grant project ordinance shall be made available to the Grant Finance Officer for direction in carrying out this project.

Adopted this 5th day of August, 2013.

**Craven County FY2012 CDBG Infrastructure Program
Financial Management Resolution**

WHEREAS, Craven County has received an Infrastructure (IF) Program Grant in the amount of \$750,000; and

WHEREAS, the North Carolina Administrative Code regulations require that Craven County designate a Grant Finance Officer and a depository for CDBG funds:

NOW, THEREFORE, Craven County hereby resolves the following:

- (1) Richard F. Hemphill, Finance Officer, will serve as Grant Finance Officer, and will be responsible for financial management of the program according to the requirements of the North Carolina Administrative Code and North Carolina General Statute requirements.
- (2) First Citizens Bank, in New Bern, NC, is hereby designated as the official depository for revenues budgeted for the FY2012 CDBG-IF Program.

Resolved this 5th day of August, 2013.

Subdivisions for Approval

The Planning Board met on July 25, 2013 and recommended the following subdivisions for approval. Commissioner Mark moved for their approval, as recommended, seconded by Commissioner McCabe and unanimously carried.

William G. Sumner – Final: The property, owned by William G. Sumner and surveyed by Roy Smith, Southern Boundaries, is located within Twp. 9 off of Turkey Quarter Creek Rd. (SR 1445); Parcel ID 9-042-074. The subdivision contains 1 lot on 4.36 acres and is proposed to be served by County water and an existing individual septic system.

Gary Buckner – Final: The property, owned by Edward and Roderick Whitford and surveyed by Johnny J. Williams Land Surveying, P.C., is located within Twp. 2 off of Old Vanceboro Road (SR 1616); Parcel ID 2-034-082. The subdivision contains 1 lot on 1.00 acre and is proposed to be served by First Craven Sanitary District and individual septic system.

Henry S. & Kathleen R. Yoder 1 – Final: The property, owned by Donna S. Loftin and surveyed by Gaskins Land Surveying, P.A., is located within Twp. 1, off of Honolulu Road (SR 1458); Parcel ID 1-071-005. The subdivision contains 1 lot on 1.00 acre and is proposed to be served by County water and an existing individual septic system.

DEPARTMENTAL MATTERS: BUDGET AMENDMENTS

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

Recreation & Parks

REVENUES	AMOUNT	EXPENDITURES	AMOUNT
101-8001-336-02-00 Misc. Donations	\$500.00	101-8001-460-32-40 Other Supplies	\$500.00
TOTAL	\$500.00	TOTAL	\$500.00

Justification: This money was received from Loyal Osterlund for a memorial bench to be placed at the Latham-Whitehurst Nature Park.

Cooperative Extension

101-0000-399-01-00 Fund Balance	\$1,454.00	101-4211-420-32-40 EFNEP – Other Supplies	\$1,454.00
TOTAL	\$1,454.00	TOTAL	\$1,454.00

Justification: Carolina East Foundation Grant EFNEP Carry over balance from FY 2013.

Cooperative Extension

101-0000-399-01-00 Fund Balance Current Year	\$1,680.00	101-4207-420-22-00 Telephone	\$ 33.00
		101-4207-420-24-00 Meeting Expense	\$478.00
		101-4207-420-32-40 Other Supplies	\$859.00
		101-4207-420-39-45 Limited Income subsidy	\$310.00
TOTAL	\$1,680.00	TOTAL	\$1,680.00

Justification: Need to budget the \$1,680 in unspent SHIIP funds to be utilized in FY 14.

Cooperative Extension

101-0000-399-01-00 Fund Balance	\$500.00	101-4203-420-32-40 Clean Sweep/Other Supplies	\$500.00
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TOTAL	\$500.00	TOTAL	\$500.00
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Justification: \$500 check from Keep America Beautiful was made out to Clean Sweep in April 2013. It was deposited into a new revenue account.

Court Facilities

101-0000-399-01-00	\$16,850.00	101-1306-400-26-01	\$16,850.00
Fund Balance		Bldg/Grounds	
TOTAL	\$16,850.00	TOTAL	\$16,850.00

Justification: Funds necessary for needed repairs to old Probation Bldg on Broad Street – new roof at \$14,350; side entrance at \$2,500.00

Schools

101-0000-399-01-00	\$150,670.00	101-8500-480-37-01	\$150,670.00
Fund Balance			
TOTAL	\$150,670.00	TOTAL	\$150,670.00

Justification: Provide additional funding to public schools to cover state budget impacts: Retirement \$54,531, Health Insurance \$18,600, Unemployment \$77,539 from fund balance.

DEPARTMENTAL MATTERS: EMERGENCY SERVICES – 911 RADIO CONSOLE EQUIPMENT PURCHASE APPROVAL

Emergency Services Director, Stanley Kite, requested permission to purchase the proposed MCC 5500 Console Equipment from Motorola, based on the conditions outlined in NC General Statutes G.S. 143-129(e) that allow the purchase when standardization or compatibility is the overriding consideration. He stated that the proposed equipment will be compatible with the existing equipment that is currently in use, which will be moved to the Judicial Center to serve as a backup to the primary 911 Center. The proposed purchase price for the 5 console positions and necessary electronics bank for connectivity is priced at \$256,305.00. Mr. Kite stated that the system will also be capable of interacting with other local systems. Commissioner Mark moved to approve the 911 radio console equipment purchase, as requested, seconded by Commissioner McCabe and unanimously carried.

APPOINTMENTS

It was the consensus of the Board to defer the following appointments:

- Firemen’s Relief Fund Board of Trustees
- Nursing Home Advisory Committee
- Regional Aging Advisory Committee

Craven County Clean Sweep Committee

Commissioner Mark moved to reappoint Judi Lloyd and Lynn Rosania to the Craven County Clean Sweep Committee and to waive the one meeting waiting requirement, seconded by Commissioner McCabe and unanimously carried.

Emergency Medical Services Advisory Council

Commissioner Mark moved to appoint David Short to a newly created position on the Emergency Medical Services Advisory Council and to waive the one meeting waiting requirement, seconded by Commissioner Allen and unanimously carried.

Upcoming Appointments

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

September

- Juvenile Crime Prevention Council

October

- Firemen's Relief Fund Board of Trustees
- Industrial Facilities Pollution Control Financing Authority

COUNTY ATTORNEY'S REPORT

County Attorney, Jim Hicks, stated that the Board will need to go into closed session pursuant to NCGS 143-318.(a)(3), under the provision for attorney/client privilege and potential litigation.

COMMISSIONERS' REPORTS

Commissioner McCabe reported that the Havelock Rams' Championship has been recognized with signs entering Havelock.

Commissioner Sampson commented on rising gas prices. He announced that Guilfield Missionary Baptist Church held a successful Vacation Bible School and had outstanding volunteers helping. He announced that Mrs. Sampson has raised funds for Muscular Dystrophy. He gave a reminder that National Night Out is scheduled for August 6th and urged citizens to participate.

Commissioner Allen announced that he will be out of town the week of August 12.

Commissioner Tyson presented plaques to Commissioners McCabe and Sampson from the James City Community, which were given during the community's 150th anniversary celebration.

Vice Chairman Mark announced that he and Commissioner Taylor have been talking with Cooperative Extension to work with local farmers in getting products into local markets. Commissioners are invited to visit farms and to have lunch with farmers on August 20 from 10:00 a.m. – 2:00 p.m. at Peace & Plenty Hunting Preserve on NC Hwy 43.

Chairman Dacey announced that the Regional Library Board is in the midst of selecting a new director, hopefully by September 1. He stated that ACT is considering a name change, marketing activities, lobbying legislative update and that North Carolina General Assembly has put funds into support for these efforts. He announced that on August 19 a small group of Commissioners will be meeting with Havelock officials about some of Havelock's concerns.

At 8:07 p.m. Commissioner McCabe moved to go into closed session pursuant to NCGS 143-318.(a)(3), consultation with attorney regarding potential litigation, seconded by Commissioner Sampson and unanimously carried.

At 8:30 p.m. Commissioner Mark moved to go out of closed session, with no action to report, and to adjourn, seconded by Commissioner Sampson and unanimously carried.

Chairman Scott C. Dacey
Craven County Board of Commissioners

Gwendolyn M. Bryan
Clerk to the Board