

**AGENDA  
CRAVEN COUNTY BOARD OF COMMISSIONERS  
REGULAR SESSION  
MONDAY, APRIL 18, 2011  
8:30 A.M.**

CALL TO ORDER

ROLL CALL

INVOCATION

PLEDGE OF ALLEGIANCE

APPROVE MINUTES OF APRIL 4, 2011 REGULAR SESSION

1. PRESENTATION OF LEGISLATIVE DELEGATION
2. JUVENILE CRIME PREVENTION COUNCIL FY 2011-2012 FUNDING RECOMMENDATIONS: Robert Keeter, Committee Member
3. ANIMAL CONTROL PRESENTATION: Trinity Smith, Animal Services Coordinator
4. SHERIFF'S DEPARTMENT POSITION RECLASSIFICATION REQUEST: Sheriff Jerry Monette and Captain Jesse Pittman
5. TAX DEPARTMENT MATTERS: Ronnie Antry, Tax Administrator
  - A. Foreclosure Services Request for Qualifications
  - B. Tax Releases and Refunds
6. PLANNING MATTERS
  - A. Subdivision for Approval: Don Baumgardner, Planning Director
  - B. CDBG Bid Re-award: Don Baumgardner
  - C. CDBG Grant #05-D-2098-James City II Revitalization: Reed Whitesell, Holland Consulting Planners
7. BUDGET AMENDMENT AND ORDINANCE UPDATE: Rick Hemphill, Finance Director
8. SOLID WASTE BID AWARDS: Rusty Cotton, Solid Waste Director
  - A. Convenience Center Hauling
  - B. Countywide Curbside Recycling

9. RESOLUTIONS/PROCLAMATIONS
  - A. Frank Evans
  - B. Earth Week
  
10. APPOINTMENTS
  - A. Firemen's Relief Fund Board of Trustees
  - B. Fire Tax Commission
  - C. Agricultural Advisory Board
  - D. Criminal Justice Advisory Board
  - E. Upcoming Appointments – May
  
11. COUNTY ATTORNEY'S REPORT: Jim Hicks
  
12. COUNTY MANAGER'S REPORT: Harold Blizzard
  
13. COMMISSIONERS' REPORTS

**AGENDA  
CRAVEN COUNTY WATER BOARD OF DIRECTORS  
MONDAY, APRIL 18, 2011**

ROLL CALL

APPROVE MINUTES OF OCTOBER 4, 2011 REGULAR SESSION

1. WATER DEPARTMENT OVERVIEW: Rusty Hayes, Water Superintendent
2. WATER LINE EXTENSION BIDS: Rusty Hayes
3. ACCOUNT WRITE-OFFS: Rusty Hayes

Agenda Date: April 18, 2011  
Presenter: \_\_\_\_\_  
Agenda Item No. 1  
Board Action Required: No

### **PRESENTATION OF LEGISLATIVE DELEGATION**

The Board has invited Craven County's state legislative delegation to provide an update on legislative activity, and to hear some of the Board's concerns. As soon as they have assembled, which is expected to be between 9:00-9:30, it is recommended that they be allowed to speak, out of consideration for their respective schedules.

**Board Action: None**

Agenda Date: April 18, 2011  
Presenter: Robert Keeter  
Agenda Item No. 2  
Board Action Required: No

**JUVENILE CRIME PREVENTION COUNCIL FY 2011-2012 FUNDING  
RECOMMENDATIONS**

Mr. Keeter will provide some background on the Juvenile Crime Prevention Council, and present the Council's funding recommendations for FY 2011-2012, which appear in Attachment #2.

**Board Action: Receive Information**

Agenda Date: April 18, 2011  
Presenter: Trinity Smith  
Agenda Item No. 3  
Board Action Required: No

### **ANIMAL CONTROL PRESENTATION**

Commissioner Allen requested that Trinity Smith from Animal Control appear on the Commissioner's agenda for a brief presentation/ update on the improvements that were implemented as a result of former Commissioner Renee Sisk's recommendations.

**Board Action: Receive Information**

## SHERIFF'S DEPARTMENT POSITION RECLASSIFICATION REQUEST

The Sheriff's Department will be requesting reclassification of an Animal Control Investigator to Sex Offender Investigator.

1. The Federal Sexual Offender Act of 1994, known as Megan's Law requires persons convicted of sex crimes against children to notify local law enforcement of any change of address or employment after release from custody (prison or psychiatric facility). The notification requirement may be imposed for a fixed period of time - usually at least ten years - or permanently.
2. Some states may legislate registration for all sex crimes, even if no minors were involved. It is a felony in most jurisdictions to fail to register or fail to update information. The North Carolina General Assembly realized the high risk posed by sex offenders and the tendency of the offender to further engage in sex offenses even after conviction.
3. As a result in 1996 the North Carolina General Assembly created North Carolina's first registered sex offenders program and established a data base for these offenders which is maintained by the State Bureau of Investigations.
4. The registration provisions of North Carolina's law are applicable to persons convicted on or after January 1, 1996 of a reportable offense or who have been released from a penal institution on or after January 1, 1996 for a reportable offense.
5. The law requires offenders to register in person, within 3 days of release, arrival in a county, change of residency, immediately upon conviction if not incarcerated, with the county sheriff's office.
6. The law requires offenders to be registered and verify address for a period of 10 years from the date of conviction.
7. An Address Verification Form is sent certified mail to the offender every 6 months by the SBI. Offenders have 3 days from receipt of this notice to **appear in person** at the local sheriff's office and complete the verification process. Failure to comply with this requirement is a Class F Felony.

8. When offenders fails to comply a Sheriff's Investigator has to investigate the offense as an alleged commission of a Felony. The investigator must establish probable cause as with any offense, locate and interview the offender and arrest the offender if he reasonably believes that the crime has occurred.

9. Many of these offenders who have changed address are hard to locate and the investigator has to conduct a full scale investigation to determine the whereabouts of the offender.

10. Once the investigator locates and arrests the offender he must submit an investigative report to the District Attorney of the county as is required in all felony cases and appear before the Grand Jury to testify in the matter. The Investigator must also appear in Superior Court and make available all evidence and testify as to the merits of the case.

11. There are currently 149 registered sex offenders residing in Craven County ten of which are currently in a state of non-compliance. When registered sex offenders fail to comply it puts the community at risk.

12. At present, Sheriff's Investigators are tasked with a high volume of cases that are currently assigned to them these cases range from murder and assaults to drug related and property crimes.

13. When an Investigator is assigned a sex offender case they often find that the offender has relocated and they need time to find the person. This is increasingly difficult as the investigator is assigned various other cases that also demand their immediate attention.

14. The reclassification of the Animal Control Investigator to a Sex Offender Investigator will allow for a full time Detective to actively pursue and apprehend sex offenders that are noncompliant and pose a danger to the community.

**Board Action: Consider approval of the reclassification request.**

Agenda Date: April 18, 2011  
Presenter: Ronnie Antry  
Agenda Item No. 5  
Board Action Required: Yes

## **TAX DEPARTMENT MATTERS**

### **A. FORECLOSURE SERVICES REQUEST FOR QUALIFICATION**

Craven County first contracted for its foreclosure legal services in February 2003. At that time, the County entered into a four-year agreement with Zacchaeus Legal Services. Mark Bardill, the principal of that firm, over a period of approximately two years received and worked the list of some 1,250 parcels on which there were delinquent taxes at that time. His firm's efforts resulted in lawsuits being filed on 815 of them and the total collections on these parcels in the first two years of the contract was \$568,924.00. By the time the contract was renewed in February 2007, the foreclosure program was then in what could be termed a "maintenance" mode in that the chronically delinquent parcels had already been submitted to his firm. In 2007 as now, we typically submit approximately 250 new parcels to the attorney in July each year.

Before the second contract expired on February 16, 2011, the Craven County Attorney, Mr. Hicks, indicated his desire and interest to perform this legal service for Craven County. In order to afford Mr. Bardill, Mr. Hicks and any other attorney the opportunity to compete for this work, it was suggested that we issue the attached request for qualifications for this service.

Mr. Blizzard and Mr. Antry have met to discuss this proposal and recommend your approval of publishing the attached document (See Attachment #5.A.). Mr. Antry will be present at the April 18, 2011 meeting to answer any questions that you may have regarding it. Should you need anything in the meantime, please feel free to contact him.

**Board Action: Consider recommendation for approval.**

### **B. TAX RELEASES AND REFUNDS**

Craven County Tax Administrator, Ronnie Antry, will present the routine requests for tax releases and refunds contained in Attachment #5.B. for the Board's approval.

**Board Action: A roll call vote is necessary to approve tax releases and refunds.**

## PLANNING MATTERS

### A. SUBDIVISION FOR APPROVAL

Planning Director, Don Baumgardner, submitted the following subdivision for the Board's approval.

#### **Heritage Farms Section Two-A-Final**

- Property is owned by Carolina South Builders Inc., engineered by Thomas Engineering, P.A. and surveyed by Herbert J. Nobles, Jr.
- Property is located within Twp 5, off of SR 1714 (Godette School Rd.)
- Subdivision contains 22 lots on 11.44 acres
- Lots proposed to be served by individual septic systems and community water
- Proposed road name(s) Grist Mill Drive and Harvest Boulevard
- The Planning Board has reviewed the subdivision and recommends approval.

**Board Action: Consider subdivision for approval.**

### B. CDBG BID RE-AWARD

A bid opening for the rehabilitation of one (1) existing manufactured home is to be held on Wednesday April 13, 2011 at 11:00 am.

Note: This unit has been rebid due to the original bids being over the CDBG contract limit for the rehabilitation of a manufactured unit which is \$20,000. The original low bid was submitted by HCR, Inc. for \$22,795. In an effort to move forward with assistance to this household, the home was reassessed in order to reduce the scope of work which was included in this bid package.

The actual bid results and a recommendation for contract award will be presented to the Commissioners on April 18, 2011.

**Board Action: Consider acceptance and approval of low bid for the rehabilitation.**

### C. CDBG GRANT #05-d-2098-JAMES CITY REVITALIZATION

As requested, this memorandum will serve to provide the Board with background information required to consider acceptance of the grant agreement for \$250,000 in additional CDBG funding for the James City Community Revitalization project.

These funds were made available to Craven County under an incentive program for communities that have demonstrated the ability to move forward quickly with implementation of CDBG projects.

Craven County has demonstrated that ability on several recent projects, including its FY09 CDBG Scattered Site project, for which the county has already received an additional \$100,000 in incentive funding.

All housing construction work in the James City target area has been bid/awarded and will be completed by September 2011. All water, sewer, and street improvements are underway and will be completed on or about July 31, 2011. As you know, the low bid for the proposed water, sewer, and street improvements is higher than the amount of funds currently available under these line items due to roadway design improvements required by the NC Department of Transportation. We are hesitant to advise the contractor to proceed with the entire scope of public works improvements without provision of additional funds, so the opportunity to participate in this incentive program was very fortuitous for the county. The provision of additional CDBG assistance will significantly improve the quality of the public works activities for the citizens of the community. Also, after receiving notice from the state funding agency that the county could identify additional activities in and adjacent to the existing James City target area, we performed household surveys and needs assessments adjacent to the existing target area. We identified an additional low-income owner-occupant residing in a dilapidated unit located outside the existing target area who was omitted from the FY08 CDBG-CR application for budgetary reasons. We recommend providing this household with a new on-site replacement unit. Finally, staff identified an additional owner-occupant residing in the target area whose house was demolished due to its dilapidated condition during the application process. The James City Project Advisory Committee sincerely wishes to provide an on-site replacement dwelling for this very low-income household.

We can state with 100% certainty that these funds are being made available on a first-come, first-served basis to communities encouraged to apply. Approval of the grant agreement is required on an immediate basis or the funds will be offered to another grantee, and no activities can take place without the Board's approval of the grant agreement.

**Board Action: If the Board so chooses to accept the additional funding for the James City project, the Chairman will need to be granted the authority to sign the official documents included in the grant packet such as the official grant agreement, funding approval letter project ordinance and signatory form and certification. Also if the Board chooses to accept the additional funds, the Chairman will need to be authorized to enter into a contract with Holland Consulting Planners, Inc. for \$25,000 to administer the additional grants funds. (This amount has been approved by Community Investment for administration of grant funds.)**

Agenda Date: April 18, 2011  
Presenter: Rick Hemphill  
Agenda Item No. 7  
Board Action Required: Yes

## BUDGET AMENDMENTS AND ORDINANCE UPDATE

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

**Amendments:** Economic Development – Budget \$ 7,713.00 additional funds for a Hatteras performance Incentive. Hatteras has met the goal of manufacturing and delivering the first Cabo yacht for sale to the general public and will receive a \$ 7,712.50 incentive payment

DSS TANF – Budget \$ 21,600 awarded from the Special Children Adoption Fund. Funding will be used to enhance the adoption services program. No County match required and any unspent funds are to be rolled forward to next fiscal year.

DSS Mandated Public Assistance/ TANF –Additional funding has been authorized from the Division of Child Development. An increase of \$45,552 in Smart Start Day Care funding and \$862,229 increase in Smart Start Subsidy and Admin. Funding is 100% State requiring no County match.

St. Luke's Bldg –Transfer \$ 50,000 from Capital Reserve Fund to the St. Luke's Bldg Fund. This transfer is needed to complete renovations on the building. There was an unexpected infrastructure IT upgrade requirement for DOC.

**Ordinances:** St. Luke Building

**Board Action: A roll call vote is needed to approve amendments and ordinance.**

## SOLID WASTE BID AWARDS

### A. CONVENIENCE CENTER HAULING

The County currently pays GDS \$122.87 per haul from the seven convenience centers.

#### **Bids**

**GDS** - \$110.00 per haul. The Solid Waste Department has budgeted 3,401 hauls for FY 2011-2012. This would bring our hauling budget to \$374,110.00

**Waste Industries** - \$155.00 per haul. The Solid Waste Department has budgeted 3,401 hauls for FY 2011-2012 = \$527,155.00

The staff recommends awarding the five year contract with an option to renew for an additional three years to GDS for the hauling of solid waste and recyclables from staffed convenience centers.

**Board Action: Consider recommendation for approval.**

### B. COUNTYWIDE CURBSIDE RECYCLING

The County currently pays GDS \$35.89 per household per year. \$35.89 divided by 12 months = \$2.99 unit cost per month. \$35.89 X the current 42,770 homes (FY 10/11) in Craven County = \$1,535,015.30.

We charge residents and hand commercial accounts \$36.00 per year for the recycle fee.

The house count for FY 11/12 is 43,290 according to the Craven County Tax Department.

#### **BIDS**

**GDS** – (18 gallon bin) \$3.15 unit cost per month. \$3.15 X 12 months = \$37.80 per year. \$37.80 X 43,290 homes (FY 11/12) = \$1,636,362.00  
(64 gallon bin) \$3.28 unit cost per month. \$3.28 X 12 months = \$39.36 per year. \$39.36 X 43,290 homes (FY 11/12) = \$1,703,894.40.  
GDS can start July 1, 2011. This bid includes collection of mixed paper.

**TFC** – (18 gallon bin) \$2.92 unit cost per month.  $\$2.92 \times 12 \text{ months} = \$35.04$  per year.  $\$35.04 \times 43,290 \text{ homes (FY 11/12)} = \$1,516,881.60$

TFC also plans to share revenue with a rebate of \$15.00 per ton for the first year of the contract. Rebate will be adjusted based on market conditions in subsequent years. This would bring the price down to \$2.73 unit cost per month for the first year of the contract.  $\$2.73 \times 12 \text{ months} = \$32.76$  per year.  $\$32.76 \times 43,290 \text{ homes (FY 11/12)} = \$1,418,180.40$

(64 gallon bin) \$3.65 unit cost per month.  $\$3.65 \times 12 \text{ months} = \$43.80$  per year.  $\$43.80 \times 43,290 \text{ homes (FY 11/12)} = \$1,896,102.00$

Rebate included in first year brings price to \$3.46 unit cost per month.  $\$3.46 \times 12 \text{ months} = \$41.52$ .  $\$41.52 \times 43,290 \text{ homes (FY 11/12)} = \$1,797,400.80$ .

TFC can start July 1, 2011. This bid includes collection of mixed paper.

**Waste Industries** – (18 gallon bin) \$2.60 unit cost per month.  $\$2.60 \times 12 \text{ months} = \$31.20$  per year.  $\$31.20 \times 43,290 \text{ homes (FY 11/12)} = \$1,350,648.00$ .

Waste Industries can start July 1, 2011.

Waste Industries did not bid the collection of mixed paper. Waste Industries did not bid 64 gallon bin.

Conclusion – Waste Industries has lowest bid for an 18 gallon bin at \$2.60.  $\$2.60 \times 12 \text{ months} = \$31.20$  per year.  $\$31.20 \times \text{FY 11/12 house count of } 43,290 = \$1,350,648.00$ . This would be a savings of \$166,233.60 over a comparable size bin from the next lowest bidder which is TFC. With TFC's rebate, the County would save \$67,532.40 and a savings of \$285,714.00 for a comparable size bin over GDS.

Staff recommends awarding the five year contract with an option to renew for an additional three years to Waste Industries for collection of curbside recycling with an 18 gallon bin.

**Board Action: Consider recommendation for approval.**

Agenda Date: April 18, 2011  
Presenter: \_\_\_\_\_  
Agenda Item No. 9  
Board Action Required: Yes

## RESOLUTIONS/PROCLAMATIONS

### A. FRANK EVANS

At the last meeting the Board directed that a resolution be drafted to honor the life of former Commissioner, Frank Evans, and to invite his family to receive it. The resolution is included as Attachment #9.A.

**Board Action: Adopt and present resolution**

### B. EARTH WEEK

The proclamation that appears as Attachment #9.B. is in recognition of Earth Week. The County has traditionally been requested to adopt such a proclamation, as conservation and educational activities are held during this week each year at Union Point Park.

**Board Action: Adopt resolution**

Agenda Date: April 18, 2011  
Presenter: \_\_\_\_\_  
Agenda Item No. 10  
Board Action Required: Yes

## APPOINTMENTS

### A. FIREMEN'S RELIEF FUND BOARD OF TRUSTEES

At the last meeting the Board was advised that the term of Milton Everette, Twp. 5, is due to expire.

### B. FIRE TAX COMMISSION

At the last meeting the Board was advised that the term of Leander Carter, Twp. 5, is due to expire.

### C. AGRICULTURAL ADVISORY BOARD

The terms of Jimmy Arthur, Glenn Ipock and David Parker will expire at the end of April. This is the end of an initial term of two years. The Agricultural Advisory Board was created in 2009, and these terms will go to three years after this initial period.

### D. CRIMINAL JUSTICE ADVISORY BOARD

Appointments were deferred from the last meeting on the Criminal Justice Advisory Board.

### E. UPCOMING APPOINTMENTS - MAY

Terms on the following Boards will expire in May:

Craven Aging Planning Board (Sylvia Gaskins)  
Carolina East Medical Center (Ed Armstrong, Sydney Barnwell, Bob Eaves, Dell Ipock, Lonnie Pridgen, Johnnie Sampson)

**Board Action: The Board will need to make all necessary appointment.**

Agenda Date: April 18, 2011  
Presenter: Jim Hicks  
Agenda Item No. 11

## COUNTY ATTORNEY'S REPORT

Agenda Date: April 18, 2011  
Presenter: Harold Blizzard  
Agenda Item No. 12

## **COUNTY MANAGER'S REPORT**

Agenda Date: April 18, 2011

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

Agenda Item No. 13

## **COMMISSIONERS' REPORTS**

Agenda Date: April 18, 2011  
Presenter: Rusty Hayes  
Agenda Item No. W/S #1

## **WATER DEPARTMENT OVERVIEW**

Rusty Hayes, Water Superintendent, will provide the Board an overview of the Craven County Water Department.

**Board Action: Receive Information**

Agenda Date: April 18, 2011  
Presenter: Rusty Hayes  
Agenda Item No. W/S #2  
Board Action Required: Yes

### **WATER LINE EXTENSION**

Craven County has received bids to construct 3,100 linear feet of 8 inch water line along Clarks Road to supplement the existing line that serves the Judicial Center. Attachment # is a copy of the bid tabulation sheet. It is recommended that the contract be awarded to the low bidder, Herring – Rivenbark, Inc. for \$91,031.50.

**Board Action: Award bid contract to the low bidder.**

Agenda Date: April 18, 2011  
Presenter: Rusty Hayes  
Agenda Item No. W/S #3  
Board Action Required: Yes

### ACCOUNT WRITE-OFFS

Mr. Hayes presented the following account write-offs for period September 1, 2009 to September 30, 2010 accounts having uncollected balances less than fifty dollars total \$ 4,766.55. These accounts to be written-off are broken down by district as follows:

Northwest Craven	\$ 1,946.88
East Craven	\$ 710.18
Twp # 6	\$ 759.56
Neuse River	\$ 1,349.93

**Board Action: A roll vote is needed to approve account write-offs**