

**AGENDA
CRAVEN COUNTY BOARD OF COMMISSIONERS
REGULAR SESSION
MONDAY, DECEMBER 15, 2014
8:30 A.M.**

CALL TO ORDER

ROLL CALL

INVOCATION

PLEDGE OF ALLEGIANCE

APPROVE AGENDA

APPROVE MINUTES OF DECEMBER 1, 2014 REGULAR SESSION

CHAIRMAN'S PRIVILEGE

1. PEDRO RESOLUTION
2. HAVELOCK BY-PASS RESOLUTION

DEPARTMENTAL MATTERS

3. TAX – RELEASES AND REFUNDS: Ronnie Antry, Tax Administrator
4. HEALTH/ENVIRONMENTAL HEALTH – REQUESTS FOR FEE APPROVALS
 - A. Environmental Health – Mobile Food Unit Fees: Ray Silverthorne, Environmental Health Director/Keith Jernigan, Supervisor, Food, Lodging and Institutions Division
 - B. Health – Hospice: Scott Harrelson, Health Director/Thomas Smith, Hospice Director
5. ECONOMIC DEVELOPMENT – REQUEST FOR WAIVER OF RIGHT OF FIRST REFUSAL: Timothy Downs, Economic Development Director
6. PLANNING
 - A. Request to Set Public Hearing for FY15 CDBG Funding Cycle: Don Baumgardner, Planning Director
 - B. Request for Addition to State Maintained Secondary Road System: Chad Strawn, Assistant Planning Director
 - C. Subdivisions for Approval: Don Baumgardner
7. WATER

- A. Duke Energy Water Plant Project Easement: Rusty Hayes, Water Superintendent
- B. Water Leak Policy/Discussion: Rusty Hayes, Rick Hemphill, Assistant County Manager, Finance/Administration

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

CHAIRMAN'S PRIVILEGE

Agenda Date: December 15, 2014

Presenter: _____

Agenda Item No. 1

Board Action Required: Yes

PEDRO RESOLUTION

Commissioner Dacey requested that the resolution appearing as Attachment #1 be placed on the agenda.

Board Action: Consider resolution for adoption

Agenda Date: December 15, 2014

Presenter: _____

Agenda Item No. 2

Board Action Required: Yes

HAVELOCK BY-PASS RESOLUTION

Commissioner Mark requested that the resolution appearing as Attachment #2 be placed on the agenda.

Board Action: Consider resolution for adoption

Agenda Date: December 15, 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 tax releases and refunds.

Agenda Date: December 15, 2014

Presenters: Ray Sliverthorne, Keith Jernigan,
Scott Harrelson, Thomas Smith

Agenda Item No. 4

Board Action Required: Yes

DEPARTMENTAL MATTERS: HEALTH/ENVIRONMENTAL HEALTH – REQUESTS FOR FEE APPROVALS

A. ENVIRONMENTAL HEALTH – MOBILE FOOD UNIT FEES

The Health Board is recommending the requested fee for approval due to the Health Department having been made aware that it should be charging a plan review fee for both push carts and mobile food units just as is done for "brick and mortar" restaurants. The fee that is charged for restaurants is either \$250 or \$150. The amount is dependent on whether it is an existing facility being refurbished for a new restaurant or either a completely new restaurant being built from the ground up. Unless a new fee is established, this is the same fee that would need to be charged for these referenced mobile units. The Environmental Health staff does not believe that the fee for push carts and mobile food units should be as high as those for "brick and mortar" stores, as the amount of time to review is so much less; therefore, the proposed reduced fee is \$75. (See Attachment #4.A)

B. HEALTH – HOSPICE

Health Director, Scott Harrelson, or Hospice Director, Thomas Smith, will present the requested fees shown in Attachment #4.B. for approval.

Board Action: Vote on approval of recommended fees

Agenda Date: December 15, 2014

Presenter: Timothy Downs

Agenda Item No. 5

Board Action Required: Yes

**DEPARTMENTAL MATTERS: ECONOMIC DEVELOPMENT – REQUEST FOR
WAIVER OF RIGHT OF FIRST REFUSAL**

In 2005, BSH Home Appliances (BSH) began a project that included the purchase of certain real estate from Craven County on which was built its local distribution warehouse. When the subject property was conveyed, the County retained a Right of First Refusal effective each time the property is sold. The property is currently owned by Blakemore 300 Executive Parkway, LLC. BSH is now proceeding with steps to purchase the property from Blakemore. As such, the County must now either exercise or waive its right of first refusal. The proposed purchase price is \$20,000,000.00. It is recommended that the Board waive the Right of First Refusal and approve the execution of documents. (See Attachment #5)

Board Action: Consider approval of waiving the Right of First Refusal for the real property.

Agenda Date: December 15, 2014

Presenters: Don Baumgardner, Chad Strawn

Agenda Item No. 6

Board Action Required: Yes

DEPARTMENTAL MATTERS: PLANNING

A. REQUEST TO SET PUBLIC HEARING FOR FY15 CDBG FUNDING CYCLE

The Craven County Planning Department requests the Commissioners to set a public hearing on January 5th at 7:00 p.m. to hear public comments regarding the County's intent to apply for FY2015 CDBG Infrastructure funding (township 7 STEP pump replacement). It is required that a public hearing be held before an application can be submitted.

Board Action: Set a public hearing for the January 5th 7:00 PM Commissioner's meeting.

B. REQUEST FOR ADDITION TO STATE MAINTAINED SECONDARY ROAD SYSTEM

Attachment #6B contains a road addition resolution and petition requesting the Board of Commissioners to approve Pecan Ridge Drive and Pecan Grove Court in the Pecan Ridge Subdivision to 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. SUBDIVISIONS FOR APPROVAL

The Planning Board met on December 4th and recommended the following subdivisions for approval:

1. Lake Winds Section 2 (PUD) – Final

- Property is owned by S&L Real Estate Co. Inc., and surveyed by Terry K. Wheeler, PE, PLS
- Property is located within Twp. 7, off of Williams Rd. (SR 1167)
- Parcel ID 7-107-128
- Subdivision contains 4 lots on 3.566 acres
- Lots proposed to be served by county water and individual septic systems

2. **Gracie Farms Mobile Home Community Phase 5-A - Final**

- Property is owned by Gracie Farms Mobile Home Community, surveyed by James C. Simmons, Jr. PLS and engineered by Avolis Engineering P.A.
- Property is located within Twp. 8, on Pompano Dr.
- Parcel ID 8-223-3000
- Mobile Home Park contains 19 lots on 4.4397 acres
- Lots proposed to be served by individual well water and individual septic systems

3. **Rubie Place - Final**

- Property is owned by Vern-Co Investments, LLC and surveyed by Terry K Wheeler, PE, PLS
- Property is located within Twp. 2, on Branch Canal Rd. (SR 1430)
- Parcel ID 2-039-4002
- Subdivision contains 7 lots on 5.99 acres
- Lots proposed to be served by First Craven Sanitary District water and individual Septic systems

4. **Herman Donald White - Final**

- Property is owned by Herman White and surveyed by Atlantic Surveying
- Property is located within Twp. 3, off of Dover Fort Barnwell Rd. (SR 1262)
- Parcel ID 3-049-030
- Subdivision contains 1 lot on 0.47 acres
- Lot proposed to be served by county water and an individual septic System

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

Agenda Date: December 15, 2014

Presenters: Rusty Hayes, Rick Hemphill

Agenda Item No. 7

Board Action Required: Yes

DEPARTMENTAL MATTERS: WATER

A. DUKE ENERGY WATER PLANT PROJECT EASEMENT

The Board is being requested to approve the easement shown as Attachment #7.A to allow for power to be supplied to the water treatment facility construction site.

Board Action: Consider approval of easement request

B. WATER LEAK POLICY DISCUSSION

As a result of a recent inquiry regarding the existing rule used to determine an adjustment for a water leak on the customer side of the meter, the Water Department was asked to look at this rule and compare to methods used by other similar water systems. The purpose of the review would be to determine if our rule should be revised in any way.

First, water systems in NC deal with this issue in many different ways. Some make no adjustment whatsoever and some require no proof of leak. Some give one adjustment per year and others multiple per year. The purpose of the rule is to provide relief to the customer for leaks in their plumbing (their side of the meter). There is no requirement to make any adjustment as the water has been provided to the customer. The major concern with the current rule seems to be the requirement that a statement from a licensed plumber be produced.

Currently the customer must have a leak which results in a bill of twice their average amount to be considered for an adjustment. The existing County Water Rules require a customer to produce a statement from a NC licensed plumber verifying the leak has been fixed to obtain an adjustment in their bill. The customer may obtain one adjustment per twelve months. The amount of the adjustment is basically half of the overage (amount used vs. the average amount used over twelve months consumption). The County water system (other customers) absorbs the balance of the bill. This rule has been in place for some time and while customers have not always agreed with the rule they understand the purpose.

An alternative to the current method (used by Edgecombe County) was reviewed.

- Allow one leak adjustment within a twelve month period.
- There must be proof that the leak has been repaired (copy of receipt for parts and/or copy of bill from plumber).
- Bill is calculated by taking an average usage of 4 months, this includes the month with the leak plus three average usage months.
- For those customers where the leak extended into another month of reading, use the highest usage month and the above calculation method.
- For those customers not having 4 months' worth of usage, use the entire customer base average usage, which is 5,000 gallons a month.
- Also, for those customers that have extremely high bills due to the leak and after adjustments have been made, allow those payments to be made over a maximum of 3 monthly payments plus their current bill.

Examples of the amounts of adjustment under each option will be presented in a power point presentation. The Water Department has the ability to notify the public of this change on the next billing.

Board Action: The Board will be asked to accept the recommendation for the rule change.

Agenda Date: December 15, 2014

Presenter: _____

Agenda Item No. 8

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.)

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)
Robert Lewis (incapacitated)
Dell Ipock (expired 2011; was on agenda indefinitely; no replacement found)
Charles Dees (Initial appointment 2000)
Gary Essex (initial appointment 2001)

Economic Development Organization (EDO)

Based on approval of the Memorandum of Understanding for the Economic Development Organization the Board appointed three (3) of the four representatives for the County as follows:

- 1 – County Commissioner
- 1 – County Manager
- 1 – At large representative

Pending Appointment:

- 1 – At large representative

Application(s) on file: (Attachment #8.A.)
Sabrina Bengel
Perry Morris

CRAVEN COUNTY CLEAN SWEEP COMMITTEE

AUTHORIZATION: Bylaws

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

NUMBER OF MEMBERS:

15

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 Yes Specify: _____

Term(s) Expiring: Cherrie Sanders

Application(s) on file: Marcus Johnson (Attachment # 8.A.1.)

At its last meeting, the Board reappointed Cherrie Sanders; however, it has since been noted that she has not been active and, in fact, does not wish to serve.

CRAVEN COUNTY HEALTH BOARD

AUTHORIZATION: NCGS 130A-35

MISSION/FUNCTION: Primary policy making and hearing body for the Craven County Health Department, charged with the immediate care and responsibility for promoting and protecting the public health in Craven County.

NUMBER OF MEMBERS:

11

TYPE:

A physician, dentist, optometrist, veterinarian,

registered nurse, licensed pharmacist, Craven

County Commissioner, general public

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

(See above)

LENGTH OF TERMS: 3 Years

MEETING SCHEDULE: 2nd Monday of every month, 12:00 – 1:30 p.m.

COMPENSATION: No Yes Specify: \$50/meeting

Term(s) ending:

Paul Gaskins, Public (Initial Appointment 2008)

Rosanne Leahy, Nurse (Initial Appointment 2008)

Trey Paul, Pharmacist (Initial Appointment to first full term 2008; appointed mid-term in 2006 to fill unexpired term of Susanne Pryor)

Ronald Preston, Physician (Initial Appointment 2011)

According to the Health Board Bylaws, Paul Gaskins, Roseanne Leahy and Trey Paul are all eligible to serve one more term. They have served only 2 three-year terms. Trey Paul was initially appointed to an unexpired term.

COVE CITY/CRAVEN COUNTY LIBRARY BOARD OF TRUSTEES

AUTHORIZATION: General Statute (153-250.4)

MISSION/FUNCTION: To determine policy of the Library, advise in the preparation of the budget, approve it and work to obtain necessary funds; provide and maintain adequate facilities; monitor relevant legislation

NUMBER OF MEMBERS:

8

TYPE:

4 County Appointees

4 City Appointees

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

LENGTH OF TERMS: 6 Years

MEETING SCHEDULE: 1st Thursday quarterly, 7:30 p.m. (January, April, July and October)

COMPENSATION: No ; Yes Specify: _____

Term(s) ending: William Jones (Initial Appointment 2003)

Application(s) on file: Myron Davis (Attachment #8.A.2.)

CRAVEN-PAMLICO-CARTERET REGIONAL LIBRARY

AUTHORIZATION: N.C.G.S. Article 19A, Chapter 153

MISSION/FUNCTION: Determine policy of the regional library system, select and appoint administrative librarian, advise in the preparation of the budget, approve budget and work to obtain the necessary funds, provide and maintain adequate buildings and grounds, keep abreast of pertinent legislation.

NUMBER OF MEMBERS: _____

9

TYPE:

3 per member county

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

LENGTH OF TERMS: 6 Years

MEETING SCHEDULE: 3rd Tuesday in February, May, August and November at 10:00 a.m.

COMPENSATION: No Yes Specify: Mileage Reimbursement

Term(s) ending: Esther Hardin (Initial Appointment 2003)

Applications on file: Victor Taylor (See Attachment #8.A.3.)

B. CURRENT APPOINTMENTS

NAME OF BOARD/COMMITTEE: 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: _____

Term(s) ending: Nicholas Salter

Application(s) on file: Todd Wade (Attachment #8.B.)

C. UPCOMING APPOINTMENTS

January

Child Protection Team: Mary Mallard (Dept. Juvenile Justice; appointed 2012)
Dawn McCabe (Health Dept.; appointed 2012)
Cynthia Morton (CarolinaEast Health Center; appointed 2012)
Deb Rogers (Medical Examiner; appointed 2012)
Alfreda Stout (DSS; appointed 2012)

Clean Sweep Committee: Raymond Birch (Appointed 2012)

Planning Board: Robert Bell (Appointed 2007)
Drew Willis (Appointed 2011)

February

Child Protection Team: Amy Bryant (ECBH; appointed 2012)

Clean Sweep Committee: Bob Adams (Appointed 2012)
Connie Adams (Appointed 2012)
Eddie Games (Appointed 2012)
Debbie Kirkman (Appointed 2012)

Firemen's Relief Fund: Carl Jarman (Cove City; appointed 2013)
Billy Joiner (West New Bern; appointed 2011)
Theron McCabe (Harlowe; appointed 1999)
Roger Wetherington (Cove City; appointed 2013)

Fire Tax Commissioners: Dallas Ray Brown (Appointed 2013)
Howard Carrier (Twp. #9; appointed 2013)
Wilfred Chagnon (Tri-Community; appointed 2011)
Marjorie Gonzalez (Cove City; appointed 2013)
Martin Hernandez (Twp. #6; appointed 2013)
Chris Register (Twp. #9; appointed 2013)
Trudy Williams (Tri-Community; appointed 2012)

Agenda Date: December 15, 2014

Presenter: Jim Hicks

Agenda Item No. 9

COUNTY ATTORNEY'S REPORT

Agenda Date: December 15, 2014

Presenter: Jack Veit

Agenda Item No. 10

COUNTY MANAGER'S REPORT

Agenda Date: December 15, 2014

Presenter: _____

Agenda Item No. 11

COMMISSIONERS' REPORTS