

**AGENDA  
CRAVEN COUNTY BOARD OF COMMISSIONERS  
REGULAR SESSION  
MONDAY, OCTOBER 20, 2014  
8:30 A.M.**

CALL TO ORDER

ROLL CALL

INVOCATION

PLEDGE OF ALLEGIANCE

APPROVE AGENDA

APPROVE MINUTES OF OCTOBER 6, 2014 REGULAR SESSION AND OCTOBER 6, AND OCTOBER 7, 2014 RECONVENED SESSIONS.

1. CARTS MATTERS: Rosann Christian, CARTS Director
  - A. Public Hearing on Community Transportation Program (CTP)
  - B. Public Hearing on Civil Rights Program
  - C. Presentation from N.C. Department of Transportation
  - D. Approval of Legal Capacity
2. CAREER AND TECHNICAL EDUCATION (CTE) PRESENTATION: Chris Bailey, CTE Director, Craven County Schools

DEPARTMENTAL MATTERS

3. TAX RELEASES AND REFUNDS: Ronnie Antry, Tax Administrator
4. SOCIAL SERVICES BUDGET AMENDMENTS: Alfreda Stout, Assistant DSS Director
  - A. Adoption Promotion Fund
  - B. Title III – D Health Promotion
  - C. Title III –E Family Caregiver Support Program
5. ENVIRONMENTAL HEALTH: Ray Silverthorne, Environmental Health Director
  - A. Rescind Craven County Non-Public Community Water Supplies Ordinance
  - B. Approval of Fee Schedule
6. HEALTH – PALLIATIVE CARE DISCUSSION: Scott Harrelson, Health Director
7. WATER DEPARTMENT CONTRACT AWARD RESOLUTIONS: Rusty Hayes, Water Superintendent

8. FINANCE – AUDIT MANAGEMENT LETTER: Rick Hemphill, Assistant County Manager, Finance/Administration
9. APPOINTMENTS
10. COUNTY ATTORNEY'S REPORT: Jim Hicks
11. COUNTY MANAGER'S REPORT: Jack Veit
12. COMMISSIONERS' REPORTS

Agenda Date: October 20, 2014

Presenter: Rosann Christian

Agenda Item No. 1

Board Action Required: Yes

## CARTS MATTERS

### A. PUBLIC HEARING ON COMMUNITY TRANSPORTATION PROGRAM (CTP)

The Board will need to go into public hearing, as advertised, to receive public comment on the CARTS FY-2016 Community Transportation Program (CTP) grant application. The documentation has been made available to the public on the County's website. Attachment #1.A contains a summary of the program and documents needed.

**Board Action: Following the public hearing the Board will be requested to adopt the resolution contained in the attachment and authorize execution of the necessary documents.**

### B. PUBLIC HEARING ON CIVIL RIGHTS PROGRAM

As part of the process to be eligible to apply for and be awarded Federal financial assistance for public transportation, CARTS Civil Rights Program has been completed. CARTS has an existing Civil Rights policy; however, with the federal application, it is necessary to restate this policy and to update it to current Federal circular standards. A copy of the Notice of the Public Hearing, along with a copy of the entire Program (including the LEP Plan and Policy) is available on the Craven County Website, as well as the New Bern Area MPO website. (See Attachment #1.B.) Notice of the Program and Public Hearing was also advertised as required in the local newspaper.

**Board Action: At the conclusion of the public hearing, CARTS is requesting a resolution for adoption and approval of the CARTS Civil Rights Program (including the CARTS LDP Plan and Policy) and to authorize execution of the Title VI Statement of Policy.**

### C. PRESENTATION FROM N.C. DEPARTMENT OF TRANSPORTATION

Cheryl Leonard, Assistant Director for Mobility Development (Eastern Region), with North Carolina Department of Transportation, Public Transportation Division, has requested to make a formal presentation of the "**Recognition for Distinguished Contributions to Public Transportation**" award to Kelly Walker, Transportation Coordinator with CARTS.

**Board Action: Receive the information presented and congratulate Ms. Walker on her award.**

D. APPROVAL OF LEGAL CAPACITY

As part of the process to be eligible to apply for and be awarded Federal financial assistance for public transportation, CARTS must demonstrate Legal Capacity. This is demonstrated when we submit to FTA the Opinion of Counsel that has been prepared by Mr. Hicks, along with a copy of a resolution from Craven County Board of Commissioners stating that CARTS has the authority to file an official grant application with FTA, that the Director of CARTS has the authority to act on the behalf of the Craven County Board of Commissioners , and that the Craven County Board of Commissioners supports CARTS application for Federal financial assistance with the FTA. This action will satisfy the requirements of FTA regarding this compliance issue. (See Attachment #1.D)

**Board Action: Consider resolution for adoption.**

Agenda Date: October 20, 2014

Presenter: Chris Bailey

Agenda Item No. 2

Board Action Required: No

## **CAREER AND TECHNICAL EDUCATION (CTE) PRESENTATION**

Chris Bailey, Director of Career and Technical Education (CTE) with the Craven County Schools, will give a presentation on the CTE initiative.

**Board Action: Receive information**

Agenda Date: October 20, 2014

Presenter: Ronnie Antry

Agenda Item No. 3

Board Action Required: Yes

**DEPARTMENTAL MATTERS: TAX – RELEASES AND REFUNDS**

Craven County Tax Administrator, Ronnie Antry, will present the routine requests for tax releases and refunds contained in Attachment #3 for the Board's approval.

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

Agenda Date: October 20, 2014

Presenter: Alfreda Stout

Agenda Item No. 4

Board Action Required: Yes

## **DEPARTMENTAL MATTERS: SOCIAL SERVICES – BUDGET AMENDMENTS**

Assistant Social Services Director, Alfreda Stout, will present the following budget amendments.

### **A. ADOPTION PROMOTION FUND**

At the end of FY14 the State sent DSS \$19,200 in an electronic funds transfer (EFT) that had the description “adoption promotion fund”. It was put into one of the adoption revenue accounts. The State indicated it was a payment sent to Craven in error and collected it via EFT this week. Funds are needed from fund balance to replace this revenue. (See Attachment #4.A)

### **B. TITLE III – D HEALTH PROMOTION**

The budget is being amended to reflect the correct original allocation for Title III D Health Promotion funds from Area Agency on Aging. There is a 10% County match. (See Attachment #4.B)

### **C. TITLE III – E FAMILY CAREGIVER SUPPORT PROGRAM**

The budget is being amended to correct the original Family Caregiver funding received from the Area Agency on Aging. The original budgeted amount was \$750 in Adult Services Supplemental. The Family Caregiver allocation came in at \$18,466 for a difference of \$17,716. A small portion of these funds will be placed into Family Caregiver Supplemental, another portion into In-Home Contractual for Family Caregiver clients, and the remaining into Senior for Family Caregiver meals and program information supplies. There is no County match. (See Attachment #4.C)

**Board Action: A roll call vote is needed to approve budget amendments**

Agenda Date: October 20, 2014

Presenter: Ray Silverthorne

Agenda Item No. 5

Board Action Required: Yes

## DEPARTMENTAL MATTERS: ENVIRONMENTAL HEALTH

### A. RESCIND CRAVEN COUNTY NON-PUBLIC COMMUNITY WATER SUPPLIES ORDINANCE

Environmental Health is requesting to rescind the *CRAVEN COUNTY NON-PUBLIC COMMUNITY WATER SUPPLIES ORDINANCE*. The local ordinance was created and implemented in 2000 to regulate specific wells that, at the time, were not covered by any state or local regulations with regards to water quality and proper well construction.

In 2008 (amended 2009) the NC Legislature passed laws & rules regulating all private drinking water wells across the state, to be enforced by state-authorized members of local private drinking water well programs. These regulations effectively replaced the activities detailed in our local county ordinance.

In 2014, the state attorney general's office clarified that the state private drinking water well program shall not authorize, train or provide assistance to counties enforcing their own (more stringent) local ordinance in place of, or in addition to, the state's private drinking water rules. The state attorney general's office determined that it will not provide legal protections (including TORT claim defense) to counties having their own local ordinance, even if the ordinance covers only a specific subset of wells within the county.

Therefore, staff wishes to rescind Craven County's now-redundant local ordinance, in order to continue to enforce the state's private drinking water well rules (as has been done since 2008) but with the continued training, authorization, advice and legal protections afforded by the State Attorney General's Office and the State of North Carolina's Private Drinking Water Well Program.

Attached please find a more in-depth discussion of this situation that led to this request. (Attachment #5.A) This attachment entitled "Proposal – Rescind CC Well Ordinance .doc", will provide a full background on this request.

**Board Action: The requested action has already been approved by the Board of Health. A unanimous vote to rescind the ordinance will be effective immediately.**

B. APPROVAL OF FEE SCHEDULE

Attachment #5.B. is a list of fees submitted for the Board's approval. On August 19, 2014 Environmental Health was informed of changes in the expenses, effective immediately, that were to be charged the Department for submission of certain samples for analysis by the State Laboratory of Public Health. Staff is attempting to put a fee schedule in place to primarily address these unforeseen out of pocket increases.

The proposed fees have already been approved by the Board of Health.

**Board Action: Consider proposed fees for approval.**

Agenda Date: October 20, 2014

Presenter: Scott Harrelson

Agenda Item No. 6

**DEPARTMENTAL MATTERS: HEALTH – PALLIATIVE CARE DISCUSSION**

At its reconvened session on October 6, 2014, the Board deferred consideration of Inpatient Hospice/Palliative Care until this meeting.

**Board Action: Discussion and consideration of action.**

Agenda Date: October 20, 2014

Presenter: Rusty Hayes

Agenda Item No. 7

Board Action Required: Yes

**DEPARTMENTAL MATTERS: WATER - RESOLUTION TO AWARD CONTRACT**

The Board will be asked to approve the attached resolution (Attachment #7) officially awarding the contract to Shook Construction Co., Inc. for the Potable Water Supply and Treatment Facilities Project. This was done on a tentative basis previously pending approval by the Department of Environment and Natural Resources (DENR). That approval has now been obtained and the State requires this resolution for the financing.

**Action needed: Motion and vote to approve resolution.**

Agenda Date: October 20, 2014

Presenter: Rick Hemphill

Agenda Item No. 8

Board Action Required: Yes

## **DEPARTMENTAL MATTERS: FINANCE - AUDIT MANAGEMENT LETTER**

Assistant County Manager, Finance/Administration, Rick Hemphill, received an email from McGladrey which requires Board action authorizing the Chairman to sign an additional arrangement letter. This is for additional work required by the Office of the State Auditor and has to do with testing eligibility for Federal programs. The State is ultimately responsible to the Federal government for these programs but counties do most of the eligibility tests. McGladrey email is below:

As stated per the Treasurer website, the results of the audits by CPAs of the eligibility compliance requirement of certain designated federal programs that operate in the State of NC under split eligibility situations will be included in the State Auditor's State of North Carolina report on internal control and compliance in accordance with OMB Circular A-133. Please refer to LGC Memo 993.

Independent auditors that audited designated federal programs as major for the year ending June 30, 2014 (for Craven County applicable programs are Medical Assistance Program and State Children's Insurance Program) should complete both the turnaround document and CPA's Representation Letter, and submit copies to the LGC along with the audit reporting package. (See Attachment # 8)

**Board Action: Authorization for the Chairman to sign the letter.**

Agenda Date: October 20, 2014

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

Agenda Item No. 9

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: 3<sup>rd</sup> 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  Yes  Specify: \_\_\_\_\_

**Terms ending:**

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

**No applications on file.**

**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:** Paula Lassiter, Public, At-Large Representative (resigned)

**No Applications on file**

**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)

**Application on file:** Alton Riggs (Attachment # 9.A.)

Agenda Date: October 20, 2014

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 2<sup>nd</sup> Tuesday in October; otherwise, as needed

COMPENSATION: No  : Yes  Specify: \_\_\_\_\_

**Terms ending:** Fletcher Watts (Appointed 1996)

**B. CURRENT APPOINTMENTS**

JUVENILE CRIME PREVENTION COUNCIL

AUTHORIZATION: N.C.G.S. 147-33.66

MISSION/FUNCTION: To assess the needs of juveniles in the community, evaluate the adequacy of resources available and develop or propose ways to address unmet needs.

NUMBER OF MEMBERS:  
25 (maximum)

TYPE:  
From among the following categories, or in some instances, the designees of the specified position: school superintendent, chief of police, sheriff, district attorney, chief court counselor, area mental health director, social services director, county manager, substance abuse professional, member of faith community, county commissioner, person under the age of 21, juvenile attorney, chief district court judge, member of the community, local health director, non-profit representative, parks and recreation up to seven additional Board of

defense  
business  
representative,  
members appointed by the  
Commissioners

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

LENGTH OF TERMS: 2 Years

MEETING SCHEDULE: 2<sup>nd</sup> Monday of the month 12:30 p.m.

COMPENSATION: No X    Yes     Specify: \_\_\_\_\_

**Term(s) ending:**                      Kim Best, DSS Representative (moved away)

**Application on file:**                Faye Legacy (Attachment #9.B.)

## C. UPCOMING APPOINTMENTS

**November** None

### **December**

#### Commissioners' Appointments

Clean Sweep Committee: Cherry 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 20, 2014

Presenter: Jim Hicks

Agenda Item No. 10

## **COUNTY ATTORNEY'S REPORT**

Agenda Date: October 20, 2014

Presenter: Jack Veit

Agenda Item No. 11

## **COUNTY MANAGER'S REPORT**

Agenda Date: October 20, 2014

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

Agenda Item No. 12

## **COMMISSIONERS' REPORTS**