

**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, JULY 1, 2002. 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  
Ray H. Moser, Human Resources Director  
Richard F. Hemphill, County Finance Officer  
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 June 17, 2002 regular session and the June 18<sup>th</sup> and June 25<sup>th</sup> reconvened sessions, seconded by Commissioner Talton. During discussion, Commissioner Allen requested correction to the minutes of the June 25<sup>th</sup> reconvened session stating that he had agreed to the reconvened meeting on that date at 3:00 p.m. When polled about a change in the time from 3:00 p.m. to 11:00 a.m., he stated that he could not change the time because he was committed to vacation bible school at 11:00 a.m. He inquired as to why the time of the meeting was changed. Commissioner Talton stated that he had advised the Chairman that he had a previous hospital appointment at the time the meeting was originally scheduled. Commissioner Allen asked if the meeting was changed because Commissioner Talton could not be there and why the meeting was changed knowing that he (Commissioner Allen) could not be present at the rescheduled time. The Chairman stated that he weighed the importance of a hospital appointment against vacation bible school and determined the time should be changed. Following discussion, the motion carried with six (6) "Ayes", there being one (1) "Nay" from Commissioner Allen. Commissioner Allen requested that the discussion be made a part of the record.

**CONSENT AGENDA**

*FY 2000 Floyd Crisis Housing Assistance*

A bid opening for the rehabilitation of seven (7) storm-damaged units was held on Thursday, June 27, 2002 at 2:00 p.m. Bids were received from ten contractors: D. Clark & Assoc., United Builders, Chase Home Improvement, Bob Boris, Flash Demolition, Kraftworks, Stephen Davis, Green Beginnings, Terry Clark and J.E. Dillahunt. Award recommendations were made as follows:

<b>Owner</b>	<b>Contractor/Bid Amount</b>	<b>Comments</b>
Velma Cox	Daniel Clark/\$3,645	1 <sup>st</sup> low bidder within range of in-house estimate
Cathy Roberts	Daniel Clark/\$11,255	1 <sup>st</sup> low bidder within range of in-house estimate
Carla Kirkland	Kraftworks/\$13,828	1 <sup>st</sup> low bidder within range of in-house estimate

Gale Jones	Bob Boris/\$25,420	1 <sup>st</sup> low bidder within range of in-house estimate
Edith Murrell	Bob Boris/\$17,050	1 <sup>st</sup> low bidder within range of in-house estimate
Evelyn Jenkins	Daniel Clark/\$5,950	1 <sup>st</sup> low bidder within range of in-house estimate
Margaret Lawrence	JE Dillahunt/\$24,334	3 <sup>rd</sup> low bidder within range of in-house estimate

Recommendations of an award to a third lowest bidder was made in accordance with the County’s Rehabilitation Award Policy, which precludes awards of more projects than can be completed in a 120 day period to a single contractor. Commissioner Talton moved for award of the bids, as recommended, seconded by Commissioner Phillips and unanimously carried in a roll call vote.

*Subdivisions and Mobile Home Parks for Approval*

Craven County Planning Director, Don Baumgardner, submitted the following subdivisions and mobile home parks for the Board’s approval. Commissioner Talton moved for their approval, seconded by Commissioner Phillips and unanimously carried in a roll call vote.

Chad Jeremy and Jennifer Tippett Rouse Div. – Final: The property, owned by Ashby R. Tippett and surveyed by Matrix East, LLC, is located within Twp 9 off of SR 1232 (Asbury Road). The subdivision contains 1 lot on 1.11 acres and is proposed to be served by an individual septic system and community water. The Planning Board reviewed and recommended the subdivision for final approval.

Gold Finch MHP – Final: The property, owned by John and Paula Bertolino and surveyed by Suitt and Associates, is located within Twp 2 off of SR 1600 (Broad Creek Road). The park contains 6 lots on 9.93 acres and is proposed to be served by community water and individual wells. The Planning Board reviewed and recommended the park for final approval.

The Oaks, Phase Five – Final: The property, owned by S&T Land, LLC and surveyed by Robert Davis, is located within Twp 7 off of SR 1113 (Old Cherry Point Rd). The subdivision contains 7 lots on 2.22 acres and is proposed to be served by community water and sewer. The Planning Board reviewed and recommended the subdivision for final approval.

*Tax Releases and Refunds*

Craven County Tax Administrator, Ronnie Antry, submitted the following routine requests for tax releases and refunds for the Board’s approval. Commissioner Talton moved for their approval, seconded by Commissioner Phillips and unanimously carried in a roll call vote.

*Credits*

<b>TAXPAYER NAME</b>	<b>TICKET #</b>	<b>AMOUNT</b>
ALLEN, AVON DOUBLE BILLED ON ACCT #38745	2000-0090629	\$ 48.50
ALLEN, AVON DOUBLE BILLED ON ACCT #38745	2001-0000529	\$ 53.04

BEYAR, PAULA M DOUBLE LISTED ON ACCT #44126	2001-0004115	\$ 54.73
BLACK, LELAND CORRECTED YEAR OF MOIBLE HOME TO 1968	2001-0091693	\$ 33.44
CAROLINA YACHT RESTORATION INC NOT IN BUSINESS ON 1/1/2001	2001-0090234	\$ 12.17
CEROVAC, HEATHER DID NOT OWN 1/1/1999	1999-0008340	\$ 44.72
CEROVAC, HEATHER DID NOT OWN 1/1/2000	2000-0008491	\$ 40.82
CEROVAC, HEATHER DID NOT OWN 1/1/2001	2001-0091171	\$ 53.31
COWARD, SANDRA D DOUBLE LISTED ON ACCT #1518755	2001-0010850	\$ 18.37
CRAIG, MARCIA Y BOAT DISCOVERED BY PAMLICO CO/2001	2001-0011061	\$ 17.86
EVANS, MARIA CAMPOS DOUBLE LISTED ON #32222	2001-0091530	\$ 196.37
FOUR SEASONS TANNING OF NEW BE NOT IN BUSINESS 1/1/2001	2001-0090384	\$ 105.40
GASKINS, JOSEPH EUGENE & SUSAN DID NOT OWN 1/1/2000	2000-0018175	\$ 306.31
GASKINS, JOSEPH EUGENE & SUSAN DID NOT OWN 1/1/2001	2001-0018314	\$ 311.88
GASKINS, KELLY CORRECTED YEAR AND VALUE OF MOBILE HOME	2001-0091716	\$ 43.98
GATLIN, LEONARD O VACANT-PROPERTY NOT LIVABLE	2001-0090407	\$ 32.00
GOETSCH, ROLAND W NOT LOCATED IN CRAVEN CO 1/1/98	1998-0091947	\$ 61.59
GOETSCH, ROLAND W NOT LOCATED IN CRAVEN COUNTY 1/1/99	1999-0018754	\$ 57.39
GOETSCH, ROLAND W NOT LOCATED IN CRAVEN COUNTY 1/1/2000	2000-0019308	\$ 50.78
GOETSCH, ROLAND W NOT LOCATED IN CRAVEN COUNTY 1/1/2001	2001-0019439	\$ 58.59
HARRIS, LEVON LISTED AND PAID ON #3176458	2000-0090688	\$ 65.15
HARRIS, LEVON LISTED AND PAID ON ACCT #3176458	2001-0021975	\$ 59.81

HEIM, FABIOLA C & CANNAS MOBILE HOME BURNED 6/20/00	2001-0022934	\$ 98.10
HILL, SHEILA HORTON NEVER OWNED IN CRAVEN CO – LISTED TO ACCT #41192	2001-0023580	\$ 220.08
HINES, GLADYS LISTED IN PAMLICO COUNTY	2001-0023665	\$ 54.87
ICON RECEIVABLES 1997-A LLC 2001 LISTING MADE IN ERROR	2001-0024976	\$ 451.22
LEE, FRANCES SWMH LISTED AND PAID ON 4347851	2000-0029323	\$ 66.07
LEE, FRANCES SWMH LISTED AND PAID ON #4347851	2001-0091614	\$ 69.35
LEE, FRANCES SWMH LISTED AND PAID ON #4347851	1999-0028508	\$ 73.61
LEE, FRANCES SWMH LISTED AND PAID ON #4347851	1998-0092177	\$ 81.34
MCCAMY, RALPH L & REBECCA W NOT IN CRAVEN CO 1/1/89	1991-0031460	\$ 73.38
MCCAMY, RALPH L & REBECCA W NOT IN CRAVEN CO 1/1/89	1990-0091899	\$ 98.33
MITCHELL, DANIEL E NOT IN BUSINESS 1/1/2001	2001-0090598	\$ 88.60
MOORE, CATHEY DENISE DOUBLE LISTED WITH #43772 & PAID	2001-0034863	\$ 75.02
NICHOLS, RITA THIGPEN & SHANNO DWMH BILLED AS REAL ON #38525	2001-0091276	\$ 357.70
PAIT, JOSEPH DOUBLE LISTED ON ACCT #39624	2000-0037535	\$ 50.03
PERSONAL TOUCH UPHOLSTERY INC BUSINESS NOT IN CRAVEN COUNTY	2001-0090672	\$ 78.29
R & B GRILL NOT IN BUSINESS 1/1/2001	2001-0090703	\$ 59.34
ROMERIZ, SAUNDRA PROPERTY DOUBLE LISTED ON #42911	2001-0091756	\$ 139.70
SPAIN, CHARLES D JR & CAROL J PROPERTY VACANT	2001-0045821	\$ 32.00
TALARICO, CARLO MOVED TO GOLDSBORO PRIOR TO JAN. '02	2001-0047588	\$ 173.59
THOMAS, AMY DID NOT OWN 1/1/2001	2001-0091765	\$ 51.16

VACUFLO DOUBLE BILL WITH EASTERN INSULATION	2001-0090857	\$ 74.78
WHALEY, RONNIE JOE LISTED IN JONES CO. FOR 1999-2000	2001-0091105	\$ 344.01
WIGGINS, JAMES, CARLYLE WIGGINS SWMH LISTED & PAID ON #40790	2001-0091771	\$ 204.79
WILMAR FARM LLC BILLED IN WRONG NAME TO BE REBILLED	2001-0090896	\$ 266.27
WOOLARD, BOBBY L & LINDA B DOUBLE LISTED ON ACCT #46721	2001-0055298	\$ 387.39
	47 – CREDIT MEMO (S)	\$ 5,395.23

*Refunds*

BARNES, LEWIS DANIEL II DOUBLE LISTED WITH ACCT #42912	2001-0002542	\$ 57.32
ELLIS, ALMA FISHER DOUBLE LISTED AS REAL ON #30351	2001-0015053	\$ 132.45
ELLIS, ALMA FISHER DOUBLE LISTED AS REAL ON #30351	2000-0014897	\$ 119.93
ELLIS, ALMA FISHER DOUBLE LISTED AS REAL ON #30351	1999-0014544	\$ 118.42
ELLIS, ALMA FISHER DOUBLE LISTED AS REAL ON #30351	1998-0013899	\$ 109.96
ELLIS, ALMA FISHER DOUBLE LISTED AS REAL ON #30351	1997-0013803	\$ 122.92
MITCHELL, DANIEL E CORRECTED VALUE OF BOAT	201-0091453	\$ 5.28
MITCHELL, DANIEL CORRECTED VALUE OF BOAT	2001-0091268	\$ 5.28
	8 – REFUNDS	\$ 671.56

*Garage Lease*

Mr. Coy Fulcher has submitted for approval the new Craven County garage facility lease for the term beginning July 1, 2002 through June 30, 2003. With the rise of insurance, property value, and taxes, as of July 2002 the lease for the garage will increase \$200 per month, with no more increases for the next five years, until the year 2007. This is the first increase since 1993. Commissioner Talton moved for approval of the lease, as submitted, seconded by Commissioner Phillips and unanimously carried in a roll call vote.

*Parking Lot Lease*

A new parking lot lease agreement between the Sudan Temple and Craven County was presented for the Board's approval. This agreement, which begins on July 1, 2002 and

extends through June 30, 2003 reflects no change from the current terms. Commissioner Talton moved for approval of the lease, as submitted, seconded by Commissioner Phillips and unanimously carried in a roll call vote.

**MEMORANDUM OF UNDERSTANDING FOR RURAL TRANSPORTATION  
PLANNING ORGANIZATION**

Joe McKinney, Executive Director of the Eastern Carolina Council of Governments, presented a proposed Memorandum of Understanding creating the Down East Rural Transportation Planning Organization. The concept was favorably received by the Board of Commissioners at a previous meeting. Since the concept was initially presented, the structure has been developed and endorsed by the Craven Pamlico Jones Transportation Committee. He reported that the Jones County Board of Commissioners has approved the document. The Pamlico, Carteret and Onslow County Commissioners are in the process of receiving and approving the document. The Board was advised that the amount of State funds anticipated is \$92,000, requiring a match from the five counties, totaling \$23,080, with Craven County's commitment being either \$4,616 or \$9,400. He emphasized that this organization would not replace the local transportation committee. Commissioner Phillips inquired why the County's Planner could not accomplish the same objective. Mr. McKinney responded that it has been set up by the State in this manner. Commissioner Sampson requested input from the County Manager, Harold Blizzard, who stated that the objectives are already being accomplished on a smaller scale by the three-county committee. He also stated that all preliminary work has been done by volunteers. It is now being proposed to include Carteret and Onslow Counties, which would result in an additional Department of Transportation board member from our five county area. He recommended that it would be worth participating for at least the first year. The Board also entertained opinions of Commissioners Talton and Toon, Craven County's representatives on the Craven Pamlico Jones Transportation Committee, who supported the proposal. Mr. McKinney stated that it would be necessary to return to the Board for final approval after all input and adjustments are included. Commissioner Talton moved to adopt the Memorandum of Understanding, which follows, seconded by Commissioner Sampson and carried with Six (6) "Ayes", there being one (1) "Nay" from Commissioner Phillips.

**Memorandum of Understanding  
For  
Cooperative, Comprehensive and Continuing  
Transportation Planning  
And the Establishment of a  
Rural Transportation Planning Organization  
For**

**The Counties of Carteret, Craven, Jones, Onslow, and Pamlico and the municipalities contained therein, and the North Carolina Department of Transportation.**

**Witnesseth**

**WHEREAS**, section 135 of Title 23, United States Code, declares that it is in the national interest to encourage and promote the development of transportation systems embracing various modes of transportation in a manner that will serve all areas of the State efficiently and effectively; and

**WHEREAS**, North Carolina General Statute 1369-18 was amended by the North Carolina General Assembly by ratification of Senate Bill 1195 on July 6, 2000, and this same bill was signed by the Governor on July 14, 2000, and subsequently Chaptered, and which Chaptered statute provides for the establishment of Rural Transportation Planning Organizations (RPOs), similar in concept to Metropolitan Planning Organizations (RPOs), similar in concept to Metropolitan Planning Organizations (MPOs) for transportation planning in North Carolina's urban areas; and

**WHEREAS**, the establishment of a Rural Transportation Planning Organization (RPO), similar in concept to the urban Metropolitan Planning Organizations (MPOs), would provide rural areas the opportunity to work in partnership with the North Carolina Department of Transportation toward the development of sound, short and long-range transportation planning for rural areas; and

**WHEREAS**, the establishment of a Rural Transportation Planning Organization for the five-county Down East RPO planning area would assist the North Carolina Department of Transportation in complying with the provisions of the Transportation Equity Act for the 21<sup>st</sup> Century (TEA21), enacted June 9, 1998, relative to the participation of local officials and the public in the transportation planning process; and,

**WHEREAS**, it is the desire of these local governments and agencies to establish a continuing, comprehensive, cooperative transportation planning process with the establishment of a Rural Transportation Planning Organization for the five-county Down East planning area.

**NOW, THEREFORE**, the following memorandum of understanding is made.

**Section 1.** It is hereby agreed, that the Counties of Carteret, Craven, Jones, Onslow, and Pamlico and the municipalities contained therein and the North Carolina Department of Transportation intend to establish and participate in a Rural Transportation Planning Organization created for the general purposes and responsibilities outlined below:

1. To provide a forum for public participation in the rural transportation planning process.
2. To develop and prioritize suggestions for transportation projects that the Rural Transportation Planning Organization believes should be included in the State Transportation Improvement Program.
3. To provide transportation-related information to local governments and other interested organizations and persons.
4. To develop long-range local and regional multi-modal transportation plans in cooperation with the area MPO and the North Carolina department of Transportation.
5. To conduct transportation studies and surveys for local governments and other interested entities/organizations.
6. To undertake mutually agreed upon transportation related tasks to enhance transportation system development, coordination and efficiency.

**Section 2.** It is hereby further agreed that transportation plans and programs and land use policies and programs for the Rural Transportation Planning Organization will be coordinated by the Eastern Carolina Council of Governments, an agency selected on behalf of participating local governments and the North Carolina Department of Transportation, to be the administrative entity and to serve as the lead planning agency for coordinating transportation planning in the above mentioned counties' planning area. The Down East RPO hereby authorizes Eastern Carolina Council to be the sole recipient of any funds appropriated to the RPO by the North Carolina Department of Transportation pursuant to the North Carolina General Statute 136-213c.

**Section 3.** Establishment of a Rural Transportation Advisory Committee (RTAC). A Rural Transportation Advisory Committee (RTAC) is hereby established with the responsibility for serving as a forum for cooperative transportation planning decision making for the Rural Transportation Planning Organization (RPO). The Rural Transportation Advisory Committee (RTAC) is hereby established with the responsibility for serving as a forum for cooperative transportation planning decision making for the

Rural Transportation Planning Organization (RPO). The Rural Transportation Advisory Committee (RTAC) shall have the responsibility of keeping the policy boards informed of the status and requirements of the transportation planning process; to assist in the dissemination and clarification of the decisions, inclinations, and policies of the policy boards; and to help ensure meaningful public participation in the rural transportation planning process.

1. The Rural Transportation Advisory Committee will be responsible for carrying out the following:
  - A. Establishment of goals, priorities, and objectives for the transportation planning process.
  - B. Review and recommend changes to adopted Transportation Plans for the Rural Transportation Planning Organization.
  - C. Review and recommend a work program for transportation planning which defines work tasks and responsibilities for the various agencies participating in the Rural Transportation Planning Organization (RPO).
  - D. Review and recommend transportation improvement projects, which support and enhance intra-county transportation within the five-county Rural Transportation Planning Organization (RPO).
2. The membership of the Rural Transportation Advisory Committee shall consist of the following:
  - A. One County Commissioner representing the County of Carteret. One municipal elected official to represent the interest of all the municipal governments in Carteret County.
  - B. One County Commissioner representing the County of Craven. One municipal elected official to represent the interest of all the municipal governments in Craven County.
  - C. One County Commissioner representing the County of Jones. One municipal elected official to represent the interest of all the municipal governments in Jones County.
  - D. One County Commissioner representing the County of Onslow. One municipal elected official to represent the interest of all the municipal governments outside the MPO in Onslow County.
  - E. One County Commissioner representing the County of Pamlico. One municipal elected official to represent the interest of all the municipal governments outside the MPO in Onslow County.
  - F. The North Carolina Board of Transportation Member for Division 2.
  - G. The North Carolina Board of Transportation Member for Division 3.
3. The County Commissioners representing each County on the RTAC shall be selected every two years in a regular session meeting by the Board of County Commissioners of each County. The County Commissioners representing each County shall select in a regular session meeting a municipal elected official from within each county to serve as the TRAC Municipal Representative. The term of office for all seats on the RTAC is two years. Re-appointment is possible.

4. To facilitate staggered terms and thereby promoting continuity, the initial Municipal appointments from the Counties shall be for one (1) year. All subsequent appointments shall be for two (2) years.
5. To facilitate staggered terms and thereby promoting continuity, the initial Municipal appointments from the Counties shall be for one (1) year. All subsequent appointments shall be for two (2) years.
6. The Rural Transportation Advisory Committee (RTAC) will meet as often as it is deemed necessary, appropriate and advisable. On the basis of majority vote of its membership, the Rural Transportation Advisory Committee may appoint a member of the committee to act as chairperson with the responsibility for coordination of the committee's activities. Employees of the Eastern Carolina Council of Governments shall serve as staff to the RTAC.

**Section 4.** Establishment of the Rural Transportation Technical Committee (RTTC). A Rural Transportation Technical Committee shall be established with the responsibility of general review, guidance, and coordination of the transportation planning process for the Rural Transportation Planning Organization (RPO) and the responsibility for making recommendations to the respective local, state, and federal governmental agencies and the Rural Transportation Advisory Committee (RTAC) regarding any necessary actions relating to the continuing transportation planning process.

1. The RTTC shall be responsible for development, review, and recommendation for approval of the rural transportation planning work program for the RPO, the Transportation Improvement Program, and the revisions to the Transportation Improvement Program.
2. Membership of the Rural Transportation Technical Committee (RTTC) shall include technical representatives from all local and state government agencies directly related to and concerned with the transportation planning process for the RPO planning area. Initially, the membership shall include, but may not be limited to, the following:
  - A. The County Manager (or his/her designee) from each of the five counties of the RPO planning area.
  - B. A local Transportation Committee member or Planner from each of the five counties.
  - C. Division Engineer of District 2 or his/her designee.
  - D. Division Engineer of District 3 of his/her designee.
  - E. Manager, Statewide Planning Branch, Planning and Environment, North Carolina Department of Transportation, or his/her designated representative.
  - F. Area Traffic Engineer, Division of Highways, Traffic Engineering Branch, North Carolina Department of Transportation.
  - G. A representative from the Jacksonville Metropolitan Planning Organization, as ex officio.
3. The Rural Transportation Technical Committee shall meet when it is deemed necessary, appropriate and advisable. The Rural Transportation Technical Committee will be staffed by Eastern Carolina Council of Governments. Membership of the Rural Transportation Technical Committee may be altered on the basis of a majority vote of its

membership and approval of the Rural Transportation Advisory Committee of the RPO.

**Section 5.** It is further agreed that all participating agencies will assist in the Rural Transportation planning process by providing planning assistance (where possible), data, and inventories in accordance with the approved work program.

**Section 6.** Parties to this Memorandum of Understanding may terminate their participation in the continuing transportation planning process by giving 90 days written notice to the other parties to the date of termination.

**Section 7.** In witness whereof, the parties of the Memorandum of Understanding have been authorized by appropriate and proper resolutions, and/or legislative authority to sign this Memorandum of Understanding, this the 9<sup>th</sup> day of July, 2002.

## **APPOINTMENTS**

### *Juvenile Crime Prevention Council*

The nominations committee of the Juvenile Crime Prevention Council presented the names of Delzora Clark, Kelly Green, Pete Monte, Sandra Phelps, Jan Parker, and Sidney Barnwell, for reappointment to an additional two (2) year term, beginning July, 2002. Commissioner Samspon nominated the recommended names for reappointment, seconded by Commissioner Talton and unanimously carried. In addition, Erin George was recommended to replace Rachelle Martin as an at large member. Tom Bratten was recommended to replace Pat Newman as an at large member and Mike Kupecki was nominated to replace Mary Moore as a Mental Health representative. Commissioner Tyson nominated Erin George, Tom Bratten and Mike Kupecki for appointment. Commissioner Phillips moved to close nominations, seconded by Commissioner Allen and unanimously carried.

### *Nursing Home Advisory Committee*

The Board considered an appointment to replace Mrs. Gertrude Adkins, who has expressed her desire to resign. Recommendations were solicited from the nursing homes for an appointment to this term and there were two (2) nominations from Britthaven of Havelock. The names of Mr. Joe Cogburn and Mr. Andre Ajas were submitted. Commissioner Allen nominated Mr. Andre Ajas and moved that nominations be closed, seconded by Commissioner Toon and unanimously carried.

### *Sexual Assault Resource Center*

The membership committee of the Sexual Assault Resource Center requested that the Board consider Ms. Carol P. Devore for appointment. Commissioner Allen nominated Ms. Devore. Commissioner Talton moved to close nominations, seconded by Commissioner Phillips and unanimously carried.

### *New Bern Board of Adjustment*

The Board reconsidered an appointment of an extraterritorial member to the New Bern Board of Adjustment to replace Haron Beatty, whose term has expired. He is not eligible to continue serving. Commissioner Allen moved that this appointment be tabled until the City of New Bern can submit nominees, seconded by Commissioner Talton and unanimously carried.

## **COUNTY ATTORNEY'S REPORT**

County Attorney, Jim Sugg, presented the following resolution for the Board's adoption in order to abandon the right-of-way on a portion of Maple Street in Township 7, at the request of Cornerstone Assembly of God and Seventh Day Adventist Church of New

Bern. The required public hearing has been held and all who have an interest in the affected property have had the opportunity for input and have exercised their rights relative to this action. Commissioner Allen moved to adopt the resolution, seconded by Commissioner Talton and unanimously carried.

**RESOLUTION OF  
CRAVEN COUNTY BOARD OF COMMISSIONERS  
CLOSING A PORTION OF PUBLIC ROAD OR EASEMENT  
(MAPLE STREET)**

**WHEREAS**, representatives of the Carolina Conference Association of Seventh Day Adventist, Inc. (hereinafter “Seventh Day Adventist”) appeared before the Craven County Board of Commissioners (hereinafter “Board”) and requested that said Board declare its intent to close Maple Street from the service road located along the eastern edge of U.S. Highway 70 East and extending eastwardly to the intersection of Maple Street with the intersection of First Street as said road appears on a map of T.A. Grantham Property recorded in Map Book 1 at Page 89 in the Office of the Register of Deeds of Craven County; and

**WHEREAS**, Craven County adopted a resolution declaring its intent to close said portion of Maple Street as hereinabove described and called for a public hearing on the question for June 3, 2002 at 7:45 p.m.; and

**WHEREAS**, public comments were heard regarding said petition to close a portion of Maple Street and it was determined that all other requirements of N.C. Gen. Stat. § 153A-241 for closing a public road or easement had been met; and

**WHEREAS**, after the public hearing, Board was satisfied that closing the public road or easement was not contrary to the public interest and no individual owning property in the vicinity of the road or in the subdivision in which the road is located would thereby be deprived of a reasonable means of ingress and egress to his or her property, and that Board should adopt an order closing the road or easement; and

**WHEREAS**, upon the closing of that portion of Maple Street pursuant to N.C. Gen. Stat. § 153A-241, all right, title and interest in the right-of-way of Maple Street that is closed is vested in those persons owning lots or parcels of land adjacent to the road or easement, and the title of each adjoining landowner, for the width of his or her abutting land, extends to the centerline of Maple Street that is closed as the same is shown on the map of the T.A. Grantham Property recorded in Map Book 1 at Page 89 in the Office of the Register of Deeds of Craven County.

**NOW, THEREFORE, IT IS HEREBY ORDERED** that the portion of Maple Street shown on the map of T.A. Grantham Property recorded in Map Book 1 at Page 89 in the Office of the Register of Deeds of Craven County extending from the eastern edge of U.S. Highway 70 East eastwardly to the intersection of Maple Street with the intersection of First Street as the said road is shown on said map is ordered closed and that all right, title and interest in the right-of-way contained in said Maple Street is vested in those persons owning lots or parcels of land adjacent to the road or easement being closed, and the title of each adjoining landowner, for the width of his or her abutting land, extends to the centerline of the said Maple Street subject to any public utility use or facility located on, over or under the road or easement immediately before its closing, until the landowner or any successor thereto pays to the utility involved the reasonable cost of removing and relocating the facility.

**BE IT FURTHER ORDERED** that a certified copy of the order closing the road shall be filed in the Office of the Register of Deeds of Craven County and any person aggrieved by the closing of said portion of Maple Street may appeal the Board’s order to the appropriate division of the General Court of Justice within thirty (30) days after the date the order is adopted.

Done this 1<sup>st</sup> day of July, 2002.

### COUNTY MANAGER'S REPORT

County Manager, Harold Blizzard, reminded the Board that at the time of its regularly scheduled mid-monthly meeting on July 15<sup>th</sup>, several Commissioners will be attending the NACo Annual Conference. Commissioner Sampson moved to cancel the July 15<sup>th</sup> meeting, seconded by Commissioner Tyson and unanimously carried. There was discussion of the possible necessity to call a special meeting concerning the levy of additional sales tax if this is authorized by the General Assembly prior to the Board's next regular meeting.

### COMMISSIONERS' REPORTS

*Commissioner Talton* introduced discussion concerning the prospect of the additional half cent sales tax being authorized by the General Assembly and the necessity of notifying the State by July 15<sup>th</sup> if the County adopts the half-cent sales tax and intends to levy it by August 1<sup>st</sup>. He recommended that the County proceed to adopt the one-half cent sales tax in the event authority is conferred by the General Assembly, with the understanding that it would be used to reduce the ad valorem tax. After discussing a range of scenarios and the efficacy of acting now, the Board reached consensus that action should not be taken until the General Assembly passes the pending legislation.

*Commissioner Tyson* moved that a resolution honoring the service of Kathleen Orringer, retiring as Director of Elections, and Billy Haire, retiring Airport Authority member, be drafted. Commissioner Talton seconded the motion, which carried unanimously.

At 8:15 p.m. Commissioner Phillips moved to go into closed session pursuant to NCGS 143-318.11(a)(3) concerning litigation and pursuant to NCGS 143-318.11(a)(5) and (6) relative to personnel.

At 8:35 p.m. the Board was declared back in regular session.

The County Attorney reported that the Board had discussed potential litigation and no action taken and that personnel and compensation had been discussed. Commissioner Bland stated that Commissioner Talton had initiated discussion concerning the possibility of a salary increase for the County Manager and moved that the County Manager's salary be raised by \$5,000. Commissioner Toon seconded the motion, which carried unanimously.

At 8:40 p.m. Commissioner Tyson 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