

**AGENDA
CRAVEN COUNTY BOARD OF COMMISSIONERS
REGULAR SESSION
MONDAY OCTOBER 6, 2014
7:00 P.M.**

CALL TO ORDER

ROLL CALL

INVOCATION

PLEDGE OF ALLEGIANCE

APPROVE AGENDA

APPROVE MINUTES OF SEPTEMBER 15, 2014 REGULAR SESSION

1. PUBLIC HEARING ON ROAP GRANT(RURAL OPERATING ASSISTANCE PROGRAM)
2. PETITIONS OF CITIZENS
3. COVE CITY MATTERS
 - A. Water: Jack Veit, County Manager; Rusty Hayes, Water Superintendent; Rick Hemphill, Assistant County Manager – Finance/Administration
 - B. Recreation: Jack Veit; Eddie Games, Recreation Director; Gene Hodges, Assistant County Manager – Facilities/Operations

DEPARTMENTAL MATTERS

4. CARTS: Rosann Christian, CARTS Director
 - A. Request to Set Public Hearing for CTP (Community Transportation Program)
 - B. Request to Set Public Hearing for Civil Rights Program
5. TAX: Ronnie Antry, Tax Administrator
 - A. Routine Releases and Refunds
 - B. Petition for Refund
6. ECONOMIC DEVELOPMENT QUARTERLY UPDATE: Timothy Downs, Economic Development Director
7. EMERGENCY SERVICES: Stanley Kite, Director of Emergency Services
 - A. Technical Changes to Emergency Management Ordinance
 - B. Recommendations of EMS Advisory Council

8. PLANNING – SUBDIVISIONS FOR APPROVAL: Don Baumgardner,
Planning Director
9. COOPERATIVE EXTENSION – REQUEST FOR PROCLAMATION
10. FACILITIES – ANIMAL SHELTER ARCHITECTURAL CONTRACT:
Gene Hodges, Assistant County Manager – Facilities/Operations
11. FINANCE – BUDGET AMENDMENTS AND ORDINANCE UPDATE:
Rick Hemphill, Assistant County Manager, Finance/Administration
12. APPOINTMENTS
13. COUNTY ATTORNEY’S REPORT: Jim Hicks
14. COUNTY MANAGER’S REPORT: Jack Veit
15. COMMISSIONERS’ REPORTS

RECESS TO RECONVENE AT 8:30 A.M. OCTOBER 7

Agenda Date: October 6, 2014

Presenter: _____

Agenda Item No. 1

Board Action Required: Yes

PUBLIC HEARING ON ROAP GRANT (RURAL OPERATING ASSISTANCE PROGRAM)

A public hearing was set for October 6 at 7:00 p.m. to receive public comment on the 2015 ROAP (Rural Operating Assistance Program) application. A copy of the completed application has been made available for the public on the County's website.

Attachment #1 contains a letter requesting approval of the application. Also attached is the Certified Statement and a copy of the budget amendment that will be necessary if the Board approves the application.

CARTS Director, Rosann Christian will be making the presentation and requesting approval of the application and budget amendment following the close of the public hearing.

Board action: Receive public comment; consider approval of application. A roll call vote will be necessary to approve the budget amendment.

Agenda Date: October 6, 2014

Presenter: _____

Agenda Item No. 2

Board Action Required: No

PETITIONS OF CITIZENS

Board Action: Receive Information

Agenda Date: October 6, 2014

Presenters: Jack Veit, Rusty Hayes, Rick Hemphill,
Eddie Games, Gene Hodges

Agenda Item No. 3

Board Action Required: Yes

COVE CITY MATTERS

A. WATER

Staff will present for discussion the request of Cove City relative to water supply, as referenced in Attachment #3.A.

Board Action: Discuss and consider request for approval.

B. RECREATION

Attachment #3.B. details a request by the Town of Cove City relative to the Cove City Park property, which will be presented by staff for discussion.

Board Action: Discussion and consideration of request for approval.

Agenda Date: October 6, 2014

Presenter: Rosann Christian

Agenda Item No. 4

Board Action Required: Yes

DEPARTMENTAL MATTERS: CARTS

A. REQUEST TO SET PUBLIC HEARING FOR CTP (COMMUNITY TRANSPORTATION PROGRAM)

The Board will be asked to set a public hearing for 8:30 a.m. on October 20 to receive public comment on the 2016 CTP grant application as detailed in Attachment #4.A.

B. REQUEST TO SET PUBLIC HEARING FOR CIVIL RIGHTS PROGRAM

Attachment # 4.B, details a request that Ms. Christian will be making for a public hearing to be set for October 20, also at 8:30 a.m., to receive public comment on the Civil Rights Program which is now required as CARTS transitions from a rural to urban public transit system. She will explain the required measures for the system to establish its eligibility to receive federal funds.

Board Action: Approve requests to set public hearings.

Agenda Date: October 6, 2014

Presenter: Ronnie Antry

Agenda Item No. 5

Board Action Required: Yes

DEPARTMENTAL MATTERS: TAX

A. ROUTINE RELEASES AND REFUNDS

Craven County Tax Administrator, Ronnie Antry, will present the routine requests for tax releases and refunds contained in Attachment #5.A. for the Board's approval. Included in the attachment is a memo explaining a large release which is being recommended.

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

B. PETITION FOR REFUND

Attachment #5.B. is a memorandum from Mr. Antry detailing a request for refund by Mr. and Mrs. Marcus Innis. Included in the memorandum are the written request of Mr. and Mrs. Innis, a copy of the operative statute, an article from the School of Government and other documents associated with the property.

Board Action: Discussion and consideration of the request and recommendation of staff.

Agenda Date: October 6, 2014

Presenter: Timothy Downs

Agenda Item No. 6

Board Action Required: No

**DEPARTMENTAL MATTERS: ECONOMIC DEVELOPMENT – QUARTERLY
UPDATE**

Craven County Economic Development Director, Timothy Downs, will present an update on economic development activities in the county over the last quarter. The update will include a look at the recently launched economic development website and other new initiatives, as well as a general update on projects and prospects.

Board Action: Receive information

Agenda Date: October 6, 2014

Presenter: Stanley Kite

Agenda Item No. 7

Board Action Required: Yes

DEPARTMENTAL MATTERS: EMERGENCY SERVICES

A. TECHNICAL CHANGES TO EMERGENCY MANAGEMENT ORDINANCE

Emergency Services Director, Stanley Kite, will request that the Board approve technical changes to the County's Emergency Management Ordinance. Several references in the ordinance to North Carolina General Statutes need amendment to reflect renumbering of those sections by the General Assembly, as follows:

References to NCGS 166A-4 should be changed to NCGS 166A-19.3

References to NCGS 166A-7 should be changed to NCGS 166A-19.15

References to NCGS 166A-8 should be changed to NCGS 166A-19.22

The County Attorney has advised that a public hearing is not necessary for these technical changes.

Board action: Approval of the amendment will require a unanimous vote.

B. RECOMMENDATIONS OF EMS ADVISORY COUNCIL

Mr. Kite will present the two following recommendations from the EMS Advisory Council that were approved in their meeting of September 17:

- 1) modification of the Craven County EMS System Plan to allow Ft. Barnwell Rescue to operate at the Paramedic Level of care in the service area;
- 2) realignment of the service area for EMS between Havelock and Township 7 EMS

Attachment # 7.B. contains the memorandum detailing the requests, along with minutes of the Advisory Council meeting and a map of the proposed service area to be realigned.

Board Action: Consider requests for approval.

Agenda Date: October 6, 2014

Presenter: Don Baumgardner

Agenda Item No. 8

Board Action Required: Yes

DEPARTMENTAL MATTERS: PLANNING – SUBDIVISIONS FOR APPROVAL

The Planning Board met on September 25th and recommended the following subdivisions for approval:

1. Lindenrain Phase 1 – Final

- Property is owned by NAD Development, LLC and surveyed by Herbert J. Nobles Jr., PLS.
- Property is located within Twp. 7, off of Crump Farm Rd. (SR 1144)
- Parcel ID 7-100-18001
- Subdivision contains 30 lots on 22.43 acres
- Lots proposed are to be served by existing community water and individual septic systems

2. Edward Whitford Subdivision – Final

- Property is owned by Edward Whitford and Roderick Whitford and surveyed by Johnny J. Williams Land Surveying, P.C.
- Property is located within Twp. 2, on Old Vanceboro Road (SR 1616)
- Parcel ID 2-034-082
- Subdivision contains 1 lot on 1.00 acre
- Lot proposed to be served by existing community water and an individual septic system

3. Charles Sutton Subdivision – Final

- Property is owned by Perry Gaskins and surveyed by Terry K. Wheeler, PE, PLS
- Property is located within Twp. 1, on Gray Road (SR 1616)
- Parcel ID 1-035-005
- Subdivision contains 1 lot on 1.18 acres
- Lot proposed to be served by existing community water and an existing individual septic system

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

Agenda Date: October 6, 2014

Presenter: Tom Glasgow

Agenda Item No. 9

Board Action Required: Yes

DEPARTMENTAL MATTERS: COOPERATIVE EXTENSION – REQUEST FOR PROCLAMATION

Tom Glasgow, Cooperative Extension Agent, has asked that the Board adopt the proclamation contained in Attachment #9 in recognition of Farm City Day, and to have it read into the record.

Board Action: Approve proclamation

Agenda Date: October 6, 2014

Presenter: Gene Hodges

Agenda Item No. 10

Board Action Required: Yes

DEPARTMENTAL MATTERS: FACILITIES – ANIMAL SHELTER ARCHITECTURAL CONTRACT

The Board of Commissioners approved a capital project for Fiscal Year 2014-2015 to expand and update the facilities at the Craven County Animal Services Center. The goal is to increase the number of kennels that can house adoptable animals and to align the existing kennel space to meet the more modern standards as prescribed by the State of North Carolina. As staff has been working on this project, we have realized that the complexity of this project, in respect to meeting state regulations, exceeded our ability to plan and design this space internally. It is staff's recommendation that we engage local architect Charles R. Francis to provide architectural services in the planning, design, and construction process of this project. Mr. Francis is well aware of the budget the County has for this project and we are confident that he is capable of designing and planning a structure that will reflect our vision and budget requirements. Attached is a standard American Institute of Architects service contract for Mr. Francis' services. This contract has been reviewed by counsel and his recommended changes have been incorporated. Costs associated with this project will come from the already approved capital budget. It is staff's recommendation that the Board approve the attachment architectural services contract. (See Attachment #10)

Board Action: Approve the service contract.

Agenda Date: October 6, 2014

Presenter: Rick Hemphill

Agenda Item No. 11

**DEPARTMENTAL MATTERS: FINANCE – BUDGET AMENDMENTS AND
ORDINANCE UPDATE**

Rick Hemphill, Assistant County Manager, Finance/Administration, will present the following budget amendments for the Board's approval.

Amendments: Convention Center – Appropriation of an additional \$2,400 was made from Tourism Development Authority Board (FD 801) to the Convention Center. These funds are to cover the Smith Travel Research (STR) Destination Competitive Analysis cost.

Economic Development/ACT – Need to budget funding of up to \$400,000 to provide economic assistance to ACT in an effort toward preserving the viability of Cherry Point and related personnel. Further intent to enhance the economic development to include CarolinaEast Health Systems and general welfare of Craven County.

Water

Water/Castle Hayne Aquifer – Closed out first three phases of the Castle Hayne Aquifer Project. Need to budget \$26,707,493 for the Construction Phase of the project.

Water Ordinance: Castle Hayne Aquifer Project

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

Agenda Date: October 6, 2014

Presenter: _____

Agenda Item No. 12

Board Action Required: Yes

APPOINTMENTS

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

Board Action: Appointments will be effective immediately, unless otherwise specified.

A. PENDING APPOINTMENT(S):

HAVELOCK BOARD OF ADJUSTMENT

AUTHORIZATION: Havelock City Code – Article XI

MISSION/FUNCTION: _____

NUMBER OF MEMBERS:

7

1

1

TYPE:

City of Havelock

Extraterritorial Jurisdiction (County)

Extraterritorial alternate (County)

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

County appointees must reside in the extraterritorial areas of the City of Havelock.

LENGTH OF TERMS: 3 Years

MEETING SCHEDULE: 3rd Wednesday of the month at 7:30 p.m., and at the call of the Chair

Terms ending: Nancy Webster, Alt. (Appointed 2009; resigned)

No applications on file. (The City of Havelock has not received any interest from citizens, but still working on it.)

EMERGENCY MEDICAL SERVICES ADVISORY COUNCIL

AUTHORIZATION: _____

MISSION/FUNCTION: Functions as a technical committee of the Board of Commissioners to develop and recommend for approval by the Board of Commissioners standards of care, policies, procedures and actions which will maintain and improve the quality of Emergency Medical Services for Craven County residents.

NUMBER OF MEMBERS:

28

TYPE:

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

1) Craven County Manager, or designee; 2) Director of Emergency Services; 3) representative from each EMS provider; 4) representative from each authorized First Responder provider;

5) hospital president or designee; 6) County Medical Director; 7) physician nominated by Craven County Medical Society; 8) representative from Communications division; 9) representative nominated by Craven County Firemen’s Association; 10) hospital emergency room supervisor; 11) non-provider affiliated citizen; 12) Community College Dean of Continuing Education;

13) representative nominated by Craven County Law Enforcement Association;

14) representative from Naval Hospital at Cherry Point;; 15) ad hoc members to include Eastern Carolina Council of Governments, EMS Director, NC Office of Emergency Medical Services, and Executive Director of the American Red Cross

LENGTH OF TERMS: 2 Years

MEETING SCHEDULE: Bi-monthly

COMPENSATION: No X Yes Specify: _____

Terms ending:

Joe Hoffman, Craven County Law Enforcement Association (Will submit name)

No applications on file.

B. CURRENT APPOINTMENTS

Attachment # 12.B. is a letter from Carteret County Manager, Russell Overman, requesting that representatives from Craven County be appointed to the Joint Land Use Study Policy and Technical Committees.

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 Representative - 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

COMPENSATION: No Yes Specify: _____

Terms ending: Angela Shelters, Client Representative (resigned)
Paula Lassiter, Public, At-Large Representative (resigned)

Applications on file: Clay Gaskins, Client Representative (Attachment #12.B.1)

CRAVEN COUNTY CLEAN SWEEP COMMITTEE

AUTHORIZATION: Bylaws

MISSION/FUNCTION: To eliminate littering and promote recycling through education and ordinance enforcement.

NUMBER OF MEMBERS:

25

TYPE:

Civic, neighborhood, municipal, industrial business, schools

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

LENGTH OF TERMS: 3 Years

MEETING SCHEDULE: 3rd Wednesday of the months of March, June, September and December

COMPENSATION: No X Yes Specify: _____

Terms ending: Joan Campbell (Appointed 2011)
 Pat Sager (Appointed 2008)

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 Board 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

COMPENSATION: No Yes Specify: _____

Terms ending: Felix Croom, Ft. Barnwell (Appointed 2008 – wishes to be reappointed)
Aaron McLawhorn, Rhems (Appointed 2012 – wishes to be reappointed)
Dred Mitchell, Cove City (Appointed 2006 – wishes to be reappointed)

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

MEETING SCHEDULE: _____

COMPENSATION: No Yes Specify: _____

Terms ending: William Laughinghouse, No. 7 (Appointed 2002)
Rolf Maris, Twp. 1 (Appointed 2012 – wishes to be reappointed)
Aaron McLawhorn, Rhems (Appointed 2012 – wishes to be reappointed)
Joseph Midgette, Twp. 1 (Appointed 2012 – wishes to be reappointed)

INDUSTRIAL FACILITIES POLLUTION CONTROL FINANCING AUTHORITY

AUTHORIZATION: Bylaws

MISSION/FUNCTION: _____

NUMBER OF MEMBERS:

7 _____

TYPE:

Qualified electors

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

LENGTH OF TERMS: 6 Years

MEETING SCHEDULE: Annual Meeting on 2nd Tuesday in October; otherwise, as needed

COMPENSATION: No : Yes Specify: _____

Terms ending: Fletcher Watts (Appointed 1996)

C. UPCOMING APPOINTMENTS

November None

December

Commissioners' Appointments

Clean Sweep Committee: Cherrie Sanders (Initial Appointment 2011)

CRSWMA: Joe Fogelman (Initial Appointment 2011)

Health Board: Paul Gaskins, Public (Initial Appointment 2008)
Rosanne Leahy, Nurse (Initial Appointment 2008)
Trey Paul, Pharmacist (Initial Appointment 2008)
Ronald Preston, Physician (Initial Appointment 2011)

Cove City Library: William Jones (Initial Appointment 2003)

Regional Library: Esther Hardin (Initial Appointment 2003)

Agenda Date: October 6, 2014

Presenter: Jim Hicks

Agenda Item No. 13

COUNTY ATTORNEY'S REPORT

A. UPDATE – SALE OF CRAVEN COUNTY HOME HEALTH AGENCY

County Attorney, Jim Hicks, will update the Board on the sale of the Craven County Home Health Agency to PruittHealth Home Health, Inc.

B. UPDATE –DAYS INN HOTEL TAX FORECLOSURE

Mr. Hicks will update the Board on the City of New Bern's tax foreclosure and sale of the Days Inn Hotel. A copy of the Report of Sale is attached hereto.

(Attachment # 13.B)

C. OFFER TO PURCHASE REAL PROPERTY – 612 MURPHY DRI (#3-C-07-003).

The County and the Town of Cove City have received an offer from Wilbert Crouell in the amount of \$1,500.00 for this property, which was acquired through a tax foreclosure. The total taxes and costs that were foreclosed on were \$1,328.26. Attachment #13.C. contains a copy of the offer to purchase, deed, and GIS information. The City will consider this request at a subsequent meeting.

Should the Board accept this offer, and subject to approval by Cove City, then the property will then be advertised for upset bids in accordance with the General Statutes. Once no further upset bids are timely received, the County and Cove City may accept or reject the final offer.

Note: As of the date of this Report, we are still awaiting further information and analysis as to whether to recommend that the Board accept or reject the offer.

Agenda Date: October 6, 2014

Presenter: Jack Veit

Agenda Item No. 14

COUNTY MANAGER'S REPORT

Agenda Date: October 6, 2014

Presenter: _____

Agenda Item No. 15

COMMISSIONERS' REPORTS

RECESS TO RECONVENE AT 8:30 A.M. OCTOBER 7