

AGENDA
CRAVEN COUNTY BOARD OF COMMISSIONERS
REGULAR SESSION
MONDAY, MAY 4, 2015
7:00 P.M.

CALL TO ORDER

ROLL CALL

INVOCATION

PLEDGE OF ALLEGIANCE

APPROVE AGENDA

1. CONSENT AGENDA
 - A. Minutes of April 20, 2015
 - B. Tax Releases and Refunds
2. PUBLIC HEARING: PAMLICO SOUND REGIONAL HAZARD MITIGATION PLAN: Landin Holland, Holland Consulting Planners
3. PUBLIC HEARING: AMBULANCE FRANCHISE ORDINANCE AMENDMENT: Jack Veit, County Manager
4. PUBLIC HEARING: NOISE ORDINANCE: Aaron Arnette, County Attorney Associate
5. PETITIONS OF CITIZENS
6. CRAVEN COUNTY SCHOOLS BUDGET PRESENTATION: Dr. Lane Mills, Superintendent of Schools
7. CRAVEN COMMUNITY COLLEGE BUDGET PRESENTATION: Dr. Catherine Chew, President
8. REQUEST FOR RESOLUTION APPROVING EASTERN CAROLINA WORKFORCE DEVELOPMENT AREA CONSORTIUM AGREEMENT AND APPOINTING CHIEF ELECTED OFFICIAL: Tammy Childers, Executive Director
9. REQUEST FOR RESOLUTION TO SUPPORT HR1288: WWII MERCHANT MARINER SERVICE ACT: Chairman Tyson

DEPARTMENTAL MATTERS

10. PLANNING – SUBDIVISIONS FOR APPROVAL: Don Baumgardner, Planning Director
11. FINANCE MATTERS: Rick Hemphill, Assistant County Manager, Finance/Administration
 - A. Budget Amendment
 - B. Audit Contract
12. COMMISSIONERS' RULES OF PROCEDURE
13. APPOINTMENTS
14. COUNTY ATTORNEY'S REPORT: Aaron Arnette
15. COUNTY MANAGER'S REPORT: Jack Veit
16. COMMISSIONERS' REPORTS
17. CLOSED SESSION

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 MAY 4, 2015. THE MEETING CONVENED AT 7:00 P.M.

MEMBERS PRESENT:

- Chairman Steve Tyson
- Vice Chairman Scott C. Dacey
- Commissioner Jason R. Jones
- Commissioner George S. Liner
- Commissioner Thomas F. Mark
- Commissioner Theron L. McCabe
- Commissioner Johnnie Sampson, Jr.

STAFF PRESENT:

- Jack B. Veit III, County Manager
- Gene Hodges, Assistant County Manager – Operations/Facilities
- Rick Hemphill, Assistant County Manager – Finance/Administration
- Amber Parker, Human Resources Director
- Gwendolyn M. Bryan, Clerk to the Board
- Aaron Arnette, County Attorney Associate

Following an invocation by Commissioner Sampson and the Pledge of Allegiance, Commissioner Tyson moved that the Noise Ordinance Public Hearing be moved to Item #2. Commissioner Mark moved to approve the agenda, as amended, seconded by Commissioner Liner and unanimously carried.

CONSENT AGENDA

Minutes of April 20, 2015

Commissioner Mark moved to approve the minutes of April 20, 2015, seconded by Commissioner McCabe and unanimously carried in a roll call vote.

Tax Releases and Refunds

Craven County Tax Administrator, Ronnie Antry, submitted the following tax releases and refunds for the Board’s approval. Commissioner Mark moved for their approval, seconded by Commissioner McCabe and unanimously carried in a roll call vote.

Credits

TAXPAYER NAME	TICKET#	AMOUNT
BELL, ROSA HRS SENIOR EXC. RECYCLE CORRECTION	2015-0090157	\$12.00
BRYANT, PEARLIE MAE SENIOR EXC. RECYCLE CORRECTION	2015-0090160	\$36.00
CAMPEAU, DUWAYNE & KATHERINE A DOUBLE BILLED DISCOVERY BILLING	2015-0090021	\$199.73
CRAVEN RENTAL PROPERTIES LLC FORECLOSURE – LIEN EXTINGUISHED	2012-0012755	\$4,615.86
CRAVEN RENTAL PROPERTIES LLC FORECLOSURE – LIEN EXTINGUISHED	2014-0012680	\$315.10
DOVE, DONNA A SENIOR EXC. RECYCLE CORRECTION	2015-0090162	\$36.00

GALYON, KEVIN RAY DID NOT OWN 1/1/2011	2011-0020664	\$64.09
GALYON, KEVIN RAY DID NOT OWN 1/1/2012	2012-0020499	\$56.51
GALYON, KEVIN RAY DID NOT OWN 1/1/2013	2013-0091893	\$49.53
GALYON, KEVIN RAY DID NOT OWN 1/1/2014	2014-0090302	\$22.59
KELLEY, JOHN KENNETH & MELISSA MILITARY EXEMPTION	2015-0090086	\$659.63
LAUGHINGHOUSE, KENNETH HAROLD VEHICLE PLATED/BILLED TWICE	2014-0033037	\$23.31
PORTER, JAMES R CORRECTED VALUE OF DISCOVERED PROP	2014-0092038	\$31.26
SCOTT, ALTON SENIOR EXC. RECYCLE CORRECTION	2015-0090173	\$24.00
VANDERMEER, MARIANNE CORRECTED VALUE OF DISCOVERED PROP.	2015-0090145	\$1,040.30
	15 – CREDIT MEMO (S)	\$7,185.91

Refunds

LAUGHINGHOUSE, KENNETH HAROLD VEHICLE PLATED/ BILLED TWICE	2012-0033568	\$26.34
LAUGHINGHOUSE, KENNETH HAROLD VEHICLE PLATED/BILLED TWICE	2013-0092645	\$23.53
	2 – REFUND(S)	\$49.87

PUBLIC HEARING: NOISE ORDINANCE AMENDMENTS

At the last meeting the County Attorney presented proposed amendments to the County’s Noise Ordinance, and requested a public hearing on the amendments. The amended ordinance has been on the County’s website for public review.

County Attorney Associate, Aaron Arnette, summarized the proposed amendments to the Noise Ordinance that were presented at the Board’s last meeting.

At 7:05 p.m. Commissioner Sampson moved to go into public hearing, seconded by Commissioner McCabe and unanimously carried. The following citizens spoke:

1. *Polly Meyer, 112 Evans Mill Road*, stated that she and her neighbors are not currently having any difficulty relative to dog noise, but she is concerned about changing the ordinance to eliminate reference to dogs. Onslow, Lenoir and Carteret Counties do have provisions that address noise from dogs.
2. *Hal James, 305 Calico Drive*, representing the Coastal Carolina Taxpayers’ Association, stated that the ordinance is an example of the government over reaching. The Taxpayers’ Association favors minimum government and maximum personal control.

At 7:11 p.m. Commissioner Mark moved to close the public hearing, seconded by Commissioner McCabe and unanimously carried.

Commissioner Jones stated that he would like to further discuss the matter before making any changes.

Commissioner Jones moved to defer adoption of the proposed amendments to the Craven County Noise Ordinance, seconded by Commissioner Mark and unanimously carried.

PUBLIC HEARING: PAMLIC SOUND REGIONAL HAZARD MITIGATION PLAN

A public hearing was held, as advertised, for the purpose of receiving public comments regarding the County's completed update of its Hazard Mitigation Plan (HMP), the Pamlico Sound Regional Hazard Mitigation Plan. Landin Holland of Holland Consulting Planners, advised the Board that the plan was approved by the Federal Emergency Management Agency (FEMA). He explained that the plan is different from the previous plan, as it's a regional five county plan. In 2000 the Federal Government mandated that a current HMP be maintained. A current HMP is required to receive reimbursement for road clearing and getting infrastructure operational after a disaster. The further effect is a reduction in cost and administrative burden on County staff, as it is now shifted among five counties.

The plan has been available for public inspection on the County's website.

At 7:20 p.m. Commissioner Mark moved to go into public hearing, seconded by Commissioner McCabe and unanimously carried. The following citizen spoke:

1. *Hal James, 305 Calico Drive*, stated that the plan is another example of the government over reaching and establishes another level of bureaucracy.

At 7:21 p.m. Commissioner Mark moved to close the public hearing, seconded by Commissioner McCabe and unanimously carried.

Commissioner Sampson moved to adopt the plan, as presented, seconded by Commissioner McCabe and unanimously carried.

PUBLIC HEARING: AMBULANCE FRANCHISE ORDINANCE AMENDMENT

The Board went into a public hearing, as advertised, to receive public input on a proposed amendment to the Ambulance Franchise Ordinance, which incorporates a \$2,000 per year fee for non-emergency transportation providers.

At 7:25 p.m. Commissioner Dacey moved to go into public hearing, seconded by Commissioner McCabe and unanimously carried. The following citizen spoke:

1. *Hal James, 305 Calico Drive*, feels that the fee is a regulation used to tax private enterprise.

At 7:25 p.m. Commissioner Mark moved to close the public hearing, seconded by Commissioner McCabe and unanimously carried.

Commissioner Dacey asked how other counties in the immediate area address this matter.

County Manager, Jack Veit, responded that most counties have a similar fee but at a higher rate, ranging from \$3,000-\$6,000.

Commissioner Dacey clarified that it offsets costs already being paid. Mr. Veit stated that he spoke to all the providers. They understand the need for the fee and expressed that the privileges of doing business in Craven County is worth the fee.

Commissioner Mark moved to approve the amendment and to schedule a second reading at the Board's next meeting, seconded by Commissioner Liner and unanimously carried.

PETITONS OF CITIZENS

1. *Dorothy Usa, 111 Bimini Ct., Havelock, NC* – addressed the Board in regards to the reduction in hours at the Havelock Library and asked that they be restored.
2. *Brenda Brimage, representing the Perrytown Community*, sought support and guidance regarding further improvements to Blount Brimage Drive. Work on the road was started in 2012, and it needed to cure for one year. The Department of Transportation (D.O.T.) started out maintaining the road but has not kept it up. The community is prepared to do whatever is necessary to get it completed. Commissioner Jones stated that he would like to extend an invitation to Hugh Overholt and Greenville D.O.T. Division staff to come and review rural roadways in the County. The County Manager was directed to have this arranged. Chairman Tyson stated that he will follow up on Ms. Brimage's request with County staff following the meeting.
3. *Hal James, Coastal Carolina Taxpayers' Association*, believes that highways and roads are a legitimate use of public funds. He spoke about the request of Eastern Carolina Workforce Development on the agenda for approval of its restructuring, stating that the agency creates another level of government. He stated that the agency has lost on loans made to business initiatives that could not qualify for conventional loans on the market and was responsible for an official absconding with \$800,000.
4. *Ray Griffin, Vanceboro*, spoke critically about the sale of alcoholic beverages on Sunday.
5. *Glen Fink, 646 Goose Creek Rd.*, addressed the Board regarding a significant increase in the schools' budget request to the County and state mandates. He feels that the County needs to push back on things it cannot afford.

CRAVEN COUNTY SCHOOLS BUDGET PRESENTATION

Superintendent of Schools, Dr. Lane Mills, and Finance Officer, Denise Altman, presented the proposed Board of Education budget for FY 2015-2016 and the schools' funding request to the County.

The total Local Budget request to the County is \$20,321,431, which includes an increase of \$536,000 over the current year's budget for revenue adjustment, Synovia GPS Contract, Teacher Supplement increase and charter school payments. Determinations reliant upon NC General Assembly action are for salary and benefit increases and costs for Driver's Education.

The total Capital budget request is \$2,291,015, in addition to technology requested, amounting to an additional \$1,593,750 for the current year and as a recurring cost.

The increased local budget requests were justified citing recent cuts at the state level, including low wealth funding, teacher assistant cuts, delinquent Federal Impact Aid payments and diminishing unassigned fund balance. Major categories of the capital projects were transformer replacements, roofing repairs, HVAC improvements, building renovation and lighting. The State unfunded mandates requiring on-line testing and integration of technology in instructional practices were cited as the basis for the additional technology funding request. Commissioner Liner stated that the school system currently has support problems for its technology, and there is nothing in the budget request to reflect support for additional equipment.

Commissioner Dacey requested a copy of the document from the State outlining the new mandates to discuss with the County's legislative delegation during County Assembly Day.

Commissioner Mark inquired about the anticipated savings from redistricting. Ms. Altman responded that they will not know the results until the school population distribution is settled.

Commissioner Dacey inquired if there has been any discussion of raising the ceiling of driver's education fees that are allowable. Ms. Altman stated that there has been some discussion, but with no results, and Commissioner Dacey recommended that it also be discussed with the Legislative Delegation during County Assembly Day.

At 8:40 p.m. the Board went into recess.

At 8:45 p.m. the Board returned in regular session.

CRAVEN COMMUNITY COLLEGE BUDGET PRESENTATION

Craven Community College President, Dr. Catherine Chew, presented the proposed FY 2015-2016 budget and funding request for the college to the County.

She stated that the college studied a potential partnership with County libraries, but no feasible efficiencies were identified.

She highlighted accomplishments to date relative to resource development. The request to the County was \$3,482,948 in operating allocation, showing no increase over current year funding, \$500,000 for capital projects, in line with the agreed upon five-year plan, plus an additional one-time request for \$50,000 to fund a STEM Building study for the Havelock campus.

REQUEST FOR RESOLUTION APPROVING EASTERN CAROLINA WORKFORCE DEVELOPMENT AREA CONSORTIUM AGREEMENT AND APPOINTING CHIEF ELECTED OFFICIAL

Details concerning reorganization of Eastern Carolina Workforce Development Area Consortium were presented by Executive Director, Tammy Childers, who noted that Commissioner Sampson is the current representative appointed by this Board.

Commissioner Sampson stated that he thinks the new configuration will be even more productive.

Commissioner Sampson moved to adopt the following resolution approving the organizational agreement, seconded by Commissioner McCabe and unanimously carried.

RESOLUTION

APPROVING EASTERN CAROLINA WORKFORCE DEVELOPMENT AREA CONSORTIUM AGREEMENT AND APPOINTING CHIEF ELECTED OFFICIAL

WHEREAS, the Counties of Carteret, Craven, Duplin, Greene, Jones, Lenoir, Onslow, Pamlico and Wayne have heretofore each adopted resolutions requesting the Governor of the State of North Carolina to designate said Counties as a Service Delivery Area under the Job Training Partnership Act during January 1986; and

WHEREAS, the Counties of Carteret, Craven, Duplin, Greene, Jones, Lenoir, Onslow, Pamlico and Wayne have heretofore each adopted resolutions requesting the Governor of the State of North Carolina to designate said Counties as a Local Area under the Workforce Investment Act, which rescinded and superseded the Job Training Partnership Act; and

WHEREAS, the Workforce Investment Act has been rescinded and superseded by the Workforce Innovation and Opportunity Act (Public Law 113-128—July 22, 2014) the Counties of Carteret, Craven, Duplin, Greene, Jones, Lenoir, Onslow, Pamlico and Wayne have requested the Governor of the State of North Carolina to designate said Counties as a Workforce Development Area; and

WHEREAS, one requirement for the said Counties to act as a Workforce Development Area is for said Counties to form a Consortium pursuant to Section 106 of the Workforce Innovation and Opportunity Act; and

WHEREAS, the proposed Eastern Carolina Workforce Development Consortium Agreement has been submitted to this Board of County Commissioners for review and approval; and

WHEREAS, the Board of Commissioners deems the approval of said Agreement to be in the best interest of the County.

NOW, THEREFORE, BE IT RESOLVED that this County does hereby approve and agree to enter into the Agreement for the Eastern Carolina Workforce Development Area;

RESOLVED FURTHER, that Commissioner Johnnie Sampson, Jr. is hereby appointed and designated as the “chief elected official” of this County for all purposes as required by the Workforce Innovation and Opportunity Act and by the Agreement for the Eastern Carolina Workforce Development Area;

RESOLVED FURTHER, that the said “chief elected official” be and that person hereby is authorized and directed to execute on behalf of this County the Eastern Carolina Workforce Development Consortium Agreement and to take any and all other actions which may be appropriate to carry out the foregoing resolutions into effect;

RESOLVED FURTHER, that the said “chief elected official” shall serve in such capacity at the pleasure of this Board of County Commissioners.

Commissioner Dacey questioned assertions made during citizens’ comments about past issues relative to loans to businesses than cannot achieve conventional financing and \$800,000 absconded by an elected official. Ms. Childers stated those allegations do not apply to the Eastern Carolina Workforce Development organization.

REQUEST FOR RESOLUTION TO SUPPORT HR1288 – WW II MERCHANT MARINER SERVICE ACT

The Board considered an appeal by Don Horton, President of the WW II Coastwise Merchant Mariners for adoption of a resolution to support HR 1288 – WW II Merchant Mariner Service Act. Commissioner Liner moved to adopt the following resolution, seconded by Commissioner McCabe and unanimously carried.

A RESOLUTION OF THE NORTH CAROLINA CRAVEN COUNTY BOARD OF COMMISSIONERS IN SUPPORT OF ALTERNATIVE METHOD OF RECOGNITION FOR VETERANS STATUS TO WW II COASTWISE MERCHANT MARINERS

Findings 1: Some US Merchant Marine Seamen of WW II gained veteran status under a court ruling via Schmacher, Willner, et al, V. Secretary of the Air Force Edward C. Aldridge, Jr 665 F Supp 41 (D.D.C 1987). The USCG later **required** they meet certain eligibility requirements.

Findings 2: Some 10,000 to 30,000 **coastwise** seagoing tug and barge merchant seamen have been or may be denied recognition upon application because actions taken by government agencies (prior to P. L. 95-202) have removed required eligibility records from being available to the veteran.

Findings 3: Commandant, USCG Ltr 5739 Ltr of 09 Apr 2010 states, **“The US Government did not issue mariner credentials to females during the World War II.”**

Findings 4: USCG Information Sheet #77 (April 1992) identifies **acceptable forms of documentation** for eligibility meeting the requirements pursuant to Schmacher V. Aldridge, 655 41(D.D.C 1987)

- a. Certificate of Discharge (Form 718A)
- b. Continuous Discharge Books (ship’s deck/engine logbooks. (Non-military document)
- c. Company letters showing vessel names and dates of voyages. (Non-military document)

Findings 5: Commandant USCG Order of 20 March, 1944 **relieves masters** of tugs, towboats and seagoing barges **of the responsibility of submitting reports of seamen shipped or discharged on forms 718A.** This action removes item (a) from the eligibility list in Findings 4.

Findings 6: USCG Information Sheet # 77 (April, 1992) further states “Deck logs were traditionally considered to be the property of the owners of the ships. After World War II, however, the deck and engine logbooks of vessels operated by the War Shipping Administration were turned over to that agency by the ship owners, and **were destroyed during the 1970s because they were too burdensome to keep and too costly to maintain.**” This action effectively eliminates item (b) from the eligibility list in Findings 4

Findings 7: Company letters showing vessel names and dates of voyages are highly suspect of ever existing due to the strict orders prohibiting even the discussion of ship/troop movement. Then consider item (c) of Findings 4 should be removed from the eligibility list. USCG Info Sheet # 77, page 2 refers

Findings 8: Excerpts from Pres. Roosevelt's fireside Chat 23: On the Home Front (Oct. 12, 1942): "In order to keep stepping up our production, we have had to add millions of workers to the total labor force of the Nation. "In order to do this, we shall be compelled to use **older men, and handicapped people, and more women, and even grown boys and girls**, wherever possible and reasonable, to replace men of military age and fitness; **to use their summer vacations, to work somewhere in the war industries.**" Underage combatants had served in all of America's wars from the time of the Revolution. The unknown number who served in the Second World War perpetuated that legacy. They served with distinction and valor, and indisputably demonstrated that, despite their age, they could serve as well as those around them.

Findings 9: Post the Revolutionary War; many Acts of Congress were enacted to provide pensions to those veterans applying for support. Thousands of servicemen were without documented service and remained without any viable means to prove service. Excerpts from documents retained at the NARA provide: **Generally the process required an applicant to appear before a court of record in the State of his or her residence to describe under oath the service for which a pension was claimed.** This establishes precedence for using certified oaths in conjunction with the Social Security documents as alternative documentation.

Findings (10): US CG Official Shipping/Discharge documents (Forms 718A) were obtained from the National Archives and Records Administration, Wash. DC that contained information proving Active Duty (AD) services for some WW II coastwise barge and tug Mariners. Together with information obtained via a FOIA request to the National Maritime Center, research brought forth additional information. **Research conducted between June-August 2013, in concert with the NMC**, using official records of 1172 coastwise mariners and the USCG Merchant Marine Casualties of WW II report of 1950 identified:

WW II Coastwise Mariners Listing: Excel Sheet #1

1172 Mariners identified via official USCG Shipping/Discharge Forms 718A
 84 Mariners may be women according to their feminine sounding names; OR 7.2%
 1058 Mariners' ages were specified. Ages ranged from 10 to 78.
 583 Mariners identified within draft age and included those in 4F status; OR 55.1% of known ages.
 525 Mariners identified at over the draft age of 37; OR 49.6% of known ages.
 114 Mariners with age not specified; OR 09.7%
 47 Mariners who served were under the age of 17; OR 4.4% of known ages.
 16 Mariners KIA with 1 receiving DD Form 1300.

National Maritime Form DD 214 Listing: Excel Sheet #2

794 Mariners were identified on NMC Coastwise Mariners listing identifying Active Duty services.
 291 Mariners on NMC listing had no USCG MMLD numbers listed; OR 36.6%
 85 Mariners issued DD Form 214 from NMC listing, OR 10.7% of NMC; OR 7.2% of WW II CMM

Merchant Marine KIA & MIA Casualties from all causes = 9521 * (usmm.org)

5662 Mariner Casualties from USCG per 1950 Report * (USCG 1950 casualty report)
 3859 Mariner Casualties from Other Sources * (Additional sources = Art. Moore and US Congress)

Merchant Marine Casualties recognized by all sources = 414

344 Mariner Casualties from USCG 1950 Casualty Report * (USCG 1950 casualty report)
 70 Mariner Casualties from NMC report & not listed on USCG 1950 Casualty List * (NMC DD 1300 Report)
 1 Mariner in NMC DD 1300 files as having received Form DD 1300 yet 16 identified on WW II CM listing

Rationale: **9521 Merchant Mariners KIA or MIA** serving and **only 414** receiving Veteran status.

Findings 11: The USCG cannot provide a true estimate of merchant mariners serving in WW II. GAO/HEHS-97-196R refers. Estimates range from 250,000 to 840,000 from recognized historians and GAO audit... None of these historians were aware of these 10,000 to 30,000 coastwise merchant seamen where many served without proper credentials and were not included in above estimates. **Some were elderly handicapped; others women and some were school children** who served in billets, drew wages and paid taxes. They served on the same vessels in the same hostile war zones and performed the same services alongside others who were documented. **Yet, only about 91,000 merchant mariners have been recognized as veterans with just 1192 of these veterans in receipt of compensation or pension benefits the VA refers.** This is a vast disparity in ratio of the other service branches.

Findings 12: DOD and NARA Agreement N1-330-04-1 of Jul, 08, 2004 puts in place a procedure to transfer military personnel files of individuals from all services, (including civilian personnel or contractual groups who were later accorder military status under the provisions of Schmacher, Willner, et al, V. Secretary of the Air Force Edward C. Aldridge, Jr 665 F Supp 41 (D.D.C 1987). This agreement affects military personnel records of individuals **62 years** after separation from service. Action has taken place for all **except** the US Merchant Marine IAW above stated court order. This **inaction** by the **Department of Homeland Security via (COMDT USCG)** has caused many of the mariners to have **gone unrecognized** for their services. Many seafarers have passed without ever gaining recognition or benefits and soon all will be History. National Personnel Records Center estimate there are between 1400 to 2500 Cubic feet of Shipping/Discharge documents being stored at the NARA district offices and NMC yet to be transferred to the National Personnel Records Center in St. Louis, Missouri. NMC cites **about 91,000 out of 250,000 to 840,000 have ever received recognition** as veterans; and, with many unable to gain access because of age and health condition requiring assistance for others outside family. Had compliance taken place, these records would have been available to all and providing the mariner a chance to being recognized many years ago and enjoying the benefits awarded to them via court order.

Whereas: (1) By court order, Schumacher v. Aldridge 665 F Supp 41 (D.D.C. 1987) **provided for veteran status** to certain US Merchant Marine seamen during WW II (07 December, 1941 to 31 December, 1946) with the same benefits accorded all veterans as administrated by the Veterans Administration. There were **no provisions** for the elderly handicapped, women or schoolchildren to even be considered for their services as mariners serving anywhere within the US Merchant Marine providing an avenue to veteran status.

Whereas: (2) The USCG Information Sheet #77 of Apr. 1992 identifies specific criteria to be used to prove active duty performed by an individual seaman for the purpose of attaining veteran status and findings (5), (6) & (7) identified specific **official government actions** that **removed** these particular documents from the reach of the mariner. This **clearly identifies the requirement** to put in place a method of utilizing **alternative** documentation and other approved methods to replace specific documents removed from use by the government actions cited elsewhere in this document.

Whereas: (3) Women **were removed** from ships at the onset of WW II and not allowed to serve in any capacity by direction of the War Shipping Administrator, Admiral Emory S. Land.

The Captains of the Ports (USCG COTP) were given specific directions to **deny** official USCG maritime credentials to any woman requesting them. They **served but without official credentials** in every capacity on most vessels. Families were the sole crew on many barges throughout the WW II and afterwards. Companies **welcomed this** arrangement because **critical** crew replacements were **reduced** considerably. This allowed those barges to move the bulk war materials more quickly and freed the more abled bodied seaman to man the larger seagoing ships taking vital supplies to troops on all the fronts, keeping the enemy from our doors. A **win win** situation vital to war defense. **To date** there is **no law or other avenue** recognizing women as veterans of the US Merchant Marine during WW II

Whereas: (4) President Roosevelt's speech of 12 Oct, 1942 **puts in place the use of elderly and handicapped individuals, school children and women in an effort to support war efforts** by replacing men of military age and fitness, and in stepping up our production of war materials for those on the front lines. Because of this speech, women, the elderly disabled and schoolchildren entered the varied war defense plant services in droves and many found their way into the coastwise barge and tug trades as well.

Whereas: (5) DOD & NARA Agreement N1-330-04-1 of July 08, 2004 **provides for the transfer** of military records to the National Personnel Records Center, St. Louis, MO for use as archival records, open to the public. But **inaction by the DHS for the mariner in over 10** years has caused the veteran loss of due access of his records that may have accorded him recognition as a veteran. Recommend Congressional inquiry into delay of WW II Merchant Mariners personnel records.

Whereas: (6) Previously attempted bills, HR 1288 and S-1361, would have provided for **alternative records** to be used in place of **records lost, destroyed or denied** for coastwise seamen affected; and allowed women and school children be recognized for their services rendered for the first time ever. There are **no laws** in place to allow for resolution of this issue.

Whereas: (7) The elderly disabled, children and women have served in every war this nation has ever known. Most have served without recognition but history is replete with actions of young children stepping up to serve, some receiving our highest honors and others serving in our highest ranks of service, congress and the presidency; e.g. President Andrew Jackson (age **13**); America's first Admiral, David Glasgow Farragut was appointed a midshipman at (age **9**) by President James Madison; Willie Johnson (age **11**) was recipient of the Medal of Honor; Albert Cohen of Memphis TN who enlisted at age **11** & KIA age **15**. History is filled with children defending this nation and Coastwise Mariners had their fair share of them. **Findings #9 & #10 provide support** info.

Whereas: (8) Although they served gallantly and with honor, actions taken against those that were elderly and disabled, school children and women by denying them official credentials during WW II is considered **discrimination** today.

Whereas: (9) The process used to determine whether an individual performed service under honorable conditions that satisfies the requirements of a coastwise merchant seamen who is recognized as having performed active duty service under the court ruling via Schmacher, Willner, et al, V. Secretary of the Air Force Edward C. Aldridge Jr 665 f Supp 41 (D.D.C.1987). There are no considerations in any **existing** legislation that provides for women who served, under aged schoolchildren or elderly handicapped seaman any avenue to attain veteran status. **Nor** is there a current avenue to use alternative methods of recognition or other actions that have proved effective in past wars for use in lieu of documents that were denied and/or destroyed by several specific official government actions.

The following actions are recommended:

(1) Initiate congressional actions to: Provide sufficient response to support Merchant Mariners' provisions of HR 1288 (with wording intact to insure all coastwise barge and tugboat mariners who served during WW II (regardless of age, gender or disability) are recognized as veterans in accordance with or similar to: court ruling via Schmacher, Willner, et al, V. Secretary of the Air Force Edward C. Aldridge, Jr 665 F Supp 41 (D.D.C 1987), **granting veterans status**

(2) Initiate congressional inquiry into: Delay of WW II Merchant Mariners personnel records movement to National Military Personnel Center.

(3) Initiate congressional actions to: Recognize WW II Mariners identified as KIA/MIA as Veterans of this Nation.

Now, therefore, be it resolved that the Craven County, North Carolina Board of Commissioners hereby supports these efforts on behalf of the World War II Coastwise Merchant Mariners and urges our Representatives in the Senate (Senators Richard Burr and Thom Tillis) and in the House (Representatives Walter Jones and George K. Butterfield) to fully support and initiate all necessary actions, including full support of HR 1288, "WW II Merchant Mariners Service Act", to pass legislation approving the above findings and recommendations.

Adopted this 4th day of May 2015.

DEPARTMENTAL MATTERS: PLANNING – SUBDIVISIONS FOR APPROVAL

Craven County Planning Director, Don Baumgardner, presented the following subdivisions for the Board’s approval. Commissioner Mark moved for their approval, seconded by Commissioner McCabe and unanimously carried.

1. The 18th Green at Carolina Pines – Final: The property, owned by Carolina Pines Golf and Country Club and surveyed by James C. Simmons Jr., PLS, is located within Twp. 6, off of Carolina Pines Blvd. The subdivision contains 3 lots on .8902 acres and is proposed to be served by county water and private community sewer by Carolina Utilities.
2. Philip J. Tess, Jr. – Final: The property, owned by Elbert Ryan Jolley and surveyed by Timothy J. Esolen, PLS, is located within Twp. 3, off of NC Hwy 55. The subdivision contains 1 lot on 1.25 acres and is proposed to be served by County water and an existing individual septic system.
3. Stately Pines Section 8 – Final: The property, owned by Stately Pines Partnership and surveyed by Edward B. Latham, PLS, is located within Twp. 6, off of Stately Pines Rd. The subdivision contains 7 lots on 7.67 acres and is proposed to be served by County water and City of New Bern sewer.

DEPARTMENTAL MATTERS: FINANCE

Budget Amendment

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

E911

REVENUES	AMOUNT	EXPENDITURES	AMOUNT
101-0000-399-01-00 Fund Balance Current	\$3,947.00	101-0567-410-97-22 Transfer to E911	\$3,947.00
TOTAL	\$3,947.00	TOTAL	\$3,947.00

Justification: Recently learned that some items purchased with E911 funds during FY ’14 were ineligible expenses. The budget amendment is to return funds back to E911 and charge them to the General Fund. (Replacement of workstations at EOC)

Audit Contract

Mr. Hemphill presented the audit contract for fiscal 2015 with McGladrey and Pullen. The audit fee is \$66,600, a \$1,000 increase over last year (1.5%). Additionally there is a charge of \$4,200 for agreed upon procedures relating to the audit of the Department of Social Services intake procedures as required by the State of North Carolina. The fee for these procedures was \$4,000 last year (which was the first year it existed). Commissioner Sampson moved to approve the audit contract, as presented, seconded by Commissioner McCabe and unanimously carried.

COMMISSIONERS' RULES OF PROCEDURE

Amended Rules of Procedure were presented with language included to clarify conditions for a consent agenda. Commissioner Dacey stated that he is still opposed to the changes. Commissioner Jones moved to adopt the amended rules, seconded by Commissioner McCabe and carried with five (5) "ayes", there being two (2) "nays" from Commissioners Dacey and Tyson.

APPOINTMENTS

Fire Tax Commissioners: Tim Harvey, John Hawkins, John Norris, Sr.

Commissioner Jones moved to reappoint John Hawkins and John Norris, Sr. to the Fire Tax Commission. The replacement of Tim Harvey was deferred until the Board's next meeting. There being no additional nominees, Mr. Hawkins and Mr. Norris were reappointed by acclamation.

Board of Adjustment: John Brazelton, Gerald Teel, Alvin West

Commissioner McCabe moved to reappoint John Brazelton and Gerald Teel to the Board of Adjustment. Commissioner Limer stated that he has not been able to find anyone else willing to serve and moved to appoint Commissioner McCabe as alternate. There being no additional nominees, Mr. Brazelton, Mr. Teel and Commissioner McCabe were appointed by acclamation.

Down East RPO: John Wetherington

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

Nursing Home Advisory Committee: Cheryl Stevenson

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

Eastern Carolina Regional Housing Authority: Arlene Clifton

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

Eastern Carolina Behavioral Health Regional Advisory Board

Commissioner Jones moved to appoint Commissioner Dacey to the Eastern Carolina Behavioral Health Regional Advisory Board. There being no additional nominees, Commissioner Dacey was appointed by acclamation.

Upcoming Appointments

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

June

- Craven Community College
- Community Child Protection Team
- Eastern Carolina Workforce Development
- EMS Advisory Council
- Firemen's Relief Fund
- Fire Tax Commissioner
- Juvenile Crime Prevention Council
- Nursing Home Advisory Committee
- Planning Board
- Recreation and Parks
- Coastal Carolina Airport Authority
- Tourism Development Authority

COUNTY ATTORNEY'S REPORT

Final Acceptance – Offer to Purchase Real Property – Parcel No. 1-044-264 (no assigned street number; off of Main Street, north of Vanceboro)

The County has previously received and tentatively approved an offer in the amount of \$2,200.00 for property located off Main Street, north of Vanceboro, which was acquired through a tax foreclosure. The total taxes and costs that were foreclosed on were \$2,139.09. The current tax value is \$13,500.00. The offer was advertised and there were no upset bids.

County Attorney Associate, Aaron Arnette, presented a resolution, deed and lien waiver and requested that the Board give final approval of the sale and adopt the following resolution. Commissioner Mark moved to approve the sale and to adopt the resolution, as requested, seconded by Commissioner Sampson and unanimously carried.

RESOLUTION

Tax Parcel Number 1-044-264, Craven County, North Carolina

THAT WHEREAS, Craven County has received an offer to purchase a parcel of property owned by the County, identified as Tax Parcel Number 1-044-264, and being more particularly described herein; and

WHEREAS, the Board of Commissioners is authorized to sell the County's interest in the property pursuant to North Carolina General Statute §160A-269; and

WHEREAS, the offer to purchase was advertised as required by said statute; and

WHEREAS, the offer to purchase was in the sum of \$2,200.00 by Hicks Propane, Inc.; that no increased bids were received; and

WHEREAS, the Board of Commissioners deems it advisable and in the best interest of the County to sell its interest in the subject property to the successful bidder and to convey its interest in said property by quitclaim deed.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF CRAVEN COUNTY:

Section 1. That the last and highest bid of Hicks Propane, Inc. in the sum of \$2,200.00 for said parcel identified as Tax Parcel Number 1-044-264, and being more particularly described herein, be and the same is hereby accepted as to the County's interest in said property, and the Chairman, County Manager and/or Clerk be and they are hereby authorized and directed to execute a quitclaim deed to the purchasers for the County's interest in said property, and to further execute any and all other documents related to the sale of the same..

Section 2. That a copy of said quitclaim deed is attached hereto and incorporated herein by reference, and the original deed shall be delivered to said purchaser once the same has been executed on behalf of the County, upon payment of the purchase price.

Section 3. That the subject property is more particularly described as follows:

All that certain lot or parcel of land lying and being situate in Number One (1) Township, Craven County, North Carolina, and being more particularly described as follows:

All of that certain property more fully described in Deed Book 3271 at Page 924 in the Craven County Registry. This property is also commonly referred to by its tax parcel identification number which is 1-044-264.

ADOPTED THIS 4th DAY OF MAY, 2015.

Offer to Purchase Real Property – 240 Avery Road (Parcel No. 2-040-114)

The County has received an offer in the amount of \$3,500.00 for the property located at 240 Avery Road, which was acquired through a tax foreclosure. The total taxes and costs that were foreclosed on were \$3,496.48. The current tax value is \$39,410.00.

Mr. Arnette presented a resolution, offer to purchase, bid deposit, foreclosure deed and GIS information and advised that should the Board accept this offer the property will then be advertised for upset bids in accordance with General Statutes. Once no further upsets bids are timely received, the County may accept or reject the final offer. Commissioner Mark moved to adopt the following resolution, accept the offer and advertise for upset bids, seconded by Commissioner Sampson and unanimously carried.

RESOLUTION

THAT WHEREAS, Craven County has received an offer to purchase a parcel of property owned by it identified as Tax Parcel Number 2-040-114, and more particularly described in Deed Book 3268 at Page 893 in the Craven County Registry (hereinafter the "Real Property"), a copy of said offer is attached hereto as Exhibit A; and

WHEREAS, the Board of Commissioners is authorized to sell the County's interest in the property pursuant to the provisions of North Carolina General Statute §160A-269.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF CRAVEN COUNTY:

1. That the Board of Commissioners hereby authorizes the initiation of the upset bid process for the Real Property by advertising notice of the offer to purchase in accordance with the provisions of North Carolina General Statute §160A-269.

2. That the County Manager, Clerk and/or Attorney are authorized to take all actions necessary to accomplish the purposes of this Resolution.

ADOPTED THIS 4th DAY OF MAY, 2015.

Disposition of Property located at 607 Bern Street, New Bern (Tax Parcel No. 8-007-276)

On April 15, 2014, the property located at 607 Bern Street, New Bern, was acquired jointly with the City of New Bern through a tax foreclosure. Based upon the percentage of taxes owed, the City owns a 40.466% interest, and the County owns a 59.534% interest. The total of taxes and abatement liens owed at the time of foreclosure was \$7,732.93. The current tax value of the land is \$7,000. The lot is approximately 0.07 acres.

The dwelling on the property is dilapidated, and the City will be demolishing it under its ordinances. The estimated cost of demolition and disposal is \$3,800. The City has inquired as to whether the County desires to pay its prorated cost for demolition, at approximately \$2,260, or whether the County would prefer to donate its interest to the City. Commissioner Dacey moved that the County relinquish its interest to the City of New Bern and adopt the following resolution, seconded by Commissioner Mark and unanimously carried.

RESOLUTION

607 Bern Street, New Bern (Tax Parcel Number 8-007-276) Conveyance of Interests to City of New Bern

THAT WHEREAS, Craven County (the "County") acquired an interest in that certain property more commonly referred to as 607 Bern Street, New Bern, North Carolina, and further identified as Tax Parcel Number 8-007-276 (the "Real Property"); and

WHEREAS, the County acquired a 59.534% interest in the Real Property, and the City of New Bern (the "City") acquired a 40.466% through a tax foreclosure, as evidenced by that certain Commissioner's Deed recorded in Deed Book 3271 at Page 922 in the Craven County Registry; and,

WHEREAS, the City intends to demolish the improvements at the Real Property, which are dilapidated, in accordance with its duly enacted ordinances; and,

WHEREAS, the City has offered to share the costs of such demolition with the County in proportion to the parties' respective ownership interests, or to undertake all costs related to the same in exchange for the County conveying its interest in the Real Property to the City; and,

WHEREAS, the Board of Commissioners is authorized to convey the County's interest in the Real Property to the City, "upon such terms and conditions as it deems wise, with or without consideration", pursuant to North Carolina General Statute §160A-274; and

WHEREAS, the Board of Commissioners deems it advisable and in the best interest of the County to convey its interest in the Real Property to the City by quitclaim deed.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF CRAVEN COUNTY:

Section 1. That the Real Property be conveyed to the City, by quitclaim deed, without cash consideration but with the express consideration and requirement that all costs of demolition of improvements at the Real Property shall be the sole responsibility of the City.

Section 2. That the Chairman, County Manager and/or Clerk be and they are hereby authorized and directed to execute any and all documents necessary to accomplish the purposes of this Resolution.

ADOPTED THIS 4th DAY OF MAY, 2015.

COUNTY MANAGER'S REPORT

County Manager, Jack Veit, reminded the Board that Wednesday May 6 is County Assembly Day at the General Assembly and the Board is scheduled to have appointments with Representatives Bell and Speciale and plans to visit Senator Sanderson and Representative Graham also. Several issues have been identified to take to Raleigh for discussion. Mr. Veit also reminded the Board of a budget work session to be held on May 26 at 8:00 a.m.

Mr. Veit stated his disappointment in the outcome of the NC Association of County Commissioners' legislative goal regarding the authority of school boards to bring suit against counties over funding disputes.

He recommended scheduling a work session that would include Department of Transportation issues, and the disposal of the 509 Broad Street property.

COMMISSIONERS' REPORTS

Commissioner Liner reported on his attendance at the annual Council on Aging conference, which he found to be an eye opener. He learned that aging funds are decreasing and felt his attendance was beneficial as a member of the Craven Aging Planning Board, which is responsible for allocating those funds locally.

Commissioner Jones commented on a successful Strawberry Festival in Vanceboro. He reported that he and Finance Director, Rick Hemphill, have met with some of the fire departments in the western end of the County and will meet with others over the next week. He reported on numerous calls he has received about the intersection at the Industrial Park. There is debris blocking visibility, and he would like this issue to be addressed with the Department of Transportation.

Commissioner Mark commented on a memo he received from Durwood Stephenson regarding 10 counties and towns that have sent resolutions in support of the Havelock by-pass.

Commissioner McCabe reported on a ribbon cutting at the NC Highway 101 Dollar General on April 25. The ceremony was attended by Havelock City Commissioners, as well as Commissioner Liner and representatives of the Havelock Chamber of Commerce. He stated that the store manager distributed 50 gift cards.

Commissioner Sampson commented that gas prices are rising, but are still a little less than other areas; however, food prices continue to remain high. He stated that he was happy to see Loretta Lynch finally approved as U.S. Attorney General. She is an example to youth to study, work hard and be surrounded by positive, productive people. He reminded the public that Duffest will be held on May 9 at Kafer Park. He announced that a Butterfly Garden has been installed at the Stanley White Recreation Center by area 4-H youth, sponsored by U.S. Cellular.

Commissioner Dacey provided an update on ACT lobbying efforts relative to Search and Rescue (SAR) mission Pedro at Cherry Point, reporting that language has successfully been included in the Sub Committee on Readiness Directive Report for H.B. 1735. The goal is to ensure that the Navy has sufficiently planned for loss of SAR mission Pedro in the FY16 National Defense Authorization Bill. He expects to come forward in the near future with a resolution in support of Highway 70, and is awaiting a response from Durwood Stephenson, Director of the Highway 70 Corridor Committee, with his input.

Chairman Tyson stated that Commissioners can make a copy of the Board of Education budget proposal for anyone who wishes to see it . He thanked citizens that took part in Clean Sweep on May 2. He reported on an MPO meeting in Raleigh that he recently attended and stated that it was geared more towards planning staff than elected officials.

CLOSED SESSION

At 10:20 p.m. Commissioner Sampson moved to go into closed session to discuss qualifications and performances of personnel, pursuant to NCGS 143-318.11(a)(6), seconded by Commissioner Mark.

At 10:30 the Board returned to regular session with no action to report. Commissioner McCabe moved to adjourn, seconded by Commissioner Sampson and unanimously carried.

Steve Tyson
Craven County Board of Commissioners

Gwendolyn M. Bryan
Clerk to the Board