

**AGENDA  
CRAVEN COUNTY BOARD OF COMMISSIONERS  
REGULAR SESSION  
MONDAY, SEPTEMBER 21, 2015  
8:30 A.M.**

CALL TO ORDER

ROLL CALL

INVOCATION

PLEDGE OF ALLEGIANCE

APPROVE AGENDA

1. CONSENT AGENDA
  - A. Minutes of September 8, 2015 regular session
  - B. Tax Releases and Refunds
2. MCAS CHERRY POINT JLUS BRIEFING: Steve Player, Wooten Company and James Norment, Ward and Smith
3. COASTAL ENVIRONMENTAL PARTNERSHIP UPDATE: Bobby Darden, Executive Director
4. FARMERS MARKET PRESENTATION: Joe Hunt, President
5. CITY OF HAVELOCK COMMUNITY DEVELOPMENT AGREEMENT: City of Havelock Official; Cliff Parsons, Ward and Smith; and Jim Hicks, County Attorney

DEPARTMENTAL MATTERS

6. HEALTH: Scott Harrelson, Health Director
  - A. Budget Amendment – Use of Reserve Funds 371
  - B. Budget Amendment – Additional State Funds Awarded
  - C. Fee Recommendations
  - D. Medicaid Cost Settlement Discussion
7. SOCIAL SERVICES: Alfreda Stout, Deputy Director
  - A. Budget Amendment – County Social Services Line Item
  - B. Budget Amendment – Roll Forward Unspent Donation Funds from Prior FY Senior Meals Program

8. RECREATION – HARLOWE FOOTBALL FIELD LIGHTING PROJECT: Eddie Games, Recreation Director
9. PLANNING – SUBDIVISION FOR APPROVAL: Don Baumgardner, Planning Director
10. FINANCE: Rick Hemphill, Assistant County Manager, Finance/Administration
  - A. Request by Community College Foundation to Revise Endowment Agreement
  - B. Policy for Fire Department Grant Matches by County
  - C. Budget Amendments
11. APPOINTMENTS
12. COUNTY ATTORNEY’S REPORT: Jim Hicks
13. COUNTY MANAGER’S REPORT: Jack Veit
14. COMMISSIONERS’ REPORTS
15. CLOSED SESSION

Agenda Date: September 21, 2015

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

Agenda Item No. 1

Board Action Required or Considered: Yes

### **CONSENT AGENDA**

**A. MINUTES OF SEPTEMBER 8, 2015 REGULAR SESSION**

The Board will be requested to approve the minutes of September 8, 2015 regular session.

**B. TAX RELEASES AND REFUNDS**

Craven County Tax Administrator, Ronnie Antry, will submit 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 consent agenda items.**

Agenda Date: September 21, 2015

Presenters: James Norment, Steve Player

Agenda Item No. 2

Board Action Required or Considered: No

### **MCAS CHERRY POINT JLUS BRIEFING**

James Norment of Ward and Smith and Steve Player with Wooten Company will brief the Board about the Cherry Point JLUS (Joint Land Use Study) and its goals.

**Board Action: Receive information**

Agenda Date: September 21, 2015

Presenter: Bobby Darden

Agenda Item No. 3

Board Action Required or Considered: No

### **COASTAL ENVIROMENTAL PARTNERSHIP UPDATE**

At the request of Commissioner Mark, Coastal Partnership Executive Director, Bobby Darden, will present some of the Fiscal Year end tonnage data that was presented to the CRSWMA Board last month.

**Board Action: Receive information**

Agenda Date: September 21, 2015

Presenter: Joe Hunt

Agenda Item No. 4

Board Action Required or Considered: No

### **FARMERS MARKET PRESENTATION**

Joe Hunt, President of the Farmers Market will make a presentation to update the Board on the status and plans of the New Bern Farmers Market.

**Board Action: Receive information**

Agenda Date: September 21, 2015

Presenters: City of Havelock Official, Cliff Parsons,  
Jim Hicks

Agenda Item No. 5

Board Action Required or Considered:

## **CITY OF HAVELOCK COMMUNITY DEVELOPMENT AGREEMENT**

### **PHOENIX RECYCLING SITE**

#### **Site History**

The land assessed in this report was originally a sand mine that was later used as a demolition waste dump site. Phoenix Recycling was permitted by NCDCCR as a material recycling center and a construction and demolition debris waste management facility in 1993. In 1997, the site received approximately 24,000-tons of hurricane debris from Pender County. The owners of the site declared bankruptcy in 2000. At the time the facility closed there was estimated to be over 150,000 cubic yards of unprocessed material stockpiled at the site.

In 2004, an inventory of materials at the site indicated over 200,000 cubic yards of waste material at the site in approximately nine piles. This material consisted of approximately 75,200 cubic yards of compacted wood chips mixed with sand; 71,150 cubic yards of compacted wood chips mixed with sand and covered with building debris; 31,200 cubic yards of less compacted wood chips mixed with sand; 18,000 cubic yards of loose wood chips; 2,750 cubic yards of scrap metal; and 3,100 cubic yards of building debris (mainly plastic.)

The North Carolina Department of Environment, Health and Natural Resources, Division of Waste Management, Inactive Hazardous Site Branch has conducted numerous investigations to assess the potential environmental impacts at the site.

#### **Brownfields Assessment Grant**

The City received an EPA Brownfields Assessment Grant for environmental site assessments and data collection. The Phoenix site was one of the sites which has been evaluated. Part of the Brownfields program is also to develop a revitalization /reuse plan. Of note: if the City of Havelock assumes ownership of the Phoenix site that currently is in the City's ETJ, the City of Havelock is provided liability protection for pre-existing environmental contamination through protections found within federal law as exemptions or defenses to Superfund liability (under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), commonly known as Superfund) and through the Brownfields Agreement to be negotiated with the North Carolina Department of Natural Resources (DENR). Both the EPA and DENR are extremely supportive of the City's efforts to revitalize and make the Phoenix site safe for the community.

Goals

The City of Havelock has three primary goals regarding the acquisition of the Phoenix site.

- 1) Make the site safer.
- 2) Mitigate existing environmental conditions.
- 3) Redevelop the site in a way that best benefits our citizens.

Process

- 1) Back Taxes. The City of Havelock desires to partner with Craven County to make this process as fiscally reasonable as possible. By approving the AGREEMENT, the county will receive the back taxes and then assist the City of Havelock in its future efforts in remediation and redevelopment.  
(See Attachment #5)
- 2) Protection from environmental Liability. The City of Havelock has agreed to a draft Brownfields agreement with NCDENR which will not go through a 30 day public comment period. If there are no substantive changes to the current document, we expect to have a final agreement before the end of October 2015.
- 3) Take ownership of the Phoenix property.

**Board Action: Consider approval of the agreement.**

Agenda Date: September 21, 2015

Presenter: Scott Harrelson

Agenda Item No. 6

Board Action Required or Considered: Yes

## DEPARTMENTAL MATTERS: HEALTH

### A. BUDGET AMENDMENT – USE OF RESERVE FUNDS 371

Use of dental reserve funds is being requested to purchase a handheld x-ray machine. The current x-ray machine is over six years old and is inoperable. It is needed for daily use on the dental mobile. (See Attachment #6.A.)

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

### B. BUDGET AMENDMENT – ADDITIONAL STATE FUNDS AWARDED

The State awarded the Health Department an additional \$20,000 in Preparedness and Response funding. This funding will cover Bioterrorism and Ebola Preparedness Response. Full-time salary covers Health Department employees' reimbursement for time spent in August mass exercise. Other costs covered are detailed in Attachment #6.B.

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

### C. FEE RECOMMENDATIONS

Attachment #6.C. lists recommended fees that are being presented for approval.

**Board Action: A vote to approve the fees.**

### D. MEDICAID COST SETTLEMENT DISCUSSION

Craven County Health Director, Scott Harrelson, will brief the Board on recent changes involving Craven County Medicaid cost settlement. These changes could potentially negatively affect financial standing in current and previous fiscal years. Mr. Harrelson will review potential options that the County Commissioners may seek to remedy these issues.

**Board Action: Receive information**

Agenda Date: September 21, 2015

Presenter: Alfreda Stout

Agenda Item No. 7

Board Action Required or Considered: Yes

## DEPARTMENTAL MATTERS: SOCIAL SERVICES

Alfreda Stout, DSS Deputy Director, will present the following budget amendments for the Board's approval.

### A. BUDGET AMENDMENT – COUNTY SOCIAL SERVICES LINE ITEM

The County Social Services line item is utilized to pay expenses associated with mandated Adult Protective Services and Guardianship cases. The Craven County Dept. of Social Services provides service on average to 50 or more individuals per month.

Costs generally associated with adult protective services and guardianship cases include: psychological and or medical expenses, adult care and/or nursing home room and board, medications, legal and estate fees, etc. This line item also provides payment for but is not limited to: disposition of unclaimed bodies, transports, contract with "ARC" for specific guardianship cases, etc.

Since June, Craven County DSS has been involved with two cases that have presented unexpected and higher than average costs for room and board, additional supervision, medication, psychological needs and evaluations, and other related costs. These have already exceeded our annual allocation.

Based on a review of currently known and projected costs, our Agency would need an additional \$80,000 through June 30, 2016.

Placement and related costs for adult protective and guardianship services can be very fluid. Therefore, our Agency is requesting an additional \$40,000 to provide funding through December 2015. At that time we will re-evaluate the need for additional funding. (See Attachment #7.A)

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

### B. BUDGET AMENDMENT – ROLL FORWARD UNSPENT DONATION FUNDS FROM PRIOR FY SENIOR MEALS PROGRAM

Ms. Stout is requesting to roll forward from prior fiscal year unspent funds donated to the Senior Program and Meals Program. (See Attachment #7.B.)

Agenda Date: September 21, 2015

Presenter: Eddie Games

Agenda Item No. 8

Board Action Required or Considered: No

**DEPARTMENTAL MATTERS: RECREATION – HARLOWE FOOTBALL FIELD LIGHTING PROJECT**

On Thursday August 6, 2015, Recreation Director, Eddie Games, met with Ray Brown (electrical contractor) and Commissioner McCabe at the Harlowe football field. The purpose for this meeting was for R. Brown to evaluate the current lighting at the facility and to discuss options for repairs or replacements. See Attachment #8 for findings from Ray Brown.

Mr. Games also contacted Bruce Johnson with Carteret – Craven Electric Cooperative about any possible assistance from them towards the Harlowe light project. He put Mr. Games in touch with Jake Joplin and Sarah Grider. Jake said they could possibly assist with installing new poles and Sarah stated they have a foundation, but the main intent is to help those struggling to pay electric bills. She did say that they could possibly make up to a \$500 donation to the league to help with league expenses.

**Board Action: Receive information**

Agenda Date: September 21, 2015

Presenter: Don Baumgardner

Agenda Item No. 9

Board Action Required or Considered: Yes

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

Craven County Planning Director, Don Baumgardner, will present the following subdivision for the Board's approval. The Planning Board met on July 27, 2015 and recommended the subdivision for approval.

### Quail Woods Ph. 2, Sec. 1 - Final

- Property is owned by Quail Woods Village, LTD and Surveyed by Baldwin Design Consultants, P.A.
- Property is located within Twp. 2, off Broad Creek Rd. (SR 1600)
- Parcel ID 2-015-019
- Subdivision contains 24 lots on 11.194 acres
- Lots proposed to be served by community water and individual septic systems

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

## DEPARTMENTAL MATTERS: FINANCE

### A. REQUEST BY COMMUNITY COLLEGE FOUNDATION TO REVISE ENDOWMENT AGREEMENT

After the sale of the NC Railroad Stock in 1998 the County donated \$500,000 to the Craven Community College Foundation Scholarship Fund. An endowment was created with these funds and each year it funds many scholarships. The original agreement states that 80% of earnings can be used each year to fund scholarships. Over the years the Foundation has seen this amount vary considerably based on the swings in the market. The Foundation has looked at how to "smooth" this out so a consistent number of scholarships can be awarded each year. The request made by the Foundation is to amend the agreement to allow that 80% of the average of the five previous year earnings can be used to fund scholarships.

The total in the Foundation at this time is approximately \$1.9 million. The two largest endowments are the County's (approximately \$575,000) and the original college endowment (approximately \$525,000). The Foundation Board has already approved changing the original college endowment as above and if the County agrees this will provide a much more consistent level of scholarships to be awarded each year. (See Attachment #10.A)

**Board Action: The Board will need to authorize the Chairman to sign the amendment to the endowment agreement.**

### B. POLICY FOR FIRE DEPARTMENT GRANT MATCHES BY COUNTY

During the budget workshops the Board asked staff to develop a policy to be used to determine the eligibility to receive a match from the County for Department of Insurance grants to volunteer fire departments. Data, contained in Attachment 10.B, was compiled for each squad to assist in determining the parameters for eligibility. After review of this data it is our recommendation that:

- 1) Each year the Board must first decide if the County will match any grants. This decision should be made during the budget development timeframe to be effective for the grants applied for the following January (funded the next budget year). This will allow the departments to know whether a match is available prior to their applying.
- 2) Volunteer fire departments with an estimated property valuation of less than \$300,000,000 are eligible to be considered for a match if the current tax rate is more than \$.05 per \$100 of valuation.

- 3) Cash available to the departments will also be considered as will the amount of fund balance held for the departments by the County.
- 4) Departments with cash balances over \$100,000 will be required to explain the purpose for this amount of cash being accumulated before being approved for a match.
- 5) Additionally the Board may require the department to use the fund balance on the County's books as the match if it is sufficient to do so.

**Board Action: Receive information and consider proposed policy.**

C. BUDGET AMENDMENTS

Mr. Hemphill will present the following budget amendments, as shown in Attachment 10.C. for the Board's approval.

**Amendments:** Volunteer Fire Dept – Need to budget \$ 2,140 in additional fire dept funds to cover shortage in Cove City's Volunteer Fire Department's worker compensation line. VFIS invoice dated 07/29/15 is for \$ 90,560.

Fire/Special Service District – Need to budget funds to meet required 50% match for fire grants awarded to Little Swift Creek (\$ 20,000), Cove City (\$ 3,000), Dover (\$ 14,720), Ft. Barnwell (\$ 3,280) and Township #9 (\$ 9,683). The funds are already appropriated in the General Fund budget as the Board of Commissioners approved \$50,683 for grant matches in the FY '16 budget.

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

Agenda Date: September 21, 2015

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

Agenda Item No. 11

Board Action Required or Considered: Yes

## APPOINTMENTS

- A. PENDING
- B. UPCOMING

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

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

ADULT CARE HOME ADVISORY COMMITTEE

AUTHORIZATION: N.C.G.S.131D-31

MISSION/FUNCTION: Work to maintain the intent of the Domiciliary Home Residents 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 and disabled adults

NUMBER OF MEMBERS:

9-11

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 an adult care home.

LENGTH OF TERMS: 3 Years

MEETING SCHEDULE: \_\_\_\_\_

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

**Term(s) ending:**

Kathy Nelson (Resigned)  
Jessica James (Resigned)  
Mystre Van Horn (Resigned)

**No applications on file.**

**B. UPCOMING APPOINTMENTS**

**October**

Community Child Protection Team

Dawn Gibson (Appointed 2012)

Adult Care Home Advisory

Linda Chagnon (Appointed 2012)

Jury Commission

James Muse (Appointed 2013)

**November**

Firemen's Relief Fund

Donald Rottman (Appointed 2013)

Agricultural Advisory Committee

Jackie Anderson (Appointed 2009)  
Dale Dawson (Appointed 2009)

Agenda Date: September 21, 2015

Presenter: Jim Hicks

Agenda Item No. 12

Board Action Required or Considered: Yes

## COUNTY ATTORNEY'S REPORT

### A. FINAL ACCEPTANCE – OFFER TO PURCHASE REAL PROPERTY – 735 W NC. HWY 55 (#8-218-066)

The County and City previously received and tentatively approved an offer in the amount of \$4,000.00 for this property, which was acquired through a tax foreclosure. The total taxes and costs that were foreclosed on were \$3,529.80. The current tax value is \$23,850. The offer was advertised, and there were no upset bids received.

Attachment #12.A. contains the proposed resolution, deed and lien waiver. It is recommended that the Board give final approval of the sale and adopt the resolution.

### B. INITIAL OFFER TO PURCHASE REAL PROPERTY – 3022 MADISON AVENUE (#8-044-A-069).

The County and City have received an offer in the amount of \$4,200.00 for this property, which was acquired through a tax foreclosure. The total taxes and costs that were foreclosed on were \$4,189.43. The current tax value is \$62,530.00. Attachment #12.B. contains copies of the offer to purchase, deed, GIS information, and proposed resolution.

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

Agenda Date: September 21, 2015

Presenter: Jack Veit

Agenda Item No. 13

## **COUNTY MANAGER'S REPORT**

Agenda Date: September 21, 2015

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

Agenda Item No. 14

## **COMMISSIONERS' REPORTS**

Agenda Date: September 21, 2015

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

Agenda Item No. 15

**CLOSED SESSION**

The Board will be requested to go into closed session concerning a personnel matter and to consult with the attorney, pursuant to N.C.G.S. 143-318.11(a)(3) and (6).