

**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 MONDAY, FEBRUARY 5, 2001. THE MEETING CONVENED AT 7:00 P.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 Phillips moved to approve the minutes of December 21, 2000 reconvened session and the January 16, 2001 regular session. The motion was seconded by Commissioner Sampson and unanimously carried.

**PETITIONS OF CITIZENS**

*Bill Harper* addressed the Board concerning Global TransPark and 26.8 million dollars annually funded by the North Carolina General Assembly. He asked that Craven County get out of the Global TransPark Commission.

*Albie Smith* spoke in opposition to the proposed Junked Motor Vehicle Ordinance and asked that the Board consider putting a referendum to the voters on the ordinance.

**CONSENT AGENDA**

Commissioner Tyson requested that subdivisions and mobile home park for approval be removed from the consent agenda.

The remaining items on the consent agenda were considered, as follows:

*Budget Amendments*

Craven County Finance Officer, Rick Hemphill, submitted the following budget amendments for the Board's approval.

***Commissioners/Special Approp***

101-0000-399-01-00	\$ 10,000.00	101-0190-430-96-31	\$ 10,000.00
Fund Balance		Barge Removal	
TOTAL	\$ 10,000.00	TOTAL	\$ 10,000.00

**Justification:** Prior commitment for barge removal not presented as a budget amendment.

***Sheriff's – Seized Property***

114-2011-349-18.00	\$ 641.00	114-2011-410-33.00	\$ 641.00
Substance Abuse Tax		Public Safety/Misc.	
TOTAL	\$ 641.00	TOTAL	\$ 641.00

**Justification:** Budget 640.25 received from State for substance tax dist.

101-4242-348-59-00	\$ 5,000.00	101-4242-420-40-50	\$ 5,000.00
Parents as Teachers Smart Start		Cont Ser Temp Emps	
TOTAL	\$ 5,000.00	TOTAL	\$ 5,000.00

**Justification:** Smart Start approved \$5,000.00 for personnel

***Health/Cardiovascular-African Amer***

101-6608-349-58-00	\$ 9,000.00	101-6608-440-40-00	\$ 5,700.00
Cardiovascular African American		Cont Ser	
		101-6608-440-32-40	\$ 2,600.00
		Other Supplies	
		101-6608-440-25-00	\$ 500.00
		Travel/Train	
		101-6608-440-20-00	\$ 200.00
		Postage	
TOTAL	\$ 9,000.00	TOTAL	\$ 9,000.00

**Justification:** State Grant to support the improvement of cardiovascular health of African Americans.

***Health/Env/Asthma***

101-3136-348-28-00	\$ 10,265.00	101-3136-420-24-00	\$ 900.00
Grant Asthma		Meeting/Expenses	
		101-3136-420-25-00	\$ 1,650.00
		Travel Training	
		101-3136-420-27-00	\$ 745.00
		Advertising	
		101-3136-420-32-40	\$ 4,970.00
		Other Supplies	
		101-3136-420-40-00	\$ 2,000.00
		Contractual Ser	
TOTAL	\$ 10,265.00	TOTAL	\$ 10,265.00

**Justification:** State grant to strengthen asthma coalition. Contract #200153450025

***Health/Comprehensive Cancer Cont.***

101-6605-348-09-00	\$(83,538.00)	101-6605-440-21-00	\$( 4,000.00)
Cancer Coalition		Rent	
		101-6605-440-22-00	\$( 191.00)
		Telephone	
		101-6605-440-24-00	\$ 1,000.00
		Meeting Expense	
		101-6605-440-25-00	\$( 2,160.00)

		Travel Training	
		101-6605-440-32-40	\$ 500.00
		Supplies	
		101-6605-440-40-0	\$( 78,687.00)
		Cont Services	
TOTAL	\$( 83,538.00)	TOTAL	\$( 83,538.00)

**Justification:** Program start up date did not happen as planned. Program will start this month 1/01. State is requesting budget revision, as well as new budget plan.

***DSS – Mandated Programs***

101-7291-349-16-00	\$ 87,866.00	101-7291-450-39-16	\$ 87,866.00
Smart Start Day Care		Smart Start Day Care	
TOTAL	\$ 87,866.00	TOTAL	\$ 87,866.00

**Justification:** Additional funding allocated for Smart Start Day Care program by the Division of Child Development.

***DSS – Admin/Mandated Program***

101-7291-349-32-00	\$ 60,000.00	101-7291-450-23-04	\$ 55,524.00
CIP		CIP	
		101-7201-450-40-00	\$ 4,476.00
		Cont. Serv	
TOTAL	\$ 60,000.00	TOTAL	\$ 60,000.00

**Justification:** Additional funding allocated for CIP program.

Commissioner Sampson moved to approve budget amendments as presented, seconded by Commissioner Phillips and unanimously carried in a roll call vote.

***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.

***Credits***

TAXPAYER NAME	TICKET#	AMOUNT
BARE, CURTIS J & NORMA R RECYCLE PAID ON WRG ACCT	2000-0002413	\$ 24.48
BARNES, RONALD H & PEGGY W NOT IN BUSINESS AS OF 1-1-2000	2000-0090260	\$ 51.31
BELIGOTTI TRUCKING INC BUSINESS DOUBLE LISTED W/37270	2000-0003463	\$ 20.72
BLANCHARD, RANDALL L MH DOUBLE LISTED W/36343	2000-0090784	\$ 121.90
BRATCHER, CATHY J BOAT DOUBLE LISTED W/32107	2000-0090291	\$ 136.41
BRIGHTMAN, ROBERT RONALD MOBILE HOME IS LOCATED ON BASE NON-TAXABLE	2000-0090293	\$ 137.37

BRINSON, TONY WATSON RECYCLE CHARED IN ERROR	2000-0005693	\$ 24.49
BROWN, FURNEY & TAMMARA BILLED IN ERROR REBILLED TO CORRECT OWNER	2000-0090919	\$ 208.04
CHASE, ALAN JOHN MOBILE HOME DOUBLE LISTED W/35603	2000-0090317	\$ 274.51
CLIFFORD, TERRY ALLEN MILITARY, MOBILE HOME TITLED IN HIS NAME ONLY MI R	2000-0009479	\$ 220.64
COOK, JOSEPH ALLEN SR BOAT LISTED IN CARTERET CO	2000-0010227	\$ 87.28
CORNELIUS, ROBERT D MILITARY BOAT IN HIS NAME ONLY NY RES.	2000-0010422	\$ 14.00
CUTHBERTSON, ANNA WRIGHT & MOBILE HOME REVALUED REBILLED ON SUPPLEMENT	2000-0090656	\$ 64.84
CUTHBERTSON, ANNA WRIGHT & MOBILE HOME REVALUED REBILLED ON SUPPLEMENT	2000-0090802	\$ 236.60
DAVIS HARGETT ENTERPRISES INC ROAD DEDICATED TO TOWN OF RIVER BEND	2000-0012092	\$ 7.39
DRAKE, KATHERINE M DWMH DOUBLE LISTED W/39845	2000-0013731	\$ 304.57
GIBBS, JOSEPH C & PAMELA S DID NOT OWN 1-1-99	1999-0018220	\$ 59.73
GIBBS, JOSEPH C & PAMELA S DID NOT OWN 1-1-2000 NE	2000-0018765	\$ 153.62
GODETTE, SHEILA R VACANT SINCE 1987	2000-0019221	\$ 24.48
GRAY, SHIRLEY ALILEEN MOBLEY VACANT SINCE '94	2000-0019732	\$ 24.48
GREEN, H H & MARY E VACANT SINCE '94	2000-0019828	\$ 24.24
GROSS, JIMMY LANCASTER & VICKI MOBILE HOME DOUBLE LISTED W/6485575	2000-0090683	\$ 172.99
HAGWOOD, ELDEN A DWELLING VACANT SINCE 1984	2000-0020615	\$ 24.48
HAGWOOD, ELDEN A DWELLING VACANT SINCE 1984	2000-0020618	\$ 24.48
HOFMANN, JAMIE BILLED IN ERROR REBILLED ON SUPPLEMENT	2000-0090691	\$ 154.42
J N C FARMS INC TWO MOBILE HOMES DOUBLE LISTED WITH OTHER NAMES	2000-0090121	\$ 803.82
JONES, DEBORAH K MOBILE HOME DOUBLE LISTED W/19387	2000-0090432	\$ 129.01

JONES, EVELYN R DID NOT OWN AS OF 1-1-2000	2000-0090433	\$ 83.51
JONES, JEREMY M MOBILE REPOSSESSED IN 1998	1999-0091021	\$ 219.97
JONES, JEREMY M MOBILE HOME REPOSSESSED IN 1998	2000-0026666	\$ 193.25
JONES, THOMAS H JR BOAT SOLD IN '99	2000-0026947	\$ 176.19
KAVALIAUSKAS, JILL MOBILE HOME DOUBLE LISTED W/2478073	2000-0090439	\$ 223.50
KENSEY, WILLIE LOUIS II BILLED RECYCLE IN ERROR MOBILE HOME IN STORAGE ONL	2000-0027528	\$ 24.00
KIBLER, DEVIN & NINA MILITARY BOTH NAMES ½VALUE 2001 LES REC'D	2000-0027614	\$ 75.05
LAWHORN, MAGGIE JUANITA MOBILE HOME SOLD IN 1998	1999-0028311	\$ 50.89
LAWHORN, MAGGIE JUANITA MOBILE HOME SOLD IN 1998	2000-0029102	\$ 43.75
LIGON, LOTTIE W DWELLING VACANT SINCE 1991	2000-0029815	\$ 24.00
LOCKWOOD, EARL MOBILE HOEM DOUBLE LISTED W/39369	2000-0090456	\$ 162.74
MACKEY, NICK DID NOT OWN MOBILE HOME 1-1-2000	2000-0090710	\$ 73.11
MILLER, JR WHITFORD LEE BILLED IN ERROR REBILLED TO CORRECT OWNER	2000-0090476	\$ 188.97
MILLER, LEONDA MOBILE HOME REPOSSESSED IN 12-97	1998-0031252	\$ 170.54
MILLER, LEONDA MOBILE HOME REPOSSESSED IN 12-97	1999-0032760	\$ 163.63
MILLER, LEONDA MH REPOSSESSED IN 12-97	2000-0033690	\$ 144.04
MONTGOMERY, ROBERT & DIONNE MILITARY HIS NAME ONLY 2001 LES ON FILE VA RESIDENT	2000-0090481	\$ 192.52
NOBLES, ROY LEE BILLED INCORRECTLY REBILLED ON SUPPLEMENT	2000-0036556	\$ 299.03
OLIVER, CORY BILLED INCORRECTLY REBILLED ON SUPPLEMENT	2000-0037132	\$ 30.04
ORTHO-POD DEVELOPERS LLP PAVING DOUBLE LISTED W/8-212-6-00A	2000-0091020	\$ 84.27

REVIS, JANE GISH MOIBLE HOME DOUBLE LISTED W/35074	2000-0090524	\$ 36.57
REYNOLDS, JAMES W BILLED IN ERROR REBILLED ON SUPPLEMENT IN 7-G	2000-0040737	\$ 78.69
ROXWELL MANAGEMENT CORP. LATE PENALTY CHARGED IN ERROR	2000-0090095	\$ 56.25
SMITH, GLORIA TAYLOR MOBILE HOME DOUBLE LISTED W/5869225	2000-0090554	\$ 189.25
SMITH, THOMAS D & PATRICIA D BOAT SOLD 7-99	2000-0045125	\$ 969.70
TAPPENDEN, RYAN M MILITARY-MOBILE HOME IN HIS NAME	2000-0090572	\$ 267.61
TIVNAN, DAVID A BUSINESS WAS BANKRUPT IN 1999	2000-0048457	\$ 19.55
TODD, MARK W MILITARY BOTH NAMES 00 LES REC'D ½VALUE	2000-0090583	\$ 133.41
TRIPP, JACKIE MOBILE HOME DOUBLE LISTED W/39958	2000-0090758	\$ 337.02
TUNSTALL, THOMAS M PARCEL BILLED IN ERROR	2000-0049387	\$ 9.09

57 – CREDIT MEMO (S) \$ 8,250.44

*Refunds*

ARMSTRONG, DONALD S WRONG MOBILE HOME CHARGED REBILLED ON SUPPLEMENT	2000-001321	\$ 145.37
BARE, CURTIS J & NORMA R SECOND HOME IN CRAVEN COUNTY	2000-0002414	\$ 24.00
BARROW, JANET TOLER DWELLING VACANT BEFORE JULY 2000	2000-0002694	\$ 24.00
BROWN, LORETTA JANE MOBILE HOME VACANT MORE THAN 4 YEARS	1998-0005698	\$ 24.00
BROWN, LORETTA JANE MOBILE HOME VACANT MORE THAN 4 YEARS	1999-0005965	\$ 24.00
BROWN, LORETTA JANE ROSS 1981 MOBILE HOME VACANT FOR 4 YEARS	2000-0006125	\$ 24.00
CENTURA BANK BUSINESS PERSONAL PROPERTY BILLED INCORRECTLY	1999-0008282	\$ 126.72
HAGOOD, ELDEN A DWELLING VACANT SINCE 1984	1999-0020023	\$ 24.00
HAGOOD, ELDEN A DWELLING VACANT SINCE 1984	1998-0019132	\$ 24.00

HAGOOD, ELDEN A DWELLING VACANT SINCE 1984	1997-0019098	\$ 27.00
HAGOOD, ELDEN A DWELLING VACANT SINCE 1984	1996-0018746	\$ 27.00
HAGOOD, ELDEN A DWELLING VACANT SINCE 1984	1999-0020026	\$ 24.00
HAGOOD, ELDEN A DWELLING VACANT SINCE 1984	1998-0019131	\$ 24.00
HAGOOD, ELDEN A DWELLING VACANT SINCE 1984	1997-0019101	\$ 27.00
HAGOOD, ELDEN A DWELLING VACANT SINCE 1984	1996-0018749	\$ 27.00
LEE, VIRGINIA M SCE LEFT OFF FOR YEAR 2000	2000-0029410	\$ 130.00
MOORE, WILLIAM A JR & EVA MOTOR HOME DOUBLE LISTED AS TAGGED VEH	2000-0034792	\$ 65.13
MORGAN, WILLIAM THOMAS MOBILE HOME REPOSSESSED IN '97	1998-0092655	\$ 146.02
MORGAN, WILLIAM THOMAS MOBILE HOME DOUBLE LISTED IN 1997	1999-0033912	\$ 139.94
MORGAN, WILLIAM THOMAS MOBILE HOME REPOSSESSED IN 1997	2000-0034918	\$ 134.16
REYNOLDS, JAMES W BILLED IN ERROR REBILLED ON SUPPLEMENT IN 7-G	2000-0040737	\$ 111.54
ROGERS, EDWARD M REVALUED BOAT PER BILL OF SALE	2000-0041876	\$ 24.78
SMITH, ELBERT JUNIOR DWMH DOUBLE LISTED W/37341	2000-0044658	\$ 301.72

23 – REFUND(S)     \$ 1,649.38

Commissioner Sampson moved for approval of the foregoing requests for tax releases and refunds, seconded by Commissioner Phillips and unanimously carried in a roll call vote.

*Planning Matters: Adoption of Policy Updates for Crisis Housing Assistance*

Craven County Planning Director, Don Baumgardner, submitted the following documents for approval.

- Contract and Grant Award Policy (applicable to CHA, NCHFA, or CDBG projects)
- Optional Coverage Relocation Policy (CHA)
- Hazard Mitigation Grant Program (HMGP)/State Acquisition and Relocation Fund (SARF) Policy (CHA)

**CRAVEN COUNTY, NC  
OPTIONAL COVERAGE RELOCATION ASSISTANCE POLICY  
REPLACEMENT HOUSING GRANT (RHG) PROGRAM  
STATE HOUSING CRISIS ASSISTANCE FUNDS  
HURRICANE FLOYD**

**WHEREAS**, Craven County has received Housing Crisis Assistance funds from the North Carolina Division of Community Assistance/North Carolina Housing Finance Agency to be used for the replacement/rehabilitation of residential property damaged during Hurricane Floyd in September, 1999; and,

**WHEREAS**, replacement housing assistance to displaced homeowners is an approved activity under the terms of the grant agreements between the county and the North Carolina Division of Community Assistance/North Carolina Housing Finance Agency; and,

**WHEREAS**, the county requires a formal policy establishing guidelines for the provisions of Housing Crisis Assistance relocation benefits,

**NOW, BE IT THEREFORE RESOLVED:**

Craven County hereby adopts the following relocation assistance policy, to be used during implementation of the Replacement Housing Grant program:

**Eligibility.** Any homeowner who meets the eligibility requirements for replacement housing assistance outlined under Sections C. and I. of the Program Assistance Policy for the Craven County Housing Crisis Assistance Project is eligible to receive replacement housing assistance under the terms of this policy.

**Terms and Limits of Assistance.** The terms of replacement housing assistance shall be as outlined under 49CFR24, except that the Last Resort Housing provisions of 49CFR24 shall not apply, and the limit of any single replacement housing payment shall be \$75,000. Additionally, the following additional exceptions to 49CFR24 shall apply to the provision of RHG replacement housing assistance:

- **Comparable Replacement Dwelling.** The term “comparable replacement dwelling,” as defined under 49CFR24, shall be redefined for purposes of RHG replacement housing assistance to mean a dwelling which is (1) decent, safe, and sanitary, as defined in 49CFR24.2(f); (2) on a site not subject to adverse environmental conditions and typical in size for residential development with normal site improvements; (3) generally comparable to the displacement site in terms of convenience to employment and commercial and public facilities and services; (4) within the financial means of the displaced person, as defined under 49CFR24.2(c)(8); (5) located within the confines of Craven County, North Carolina; and (6) currently available to the displaced person on the private market. A smaller “decent, safe, and sanitary” replacement dwelling (which by definition is adequate to accommodate the displaced person) may be determined to be functionally equivalent to the dilapidated unit scheduled for demolition.
- Craven County reserves the right to provide a manufactured or modular home as a comparable replacement dwelling to the owner-occupant of a frame-built displacement dwelling, if budget considerations prohibit construction of a new frame-built dwelling or provision of a replacement housing payment for a replacement frame-build dwelling available on the private market. In such a case, the notice of relocation eligibility shall clearly state that the replacement dwelling will be a manufactured or modular home.

**Flood Hazard Mitigation.** Any comparable replacement dwelling provided under the terms of this policy, either existing housing or new construction, shall be certified by the county’s authorized building code enforcement officer to have a finished floor elevation (as defined in Craven County Flood Damage Prevention Ordinance) at or above the following minimum standard:

- Land in Special Flood Hazard Area: Finish floor elevation shall be at or above the minimum standard in effect for Craven County's most recent Hazard Mitigation Grant Elevation Program.
- Land Outside Special Flood Hazard Area: Finished floor elevation shall be at or above the level of the highest flood water mark for the improved land established by Craven County for Hurricane Floyd.

**Basic Rights of Persons to be Displaced.** Craven County shall not require any displaced person to accept a dwelling provided by the county under these procedures (unless the county and the displaced person have entered into a contract to do so) in lieu of any relocation payment for which the person may otherwise be eligible.

**Appeals.** Any aggrieved person may file a written appeal with Craven County in any case in which the person believes that the county has failed to properly consider the person's eligibility for assistance under this policy, or has not provided assistance properly in accordance with this policy. Such appeals shall be handled in accordance with the provisions of 49CFR24.10 and the Craven County HMGP/SARF/HCA Citizen Participation Plan.

Adopted this 5<sup>th</sup> day of February, 2001, by the Craven County Board of Commissioners.

**CRAVEN COUNTY, NC  
RELOCATION ASSISTANCE POLICY  
HAZARD MITIGATION GRANT PROGRAM  
STATE ACQUISITION AND RELOCATION FUND  
HURRICANE FLOYD**

**WHEREAS, CRAVEN COUNTY** has applied for Hazard Mitigation Grant Program (HMGP) funds from the North Carolina Division of Emergency Management to be used for the acquisition of residential property damaged during Hurricane Floyd in September, 1999; and,

**WHEREAS,** relocation assistance to displaced tenants is an approved activity under the terms of the HMGP grant agreement between the county and the North Carolina Division of Emergency Management; and,

**WHEREAS,** the county has also applied for State Acquisition and Relocation (SARF) funds from the North Carolina Division of Community Assistance to be used to provide supplementary relocation assistance to displaced tenants and replacement housing subsidies to displaced homeowners; and

**WHEREAS,** the county requires a formal policy establishing guidelines for the provisions of HMGP/SARF relocation benefits,

**NOW, BE IT THEREFORE RESOLVED:**

**CRAVEN COUNTY** hereby adopts the following Relocation Assistance Policy, to be used during implementation of the HMGP/SARF buyout/relocation program for Hurricane Floyd:

**A. TENANT RELOCATION ASSISTANCE WITH MHGP FUNDS:**

All relocation assistance provided to residential tenants with HMGP funds shall be provided in accordance with relocation guidelines outlined under 49CFR24, "Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally-Assisted Programs," taking into account specific exceptions and clarifications outlined below:

**Displaced Person.** The term "displaced person," as defined under 49CFR24, shall be strictly limited to include only a) residential tenants who were involuntarily displaced from a primary legal residence due to damage resulting from Hurricane Floyd, and who

are permanently displaced from that primary legal residence as a direct result of the initiation of negotiations for an HMGP-financed acquisition activity; or b) residential tenants who occupy a primary legal residence ninety (90) days prior to the effective date of the initiation of negotiations for an HMGP-financed acquisition activity, and who permanently move from a primary legal residence as a direct result of the initiation of negotiations for an HMGP-financed acquisition activity. Persons who voluntarily vacate residences prior to the initiation of negotiations, or who otherwise do not meet the 90-day occupancy requirement outlined above, are not eligible for HMGP-financed tenant relocation assistance under the terms of this policy.

**Type of Assistance.** HMGP funds may be utilized to provide both rental assistance payments and moving assistance payments to displaced persons as defined in 49CFR24.

**Limits of Assistance.** Moving assistance payments and rental assistance payments to displaced persons shall be calculated and provided in strict accordance with 49CFR24. Relocation payments to tenants may be provided as downpayment assistance as prescribed by 49CFR24.

#### B. HOMEOWNER RELOCATION ASSISTANCE:

**Eligibility.** A residential homeowner whose property is acquired with HMGP funds (on a voluntary basis) is eligible for a SARF-funded replacement housing payment (not moving expenses) provided that they otherwise qualify as a “displaced person” under the terms of 49CFR24, “Uniform Relocation Assistance and Real Property Acquisition for Federal And Federally-Assisted Programs”.

**Terms and Limits of Assistance.** The terms of SARF-funded replacement housing assistance shall be as outlined under 49CFR24, except that the Last Resort Housing provisions of 49CFR24 shall not apply, and the limit of any single replacement housing payment shall be \$50,000. Additionally, the following additional exceptions to 49CFR24 shall apply to the provision of SARF replacement housing assistance;

- **Comparable Replacement Dwelling.** The term “comparable replacement dwelling,” as defined under 49CFR24, shall be redefined for purposes of SARF replacement housing assistance to mean a dwelling which is (1) decent, safe, and sanitary, as defined in 49CFR24.2(f); (2) on a site not subject to adverse environmental conditions and typical in size for residential development with normal site improvements; (3) generally comparable to the displacement site in terms of convenience to employment and commercial and public facilities and services; (4) within the financial means of the displaced person, as defined under 49CFR24.2(c)(8); (5) located within the confines of Craven County; and (6) currently available to the displaced person on the private market. A smaller “decent, safe, and sanitary” replacement dwelling (which by definition is adequate to accommodate the displaced person) may be determined to be functionally equivalent to the dilapidated unit scheduled for demolition.
- Craven County reserves the right to provide a manufactured or modular home as a comparable replacement dwelling to the owner-occupant of a frame-build displacement dwelling if budget considerations prohibit construction of a new frame-build dwelling or provision of a replacement housing payment to cover the cost of a replacement frame-build dwelling available on the private market. In such a case, the notice of relocation eligibility shall clearly state that the replacement dwelling will be manufactured or modular home.

#### C. MANUFACTURED HOUSING ON RENTED PARCELS:

**Eligibility.** The owner of a residential manufactured home who is involuntarily displaced because the displacement site is a rental parcel acquired with HMGP funds is eligible for an HMGP-funded replacement housing payment, an HMGP rental assistance payment (or equivalent downpayment assistance), and moving expenses, provided that they otherwise qualify as a “displaced person” under the terms of 49CFR24, “Uniform

Relocation Assistance and Real Property Acquisition for Federal and Federally-Assisted Programs”.

**Terms and Limits of Assistance.** The terms of HMGP-funded replacement housing assistance and moving expenses to owners of manufactured homes located on rental parcels acquired with HMGP funds shall be as outlined under 49CFR24, except that the Last Resort Housing provisions of 49CFR24 shall not apply. The limit of any single replacement housing payment shall be \$22,500, and the limit of any single rental assistance payment shall be \$5,250.

**D. BASIC RIGHTS OF PERSONS TO BE DISPLACED.**

Craven County shall not require any displaced person to accept a dwelling provided by the county under these procedures (unless the county and the displaced person have entered into a contract to do so) in lieu of any relocation payment for which the person may otherwise be eligible.

**E. APPEALS**

Any aggrieved person may file a written appeal with Craven County in any case in which the person believes that the county has failed to properly consider the person’s eligibility for assistance under this policy, or has not provided assistance properly in accordance with this policy. Such appeals shall be handled in accordance with the provisions of 49CFR24.10 and the Craven County HMGP/SARF/CHA Citizen Participation Plan.

Adopted this 5<sup>th</sup> day of February, 2001, by the Craven County Board of Commissioners.

Commissioner Sampson moved for adoption of the foregoing policy updates, seconded by Commissioner Phillips and unanimously carried in a roll call vote.

*Planning Matters: Road Addition Request*

A request was received to have Lilliput Drive Ext., within Twp 7 (Lilliput Landing Subdivision), added to the state maintenance system and to adopt the standard SR 2 Road Addition Resolution. Commissioner Sampson moved to approve adoption of the standard SR 2 Road Addition Resolution, which follows, seconded by Commissioner Phillips and unanimously carried in a roll call vote.

**NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION  
REQUEST FOR ADDITION TO STATE MAINTAINED SECONDARY ROAD  
SYSTEM**

North Carolina  
County of Craven  
Road Description Lilliput Drive (Twp 7) Lilliput Landing Subdivision  
Length: 600 Feet                      Width: 60 Feet

**WHEREAS**, the attached petition has been filed with the Board of County Commissioners of the County of Craven requesting that the above described road, the location of which has been indicated in red on the attached map, be added to the Secondary Road System; and

**WHEREAS**, the Board of County Commissioners is of the opinion that the above described road should be added to the Secondary Road System, if the road meets minimum standards and criteria established by the Division of Highways of the Department of Transportation for the addition of roads to the system.

**NOW, THEREFORE**, be it resolved by the Board of County Commissioners of the County of Craven that the Division of Highways is hereby requested to review the above described road, and to take over the road for maintenance if it meets established standards and criteria.

### *Requests for Position Reclassifications*

Craven County Tax Administrator, Ronnie Antry, submitted a request for reclassification of an Appraiser II position to an Appraiser I position, as a result of a vacancy created by the retirement of an employee on January 26, 2001. The position goes from a grade 67, with a salary range of \$29,374 to \$43,769, to a grade 65, with a salary range of \$26,743 to \$39,848.

In addition, Social Services Director, Donn Gunderson, submitted a request for reclassification of an Accounting Technician II position at a grade 61, with a salary range of \$22,169 to \$39,037 to a Processing Assistant IV position at a grade 59, with a salary range of \$20,183 to \$30,076. Commissioner Sampson moved to approve the reclassifications, as requested, seconded by Commissioner Phillips and unanimously carried.

### *Planning Department Matters: Subdivisions and Mobile Home Park for Approval.*

Commissioner Talton requested to be excused from the vote due to being the owner of one of the subdivisions under consideration. Commissioner Tyson moved to excuse Commissioner Talton, seconded by Commissioner Toon and unanimously carried. Commissioner Tyson moved to approve the subdivisions and mobile home park, as follows, seconded by Commissioner Toon and unanimously carried.

Den Tree Court Lots - Final: The property, owned by Harold Talton and surveyed by Joe Riddick, is located within Twp 7 off of SR 1193 (Possum Trot Road). The subdivision contains 2 lots and is proposed to be served by community water and individual septic systems. The Planning Board reviewed and recommended the subdivision for final approval.

Countryside Homesteads – Final: The property, owned by Roger W. Graunke and surveyed by James C. Simmons, Jr., is located within Twp 5 off of SR 1857 (Swamp Road). The subdivision contains 4 lots and is proposed to be served by community water and individual septic systems. The Planning Board reviewed and recommended the subdivision for final approval.

Long Creek MHP Phase IV – Final: The property, owned by Harry B. Taylor and surveyed by Powell Surveying Company, is located within Twp 5 off of SR 1700 (Adams Creek Road). The Park contains 8 lots and is proposed to be served by community water and individual septic systems. The Planning Board reviewed and recommended the park for final approval.

## **WASTE MANAGEMENT FRANCHISE AMENDMENT**

Mark Myers, District Manager for Waste Management, presented a request to cease residential solid waste service in the unincorporated area of Brice's Creek, Franchise Area F. He indicated that Waste Industries is willing to take over Area F for solid waste only and that Waste Management would continue with the recycling collection. He explained to the Board that the collection day will remain the same for solid waste and recycling as it is under the current operation. Commissioner Allen moved to approve the request for a change in franchise area, seconded by Commissioner Toon and unanimously carried.

## **REPORT ON UNPAID TAXES**

Craven County Tax Administrator, Ronnie Antry, presented to the Board the amount of year 2000 taxes that remain unpaid, which are a lien upon real estate. He reported that unpaid taxes amount to \$889,307.74 and requested that he be allowed to advertise liens in the Sun Journal on April 9, 2001. In addition, Mr. Antry explained some changes in NCGS 105-369(b)(1), requiring additional notice. Commissioner Talton moved to authorize advertisement of the liens on April 9, 2001 in the Sun Journal, seconded by Commissioner Phillips and unanimously carried.

## APPOINTMENTS

### *Clean Sweep Committee*

The Board considered the expiring term of Steve Woolard, who had indicated a willingness and desire to continue serving. Commissioner Talton moved to reappoint Mr. Woolard, seconded by Commissioner Sampson and unanimously carried.

### *Council on Women*

The Board received a recommendation from the Council on Women for appointment of Dr. Barbara M. Harris. Commissioner Tyson nominated Ms. Harris for appointment. Commissioner Talton moved to close nominations, seconded by Commissioner Phillips and unanimously carried, with Dr. Harris being appointed by acclamation.

### *Neuse Center Board*

The Board considered the expiring term of Dr. Reed Underhill and Commissioner Tyson nominated Dr. Underhill for recommendation to another term. Commissioner Talton moved to close nominations, seconded by Commissioner Sampson and unanimously carried, with Dr. Underhill being the recommendation of the Craven County Board of Commissioners for appointment to the Neuse Center Board.

## COUNTY ATTORNEY'S REPORT

County Attorney, Jim Sugg, presented the following resolution requesting easement for Craven Community College. Commissioner Allen moved for approval of the resolution, seconded by Commissioner Talton and unanimously carried.

**WHEREAS**, the United States of America and the State of North Carolina have conveyed to The Trustees of Craven Community College (the "Trustees") a parcel of property located in the City of Havelock, Craven County, North Carolina, said property being more particularly described on Exhibit A attached hereto and incorporated herein by reference (the "Property"); and,

**WHEREAS**, the Trustees have determined that an electric power distribution line easement thirty feet (30') in width and being more particularly described on Exhibit B attached hereto and incorporated herein by reference ("New Distribution Line Easement") is unnecessary for the purposes of the College; and,

**WHEREAS**, the Trustees have determined that a nonexclusive access easement twenty feet (20') in width and being more particularly described on Exhibit C attached hereto and incorporated herein by reference ("New Access Easement") is unnecessary for the purposes of the College; and,

**WHEREAS**, the Trustees desire to grant the aforesaid New Distribution Line Easement to Carteret-Craven Electric Membership Corporation to be used for the purposes of maintaining, replacing, upgrading, removing and using facilities for the transmission and distribution of electric energy and for communication purposes on the Property; and,

**WHEREAS**, the Trustees desire to grant the aforesaid New Access Easement to Carteret-Craven Electric Membership Corporation to be used for the purposes of ingress, egress and regress to the electric power substation located upon the Property; and,

**WHEREAS**, pursuant to N.C. Gen. Stat. § 160A-271, the Trustees desire to enter into a real property exchange with Carteret-Craven Electric Membership Corporation as described in the Notice of Public Hearing attached hereto, marked as Exhibit D and incorporated herein by reference (the "Exchange"); and,

**WHEREAS**, N.C. Gen. Stat. § 115C-518 provides that prior to effectuating the Exchange the Trustees must offer the New Distribution Line Easement and the New

Access Easement to the Craven County Board of Commissioners (the "Board") at fair market value or at a price negotiated between the parties; and,

**WHEREAS**, the Trustees have offered the New Distribution Line Easement to the Board for the sum of One Hundred and No/Dollars (\$100.00), an amount estimated to be the fair market value of the New Distribution Line Easement, and have offered to negotiate the price of the New Distribution Line Easement; and,

**WHEREAS**, the Trustees have offered the New Access Easement to the Board for the sum of One Hundred and No/Dollars (\$100.00), an amount estimated to be the fair market value of the New Access Easement, and have offered to negotiate the price of the New Access Easement; and,

**WHEREAS**, the Board has no interest in acquiring either the New Distribution Line Easement or the New Access Easement, desires to waive any rights it may have to purchase the New Distribution Line Easement and the New Access Easement, and adopts this resolution to do so.

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

**Section 1.** The provisions of the foregoing Whereas paragraphs are incorporated herein by reference and adopted by the Board.

**Section 2.** The Board has been offered the New Distribution Line Easement by the Trustees at a fair market price pursuant to N.C. Gen. Stat. § 115C-518.

**Section 3.** The Board has been offered the New Access Easement by the Trustees at a fair market price pursuant to N.C. Gen. Stat. § 115C-518.

**Section 4.** The Board declines to purchase the New Distribution Line Easement or the New Access Easement offered to it pursuant to N.C. Gen. Stat. § 115C-518 and hereby waives any rights it may have to purchase the New Distribution Line Easement or the New Access Easement.

**Section 5.** This resolution shall be effective as of 12:01 A.M. February 5, 2001.

### **COUNTY MANAGER'S REPORT**

Assistant County Manager, George Sawyer, presented a request by CRSWMA for adoption of the following resolution of support for change in fuel tax refund legislation. Commissioner Phillips moved to adopt the resolution, seconded by Commissioner Talton and unanimously carried.

#### **Resolution Supporting Request By The Coastal Regional Solid Waste Management Authority For Motor Fuel Tax Refund Eligibility**

**WHEREAS**, the Coastal Regional Solid Waste Management Authority was created in 1990 by Craven, Carteret and Pamlico Counties to manage solid waste disposal for the three counties, and

**WHEREAS**, the Coastal Regional Solid Waste Management Authority is a unit of local government, subject to all laws relating to local governments, eligible for refund of sales taxes, eligible for participation in the Local Government Retirement System and in many other ways recognized as a unit of local government by the State of North Carolina, and

**WHEREAS**, N.C. Gen. Statute 105-466-106 lists those entities eligible for refunds of state motor fuel taxes, and

**WHEREAS,** at the time the Coastal Regional Solid Waste Management Authority was created, each County was eligible to receive motor fuel tax refunds as allowed by N.C. General Statute 105-466.106 for motor fuels used by highway vehicles performing services for the benefit of the county government, and

**WHEREAS,** regional solid waste management authorities are not among those entities listed in N.C. General Statute 105-466.106 as eligible for state motor fuel tax refunds, and

**WHEREAS,** the Coastal Regional Solid Waste Management Authority was created by three counties to collectively perform services previously provided by each member county, and

**WHEREAS,** the ability to receive state motor fuel tax refunds would allow the Coastal Regional Solid Waste Management Authority to provide its services to the citizens of Craven Carteret and Pamlico counties more efficiently,

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

1. That the Craven County Board of Commissioners hereby supports the efforts of the Coastal Regional Solid Waste Management Authority to amend the North Carolina General Statutes to allow regional solid waste management authorities to receive refunds of state motor fuels taxes in the same manner as county governments.
2. That a copy of this resolution be provided to the Coastal Regional Solid Waste Management Authority for the purpose of documenting Craven County’s support of this legislation to its representatives in the N.C. General Assembly.

**COMMISSIONERS’ REPORTS**

*Commissioner Toon* indicated that he has had much opposition to the proposed Junked Motor Vehicle Ordinance in his district.

*Commissioner Talton* requested that the library employees be included in the County’s position classification study since the County funds the libraries. County Manager, Harold Blizzard, responded that the study is already underway; however, the consultant who is conducting it is willing to do a separate study for the library. He added that the library is not likely to have the funds in the projected amount of \$3,000 to accomplish this, therefore the Board would need to appropriate funds for such a study. Commissioner Talton moved to appropriate \$3,000 from fund balance to conduct a position classification study for the four libraries in Craven County, seconded by Commissioner Sampson and unanimously carried in a roll call vote.

***Library***

<b>REVENUES</b>	<b>AMOUNT</b>	<b>EXPENDITURES</b>	<b>AMOUNT</b>
101-0000-399.01-00 Fund Balance	\$ 3,000.00	101-8149-460-40.44 Classification Study for Library	\$ 3,000.00
<b>TOTAL</b>	<b>\$ 3,000.00</b>	<b>TOTAL</b>	<b>\$ 3,000.00</b>

**Justification:** To appropriate \$3,000 from fund balance for job classification study @ library.

*Commissioner Phillips* reported on field exercises that he attended at Camp Lejuene, and stated that he would defer a full report until the Board’s next meeting.

*Commissioner Sampson* commented on the City of New Bern's strategic plan for Duffy Field.

At 8:00 p.m. Commissioner Talton moved to go into closed session pursuant to NCGS 143-318 (11)(a)(3), (4), and (5) for the purpose of consulting with Attorney regarding acquisition of property and discussion of an industrial prospect, relative to Cargo Lifter.

At 9:30 p.m. Commissioner Toon moved to return to regular session, seconded by Commissioner Talton and unanimously carried.

County Attorney, Jim Sugg, reported in open session that no action was taken in closed session, but discussion was held relative to the status of the Cargo Lifter project, the Craven-Jones Joint Development Agency, and land acquisition. Consensus was reached as to the negotiating position for the remaining parcels to be acquired.

Commissioner Talton sought consensus that a bill be requested allowing members of the Craven Regional Medical Authority Board of Commissioners reasonable remuneration, up to \$400, which could only be changed by the Board of County Commissioners. This request was taken under advisement by the other members of the Board of Commissioners.

At 9:40 p.m. Commissioner Toon moved to adjourn, seconded by Commissioner Talton and unanimously carried.

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

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Gwendolyn M. Bryan, Clerk  
Board of Commissioners