

AGENDA
CRAVEN COUNTY BOARD OF COMMISSIONERS
REGULAR SESSION
MONDAY, MAY 4, 2009
7:00 P.M.

CALL TO ORDER

ROLL CALL

INVOCATION

PLEDGE OF ALLEGIANCE

APPROVE MINUTES OF APRIL 20, 2009 REGULAR SESSION

1. CONSENT AGENDA
 - A. Tax Releases
 - B. Budget Amendments
 - C. Road Addition Request
 - D. Request to Set Public Hearing on Naming and Addressing Ordinance
 - E. Craven Community Concert Band Resolution
 - F. ECBH March 31, 2009 Monitoring Report

2. PUBLIC HEARINGS
 - A. CARTS American Recovery and Reinvestment Act Application
 - B. Edward Byrne Memorial Justice Assistance Grant Application
 - C. Local Bill to Prohibit Hunting along Joyner Drive

3. PETITIONS OF CITIZENS
 - A. George Wetherington
 - B. Charlie Simmons
 - C. O'Neal Simmons
 - D. Estella Bryant
 - E. Dardi Mitchell
 - F. Ray Griffin

4. BOARD OF EDUCATION BUDGET REQUEST: Larry Moser, Superintendent

5. CRAVEN COMMUNITY COLLEGE BUDGET REQUEST: Dr. Catherine Chew, President

6. APPOINTMENTS
 - A. Havelock Board of Adjustment
 - B. Regional Aging Advisory Committee
 - C. Craven Regional Medical Authority
7. PRESCRIPTION DRUG PROGRAM: Commissioner Allen
8. COUNTY ATTORNEY'S REPORT: Jim Hicks
9. COUNTY MANAGER'S REPORT: Harold Blizzard
10. COMMISSIONERS' REPORTS

AGENDA
CRAVEN COUNTY WATER BOARD OF DIRECTORS
MONDAY, MAY 4, 2009

ROLL CALL

1. PETITION OF CITIZEN: Derek Cotnam
2. WATER DEPARTMENT SERVICE DISCONNECTION RULES: Rusty Hayes, Water Superintendent
3. CROATAN STATION DEVELOPMENT WATER REQUEST: Rusty Hayes, Water Superintendent

CONSENT AGENDA

A. TAX RELEASES

Craven County Tax Administrator, Ronnie Antry, submitted the routine requests for tax releases contained in Attachment #1.A for the Board's approval.

B. BUDGET AMENDMENTS

Craven County Finance Officer, Rick Hemphill, submitted the following budget amendments for the Board's approval.

Amendments: Social Services – Mandated programs – Budget additional \$10.00 awarded for Share the Warmth Program. Funds will be used for utilities and require no county match.

Health – Family Planning – Title X awarded \$ 2,800 bonus funds for Family Planning services. The funding will be used to purchase birth control for Family Planning patients.

C. ROAD ADDITION REQUEST

The Planning Board received a request to add the following roads: Croatan Woods Drive, Sweet Gum Way, Pond Pine Trail and Birch Court to the state maintenance system in the Croatan Woods Subdivision located within Twp 6. A standard SR-2 Road Addition Resolution needs to be approved by the Board.

D. REQUEST TO SET PUBLIC HEARING ON NAMING AND ADDRESSING ORDINANCE

The Planning Board requests that a public hearing be set for Monday, June 1, 2009 at 7:00 p.m. to hear comments regarding the quarterly public hearing on the naming and addressing ordinance. The purpose for the public hearing is to receive public comments on changes, additions and corrections to the Craven County Road Naming and Addressing Ordinance.

E, CRAVEN COMMUNITY CONCERT RESOLUTION

Commissioner Allen is requesting that the Board adopt the resolution shown as Attachment #1.E. to recognize the Craven Community Concert Band Director.

F. ECBH MARCH 31, 2009 MONITORING REPORT

Attachment #1.F. is the quarterly fiscal monitoring report for ECBH. This report has been completed on a cash basis and was sent to the Division on April 14, 2009. Per GS 122C-117 3(c), LMEs are to provide this report to the County.

Board Action: A Roll Call Vote to Approve All Consent Agenda Items

PUBLIC HEARINGS

A. CARTS – AMERICAN RECOVERY AND REINVESTMENT ACT (ARRA) APPLICATION

At its last meeting, the Board was advised that Community Transportation Program (CTP) capital funding is being supplanted by funds from the American Recovery and Reinvestment Act (ARRA), which was signed into law by President Obama on February 17, 2009. The funds are only eligible for capital projects as defined in the United States Code Title 49, Section 5302 and will be used to replace the funds in the amount of \$228,608 originally requested for Capital Outlay in the FY 2010 Community Transportation Program. The original request of \$228,608 required a 10% match by Craven County/CARTS, amounting to \$22,860. The ARRA grant will move the financial responsibility from North Carolina DOT/PTD to the Federal Transit Administration (FTA) and will eliminate any match money required by Craven County/CARTS.

The ARRA grant will allow for these funds and for one (1) additional vehicle which has served its useful life to be replaced, in addition to maintenance cost, such as 5,000 mile maintenance service, front end repair, tires, etc. Applying for this funding removes the responsibility from the State for FY2010.

Board Action: Following the Public Hearing, the Board may Authorize Application for the Grant.

B. EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT APPLICATION

The Board will go into public hearing to receive comment on the Edward Byrne Memorial Justice Assistance Grant, which is summarized as follows:

1. Craven County is eligible to apply for \$81,595 in federal assistance monies for the procurement of equipment this fiscal year.
2. The monies must be used to purchase equipment that is intended to be utilized by local law enforcement.
3. It is the intention of the Sheriff's Office to utilize the funds to procure a transport vehicle for inmates.

4. The vehicle will be used to transport inmates from the new Judicial Center located at 1100 Clarks Road to the Craven County Courthouse located at 309 Broad Street.
5. These Federal Grant monies will be used towards the purchase of this transport vehicle.

Board Action: Following the Public Hearing the Board may Authorize the Grant Application.

C. LOCAL BILL TO PROHIBIT HUNTING ALONG JOYNER DRIVE

The Board will hold a public hearing to receive public comment on a bill to prohibit roadside hunting on Joyner Road in District 5. The draft legislation appears as Attachment #2.C. Any modifications in the language of the draft bill may also be discussed. When the petition was presented and the public hearing set, there was concern expressed that hunters would also be prevented from collecting their hunting dogs along the covered area if this bill were to be enacted. Staff from the bill drafting department at the NC General Assembly have suggested that the concern may be addressed by adding another section to the bill that states the prohibition does not apply to the retrieval of hunting dogs.

Board Action: Finalize language to submit to Representative Wainwright following the public hearing. (May 5 is the absolute deadline for submitting final language in order for adoption during the current legislative session).

Agenda Date: May 4, 2009
Presenters: Wetherington, C. Simmons,
O Simmons, Bryant, Mitchell, Griffin
Agenda Item No. 3
Board Action Required: No

PETITIONS OF CITIZENS

A. GEORGE WETHERINGTON

Mr. Wetherington would like to address the Board concerning the Planning and Inspections permitting process relative to a structure that has been constructed near the property line of his family cemetery. Attachment #3.A. provides some background as well as photos of the subject property.

The following citizens wish to speak in opposition to the location of the new Judicial Center

B. CHARLIE SIMMONS

C. O'NEAL SIMMONS

D. ESTELLA BRYANT

E. DARDI MITCHELL

Dardi Mitchell would like to address the Board regarding activities for children in the Cove City and Dover areas versus continuously building in areas where there are already buildings and programs in place.

F. RAY GRIFFIN

Rev. Griffin wishes to address the Board concerning taxes.

Board Action: Receive petitioners' comments; action as appropriate

Agenda Date: May 4, 2009
Presenter: Larry Moser
Agenda Item No. 4
Board Action Required: No

BOARD OF EDUCATION BUDGET REQUEST

Superintendent of Schools, Larry Moser, will present the proposed Board of Education budget for FY 2009-2010 and the schools' funding request to the County.

Board Action: Receive Request

Agenda Date: May 4, 2009
Presenter: Dr. Catherin Chew
Agenda Item No. 5
Board Action Required: No

CRAVEN COMMUNITY COLLEGE BUDGET REQUEST

Craven Community College President, Dr. Catherine Chew, will present the proposed FY 2009-2010 budget and the funding request for the college to the County.

Board Action: Receive Request

Agenda Date: May 4, 2009
Presenter: _____
Agenda Item No. 6
Board Action Required: Yes

APPOINTMENTS

A. HAVELOCK BOARD OF ADJUSTMENT

At the Board's last meeting an appointment to the Havelock Board of Adjustment to replace Cathy Ziegler as an extraterritorial alternate was deferred.

B. REGIONAL AGING ADVISORY COMMITTEE

The Board was advised at its last regular session that the terms of Ethel Staten and Myrtle West are due to expire. One appointee was approved at that time, and one position remains to be filled.

C. CRAVEN REGIONAL MEDICAL AUTHORITY

The Board was advised that the terms of Milt Gold and Barbara Lee on the Craven Regional Medical Authority will expire on May 31. They are being recommended for reappointment. Mr. Gold has served since 2000. Ms. Lee has served since 2006.

Board Action: Make Necessary Appointments

Agenda Date: May 4, 2009
Presenter: Commissioner Allen
Agenda Item No. 7
Board Action Required: No

PRESCRIPTION DRUG PROGRAM

Commissioner Allen will make a presentation on the NACo Prescription Drug Program to the Board.

Board Action: Receive Presentation

Agenda Date: May 4, 2009
Presenter: Jim Hicks
Agenda Item No. 8

COUNTY ATTORNEY'S REPORT

Agenda Date: May 4, 2009
Presenter: Harold Blizzard
Agenda Item No. 9

COUNTY MANAGER'S REPORT

Agenda Date: May 4, 2009

Presenter: _____

Agenda Item No. 10

COMMISSIONERS' REPORTS

Agenda Date: May 4, 2009
Presenter: Derek Cotnam
Agenda Item No. 11
Board Action Required: No

PETITION OF CITIZEN: DEREK COTNAM

Mr. Cotnam would like to speak to the Board concerning the policy for disconnection of water service.

Board Action: Receive comments

Agenda Date: May 4, 2009
Presenter: Rusty Hayes
Agenda Item No. 12
Board Action Required: No

WATER DEPARTMENT SERVICE DISCONNECTION RULES

The following rules of the Craven County Water Department apply in the situation for non payment of a water bill. Suspension of service comes as a result of an account being fifty days past due. As the rule states, the customer receives **two bills** before the service is disconnected. The notice for disconnection is highlighted in red on the second bill received. It includes the date and time. (See Attachment #12.B.)

Although the rule requires service disconnection for any amount past due, we actually use any amount over the availability fee, which is currently \$13.50, as an indicator for running the program to produce the cut off list.

The County does not cut off service on a date that falls on or before a holiday or a weekend. Customers who are unable to pay their accounts and are scheduled to be disconnected before the weekend or a holiday are given an extension until the following business day in order to avoid being without water service for several days.

Attachment #12.C. is a summary of water service disconnection rules used by other entities in this area.

Board Action: Receive Presentation

Agenda Date: May 4, 2009
Presenter: Rusty Hayes
Agenda Item No. 13
Board Action Required: No

CROATAN STATION DEVELOPMENT WATER REQUEST

The Craven County Water Department has been asked to provide water to a proposed large development between New Bern and Havelock. The development is being planned to consist of approximately 500 single family residential units along with 40 acres of commercial development. The developer desires the County reserve 240,000 gallons per day water capacity to be used in the next six years. The developer plans to obtain wastewater capacity from either the City of Havelock or the City of New Bern.

The County has asked its engineer to determine if the Water Department can meet this request. Attachment #13 is a summary of the results of their study. Rusty Hayes, Water Superintendent, will provide the Board information on our capabilities and the impact this request will have.

Board Action: Receive Request