

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 17, 2014. THE MEETING CONVENED AT 8:30 A.M.

MEMBERS PRESENT:

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

MEMBERS ABSENT:

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

Following the Pledge of Allegiance, Commissioner Taylor moved to approve an amended agenda, deferring the Sons of the American Revolution Proclamation until the Board's next meeting. Commissioner McCabe seconded the motion, which carried unanimously.

Commissioner Sampson moved to approve the minutes of February 3, 2014, seconded by Commissioner McCabe and unanimously carried.

PUBLIC HEARING – 8:30 A.M. – CRAVEN COUNTY SOLAR INSPECTION FEES

At 8:35 a.m. Commissioner Taylor moved to go into public hearing, seconded by Commissioner McCabe, for the purpose of receiving comments regarding the proposed changes to the solar panel inspection fee schedule.

New Fee Schedule

A minimum permit fee of \$500

First 200 panels \$5 each per panel and for each additional panel over the 200 panels will be \$1 per panel

Old Fee Schedule

Minimum permit fee of \$500 or \$5 per panel whichever is greater

The fee recommendation for Craven County falls in line with charges by other counties for similar size solar farms that are covering their cost to inspect.

The following citizens spoke:

1. *Lance Williams, 10612 Winding Wood Trail, Raleigh*, Site Representative of the Highway 17 Solar Farm project, expressed appreciation for the Board's review of the fee structure.
2. *Howard Humphreys, 2603 Old Cherry Point Road*, inquired what is involved in the inspection that warrants the proposed fee.

Planning Director, Don Baumgardner, responded that there are a variety of issues that inspectors consider.

1. Panels must be mounted to withstand pressure of high winds
2. Units must be physically grounded to the racks
3. Wiring must be attached properly and grounded

3. *Hal James, 605 Calico Drive*, agrees that the taxpayer should not have to cover the cost of inspection and inquired as to how critical the requirements are.

4. *Edwin Vargas, 230 Attmore Drive*, inquired of the anticipated savings to residents as a result of the installation of the solar farm.

5. *Howard Humphreys* asked to speak again but the Chairman determined that it would be out of order

At 8:48 a.m. Commissioner Taylor moved to go out of public hearing, seconded by Commissioner Dacey and unanimously carried.

Commissioner Dacey moved to approve the requested fees, seconded by Commissioner Taylor.

Mr. Baumgardner stated that time spent by the County at the site is determined by State Code, and a requirement that the County must sign off on all elements of the project. There are a variety of state and federal rules. The project will provide an alternative source of energy, but the cost of savings to the consumer may be relative to the price of fossil fuels at any given time. These fees are for commercial projects. Further modifications to fees, if needed, will be brought back before the Board based on analysis of this pilot project.

Mr. Baumgardner requested an effective date of January 24, 2014 for the newly approved fees. Commissioner Dacey moved to amend the motion, approving the fees to become effective January 24, 2014, to allow refund of the company’s overpayment, seconded by Commissioner Taylor and unanimously carried.

PIEDMONT NATURAL GAS EASEMENTS

Assistant County Manager of Facilities/Maintenance, Gene Hodges, presented a proposal from Piedmont Natural Gas who will be installing new gas mains along the Neuse Boulevard corridor to coincide with the repaving project in that area. The County owns three parcels along this corridor for which Piedmont will need to acquire easements and temporary work area to complete this project. The affected properties are the Human Services Building, Human Services Annex, and a portion of the hospital property. The total amount of compensation to Craven County is \$12,210. This amount was determined after the Craven County Tax Administration office verified the estimated market value of the land. The County Attorney reviewed the documents. Commissioner Dacey moved to grant the easement request and to authorize the Chairman to execute the documents upon receipt of funds, seconded by Commissioner McCabe and unanimously carried.

DEPARTMENTAL MATTERS: 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
BIZZELL, PATRICIA D DWELLING VACANT SINCE 2012	2013-0004848	\$36.72
BROCK, CLARE LYNN & TALBERT C DOUBLE BILLED – SEE ACCT 70049	2013-0093946	\$13.15

BURIA, RICKY D & JILL H MILITARY EXEMPTION	2013-0090254	\$186.05
CARTER, WILLIE ROY & NELLIE DWELLING UNOCCUPIED SINCE 2000	2013-0009440	\$36.72
CEMETARY-HARRISON EXEMPT PROPERTY GS 105-278.2	2011-0010031	\$.10
CEMETARY-HARRISON EXEMPT PROPERTY GS 105-278.2	2012-0009948	\$.10
CEMETARY-HARRISON EXEMPT PROPERTY GS 105-278.2	2013-0009733	\$.10
CHATHAM, JOHN ANTHONY & SAMA MILITARY EXCLUSION FOR SPOUSE	2011-0010318	\$52.83
CHATHAM, JOHN ANTHONY & SAMA MILITARY EXCLUSION FOR SPOUSE	2012-0010238	\$20.63
CHATHAM, JOHN ANTHONY & SAMA MILITARY EXEMPTION	2013-0010010	\$32.80
CONRAD, DUSTIN J MILITARY EXEMPTION	2013-0011452	\$129.67
CORNWALL, WARREN J NOT IN BUSINESS 1/1/2013	2013-0011826	\$25.72
CROSSON, RONNIE LEE II MILITARY EXEMPTION	2013-0012732	\$89.17
CUTTIC, MICHAEL J & SARA J MILITARY EXEMPTION	2013-0013094	\$24.00
DAVIS, JERRY M BOAT HAS TAX SITUS IN HYDE COUNTY	2013-0091566	\$118.78
DAVIS, JERRY M BOAT HAS TAX SITUS IN HYDE COUNTY	2013-0090049	\$731.52
DOBBS, DAMIAN MILITARY EXEMPTION	2013-0015126	\$103.64
GAY, BRYAN LEE MILITARY EXEMPTION	2013-0020651	\$41.39
HUDNELL, HILTON KENNETH DOUBLE BILLED – SEE ACCT 80910	2013-0027218	\$24.70
HUMPHREY, LORI BOYD DWELLING UNOCCUPIED SINCE 2012	2013-0027460	\$36.99
JONES, SYLVIA BERNICE MCLAWHOR DWELLING UNOCCUPIED SINCE 2010	2013-0029873	\$36.99
DEYS, RAMONA & ANTHONY L DOUBLE BILLED AS PERSONAL	2013-0092559	\$227.03
KOPECKY, GREGORY C MILITARY EXEMPTION	2013-0092607	\$105.62

LANCTO, DAVID M & JEANNE ANN DID NOT OWN BOAT 1-1-2013	2013-0092629	\$37.78
MCCULLOUGH, LISA DWELLING DEMOLISHED	2013-0036419	\$36.99
MEIER, HENRY E & CAROL E BOATS HAVE NO TAX SITUS IN CRAVEN COUNTY	2013-0092823	\$220.35
MELTON, BRANDON K & JENNIFER L MILITARY EXEMPTION	2013-0094274	\$20.00
MELTON, BRANDON K & JENNIFER L MILITARY EXEMPTION	2013-0094112	\$17.34
MERCHANT, JOHN EUGENE DID NOT OWN 1/1/2013	2013-0092829	\$31.76
MORENO, MIGUEL EDBERTO INCORRECT SITUS – TO REBILL	2013-0090873	\$102.39
NCR CORPORATION NOT IN BUSINESS 1/1/2013	2013-0095053	\$117.85
NETHERCUTT, GARY WAYNE LEASEHOLD RELEASED – SEE 5-019-124	2013-0040517	\$26.59
NEUSE RIVER COMMUNITY DEV DWELLING UNOCCUPIED	2013-0040570	\$73.98
NEUSE RIVER COMMUNITY DEV DWELLING UNOCCUPIED	2013-0040572	\$36.99
NEW BERN BUSINESS CENTER NOT IN BUSINESS 1/1/2013	2013-0095057	\$99.19
NOBLES, LATHAN N MOBILE HOME NOT IN CITY OF NEW BERN	2004-0038217	\$51.40
NOBLES, LATHAN N MOBILE HOME NOT IN CITY OF NEW BERN	2005-0039365	\$49.24
NOBLES, LATHAN N MOBILE HOME NOT IN CITY OF NEW BERN	2006-0040020	\$41.84
NOBLES, LATAHN N MOBILE HOME NOT IN CITY OF NEW BERN	2008-0041912	\$36.15
NOBLES, LATHAN N MOBILE HOME NOT IN CITY OF NEW BERN	2009-0042162	\$32.26
NOBLES, LATHAN N MOBILE HOME NOT IN CITY OF NEW BERN	2010-0038494	\$25.23
NOBLES, LATHAN N MOBILE HOME NOT IN CITY OF NEW BERN	2010-0042810	\$20.62
NOBLES, LATHAN N MOBILE HOME NOT IN CITY OF NEW BERN	2012-0042706	\$82.81

NOBLES, LATHAN N MOBILE HOME DESTROYED BEFORE 2012	2013-0041084	\$71.89
NOBLES, LATHAN N MOBILE HOME NOT IN CITY OF NEW BERN	2007-0041340	\$40.35
OAKLEY, TRAVIS ROBERT MILITARY EXEMPTION	2013-0041587	\$55.97
OLIARO, LANCE MICHAEL MILITARY EXEMPTION	2013-0093313	\$94.40
OLIVER, BRIAN T & CRYSTAL H DOUBLE BILLED RECYCLE FEE	2013-0093314	\$36.99
PEEBLES, PATRICIA P NOT IN BUSINESS 1/1/2013	2013-0095099	\$74.39
PLOWDEN, RIVERS N & KATHERINE MILITARY EXEMPTION	2013-0043932	\$53.04
PURCELL, FAITH BARRINEAU DWELLING UNOCCUPIED	2013-0044887	\$36.99
ROUND, KENNETH D & DENISE M MILITARY 1.2 VAL ECC-8/31/15 FL	2013-0047477	\$28.35
SAFLEY, JERRY JONATHAN & ADELA MILITARY EXEMPTION	2013-0093257	\$29.18
SIMS, DERRICK & WENJIE MILITARY EXEMPTION	2013-0093411	\$9.74
SIMS, DERRICK A & WENJIE MILITARY EXEMPTION	2013-0093412	\$122.18
STOKES, JOHN JR REMOVE RECYCLE – BOAT NOT LIVED ON	2013-0093515	\$37.00
WATSON, MARY MCDANIEL DWELLING VACANT SINCE 2012	2013-0057740	\$36.99
WOODMEN OF THE WORLD NOT IN BUSINESS 1/1/2013	2013-0061203	\$194.48
ZAK, JR THOMAS C DID NOT OWN 1/1/2012	2013-0090035	\$103.85
ZAK, JR THOMAS C DID NOT OWN 1/1/2013	2013-0093930	\$90.41
	60 – CREDIT MEMO (S)	\$4,351.38

Refunds

GREULICH, STEPHEN M & CHEVON A MILITARY EXEMPTION	2013-0022307	\$186.52
LOWRIE, DAVID & KATHRYN & BALL DWELLING NOT LIVABLE	2013-0034009	\$36.72

PFEIFFER, FRANK L & PAROLA M VETERAN EXCLUSION ERROR	2013-0043462	\$443.63
PURCELL, FAITH BARRINEAU DWELLING UNOCCUPIED	2012-0046742	\$37.53
WHITE, RICKY A & NANCY J A BOAT VALUE CORRECTION	2013-0059126	\$52.90
	5 – REFUND (S)	\$757.30

DEPARTMENTAL MATTERS: COOPERATIVE EXTENSION – BUDGET AMENDMENT

Cooperative Extension Director, Tom Glasgow, presented the following budget amendment to approve a Harold Bate grant award designated for the Extended Food and Nutrition Program (EFNEP). Commissioner Dacey moved for its approval, seconded by Commissioner Taylor and unanimously carried in a roll call vote.

REVENUES	AMOUNT	EXPENDITURES	AMOUNT
101-4211-346-02-00 Harold H. Bate Foundation	\$3,000.00	101-4211-420-32-40 EFNEP Expenditures	\$3,000.00
TOTAL	\$3,000.00	TOTAL	\$3,000.00

Commissioner Taylor asked that in the future names be written out, followed by the acronyms.

DEPARTMENTAL MATTERS: CARTS – BUDGET AMENDMENT

Craven Area Rural Transportation Service (CARTS) Director, Terry Jordan, requested authorization for \$2,270 in unspent funds from the FY 2013 5310 grant to be spent in FY 2014 due to a period of performance extension that has been granted. Commissioner McCabe moved for approval of the following budget amendment, seconded by Commissioner Sampson and unanimously carried in a roll call vote.

REVENUES	AMOUNT	EXPENDITURES	AMOUNT
101-7002-368-04-00 Elderly/Disable TTAP-5310	\$2,270.00	101-7001-450-31-01 Fuel and Other	\$2,270.00
TOTAL	\$2,270.00	TOTAL	\$2,270.00

Justification: \$2,270 of the FY2013 Elderly/Disabled TTAP 5310 was not spent by June 30, 2013. A period of performance extension was received from the NC DOT allowing for this unspent balance to be spent in FY 2014. This is a pay after performance grant, with CARTS filing for reimbursement from the NCDOT after the transportation services have been provided.

DEPARTMENTAL MATTERS: HEALTH

Budget Amendments

Risk Reduction/Healthy Carolinians

Craven County Health Director, Scott Harrelson advised the Board that the Health Department was notified of additional funding from the state Healthy Communities program in the amount of \$10,783, which was not included in the budget due to its uncertainty. In addition the short turn-around time for the funding to be spent resulted in the funds being used for local projects.

The Health Department is required to report to the community the annual State of the County health report (SOTCH), normally by purchasing a spread in the *Sun Journal*. The Health

Department plans to use \$1,470 of these funds to purchase the ad space to report the SOTCH information, and the balance in the amount of \$9,313 to purchase exercise equipment to assist in getting people active. The Health Department will collaborate with the Parks and Recreation Department in establishing outdoor fitness equipment at Creekside Park. The balance of funds needed by the Recreation Department will be sought through grants or in the upcoming budget; however, it is possible that the equipment may be phased in incrementally. Commissioner Sampson moved to approve the request, seconded by Commissioner McCabe. During discussion, Commissioners Dacey and Taylor suggested that the effort may be better served by utilizing the \$1,470 for equipment and earning media coverage. Commissioner Dacey offered an amendment to the motion to redirect the \$1,470 toward equipment. The amendment carried unanimously. The amended motion carried unanimously in a roll call vote. Commissioner Dacey encouraged the Health Department to continue with efforts to publish the report, but to seek other avenues of funding.

Health/Risk Reduction/Healthy Communities

REVENUES	AMOUNT	EXPENDITURES	AMOUNT
101-6700-349-04-00 State funds	\$10,783	101-6700-440-73-02 Other Improvements	\$10,783
TOTAL	\$10,783	TOTAL	\$10,783

Communicable Diseases

Mr. Harrelson reported that state immunization guideline changes have necessitated the Health Department’s purchase of more private vaccines. In the past Medicaid patients were eligible for state supplied immunizations; however, now the only patients that can receive state supplied vaccines are the uninsured. The department budgeted \$46,000 for the entire year to purchase vaccines, and has used \$42,383 year to date. Mr. Harrelson requested the following budget amendment for an additional \$30,000 to meet the demand for the remainder of the year. Commissioner Sampson moved to approve the following budget amendments, seconded by Commissioner McCabe and unanimously carried in a roll call vote.

Health/Communicable Disease

REVENUES	AMOUNT	EXPENDITURES	AMOUNT
101-6302-352-19-00 Travel Shots – 1 st Party 1	\$ 2,000	101-6302-440-32-05 Prescription Drugs	\$30,000
01-6302-353-03-00 Comm Dis – 3 rd Party	\$14,000		
101-6302-353-19-00 Hepatitis – 3 rd Party	\$ 6,000		
101-6302-370-13-00 Flu Shots – Medicaid	\$ 8,000		
TOTAL	\$30,000	TOTAL	\$30,000

Fee Approval

Mr. Harrelson requested that the following fee decrease be effective March 1, 2014.

Procedure Code/Description:

/Initial RRP certification course

Current Fee: \$250.00/Student **Medicaid Rate:** NA **Proposed Rate:** \$125.00/Student

Reason: State grant for fee support was discounted. Previously the State paid \$125 of fee for eligible students. The health department wants to keep the fee reasonable so instruction will not be cost-prohibitive to building rehabilitation contractors. This will allow them to become

properly trained in abatement procedures so that problems can be addressed prior to situations expanding to a more undesirable status.

Commissioner McCabe moved to approve the proposed fee schedule, seconded by Commissioner Sampson and unanimously carried.

DEPARTMENTAL MATTERS: SHERIFF

Request to Set Public Hearing for Justice Assistance Grant

Captain Jesse Pittman, Craven County Sheriff’s Department, requested that the Board set a public hearing to receive public comment on an Edward Byrne Justice Assistance grant in the amount of \$10,591, which the Sheriff’s Department is seeking. The funds will be utilized to procure less lethal weapons and other tactical equipment for the Special Response Team. Commissioner McCabe moved to set a public hearing for 7:00 p.m. on March 3, seconded by Commissioner Sampson and unanimously carried.

Budget Amendments

Captain Pittman presented the following two (2) budget amendments for the Board’s approval.

Jail 2008

REVENUES	AMOUNT	EXPENDITURES	AMOUNT
101-0000-399-01-00 Fund Balance	\$56,000	101-2008-410-21-01 Rents/Board Prisoners	\$56,000
TOTAL	\$56,000	TOTAL	\$56,000

Justification: The agency has experienced an increase this year in the number of juvenile offenders whose cases have been adjudicated in the County courts. Once sentenced or while being held for trial on a secure custody order, juveniles cannot be held in the facility and must be remanded to the custody of the NC Department of Juvenile Justice. Also, there has been an increase in the number of inmates that have been to NC Department of Corrections for safekeeping pending trial. These are at risk or high risk felony offenders, some with major medical related issues.

Commissioner McCabe moved for approval of the budget amendment, as presented, seconded by Commissioner Sampson and unanimously carried in a roll call vote.

Commissioner Dacey asked that staff be directed to investigate the possibility of using the Electronic Monitoring Program for juvenile offenders.

Sheriff’s

REVENUES	AMOUNT	EXPENDITURES	AMOUNT
101-2001-336-02-00 Donations/Contributions	\$10,000	101-2001-410-32-40 Other Supplies	\$10,000
TOTAL	\$10,000	TOTAL	\$10,000

Justification: Funds donated by a citizen to the Sheriff’s Office to be used at the discretion of the Sheriff. Funds will most likely be used to purchase items that will classify as other supplies for purposes of budget and fiscal reporting. It is not known if at this the total amount will be expended by fiscal year end. If not, a budget amendment would be requested at the appropriate time to carry over fund balance.

Commissioner McCabe moved for approval of the budget amendment, as presented, seconded by Commissioner Sampson and unanimously carried in a roll call vote.

DEPARTMENTAL MATTERS: PLANNING

Public Hearing – FY 13 Infrastructure

The Board was requested to go into public hearing to receive public comment regarding the County’s intent to apply for FY2013 CDBG Infrastructure funding.

Mr. Reed Whitesell of Holland Consulting Planners introduced the matter, explaining that water/sewer is a priority. There are Economic Development funds still available. He stated that HUD consolidation only requires one public hearing; therefore, it will not be necessary to schedule a second one, as originally believed. It is anticipated that up to \$750,000 for infrastructure projects will be available. The County will need to have a conversation with the City of New Bern to provide fee equity for residents of affected areas.

At 10:22 a.m. Commissioner Taylor moved to go into public hearing, seconded by Commissioner Dacey. The following citizen spoke:

1. *Hal James, 305 Calico Drive, New Bern*, stated that although homes are no longer being built with grant awards, he does not like the grant programs in general

CDBG Infrastructure Project – Step Pump Sewer System Installation Award

A bid opening for the installation of 50-70 Low Pressure STEP Pump Sewer Systems in the ongoing CDBG-IF program was held on February 6, 2014. Bids were received from the following six (6) contractors:

Actual Bid (Tabulated)	Contractor	Recommended Award (X)
\$4,400	D & D Septic	
\$2,875	Ralph Provost	
\$3,800	Everette George	X
\$4,750	Bornman Const	
\$4,550	JE Dillahunt	
\$14,800	Columbus Utilities	

Lowest Responsible Bidder	Per Unit Bid	Note
Everette George Construction Company	\$3,800	2 nd Low Bidder

*Lowest bidder withdrew his bid

Commissioner Taylor moved to approve Everette George Construction Company, with a low bid of \$3,800 per unit, seconded by Commissioner McCabe and unanimously carried.

FY12 CDBG Infrastructure Project-Henderson-Godette Waterline Award.

A bid opening for the waterline installation on Henderson Godette Road was held on February 6, 2014. Bids were received as follows:

BIDDER	BASE BID	PROJECT TOTAL
James L. Cayton Utilities	\$45,905.00	\$45,905.00
Cieszko Construction Company	\$40,450.00	\$40,450.00
ELJ, Inc.	NO RESULTS	NO RESULTS
Herring & Rivenbark	\$90,165.00	\$90,165.00
TA Loving	NO RESULTS	NO RESULTS
Toney E. Hawley Construction Co.	NO RESULTS	NO RESULTS
Sunland Builders	NO RESULTS	NO RESULTS
Bornman Construction	\$53,800.00	\$53,800.00

The Planning Board recommended award of the bid to Cieszko Construction Company for the Base Bid amount of \$40,450.00. Commissioner Allen asked to be excused from voting due to his relationship with the recommended bidder. Commissioner Taylor moved to excuse Commissioner Allen from voting, as requested, seconded by Commissioner McCabe and unanimously carried. Commissioner McCabe moved to award the project to Cieszko

Construction Company, with the low bid of \$40,450.00, seconded by Commissioner Dacey and unanimously carried with five (5) votes.

Policies Hurricane Irene Elevation and Acquisition Project

The Planning Board presented policies that need to be adopted in order to undertake the elevation and acquisition of structures through the Hurricane Irene Hazard Mitigation Grant Program. Four repetitive loss structures will be elevated and two structures will be acquired. Commissioner Taylor moved to approve the Resolution, Administrative Guidelines and Policies in order to move forward with the project and to authorize the Chairman's signature, seconded by Commissioner McCabe and unanimously carried.

APPOINTMENTS

Nursing Home Advisory Committee

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

Regional Aging Advisory Committee

It was the consensus of the Board to defer this appointment.

Craven Aging Planning Board

Commissioner Dacey moved to reappoint Dean Roberts on the Craven Aging Planning Board, seconded by Commissioner Taylor and unanimously carried.

Planning Board

It was the consensus of the Board that this appointment be deferred.

Fire Tax Commissioner

It was the consensus of the Board to defer this appointment.

Upcoming Appointments

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

March – None

April – None

COUNTY ATTORNEY'S REPORT

Final Acceptance – Offer to Purchase Real Property – 1212 Lagrange Street (#8-014-121)

County Attorney, Jim Hicks, presented an offer previously received by Craven County and the City of New Bern, in the amount of \$1,200.00 for property located at 1212 LaGrange Street, which was acquired through a tax foreclosure. The total taxes and costs that were foreclosed on were \$2,131.21, and the current tax value is \$5,250.00. The offer was advertised, and there were no upset bids.

Final Acceptance – Offer to Purchase Real Property – 823 West Street (#8-007-224)

Mr. Hicks presented an offer previously received by Craven County and the City of New Bern, in the amount of \$2,000 for property located at 823 West Street, which was acquired through a tax foreclosure. The total taxes and costs that were foreclosed on were \$4,037.22, and the current tax value is \$5,250.00. The offer was advertised, and there were no upset bids.

Final Acceptance – Offer to Purchase Real Property – 839 Green Street (#8-007-076)

Mr. Hicks presented an offer previously received by Craven County and the City of New Bern, in the amount of \$3,000 for property located at 839 Green Street, which was acquired through a tax foreclosure. The total taxes and costs that were foreclosed on were \$6,620.23, and the current tax value is \$5,460.00. The offer was advertised, and there were no upset bids.

Commissioner Sampson requested to be excused from the vote due to his involvement with the church making the offer on this parcel. Commissioner Taylor moved to excuse Commissioner Sampson from the vote, seconded by Commissioner McCabe and unanimously carried. Commissioner Dacey moved to accept all three offers, seconded by Commissioner Allen, and unanimously carried with five (5) votes.

COUNTY MANAGER'S REPORT

County Manager, Jack Veit, thanked Stanley Kite, Ira Whitford, Patti McDaniel and the North Carolina Department of Transportation (NCDOT) for their responses to the last snow storm event, as well as the media for their cooperation.

He announced that last week the County was approved for a State Drinking Water Revolving Loan at 0% interest in the amount of \$16,178,995. The County will need to send a letter of interest to proceed. Commissioner Allen moved to approve a letter of interest to proceed, seconded by Commissioner Sampson and unanimously carried.

Mr. Veit stated that the permitting process is still in play. The National Pollutant Discharge Elimination System (NPDES) permit was the hold-up but the permit is now in process. The County plans to bid the project and have everything ready to go once the permit is issued, hopefully by April 21.

He announced a public hearing the evening of February 17 at the Crystal Coast Convention Center regarding ferry tolls.

Mr. Veit requested from the Board a list of road needs priorities for the Metropolitan Planning Organization (MPO) and the Rural Planning Organization (RPO) meetings, and reported that the Highway 70 Corridor Committee has added a 5th seat per county. He asked that the Board give consideration to an appointee.

COMMISSIONERS' REPORTS

Commissioner Allen commented on his attendance at the Heart Ball and stated that it was very successful. He announced the North Carolina Association of County Commissioners (NCACC) District Meeting being held in Onslow County on April 10, which is in conflict with a candidates' forum taking place that evening at Craven Community College. He also announced that the Reagan Day Banquet is scheduled for Thursday evening, February 20.

Commissioner Dacey reminded citizens of a Town Hall meeting in Trent Woods February 17 from 4:00-5:00 p.m. He announced that the Airport Authority will be meeting February 18 and they have hired a new deputy director. He also noted that a Regional Library meeting will be held February 18 at 10:00 a.m.

Commissioner McCabe commended NC DOT for their response in the Harlowe area during the recent snow storm. He stated that he attended the Ferry Toll Public Hearing in Pamlico County and that everyone who spoke was in opposition to the tolls. He stated that Ed Dozier's work does not permit him to be active as a Fire Tax Commissioner, and he will seek a replacement.

Commissioner Sampson commented that gas prices have gone up again. He stated that he is against the ferry tolls. He was happy to see people working together during the recent storm.

CLOSED SESSION

At 11:03 a.m. Commissioner McCabe moved to go into closed session, seconded by Commissioner Sampson to consider land acquisition and attorney/client privilege pursuant to NCGS 143-318.11(a) (3) and (5).

At 11:55 a.m. the Board returned to regular session.

County Attorney, Jim Hicks, announced that the County had received an offer to exercise right of first refusal from Next Media at \$95,000 for a parcel located in the Craven County Industrial Park. Commissioner Dacey moved to decline the offer, seconded by Commissioner Taylor and unanimously carried.

At 11:58 a.m. the Board recessed for ten minutes, to reconvene in work session.

The meeting reconvened in work session at 12:10 p.m.

HOME HEALTH DISCUSSION

Health Director, Scott Harrelson led discussion concerning Craven County's Home Health initiative. He advised the Board on market share and revenue trends for Home Health, and potential sale of the Certificate of Need (CON). There is a possibility of a sale price in the \$2 – 2.5 million range. Craven County is currently third in market share, and may move to the fourth position. Home Health profitability is not what it has been in the past. The sale of the CON would produce capital for an inpatient hospice facility, which will require \$1.1 – 1.3 million per year in operating budget. He stated that if the Board agrees, he would like to proceed while the CON is at maximum value, as it may decrease over time. The staff, consisting of 15 employees and a few contractors, has been notified. Current employees would be moved to home hospice, and contract workers would no longer be needed. Several non-profit and for profit entities have expressed interest in purchasing the CON. CarolinaEast Medical Authority was approached, but is not interested in purchasing the CON.

The Board was advised that a consulting firm, which handles sale of Home Health agencies in North Carolina, charges a flat fee of \$38 – 39k plus legal fees and consulting costs. The Board of Commissioners was in favor of proceeding, and Mr. Harrelson was directed to complete the contract and return with it at the March 3, 2014 regular session.

COMMISSIONERS' BYLAWS

It was noted that Commissioner Tyson, who was absent, wished to have more discussion concerning the provisions for a public comment period.

Commissioner Allen pointed out several flaws that he perceived in the draft document, expressing his disagreement with deleting all reference to *Robert's Rules of Order*. He stated that the *Suggested Rules of Procedure for the Board of County Commissioners* published by the School of Government are taken directly from *Robert's Rules of Order*. In addition, 1) the draft document has no provision for its amendment, repeal or revision; 2) "timely request" in Rule 9 "Agenda" is not defined. It was resolved, by consensus, to specify the day and time (preceding Monday by noon) as the time by which a Commissioner may add an item to the agenda prior to the meeting.

Other rules were discussed as follows:

Rule 23 - "Duty to Vote": County Attorney, Jim Hicks, stated that statutes applicable to city governing boards specify the effect of failure to vote; however, there is no statutory clarification for counties. There is no provision for abstention in the county; therefore the effect of failure to vote needs to be specified in the rules of procedure.

Rule 28 – "Quorum": Commissioner Allen questioned the determination of a quorum when members are participating remotely.

Rule 32 – "Appointments": Commissioner Allen asked if the revision to eliminate nominees "laying on the table" for one meeting also eliminates appointment by acclamation.

Rule 35 – "Requests from Nonprofit Organizations": Commissioner Allen asked if the Chair and Administrator of the agency must be present to make requests of the Board. Commissioner Mark stated that a letter should be sufficient.

Rule 36 – “Advancement of Funds to Agencies Receiving County Appropriations: Language was added to specify that awards of \$5,000 or less will be disbursed in a lump sum.

Rule 33 – Robert’s Rules of Order: (Intentionally Omitted) Commissioner Allen stated that without *Robert’s Rules of Order*, there is no provision for raising a question of privilege, such as too hot or cold, someone can’t hear, etc. Commissioner Dacey asserted that *Robert’s Rules of Order* is too complex a system for a smaller group, and Chairman Mark concurred

Rule 4 –“Organizational Meeting”: There was discussion concerning who starts the meeting when the departing Board steps down, and the Board requested that language be added for clarification.

Rule 37 – “Conflicts of Interest”: Commissioner Dacey asked the County Attorney to discuss this section. Mr. Hicks stated that this rule applies only to the Board of Commissioners and not employees; therefore, references to employees were removed. County Manager, Jack Veit, stated that the Human Resources Department has covered employees’ conflict of interest provisions in the Personnel Policy.

Commissioner Allen stated that changing bylaws requires a super majority, and questioned if the Commissioners’ bylaws are in violation of state law. Mr. Hicks stated that in the case of a conflict, state law overrules.

At the suggestion of Mr. Hicks, the consensus was reached that a simple majority would be sufficient for amending the bylaws, provided amendments would not become effective until the next meeting.

Rule 10 – Public Comment Period: The Chairman stated that additional requests for public comment should be in the Chairman’s hands prior to the start of the meeting. Commissioner Dacey stated that this is the people’s board and citizens need as much opportunity to address the Board as possible.

Commissioner Sampson stated that there has not been much of a problem through the years with the procedures currently in place.

Mr. Veit recommended that the time limit for speakers during the public comment period be expressed as no less than three minutes and no more than four minutes, at the discretion of the Chairman, to allow for a greater number of speakers.

Commissioner Allen stated that to change the bylaws to remove references to *Robert’s Rules of Order* will require a two thirds majority.

At 2:00 p.m. Commissioner McCabe moved to adjourn, seconded by Commissioner Dacey and unanimously carried with five (5) “ayes”, Commissioner Taylor having withdrawn without having been excused, thereby registering as a sixth “aye” vote.

Chairman Thomas F. Mark
Craven County Board of Commissioners

Gwendolyn M. Bryan
Clerk to the Board