

**AGENDA
CRAVEN COUNTY BOARD OF COMMISSIONERS
REGULAR SESSION
MONDAY, FEBRUARY 4, 2013
7:00 P.M.**

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVE AGENDA

APPROVE MINUTES OF JANUARY 22, 2013 REGULAR SESSION

1. PUBLIC HEARING: FY 2014 TARGETED TRANSIT ASSISTANCE PROGRAM SECTION 5317(New Freedom): Kelly Walker, CARTS Transportation Coordinator
2. PLANNING DEPARTMENT MATTERS: Don Baumgardner, Planning Director
 - A. Public Hearing – Road Closure
 - B. Request for Addition to State Maintained Secondary Road System
 - C. Request to Set Public Hearing-Craven County Tall Structure Ordinance
 - D. Subdivision for Approval
3. PETITIONS OF CITIZENS
 - A. Mark Griffin
 - B. Tony Michalek
 - C. Ray Griffin
4. TAX DEPARTMENT MATTERS: Ronnie Antry, Tax Administrator
 - A. Report of Unpaid 2012 Taxes
 - B. Tax Releases and Refunds
5. HEALTH DEPARTMENT BUDGET AMENDMENT: Scott Harrelson, Health Director
6. REQUEST TO SET PUBLIC HEARING ON REDISTRICTING: Jack Veit, County Manager
7. TEMPORARY DEED OF EASEMENT – WEYERHAEUSER: Gene Hodges, Assistant County Manager, Facilities/Operations
8. RESOLUTION: Commissioner Mark
9. APPOINTMENTS

- A. Pending
- B. Current
- C. Upcoming

- 10. COUNTY ATTORNEY'S REPORT: Jim Hicks
- 11. COUNTY MANAGER'S REPORT: Jack Veit
- 12. COMMISSIONERS' REPORTS

Agenda Date: February 4, 2013

Presenter: Kelly Walker

Agenda Item No. 1

Board Action Required: Yes

**PUBLIC HEARING: FY 2014 TARGETED TRANSIT ASSISTANCE PROGRAM
SECTION 5317(New Freedom)**

The Board will need to go into public hearing, as advertised, concerning approval for Craven County to apply for the FY2014 Targeted Transit Assistance Program Section 5317. An introductory memorandum from Transportation Coordinator, Kelly Walker, may be found in Attachment #1.

Board Action: Receive information and consider approval of grant application.

Agenda Date: February 4, 2013

Presenter: Don Baumgardner

Agenda Item No. 2

Board Action Required: Yes

PLANNING DEPARTMENT MATTERS

A. PUBLIC HEARING – ROAD CLOSURE

A public hearing will be held on Monday, February 4, 2013 at 7:00 pm. The purpose of this hearing is to receive input from citizens regarding the proposed closure of a portion of Hoke Street. To date staff have advertised and sent out notices to affected property owners and have not received any negative response. (See Attachment #2.A.)

Board Action: Receive comments from the public

B. REQUEST FOR ADDITION TO STATE MAINTAINED SECONDARY ROAD SYSTEM

Attachment #2.B. contains a road addition resolution requesting the Board of Commissioners approve Jacqueline Drive (from NC 306 N. to Bowie Court), Bowie Court, Mack Lane, Marie Court and Dolores Court in Cherry Branch South Section IV be turned over to the State of North Carolina for maintenance. The resolution once passed will be forwarded to NCDOT for their final consideration and acceptance of the roads to the State Maintenance System.

Board Action: A vote by the Board of Commissioners is needed to approve the standard SR2 Road Addition Resolution.

C. REQUEST TO SET PUBLIC HEARING – CRAVEN COUNTY TALL STRUCTURE ORDINANCE

The Planning Department requests the Craven County Board of Commissioners to set a Public Hearing for February 18th, 2013 at 8:30 am. The purpose of the public hearing is to receive input from citizens regarding the proposed Craven County Tall Structure Ordinance.

Board Action: Set a public hearing for the February 18th 8:30 AM Commissioner's meeting.

D. SUBDIVISION FOR APPROVAL

The Planning Board has recommended the following subdivision for approval.

The Lighthouse Mennonite Church, Inc. – Final

- Property is owned by Ralph Reimer and surveyed by Gaskins Land Surveying, P.A.
- Property is located within Twp 1, off of Honolulu Rd. (SR 1458)
- Parcel ID 1-071-031
- Subdivision contains 1 lot on 1 Acre
- Lot proposed is to be served by County Water and an individual septic System

Board Action: A vote to approve the subdivision is needed.

Agenda Date: February 4, 2013

Presenters: Griffin, Michalek, Griffin

Agenda Item No. 3

Board Action Required: No

PETITIONS OF CITIZENS

A. MARK GRIFFIN

Mark Griffin, Craven County's appointee to North Carolina Eastern Region, will brief the Board.

B. TONY MICHALEK

Tony Michalek wishes to speak concerning school safety.

C. RAY GRIFFIN

Ray Griffin would like to speak about prayer.

Board Action: Receive information

Agenda Date: February 4, 2013

Presenter: Ronnie Antry

Agenda Item No. 4

Board Action Required: Yes

TAX DEPARTMENT MATTERS

A. REPORT OF UNPAID 2012 TAXES

Craven County Tax Administrator, Ronnie Antry, will present to the Board the amount of 2012 taxes that remain unpaid which are a lien upon real estate. NCGS 105-369(a) requires this report.

This statute also requires the Board to order Mr. Antry to advertise in a newspaper of general circulation in the county the tax liens for 2012, and requests that the Board authorize that the liens be advertised in *The Sun Journal* on April 10, 2013.

Board Action: Receive information and authorize advertisement of liens.

B. TAX RELEASES AND REFUNDS

Mr. Antry will present the routine requests for tax releases and refunds contained in Attachment #4.B. for the Board's approval.

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

Agenda Date: February 4, 2013

Presenter: Scott Harrelson

Agenda Item No. 5

Board Action Required: Yes

HEALTH DEPARTMENT BUDGET AMENDMENT

Craven County Health Director, Scott Harrelson, will present the following budget amendment for the Board's approval.

Allscripts was purchased last fiscal year and it did not perform to its standards as promised. For this reason, Allscripts has recently refunded the Craven County Health Department \$83,260. Of this amount, the department is requesting to utilize \$31,000. The remainder will be unbudgeted revenue. Funds will be used to contract with McGladrey for the purpose of catching up on the outstanding Medicaid receivables from Allscripts. Allscripts is scheduled to terminate and all prior billing of Medicaid revenue must be entered into the clearing house for payment. Should there be any denials and/or refunds, McGladrey will assist in the rebilling/resubmission of Medicaid claims. McGladrey's rate is \$60 per hour.

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

Agenda Date: February 4, 2013

Presenter: Jack Veit

Agenda Item No. 6

Board Action Required: Yes

REQUEST TO SET PUBLIC HEARING ON REDISTRICTING

County Manager, Jack Veit, will request that the Board set a public hearing for March 4 concerning the County's proposed redistricting plan.

Board Action: Schedule public hearing

Agenda Date: February 4, 2013

Presenter: Gene Hodges

Agenda Item No. 7

Board Action Required: Yes

TEMPORARY DEED OF EASEMENT – WEYERHAEUSER

Weyerhaeuser Company has requested to be granted a temporary easement over land owned by Craven County in the industrial park. The construction of the Highway 17 Bypass has cut off the normal access to their property. They have requested temporary access over approximately 200 feet of property to extend a logging road from the end of Executive Parkway to intersect with N. Warren Rd an existing logging road. The access road will be gated to restrict trespassing and the logging operation should take approximately 6 weeks to harvest the trees. The County Attorney has drafted a temporary deed of easement granting Weyerhaeuser access for a term not to exceed 12 months. (See Attachment #7)

Board Action: Consider approval of temporary deed of easement for Weyerhaeuser Company.

Agenda Date: February 4, 2013

Presenter: Commissioner Mark

Agenda Item No. 8

Board Action Required: Yes

RESOLUTION

Commissioner Mark has requested that the resolution contained in Attachment #8 be brought before the Board.

Board Action: Consider adoption of resolution.

Agenda Date: February 4, 2013

Presenter: _____

Agenda Item No. 9

Board Action Required: Yes

APPOINTMENTS

- A. PENDING
- B. CURRENT
- C. UPCOMING

Board Action: If the intent is to make appointments effective immediately, a motion to waive the one meeting waiting requirement would be in order.

A. PENDING APPOINTMENT(S):

Adult Care Home Advisory Committee

Four vacancies remaining, no applications on file

Juvenile Crime Prevention Council

Juvenile Defense Attorney to replace Mike Barnhill; no applications on file

New Bern Board of Adjustment, Extraterritorial Representative

Vacancy to replace Starlin Beatty; no applications on file

The County has exceeded the 90 day period allowed to make this appointment. The City of New Bern will actively seek to identify an appointee.

Fire Tax Commissioners (West of New Bern)

On January 7 the Board considered an appointment to replace Linwood Brown, who had exceeded his eligibility to serve. The **application of Dallas Ray Brown (Attachment # 9.A.)** was received after the agenda was completed and distributed at the meeting; however the appointment was deferred.

Community Child Protection Team

At the last meeting the Board considered the **application of Bradley Lanto, (Attachment # 9.A.1.)** submitted to replace John Roberts (Social Worker at Cherry Point). The appointment was deferred because there was a question concerning Mr. Lanto's eligibility to serve, since he resides in Carteret County. The same concern was addressed last year on this same board, when one of the members who was being appointed lived in Cape Carteret and works for the New Bern Police Department.

Coastal Regional Solid Waste Management Authority (CRSWMA)

At the last meeting, the Board appointed John Kirkland to replace William Ritchie, contingent upon the County Attorney's research relative to a possible violation of multiple office holding provisions in North Carolina General Statutes.

PENDING APPOINTMENTS, CONT'D.

RECREATION AND PARKS ADVISORY BOARD

AUTHORIZATION: Bylaws

MISSION/FUNCTION: Serves as the recreation advisory body for the Craven County Department of Recreation and Parks; suggests policies; consults with and advises Recreation Director, County Manager and Commissioners in matters related to recreation programs, finances, acquisition and disposal of property consistent with overall, long range recreation planning.

NUMBER OF MEMBERS:

12

TYPE:

1 from each township (8)
4 at-large

QUALIFICATIONS (Special Skills, Professional Classifications, Affiliations, Limitations, etc.):

LENGTH OF TERMS: 3 Years

MEETING SCHEDULE: 3rd Monday at 6:00 p.m.; Administration conference room

**One vacancy to replace Mike Marks, representing Twp. 9
Application on file: Jennings "Buddy" Allen (Attachment #9.A.2.)**

B. CURRENT APPOINTMENTS

CRAVEN COUNTY COMMUNITY CHILD PROTECTION TEAM

AUTHORIZATION: NCGS 7B-1406

MISSION/FUNCTION: To respond to child protection needs before a child is harmed by taking action to identify and address gaps or deficiencies in services and resources through the annual report to the County Board of Commissioners, collaboration with community partners, promoting public awareness and advocating for action that addresses the child protection needs of each county.

NUMBER OF MEMBERS:

11-16

TYPE:

DSS Director, DSS staff member, law enforcement officer, attorney from DA's office, executive director of local community action agency, public School superintendent or designee, member of DSS Board, mental health professional, Guardian ad Litem Coordinator, Public Health Director, local health care provider, EMS/firefighter, District Court Judge, Commissioners appointees from other county agencies or community at-large

QUALIFICATIONS: Stated above.

LENGTH OF TERMS: As set by respective agencies, position and Commissioners'

MEETING SCHEDULE: Quarterly; January, April, July, October

Application on file: Christopher Morning (**Attachment # 9.B.**)

CRAVEN AGING PLANNING BOARD

AUTHORIZATION: Bylaws

MISSION/FUNCTION: To provide a comprehensive assessment of the needs and opportunities associated with older adults; an achievable vision of successful aging. Craven County based programs for the support of and investment in older adults and their families, including a system of care for high-risk older adults; and policy strategies for maximizing the functional independence and quality of life of older adults and their families consonant with their wishes and desires.

Serves as the sole policy formulation board concerning aging programs on behalf of the Craven County Board of Commissioners.

NUMBER OF MEMBERS:

18

TYPE:

Agency - 10
Local Government - 3
Client/Caregiver - 2
Senior Rpresentative - 3

QUALIFICATIONS (Special Skills, Professional Classifications, Affiliations, Limitations, etc.):

Representative of senior population (60+ years of age), client representative (caretaker of an older adult, employed by or volunteering for senior service provider) or representative of one of the following agencies or government entities: Craven County DSS, Craven County Health, Carolina East Medical Center, CARTS, Employment Security Commission, Neuse Center, Coastal Community Action, Legal Aid of North Carolina, Senior Tarheel Legislature, Craven County Commissioners, Craven County Manager, Council of Governments.

LENGTH OF TERMS: 2 Years

MEETING SCHEDULE: Fourth Thursday of every second month, beginning in January, at 1:30 p.m. in the Craven County Administration Building

Term(s) ending: B.J. Ipock; one application on file: **Paula Lasitter (Attachment #9.B.1.)**

FIREMEN'S RELIEF FUND BOARD OF TRUSTEES

AUTHORIZATION: NCGS 58-84-30

MISSION/FUNCTION: To safeguard firefighters in active service and dependent members of their families from financial loss resulting from sickness, injury or loss of life suffered while in performance of his or her duties as a firefighter.

NUMBER OF MEMBERS:
5 per department

TYPE:
2 appointed by Baord of Commissioners; 2 appointed by the department; 1 appointed by Commissioner of Insurance

QUALIFICATIONS (Special Skills, Professional Classifications, Affiliations, Limitations, etc.):

LENGTH OF TERMS: 2 Years

MEETING SCHEDULE: As necessary

Term(s) expiring: George Brown, No. 9 (Initial Appointment 1999):
Raymond T. White, No. 9 (Initial Appointment 1999)

Applications for #9: Roger Wetherington, Carl Jarman (Attachment # 9.B.2.)

Billy Joiner, West New Bern (Initial Appointment 2011); no applications
Theron McCabe, Harlowe (Initial Appointment 1999); no applications

NURSING HOME ADVISORY COMMITTEE

AUTHORIZATION: N.C.G.S.131E-115

MISSION/FUNCTION: Work to maintain the intent of the Nursing Home Patients Bill of Rights within the licensed homes in the County; to promote community involvement and cooperation with domiciliary homes to ensure quality care for the elderly.

NUMBER OF MEMBERS:

7-12

TYPE:

Dictacted by the number of homes in the county; homes have right to recommend 25% of appointees

QUALIFICATIONS (Special Skills, Professional Classifications, Affiliations, Limitations, etc.):

Cannot be employed by or have a relative in an adult care home.

LENGTH OF TERMS: 3 Years

MEETING SCHEDULE: Quarterly, beginning in March, third Wednesday, 10:00 a.m.

Term(s) expiring: Alvia Hearren (Initial Appointment 1991)

Brinda Moore (Initial Appointment 2007)

One application on file: Donna Sigmund (Attachment # 9.B.3.)

FIRE TAX COMMISSIONERS

AUTHORIZATION: N.C.G.S. 69-25.5

MISSION/FUNCTION: To serve in an advisory capacity as representatives of the County Commissioners relative to determining the amount of fire protection needed in their respective districts, assuring that district residents are afforded fire protection commensurate with the amount of fire tax paid, and furnishing said protection.

NUMBER OF MEMBERS:
30

TYPE:
3 per District

QUALIFICATIONS (Special Skills, Professional Classifications, Affiliations, Limitations, etc.):

Must be a qualified voter of the district represented.

LENGTH OF TERMS: 2 Years

Term(s) ending: Wilfred Chagnon, Tri-Community (Initial Appointment 2011)
Casesell Martin, Twp. 5 (Initial Appointment 1998)
Thomas Williams, Tri-Community (Initial Appointment 2011)

No applications on file

ZONING BOARD OF ADJUSTMENT

AUTHORIZATION: General Statute 153-345

MISSION/FUNCTION: To hear and decide appeals from and review any order, requirement, decision or determination made by an administrative official charged with the enforcement of the applicable ordinance; may permit special exceptions to zoning regulations if provided for in the ordinance.

NUMBER OF MEMBERS:

7

TYPE:

Representatives of each airport zoned area

QUALIFICATIONS (Special Skills, Professional Classifications, Affiliations, Limitations, etc.):

LENGTH OF TERMS: 3 Years

MEETING SCHEDULE: Not Specified

Term(s) expiring: Lee Kyle Allen III (Initial Appointment 2010)
Bud Stilley (Initial Appointment 2010)

No applications on file

B. UPCOMING APPOINTMENTS

March

EMS Advisory Council:

Crystal Davis (Initial Appointment 2011)
Jonathan Gaskins (Initial Appointment 2011)
Ian Jose (Initial Appointment 2011)
Elizabeth Melvin (Initial Appointment 2011)
Sarah Rakowski (Initial Appointment 2011)

Firemen's Relief Fund:

Robert Blalock -#7 (Initial Appointment 2011)
W.O. Gaskins, Jr.- LSC (Initial Appointment 1999)
John Harrell – Tri-Comm (Initial Appointment 2011)
Donald Heath– Ft. Barnwell (Initial Appointment 2011)
Johnny Midgette- #1 (Initial Appointment 1999)
Richard Peterson– Tri-Comm
(Initial Appointment 2003)
Ralph Roeland - #6 (Initial Appointment 1999)
Clarence Simpson- Rhems (Initial Appointment 1999)
Matthew Spirko – (Initial Appointment 2012)
Duward White – Dover (Initial Appointment 2003)
Douglas Whitford – LSC (Initial Appointment 1999)
Graham Williams - #7 (Initial Appointment 2001)

Fire Tax Commissioners:

Clarence Edwards - #6 (Initial Appointment 2003)
Reuben Earl Hart - #7 (Initial Appointment 1998)

***James T. Jackson- #9 (Initial Appointment 1998)**

***Milton McCoy - #9 (Initial Appointment 1998)**

***Lee Kirkman - #9 (Initial Appointment 2011)**

***Applications are on file for #9**

Grover Lancaster - #1 (Initial Appointment 1998)

Mike Lucas –West New Bern

(Initial Appointment 1998)

William Mathews - #3 (Initial Appointment 1998)

Curtis Morris - #1 (Initial Appointment 1998)

Larry Paul - #6 (Does not wish to be reappointed)

***Application is on file for #6**

Steve Redd – West New Bern

(Initial Appointment 1998)

Alton Riggs - #7 (Initial Appointment 1998)
Clarence Simpson -Rhems (Initial Appointment 1998)
James W. Smith - #3 (Initial Appointment 2008)
Howard Spence – Swift Creek
(Initial Appointment 2011)
William Stilley –Swift Creek (Initial Appointment 1998)
Joseph Wetherington – Swift Creek
(Initial Appointment 2008)

April

Craven Aging Planning Board Lisa Smith (Initial Appointment 2011)

Firemen’s Relief Fund Board of Trustees
Milton Everette, Twp. 5 (Initial Appointment 2009)

Fire Tax Commissioners Craig Arthur, Twp. 6 (Initial Appointment 2007)
Leander Carter, Twp. 5 (Initial Appointment 2009)

Nursing Home Advisory Committee
Earley Toon (Initial Appointment 2010)

Planning Board Shelton Phillips (Initial Appointment 1997)

Agricultural Advisory Board Jimmy Arthur (Initial Appointment 2009)
Glen Ipock (Initial Appointment 2009)
David Parker (Initial Appointment 2009)
Carl Turner (Initial Appointment 2010)
Wyatt Whitford (Initial Appointment 2009)

Agenda Date: February 4, 2013

Presenter: Jim Hicks

Agenda Item No. 10

COUNTY ATTORNEY'S REPORT

Agenda Date: February 4, 2013

Presenter: Jack Veit

Agenda Item No. 11

COUNTY MANAGER'S REPORT

Agenda Date: February 4, 2013

Presenter: _____

Agenda Item No. 12

COMMISSIONERS' REPORTS