

**AGENDA  
CRAVEN COUNTY BOARD OF COMMISSIONERS  
REGULAR SESSION  
MONDAY, JUNE 15, 2009  
8:30 A.M.**

CALL TO ORDER

ROLL CALL

INVOCATION

PLEDGE OF ALLEGIANCE

APPROVE MINUTES OF JUNE 1, 2009 REGULAR SESSION AND JUNE 4, 2009 RECONVENED SESSION

1. CONSENT AGENDA
  - A. Budget Amendments and Ordinance Updates
  - B. Request to Set Public Hearing on CAMA Core Land Use Plan
  - C. Subdivisions for Approval
  - D. Ambulance Service Name Change
  - E. Tax Releases and Refunds
  - F. Resolution of Support for the NC Highway 43 South Connector
2. DENTAL PROGRAM UPDATE: Scott Harrelson, Health Director
3. FIRE DEPARTMENT AND RESCUE SQUAD AGREEMENTS: Stanley Kite, Emergency Services Director
4. PLANNING MATTERS: Don Baumgardner, Planning Director
  - A. Highway 70 Zoning Ordinance Update
  - B. Update on CDBG Federal Stimulus Housing Grant Request
  - C. CDBG Grant Application for Infrastructure in James City
5. CONSIDERATION OF BUDGET ORDINANCE FOR ADOPTION
6. APPOINTMENTS
  - A. Juvenile Crime Prevention Council
  - B. NACo Voting Delegate
  - C. Upcoming Appointments – July
7. COUNTY ATTORNEY'S REPORT: Jim Hicks

8. COUNTY MANAGER'S REPORT: Harold Blizzard
9. COMMISSIONERS' REPORTS

**AGENDA**  
**CRAVEN COUNTY WATER BOARD OF DIRECTORS**  
**MONDAY, JUNE 15, 2009**

ROLL CALL

APPROVE MINUTES OF JANUARY 5, 2009, APRIL 6, 2009 AND MAY 4, 2009  
REGULAR SESSION

1. BUDGET AMENDMENT AND ORDINANCE UPDATE: Rick Hemphill, Finance Officer

Close-out the Pee Dee Aquifer project

## CONSENT AGENDA

### A. BUDGET AMENDMENTS AND ORDINANCE UPDATES

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

**Amendments:** Register of Deeds – County required to collect Register of Deeds fees and submit funds to the State. Collection has exceeded original budget for children's trust fund (\$600), state marriage license (\$2,000) and flood plain mapping (\$4,000). Need to budget additional \$ 6,600 revenue in order to pay State.

Rescue Squads – Ambulance service fees/collections are exceeding amount budgeted. Need to budget an additional \$ 5,000 for New Bern/Craven rescue, \$5,000 for Ft. Barnwell rescue, \$10,000 for Bridgeton rescue, \$10,000 for Cove City rescue and \$5,000 for Twp # 7 rescue. (90% squads, 10% collection fees).

DSS Senior Program – Raffle money and donations for purchase of quilt frame exceeded budget by \$300.00.

Mapping – Project complete. Budget total interest revenue of \$ 9,461. Needed to close project and transfer balance to County Reserve.

New World Software Project – Project complete. Budget total interest revenue of \$ 6,976. Amount utilized for final Contractual Services invoice.

**Ordinances:** Close out:

- 1) Project Fund 362 – Mapping
- 2) Project Fund 365 – NWC Park
- 3) Project Fund 387 – New World Software.

B. REQUEST TO SET PUBLIC HEARING ON CAMA CORE LAND USE PLAN

The Board is requested to set a public hearing for July 20, 2009 at 8:30 a.m. to hear comments regarding the County's CAMA plan. This plan has been approved by the Planning Board and recommended that the plan be submitted to the Commissioners for approval.

C. SUBDIVISIONS FOR APPROVAL

Beatrice Riggs Division - Final

- Property owned by Beatrice Riggs and surveyed by Terry Wheeler
- Property located within Twp 3 off NC Hwy 55
- Subdivision contains 1 lot on 1.66 acres and is proposed to be served by and individual septic system and community water
- Planning Board reviewed and recommended the subdivision for final approval

Stephen T. and Nina H. Ward Division - Final

- Property owned by Stephen and Nina Ward and engineered by Joe L. Riddick
- Property located within Twp 1 off of SR 1400 (River Road)
- Subdivision contains 2 lots on 6.91 +/- acres and is proposed to be served by community water and individual septic systems
- Planning Board reviewed and recommended the subdivision for final approval

The Lakes at Antioch Section I, Phase III - Final

- Property owned by LRH Development, LLC and surveyed by Brad Suitt
- Property located within Twp 2 off of SR 1443 (Antioch Road)
- Subdivision contains 2 lots on 3.62 acres (1 duplex unit) and is proposed to be served by community water and individual septic systems
- Planning Board reviewed and recommended the subdivision for final approval

D. AMBULANCE SERVICE NAME CHANGE

Emergency Services Director, Stanley Kite, is requesting approval from the Board of Commissioners to change the name of Craven Regional Medical Center Ambulance Franchise to Carolina East Health System EMS, due to the change in name adopted by the Hospital Authority. Once the Commissioners approve the change, the County EMS System Plan will be updated to reflect the new name.

E. TAX RELEASES AND REFUNDS

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

F. RESOLUTION OF SUPPORT FOR THE NC HIGHWAY 43 SOUTH CONNECTOR

Attachment #1.F. contains a resolution submitted by Troy Smith with a request that it be considered for adoption by the Board.

**Board Action: A roll call vote is needed to approve all consent agenda items**

Agenda Date: June 15, 2009  
Presenter: Scott Harrelson  
Agenda Item No. 2  
Board Action Required: Yes

## **DENTAL PROGRAM UPDATE**

Attachment #2 is a summary of issues with the Health Department's Dental Program which need to be addressed. The main item for your consideration is a proposed productivity contract for the dentist as shown as Attachment #2.A. Scott Harrelson will provide the Board an overview of the program and discuss some proposed changes.

**Board Action: Approve Contract**

Agenda Date: June 15, 2009  
Presenter: Stanley Kite  
Agenda Item No. 3  
Board Action Required: Yes

## **FIRE DEPARTMENT AND RESCUE SQUAD AGREEMENTS**

Contract renewals with Craven County volunteer fire departments and rescue squads are planned for July 1. It is proposed that new agreements include a provision which will require fire departments and rescue squads to comply with conflict of interest requirements of the State, as well as adopt a conflict of interest policy. Attachment #3 includes the proposed modification to the agreements. A proposed conflict of interest policy will be provided to you separately. Stanley Kite will present these changes for your consideration.

**Board Action:** Approve modification to agreements

Agenda Date: June 15, 2009  
Presenter: Don Baumgardner  
Agenda Item No. 4  
Board Action Required: Yes

## PLANNING MATTERS

### A. HIGHWAY 70 ZONING ORDINANCE UPDATE

When the Board last met on September 15, 2008 the Planning staff took the comments and concerns from the Commissioners and researched other communities to get a sense on what types of ordinances and regulations are being enforced throughout the state of North Carolina and counties in close proximity. The Counties that the Planning Staff chose to look at were Chatham County, Wayne County, Pitt County, Lenoir County, Willamston, Stallings, Oriental and Fuquay-Varina due to their location, size, progressiveness and content as to what they were regulating. After review of these ordinances the Planning Staff met with Holland Consulting on February 26<sup>th</sup> to discuss and present ideas to lessen the overall magnitude of the original ordinance and focus on the real concerns with the US 70 Corridor and Township 7; which included protection of residential property owners from business encroachment, landscaping, outdoor lighting, and off street parking issues. Holland Consulting has since provided the County with an updated ordinance in March of 2009 with emphasis on the Commissioners concerns as well as adapting the ordinance to be more specific to the needs of the citizens and community. On March 26<sup>th</sup> Planning staff presented the new ordinance "US 70 Corridor Zoning Ordinance" to the Planning Board, focusing on overall concept and direction of the ordinance. The Planning Board members were asked to take the ordinance home and read it in its entirety, and provide questions or comments about the ordinance. The Planning Board met again on May 28<sup>th</sup> 2009 and was allowed to voice their opinions, questions, or concerns. The Planning Board requested that the Planning staff forward the latest draft of the zoning ordinance to the Board of Commissioners. With this being said, the Planning Board would like to ask the Board their feelings regarding the zoning ordinance and would like to suggest a work session if the Board would like to move forward with the zoning ordinance.

**Board Action: Discussion; schedule work session**

**B. UPDATE ON CDBG FEDERAL STIMULUS HOUSING GRANT REQUEST**

At the June 1<sup>st</sup> meeting the Chairman was authorized to sign the CDBG Stimulus Housing Grant Application. On June 12<sup>th</sup> the Planning staff submitted an application for housing improvements that were shown in the previous FY08 Target Area in James City (Kennedy and John Streets). The grant request was for \$500,000 with no County match funds required.

**Board Action: None**

**C. CDBG GRANT APPLICATION FOR INFRASTRUCTURE IN JAMES CITY**

As you are aware FY08 CDBG application included both housing and infrastructure, but just missed the cut-off for funding. The Planning Dept. feels confident that it should re-apply under this grant for infrastructure in FY09. The Planning Dept. requests that the Board of Commissioners grant the Chairman the ability to sign a letter of intent to apply for grant funding to perform infrastructure upgrades in the James City community. The infrastructure upgrades would include upgrades to the roads, sewer system, water lines and surface water drainage. The total amount the County would be applying for would be \$400,000 of which a 5% match would be required from the County. If the grant application is approved, the County would be responsible for a match of \$20,000. It is anticipated that the administrative monies that will be charged by County staff time for the housing and infrastructure grant will almost cover all of our match obligations as a reimbursement back to the county. The letter of intent for this funding is due June 30<sup>th</sup> with the application submittal being due the end of July. By applying for these funds as well as federal stimulus money for housing needs we would be addressing the original intent of the FY08 CDBG application for funding of improvements to the James City community. In order to move forward with this the Chairman would need to be authorized to sign the letter of intent.

**Board Action: Authorize Chairman to sign the letter of intent**

Agenda Date: June 15, 2009  
Presenter: Harold Blizzard  
Agenda Item No. 5  
Board Action Required: Yes

### **CONSIDERATION OF BUDGET ORDINANCE FOR ADOPTION**

The Budget Ordinance for FY 2009-2010 will be presented at the meeting for the Board's consideration.

**Board Action: If there is no additional input from Commissioners regarding the budget, the Chairman will call for a motion for adoption of the 2009-2010 Budget Ordinance. A roll call vote will be required.**

Agenda Date: June 15, 2009  
Presenter: \_\_\_\_\_  
Agenda Item No. 6  
Board Action Required: Yes

## APPOINTMENTS

### A. JUVENILE CRIME PREVENTION COUNCIL

The following is the information for the appointments/reappointments for the Juvenile Crime Prevention Council for the June 15, 2009 County Commissioners agenda, submitted by Jan Parker. These appointments were deferred at the last Commissioners' meeting.

The following members' terms expire on June 30, 2009 and they are eligible for reappointment:

<u>Member</u>	<u>Represents</u>
Richard Bowers	At-large
Robert Keeter	At-large
Jennifer Knight	At-large
Eddie Mace	Health Dept. Designee
Mary Mallard	Chief Court Counselor
Carol Mattocks	At large
Frank Palombo	Police Chief
Sherry Riggs	County Manager Designee
Linda Sifontes	School Superintendent Designee
Cheryl Spencer	Chief District Court Judge

The following are new members that need to be appointed for the first time:

Jackie Smith	District Attorney Designee - replaces Steve Long
Hollyanne Trombley	Designee for DSS - replaces Kent Flowers
Billie Mathes	Sheriff Dept designee - replaces John Clay
Jean Huryn	Substance Abuse Professional - Position vacant
Ronald Scott	Faith Community Rep. - Position has been vacant
Lillie Hayes	At Large Member - Position held by Nancy Wells
Nancy Wells	Change from At Large member to Mental Health Rep.- replaces Kris Kastner

B. NACo VOTING DELEGATE

Attachment #6.B. is correspondence from NACo soliciting a voting delegate for the NACo Annual Conference. Commissioners Allen, McCabe and Sampson will be attending.

C. UPCOMING APPOINTMENTS - JULY

Terms are due to expire in July on the Eastern Carolina Workforce Development Board, COG Board and the COG/EMS Council.

**Board Action: Board will need to make necessary appointments**

Agenda Date: June 15, 2009  
Presenter: Jim Hicks  
Agenda Item No. 7  
Board Action Required: Yes

## COUNTY ATTORNEY'S REPORT

### A. SOLID WASTE FRANCHISE ORDINANCE AMENDMENT

The Solid Waste Franchise Ordinance Amendment passed its first reading on June 1, 2009. As it is a franchise ordinance, it requires a second vote for adoption.

#### **Board Action: Vote on adoption of amendment**

### B. SOLID WASTE/RECYCLING INTERLOCAL AGREEMENT WITH HAVELOCK

On September 24, 1991, the County and Havelock entered into an Interlocal Agreement, whereby the County's solid waste and recycling ordinances were extended into Havelock, and the County undertook the provision of solid waste and recycling collection services. The Interlocal Agreement was amended on December 2, 1996.

Havelock has elected to provide solid waste collection services for its residents, effective July 1, 2009, and has provided notice of termination of the Interlocal Agreement to the County. However, Havelock requests that the County continue to provide recycling services to Havelock residents as before. The County's agreement with GDS for recycling collection services (including within the municipal boundaries of Havelock) does not terminate until June 30, 2011.

Consequently, the County and Havelock need to enter into a new Interlocal Agreement, for the sole purpose of recycling collection services. Attachment # 7.B. is the proposed new Interlocal Agreement.

#### **Board Action: Approve agreement and authorize its execution**

### C. SOLID WASTE FRANCHISE AGREEMENT

The Solid Waste Franchise Agreement that the County currently has with Franchise Haulers expires June 30, 2009. The five Franchise Haulers include Berry Sanitation, HESS, Inc., Richards Sanitation, Sconyers Sanitation and

Waste Industries, LLC. The current Agreement allows Craven County to renew for an additional three years beyond the original three years. This Agreement shall exist for an initial period from July 1, 2009 until June 30, 2012 with an option for renewal for a three (3) year period beyond the original three (3) years. Provided, however, in no event is a franchise period to exceed ten (10) years.

This renewal has a few changes and updates which are as follows:

Article 6, Insurance

General Liability has been raised from \$500,000 to \$1,000,000 for each occurrence. This is the amount Craven County requires from other sub-contractors providing services for the County.

Article 9, Conditions of Franchise, # 4

The current Agreement does not specifically address back door collection for physically incapacitated residents however the Craven County Solid Waste Code of Ordinances, Chapter 32, Section 32-132, Physically Incapacitated Customers states: "Collection of solid waste and recyclable solid waste materials shall be provided to a physically incapacitated customer who is unable to place a solid waste collection bag or recycling container at the curbside for collection. The collection shall be approved on a case-by-case basis by the coordinator, considering the availability of a public right of way or easement, roadway surface conditions and turn around space for the collection equipment". The renewal Agreement states: "Contractor shall provide back door collection services to any Customer who is physically incapacitated, and who is approved for such service by the County. Physically incapacitated persons wishing to qualify and participate in the weekly county-wide solid waste collection program hereunder shall apply to the Director, including submission of a certification from a duly licensed physician, requesting that said individual receive this collection service. The County shall review, maintain, approve and provide Contractor with a list of the addresses qualified for this special collection service. These Customers are required to re-qualify by January 1<sup>st</sup> of each year. The Contractor may request the County to re-evaluate the request for any specific address where evidence of abuse of this special collection service may exist". This update will clarify what is expected from the Contractor for back door collection service.

Article 9, Conditions of Franchise, # 7

The current Agreement states: "Solid waste shall be transported in the collection vehicle directly to the CRSWMA landfill or to a disposal area designated by the Director or the County". The renewal Agreement states: "Solid waste shall be transported in the collection vehicle directly to the CRSWMA landfill or to a

disposal area designated by the Director or the County. Further, Contractor shall timely satisfy any obligations to CRSWMA or other designated areas, and must at all times maintain privileges to transport solid waste to the CRSWMA landfill or other designated area". This update will clarify that the Contractor must pay CRSWMA in a timely manner to use the landfill for disposal of solid waste collected from the citizens of Craven County.

In closing, the current solid waste collection program works well and encourages recycling which helps keep recyclable items out of the landfill and conserve landfill space. We would ask that the Commissioners approve this Solid Waste Franchise Agreement so that we can forward to contract haulers for their signature.

**Board Action: Approve updated Franchise Agreementsa**

Agenda Date: June 15, 2009  
Presenter: Harold Blizzard  
Agenda Item No. 8

## **COUNTY MANAGER'S REPORT**

Agenda Date: June 15, 2009

Presenter: \_\_\_\_\_

Agenda Item No. 9

## **COMMISSIONERS' REPORTS**