

**AGENDA
CRAVEN COUNTY BOARD OF COMMISSIONERS
REGULAR SESSION
MONDAY JUNE 15, 2020
8:30 A.M.**

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVE AGENDA

ADOPTION OF THE FY 2020-2021 BUDGET ORDINANCE: Jack Veit, County Manager; Craig Warren, Finance Director;

1. CONSENT AGENDA
 - A. Minutes of June 1, 2020 Regular Session and May 22, 2020, May 28, 2020 and June 3, 2020 Reconvened Sessions
 - B. Tax Releases and Refund
 - C. EMS Budget Amendment
 - D. Schools Budget Amendment

2. COMMUNITY CHILD PROTECTION TEAM/COMMUNITY FATALITY PREVENTION TEAM PRESENTATION: Sandra Kutkuhn, Chair

DEPARTMENTAL MATTERS

3. SHERIFF: Tony Lee, Administrative Captain; Sheriff Chip Hughes
 - A. State Criminal Alien Assistance Program (SCAAP) Grant – Budget Amendment
 - B. Fuel – Budget Amendment
 - C. Additional Revenue to offset Increased Expenses and Salary Shortages- Budget Amendment

4. SOCIAL SERVICES: Geoffrey Marett, Social Services Director
 - A. HCCBG/Senior Center Operations Fund – Budget Amendment
 - B. Additional Foster Care IV-B and IV-E Funds – Budget Amendment
 - C. Medicaid Transportation Additional Funds – Budget Amendment

5. CARTS: Kelly Walker, Transportation Director
 - A. Authorization to Apply for 5307 CARES Act Funding
 - B. Additional EDTAP Funding Request – Budget Amendment

6. SOLID WASTE – REFUSE STICKER TURN IN - BUDGET AMENDMENT: Steven Aster, Solid Waste Director

7. HUMAN RESOURCES – AMEND PERSONNEL RESOLUTION: Amber Parker, Human Resources Director
8. CLOSED SESSION
9. PLANNING: Patrick Baker, Natural Resources Conservationist II; Don Baumgardner, Planning Director
 - A. Hurricane Matthew Round 3 Stream Debris Removal Awards
 - B. Subdivision for Approval – Alston W. Daniels (Final)
 - C. Apple Pie Solar Energy Facility
 - D. State Camp Road Communications Tower (Site Number US-NC-5084)
10. FINANCE: Craig Warren, Finance Director
 - A. Health Benefits - Budget Amendment
 - B. Register of Deeds - Budget Amendment
 - C. Sales Tax Transfers to Debt Service Fund – Budget Amendment
11. APPOINTMENTS
12. COUNTY ATTORNEY’S REPORT: Arey Grady
13. COUNTY MANAGER’S REPORT: Jack Veit
14. COMMISSIONERS’ REPORTS

Agenda Date: June 15, 2020

Presenters: Jack Veit and Craig Warren

ADOPTION OF THE FY 2020-2021 BUDGET ORDINANCE

Jack Veit, County Manager, and Craig Warren, Finance Director, will present the Budget Ordinance for FY 2020-2021, which will be provided to you under separate cover.

Board Action: If there is no additional input from Commissioners regarding the budget, the Chairman will call for a motion to adopt the FY 2020-2021 Budget Ordinance. A roll call vote will be required.

Agenda Date: June 15, 2020

Presenter: _____

Agenda Item No. 1

Board Action Required or Considered: Yes

CONSENT AGENDA

A. MINUTES OF JUNE 1, 2020 REGULAR SESSION AND MAY 22, 2020, MAY 28, 2020 AND JUNE 3, 2020 RECONVENED SESSIONS

The Board will be requested to approve the minutes of June 1, 2020 regular session, May 22, 2020, May 28, 2020 and June 3, 2020 reconvened sessions, as shown in Attachment #1.A.

B. TAX RELEASES AND REFUND

The Board will be requested to approve the tax releases and refund, as shown in Attachment #1.B.

C. EMS BUDGET AMENDMENT

The Board will be requested to approve the budget amendment, shown in Attachment #1.C., to transfer funds to cover General Insurance shortages for Fire and EMS.

D. SCHOOLS BUDGET AMENDMENT

The Board will be requested to approve the budget amendment, shown in Attachment #1.D., due to the Qualified School Construction Bond (Q-SCB) rebate decreasing from last fiscal year creating a shortage in the debt service line.

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

Agenda Date: June 15, 2020

Presenter: Sandra Kutkhn

Agenda Item No. 2

Board Action Required or Considered: No

**COMMUNITY CHILD PROTECTION TEAM/COMMUNITY FATALITY PREVENTION
TEAM PRESENTATION**

Sandra Kutkhn, Chair, will present the annual 2019 CCPT/CFPS report to the Board, as shown in Attachment #2.

Board Action: Receive information

Agenda Date: June 15, 2020

Presenters: Tony Lee and Chip Hughes

Agenda Item No. 3

Board Action Required or Considered: Yes

DEPARTMENTAL MATTERS: SHERIFF

A. BUDGET AMENDMENT – STATE CRIMINAL ALIEN ASSISTANCE PROGRAM (SCAAP) GRANT

Administrative Captain, Tony Lee, will request that the Board approve the budget amendment shown in Attachment #3.A., authorizing the transfer of State Criminal Alien Assistance Program (SCCAP) Grant funds to allow for expenditures in accordance with said grant. The funds will be used to support the cost of five (5) televisions at \$229.00 each that will serve as monitors for the Detention Center Administration and the Detention Center staff to be able to observe inmate and staff activity through cameras. The television monitors will also act as inter-agency information sharing resources so that staff can communicate effectively with each other while being visually observed. Several of these televisions are placed in the administration offices and the master control area of the Detention Center. The television monitors will afford staff the ability to monitor all cameras simultaneously to support inmate and staff welfare, safety and security. In addition, Detention Center staff will purchase electronic storage devices (external hard-drives) for documentation and sharing of relevant information regarding inmate welfare, safety and security. The information storage devices will help expedite inter-agency information sharing in accordance with said grant. Lastly, the Sheriff's Office is requesting to use a portion of the grant funds to purchase portable radios for Detention Center staff. The current portable radios in the Detention Center are old and worn and must be replaced. Portable radios enhance officer safety and security as they may be their only means of communication during emergencies or events that require an immediate response.

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

B. BUDGET AMENDMENT – FUEL

Mr. Lee will request that the Board approve the budget amendment shown in Attachment #3.B., to cover the cost of fuel for the Sheriff's Office vehicles through the remainder of the current fiscal year. The Sheriff's Office is expecting a shortfall in the current budgeted fuel line. This shortfall is the result of fluctuating fuel prices and increased fuel consumption. Rising fuel prices are difficult to predict, as a result staff are preparing for a possible spike in fuel cost as we begin to recover from the COVID-19 pandemic. In addition, all divisions of the Sheriff's Office have increased patrol across Craven County, resulting in more consumption of fuel. The department has also created and expanded several divisions to add additional personnel resulting in increased fuel consumption.

Lastly, the School Resource Officers (SROs) are escorting school buses on a daily basis to assist with meal delivery for students who are out of school due to COVID-19. SRO's are also working with patrol to take calls for service and have increased their patrol.

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

C. ADDITIONAL REVENUE TO OFFSET INCREASED EXPENSES AND SALARY SHORTAGES – BUDGET AMENDMENT

Expenditure overages for the Detention Center line, "Supplies-Inmate Welfare", are the result of increased out of county and NC DOC inmates being housed in the jail facility, resulting in increased canteen (snacks/hygiene products) being purchased causing an increase in revenue. An increase in the inmate population from other counties and NC DOC has resulted in additional food service cost and expenses. These expenses will be offset by increased revenue related to the housing of out of county and NC DOC inmates. An overage has occurred in part-time salaries as a result of the heavy workload experienced by the Craven Animal Protective Services Division (CAPS). This division has a high call volume in relation to animal cruelty and neglect response and investigations. An overage has occurred in full-time salaries as a result of a recent payout with the resignation of a deputy that was not in the budget.

Sheriff Chip Hughes will request that the Board approve the budget amendment shown in Attachment #3.C.

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

Agenda Date: June 15, 2020

Presenter: Geoffrey Marett

Agenda Item No. 4

Board Action Required or Considered: Yes

DEPARTMENTAL MATTERS: SOCIAL SERVICES

A. HCCBG/SENIOR CENTER OPERATIONS FUND

Craven County Department of Social Services has received a reallocation of unspent funds from the Home & Community Care Block Grant (HCCBG) from the Division of Aging for Fiscal Year 2019-2020 to be used for Senior Operations. Funding is 90% Fed/State with a 10% County match.

Social Services Director, Geoffrey Marett, will request that the Board approve the budget amendment shown in Attachment #4.A.

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

B. ADDITIONAL FOSTER CARE IV-B AND IV-E FUNDS

Mr. Marett will request that the Board approve the budget amendment shown in Attachment #4.B, to budget additional Foster Care IV-B and IV-E funding in order to fund foster care board payments through year end.

Foster care IV-B funds are reimbursed at 50% for eligible room and board payments, and foster care IV-E funds are reimbursed at approximately 66% Federal funds and 17% State funds for eligible room and board payments.

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

C. MEDICAID TRANSPORTATION ADDITIONAL FUNDS

Mr. Marett will request that the Board approve the budget amendment shown in Attachment #4.C, reflecting additional funds due to Medicaid Transportation costs exceeding the original allocation. There is no County cost.

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

Agenda Date: June 15, 2020

Presenter: Kelly Walker

Agenda Item No. 5

Board Action Required or Considered: Yes

DEPARTMENTAL MATTERS: CARTS

A. AUTHORIZATION TO APPLY FOR 5307 CARES ACT FUNDING

President Trump signed the Coronavirus Aid, Relief, and Economic Security (CARES) Act on March 27, 2020. The CARES Act provides funds to prevent, prepare for, and respond to COVID-19. CARTS has been allocated \$1,860,043 of 5307 CARES Act Funds. The CARES Act funding is in addition to regular 5307 funding and allows for many exceptions to normal requirements. These funds are available at a 100% federal funding level, meaning there is no local match requirement for eligible expenses. Regular 5307 funding requires a local match ranging from 15% - 50%, determined by the project. Operating assistance is a 50% local match. The 5307 CARES Act funding is available until expended; there is no lapse date. It should be noted, however, that Congress has the authority to rescind the funding at any time. The Federal Transit Administration (FTA) maintains a frequently asked questions reference on their website. The link for that document is <https://www.transit.dot.gov/frequently-asked-questions-fta-grantees-regarding-coronavirus-disease-2019-covid-19#CARES>.

The information being presented is conceptual only and contingent upon availability and preferences of how projects evolve. While the CARES Act funding is a 100% reimbursement for eligible expenses, some of the projects being presented may commit future Boards to future local match requirements when CARES Act funding is no longer available.

Attachment #5.A. shows the budget CARTS is proposing for the \$1,860,043 in CARES Act funding. Some expenditures are worded vaguely to allow opportunity for a budget revision as not to lose any funds if actual costs are less than or greater than budgeted. Attachment #5.A.1 is the letter to FTA from NCDOT/IMD identifying the eligible amount. Attachment #5.A.2 is a map of the proposed stops for an extended fixed route. The budget presented contains costs for the extended route being operated with the vehicles going in the same direction with one hour between stops being serviced (one hour between vehicle arrivals). A figure 8 operation of the route is preferred, but would have additional costs involved and which are not included in the attached budget. Attachment #5.A.3 is an example of bus stop signs.

Transportation Director, Kelly Walker, is requesting approval to move forward with submitting a 5307 CARES Act application based on the attached budget, or guidance on the Board's wishes for use of the 5307 CARES Act funds. It includes an extension of the fixed route (The LOOP) in locations served as well as time of operation.

Extension of The LOOP has not been previously requested because CARTS is expected to be self-sustainable. Self-sustainability has not allowed changes to The LOOP because CARTS has not been able to identify a local funding source for the local match. The CARES Act, having a 100% reimbursement amount, does not require a local match. The CARES Act will not last forever. Continuation of the extended service after the CARES Act funds are expended or rescinded, 50% local match of the cost to operate The LOOP would be required. CARTS is not able to incur the additional local match commitment for the extended LOOP and would have to look towards other local sources of revenue to cover that match. CARTS would be able to provide data prior to that crossroad regarding ridership, cost to operate The LOOP, etc.

Board Action: Approval to apply for 5307 CARES Act funding in the amount of \$1,860,043.

B. ADDITIONAL EDTAP FUNDING REQUEST – BUDGET AMENDMENT

North Carolina Department of Transportation/Integrated Mobility Division (NCDOT/IMD) authorized \$105,748 in Elderly and Disabled Transportation Program (EDTAP) funding for Craven County during FY2019-2020. The original budgeted amount was estimated by CARTS to be \$90,472. CARTS received \$15,276 in funding above the estimated amount.

Ms. Walker will request that the Board approve the budget amendment shown in Attachment #5.B., reflecting the additional \$15,276 in EDTAP funding received from NCDOT/IMD for FY2019-2020.

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

Agenda Date: June 15, 2020

Presenter: Steven Aster

Agenda Item No. 6

Board Action Required or Considered: Yes

**DEPARTMENTAL MATTERS: SOLID WASTE – REFUSE STICKER TURN IN
BUDGET AMENDMENT**

The Solid Waste department has seen a significant increase in refuse stickers collected curbside by the contractor GFL, Inc. The increase was noticed mid-February and has steadily increased monthly.

Year to date, GFL has collected 233,976 refuse stickers from curbside collection in Craven County with one month remaining. Last year's refuse sticker total was 235,819.

In FY 2019-2020, GFL has averaged 21,270 refuse stickers per month. The increase of 1,619 per month has caused the shortfall.

Solid Waste Director, Steven Aster, will request that the Board approve the budget amendment shown in Attachment #6.

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

Agenda Date: June 15, 2020

Presenter: Amber Parker

Agenda Item No. 7

Board Action Required or Considered: Yes

DEPARTMENTAL MATTERS: HUMAN RESOURCES – AMEND PERSONAL RESOLUTION

Human Resources Director, Amber Parker, will request that the Board approve the following personnel resolution updates:

Overview: The Craven County self-insured health insurance plan will experience a 5% rate increase for FY 20-21. The rates of retiree health insurance paid by the County are specified in the Craven County Personnel Resolution based upon FY 19-20 rates as shown in the current policy language. The 5% increase will be passed along to be paid by retirees unless the above-referenced policy is amended to reflect the FY 20-21 rates as shown in the proposed policy language.

Article XI. Employee Benefits, Section 2. Health Care Coverage for Retirees (f)

Current Policy Language

Craven County will provide the following specified amounts for medical insurance premiums for the benefit of the retiree, based on the retiree's years of service with the Retirement System.

30 years of service	\$662.00 per month
29 years of service	\$629.00 per month
28 years of service	\$596.00 per month
27 years of service	\$563.00 per month
26 years of service	\$530.00 per month
25 years of service	\$497.00 per month
24 years of service	\$463.00 per month
23 years of service	\$430.00 per month
22 years of service	\$397.00 per month
21 years of service	\$364.00 per month
20 years of service	\$331.00 per month

Proposed Policy Language

Craven County will provide the following specified amounts for medical insurance premiums for the benefit of the retiree, based on the retiree's years of service with the Retirement System.

30 years of service	\$695.00 per month
29 years of service	\$660.00 per month
28 years of service	\$626.00 per month
27 years of service	\$591.00 per month
26 years of service	\$556.00 per month
25 years of service	\$521.00 per month
24 years of service	\$487.00 per month
23 years of service	\$452.00 per month
22 years of service	\$417.00 per month
21 years of service	\$382.00 per month
20 years of service	\$348.00 per month

Article VIII. Leave of Absence, Section 32. Law Enforcement - Kelly Leave Time

Overview: Kelly leave time is an optional hour for hour leave benefit Craven County elected to provide to non-exempt law enforcement employees to provide additional compensation for hours worked between 161 and 171 in a 28 day work period since they are not eligible to receive compensatory time at a rate of time and half until they have worked 171 hours. The Kelly leave time is not transferable, payable or reimbursable upon separation and there is no requirement for Kelly leave time off to be granted. Craven County elected to provide this benefit but over the years it has been confusing for staff and multiple lawsuits have been filed by former employees seeking payment of the Kelly leave time. These lawsuits have been unsuccessful but have required a significant amount of county employee time, and legal fees, to defend. Craven County has been advised by legal counsel to discontinue the Kelly leave time benefit accrual. All employees who currently have a Kelly leave balance will keep that balance and be permitted to use such leave per policy as schedules allow but no employees will accrue Kelly leave time after June 15, 2020.

Current Policy Language

Kelly leave time may be granted hour for hour for those hours worked in the 28 day work period from the 161st to the 171st hours, inclusive to non-exempt law enforcement employees. (Those hours worked beyond the 171st hour in the 28 day cycle are considered overtime hours and must be given off as a compensatory time at the rate of 1 ½ hours for every hour of overtime worked according to the FLSA WH 1459, May 1985, and November 1985 FLSA Amendments.) In the event of termination, the Kelly leave accrued from the 161st to the 171st hour inclusive would not be reimbursable. There is no maximum Kelly leave that can be accrued from work performed from the 161st to the 171st hour inclusive and there is no requirement to give the time off. All accrued holiday and compensatory time must be used before Kelly time is used.

Proposed Policy Language

Prior to June 15, 2020, Kelly leave time was a benefit of paid leave time granted hour for hour to non-exempt law enforcement employees as an additional, voluntary benefit to recognize those hours worked from the 161st to the 171st hours in the 28 day work period recognized by the 207(k) exemption under the Fair Labor Standards Act. The ability of all employees to earn and accrue Kelly leave time ceased June 15, 2020. Hours worked in excess of 171 in the 28 day work period are considered overtime hours and will continue to be given as compensatory time at the rate of 1 ½ hours for every hour of overtime worked, in accordance with the requirements of the Fair Labor Standards Act. Each eligible employee with an accrued Kelly leave time balance as of June 15, 2020 will be allowed to retain their Kelly leave time balance. The Kelly leave balance is not reimbursable, transferable or payable during employment or in the event of termination or separation from employment for any reason. There is no requirement for Craven County to allow employees to use accrued Kelly leave time: this decision is at the discretion of the Sheriff. All accrued holiday and compensatory time must be used before Kelly time is used.

Article V. Probationary Period of Employment

Overview: Craven County implemented pay and classification study recommendations made by Springsted, Inc. effective December 13, 2017. The results of the pay and classification study resulted in Craven County removing 7.8% from the bottom of the Grade and Step chart and 4.8% was added at the end of the Grade and Step Chart to making hiring ranges more competitive. The removal of the first two steps of the grade and step chart changed the policy and practice of automatically moving probationary employees to step two of the grade and step chart once they complete their six month probationary period since they are now automatically hired at the higher rate. This is a request to amend the language in the Craven County Personnel Resolution retroactively to December 13, 2017 to make the policy language consistent with the intent of the pay and classification study recommendations and the practices in place since that time.

Current Policy Language

If retained, the employee shall be considered a regular employee and their salary shall be moved to Step two of the Grade. An employee shall be released during the probationary period if, in the judgment of the Department Head, the employee is incapable of, or unwilling to perform their assigned duties.

Proposed Policy Language

If retained, the employee shall be considered a regular employee and their status will change from probationary to permanent. An employee shall be released during the probationary period if, in the judgment of the Department Head, the employee is incapable of, or unwilling to perform their assigned duties.

Agenda Date: June 15, 2020

Presenter: _____
Agenda Item No. 8

CLOSED SESSION

The Board will be requested to go into closed session pursuant to NCGS 143-318.11(a)(3) to consult with an attorney to protect the attorney-client privilege.

Agenda Date: June 15, 2020

Presenters: Patrick Baker and Don Baumgardner

Agenda Item No. 9

Board Action Required or Considered: Yes

DEPARTMENTAL MATTERS: PLANNING

A. HURRICANE MATTHEW ROUND 3 STORM DEBRIS REMOVAL AWARDS

On June 2nd staff received informal bids for stream debris removal services for the removal of debris from Black Run, Village Creek, Meeting House Branch, Caswell Branch, Antioch Canal, Cattail Branch, Duck Creek, Halfmoon Creek and Stoney Branch. These streams are the remaining creeks as part of Hurricane Matthew State Disaster Recovery funds which is 100% grant funded. After review and consideration, staff recommends that the Board of Commissioners award Round 3 of the State Disaster Recovery Project funds to the lowest responsible bidder, MAI JAX COMPANY. This company performs beaver management services for the County and we are pleased with their work. Attachment #9.A. shows pricing for each individual creek and bidder. The contractors will begin removing debris upon execution of the contracts and are expected to be completed by mid- December, allowing inspection of the creeks by the State and project close out by December 31, 2020.

Board Action: Award Round 3 of the State Disaster Recovery Project to MAI JAX CO. for a total of \$134,937.00, as recommended.

B. SUBDIVISION FOR APPROVAL – ALSTON W. DANIELS (FINAL)

The Planning Board met via WebEx on May 28, 2020 and recommended the following subdivision for approval: A map of the subdivision is shown in Attachment #9.B.

Alston Daniels – Final:

- Property is owned by Alston W. Daniels and surveyed by Terry Wheeler, PE, PLS
- Property is located within Twp. 2 off of Sand Ridge Rd. (SR 1492)
- Parcel ID 2-040-030
- Lots will be served by First Craven Sanitary District water and individual septic systems

Board Action: A vote to approve the subdivision is needed

C. APPLE PIE SOLAR ENERGY FACILITY

The Planning Board met via WebEx on May 28, 2020 and recommended the following Solar Energy Facility for approval: Maps of the facility are shown in Attachment #9.C.

Apple Pie Solar Energy Facility

- Property is owned by Michael Mcilwean Hrs
- Applicant: Apple Pie Solar, LLC
- Consultant: GreenGo Energy US Inc.
- Proposed 5MW facility on approximately 30 acres
- Parcel ID 8-226-004
- 15,840 fixed position modules

Board Action: A vote to approve the Solar Energy Facility is needed

D. STATE CAMP ROAD COMMUNICATIONS TOWER (SITE NUMBER US-NC-5084)

On May 28th, 2020 The Craven County Planning Board reviewed an application for a Tall Structure Permit from Vertical Bridge to construct a 310' self-supporting tower along State Camp Rd. It was determined that the proposal, as presented, was in violation of the Craven County Tall Structures Ordinance, particularly to our setback and height requirements. As proposed, the placement of the communications tower violated our setback requirements by approximately 210' due to being placed approximately 100' away from State Camp Rd. The overall height of this tower was also determined to be in violation of our Ordinance as it penetrated the Military Training Route, which is controlled by Seymour Johnson AFB, by approximately 210'. After hearing the proposal the Planning Board voted unanimously to deny the application. The Planning Board recommends disapproval of the proposed communications tower at the State Camp Rd. location, Site Number US-NC-5084. A map of the proposed communications tower location is shown in Attachment #9.D.

Board Action: A vote to disapprove the tall structure permit submitted from Vertical Bridge.

Agenda Date: June 15, 2020

Presenter: Craig Warren

Agenda Item No. 10

Board Action Required or Considered: Yes

DEPARTMENTAL MATTERS: FINANCE

A. HEALTH BENEFITS – BUDGET AMENDMENT

Benefit claims year-to-date are running 3% ahead of last year actuals through eleven months and are projected to exceed budgeted amounts. Additional funds of \$450,000 are needed to cover projected health claims through end of FY '20. Funding for this will come from additional employer premiums received over budgeted.

Finance Director, Craig Warren, will request that the Board approve the budget amendment shown in Attachment #10.A.

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

B. ADDITIONAL REVENUE REQUESTED TO OFFSET INCREASED STATE FEES AND REGISTER OF DEEDS PENSION – BUDGET AMENDMENT

The Register of Deeds collects a real estate excise tax on all real property transactions recorded. Of the amount collected, approximately 48% is remitted to the NC Department of Revenue on a monthly basis. Additionally, 1.5% of all fees collected by the ROD excluding excise tax are required to be set aside for the ROD supplemental pension fund. Collections to date are running ahead of budget, creating a projected shortage in the portion remitted to the State and the ROD pension line.

Mr. Warren will request that the Board approve the budget amendment shown in Attachment #10.B.

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

C. SALES TAX TRANSFERS TO DEBT SERVICE FUND – BUDGET AMENDMENT

Year-to-date sales tax collections through the month of June (March Sales) are currently running 3.5% ahead of budget. With three more months of collections (April, May, June) still remaining, it is extremely difficult at this time to project how negatively COVID-19 will impact those collections and whether or not they will exceed original projections. As required by general statutes, a portion of the Article 40 and Article 42 sales tax distributed monthly to counties is considered restricted and can only be used for school capital or debt service.

Because of this restriction, and the potential of collections exceeding original budgeted amounts, a budget amendment in the amount of \$250,000 to increase budgeted revenue and a corresponding transfer to the Debt Service Fund is being requested in order to continue making the transfer of the school's portion of sales tax into the school debt service fund.

Mr. Warren will request that the Board approve the budget amendment shown in Attachment #10.C.

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

Agenda Date: June 15, 2020

Presenter: _____

Agenda Item No. 11

Board Action Required or Considered: Yes

APPOINTMENTS

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

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

A. PENDING APPOINTMENTS

- Adult Care Home Advisory Committee: (vacancy)
- Nursing Home Advisory Committee: (vacancy)
- Recreation Advisory Committee: (District 5 vacancy)
- Regional Aging Advisory Board: (vacancy)
- Senior Legislative Tarheel Alternate: (vacancy)
- Coastal Carolina Regional Airport Authority: (September)
- Havelock Planning Board: (ETJ)

B. CURRENT APPOINTMENTS

- Craven County Tourism Development Authority: Paresh Pankhavala (Candlewood Suites) is seeking reappointment to the Craven County Tourism Development Authority.
- Craven Community College Board of Trustees: The term of Carol Mattocks is ending. There are eight applicants, shown in Attachment #11.B, seeking appointment to the Craven Community College Board of Trustees.
- Fire Tax Commissioner: Sandy Hammer of District #5 and Reuben Hart of District #7 are seeking reappointment to the Fire Tax Commission.
- Nursing Home Advisory Committee: Margie Dew is seeking reappointment to the Nursing Home Advisory Committee.
- Craven County ABC Board: Carol Crayton of District #2 and Charles Collins of District #4 are seeking reappointment to the Craven County ABC Board. There are six applicants, shown in Attachment #11.B, seeking appointment to this board.
- Eastern Carolina Regional Housing Authority: Lana Ciesko of District #7 is seeking reappointment to the Eastern Carolina Regional Housing Authority.

C. UPCOMING APPOINTMENTS: TERMS EXPIRING IN JULY

- Recreation Advisory Committee: Matt Webb (District #4), Chad Braxton (District #1), Daniel Miller
- Havelock Board of Adjustment: Reuben Mikal, Thomas McCarthy
- Craven Community Child Protection Team: Debbie Hodges
- Juvenile Crime Prevention Council (JCPC): Catherina Hardison (District #7)
- Fire Tax Commissioners: Sue Arthurs (District #6)

Agenda Date: June 15, 2020

Presenter: Arey Grady

Agenda Item No. 12

COUNTY ATTORNEY'S REPORT

Agenda Date: June 15, 2020

Presenter: Jack Veit

Agenda Item No. 13

COUNTY MANAGER'S REPORT

Agenda Date: June 15, 2020

Presenter: _____

Agenda Item No. 14

COMMISSIONERS' REPORTS

1 THE BOARD OF COMMISSIONERS OF THE COUNTY OF CRAVEN MET IN
2 REGULAR SESSION IN THE COMMISSIONERS' ROOM OF THE CRAVEN
3 COUNTY ADMINISTRATION BUILDING, 406 CRAVEN STREET, NEW BERN,
4 NORTH CAROLINA, ON MONDAY, JUNE 1, 2020. THE MEETING CONVENED AT
5 7:00 P.M.
6

7 **MEMBERS PRESENT:**

8 Chairman Thomas F. Mark
9 Vice Chairman Jason R. Jones
10 Commissioner Denny Bucher
11 Chairman George S. Liner
12 Commissioner Theron L. McCabe
13

14 **MEMBERS ABSENT:**

15 Commissioner E. T. Mitchell
16 Commissioner Johnnie Sampson, Jr.
17

18 **STAFF PRESENT:**

19 Jack B. Veit, III, County Manager
20 Nan Holton, Clerk to the Board
21

22 **STAFF REMOTE:**

23 Craig Warren, Finance Director
24 Gene Hodges, Assistant County Manager
25 Amber Parker, Human Resources Director
26 Arey Grady, County Attorney
27 Jason Frederick, Planner II
28 Chad Strawn, Assistant Planning Director
29 Andrew Shorter, Airport Director
30 Steven Creel, Maintenance Director
31

32 Following the Pledge of Allegiance, County Attorney, Arey Grady, recited the following
33 invocation:
34

35 *God, our Father, You guide everything in wisdom and love. "You are good and*
36 *forgiving, full of love to all who call upon You."*
37

38 *We now praise You for that love and rejoice in Your abundant blessing. You call us*
39 *today to grow in the knowledge of that love and invite us to receive Your blessings.*
40

41 *Accept the prayers we offer for our beloved County; protect us and keep us ever in*
42 *Your sight. Fill these Commissioners with Your holy wisdom, and may that wisdom lead*
43 *to right action.*
44

45 *Strengthen all County Representatives as they labor for the common good and for what*
46 *is just in Your eyes. May true harmony, lasting freedom, and justice be secured for all*
47 *so that there may be lasting peace.*



48
49 *We ask this in Your most Holy Name.*

50
51 *Amen.*

52
53 *Based upon the opening prayer given by Reverend Patrick Riffle the January 9, 2015*
54 *session of the United States House of Representatives.*

55
56 Commissioner Liner motioned to approve the agenda, as presented, seconded by Commissioner
57 McCabe and approved unanimously.

58
59 **PUBLIC HEARING ON PROPOSED FY 2020-2021 BUDGET**

60
61 Chairman Mark stated the Board will go into public hearing, as advertised, to receive public
62 input on the proposed FY 20-21 Budget, which was available to the public in the County
63 Manager’s office and on the County’s website since May 18, 2020.

64
65 At 7:06 p.m. Commissioner Liner motioned to go into public hearing, seconded by
66 Commissioner Bucher and approved unanimously.

67
68 Commissioner Jones stated that there were no citizens from the public that signed up to speak.

69
70 At 7:07 p.m. Commissioner Jones motioned to come out of public hearing, seconded by
71 Commissioner McCabe and approved unanimously.

72
73 **FLOOD DAMAGE PREVENTION ORDINANCE PUBLIC HEARING**

74
75 Jason Frederick, Planner II, stated that the Craven County Planning Board signed a Resolution of
76 Planning Consistency on March 26, 2020 in support of the proposed amendments as required by
77 NC General Statues. The Board of Commissioners on May 18, 2020 voted in favor of holding a
78 public hearing on June 1, 2020 to receive public comments on the proposed amendments. The
79 proposed ordinance was posted for public review to the County’s website on May 18, 2020. As
80 set forth in the NCGS two public notices were placed in the *Sun Journal* on May 21st and May
81 28th.

82
83 At 7:11 p.m. Commissioner Jones motioned to go into public hearing for the purpose of
84 receiving comments on the proposed amendments to the Flood Damage Prevention Ordinance.
85 The motioned was seconded by Commissioner McCabe and approved unanimously.

86
87 Commissioner Jones stated that there were no citizens from the public that signed up to speak.

88
89 At 7:12 p.m. Commissioner McCabe motioned to come out of public hearing, seconded by
90 Commissioner McCabe and unanimously approved.

91
92
93
94



95
96
97
98
99
100
101
102
103
104
105
106
107
108
109
110
111
112
113
114
115
116
117
118
119
120
121
122
123
124
125
126
127
128
129
130
131
132
133
134
135
136
137
138
139
140

PETITIONS OF CITIZENS

There were no citizens from the public that signed up to speak.

CONSENT AGENDA

Commissioner Liner motioned to approve the consent agenda, inclusive of the Minutes of May 18, 2020 Regular Session and May 22, 2020 Reconvened Minutes and Tax Releases.

Credits

TAXPAYER NAME	TICKET#	AMOUNT
BLAIR, SCOTT MICHAEL CORRECTED DISCOVERED PROPERTY VALUE	2019-209269	\$53.62
BROWN, ROSA CARTER DWELLING VACANT	2019-207009	\$63.00
BROWN, ROSA CARTER DWELLING VACANT	2018-7370	\$41.04
BROWN, ROSA CARTER DWELLING VACANT	2017-7410	\$44.28
BROWN, ROSA CARTER DWELLING VACANT	2016-7331	\$47.52
CONNOR, JAMES CARTER DID NOT OWN JANUARY 1	2019-211451	\$11.22
FISHER, MATT CORRECTED DISCOVERED PROPERTY VALUE	2019-400069	\$1,052.89
FISHER, MATT CORRECTED DISCOVERED PROPERTY VALUE	2019-400068	\$918.49
FISHER, MATT CORRECTED DISCOVERED PROPERTY VALUE	2019-212681	\$802.70
GAYLE, RODNEY & ANTOINETTE B DOUBLE BILLED	2019-350045	\$447.09
GAYLE, RODNEY & ANTOINETTE B DOUBLE BILLED	2019-350046	\$449.30

141	GAYLE, RODNEY & ANTOINETTE B	2019-350047	\$479.50
142	DOUBLE BILLED		
143			
144	GAYLE, RODNEY & ANTOINETTE B	2019-350048	\$513.22
145	DOUBLE BILLED		
146			
147	GAYLE, RODNEY & ANTOINETTE B	2019-350049	\$481.04
148	DOUBLE BILLED		
149			
150	GAYLE, RODNEY & ANTOINETTE B	2019-350050	\$510.37
151	DOUBLE BILLED		
152			
153	HENDGES, KEVIN E & MELISSA H	2020-403220	\$756.74
154	DID NOT OWN JANUARY 1		
155			
156	HENDGES, KEVIN E & MELISSA H	2020-403219	\$674.76
157	DID NOT OWN JANUARY 1		
158			
159	HICKS, JESSICA ELIZABETH	2019-211539	\$6.91
160	DID NOT OWN JANUARY 1		
161			
162	HOWES, ASHLEY S	2019-211507	\$3,099.57
163	NOT TAXABLE TO CRAVEN COUNTY		
164			
165	RICHARDS, CLARENCE HRS	2010-43345	\$738.08
166	DID NOT OWN JANUARY 1		
167			
168	RICHARDS, CLARENCE HRS	2011-48198	\$702.76
169	DID NOT OWN JANUARY 1		
170			
171	RICHARDS, CLARENCE HRS	2012-48126	\$665.32
172	DID NOT OWN JANUARY 1		
173			
174	RICHARDS, CLARENCE HRS	2013-46180	\$619.99
175	DID NOT OWN JANUARY 1		
176			
177	RICHARDS, CLARENCE HRS	2014-47246	\$584.95
178	DID NOT OWN JANUARY 1		
179			
180	RICHARDS, CLARENCE HRS	2015-48412	\$549.91
181	DID NOT OWN JANUARY 1		
182			
183	RICHARDS, CLARENCE HRS	2016-48744	\$527.84
184	DID NOT OWN JANUARY 1		
185			
186			

187	RICHARDS, CLARENCE HRS	2017-48936	\$491.84
188	DID NOT OWN JANUARY 1		
189			
190	RICHARDS, CLARENCE HRS	2018-48929	\$455.84
191	DID NOT OWN JANUARY 1		
192			
193	TOTAL		\$15,787.79

DEPARTMENTAL MATTERS: PLANNING – ADOPTION OF FLOOD DAMAGE PREVENTION ORDINANCE

198 Jason Frederick, Planner II, stated that the FEMA approved flood maps, as provided by the North
 199 Carolina Flood Mapping Program, are set to go into effect on June 19, 2020 for Craven County.
 200 To remain in compliance with the National Flood Insurance Program the County is required to
 201 amend the current ordinance to reflect the newly revised State Model Flood Damage Prevention
 202 Ordinance (FDPO); which regulates development within the regulatory flood zone(s).
 203 Approving the amendments, as written, within the revised Flood Damage Prevention Ordinance
 204 will coincide with the adoption of the FEMA/State approved flood maps.

206 He reported that Preliminary flood maps were released to the County, and the public, through the
 207 State’s website (<https://fris.nc.gov>) for review on June 30, 2016. These maps were created using
 208 data collected from past hurricanes such as: Emily (1993), Fran (1996), Isabelle (2003) and
 209 Ophelia (2005) and two extratropical storms of 2006 as well as 600 + computer simulated
 210 storms. In general, while reviewing the maps staff observed some changes in base flood
 211 elevations, ranging from a reduction of 2’ (ft) to an increase of 3’ (ft) as well as a new flood zone
 212 identified as the Coastal High Hazard Area, more commonly referred to as the VE zone. The
 213 addition of a VE Zone will have minimal effect impacting only approximately 50 structures in
 214 the County’s jurisdiction. This new VE Zone reflects areas subject to wave action of up to 3’ (ft)
 215 which will result in new regulatory standards for development in these areas. Based on the most
 216 current data released by the State mapping program, Craven County (unincorporated) has the
 217 addition of 331 structures to the regulatory AE Floodzone and 438 removed structures; which
 218 resulted in a net loss of 107 structures overall. Mr. Frederick noted, for properties that have been
 219 removed from the AE Floodzone due to these map changes and have received flood damage in
 220 the past, staff encouraged these property owners to keep and maintain their flood insurance
 221 policy.

223 Since the release of these maps the Planning Department has used many methods to raise
 224 awareness to inform the public of the proposed flood map changes such as: notification on tax
 225 bills, announcements on the County’s website, public workshops/events, presentations to local
 226 organizations, outreach to each township as well as flood zone assistance via phone or in office
 227 meetings with the public. Failure to adopt the proposed amendments to the ordinance will result
 228 in loss of flood insurance for homeowners along with federally supported disaster assistance
 229 funds.

233 Changes to the County's Flood Damage Prevention Ordinance can be largely found in:

- 234 • Article 2 Definitions- Clarifications and Additions
- 235 • Article 4 Administrative Process Clarifications
- 236 • Article 5 Floodplain Development Standards "Development Regulations" with new VE
- 237 Zone
- 238 • Article 6 Legal Provision and Adoption

239
240 Mr. Frederick requested that the Board of Commissioners adopt the Craven County Flood
241 Damage Prevention Ordinance and to authorize the Chairman to sign a Resolution of Planning
242 Consistency in support of the proposed amendments. He informed them the ordinance would
243 become effective June 19, 2020.

244
245 Commissioner Liner motioned to approve the Amended Flood Damage Prevention Ordinance
246 and to authorize the Chairman to sign the Resolution of Planning Consistency, as requested,
247 seconded by Commissioner McCabe and unanimously approved.

248
249 *NOTE: The Amended Flood Damage Prevention Ordinance is attached to the end of these*
250 *Minutes.*

251
252 The Commissioners made inquiries about how to get flood insurance, penalties involved, and if
253 Mr. Frederick was confident that those being affected had been contacted. He addressed each of
254 their questions and assured them that the Planning Department had conducted a great deal of
255 outreach.

256
257 **DEPARTMENTAL MATTERS: AIRPORT – FAA GRANT FUNDING REQUEST**

258
259 Airport Director, Andrew Shorter, requested the County's signature to accept the FAA federal
260 funding grant.

261
262 He stated that a supplemental grant was awarded for EWN last year to construct the new Aircraft
263 Rescue and Firefighting building in the amount of \$5,248,016. The project has been bid and is
264 awaiting grant authorization to award the contract to begin construction. The contract must be
265 awarded prior to July 11, 2020 to remain within the 120 day bid period.

266
267 Commissioner McCabe motioned to sign the FAA federal funding grant, as requested, seconded
268 by Commissioner Bucher and approved unanimously.

269
270 **DEPARTMENTAL MATTERS: FACILITIES**

271
272 *Approval of Hurricane Florence Repair Work for Courthouse Complex*

273
274 Assistant County Manager, Gene Hodges, reported that on December 2, 2019, the Craven
275 County Board of Commissioners approved the selection of Barnhill Contracting Company as the
276 Construction Manager at Risk (CM@R) for the repairs to the Courthouse/Emergency
277 Services/Information Technology Facility (Courthouse). With this method of delivery, the

278 design team and the CM@R team put together bid specs and designs into bid packages for the
 279 different trades related to this project (HVAC, elevators, plumbing, etc.)
 280 There must be a minimum of three bids for each package to open on the first bid date. Bids were
 281 collected and opened virtually on April 21 (first round) and April 30 (re-bid). As a reminder,
 282 there were five main systems that needed to be replaced or repaired in this facility. These five
 283 systems are the elevator that services the sally port, fire pump/suppression system, boiler, chiller,
 284 and air handler. Initially, the plans and specs bid out installation of a portable/temporary air
 285 handler/chiller but the prices for this were in the \$500k-\$700k range, including the rental of the
 286 unit for the time it would be needed. It was decided to bid this out as permanent repair work
 287 instead. The bid documents are for a total amount of \$1,132,110, which includes replacement
 288 and rework of the elevator that services the sally port, installation of a boiler in the new location
 289 on the 3rd floor, and analysis and repair work to the fire suppression system to remove the
 290 requirement of the fire pump and service the fire sprinkler system with the flow from the
 291 municipal water system. The amounts that make up this amendment are as follows:

292

293	Architect and Engineering Fees:	\$ 550,000
294	Construction Costs and CM@R Fees:	\$1,280,453
295	Contingency (5% of construction costs):	\$ 64,000
296	Total	\$1,894,453

297

298 Once the County receives the bid for the permanent repairs to chiller and air handler, another
 299 project ordinance amendment and budget amendment will be brought back to the Board for
 300 approval.

301

302 The request is for the Board of Commissioners to approve a project ordinance amendment and
 303 associated budget amendment in the amount of \$1,894,453 to fund this project and to authorize
 304 the County Manager to execute the agreement with Barnhill Contracting for this phase of the
 305 repairs to the Courthouse.

306

307 Commissioner Liner motioned to approve the project ordinance amendment and associated
 308 budget amendment and (i) authorize the management team to amend the existing contract to
 309 serve the purposes and needs as presented/discussed and (ii) authorize the Chairman, the Vice-
 310 Chairman, Manager and Clerk to execute and deliver the contract once prepared and any other
 311 ancillary documents which may be required to fully implement the contract. The motion was
 312 seconded by Commissioner McCabe and in a roll call vote approved 5-0.

313

314 **Ordinance**

315

316 **Courthouse EOC Recovery Project**
 317 **Fund 415**

318

319 This ordinance is hereby approved in the following amount for expenditure of the Courthouse
 320 EOC Recovery Project.

321

322	Expenditures	
323	Architectural/Engineering Design Services	\$ 550,000.00

324	Construction	\$ 1,280,453.00
325	Contingency	\$ 64,000.00
326		
327	TOTAL	\$ 1,894,453.00

329 The following revenues are hereby estimated for the Courthouse EOC Recovery Project.

331	Revenues	
332	Transfer from General Fund	\$ 1,894,543.00
333		
334	TOTAL	\$ 1,894,543.00

336 ***Budget Amendment***

338	REVENUES	AMOUNT	EXPENDITURES	AMOUNT
340	4154200-39801	\$1,894,453.00	4154200-47505	\$ 550,000.00
341			4154200-47601	\$1,280,453.00
342			4154200-47659	\$ 64,000.00
343				
344	1010000-3901	\$1,894,453.00	1019800-49793	\$1,894,453.00
345	Current Year Fund Balance		Transfer to Projects	
346				
347	Journal entry (debt)		(credit)	
348	1019800-49793	\$1,894,453.00	4154200-39801	\$1,894,453.00
349	Transfer to Projects		Transfer to General Fund	
350				
351	TOTAL	\$1,894,453.00	TOTAL	\$1,894,453.00

353 **Justification:** Establishing original project ordinance for the Courthouse EOC Recovery
354 Project.

356 *Selection of Architect for Long Range Facility Improvement Program*

357
358 Mr. Hodges presented information on the selection of an architect for long range facility
359 improvement program. He stated that at the February 17, 2020 Board of Commissioners' work
360 session, there were several facility projects that were presented. At this meeting, the Board gave
361 direction to issue a Request for Qualifications (RFQ) to invite interested firms to submit their
362 qualifications to provide architectural, engineering, and design services on a number of capital
363 projects. These projects include:

- 365 1. Maintenance Facility located at 300 Howell Road.
- 366 2. Maintenance Facility located on 308 New Street.
- 367 3. New EOC/911/IT facility located at a new location –Phase 1.
- 368 4. (A) New County Administration Building located at a new location—Phase 2.

- 369 (B) New Board of Education Administration Building co-located at a new location—
370 Phase 2.
- 371 5. Rehabilitation of current Craven County Administration Building.
 - 372 6. Rehabilitation/Remodel of Craven County Tax Office.
 - 373 7. Rehabilitation/Remodel of vacant EOC/911/IT offices in Craven County Courthouse
374 facility.
 - 375 8. Rehabilitation/Remodel of Human Services Annex.
 - 376 9. New government multi-use office building located in Havelock.
- 377

378 The RFQ was issued on March 25 and responses were due on April 21. Ten firms submitted
379 responses, but after consultation with the County Attorney, only three firms were deemed
380 responsive either due to timeliness or not providing the response in a form as prescribed in the
381 RFQ. An evaluation team consisting of the Assistant County Manager, Facilities Director,
382 Facilities Maintenance Coordinator, and Purchasing Agent was formed to review the responses
383 and conduct electronic interviews.

384

385 Based on these evaluations, staff recommend Oakley Collier Architects (OCA) be awarded this
386 project.

387

388 The team felt that OCA brought to this project a level of experience, current knowledge of our
389 facilities, and a strong mix of sub-consultants necessary to complete this project within the
390 guidelines and time line as provided in the RFQ. Additionally, Craven County's experience with
391 OCA has been outstanding and projects have progressed timely and efficiently.

392

393 Mr. Hodges highlighted that the next step will be negotiating a fee and terms of a contract with
394 the selected firm and to begin refining the scope of these various projects.

395

396 Mr. Hodges stated he wanted to put this all in perspective, that this is just requesting architects to
397 submit designs for future projects, and the County is not committing to do all these projects at
398 this time, it just puts the County in a good position of preparedness rolling forward, as this is a
399 seven to ten year window of projects.

400

401 Commissioner McCabe motioned to award the project to Oakley Collier Architects and (i)
402 authorize the management team to prepare a contract to serve the purposes and needs as
403 presented/discussed and (ii) authorize the Chairman, the Vice-Chairman, Manager and Clerk to
404 execute and deliver the contract once prepared and any other ancillary documents which may be
405 required to fully implement the contract. The motion was seconded by Commissioner Liner and
406 approved unanimously.

407

408 Discussion highlighted being able to prioritize the list, taking it slowly, and potentially even
409 choosing not to do certain projects. The Havelock building is the only one that needs to be
410 moved on soon.

411

412

413

414

415 **DEPARTMENTAL MATTERS: FINANCE –LOTTERY APPLICATION**

416
417 Finance Director, Craig Warren, stated that each year the Board of Education and the Board of
418 Commissioners jointly approve a project application to be submitted to the North Carolina
419 Department of Public Instruction. This application is required in order to draw down lottery
420 proceeds that have been allocated to Craven County in the Public School Building Capital Fund.
421 These funds are restricted and can only be used for school construction projects or to retire debt
422 incurred as a result of school construction projects.

423
424 Commissioner Liner motioned to approve the project application, as requested, seconded by
425 Commissioner Bucher and approved unanimously.

426

427 **APPOINTMENTS**

428

429 *Pending Appointments*

430

431 Chairman Mark reviewed the following pending appointments:

432

- 433 • Adult Care Home Advisory Committee
- 434 • Nursing Home Advisory Committee
- 435 • Recreation Advisory Committee
- 436 • Regional Aging Advisory Board
- 437 • Senior Legislative Tarheel Alternate

438

439 *Current Appointments*

440

441 *Emergency Medical Services Advisory Council*

442

443 Commissioner Jones nominated Tom Brubaker for reappointment to the EMS Advisory Council.
444 There being no additional nominations, Mr. Brubaker was reappointed by acclamation.

445

446 *Havelock Planning Board (ETJ)*

447

448 The Board was advised that the term of Marion Sykes is due to expire and he is not seeking
449 reappointment. Since there are no applications on file, the staff will get of list of names from
450 their ETJ to be contacted.

451

452 *Juvenile Crime Prevention Council*

453

454 Commissioner Liner motioned to reappoint Jennifer Dacey to the JCPC. Commissioner Mark
455 motioned to appoint Robert Brinson. There being no additional nominations, both were
456 reappointed and appointed by acclamation.

457

458

459

460

461 *Coastal Carolina Regional Airport Authority*

462
463 Chairman Mark read a letter of support for Charles Meekins and Jerry Jackson from Airport
464 Director, Andrew Shorter. Commissioner Jones motioned to table this decision until September
465 1, 2020. His motioned was seconded by Commissioner Liner and approved unanimously.

466
467 *Craven County Social Services Board*

468
469 Chairman Mark nominated Gwendolyn Bryan for appointment to the Craven County Social
470 Services Board. There being no additional nominations, Ms. Bryan was nominated by
471 acclamation.

472
473 *Upcoming Appointments*

474
475 Chairman Mark reviewed the following appointments to boards and committees due to expire
476 June 30, 2020

- 477
478 • Craven County Tourism Development Authority
479 • Fire Tax Commissioners
480 • Nursing Home Advisory Committee
481 • Craven County ABC Board
482 • Eastern Carolina Regional Housing Authority
483 • New Bern Planning and Zoning Board

484
485 Commissioner Liner requested a list of whose terms are ending on these board and committees.
486 Clerk to the Board, Nan Holton, stated that she will send out a list to the Commissioners via
487 email.

488
489 County Manager, Jack Veit, inserted that the Craven Community College Board of Trustees will
490 also be addressed at the June 15, 2020 meeting.

491
492 **COUNTY ATTORNEY'S REPORT**

493
494 *Final Offer to Purchase Real Property Parcel #9-046-115*

495
496 County Attorney, Arey Grady, presented an offer previously received and tentatively approved
497 by Craven County in the amount of \$1,300.00 for this property, which was acquired through a
498 tax foreclosure. The total taxes and costs that were foreclosed were \$2,344.21. The current tax
499 value is \$4,730.00. The offer was advertised, and there were no upset bids, the final bid being
500 \$1,300.00.

501
502 Commissioner Liner motioned to adopt the resolution to accept the final sale, seconded by
503 Commissioner Jones and approved unanimously.

504
505
506



RESOLUTION
New Bern, North Carolina
Tax Parcel Number 9-046-115

507
508
509
510
511
512
513
514
515
516
517
518
519
520
521
522
523
524
525
526
527
528
529
530
531
532
533
534
535
536
537
538
539
540
541

THAT WHEREAS, Craven County has received an offer to purchase a parcel of property owned by the County, identified as Tax Parcel Number 9-046-115, and being more particularly described herein; and,

WHEREAS, the Board of Commissioners is authorized to sell the County’s interest in the property pursuant to North Carolina General Statute §160A-269; and,

WHEREAS, the offer to purchase was advertised as required by said statute; and

WHEREAS, the final offer to purchase, after the upset bid period, was for the sum of \$1,300.00 by Charles Petersen; and,

WHEREAS, the Board of Commissioners deems it advisable and in the best interest of the County to sell its interest in the subject property to the successful bidder and to convey its interest in said property by quitclaim deed.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF CRAVEN COUNTY:

Section 1. That the last and highest bid of Charles Petersen in the sum of \$1,300.00 for said parcel identified as Tax Parcel Number 9-046-115, and being more particularly described herein, be and the same is hereby accepted as to the County’s interest in said property, and the Chairman, County Manager and/or Clerk be and they are hereby authorized and directed to execute a quitclaim deed to the purchaser for the County’s interest in said property, and to further execute any and all other documents related to the sale of the same.

Section 2. That a copy of said quitclaim deed is attached hereto and incorporated herein by reference, and the original deed shall be delivered to said purchaser once the same has been executed on behalf of the County, upon payment of the purchase price.

Section 3. That the subject property is more particularly described as follows:
All that certain lot or parcel of land lying and being situate in Number Nine (9) Township, Craven County, North Carolina, and being more particularly described as follows:
All of that certain property more fully described in Deed Book 3501, Page 1393 in the Craven County Registry. This property is also commonly referred to by its tax parcel identification number which is 9-046-115.

542
543 *Initial Offer to Purchase Real Property – 2203 Chestnut Ave. New Bern, NC #8-037-001*
544
545 Mr. Grady presented an offer previously received and approved by Craven County and the City
546 of New Bern the amount of \$375.00 for this property, which was acquired through a tax
547 foreclosure. The total taxes and costs that were foreclosed were \$4,179.83. The current tax
548 value is \$750.00. The offer was advertised, and there was an upset bid in the amount of \$450.00.
549 This offer was advertised and there were no upset bids, the final bid being \$450.00. The County
550 granted final approval on March 16, 2020. However, the high bidder decided not move forward
551 with the closing. The City has since contacted the initial bidder who has reinstated a bid of
552 \$375.00.

553
554 In accordance with historical practice, the County allows the municipality jointly owning
555 foreclosed property to “take the lead” in situations involving jointly owned property, meaning
556 the County allows the municipality to make the decision on the suitability of an initial offer, and
557 in turn, assuming County approval, the municipality prepares the necessary contract, deed and
558 upset bid advertisement. Finally, assuming final approval by the municipality and the County
559 after the expiration of the bid process, the municipality attends to the recordation of the deed to
560 the high bidder, collects the purchase price and remits the County’s share. As noted above, in
561 the present case the City of New Bern has approved the initial bid and requested the County to
562 do the same.

563
564 Should the County accept this Offer, then the property will be advertised for upset bids by the
565 City of New Bern in accordance with the General Statutes. Once no further upset bids are timely
566 received, the County and City may accept or reject the final offer.

567
568 Commissioner Liner motioned to adopt the resolution to accept the initial offer and to allow the
569 City of New Bern to advertise for upset bids, seconded by Commissioner McCabe and
570 unanimously approved.

571
572 **CRAVEN COUNTY**

573 **RESOLUTION**

574 THAT WHEREAS, Craven County has received an Offer to Purchase a parcel of
575 property owned by it identified as 2203 Chestnut Ave., New Bern, NC, Tax Parcel Number 8-
576 037-001, and more particularly described Deed Book 3569, Page 529 in the Craven County
577 Registry (hereinafter the “Real Property”), a copy of said offer is attached hereto as Exhibit A;
578 and,

579 WHEREAS, the Board of Commissioners is authorized to sell the County’s interest in the
580 property pursuant to the provisions of North Carolina General Statute §160A-269.

581 NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS
582 OF CRAVEN COUNTY:



583 1. That the Board of Commissioners hereby authorizes the initiation of the upset bid
584 process for the Real Property by advertising notice of the offer to purchase in accordance with
585 the provisions of North Carolina General Statue §160A-269.

586 2. That the County Manager, Clerk and/or Attorney are authorized to take all actions
587 necessary to accomplish the purposes of this Resolution.

588 ADOPTED THIS 1st DAY OF JUNE, 2020.

589 *Initial Offer to Purchase Real Property – S West Craven Middle School Road #9-048-181*

590
591 Mr. Grady presented an offer received by Craven County in the amount of \$5,000.00 for this
592 property, which was acquired through a tax foreclosure. The total taxes and costs that were
593 foreclosed on were \$6,210.70. The current tax value is \$8,950.00.

594
595 Should the County accept this offer, then the property will then be advertised for upset bids in
596 accordance with the General Statutes. Once no further upset bids are timely received, the County
597 may accept or reject the final offer.

598
599 Commissioner McCabe motioned to adopt the resolution to accept the initial offer and to
600 advertise for upset bids, seconded by Commissioner Liner and approved unanimously.

601
602 **CRAVEN COUNTY**

603 **RESOLUTION**

604 THAT WHEREAS, Craven County has received an Offer to Purchase a parcel of
605 property owned by it identified as S West Craven Middle School Road, New Bern, NC, Tax
606 Parcel Number 9-048-181, and more particularly described Deed Book 3383, Page 228 in the
607 Craven County Registry (hereinafter the “Real Property”), a copy of said offer is attached hereto
608 as Exhibit A; and,

609 WHEREAS, the Board of Commissioners is authorized to sell the County’s interest in the
610 property pursuant to the provisions of North Carolina General Statute §160A-269.

611 NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS
612 OF CRAVEN COUNTY:

613 1. That the Board of Commissioners hereby authorizes the initiation of the upset bid
614 process for the Real Property by advertising notice of the offer to purchase in accordance with
615 the provisions of North Carolina General Statue §160A-269.

616 2. That the County Manager, Clerk and/or Attorney are authorized to take all actions
617 necessary to accomplish the purposes of this Resolution.

618

619 ADOPTED THIS 1st DAY OF JUNE, 2020.

620 *Request from City of New Bern Regarding 209 Lawson Street, New Bern #8-011-162*

621
622 Mr. Grady stated that Craven County and the City of New Bern acquired this property through a
623 tax foreclosure. The City has started proceedings to condemn and demolish the dilapidated
624 improvements at these properties. The City has proposed to either have the County pay its pro-
625 rata share for demolition, or to transfer the County's interests to the City in which case the City
626 will be solely responsible for demolition cost.

627
628 It is recommended that the County donate its interest in the property to the City of New Bern
629 upon the condition that the City will be responsible for all costs of demolition.

630
631 Commissioner Liner motioned to donate the County's interest in the property to the City of New
632 Bern with a caveat that follow-up is conducted to ensure that demolition takes place. The motion
633 was seconded by Commissioner Bucher and approved unanimously.

634
635 Mr. Grady stated that he would communicate directly with the City Attorney to provide the
636 County confirmation of demolition.

637

638 COUNTY MANAGER'S REPORT

639
640 County Manager, Jack Veit, provided a brief update regarding the CARES Act Funding Plan that
641 was submitted. He thanked Finance Director, Craig Warren, and Assistant Finance Director,
642 Amanda White, for their rush to complete it.

643
644 Mr. Veit thanked the Board for their work during the Budget Work Sessions and sought their
645 thoughts on meeting one final time.

646
647 Mr. Veit expressed his sorrow over the passing of Carteret County Commissioner, Johnathan
648 Robinson, stating he meant a lot to him and served his constituents well.

649

650 COMMISSIONERS' REPORTS

651
652 *Commissioner Bucher* had nothing to report.

653
654 *Commissioner McCabe* had nothing to report

655
656 *Commissioner Liner* mentioned the absence of both Commissioner Mitchell due to health
657 concerns with her father, and Commissioner Sampson who was dealing with health issues of his
658 own and expressed the Boards concern for them both. He reminded the public that COVID 19 is
659 not over and to continue with safe practices.

660
661 *Commissioner Jones* relayed that he had been in discussion with Sheriff Hughes and upon
662 completion of an inventory of their Personal Protection Equipment (PPE) gear, they feel that
663 they lack adequate protective gear.

664 The need is for protective non-lethal gear, for two mobile field teams, consisting of 8-man teams
665 with enough equipment for two spares for a total of eighteen protective gear sets.
666

667 Commissioner Jones motioned to approve \$34,000 out of the Fund Balance to purchase 18
668 protective gear sets for the Sheriff’s Office. His motion was seconded by Commissioner
669 McCabe and carried unanimously in a 5-0 roll call vote.
670

671 *Sheriff’s Department*

672	673	674	675	676	677	678
	REVENUES	AMOUNT	EXPENDITURES	AMOUNT		
675	1010000-39901	\$34,000	1014310-43240	\$30,000		
676	Current Year Fund Balance		Supplies – Other	\$ 4,000		
677			Uniforms			
679	TOTAL	\$34,000.00	TOTAL	\$34,000.00		

680
681 Commissioner Jones commended the staff for all of their hard work on the budget and stated he
682 appreciated how the Board has worked well together through strong debates.
683

684 County Manager, Jack Veit, provided a COVID 19 update from the day. He stated Craven
685 County has 208 total cases, and that currently 108 are active, of which three are hospitalized; and
686 99 have recovered. There have been five deaths. He indicated he stays in contact with the
687 Health Director and a lot of testing has been done. Given the recent spike in numbers due to a
688 cluster situation, the recovered numbers should soon rise above the active cases.
689

690 *Chairman Mark* commented that he hopes everyone continues to social distance, wash their
691 hands and wear a mask.
692

693 Commissioner Bucher motioned to recess until 4:00 p.m. on Wednesday, June 3, 2020. His
694 motion was seconded by Commissioner Jones and approved unanimously.
695

696 FLOOD DAMAGE PREVENTION ORDINANCE

697 Coastal Regular Phase

698

699

700 ART. 1. STATUTORY AUTHORIZATION, FINDINGS OF FACT, PURPOSE AND OBJECTIVES.....1

701 ART. 2. DEFINITIONS.....2

702 ART. 3. GENERAL PROVISIONS10

703 ART. 4. ADMINISTRATION11

704 ART. 5. PROVISIONS FOR FLOOD HAZARD REDUCTION19

705 ART. 6. LEGAL STATUS PROVISIONS32

706

707 STATUTORY AUTHORIZATION, FINDINGS OF FACT, PURPOSE AND OBJECTIVES.

708

709 Sec. 18-1 STATUTORY AUTHORIZATION.

710

711 The Legislature of the State of North Carolina has in Part 6, Article 21 of Chapter 143; Article 6 of Chapter 153 A; Article 8 of
712 Chapter 160A; and Article 7, 9 and 11 of Chapter 160D (Effective January 1, 2021) of the North Carolina General Statutes,
713 delegated the responsibility to local governmental units to adopt regulations designed to promote the public health, safety, and
714 general welfare of its citizenry.



715
716
717
718
719
720
721
722
723
724
725
726
727
728
729
730
731
732
733
734
735
736
737
738
739
740
741
742
743
744
745
746
747
748
749
750
751
752
753
754
755
756
757
758
759
760
761
762

763

764

765
766
767
768
769
770
771
772

Therefore, the Board of Commissioners of Craven County, North Carolina, does ordain as follows:

Sec. 18-2 FINDINGS OF FACT.

The flood prone areas within the jurisdiction of Craven County are subject to periodic inundation which results in loss of life, property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures of flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare.

These flood losses are caused by the cumulative effect of obstructions in floodplains causing increases in flood heights and velocities, and by the occupancy in flood prone areas by uses vulnerable to floods or hazardous to other lands which are inadequately elevated, floodproofed, or otherwise unprotected from flood damages.

Sec. 18-3 STATEMENT OF PURPOSE.

It is the purpose of this ordinance to promote public health, safety, and general welfare and to minimize public and private losses due to flood conditions within flood prone areas by provisions designed to:

- (1) Restrict or prohibit uses which are dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion, flood heights or velocities;
- (2) Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;

Control the alteration of natural floodplains, stream channels, and natural protective barriers, which are involved in the accommodation of flood waters;

Control filling, grading, dredging, and all other development which may increase erosion or flood damage; and,

Prevent or regulate the construction of flood barriers which will unnaturally divert floodwaters or which may increase flood hazards to other lands.

Sec. 18-4 OBJECTIVES.

The objectives of this ordinance are:

- (1) To protect human life and health;
- (2) To minimize expenditure of public money for costly flood control projects;
- (3) To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- (4) To minimize prolonged business losses and interruptions;
- (5) To minimize damage to public facilities and utilities (i.e. water and gas mains, electric, telephone, cable and sewer lines, streets, and bridges) that are located in flood prone areas;

Minimize damage to private and public property due to flooding;

Make flood insurance available to the community through the National Flood Insurance Program;

Maintain the natural and beneficial functions of floodplains;

To help maintain a stable tax base by providing for the sound use and development of flood prone areas in such a manner as to minimize flood blight areas; and,

To ensure that potential homebuyers are notified that property is in a Special Flood Hazard Area.

DEFINITIONS.

Sec. 18-5 Definitions.

Unless specifically defined below, words or phrases used in this ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this ordinance its most reasonable application.

“Accessory Structure (Appurtenant Structure)” means a structure which is located on the same parcel of property as the principal structure and the use of which is incidental to the use of the principal structure. Garages, carports and storage sheds are common urban accessory structures. Pole barns, hay sheds and the like qualify as accessory structures on farms, and may or may not be located on the same parcel as the farm dwelling or shop building.

“Addition (to an existing building)” means an extension or increase in the floor area or height of a building or structure.

“Alteration of a watercourse” means a dam, impoundment, channel relocation, change in channel alignment, channelization, or change in cross-sectional area of the channel or the channel capacity, or any other form of modification which may alter, impede, retard or change the direction and/or velocity of the riverine flow of water during conditions of the base flood.

“Appeal” means a request for a review of the floodplain administrator's interpretation of any provision of this ordinance.

“Area of Shallow Flooding” means a designated Zone AO or AH on a community's Flood Insurance Rate Map (FIRM) with base flood depths determined to be from one (1) to three (3) feet. These areas are located where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate, and where velocity flow may be evident.

“Area of Special Flood Hazard” see “Special Flood Hazard Area (SFHA)”

“Base Flood” means the flood having a one (1) percent chance of being equaled or exceeded in any given year.

“Base Flood Elevation (BFE)” means a determination of the water surface elevations of the base flood as published in the Flood Insurance Study. When the BFE has not been provided in a “Special Flood Hazard Area”, it may be obtained from engineering studies available from a Federal, State, or other source using FEMA approved engineering methodologies. This elevation, when combined with the “Freeboard”, establishes the “Regulatory Flood Protection Elevation”.

“Basement” means any area of the building having its floor subgrade (below ground level) on all sides.

“Breakaway Wall” means a wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces without causing damage to the elevated portion of the building or the supporting foundation system.

“Building” see “Structure”.

“Chemical Storage Facility” means a building, portion of a building, or exterior area adjacent to a building used for the storage of any chemical or chemically reactive products.

“Coastal Area Management Act (CAMA)” means North Carolina’s Coastal Area Management Act, this act, along with the Dredge and Fill Law and the Federal Coastal Zone Management Act, is managed through North Carolina Department of Environmental Quality (NCDEQ) Division of Coastal Management (DCM).

“Coastal A Zone (CAZ)” means an area within a special flood hazard area, landward of a V zone or landward of an open coast without mapped V zones. In a Coastal A Zone, the principal source of flooding must be astronomical tides, storm surges, seiches, or tsunamis, not riverine flooding. During the base flood conditions, the potential for wave heights shall be greater than or equal to 1.5 feet. Coastal A Zones are not normally designated on FIRMs. (see Limit of Moderate Wave Action (LimWA))

“Coastal Barrier Resources System (CBRS)” consists of undeveloped portions of coastal and adjoining areas established by the Coastal Barrier Resources Act (CoBRA) of 1982, the Coastal Barrier Improvement Act (CBIA) of 1990, and subsequent revisions, and includes areas owned by Federal or State governments or private conservation organizations identified as Otherwise Protected Areas (OPA).

“Coastal High Hazard Area” means a Special Flood Hazard Area extending from offshore to the inland limit of a primary frontal dune along an open coast and any other area subject to high velocity wave action from storms or seismic sources. The area is designated on a FIRM, or other adopted flood map as determined in Article 3, Section 18-7 of this ordinance, as Zone VE.

- 835 “Design Flood” See “Regulatory Flood Protection Elevation.”
836
837 “Development” means any man-made change to improved or unimproved real estate, including, but not limited to, buildings or
838 other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, or storage of equipment or
839 materials.
840
841 “Development Activity” means any activity defined as Development which will necessitate a Floodplain Development Permit.
842 This includes buildings, structures, and non-structural items, including (but not limited to) fill, bulkheads, piers, pools, docks,
843 landings, ramps, and erosion control/stabilization measures.
844
845 “Digital Flood Insurance Rate Map (DFIRM)” means the digital official map of a community, issued by the Federal Emergency
846 Management Agency (FEMA), on which both the Special Flood Hazard Areas and the risk premium zones applicable to the
847 community are delineated.
848
849
850 “Disposal” defined as in NCGS 130A-290(a)(6), the discharge, deposit, injection, dumping, spilling, leaking, or placing of any
851 solid waste into or on any land or water so that the solid waste or any constituent part of the solid waste may enter the
852 environment or be emitted into the air or discharged into any waters, including groundwaters.
853
854 “Elevated Building” means a non-basement building which has its reference level raised above ground level by foundation walls,
855 shear walls, posts, piers, pilings, or columns.
856 “Encroachment” means the advance or infringement of uses, fill, excavation, buildings, permanent structures or development into
857 a floodplain, which may impede or alter the flow capacity of a floodplain.
858
859 “Existing building and existing structure” means any building and/or structure for which the “start of construction” commenced
860 before 5/4/87, the effective date of the initial FIRM
861
862 “Existing Manufactured Home Park or Manufactured Home Subdivision” means a manufactured home park or subdivision for
863 which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a
864 minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is
865 pre-FIRM.
866
867 “Existing Manufactured Home Site” means a manufactured home site for which the construction of facilities for servicing the
868 site(s) on which the manufactured home(s) are to be affixed (including, at a minimum, the installation of utilities, the construction
869 of streets (if applicable), and/or either final site grading or the pouring of concrete pads) is completed before July 2, 2004.
870
871 “Flood” or “Flooding” means a general and temporary condition of partial or complete inundation of normally dry land areas
872 from:
873 (1) the overflow of inland or tidal waters; and,
874 (2) the unusual and rapid accumulation of runoff of surface waters from any source.
875
876 “Flood Boundary and Floodway Map (FBFM)” means an official map of a community, issued by the Federal Emergency
877 Management Agency, on which the Special Flood Hazard Areas and the floodways are delineated. This official map is a
878 supplement to and shall be used in conjunction with the Flood Insurance Rate Map (FIRM).
879
880 “Flood Hazard Boundary Map (FHBM)” means an official map of a community, issued by the Federal Emergency Management
881 Agency, where the boundaries of the Special Flood Hazard Areas have been defined as Zone A.
882
883 “Flood Insurance” means the insurance coverage provided under the National Flood Insurance Program.
884
885 “Flood Insurance Rate Map (FIRM)” means an official map of a community, issued by the Federal Emergency Management
886 Agency, on which both the Special Flood Hazard Areas and the risk premium zones applicable to the community are delineated.
887
888 “Flood Insurance Study (FIS)” means an examination, evaluation, and determination of flood hazard areas, corresponding water
889 surface elevations (if appropriate), flood insurance risk zones, and other flood data in a community issued by FEMA. The Flood
890 Insurance Study report includes Flood Insurance Rate Maps (FIRMs) and Flood Boundary and Floodway Maps (FBFMs), if
891 published.
892
893 “Flood Prone Area” see “Floodplain”
894
895 “Flood Zone” means a geographical area shown on a Flood Hazard Boundary Map or Flood Insurance Rate Map that reflects the
896 severity or type of flooding in the area.

- 897
 898 “Floodplain” means any land area susceptible to being inundated by water from any source.
 899
 900 “Floodplain Administrator” is the individual appointed to administer and enforce the floodplain management regulations.
 901
 902 “Floodplain Development Permit” means any type of permit that is required in conformance with the provisions of this
 903 ordinance, prior to the commencement of any development activity.
 904
 905 “Floodplain Management” means the operation of an overall program of corrective and preventive measures for reducing flood
 906 damage and preserving and enhancing, where possible, natural resources in the floodplain, including but not limited to
 907 emergency preparedness plans, flood control works, floodplain management regulations, and open space plans.
 908
 909 “Floodplain Management Regulations” means this ordinance and other zoning ordinances, subdivision regulations, building
 910 codes, health regulations, special purpose ordinances, and other applications of police power. This term describes Federal, State
 911 or local regulations in any combination thereof, which provide standards for preventing and reducing flood loss and damage.
 912
 913 “Floodproofing” means any combination of structural and nonstructural additions, changes, or adjustments to structures, which
 914 reduce or eliminate risk of flood damage to real estate or improved real property, water and sanitation facilities, or structures with
 915 their contents.
 916
 917 “Flood-resistant material” means any building product [material, component or system] capable of withstanding direct and
 918 prolonged contact (minimum 72 hours) with floodwaters without sustaining damage that requires more than low-cost cosmetic
 919 repair. Any material that is water-soluble or is not resistant to alkali or acid in water, including normal adhesives for above-grade
 920 use, is not flood-resistant. Pressure-treated lumber or naturally decay-resistant lumbers are acceptable flooring materials. Sheet-
 921 type flooring coverings that restrict evaporation from below and materials that are impervious, but dimensionally unstable are not
 922 acceptable. Materials that absorb or retain water excessively after submergence are not flood-resistant. Please refer to Technical
 923 Bulletin 2, *Flood Damage-Resistant Materials Requirements*, and available from FEMA. Class 4 and 5 materials, referenced
 924 therein, are acceptable flood-resistant materials.
 925
 926 “Floodway” means the channel of a river or other watercourse including the area above a bridge or culvert when applicable and
 927 the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water
 928 surface elevation more than one (1) foot.
 929
 930 “Floodway encroachment analysis” means an engineering analysis of the impact that a proposed encroachment into a floodway
 931 or non-encroachment area is expected to have on the floodway boundaries and flood levels during the occurrence of the base
 932 flood discharge. The evaluation shall be prepared by a qualified North Carolina licensed engineer using standard engineering
 933 methods and hydraulic models meeting the minimum requirement of the National Flood Insurance Program.
 934
 935 “Freeboard” means the height added to the BFE to account for the many unknown factors that could contribute to flood heights
 936 greater than the height calculated for a selected size flood and floodway conditions, such as wave action, blockage of bridge or
 937 culvert openings, storm surge or precipitation exceeding the base flood, and the hydrological effect of urbanization of the
 938 watershed. The BFE plus the freeboard establishes the “Regulatory Flood Protection Elevation”.
 939
 940 “Functionally Dependent Facility” means a facility which cannot be used for its intended purpose unless it is located in close
 941 proximity to water, such as a docking or port facility necessary for the loading and unloading of cargo or passengers,
 942 shipbuilding, or ship repair. The term does not include long-term storage, manufacture, sales, or service facilities.
 943
 944 “Hazardous Waste Management Facility” means a facility for the collection, storage, processing, treatment, recycling, recovery,
 945 or disposal of hazardous waste as defined in NCGS Article 9 of Chapter 130A.
 946
 947 “Highest Adjacent Grade (HAG)” means the highest natural elevation of the ground surface, prior to construction immediately
 948 next to the proposed walls of the structure.
 949
 950 “Historic Structure” means any structure that is:
 951
 952 (a) Listed individually in the National Register of Historic Places (a listing maintained by the US Department of
 953 Interior) or preliminarily determined by the Secretary of Interior as meeting the requirements for individual listing
 954 on the National Register;
 955 (b) Certified or preliminarily determined by the Secretary of Interior as contributing to the historical significance of a
 956 registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic
 957 district;

- 958 (c) Individually listed on a local inventory of historic landmarks in communities with a “Certified Local Government
- 959 (CLG) Program”;
- 960 (d) Certified as contributing to the historical significance of a historic district designated by a “Certified Local
- 961 Government (CLG) Program”.
- 962

963 Certified Local Government (CLG) Programs are approved by the US Department of the Interior in cooperation with the
 964 North Carolina Department of Cultural Resources through the State Historic Preservation Officer as having met the
 965 requirements of the National Historic Preservation Act of 1966 as amended in 1980.

966
 967 “Letter of Map Change (LOMC)” means an official determination issued by FEMA that amends or revises an effective Flood
 968 Insurance Rate Map or Flood Insurance Study. Letters of Map Change include:

- 969
- 970 (a) Letter of Map Amendment (LOMA): An official amendment, by letter, to an effective National Flood Insurance
- 971 Program map. A LOMA is based on technical data showing that a property had been inadvertently mapped as
- 972 being in the floodplain, but is actually on natural high ground above the base flood elevation. A LOMA amends the
- 973 current effective Flood Insurance Rate Map and establishes that a specific property, portion of a property, or
- 974 structure is not located in a special flood hazard area.
- 975 (b) Letter of Map Revision (LOMR): A revision based on technical data that may show changes to flood zones, flood
- 976 elevations, special flood hazard area boundaries and floodway delineations, and other planimetric features.
- 977 (c) Letter of Map Revision Based on Fill (LOMR-F): A determination that a structure or parcel of land has been
- 978 elevated by fill above the BFE and is, therefore, no longer located within the special flood hazard area. In order to
- 979 qualify for this determination, the fill must have been permitted and placed in accordance with the community’s
- 980 floodplain management regulations.
- 981 (d) Conditional Letter of Map Revision (CLOMR): A formal review and comment as to whether a proposed project
- 982 complies with the minimum NFIP requirements for such projects with respect to delineation of special flood hazard
- 983 areas. A CLOMR does not revise the effective Flood Insurance Rate Map or Flood Insurance Study; upon
- 984 submission and approval of certified as-built documentation, a Letter of Map Revision may be issued by FEMA to
- 985 revise the effective FIRM.

986
 987 “Light Duty Truck” means any motor vehicle rated at 8,500 pounds Gross Vehicular Weight Rating or less which has a vehicular
 988 curb weight of 6,000 pounds or less and which has a basic vehicle frontal area of 45 square feet or less as defined in 40 CFR
 989 86.082-2 and is:

- 990
- 991 (a) Designed primarily for purposes of transportation of property or is a derivation of such a vehicle, or
- 992 (b) Designed primarily for transportation of persons and has a capacity of more than 12 persons; or
- 993 (c) Available with special features enabling off-street or off-highway operation and use.
- 994

995 “Limit of Moderate Wave Action (LiMWA)” means the boundary line given by FEMA on coastal map studies marking the
 996 extents of Coastal A Zones (CAZ).

997
 998 “Lowest Adjacent Grade (LAG)” means the lowest elevation of the ground, sidewalk or patio slab, immediately next to the
 999 building or deck support, after completion of the building.

1000
 1001 “Lowest Floor” means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant
 1002 enclosure, usable solely for parking of vehicles, building access, or limited storage in an area other than a basement area is not
 1003 considered a building’s lowest floor provided that such an enclosure is not built so as to render the structure in violation of the
 1004 applicable non-elevation design requirements of this ordinance.

1005
 1006 “Manufactured Home” means a structure, transportable in one or more sections, which is built on a permanent chassis and
 1007 designed to be used with or without a permanent foundation when connected to the required utilities. The term “manufactured
 1008 home” does not include a “recreational vehicle”.

1009
 1010 “Manufactured Home Park or Subdivision” means a parcel (or contiguous parcels) of land divided into two or more
 1011 manufactured home lots for rent or sale.

1012
 1013 “Map Repository” means the location of the official flood hazard data to be applied for floodplain management. It is a central
 1014 location in which flood data is stored and managed; in North Carolina, FEMA has recognized that the application of digital flood
 1015 hazard data products carries the same authority as hard copy products. Therefore, the NCEM’s Floodplain Mapping Program
 1016 websites house current and historical flood hazard data. For effective flood hazard data, the NC FRIS website
 1017 (<http://FRIS.NC.GOV/FRIS>) is the map repository, and for historical flood hazard data the FloodNC website

(<http://FLOODNC.GOV/NCFLOOD>) is the map repository.

“Market Value” means the building value, excluding the land (as agreed to between a willing buyer and seller), as established by what the local real estate market will bear. Market value can be established by independent certified appraisal, replacement cost depreciated by age of building (Actual Cash Value) or adjusted assessed values.

“New Construction” means structures for which the “start of construction” commenced on or after April 6, 1987, the effective date of the initial floodplain management regulations and includes any subsequent improvements to such structures.

“Nonconforming Building or Development” means any legally existing building or development which fails to comply with the current provisions of this ordinance.

“Non-Encroachment Area (NEA)” means the channel of a river or other watercourse including the area above a bridge or culvert when applicable, and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one (1) foot as designated in the Flood Insurance Study report.

“Obstruction” includes, but is not limited to, any dam, wall, wharf, embankment, levee, dike, pile, abutment, protection, excavation, channelization, bridge, conduit, culvert, building, wire, fence, rock, gravel, refuse, fill, structure, vegetation or other material in, along, across or projecting into any watercourse which may alter, impede, retard or change the direction and/or velocity of the flow of water, or due to its location, its propensity to snare or collect debris carried by the flow of water, or its likelihood of being carried downstream.

“Otherwise Protected Area (OPA)” see “Coastal Barrier Resources System (CBRS)”.

“Post-FIRM” means construction or other development which started on or after May 4, 1987 the effective date of the initial Flood Insurance Rate Map.

“Pre-FIRM” means construction or other development which started before May 4, 1987 the effective date of the initial Flood Insurance Rate Map for the area, whichever is later.

“Primary Frontal Dune (PFD)” means a continuous or nearly continuous mound or ridge of sand with relatively steep seaward and landward slopes immediately landward and adjacent to the beach and subject to erosion and overtopping from high tides and waves during major coastal storms. The inland limit of the primary frontal dune occurs at the point where there is a distinct change from a relatively steep slope to a relatively mild slope.

“Principally Above Ground” means that at least 51% of the actual cash value of the structure is above ground.

“Public Safety” and/or “Nuisance” means anything which is injurious to the safety or health of an entire community or neighborhood, or any considerable number of persons, or unlawfully obstructs the free passage or use, in the customary manner, of any navigable lake, or river, bay, stream, canal, or basin.

“Recreational Vehicle (RV)” means a vehicle, which is:

- Built on a single chassis;
- 400 square feet or less when measured at the largest horizontal projection;
- Designed to be self-propelled or permanently towable by a light duty truck; and,
- Designed primarily not for use as a permanent dwelling, but as temporary living quarters for recreational, camping, travel, or seasonal use, and
- Is fully licensed and ready for highway use.

“Reference Level” is the top of the lowest floor for structures within the Special Flood Hazard Areas designated as Zones A, AE, A99, AO, AH. The reference level is the bottom of the lowest horizontal structural member of the lowest floor for structures within Special Flood Hazard Areas designated as Zone VE.

“Regulatory Flood Protection Elevation” means the elevation to which all structures and other development located within the Special Flood Hazard Areas must be elevated. Non-residential structures may be floodproofed in lieu of elevation. Where Base Flood Elevations (BFE) have been determined, this elevation shall be the BFE plus two (2) feet of freeboard except for existing manufactured home sites. For existing manufactured home sites, the regulatory flood protection elevation shall be the BFE plus two (2) feet unless achieving such elevation causes the lowest horizontal structural member of the manufactured home to exceed thirty-six (36) inches ground clearance. In this case, there are two options that would preclude the home from having to meet the freeboard requirement:

1080
1081 1) Fill to reduce amount of ground clearance or
1082

1083 2) Request exemption of freeboard requirement (exemption will be granted provided that the lowest floor and all
1084 mechanical, electrical and ductwork is installed at or above the BFE with the intent to achieve the above referenced
1085 freeboard requirement).
1086

1087 Any non-substantial additions to post-firm structures in which construction commenced on or after May 4, 1987 and prior
1088 to July 2, 2004 must be elevated to at least BFE but are exempt from freeboard.
1089

1090 “Remedy a Violation” means to bring the structure or other development into compliance with State or Community floodplain
1091 management regulations, or, if this is not possible, to reduce the impacts of its noncompliance. Ways that impacts may be
1092 reduced include protecting the structure or other affected development from flood damages, implementing the enforcement
1093 provisions of the ordinance or otherwise deterring future similar violations, or reducing Federal financial exposure with regard to
1094 the structure or other development.
1095

1096 “Riverine” means relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.
1097

1098 “Salvage Yard” means property used for the storage, collection, and/or recycling of any type of equipment whatsoever, whether
1099 industrial or noncommercial, and including but not limited to vehicles, appliances and related machinery.
1100

1101 “Sand Dunes” means naturally occurring accumulations of sand in ridges or mounds landward of the beach.
1102

1103 “Shear Wall” means walls used for structural support but not structurally joined or enclosed at the end (except by breakaway
1104 walls). Shear walls are parallel or nearly parallel to the flow of the water.
1105

1106 “Solid Waste Disposal Facility” means any facility involved in the disposal of solid waste, as defined in NCGS 130A-290(a)(35).
1107

1108 “Special Flood Hazard Area (SFHA)” is the land in the floodplain subject to a one (1%) percent or greater chance of being
1109 flooded in any given year as determined in Article 3, Section 18-7 of this ordinance.
1110

1111 “Solid Waste Disposal Site” defined as in NCGS 130A-290(a)(36), any place at which solid wastes are disposed of by
1112 incineration, sanitary landfill, or any other method.
1113

1114 “Start of Construction” includes substantial improvement, and means the date the building permit was issued provided the actual
1115 start of construction, repair, reconstruction, rehabilitation, addition placement, or other improvement was within 180 days of the
1116 permit date. The actual start means either the first placement of permanent construction of a structure (including a manufactured
1117 home) on a site, such as the pouring of slabs or footings, installation of piles, construction of columns, or any work beyond the
1118 stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land
1119 preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it
1120 include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the
1121 installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main
1122 structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or
1123 other structural part of the building, whether or not that alteration affects the external dimensions of the building.
1124

1125 “Structure” means a walled and roofed building, a manufactured home, or a gas, liquid, or liquefied gas storage tank that is
1126 principally above ground.
1127

1128 “Substantial Damage” means damage of any origin sustained by a structure during any one year period whereby the cost of
1129 restoring the structure to it’s before damaged condition would equal or exceed 50 percent of the market value of the structure
1130 before the damage occurred. See definition of “substantial improvement”.
1131

1132 “Substantial Improvement” means any combination of repairs, reconstruction, rehabilitation, addition, or other improvement of a
1133 structure, taking place during any one year period whereby the cost of which equals or exceeds 50 percent of the market value of
1134 the structure before the “start of construction” of the improvement. This term includes structures which have incurred
1135 “substantial damage”, regardless of the actual repair work performed. The term does not, however, include either:
1136

- 1137 (a) Any correction of existing violations of State or community health, sanitary, or safety code specifications which
1138 have been identified by the community code enforcement official and which are the minimum necessary to assure
1139 safe living conditions; or,
1140

Any alteration of a historic structure, provided that the alteration will not preclude the structure's continued designation as a historic structure, and the alteration is approved by variance issued pursuant to Article 4 Section 18-29 of this ordinance.

“Technical Bulletin and Technical Fact Sheet” means a FEMA publication that provides guidance concerning the building performance standards of the NFIP, which are contained in Title 44 of the U.S. Code of Federal Regulations at Section 60.3. The bulletins and fact sheets are intended for use primarily by State and local officials responsible for interpreting and enforcing NFIP regulations and by members of the development community, such as design professionals and builders. New bulletins, as well as updates of existing bulletins, are issued periodically as needed. The bulletins do not create regulations; rather they provide specific guidance for complying with the minimum requirements of existing NFIP regulations.

“Temperature Controlled” means having the temperature regulated by a heating and/or cooling system, built-in or appliance.

“Variance” is a grant of relief from the requirements of this ordinance.

“Violation” means the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in Articles 4 and 5 is presumed to be in violation until such time as that documentation is provided.

“Watercourse” means a lake, river, creek, stream, wash, channel or other topographic feature on or over which waters flow at least periodically. Watercourse includes specifically designated areas in which substantial flood damage may occur.

“Water Surface Elevation (WSE)” means the height, in relation to NAVD 1988, of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

GENERAL PROVISIONS.

Sec. 18-6 LANDS TO WHICH THIS ORDINANCE APPLIES.

This ordinance shall apply to all Special Flood Hazard Areas within the jurisdiction of Craven County.

Sec. 18-7 BASIS FOR ESTABLISHING THE SPECIAL FLOOD HAZARD AREAS.

The Special Flood Hazard Areas are those identified under the Cooperating Technical State (CTS) agreement between the State of North Carolina and FEMA in its Flood Insurance Study (FIS) for Craven County dated June 19, 2020 for Craven County and its associated DFIRM panels, including any digital data developed as part of the FIS, which are adopted by reference and declared to be a part of this ordinance and all revisions thereto after January 1, 2021. Future revisions to the FIS and DFIRM panels that do not change flood hazard data within the jurisdictional authority of Craven County are also adopted by reference and declared a part of this ordinance. Subsequent Letter of Map Revisions (LOMRs) and/or Physical Map Revisions (PMRs) shall be adopted within 3 months.

Sec. 18-8 ESTABLISHMENT OF FLOODPLAIN DEVELOPMENT PERMIT.

A Floodplain Development Permit shall be required in conformance with the provisions of this ordinance prior to the commencement of any development activities within Special Flood Hazard Areas as determined in Article 3, Section 18-7.

Sec. 18-9 COMPLIANCE.

No structure or land shall hereafter be located, extended, converted, altered, or developed in any way without full compliance with the terms of this ordinance and other applicable regulations.

Sec. 18-10 ABROGATION AND GREATER RESTRICTIONS.

This ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance and another conflict overlap, whichever imposes the more stringent restrictions shall prevail.

Sec. 18-11 INTERPRETATION.

In the interpretation and application of this ordinance, all provisions shall be:

1264
1265
1266
1267
1268
1269
1270
1271
1272
1273
1274
1275
1276
1277
1278
1279
1280
1281
1282
1283
1284
1285
1286
1287
1288
1289
1290
1291
1292
1293
1294
1295
1296
1297
1298
1299
1300
1301
1302
1303
1304
1305
1306
1307
1308
1309
1310
1311
1312
1313
1314
1315
1316
1317
1318
1319
1320
1321
1322

The boundary and designation date of the Coastal Barrier Resource System (CBRS) area or Otherwise Protected Areas (OPA), if applicable.

Proposed elevation, and method thereof, of all development within a Special Flood Hazard Area including but not limited to:

Elevation in relation to NAVD 1988 of the proposed reference level (including basement) of all structures;

Elevation in relation to NAVD 1988 to which any non-residential structure in Zones A, AE, AH, AO, A99 will be flood-proofed; and

Elevation in relation to NAVD 1988 to which any proposed utility systems will be elevated or floodproofed;

If floodproofing, a Floodproofing Certificate (FEMA Form 086-0-34) with supporting data, an operational plan, and an inspection and maintenance plan that include, but are not limited to, installation, exercise, and maintenance of floodproofing measures.

A Foundation Plan drawn to scale which shall include details of the proposed foundation system to ensure all provisions of this ordinance are met. These details include but are not limited to:

Proposed method of elevation, if applicable (i.e., fill, solid foundation perimeter wall, solid backfilled foundation, open foundation on columns/posts/piers/shear walls); and

Openings to facilitate automatic equalization of hydrostatic flood forces on walls in accordance with Article 5, Section 18-41(4)(c) when solid foundation perimeter walls are used in Zones A, AE, AH, AO, A99.

The following, in Coastal High Hazard Areas, in accordance with the provisions of Article 5, Section 18-41(4)(e) and Article 5, Section 18-45 and (Article 5, Section 18-46 if applicable)

- (1) Plans for open wood latticework or insect screening, if applicable; and
- (2) Plans for non-structural fill, if applicable. If non-structural fill is proposed, it must be demonstrated through coastal engineering analysis that the proposed fill would not result in any increase in the BFE or otherwise cause adverse impacts by wave ramping and deflection on to the subject structure or adjacent properties.

Usage details of any enclosed areas below the lowest floor.

Plans and/or details for the protection of public utilities and facilities such as sewer, gas, electrical, and water systems to be located and constructed to minimize flood damage;

Certification that all other Local, State and Federal permits required prior to floodplain development permit issuance (i.e. Wetlands, Erosion and Sedimentation Control, Riparian Buffers, Mining, etc.).

Documentation for placement of Recreational Vehicles and/or Temporary Structures, when applicable, to ensure that the provisions of Article 5, Section 18-41 Subsections (6)(7) of this code are met.

If a watercourse is proposed to be altered and/or relocated, a description of the extent of watercourse alteration or relocation; including an engineering report on the effects of the proposed project on the flood-carrying capacity of the watercourse and the effects to properties located both upstream and downstream; and a map (if not shown on plot plan) showing the location of the proposed watercourse alteration or relocation.

Floodplain Development Permit Data Requirements. The following information shall be provided at a minimum on the Floodplain Development Permit to ensure compliance with this code.

A complete description of the development to be permitted under the floodplain development permit issuance (e.g. house, garage, pool, septic, bulkhead, cabana, pier, bridge, mining, dredging, filling, grading, paving, excavation or drilling operations, or storage of equipment or materials, etc.).

- 1323 The Special Flood Hazard Area determination for the proposed development per available data specified in Article 3,
- 1324 Section 18-7.
- 1325
- 1326 The regulatory flood protection elevation required for the reference level and all attendant utilities.
- 1327
- 1328 The regulatory flood protection elevation required for the protection of all public utilities.
- 1329
- 1330 All certification submittal requirements with timelines.
- 1331
- 1332 A statement that no fill material shall encroach into the floodway or non-encroachment area of any watercourse, unless
- 1333 the requirements of Article 5, Section 18-44 have been met.
- 1334
- 1335 (g) The flood openings requirements, if in Zones A, AE, AH, AO, A99.
- 1336
- 1337 (h) Limitations of below BFE enclosure uses . (i.e., parking, building access and limited storage only).
- 1338
- 1339 (i) A statement, if in Zone VE, that there shall be no alteration of sand dunes which would increase potential flood
- 1340 damage.
- 1341
- 1342 (j) A statement, if in Zone VE, that there shall be no fill used for structural support.
- 1343
- 1344 (k) A statement, that all materials below BFE/RFPE must be flood resistant materials
- 1345

Certification Requirements.

1347 Elevation Certificates

- 1348
- 1349 (i) A preliminary Elevation Certificate (*FEMA Form 086-0-33*) is required prior to the actual start of any new
- 1350 construction. It shall be the duty of the permit holder to submit to the Floodplain Administrator a certification
- 1351 of the elevation of the reference level, in relation to NAVD 1988. The Floodplain Administrator shall review
- 1352 the certificate data submitted. Deficiencies detected by such review shall be corrected by the permit holder
- 1353 prior to the beginning of construction. Failure to submit the certification or failure to make required
- 1354 corrections shall be cause to deny a floodplain development permit.
- 1355
- 1356 (ii) A Final As-Built Elevation Certificate (*FEMA Form 086-0-33*) is required after construction is completed and
- 1357 prior to Certificate of Compliance/Occupancy issuance. It shall be the duty of the permit holder to submit to
- 1358 the floodplain administrator a certification of final as-built construction of the elevation of the reference level
- 1359 and all attendant utilities. The Floodplain Administrator shall review the certificate data submitted.
- 1360 Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to
- 1361 Certificate of Compliance/Occupancy issuance. In some instances, another certification may be required to
- 1362 certify corrected as-built construction. Failure to submit the certification or failure to make said corrections
- 1363 required shall be cause to withhold the issuance of a Certificate of Compliance/Occupancy. The Finished
- 1364 Construction Elevation Certificate certifier shall provide at least 2 photographs showing the front and rear of
- 1365 the building taken within 90 days from the date of certification. The photographs must be taken with views
- 1366 confirming the building description and diagram number provided in Section A of the Elevation Certificate.
- 1367 To the extent possible, these photographs should show the entire building including foundation. If the
- 1368 building has split-level or multi-level areas, provide at least 2 additional photographs showing side views of
- 1369 the building. In addition, when applicable, provide a photograph of the foundation showing a representative
- 1370 example of the flood openings or vents. All photographs must be in color and measure at least 3" x 3". Digital
- 1371 photographs are acceptable.
- 1372

1373 Floodproofing Certificate

- 1374
- 1375 (i) A final Finished Construction Floodproofing Certificate (*FEMA Form 086-0-34*), with supporting data, an
- 1376 operational plan, and an inspection and maintenance plan are required prior to the issuance of a Certificate of
- 1377 Compliance/Occupancy. It shall be the duty of the permit holder to submit to the Floodplain Administrator a
- 1378 certification of the floodproofed design elevation of the reference level and all attendant utilities, in relation
- 1379 to NAVD 1988. Floodproofing certificate shall be prepared by or under the direct supervision of a
- 1380 professional engineer or architect and certified by same. The Floodplain Administrator shall review the
- 1381 certificate data, the operational plan, and the inspection and maintenance plan. Deficiencies detected by such

1382 review shall be corrected by the applicant prior to Certificate of Occupancy. Failure to submit the
 1383 certification or failure to make required corrections shall be cause to deny a Floodplain Development Permit.
 1384 Failure to construct in accordance with the certified design shall be cause to deny a Certificate of
 1385 Compliance/Occupancy.

1386 If a manufactured home is placed within an A, AE, AO, AH, or A99 zone and the elevation of the chassis is above 36
 1387 inches in height, an engineered foundation certification is required per Article 5, Section 18-41(3).

1388
 1389 (d) If a watercourse is to be altered or relocated, a description of the extent of watercourse alteration or relocation; an
 1390 engineering report on the effects of the proposed project on the flood-carrying capacity of the watercourse and the
 1391 effects to properties located both upstream and downstream; and a map showing the location of the proposed
 1392 watercourse alteration or relocation shall all be submitted by the permit applicant prior to issuance of a floodplain
 1393 development permit.
 1394

1395 (e) Certification Exemptions. The following structures, if located within A, AE, AH, AO, A99 Zones are exempt from
 1396 the elevation/floodproofing certification requirements specified in items (a) and (b) above:
 1397

1398 Recreational Vehicles meeting requirements of Article 5, Section 18-41(6)(a);

1400 Temporary Structures meeting requirements of Article 5, Section 18-41(7); and

1402 Accessory Structures less than 150 square feet or \$5,000 or less and meeting requirements of Article 5, Section 18-
 1403 41(8).
 1404

1405 (f) A V-Zone Certification with accompanying design plans and specifications is required prior to issuance of a
 1406 Floodplain Development permit within coastal high hazard areas. It shall be the duty of the permit applicant to
 1407 submit to the Floodplain Administrator said certification to ensure the design standards of this ordinance are met. A
 1408 registered professional engineer or architect shall develop or review the structural design, plans, and specifications
 1409 for construction and certify that the design and methods of construction to be used are in accordance with accepted
 1410 standards of practice for meeting the provisions of this ordinance. This certification is not a substitute for an
 1411 Elevation Certificate.
 1412

1413 (4) **Determinations for existing buildings and structures**
 1414

1415 For applications for building permits to improve buildings and structures, including alterations, movement, enlargement,
 1416 replacement, repair, change of occupancy, additions, rehabilitations, renovations, substantial improvements, repairs of
 1417 substantial damage, and any other improvement of or work on such buildings and structures, the Floodplain Administrator, in
 1418 coordination with the Building Official, shall:
 1419

1420 (a) Estimate the market value, or require the applicant to obtain an appraisal of the market value prepared by a qualified
 1421 independent appraiser, of the building or structure before the start of construction of the proposed work; in the case
 1422 of repair, the market value of the building or structure shall be the market value before the damage occurred and
 1423 before any repairs are made;
 1424

1425 (b) Compare the cost to perform the improvement, the cost to repair a damaged building to its pre-damaged condition, or
 1426 the combined costs of improvements and repairs, if applicable, to the market value of the building or structure;
 1427

1428 (c) Determine and document whether the proposed work constitutes substantial improvement or repair of substantial
 1429 damage; and
 1430

1431 (d) Notify the applicant if it is determined that the work constitutes substantial improvement or repair of substantial
 1432 damage and that compliance with the flood resistant construction requirements of the NC Building Code and this
 1433 ordinance is required.
 1434

1435 **Sec. 18-27 DUTIES AND RESPONSIBILITIES OF THE FLOODPLAIN ADMINISTRATOR.**
 1436

1437 Duties of the floodplain administrator shall include, but not be limited to:
 1438

1439 (1) Review all floodplain development applications and issue permits for all proposed development within flood prone areas
 1440 to assure that the requirements of this ordinance have been satisfied.
 1441

- 1442 (2) Review all proposed development within the Special Flood Hazard Areas to assure that all necessary Local, Federal or
1443 State permits have been received, including Section 404 of the Federal Water Pollution Control Act Amendments of 1972,
1444 33 U.S.C 1334.
1445
- 1446 (3) Notify adjacent communities and the North Carolina Department of Crime Control and Public Safety, Division of
1447 Emergency Management, State Coordinator for the National Flood Insurance Program prior to any alteration or relocation
1448 of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency.
1449
- 1450 Assure that maintenance is provided within the altered or relocated portion of said watercourse so that the flood-carrying capacity
1451 is not diminished.
1452
- 1453 Prevent encroachments within floodways and non-encroachment areas.
1454
- 1455 Obtain actual elevation (in relation to NAVD 1988) of the reference level (including basement) of all attendant utilities of all new
1456 or substantially improved structures, in accordance with Article 4, Section 18-26(3).
1457
- 1458 Obtain the actual elevation (in relation to NAVD 1988) to which the new or substantially improved structures and all utilities
1459 have been floodproofed, in accordance with Article 4, Section 18-26(3).
1460
- 1461 Obtain actual elevation (in relation to NAVD 1988) of all public utilities, in accordance with Article 4, Section 18-26(3).
1462
- 1463 When floodproofing is utilized for a particular structure, obtain certifications from a registered professional engineer or architect
1464 in accordance with Article 4, Section 18-26(3) and Article 5, Section 18-41(2).
1465
- 1466 Where interpretation is needed as to the exact location of boundaries of the Special Flood Hazard Areas (for example, where
1467 there appears to be a conflict between a mapped boundary and actual field conditions), make the necessary interpretation.
1468 The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as
1469 provided in this article.
1470
- 1471 When Base Flood Elevation (BFE) data has not been provided in accordance with Article 3, Section 18-7, obtain, review, and
1472 reasonably utilize any Base Flood Elevation (BFE) data, along with floodway data and/or non-encroachment area data
1473 available from a Federal, State, or other source, including data developed pursuant to Article 5, Section 18-42(3), in order
1474 to administer the provisions of this ordinance.
1475
- 1476 When Base Flood Elevation (BFE) data is provided but no floodway nor non-encroachment area data has been provided in
1477 accordance with Article 3, Section 18-7, obtain, review, and reasonably utilize any floodway data, and/or non-
1478 encroachment area data available from a Federal, State, or other source in order to administer the provisions of this
1479 ordinance.
1480
- 1481 When the exact location of boundaries of the Special Flood Hazard Areas conflict with the current, natural topography
1482 information at the site, the property owner may apply and be approved for a Letter of Map Amendment (LOMA) by
1483 FEMA. A copy of the Letter of Map Amendment issued from FEMA will be maintained by the floodplain administrator in
1484 the floodplain development permit file.
1485
- 1486 Permanently maintain all records that pertain to the administration of this ordinance and make these records available for public
1487 inspection.
1488
- 1489 Make on-site inspections of work in progress. As the work pursuant to a floodplain development permit progresses, the
1490 floodplain administrator shall make as many inspections of the work as may be necessary to ensure that the work is being
1491 done according to the provisions of the local ordinance and the terms of the permit. In exercising this power, the
1492 floodplain administrator has a right, upon presentation of proper credentials, to enter on any premises within the
1493 jurisdiction of the community at any reasonable hour for the purposes of inspection or other enforcement action.
1494
- 1495 Issue stop-work orders as required. Whenever a building or part thereof is being constructed, reconstructed, altered, or repaired
1496 in violation of this ordinance, the floodplain administrator may order the work to be immediately stopped. The stop-work
1497 order shall be in writing and directed to the person doing the work. The stop-work order shall state the specific work to be
1498 stopped, the specific reason(s) for the stoppage, and the condition(s) under which the work may be resumed. Violation of
1499 a stop-work order constitutes a misdemeanor.
1500
- 1501 Revocation of floodplain development permits as required. The floodplain administrator may revoke and require the return of the
1502 floodplain development permit by notifying the permit holder in writing stating the reason(s) for the revocation. Permits
1503 shall be revoked for any substantial departure from the approved application, plans, or specifications; for refusal or failure

- 1564 (1) The Board of Adjustments as established by Craven County, hereinafter referred to as the "appeal board", shall hear and
1565 decide requests for variances from the requirements of this ordinance.
1566
- 1567 (2) Any person aggrieved by the decision of the appeal board may appeal such decision to the Court, as provided in Chapter
1568 7A of the North Carolina General Statutes.
1569
- 1570 (3) Variances may be issued for:
1571
- 1572 (a) The repair or rehabilitation of historic structures upon the determination that the proposed repair or rehabilitation will
1573 not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to
1574 preserve the historic character and design of the structure.
1575
- 1576 (b) Functionally dependent facilities if determined to meet the definition as stated in Article 2 of this ordinance, provided
1577 provisions of Article 4, Section 18-29(9)(b), (c), and (e) have been satisfied, and such facilities are protected by
1578 methods that minimize flood damages during the base flood and create no additional threats to public safety; or
1579
- 1580 (c) Any other type of development provided it meets the requirements of this Section.
1581
- 1582 (4) In passing upon variances, the appeal board shall consider all technical evaluations, all relevant factors, all standards
1583 specified in other sections of this ordinance, and:
- 1584 (a) The danger that materials may be swept onto other lands to the injury of others;
1585
1586 The danger to life and property due to flooding or erosion damage;
1587
1588 The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the
1589 individual owner;
1590
1591 The importance of the services provided by the proposed facility to the community;
1592
1593 The necessity to the facility of a waterfront location, where applicable;
1594
1595 The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;
1596
1597 The compatibility of the proposed use with existing and anticipated development;
1598
1599 The relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
1600
1601 The safety of access to the property in times of flood for ordinary and emergency vehicles;
1602
1603 The expected heights, velocity, duration, rate of rise, and sediment transport of the flood waters and the effects of wave
1604 action, if applicable, expected at the site; and,
1605
1606 The costs of providing governmental services during and after flood conditions including maintenance and repair of
1607 public utilities and facilities such as sewer, gas, electrical and water systems, and streets and bridges.
1608
- 1609 (5) A written report addressing each of the above factors shall be submitted with the application for a variance.
- 1610 (6) Upon consideration of the factors listed above and the purposes of this ordinance, the appeal board may attach such
1611 conditions to the granting of variances as it deems necessary to further the purposes of this ordinance.
1612
- 1613 Any applicant to whom a variance is granted shall be given written notice specifying the difference between the BFE and the
1614 elevation to which the structure is to be built and that such construction below the BFE increases risks to life and property,
1615 and that the issuance of a variance to construct a structure below the BFE may result in increased premium rates for flood
1616 insurance up to \$25 per \$100 of insurance coverage. Such notification shall be maintained with a record of all variance
1617 actions, including justification for their issuance.
- 1618 The Floodplain Administrator shall maintain the records of all appeal actions and report any variances to the FEMA and the State
1619 of North Carolina upon request.
1620



Conditions for Variances:

Variances may not be issued when the variance will make the structure in violation of other Federal, State, or local laws, regulations, or ordinances.

Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.

Variances shall only be issued upon:

A showing of good and sufficient cause;

A determination that failure to grant the variance would result in exceptional hardship; and

A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, or extraordinary public expense, create nuisance, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.

Any applicant to whom a variance is granted shall be given written notice specifying the difference between the Base Flood Elevation (BFE) and the elevation to which the structure is to be built and a written statement that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced reference level elevation. Such notification shall be maintained with a record of all variance actions.

The floodplain administrator shall maintain the records of all appeal actions and report any variances to the Federal Emergency Management Agency and the State of North Carolina upon request.

A variance may be issued for solid waste disposal facilities, hazardous waste management facilities, salvage yards, and chemical storage facilities that are located in Special Flood Hazard Areas provided that all of the following conditions are met. A Floodplain Development permit may be issued for such development only if a variance is granted.

The use serves a critical need in the community.

No feasible location exists for the use outside the Special Flood Hazard Area.

The reference level of any structure is elevated or floodproofed to at least the regulatory flood protection level.

The use complies with all other applicable federal, state and local laws.

Craven County has notified the Secretary of the North Carolina Department of Crime Control and Public Safety of its intention to grant a variance at least thirty (30) days prior to granting the variance.

Sec. 18-30 - Sec. 18-39. Reserved.

ARTICLE 5. PROVISIONS FOR FLOOD HAZARD REDUCTION.

Sec. 18-40 GENERAL STANDARDS.

In all Special Flood Hazard Areas the following provisions are required:

- (1) All new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure.

All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.

All new construction or substantial improvements shall be constructed by methods and practices that minimize flood damages.

1678 All new electrical, heating, ventilation, plumbing, air conditioning equipment, and other service equipment shall be located at or
 1679 above RFPE or designed and installed to prevent water from entering or accumulating within the components during the
 1680 occurrence of base flood. These include but are not limited to HVAC equipment, water softener units, bath/kitchen
 1681 fixtures, ductwork, electric/gas, meter panels/boxes, utility/cable boxes, appliances (i.e., washers, dryers, refrigerator, etc.),
 1682 hot water heaters, electric outlets/switches.

1683 Replacements part of a substantial improvement, electrical, heating, ventilation, plumbing, air conditioning equipment,
 1684 and other service equipment shall also meet the above provisions.

1685 Replacements that are for maintenance and not part of a substantial improvement may be installed at the original location
 1686 provided the addition and/or improvements only comply with the standards for new construction consistent with
 1687 the code and requirements for the original structure.

1688 All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the
 1689 system.
 1690

1691 New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the
 1692 systems and discharges from the systems into flood waters.
 1693

1694 On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during
 1695 flooding.
 1696

1697 Nothing in this ordinance shall prevent the repair, reconstruction, or replacement of a building or to a structure existing on the
 1698 effective date of this ordinance and located totally or partially within the floodway, non-encroachment area, or stream
 1699 setback, provided there is no additional encroachment below the Regulatory Flood Protection Elevation in the floodway,
 1700 non-encroachment area, or stream setback, and provided that such repair, reconstruction, or replacement meets all of the
 1701 other requirements of this ordinance.
 1702

1703 New solid waste disposal facilities and sites, hazardous waste management facilities, salvage yards, and chemical storage
 1704 facilities shall not be permitted, except by variance as specified in Article 4, Section 18-29 (10). A structure or tank for
 1705 chemical or fuel storage incidental to an allowed use or to the operation of a water treatment plant or wastewater treatment
 1706 facility may be located in a Special Flood Hazard Area only if the structure or tank is either elevated or floodproofed to at
 1707 least the Regulatory Flood Protection Elevation and certified in accordance with the provisions of Article 4, Section 18-26
 1708 (3).

1709 (10) Have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize
 1710 flood damage.
 1711

1712 (11) Have adequate drainage provided to reduce exposure to flood hazards.

1713 (12) All subdivision proposals and other development proposals shall be consistent with the need to minimize flood damage.

1714 (13) All subdivision proposals and other development proposals shall have public utilities and facilities such as sewer, gas,
 1715 electrical, and water systems located and constructed to minimize flood damage.
 1716

1717 (14) All subdivision proposals and other development proposals shall have adequate drainage provided to reduce exposure to
 1718 flood hazards.
 1719

1720 (15) All subdivision proposals and other development proposals shall have received all necessary permits from those
 1721 governmental agencies for which approval is required by federal or state law, including Section 404 of the Federal Water
 1722 Pollution Control Act Amendments of 1972, 33 U.S.C. 1334.
 1723

1724 (16) When a structure is partially located in a Special Flood Hazard Area, the entire structure shall meet the requirements for
 1725 new construction and substantial improvements.
 1726

1727 (17) When a structure is located in multiple flood hazard zones or in a flood hazard risk zone with multiple base flood
 1728 elevations, the provisions for the more restrictive flood hazard risk zone and the highest BFE shall apply.
 1729

1730 **Sec. 18-41** **SPECIFIC STANDARDS.**
 1731
 1732

In all Special Flood Hazard Areas where Base Flood Elevation (BFE) data has been provided, as set forth in Article 3, Section 18-7, or Article 4, Section 18-27(11 & 12), the following provisions are required:

- (1) Residential Construction. New construction or substantial improvement of any residential structure (including manufactured homes) shall have the reference level, including basement, elevated no lower than the regulatory flood protection elevation.
- (2) Non-Residential Construction. New construction or substantial improvement of any commercial, industrial, or other non-residential structure shall have the reference level, including basement, elevated no lower than the Regulatory Flood Protection Elevation. Structures located in A, AE, AH, A99 and AO Zones may be floodproofed to the Regulatory Flood Protection Elevation in lieu of elevation provided that all areas of the structure, together with attendant utility and sanitary facilities, below the Regulatory Flood Protection Elevation are watertight with walls substantially impermeable to the passage of water, using structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. For AO Zones, the floodproofing elevation shall be in accordance with Article 5, Section 18-43.3 (2). A registered professional engineer or architect shall certify that the floodproofing standards of this subsection are satisfied. Such certification shall be provided to the Floodplain Administrator as set forth in Article 4, Section 18-26(3).

(3) Manufactured Homes.

New or replacement manufactured homes shall be elevated so that the reference level of the manufactured home is no lower than the regulatory flood protection elevation.

Manufactured homes shall be securely anchored to an adequately anchored foundation to resist flotation, collapse, and lateral movement in accordance with the State of North Carolina Regulations for Manufactured/Mobile Homes, 1995 Edition, and any revision thereto adopted by the Commissioner of Insurance pursuant to NCGS §143-143.15 or a certified engineered foundation. Additionally, when the elevation would be met by an elevation of the chassis thirty-six (36) inches or less above the grade at the site, the chassis shall be supported by reinforced piers or other foundation elements of at least equivalent strength. When the elevation of the chassis is above thirty-six (36) inches in height, an engineering certification is required.

All foundation enclosures or skirting shall be in accordance with Article 5, Section 18-41(4).

An evacuation plan must be developed for evacuation of all residents of all new, substantially improved or substantially damaged manufactured home parks or subdivisions located within flood prone areas. This plan shall be filed with and approved by the floodplain administrator and the local Emergency Management coordinator.

(4) Elevated Buildings. Fully enclosed area, of new construction and substantially improved structures, which is below the lowest floor or below the lowest horizontal structural member in VE zones:

- (a) Shall not be designed or used for human habitation, but shall only be used for parking of vehicles, building access, or limited storage of maintenance equipment used in connection with the premises. Access to the enclosed area shall be the minimum necessary to allow for parking of vehicles (garage door) or limited storage of maintenance equipment (standard exterior door), or entry to the living area (stairway or elevator). The interior portion of such enclosed area shall not be finished or partitioned into separate rooms, except to enclose storage areas or building access via stairs or elevator.
- (b) Shall be constructed entirely of flood resistant materials at least to the Regulatory Flood Protection Elevation; and
- (c) Shall, in Coastal High Hazard Areas (Zone VE), meet requirements of Article 5, Section 18-43.1 shall include, in Zones A, AE, AH, AO, A99 flood openings to automatically equalize hydrostatic flood forces on walls by allowing for the entry and exit of floodwaters. To meet this requirement, the openings must either be certified by a professional engineer or architect or meet or exceed the following minimum design criteria:

Provide a minimum of two openings on different sides of each enclosed area subject to flooding.

The total net area of all openings must be at least one (1) square inch for each square foot of each enclosed area subject to flooding.

If a building has more than one enclosed area, each area must have openings on exterior walls to allow floodwater to automatically enter and exit;

1796 The bottom of all required openings shall be no higher than one (1) foot above the higher of the interior or exterior
 1797 adjacent grade;
 1798
 1799 Flood openings may be equipped with screens, louvers, or other opening coverings or devices provided they permit
 1800 the automatic flow of floodwaters in both directions; and
 1801
 1802 Enclosures made of flexible skirting are not considered enclosures for regulatory purposes, and, therefore, do not
 1803 require flood openings. Masonry or wood underpinning, regardless of structural status, is considered an
 1804 enclosure and requires flood openings as outlined above.

1805 (d) Shall, in Coastal High Hazard Areas (Zone VE), meet the requirements of Article 5, Section 18-43.1

1806
 1807 (5) Additions/Improvements.
 1808

1809 (a) Additions and/or improvements to pre-FIRM structures whereas the addition and/or improvements in combination
 1810 with any interior modifications to the existing structure are:

- 1811 i) Not a substantial improvement, the addition and/or improvements must be designed to minimize flood
 1812 damages and must not be any more non-conforming than the existing structure.
- 1813 ii) A substantial improvement, with modifications/rehabilitations/improvements to the existing structure or the
 1814 common wall is structurally modified more than installing a doorway, both the existing structure and the
 1815 addition and/or improvements must comply with the standards for new construction.

1816 (b) Additions to post-FIRM structures with no modifications to the existing structure shall require only the addition to
 1817 comply with the standards for new construction. Refer to the last sentence of Article 2, Section 18-5 "Regulatory
 1818 Flood Protection Elevation" for freeboard information.

1819 (c) Additions and/or improvements to post-FIRM structures whereas the addition and/or improvements in combination
 1820 with any interior modifications to the existing structure:

- 1821 i) Are not a substantial improvement, the addition and/or improvements only must comply with the standards for
 1822 new construction consistent with the code and requirements for the original structure.

1823 A substantial improvement, both the existing structure and the addition and/or improvements must comply with the
 1824 standards for new construction.

1825 (d) Any combination of repair, reconstruction, rehabilitation, addition or improvement of a building or structure taking
 1826 place during a One (1) year period, the cumulative cost of which equals or exceeds 50 percent of the market value of
 1827 the structure before the improvement or repair is started must comply with the standards for new construction. For
 1828 each building or structure, the One (1) year period begins on the date of the first improvement or repair of that
 1829 building or structure subsequent to the effective date of this ordinance. If the structure has sustained substantial
 1830 damage, any repairs are considered substantial improvement regardless of the actual repair work performed. The
 1831 requirement does not, however, include either:

- 1832 (i) Any project for improvement of a building required to correct existing health, sanitary or safety code
 1833 violations identified by the building official and that are the minimum necessary to assume safe living
 1834 conditions.
- 1835 (ii) Any alteration of a historic structure provided that the alteration will not preclude the structure's continued
 1836 designation as a historic structure.

1837 (6) Recreational Vehicles. Recreation vehicles shall either:

1838
 1839 (a) Temporary Placement
 1840
 1841
 1842
 1843
 1844
 1845
 1846
 1847
 1848
 1849

- 1850 (i) Be on site for fewer than 180 consecutive days or;
- 1851
- 1852 (ii) Be fully licensed and ready for highway use (a recreational vehicle is ready for highway use if it is on its
- 1853 wheels or jacking system, is attached to the site only by quick disconnect type utilities and has no
- 1854 permanently attached additions);
- 1855
- 1856 (b) Permanent Placement Recreation vehicles that do not meet the limitations of Temporary Placement shall meet all the
- 1857 requirements for new construction.
- 1858
- 1859 (7) Temporary Non-Residential Structures. Prior to the issuance of a Floodplain Development Permit for a temporary
- 1860 structure, the applicant must submit to the Floodplain Administrator a plan for the removal of such structure(s) in the event
- 1861 of a hurricane, flash flood or other type of flood warning notification. The following information shall be submitted in
- 1862 writing to the Floodplain Administrator for review and written approval:
- 1863
- 1864 (a) A specified time period for which the temporary use will be permitted. Time specified may not exceed three (3)
- 1865 months, renewable up to one (1) year;
- 1866
- 1867 (b) The name, address, and phone number of the individual responsible for the removal of the temporary structure;
- 1868
- 1869 (c) The time frame prior to the event at which a structure will be removed (i.e. minimum of 72 hours before landfall of a
- 1870 hurricane or immediately upon flood warning notification);
- 1871
- 1872 (d) A copy of the contract or other suitable instrument with the entity responsible for physical removal of the structure;
- 1873 and
- 1874
- 1875 (e) Designation, accompanied by documentation, of a location outside the Special Flood Hazard Area to which the
- 1876 temporary structure will be moved.
- 1877
- 1878 (8) Accessory Structures. When accessory structures (sheds, detached garages, etc.) are to be placed within a Special Flood
- 1879 Hazard Area, the following criteria shall be met:
- 1880
- 1881 (a) Accessory structures shall not be used for human habitation (including work, sleeping, living, cooking or restroom
- 1882 areas);
- 1883
- 1884 (b) Accessory structures shall not be temperature-controlled;
- 1885
- 1886 (c) Accessory structures shall be designed to have low flood damage potential;
- 1887
- 1888 (d) Accessory structures shall be constructed and placed on the buildings site so as to offer the minimum resistance to
- 1889 the flow of floodwaters;
- 1890
- 1891 (e) Accessory structures shall be firmly anchored in accordance with the provisions of Article 5, Section 18-40 (1);
- 1892
- 1893 (f) All service facilities such as electrical and heating equipment shall be installed in accordance with Article 5, Section
- 1894 18-40(4); and
- 1895
- 1896 (g) Accessory structures, regardless of the size or cost, shall not be placed below elevated buildings in V and VE Zones;
- 1897
- 1898 (h) Flood openings to facilitate automatic equalization of hydrostatic flood forces shall be provided below Regulatory
- 1899 Flood Protection Elevation in conformance with Article 5 Section 18-41(4)(d).
- 1900
- 1901 An accessory structure with a footprint less than 150 square feet or that is a minimal investment of \$5,000 or less and
- 1902 satisfies the criteria outlined above is not required to meet the elevation or floodproofing certification standards of Article
- 1903 5, Section 18-41(2). Elevation or floodproofing certifications are required for all other accessory structures in accordance
- 1904 with Article 4, Section 18-26(3).
- 1905
- 1906 (9) Tanks. When gas and liquid storage tanks are to be placed within a Special Flood Hazard Area, the following criteria
- 1907 shall be met:
- 1908

- 1909 (a) Underground tanks. Underground tanks in flood hazard areas shall be anchored to prevent flotation, collapse or
- 1910 lateral movement resulting from hydrodynamic and hydrostatic loads during conditions of the design flood,
- 1911 including the effects of buoyancy assuming the tank is empty;
- 1912
- 1913 (b) Above-ground tanks, elevated. Above-ground tanks in flood hazard areas shall be elevated to or above the
- 1914 Regulatory Flood Protection Elevation on a supporting structure that is designed to prevent flotation, collapse or
- 1915 lateral movement during conditions of the design flood. Tank-supporting structures shall meet the foundation
- 1916 requirements of the applicable flood hazard area;
- 1917
- 1918 (c) Above-ground tanks, not elevated. Above-ground tanks that do not meet the elevation requirements of Article 5,
- 1919 Section 18-41 (2) of this ordinance shall not be permitted in V or VE Zones. Tanks may be permitted in other
- 1920 flood hazard areas provided the tanks are designed, constructed, installed, and anchored to resist all flood-related
- 1921 and other loads, including the effects of buoyancy, during conditions of the design flood and without release of
- 1922 contents in the floodwaters or infiltration by floodwaters into the tanks. Tanks shall be designed, constructed,
- 1923 installed, and anchored to resist the potential buoyant and other flood forces acting on an empty tank during
- 1924 design flood conditions.
- 1925
- 1926 (d) Tank inlets and vents. Tank inlets, fill openings, outlets and vents shall be:
- 1927
- 1928 (i) At or above the Regulatory Flood Protection Elevation or fitted with covers designed to prevent the inflow
- 1929 of floodwater or outflow of the contents of the tanks during conditions of the design flood; and
- 1930
- 1931 (ii) Anchored to prevent lateral movement resulting from hydrodynamic and hydrostatic loads, including the
- 1932 effects of buoyancy, during conditions of the design flood.
- 1933
- 1934 (10) Other Development.
- 1935
- 1936 (a) Fences in regulated floodways and NEAs that have the potential to block the passage of floodwaters, such as
- 1937 stockade fences and wire mesh fences, shall meet the limitations of Article 5, Section 18-43 of this ordinance.
- 1938
- 1939 (b) Retaining walls, sidewalks and driveways in regulated floodways and NEAs. Retaining walls and sidewalks and
- 1940 driveways that involve the placement of fill in regulated floodways shall meet the limitations of Article 5, Section
- 1941 18-43 of this ordinance.
- 1942
- 1943 (c) Roads and watercourse crossings in regulated floodways and NEAs. Roads and watercourse crossings, including
- 1944 roads, bridges, culverts, low-water crossings and similar means for vehicles or pedestrians to travel from one side of
- 1945 a watercourse to the other side, that encroach into regulated floodways shall meet the limitations of Article 5, Section
- 1946 18-43 of this ordinance.
- 1947
- 1948 (d) Commercial storage facilities are not considered "limited storage" as noted in this ordinance, and shall be protected
- 1949 to the Regulatory Flood Protection Elevation as required for commercial structures.

1950 **Sec. 18-42** STANDARDS FOR FLOODPLAINS WITHOUT ESTABLISHED BASE FLOOD

1951 ELEVATIONS.

1952 Within the Special Flood Hazard Areas established in Article 3, Section 18-7, where no Base Flood Elevation (BFE) data has

1953 been provided, the following provisions shall apply:

1954

1955 (1) No encroachments, including fill, new construction, substantial improvements or new development shall be permitted
 1956 within a distance of twenty feet each side from top of bank or five times the width of the stream whichever is greater,
 1957 unless certification with supporting technical data by a registered professional engineer is provided demonstrating that
 1958 such encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge.

1959 (2) The BFE used in determining the Regulatory Flood Protection Elevation shall be determined based on the following
 1960 criteria:

1961 When BFE data is available from other sources, all new construction and substantial improvements within such areas
 1962 shall also comply with all applicable provisions of this ordinance and shall be elevated or floodproofed in
 1963 accordance with standards in Article 5, Sections 18-40 and 18-41.

1964 When floodway or non-encroachment data is available from a Federal, State, or other source, all new construction and
 1965 substantial improvements within floodway and non-encroachment areas shall also comply with the requirements of
 1966 Article 5, Sections 18-41 and 18-44.

1967 All subdivision, manufactured home park and other development proposals shall provide BFE data if development is
 1968 greater than five (5) acres or has more than fifty (50) lots/manufactured home sites. Such BFE data shall be
 1969 adopted by reference in accordance with Article 3, Section 18-7 and utilized in implementing this ordinance.

1970 (d) When BFE data is not available from a Federal, State, or other source as outlined above, the reference level shall
 1971 be elevated or floodproofed (nonresidential) to or above the Regulatory Flood Protection Elevation, as defined in
 1972 Article 2. All other applicable provisions of Article 5, Section 18-41 shall also apply.
 1973
 1974

1975 **Sec 18-42.1 STANDARDS FOR RIVERINE FLOODPLAINS WITH BASE FLOOD ELEVATIONS BUT**
 1976 **WITHOUT ESTABLISHED FLOODWAYS OR NON-ENCROACHMENT AREAS.**
 1977

1978 Along rivers and streams where BFE data is provided by FEMA or is available from another source but neither floodway nor
 1979 non-encroachment areas are identified for a Special Flood Hazard Area on the FIRM or in the FIS report, the following
 1980 requirements shall apply to all development within such areas:

- 1981 (1) Standards of Article 5, Sections 18-40 and 18-41; and
- 1982 (2) Until a regulatory floodway or non-encroachment area is designated, no encroachments, including fill, new
 1983 construction, substantial improvements, or other development, shall be permitted unless certification with supporting
 1984 technical data by a registered professional engineer is provided demonstrating that the cumulative effect of the
 1985 proposed development, when combined with all other existing and anticipated development, will not increase the
 1986 water surface elevation of the base flood more than one (1) foot at any point.
 1987
 1988
 1989

1990 **Sec. 18-43 FLOODWAYS AND NON-ENCROACHMENT AREAS.**
 1991

1992 Areas designated as floodways or non-encroachment areas are located within the Special Flood Hazard Areas established in
 1993 Article 3, Section 18-7. The floodways and non-encroachment areas are extremely hazardous areas due to the velocity of
 1994 floodwaters that have erosion potential and carry debris and potential projectiles. The following provisions, in addition to
 1995 standards outlined in Article 5, Sections 18-40 and 18-41, shall apply to all development within such areas:

1996 (1) No encroachments, including fill, new construction, substantial improvements and other developments shall be permitted
 1997 unless:

1998 It has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering
 1999 practice that the proposed encroachment would not result in any increase in the flood levels during the occurrence
 2000 of the base flood. Such certification and technical data shall be presented to the Floodplain Administrator prior to
 2001 issuance of floodplain development permit.

2002 A Conditional Letter of Map Revision (CLOMR) has been approved by FEMA. A Letter of Map Revision (LOMR) must
 2003 also be obtained within six months of completion of the proposed encroachment.
 2004

2005 If Article 5, Section 18-43(1) is satisfied, all development shall comply with all applicable flood hazard reduction provisions of
 2006 this ordinance.

2007
 2008 Manufactured homes shall be permitted provided the following provisions are met:
 2009

2010 The anchoring and the elevation standards of Article 5, Section 18-41(3); and

2011
 2012 The no encroachment standards of Article 5, Section 18-43(1) are met.

2013
 2014 **Sec. 18-43.1 COASTAL HIGH HAZARD AREA (ZONE VE).**
 2015

2016 Coastal High Hazard Areas are Special Flood Hazard Areas established in Article 3, Section 18-7, and designated as Zones VE.
 2017 These areas have special flood hazards associated with high velocity waters from storm surges or seismic activity and, therefore,
 2018 all new construction and substantial improvements shall meet the following provisions in addition to the provisions of Article 5,
 2019 Sections 18-40 and 18-41:
 2020

2021 (1) All new construction and substantial improvements shall:

2022 (a) Be located landward of the reach of mean high tide;

2023 (b) Comply with all applicable CAMA setback requirements.

2024
 2025
 2026 (2) All new construction and substantial improvements shall be elevated so that the bottom of the lowest horizontal structural
 2027 member of the lowest floor (excluding pilings or columns) is no lower than the regulatory flood protection elevation.
 2028 Floodproofing shall not be utilized on any structures in Coastal High Hazard Areas to satisfy the regulatory flood
 2029 protection elevation requirements.
 2030

2031
 2032 (3) All new construction and substantial improvements shall have the space below the bottom of the lowest horizontal
 2033 structural member of the lowest floor either be free of obstruction or constructed with breakaway walls, open wood
 2034 latticework or insect screening, provided they are not part of the structural support of the building and are designed so as
 2035 to breakaway, under abnormally high tides or wave action without causing damage to the elevated portion of the building
 2036 or supporting foundation system or otherwise jeopardizing the structural integrity of the building. The following design
 2037 specifications shall be met:

2038 (a) Material shall consist of open wood or plastic lattice having at least 40 percent of its area open, or

2039 (b) Insect screening; or

2040 (c) Breakaway walls shall meet the following design specifications:

2041 (1) Design safe loading resistance shall be not less than 10 nor more than 20 pounds per square foot; or

2042
 2043 (2) Breakaway walls that exceed a design safe loading resistance of 20 pounds per square foot (either by design
 2044 or when so required by State or local codes) shall be certified by a registered professional engineer or
 2045 architect that the breakaway wall will collapse from a water load less than that which would occur during the
 2046 base flood event, and the elevated portion of the building and supporting foundation system shall not be
 2047 subject to collapse, displacement, or other structural damage due to the effects of wind and water loads acting
 2048 simultaneously on all building components (structural and non-structural). The water loading values used
 2049 shall be those associated with the base flood. The wind loading values used shall be those required by the
 2050 North Carolina State Building Code.
 2051
 2052
 2053
 2054

2055
 2056 (4) All new construction and substantial improvements shall be securely anchored to pile or column foundations. All pilings
 2057 and columns and the structure attached thereto shall be anchored to resist flotation, collapse, and lateral movement due to
 2058 the effect of wind and water loads acting simultaneously on all building components.
 2059

2060 (a) Water loading values used shall be those associated with the base flood.

2061 (b) Wind loading values used shall be those required by the current edition of the North Carolina State Building Code.

2062
 2063 (5) For concrete pads, including patios, decks, parking pads, walkways, driveways, pool decks, etc. the following is required:
 2064

- 2065
- 2066 (a) Shall be structurally independent of the primary structural foundation system of the structure and shall not
- 2067 adversely affect structures through redirection of floodwaters or debris; and
- 2068
- 2069 (b) Shall be constructed to breakaway cleanly during design flood conditions, shall be frangible, and shall not
- 2070 produce debris capable of causing damage to any structure. (The installation of concrete in small segments
- 2071 (approximately 4 feet x 4 feet) that will easily break up during the base flood event, or score concrete in 4 feet x
- 2072 4 feet maximum segments is acceptable to meet this standard); and
- 2073
- 2074 (c) Reinforcing, including welded wire fabric, shall not be used in order to minimize the potential for concreted pads
- 2075 being a source of debris; and
- 2076
- 2077 (d) Pad thickness shall not exceed 4 inches; or
- 2078
- 2079 (e) Provide a Design Professional's certification stating the design and method of construction to be used meet the
- 2080 applicable criteria of this section.
- 2081
- 2082 (6) For swimming pools and spas, the following is required:
- 2083
- 2084 (a) Be designed to withstand all flood-related loads and load combinations.
- 2085
- 2086 (b) Be elevated so that the lowest horizontal structural member is elevated above the RFPE; or
- 2087
- 2088 (c) Be designed and constructed to break away during design flood conditions without producing debris capable of
- 2089 causing damage to any structure; or
- 2090
- 2091 (d) Be sited to remain in the ground during design flood conditions without obstructing flow that results in damage to
- 2092 any structure.
- 2093
- 2094 (e) Registered design professionals must certify to local officials that a pool or spa beneath or near a VE Zone building
- 2095 will not be subject to flotation or displacement that will damage building foundations or elevated portions of the
- 2096 building or any nearby buildings during a coastal flood.
- 2097
- 2098 (f) Pool equipment shall be located above the RFPE whenever practicable. Pool equipment shall not be located
- 2099 beneath an elevated structure.
- 2100
- 2101 (7) All elevators, vertical platform lifts, chair lifts, etc., the following is required:
- 2102
- 2103 (a) Elevator enclosures must be designed to resist hydrodynamic and hydrostatic forces as well as erosion, scour, and
- 2104 waves.
- 2105
- 2106 (b) Utility equipment in Coastal High Hazard Areas (VE Zones) must not be mounted on, pass through, or be located
- 2107 along breakaway walls.
- 2108
- 2109 (c) The cab, machine/equipment room, hydraulic pump, hydraulic reservoir, counter weight and roller guides, hoist
- 2110 cable, limit switches, electric hoist motor, electrical junction box, circuit panel, and electrical control panel are all
- 2111 required to be above RFPE. When this equipment cannot be located above the RFPE, it must be constructed using
- 2112 flood damage-resistant components.
- 2113
- 2114 (d) Elevator shafts/enclosures that extend below the RFPE shall be constructed of reinforced masonry block or
- 2115 reinforced concrete walls and located on the landward side of the building to provide increased protection from
- 2116 flood damage. Drainage must be provided for the elevator pit.
- 2117
- 2118 (e) Flood damage-resistant materials can also be used inside and outside the elevator cab to reduce flood damage. Use
- 2119 only stainless steel doors and door frames below the BFE. Grouting in of door frames and sills is recommended.
- 2120
- 2121 (f) If an elevator is designed to provide access to areas below the BFE, it shall be equipped with a float switch system
- 2122 that will activate during a flood and send the elevator cab to a floor above the RFPE.
- 2123
- 2124 (8) Accessory structures, regardless of size or cost, shall not be permitted below elevated structures.
- 2125
- 2126 (9) Fill/Grading

- 2127
- 2128 (a) Minor grading and the placement of minor quantities of nonstructural fill may be permitted for landscaping and
- 2129 for drainage purposes under and around buildings and for support of parking slabs, pool decks, patios and
- 2130 walkways.
- 2131
- 2132 (b) The fill material must be similar and consistent with the natural soils in the area.
- 2133
- 2134 (c) The placement of site-compatible, non-structural fill under or around an elevated building is limited to two (2) feet.
- 2135 Fill greater than two (2) feet must include an analysis prepared by a qualified registered design professional
- 2136 demonstrating no harmful diversion of floodwaters or wave runup and wave reflection that would increase damage
- 2137 to adjacent elevated buildings and structures.
- 2138
- 2139 (d) Nonstructural fill with finished slopes that are steeper than five (5) units horizontal to one (1) unit vertical shall be
- 2140 permitted only if an analysis prepared by a qualified registered design professional demonstrates no harmful
- 2141 diversion of floodwaters or wave runup and wave reflection that would increase damage to adjacent elevated
- 2142 buildings and structures.
- 2143 (10) There shall be no alteration of sand dunes or mangrove stands which would increase potential flood damage.
- 2144
- 2145 (11) No manufactured homes shall be permitted except in an existing manufactured home park or subdivision. A replacement
- 2146 manufactured home may be placed on a lot in an existing manufactured home park or subdivision provided the anchoring
- 2147 and elevation standards of this Section have been satisfied.
- 2148
- 2149 (12) Recreational vehicles may be permitted in Coastal High Hazard Areas provided that they meet the Recreational Vehicle
- 2150 criteria of Article 5, Section 18-41(6)(a).
- 2151
- 2152 (13) A deck that is structurally attached to a building or structure shall have the bottom of the lowest horizontal structural
- 2153 member at or above the Regulatory Flood Protection Elevation and any supporting members that extend below the
- 2154 Regulatory Flood Protection Elevation shall comply with the foundation requirements that apply to the building or
- 2155 structure, which shall be designed to accommodate any increased loads resulting from the attached deck. The increased
- 2156 loads must be considered in the design of the primary structure and included in the V-Zone Certification required under
- 2157 Article 4, Section 18-26, (3)(f).
- 2158
- 2159 (14) A deck or patio that is located below the Regulatory Flood Protection Elevation shall be structurally independent from
- 2160 buildings or structures and their foundation systems, and shall be designed and constructed either to remain intact and in
- 2161 place during design flood conditions or to break apart into small pieces to minimize debris during flooding that is capable
- 2162 of causing structural damage to the building or structure or to adjacent buildings and structures.
- 2163
- 2164 (15) In coastal high hazard areas, development activities other than buildings and structures shall be permitted only if also
- 2165 authorized by the appropriate state or local authority; if located outside the footprint of, and not structurally attached to,
- 2166 buildings and structures; and if analyses prepared by qualified registered design professionals demonstrate no harmful
- 2167 diversion of floodwaters or wave runup and wave reflection that would increase damage to adjacent buildings and
- 2168 structures. Such other development activities include but are not limited to:
- 2169
- 2170 (a) Bulkheads, seawalls, retaining walls, revetments, and similar erosion control structures;
- 2171
- 2172 (b) Solid fences and privacy walls, and fences prone to trapping debris, unless designed and constructed to fail under
- 2173 flood conditions less than the design flood or otherwise function to avoid obstruction of floodwaters.
- 2174
- 2175 (c) Docks, piers, and similar structures.
- 2176
- 2177 (16) No more than four (4) electrical outlets and no more than four (4) electrical switches may be permitted below RFPE
- 2178 unless required by building code.
- 2179

Sec. 18-43.2 STANDARDS FOR COASTAL A ZONES (ZONE CAZ) LIMWA

Structures in CAZs shall be designed and constructed to meet V Zone requirements, including requirements for breakaway walls. However, the NFIP regulations also require flood openings in walls surrounding enclosures below elevated buildings in CAZs (see Technical Bulletin 1, *Openings in Foundation Walls and Walls of Enclosures*). Breakaway walls used in CAZs must have flood openings that allow for the automatic entry and exit of floodwaters to minimize damage caused by hydrostatic loads. Openings also function during smaller storms or if anticipated wave loading does not occur with the base flood.

- 2188 (1) All new construction and substantial improvements shall be elevated so that the bottom of the lowest horizontal structural
- 2189 member of the lowest floor (excluding pilings or columns) is no lower than the regulatory flood protection elevation.
- 2190 Floodproofing shall not be utilized on any structures in Coastal A Zones to satisfy the regulatory flood protection
- 2191 elevation requirements.
- 2192
- 2193 (2) All new construction and substantial improvements shall have the space below the bottom of the lowest horizontal
- 2194 structural member of the lowest floor either be free of obstruction or constructed with breakaway walls, open wood
- 2195 latticework or insect screening, provided they are not part of the structural support of the building and are designed so as
- 2196 to breakaway, under abnormally high tides or wave action without causing damage to the elevated portion of the building
- 2197 or supporting foundation system or otherwise jeopardizing the structural integrity of the building. The following design
- 2198 specifications shall be met:
- 2199
- 2200 (a) Material shall consist of open wood or plastic lattice having at least 40 percent of its area open, or
- 2201
- 2202 (b) Insect screening; or
- 2203
- 2204 (c) Breakaway walls shall meet the following design specifications:
- 2205
- 2206 (1) Breakaway walls shall have flood openings to automatically equalize hydrostatic flood forces on walls by
- 2207 allowing for the entry and exit of floodwaters. To meet this requirement, the openings must either be
- 2208 certified by a professional engineer or architect or meet or exceed the design criteria in Article 5, Section 18-
- 2209 41(4)(d); and
- 2210
- 2211 (2) Design safe loading resistance shall be not less than 10 nor more than 20 pounds per square foot; or
- 2212
- 2213 (3) Breakaway walls that exceed a design safe loading resistance of 20 pounds per square foot (either by design
- 2214 or when so required by State or local codes) shall be certified by a registered professional engineer or
- 2215 architect that the breakaway wall will collapse from a water load less than that which would occur during the
- 2216 base flood event, and the elevated portion of the building and supporting foundation system shall not be
- 2217 subject to collapse, displacement, or other structural damage due to the effects of wind and water loads acting
- 2218 simultaneously on all building components (structural and non-structural). The water loading values used
- 2219 shall be those associated with the base flood. The wind loading values used shall be those required by the
- 2220 North Carolina State Building Code.
- 2221
- 2222 (3) Concrete pads, including patios, decks, parking pads, walkways, driveways, etc. must meet the provisions of Article 5,
- 2223 Section 18-43.1 (5).
- 2224
- 2225 (4) All new construction and substantial improvements shall meet the provisions of Article 5, Section 18-43.1 (3).
- 2226
- 2227 (5) A registered professional engineer or architect shall certify that the design, specifications and plans for construction are in
- 2228 compliance with the provisions of Article 4, Section 18-26 and Article 5, Section 18-43.1 (3) and (4), on the current
- 2229 version of the North Carolina V-Zone Certification form or a locally developed V-Zone Certification form.
- 2230
- 2231 (6) Recreational vehicles may be permitted in Coastal A Zones provided that they meet the Recreational Vehicle criteria of
- 2232 Article 5, Section 18-41(6)(a).
- 2233
- 2234 (7) Fill/Grading must meet the provisions of Article 5, Section 18-43.1 (9).
- 2235
- 2236 (8) Decks and patios must meet the provisions of Article 5 Section 18-43.1 (13) and (14).
- 2237
- 2238 (9) In coastal high hazard areas, development activities other than buildings and structures must meet the provisions of
- 2239 Article 5, Section 18-43.1 (15).
- 2240

2241 **Sec. 18-43.3 STANDARDS FOR AREAS OF SHALLOW FLOODING (ZONE AO).**

2242 Located within the Special Flood Hazard Areas established in Article 3, Section 18-7, are areas designated as shallow flooding

2243 areas. These areas have special flood hazards associated with base flood depths of one (1) to three (3) feet where a clearly

2244 defined channel does not exist and where the path of flooding is unpredictable and indeterminate. In addition to Article 5,

2245 Sections 18-40 and 18-41, all new construction and substantial improvements shall meet the following requirements:

- 2246 (1) The reference level shall be elevated at least as high as the depth number specified on the Flood Insurance Rate Map
- 2247
- 2248



2249 (FIRM), in feet, plus a freeboard of 2 feet, above the highest adjacent grade; or at least 2 feet above the highest adjacent
2250 grade if no depth number is specified.

2251
2252 (2) Non-residential structures may, in lieu of elevation, be floodproofed to the same level as required in Article 5, Section 18-
2253 43.3 (1) so that the structure, together with attendant utility and sanitary facilities, below that level shall be watertight with
2254 walls substantially impermeable to the passage of water and with structural components having the capability of resisting
2255 hydrostatic and hydrodynamic loads and effects of buoyancy. Certification is required in accordance with Article 4,
2256 Section 18-26 (3) and Article 5, Section 18-41 (2).

2257
2258 (3) Adequate drainage paths shall be provided around structures on slopes, to guide floodwaters around and away from
2259 proposed structures.

2260
2261 **Sec. 18-43.4 STANDARDS FOR AREAS OF SHALLOW FLOODING (ZONE AH).**

2262
2263 Located within the Special Flood Hazard Areas established in Article 3, Section 18-7, are areas designated as shallow flooding
2264 areas. These areas are subject to inundation by 1-percent-annual-chance shallow flooding (usually areas of ponding) where
2265 average depths are one (1) to three (3) feet. Base Flood Elevations are derived from detailed hydraulic analyses are shown in this
2266 zone. In addition to Article 5, Sections 18-40 and 18-41, all new construction and substantial improvements shall meet the
2267 following requirements:

2268
2269 (1) Adequate drainage paths shall be provided around structures on slopes, to guide floodwaters around and away from
2270 proposed structures.

2271
2272 **ARTICLE 6. LEGAL STATUS PROVISIONS.**

2273
2274 **Sec. 18-44 EFFECT ON RIGHTS AND LIABILITIES UNDER THE EXISTING FLOOD DAMAGE**
2275 **PREVENTION ORDINANCE.**

2276
2277 This ordinance in part comes forward by re-enactment of some of the provisions of the flood damage prevention ordinance
2278 enacted April 6, 1987, as amended, and it is not the intention to repeal but rather to re-enact and continue to enforce without
2279 interruption of such existing provisions, so that all rights and liabilities that have accrued thereunder are reserved and may be
2280 enforced. The enactment of this ordinance shall not affect any action, suit or proceeding instituted or pending. All provisions of
2281 the flood damage prevention ordinance of Craven County enacted on April 6, 1987, as amended, which are not reenacted herein
2282 are repealed.

2283
2284 **Sec. 18-45 EFFECT UPON OUTSTANDING BUILDING PERMITS.**

2285
2286 Nothing herein contained shall require any change in the plans, construction, size or designated use of any development or any
2287 part thereof for which a floodplain development permit has been granted by the floodplain administrator or his authorized agents
2288 before the time of passage of this ordinance; provided, however, that when construction is not begun under such outstanding
2289 permit within a period of six (6) months subsequent to passage of this ordinance or any revision thereto, construction or use shall
2290 be in conformity with the provisions of this ordinance.

2291
2292 **Sec. 18-45.1 SEVERABILITY.**
2293 If any section, clause, sentence, or phrase of the Ordinance is held to be invalid or unconstitutional by any court of competent
2294 jurisdiction, then said holding shall in no way effect the validity of the remaining portions of this Ordinance.

2295
2296
2297 **Sec. 18-46 EFFECTIVE DATE.**

2298
2299 This ordinance shall become effective on ____ day of _____, 202__.

2300
2301 **Sec. 18-47 ADOPTION CERTIFICATION.**

2302
2303 I hereby certify that this is a true and correct copy of the flood damage prevention ordinance as adopted by the Board of
2304 Commissioners of Craven County, North Carolina, on the ____ day of _____.

2305
2306
2307
2308 WITNESS my hand and the official seal of _____, this the ____ day of _____, 202__.

2309

1 **THE BOARD OF COMMISSIONERS OF CRAVEN COUNTY RECONVENED ITS**
2 **RECESSED SESSION OF MAY 20, 2020 ON MAY 22, 2020 AT 8:30 A.M. IN THE**
3 **COMMISSIONERS' ROOM OF THE CRAVEN COUNTY ADMINISTRATION**
4 **BUILDING, 406 CRAVEN STREET, NEW BERN, NORTH CAROLINA. THE**
5 **PURPOSE OF THE MEETING WAS TO CONDUCT A BUDGET WORK SESSION.**
6

7 **MEMBERS PRESENT:**

8 Chairman Thomas F. Mark
9 Vice Chairman Jason R. Jones
10 Commissioner Denny Bucher
11 Commissioner George S. Liner
12 Commissioner Theron L. McCabe
13 Commissioner E.T. Mitchell
14 Commissioner Johnnie Sampson, Jr.
15

16 **STAFF PRESENT:**

17 Jack B. Veit, III, County Manager
18 Craig Warren, Finance Director
19 Nan Holton, Clerk to the Board
20

21 **REMOTE STAFF:**

22 Gene Hodges, Assistant County Manager
23 Amber Parker, Human Resources Director
24

25 County Manager, Jack Veit, restated that this is an Open Meeting, which is being filmed and
26 recorded, and airing in another room so that the public can attend while we abide by the COVID
27 19 social distancing restrictions.
28

29 Commissioner Sampson indicated he had spoken with Barbara Lee with Structured Day
30 Reporting and she is no longer requesting the \$7,500 funding that was discussed under Special
31 Appropriations on May 20th.
32

33 Budget discussion picked back up on page 60 in the budget book.
34

35 **JAIL ADMINISTRATION**

36
37 **EMERGENCY SERVICES**

38
39 Mr. Veit reviewed all the many hats worn by Emergency Services Director Stanley Kite and
40 indicated this department is salary and equipment heavy. They had requested, and were funded
41 for, one new Telecommunicator with a salary of \$33,511.00. After some discussion he relayed
42 that part-time funding had decreased.
43

44 Commissioner Jones motioned to re-establish the part-time funding to \$11,693.00.
45 Commissioner Liner seconded the motion and it carried unanimously.
46

47 **RESCUE SQUADS**

48
49 Mr. Veit reviewed the two tier system that was created five years ago for rescue squad special
50 appropriations. He stated that the Tier 1 has increased from \$350,000 to \$385,000; and the Tier
51 2 has increased from \$300,000 to \$325,000.

52	Havelock Rescue	\$325,000
53	Ft. Barnwell Rescue	\$385,000
54	Bridgeton EMS	\$325,000

55
56 Vanceboro Rescue Squad was slated to receive \$325,000. During discussion, Mr. Veit remarked
57 that this Squad is caught in the middle of the two tiers: they are becoming more of a Tier 1, but
58 are billing more like a Tier 2. Commissioner Liner motioned to allocate the Vanceboro Rescue
59 Squad \$25,000 more; his motion was seconded by Commissioner Mitchell and carried
60 unanimously.

61		
62	Vanceboro Rescue Squad	\$350,000
63	Cove City Rescue Squad	\$385,000
64	Township #7 EMS	\$325,000
65		

66 Mr. Veit reported on the EMS study that was budgeted in 2019. He informed the Board that the
67 vendor who was awarded the contract had not done any work. The particular individual
68 handling the case had left the firm and left no records. The study was budgeted at \$30,000, in
69 which none of that money has been spent and no progress has been made.

70
71 Commissioner Liner asked the Board their expectations from the study and discussion ensued
72 from there.

73
74 The Board took a break from 10:00 – 10:15 a.m.

75
76 Commissioner Liner motioned to table further discussion on the EMS study and associated
77 issues until a work session in the fall, to include Emergency Services Director, Stanley Kite, and
78 County Attorney Arey Grady. His motion was seconded by Commissioner McCabe and carried
79 unanimously.

80
81 **ANIMAL CONTROL**

82
83 **INSPECTIONS**

84
85 **MEDICAL EXAMINER**

86
87 **CARTS**

88
89 Assistant County Manager, Gene Hodges, joined the Commissioners and presented a detailed
90 review of the CARTS budget. He stated that they would be replacing three vehicles under the
91 Rural Operations.

92



93 A lunch break was taken from 12:10-12:35 p.m.

94

95 **ENVIRONMENTAL HEALTH**

96

97 **SOLID WASTE**

98

99 Mr. Hodges reviewed Solid Waste revenues, expenditures and the convenience sites, indicating
100 there are three main contracts: hauling boxes from sites to landfill, recycling, and trash pickup.
101 Mr. Hodges reported in regards to Capital Outlay there was a new truck, a replacement backhoe,
102 a new compactor and \$40,000 worth of asphalt for the Bridgeton site.

103

104 There was involved discussion regarding the implementation of the new recycling program
105 during the past year and on the cost effectiveness of the sticker program.

106

107 **SOIL CONSERVATION**

108

109 **COOPERATIVE EXTENSION**

110

111 **PLANNING**

112

113 **ECONOMIC DEVELOPMENT**

114

115 **HEALTH DEPARTMENT**

116

117 A break was taken from 2:00 – 2:15 p.m.

118

119 **SOCIAL SERVICES**

120

121 Mr. Veit stated that DSS comprised mostly federal mandates, and was heavy with staff. He
122 indicated they had requested four new cars, but were budgeted for only one Ford Fusion at a cost
123 of \$18,000; and recommending that two others come through the FEMA money.

124

125 Commissioner Liner motioned to approve one more vehicle for DSS at a cost of \$18,000. His
126 motion was seconded by Commissioner Mitchell and approved unanimously.

127

128 Mr. Veit reported that two additional Social Worker positions had been added.

129

130 **VETERANS SERVICES**

131

132 **RECREATION**

133

134 **CONVENTION CENTER**

135

136 **LIBRARY**

137

138 **CRAVEN COUNTY SCHOOLS**

139
140 Commissioner McCabe initiated discussion about increasing the Commissioners' salaries.
141 Commissioner McCabe motioned to give a 2% raise to the Commissioners. His motion was
142 seconded by Commission Sampson. The motion was defeated 5 Nays (Bucher, Jones, Liner,
143 Mark, Mitchell) to 2 Ayes (McCabe, Sampson).
144

145 **CRAVEN COMMUNITY COLLEGE**

146
147 **DEBT SERVICE**

148
149 **TRANSFERS**

150
151 This completed discussion of the General Fund budget.
152

153 **SIEZED PROPERTY FUND**

154
155 **E911 FUND**

156
157 **SCHOOL DEBT SERVICES FUND**

158
159 **SELF INSURANCE FUND**

160
161 **SCHOOL CAPITAL RESERVE FUND**

162
163 **WATER FUND**

164
165 **OCCUPANCY TAX TRUST FUND**

166
167 At 4:23 p.m., Commissioner Jones motioned to recess until 8:30 a.m. on Thursday, May 28,
168 2020. His motion was seconded by Commissioner Liner and approved unanimously.
169
170

1 **THE BOARD OF COMMISSIONERS OF CRAVEN COUNTY RECONVENED ITS**
2 **RECESSED SESSION OF MAY 22, 2020 ON MAY 28, 2020 AT 8:30 A.M. IN THE**
3 **COMMISSIONERS' ROOM OF THE CRAVEN COUNTY ADMINISTRATION**
4 **BUILDING, 406 CRAVEN STREET, NEW BERN, NORTH CAROLINA. THE**
5 **PURPOSE OF THE MEETING WAS TO CONDUCT A BUDGET WORK SESSION.**

6
7 **MEMBERS PRESENT:**

8
9 Commissioner Thomas F. Mark
10 Commissioner Jason R. Jones
11 Commissioner George S. Liner
12 Commissioner Denny Bucher
13 Commissioner Johnnie Sampson, Jr.
14 Commissioner Theron L. McCabe

15
16 **MEMBERS EXCUSED**

17
18 Commissioner E. T. Mitchell

19
20 **STAFF PRESENT:**

21
22 Jack B. Veit, III., County Manager
23 Craig Warren, Finance Director
24 Nan Holton, Clerk to the Board

25
26 **REMOTE STAFF:**

27 Gene Hodges, Assistant County Manager
28 Amber Parker, Human Resources Director

29
30 Mr. Veit reviewed that this is an Open Meeting that is being recorded. He stated the purpose
31 today was to revisit the various topics that had been identified in the previous budget work
32 sessions requiring more information.

33
34 Item #1: Mr. Veit reported that there are 2,635 water customers that are on auto pay. As a result
35 of the Governor's executive order, no ones' water meter could be disconnected for non-payment
36 and with people being unemployed, being able to pay on a timely basis creates a need to
37 establish a payment plan. Mr. Veit indicated that Finance Director, Craig Warren, would be
38 meeting with Water Superintendent, Al Gerard, regarding this matter.

39
40 Item #2: He reminded the Board that West New Bern Fire Department had requested funds to
41 repair an elevator and replace a truck, which would have required raising their tax by
42 approximately one cent. Mr. Veit indicated they do not want a tax rate increase, so he
43 recommended taking \$15,000 from the county fund balance and the fire department take \$15,000
44 from their fund balance to repair the elevator and let the truck replacement wait one more year.

46 Commissioner Jones motioned to give West New Bern Fire Department \$15,000 from the FY21
47 County's Fund Balance towards the repair of their elevator. Commissioner Sampson seconded
48 his motion and it was approved unanimously.

49
50 Item #3: In Special Appropriations, Mr. Warren reported that \$2,556 is consistent with what the
51 Board has given the Senior Companion HCCBG in the past.

52
53 Commissioner Liner motioned to give the Senior Companion HCCBG Special Appropriation
54 \$2,556.00. His motion was seconded by Commissioner Sampson and approved unanimously.

55 Mr. Warren reported that the Special Appropriations for the City of Havelock includes recreation
56 and their match for the Senior Companion HCCBG Meals and should reflect the same amount as
57 given in FY20 Budget.

58 Commissioner Liner motioned to set the City of Havelock Special Appropriation at \$83,871.00.
59 His motion was seconded by Commissioner Sampson and approved unanimously.

60
61 Item #4: There had been an inquiry about the number of retirees; therefore, retiree health
62 insurance was discussed. Mr. Veit reviewed a graph showing the number of retirees per year
63 over the past six years and indicated he believes we have reached the peak of retirees, with 57 in
64 2020.

65
66 Commissioner McCabe requested information regarding the number of minorities that are on
67 patrol for the Sheriff Office. Mr. Veit stated he would get that information and email it out to the
68 Board.

69
70 Item #5: Mr. Veit reviewed that back in April the Sheriff's Office received two large donations:
71 one allowed them to buy things in this fiscal year, but the second was budgeted in the Sheriff's
72 FY21 budget, specifically to purchase a fifth K9 dog. He reported the County would need to
73 modify their K9 policy. He also reported on the other necessary expenses associated with
74 another K9. Mr. Veit informed the Board he had had discussions with County Attorney, Arey
75 Grady, and with Sheriff Chip Hughes and both were in agreement that this K9 dog would be
76 owned by the County, not the handler. He said there would be an agreement, in theory, between
77 the County and the handler/employee that the dog is the property of the County. The Sheriff
78 made a stipulation that if the dog reaches an age of 8-10 years old and the employee wants to
79 purchase the dog, that it would be an option.

80
81 There was much discussion on the success of the current K9 program, the liability associated
82 with it, and changing the policy to reflect the program being capped at 5 dogs.

83
84 Commissioner Jones made the motion to proceed with the \$29,000 donation to purchase a 5th
85 dog and modify the policy. Commissioner McCabe seconded the motion, which carried
86 unanimously.

87
88 Item #6: Mr. Veit revisited the Sheriff's request to add four deputies, which was not included in
89 the FY21 budget. He revealed that it would cost \$236,995.83 for four deputy salaries and
90 \$211,564 to outfit four deputies, for a total of \$112,139.96 per officer to add to the budget.

91
92 Commissioner Jones stated that the last time any new road deputies were added was in 1996 and
93 that citizens comment on the lack of deputies on patrol and slow response times. Several other
94 Commissioners concurred that this is a real concern. Discussion focused on the low tax rate and
95 the ability to meet the needs and balance the budget by a small increase.

96
97 Commissioner Liner motioned for a one cent tax increase. His motion was seconded by
98 Commissioner Bucher. The motion was defeated in a roll call vote 4 Nays (McCabe, Sampson,
99 Jones, Mark) to 2 Ayes (Liner, Bucher).

100
101 Commissioner Jones motioned to add \$112,139.96 to fund one additional road deputy.
102 Commissioner McCabe seconded the motion. It was carried in a roll call vote of 5 Ayes (Jones,
103 McCabe, Sampson, Mark, Bucher) to 1 Nay (Liner).

104
105 A break was taken from 9:35 – 9:50 am.

106
107 Item #7: Mr. Veit informed the Board that he learned that deputies are paid \$5/hour for the use
108 of their vehicles at construction sites around the County. The reason it had not been realized was
109 due to an administrative mistake that was being made when keying it into the system. He said
110 there is no formal agreement.

111
112 Commissioners discussed this being poor compensation of a public vehicle and the lack of a
113 contract. Mr. Veit indicated he would pursue this topic further with the County Attorney.

114
115 Item #8: Mr. Veit reviewed all the current SRO revenue sources and their school placements.
116 He reported that the four included in the budget will be placed at Bridgeton, Creekside, Trent
117 Park and Ben D Quinn Elementary Schools. The placements were determined based on the
118 number of incidents and the populations of the schools. There are still six schools, including
119 early college, without SROs.

120
121 Discussion revolved on the total number of SRO's that could currently fall under the County's
122 charge, lack of grant money, and the potential need to create a division to manage all of these
123 officers; all of which would require a 1-1.5 cent tax increase. The Commissioners deliberated
124 over the use of an increase in sales tax to cover the costs of the SROs and having a referendum to
125 do so. The Board was in consensus to move forward with putting a referendum to increase the
126 sales tax for SROs on the 2021 election ballot.

127
128 Item #9: In response to an inquiry about the DSS Child Support Incentive, Social Services
129 Director, Geoffrey Marett, had provided a narrative stating that each quarter the federal Office of
130 Child Support Enforcement advances to states estimated incentive dollars based on the estimated
131 performance of the states. This amount is subject to adjustment based on performance data
132 submitted annually.

133
134 Item #10: A request had been made to know how much money is in the Craven County Schools
135 Fund Balance. Mr. Warren pulled reports from their audits which showed they have \$6.7 million
136 in their fund balance.

137
 138 Item #11: Upon a previous request, Mr. Veit provided the Board with a breakdown by fiscal
 139 year, the private projects performed by the Beaver Management program. It was determined that
 140 the program has value, but worth revisiting next year.
 141

142 Item #12: The Board had requested information regarding the membership dues to the Eastern
 143 Carolina Council of Governments. Mr. Veit reported that 75% of the \$15,735 annual dues cover
 144 the costs associated with the aging program. While the County may not utilize all the services
 145 the ECC provides because of having their own resources, he relayed that he felt they are valuable
 146 to the County.
 147

148 Item #13: Mr. Veit and Mr. Warren provided the Board with the Craven County Covid Relief
 149 Funds (CRF) allocation plan, which they will need to submit. Mr. Veit reported that Craven
 150 County's allocation is \$1,911,835.00. Of that, \$609,000 is designated for enhanced cleanings,
 151 computers for teleworking related to COVID, additional protective sneeze guards, and other
 152 building modifications for protection. In addition, \$900,000 is available to cover payroll
 153 expenses for public safety and public health.
 154

155 They indicated that the municipal share would be \$202,000, and each municipality would receive
 156 a percentage based upon population, with a minimum of \$2,000 as follows:
 157

158	Bridgeton	\$2,000
159	Cove City	\$2,000
160	Dover	\$2,000
161	Vanceboro	\$3,400
162	River Bend	\$10,200
163	Trent Woods	\$13,200
164	Havelock	\$67,000
165	New Bern	\$102,200

166
 167 These funds would need to be used for public safety expenses, law enforcement, fire, PPE,
 168 technology, all related to COVID 19. Mr. Veit and Mr. Warren indicated that the County would
 169 make the purchases for the municipalities without managers, and those with managers would
 170 receive reimbursements for receipts of proper purchases.
 171

172 They reported that the twelve fire departments share would be \$90,000, to be used for PPE,
 173 masks, gloves, shields, anything that can be tied to COVID 19.
 174

175 The six rescue squads share would be \$75,000, also for PPE, medical supplies related to COVID
 176 19.
 177

178 Non-profit shares will be \$35,000, with RCS receiving \$25,000 and Merci Clinic receiving
 179 \$10,000.
 180

181 Commissioner Liner motioned to adopt the CRF allocation plan, as presented. His motion was
 182 seconded by Commissioner Sampson and approved unanimously.

183
184
185
186
187
188
189
190
191
192
193
194
195
196
197
198
199
200
201
202
203
204
205
206
207
208
209
210
211
212
213
214
215
216
217
218
219
220
221
222
223
224
225
226
227
228

OTHER TOPICS

Commissioner Jones referenced Special Appropriations and remarked that he had talked to several people involved with the Realize U252 organization and stated he believes it should be funded. Chairman Mark indicated he had a change of heart also after gleaning more information. Commissioner Liner said he could get behind it with the stipulation that Commissioner Bucher could serve on their Board, and that they have a certified director and an approved policy in place.

Commissioner Bucher motioned to fund Realize U252 at \$25,000, while requiring a Craven County Commissioner serve on their Board, a certified director, a policy in place with the money being dispersed on a monthly basis not to exceed funding for four scholarships as requested. His motion was seconded by Commissioner Liner and approved 6-0 in a roll call vote.

CHANGES TO THE BUDGET

Mr. Veit and Mr. Warren reviewed the changes that have been made to the proposed FY21 budget to date and indicated a budget amendment in the amount of \$2,688,044 to reflect a transfer from the General Fund from the current fiscal year is needed.

Commissioner McCabe made the motion to approve the following budget amendment in the amount of \$2,688,044; seconded by Commissioner Jones and approved 6-0.

Transfers

REVENUES	AMOUNT	EXPENDITURES	AMOUNT
1010000-39901	\$2,688,044	1019800-49793	\$2,688,044
Fund Balance Current Year		Transfer to Projects	
TOTAL	\$2,688,044	TOTAL	\$2,688,044

Justification: Budget amendment is needed in order to make transfer from the General Fund into the Convention Center Recover Project Fund. This amount represents the restoration costs of the Convention Center from damages due to Hurricane Florence.

Commissioner Liner requested a full summary be provided for the Convention Center project.

At 11:22 a.m., Commissioner Jones motioned to go into Closed Session pursuant to NCGS 143.318.11(a)(6) to discuss personnel matters; seconded by Commissioner Liner and approved unanimously.

At 12:17 p.m., Commissioner Liner motioned to return to Open Session; seconded by Commissioner Jones and approved unanimously.

229 Chairman Mark indicated there was discussion regarding giving employees a COLA, or a bonus.
230 He motioned to table that decision until November 16, 2020. Commissioner Jones seconded the
231 motion and it was approved in a 6-0 roll call vote.

232
233 Chairman Mark gave a report on Senate Bill 796 titled "An Act to Clarify and Expand the
234 Authority of Craven County to Regulate and Enforce Laws in Certain Waters within and
235 Adjacent to Fairfield Harbour." He indicated he had given remarks to the Sun Journal. The
236 Board discussed the implications of Bill 796.

237
238 County Manager, Jack Veit, provided the Board with a COVID 19 update, reporting that the
239 County had their fifth death yesterday, an individual with several underlying health conditions.
240 Currently, of the 190 cases, 90 have recovered, 95 are active, and three of those are in the
241 hospital.

242
243 Commissioner Jones gave a brief report on the airport and Delta Airlines suspending services at
244 Coastal Carolina Airport through September 30th.

245
246 At 12:42 p.m., Commissioner Bucher motioned to adjourn. His motion was seconded by
247 Commissioner McCabe and approved unanimously.

1 **THE BOARD OF COMMISSIONERS OF CRAVEN COUNTY RECONVENED ITS**
 2 **RECESSED SESSION OF JUNE 1, 2020 ON JUNE 3, 2020 AT 4:00 P.M. IN THE**
 3 **COMMISSIONERS' ROOM OF THE CRAVEN COUNTY ADMINISTRATION**
 4 **BUILDING, 406 CRAVEN STREET, NEW BERN, NORTH CAROLINA. THE**
 5 **PURPOSE OF THE MEETING WAS TO CONDUCT A BUDGET WORK SESSION.**

6
 7 **MEMBERS PRESENT:**

8 Commissioner Thomas F. Mark
 9 Commissioner Jason R. Jones
 10 Commissioner George S. Liner
 11 Commissioner Denny Bucher
 12 .Commissioner Theron L. McCabe

13
 14 **MEMBERS EXCUSED**

15 Commissioner Johnnie Sampson, Jr

16
 17 **MEMBERS REMOTE:**

18 Commissioner E. T. Mitchell

19
 20 **STAFF PRESENT:**

21 Jack B. Veit, III., County Manager
 22 Craig Warren, Finance Director
 23 Gene Hodges, Assistant County Manager
 24 Nan Holton, Clerk to the Board

25
 26 Chairman Mark stated the purpose of the meeting was to review what has been accomplished in
 27 the previous work sessions. He requested that County Manager Jack Veit give a COVID 19
 28 update.

29
 30 Mr. Veit stated that as of today the active cases have dropped from 112 down to 60 and no new
 31 cases have been added in the past two days. There are still three COVID patients hospitalized.

32
 33 Finance Director, Craig Warren provided the Board with a handout outlining the changes to the
 34 recommended FY 21 Budget, which Mr. Veit reviewed line by line.

35			
36	Total per Recommended Budget	<u>Revenue</u>	<u>Expenditure</u>
37		\$114,699,171.00	114,699,171.00
38			
39	General Revenues:		
40	Increased projected ABC distribution by 10%	80,000.00	
41	Commissioners-decreased travel/training, budget covers 3 to DC		
42	& 6 for County Assembly Day		(12,765.00)
43	Special Appropriations:		
44	Promise Place		25,000.00
45	Coastal Women's Shelter		25,000.00
46	HCCBG/Senior Companion-Coastal Community Action,		2,556.00
47	Funded match same as prior fiscal year		
48	Craven County Disaster Recovery Alliance		5,000.00
49	Merci Clinic		10,000.00

50	Beaver Management		6,000.00
51	RCS		26,000.00
52	Red Cross		6,000.00
53	Realize U 252		25,000.00
54	HCCBG/Havelock Congregate Meals-City of Havelock		249.00
55	Funded match & recreation approp same as prior fiscal year		
56	Boys & Girls Club		10,000.00
57	Salary Adjustments – merits for Manager, ROD and Sheriff		11,026.00
58	Purchase four additional Ford Fusions with FEMA proceeds		73,061.00
59	(2) DSS, (1) Tax, (1) Env. Health		
60	Tax Appraisal-decreased board member		(1,553.00)
61	compensation to prior fiscal year amount		
62	Tax Collections-unfunded Collection Clerk I position		(48,084.00)
63	that was funded inadvertently		
64	Tax Collections-reduction in rental car gross receipts revenue	(20,000.00)	
65	Public Buildings-funds added for preliminary expenses related		60,000.00
66	To new Havelock DMV office		
67	Craven JCPC Funding Recommendations	320,335.00	320,335.00
68	Sheriff-Funded one FT road deputy position w/equipment		110,701.00
69	Justice Assistance Grant-remove amount, Sheriff to bring forth BA		(1,300.00)
70	Communications-unfunded 2 nd Telecommunicator I FT position		(49,541.00)
71	Funded inadvertently		
72	Communications-funded TO hours same as prior fiscal year		5,270.00
73	Vanceboro Rescue-County appropriation increased		25,000.00
74	DSS-funds added to purchase vehicle/Ford Fusion		18,265.00
75			
76			
77			
78	TOTAL	115,079,506.00	115,350,390.00
79			
80	Recommended fund balance appropriation	1,065,553.00	
81	Additional fund balance appropriation	<u>270,884.00</u>	
82			
83		1,336,437.00	
84			

85 Mr. Veit then reviewed the CARES Relief Funds allocation plan again, since Commissioner
 86 Mitchell had not been present at the previous meeting when that information was approved.

87
 88 At this time, Chairman Mark opened the floor up for discussion and questions, as the Finance
 89 Director will need to prepare the FY21 Budget Ordinance based on these directives to have
 90 prepared for the June 15, 2020 meeting.

91
 92 Commissioner Jones indicated the significance of working out any disagreements with the
 93 proposed budget today, to allow staff time to create the budget ordinance and to ensure approval
 94 of the budget on June 15th. He said he was concerned knowing there are issues and feels it is
 95 important to hash those differences out now.

96
 97 There was discussion of not providing a COLA for the employees, but having the understanding
 98 that it would be revisited in November. Commissioner Mitchell expressed mixed feelings about
 99 not having a tax increase based on input from her constituents about the recycling program, more
 100 support for the Sheriff, and more funding for the improvement of the schools.

101 Commissioner Liner expressed his support of the changes presented, but he reserved the right to
102 make up his mind when the final budget is presented on June 15th.

103
104 Mr. Veit reminded the Board that they are not adopting the budget today, they are just accepting
105 the changes that have been made, and if there are other changes that need to be made, they
106 should be presented by Friday. He also brought Commissioner Mitchell up to date on the
107 discussion of a ¼ cent sales tax referendum that was discussed at the previous meeting.

108
109 They discussed the recycling program and the fact that it has a 5 year contract; they reviewed the
110 funds that have already been infused into the Sheriff's Office above and beyond his original
111 budget; and they discussed the ¼ cent sales tax referendum option in 2021 to fund School
112 Resource Officers and facilities. Prior COLA increases were reviewed as well as employee
113 retention trends.

114
115 Commissioner Jones inquired about the vehicle fleet and if that is at an optimal level? Assistant
116 County Manager Gene Hodges reviewed the annual rotation of vehicles and Mr. Veit
117 emphasized the need for new vehicles to keep employees safe on the road.

118
119 Commissioner Jones motioned to add four more Ford Fusions to the FY21 Budget. His motion
120 was seconded by Commissioner McCabe and carried 6-0 in a roll call vote. Mr. Veit confirmed
121 the cost of each Fusion to be \$18,000 for an addition of \$72,000 to the budget.

122
123 There being no more discussion about issues, the Board was urged to provide direction to the
124 staff.

125
126 Commissioner Bucher motioned to accept the changes to the FY21 Budget as presented. His
127 motion was seconded by Commissioner Jones. The motion carried in a 6-0 roll call vote.

128
129 At 4:49 p.m. Commissioner McCabe motioned to adjourn, seconded by Commissioner Jones and
130 carried unanimously.

131
132

Craven County

RELEASES SUBJECT TO BOARD APPROVAL ON 6/15/2020

Taxpayer Name	Account Number	Tax Year	Bill Number	Amount
CUMBO FUNERAL HOME DID NOT OWN JANUARY 1	82256	2010	12180	988.73
CUMBO FUNERAL HOME DID NOT OWN JANUARY 1	82256	2011	90439	940.85
CUMBO FUNERAL HOME DID NOT OWN JANUARY 1	82256	2012	90591	890.46
FERGUSON, BENJAMIN JAMES DID NOT OWN JANUARY 1	124659	2019	212188	9.92
HERNANDEZ, ANTONIO RECYCLE FEE CORRECTION	80960	2010	23983	54.98
HUDSON, PATSY M DID NOT OWN JANUARY 1	1130	2019	211915	106.10
MACKAY, NORMAN DOUBLE BILLED	125971	2019	212682	229.22
MACKAY, NORMAN DOUBLE BILLED	125971	2019	400163	297.46
MACKAY, NORMAN DOUBLE BILLED	125971	2019	400166	260.84
MORAN, ROSARIO INCORRECT OWNER/ REBILL	45908	2019	201423	424.90
NAZARIO, MICHELLE NOT TAXABLE TO CRAVEN COUNTY	96123	2019	206755	97.32
NOVAK, DAVID DID NOT OWN JANUARY 1	106155	2017	91286	65.19
NOVAK, DAVID DID NOT OWN JANUARY 1	106155	2018	43950	53.66
NOVAK, DAVID DID NOT OWN JANUARY 1	106155	2019	209996	48.71
ORDIWAY, HEATHER MARIE DOUBLE BILLED	101654	2019	207399	134.93
RCHAM, PYO DID NOT OWN JANUARY 1	72688	2019	204158	132.28
RCHAM, PYO DID NOT OWN JANUARY 1	72688	2018	48300	55.31
RICHARDS, JANE HRS DID NOT OWN JANUARY 1	6062000	2010	43358	279.80
RICHARDS, JANE HRS DID NOT OWN JANUARY 1	6062000	2011	48211	266.70
RICHARDS, JANE HRS DID NOT OWN JANUARY 1	6062000	2012	48139	253.07
RICHARDS, JANE HRS DID NOT OWN JANUARY 1	6062000	2013	46193	230.59
RICHARDS, JANE HRS DID NOT OWN JANUARY 1	6062000	2014	47258	217.63
RICHARDS, JANE HRS DID NOT OWN JANUARY 1	6062000	2015	48424	204.67
RICHARDS, JANE HRS DID NOT OWN JANUARY 1	6062000	2016	48755	196.47
RICHARDS, JANE HRS DID NOT OWN JANUARY 1	6062000	2017	48948	183.15
RICHARDS, JANE HRS DID NOT OWN JANUARY 1	6062000	2018	48940	169.83

Craven County

RELEASES SUBJECT TO BOARD APPROVAL ON 6/15/2020

Taxpayer Name	Account Number	Tax Year	Bill Number	Amount
ROBERSON, KENNETH DOUBLE BILLED	112109	2016	91437	313.27
ROBERSON, KENNETH DOUBLE BILLED	112109	2017	49622	286.94
ROBERSON, KENNETH DOUBLE BILLED	112109	2018	49617	261.47
ROBERSON, KENNETH DOUBLE BILLED	112109	2019	209021	265.49
WELLS, MATTHEW RYAN DID NOT OWN JANUARY 1	108493	2019	208372	83.96
WILLIS, JOSEPH SHANE DID NOT OWN JANUARY 1	92081	2019	208984	54.85
32 RELEASES SUBJECT TO BOARD APPROVAL ON 6/15/2020				8,058.75

Craven County

REFUNDS SUBJECT TO BOARD APPROVAL ON 6/15/2020

Taxpayer Name	Account Number	Tax Year	Bill Number	Amount
RCHAM, PYO DID NOT OWN JANUARY 1	72688	2018	48300	60.50
1 REFUNDS SUBJECT TO BOARD APPROVAL ON 6/15/2020				60.50

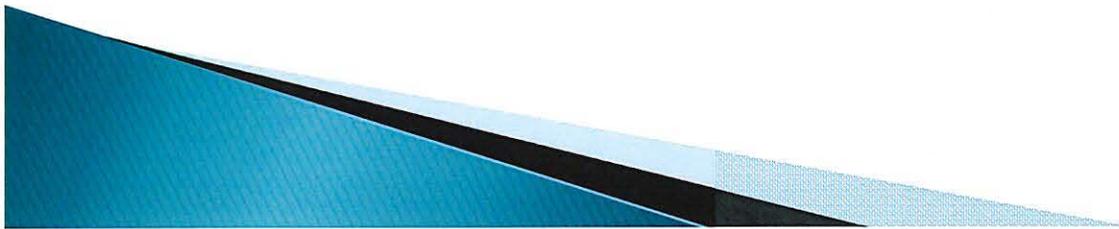
REPORT TO CRAVEN COUNTY BOARD OF COMMISSIONERS

April 30, 2020

Craven County
Community Child Protection Team/Child Fatality Prevention Team
(G.S. 7B 1406, July 1, 1993)

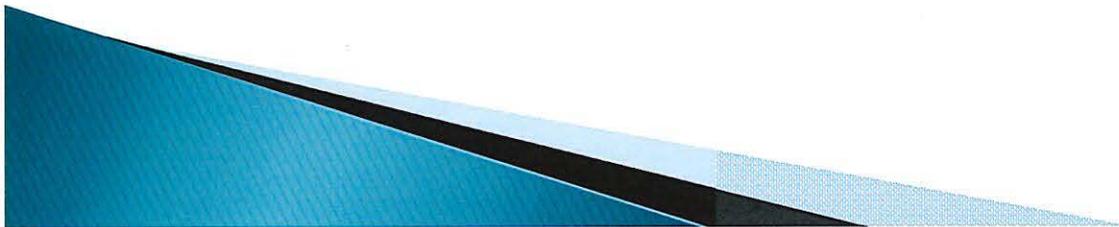
COMMUNITY CHILD PROTECTION TEAM MANDATE

Each Community Child Protection Team (CCPT) is charged by North Carolina state statute *“To report to the County Board of Commissioners on an annual basis with recommendations, if any, and advocate for system improvements and needed resources where gaps and deficiencies may exist.”* G.S. 7B 1406-1413



Membership for Community Child Protection Team and Child Fatality Prevention Team are statutorily mandated and includes:

- **County Director of Social Services and a member of his staff** Geoff Marett, Sherry Daniels
- **A Local Law Enforcement officer** Jennifer Lee
- **An Attorney from the District Attorney's office** Laura Bell
- **Executive Director of the local Community Action agency** Sandra Ruger
- **Director of the Department of Public Health** Scott Harrelson
- **School Superintendent or designee** Debbie Hodges
- **Member of the County Board of Social Services** Loraine Mark
- **A local Mental Health Professional** Jean Kenefick – Co-Chair
- **Guardian Ad Litem Coordinator or designee** Gail Horne
- **Health Care Provider** Shawna Knight
- **Emergency Medical Director** Stanley Kite
- **District Court Judge** Walter Mills
- **County Medical Examiner** Deb Rogers
- **Bereaved parent** Trisha Webb
- **Team Coordinator of the CFPT** Vernicka McCombs



**COMMUNITY CHILD PROTECTION TEAM
FATALITY PREVENTION TEAM
AT-LARGE REPRESENTATION**

Foster/Adoptive Parent

Nadia Anderson

Department of Juvenile Justice

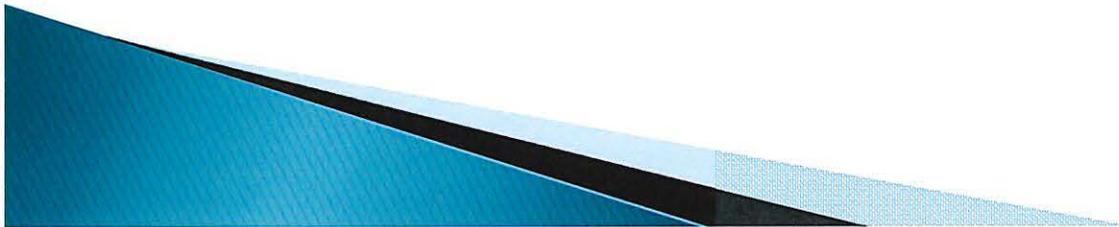
Robert Keeter

Mental Health

Diane Donald

Department of Social Services

Sandra Kutkuhn – Chair



CURRENT STATUS AND STATISTICS

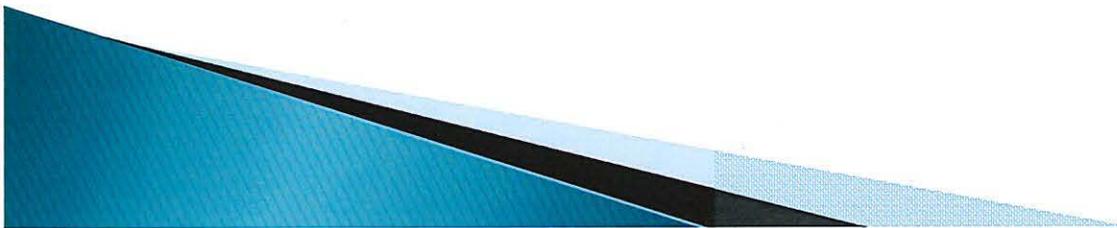
- ▶ In 2019, the CCPT/CFPT met quarterly and reviewed 4 neglect cases which involved 11 children. Substance Misuse, Domestic Violence and Mental Health issues remain the leading contributory factors in child abuse/neglect cases.

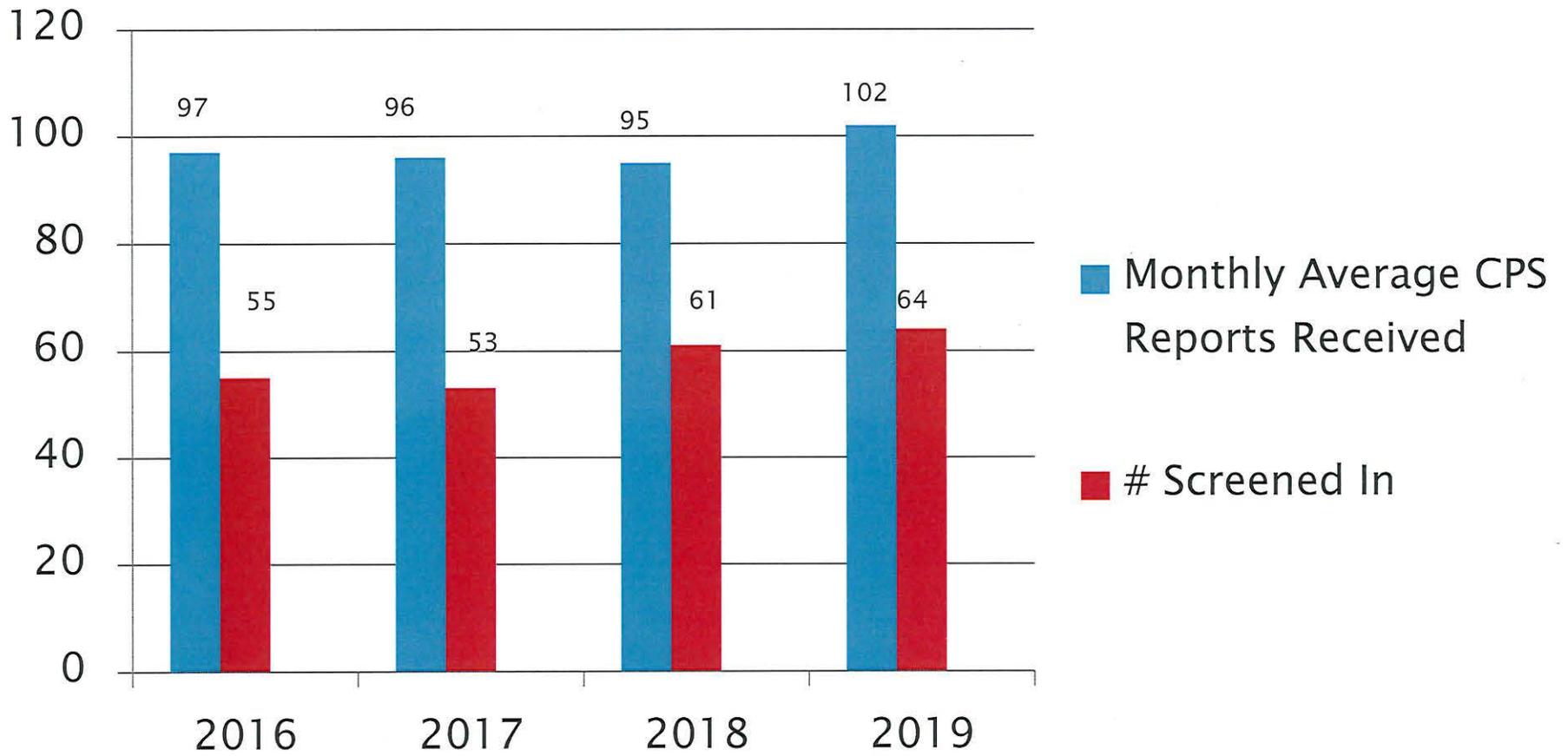


REPORTS OF ABUSE AND NEGLECT

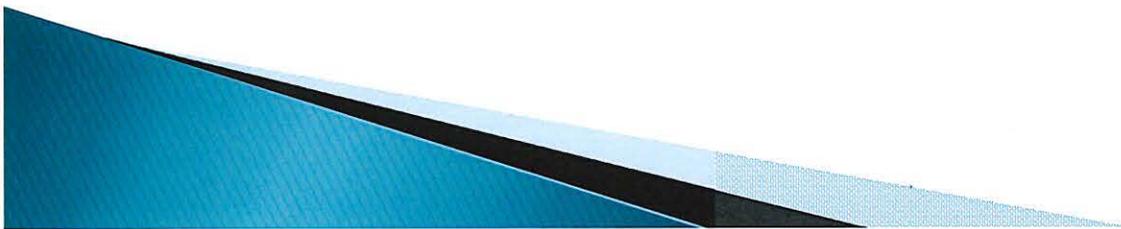
Craven County Calendar year 2019

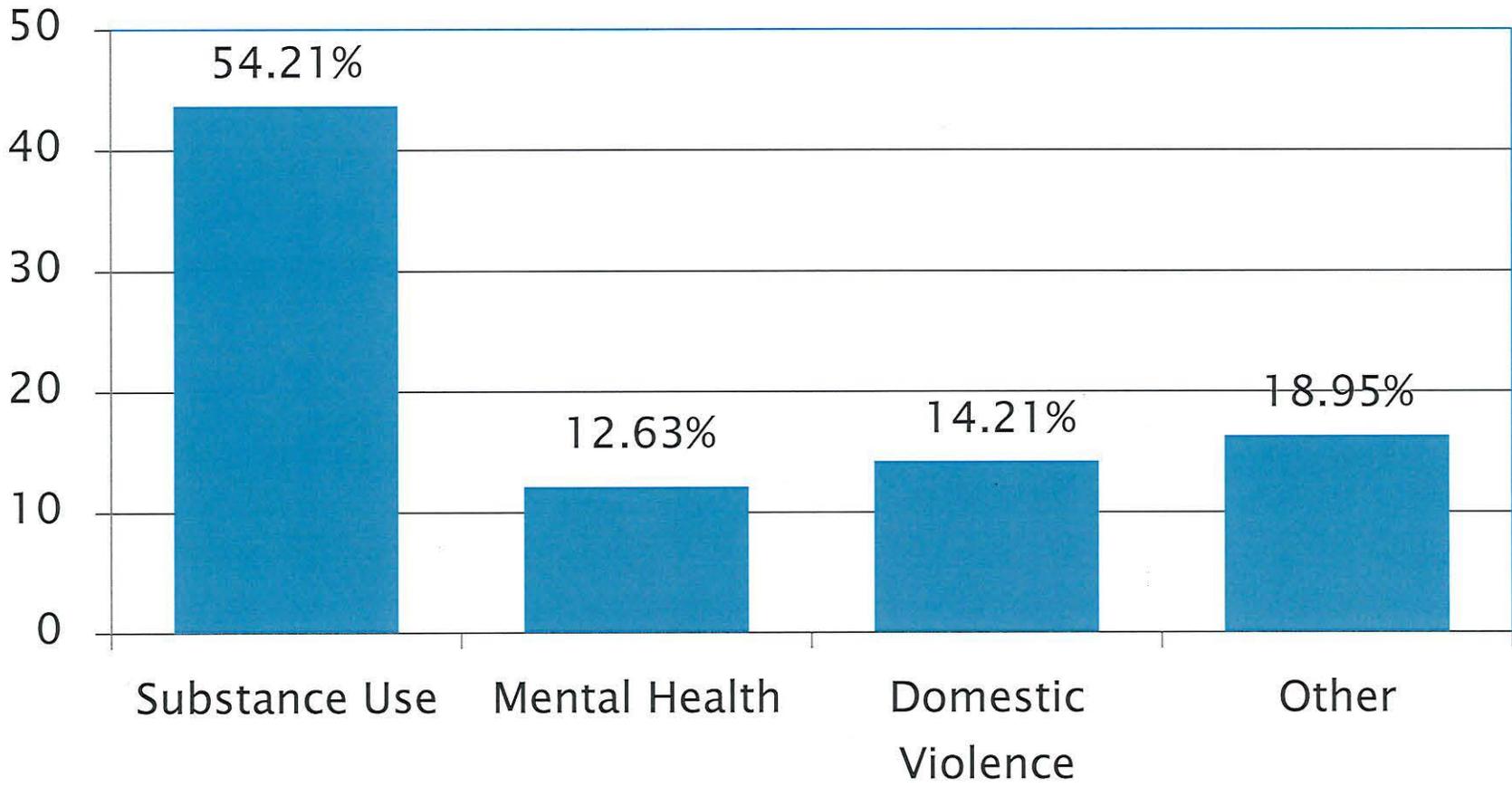
- ▶ There were 1223 reports of abuse and or neglect reported. Of those, 764 met the statutory definition and were assessed (62%). Of those assessed, 190 children were found in need of protection through CPS - In Home Services or Foster Care.
- ▶ Substance use was the leading contributory factor again this year followed by Domestic Violence.



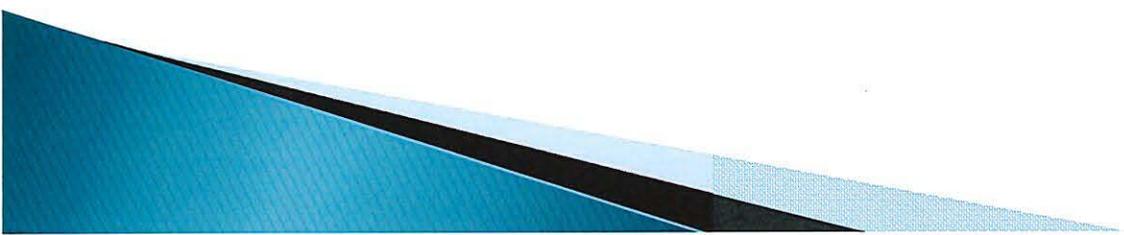


CPS Report Data by Year >>>





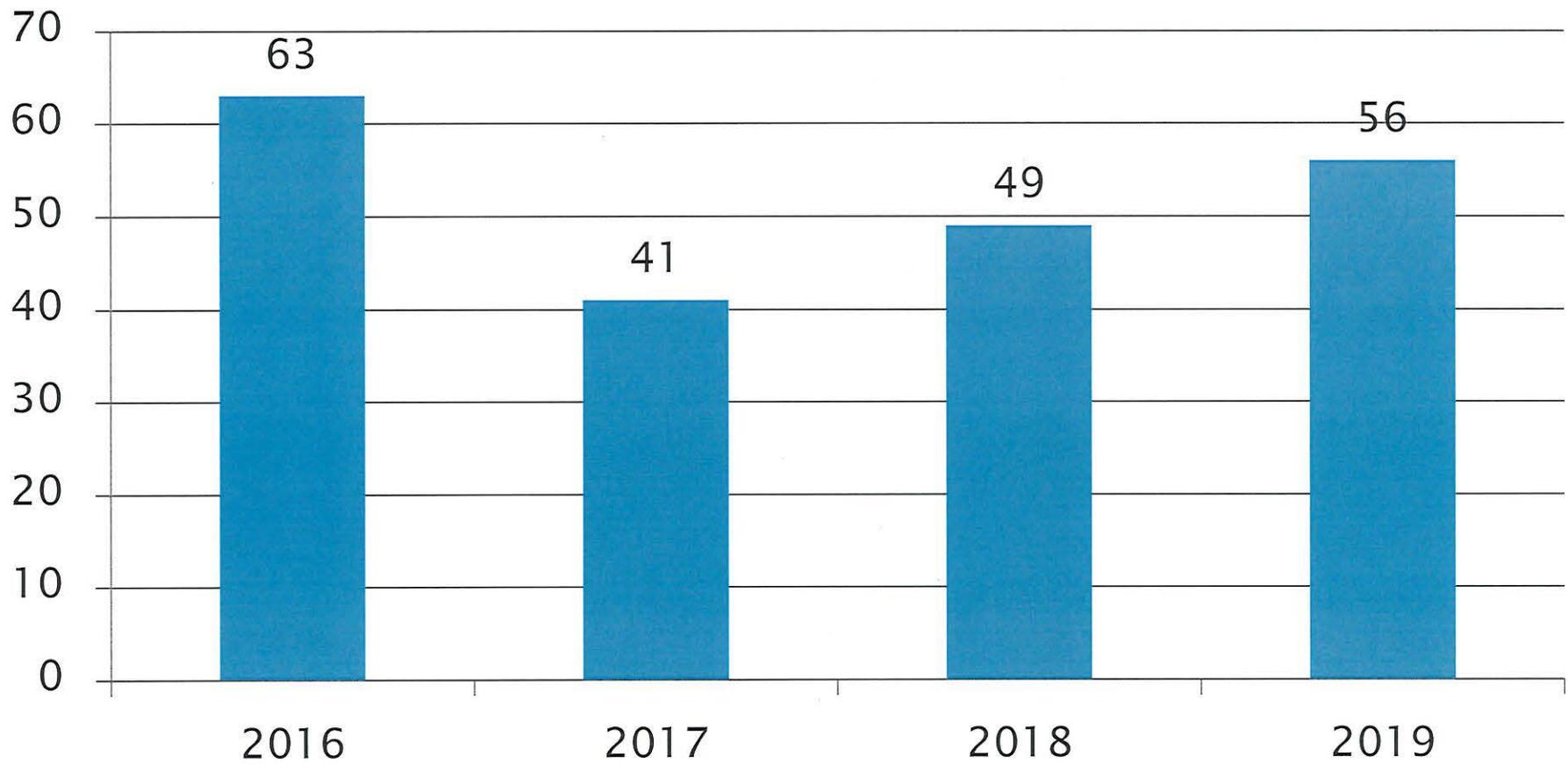
Contributory Factors >>



Newborns Testing Positive for Drugs

- ▶ 2016 - There were 28 babies born who tested positive for narcotics.
- ▶ 2017 - There were 30 babies born who tested positive for narcotics.
- ▶ 2018 There were 34 babies born who tested positive for narcotics
- ▶ 2019 There were 59 babies born who tested positive for narcotics





CPS In-Home Cases Monthly Average >>



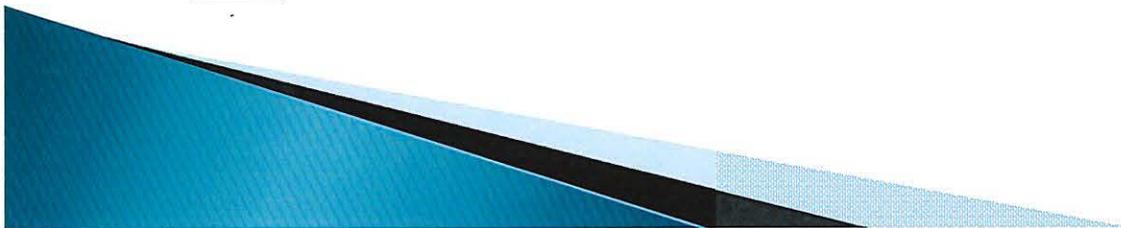
TSP: someone, usually a relative, that parents ask to temporarily care for their children to ensure their safety during a CPS assessment or during the delivery of CPS in-home services.

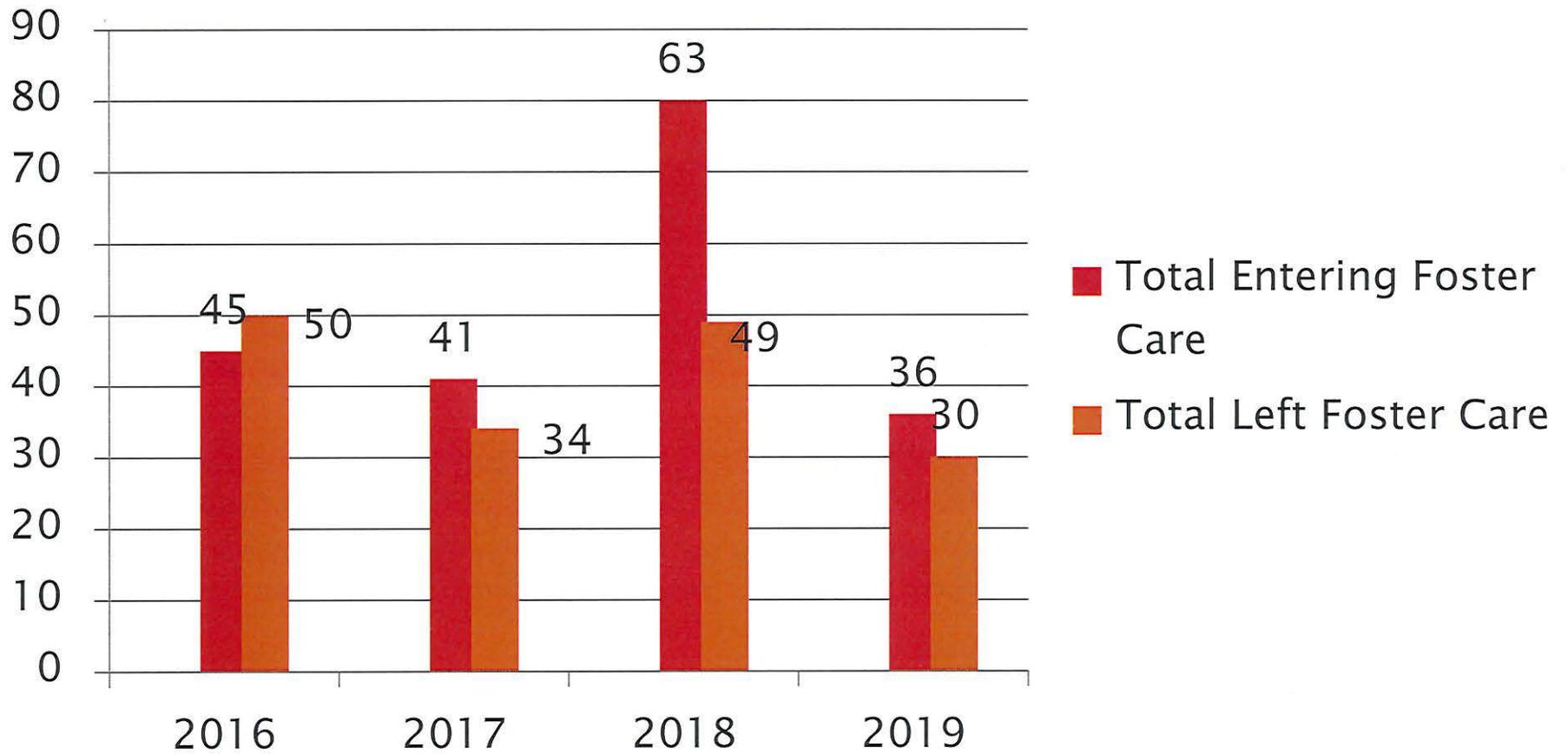
In 2019 there were on average 34 CPS families with their children placed with a TSP.

Temporary Safety Providers

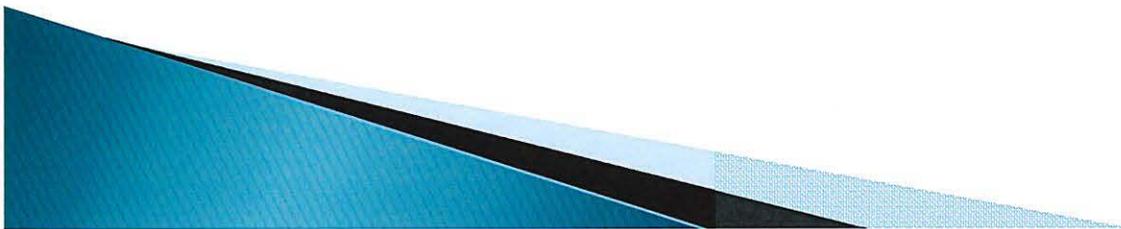
FOSTER CARE STATISTICS

- ▶ In 2019, 119 children were in the custody of Craven County DSS. 30 children left foster care in 2019 and 36 children entered foster care.
- ▶ Of the 119 children in foster care during 2019, 77 are due to the parents substance use.
- ▶ In 2019 Craven County DSS had on average 22 Licensed Foster Homes per month.





Foster Care Data >>>



RESOURCES PROVIDED

- ▶ **Nurturing Parenting Program:** 63 Parents
- ▶ **Infant Massage:** 10
- ▶ **Triple P Parenting** 7 Families
- ▶ **Domestic Violence Group:** Men: 12 Women: 8
- ▶ **Domestic Violence Assessments** 27
- ▶ **Trauma Focused Treatment** 11
- ▶ **Trauma Assessments** 29
- ▶ **Trauma Training for Foster Parents:** 13
- ▶ **Grandparents Raising Grandchildren Support Group:**
16 grandparents and 12 children



Child Fatalities

Craven County's Community Child Protection Team is combined with Child Fatality Review Team.

- ▶ 18 Child fatalities came to the attention of CCPT for review. Of those, 14 were reviewed. The remaining four were tabled. 3 of the cases involved pending or potential criminal charges and one was pending the conclusion of a State Fatality Intensive Review.

- ▶ Causes:
 - 7 were due to medical/genetic related complications.
 - 3 Homicide (tabled)
 - 1 Suicide
 - 1 ATV accident
 - 1 Drowning
 - 5 unsafe sleep



RECOMENDATIONS

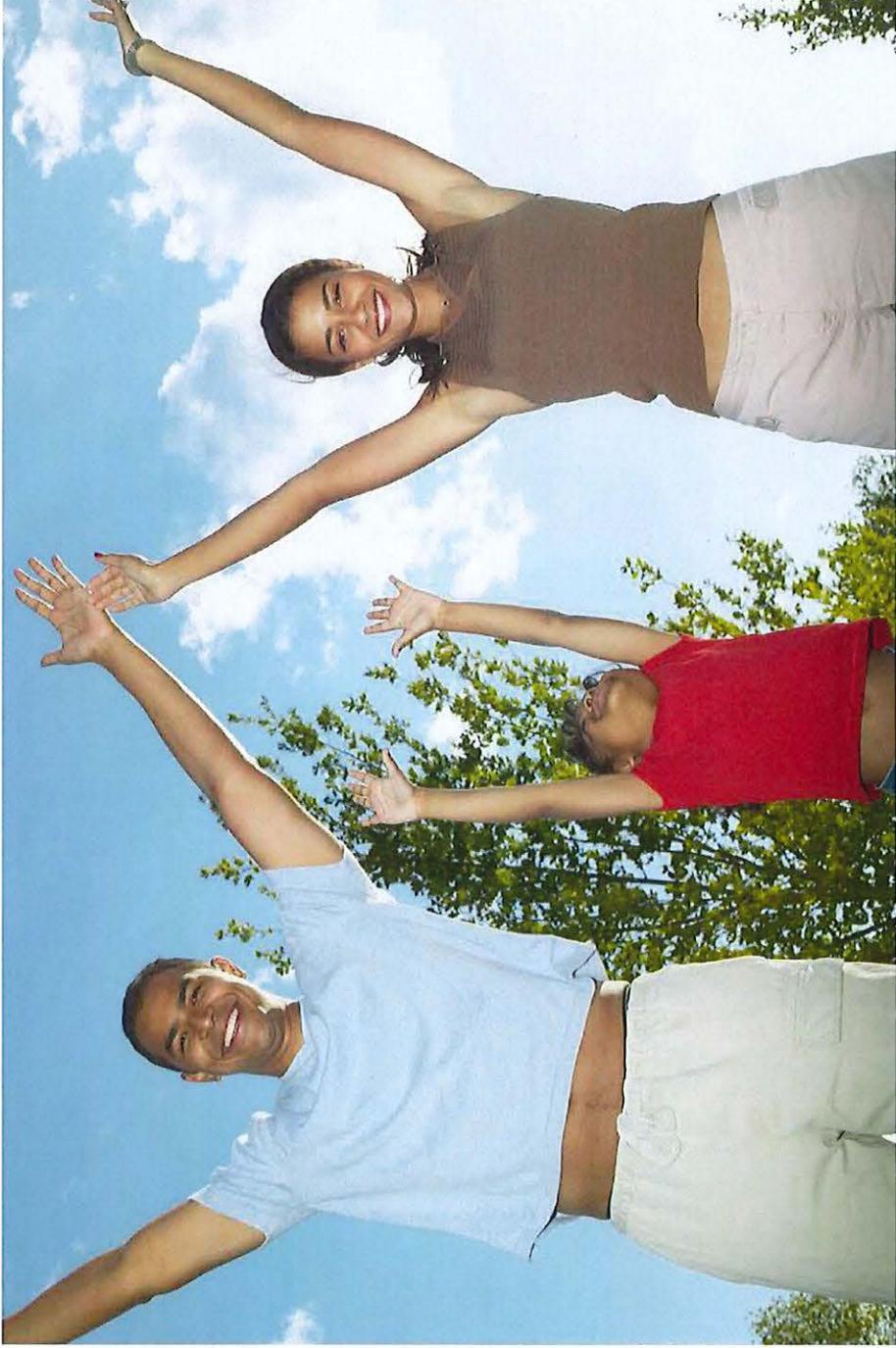
- ▶ Partner with medical providers and other community partners on providing Safe Sleep education in multiple languages.
- ▶ Continue to provide free car seats and pack-n-plays as funding permits.
- ▶ Encourage local Fire Departments to expand days/times for car seat safety checks.
- ▶ Host a Community Child Wellness event to include Suicide Prevention, Child Mental Health and Safe Sleep etc.



RECOMMENDATIONS CONT:

- ▶ Identify and provide additional substance use treatment options to address the increase in Substance Affected Infant births in our community
- ▶ Continue to advocate for quality, accessible, affordable mental health and substance use services through collaboration with Trillium Health Resources and private providers
- ▶ Continue to approve sufficient funding for the Department of Social Services to enable the provision of quality child protective services and supportive services for families.





COMMUNITY ACHIEVEMENTS...



ACHIEVEMENTS: Supporting and Educating Families and the Community through:

- ▶ CCPT Chairs received training on conducting fatality reviews.
- ▶ Community: Grandparents Raising Grandchildren support group
- ▶ Safe Sleep Campaign Pack-n-play initiative: 19
- ▶ Child Abuse Prevention Awareness activities provided throughout the year
- ▶ Community Presentations to local organizations
- ▶ Car seats: 10
- ▶ Annual Embrace Recovery Rally
- ▶ Craven County DSS providing evidence based trauma focused services



Thank you County Commissioners

- ▶ Continued funding support for Dix Center Crisis beds to help address the opioid crisis
- ▶ Continued support of the annual Embrace Recovery Rally





THANKS FOR THE CHANCE TO BE CRAVEN
COUNTY'S FUTURE LEADERS!



ATTACHMENT #5.A.

Amount of 5307 CARES Act Funding: \$1,860,043

100%
reimbursement
CARES Act

March-June 2020 Operating Assistance	\$60,000	
March - June 2020 Preventive Maintenance	\$20,000	
Total Amount for this section	\$80,000	
Remaining CARES Act funding:		\$1,780,043

FY2020-2021

Fixed Route Expenses (includes replacement calculation)	\$220,000	
Other expenses (overhead, fuel, etc.)	\$60,000	
Bus stop signs, poles, Installation	\$15,000	
Sneeze shields fro drivers	\$5,000	
Lift guards	\$20,000	
Fixed Route Re-branding costs	\$15,000	
Enhanced employee training	\$1,500	
Replacement Admin vehicle (equivalent to Ford Escape)	\$8,500	
Total Amount for this section	\$345,000	
Remaining CARES Act funding:		\$1,435,043

FY2021-2022

Fixed Route Expenses (includes replacement calculation)	\$220,000	
Other expenses (overhead, fuel, etc.)	\$60,000	
Radio equipment replacement; talk with VIPER if needed; \$3500 per	\$45,000	
Scheduling Software replacement including bells and whistles	\$35,000	
Fare collection innovations	\$20,000	
Sneeze shields behind seats for passengers	\$20,000	
Replacement vehicle from 5339 inventory	\$80,000	
Special Training Aids (wheelchair etc)	\$5,000	
General safety updates (first aid kits, masks, etc.)	\$5,000	
Enhanced CTTA training or TSI training towards certification	\$7,000	
Security related	\$25,000	
Total Amount for this section	\$522,000	
Remaining CARES Act funding:		\$913,043

FY2022-2023

Fixed Route Expenses (includes replacement calculation)	\$225,000	
Other expenses (overhead, fuel, etc.)	\$62,500	
Fixed Route Bus Stop amenities (STIP?)	\$60,000	
Replacement vehicle from 5339 inventory	\$80,000	
Enhanced CTTA training or TSI training towards certification	\$7,000	
Security related	\$25,000	
Total Amount for this section	\$459,500	
Remaining CARES Act funding:		\$453,543

FY2023-2024

Fixed Route Expenses (includes replacement calculation)	\$230,000	
Other expenses (overhead, fuel, etc.)	\$62,500	
Fixed Route Bus Stop amenities (STIP?)	\$60,000	
Fixed Route Here Comes My Bus App or similar	\$25,000	
Enhanced CTTA training or TSI training towards certification	\$7,000	
Vanpool; Fleet expansion; STIP required	\$69,043	
Total Amount for this section	\$453,543	
Remaining CARES Act funding:		\$0

Yellow highlight notates a purchase where the remaining 60% would go into a 5311 CARES Act Capital application, yet to be released by NCDOT



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

ROY COOPER
GOVERNOR

J. ERIC BOYETTE
SECRETARY

April 16, 2020

Dr. Yvette G. Taylor
Regional Administrator, Region
IV Federal Transit Administration
230 Peachtree Street, NW, Suite 1400
Atlanta, Georgia 30303

Subject: NCDOT CARES Act 5307 GA SMALL URBANIZEZD AREA SUB-
ALLOCATIONS to Fund COVID-19 NEEDS

Dear Dr. Taylor:

North Carolina's transfer of Section 5307 CARES Act funds allocation to small urbanized areas from the North Carolina Apportionment account is described in the table below. This table identifies the maximum amount of Section 5307 Funds available to each transit system to Operations and Capital needs due to COVID-19 activities based on Public Law 111-8.

MPO / UZA	Split Letter Eligible Recipient	CARES ACT Funds
Burlington, 372630	City of Burlington	\$3,115,653
	NCDOT/PTD for Alamance	\$1,407,700
	NCDOT/PTD for Orange	\$502,594
	PART	\$1,256,487
Gastonia, 371900	City of Gastonia	\$6,500,047
Goldsboro, 373310	City of Goldsboro	\$2,325,649
Greenville, 373410	City of Greenville	\$5,308,433
High Point, 371920	City of High Point	\$4,266,179
	NCDOT/PTD for Guilford	\$250,000
	NCDOT/PTD for Davidson	\$1,079,162
	PART	\$2,000,000
Jacksonville, 373440	City of Jacksonville	\$4,232,938
New Bern, 378400	Craven County	\$1,860,043
Rocky Mount, 373420	City of Rocky Mount	\$4,367,324
Totals		\$38,472,209

Mailing Address:
NC DEPARTMENT OF TRANSPORTATION
INTEGRATED MOBILITY DIVISION
1550 MAIL SERVICE CENTER
RALEIGH, NC 27699-1550

Telephone: 919-707-4670
Fax: 919-733-1391
Customer Service: 1-877-368-4968

Website: ncdot.gov

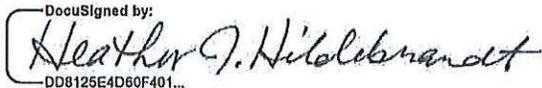
Location:
1 SOUTH WILMINGTON STREET
RALEIGH, NC 27601

The Designated Recipient authorizes the allocation of Section 5307 CARES Act funds to the Direct Recipient(s) named herein, agree to the Split Letter and the amounts allocated to each Direct Recipient.

Each Direct Recipient is responsible for its application to the Federal Transit Administration to receive Section 5307 CARES Act funds and assumes the responsibilities associated with any award for these funds.

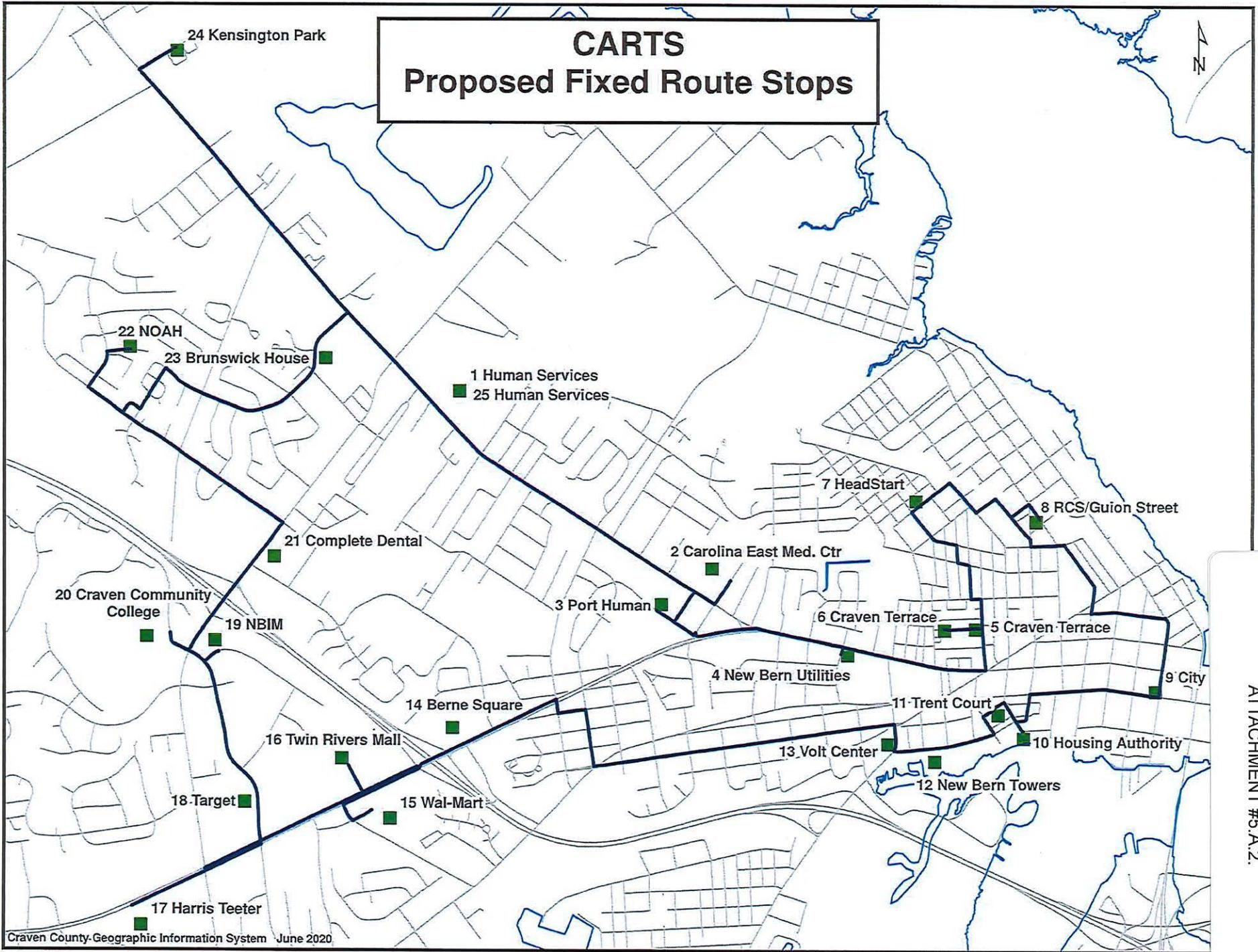
Please address any questions with Tammy Montanez, tmontanez@ncdot.gov , 919.707.4687.

Sincerely,

DocuSigned by:

DD8125E4D60F401...
Heather Hildebrandt
Interim Director, Integrated Mobility Division (IMD)

cc: Tammy Montanez, NCDOT
John Vine-Hodge, NCDOT
Robert Buckley, FTA, Region IV
Yvetho Merisme, FTA, Region IV

CARTS Proposed Fixed Route Stops

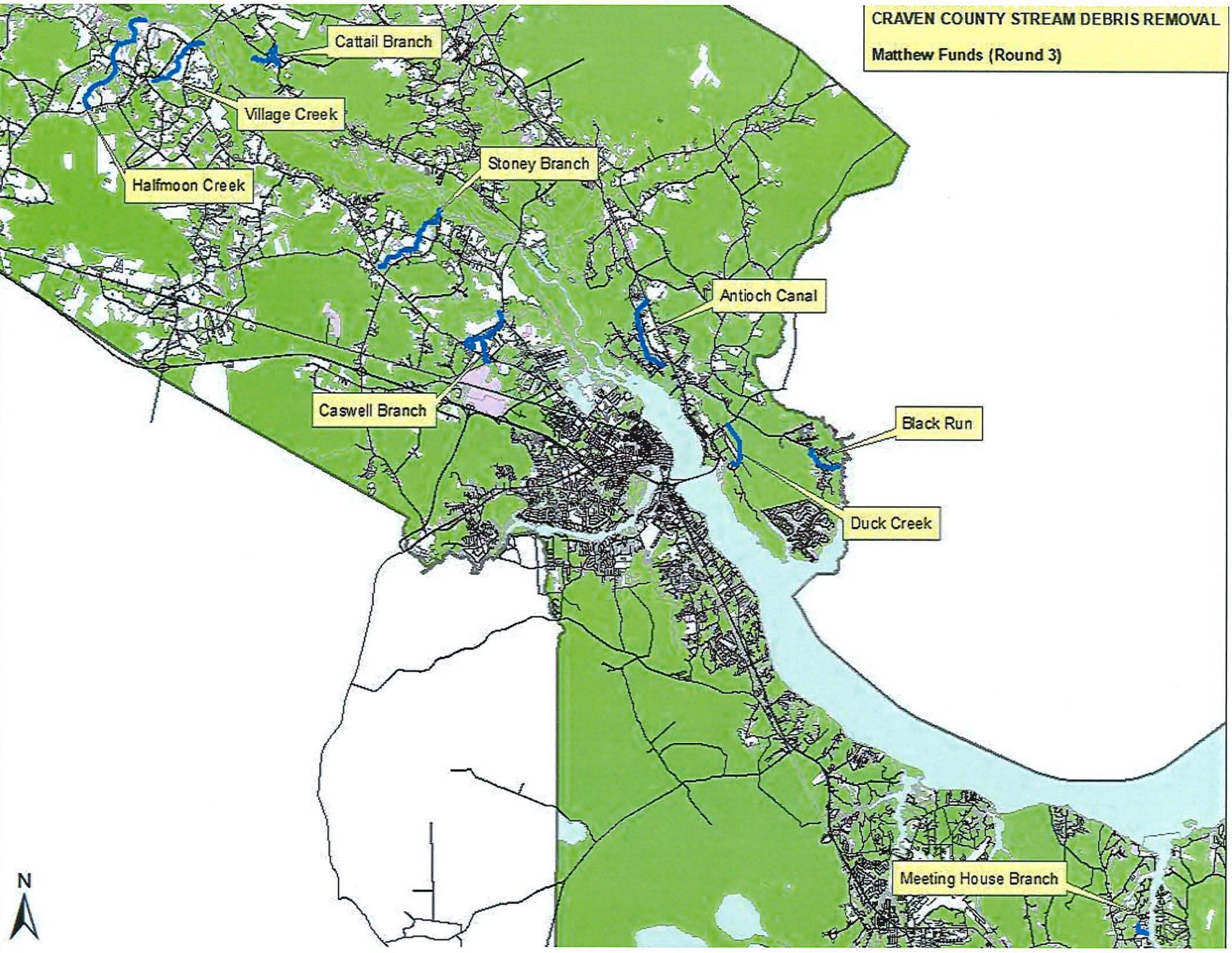


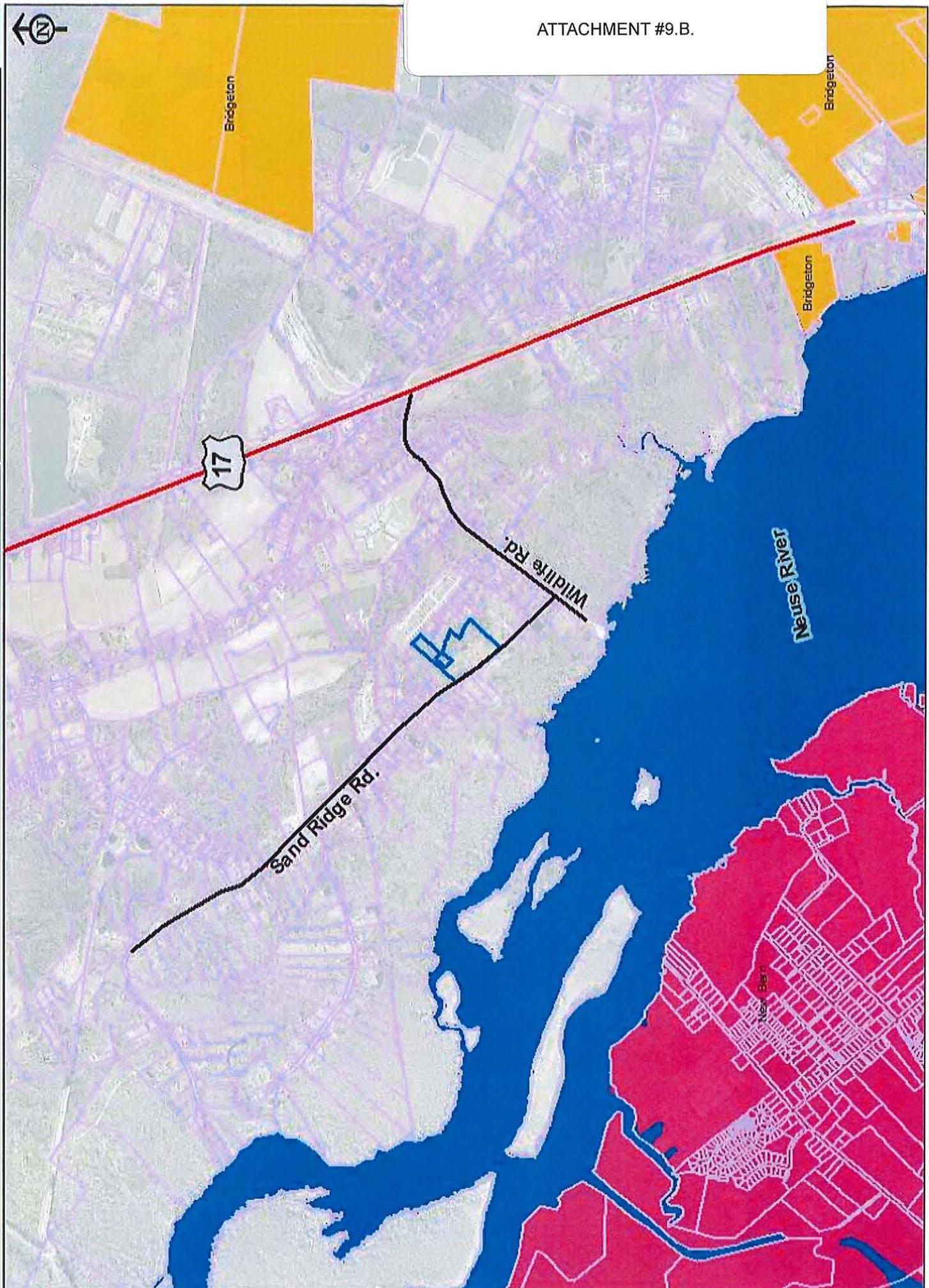


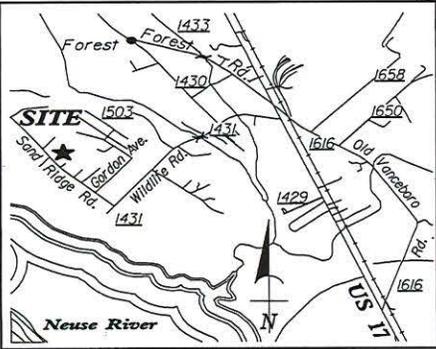
Hurricane Matthew Round 3 Stream Debris Removal

ROUND 3 CREEKS	J & J ENVIRONMENTAL LLC	MCS SERVICES	MAI JAX CO.
BLACK RUN	\$19,091.36	\$9,753.00	\$7,795.00
VILLAGE CREEK	\$33,499.00	\$14,124.00	\$13,575.00
MEETING HOUSE BRANCH	\$9,504.00	\$4,910.00	\$4,125.00
CASWELL BRANCH	\$46,540.59	\$25,233.00	\$23,495.00
ANTIOCH CANAL	\$19,999.00	\$9,337.00	\$7,795.00
CATTAIL BRANCH	\$21,981.72	\$11,022.00	\$9,949.00
DUCK CREEK	\$94,499.00	\$21,964.00	\$15,795.00
HALFMOON CREEK	\$58,243.59	\$31,577.00	\$27,133.00
STONEY BRANCH	\$65,367.00	\$26,167.00	\$25,275.00
TOTAL	\$368,725.26	\$154,087.00	\$134,937.00

CRAVEN COUNTY STREAM DEBRIS REMOVAL
Matthew Funds (Round 3)







VICINITY MAP
(NOT TO SCALE)

NOTES

SIDE AND REAR LOT LINES ARE SUBJECT TO A 10' SURFACE WATER DRAINAGE SWELL EASEMENT (SWDSE).

LOT LINES ADJACENT TO STREET RIGHT-OF-WAY ARE SUBJECT TO A 10' UTILITY EASEMENT.

THIS PROPERTY SCALES WITHIN FLOOD ZONE 'AE' (DFE-B) ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP '172055800J' DATED JULY 2, 2004. THIS STATEMENT DOES NOT SUPERCEDE THE ABOVE REFERENCED MAP.

LOTS WILL BE SERVED BY FIRST CRAVEN SANITARY DISTRICT (WATER) AND INDIVIDUAL SEPTIC SYSTEMS.

THE MINIMUM BUILDING LINES ARE: FRONT 30', SIDE LINE 10', REAR LINE 15'

THIS SURVEY CREATES A SUBDIVISION OF LAND WITHIN THE AREA OF A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND.

THE SUBDIVISION CONSISTS OF 3 LOTS WITH A TOTAL AREA OF 11.67 ACRES.

WETLANDS DISCLAIMER

APPROVAL OF THIS SUBDIVISION DOES NOT ADDRESS THE ISSUE OF THE EXISTENCE OR NON-EXISTENCE OF WETLANDS WITHIN THE SUBDIVISION. THE ENFORCEMENT OF WETLANDS REGULATIONS UNDER SECTION 404 OF THE CLEAN WATER ACT AND SECTION 10 OF THE RIVERS AND HARBORS ACT IS WITHIN THE JURISDICTION OF THE U.S. ARMY CORPS OF ENGINEERS. INQUIRIES CONCERNING WETLANDS MATTERS SHOULD BE ADDRESSED TO THAT AGENCY.

CERTIFICATE OF COASTAL AREA MANAGEMENT OFFICER

This subdivision conforms to the standards of the North Carolina Coastal Area Management Act of 1974 and is not located within an area of environmental concern.

Date _____ Local Permit Officer _____

NORTH CAROLINA
CRAVEN COUNTY

I, _____, Review Officer of Craven County, certify that the map or plat to which this certification is affixed meets all statutory requirements for recording.

Date _____ Review Officer _____

CERTIFICATE OF OWNERSHIP AND DEDICATION

I hereby certify that I am the owner of the property shown and described hereon, which is located in the subdivision jurisdiction of the County of Craven and that I hereby adopt this plan of subdivision pursuant to Article II, Section 304, of the Craven County Subdivision Ordinance with our free consent and establish minimum building setback lines as noted.

Date _____ Owner _____

CERTIFICATE OF APPROVAL BY PLANNING BOARD

The Craven County Planning Board hereby approves the Final Plat for the Land Division For Alston W. Daniels, Sr. Subdivision.

Date _____ Chairman, Planning Board _____

CERTIFICATE OF APPROVAL BY THE BOARD OF COUNTY COMMISSIONERS

The Craven County Board of Commissioners hereby approves the Final Plat for the Land Division For Alston W. Daniels, Sr. Subdivision.

Date _____ Chairman, Craven County Board of Commissioners _____

NORTH CAROLINA
CRAVEN COUNTY

I, Terry Wheeler, certify that this plat was drawn under my supervision from an actual survey made under my supervision (see description recorded in Book 874 page 176 and PC C Slide 97); that the boundaries not surveyed are clearly indicated as drawn from information found in Book _____ page _____; that the ratio of precision as calculated is 1:10,000; that this plat was prepared in accordance with G.S. 47-30 as amended. Witness my original signature, registration number and seal this 14th day of May, 2020.



Terry K. Wheeler
Professional Land Surveyor
L - 3733
License Number

REGISTER OF DEEDS

STATE OF NORTH CAROLINA
COUNTY OF CRAVEN

Filed for Registration at _____ AM/PM o'clock
This _____ day of _____, 2020.
Plat Cabinet _____ Slide _____

SHERRI B. RICHARD

Register of Deeds/ Assistant/ Deputy



OWNER: Alston W. Daniels, Sr.
230 Sand Ridge Road
New Bern, NC 28560
(252)625-5749

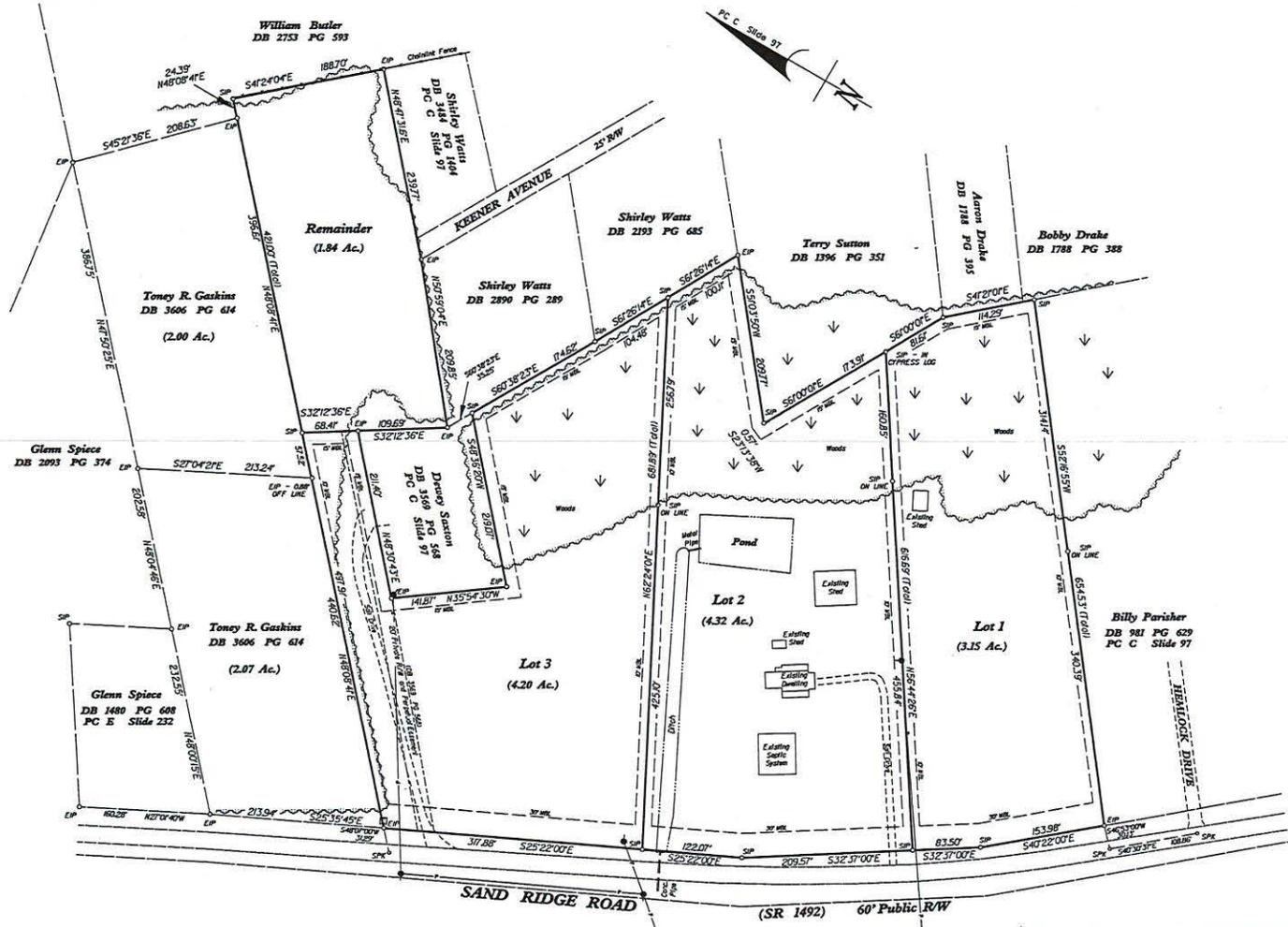
TERRY K. WHEELER, P.E., P.L.S.
PO BOX 15422
NEW BERN, NC 28541
(252)229-1755

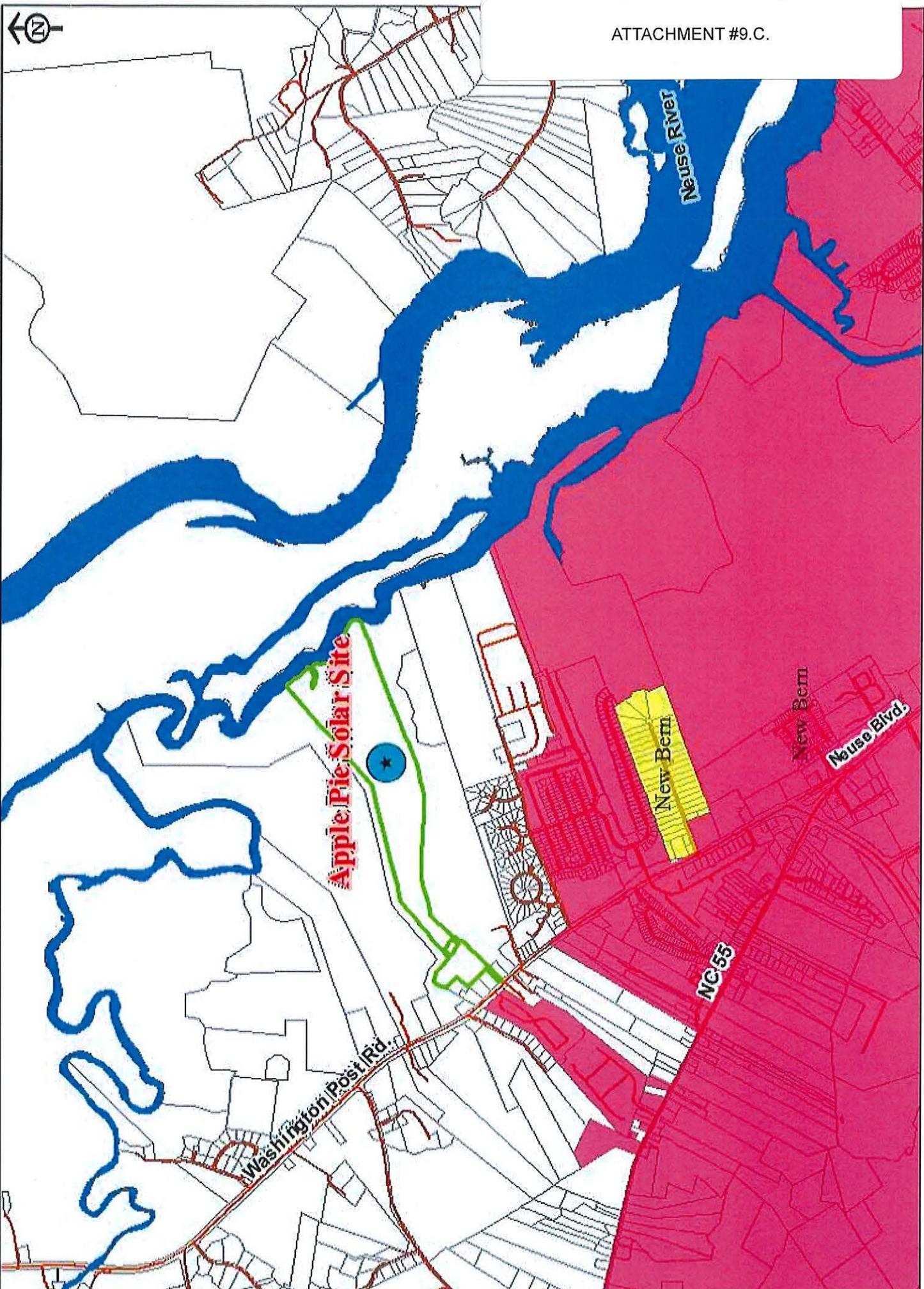
LAND DIVISION FOR

ALSTON W. DANIELS, SR.

230 SAND RIDGE ROAD
TOWNSHIP NO. 2 CRAVEN COUNTY
NEW BERN, NORTH CAROLINA
March 21, 2020

- LEGEND:**
- EP = EXISTING IRON PIN
 - SP = SET IRON PIN
 - SPK = SET PK NAIL
 - = TV PEDESTAL
 - ⊙ = POWER POLE
 - = OVERHEAD UTILITIES
 - ML = MINIMUM BUILDING LINE





Apple Pie Solar Energy Facility

√ **Indicates that SEF plans meet or exceed ordinance requirements**

I-1.5 Location

- √ Improved area is outside the Special Flood Hazard Area (AE) Zone
- √ Not inside the AICUZ (Air Installation Compatible Use Zone)
- √ 100 feet from nearest public right-of-way
- √ Fence line is at least 100 feet from all property lines and panels are at least 25 feet inside the fence line
- √ Has a 30 foot access to a public right-of-way
- √ Has a landscape buffer of at least 50 feet, and one row of evergreen trees/bushes no more than 8 feet apart. (see buffer detail on site plan)

I-1.7 Supplemental Regulations

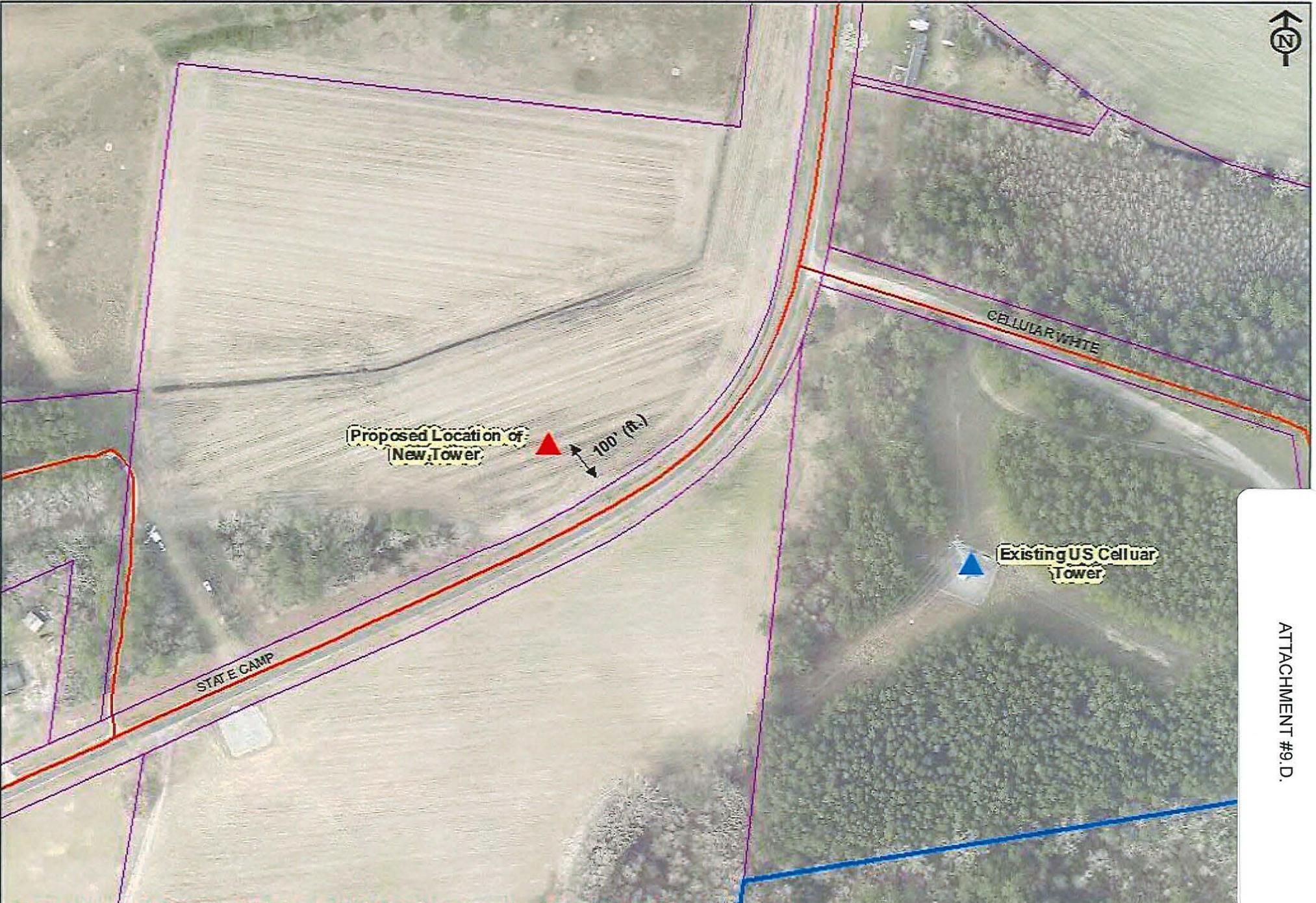
- √ High Voltage/Danger warning signs will be placed on fence/at entrance
- √ On site powerlines between panels and inverters will be underground
- √ NCDOT drive way permit has been issued; using an existing drive
- √ A copy of the application to Duke Power for the sale of power has been provided
- √ Has provided an executed copy of the lease providing ability to apply for permits and references decommissioning (Landowner consent)
- √ Has provided the technical specifications of the panels such as number, angles of orientation etc.
- √ Informational sign will be located at the entrance gate that lists the name, and phone number of operator
- √ Permit received from North Carolina Utilities Commission
- √ A Phase 2 Environmental Study was provided, study did not indicate areas of concern
- √ Written notice was mailed to owners within 500 feet of the parcel where the SEF will be located

I-1.9 Abandonment & Decommissioning Plan

- √ A decommission plan that satisfies the ordinance has been submitted.
 - √ Specifies when decommissioning would be initiated
 - √ Has stated they will remove all equipment/fencing etc.
 - √ Will restore the property to the pre-project conditions
 - √ Will decommission within 270 days
 - √ Surety has been addressed in the decommissioning plan

I-1.10 Aviation Notification

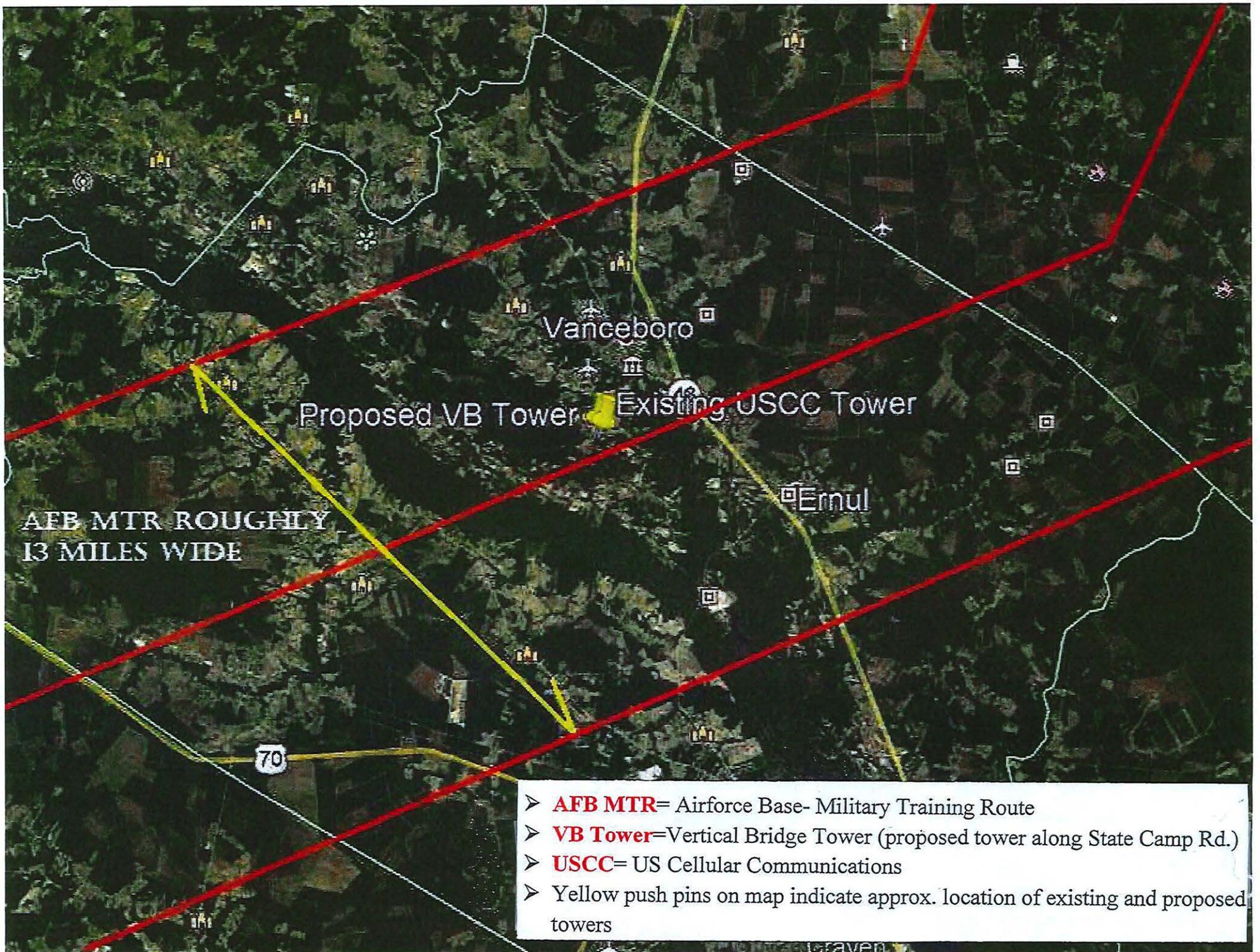
- √ Seymour Johnson AFB
 - √ no adverse impact
- √ Coastal Carolina Regional Airport
 - √ no adverse impact, more than 5 miles from airport property
- √ MCAS Cherry Point
 - √ no adverse impact



Proposed tower is approx. 100' (ft.) from State Camp Road violating the county's 1:1 setback ratio

Not a survey, for tax purposes only

ATTACHMENT #9.D.



Craven County, NC Boards & Commissions

Application Form**Profile**

Dorothea

First Name

E.

Middle Initial

White

Last Name

doro065white1@hotmail.com

Email Address

1811 Durham Street

Home Address

New Bern

City

NC

State

28560

Postal Code

What Commissioners District? * District 3

Home: (252) 638-8260

Primary Phone

Home:

Alternate Phone

Which Boards would you like to apply for?

Craven Community College Board of Trustees: Submitted

Please list any other Craven County Boards or Commissions you currently serve?

New Bern Board of Adjustments

Interests & Experiences**Why are you interested in serving on a board or commission?**

Education is a Primary engine that fuels our society and affects every age group. It is important to me to keep our Community College strong, viable, and relevant in our region. It is important that all citizens are aware of the vital resources provided by CCC. I am willing to facilitate this mission.

Education Level Bachelor's Degree or higher**Business and/or Civic Experience/Involvement**

I have served on several Boards: New Bern HPC, Planning & Zoning, Board of Adjustments. Craven County DSS (Chairman), Committee of 100 (2000); Candidate-NC Senate.

Application Form

Profile

John

First Name

Segal

Last Name

jonsegal@rocketmail.com

Email Address

Home Address

River Bend

City

NC

State

Postal Code

What Commissioners District? * District 4

Home:

Primary Phone

Home:

Alternate Phone

Which Boards would you like to apply for?

Craven Community College Board of Trustees: Submitted

Please list any other Craven County Boards or Commissions you currently serve?

Craven County Disaster Relief Agency

Interests & Experiences**Why are you interested in serving on a board or commission?**

I have had the opportunity to see first hand the tremendous value of Craven Community College to our community and would like to be involved in helping it to continually improve its value. The college provides an opportunity for students to pursue the first 2 years of a quality college curriculum while living at home. With its very reasonable tuition, students can go on to matriculate to a 4 year college with little or no debt. At least as important as the college curriculum, is the Workforce Development Program. From getting their commercial drivers license to getting welding certification; from becoming certified in aircraft mechanics to trained auto technicians; the college has dozens of programs that allow students to learn valuable skills that will enable them to obtain productive, living wage jobs. And, to be sure, there is much need in the community for a trained workforce. From my perspective at the foundation, I came to realize the college's importance to the community. It was heartening to see the foundation provide hundreds of thousands of dollars in financial support each year. That amount helped some 300 students to be able to afford to attend the college. All that said, I am not interested in joining the College Board of Trustees to fix it; it s not broken. Rather, I would strive to serve on the board to work with the current administration and trustees to continue its forward progress and to help lead it into an exciting and dynamic future.

Education Level

Bachelor's Degree or higher

Business and/or Civic Experience/Involvement

Retired as President of Freedom Newspapers, a division of Freedom Communications. He has been Publisher of The Gaston Gazette and New Bern Sun Journal and Editor of The Free Press in Kinston, NC. 40 years experience in the newspaper industry.

Application Form

Profile

Dan M Roberts Iv
First Name Middle Initial Last Name

dkroberts4@gmail.com
Email Address

3426 Windsor Drive
Home Address

Trent Woods NC 28562
City State Postal Code

What Commissioners District? *

District 4

Mobile: (252) 671-7549 Business: (252) 633-5263
Primary Phone Alternate Phone

Which Boards would you like to apply for?

Craven Community College Board of Trustees: Submitted

Interests & Experiences**Why are you interested in serving on a board or commission?**

Through my years in business in our community I have come to learn what a import part education plays in several areas to make our community a better place to live. It helps fuel the economic engine that our community is and can be in the future. I am interested in learning more about the college and see how I can help the college move forward in the future.

Education Level

Bachelor's Degree or higher

Business and/or Civic Experience/Involvement

Craven Community Foundation board member, New Bern Chamber board member (former chair), New Bern Military Alliance board member, Craven 100 Alliance board member, TDA Vice Chair, Garber UMC building committee member, Garber UMC middle school program, served several leadership rolls for Edward Jones, and coached my son teams in several different sports.

Application Form

Profile

Chip _____ Hughes _____
First Name Last Name

chughes622@yahoo.com _____
Email Address

2430 Harbor Island Road _____
Home Address

New Bern _____ NC _____ 28562 _____
City State Postal Code

What Commissioners District? *

District 4

Mobile: (252) 622-5607 _____ Home: (252) 622-5607 _____
Primary Phone Alternate Phone

Which Boards would you like to apply for?

Craven Community College Board of Trustees: Submitted
Juvenile Crime Prevention Council: Appointed

Please list any other Craven County Boards or Commissions you currently serve?

None

Interests & Experiences**Why are you interested in serving on a board or commission?**

To continue to grown and enhance the close working relationship that the Craven County Sheriffs Office currently has with the Craven Community College. The Sheriffs Office relies on the CCC for about 75% of our training annually and we are scheduled to increase the amount of training moving forward. That being said, having a law enforcement presence (which currently there is not) on the Board of Trustees will help ensure that CCC meets the training needs of not only the Craven County Sheriffs Office but other public safety/law enforcement agencies within our county and surrounding counties as well. Being able to conduct training locally is a huge cost savings to the Sheriffs Office and tax payer.

[Biography.docx](#) _____

Upload a Resume

Education Level

Associates Degree

Business and/or Civic Experience/Involvement

BOARDS & COMMISSIONS and ASSOCIATIONS: - Chairman, Governor's Task Force on Safer Schools (2013-2016) - Governors Crime Commission (2013 - 2016) - National Criminal Enforcement Association (2014) - Twin Rivers YMCA Board of Directors (2012 -2014) - Board of Directors, Craven Community College Foundation (2011 - 2016) - Vice-Chairman, Craven County ABC Board of Directors (2012-2013) - Board Member, Highway 17 Association (2009 - 2013) - Commissioner, Town of Trent Woods (2009 - 2013) - Board of Directors, Coastal Carolina Regional Airport Authority (2010-2012) - Member, National Sheriff's Association (2014- Present) - Member, North Carolina Sheriff's Association (2014-Present) - Member, National Criminal Interdiction Association - Member, North Carolina Internal Affairs Officer's Association - North Carolina Sheriff's Association Legislative Committee - North Carolina Sheriff's Association School Safety Committee - Member, Latitude Church

Biography

CHIP HUGHES:

- Resident since 1969
- Married with two children
- Graduated New Bern High School, 1986
- Attended University of Maryland
- Served over 3 years in United States Air Force
- Employed for 14 years with the North Carolina Highway Patrol as a Supervisor
- Over 30 years of public service and law enforcement experience
- Special Agent with State Bureau of Investigation/NC Alcohol Law Enforcement (ALE)
- Volunteer for local law enforcement
- NC Advanced Law Enforcement Certificate
- Craven County Sheriff

EMPLOYMENT:

Craven County Sheriff, 2018- Present

BOARDS & COMMISSIONS and ASSOCIATIONS:

- Chairman, Governor's Task Force on Safer Schools (2013-2016)
- Governors Crime Commission (2013 - 2016)
- Coastal Carolina Taxpayers Association (2014)
- National Criminal Enforcement Association (2014)
- Twin Rivers YMCA Board of Directors (2012 -2014)
- Board of Directors, Craven Community College Foundation (2011 - 2016)
- Vice-Chairman, Craven County ABC Board of Directors (2012-2013)
- Board Member, Highway 17 Association (2009 - 2013)
- Commissioner, Town of Trent Woods (2009 - 2013)
- Board of Directors, Coastal Carolina Regional Airport Authority (2010-2012)
- Member, National Sheriff's Association (2014- Present)

- Member, North Carolina Sheriff's Association (2014-Present)
- Member, National Criminal Interdiction Association
- Member, North Carolina Internal Affairs Officer's Association
- Member, Latitude Church

Application Form

Profile

James

First Name

Heath

Last Name

jheath777@gmail.com

Email Address

2224 Caracara Drive

Home Address

New Bern

City

NC

State

28560

Postal Code

What Commissioners District? *

District 1

Home: (252) 633-1949

Primary Phone

Mobile: (252) 617-2473

Alternate Phone

Which Boards would you like to apply for?

Craven Community College Board of Trustees: Submitted

Interests & Experiences

Why are you interested in serving on a board or commission?

Disabled retired military veteran with educational credentials; to give back to my community

Education Level

Bachelor's Degree or higher

Business and/or Civic Experience/Involvement

numerous non-profit and sectarian organizations

Application Form

Profile

David

First Name

Dysinger

Last Name

dwdysinger@gmail.com

Email Address

119 Partridge Drive

Home Address

New Bern

City

NC

State

28562

Postal Code

What Commissioners District? * District 7

Home: (252) 288-6574

Primary Phone

Mobile: (252) 649-9510

Alternate Phone

Which Boards would you like to apply for?Craven Community College Board of Trustees: Submitted

Interests & Experiences**Why are you interested in serving on a board or commission?**

I personally believe that a high quality, affordable education is one of the most significant influential factors affecting the success of our communities, governments, and industries. I've been fortunate to see personally the impacts of corporate initiatives like apprenticeships, internships, and co-operative education programs together with local colleges and universities. I've had the opportunity to serve as a member of the CCC Foundaton Board, and thereby help support sponsoring students toward fulfilling careers. For the last three years, working together with the Bosch Community Fund, we have enabled significant investment in STEM programs from elementary to post-graduate levels. As a member of the Board of Trustees, I feel I could further utilize my industrial experience to bring a different perspective, and skill set to help support the continued growth and expansion of capability of CCC.

Education Level Bachelor's Degree or higher**Business and/or Civic Experience/Involvement**

BSH Home Appliances, 19 years Director of Operations, 4 years Director of Product management and Product Development, 5 years Central Technology, Munich, Germany; 2 years Produce Development Manager;

Application Form

Profile

Warren

First Name

B

Middle Initial

Culbreth, Jr.

Last Name

wculbreth@siu.edu

Email Address

2413 Oakview Drive

Home Address

New Bern

City

NC

State

28562

Postal Code

What Commissioners District? *

District 7

Home: (252) 638-6499

Primary Phone

Mobile: (252) 626-7575

Alternate Phone

Which Boards would you like to apply for?

Craven Community College Board of Trustees: Submitted

Carolina East Health System Board of Commissioners: Submitted

Please list any other Craven County Boards or Commissions you currently serve?

NB Parks & Recreation Advisory Board; NC Parks & Recreation

Interests & Experiences

Why are you interested in serving on a board or commission?

I have the skills, ability and knowledge to be an asset in making sound, transparent, trustworthy decisions. My education and experience allows my understanding of guiding principles and values.

Education Level

Bachelor's Degree or higher

Business and/or Civic Experience/Involvement

First Flight Federal Credit Union Board of Directors; Master Mason; Sudan Shriner

Application Form

Profile

David _____ L _____ Arthur _____
First Name Middle Initial Last Name

chiefda@suddenlink.net _____
Email Address

548 Deer Run Road _____
Home Address

New Bern _____ NC _____ 28562 _____
City State Postal Code

What Commissioners District? *

District 7

Home: (252) 288-6854 _____ Mobile: (252) 229-1675 _____
Primary Phone Alternate Phone

Which Boards would you like to apply for?

Craven Community College Board of Trustees: Submitted

Interests & Experiences

Why are you interested in serving on a board or commission?

Alumni from Community College! I want to help with my expertise!

Education Level

Bachelor's Degree or higher

Business and/or Civic Experience/Involvement

Former Criminal Justice Instructor and coordinator! Retired Chief of Police! Over 30 years experience in law enforcement, over 20 years with Community College System!

Application Form

Profile

John _____ Willard _____
First Name Last Name

johnw7@suddenlink.net _____
Email Address

105 7TH ST _____
Home Address

NEW BERN _____ NC _____ 28560 _____
City State Postal Code

What Commissioners District? *

District 4

Mobile: (252) 671-3858 _____ Business: (252) 224-1000 _____
Primary Phone Alternate Phone

Which Boards would you like to apply for?

Craven County ABC Board: Submitted

Please list any other Craven County Boards or Commissions you currently serve?

None

Interests & Experiences

Why are you interested in serving on a board or commission?

I wish to get more involved with my community. Due to my interest in whiskies, the ABC board would seem to be a good fit.

Business and/or Civic Experience/Involvement

I've worked in manufacturing for the last 32 years. My job involves project development, problem solving, working with customers, etc. I've been active in church related functions, including coaching baseball in the local leagues. Prior to my manufacturing position, I've worked in sales, office management, and construction.

Application Form

Profile

Barbara

First Name

Whiteman

Last Name

jwhiteman@ec.rr.com

Email Address

104 Greenway Court

Home Address

HAVELOCK

City

NC

State

28532

Postal Code

What Commissioners District? *

District 6

Home: (252) 447-5025

Primary Phone

Home:

Alternate Phone

Which Boards would you like to apply for?

Craven County ABC Board: Submitted

Interests & Experiences

Why are you interested in serving on a board or commission?

really enjoy keeping up with the ABC board all these years really interested in it

Education Level

Associates Degree

Application Form

Profile

Ervin

First Name

Patrick

Last Name

ervinpatrick@yahoo.com

Email Address

106 Kit Court

Home Address

New Bern

City

NC

State

28562

Postal Code

What Commissioners District? *

District 2

Home: (252) 670-1726

Primary Phone

Mobile: (252) 514-6367

Alternate Phone

Which Boards would you like to apply for?

Craven County ABC Board: Submitted

Craven Community College Board of Trustees: Appointed

Craven County Health Board: Appointed

Please list any other Craven County Boards or Commissions you currently serve?

Craven County Health Board

Interests & Experiences

Why are you interested in serving on a board or commission?

I believe that responsible citizenship includes community involvement and public service. Craven County has allowed me to build a foundation of success for my life and I look forward to serving citizens on behalf of the county.

Education Level

Bachelor's Degree or higher

Business and/or Civic Experience/Involvement

Funeral Asst. at Oscar's Mortuary; Oweren/Operator - Patricks' Prof. Svcs; Partners in Education; Boys Scouts of America; West Craven High School Band Staff; US Dept. of Health & Human Svcs - Mortuary Officer-DMORT

Application Form

Profile

Dred _____ C _____ Mitchell, Jr _____
First Name Middle Initial Last Name

dcmitchelljr@gmail.com _____
Email Address

109 N. Main Street _____ PO Box 12 _____
Home Address Suite or Apt

Cove City _____ NC _____ 28523 _____
City State Postal Code

What Commissioners District? *

District 2

Mobile: (252) 342-4590 _____ Home: _____
Primary Phone Alternate Phone

Which Boards would you like to apply for?

Craven County ABC Board: Submitted

Please list any other Craven County Boards or Commissions you currently serve?

RPO, Fireman's Relief

Interests & Experiences

Application Form

Profile

Henry

First Name

Marchetti

Last Name

chmarchetti@yahoo.com

Email Address

202 Metcalf Street

Home Address

New Bern

City

NC

State

28562

Postal Code

What Commissioners District? *

District 3

Mobile: (252) 349-4063

Primary Phone

Home:

Alternate Phone

Which Boards would you like to apply for?

Craven County ABC Board: Submitted

Interests & Experiences

Why are you interested in serving on a board or commission?

I am interested in the workings of the ABC Board in Craven County. I am interested in pricing, liquor supply from Raleigh and maintenance of New Bern/Craven County Stores.

Education Level

Bachelor's Degree or higher

Application Form

Profile

Robert _____ W _____ Brinson _____
First Name Middle Initial Last Name

bob.brinson.08@gmail.com _____
Email Address

5012 Lakeshore Drive _____
Home Address

New Bern _____ NC _____ 28562 _____
City State Postal Code

What Commissioners District? *

District 4

Mobile: (252) 349-3444 _____ Home: (254) 289-9144 _____
Primary Phone Alternate Phone

Which Boards would you like to apply for?

Craven County ABC Board: Submitted
Juvenile Crime Prevention Council: Submitted
Coastal Carolina Regional Airport Authority: Submitted

Please list any other Craven County Boards or Commissions you currently serve?

None

Interests & Experiences

Why are you interested in serving on a board or commission?

I would like to continue to serve the community in meaningful ways. I am a former military helicopter pilot and am therefore interested in the Airport Authority. I have worked with youth before both in and outside the military and am therefore interested in the JCPC. I have leadership and organizational skills and therefore could be a good fit for the ABC Board. The program is not showing vacancies for the Airport Authority or ABC Board but those were advertised in last month's Sun Journal as having vacancies this year.

[Robert Brinson Resume.docx](#)

Upload a Resume

Education Level

Bachelor's Degree or higher

Business and/or Civic Experience/Involvement

I have been both President and Vice President of my kids High School Parent/Teacher/Student Association. I have also been an Elder and Chairman of the Board of Elders of my church. I have been a leader in Approved Workmen Are Not Ashamed (AWANA) for 12 years.

Robert (Bob) Brinson

New Bern, NC

252-349-3444

bob.brinson.08@gmail.com

PROFESSIONAL SUMMARY

Proven results-oriented leader that held various executive and operations positions as an Army officer, a helicopter pilot, and an Inspector General for the Army.

Demonstrated excellent verbal and oral communications skills with both senior executives and Inspector General students consisting of senior level managers.

EXPERIENCE

Senior Instructor, United States Army Inspector General School, 2015 – 2019

- Supervised four other instructors in the facilitation of curriculum of eleven classes annually with a through-put of 662 students per year
- Facilitated curriculum for more than 1,600 students leading to certification as Inspector General
- Updated the "Conducting Inspections" curriculum from key skills to learning objectives to instructional materials including books, tutorials, practical exercises, and presentations

Chief of Inspections, United States Army, Fort Hood, Texas, 2012 – 2015

- Performed as the lead inspector during thirty inspections on various functional programs to ensure efficiency and compliance with law, government policy, and DOD and Army regulations by identifying systemic problems, identifying root causes, and making recommendations for problem solutions
- Coordinated eleven general inspections to demonstrate combat readiness of the inspected unit

Battalion Commander, United States Army, Camp Zama, Japan, 2010 – 2012

- Led a unit of 60 people including Soldiers, Civilians, Contractors, and Japanese employees consisting of five Blackhawk helicopters and three executive jets
- Managed an annual \$2.5 million budget consisting of 1,250 flying hours while maintaining excellent customer flight service
- After the earthquake, tsunami, and nuclear disaster in 2011 in Japan, task-organized three separate teams to simultaneously perform flight operations in support of humanitarian assistance in northern Japan and in support of a military exercise in the Philippines, while assisting the voluntary departure of family members in central Japan
- United States Army Japan subject matter expert on Aviation subjects and liaison to Japanese Self-Defense Force Aviation Units

Director of Air Operations, United States Army Central (Forward), Camp Arifjan, Kuwait, 2009 – 2010

- Directly responsible for scheduling for all flight operations in Kuwait and gaining approval of all executive flights in accordance with laws and government policy and regulations
- Lead Aviation Staff Officer and Subject Matter Expert for the US Army Central (Forward)

Education

- Masters of Public Administration, University of Oklahoma
- Bachelor of Science, Political Science (American), United States Military Academy at West Point
- High School Diploma, New Bern Senior High School

Volunteer History

- President, Parent Teacher Student Association, West Springfield High School, VA 2017-18
- Vice President, Parent Teacher Student Association, West Springfield High School, VA 2016-17 and 2018-19
- Chairman, Board of Elders, Parkway Bible Church, Springfield, VA 2018-2019