

**AGENDA
CRAVEN COUNTY BOARD OF COMMISSIONERS
REGULAR SESSION
MONDAY, APRIL 4, 2011
7:00 P.M.**

CALL TO ORDER

ROLL CALL

INVOCATION

PLEDGE OF ALLEGIANCE

APPROVE MINUTES OF MARCH 21, 2011 REGULAR SESSION AND
DECEMBER 22, 2010 RECONVENED SESSION

1. PUBLIC HEARING ON AMENDMENTS TO THE JUNK MOTOR
VEHICLE ORDINANCE (Ch. 38, Article III)
2. AMENDMENT TO PARKING ON COUNTY PROPERTY ORDINANCE
(Ch. 38, Article II)
3. AMENDMENT TO PARKS AND RECREATION ORDINANCE
(Ch. 28, Article I)
4. PETITIONS OF CITIZEN: Tom Glasgow
5. CRIMINAL JUSTICE PARTNERSHIP PROGRAM (CJPP) REQUEST
FOR APPLICATION APPROVAL: Charlie Harrison, President
6. S.T.E.P. PUMP SEWER SYSTEM INSTALLATION CONTRACT AWARD:
Don Baumgardner, Planning Director
7. TAX MATTERS: Ronnie Antry, Tax Administrator
 - A. Releases and Refunds
 - B. Value Estimate for Personal Property at Cherry Point
8. BUDGET AMENDMENT: Rick Hemphill, Finance Director

9. APPOINTMENTS
 - A. Firemen's Relief Fund Board of Trustees
 - B. Craven Aging Planning Board
 - C. Criminal Justice Advisory Board
 - D. Upcoming Appointments
10. COUNTY ATTORNEY'S REPORT
11. COUNTY MANAGER'S REPORT
12. COMMISSIONERS' REPORTS

Agenda Date: April 4, 2011
Presenter: _____
Agenda Item No. 1
Board Action Required: Yes

**PUBLIC HEARING ON AMENDMENTS TO THE JUNK MOTOR VEHICLE
ORDINANCE (Ch. 38, Article III)**

The Board will need to go into public hearing, as advertised to receive public comment on recommended amendments, most of which are technical in nature, or serve to further elaborate upon the due process rights of the owners of alleged junk motor vehicles.

The ordinance as currently written requires the entire Board of Commissioners to personally view an alleged junk motor vehicle, to provide all required notices, and to conduct the hearing to determine if a motor vehicle is in fact a junked motor vehicle. The amendments include transferring these responsibilities to the Solid Waste Director. (See Attachment # 1)

Board Action: Receive public comments. Following the public hearing, the Board may vote to adopt the amendments.

Agenda Date: April 4, 2011
Presenter: _____
Agenda Item No. 2
Board Action Required: Yes

**AMENDMENT TO PARKING ON COUNTY PROPERTY ORDINANCE
(Ch. 38, Article II)**

The current ordinance only regulates parking of motor vehicles at the County Administration Building, and at a parking lot no longer utilized by the County. Further, there have been other unauthorized activities on County parking lots for non-parking related uses, such as the placement of boats for sale without permission.

The proposed amendments will more fully regulate parking or placement of motor vehicles, boats, RVs, etc., on all County property. (See Attachment # 2)

The Board voted favorably for adoption of the proposed amendments at its meeting on March 21; however, all Commissioners were not present. Consequently, a second vote is required.

Board Action: Call for a second vote. A simple majority will be sufficient.

Agenda Date: April 4, 2011
Presenter: _____
Agenda Item No. 3
Board Action Required: Yes

**AMENDMENT TO PARKS AND RECREATION ORDINANCE
(Ch. 28, Article I)**

Similar to the preceding matter regarding parking on County property, there is a separate ordinance regarding the use and regulation of parking of motor vehicles, boats, etc. at County parks and boat landings.

The proposed amendments will allow enforcement at parks and boat landings to be conducted in the same manner as set forth in the amended Ch. 38, Article II discussed above. (See Attachment # 3.)

The Board voted favorably concerning adoption of the proposed amendments on March 21. A second vote is required due to the absence of a Commissioner at that meeting.

Board Action: Call for a second vote only if the proposed amendments to Ch. 38, Article III above are adopted. A simple majority will be sufficient.

Agenda Date: April 4, 2011
Presenter: Tom Glasgow
Agenda Item No. 4
Board Action Required: No

PETITIONS OF CITIZEN: TOM GLASGOW

Tom Glasgow wishes to address the Board concerning details of the Noise Ordinance.

Board Action: Receive Information

Agenda Date: April 4, 2011

Presenter: Charlie Harrison

Agenda Item No. 5

Board Action Required: Yes

CRIMINAL JUSTICE PARTNERSHIP PROGRAM (CJPP) REQUEST FOR APPLICATION APPROVAL

Attachment #5 is Craven County's "Application for Continuation of Implementation Funding" for the Criminal Justice Partnership Program (CJPP). The Board is required to formally approve the County's continuation in the program. The package was due by and submitted on March 31, 2011, with the understanding that the Board's approval was pending.

Board Action: The Board will need to approve the continuation application.

Agenda Date: April 4, 2011
Presenter: Don Baumgardner
Agenda Item No. 6
Board Action Required: Yes

S.T.E.P. PUMP SEWER SYSTEM INSTALLATION CONTRACT AWARD

A bid opening for the Installation of nine (9) Low Pressure S.T.E.P. Pump Sewer Systems in the ongoing James City CDBG-CR Program was held on March 10, 2011. Bids were received by four (4) contractors; Everette George, D&D Septic Tank Service Inc., WJ Foreman & Sons and Ralph Provost.

A contract award recommendation for the contractor submitting the lowest responsible lump sum bid is as follows: (See attached bid tabulation sheet)

Units

310 John Street
309 Kennedy Drive
307 Kennedy Drive
305 Kennedy Drive
303 Kennedy Drive
304 Kennedy Drive
308 Kennedy Drive
312 Kennedy Drive
314 Kennedy Drive

D&D Septic Tank Service Inc for \$22,005 (Low Lump Sum Bid)

Board Action: A vote to approve this contract award is needed to move forward with this grant program's proposed sewer activities.

Agenda Date: April 4, 2011
Presenter: Ronnie Antry
Agenda Item No. 7
Board Action Required: Yes

TAX MATTERS

A. TAX RELEASES AND REFUNDS

Craven County Tax Administrator, Ronnie Antry, will present the routine requests for tax releases and refunds contained in Attachment #7.A. for the Board's approval.

Board Action: A roll call vote is needed to approve releases and refunds.

B. VALUE ESTIMATE FOR PERSONAL PROPERTY AT CHERRY POINT

At the last Board meeting, I reported to you that we have mailed the letters to the boat owners who have boats moored at the marina at Cherry Point to make them aware that they may be eligible for a release or refund of the taxes that they have been billed on those vessels. Some of those owners have already submitted their requests and those are included in this meeting's releases and refunds. We have this week sent letters to the dozen or so business personal property owners that we know of that have listed their property on the base.

The third category of personal property—registered motor vehicles—is the last category of property for which we have not yet sent notification. The reason for this is that we have just recently received the maps from Cherry Point showing all of the roads and streets that are located on base. Dennis Holton and Lori Williams with our IT department have written programs to identify a list of some 4,864 bills covering the five years that are eligible for the release or refund of the taxes.

It is apparent from the latest information that we have gathered that my earlier estimate of the potential releases and refunds was understated. The reason for this is that our preliminary data used the Cherry Point zip code—28533—as the criterion to select the potential registered vehicle owners. The estimate that I relied upon in January of this year was that there was a total of about \$25,000,000 in value for the five years that are subject to the release or refund. The new data gathered from the maps provided by base officials reveals that many of the addresses on board the base carry a Havelock zip code—28532. Without the information that the base supplied to us recently, we had no practical way of segregating registered motor vehicles on-base or off-base as both of them used the Havelock zip code.

The revised estimate of the approximate valuation total for the five years is \$68,000,000 for an average of \$13,600,000 per year. This will result in a tax release/refund liability of approximately \$400,000 rather than the \$152,500 that I earlier estimated.

This revision will, of course, affect the City of Havelock as well as Craven County. I have also shared this information with the City of Havelock officials. Barring something else unforeseen, I do not anticipate that the releases and refunds will exceed this latest estimated amount. Our plan is to mail letters to the affected vehicle owners as soon as we can finalize the programming details for them.

Board Action: Receive information

Agenda Date: April 4, 2011
Presenter: Rick Hemphill
Agenda Item No. 8
Board Action Required: Yes

BUDGET AMENDMENT

Craven County Finance Director, Rick Hemphill, will present the following budget amendment for the Board's approval.

Amendment: DSS Mandated Public Assistance – Additional funding of \$ 25,000 allocated to DSS for Crisis Intervention Program. Funding is 100 % Federal requiring no County match

Board Action: A roll call vote is needed to approve budget amendment.

APPOINTMENTS

A. FIREMEN'S RELIEF FUND BOARD OF TRUSTEES

At the last meeting, the Board deferred an appointment for a Twp. 6 Firemen's Relief Fund Trustee to replace James Johnson, who is deceased. Commissioner Allen indicated that he will prepare a nomination.

B. CRAVEN AGING PLANNING BOARD

An at-large vacancy remains pending for a senior representative from the Havelock or Harlowe area.

C. CRIMINAL JUSTICE ADVISORY BOARD

At the last meeting, the Board deferred a request to confirm a list of recommended appointments/reappointments to the Criminal Justice Advisory Board, pending information concerning which agencies or court system components they represent. Current representation is as follows:

- Ben Alford – Superior Court Judge (expired)
- Harold Blizzard – County Manager (expired)
- Clement Brown – Community Penalties (9/11)
- Regina Bryant – DSS/Employment Services (expired)
- Jan Cahoon – Clerk of Court (expired)
- Lynn Holton – Drug Court Representative (expired)
- Lexan Huffman – Administrative Office of the Courts (expired)
- CheKesha Hukins – District Attorney's Office (9/11)
- Gary London – Probation (expired)
- Jerry Monette – Sheriff (expired)
- Arlene Phillips – Substance Abuse Professional (expired)
- Dan Potter – Defense Attorney (9/11)
- Dawn Robinson – TASC (Treatment Alternatives for Safe Communities) (expired)
- Johnnie Sampson, Jr. – Commissioner

The request of the Board at this time is to affirm the standing appointments, since some positions have changed.

Some terms are not actually due to expire until September; however, this is an effort to clean up the current list so that there will be a solid baseline going forward. NCGS 143B-273.10 stipulates that the following categories must be represented to the extent possible: County Commissioner, County Manager, Superior Court Judge, District Attorney, Criminal Defense Attorney, Public Defender, County Sheriff, Probation Officer, City Police Chief, Community Service Coordinator, mental health representative, substance abuse representative, employment and training representative, community based corrections or victims services, business community, and crime victim.

D. UPCOMING APPOINTMENTS

Terms are due to expire on the Firemen's Relief Fund Board of Trustees (Milton Everette), the Fire Tax Commission (Leander Carter), and the Voluntary Agricultural District.

Board Action: The Board will need to make all necessary appointments.

COUNTY ATTORNEY'S REPORT

A. ORDINANCE VIOLATIONS – CLUBFOOT CREEK MANUFACTURED HOME PARK

This manufactured home park is in violation of numerous provisions of the County Code of Ordinances, including but not limited to: substandard interior drives, parking, and walkways; unauthorized commercial activities; junked cars; and solid waste/refuse violations. The owner has been provided two notices of violation, and notwithstanding his statements that he will come into compliance, he has failed to do so.

Attachment #10.A. is a timeline of events prepared by the Planning Department.

Board Action: Authorize enforcement of County Ordinances, including legal action.

B. NOISE ORDINANCE COMPLAINT – Mining Operations on Two Lakes Trail (off of Broad Creek Road).

The County has received a number of complaints regarding the level of noise from a sand pit mining operation. A large commercial pump used to remove water is in operation 24/7. Capt. Jesse Pittman has investigated, with assistance of the County Attorney, and issued a notice of violation of the noise ordinance. The operator of the pump indicates he will take action to minimize the noise level no later than April 4.

Board Action: As of the date this report, the operator is attempting to come into compliance. If the operator is not in compliance as of April 4, the Board will need to consider authorizing enforcement of the Noise Ordinance, including legal action.

COUNTY MANAGER'S REPORT

A. PROPERTY DISPOSITION

Attachment #11.A. is a list of surplus vehicles, equipment and furniture that were auctioned on govdeals during the month of March which totaled \$3,299.54.

Board Action: Receive information

B. 911 CONSOLIDATION

At its March 7, 2011 meeting, the Board was advised of discussions being held with staff at the Cities of Havelock and New Bern about the possibility of consolidating the three 911 communications centers into one. The managers of Havelock, New Bern, and Craven County are in agreement that a preliminary assessment of the current dispatching configuration in Craven County and the feasibility of consolidation should be performed as the next step in this process. This review would include various options for consolidation including governance, technology, operational configuration, staffing and physical facilities. This would be an executive level report and not a specific consolidation or operational plan. This analysis would make recommendations as to the feasibility of consolidation and would be useful in making grant applications if two or more entities should choose to move forward. The managers have agreed on a consultant to perform this work which will cost \$4,500 or \$1,500 for each entity. It is recommended that the Board appropriate \$1,500 to pay Craven County's share of the study and money is available from the EMS Study that will not be needed.

Board Action: Approve appropriation

C. NCACC DISTRICT MEETINGS QUESTIONNAIRE

Attachment #11.C. is a questionnaire from the NCACC soliciting feedback from counties as the state prepares its budget. The Board is requested to provide staff your answers and designate one of its members to make a report at the upcoming District Meeting. The District Meeting in Martin County on April 21 is being rescheduled, but has not yet been finalized.

Board Action: Consider responses and designee

D. DEDICATION OF BROAD CREEK PARK

The Board and public are reminded that the Latham-Whitehurst Nature Park on Broad Creek Road will be dedicated in a brief ceremony on Friday, April 8, 2011 at 11:00 a.m.

Board Action: None

Agenda Date: April 4, 2011

Presenter: _____

Agenda Item No. 12

COMMISSIONERS' REPORTS