

**AGENDA
CRAVEN COUNTY BOARD OF COMMISSIONERS
REGULAR SESSION
MONDAY, MARCH 7, 2016
7:00 P.M.**

CALL TO ORDER

ROLL CALL

INVOCATION

PLEDGE OF ALLEGIANCE

APPROVE AGENDA

1. PETITIONS OF CITIZENS
2. CONSENT AGENDA
 - A. Minutes of February 15, 2016
 - B. Tax Releases and Refunds
 - C. Military Family of the Quarter
 - D. CARTS Budget Amendment
3. POTABLE WATER PROJECT UPDATE: Chris Windley, McKim & Creed

DEPARTMENTAL MATTERS

4. CARTS: Kelly Walker, Transportation Director
 - A. 5339 Resolution
 - B. Drug and Alcohol Policy Approval
5. RECREATION – AWARD PLAYGROUND CONSTRUCTION BID: Eddie Games, Recreation Director
6. ECONOMIC DEVELOPMENT: Timothy Downs, Economic Development Director
 - A. Resolution Authorizing Sale of Real Property in Industrial Park
 - B. Update on Economic Development Activities
7. FINANCE – BUDGET AMENDMENTS & ORDINANCE UPDATE: Craig Warren, Finance Director
 - A. Schools
 - B. CDBG – FY12
8. APPOINTMENTS
9. COUNTY ATTORNEY'S REPORT: Jim Hicks

10. COUNTY MANAGER'S REPORT: Jack Veit
11. COMMISSIONERS' REPORTS

Agenda Date: March 7, 2016

Presenter: _____

Agenda Item No. 1

Board Action Required or Considered: No

PETITIONS OF CITIZENS

Board Action: Receive information

Agenda Date: March 7, 2016

Presenter: _____

Agenda Item No. 2

Board Action Required or Considered: Yes

CONSENT AGENDA

A. MINUTES OF FEBRUARY 15, 2016

The Board will be requested to approve the minutes of February 15, 2016 regular session.

B. TAX RELEASES AND REFUNDS

The Board will be requested to approve the routine tax releases and refunds contained in Attachment #2.B.

C. MILITARY FAMILY OF THE QUARTER RESOLUTION

The Board will be requested to adopt the resolution contained in Attachment #2.C., recognizing the family of Master Sergeant Timothy Newhouse as Military Family of the Quarter.

D. CARTS BUDGET AMENDMENT

The Board will be requested to adopt the following budget amendment.

Jones County was allocated \$1,652 in additional HCCBG funding. Jones County decided to spend the additional funding with CARTS. There is a local match paid by Jones County, increasing the total amount of services expected to be purchased from CARTS by \$1,836. Providing transportation to these passengers will require additional money to be spent in fuel. Therefore, the increased expenditure line item for the increased revenue is fuel.

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

Agenda Date: March 7, 2016

Presenter: Chris Windley

Agenda Item No. 3

Board Action Required or Considered: No

POTABLE WATER PROJECT UPDATE

Chris Windley of McKim and Creed will make a presentation concerning the progress of the water project.

Board Action: Receive information

Agenda Date: March 7, 2016

Presenter: Kelly Walker

Agenda Item No. 4

Board Action Required or Considered: Yes

DEPARTMENTAL MATTERS: CARTS

A. 5339 RESOLUTION

CARTS Director, Kelly Walker, will present the resolution contained in Attachment #4.A., in which the North Carolina Board of Transportation (NCBOT) has approved CARTS to purchase three vehicles using 5339 funding. This is federal funding coming through the North Carolina Department of Transportation/Public Transportation Division (NCDOT/PTD). These vehicles will be used in the urbanized area and will replace vehicles that were previously purchased with rural money and have met useful life. Originally, CARTS included these vehicles as part of the FY2017 5311 Community Transportation Program (CTP) capital grant request. The 5311 grant request for these vehicles will be denied by NCDOT/PTD because they have been approved for 5339 funding. A public hearing is not required for this grant request, per NCDOT/PTD. Permission to apply is required. Therefore, CARTS is requesting approval of the provided resolution granting permission for CARTS to apply.

Board Action: Approval of the resolution granting permission to apply for Section 5339 Program funding for the purchase of three vehicles to be used in the urban area.

B. DRUG AND ALCOHOL POLICY APPROVAL

As a result of the drug and alcohol compliance review conducted by RLS Associates, CARTS is required to update its drug and alcohol policy. This drug and alcohol policy is based on a template provided by RLS Associates and has passed approval by RLS Associates as meeting all federal requirements except adoption by the board. Ms. Walker is asking for the Board's adoption of the Zero Tolerance Drug and Alcohol Policy provided. (See Attachment #4.B.)

Board Action: Adoption of the Zero Tolerance Drug and Alcohol Policy for CARTS

Agenda Date: March 7, 2016

Presenter: Eddie Games

Agenda Item No. 5

Board Action Required or Considered: Yes

**DEPARTMENTAL MATTERS: RECREATION – AWARD PLAYGROUND
CONSTRUCTION BID**

Recreation & Parks Director, Eddie Games, will present a recommendation that Primus Contracting from Newport, NC be awarded the construction bid to build the inclusive playground at Creekside Park. Primus is currently working on a project for Craven County at the Health Department and is doing an excellent job. The plans for this project were engineered and designed by Rivers & Associates from Greenville. Of the 5 bids submitted for this project, Primus was the responsible low bidder of \$917,989.00. Even as the lowest bidder, this bid came in over budget but we were able to meet with Primus and discuss ways to meet our budget. Primus was able to propose VE (value engineered) cost savings to get this project under budget. (See Attachment #5) Based on the performance of Primus currently working with Craven County and discussions with them on this project, we feel their company is very competent and qualified to build this playground and surrounding components.

Board Action: A vote to award the contract.

Agenda Date: March 7, 2016

Presenter: Timothy Downs

Agenda Item No. 6

Board Action Required or Considered: Yes

DEPARTMENTAL MATTERS: ECONOMIC DEVELOPMENT

A. RESOLUTION AUTHORIZING SALE OF REAL PROPERTY IN INDUSTRIAL PARK

Economic Director, Timothy Downs, will present an offer from BSH to purchase Lot 18 (also known as Parcel 2) in the Craven County Industrial Park for \$23,000, or \$1,000 per acre. The County has determined that the fair market value of Lot 18 is \$460,000, or \$20,000 per acre. On October 19, 2015, and after proper public notice, pursuant to N.C. Gen. Stat. § 158-7.1 the Board of Commissioners held a public hearing concerning its intent to convey and sell to BSH Lot 18. In an effort to encourage the location and expansion of other industries within the County and to reward BSH for its intended investment in the county, County is considering conveying and selling Lot 18 to BSH for \$23,000, which will provide BSH an incentive of \$437,000 when compared to the fair market value.

After the close of the public hearing in October the Board did not deliberate the sale of the industrial park property. BSH is now ready to move forward with the real estate transaction. The Board should now consider authorizing the sale and the execution of documents, necessary to effectuate this economic development project.
(See Attachment #6.A.)

Board Action: Authorizing Resolution, Agreement for Purchase and Sale of Real Property, Agreement Conveying Real Property For Economic Development Purposes

B. UPDATE ON ECONOMIC DEVELOPMENT ACTIVITIES

Mr. Downs, will present an update on economic development activities in the county over the last quarter. The update will include a look at the Craven 100 Alliance, Workforce Development, and a general update on projects and prospects.

Board Action: Receive information

Agenda Date: March 7, 2016

Presenter: Craig Warren

Agenda Item No. 7

Board Action Required or Considered: Yes

DEPARTMENTAL MATTERS: FINANCE – BUDGET AMENDMENTS AND ORDINANCE UPDATE

Finance Director, Craig Warren, will present the following budget amendments and ordinance update for the Board's approval.

A. SCHOOLS

Craven County Schools – The school system has submitted its mid-year funding request to the County for local increases in salaries and benefits included in the state budget passed in September 2015. The total requested is \$282,527 which will require an appropriation from fund balance as the final number was unknown when the current year budget was adopted. (See Attachment #7.A.) The funding requested breaks down as follows:

- \$131,772 – Cost of \$750 bonus pay and fica for locally paid staff members
- \$125,429 – Cost of 51 local teacher raises with fica and retirement
- \$ 15,066 – Cost of health insurance increase \$93 x 162 local paid employees
- \$ 10,260 – Cost of locally paid AP raises with fica and retirement
- \$282,527 – Total Local Budget request for salary and benefit increases

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

B. CDBG FY12 WATER AND SEWER INFRASTRUCTURE PROECT #12-C-2493

This project was originally approved and budgeted for \$750,000. The project is now complete and all the work was performed for \$727,358.66. Need to adjust the revenue and expenditure accounts to reflect the reduced cost and close the project. (See Attachment #7.B.)

Ordinances: Close CDBG FY12 Water and Sewer Infrastructure Project #12 C-2493; Fund 282.

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

Agenda Date: March 7, 2016

Presenter: _____

Agenda Item No. 8

Board Action required or Considered: Yes

APPOINTMENTS

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

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

A. PENDING APPOINTMENT(S):

CRAVEN COMMUNITY CHILD PROTECTION TEAM

AUTHORIZATION: NCGS 7B-1406

MISSION/FUNCTION: To respond to child protection needs before a child is harmed by taking action to identify and address gaps or deficiencies in services and resources through the annual report to the County Board of Commissioners, collaboration with community partners, promoting public awareness and advocating for action that addresses the child protection needs of each county.

NUMBER OF MEMBERS: 11-16

TYPE: DSS Director, DSS staff member, law enforcement officer, attorney from DA's office, executive director of local community action agency, public School superintendent or designee, member of DSS Board, mental health professional, Guardian ad Litem Coordinator, Public Health Director, local health care provider, EMS/firefighter, District Court Judge, Commissioners appointees from other county agencies or community at-large

QUALIFICATIONS: Stated above.

LENGTH OF TERMS: As set by respective agencies, position and Commissioners'

MEETING SCHEDULE: Quarterly; January, April, July, October

Term(s) expiring: Dawn Gibson (Not seeking reappointment; parent who has lost child before the age of 18)
Bradley Lanto (2013; MCAS Cherry Point; wishes to continue)
Walter Mills (2013; Chief District Court Judge; wishes to continue)
Christopher Morning (2013; Havelock P.D.; Havelock PD. recommending replacement by Kimberly Tutwiler)

Application: Pending (Kimberly Tutwiler)

CRAVEN AGING PLANNING BOARD

AUTHORIZATION: Bylaws

MISSION/FUNCTION: To provide a comprehensive assessment of the needs and opportunities associated with older adults; an achievable vision of successful aging. Craven County based programs for the support of and investment in older adults and their families, including a system of care for high-risk older adults; and policy strategies for maximizing the functional independence and quality of life of older adults and their families consonant with their wishes and desires.

Serves as the sole policy formulation board concerning aging programs on behalf of the Craven County Board of Commissioners.

NUMBER OF MEMBERS:

18

TYPE:

Agency - 10
Local Government - 3
Client/Caregiver - 2
Senior Representative - 3

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

Representative of senior population (60+ years of age), client representative (caretaker of an older adult, employed by or volunteering for senior service provider) or representative of one of the following agencies or government entities: Craven County DSS, Craven County Health, Carolina East Medical Center, CARTS, Employment Security Commission, Neuse Center, Coastal Community Action, Legal Aid of North Carolina, Senior Tarheel Legislature, Craven County Commissioners, Craven County Manager, Council of Governments.

LENGTH OF TERMS: 2 Years

MEETING SCHEDULE: Fourth Thursday of every second month, beginning in January, at 1:30 p.m. in the Craven County Administration Building

COMPENSATION: No Yes Specify: _____

Terms ending: Dean Roberts (Client Representative-appointed 2012; does not wish to continue)

Application on file: Lydia Brown (Attachment # 8.A.)

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: Donna Siegmund (2013 – not functioning)

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

Terms expiring: Lee Kyle Allen III (2010)

No application on file.

B. CURRENT APPOINTMENTS

RIVER BEND BOARD OF ADJUSTMENT (EXTRATERRITORIAL JURISDICTION)

AUTHORIZATION: NCGS 160A-362

MISSION/FUNCTION: Serves as a quasi-judicial body; reviews and rules on permitted variances

NUMBER OF MEMBERS:

1

TYPE:

Resident of River Bend's ETJ Area

1

Alternate; resident of River Bend's ETJ Area

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

LENGTH OF TERMS: 3 Years

MEETING SCHEDULE: As needed

Term(s) ending: Vacancy for the ETJ Alternate position

No applications on file.

The map of the River Bend ETJ area can be seen in Attachment #8.B.

NEW BERN AREA FARMERS' MARKET BOARD

AUTHORIZATION: Articles of Incorporation; bylaws

MISSION/FUNCTION: Corporation operates as a non-profit entity organized for the purpose of providing a central market for farmers and fisheries and to offer consumers a variety of fresh foods at one location.

NUMBER OF MEMBERS:

7 - 25

TYPE:

1 City of New Bern

1 Chamber of Commerce

1 Swiss Bear

1 County Cooperative Extension

1 Appointed by Board of Commissioners

3-20 Appointed by Directors

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

LENGTH OF TERMS: 3 Years

MEETING SCHEDULE: As needed; annual meeting in December

Term(s) ending: Eileen Bress (stepping down)

Applications on file: Rebecca Moorer (Attachment # 8.B.1)

C. UPCOMING APPOINTMENTS

April

Craven Aging Planning Board: Joy Hudson (permanent agency seat; ESC)
Linda Klund (permanent agency seat; Trillium)

Health Board: Dr. Eric Wheelis (appointed 2013)

Nursing Home Advisory Committee: Robin Schaefer (appointed 2013)

Down East RPO: Chad Braxton (municipal official; appointed 2013)

Agricultural Advisory Board: Jimmy Arthur (appointed 2009)
Glen Ipock (appointed 2009)
David Parker (appointed 2009)
Carl Turner (appointed 2010)
Wyatt Whitford (appointed 2009)

May

ABC Board: Tony Lee (Appointed 2013)

CarolinaEast Medical Center: Norman Kellum (Appointed 2001)
(Chairman appoints; hospital Patrick McCullough (Appointed 2013)
nominates) Steve Sides (Appointed 2013; Chief of Staff)

EMS Advisory Committee: Keith Morris (Appointed 2012)
Jonathan Stephens (Appointed 2012)

Local Emergency Planning Committee: Paul Bryant (Appointed 2011)
Danny Hill (Appointed 2011)
Tamara Jones (Appointed 2011)
Timothy Lawrence (Appointed 2011)
Rich Weaver (Appointed 2011)

New Bern Board of Adjustment: John "Pop" Murrell (Appointed 2013)

Nursing Home Advisory Committee: Theron McCabe (Appointed 2010)

Coastal Carolina Airport Authority: Harold Blott (Appointed 2008)

COUNTY ATTORNEY'S REPORT

- A. Initial Offer to Purchase Real Property – Off of Maul Swamp Road, Vanceboro (Parcel Number 1-044-156).

The County has received an offer in the amount of \$1,000.00 for this property, which was acquired through a tax foreclosure. The total taxes and costs that were foreclosed on were \$1,469.12. The current tax value is \$13,500.00. Attachment #9.A contains copies of the offer to purchase, deed, GIS information, and proposed resolution.

Should the County 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 may accept or reject the final offer.

- B. Report on Potential Sale of Real Property – 408 Suttons Alley, New Bern (Parcel Number 8-008-166).

The County and City of New Bern gave preliminary approval to sell this property. However, the City of New Bern recently rejected its final approval of the sale, and therefore the property will not be sold at this time.

- C. Disposition of Property located at 1129 G Street, New Bern (Tax Parcel No. 8-006-034).

On November 19, 2015, 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 58.85% interest, and the County owns a 41.15% interest. Total taxes and abatement liens owed at the time of foreclosure was \$7,261.10. The current tax value of the land is \$8,190.00. The lot is approximately 0.279 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 \$4,000, assuming there is no asbestos or other hazardous materials discovered. The City has inquired as to whether the County desires to pay its prorated cost for demolition (estimated to be approximately \$1,646.00), or in the alternative whether the County would prefer to donate its interest to the City.

A proposed resolution is contained in Attachment #9.C should the Board elect to transfer the property to the City. Also attached are copies of the deed and GIS information for the property.

D. Donation of Various Properties to the City of New Bern, to be conveyed to Habitat for Humanity.

The County and City of New Bern acquired joint ownership of various parcels of land through tax foreclosures. The City is requesting that the parties convey their interests in the properties to Habitat for Humanity. Should the County agree to the request, it may be structured in various ways; but it is recommended that the County convey its interests to the City, and then the City would convey the properties to Habitat for Humanity. The City would contractually agree with Habitat that it must improve the properties within two (2) years, or any properties still unimproved would revert back to the City. Further, in that event, the City would re-convey to the County the County's previous percentage of ownership in each such property.

The properties are as follows:

- A. 813 West Street (Parcel 8-007-361)
- B. 817 West Street (Parcel 8-007-227)
- C. 1205 Church Street (Parcel 8-011-172)
- D. 1022 N Bern Street (Parcel 8-006-142)
- E. 876 Howard Street (Parcel 8-003-081)
- F. 703 Bern Street (Parcel 8-007-271)

Attachment #9.D. contains a proposed Resolution, and additional information about each parcel.

Agenda Date: March 7, 2016

Presenter: Jack Veit

Agenda Item No. 10

COUNTY MANAGER'S REPORT

Agenda Date: March 7, 2016

Presenter: _____

Agenda Item No. 11

COMMISSIONERS' REPORTS