

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, DECEMBER 3, 2001. THE MEETING CONVENED AT 7:00 P.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 Phillips moved to approve minutes of the November 19, 2001 regular session and the November 28, 2001 reconvened session, seconded by Commissioner Toon and unanimously carried.

REORGANIZATION OF THE BOARD

Craven County Attorney, Jim Sugg, presided over the election of a Chairman and opened the floor for nominations. Commissioner Phillips nominated Commissioner Tyson. Commissioner Toon nominated Commissioner Bland. Commissioner Toon moved to close nominations, seconded by Commissioner Bland and unanimously carried. In a roll call vote Commissioner Tyson received three (3) votes from Commissioners Allen, Phillips, and Tyson, there being four (4) votes for Commissioner Bland from Commissioners Talton, Toon, Sampson, and Bland.

The Chairman opened the floor for nominees to the position of Vice Chairman. Commissioner Toon nominated Commissioner Sampson. Commissioner Phillips nominated Commissioner Allen. Commissioner Toon moved to close nominations, seconded by Commissioner Talton and unanimously carried. In a roll call vote Commissioner Sampson received four (4) votes from Commissioners Talton, Toon, Sampson, and Bland, there being three (3) votes for Commissioner Allen from Commissioners Allen, Phillips, and Tyson.

CONSENT AGENDA

Tax Releases and Refunds

Craven County Tax Administrator, Ronnie Antry, submitted the following routine requests for tax releases and refunds, which were approved by motion of Commissioner Allen, seconded by Commissioner Talton and unanimously carried in a roll call vote.

Credits

TAXPAYER NAME	TICKET #	AMOUNT
CAUSEY, WAYNE D & CATHERINE D CORRECTED APPRAISAL OF TOBACCO ALLOTMENT	2001-0008407	\$ 64.69

CLIFTON, DAVID W & LINDA O REBILLED ON SUPPLEMENT IN CORRECT TOWNSHIP	2001-0009604	\$ 43.57
FAIRFIELD HARBOUR PROPERTY OWN APPRAISED AT NOMINAL VALUE PER STATUTE	2001-0015701	\$ 9.45
FRISBY, ERIC RAY DID NOT OWN ON 1-1-2001	2001-0091209	\$ 126.36
GULLEDGE, SARAH A MOBILE HOME SOLD IN 1997	2001-0020470	\$ 43.55
GULLEDGE, SARAH A MOBILE HOME SOLD IN 1997	2000-0020307	\$ 38.95
GULLEDGE, SARAH A MOBILE HOME SOLD IN 1997	1999-0019718	\$ 42.83
GULLEDGE, SARAH A MOBILE HOME SOLD IN 1997	1998-0018820	\$ 47.05
JOHNSON, AMOS JR DOUBLE LISTED WITH 1-036-014.1	2001-0090501	\$ 177.68
LAFAVE, SANDRA WHITE CORRECTED APPRAISAL OF GARAGE	2001-0028824	\$ 66.07
MCADEN, RUFUS YANCEY REBILLED ON SUPPLEMENT	2001-0032285	\$ 33.90
MINGES, FOREST E JR CORRECTED ACREAGE AND APPRAISAL	2001-0034293	\$ 317.48
MOORE, MACK J DID NOT OWN ON 1-1-2001	2001-0035046	\$ 174.72
RIGGS, EARL VICTOR JR DID NOT OWN ON 1-1-2001	2001-0041455	\$ 100.41
WAYNE, EVA MAE DID NOT OWN ON 1-1-2000	2000-0051336	\$ 58.37
WAYNE, EVA MAE DID NOT OWN ON 1-1-2001	2001-0051703	\$ 53.33
WILLIAM, HARRISON JUDE REBILLED ON SUPPLEMENT TO CORRECT OWNER	2000-0053655	\$ 131.98
WILLIAMS, JOHN H III DID NOT OWN ON 1-1-2001	2001-0054244	\$ 70.86
WIMBERLY, WILLIAM ALONZO JR DID NOT OWN ON 1-1-2001	2001-0054885	\$ 148.28
WOOTEN, ESTHER DID NOT OWN ON 1-1-2001	2001-0055344	\$ 57.32

20 – CREDIT MEMO (S) \$1,806.85

APPOINTMENTS

Board of Health

The Board received a request from the Craven County Board of Health for appointments to the expiring terms of Gene Bowling, an engineer, Melinda Warren, a dentist, and David Baxter, an optometrist on the Health Board. Dr. Warren and Mr. Bowling were eligible for reappointment and were nominated for reappointment by Commissioner Allen. Commissioner Talton moved to close nominations, seconded by Commissioner Sampson and unanimously carried, with Mr. Bowling and Dr. Warren being reappointed by acclamation. An appointment to replace Dr. Baxter, who is ineligible to serve another term, was deferred until the Board's next meeting.

Commissioners' Appointments

The appointments of Commissioners to boards and committees was deferred until the Board's next meeting; however, the Chairman asked all members of the Board to consider remaining on those boards and committees upon which they currently serve.

Havelock Library Board

The Board considered the expiring terms of Fran Batista and Lossie Carter. Commissioner Allen nominated Ms. Batista and Ms. Carter for reappointment. Commissioner Toon moved to close nominations, seconded by Commissioner Phillips and unanimously carried, with Ms. Batista and Ms. Carter being reappointed by acclamation.

FINANCE MATTERS

Craven County Finance Officer, Rick Hemphill, requested that the Board consider adopting a resolution to participate in the State's debt set-off program. The program will allow for collection of monies owed to Craven County through deductions from North Carolina individual income tax refunds. He stated that the program could help in collecting amounts owed to the Tax, Health, Water and Sewer, and EMS Departments; however, he added that the Board would determine which departments would be included as part of the collection effort. Mr. Hemphill advised the Board that any delinquent accounts must be at least sixty (60) days past due and the amounts must be greater than \$50. He indicated that a disputed debt could be appealed within a thirty (30) day window of opportunity. Commissioner Tyson moved to adopt the resolution for participation in the debt set-off program, and to appoint the position of Chairman of the Board of Commissioners as the designee to preside over appeal hearings. Commissioner Allen seconded the motion, which carried unanimously.

NC LOCAL GOVERNMENT DEBT SETOFF PROGRAM

WHEREAS, NCGS Chapter 105A, Setoff Debt Collection Act, authorizes the North Carolina Department of Revenue to cooperate in identifying debtors who owe money to local governments and who qualify for refunds from the Department of Revenue; and

WHEREAS, the law authorizes the setting off of certain debts owed to local governments against tax refunds; and

WHEREAS, the North Carolina Association of County Commissioners and the North Carolina League of Municipalities have jointly established a clearinghouse to submit debts on behalf of Craven County as provided by law;

NOW, THEREFORE, BE IT RESOLVED by the Craven County Board of Commissioners that the County will participate in the debt setoff program and hereby designates the Chairman of the Board of Commissioners as the person to hold hearings and conduct necessary proceedings.

The Chair and the County Manager are hereby authorized to execute such documents and agreements as necessary to participate in the debt setoff program.

Adopted by the Craven County Board of Commissioners on the 3rd day of December, 2001.

COUNTY MANAGER'S REPORT

Disposition of Wrecked Vehicle

Assistant County Manager, George Sawyer, reported to the Board that a 1996 Ford Thunderbird in use by the Sheriff's Department was wrecked and requested that the Board accept the insurance company's offer in the amount of \$7,150 for the vehicle. Commissioner Sampson moved to sign over title to the 1996 Ford Thunderbird, VIN #1FALP62W5TH119140, to the insurance company for settlement in the amount of \$7,150. The motion was seconded by Commissioner Talton and unanimously carried.

West Craven Middle School Sewer Line

County Manager, Harold Blizzard, presented correspondence from the Craven County Board of Education concerning the project being jointly funded by Craven County, the Board of Education, and the Clean Water Management Trust Fund, for a new wastewater pump station and forcemain to connect the existing West Craven Middle School complex to the City of New Bern's municipal sewer system. Discussions were held regarding the possibility of upsizing the pump station and forcemain to provide the County with additional capacity for future sewer service expansions along the route. The estimate for increasing the capacity was reported to be an additional \$77,720 above the initial amount of \$146,250 committed by the County to this project. The County was asked to pay the entire differential in the amount of \$77,720 in order to increase the capacity. Commissioner Sampson moved to add \$77,720 from fund balance to the project to upsize the lines and provide for future capacity, bringing the total commitment of the County to \$223,970. The motion was seconded by Commissioner Toon, but withdrawn after discussion. Commissioner Sampson maintained that the County should take advantage of an opportunity to increase capacity in that area for future needs. The majority of the Board, however, felt that upsizing the line belonging to the city would not necessarily guarantee the future access of residents. The city will control the line. It was the consensus of the Board to limit its financial participation in the project to the original commitment of \$146,250.

Forbes Supplement Opportunity

The Board continued its discussion concerning the opportunity to advertise in the March 2002 issue of Forbes Magazine supplement, featuring eastern North Carolina. Commissioner Tyson moved to commit one-half of the cost of a discounted full-page color ad from Fund Balance in the amount of \$23,540 and to request that Linda Staunch solicit the other half of the cost from interested municipalities and non-profit organizations within Craven County. Commissioner Talton seconded the motion which carried in a roll call vote by six (6) "Ayes", there being one (1) "Nay" from Commissioner Phillips.

At 8:25 p.m. the Chairman declared a recess. The Board reconvened at 8:35 p.m.

PUBLIC HEARING ON CARTS

At 8:35 p.m. Commissioner Talton moved to go into public hearing, as advertised, to receive public comment on Craven County's grant application to the Community Transportation Program. Commissioner Toon seconded the motion, which carried unanimously. There were no members of the public present who wished to speak, and at 8:36 p.m. Commissioner Talton moved to go out of public hearing, seconded by Commissioner Sampson and unanimously carried.

COUNTY ATTORNEY'S REPORT

County Attorney, Jim Sugg, requested that the Board go into closed session pursuant to NCGS 143-318.11(a)(3) and (5) to consult with the Board under the provisions of the attorney-client privilege, and to discuss potential litigation. At 8:37 p.m. Commissioner Talton moved to go into closed session, as requested by the Attorney, seconded by Commissioner Toon and unanimously carried.

At 9:35 p.m. the Board was declared back in regular session, following a motion by Commissioner Talton, seconded by Commissioner Sampson. The County Attorney reported that the Board went into closed session to discuss the electrical contractor for the Convention Center and the Attorney received direction from the Board. There was also discussion of a property transaction but no action taken.

At 9:40 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