

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, NOVEMBER 20, 2000. THE MEETING  
5 CONVENED AT 8:30 A.M.

6  
7 **MEMBERS PRESENT:**

- 8 Chairman Albert H. Toon
- 9 Vice Chairman C.W. "Pete" Bland
- 10 Commissioner Lee K. Allen
- 11 Commissioner Donald L. Phillips
- 12 Commissioner Johnnie Sampson, Jr.
- 13 Commissioner J. Harold Talton
- 14 Commissioner Charles F. Tyson, Jr.

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16 **STAFF PRESENT:**

- 17 Harold Blizzard, County Manager
- 18 George B. Sawyer, Assistant County Manager
- 19 Richard F. Hemphill, County Finance Officer
- 20 Ray H. Moser, Human Resources Director
- 21 James R. Sugg, County Attorney
- 22 Gwendolyn M. Bryan, Clerk to the Board

23  
24 Following an invocation by Commissioner Sampson and the Pledge of Allegiance,  
25 Commissioner Tyson moved to approve the minutes of November 6, 2000, seconded by  
26 Commissioner Bland and unanimously carried.

27  
28 **GLOBAL TRANSPARK UPDATE**

29  
30 Mr. Marvin Raines, one of Craven County's representatives to the Global TransPark  
31 Commission, updated the Board on the Commission's four- point legislative action plan  
32 for the 2001 General Assembly session, which was adopted by the Global TransPark  
33 Development Commission on September 22, 2000. The Board was asked to adopt the  
34 following resolution endorsing the legislative agenda. Commissioner Tyson moved for  
35 adoption of the resolution, seconded by Commissioner Bland and unanimously carried.

36  
37 **RESOLUTION COMMENDING THE LEGISLATIVE AGENDA OF THE**  
38 **GLOBAL TRANSPARK DEVELOPMENT COMMISSION**  
39 **AND REQUESTING ENACTMENT BY THE**  
40 **2001 NORTH CAROLINA GENERAL ASSEMBLY**

41  
42 **WHEREAS,** the Global TransPark Development Commission (the  
43 "Commission") is the regional entity representing the economic development interest of  
44 Carteret, Craven, Duplin, Edgecombe, Greene, Jones, Lenoir, Nash, Onslow, Pamlico,  
45 Pitt, Wayne, and Wilson counties; and

46  
47 **WHEREAS,** the County of Craven is a participating county in good standing with  
48 the Commission;

49  
50 **WHEREAS,** the Commission has unanimously determined that it should seek  
51 certain changes, as outlined below, in the development and improve the quality of life  
52 throughout the 13-county region; and

- 53
- 54 1. Enabling legislation provides for up to 7 voting members appointed by the Global  
55 TransPark Authority

56  
57 *The Commission will ask for legislative changes to remove the voting status of*  
58 *the Global TransPark Authority appointees, so that only those Commission*  
59 *members appointed by the counties can vote on issues affecting the region.*

- 60
- 61 2. Enabling legislation does not provide any recourse for non-attendance by the  
62 Commission members.



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*The Commission will ask for legislative changes that will allow it to impose rules for attendance at quarterly Commission meetings and authority to request replacement of members for noncompliance.*

- 3. Enabling legislation requires a majority of members present to establish a quorum for business.

*The Commission will ask for legislative changes that will reduce the quorum requirements to 40% of the voting membership.*

- 4. Enabling legislation names the region as the “Global TransPark Development Zone” and the governing body as the “Global TransPark Development Commission.”

*While no decision has been made regarding the name of the region or the governing body, the Commission will ask for legislative changes that will give it the authority to make such changes if it desires.*

**WHEREAS**, the Commission will seek those changes in the 2001 session of the North Carolina General Assembly; and

**WHEREAS**, the Board of Commissioners for the County of Craven have reviewed the legislative goals of the Commission, finds that they are in the best interests of the citizens of Craven County and desires to support the efforts of the Commission to obtain the requested legislative changes in the North Carolina General Assembly.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners for the County of Craven that:

- 1. The County of Craven hereby endorses and fully supports the 2001 legislative agenda of the Global TransPark Development Commission and requests that the local legislative delegation representing the County of Craven support this legislation and that the North Carolina General Assembly adopt the changes requested by the Commission in their entirety.
- 2. A copy of this Resolution shall be provided to the members of the local legislative delegation representing the County of Craven.

Duly adopted this 20<sup>th</sup> day of November, 2000.

**ELECTION RESULT REPORTING**

Director of Elections, Kathleen Orringer, addressed the Board concerning problems that were encountered during the November 7<sup>th</sup> election in reporting results from the precincts. In addition, she explained the appearance of a box of absentee ballots that were found subsequent to the final count. She indicated that she had sought direction from the State Board of Elections, and as directed, counted the misplaced absentee ballots the same day and certified them to the State by the 5:00 p.m. deadline.

Concerning the problem with the precinct reporting, Tiffiney Miller of the Elections office, explained that the voting machines worked well during the voting day; however, the problems were confined to the areas of reporting. She advised the Board that a meeting had been held between staff and Electronic Information Systems, during which issues affecting Craven County were addressed. The problem centered around proper and timely testing of the modems for data transfer and there was a strong sentiment among the Commissioners that the company should be held accountable, and that the problem needs to be resolved with swiftness. Commissioner Sampson moved to accept the report of the Elections Director, seconded by Commissioner Talton and unanimously carried.

**SOLID WASTE FRANCHISE MATTERS**

125 A scheduled appearance by Mark Myers, District Manager for Waste Management,  
 126 concerning changes in the franchise area was withdrawn and deferred until a later date.  
 127

### 128 HEALTH DEPARTMENT REQUEST

129  
 130 Wanda Sandelé, Craven County Health Director, requested that the Board approve the  
 131 following schedule of fees for dental procedures, as recommended by the Health Board.  
 132 Commissioner Allen moved to approve the recommended fees, seconded by  
 133 Commissioner Talton and unanimously carried.  
 134

135	DENTAL FEES		FEES
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137	Code		
138	D0110	Initial oral	\$ 35.50
139	D0120	Periodic Oral Evaluation	\$ 23.00
140	D0130	Emergency – oral	\$ 34.00
141	D0140	Limited Evaluation – problem focus	\$ 32.00
142	D0150	Comprehensive oral Evaluation	\$ 36.00
143	D0210	Full Series (including BWX)	\$ 62.81
144	D0220	Periapical – First PA	\$ 14.79
145	D0230	Periapical – Each Add'l (up to 8)	\$ 15.00
146	D0240	Occlusal Film – Intraoral	\$ 26.00
147	D0270	(1) Bitewing XRAY	\$ 16.50
148	D0272	(2) Bitewing XRAY	\$ 22.00
149	D0274	(4) Bitewing XRAYS	\$ 32.47
150	D0501	Histopathologic Exam (lab fee)	\$ 30.00
151	D1110	Adult Prophylaxis	\$ 50.00
152	D1120	Child Prophylaxis	\$ 32.10
153	D1201	Prophylaxis & Fluoride – Child	\$ 39.03
154	D1203	Fluoride Varnish	\$ 17.00
155	D1205	Prophylaxis & Fluoride – Adult	\$ 47.51
156	D1351	Sealants per tooth	\$ 31.00
157	D1510	Space maintainer – Fixed Unilateral	\$145.66
158	D1515	Space maintainer - Fixed Bilateral Arch	\$263.83
159	D2110	Amalgam (1) Surface-Primary	\$ 57.24
160	D2120	Amalgam (2) Surfaces-Primary	\$ 76.38
161	D2130	Amalgam (3) Surfaces-Primary	\$ 92.49
162	D2131	Amalgam (4) or more Surfaces-Primary	\$107.07
163	D2140	Amalgam (1) Surface-Perm	\$ 67.50
164	D2150	Amalgam (2) Surfaces-Perm	\$ 99.00
165	D2160	Amalgam (3) Surfaces-Perm	\$106.89
166	D2161	Amalgam (4) or more Surfaces-Perm	\$116.57
167	D2330	Resin (1) Surface Anterior	\$ 70.75
168	D2331	Resin (2) Surfaces Anterior	\$ 96.08
169	D2332	Resin (3) Surfaces Anterior	\$108.89
170	D2335	Resin (4) or + or incisal Angel Ant	\$127.00
171	D2336	Composite Resin Crown Ant Prim	\$ 68.50
172	D2380	Resin one surface Posterior Prim	\$ 63.28
173	D2381	Resin two Surfaces Posterior Prim	\$ 79.39
174	D2385	Resin one Surface Posterior Perm	\$ 74.17
175	D2386	Resin two Surfaces Posterior Perm	\$103.66
176	D2387	Resin three surface posterior perm	\$147.50
177	D2388	Resin Four surface posterior perm	\$163.00
178	D2920	Recement Crown	\$ 28.72
179	D2930	Stainless Steel Crown-Primary	\$181.33
180	D2931	Stainless Steel Crown-Perm	\$196.83
181	D2940	Sedative Filling	\$ 15.50
182	D2951	Pin Retention	\$ 20.20
183	D3110	Pulp Cap-Direct (Exc Final Rest)	\$ 38.74
184	D3120	Pulp Cap-Indirect	\$ 40.00
185	D3220	Therapeut Pulpotomy (exo Final Rest)	\$ 80.00
186	D3310	Anterior Root Canal	\$331.33

187	D3351	Apexifical/Recalcification	\$103.33
188	D3352	Apexification/Recall-Interm	\$ 83.00
189	D3353	Apexifical/Recall-Final	\$178.00
190	D4341	Perio Scaling & Root Planning/Quad/Arch	\$ 55.00
191	D4355	Full Mouth Debridment	\$ 66.17
192	D7110	Extraction-Single Tooth	\$ 54.00
193	D7120	Extraction –Each add'l Tooth	\$ 51.15
194	D7130	Root Removal Exposed	\$ 25.50
195	D7210	Surgical-Extraction	\$ 71.82
196	D7220	Soft tissue impact	\$ 48.41
197	D7230	Part Bony Impact	\$ 98.91
198	D7250	Surgical Removal-Residual Roots	\$ 62.00
199	D7270	Tooth Reimplantment	\$123.45
200	D7286	Biopsy – Oral Soft Tissue	\$ 97.29
201	D7310	Alvesoplasty w/ext Per Quad/Arch	\$ 37.91
202	D7550	Sequestrectomy	\$ 72.76
203	D7510	L & D Abcess – Intraoral	\$ 32.51
204	D7971	Operculectomy	\$ 33.66
205	D9110	Palliative Treatment	\$ 18.21
206	D9230	Nitrous Oxide	\$ 31.00
207	D9310	Consultation	\$ 31.75

208

**RESOLUTIONS**

209

210

211 *Jeffrey Matheny*

212

213 The Board requested on November 6th that a resolution be drafted to recognize the life  
 214 and service to Craven County of Jeffrey Matheny, who died while on duty.  
 215 Commissioner Bland moved for adoption of the following resolution, seconded by  
 216 Commissioner Allen and unanimously carried.

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218

219

**RESOLUTION  
 IN HONOR OF  
 THE LATE JEFFREY MATHENY**

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222

**WHEREAS,** Jeffrey Matheny joined the Craven County  
 Sheriff's Department as a Deputy on January 6, 1999; and

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225

**WHEREAS,** he had previously served Craven County in a  
 volunteer capacity as a reserve deputy; and

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228

**WHEREAS,** Deputy Matheny was killed while on duty in  
 service to Craven County on October 21, 2000; and

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230

231

**WHEREAS,** he served with distinction as a dedicated law  
 enforcement officer and was highly regarded by his peers; and

232

233

234

**WHEREAS,** law enforcement officers place their lives on the  
 line every day to provide a vital service to their communities.

235

236

237

**NOW, THEREFORE, THE CRAVEN COUNTY BOARD OF  
 COMMISSIONERS RESOLVES** to recognize the service of Jeffrey  
 Matheny to this community, and to honor his memory.

238

239

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241

**BE IT FURTHER RESOLVED** that this resolution be entered  
 into the record of November 20, 2000, and a copy presented to the  
 Matheny family.

242

243

244

**Adopted the 20<sup>th</sup> day of November, 2000**

245

246

247 *Grantham Sign*

248

249 On November 6<sup>th</sup> the Board directed staff to draft a resolution to the Department of  
 250 Transportation on behalf of the Grantham Community, for placement of road signage in  
 251 the community. Commissioner Talton moved for approval of the following resolution,  
 252 seconded by Commissioner Bland and unanimously carried.

### 253 **GRANTHAM COMMUNITY**

254  
 255 **WHEREAS**, Grantham, a settlement community located along Old  
 256 Cherry Point Road (SR 1113) and Highway 70 East in Craven County,  
 257 Township Seven needs identification; and

258  
 259 **WHEREAS**, The Craven County Board of Commissioners while  
 260 meeting in regular session on Monday, November 6, 2000 reviewed a  
 261 request for a community sign from the residents of the Grantham area; and

262  
 263 **WHEREAS**, The Board agreed to request the Department of  
 264 Transportation to give positive consideration to erecting one (1) double  
 265 bladed sign in the median of Highway 70 East parallel to Armstrong  
 266 Avenue and one (1) double bladed sign on Old Cherry Point Road (SR  
 267 1113) at the intersection of Armstrong Avenue.  
 268

269  
 270 **NOW, THEREFORE, BE IT RESOLVED BY THE CRAVEN**  
 271 **COUNTY BOARD OF COMMISSIONERS:**

272  
 273 That we do hereby request that the North Carolina Department of  
 274 Transportation erect, where appropriate to meet the standards and  
 275 regulations of the North Carolina Department of Transportation, Division  
 276 of Highways, two (2) double bladed community road signs on Highway 70  
 277 East and on Old Cherry Point Road (SR 1113).  
 278

### 279 **SHERIFF'S DEPARTMENT REQUEST FOR FUNDING**

280  
 281 Sheriff Jerry Monette requested funding for a new position of Mental Transport Officer,  
 282 due to the fact that this service will no longer be provided by New Bern Family Services.  
 283 He requested that a separate contract be negotiated with Ted Brown, who has previously  
 284 performed this service by contract with New Bern Family Services. It was recommended  
 285 that the position be funded to pay Mr. Brown at his current hourly rate, with a ceiling of  
 286 \$16,000.00 per year, for his availability twenty-four (24) hours a day, seven (7) days a  
 287 week. Commissioner Bland moved to approve the additional appropriation from fund  
 288 balance needed, in the amount of \$12,787.00, to support this position. The motion was  
 289 seconded by Commissioner Sampson and unanimously carried.  
 290

### 291 **REPORT OF APPEARANCE COMMISSION**

292  
 293 Commissioner Tyson reported on the meeting of the Appearance Commission on  
 294 November 16, 2000 and presented the draft "Junked Motor Vehicles" Ordinance that had  
 295 been considered by the Commission. Commissioner Tyson moved for acceptance by the  
 296 Board of the draft ordinance and to set a public hearing for review by the community.  
 297 The motion was seconded by Commissioner Bland and unanimously carried.  
 298 Commissioner Phillips moved to set a public hearing for January 2, 2001 at 8:00 p.m.  
 299 The motion was seconded by Commissioner Sampson and unanimously carried.  
 300

### 301 **AN ORDINANCE PROHIBITING "JUNKED MOTOR VEHICLES"** 302 **IN CRAVEN COUNTY, NORTH CAROLINA AND** 303 **PROVIDING FOR THEIR PROPER REMOVAL AND DISPOSITION**

304  
 305 **WHEREAS**, Craven County is authorized by N.C. Gen. Stat. §153A-132.2 to  
 306 regulate, restrain or prohibit the abandonment of junked motor vehicles on public grounds  
 307 and on private property within the county's ordinance-making jurisdiction upon finding  
 308 that such regulation, restraint or prohibition is necessary and desirable to promote or  
 309 enhance community, neighborhood or are appearance, and to enforce such ordinance by  
 310 removing and disposing of junked motor vehicles; and

311  
312       **WHEREAS**, the Craven County Board of Commissioners finds that prohibiting  
313 “junked motor vehicles” within the ordinance-making jurisdiction of Craven County, and  
314 providing for their removal and disposition, is necessary and desirable to promote and  
315 enhance the attractiveness and aesthetic appearance of the County; to protect property  
316 values; to preserve the livability attractiveness of neighborhoods; to promote tourism,  
317 conventions, and other opportunities for economic development; to promote and enhance  
318 the attractiveness of the County’s major and minor residential and commercial streets,  
319 roads and highways which present the primary public visibility to residents, visitors and  
320 commuters of the County; and to promote the comfort, happiness, and emotional stability  
321 of residents in the vicinity of junked motor vehicles.

322  
323       **NOW, THEREFORE**, the Craven County Board of Commissioners hereby  
324 enacts this Ordinance Prohibiting “Junked Motor Vehicles” in Craven County, North  
325 Carolina and Providing for Their Proper Removal and Disposition (“this Ordinance”):  
326

327 Section 1.       Definition of “Junked Motor Vehicle.”

328  
329               A “junked motor vehicle” means a vehicle that:

- 330  
331               1.       does not display a current license plate or inspection sticker; and  
332  
333               2.       is located such that it is visible from a public street or highway, or  
334               from a private subdivision street or road; and  
335  
336               3.       it either  
337  
338                   a.       is partially dismantled or wrecked, or  
339  
340                   b.       cannot be self-propelled or moved in the manner in which it  
341                   originally was intended to move, or  
342  
343                   c.       is more than five (5) years old and appears to be worth less  
344                   than Two Hundred Fifty Dollars (\$250.00) based upon the  
345                   appraised value set by the Craven County Tax Appraiser.  
346

347               Provided, however, that no vehicle which is kept or stored at a bona fide  
348 “automobile graveyard” or “junkyard” as defined in N.C. Gen. Stat. § 136-143  
349 shall be considered a “junked motor vehicle” subject to the provisions of this  
350 Ordinance.

351  
352 Section 2.       Junked Motor Vehicles Prohibited.

353  
354               It shall be unlawful to maintain a junked motor vehicle anywhere within the  
355 ordinance-making jurisdiction of Craven County, North Carolina.  
356

357 Section 3.       Removal of Junked Motor Vehicles From Property Without Owner’s  
358 Consent.

359  
360               This ordinance provides for the removal of junked motor vehicles from private  
361 property, without the consent of the owner, lessee or occupant of the premises and without  
362 the consent of the owner of the junked motor vehicle, and for the proper disposition of  
363 such vehicles at an automobile graveyard or automobile junkyard.  
364

365 Section 4.       Removal of Junked Motor Vehicles From Property With Owner’s Consent.

366  
367               This ordinance provides for the removal of junked motor vehicles from private  
368 property, with the consent of the owner, lessee or occupant of the premises for the proper  
369 disposition of such vehicles at an automobile graveyard or automobile junkyard upon  
370 presentation of satisfactory evidence of proof of authority to give consent or proof of  
371 ownership of said junked motor vehicle by the requestor.  
372

373 Section 5. Procedure for Determining Whether a Vehicle is a “Junked Motor Vehicle”  
374 Subject To Towing.

375

376 The County shall determine whether a vehicle is a “junked motor vehicle,” and is  
377 subject to towing, only as follows:

378

379 Step 1. Determination whether vehicle is a “junked motor vehicle.” The Craven  
380 County Board of Commissioners (“the Board”), or a duly authorized county official or  
381 employee acting on behalf of the Board (“its designee”); shall personally view the alleged  
382 junked motor vehicle. If the Board, or its designee, determines that the vehicle is not a  
383 junked motor vehicle as defined above, then no further action shall be taken. If the Board,  
384 or its designee, determines that the vehicle is a junked motor vehicle as defined above,  
385 then they shall proceed to step 2.

386

387 Step 2. Balancing of Aesthetic Benefits vs. Private Hardship. The Board, or its  
388 designee, shall personally view the area surrounding the junked motor vehicle. Based  
389 upon viewing the junked motor vehicle and the surrounding area, the Board, or its  
390 designee, shall determine whether the aesthetic benefits of removing the junked motor  
391 vehicle outweigh the burdens imposed on the owner of the junked motor vehicle. In  
392 making this determination, the Board, or its designee, may consider the following factors:

393

394 a. protection of property values;

395

396 b. promotion of tourism and other economic development opportunities;

397

398 c. indirect protection of public health and safety;

399

400 d. preservation of a character and integrity of the community;

401

402 e. promotion of the comfort, happiness, and emotional stability of area  
403 residents; and

404

405 f. any other factors reasonable related to the balancing of aesthetic benefits  
406 vs. burdens imposed upon the owner of the junked motor vehicle.

407

408 The Board, or its designee, must make written findings showing its consideration  
409 of the relevant factors, and must make a written finding as whether the aesthetic  
410 benefits of removing the junked motor vehicle outweigh the burdens imposed on  
411 the owner of the junked motor vehicle. If the Board, or its designee, finds that the  
412 aesthetic benefits of removing the junked motor vehicle outweigh the burdens  
413 imposed upon the owner of the junked motor vehicle, then it shall proceed to the  
414 next step.

415

416 Step 3. Notice to Owner. If the Board, or its designee, has determined that the  
417 aesthetic benefits of removing the junked motor vehicle outweigh the burdens imposed  
418 upon the owner of the junked motor vehicle, then it shall give notice, or make a diligent  
419 attempt to give notice, to the owner of the junked motor vehicle, as follows:

420

421 a. in all cases, post written notice on the windshield, or some other  
422 conspicuous place on the junked motor vehicle, immediately upon the  
423 determination that the aesthetic benefits of removing the junked motor  
424 vehicle outweigh the burdens imposed upon the owner of the junked motor  
425 vehicle; and

426

427 b. if the vehicle has a North Carolina registration plate or registration, give  
428 written notice to the registered owner by certified mail by placing said  
429 notice in the mail within 24 hours after the determination is made, and  
430 notify by telephonic communication if the owner’s telephone number can  
431 be ascertained; or

432

433 c. if the vehicle is registered in some other state, give written notice to the  
434 registered owner by certified mail by placing said notice in the mail within

435 72 hours after the determination is made, and notify by telephonic  
 436 communication, to the owner as soon as their identity can be obtained; or  
 437  
 438 d. if the vehicle is not registered in any state, or its state registration cannot be  
 439 determined, the Board or its designee, shall make diligent efforts to obtain  
 440 the name, address and telephone number of the owner, and to mail written  
 441 notice, and give notice by telephonic communication, to the owner as soon  
 442 as their identity can be obtained.  
 443

444 Step 4. Contents of Written Notice. The written notice required by paragraph 3,  
 445 above, shall include the following information:  
 446

- 447 a. a description of the vehicle, vehicle identification number, if available;  
 448  
 449 b. a statement that Craven County has determined that the vehicle is a  
 450 "junked motor vehicle" in violation of this ordinance, and the date on  
 451 which this determination was made;  
 452  
 453 c. a statement that Craven County intends to cause the vehicle to be towed to  
 454 an automobile graveyard or junkyard no sooner than seven (7) days after  
 455 the date of determination;  
 456  
 457 d. the name and address of the automobile graveyard or junkyard to which the  
 458 vehicle will be towed; and  
 459  
 460 e. a description of a procedure which the owner must follow to appeal to a  
 461 Magistrate of Craven County to contest the proposed towing.  
 462

463 Step 5. Towing. If the owner of the junked motor vehicle has not filed a written  
 464 request for a hearing before a Magistrate of Craven County within seven (7) days after the  
 465 determination, as provided in Section 5, below, the County may cause the vehicle to be  
 466 towed immediately upon the expiration of the seven (7) day period. If the owner makes a  
 467 timely written request for a hearing before a Magistrate, then the County shall not cause to  
 468 believe that the vehicle is a junked motor vehicle subject to towing pursuant to the terms  
 469 of this ordinance. If the Magistrate determines that there is a probable cause to believe  
 470 that the vehicle is a junked motor vehicle subject to towing pursuant to the terms of this  
 471 ordinance and the owner appeals to the district court as provided in Section 6, below, the  
 472 County may nonetheless cause a vehicle to be towed pending the decision of the district  
 473 court.  
 474

475 Section 6. Owner's Right to Hearing Before Magistrate.  
 476

477 Within seven (7) days after the date of the determination, the owner of a vehicle  
 478 which the County has determined to be a junked motor vehicle may make a written  
 479 request to a Magistrate of Craven County to determine whether there is probable cause to  
 480 believe that the vehicle is a junked motor vehicle subject to towing pursuant to the terms  
 481 of this ordinance. Such hearing, if properly requested by the Owner, shall be conducted  
 482 pursuant to N.C. Gen. Stat. § 20-219.12(c), (d), (e).  
 483

484 Section 7. Appeal to District Court.  
 485

486 Any party who is aggrieved by the Magistrate's decision may appeal from the  
 487 Magistrate's decision to the District Court of Craven County.  
 488

489 Section 8. Tower's Lien.  
 490

491 Upon towing a junked motor vehicle at the County's request pursuant to this  
 492 ordinance, the tower shall have a lien upon the vehicle for towing and storage fees as by  
 493 law provided.  
 494

495 Section 9. Option to Pay or Post Bond.  
 496

497 At any time after the junked motor vehicle has been towed, the owner may obtain  
 498 possession of the vehicle by 1) paying the towing fee, or 2) posting a bond for double the  
 499 amount of the towing fee.

500

501 Section 10. County Authorized to Enter into Contracts.

502

503 For the purpose of facilitating the enforcement of this ordinance, the County may  
 504 enter into contracts with one or more towers, automobile graveyards and/or junkyards for  
 505 the removal and disposition of junked motor vehicles.

506

507 Section 11. Requirement of Indemnification.

508

509 The County may require any person requesting the removal of a junked motor  
 510 vehicle from private property to indemnify the County against any loss, expense or  
 511 liability incurred because of the removal, storage or sale thereof.

512

513 Section 12. Procedure for Junked Motor Vehicles Which Constitute Health or Safety  
 514 Hazards.

515

516 In the event that a junked motor vehicle has also been declared by the Craven  
 517 County Health Director, or his designee, to be a health or safety hazard, then pursuant to  
 518 the provisions of N.C. Gen. Stat. § 153A-132(c), the County may cause such vehicle to be  
 519 towed from either public or private property immediately upon the determination that it is  
 520 a health or safety hazard. In the event that a vehicle is towed immediately pursuant to this  
 521 provision, the County shall give notice to the owner of the vehicle as required by N.C.  
 522 Gen. Stat. § 20-219.11(a) and (b).

523

524

**TAX RELEASES**

525

526 Craven County Tax Administrator, Ronnie Antry, presented the following routine requests  
 527 for tax releases. Commissioner Phillips moved for their approval, seconded by  
 528 Commissioner Sampson and unanimously carried in a roll call vote.

529

*Credits*

530

531

TAXPAYER NAME	TICKET#	AMOUNT
DEES, JEWELL D & EUNICE L BLDG USED FOR STORAGE	2000-0012686	\$ 24.00
DOVER CONSTRUCTION CO., INC. NOT IN TOWN OF DOVER REBILLED ON SUPPLEMENT	2000-0090346	\$2,094.83
FAIRCHILD, KENNETH C III & BAR FIRE TAX SHOULD NOT BE BILLED, REBILLED ON SUPPLEM	2000-0090035	\$ 954.88
GOODING, MARY H PARCEL VALUED INCORRECTLY	2000-0019418	\$ 7.98
GREEN, MARY MH DOUBLE LISTED W/27720 MARY ALICE TAYLOR	2000-0090389	\$ 42.52
HAMILTON, CAMMIE MH DOUBLE LISTED W/11285	2000-0090395	\$ 79.51
HEATH, KENDALL BOAT IN LENOIR CO 1-1-2000	2000-0090406	\$ 30.54
JAPHET, KIMBERLY A MILITARY HIS NAME ONLY TX RESIDENT	2000-0090425	\$ 298.74

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559	LAROCK, KELLY	2000-0090447	\$ 179.50
560	MH DOUBLE LISTED W/31561		
561			
562	NEW BEGINNING REALTY INC.	2000-0036208	\$ 19.53
563	OUT OF BUSINESS AS OF 1-1-2000		
564			
565	PARKER, D M JR	2000-0037709	\$ 116.20
566	BOAT REVALUED REBILLED ON SUPPLEMENT		
567			
568	PARKS, LANNIE P II	2000-0037831	\$ 30.41
569	MILITARY, BOAT TITLED IN HIS NAME ONLY		
570			
571	RICKS, LEVI	2000-0041061	\$ 24.00
572	DWELLING VACANT SINCE 1993		
573			
574	RIVERSHORE LLC	2000-0090528	\$ 31.67
575	BUSINESS HAS NO PERSONAL PROPERTY		
576			
577	ROSENBERG, MICHAEL CRAIG	2000-0090534	\$ 3.55
578	BOAT NOT IN CRAVEN CO 1-1-2000		
579			
580	VERN-CO INVESTMENTS LLC & ARTH	2000-0050124	\$ 31.45
581	LOT VALUED INCORRECTLY		
582			
583	VERN-CO INVESTMENTS LLC & ARTH	2000-0050121	\$ 94.35
584	PARCEL BILLED IN ERROR		
585			
586	VERN-CO INVESTMENTS LLC & ARTH	2000-0050122	\$ 94.35
587	PARCEL BILLED IN ERROR		
588			
589	VERN-CO INVESTMENTS LLC & ARTH	2000-0050123	\$ 99.07
590	PARCEL BILLED IN ERROR		
591			
592		19 – CREDIT MEMO(S)	\$4,257.08

**PLANNING DEPARTMENT MATTERS**

Craven County Planning Director, Don Baumgardner, presented the results of a bid opening that was held on Friday, November 17, 2000 at 2:00 p.m. for the rehabilitation of five (5) storm damaged dwellings listed as follows:

600	Willie Stallings	J.E. Dillahunt & Assoc.	\$ 67,000.00
601	509 New Liberty Road		
602	New Bern, NC		
603			
604	Carolyn Fullmore	George Celinski	\$ 29,495.00
605	2505 Spring Garden Road		
606	New Bern, NC		
607			
608	Clara Green	George Celinski	\$ 14,760.00
609	8500 US Hwy 17N		
610	Vanceboro, NC		
611			
612	Flinchianna Hargett	J.E. Dillahunt & Assoc.	\$ 21,038.00
613	524 Jones Street		
614	Cove City, NC		
615			
616	Dora Pugh	George Celinski	\$ 30,980.00
617	1460 Honolulu Road		
618	Grifton, NC		

Commissioner Bland moved to approve the bid awards, as recommended, seconded by Commissioner Sampson and unanimously carried.



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**APPOINTMENTS**

*New Bern Planning Board*

The Board was informed that Mr. Gene MacIlwean, who has been serving as an extraterritorial member of the New Bern Planning Board, has submitted his resignation. His current term will not expire until November of 2002. City of New Bern Planning Department recommended Mr. Mark Best of 878 Highway 55 W., be appointed to fill this unexpired term. Commissioner Sampson nominated Mr. Best. Commissioner Bland moved to close nominations, seconded by Commissioner Sampson and unanimously carried.

*Nursing Home Advisory Committee*

The Nursing Home Advisory Committee requested the reappointment of Mr. Alvia Hearren and Ms. Shirley Selepes. Commissioner Bland nominated Mr. Hearren and Ms. Selepes for reappointment. Commissioner Talton moved to close nominations, seconded by Commissioner Bland and unanimously carried.

Commissioner Allen moved to waive the one meeting waiting requirement on the appointments, seconded by Commissioner Sampson and unanimously carried.

**BUDGET AMENDMENTS**

Craven County Finance Officer, Rick Hemphill, presented the following budget amendments for the Board’s approval. Commissioner Talton moved for their approval, seconded by Commissioner Bland and unanimously carried.

*Sheriff*

REVENUES	AMOUNT	EXPENDITURES	AMOUNT
101-0000-399-01-00	\$ 12,787.00	101-2001-410-10-04	\$ 11,778.00
Fund Balance		Pt Salaries	
		101-2001-410-11-01	\$ 901.00
		FICA	
		101-2001-410-11-04	\$ 108.00
		Workers Comp	
TOTAL	\$ 12,787.00	TOTAL	\$ 12,787.00

**Justification:** Appropriate Fund Balance to cover Transport Officer for mental health transports – 999 hours at \$11.79 per hour.

*Health/Adult Health*

101-6607-349-51-00	\$ 1,600.00	101-6607-440-25-00	\$ 500.00
Skin Cancer Awareness		Travel	
		101-6607-440-32-40	\$ 1,100.00
		Other Supplies	
TOTAL	\$ 1,600.00	TOTAL	\$ 1,600.00

**Justification:** Appropriate funds for Skin Cancer Awareness activity.

*Health/Environmental*

101-3101-349-59-00	\$ 10,000.00	101-3101-420-73.01	\$ 10,000.00
State Aid to County		Capital Outlay	
TOTAL	\$ 10,000.00	TOTAL	\$ 10,000.00

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**Justification:** Required to purchase a laboratory freezer with state funds transferred to the County in support of the Antibiotic Resistant project.

**Health/CVH (Cardiovascular)**

101-6702-369.37-00	\$ 17,351.00	101-6702-440.24-00	\$ 2,000.00
Pitt County – CVH		Meeting Expense	
		101-6702-440.25-00	\$ 2,000.00
		Travel/Training	
		101-6702-440.27-00	\$ 4,000.00
		Advertising	
		101-6702-440.32-01	\$ 1,000.00
		Office Supplies	
		101-6702-440.32-40	\$ 3,000.00
		Other Supplies	
		101-6702-440.40-00	\$ 1,351.00
		Cont. Services	
		101-6702-440.73-01	\$ 4,000.00
		Capital Outlay	
TOTAL	\$ 17,351.00	TOTAL	\$ 17,351.00

**Justification:** Additional Grant money to be received by Pitt County – CVH

**COUNTY MANAGER’S REPORT**

*Sale of Fire Panel Components*

Assistant County Manager, George Sawyer, presented to the Board a report of sale of fire panel components taken from the jail to American Fire Technologies for the amount of \$1,000. He explained that the system at the jail has been upgraded and replaced through a grant received via the Planning Department. He further explained that the old system was outdated and no longer needed and it was not practical to move the components to the County auction site to sell. The presentation by Mr. Sawyer was informational only, to comply with the reporting requirement of non-auction sales by the County Manager.

*Sale of Property to NC Department of Transportation*

Mr. Sawyer submitted to the County information from the Right-of-Way Agent for the NC Department of Transportation, whereby the department offered Craven County \$8,200 for .35 acre that is on the front of the property associated with the Bridgeton Convenience Center. He recommended that the Board accept \$8,200 and allow the property to transfer to the State for this purpose. Commissioner Tyson moved to approve the recommendation for sale of the .35 acre for \$8,200, seconded by Commissioner Bland and unanimously carried.

*Sign Ordinance*

Commissioner Phillips asked that the Board deviate from the agenda and recognize New Bern City Planner, Mike Avery, to address the Board. It was the consensus of the Board that Mr. Avery be recognized to speak. He addressed the Board concerning the sign tower that was under construction for the Outback Restaurant and presented a letter from City of New Bern Mayor, Tom Bayliss, as follows, which was read into the record:

November 16, 2000

Albert H. Toon, Chairman

745 Craven County Board of Commissioners  
746 406 Craven Street  
747 New Bern, NC 28560

748  
749 Dear Chairman Toon:  
750

751 This letter is to express my concern regarding the signage associated with the new  
752 Outback Restaurant located behind the Bridgepointe Hotel in the James City community.  
753 This business is a welcome addition to the fine selection of restaurants we have to offer  
754 both the local and tourism community. However, this franchise is beginning to erect a  
755 sign that when completed will be 80' in height. Having owned and operated my own  
756 business for many years, I fully understand how important signage is to a business. But I  
757 believe this sign to be excessive and not necessary for the economic success of the  
758 restaurant.

759  
760 Further, the sign will be highly visible from the historic downtown. I believe this will  
761 have a negative impact on the city and the tourism we have all so heavily relied on to fuel  
762 the economic growth of the community. The key to our success is a healthy downtown  
763 with a unique character. Excessive interstate style signage negatively impacts that unique  
764 character we cherish. Therefore, with all due respect, I request that the Craven County  
765 Board of Commissioners join with the City of New Bern to take action now to mitigate  
766 the impact of this sign and take a proactive position to reduce future impacts.

767  
768 Respectfully Submitted,

769  
770  
771 T.A. Bayliss, III,  
772 Mayor

773  
774 After lengthy discussion concerning remedies that are available, Commissioner Tyson  
775 moved that a 90 day moratorium be imposed on permitting for new signage for one mile  
776 easterly from the Trent River bridge down the course of U.S. Highway 70 East, and  
777 extending two thousand feet on either side of the right-of-way of U.S. Highway 70; to  
778 direct staff to check the documentation on the permitting of the current sign being erected  
779 for the Outback; to direct the development of a reasonable sign ordinance by County staff  
780 and the County Attorney, for the corridor described above. Commissioner Bland moved  
781 to table action until the Board's next meeting, but the motion died without a second. The  
782 original motion was seconded by Commissioner Talton and carried by six (6) "Ayes",  
783 there being one (1) "Nay" from Commissioner Bland. Staff was also asked to enter  
784 discussions to see what can be done to minimize the effect of the current signage that has  
785 been permitted.

786  
787 *Agenda Format and Procedures*

788  
789 County Manager, Harold Blizzard, presented recommendations that the Board adopt an  
790 agenda format which includes a consent agenda, and that the Board adopt the policy of  
791 approving the proposed agenda at the beginning of each meeting. Commissioner Allen  
792 moved that the Board institute use of a consent agenda, seconded by Commissioner Talton  
793 and unanimously carried. Commissioner Allen expressed the Board's attitude that the  
794 agenda presented by staff is considered to have been adopted by the Board, and the  
795 consensus was to continue with this informal acceptance of the agenda.

796  
797 **COMMISSIONERS' REPORTS**

798  
799 Commissioners recognized Mr. Charles Simmons to speak as a citizen and he brought to  
800 the Board's attention several questions concerning the junk vehicle ordinance that is being  
801 proposed. He stated that there are people who are overseas on extended tours of duty,  
802 etc., and asked what consideration would be present in the ordinance, if adopted, to  
803 address their situation. He also asked if the Board could consider how burial of vehicles  
804 should be addressed by the ordinance, inasmuch as vehicles are sometimes buried and, as  
805 such, present some environmental issues.  
806

807 *Commissioner Sampson* reported on a Habitat for Humanity ground breaking that was  
808 held in New Bern on November 19, 2000.

809

810 *Commissioner Allen* reminded the Board that the Havelock Christmas Parade is scheduled  
811 for December 9<sup>th</sup> and asked that those who wished to participate notify the Clerk to the  
812 Board. He also reminded the Commissioners that the Havelock Chamber of Commerce  
813 Christmas party is scheduled for December 1<sup>st</sup> and encouraged others to attend.

814

815 *Commissioner Toon* reported that the military has begun work on Ward Lane.

816

817 At 11:15 a.m. Commissioner Phillips moved to adjourn, seconded by Commissioner  
818 Tyson and unanimously carried.

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822 Chairman, C.W. "Pete" Bland  
823 Craven County Board of Commissioners

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826 Gwendolyn M. Bryan  
827 Clerk to the Board

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