

**AGENDA  
CRAVEN COUNTY BOARD OF COMMISSIONERS  
REGULAR SESSION  
MONDAY, MAY 4, 2015  
7:00 P.M.**

CALL TO ORDER

ROLL CALL

INVOCATION

PLEDGE OF ALLEGIANCE

APPROVE AGENDA

1. CONSENT AGENDA
  - A. Minutes of April 20, 2015
  - B. Tax Releases and Refunds
2. PUBLIC HEARING: PAMLICO SOUND REGIONAL HAZARD MITIGATION PLAN: Landin Holland, Holland Consulting Planners
3. PUBLIC HEARING: AMBULANCE FRANCHISE ORDINANCE AMENDMENT: Jack Veit, County Manager
4. PUBLIC HEARING: NOISE ORDINANCE: Aaron Arnette, County Attorney Associate
5. PETITIONS OF CITIZENS
6. CRAVEN COUNTY SCHOOLS BUDGET PRESENTATION: Dr. Lane Mills, Superintendent of Schools
7. CRAVEN COMMUNITY COLLEGE BUDGET PRESENTATION: Dr. Catherine Chew, President
8. REQUEST FOR RESOLUTION APPROVING EASTERN CAROLINA WORKFORCE DEVELOPMENT AREA CONSORTIUM AGREEMENT AND APPOINTING CHIEF ELECTED OFFICIAL: Tammy Childers, Executive Director
9. REQUEST FOR RESOLUTION TO SUPPORT HR1288: WWII MERCHANT MARINER SERVICE ACT: Chairman Tyson

DEPARTMENTAL MATTERS

10. PLANNING – SUBDIVISIONS FOR APPROVAL: Don Baumgardner, Planning Director
11. FINANCE MATTERS: Rick Hemphill, Assistant County Manager, Finance/Administration
  - A. Budget Amendment
  - B. Audit Contract
12. COMMISSIONERS' RULES OF PROCEDURE
13. APPOINTMENTS
14. COUNTY ATTORNEY'S REPORT: Aaron Arnette
15. COUNTY MANAGER'S REPORT: Jack Veit
16. COMMISSIONERS' REPORTS
17. CLOSED SESSION

Agenda Date: May 4, 2015

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

Agenda Item No. 1

Board Action Required or Considered: Yes

## CONSENT AGENDA

### A. MINUTES OF APRIL 20, 2015

The Board will be asked to approve regular session minutes of April 20, 2015.

### B. TAX RELEASES AND REFUNDS

Craven County Tax Administrator, Ronnie Antry, submitted the routine requests for tax releases and refunds contained in Attachment #1.B. for the Board's approval.

**Board Action: A roll call vote is needed to approve the consent agenda items.**

Agenda Date: May 4, 2015

Presenter: Landin Holland

Agenda Item No. 2

Board Action Required or Considered: Yes

**PUBLIC HEARING: PAMLICO SOUND REGIONAL HAZARD MITIGATION PLAN**

A public hearing will be held on Monday, May 4<sup>th</sup>, 2015 at 7:00 pm. The purpose of this hearing is to receive public comments regarding the County's completed update of its Hazard Mitigation Plan. The official name of the plan is the Pamlico Sound Regional Hazard Mitigation Plan. The plan has been approved by the Federal Emergency Management Agency (FEMA). The County is required to hold a public hearing in order to receive public comment before the Board of Commissioners can officially adopt the plan. This plan is required to be updated in order for the County to be eligible for federal disaster assistance funds.

The plan has been available for public inspection on the County's website.

**Board Action: Receive Public comment and consider adoption of the Resolution appearing as Attachment #2 approving Pamlico Sound Regional Hazard Mitigation Plan.**

Agenda Date: May 4, 2015

Presenter: Jack Veit

Agenda Item No. 3

Board Action Required or Considered: Yes

**PUBLIC HEARING: AMBULANCE FRANCHISE ORDINANCE AMENDMENT**

At the Board's last meeting, a public hearing was requested to receive public input on a proposed amendment to the Ambulance Franchise Ordinance. The amendment incorporates a \$2,000 per year fee which was established in the FY2014-15 budget for non-emergency transportation providers. The ordinance amendment (Attachment #3) has been available on the County's website for public review.

**Board Action: A vote to approve the ordinance will require a second vote at the next meeting.**

Agenda Date: May 4, 2015

Presenter: Aaron Arnette

Agenda Item No. 4

Board Action Required or Considered: Yes

### **PUBLIC HEARING: NOISE ORDINANCE AMENDMENTS**

At the last meeting the County Attorney presented proposed amendments to the County's Noise Ordinance, and requested a public hearing on the amendments. The amended ordinance, appearing as Attachment #4, has been on the County's website for public review.

**Board Action: At the close of the public hearing the Board may vote to adopt the amendment.**

Agenda Date: May 4, 2015

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

Agenda Item No. 5

Board Action Required or Considered: No

## PETITIONS OF CITIZENS

**Board Action: Receive information**

Agenda Date: May 4, 2015

Presenter: Dr. Lane Mills

Agenda Item No. 6

Board Action Required or Considered: No

## **CRAVEN COUNTY SCHOOLS BUDGET PRESENTATION**

Superintendent of Schools, Dr. Lane Mills, will present the proposed Board of Education budget for FY 2015-2016 and the schools' funding request to the County. The school's budget is included separately in your agenda packet.

**Board Action: Receive request**

Agenda Date: May 4, 2015

Presenter: Dr. Catherine Chew

Agenda Item No. 7

Board Action Required or Considered: No

## **CRAVEN COMMUNITY COLLEGE BUDGET PRESENTATION**

Craven Community College President, Dr. Catherine Chew, will present the proposed FY 2015-2016 budget and the funding request for the college to the County.

**Board Action: Receive request**

Agenda Date: May 4, 2015

Presenter: Tammy Childers

Agenda Item No. 8

Board Action Required or Considered: Yes

**REQUEST FOR RESOLUTION APPROVING EASTERN CAROLINA WORKFORCE  
DEVELOPMENT AREA CONSORTIUM AGREEMENT AND APPOINTING CHIEF  
ELECTED OFFICIAL**

Attachment #8 contains details concerning reorganization of Eastern Carolina Workforce Development Area Consortium, a copy of the Consortium agreement and resolution adopting the agreement. Included is a request that the Board appoint its representative elected official.

**Board Action: Consider adopting the resolution and authorizing execution of the agreement.**

Agenda Date: May 4, 2015

Presenter: Chairman Tyson

Agenda Item No. 9

Board Action Required or Considered: Yes

## **REQUEST FOR RESOLUTION TO SUPPORT HR1288 – WW II MERCHANT MARINER SERVICE ACT**

Following is an appeal by Don Horton, President of the WW II Coastwise Merchant Mariners:

For over 8 years we have attempted to obtain recognition for some WW II coastwise barge and tug seamen and get closer each session of Congress. The last session we cleared the House and very closely cleared the Senate via the 2015 NDAA through an amendment. We just missed near the very end. We didn't make it.

On 04 March, Representatives George K. Butterfield, D-NC-01 and Walter Jones, R-NC-03 have reintroduced HR 1288 WW II Merchant Mariners Service Act. We now must gather support for one more go at gaining recognition before the few hundred are no longer with us.

Craven County has stepped up over and over again to support this effort and we are again requesting that same support. This year we are taking an approach with a single resolution to avoid any possibility of misinterpretation from any source. It is rather lengthy but has all the facts possible regarding official actions taken against these mariners and recommendations to correct these oversights.

Will you step up again and help us make it through the congressional hoops and see this action into a bill that will finally correct this long standing problem?

Attached is our resolution that is also an analysis of the situation that I believe you will agree this action is the right thing to do. (Attachment #9)

**Board Action: This Board adopted a similar resolution in 2014. Consider request to adopt a new resolution.**

Agenda Date: May 4, 2015

Presenter: Don Baumgardner

Agenda Item No. 10

Board Action Required or Considered: Yes

## **DEPARTMENTAL MATTERS: PLANNING – SUBDIVISIONS FOR APPROVAL**

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

### **The 18<sup>th</sup> Green at Carolina Pines – Final**

- Property is owned by Carolina Pines Golf and Country Club and surveyed by James C. Simmons Jr., PLS
- Property is located within Twp. 6, off of Carolina Pines Blvd.
- Subdivision contains 3 lots on .8902 acres
- Lots proposed to be served by county water and private community sewer by Carolina Utilities

### **Philip J. Tess, Jr. – Final**

- Property is owned by Elbert Ryan Jolley and surveyed by Timothy J. Esolen, PLS
- Property is located within Twp. 3, off of NC Hwy 55
- Subdivision contains 1 lot on 1.25 acres
- Lot proposed to be served by county water and an existing individual septic system

### **Stately Pines Section 8 – Final**

- Property is owned by Stately Pines Partnership and surveyed by Edward B. Latham, PLS
- Property is located within Twp. 6, off of Stately Pines Rd.
- Subdivision contains 7 lots on 7.67 acres
- Lots proposed are to be served by county water and City of New Bern sewer

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

Agenda Date: May 4, 2015

Presenter: Rick Hemphill

Agenda Item No. 11

Board Action Required or Considered: Yes

## DEPARTMENTAL MATTERS: FINANCE

### A. BUDGET AMENDMENT

Rick Hemphill, Assistant County Manager, Finance/Administration, will present the following budget amendment for the Board's approval. (See Attachment 11.A)

**Amendments:** E911 – Need to budget \$3,947.00 to move from General Fund to E911 Fund. This is to reimburse the E911 Fund for ineligible items as determined by the 911 Board for the year ending June 30, 2014. Those charges should have been paid from General Fund.

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

### B. AUDIT CONTRACT

Mr. Hemphill will present the audit contract for fiscal 2015 with McGladrey and Pullen, contained in Attachment #11.B. The audit fee is \$66,600, a \$1000 increase over last year (1.5%). Additionally there is a charge of \$4,200 for agreed upon procedures relating to the audit of DSS intake procedures as required by the State of North Carolina. The fee for these procedures was \$4,000 last year (which was the first year it existed). Also attached are the arrangement letters spelling out the responsibilities of each party for both the audit and the agreed upon procedures of DSS.

**Board Action: Authorize the Chairman to sign the contract.**

Agenda Date: May 4, 2015

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

Agenda Item No. 12

Board Action Required or Considered: Yes

### **COMMISSIONERS' RULES OF PROCEDURE**

At the Board's last meeting amended Rules of Procedure were presented and discussed. At that meeting Commissioner Dacey proposed language to clarify conditions for a consent agenda, which has now been incorporated.  
(See Attachment #12)

**Board Action: Consider adoption of amended rules.**

Agenda Date: May 4, 2015

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

Agenda Item No. 13

Board Action Required or Considered: Yes

## APPOINTMENTS

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

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

**A. PENDING APPOINTMENT(S):**

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:** Tim Harvey (appointed 2013; has moved and needs to be replaced)  
John Hawkins (Twp.3; appointed 2013)  
John Norris, Sr. (Rhems; appointed 2013)

**No applications on file:**

**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)

**A list of residents in the eligible areas (AICUZ Zone and Coastal Carolina Regional Airport Zone) was previously provided to the Board.**

**B. CURRENT APPOINTMENTS**

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: \_\_\_\_\_

**Terms expiring:** John Wetherington – Municipal Alternate; resigned

**No applications on file.** Must be an elected official of a municipality that is not included in the MPO. (Havelock, Vanceboro, Cove City, Dover)

NURSING HOME ADVISORY COMMITTEE

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

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

NUMBER OF MEMBERS:

7-12

TYPE:

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

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

Cannot be employed by or have a relative in a nursing home.

LENGTH OF TERMS: 3 Years

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

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

**Term(s) expiring:** Cheryl Stevenson (appointed 2012)

EASTERN CAROLINA REGIONAL HOUSING AUTHORITY

AUTHORIZATION: Housing Authority Laws of North Carolina (1941)

MISSION/FUNCTION: Oversees the operation of 718 units of public housing in 10 North Carolina Counties: Sampson, Harnett, Duplin, Johnston, Wayne, Craven, Onslow, Jones, Pamlico and Carteret. There are 50 units in Craven County known as Manteo Circle in Havelock.

NUMBER OF MEMBERS:  
10  
1

TYPE:  
1 per County  
Appointee of Governor

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

LENGTH OF TERMS: 5 Years

MEETING SCHEDULE: 1<sup>st</sup> Tuesday of the first month of each quarter

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

**Term(s) ending:** Arlene Clifton (Appointed 1995)  
(See Attachment #13.B.)



**C. UPCOMING APPOINTMENTS**

**June**

<u>Craven Community College</u>	Carol Mattocks (Appointed 2006)
<u>Community Child Protection Team</u>	Nadia Anderson (Appointed 2012) Dorothy Cumisky (Appointed 2012)
<u>Eastern Carolina Workforce Development</u>	Ronald Knight
<u>EMS Advisory Council</u>	Michael Smith (Appointed 2013)
<u>Firemen's Relief Fund</u>	Kevin Jones ( ;appointed 2013) Jeffery Norman (LSC; appointed 2013)
<u>Fire Tax Commissioner</u>	Harvey Hurst (Appointed 2011) Chris Wetherington (Appointed 2013)
<u>Juvenile Crime Prevention Council</u>	James Anderson (Appointed 2013) Catherine Hardison (Appointed 2013) Michelle Jerome (Appointed 2013)
<u>Nursing Home Advisory Committee</u>	Susanne Layton (Appointed 2012)
<u>Planning Board</u>	Patrick Wood (Appointed 2011)
<u>Recreation and Parks</u>	Dennis Smith (Appointed 2009)
<u>Coastal Carolina Airport Authority</u>	Joseph Leahy (Appointed 2012) Kenny Morris (Appointed 2011) Mary Harris (Appointed 2012)
<u>Tourism Development Authority</u>	Gary Curry (Appointed 2012)

Agenda Date: May 4, 2015

Presenter: Aaron Arnette

Agenda Item No. 14

## COUNTY ATTORNEY'S REPORT

- A. Final Acceptance - Offer to Purchase Real Property – Parcel No. 1-044-264 (no assigned street number; off of Main Street, north of Vanceboro

The County has previously received and tentatively approved an offer in the amount of \$2,200.00 for this property, which was acquired through a tax foreclosure. The total taxes and costs that were foreclosed on were \$2,139.09. The current tax value is \$13,500.00. The offer was advertised and there were no upset bids. Attached is the proposed resolution, deed and lien waiver. It is recommended that the Board give final approval of the sale and adopt the enclosed resolution.

- B. Offer to Purchase Real Property – 240 Avery Road (Parcel No. 2-040-114)

The County has received an offer in the amount of \$3,500.00 for this property, which was acquired through a tax foreclosure. The total taxes and costs that were foreclosed on were \$3,496.48. The current tax value is \$39,410.00. Attached are copies of a proposed resolution, offer to purchase, bid deposit, foreclosure deed, and GIS information.

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

- C. Disposition of Property located at 607 Bern Street, New Bern  
(Tax Parcel No. 8-007-276)

On April 15, 2014, this property was acquired jointly with the City of New Bern through a tax foreclosure. Based upon the percentage of taxes owed, the City owns a 40.466% interest, and the County owns a 59.534% interest. Total taxes and abatement liens owed at the time of foreclosure was \$7,732.93. The current tax value of the land is \$7,000. The lot is approximately 0.07 acres.

The dwelling on the property is dilapidated, and the City will be demolishing it under its ordinances. The estimated cost of demolition and disposal is \$3,800. The City has inquired as to whether the County desires to pay its prorated cost for demolition (estimated to be approximately \$2,260), or in the alternative whether the County would prefer to donate its interest to the City.

Agenda Date: May 4, 2015

Presenter: Jack Veit

Agenda Item No. 15

## **COUNTY MANAGER'S REPORT**

Agenda Date: May 4, 2015

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

Agenda Item No. 16

## **COMMISSIONERS' REPORTS**

Agenda Date: May 4, 2015

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

Agenda Item No. 17

### **CLOSED SESSION**

The Board will be requested to go into closed session to discuss qualifications and performances of personnel, pursuant to NCGS 143-318.11(a)(6).