

**THE BOARD OF COMMISSIONERS OF THE COUNTY OF CRAVEN RECONVENED ITS REGULAR SESSION OF SEPTEMBER 6, 2016 ON SEPTEMBER 16, 2016 IN THE COMMISSIONERS' ROOM OF THE CRAVEN COUNTY ADMINISTRATION BUILDING, 406 CRAVEN STREET, NEW BERN, NORTH CAROLINA. THE MEETING CONVENED AT 10:00 A.M.**

**MEMBERS PRESENT:**

Chairman George S. Liner  
Vice Chairman Johnnie Sampson, Jr.  
Commissioner Scott C. Dacey – via conference call  
Commissioner Jason R. Jones (at 10:08 a.m.)  
Commissioner Thomas F. Mark  
Commissioner Theron L. McCabe  
Commissioner Steve Tyson (at 10:05 a.m.)

**STAFF PRESENT:**

Jack B. Veit III, County Manager  
Gene Hodges, Assistant County Manager  
Amber Parker, Human Resources Director  
Craig Warren, Finance Director  
Gwendolyn M. Bryan, Clerk to the Board  
Jim Hicks, County Attorney

Chairman Liner announced several housekeeping details at the outset.

County Manager, Jack Veit, noted an addition to the agenda. Item #4, 509 Broad Street should be Item 4.A. and Item 4.B. added for presentation of funding information from Economic Development Director, Timothy Downs.

Finance Director, Craig Warren, shared a template that Commissioner Mark brought from neighboring Brunswick County, which provides highlights of the County budget in the form of a business card. The Board liked the concept and asked Mr. Warren to print enough for each Commissioner to have a supply.

### **SOLAR FARM ORDINANCE**

Mr. Veit asked for feedback on sections of the draft Solar Energy Facility ordinance that are acceptable, and to indicate desired edits. If in agreement with the majority of the ordinance, the Board will be requested to set a public hearing for October 3, 2016.

(Commissioner Jones arrived)

Jason Frederick, Craven County Planner, identified current solar farm locations in Craven County. He stated that the main regulations that are the focus of the ordinance include: Buffering and Setbacks, Maintenance Standards, Supplemental Regulations, Decommissioning Regulation, and Military and Airport notifications.

#### *Setback*

Mr. Veit pointed out that the draft reflects a setback distance provision, which the Planning Board diminished from 200 feet to 25 feet from the fence line; however, the Planning Board increased the landscape buffer from 25 to 50 feet. In addition, the Planning Board deleted Article 1-1.5 (d), which addressed setback requirements from primary residences, commercial or institutional structures. It was the consensus to revisit these provisions.

Commissioner Mark advocated including soil analysis requirement prior to placement of a solar facility in order to establish a baseline for soil conditions at the site and again at the end. It was the consensus to re-visit this recommendation.

*Security Bond – 1-1.9*

During discussion of decommissioning plans, and abandonment, it was noted that there are no landfill sites in North Carolina permitted to take solar panels currently. They must go back to the manufacturer when discarded. The ordinance provides for a form of surety equal to 125% of the entire cost of decommissioning on an annual basis, to be reviewed and adjusted annually according to the engineers' estimates.

The approval process outlined in the ordinance designates the Planning Board as the approval authority. Commissioner Jones asked why the Planning Board has authority for approval rather than the Commissioners. Mr. Frederick responded that it was due to their knowledgeability and regular availability. Mr. Veit stated, however, that the Planning Board will be constrained by provisions the Board sets within the ordinance. County Attorney, Jim Hicks, stated that although the draft ordinance gives approval authority to the Planning Board, it designates the Board of Commissioner for appeals.

Commissioner Dacey voiced his concerns about too much subjectivity getting into the process, should approval authority rest with Commissioners, although he is generally in agreement with Commissioner Jones' concerns. He stated that he would prefer to spend time giving scrutiny to the detailed requirements of the ordinance to dictate the actions of the Planning Board. Commissioner Tyson stated that he feels the Board of Commissioners should have the authority, as with subdivisions.

Mr. Veit inquired if approval authority can be moved to the Board of Commissioners. Mr. Hicks advised the Board that it cannot also be the appeals authority if it takes on responsibility for approvals. If the Board takes on the approval authority, appeals will need to go to court.

It was the consensus to follow Commissioner Dacey's recommendation to apply more controls through the ordinance provisions.

Mr. Hicks stated that violations should generally not be criminal offenses, in which case fines would go to the school board; however, in this case he recommended criminal penalties for violating this ordinance. He recommended refining the draft as much as possible before the public hearing.

In reviewing the items to be revisited, the Board reached consensus to add 100 feet to the 25 foot setback and to add 1-1.5 (d) relative to primary residences, commercial or institutional structures.

The Board also reached consensus to add Phase I soil analysis prior to installation and again after decommissioning of a solar energy facility.

Commissioner McCabe moved to set a public hearing for October 3, as requested, seconded by Commissioner Mark and unanimously carried.

### **NEW FLOOD INSURANCE MAPS UPDATE**

Assistant Planning Director, Chad Strawn, provided the following highlights of new flood insurance maps for Craven County:

#### New Flood Map Information

- Preliminary flood maps were released for public viewing on June 30, 2016
- Flood maps can be viewed at <http://fris.nc.gov/fris/>
- January 2017 – 90 day appeal period begins
- During 90 day appeal period appeals sent to communities flood plain administrators
- Estimated adoption date January 2018
- Public Outreach
  - Included notification on all tax bills of flood map changes
  - Public announcement posted on Craven County website
  - Public workshops will be held on November 2, 2016 at the convention center at 3:00 and 6:00 p.m. At the workshops, citizens will have an opportunity to look at the effect of the new maps on specific locations.

Following are changes throughout the County as a result of the new flood maps, reflecting where homes were added or removed.

- Craven County – 331 added, 456 removed
- New Bern – 715 added, 1 removed
- Trent Woods – 74 added, 29 removed
- Bridgeton – 53 added, 0 removed
- River Bend – 56 added, 0 removed
- Cove City, Dover and Vanceboro – No changes

Mr. Veit encouraged participation by the Board at either of the November 2 workshops at the convention center, and encouraged citizens to attend also.

Chairman Liner stated that the County should caution citizens about discontinuing flood insurance in portions of communities that have been removed from the flood plain insurance maps, but were damaged in recent hurricanes/floods.

At 12:00 p.m. the Board went into recess.

At 12:18 p.m. the Board reconvened.

### **HAVELOCK EXTRATERRITORIAL JURISDICTION (ETJ)**

Planning Director, Don Baumgardner, stated that issues identified by JLUS (Joint Land Use Study) have been addressed in their recommendation to consider agreement to extend the City of Havelock Extraterritorial Jurisdiction (ETJ) to ensure compatibility of the proposed U.S. 70 bypass with military operations. Mr. Veit stated that the County is partnering with Havelock for a September 28 information session at the Havelock Tourist Center. Commissioners are encouraged to attend.

Chairman Liner asked for elaboration on what the City can exercise authority over. Mr. Hicks responded that the nuisance ordinance would not apply, and in fact, the vast majority of regulations would not apply. Mr. Veit requested Commissioner feedback. Commissioner McCabe asked how many homes in Hickman Hill are affected. Mr. Baumgardner responded that he would research the answer.

### **ECONOMIC DEVELOPMENT**

#### *509 Broad Street – Entrepreneur Center*

Economic Development Director, Timothy Downs, reported that the Golden Leaf funds that were sought for developing the Entrepreneur Center were not received. He recapped the scope of the project:

- Shared, collaborative workspace
- Turnkey office space
- Meeting rooms
- Training sessions
- Entrepreneurial/small business development
- Community resource center
- On-site counseling
- Events and workshops

He brought to attention issues of standing water and exterior building drainage that plague the site. The New Bern Historical Society, which is next door, also gets drainage from 509 Broad Street and they have engaged someone who has found a solution involving a French drain, but have not proceeded yet. There is water collecting in the basement of 509 Broad Street as well, and it is the belief that drainage pipes were cut during the Broad Street improvement project.

The projected revenue is from rentals, memberships, events, corporate sponsors, grants and donations, and the rental income is based on a 65% occupancy rate.

A projected budget was presented showing a \$140,000 expense for building restoration and \$32,000 for rent in the first six months.

Swiss Bear, Inc. has agreed to be the managing partner. Mr. Downs sought the Board's assurance that they could continue to use the facility as the Entrepreneur Center, leasing from the managing partner, and that the County would provide funding for the HVAC unit that is an immediate need.

Commissioner Jones inquired if \$140,000 renovation bill will fix the building. Mr. Veit responded that it would take 2-3 times this budget to make the building perfect, but he would be comfortable with a three year lease. Commissioner Jones stated that he is skeptical about the building and advocated selling it and using the proceeds to buy another facility for the Entrepreneur Center. Mr. Downs stated that the building has been evaluated and has been deemed structurally sound. Commissioner McCabe stated that he would like to tour the building again before making a decision. Commissioner Sampson stated that last time it was discussed, the Board's consensus was to try and save the building, rather than demolishing it and leaving a vacant space.

It was the consensus to allow Mr. Downs to proceed, but adding the condition that the water issue must be resolved.

#### *Re-Entry Program*

Mr. Downs advised the Board of a proposal which he intended to bring forward at the next meeting involving Greg Singleton, who is employed by Craven Community College part-time. His activities currently are focused partly on workforce development and partly on re-entry. Mr. Downs will be asking the County to partner with Craven Community College to increase Mr. Singleton's time to full-time, with additional hours dedicated to re-entry program work for a four month period.

Commissioner Sampson stated that the program has been in effect for several years and very successful in other counties that have availed themselves of federal dollars to promote it.

Chairman Liner questioned how to judge the success of tasks within four months, and if judged to be successful, what would be next. He asked the Board to consider if the County will be prepared to continue partnering with the community college until June, as the expense is unbudgeted.

Commissioner Dacey stated that he has had some good discussions on this topic at town hall meetings, indicating interest in the community.

Commissioner Mark inquired if there are benchmarks. Commissioner Dacey responded that he can elaborate at Monday's regularly scheduled Commissioners' meeting.

Tasks for this expanded position include:

- Putting finishing touches on the standard operating procedures manual for the Re-entry Council.
- Creating a HBI modeled program for career training and job placement.

Mr. Veit stated that a budget amendment will not be necessary, but just a line item transfer. If the County likes the results, it will be brought back to the Board after January 1. There is no money within the Economic Development budget that could be transferred to proceed for the remainder of the fiscal year.

#### *Aerospace Corridor*

Mr. Downs announced that he is working with Wayne and Lenior Counties and the State to establish an Aerospace Corridor on I-70 from western Wayne County through eastern Craven County. This region has the highest rate of aviation and aerospace related industries in the State.

**VETERANS SERVICES**

Assistant County Manager, Gene Hodges, presented results of the search for new office space for the Veterans Service Center.

Mr. Veit stated that the recommendation of staff for the new Veterans Services Center location was between Tyson Management and Taylor Properties, both of which are on Martin Luther King, Jr. Blvd. Both properties have pro's and con's, and there are items that the owners will be asked to address, such as parking lot striping and installation of flag poles.

Chairman Liner stated that he has no issues with either site. Commissioner Tyson affirmed that he has no interest in the Tyson property.

The Board reached consensus, and Commissioner Jones moved to direct the County Manager to move forward with the Tyson Management location as first choice, Taylor Properties as secondary choice and bring back a lease for approval, seconded by Commissioner Mark and unanimously carried.

**COURTHOUSE SECURITY**

Assistant County Manager, Gene Hodges, presented options for enhancing security at the courthouse, resulting from a study prompted by a request of the Chief Superior Court Judge. Options, along with associated costs, were as follows:

<b>Item</b>	<b>Cost Estimate</b>
Relocate Metal Detector from Superior Courtroom Entrance	\$ 4,000
Door Control Installation	\$37,000
Swinging Doors Change out	\$ 1,000
Door Controls for Swinging Doors Broad St. and Craven St.	\$ 2,000
Exit Door Hardware	
<b>Subtotal</b>	<b>\$48,200</b>
Camera System Upgrade (This item could be included in the FY2017-2018 Budget)	\$63,000
<b>Grand Total</b>	<b>\$111,200</b>

Commissioner Dacey asked if the decision is not to use Law Enforcement Associates to review the security. Mr. Veit responded that they indicated that what the County is asking is not what they have done. They typically do new facilities. In addition, such requests must come from the Sheriff.

Commissioner Dacey moved to allocate \$48,200 from fund balance, seconded by Commissioner Jones and unanimously carried in a roll call vote.

***Court Facilities***

<b>REVENUES</b>	<b>AMOUNT</b>	<b>EXPENDITURES</b>	<b>AMOUNT</b>
101-0000-399-01-00 Fund Balance Appropriation	\$48,200.00	101-1301-400-73-02 C/O Other Improvements	\$48,200.00
<b>TOTAL</b>	<b>\$48,200.00</b>	<b>TOTAL</b>	<b>\$48,200.00</b>

**Justification:** Funds needed to provide for courthouse security enhancements as recommended by staff.

Chairman Liner questioned the number of military installations in the State, which was cited in Commissioner Dacey's draft resolution to be considered at the next meeting. He wished to clarify that there are eight installations, with FRC East being a separate entity. Commissioner Dacey stated that he would be satisfied with any appropriate changes.

Chairman Liner stated that in regards to the ABC Board presentation on September 9, he has spoken with the City of Havelock and Commissioner McCabe.

Mr. Veit announced that two large budget amendments will be coming before the Board in October; 1) November – school system (\$500,000) for state budget and 2) Recent meeting with DSS regarding legal change requiring a \$300,000 - \$350,000 budget amendment.

Commissioner Dacey stated that he may have another resolution for NCACC regarding Medicaid.

At 2:35 p.m. Commissioner Dacey moved to adjourn, seconded by Commissioner Sampson and unanimously carried.

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Chairman George S. Liner  
Craven County Board of Commissioners

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Gwendolyn M. Bryan  
Clerk to the Board