

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, AUGUST 20, 2001. THE MEETING CONVENED AT 8:30 A.M.

MEMBERS PRESENT:

Chairman C.W. "Pete" Bland
 Vice-Chairman Johnnie Sampson, Jr.
 Commissioner Lee Kyle Allen
 Commissioner Donald 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
 Gwendolyn M. Bryan, Clerk to the Board
 James R. Sugg, County Attorney

Following an invocation by Commissioner Sampson and the Pledge of Allegiance, Commissioner Talton moved to approve minutes of August 6, 2001, seconded by Commissioner Sampson and unanimously carried.

CONSENT AGENDA

Budget Amendments

Craven County Finance Officer, Rick Hemphill, submitted the following budget amendments for the Board's consideration. Commissioner Talton moved for their approval, seconded by Commissioner Phillips and unanimously carried in a roll call vote.

E911

REVENUES	AMOUNT	EXPENDITURES	AMOUNT
221-0000-399-01-00 Fund Balance	\$ 81,576.00	221-2501-410-40-53 Contr. Services, Interact	\$ 81,576.00
TOTAL	\$ 81,576.00	TOTAL	\$ 81,576.00

Justification: Due to an adjustment between Craven County, Havelock and New Bern's PSAP's and clarification of GIS/E911 system maintenance, these monies will be needed to pay these maintenance charges for the period of adjustment and for the remainder of the year.

Health/KB Reynolds-HIV/STD

101-6304-348-17-00 KB Reynolds	\$(20,220.00)	101-6304-440.10-02 Salaries/Full Time	\$(2,287.00)
101-6304-399-20-00 Fund Balance	\$ 5,437.00	101-6304-440.10-03 Salaries/Merit	\$(6.00)
		101-6304-440.11-01 Benefits/FICA	\$(176.00)
		101-6304-440.11-02 Benefits/Retirement	\$(112.00)
		101-6304-440.11-03	\$(69.00)

		Benefits/401k	
		101-6304-440.11-04	\$(4.00)
		Benefits/Workers Com	
		101-6304-440.11-06	\$(96.00)
		Benefits/Health Ins.	
		101-6304-440.11-07	\$(7.00)
		Benefits/Dental Ins.	
		101-6304-440.11-09	\$(1.00)
		Benefits/Disability Ins.	
		101-6304-440.25-0	\$(3,253.00)
		Health/Travel Training Exp	
		101-6304-440.32-40	\$(8,772.00)
		Supplies/Other Supplies	
TOTAL	\$(14,783.00)	TOTAL	\$(14,783.00)

Justification: Kate B Reynolds funds were over budgeted. This amendment will decrease funding to true fund balance, closing out grant 9-30-01.

Convention Center

101-8201-357-13.00	\$ 5,000.00	101-8201-430-32.21	\$ 5,000.00
Rentable Items		Rentable Items	
TOTAL	\$ 5,000.00	TOTAL	\$ 5,000.00

Justification: Rentable items are pre-purchased or secured by the Convention Center and then charged to the client at a profit.

Fund Balance

101-00-304-00-0	\$(444,103.00)
Inventory Tax	
101-00-399-01-0	\$ 308,103.00
Fund Balance	
101-00-399-01-0	\$ 136,000.00
Fund Balance	
TOTAL	\$ 0.00

Justification: Inventory Tax is now a FY 2001 revenue (State letter dated 8-9-01 from Vance Holloman). This results in the change in the use of fund balance versus an actual revenue received.

General

101-0000-304.00-00	\$444,103.00	Special Appropriations	\$136,000.00
Inv. Tax			
101-00-399.01-0	\$(308,103.00)		
TOTAL	\$136,000.00	TOTAL	\$136,000.00

Justification: To budget Inventory Tax reimbursement money received 7/12/01 (from FY 01) which were withheld by governor and special appropriation made.

Commissioners

101-0000-399-01-00	\$ 2,000.00	101-0101-400-33-00	\$ 2,000.00
Fund Balance		Misc Exp	
TOTAL	\$ 2,000.00	TOTAL	\$ 2,000.00

Justification: Budget fund balance to cover a portion of the cost of removing the tugboat from Scott's Creek.

Special Appropriation

101-0000-399.01-00	\$ 40,000.00	101-0190-400-96-68	\$ 40,000.00
Fund Balance		Jones/Pamlico Craven Transportation Committee	
TOTAL	\$ 40,000.00	TOTAL	\$ 40,000.00

Justification: To appropriate \$40,000 from fund balance to Transportation committee to employ consultant to track highway projects in County.

Tax Releases

Craven County Tax Administrator, Ronnie Antry, submitted a request for approval of the following tax releases. Commissioner Talton moved for their approval, seconded by Commissioner Phillips and unanimously carried in a roll call vote.

TAXPAYER NAME	TICKET #	AMOUNT
CLIFFORD, TERRY ALLEN MILITARY-MOBILE HOME LOCATED ON BASE	2000-0009479	\$ 25.08
CLIFFORD, TERRY ALLEN MILITARY-MOBILE HOME LOCATED ON BASE	2001-0009599	\$ 249.89
FUTH, STEPHEN BARRY INCORRECT SITUS ON BOAT REBILLING IN RIVER BEND	2001-0017743	\$ 195.21
HAND, WILLIAM L III AIRCRAFT BILLED IN ERROR	2001-0090105	\$2,748.06
HARRISON, VICKIE K MOBILE HOME DOUBLE LISTED W/0020752	1995-0019424	\$ 236.54
HEADEN, WALKER BOAT NOT LOCATED IN CRAVEN CO FOR 2001	2001-0022694	\$ 280.90
HESSELMAN, JAN BOAT NOT IN CRAVEN COUNTY FOR 2001	2001-0023209	\$ 289.05
JOHNSON, OGDEN H & MANDI B DOUBLE LISTED WITH SAME ACCT NUMBER	2001-0090110	\$2,023.50
KOPS, RANDY BOAT NOT IN CRAVEN CO FOR 2001	2001-0028539	\$ 129.79
MAIRS, JAS BOAT SOLD IN 2000	2001-0031210	\$ 21.84
MCEWAN, KIRK INCORRECT SITUS SHOULD BE 2/2 REBILLED ON SUPPLEMENT	2001-0032936	\$ 132.77
MORRIS, KENNETH E JR BOAT HAS NO TAX SITUS IN CRAVEN COUNTY	2001-0090116	\$1,386.73

NORTH CAROLIAN RAILROAD COM EXEMPT-STATE ASSESSED PUBLIC SERVICE CO	2001-0037148	\$ 135.00
PRIESTER, ROGER H SR. SOLD BOAT PRIOR 1-1-01	2001-0040032	\$ 8.74
WALKER, CLINTON A SOLD MOBILE HOME 3-99	2000-0050494	\$ 28.42
WALSTON, BEATRICE SOLD MOBILE HOME TO DON ADAMS	2001-0051088	\$ 45.77
WARZYNSKI, TIMOTHY G SOLD MOIBLE HOME IN 2000	2001-0051457	\$ 83.61
WHISNANT, FRANK BOAT NOT IN CRAVEN CO 1-1-01	2001-0052902	\$ 380.59
TOTAL	18 – CREDIT MEMO(S)	\$ 8,401.49

Request to Set Public Hearing for Local Law Enforcement Block Grant

The Board received a request from the Sheriff’s Department to set a public hearing for September 4, 2001 at 8:30 p.m. to receive public input on Craven County’s application for a Local Law Enforcement Block Grant. Commissioner Talton moved to set the public hearing, as requested, seconded by Commissioner Phillips and unanimously carried in a roll call vote.

APPOINTMENTS

Local Emergency Planning Committee

The Board received a letter of resignation from Ms. Susan Rossi, who represents Jenkins Gas, on the Local Emergency Planning Committee, with a recommendation that Mr. John Haskins be appointed in her place. Commissioner Sampson nominated Mr. Haskins. Commissioner Toon moved to close nominations, seconded by Commissioner Phillips and unanimously carried, with Mr. Haskins being appointed by acclamation.

Upcoming Appointments

The Board received notification of appointments upcoming in September on the APES Regional Council, the Coastal Resources Advisory Committee, and the Fireman’s Relief Fund Board of Trustees. Consideration of these appointments was deferred until the Board’s next meeting.

COUNTY MANAGER’S REPORT

Update on Procedure for Changing Hunting Laws

County Manager, Harold Blizzard, reported on the process involved in seeking a prohibition against hunting from or across roadsides in specified areas, in response to Commissioner Phillips request in the Board’s last meeting. He advised the Board that the established procedure is for citizens who are interested in proposing the rule submit a written petition which is then verified by the County Planning Department. The Board may then adopt a resolution requesting Craven County’s legislative delegation to introduce a local bill. It was the consensus of the Board that Commissioner Phillips advise the inquiring citizen to circulate a petition to present to the Board.

Craven Jones Pamlico Transportation Committee request for Resolution

Mr. Blizzard presented on behalf of the Craven Jones Pamlico Transportation Committee, the following resolution. Commissioner Talton moved for its approval, seconded by Commissioner Sampson and unanimously carried.

**RESOLUTION OF THE
CRAVEN COUNTY BOARD OF COMMISSIONERS**

WHEREAS, a proposed industrial expansion has been cultivated by Craven County; and,

WHEREAS, the attractiveness of this proposed project has drawn the attention of industrial developers from other states, who have offered multi-million dollar incentives to locate it in their states; and,

WHEREAS, immediate access from Bosch Boulevard to US Highway 70 and US Highway 17 is necessary in order for the prospect to locate the new project in North Carolina.

NOW, THEREFORE, be it resolved by the Craven County Board of Commissioners that the Secretary and Board of the North Carolina Department of Transportation be requested to immediately commit to commence construction of the extension of Bosch Boulevard from its present location to US Highway 17 by the year 2005 in order to support the proposed project and related satellite industrial development.

COMMISSIONERS' REPORTS

Commissioner Phillips reported on a meeting with the City of New Bern concerning the enlargement of the 4 inch sewer pipe to 6 inches to serve the West Craven Middle School. He stated that a rough estimate of \$70,000 for installation had been presented and the city expressed willingness to fund approximately \$20,000 of that amount. Subsequently, an alternative was posed whereby the County would pay for the line and the city would allow for sharing revenue until the County's investment has been recouped. In addition, he stated that the estimate had increased to \$170,000-\$200,000, reflecting addition of a lift station and other incidentals. A December 31, 2001 grant application deadline necessitates a decision on this project fairly soon. The County Manager was directed to proceed with discussion of details with the City and engineering firm, as well as the possibility of the participation of a mobile home park in that area.

Commissioner Sampson commended the County Administration and Convention Center Administration for the successful first year of operation of the New Bern Riverfront Convention Center.

Commissioner Bland reported that the last of the tugboats and barges have been removed from the Trent River and Scott's Creek.

At 8:56 a.m. the Chairman declared a recess after having given the following instructions for the upcoming public hearing: 1) speakers state their name and where they live; 2) speakers limit themselves to three minutes. 3) proponents of the sign ordinance speak first.

**PUBLIC HEARING ON PROPOSED OUTDOOR SIGN CONTROL
ORDINANCE**

At 9:02 a.m. the Board reconvened. Commissioner Allen moved to go into public hearing on the proposed Outdoor Sign Control Ordinance, as advertised. The following citizens spoke in support of the proposed sign ordinance.

1. *Mr. Jerry Hobbins*, 229 New Street, stated that the ordinance has no defects and expressed full support of it.
2. *Mr. Jeff Moore*, 2452 Gary's Lane, supported the ordinance with a few suggestions, as follows: that the issues addressed by the ordinance be imposed countywide, that the spacing requirement be increased from 1000 feet to 1500 feet, that there be a ban on new signs in the 70 East Corridor, and that there be a provision for determining which signs will be nonconforming relative to spacing.
3. *Mr. Mike Avery*, 1900 Pinetree Drive, commended the County Attorney for work on the ordinance and expressed full support.
4. *Mr. Bill Ritchie*, 324 Plantation Drive, expressed the desire to apply the ordinance to the Highway 17 Corridor also.

The following citizens spoke in opposition to the ordinance:

1. *Mr. Bill Harper*, 4625 Old Cherry Point Road, stated that the traveling and touring public need prominent signs to be aware of locations of facilities.
2. *Mr. Donald Willis*, Cove City, owns a business in James City and stated that signage is vital to his business.
3. *Mr. George Durham*, 1811 Spencer Ave., stated interest in two (2) businesses in the affected corridor and expressed the opinion that the regulation, as written, would hurt tourism, as opposed to helping. He stated that the signage is needed to attract travelers in route to and from Carteret County.
4. *Ms. Sandra Haddock-Toler*, owner of a business property on Highway 70 E., stated that the signage is vital to the business success.
5. *Mr. Shawn Burke*, resident of Beaufort, representing Mallard Oil Company.
6. *Mr. Ralph Harper*, 2605 Alabama Ave
7. *Ms. Dineen Wright*, 109 HollyBerry Road, stated that the ordinance would be expensive to regulate and very difficult to enforce.
8. *Mr. Avery Whitley* of Stately Pines, stated that businesses need to be identified in order to survive and objected to the segregation of one section of the County to be regulated.
9. *Mr. Jimmy Allen*, Highway 70 E., representing Harley Davidson Dealership, stated that signage is valuable to his business. He stated that during a 2 ½ month period when his sign was taken down, his business decreased by 50%.
10. *Mr. William Cleave* of M & W Signs, Jones County, stated that the County receives significant revenue from signs and stated that there are examples of good ordinances for regulating signage; however, he sees flaws in this one.
11. *Mr. Bob Strickland* of Sanford, North Carolina, representing the Nissan Hyundai Dealership on Highway 70 E., stated that he was not opposed to sign regulations, per se, and was not necessarily opposed to this one; however, because of the sign moratorium he had been unable to erect signage indicating that his new dealership is open for business.

There being no additional members of the public who wished to speak, Commissioner Phillips moved to close the public hearing at 9:40 a.m., seconded by Commissioner Sampson and unanimously carried. There was discussion of the ordinance and the Board

considered its passage. Commissioner Toon moved to table action on the ordinance, seconded by Commissioner Phillips. During discussion, Commissioner Allen stated that he had conferred with businesses during the course of the moratorium and stated that tabling the matter further would hurt people who have been stopped by the moratorium. He proposed giving some relief to those people. Commissioner Tyson indicated that he would be agreeable to trying to redraft the ordinance to incorporate the input from the citizens. Commissioner Talton expressed the need to act on the ordinance because of the nine month period that signage activity has already been suspended in the affected area. Commissioner Sampson stated that he was in favor of tabling action on the ordinance. Commissioner Bland, having designated the Clerk to the Board to preside in order for him to enter the debate, stated that he had been strongly opposed to the ordinance from the beginning, and that it had been proposed by the City of New Bern. An amendment to the original motion was presented by Commissioner Bland that the ordinance be abandoned. Commissioner Toon seconded the amendment, which carried with five (5) "Ayes", there being two (2) "Nays" from Commissioners Phillips and Tyson. During the discussion of the amended motion, Commissioner Allen stated that his position had been that the City of New Bern could exercise its extraterritorial jurisdiction over the Highway 70 E. corridor. The City could then regulate signs in the Highway 70 East area immediately across the river.

Commissioner Talton moved to allow Mr. Troy Smith, representing the Craven Pamlico Jones Transportation Committee to address the Board. The motion was seconded by Commissioner Sampson and unanimously carried. Mr. Smith requested on behalf of the Committee that the Board approve an allocation of \$40,000 as a contribution toward the hiring of a Transportation Consultant. The total cost would be \$50,000, with Jones and Pamlico Counties contributing \$5,000 each. He explained that important projects in this transportation region are stalled because of regulatory concerns. The Committee has determined that a knowledgeable advocate is needed to track these projects and to press for their conclusion. Commissioner Toon moved to appropriate \$40,000 from fund balance to fund this request. The motion was seconded by Commissioner Talton and unanimously carried in a roll call vote. Commissioner Tyson inquired if this would be an annual appropriation. Mr. Smith responded that the consultant would not be hired on a full time basis, but would be targeted for special projects; however, he indicated that future needs could necessitate another request.

PUBLIC HEARING ON SCHOOL BOND ORDER

At 10:15 a.m. Commissioner Toon moved to go into public hearing concerning the \$28 million school bond order, as advertised, seconded by Commissioner Sampson and unanimously carried. The following citizens spoke, expressing reservations concerning the bond in its current form.

1. *Mr. Bill Ritchie*, 324 Plantation Drive
2. *Mr. Joe Karachi*, 613 West Wilson Creek Drive
3. *Mr. Oscar Kafer*, 604 Pollock Street
4. *Mr. Jim Livingston*, 103 Howell Road
5. *Ms. Becky Kafer*, 3412 Camelot Drive

These citizens expressed support for portions of the bond, but had concerns about some of the proposed usage of funds, funding priorities and/or location of projects.

The following citizens spoke in favor of the bond:

1. *Ms. Anetta Davenport*, Principal, Havelock Elementary School
2. *Mr. Chris Thornton*, 2530 Temples Point Road
3. *Mr. Donald Leatherman*, Principal, Havelock High School
4. *Ms. Judy Fussell*, 107 Webster Lane, Vanceboro
5. *Ms. Donna Wind*, Fairfield Harbour
6. *Mr. David Clifton*, Craven County Assistant Superintendent of Schools
7. *Mr. Paul Wortman*, Bridgeton

8. *Ms. Linda Thomas, Vice-Chair, Craven County Board of Education*

At 11:28 a.m., there being no additional citizens who wished to address the issue, Commissioner Sampson moved to close the public hearing, seconded by Commissioner Toon and unanimously carried. The Board considered the bond order and Commissioner Allen moved for its adoption, seconded by Commissioner Sampson and unanimously carried. Commissioner Toon moved to direct that the notice of election, as follows, be published, seconded by Commissioner Sampson and unanimously carried.

**RESOLUTION CALLING FOR ELECTION ON NOVEMBER 6, 2001 TO VOTE
ON \$28 MILLION SCHOOL BOND**

BE IT RESOLVED by the Craven County Board of Commissioners that the Craven County Board of Elections be requested to prepare for and hold a County-wide election on November 6, 2001 for the purpose of providing the voters of Craven County with the opportunity of voting upon the passage of the \$28 million bond issue for the purpose of school construction and maintenance in Craven County. Said election shall be held on November 6, 2001 in all precincts of Craven County.

**“BOND ORDER AUTHORIZING THE ISSUANCE OF \$28,000,000 SCHOOL
BONDS OF THE COUNTY OF CRAVEN”**

WHEREAS, the Board of Commissioners of the County of Craven has received and considered a resolution from the Craven County Board of Education including a request that the Board of Commissioners provide and improve school facilities in Craven County; and

WHEREAS, the Board of Commissioners of Craven County deems it advisable to make the improvements hereinafter described; and

WHEREAS, the Board of Commissioners has caused to be filed with the Secretary of the Local Government Commission of North Carolina an application for Commission approval of the bonds hereinafter described as required by The Local Government Finance Act, and the Secretary of the Local Government Commission has notified the Board of Commissioners that the application has been filed and accepted for submission to the Local Government Commission; **NOW, THEREFORE**,

BE IT ORDERED by the Board of Commissioners of the County of Craven, as follows:

Section 1. The Board of Commissioners of the County of Craven has ascertained and hereby determines that it is necessary to provide and improve school facilities in the County, including construction of elementary schools and improvement and renovation of existing schools, and including acquisition and installation of furnishings and equipment and acquisition of land or rights-in-land required therefor, and to pay capital costs of such improvements.

Section 2. In order to raise money required to pay capital costs of providing and improving school facilities as set forth above, in addition to any funds which may be made available for such purpose from any other sources, bonds of the county of Craven are hereby authorized and shall be issued pursuant to The Local Government Finance Act of North Carolina. The maximum aggregate principal amount of said bonds authorized by this bond order shall be \$28,000,000.

Section 3. A tax sufficient to pay the principal of and interest on said bonds when due shall be annually levied and collected.

Section 4. A sworn statement of the County’s debt has been filed with the Clerk of the Board of Commissioners and is open to public inspection.

Section 5. This bond order shall take effect when approved by the voters of the County at a referendum.

WHEREAS, the bond order entitled, “BOND ORDER AUTHORIZING THE ISSUANCE OF \$28,000,000 SCHOOL BONDS OF THE COUNTY OF CRAVEN”, has been introduced at the meeting of the Board of Commissioners held on August 6, 2001 and the board desires to provide for the holding of a public hearing thereon and the submission of a statement of debt in connection therewith as required by The Local Government Bond Act; **NOW, THEREFORE**,

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

(1) The public hearing upon said bond order shall be held on the 20th day of August, 2001 at 9:30 o'clock, A.M., in the Commissioners' Meeting Room on the second floor of the County Administration Building, 406 Craven Street, in New Bern, North Carolina.

(2) The Clerk of the Board of Commissioners is hereby directed to cause a copy of the bond order to be published with a notice of such hearing in the form prescribed by law in a qualified newspaper no fewer than six days prior to such public hearing.

(3) The County's Finance Officer is hereby directed to file with the Clerk of the Board of Commissioners prior to publication of the bond order with the notice of such public hearing, a statement setting forth the debt incurred or to be incurred, the assessed value of property subject to taxation by the County and the net debt of the County.

County Attorney, Jim Sugg, advised the Board that the moratorium on signage and the Highway 70 East Corridor is still in effect until September 19th. Commissioner Toon moved to rescind the moratorium immediately, seconded by Commissioner Sampson and unanimously carried. Commissioner Toon moved to instruct staff that no further effort be spent on drafting a sign ordinance, seconded by Commissioner Sampson and unanimously carried.

At 12:00 noon Commissioner Phillips moved to adjourn, seconded by Commissioner Sampson and unanimously carried.

Chairman C.W. “Pete” Bland
Craven County Board of Commissioners

Gwendolyn M. Bryan
Clerk to the Board