

THE BOARD OF COMMISSIONERS OF THE COUNTY OF CRAVEN MET IN REGULAR SESSION IN THE COMMISSIONERS' ROOM OF THE CRAVEN COUNTY ADMINISTRATION BUILDING, 406 CRAVEN STREET, NEW BERN, NORTH CAROLINA ON TUESDAY, JANUARY 16, 2001. THE MEETING CONVENED AT 8:30 A.M.

MEMBERS PRESENT:

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

STAFF PRESENT:

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

Following an invocation by Commissioner Sampson and the Pledge of Allegiance, Commissioner Talton moved to approve the minutes of the January 2, 2001 regular session, seconded by Commissioner Toon and unanimously carried.

CONSENT AGENDA

Commissioner Sampson moved to delete the first item under the consent agenda, Hurricane Fran HUD-DRI project line item transfer. The contingency upon which the request was predicated did not exist. The motion was seconded by Commissioner Talton and unanimously carried. The remaining item on the consent agenda, budget amendments, as follows, was approved by motion of Commissioner Sampson, seconded by Commissioner Tyson and a unanimous roll call vote.

Budget Amendments and Ordinance

DSS – Mandated Programs

REVENUES	AMOUNT	EXPENDITURES	AMOUNT
101-7291-349-10.00 Day Care Combined	(\$192,657.00)	101-7291-450-39.26 Day Care Combined	(\$192,657.00)
TOTAL	(\$192,657.00)	TOTAL	(\$192,657.00)

Justification: Decrease in allocation from Division of Child Development.

DSS – Mandated Programs

101-7291-336-05.00 Hurricane Relief Fund	\$ 21,662.00	101-7291-450-39.01 County Issued	\$ 21,762.00
101-0000-399-01-00	\$ 100.00		
TOTAL	\$ 21,762.00	TOTAL	\$ 21,762.00

Justification: Phase IV of funds received from United Way for hurricane relief fund to be disbursed through the existing county issued account with all receipts, documentation, etc. to be returned to finance. The \$100.00 was received 6/14/00, never budgeted or spent.

DSS – Mandated Programs

101-7291-349-21.00	(\$476,376.00)	101-7291-450-39.22	(\$476,376.00)
SBA Grant		SBA Grant	
TOTAL	(\$476,386.00)	TOTAL	(\$476,376.00)

Justification: This closes out the SBA/Floyd program.

DSS – Adult Child Services

101-7221-349-22.00	\$ 8,036.00	101-7221-450-39.18	\$ 8,036.00
Adult Serv. Staff & Ovho		Adult Day Care	
TOTAL	\$ 8,036.00	TOTAL	\$ 8,036.00

Justification: 100% State funding authorized to provide funding for salary normally charged to SSBG. Revenue will be drawn through staff salary. The Adult Day Care allocation is expected to overspend. Because Adult Day Care can be charged to SSBG, this will provide the additional funds to keep this program operating with no additional County cost.

TRANSFER

DSS – Adult Child Serv/TANF

TRANSFER FROM	AMOUNT	TRANSFER TO	AMOUNT
101-7231-450-39.19	\$ 6,000.00	101-7221-450-39.20	\$ 6,000.00
Work First Transp.		Medicaid Transportation	
TOTAL	\$ 6,000.00	TOTAL	\$ 6,000.00

Justification: Funds needed for Medicaid Transportation; Work First transportation is under spending for the fiscal year.

DSS – TANF

REVENUES	AMOUNT	EXPENDITURES	AMOUNT
101-7231-349-23.00	\$ 19,376.00	101-7231-450-39.31	\$ 19,376.00
TANF Staff & Overhead		Crisis Funds	
TOTAL	\$ 19,376.00	TOTAL	\$ 19,376.00

Justification: More funding than originally anticipated was allocated for TANF Child Welfare. \$23,896.00 was previously budgeted. Funds are 100% federal.

DSS – TANF

101-7231-349-74.00	\$ 2,400.00	101-7231-450-39.11	\$ 1,900.00
Independent Living		Independent Living	
101-0000-399-01-00	\$ (500.00)		
Fund Balance			
TOTAL	\$ 1,900.00	TOTAL	\$ 1,900.00

Justification: Funding authorization for Independent Living Program exceeds the original state estimates. Also, funding was originally 80% Fed., 20% Cty. Now, the program is 80% Federal and 20% state, and the program name has been changed to LINKS. Both revenue and expenditure have been adjusted to reflect the new total allocation.

Seized Assets

114-2011-349-18.00	\$ 6,249.00	114-2011-410-33.00	\$ 6,249.00
Substance Abuse		Misc. Exp	
TOTAL	\$ 6,249.00	TOTAL	\$ 6,249.00

Justification: Revenue received from State of N.C. substance abuse tax.

Hazard Mitigation HFPAR 4292-0061

263-4065-348-00-00	\$595,215.00	263-4065-430-76-39	\$547,371.00
HFPAR 4292-0061		Acquisition	
		263-4065-430-15-10	\$ 28,344.00
		Admin	
		263-4065-430-15-02	\$ 19,500.00
		Legal	
TOTAL	\$595,215.00	TOTAL	\$595,215.00

Justification: Set up new project for HFPAR 42-92-0061 Part A Homeowners Supplemental Buyout.

101-0000-399-01-00	\$ 12,000.00	101-0190-400-96-23	\$ 12,000.00
Fund Balance		James City Community Bldg. Repair	
TOTAL	\$ 12,000.00	TOTAL	\$ 12,000.00

Justification: Appropriate fund balance for roof (6,000) and other repairs at James City CC. Bills to be paid by County.

ORDINANCE

Hazard Mitigation Grant Program HFPAR Fund 263

This ordinance is hereby amended in the following amounts.

EXPENDITURES:
HFPAR 4292-0062

This ordinance is hereby amended in the following amounts.

EXPENDITURES:
HFPAR 4292-0062

Acquisition	\$1,066,901.00
Appraisal/Legal/Survey/Asbestos	\$ 23,400.00
General Administration	\$ 54,515.00

HFPAR 4292-0061

Acquisition	\$ 547,371.00
Appraisal/Legal/Survey/Asbestos	\$ 19,500.00
General Administration	\$ 28,344.00

TOTAL \$1,740,031.00

The following revenues are hereby amended for the Hazard Mitigation HFPAR Grant

REVENUES:

Supplemental Acquisition Funds 4292-0062	\$1,144,816.00
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Supplemental Acquisition Funds 4292-0061	\$ 595,215.00
TOTAL	\$1,740,031.00

This ordinance is hereby amended this 16th day of January, 2001.

TAX DEPARTMENT MATTERS

Tax Releases and Refunds

Craven County Tax Administrator, Ronnie Antry, submitted the following routine requests for tax releases and refunds for approval by the Board. Commissioner Sampson moved that he be excused from voting because his name appeared on the list. The motion was seconded by Commissioner Toon and unanimously carried. Commissioner Tyson moved to approve the tax releases and refunds, as presented, seconded by Commissioner Talton and unanimously carried in a roll call vote.

Credits

TAXPAYER NAME	TICKET#	AMOUNT
ARTHUR, SANDRA G NOT IN BUSINESS AS OF 1-1-2000	2000-0090991	\$ 50.80
BENTON, MICHAEL DAVID RECYCLE CHARGED IN ERROR	2000-0003873	\$ 24.00
BOOTH, SHIRLEY H BOAT VALUE TOO HIGH	2000-0004802	\$ 45.12
COBB, JAMES ANDREW MOBILE HOME VACANT SINCE '97	2000-0009640	\$ 24.48
DAVIS BOYD APPRAISALS NOT IN BUSINESS AS OF 1-1-2000	2000-0090996	\$ 50.80
DOVER CONSTRUCTION CO. INC. LATE PENALTY CHARGED IN ERROR	2000-0090812	\$ 217.45
FRANCIS, CHARLES R BOAT DOUBLE LISTED W/7430	2000-0016949	\$ 70.90
GASKINS, FRANKLIN & VIRGINIA H VACANT SINCE '95	2000-0018121	\$ 24.48
GASKINS, KEITH DALTON MOBILE HOME DOUBLE LISTED W/2638100	2000-0090675	\$ 101.38
GATLIN, LEONARD O TWO MOBILE HOMES VACANT FOR PAST TWO YEARS	2000-0018402	\$ 48.96
HENRY TRUSTEE, ALAN YACHT VALUED INCORRECTLY	2000-0090407	\$9,027.00
LANCASTER, DANNY E VACANT SINCE '95	2000-0028679	\$ 24.48
LANCASTER, ELLEN WIGGINS VACANT SINCE '92	2000-0028685	\$ 48.96
LAWRENCE, JANE MOBILE HOME DOUBLE LISTED W/4312900	2000-0090448	\$ 126.61

LIGON, LOTTIE W VACANT SINCE '91	2000-0029815	\$ 24.48
MANNING BUILDERS INC. INCOMPLETE DWELLING FOR 2000 REBILLED ON SUPPLEMENT	2000-0031067	\$1,126.37
MORRIS, KENNETH E III & ANDREW DWELLING REMOVED PRIOR TO 1-1-2000	2000-0035151	\$ 620.73
REYNOLDS, JAMES W REVALUED BOAT, BILLED INCORRECTLY	2000-0040737	\$ 289.49
RHODES, LAWRENCE ALTON REVALUED MOBILE HOME, ON SITE INSPECTION	2000-0040791	\$ 34.87
RIVENBARK, MARTIN & JOANN MOBILE HOME NOT IN CRAVEN CO 1/00	2000-0041307	\$ 35.40
SALEM, GEORGE M & TAMMY H VACANT FOR PAST YEAR	2000-0042612	\$ 24.48
TRIPP, HARVEY L MOBILE HOME DOUBLE LISTED W/25881	2000-0049141	\$ 272.05
WALKER, ERIK MILITARY, BOAT TITLED IN HIS NAME ONLY DD214 ON FILE	2000-0050504	\$ 82.29
WARNER, JEFFREY PETER & DONNA MOBILE HOME DOUBLE LISTED W/16205	2000-0090764	\$ 437.54
WIGGINS, BENNIE J VACANT SINCE JULY 99	2000-0053471	\$ 24.48

25 – CREDIT MEMO (S) \$12,857.60

Refunds

GASKINS, FRANKLIN & VIRGINIA H VACANT SINCE '95	1996-0016497	\$ 27.00
GASKINS, FRANKLIN & VIRGINIA H VACANT SINCE '95	1997-0016751	\$ 27.00
GASKINS, FRANKLIN & VIRGINIA H VACANT SINCE '95	1998-0016779	\$ 24.00
GISH, JANE MOBILE HOME DOUBLE LISTED W/39410	2000-0018966	\$ 32.89
SAMPSON, JOHNNIE JR & SAMPSON, PARCEL DOUBLE BILLED	2000-0042694	\$ 57.00
STALLINGS, ROBERT L III REVALUED BOAT PER BILL OF SALE	2000-0045741	\$ 186.37

6 – REFUND(S) \$354.26

Appeal for Release of Late Listing Penalty

Mr. Antry presented an appeal from Justyna Tandy, with Farm Credit Leasing Services Corporation, for the amount of \$305.79 due to a postage meter date of January 28th on a

listing form, which arrived in the Tax Office on February 2nd, without having been hand cancelled by the Post Office. As in past cases, Mr. Antry recommended that the appeal be denied in accordance with G.S. 105-311(b). Commissioner Talton moved to approve the recommendation of the Tax Administrator, seconded by Commissioner Phillips and unanimously carried.

Revaluation Update

Mr. Antry, along with Chief Appraiser, Phil Nelson, presented a projected time frame and process relative to the upcoming property revaluation in Craven County. Commissioner Tyson requested that staff summarize the schedule of values in the final report, highlighting the aspects necessary for the Board to understand the impact of any changes.

PLANNING DEPARTMENT MATTERS

9:00 a.m. Public Hearing on Close Out of FY 99 CDBG Project

At 9:00 a.m. Commissioner Sampson moved to go into public hearing, as advertised, to review the activities that have been accomplished through the County's FY 99 CDBG Community Revitalization Grant. The motion was seconded by Commissioner Toon and unanimously carried. Chip Bartlett, of the Planning Department, summarized the project, explaining that eleven (11) units had been included in the project for a total cost of \$442,000, with \$402,500 having been financed by CDBG funds. Four (4) dilapidated units were cleared and seven (7) owner occupied units were rehabilitated. There were no members of the public who came forward to speak and at 9:05 a.m. Commissioner Sampson moved to go out of public hearing, seconded by Commissioner Talton and unanimously carried.

APPOINTMENTS

Coastal Resources Advisory Committee

The Board was requested to appoint an alternate to the Coastal Resources Advisory Committee, inasmuch as its representative, Mrs. Natalie Baggett, is not always able to attend the meetings. In accordance with practice in several of the counties, Commissioner Talton moved to appoint the County Manager as the alternate, seconded by Commissioner Sampson and unanimously carried.

Upcoming Appointments in February

The Board was advised that appointments will be due in February for the following Boards: Clean Sweep Committee, Craven County Council on Women, Emergency Medical Services Advisory Council, Neuse Mental Health Center Board.

At 9:10 a.m. the Board was declared in recess for five (5) minutes until the convening of the 9:15 public hearing.

PLANNING DEPARTMENT MATTERS

9:15 a.m. Public Hearing on 2001-2002 CDBG Application

At 9:15 a.m. the Board went into public hearing, as advertised, by motion of Commissioner Talton, seconded by Commissioner Phillips and unanimously carried, to obtain views and proposals from the citizens of Craven County with regard to the determination of priorities for the community development and housing needs of the County. Reed Whitesell of Holland Consulting Planners explained the projects that would be eligible under this application, stating that infrastructure improvements, such as drainage, road improvements, and water & sewer would be areas of focus for a local interest project. Craven County is eligible for concentrated needs consideration for this cycle, which would involve two concentrated housing areas of approximately ten homes each. It is projected that targeted areas may be in Twp. 1 and Twp. 3, with some consideration in Twp. 5. April 29th is the application deadline. Planning stated that they

expect to schedule a public hearing in March to present the draft. There were no members of the public to speak. Commissioner Talton moved to close the public hearing, seconded by Commissioner Phillips and unanimously carried.

Update on Disaster Recovery Projects

Mr. Whitesell gave a presentation outlining the progress of the County's various Fran/Floyd Recovery projects, including housing, elevation/rehab, infrastructure, planning, and buy-out/relocation efforts. In addition, the County's Planning staff discussed the current flood plain mapping efforts and their impact on new development, redevelopment, and the County's land use planning effort and permitting process. The Board was requested to endorse the Planning Department's use of the new flood plain maps. Commissioner Tyson moved to authorize the Planning Department to commence using the information from the new flood plain mapping service to help guide new development. The motion was seconded by Commissioner Phillips and unanimously carried.

AMENDMENT TO SIGN MORATORIUM RESOLUTION

The amendment to the Resolution Concerning the Issuance of Sign Permits, which was presented to the Board at its meeting on January 2, 2001, was reintroduced for a second vote, inasmuch as it passed with less than a unanimous vote on the first reading. Commissioner Sampson moved to adopt the resolution, which follows, seconded by Commissioner Tyson and adopted with five (5) "Ayes" from Commissioners Phillips, Sampson, Talton, Toon and Tyson, there being two (2) "Nays" from Commissioners Allen and Bland.

**AMENDMENT TO RESOLUTION
CONCERNING THE ISSUANCE OF SIGN PERMITS**

WHEREAS, on December 18, 2000, the Craven County Board of Commissioners (hereinafter "Board") enacted a resolution (hereinafter "original resolution") prohibiting the issuance of any sign permits for the area extending one (1) mile easterly from the Trent River Bridge down the course of U.S. Highway 70 East and further extending two thousand feet on either side of the right-of-way of U.S. Highway 70; and,

WHEREAS, after further review of the area affected by the original resolution, the Board has determined that such prohibition should encompass other areas of the County; and,

WHEREAS, by adoption of this resolution, the Board does hereby desire to amend the original resolution by enlarging the territory effected by the original resolution.

NOW THEREFORE, BE IT RESOLVED by the Craven County Board of Commissioners as follows:

1. The Resolution Concerning the issuance of Sign Permits as enacted on December 18, 2000, is hereby amended as follows:

- a. By deleting paragraph 1 and substituting in lieu thereof the following:
 - 1. All County departments and employees are hereby directed not to issue any sign permits for the area extending easterly from the Trent River Bridge down the course of U.S. Highway 70 East to Airport Road (Rural Paved Road 1131) and further extending 2,000 feet on either side of the right-of-way of U.S. Highway 70.

2. In all other respects, the original resolution is hereby ratified and confirmed. EFFECTIVE this the 16th day of January, 2001.

JUNKED MOTOR VEHICLE ORDINANCE

The Board was presented a revised draft of the junked motor vehicle ordinance, which was presented on January 2, 2001, reflecting input received from citizens at the January 2nd public hearing. There were several citizens in the audience who wished to speak because the Sun Journal had erroneously printed that there would be a public hearing on January 16th. Commissioner Allen moved to allow the members of the public to speak, seconded by Commissioner Tyson and unanimously carried. The following citizens spoke:

Mr. Waller expressed support for individuals being able to do whatever they want on their property unless it creates an environmental hazard or undue burden on the state or successors to provide cleanup.

Mr. Harvey Tripp asked that the Board carefully consider the ramifications of the proposed ordinance.

Monte Welbourne spoke in opposition to the proposed ordinance, citing freedom of citizens.

Tonya Whitley-Bell spoke against the ordinance from the perspective of race car owners, and stating that livelihood and hobbies would be put at stake by the proposed ordinance, if adopted.

Charles Simmons expressed agreement that there should be a distinction between vehicles that are present for a purpose and those that have been abandoned. He feels that some legislation is necessary for addressing the latter.

Mike Smith spoke in opposition to such an ordinance, inasmuch as the City has one.

Mr. Brian Zelinsky, of ABC Transmission, questioned the effect of the ordinance on a vehicle that is covered on private property and whether or not it is exempt.

Commissioner Bland recommended that a vote to adopt the ordinance be deferred for two (2) weeks for the public to have more time to review the proposed ordinance. Commissioner Tyson gave some background on the initial effort to draft such an ordinance, citing a New Bern Chamber of Commerce study to identify issues for the future of the County. Commissioner Toon was in accord with Commissioner Bland, expressing reluctance to push the ordinance until the citizens have a chance to digest it and the County carefully considers the costs of its endorsement. Commissioner Toon moved to table consideration of the ordinance for one month, until it is fully understood by all, seconded by Commissioner Sampson and carried with six (6) "Ayes", there being one (1) "Nay" from Commissioner Bland.

COUNTY MANAGER'S REPORT

Assistant County Manager, George Sawyer, presented the following easement agreement with CP&L and requested that the Board approve it. Commissioner Tyson moved to authorize the Chairman to sign the following agreement, seconded by Commissioner Toon and unanimously carried.

THAT GRANTOR, for and in consideration of the sum of **ONE DOLLAR** (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, does hereby grant unto CP&L, its successors and assigns, the right, privilege, and easement to go in and upon the land of **GRANTOR** situated in Number One Township of said County and State, described as follows: containing 17 acres, more or less, and being the land described in a deed from the STATE OF NORTH CAROLINA to CRAVEN COUNTY, dated April 25, 1995, and recorded in Book 1473, Page 524, Craven County Registry, LESS AND EXCEPT any prior out-conveyances, and

to construct, maintain, and operate electric and/or communication facilities thereon consisting of poles, cables, wires, guys, anchors, underground conduits, enclosures, and other pertinent facilities within an easement area thirty (30) feet wide for the overhead portion of said facilities and ten (10) feet wide on all sides of the foundation of any enclosure, with the right to do all things necessary, including, but not being limited to, the right: (a) to enter said easement area at all times over the adjacent land to inspect, repair, maintain, and alter said facilities; (b) to keep said easement area cleared of trees, shrubs, undergrowth, buildings, structures, and obstructions; (c) to trim or cut any tree adjacent to said easement area that may, in the opinion of CP&L, endanger the overhead facilities or hinder the maintenance, operation, and use of the same; and (d) to install, at angle points of the overhead facilities, guy wires and anchors outside of said easement area. The center line of the facilities shall be the center line of said easement area. **CP&L shall not install facilities outside of said easement area without obtaining another EASEMENT, except for those facilities that may be installed as set forth in item (d) above.**

TO HAVE AND TO HOLD said rights, privilege, and easement unto CP&L, its successors and assigns, forever. IN WITNESS WHEREOF, **GRANTOR** has caused this EASEMENT to be signed by its duly authorized officials and its official seal to be hereunto affixed, pursuant to a resolution of its governing body, as of the date first above written.

COMMISSIONERS' REPORTS

Commissioner Tyson expressed the hope that the Board would be ready to take action either way at the end of the specified month, relative to the proposed Junked Motor Vehicle Ordinance.

Commissioner Toon reported on status of work on Ward Lane.

Commissioner Phillips provided an update on the search for a new Cove City Library site. He stated that a conclusion has been reached that the fire station building would be the best site, and the regional librarian concurs. The offer to the County for the building was \$72,000; however, he asked that the County Manager be directed to negotiate with the owner and to return to the Board with a request and details. He moved that the Board agree to purchase the building and to include costs incurred by its current owner, specifically the value of interest accrued and legal fees. The motion was seconded by Commissioner Tyson and unanimously carried. By the Board's consensus, the County Manager was directed to enter negotiations relative to total cost.

Commissioner Allen announced that he is no longer the President of the Association of North Carolina Boards of Health, and expressed appreciation for this Board's support during his term of office.

Commissioner Talton updated a funding request from the James City Community Center for repairs and renovations to their building. The amount projected that would be needed is \$12,000 to make the building usable, with \$6,000 being needed for a new roof. He recommended approval of \$12,000 for the purpose specified and moved that this be allocated from the fund balance, allowing the Community Center to proceed with its renovation, presenting bills to the County as they arrive, totaling up to \$12,000. The motion was seconded by Commissioner Sampson. During discussion, Commissioner Tyson raised the issue of the renovation of the Community Center being a function of County government and recommended that a County/Community Partnership be considered when such requests are presented. Commissioner Phillips highlighted the County's role in ensuring proper workmanship and warranties when funding such projects. County Manager, Harold Blizzard, explained that the James City Community Center's Board of Directors is accountable for these issues. Commissioner Phillips suggested that the County consider adopting, at some point, a policy regarding such requests. The motion to approve the allocation carried in a roll call vote with six (6) "Ayes", there being one (1) "Nay" from Commissioner Tyson.

Commissioner Sampson reported on the Martin Luther King Day celebrations that were held in the community.

Commissioner Bland requested on behalf of Captain Bob Brown of the Sheriff's Department, that Jones County be allowed to receive five (5) salvaged light bars from the Craven County Sheriff's Department. Commissioner Toon moved to allow the five (5) light bars to be given to Jones County, seconded by Commissioner Sampson and unanimously carried.

Commissioner Tyson recommended that in the future any department head requesting the Board's disposition of property establish a value for that property and advise the Board of the value in its request.

At 11:35 a.m. the Board was declared in recess.

At 11:50 a.m. the Board reconvened in work session concerning the Airport Height Restriction Ordinance.

Airport Director, John Price, made a presentation to the Commissioners explaining that the Airport wants and needs an ordinance to protect the investment and interest of the Airport. He stated that the Airport Authority is drafting a proposal, in which input will be included from concerned property owners. The draft will then be subject to a public hearing. Mr. Price addressed concerns that had been expressed by citizens, Bradford Cummings and Walter Ellis. He recommended appointment of a separate Board of Adjustments, comprised of people in the effected area. It was the consensus of the Board that concerned citizens register their input with the Airport Authority during the drafting of the proposed ordinance and subject it to public hearing on April 2, 2001. Commissioner Tyson moved that a public hearing be set for 8:00 p.m. on April 2nd to hear the proposed draft, seconded by Commissioner Talton and unanimously carried.

At 12:35 p.m. Commissioner Talton moved to adjourn, seconded by Commissioner Phillips and unanimously carried.

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

Gwendolyn M. Bryan
Clerk to the Board