

**AGENDA
CRAVEN COUNTY BOARD OF COMMISSIONERS
REGULAR SESSION
MONDAY, MARCH 16, 2015
8:30 A.M.**

CALL TO ORDER

ROLL CALL

INVOCATION

PLEDGE OF ALLEGIANCE

APPROVE AGENDA

APPROVE MINUTES OF MARCH 2, 2015 REGULAR SESSION

1. PRESENTATION OF NC SYMPHONY "STRING FLING": Linda Stauch and Tom Payne
2. CRAVEN COMMUNITY CHILD PROTECTION TEAM (CCCPT)
PRESENTATION OF END OF YEAR REPORT: Terry Brubaker, Immediate Past Chair
3. REQUEST FOR CHILD ABUSE PREVENTION MONTH PROCLAMATION:
Terry Brubaker
4. SWISS BEAR REQUEST FOR PROCLAMATION: Jim Bisbee, Chair and Gary Curry, Co-Chair of the Mumfest Steering Committee
5. EAST CAROLINA BEHAVIORAL HEALTH PRESENTATION ON CONSOLIDATION: Mike Kupecki, Deputy Director, External Operations

DEPARTMENTAL MATTERS

6. TAX – RELEASES AND REFUNDS: Ronnie Antry, Tax Administrator
7. SOCIAL SERVICES: Kent Flowers, Director
 - A. Child Support Contract
 - B. Budget Amendment
8. SHERIFF – BUDGET AMENDMENTS: Jesse Pittman, Administrative Captain
9. WATER – AGREEMENT TO PROVIDE BULK WATER SERVICE TO TOWN OF COVE CITY: Rusty Hayes, Water Superintendent

10. PLANNING – SUBDIVISION FOR APPROVAL: Don Baumgardner, Planning Director
11. HEALTH
 - A. Budget Amendment – Additional Funding Request for Environmental Health: Ray Silverthorne, Jr., Environmental Health Director
 - B. Budget Amendment – Additional Medicaid Revenues: Scott Harrelson, Health Director
 - C. Request for Laboratory Fee Approval: Scott Harrelson
12. APPOINTMENTS
13. COUNTY ATTORNEY’S REPORT: Jim Hicks
14. COUNTY MANAGER’S REPORT: Jack Veit
15. COMMISSIONERS’ REPORTS

Agenda Date: March 16, 2015

Presenters: Linda Staunch and Tom Payne

Agenda Item No. 1

Board Action Required: No

PRESENTATION OF NC SYMPHONY “STRING FLING”

Linda Staunch and Tom Payne will make a brief presentation about the 2015 String Fling sponsored by the North Carolina Symphony, New Bern. The program of work includes a variety of musical, artistic and educational opportunities which will involve the entire community and help identify New Bern and Craven County as a cultural hub for the eastern NC area. This presentation is for information only and is not a request for funds.

Board Action: Receive Information

Agenda Date: March 16, 2015

Presenter: Terry Brubaker

Agenda Item No. 2

Board Action Required: No

**CRAVEN COMMUNITY CHILD PROTECTION TEAM (CCPT) PRESENTATION OF
END OF YEAR REPORT**

Immediate Past-Chair, Terry Brubaker, will have a PowerPoint presentation concerning the End of Year Report. Current Co-Chairs will also be in attendance.

Board Action: Receive information.

Agenda Date: March 16, 2015

Presenter: Terry Brubaker

Agenda Item No. 3

Board Action Required: Yes

REQUEST FOR CHILD ABUSE PREVENTION MONTH PROCLAMATION

Attachment # 3 contains information on the Opening Ceremonies for Prevent Child Abuse Month and a Proclamation which Ms. Brubaker will be requesting the Board to adopt. She will also be requesting that a Commissioner be in attendance at the ceremonies in New Bern and Havelock to read the proclamation.

Board Action: Consider proclamation for adoption.

Agenda Date: March 16, 2015

Presenters: Jim Bisbee and Gary Curry

Agenda Item No. 4

Board Action Required: Yes

SWISS BEAR REQUEST FOR PROCLAMATION

Mr. Bisbee and Mr. Curry will be requesting that the Board adopt the proclamation contained in Attachment #4 in observance of Swiss Bear's 35th Anniversary.

Board Action: Consider proclamation for adoption.

Agenda Date: March 16, 2015

Presenter: Mike Kupecki

Agenda Item No. 5

Board Action Required: No

EAST CAROLINA BEHAVIORAL HEALTH PRESENTATION ON CONSOLIDATION

Mike Kupecki, ECBH Deputy Director of External Operations, will present the proposed consolidation plan for mental health services, as it appears in Attachment #5. The attachment also includes a copy of a resolution that the Board will be asked to adopt at a subsequent meeting, but prior to July 31, 2015.

Board Action: Receive information.

Agenda Date: March 16, 2015

Presenter: Ronnie Antry

Agenda Item No. 6

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 #6 for the Board's approval.

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

Agenda Date: March 16, 2015

Presenters: Kent Flowers and Alfreda Stout

Agenda Item No. 7

Board Action Required: Yes

DEPARTMENTAL MATTERS: SOCIAL SERVICES

A. CHILD SUPPORT CONTRACT

A presentation regarding Child Support was given at the Commissioner's Work Session on January 20, 2015. Attachment #7.A contains a Child Support document that was presented at that meeting. The recommendation was to develop a new Contract and see if an agreement could be made with the current contractor. A new Contract has been developed with the assistance of the County Attorney and agreed to by the current contractor. The amount of the contract remains the same as the current year. There were very few substantive changes made to the new contract. The contract will be for five years with an option to renew. Either party may terminate this contract upon the other party's failure to cure any breach of this contract within ten (10) business days of such breach. The Craven County Department of Social Services is requesting the County Commissioners to approve the County and the Department entering into the Contract with Maximus Human Services, Inc. to provide Child Support Services for Craven County.

Board Action: Approve the County and the Craven Department of Social Services entering into a Child Support Contract with Maximus Human Services, Inc.

B. BUDGET AMENDMENT

Assistant Social Service Services Director, Alfreda Stout, will present the budget amendment shown in Attachment #7.B. for the Board's approval.

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

Agenda Date: March 16, 2015

Presenter: Captain Jesse Pittman

Agenda Item No. 8

Board Action Required: Yes

DEPARTMENTAL MATTERS: SHERIFF – BUDGET AMENDMENTS

Administrative Captain, Jesse Pittman, will present two (2) budget amendments, contained in Attachment #8, for the Board's approval.

Charitable Donation: The Sheriff's Department received a donation from a citizen and a budget amendment is needed in order to accept the donation into General Fund Balance to be transferred into Sheriff's other supplies.

Repairs: The Sheriff's Office was awarded a vehicle that was forfeited by the County under G.S. 90-108(a)(7). The vehicle was forfeited upon the conviction of the registered owner for maintaining a vehicle for the purpose of the sale or narcotics. Upon the agency taking possession of the vehicle, mechanical problems were discovered. The cost of the repair was estimated at \$6,000 on a vehicle valued at \$40,000.

During the process of repairing the vehicle other mechanical issues became apparent and the vehicle was repaired at a cost of \$10,603.10. The budget amendment will allow funds for payment of these vehicle repairs to be taken from the Sheriff's asset seizure account and move over into the Sheriff's current year budget.

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

Agenda Date: March 16, 2015

Presenter: Rusty Hayes

Agenda Item No. 9

Board Action Required: Yes

DEPARTMENTAL MATTERS: WATER – AGREEMENT TO PROVIDE BULK WATER SERVICE TO TOWN OF COVE CITY

Craven County Water Superintendent, Rusty Hayes, will present an agreement to provide bulk water service to the Town of Cove City. Cove City is currently served by the City of New Bern. Attachment #9 is a Termination of Water purchase Contract from the City of New Bern along with an agreement for the Bulk Sale and Purchase of Potable Water from Craven County.

The City of New Bern Board has approved the agreement terminating the purchase agreement with Cove City. The Cove City Board has mutually agreed to the County Water system terms.

Board Action: Consider approval of agreement.

Agenda Date: March 16, 2015

Presenter: Don Baumgardner

Agenda Item No. 10

Board Action Required: Yes

DEPARTMENTAL MATTERS: PLANNING – SUBDIVISION FOR APPROVAL

Craven County Planning Director, Don Baumgardner, will present the following subdivision for the Board's approval.

John Franklin Griffin – Final

- Property is owned by Deanna Grady and surveyed by Hanover Design Services, P.A.
- Property is located within Twp. 3, off of Loftin Farm Rd. (SR 1263)
- Subdivision contains 1 lot on 1 acre
- Lot proposed to be served by county water and an individual septic system

Board Action: Approve subdivision as recommended by the Planning Board.

Agenda Date: March 16, 2015

Presenters: Ray Silverthorne and Scott Harrelson

Agenda Item No. 11

Board Action Required: Yes

DEPARTMENTAL MATTERS: HEALTH

A. BUDGET AMENDMENT – ADDITIONAL FUNDING REQUEST FOR ENVIRONMENTAL HEALTH

Environmental Health Director, Ray Silverthorne, will present the budget amendment shown as Attachment #11.A. for the Board's approval.

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

B. BUDGET AMENDMENT – ADDITIONAL MEDICAID REVENUES

Health Director, Scott Harrelson, will present the budget amendment shown as Attachment #11.B. for the Board's approval.

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

C. REQUEST FOR LABORATORY FEE APPROVAL

The State Lab of Public Health is no longer performing certain labs as of April 2015. Per our Women' Health State Agreement Addendums, we must offer services on a sliding fee scale. In an attempt to capture especially the uninsured client, we have reevaluated the labs drawn and worked with LabCorp to obtain a fee that would bring us in line with our State Requirements. (See Attachment #11.C.)

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

Agenda Date: March 16, 2015

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.)

NEW BERN-CRAVEN COUNTY PUBLIC LIBRARY

AUTHORIZATION: Bylaws and NCGS 153-250.4

MISSION/FUNCTION: To determine policy of the library, advise in preparation of the budget, approve the budget, study relevant legislation, provide adequate facilities.

NUMBER OF MEMBERS: _____

10

TYPE:

5 County Appointees

5 City Appointees

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

LENGTH OF TERMS: 6 Years

MEETING SCHEDULE: 7:30 p.m. 1st Tuesday of alternate months February, April, June, August, October and December)

COMPENSATION: No ; Yes Specify: _____

Term(s) ending: Maria Muniz

Application(s) on file: Georgene Jackson
Donna Woodruff
Tedra Harris
Emily Downs
Jane Olstad
Lindsay Wyatt

(Attachment # 12.A.)

B. CURRENT APPOINTMENTS

FIRE TAX COMMISSIONERS

AUTHORIZATION: N.C.G.S. 69-25.7

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 due to expire: Craig Arthur (#6; appointed 2007)
Shep Carroll (#7; appointed 2013)
James Cline (Tri-Community; appointed 2013)
Tim Harvey (appointed 2013; has moved and needs to be replaced)
Jackie McKinney (#7; appointed 2013)

Reappointment of all is requested except Tim Harvey, who has moved out of district.

No applications on file:

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: _____

Term(s) ending: Robert Blalock (Twp. 7; appointed 2011)
Oswald Chance (Twp. 7; appointed 2013)
Milton Everette (#5; appointed 2009)
John Harrell (Tri-Community; appointed 2011)
Donald Heath (Ft. Barnwell; appointed 2011)
John Norris (appointed 2013)
Matthew Spirko (Tri-Community; appointed 2012)

Reappointment is requested for all.

No Applications on file.

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: _____ TYPE: _____
28 _____
_____ _____

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: Jonathon Gaskins (appointed 2011)
Sarah Rakowski (Tarheel; appointed 2011)

Reappointment is requested for both.

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 X Yes Specify: _____

Term(s) ending: Joanne Celinski (appointed 2013)

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

COMPENSATION: No Yes Specify: _____

Term(s) ending:

John Brazelton (appointed 1999)

Gerald Teel (appointed 1999)

Alvin West (Alternate; appointed 1999)

DOWN EAST RPO (Rural Planning Organization)

AUTHORIZATION: Memorandum of Understanding (Pursuant to NCGS 136-211)

MISSION/FUNCTION: To develop, in cooperation with the Department of Transportation, long-range local and regional multimodal transportation plans; to provide a forum for public participation in the transportation planning process; to develop and prioritize suggestions for transportation projects the organization believes should be included in the State's Transportation Improvement Program; and to provide transportation-related information to local governments and other interested organizations and persons.

NUMBER OF MEMBERS:

- 1
- 1
- 1
- 1

TYPE: (TAC)

- County Elected Official
- County Alternate (Elected Official)
- Municipal Elected Official
- Municipal Alternate (Elected Official)

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

LENGTH OF TERMS: 2 Years

MEETING SCHEDULE: _____

COMPENSATION: No Yes Specify: _____

Vacancy: County Alternate

Highway 70 Corridor: Bobby Darden (appointed 2013)

C. UPCOMING APPOINTMENTS

May

Eastern Carolina Regional
Housing Authority

Arlene Clifton (Appointed 2000)

Fire Tax Commissioner

John Hawkins (Twp. 3; appointed 2013)
John Norris, Sr. (Rhems; appointed 2013)

Nursing Home Advisory
Committee

Cheryl Stevenson (Appointed 2012)

Agenda Date: March 16, 2015

Presenter: Jim Hicks

Agenda Item No. 13

COUNTY ATTORNEY’S REPORT: Request for Public Hearing – Amendments to Zoning Ordinances and Sign Ordinance

Recent statutory changes necessitate that the County amend its two Zoning Ordinances (“Cherry Point Marine Corps Air Station Zoning Ordinance” and the “Coastal Carolina Regional Airport Zoning and Height Control Ordinance”), in order to update the provisions related to the Board of Adjustment. In addition, as the Board of Adjustment has a role under the Sign Ordinance, similar changes must be made to the Sign Ordinance. The Planning Board has reviewed and recommended for approval the proposed changes. Consequently, a public hearing is requested for April 6, 2015 at 7:00 p.m. or as soon thereafter as the matter may be heard.

Attachment #13 includes the proposed amendments, Notice of Public Hearing, and the Resolutions of the Planning Board recommending the approval of the amendments.

Agenda Date: March 16, 2015

Presenter: Jack Veit

Agenda Item No. 14

COUNTY MANAGER'S REPORT

Agenda Date: March 16, 2015

Presenter: _____

Agenda Item No. 15

COMMISSIONERS' REPORTS



**PROCLAMATION
CHILD ABUSE PREVENTION MONTH
2015**

WHEREAS, children are vital to our County's future prosperity and quality of life; and

WHEREAS, all children deserve to have safe, stable, nurturing and healthy homes and communities that foster well-being; and

WHEREAS, child abuse and neglect have public ramifications, affecting both the current and future progress of Craven County; and

WHEREAS, to prevent child abuse, parents need support and resources to help cope with stress and to nurture their children's growth to their full potential; and

WHEREAS, effective child abuse prevention strategies succeed through partnerships created amongst citizens, human services agencies, schools, faith communities, health care providers, civic organizations, law enforcement agencies and the business community; and

WHEREAS, Craven County is committed to preventing child abuse, and calls upon citizens from all walks of life to increase their participation in efforts to support families, and thereby strengthening communities by preventing child abuse.

NOW, THEREFORE, the Craven County Board of Commissioners hereby proclaims April 2015 as "**CHILD ABUSE PREVENTION MONTH**" in Craven County and commends its observance to all citizens.

Adopted this 16th Day of March, 2015.

Chairman Steve Tyson
Craven County Board of Commissioners

Gwendolyn M. Bryan
Clerk to the Board

*Community Coalition for
Craven County Children- C5
Presents*

*Child Abuse Prevention Month
Opening Ceremony
And
Children's Art Display*

*Wednesday, April 1, 2015 8:30 am
Bank of the Arts
317 Middle Street
New Bern*

*Guest Speaker-Roman Rys, ECU Student
Former Foster Child*

"Strong Communities Raise Strong Children"

*Community Coalition for
Craven County Children*

Presents

*Child Abuse Prevention Month
Havelock Opening Ceremony*

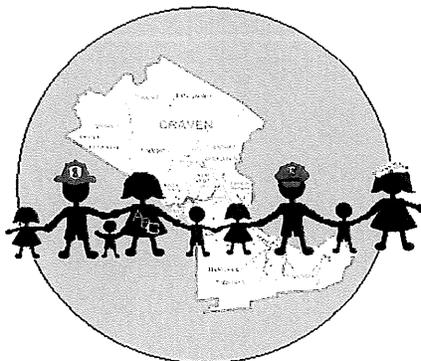
Thursday, April 2, 2015 9:00am

Havelock City Park

Highway 70 Next to the Havelock City Hall

In case of rain Fire Station (behind the Police Station)

“Strong Communities Raise Strong Children”



PROCLAMATION

WHEREAS, Craven County is honored to be a part of the 35th MUMFEST celebration; and

WHEREAS, this proud North Carolina tradition continues to attract visitors to the colonial capitol city to enjoy entertainment, a street fair and riverfront attractions;

WHEREAS, MUMFEST supports cultural diversity, the arts, commercial and nonprofit communities of eastern North Carolina; and

WHEREAS, MUMFEST has contributed greatly in promoting our growing tourism industry, while encouraging visitors to explore all the wonderful possibilities that eastern North Carolina has to offer.

NOW, THEREFORE, BE IT RESOLVED THAT THE CRAVEN COUNTY BOARD OF COMMISSIONERS do hereby proclaim October 10-11, 2015 in observance of the 35th Annual MUMFEST celebration and encourage all citizens from the mountains to the coast to participate in this fun filled weekend.

Adopted this the 16th day of March, 2015.

Chairman Steve Tyson
Craven County Board of Commissioners

Gwendolyn M. Bryan
Clerk to the Board



February 19, 2015

Jack Veit, County Manager
Craven County
406 Craven Street
New Bern, NC 28560

Dear Jack Veit:

The Boards of Coastal Care, serving Brunswick, Carteret, New Hanover, Onslow and Pender Counties, and East Carolina Behavioral Health, serving Beaufort, Bertie, Camden, Chowan, Craven, Currituck, Dare, Gates, Hertford, Hyde, Jones, Martin, Northampton, Pamlico, Pasquotank, Perquimans, Pitt, Tyrrell, and Washington Counties, have entered into an agreement to consolidate our agencies. This consolidation, which will be effective July 1, 2015, is in line with the Medicaid Reform Plan developed by the NC Department of Health and Human Services and endorsed by Governor Pat McCrory. We believe that this consolidation will create an even stronger organization than we are currently as separate agencies and will position us to provide even better services to individuals in our twenty-four counties who need mental health, developmental disability and substance abuse services.

We recognize that as many positive aspects as we believe there are for the consolidation, there may be some concern that a larger agency will be less responsive to the needs of individual communities and to other partner agencies, such as county Departments of Social Services, Sheriff's Departments, etc. To address these concerns, we are planning to create three regions within the consolidated entity. The regions have been designed to balance, to the extent possible, the number of counties, total population and geography covered in each region. The largest region will include ten counties and the smallest will serve six. Each region will have a Regional Director and a Regional Advisory Board. We are proposing that the members of the Regional Advisory Boards be appointed by the Boards of County Commissioners of the counties served by the region.

The new organization will require the creation of a new Area Board. NC law permits Area Authorities with populations greater than 1,250,000 to design and appoint members to the Area Board in a manner different from that detailed in statute, with the approval of the Secretary of the Department of Health and Human Services (DHHS) and the constituent counties. We are proposing that the Area Board be comprised of members of the Regional Advisory Boards, appointed by the Regional Advisory Boards. This alternative governance structure has already received the required approval from the Secretary of DHHS. We are now seeking approval from the twenty-four county Boards of County Commissioners.

We have attached a PowerPoint slide deck that explains this proposal in greater detail. Also attached is draft Resolution we would request be adopted by your Board of Commissioners. We are requesting your feedback on this resolution and will be contacting the Clerk to your Board to



schedule a time when we may present this proposal to your Board. We would also appreciate your input on the best way to make that presentation – should we use the PowerPoint or not, and what other information might your Board wish to have in order to approve the resolution.

Thank you for your consideration of this matter. Please do not hesitate to contact us if you have any questions.

Sincerely,

Foster Norman

Foster Norman, CEO
CoastalCare

Leza Wainwright

Leza Wainwright, CEO
East Carolina Behavioral Health

cc: Don Hall, Board Chair, CoastalCare
Dr. Denauvo Robinson, Board Chair, East Carolina Behavioral Health
Mike Kupecki, Vice President, External Operations, East Carolina Behavioral Health
David Peterson, Central Regional Director



**Resolution of Support for an Alternative Governance Structure for the Area Authority
serving Craven County**

WHEREAS, in accordance with N. C. General Statute § 122C – 115 (c1), the Area Board of CoastalCare, an Area Authority serving Brunswick, Carteret, New Hanover, Onslow and Pender Counties and the Area Board of East Carolina Behavioral Health, an Area Authority serving Beaufort, Bertie, Camden, Chowan, Craven, Currituck, Dare, Gates, Hertford, Hyde, Jones, Martin, Northampton, Pamlico, Pasquotank, Perquimans, Pitt, Tyrrell, and Washington Counties, have entered into an agreement to consolidate their agencies into a twenty-four county Area Authority serving all previously names counties; and

WHEREAS, the Secretary of the N. C. Department of Health and Human Services has approved this consolidation, as required by law; and

WHEREAS, N. C. General Statute § 122C – 118.1, which specifies the composition of an Area Authority Board, permits an alternative Area Board structure to be implemented 1) if the total population of the Area Authority catchment area exceeds 1,250,000 and 2) if the counties which comprise the Area Authority agree by resolution to an alternative structure; and

WHEREAS, the total population of the new Area Authority created by the consolidation of CoastalCare and East Carolina Behavioral Health is 1,260,778; and

WHEREAS, it is in the best interest of the residents of the twenty-four counties to approve an alternative governance structure for the consolidated Area Authority;

NOW, THEREFORE, BE IT RESOLVED, that we, the Craven County Board of Commissioners, do hereby approve the structure of the Area Board and the Regional Advisory Boards of the consolidated Area Authority, as outlined below.

To provide a local presence in the counties served and to assure that each county has input into the services received by its residents, the twenty-four county catchment area will have three regions. The regions have been designed to equalize, to the extent possible, the number of counties, population in the region, and overall square mileage of the regions. The three regions and the counties served are:

Northern Region: Bertie, Camden, Chowan, Currituck, Gates, Hertford, Martin, Northampton, Pasquotank and Perquimans Counties.

Central Region: Beaufort, Craven, Dare, Hyde, Pamlico, Pitt, Tyrell and Washington Counties.

Southern Region: Brunswick, Carteret, Jones, New Hanover, Onslow and Pender Counties.

The counties in each region will appoint two members to the Regional Advisory Board: one county commissioner or designee and another individual who meets the requirements outlined in N. C. G. S. § 122C – 118.1 (b). In addition, the Regional Advisory Board will include the Chair

or designee of the regional Consumer and Family Advisory Committee. County Commissioner members of the Regional Advisory Boards may serve for as long as they are a commissioner. Other members of the Regional Advisory Board may serve for up to three, three year consecutive terms.

The primary functions of the Regional Advisory Board will be to advise the Area Authority Chief Executive Officer on the evaluation and hiring of a Regional Director; recommending priorities for expenditure of state and county funds for development of the annual budget; determining local priorities for inclusion in the overall strategic plan; identifying community needs and concerns; monitoring resolution of issues; and monitoring performance at the local level, including access to care, expenditure of service funds, number of consumers served, services delivered, provider network size and composition, outcomes, and consumer satisfaction.

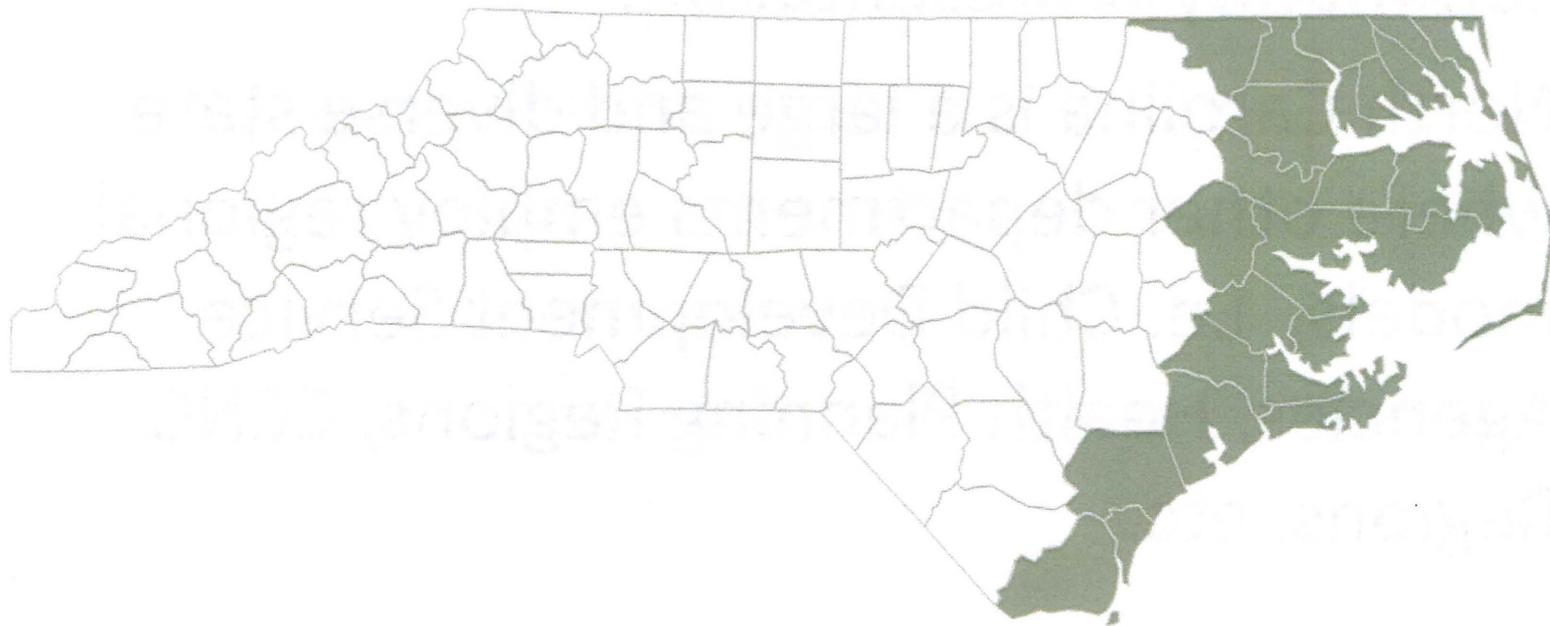
Each Regional Advisory Board will establish its own bylaws based on local needs, but in compliance with standardized requirements established by the Governing Board for quorums, frequency of meetings, elections of officers, duties of members, committees and committee appointments, and attendance standards. Such bylaws are subject to the approval of the Governing Board.

Each Regional Advisory Board will select four (4) members to serve as the Area Authority Governing Board: one county commissioner, the Consumer and Family Advisory Committee chair or designee, and two other members. In addition, the chair or designee of the Area Authority Network Council shall serve on the Governing Board as a non-voting member. The county commissioner members of the Governing Board shall serve one three year term without consecutive reappointment, so that commissioner representation on the Governing Board will rotate among the counties in each region. The other members of the Governing Board may serve three, three year terms.

The Governing Board's primary responsibilities will include determining policy; strategic planning, including consideration of local priorities as determined by the Regional Advisory Boards; budgets; hiring and evaluations of the Chief Executive Officer; monitoring of deliverables, including overall performance and financial management; government affairs and advocacy; reporting to constituent counties; responding to concerns and feedback from the Regional Advisory Boards; reviewing, revising and approving the Regional Advisory Board bylaws; and all other responsibilities outlined in N. C. law for Area Authority Boards. The Governing Board will develop and adopt bylaws to address its activities in accordance with law.

ADOPTED this _____ day of _____, 2015.

CoastalCare/ECBH Consolidated Governing Board of Directors Model



Regional Model

- As we move toward consolidation of MCOs, a regional model is essential for broad community representation.
- North Carolina is a large and diverse state where other departments employ regional models, i.e. Child Development Service Agencies, Health Planning Regions, CCNC Regions, etc.

The CoastalCare/ECBH Consolidation Board Structure

- The CoastalCare/ECBH governance structure was designed by the CoastalCare/ECBH Board Consolidation Steering Committee
- The proposed two-tiered board structure will keep governance close to the communities we serve through Regional Advisory Boards, which in turn elect representatives to the governing Board of Directors.

Consolidation Board (continued)

- Under current North Carolina General Statute 122C-118.1, area mental health board authorities are governed by Area Boards established by the Boards of Commissioners in each catchment area. 122C-118.1 states:
 - “an area board shall have no fewer than 11 and no more than 21 members. The board of county commissioners, or the boards of county commissioners within the area, shall appoint members”
 - “The boards of county commissioners within a multicounty area with a catchment population of at least 1,250,000 shall have the option to appoint members of the area board in a manner or with a composition other than as required by this section by each county adopting a resolution to that effect and receiving written approval from the Secretary”
 - With CoastalCare and ECBH, we exceed the 1,250,000 population

Regional Advisory Boards

Purpose

- To involve local stakeholders to respond to unique community needs and priorities
- To promote understanding and collaboration at the local level
- To provide local participation in monitoring the performance and services within each region

Regional Advisory Boards

Responsibilities

- Advise the CEO on evaluation and hiring of future Regional Directors
- Recommend priorities for expenditures of state/county funds for development of the annual budget
- Recommend priorities for the area wide strategic plan
- Identify community needs and concerns
- Monitor resolution of issues

Regional Advisory Boards

Responsibilities (continued)

- Monitor performance at the regional level:
 - Access to Care
 - Financial Status and Expenditures
 - Service Delivery
 - Provider Network Size and Composition
 - Consumer Satisfaction
 - Service Delivery
- Identify gaps and needs; make recommendations on the service array

Regional Advisory Board Members

- 1 CFAC Chair or Designee
- 2 members from each county, appointed by respective Boards of County Commissioners
 - County Commissioner or Designee
 - Other appointee who meets criteria outlined in G.S. 122C-118.1

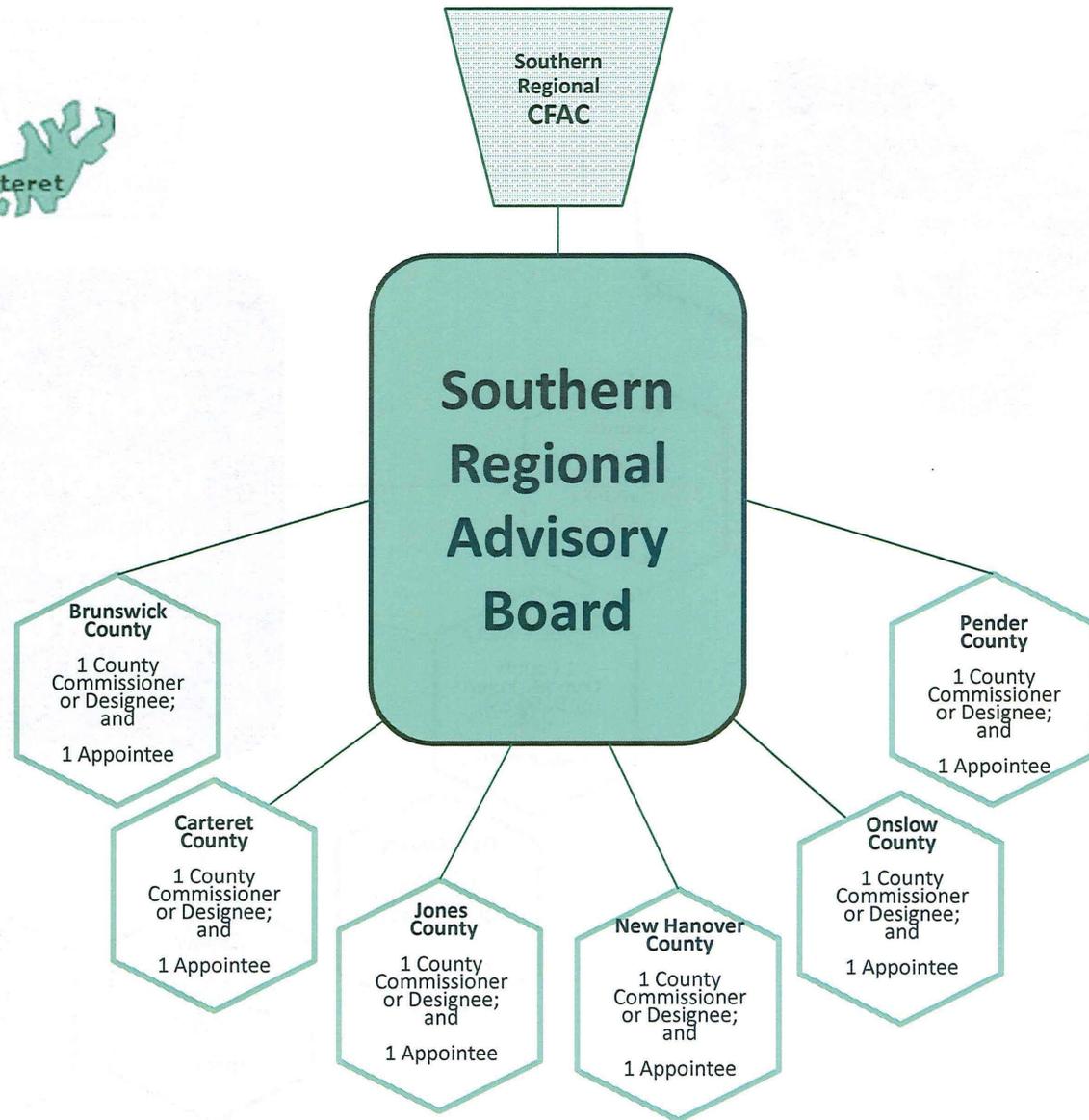
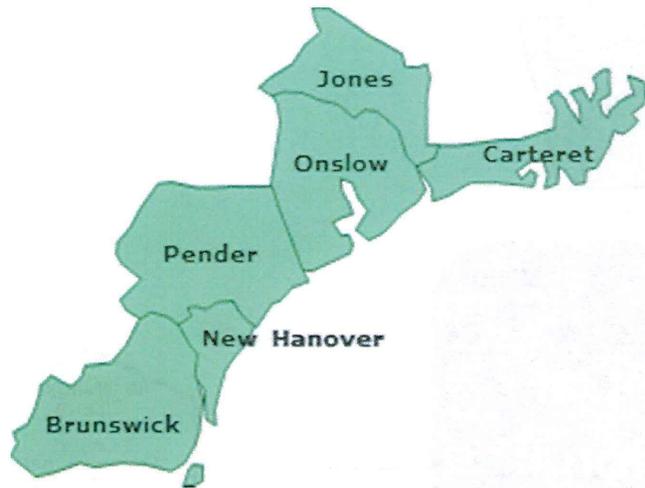
http://www.ncleg.net/EnactedLegislation/Statutes/HTML/BySection/Chapter_122C/GS_122C-118.1.html

Regional Consumer & Family Advisory Committees (CFACs)

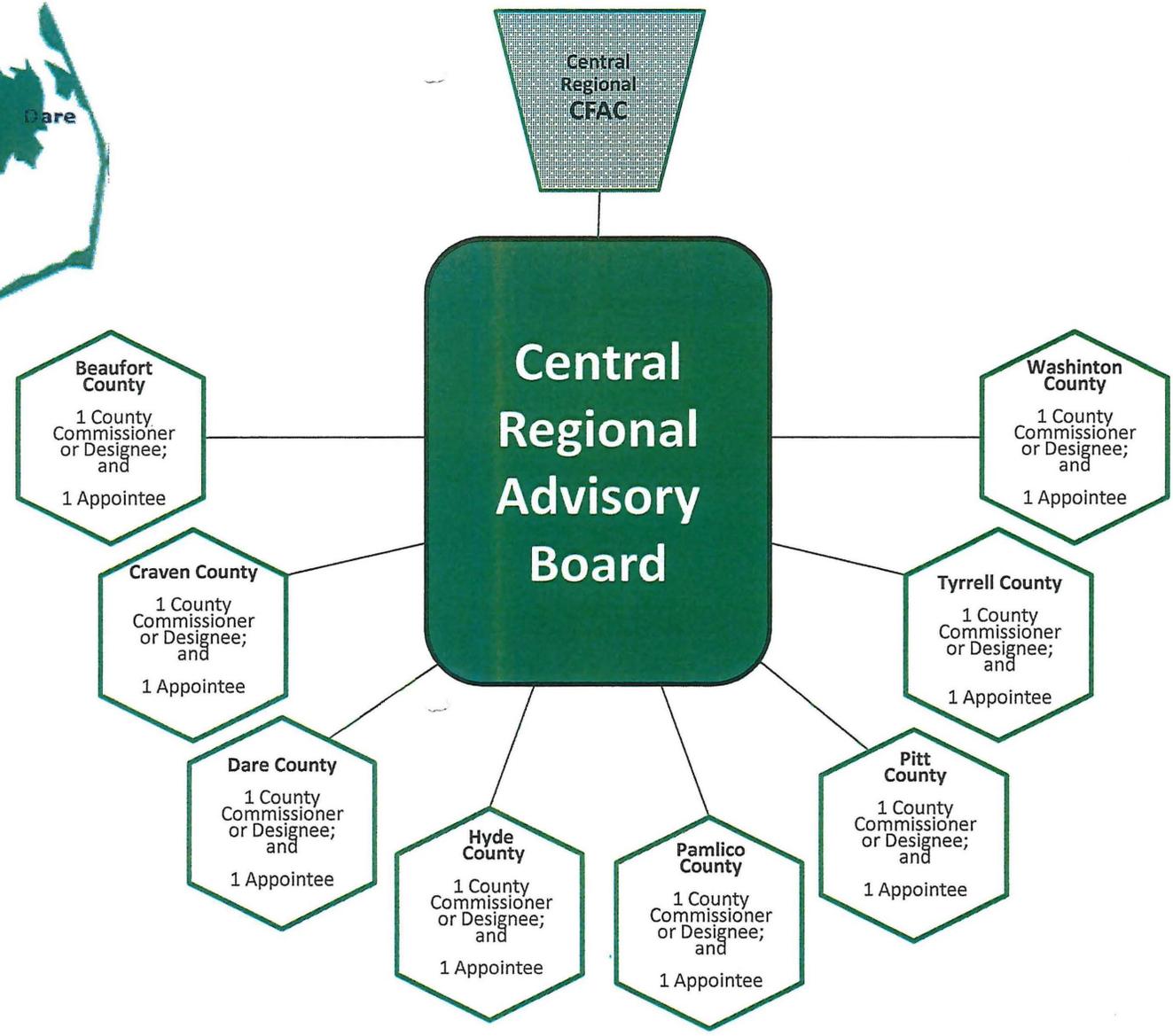
- 1 Consumer and Family Advisory Committee per region (Northern, Central, Southern)
- Representation from each county with equal representation from among the three disability groups
- CFACs should be self-governing and self-directed, in accordance with G.S. 122C-170

http://www.ncga.state.nc.us/enactedlegislation/statutes/html/bysection/chapter_122c/gs_122c-170.html

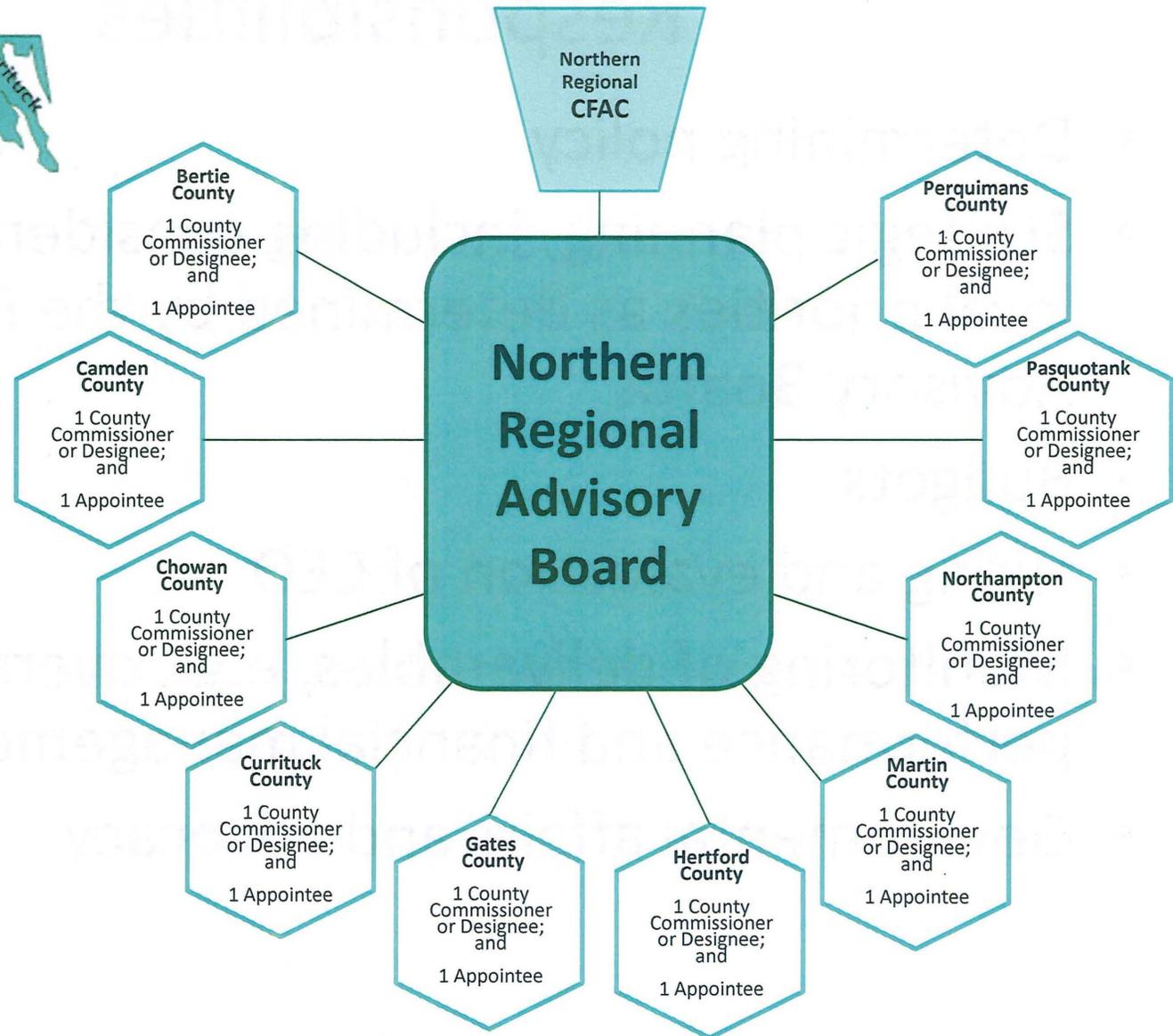
Three Regional Advisory Boards



Three Regional Advisory Boards



Three Regional Advisory Boards



Governing Board of Directors Responsibilities

- Determining policy
- Strategic planning, including consideration of local priorities as determined by the Regional Advisory Boards
- Budgets
- Hiring and evaluation of CEO
- Monitoring of deliverables, e.g., overall performance and financial management
- Governmental affairs and advocacy

Governing Board of Directors

Responsibilities, *continued*

- Reporting to constituent counties
- Responding to concerns and feedback from the Regional Advisory Boards
- Reviewing, revising and approving the Regional Advisory Board bylaws
- All other responsibilities outlined in N.C. law for Area Authority Boards

Governing Board of Directors Membership

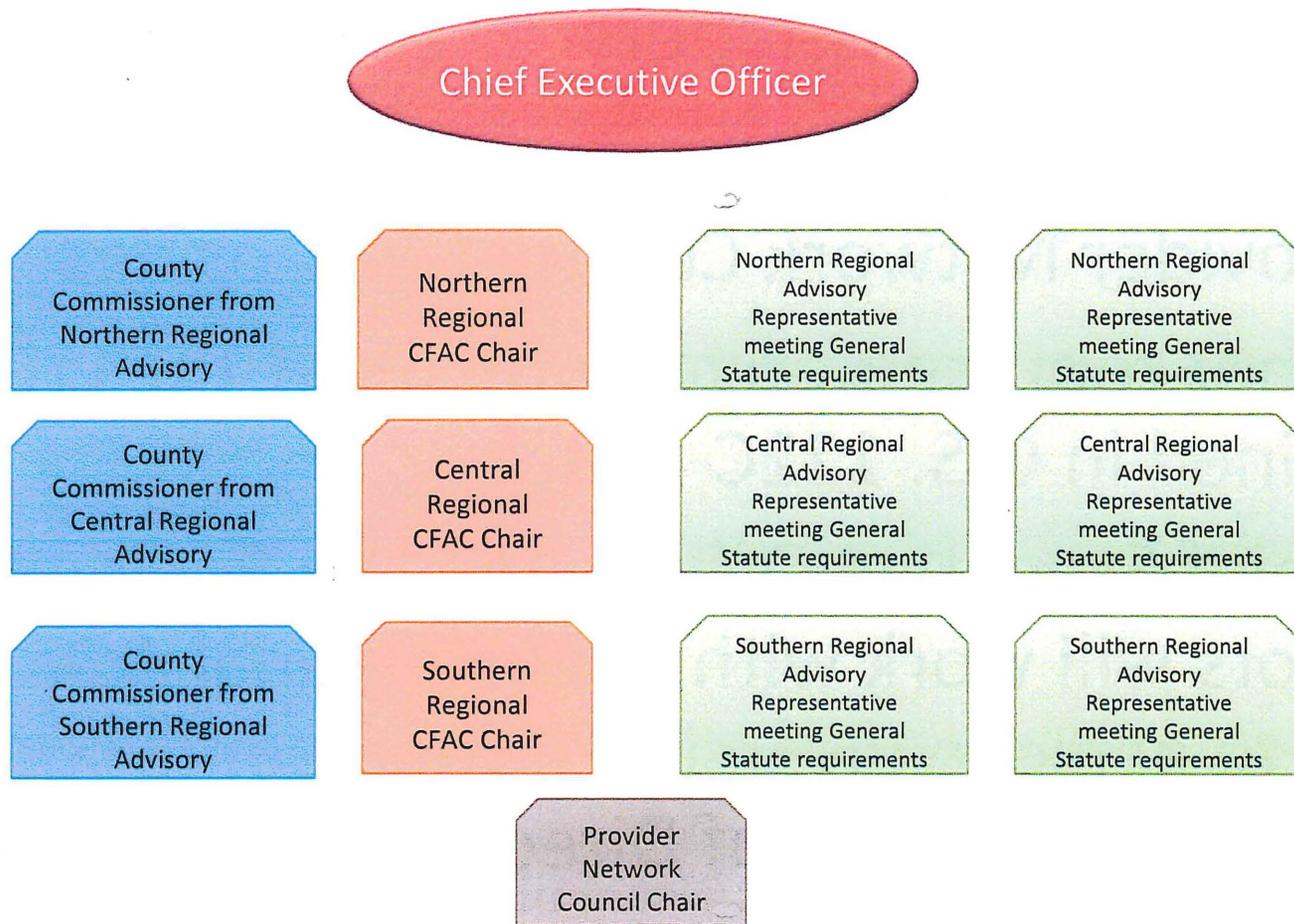
- Each Regional Advisory Board shall select 4 members to serve on the Governing Board of Directors:
 - 1 county commissioner
 - CFAC chair
 - 2 other members who meet criteria outlined in G.S. 122C-118.1
- In addition, the Provider Network Council chair (or chair's designee) will serve on the Governing Board of Directors in a non-voting capacity. This will result in a body of 13 members.

Governing Board of Directors

- 3 County Commissioners
- 3 CFAC members
- 1 Provider Network Council Chair or designee
- 6 other representatives who meet the criteria outlined in G.S. 122C-118.1

The Chief Executive Officer and the Regional Directors will work with each Regional Advisory Board to achieve diversity of representation on the Governing Board of Directors.

Governing Board of Directors



Governing Board of Directors

Terms of Office

- The terms of office for County Commissioners shall be three years, with no re-appointment upon the expiration of a term, without a break in service.
- This will ensure each county in the region will have a County Commissioner on the Governing Board on a rotating basis.
- The terms of non-commissioners on the governing Board of Directors shall be three years, with a maximum of three consecutive terms of office.

Creation of Initial Governing Board of Directors

To provide continuity for the initial creation of the Governing Board of Directors, the Regional Advisory Boards shall designate one member to a one-year term, one to a two-year term and two to three-year terms of office.

When those terms expire, the standard three-year term outlined above will apply to all members.

Summary

- 3 Regions covering 24 Counties
- 3 Regional Advisory Boards to maintain a local presence
- Direct representation of Regional Advisory Boards on the Governing Board of Directors
- Local advocacy of consumers and family members
- Accountability of services within communities

CREDIT MEMOS SUBJECT TO BOARD APPROVAL ON 03/16/2015

TAXPAYER NAME	ACCT#/TICKET#	AMOUNT
BALLARD, CHRISTOPHER K MILITARY EXEMPTION	0087004 2012-0002603	44.34
BALLARD, CHRISTOPHER K MILITARY EXEMPTION	0087004 2013-0002549	34.71
BALLARD, CHRISTOPHER K MILITARY EXEMPTION	0087004 2014-0002667	27.89
EAREHART, ROBERT JR DID NOT OWN 1/1/2014	0019292 2014-0016620	91.28
EAREHART, ROBERT JR DID NOT OWN 1/1/2013	0019292 2013-0090521	102.28
EAREHART, ROBERT JR DID NOT OWN 1/1/2012	0019292 2012-0016725	114.44
FOREMAN, MICHAEL W DOUBLE BILLED-SEE ACCT 23090	0094318 2014-0019304	91.48
GASKINS, CLEVELAND DID NOT OWN 1/1/2014	0044505 2014-0090347	10.40
HUMPHREY, LORI BOYD DWELLING UNOCCUPIED SINCE 2012	0032212 2014-0028127	36.99
ROUSE, LINDA G DID NOT OWN 1/1/2014	0017897 2014-0092135	90.27
STEPHENSON, DANIEL ARTHUR DID NOT OWN 1/1/2014	0102291 2014-0090817	324.25
11 -CREDIT MEMO(S)		968.33

REFUNDS SUBJECT TO BOARD APPROVAL ON 03/16/2015

TAXPAYER NAME	ACCT#/TICKET#	AMOUNT
DEMORANVILLE, MARK A VETERAN EXCLUSION REMOVED IN ERROR	0041611 2014-0014732	452.63
ROUSE, LINDA G DID NOT OWN 1/1/13	0017897 2013-0093240	91.67
	2 -REFUND(S)	544.30

Handout from January 20, 2015 Work Session

CHILD SUPPORT

The General Assembly directed through its 2009 Appropriations Act that, that effective July 1, 2010 each Child Support Enforcement office being administered by the North Carolina Department of Health and Human Services, Division of Social Services would be administered by the county government.

The following options were available for how Child Support could be run in Craven County:

- Regional County Concept
- Stand Alone County Department
- Part of a Current County Department such as Social Services
- Contract with a Private Company

The recommendation to the County Commissioner's was for the County to have a contract with a private contractor to provide child support services in Craven County. On December 14, 2009 the Craven County Commissioner's voted to have a private contractor run the child support program in Craven County. On March 15, 2009 the Craven County Commissioner's selected Policy Studies Inc. (now known as Maximus) as the contractor for Craven County Child Support with the Craven County Department of Social Services (Department) providing oversight of the contract.

The contract was for five years and is set to expire June 30, 2015. Maximus has provided very good services for the citizens of Craven County during the past four and a half years. They have been extremely responsive to any questions asked and regularly meet with staff from Social Services to continue to improve services to clients. There have been very few complaints made to the Department about child support services and when these were looked into they were not found to be credible. In fact, The Department has received fewer complaints about Child Support since the Department has had oversight than when the State ran Child Support and the Department and County had no responsibility.

The Department would like to request the County Commissioners to allow the Department to enter into a contract similar to the current contract with Maximus for a period of five years with the option for annual renewals thereafter.

There are several advantages to continuing to contract with Maximus for Child Support services in Craven County.

- The County and Department has a very good working relationship with the current contractor

- Changing contractors oftentimes means a change in personnel and there is a learning curve with hiring new staff
- Changing contractors oftentimes results in staffing changes that can be disruptive for clients relationships with changes in workers and the way business is done
- The courts have a good working relationship with our contractor and a change in contractor could result in slowing the court process down as court personnel have a learning curve with a new contractor
- The current contractor has great ongoing communication with the Department
- The Department has a relationship with the current contractor that we can freely call the local manager in New Bern, or the Project Director in Durham, or their Vice President in Virginia (who has visited with the Department several times).
- There is a lot to be said “if ain’t broke don’t fix it”

There will still be means for the County to get out of the contract if the contractor failed to comply with the terms of the contract. If a contract similar to the current contract is maintained either party may terminate the contract upon the other party’s breach of the contract within thirty days after notice of the breach.

The Department believes that continuing to contract Child Support Services with Maximus provides the Department, the County and our citizens with the best option for continued undiminished, ongoing and quality services.

NORTH CAROLINA

**AGREEMENT FOR THE BULK SALE
AND PURCHASE OF POTABLE WATER**

CRAVEN COUNTY

THIS AGREEMENT FOR THE BULK SALE AND PURCHASE OF POTABLE WATER ("Agreement") made and entered into as of the Contract Date, and effective as of the Effective Date, by and between **CRAVEN COUNTY** and the **TOWN OF COVE CITY**.

WITNESSETH:

ARTICLE 1

Definitions

1.1 "Agreement" means and refers to this Agreement For the Bulk Sale and Purchase of Potable Water, and any amendment hereto.

1.2 "Contract Date" means and refers to the date this Agreement is signed by the last party to execute the same.

1.3 "County" means and refers to Craven County, a body politic and corporate of the State of North Carolina.

1.4 "DENR" means and refers to the North Carolina Department of Environment and Natural Resources.

1.5 "Effective Date" means and refers to the 1st day of July, 2015.

1.6 "gpd" means and refers to "gallons per day."

1.7 "Point of Delivery" means and refers to the two inch (2") master water meter located at NC Grid Coordinates: Northing 527,798.39 feet, Easting 2,499,664.48 feet; and also located South 73 degrees 41 minutes 48 seconds East 593.86 feet (horizontal ground distance) from an existing PK nail in the centerline intersection of SR 1005 West Sunset Blvd. and SR 1257 Brown Avenue, said bearing being referenced to NC Grid North NAD 83/86.

1.8 "Project" means and refers to the interconnection of the County's and Town's water systems, whereby the County may sell and deliver potable water to the Town, in bulk, as will be more fully set forth in those certain plans and specifications agreed upon by the Parties, and which plans and specifications, and any amendments thereto, are incorporated herein by reference upon the joint approval of the parties.

1.9 "Town" – means and refers to the Town of Cove City, a North Carolina municipal corporation.

ARTICLE 2

Recitals

2.1 County operates a public water system enterprise, and has the ability and available capacity to sell potable water in bulk to the Town.

2.2 Town operates its own municipal water system, and in the furtherance thereof, desires to purchase potable water from the County, in bulk, to then sell and distribute to its customers.

2.3 County and Town have reached an agreement with respect to the sale of potable water, in bulk, by the County to the Town, and wish to reduce the same to writing.

2.4 Now, therefore, be it mutually agreed by and between the County and the Town as follows:

ARTICLE 3

Sale and Purchase of Potable Water

3.1 In relation to its sale of potable water under this Agreement, County shall:

3.1.1 Supply potable water to the Town, at the maximum average daily amount of 250,000 gpd at the Point of Delivery. The County makes no warranty, express or implied, as to the quality of water on the Town's side of the Point of Delivery.

3.1.2 Meet the standards and requirements of DENR -- Division of Environmental Health and the U.S. Environmental Protection Agency, as such standards now exist or hereafter may be amended or supplanted, at the Point of Delivery.

3.1.3 At all times, operate and maintain its system in an efficient manner and take such actions as may be necessary to furnish the Town with water as required by this Agreement. Provided, however, that the Town acknowledges that there may be temporary or partial interruptions to the supply of water hereunder; but that the County will endeavor to remedy such interruptions with all possible dispatch.

3.1.4 Invoice the Town monthly for water supplied pursuant to this Agreement. The charge shall be based on the County's then-current rate schedule for "Commercial" customers, including any applicable "availability fee" (or equivalent) in said rate schedule.

3.1.5 Provide and maintain the necessary metering equipment, including continuous recording devices with flow totalizing capability, at its sole expense, at the Point of

Delivery. Either party may request meter calibrations at its own expense. A meter calibration registering not more than two percent (2%) above or below the test result shall be deemed to be accurate. The previous readings if determined to be inaccurate shall be corrected for the three (3) months previous to the test in accordance with the percentage of inaccuracy found by such tests. If the meter fails to register for any period, the amount of water during such period shall be deemed to be the amount of water delivered in the corresponding period immediately prior to such failure, unless both parties agree upon a different amount. The County shall read the meter monthly between the 20th and the 1st of each month; provided, however, that the Town will be given access to the meter for the purpose of verifying its reading at any reasonable time, upon request.

3.2 In relation to its purchase of potable water under this Agreement, Town shall:

3.2.1 Be solely responsible for the water quality on the Town's side of the point of Delivery.

3.2.2 To the extent allowed by law, indemnify and hold the County harmless from and against any and all losses, costs, claims, damages and expenses, including but not limited to attorney's fees, which the County may incur in any manner arising out of or connected with the quantity or pressure of water actually delivered at the Point of Deliver, and the quality of water on the Town's side of the Point of Deliver.

3.2.3 Pay all invoices for water delivered by the County within twenty (20) days of receipt of the same.

Article 4

Matters Incidental to the Sale of Potable Water

In order for the County to sell potable water to the Town in bulk as contemplated by this Agreement, the parties acknowledge that certain interconnection and infrastructure activities must first occur. To that end, the parties furthermore agree as follows:

4.1 **Responsibilities of County.**

4.1.1 County shall be solely responsible for selecting all contractors and preparing all plans and specifications for the Project. Such plans shall fully comply with all applicable rules and regulations regarding public water systems, including but not limited to 15A N.C.A.C. 18C ("Rules Governing Public Water Systems"). County shall be responsible for

transmitting the plans and specification to all agencies that must review and/or approve the same. All applications and permits shall be in the name of the County.

4.1.2 County shall provide to Town copies of all applications to, agreements with, and permits from any federal, state or local agency relevant to the Project, which may include but is not limited to the Department of Transportation or DENR.

4.1.3 Upon receipt of all necessary approvals, including any Authorization to Construct from DENR, County shall make the upgrades as set forth in the approved plans in an expeditious manner.

4.1.4 County shall give notice to Town at least 48 hours in advance before Town, or any entity on its behalf, performs any tests, connects any tie-ins to a new line, or interrupts water service to a customer of Town.

4.1.5 County shall take any other actions reasonably requested by Town hereunder.

4.2 **Responsibilities of Town.**

4.2.1 Town shall be solely responsible for all costs and expenses associated with the Project, not limited to construction costs, engineering fees, surveys, permit fees, and inspection fees incurred by the County related to the same. Provided, however, in no event shall Town's financial obligation under this Article 4 exceed Twenty Thousand and No/100 Dollars (\$20,000.00); nor shall Town be liable for any of the County's attorney fees.

4.2.2 Town shall take any other action reasonably requested by County hereunder.

ARTICLE 5

Miscellaneous

5.1 **Entire Agreement; Modification.** This Agreement supersedes all prior agreements and constitutes the entire agreement between the parties hereto with regard to the subject matter hereof. It may not be amended or modified except by an instrument executed by all parties.

5.2 **Severability.** If any of the provisions of this Agreement shall be held by a court of competent jurisdiction to be unconstitutional or unenforceable, the decision of such court shall not affect or impair any of the remaining provisions of this Agreement, and the parties shall, to the extent they deem to be appropriate, take such actions as are necessary to correct any such

unconstitutional or unenforceable provision. It is hereby declared to be the intent of the parties to this Agreement that this Agreement would have been approved and executed had such an unconstitutional or unenforceable provision been excluded therefrom.

5.3 Binding Effect. This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective legal representatives, successors, and assigns.

5.4 Assignment. Except as may otherwise be expressly provided herein, no party may assign any right, obligation, or liability arising hereunder without the other party's prior written consent. Any such assignment or attempted assignment shall be null and void.

5.5 Covenant of Further Assurances. The parties agree that from and after the date of execution of this Agreement, each upon the request of the other take such actions as may be reasonably required to carry out the purpose and intent of this Agreement.

5.6 Force majeure. The parties acknowledge that emergency situations, and other matters beyond the control of the parties, may occur from time to time. Consequently, the County does not guarantee the delivery rate, continuity of supply, nor water quality due to purposes beyond its control.

5.7 Notices. Any notice required to be given hereunder by this Agreement shall be deemed to have been sufficiently given if mailed by certified mail, return receipt requested, postage prepaid, and addressed as follows:

Craven County
Attention: County Manager
406 Craven Street
New Bern, North Carolina 28560

Town of Cove City
Attention: Mayor
P.O. Box 8
Cove City, North Carolina 28523

5.8 Term. The term of this Agreement shall be ten (10) years, unless sooner terminated or extended by the parties. At the end of the initial term, unless the parties have agreed otherwise in writing or provided proper written notice to the contrary, the term of this Agreement shall become year-to-year, and may be terminated on six (6) months advance written notice.

5.9 Multiple Originals. This Agreement may be executed in duplicate multiple originals, each of which shall be deemed an original but all of which together shall constitute one and the same instrument.

5.10 Governing Law; Exclusive Venue. This Agreement shall be construed in accordance with and governed by the laws of the State of North Carolina. Exclusive venue for any action, whether at law or in equity, shall be in Craven County, North Carolina.

IN TESTIMONY WHEREOF, CRAVEN COUNTY has caused this instrument to be executed in its name by the Chairman of its Board of Commissioners, attested by the Clerk to said Board, and its seal to be hereunto affixed all by order of said Board of Commissioners duly given.

CRAVEN COUNTY

(County Seal)

By: _____
STEVE TYSON, Chairman

Date: _____

ATTEST:

GWENDOLYN BRYAN, Clerk

IN TESTIMONY WHEREOF, TOWN OF COVE CITY has caused this instrument to be executed in its name by its Mayor, attested by the Town Clerk, and its seal to be hereunto affixed all by order of its Town Council duly given, all as of the day and year first above written.

TOWN OF COVE CITY

(Town Seal)

By: _____
DRED C. MITCHELL, JR., Mayor

Date: _____

ATTEST:

SONJA GASKINS, Town Clerk

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

Town of Cove City Finance Officer

**CRAVEN COUNTY HEALTH DEPARTMENT
Board of Health Fee Approval
Recommendation**

Date: March 9, 2015

Fee Increase Recommended: We are requesting the below rates to be effective April 1, 2015.

Reason: State Lab of Public Health is no longer performing certain tests. Test samples will now be submitted to LabCorp.

1. Procedure Code/Description: Anemia Profile B

<u>CPT Code:</u>	<u>Current Fee:</u>	<u>Medicaid Rate:</u>	<u>Proposed Rate:</u>
82607 B12 Level	n/a	\$19.16	\$20.00
82728 Ferritin Level	n/a	\$17.32	\$18.00
82746 Folate	n/a	\$18.69	\$19.00
83540 Iron Studies	n/a	\$ 8.24	\$ 9.00
83550 Iron Binding	n/a	\$11.11	\$12.00
85025 Complete CBC	\$40.00	\$ 9.88	\$40.00
85045 Reticulocyte Count	n/a	\$ 5.09	\$ 6.00
		Total: \$89.49	Total: \$124.00

Actual Cost:

Lab Corp Charge:	\$33.40
Staff Time:	\$ 6.77
Medical Supply Fee:	\$ 2.66
Total Cost:	\$42.83

2. Procedure Code/Description: Herpes Simplex Virus Testing (HSV)

<u>CPT Code:</u>	<u>Current Fee:</u>	<u>Medicaid Rate:</u>	<u>Proposed Rate:</u>
86695 HSV Type 1	n/a	\$16.77	\$17.00
86696 HSV Type 2	n/a	\$24.62	\$25.00
		Total: \$41.39	Total: \$42.00

Actual Cost:

Lab Corp Charge:	\$21.00
Staff Time:	\$ 6.77
Medical Supply Fee:	\$ 2.66
Total Cost:	\$30.43

3. Procedure Code/Description: TSH (Thyroid Stimulating Hormone)

<u>CPT Code:</u>	<u>Current Fee:</u>	<u>Medicaid Rate:</u>	<u>Proposed Rate:</u>
84443 TSH	n/a	\$20.72	\$21.00
		Total: \$20.72	Total: \$21.00

Actual Cost:

Lab Corp Charge:	\$ 8.00
Staff Time:	\$ 6.77
Medical Supply Fee:	\$ 2.66
Total Cost:	\$17.43

4. Procedure Code/Description: Thyroid Panel

<u>CPT Code:</u>	<u>Current Fee:</u>	<u>Medicaid Rate:</u>	<u>Proposed Rate:</u>
84436 T4	n/a	\$ 7.33	\$ 8.00
84443 TSH	n/a	\$20.72	\$21.00
84479 Thyroid Hormone Binding	n/a	\$ 7.58	\$ 8.00
84480 T3	n/a	\$18.03	\$19.00
		Total: \$53.66	Total: \$56.00

Actual Cost:

Lab Corp Charge:	\$23.75
Staff Time:	\$ 6.77
Medical Supply Fee:	\$ 2.66
Total Cost:	\$33.18

5. Procedure Code/Description: Pap Smear

<u>CPT Code:</u>	<u>Current Fee:</u>	<u>Medicaid Rate:</u>	<u>Proposed Rate:</u>
88175 Pap Smear	\$12.33	\$33.04	\$49.00
		Total: \$33.04	Total: \$49.00

Actual Cost:

Lab Corp Charge:	\$21.00
Staff Time:	\$16.49
Medical Supply Fee:	\$10.77
Total Cost:	\$48.26

**If pap is abnormal, an additional test is performed which increases the Lab Corp charge from \$21.00 to \$56.00 per sample.

6. Procedure Code/Description: Rh/ABO/Antibody Screen

<u>CPT Code:</u>	<u>Current Fee:</u>	<u>Medicaid Rate:</u>	<u>Proposed Rate:</u>
86900 ABO Group Typing	n/a	\$ 3.79	\$ 4.00
86901 ABO/RH	n/a	\$ 3.79	\$ 4.00
86850 Antibody Detection	n/a	\$14.81	\$15.00
		Total: \$22.39	Total: \$23.00

Actual Cost:

Lab Corp Charge:	\$ 7.25
Staff Time:	\$ 6.77
Medical Supply Fee:	\$ 2.66
Total Cost:	\$16.68

Volunteer Board Information and Interest Sheet Craven County, North Carolina

Names of board, committee, authority, etc., in which you are interested. Please list in order of priority:

New Bern Craven County Library Board

Name:	<u>Georgene Jackson</u>	Home Phone:	<u>(252) 637-9781</u>
Home Address:	<u>1210 Pelican Dr.</u>		
	<u>Fairfield Harbour</u>		
City:	<u>New Bern, NC</u>	Zip Code:	<u>28560</u>
Township:		City Limits:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Occupation:	<u>Retired Craven County teacher</u>	Business Phone:	
Place of Employment:	<u>Craven County Schools</u>	Fax Number:	
E-Mail Address:	<u>jackson.jy@gmail.com</u>		

(Please indicate your preferred contact number.)

Education

Glassboro State College (now Rowan Univ.), Glassboro, NJ BA in Elem Education 1970

Business and Civic Experience

Northfield, MN Library Board member 1990-1996

Keya Paha Homeowners' Assoc. Northfield, MN secretary/treasurer 1995-2001

Northfield Arts Guild Juried Arts Fair coordinator 1980-1983

Areas of Expertise, Interest, Skills

Church Choir Member 1986-2004, 2011 - present

Organizing community activities (see attached resume)

Why do you want to serve?

I love libraries. It's so important to promote, assist, and support community libraries. I want to be involved in preparing New Bern's Library for the future.

Please List Other Local, Regional and Statewide Boards, Committees or Commissions on Which You Serve
See attached resume.

(A resume may be attached to this form, but will not be accepted in lieu of the form.)

Date: February 20, 2015


Signature

The Craven County Board of Commissioners sincerely appreciates the interest of all citizens in serving their county. For more information on the responsibilities of various boards, you may view the on-line board descriptions or contact the County Clerk's Office at (252) 636-6601. RETURN FORM TO: CRAVEN COUNTY CLERK, 406 CRAVEN STREET, NEW BERN, NC 28560. The form may also be sent via e-mail (gbryan@cravencountync.gov) or fax: (252) 637-0526.

This form will remain active until two years after date received.

Georgene Rita Jackson
1210 Pelican Drive
New Bern, NC 28560
252-637-9781

Objective: to serve on the New Bern Craven County Library Board

Education:

Glassboro State College (Rowan University), Glassboro, NJ BA in Elem. Educ. 1970
39 graduate credits from various institutions 1983-2002

Professional Teaching Experience:

Substitute teacher at Bridgeton Elem and Oaks Road Elem Sept 2011 - Jan 2014

~~Oaks Road Elementary School, New Bern, NC August 2004 – June 2011~~

St. Dominic School, Northfield, MN 1983 – 2004

State School for the Blind, Faribault, MN Sept. 1981 – June 1982

Fulmer Middle School, West Columbia, SC Sept. 1970 – June 1972

References:

Lynne Young, Director of Northfield Public Library, 1985-2013 507-645-5778

Dianne Brideson, Director of Nursing, Pruitt Health Hospice 633-4311

Cindy Willard, Secretary at Oaks Road School, New Bern 514-6475

Paul Saik, Director of Music, Centenary UMC, New Bern, 637-4181

Vicki Kalina Marvin, Principal, St. Dominic School, Northfield, MN
507-645-8136

Volunteer Activities:

Northfield MN Public Library Board member 1990-1996

Hospice volunteer, Pruitt Health Hospice of Coastal Carolina, New Bern 2011-present

Centenary Methodist Church, New Bern, choir member 2011-present

Keya Paha Homeowners Association, Northfield, MN secretary / treasurer 1995 - 2001

~~St. Dominic Church, Northfield, MN choir member 1986 – 2004~~

St. Dominic Church Building Committee member 1983 - 1986

Brownie and Girl Scout troop leader 1980 – 1988

Northfield Arts Fair coordinator 1980 - 1983

St. Dominic School/Parish Long Range Planning Committee 2001-2002

Additional Information:

My husband, John, and I have been married 45 years. We have 3 daughters and 3 grandchildren. We have lived in Fairfield Harbour since 2004, and love cruising or racing our 30 ft. sailboat. After shoveling snow in MN for 30 years, we decided to move to NC. I enjoy sewing, reading mysteries, doing Sudoku and jigsaw puzzles, and singing in church choir. After 30 years in the classroom, I have taught a variety of children from Pre-School Multi-handicapped to Eighth Grade. In addition to classroom teaching responsibilities, I have been involved in the following:

1. I served on the Northfield Public Library Board for 6 years, 1990-1996. While I was on the Board we tackled the controversy of whether there should R rated movies on the shelf, whether 18 year olds should be allowed to view those movies (even with their parents' permission), and the whole issue of First Amendment rights. Other discussions were: what should be policies for computer use by patrons, and how much budget should be set aside for staff computer training. Computers were replacing the old card catalogues. The library had just finished constructing an addition to the old building. It was an interesting and exciting time.
2. For 18 years, I was the coordinator of a residential environmental education experience for St. Dominic's fifth grade classes. This involved doing all the lesson preplanning, selecting parent chaperones, accompanying the class to the outdoor school for 5 days, and being financially accountable to the parish bookkeeper for all monies.
3. Also at St. Dominic's, I coordinated a fifth grade poetry unit for 15 years that required students to write 5 types of poetry, and then to memorize a published poem. Students performed their selection in front of friends, family, and grades 3 & 4, while 4 adults from the community awarded ribbons and prizes to the top 6 competitors. I also made sure the local newspaper sent a reporter/photographer to cover the story.
4. I have served on 2 archdiocesan accreditation teams in 7 years, evaluating 2 other nearby Catholic elementary schools. I have also been involved with 3 reaccreditation studies of St. Dominic's between 1983 and 2004.
5. For 6 weeks in Winter and Spring of 2004, I supervised a student teacher from the College of St. Catherine, in St. Paul, MN.
6. I was granted a sabbatical from St. Dominic's for the school year 2002-2003. My graduate school project was to study American History as my husband and I sailed our boat from the western end of Lake Superior through the Great Lakes down to New York City, south to the Florida Keys, and back to New Bern. We then flew to California, visited our daughter, and drove home to Minnesota via Montana. This whole trip took exactly one year. I returned to St. Dominic School in August 2003.
7. For the past 4 years I have volunteered at Pruitt Health Hospice. My primary responsibility has been filing documents concerning patient care, creating admission packets for nurses, and other clerical office work, averaging 2-5 hours a week there. I have also visited 4 patients at different times.

Volunteer Board Information and Interest Sheet Craven County, North Carolina

Names of board, committee, authority, etc., in which you are interested. Please list in order of priority:

Craven County Public Library Board

Name: Donna Woodruff

Home Phone: 252-259-3009

Home Address: 202 Hillcrest Rd

City: New Bern, NC

Zip Code: 28562

Township: Trent Woods

City Limits: Yes No

Occupation: REACTOR

Business Phone: 252-638-3500

Place of Employment: CLAWSON BANKELL SMITH

Fax Number: _____

E-Mail Address: donwoodruff@clawsonbanker.com

(Please indicate your preferred contact number)

Education

College - 2 yrs

Business and Civic Experience

Small Business Owner Downtown (Previously) Asst Member
Downtown Bus. Assoc., CHAIRMAN OF COMMERCIAL LEADERSHIP
CRAVEN, 300TH CELEBRATION DIRECTOR OF HISTORY BOWL

Areas of Expertise, Interest, Skills

avid reader who utilizes the library and
loves to hold a book!

Why do you want to serve?

LIBRARIES ARE A MAINSTAY OF ANY COMMUNITY - IF THIS WAY
OF ELECTRONIC BOOK I WOULD HATE TO SEE LIBRARIES DISAPPEAR

Please List Other Local, Regional and Statewide Boards, Committees or Commissions on Which You Serve

NONE OTHER THAN ADVISORY BOARD FOR MY COMPANY
AT PRESENT

(A resume may be attached to this form, but will not be accepted in lieu of the form.)

Date: 2-26-2015

Donna Woodruff
Signature

The Craven County Board of Commissioners sincerely appreciates the interest of all citizens in serving their county. For more information on the responsibilities of various boards, you may view the on-line board descriptions or contact the County Clerk's Office at (252) 636-6601. RETURN FORM TO: CRAVEN COUNTY CLERK, 406 CRAVEN STREET, NEW BERN, NC 28560. The form may also be sent via e-mail (gpbryan@cravencountync.gov) or fax: (252) 637-0626.

This form will remain active until two years after date received.

Volunteer Board Information and Interest Sheet

Craven County, North Carolina

Names of board, committee, authority, etc., in which you are interested. Please list in order of priority:

New Bern / Craven County Library Board

Name: Tedra Harris - Brown Home Phone: 252 259.1922
 Home Address: 109 Brookshire Drive
 City: New Bern, NC 28562 Zip Code: 28562
 Township: Township 8 City Limits: Yes No
 Occupation: Billing clerk Business Phone: 252.636.4530
 Place of Employment: Caroline East Physicians Fax Number: 252.288.5882
 E-Mail Address: tedrabrown69@yahoo.com
 (Please indicate your preferred contact number.) 252.259.1922

Education

some college (Craven Community College)

Business and Civic Experience

Guardian Ad Litem (1 1/2 yr)

Areas of Expertise, Interest, Skills

My interests include reading, traveling, serving my community and focusing on solutions for the future of our special needs population after high school

Why do you want to serve?

The library is like a second home to me and I would like to serve on this board to be a part of something that gives back to

Please List Other Local, Regional and Statewide Boards, Committees or Commissions on Which You Serve

none

(A resume may be attached to this form, but will not be accepted in lieu of the form.)

Date: 2.27.15

Tedra Harris - Brown
Signature

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This form will remain active until two years after date received.



Volunteer Board Information and Interest Sheet

Craven County, North Carolina

Names of board, committee, authority, etc., in which you are interested. Please list in order of priority:

New Bern/Craven County Library Board

Name: Emily Downs Home Phone: 252-723-3717
Home Address: 309 Wadkins Blvd.
City: New Bern Zip Code: 28560
Township: 6 City Limits: Yes XX No
Occupation: stay at home mom Business Phone: N/A
Place of Employment: N/A Fax Number:
E-Mail Address: erdowns@gmail.com

(Please indicate your preferred contact number.)

Education

John Brown University, B.S. Education; 1995

Business and Civic Experience

Prudential Securities; Lansing, Michigan (1995-1997): managed client files, placed orders for stock purchases,
Volunteer for Christian Life Center; Dayton, Ohio (2004-2013): event coordinator for various church events, taught
orientation class for new volunteers. Currently volunteer for local church and local charity as event coordinator.

Areas of Expertise, Interest, Skills

Organization; Volunteer coordination; program development; familiar with library operation (past experience)

Why do you want to serve?

My children and I are avid readers and users of the library. I homeschool all three of my children and the library is
a vital resource for us. I am interested in the health and sustainability of the library for our community.

Please List Other Local, Regional and Statewide Boards, Committees or Commissions on Which You Serve

None currently.

(A resume may be attached to this form, but will not be accepted in lieu of the form.)

Date: 03/02/2015

Signature: 

Please be advised that this form is a public record, and must be made available to the public upon request.

The Craven County Board of Commissioners sincerely appreciates the interest of all citizens in serving their county. For more information on the responsibilities of various boards, you may view the on-line board descriptions or contact the County Clerk's Office at (252) 636-6601. RETURN FORM TO: CRAVEN COUNTY CLERK, 406 CRAVEN STREET, NEW BERN, NC 28560. The form may also be sent via e-mail (gbryan@cravencountync.gov) or fax: (252-637-0526).

This form will remain active until two years after date received.

Volunteer Board Information and Interest Sheet

Craven County, North Carolina

Names of board, committee, authority, etc., in which you are interested. Please list in order of priority:

New Bern - Craven County Public Library Board of Trustees.

Name: JANE ORSTAD Home Phone: 252-514-0634
 Home Address: 505 SWINNECOCK
COURT
 City: NEW BERN Zip Code: 28562
 Township: - City Limits: Yes No
 Occupation: BETIRED Business Phone: N/A
 Place of Employment: - Fax Number: N/A
 E-Mail Address: jolstad27@gmail.com
 (Please indicate your preferred contact number.)

Education

BA ENGLISH WELLS COLLEGE
MLS DREXEL UNIVERSITY

Business and Civic Experience

- ADULT REFERENCE LIBRARIAN, N. TOWANDA PUB. LIB. 31 YEARS
- BOARD OF EDUCATION (ELECTED) STARPOINT CENTRAL SCHOOL 18 YEARS
- LITERACY VOLUNTEERS Bd member 15 YEARS; HABITAT FOR HUMANITY Bd Memb-5 yrs.

Areas of Expertise, Interest, Skills

Education, READING, LITERATURE

Why do you want to serve?

TO WORK WITH THE LIBRARY BOARD, STAFF, AND PUBLIC TO MAKE THE NEW BERN LIB. THE BEST LIBRARY POSSIBLE

Please List Other Local, Regional and Statewide Boards, Committees or Commissions on Which You Serve

NONE

(A resume may be attached to this form, but will not be accepted in lieu of the form.)

Date: 3/2/15 Jane L. Orstad
Signature

The Craven County Board of Commissioners sincerely appreciates the interest of all citizens in serving their county. For more information on the responsibilities of various boards, you may view the on-line board descriptions or contact the County Clerk's Office at (252) 636-6601. RETURN FORM TO: CRAVEN COUNTY CLERK, 406 CRAVEN STREET, NEW BERN, NC 28560. The form may also be sent via e-mail (gbryan@cravencountync.gov) or fax: (252) 637-0526.

This form will remain active until two years after date received.

Volunteer Board Information and Interest Sheet Craven County, North Carolina

Names of board, committee, authority, etc., in which you are interested. Please list in order of priority:

CRAVEN NEW BERN / CRAVEN COUNTY LIBRARY BOARD
COVE CITY / CRAVEN COUNTY LIBRARY BOARD

Name: LINDSEY F. WYATT Home Phone: 633-5829

Home Address: 3920 NC HWY 55 W

City: COVE CITY Zip Code: 28523

Township: TOWNSHIP 9 City Limits: Yes No

Occupation: RETIRED TEACHER Business Phone: _____

Place of Employment: _____ Fax Number: _____

E-Mail Address: _____

(Please indicate your preferred contact number.)

Education

1966 - RALPH L. FIKE H.S. - WILSON, NC

1970 - AB ELDON COLLEGE - ELDON, NC

Business and Civic Experience

PUBLIC SCHOOL TEACHER - 30 YRS

Areas of Expertise, Interest, Skills

LIFELONG READER

Why do you want to serve?

I HAVE THE TIME AND DESIRE TO SERVE

Please List Other Local, Regional and Statewide Boards, Committees or Commissions on Which You Serve

(A resume may be attached to this form, but will not be accepted in lieu of the form.)

Date: 7 MARCH 2015

Signature: Lindsey J. Wyatt

Please be advised that this form is a public record, and must be made available to the public upon request. The Craven County Board of Commissioners sincerely appreciates the interest of all citizens in serving their county. For more information on the responsibilities of various boards, you may view the on-line board descriptions or contact the County Clerk's Office at (252) 636-6601. RETURN FORM TO: CRAVEN COUNTY CLERK, 406 CRAVEN STREET, NEW BERN, NC 28560. The form may also be sent via e-mail (gbryan@cravencountync.gov) or fax: (252-637-0526).

This form will remain active until two years after date received.

CRAVEN COUNTY

**An Ordinance to Amend the
Code of Ordinances**

WHEREAS, the requested amendments to the Code of Ordinances will: (i) clarify the composition, powers, and duties of the Board of Adjustment; (ii) clarify the rights of all parties who have standing under the Code of Ordinances related to zoning; (iii) clarify the process for notices, hearings and appeals under the Code of Ordinances related to zoning; and, (iv) bring the Code of Ordinances into compliance with recent statutory changes enacted by the North Carolina General Assembly; and,

WHEREAS, the proposed amendments are consistent with the County's Land Use Plan's goals and objectives, and with the County's overall land use regulations and ordinances; and,

WHEREAS, the proposed amendments will further the purposes of the Code of Ordinances as to zoning, and other ordinances and actions designed to implement the County's Land Use Plan; and,

WHEREAS, the Planning Staff recommends approval of the proposed amendments; and,

WHEREAS, on February 26, 2015, the County's Planning Board voted 5 to 0 to recommend that the Board of Commissioners approve the proposed Text Amendment set forth herein; and,

WHEREAS, the Board of Commissioners held a duly-noticed public hearing on April 6, 2015 to consider amending the Code of Ordinances.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS as follows:

SECTION I

The proposed text amendments are found to be consistent with the County's Land Use Plan, and other land use regulations, ordinances and policies; and otherwise promotes the public

health, safety and general welfare. Therefore, the County's Code of Ordinances is hereby amended as set forth herein.

SECTION II

1. *That Appendix D ("Cherry Point Marine Corps Air Station", and hereafter referred to as "Ordinance"), Part I ("Marine Corps Air Station Zoning Ordinance"), Section 11.0 ("Board of Adjustment") of the Code of Ordinances be deleted, and replaced in its entirety as follows:*

SEC. 11.0 BOARD OF ADJUSTMENT

SEC. D-I-11.1. CREATION; COMPOSITION

A Board of Adjustment ("Board") is hereby established pursuant to G.S. §153A-345.1, to be appointed by the Craven County Board of Commissioners. Insofar as possible, members of the Board shall be appointed as follows: at least one resident of the area which is zoned shall be appointed to the Board; however, the Board shall consist of five members. Insofar as possible, initial appointment to the Board shall be as follows: one-third for a term of three years; one-third for a term of two years; and one-third for a term of one year. Two alternate members may be appointed for a term of three years to serve in the absence or temporary disqualification of any regular members or to fill a vacant seat pending appointment of a member. The successor to the regular and the alternate members shall be appointed for three-year terms. Vacancies shall be filled for the unexpired term only. All members shall have equal rights, privileges and duties with regard to all matters.

SEC. D-I-11.2. MEETINGS; OFFICERS

The Board shall elect one (1) of its members as Chair, one (1) of its members as a Vice-Chair, and shall appoint a Secretary and other subordinates as it deems in its best interest. The Board shall adopt any rules of procedure under which it will operate. Meetings of the Board shall be held at the call of the Chair, or in his absence the Vice-Chair, or at least two (2) members of the Board. All meetings of the Board shall be open to the public. The Board shall keep full and accurate minutes of its proceedings.

SEC. D-I-11.3. POWERS AND DUTIES

The Board shall have the following powers and duties:

(a) **Administrative Review.** To hear and decide appeals from and review any order, requirement, decision, or determination made by an administrative official charged with enforcement of this Ordinance.

(b) **Interpretation.** To interpret the terms of this Ordinance and zoning maps and to pass upon disputed questions of lot lines or district boundary lines and similar questions as they arise in the administration of this Ordinance.

(c) **Conditional Use and Special Use Permits.** To hear and decide special and conditional use permits in accordance with standards and procedures specified in this Ordinance. Reasonable and appropriate conditions may be imposed upon these permits.

(d) **Subpoena.** To subpoena witnesses and compel the production of evidence, through the chair, or in the chair's absence anyone acting as the chair, may subpoena witnesses and compel the production of evidence. To request issuance of a subpoena, persons with standing under G.S. §160A-393(d) may make a written request to the chair explaining why it is necessary for certain witnesses or evidence to be compelled. The chair shall issue requested subpoenas he or she determines to be relevant, reasonable in nature and scope, and not oppressive. The chair shall rule on any motion to quash or modify a subpoena. Decisions regarding subpoenas made by the chair may be appealed to the full Board. If a person fails or refuses to obey a subpoena issued pursuant to this subsection, the Board or the party seeking the subpoena may apply to the General Court of Justice for an order requiring that its subpoena be obeyed, and the court shall have jurisdiction to issue these orders after notice to all proper parties

(e) **Oath.** The chair of the Board, or any member acting as chair, and the clerk to the Board are authorized to administer oaths to witnesses in any matter coming before the Board. Any person who, while under oath during a proceeding before the Board, willfully swears falsely is guilty of a Class 1 misdemeanor.

(f) **Variance – In General.** When unnecessary hardships would result from carrying out the strict letter of this ordinance, the Board may vary any of the provisions of this ordinance upon a showing of all of the following:

- (1) Unnecessary hardship would result from the strict application of this ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.
- (2) The hardship results from conditions that are peculiar to the property, such as location, size, or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance.
- (3) The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.

- (4) The requested variance is consistent with the spirit, purpose, and intent of this ordinance, such that public safety is secured, and substantial justice is achieved.

Provided, however, no change in permitted uses may be authorized by variance. Appropriate conditions may be imposed on any variance, provided that the conditions are reasonably related to the variance.

(g) *Variance – Federal Fair Housing Act.* Notwithstanding the provisions of subparagraph (f) above, the Board may provide for a variance under the Federal Fair Housing Act upon the following:

1. Application Requirements; Determination of Completeness.

- (a) Persons Authorized to File Applications. An application for a reasonable accommodation may be filed only by the owner of the land affected by the reasonable accommodation; an agent, lessee, or contract purchaser specifically authorized by the owner to file such application; or any unit of government that is not the owner of the lot but proposes to acquire the lot by purchase, gift, or condemnation.
- (b) Pre-Application Conference. Before filing an application for a reasonable accommodation, the applicant may request a pre-application conference with the Zoning Administrator.
- (c) Application Filing. An application for a reasonable accommodation shall be filed with the Zoning Administrator. No filing fee is required for such application. Once the application is complete, the Zoning Administrator shall schedule the application for consideration at a hearing before the Board, and shall transmit to the Board all applications and other records pertaining to such reasonable accommodation prior to the hearing on the application.

2. Approval Criteria.

The Board shall grant a reasonable accommodation to any provision of this ordinance if it finds by a greater weight of the evidence that the proposed reasonable accommodation is determined to be both reasonable and necessary, in accordance with the following:

- (a) **“Reasonable”** An accommodation will be determined to be reasonable if it would not undermine the legitimate purposes and effects of existing planning regulations, and if it will not impose significant financial and administrative burdens upon the County and/or constitute a substantial or fundamental alteration of this ordinance’s provisions; and

- (b) **“Necessary”** An accommodation will be determined to be necessary if it would provide direct or meaningful therapeutic amelioration of the effects of the particular disability or handicap, and would afford an equal opportunity to enjoy and use housing in residential areas in the County.

3. Effect of Approval or Denial.

- (a) After the Board approves a reasonable accommodation, the applicant shall follow the normal procedures set forth in this ordinance, and any other applicable ordinance, for approval of any permits, certificates, and other approvals required in order to proceed with development or use of the property. All orders, decisions, determinations, and interpretations made by administrative officers under those procedures shall be consistent with the reasonable accommodation granted by the Board.
- (b) The Board shall refuse to hear a reasonable accommodation request that has been previously denied, unless it finds that there have been substantial changes in the conditions or circumstances relating to the matter.

4. Lapse

Failure of an applicant to apply for a building permit or any other required development permit, and commence uninterrupted construction or action with regard to a variance granted hereunder within one (1) year of receiving approval of the reasonable accommodation shall automatically render the variance null and void.

(h) Decision. As used in this Ordinance, the term "decision" includes any final and binding order, requirement, or determination. The Board shall follow quasi-judicial procedures when deciding appeals and requests for variances and special and conditional use permits. The Board shall hear and decide all matters upon which it is required to pass under any statute or this Ordinance.

SEC. D-I-11.4. NOTICE OF HEARING

Notice of hearings conducted pursuant to this Ordinance shall be mailed to the person or entity whose appeal, application, or request is the subject of the hearing; to the owner of the property that is the subject of the hearing if the owner did not initiate the hearing; to the owners of all parcels of land abutting the parcel of land that is the subject of the hearing; and to any other persons entitled to receive notice as provided by the zoning or unified development ordinance. In the absence of evidence to the contrary, the County may rely on the county tax listing to determine owners of property entitled to mailed notice. The notice must be deposited in the mail at least 10 days, but not more than 25 days, prior to the date of the hearing. Within that same

time period, the County shall also prominently post a notice of the hearing on the site that is the subject of the hearing or on an adjacent street or highway right-of-way.

SEC D-I-11.5. VOTING

(a) The concurring vote of four-fifths of the board shall be necessary to grant a variance. A majority of the members shall be required to decide any other quasi-judicial matter or to determine an appeal made in the nature of certiorari. For all other matters, a majority of the members shall be required. For the purposes of this Section, vacant positions on the board and members who are disqualified from voting on a quasi-judicial matter shall not be considered members of the board for calculation of the requisite majority if there are no qualified alternates available to take the place of such members. Abstentions by a member not otherwise excused from voting shall be counted as a vote in favor of any motion or action.

(b) A member of the Board shall not participate in or vote on any quasi-judicial matter in a manner that would violate affected persons' constitutional rights to an impartial decision maker. Impermissible violations of due process include, but are not limited to, a member having a fixed opinion prior to hearing the matter that is not susceptible to change, undisclosed ex parte communications, a close familial, business, or other associational relationship with an affected person, or a financial interest in the outcome of the matter. If an objection is raised to a member's participation and that member does not recuse himself or herself, the remaining members shall by majority vote rule on the objection.

(c) The Board may reverse or affirm, wholly or in part, or may modify the order, requirement, decision, or determination appealed from, and shall make any order, requirement, decision, or determination that in its opinion ought to be made.

SEC D-I-11.6. QUASI-JUDICIAL DECISIONS AND JUDICIAL REVIEW

(a) The Board shall determine contested facts and make its decision within a reasonable time. Every quasi-judicial decision shall be based upon competent, material, and substantial evidence in the record. Each quasi-judicial decision shall be reduced to writing and reflect the board's determination of contested facts and their application to the applicable standards. The written decision shall be signed by the chair or other duly authorized member of the board. A quasi-judicial decision is effective upon filing the written decision with the clerk to the board or such other office or official as the ordinance specifies. The decision of the board shall be delivered by personal delivery, electronic mail, or by first-class mail to the applicant, property owner, and to any person who has submitted a written request for a copy, prior to the date the decision becomes effective. The person required to provide notice shall certify that proper notice has been made.

(b) Every quasi-judicial decision shall be subject to review by the Craven County Superior Court by proceedings in the nature of certiorari pursuant to G.S. §160A-393. A petition for review shall be filed with the Clerk of Craven County Superior Court by the later of 30 days

after the decision is effective or after a written copy thereof is given in accordance with Section 8.6(a). When first-class mail is used to deliver notice, three days shall be added to the time to file the petition.

SEC D-I-11.7. APPEALS

The Board shall hear and decide appeals from decisions of administrative officials charged with enforcement of this Ordinance, pursuant to all of the following:

(a) Any person who has standing under G.S. §160A-393(d) or the County may appeal a decision to the Board. An appeal is taken by filing a notice of appeal with the County Clerk and payment of any applicable fees adopted by the County. The notice of appeal shall state the grounds for the appeal.

(b) The official who made the decision shall give written notice to the owner of the property that is the subject of the decision and to the party who sought the decision, if different from the owner. The written notice shall be delivered by personal delivery, electronic mail, or by first-class mail.

(c) The owner or other party shall have 30 days from receipt of the written notice within which to file an appeal. Any other person with standing to appeal shall have 30 days from receipt from any source of actual or constructive notice of the decision within which to file an appeal.

(d) It shall be conclusively presumed that all persons with standing to appeal have constructive notice of the decision from the date a sign containing the words "Zoning Decision" in letters at least six inches high and identifying the means to contact an official for information about the decision is prominently posted on the property that is the subject of the decision, provided the sign remains on the property for at least 10 days. Posting of signs is not the only form of constructive notice. Any such posting shall be the responsibility of the landowner or applicant. Verification of the posting shall be provided to the official who made the decision. Absent an ordinance provision to the contrary, posting of signs shall not be required.

(e) The official who made the decision shall transmit to the Board all documents and exhibits constituting the record upon which the action appealed from is taken. The official shall also provide a copy of the record to the appellant and to the owner of the property that is the subject of the appeal if the appellant is not the owner.

(f) An appeal of a notice of violation or other enforcement order stays enforcement of the action appealed from unless the official who made the decision certifies to the Board after notice of appeal has been filed that because of the facts stated in an affidavit, a stay would cause imminent peril to life or property or because the violation is transitory in nature, a stay would seriously interfere with enforcement of this Ordinance. In that case, enforcement proceedings shall not be stayed except by a restraining order, which may be granted by a court. If enforcement proceedings are not stayed, the appellant may file with the official a request for an

expedited hearing of the appeal, and the board of adjustment shall meet to hear the appeal within 15 days after such a request is filed. Notwithstanding the foregoing, appeals of decisions granting a permit or otherwise affirming that a proposed use of property is consistent with the ordinance shall not stay the further review of an application for permits or permissions to use such property; in these situations the appellant may request and the board may grant a stay of a final decision of permit applications or building permits affected by the issue being appealed.

(g) Subject to the provisions of subdivision (f) of this section, the Board shall hear and decide the appeal within a reasonable time.

(h) The official who made the decision shall be present at the hearing as a witness. The appellant shall not be limited at the hearing to matters stated in the notice of appeal. If any party or the County would be unduly prejudiced by the presentation of matters not presented in the notice of appeal, the Board shall continue the hearing. The Board may reverse or affirm, wholly or partly, or may modify the decision appealed from and shall make any order, requirement, decision, or determination that ought to be made. The board shall have all the powers of the official who made the decision.

(i) When hearing an appeal in the nature of certiorari, the hearing shall be based on the record below and the scope of review shall be as provided in G.S. §160A-393(k).

(j) The parties to an appeal that has been made under this Ordinance may agree to mediation or other forms of alternative dispute resolution.

SEC. D-I-11.8. ADDITIONAL REMEDIES.

In addition to any other penalties and remedies allowed under the County's Code of Ordinances, if a building or structure is erected, constructed, reconstructed, altered, repaired, converted, or maintained, or any building, structure or land is used in violation of this Ordinance, the County, in addition to other remedies, may institute any appropriate action or proceedings to prevent the unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance or use, to restrain, correct or abate the violation, to prevent occupancy of the building, structure or land, or to prevent any illegal act, conduct, business or use in or about the premises

2. *That this Ordinance is effective upon adoption.*

Adopted and effective this ____ day of _____, 2015.

CRAVEN COUNTY

(County Seal)

Steve Tyson, Chairman

Attest:

Gwendolyn Bryan, Clerk

9\\SERVER04\lssdocs\00000020\00054693.000.DOCX

**CRAVEN COUNTY
NOTICE OF PUBLIC HEARING**

PROPOSED AMENDMENTS TO CODE OF ORDINANCES

**APPENDIX D - Cherry Point Marine Corps Air Station Zoning Ordinance
APPENDIX F - Coastal Carolina Regional Airport Zoning and Height Control Ordinance
CHAPTER 30 - Signs**

Please be advised that the Craven County Board of Commissioners shall hold a public hearing on April 6, 2015 at 7:00 p.m., or as soon thereafter as this matter may be reached, in the Craven County Board of Commissioners Room, 406 Craven Street, New Bern, North Carolina. The purpose of the public hearing is to consider:

1. Proposed text amendments to Appendix D (“Cherry Point Marine Corps Air Station”), Part I (“Marine Corps Air Station Zoning Ordinance”), Section 11.0 (“Board of Adjustment”). These proposed amendments are to amend the provisions related to the Board of Adjustment, to comply with recent statutory changes;
2. Proposed text amendments to Appendix F (“Coastal Carolina Regional Airport Zoning and Height Control Ordinance”), Section F-8.0 (“Board of Adjustment”). These proposed amendments are to amend the provisions related to the Board of Adjustment, to comply with recent statutory changes; and,
3. Proposed text amendments to Chapter 30 (“Signs”), Article II (“Off-Premises Signs”). These proposed amendments are to redefine the definition of signs, to standardize penalties, and to provide for more detailed procedures for the Board of Adjustment in the administrative reviews, appeals and variances under Chapter 30.

The proposed amendments have been filed with the Clerk to the Board and they may be inspected by the public from 8:00 a.m. to 5:00 p.m. Monday through Friday in the Clerk’s office at 406 Craven Street, New Bern, North Carolina. All persons interested in this matter should appear before the Board at said time and place for the purpose of expressing their views in regard to this issue.

Gwendolyn Bryan
Clerk to the Board

AN ORDINANCE TO AMEND
CHAPTER 30 (“SIGNS”)
OF THE
CRAVEN COUNTY
CODE OF ORDINANCES

WHEREAS, the proposed amendments to the Code of Ordinances will: (i) clarify the definition of “signs” for purposes of administering and enforcing Chapter 30 of the Code of Ordinances; (ii) make penalties and remedies for violations of Chapter 30 consistent with the penalties for other Chapters of the Code of Ordinances; and (iii) clarify an aggrieved person’s rights of review, variance and appeal under Chapter 30 of the Code of Ordinances; and,

WHEREAS, the proposed amendments are consistent with the County’s Land Use Plan’s goals and objectives, and with the County’s overall land use regulations and ordinances; and,

WHEREAS, the proposed amendments will further the purposes of the Code of Ordinances as to certain land use regulations, namely signs, and other ordinances and actions designed to implement the County’s Land Use Plan; and,

WHEREAS, the Planning Staff recommends approval of the proposed amendments; and,

WHEREAS, on February 26, 2015, the County’s Planning Board voted 5 to 0 to recommend that the Board of Commissioners approve the proposed Text Amendment set forth herein; and,

WHEREAS, the Board of Commissioners held a duly-noticed public hearing on April 6, 2015 to consider amending the Code of Ordinances.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS as follows:

SECTION I

The proposed text amendments are found to be consistent with the County’s Land Use Plan, and other land use regulations, ordinances and policies; and otherwise promotes the public

health, safety and general welfare. Therefore, the County's Code of Ordinances is hereby amended as set forth herein.

SECTION II

1. That Chapter 30 ("Signs"), Article II ("Off-Premises Signs"), Section 30-21 ("Definitions") be amended, by deleting the current definition of "Sign" and replacing in its entirety as follows:

Sign means any: (i) surface, fabric, structure or device bearing lettered, pictorial or sculptured matter (including symbols, emblems, flags and banners) designed to convey information visually and exposed to public view, or (ii) any structure (including billboard or poster panel) designed to carry the above visual information and which is exposed to public view; and either of which directs attention to any realty, product, service, place, activity, person, institution, performance, commodity, firm, business or solicitation.

2. That Chapter 30 ("Signs"), Article II ("Off-Premises Signs"), Section 30-26 ("Penalties and remedies") be deleted, and replaced in its entirety as follows:

Sec. 30-26 Penalties and remedies.

(a) ***In General.*** Violation of any provision of this Article shall be punishable as set forth in Sections 1-11 and 1-12 of the Craven County Code of Ordinances, and as may be otherwise allowed by this Code or state law.

(b) ***Removal of Sign.*** In addition to any remedy contained in Section 30-26(a), and except where it may cause a breach of peace, the county may physically remove the sign or have the sign removed from the property where a sign is in violation to ensure compliance with these provisions; provided, however that the owners must have had notice sent pursuant to Section 30-25(a), and further provided that the owners have been requested by certified mail to remove the sign which is in violation of this Article.

3. That Chapter 30 ("Signs"), Article II ("Off-Premises Signs"), Section 30-27 ("Appeals") be deleted, and replaced in its entirety as follows:

Sec. 30-27. Administrative Review; Variances; Appeals

The Board of Adjustment shall have the authority to conduct administrative reviews and appeals, and to grant variances. To the extent applicable for these purposes, the provisions of Sections 8-3 through 8-7 of Appendix F (“Coastal Carolina Regional Airport Zoning and Height Control Ordinance”), Sec. F-8.0 (“Board of Adjustment”) of the Code of Ordinances shall control.

4. *This Ordinance is adopted and effective this ____ day of _____, 2015.*

CRAVEN COUNTY

(County Seal)

By

STEVE TYSON, Chairman
Craven County Board of Commissioners

ATTEST:

GWENDOLYN M. BRYAN
Clerk to the Board

**CRAVEN COUNTY
PLANNING BOARD**

**RESOLUTION ADVISING THAT PROPOSED AMENDMENTS
TO THE CODE OF ORDINANCES ARE IN ACCORDANCE WITH
ALL OFFICIALLY ADOPTED PLANS, INCLUDING THE
COMPREHENSIVE LAND USE PLAN; ARE REASONABLE;
AND ARE IN THE PUBLIC INTEREST.**

WHEREAS, the North Carolina General Assembly has given Craven County ("County") the authority to adopt and amend zoning and development regulation ordinances for the purpose of promoting health, safety, morals and the general welfare of its citizens.

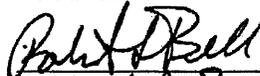
WHEREAS, N.C.G.S. §160A-383 requires the Craven County Planning Board ("Board") to advise the Craven County Board of Commissioners by written statement describing whether the proposed amendments to the County's Code of Ordinances as related to zoning are consistent with all officially adopted plans, including the comprehensive land use plan.

WHEREAS, the Board has in fact met to consider and evaluate the proposed amendments to the Code of Ordinances.

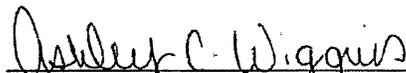
NOW THEREFORE, BE IT HEREBY RESOLVED, that the Board finds that the proposed amendments to the Code of Ordinances are in accordance with all officially adopted Craven County plans, including any comprehensive land use plan, and therefore recommends adoption by the Craven County Board of Commissioners.

This Resolution is effective upon its adoption this 26th day of February, 2015.

CRAVEN COUNTY PLANNING BOARD


Robert A. Bell, Chairman

ATTEST:


Ashley C. Wiggins Secretary

**CRAVEN COUNTY
PLANNING BOARD**

**RESOLUTION ADVISING THAT PROPOSED AMENDMENTS
TO CHAPTER 30 OF THE CODE OF ORDINANCES ARE IN ACCORDANCE WITH
ALL OFFICIALLY ADOPTED PLANS, INCLUDING THE
COMPREHENSIVE LAND USE PLAN; ARE REASONABLE;
AND ARE IN THE PUBLIC INTEREST.**

WHEREAS, the North Carolina General Assembly has given Craven County ("County") the authority to adopt and amend zoning and development regulation ordinances for the purpose of promoting health, safety, morals and the general welfare of its citizens.

WHEREAS, N.C.G.S. §160A-383 requires the Craven County Planning Board ("Board") to advise the Craven County Board of Commissioners by written statement describing whether the proposed amendments to the County's Code of Ordinances as related to zoning and/or development regulation are consistent with all officially adopted plans, including the comprehensive land use plan.

WHEREAS, the Board has in fact met to consider and evaluate the proposed amendments to the Code of Ordinances, Chapter 30 ("Signs").

NOW THEREFORE, BE IT HEREBY RESOLVED, that the Board finds that the proposed amendments to the Code of Ordinances are in accordance with all officially adopted Craven County plans, including any comprehensive land use plan, and therefore recommends adoption by the Craven County Board of Commissioners.

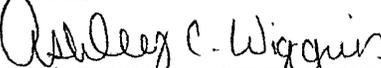
This Resolution is effective upon its adoption this 26th day of February, 2015.

CRAVEN COUNTY PLANNING BOARD



Robert A. Bell, Chairman

ATTEST:



Ashley C. Wiggins, Secretary