

**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, NOVEMBER 18, 2002. 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 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 Tyson moved to approve the minutes of November 4, 2002 regular session, seconded by Commissioner Phillips and unanimously carried.

The Chairman announced that a public hearing that was scheduled at 9:00 a.m. concerning economic incentives was cancelled.

**CONSENT AGENDA**

*Budget Amendments*

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

***Commissioners – Special Appropriation***

<b>REVENUES</b>	<b>AMOUNT</b>	<b>EXPENDITURES</b>	<b>AMOUNT</b>
101-0000-399-01-00	\$ 61,409	101-0190-430-96-32	\$ 6,880
Fund Balance		Swiss Bear	
		101-0190-450-96-04	\$ 3,500
		Teen Court	
		101-0190-450-96-20	\$ 6,880
		Council on Women	
		101-0190-450-96-22	\$ 1,834
		BBBS	
		101-190-450-96-24	\$ 12,500
		Coastal Women's Shelter	
		101-0190-450-96-25	\$ 6,880
		Senior Companion	
		101-0190-450-96-42	\$ 6,880
		Merci Clinic	
		101-0190-450-96-53	\$ 4,587
		RCS	
		101-0190-450-96-55	\$ 4,587
		Red Cross	
		101-0190-450-96-66	\$ 2,294

James City Fam Res Ctr

101-0190-460-96-33 \$ 4,587  
Craven Arts Council

TOTAL \$ 61,409

TOTAL \$ 61,409

**Justification:**

*Elections*

101-0000-399-01-00 \$ 45,000  
Fund Balance

101-0601-400-40-09 \$ 30,195  
Precinct Officials

101-601-400-40-0 \$ 14,805

TOTAL \$ 45,000

TOTAL \$ 45,000

**Justification:** Funds needed to cover cost of general election. Late primary was not previously budgeted. These funds will cover precinct officials and Elections Services and Software invoices for services, paper ballots, etc.

*Pass Through*

101-0564-348-06-00 \$ 1,750  
Congregate

101-0564-450-91-21 \$ 1,750  
HCCBG Congregate

101-0564-377-16-00 \$ 640  
Congregate

101-0564-450-91-16 \$ 640  
USDA Congregate

TOTAL \$ 2,390

TOTAL \$ 2,390

**Justification:** Additional HCCBG Funds as well as USDA based on the number of meals served.

*Social Services*

101-7221-349-27-00 \$ 1,750  
HCCBG in Home

101-7221-450-40-00 \$ 1,750  
Cont Ser

TOTAL \$ 1,750

TOTAL \$ 1,750

**Justification:** Budget additional HCCBG funds received.

*Transportation*

101-7002-348-04-00 \$ 1,551  
HCCBG

101-7001-450-26-03 \$ 1,551  
Maint Auto/Truck

TOTAL \$ 1,551

TOTAL \$ 1,551

**Justification:** Increase in revenue for HCCBG for FY 2002-2003.

*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 Sampson and unanimously carried in a roll call vote.

*Credits*

<b>TAXPAYER NAME</b>	<b>TICKET #</b>	<b>AMOUNT</b>
ALLTELL COMMUNICATIONS INC/NC INCORRECT VALUE-REBILLED IN SUPPLEMENT	2002-0000776	\$ 27.10
ALLTELL COMMUNICATIONS INC/NC INCORRECT VALUE-REBILLED IN SUPPLEMENT	2002-0000777	\$ 777.87
BAYLOR, EDWARD KIRK INCOMPLETE DWELLING ON SITE FOR 01/01/2002	2002-0003170	\$ 39.63
BOWDEN, SCOTT L MILITARY-HIS NAME ONLY 02 LES-WA ECC-04/23/05	2002-0005097	\$ 133.35
BOWERS, KENNETH RICHARD DID NOT OWN 1/1/1998	1998-0091657	\$ 47.81
BOWERS, KENNETH RICHARD DID NOT OWN 1/1/1997	1997-0090354	\$ 56.48
BRINSON, CECIL BURNS PROPERTY VACANT	2002-0005796	\$ 32.00
BULLA, GREGORY JACON DI D NOT OWN 1/1/2002	2002-0006995	\$ 74.12
CAROLINA ECONO-TEL INC VAL. ADJUST FOR POOR CONDITION	2002-0007979	\$ 3,041.50
CHARVES, EVERETT & LILLIAN D INCOMPLETE DWELLING ON SITE FOR 01/01/2002-REBILL	2002-0008889	\$ 271.44
CHURCH-HOLLY HILL PENTECOSTAL EXEMPT PER GS 105-278.3	2002-0009219	\$ 49.45
CHURCH-HOLLY HILL PENTECOSTAL EXEMPT PER GS 105-278.3	2002-0009220	\$ 3.08
CHURCH-HOLLY HILL PENTECOSTAL EXEMPT PER GS 105-278.3	2002-0009221	\$ 182.11
DAIL, DAWSON CARROLL & DALLAS DID NOT OWN 01/01/2002	2002-0011871	\$ 198.11
DOWNING, ELLA J DWELLING ON SITE 1/1/2002-REBILLED	2002-0013966	\$ 190.68
DYSINGER, DAVID W & ANGELA N VALUE OF BOAT REDUCED PER BILL OF SALE	2002-0014538	\$ 25.52
EDWARDS CONSTRUCTION LLC-R C DWELLING ON SITE 1/1/2002	2002-0014831	\$ 337.53
FIELDS, JAMES JONES PROPERTY VACANT	2002-0016268	\$ 32.00

FULCHER, GARY CORRECTED APPRAISAL ERROR	2002-0017744	\$ 78.88
HARRELL, GREGORY S & DID NOT OWN 1/1/2002	2002-0022065	\$ 38.40
HENSLEY, MARK DOMINICK MILITARY-HIS NAME ONLY 02 LES-IN ECC-06/03/07	2002-0023393	\$ 65.50
HILL, BEVERLY R BLDG. REMOVED PRIOR TO 1/1/2002	2002-0023669	\$ 3.58
HOLLAR, GARY L COMM BUSINESS-HAS DUMPSTER SERVICE	2002-0024253	\$ 32.00
HUFFMAN, NORMAN G & GWENDOLYN VALUE ADJUSTMENT ON LAND	2002-0024950	\$ 887.74
KARSTNAK, JOHN A JR & DORIS J NOT LOCATED IN CRAVEN CO 1/1/2002	2002-0027825	\$ 219.13
LANNING, HAROLD JAMES & ELIZAB CORRECTED APPRAISAL ERROR	2002-0029561	\$ 146.16
LE GOURMET GIFT BASKET INC DOUBLE LISTED WITH ACCT #47656	2002-0029808	\$ 17.60
LONG, JAMES C JR & DANA INCOMPLETE DWELLING ON SITE FOR 01/01/2002-REBILL	2002-0030930	\$ 142.04
LOVICK, DALTON DID NOT OWN 1/1/2002	2002-0031048	\$ 41.96
MARTIN, GILLETTE PROPERTY VACANT SINCE 1998	2002-0032219	\$ 32.00
MONTGOMERY, ROBERT MILITARY-02-LES-FL (PER P. KENT)	2002-0035218	\$ 173.48
OHMER, MERLIN PAUL MILITARY-02-LES-FL (PER P. KENT)	2002-0037940	\$ 62.52
PERDEW, RICHARD A DOUBLE LISTED ON ACCT. #5650395	2002-0039216	\$ 1.30
PERDEW, RICHARD ALLEN & SHELLY INCORRECT SITUS S/B 9L	2002-0039217	\$ 8.26
PETERIK, TONYA W CORRECTED VALUE ERROR	2002-0039345	\$ 43.43
PHILLIPS, JAMES M & JOANNE N DWELLING ON SITE 1/1/2002	2002-0039579	\$ 43.59
RAINES, MARVIN L JR & KAREN M DWELLING NOT ON SITE 1/1/2002	2002-0041170	\$ 254.41
SAND VERN LLC DID NOT OWN 1/1/2002-REBILLED TO CORRECT OWNER	2002-0043840	\$ 603.13

SCHILLER, HERMAN & GAIL CORRECT APPRAISAL ERROR	2002-0044268	\$ 118.89
SIMMONS, PORTIA DIONNE DID NOT OWN 1/1/2002	2002-0045307	\$ 194.94
SPENCER ENDEAVOR ASSOCIATES LT INCORRECT SITUS-REBILLED	2002-0046736	\$ 557.97
SPOONIRE, DALE ALAN & ROSE M DWELLING ON SITE 01/01/2002-REBILLED	2002-0046795	\$ 124.80
STALLINGS, JEFFREY SCOTT TRUST CORRECTING LAND VALUE ERROR	2002-0046946	\$ 397.20
THOMAS, FRED DID NOT OWN 01/01/2002	2002-0049252	\$ 7.97
THOMAS, FRED NOT IN BUSINESS 1/1/2001	2001-0090826	\$ 154.14
THOMAS, FRED CORRECTED 2002 VALUE ERROR	2002-0049253	\$ 120.86
TOBACCO, RICHARD & LINDA DWELLING ON SITE 1/1/2002-REBILLED	2002-0049695	\$ 307.53
VALENZUELA, SILVIA NARCISA ALV DID NOT OWN 1/1/2002	2002-0051050	\$ 74.04
VIRTUE, WILLIAM M & EVA DOUBLE LISTED WITH PARCEL 7-042-022	2002-0051457	\$ 25.32
WATKINS, ARCHER VALUE ADJUST FOR 2001 DINGHY	2002-0052382	\$ 5.33
WHITE, VANDER L & OTTO PROPERTY VACANT	2002-0054082	\$ 32.00
WHITFIELD, ROSANA PROPERTY VACAN	2002-0054240	\$ 32.00
ZEPPENFELD, REINER & RENATE DID NOT OWN 1/1/2002-REBILLED TO CORRECT OWNER	2002-0056810	\$ 1,782.14

53 – CREDIT MEMO(S) \$ 12,350.02

*Refunds*

BREWER, JAY INCORRECT SITUS S/B 6-F-REBILLED	2001-0005484	\$ 647.00
STALLINGS, JEFFREY SCOTT TRUST LAND VALUE ADJUST TO SURROUNDING COMPARABLES	2002-0046947	\$ 715.40
WILLIAMS, DANIEL REXFORD BLDG NOT ON PROPERTY PRIOR TO 1/1/2002	2002-0054886	\$ 46.26

3 – REFUND (S) \$ 1,408.66

*Road Addition Request*

The Planning Department requested that the NC Department of Transportation add Kale Road within the Bernwood Subdivision, Twp 7 to the state maintenance system. The following standard SR-2 Road Addition Resolution was presented for approval. Commissioner Talton moved to adopt the Road Addition Resolution, seconded by Commissioner Sampson 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 Kale Road, Bernwood Subd. Twp. 7

Length: 2,407 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.

*Contract for Administrative Services for FY03 CDBG and FY03 NCHFA-SFR*

Planning Director, Don Baumgardner, reported that the request for proposals for administrative services in connection with the County's FY03 CDBG and NCHFA-SFR Program was sent to Holland Consulting Planners, RSM Harris, Benchmark, Inc., Ken Weeden and Associates on October 10, 2002. Proposals were received from Benchmark, Inc. and Holland Consulting Planners prior to the deadline. A ranking sheet was prepared following a review of the two proposals. Holland Consulting Planners ranked higher with a total of 100 out of a possible 100 points while Benchmark scored 91. Holland Consulting's proposal ranked higher in areas of prior related experience and responsiveness to client's needs. Holland Consulting also ranked higher in the fee schedule category due to cost effectiveness, proposing an average hourly rate of \$41.77 for the CDBG program and \$40.59 for the NCHFA-SFR. Benchmark, Inc. proposed an average hourly rate of \$58.25 for both programs.

For the reasons cited above, the Planning Department recommended that the Board of Commissioners award Holland Consulting Planners the contract to perform the administrative services associated with the County's FY03 CDBG and FY03 NCHFA programs, and to allow the County Manager to negotiate a fee for both programs with the Consultant, following release of funds. Commissioner Talton moved to award Holland Consulting Planners the contract to perform the administrative services for the County's FY03 CDBG and FY03 NCHFA programs, as recommended, and to allow the County Manager to negotiate a fee for both programs, seconded by Commissioner Sampson and unanimously carried in a roll call vote.

*Military Family of the Quarter Resolution*

The following resolution was requested for adoption to recognize the family of GySgt Dale K. Ouzts as the Military Family of the Third Quarter. The Chairman asked that Commissioner Allen represent the Board of Commissioners at the luncheon on Tuesday, November 19<sup>th</sup> at noon at the Chelsea to present the resolution to the Military Family of the Quarter. Commissioner Talton moved for adoption of the following resolution, seconded by Commissioner Sampson and unanimously carried in a roll call vote.

**RESOLUTION  
RECOGNIZING THE FAMILY OF  
GUNNERY SERGEANT DALE K. OUZTS  
AS MILITARY FAMILY OF THE THIRD QUARTER**

**WHEREAS**, GySgt Dale K. Ouzts and his family have made a positive impact on the local community; and

**WHEREAS**, GySgt Ouzts and his wife, Julie, are team leaders in the children’s ministry of their church, where they are responsible for the spiritual and moral growth and development of approximately 35 children, in addition to teaching and leading several adult helpers on their team; and

**WHEREAS**, Mrs. Ouzts serves as the Activity Director for Home Place of New Bern, an assisted living and retirement center, where she has responsibility for the spiritual, physical, mental and emotional well-being of more than 60 residents; and

**WHEREAS**, Mrs. Ouzts continues her development as she pursues attainment of her Bachelor’s degree through the New Bern campus of Mount Olive College; and

**WHEREAS**, the Ouzts children are also excelling in the community through their school activities; Jedidiah, a freshman at Havelock High School, participated as a member of Tucker Creek Middle School soccer team and has achieved mastery of the computer. Christine, an 8<sup>th</sup> grader at Tucker Creek Middle School has made Principal’s List for two years, finished the last academic year as first chair flute in the band, and received the Coaches Award for the “Tucker Creek Girls Track Team.”

**NOW, THEREFORE, BE IT RESOLVED** that Craven County Board of Commissioners recognizes this outstanding family for their volunteerism and contributions to the local community.

Adopted this 18<sup>th</sup> day of November, 2002.

*FY02 CHA Demolition Contract*

A bid opening for the demolition of three (3) storm damaged units in the ongoing CHA Project was held on November 7, 2002. Bids were received from five (5) regional contractors; Everette George, Styron Construction, Carolina Salvage, WJ Foreman and Todd Swindell Construction. Contract award recommendations for the contractor submitting the lowest responsible bid was as follows:

<u>Unit Address</u>	<u>Contractor/Notes</u>
403 Brown Drive, New Bern	Todd Swindell Construction/Low Bidder
1198 Asbury Road, Cove City	Todd Swindell Construciton/Low Bidder
2500 Hwy 55 West, New Bern	Todd Swindell Construction/Low Bidder

Commissioner Talton moved to award the contract to Todd Swindell Construction, as recommended by the Planning Director, seconded by Commissioner Sampson and unanimously carried in a roll call vote.

## **CITY OF HAVELOCK PRESENTATION**

Mayor George Griffin addressed the Board concerning adoption of the third one-half cent sales tax. He stated that the City of Havelock faces four (4) options in response to reimbursements that are being held by the State, as follows:

- 1) cut salaries
- 2) raise the City's ad valorem tax rate
- 3) prevail upon the County to levy the third one-half cent sales tax
- 4) a combination of any of the above options

He stated that, to date, Havelock has responded by instituting a freeze on capital outlay, preventive maintenance, travel and vacancies; raising ad valorem taxes; using some fund balance, decreasing the fund balance by 30%; reducing some programs, and not funding non-profit organizations. He stated that the City of Havelock adopted a balanced budget; however, some items were held aside in the event the one-half cent sales tax would not be authorized and/or adopted. At the end of the Mayor's presentation, Commissioner Sampson moved that the Board adopt the third one-half cent sales tax; however, the motion was withdrawn to defer consideration until later during the meeting.

## **AUDIT REPORT**

Lou Cannon of McGladrey and Pullen introduced Charles Smith, who presented the following highlights of the audit for the year ended June 30, 2002. He stated that the opinion of the general purpose fund was clean and unqualified. He cited areas which had shown decreases in revenues, including sales tax and inter-governmental funds, as well as interest. He stated that there had been increases in charges for services and in the ad valorem tax. In his analysis, it was shown that Craven County's ad valorem rate is lower than that of the average among same size counties, as well as the State average. The County's tax collection rate decreased slightly, but is still higher than the average for same size counties, as well as the State average. He pointed out that Social Services has, in the recent year trends, shown continuous growth, while education and health have leveled off as percentages of the County budget.

Mr. Cannon advised the Board that the fund balance for Craven County has ranged between \$16-17 million in the last three to four years, although the last five years have shown a downward trend. He stated that Craven County's fund balance is slightly higher than the average of same size counties, but is less than the statewide average. He advised the Board that the County has received a clean opinion on all major programs requiring compliance. He also alerted the Board that there will be some changes in accounting policies reflected in the current year's audit, explaining that the financial statements will reflect more of an accrual basis.

## **DOWN EAST REGIONAL PLANNING ORGANIZATION MEMORANDUM OF UNDERSTANDING**

The Board was asked to adopt a revised Memorandum of Understanding for the Down East Regional Planning Organization, as follows. Commissioner Sampson moved for its adoption, seconded by Commissioner Tyson and unanimously carried.

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

Carteret, Craven, Jones, Onslow, and Pamlico Counties and the participating 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 136-18 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 (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 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 best interest and desire of the Down East RPO to encourage and promote communication and coordination with adjoining RPOs for a broader, more comprehensive and cooperative long-range transportation planning process through establishing appropriate and timely meetings; 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 Carteret, Craven, Jones, Onslow, and Pamlico Counties, which will be known as the Down East RPO.

**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, the participating municipalities therein that are not members of an MPO, 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 develop long-range and regional multi-modal transportation plans in cooperation with the Jacksonville Urban Area Metropolitan Planning Organization MPO and the North Carolina Department of Transportation.
2. To provide a forum for public participation in the rural transportation planning process.
3. To develop and prioritize suggestions for transportation projects that the Rural Transportation Planning Organization believes should be included in the State Transportation Improvement Program.
4. To provide transportation-related information to local governments and other interested organizations and persons.

5. To conduct transportation related 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 Down East RPO planning area. The Down East RPO hereby authorizes the Eastern Carolina Council of Governments 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 136-213(c). If funds provided by the North Carolina Department of Transportation for the Rural Planning Organization are withdrawn at any time, parties to this Memorandum of Understanding shall not be obligated to provide for those missing funds.

**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) shall have the responsibility of keeping the policy boards informed of the status and requirements of the transportation planning process; assisting in the dissemination clarification of the decisions, inclinations, and policies of the policy boards; and helping 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. Establish 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 participating 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 participating 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 participating 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 participating municipal governments in Onslow County, except the City of Jacksonville, which is represented by the Jacksonville Urban Area Metropolitan Planning Organization.
  - E. One County Commissioner representing the County of Pamlico. One municipal elected official to represent the interest of all the participating municipal governments in Pamlico County.
  - F. A representative from the Jacksonville Urban Area Metropolitan Planning Organization's Transportation Advisory Committee, as ex officio.
  - G. One member of the North Carolina Board of Transportation to represent the Department of Transportation.
3. The Board of County Commissioners of each County shall select the County Commissioner representing that County on the RTAC every two years in a regular session meeting. The Board of County Commissioners representing each County shall select in a regular session meeting a participating municipal elected official from within that county to serve as the RTAC 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 County Commissioner appointments shall be for two (2) years and the initial Municipal appointments from the Counties shall be for one (1) year. All subsequent appointments shall be for two (2) years.
  5. 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. Membership of the Rural Transportation Advisory Committee may be altered on the basis of a majority vote of its membership. Ex officio members in the Down East RPO will be advisory and non-voting.
  6. The Executive Director and a Transportation Planner of the Eastern Carolina Council of Governments will serve as staff to the RTAC.

**Section 4.** Establishment of the Rural Transportation Coordinating Committee (RTCC). A Rural Transportation Coordinating 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 RTCC 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 revisions to the Transportation Improvement Program.

2. Membership of the Rural Transportation Coordinating Committee (RTCC) 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. The Chief Administrative Official (or his/her designee) from each participating municipality in the Down East RPO planning area (excluding representatives from Jacksonville which is represented by the Jacksonville Urban Area Metropolitan Planning Organization, for these seats).
  - C. The Board of County Commissioners representing each County shall select in a regular session meeting either a local or area Transportation Committee member or a Planner from within that county to serve as a RTCC Representative (specifically excluding representatives from the Jacksonville Urban Area MPO for this seat).
  - D. A representative of the Beaufort-Morehead Airport Authority, a representative from the Craven Regional Airport Authority and the Director from the Albert J. Ellis Airport (or his/her designee).
  - E. A representative from the office of Planning and Development from the North Carolina Ports Authority.
  - F. A representative from the Community Plans and Liaison Office at Marine Corps Air Station Cherry Point to represent the military base at Havelock and a representative from the Installations and Environment Department at Marine Corps Base Camp Lejeune to represent the military bases in the Jacksonville area.
  - G. All Division Engineer(s) for the RPO planning area, serving the Division of Highways, North Carolina Department of Transportation, or his/her designated representative.
  - H. The Manager, Statewide Planning Branch, Planning and Environment, North Carolina Department of Transportation, or his/her designated representative.
  - I. All Area Traffic Engineer(s) for the RPO planning area, Division of Highways, Traffic Engineering Branch, North Carolina Department of Transportation.
  - J. The Director of Craven Area Rural Transit Service, (or his/her designee) covering Craven, Jones, & Pamlico Counties; the Transportation Coordinator of Carteret County Area Transportation System (or his/her designee); and the Director of Onslow United Transit System, Inc. (or his/her designee).
  - K. The Transportation Planner for the Jacksonville Urban Area Metropolitan Planning Organization, as ex officio.
3. When voting, the Chief Administrative Officials from all the participating municipalities within each county will have one vote per county. They will caucus among themselves within that county group and by a majority vote will choose how to cast their one vote. Ex officio members in the Down East RPO will be advisory and non-voting.

4. The Rural Transportation Coordinating Committee shall meet when it is deemed necessary, appropriate and advisable. The Rural Transportation Coordinating Committee will be staffed by an Eastern Carolina Council of Governments Transportation Planner. On the basis of majority vote of its membership, the Rural Transportation Coordinating Committee may appoint a member of the committee to act as chairperson with the responsibility for coordination of the committee's activities. Membership of the Rural Transportation Coordinating 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. In addition, the lead planning agency will coordinate with each participating local government agency and the adjoining Rural Planning Organizations.

**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, which becomes effective as of the last day signed. The following pages comprise the signature pages from each party to this memorandum.

#### **CONSIDERATION OF RESOLUTION TO ADOPT THE THIRD ONE-HALF CENT SALES TAX**

Commissioner Sampson introduced a motion to adopt a resolution to levy the third one-half cent sales tax with an effective date of January 1, 2003. Commissioner Talton seconded the motion, which failed, there being three (3) "Ayes" from Commissioners Bland, Sampson and Talton and three (3) "Nays" from Commissioners Allen, Phillips and Tyson.

#### **APPOINTMENTS**

The Board was advised of the necessity to make three (3) appointments relative to the Down East Rural Planning Organization Memorandum of Understanding; two (2) appointments to a Rural Transportation Advisory Committee and one (1) appointment to a Rural Transportation Coordinating Committee. Commissioner Allen moved to defer consideration of these appointments until the Board's next meeting, seconded by Commissioner Talton and unanimously carried.

#### **COUNTY ATTORNEY'S REPORT**

##### *Lawsuit vs. the State*

The County Attorney was directed at the Board's last meeting on November 4<sup>th</sup> to research the details concerning the local government lawsuit against the Secretary of Revenue. Commissioner Phillips moved to allow Byrd Henshaw to speak on the matter, seconded by Commissioner Allen and unanimously carried. He emphasized that Mr. Henshaw was not representing the Craven County Taxpayers Association, which has no opinion on the matter. Mr. Henshaw reported that the expenses to be involved in the lawsuit are quoted as being \$1,000 or less. County Attorney, Jim Sugg, confirmed this information. Commissioner Tyson moved to adopt a resolution to join the lawsuit, seconded by Commissioner Phillips. The motion failed, there being three (3) "Ayes" from Commissioners Allen, Phillips and Tyson, and three (3) "Nays" from Commissioners Bland, Sampson and Talton. Commissioner Sampson stated that should local governments prevail in the suit, the funds will ultimately come from the citizens.

Commissioner Allen reminded the Board that the Governor's action in withholding County reimbursements was done in concert with the General Assembly. Commissioner Phillips, stated that he advocated the resolution to join the suit if nothing more than to test the Governor's authority to act as he did.

#### *Fairfield Harbour*

Mr. Sugg provided an update on a house in Fairfield Harbour, which remains in an unacceptable condition despite repeated contacts and attempts to contact the owner. He advised the Board that the note holder on the home sold the home to the current owner, and although he has some authority to intercede in the matter, has indicated no interest in doing so. He explained that November 7<sup>th</sup> was the expiration date for the owner to respond and make repairs. The Craven County Planning Department has stated that the home could be subject to condemnation. Commissioner Tyson moved to authorize the County to proceed with the condemnation, with the understanding that the Fairfield Harbour Property Owner's Association would be responsible for the demolition and clearing of the home at no cost to the County. Commissioner Phillips seconded the motion, which carried unanimously.

#### *Fire Training Center*

Mr. Sugg presented the final copy of the deed conveying land for the Firemens Association Training Center, consisting of 18.92 acres adjacent to the lagoon site on Executive Parkway in the Industrial Park. He recommended execution of the document. Commissioner Allen moved to authorize the Chairman to execute the document, seconded by Commissioner Tyson and unanimously carried.

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

#### *Location for December 2<sup>nd</sup> Meeting*

County Manager, Harold Blizzard, requested that the Board consider relocating its regular session meeting of December 2<sup>nd</sup> to Courtroom #4 in the Courthouse Annex. Commissioner Phillips moved to change the meeting location, as recommended by the County Manager for the December 2, 2002 meeting, seconded by Commissioner Talton and unanimously carried.

#### *Request to Set Public Hearings*

Mr. Blizzard presented a request from the Planning Department to schedule two (2) public hearings; one on December 2, 2002 and one on December 16, 2002, concerning an application for scattered site funding through housing and community development grants. Commissioner Talton moved to schedule a public hearing for December 2<sup>nd</sup> at 8:30 p.m. and one for December 16<sup>th</sup> at 11:00 a.m., seconded by Commissioner Phillips and unanimously carried.

### **COMMISSIONERS' REPORTS**

*Commissioner Sampson* requested that the Board do something special for Commissioner Toon.

*Commissioner Tyson* moved that the Board draft a resolution honoring Commissioner Toon, to be adopted at its next meeting and presented to the family at that time if the family is agreeable. Commissioner Phillips seconded the motion, which carried unanimously.

*Commissioner Bland* reminded the Board that he had expressed his intent at its last meeting to seek funding for three non-profit organizations; MERCI Clinic, Coastal Women's Shelter and the Rape Crisis Center. He moved that the Board appropriate \$7,000 to the operations of MERCI Clinic, \$6,000 to Coastal Women's Shelter and

\$6,000 to the Rape Crisis Center. During discussion, Commissioner Tyson advised the Board that he had been contacted by at least one other non-profit organization and that others should be considered. He recommended an amendment to the motion to fund the non-profit organizations that were funded by Craven County in FY2001-02 at half of the amount that was funded in the year just ended. There was discussion concerning the fact that all of the organizations that were funded in the previous fiscal year may not be viable at this point. The total amount that was awarded in FY01-02 was \$63,909. Craven County Finance Officer, Rick Hemphill, advised the Board that the New Bern Area Improvement Association, which had received funds in the previous year, had not requested funds this year and had indicated that their request was a one time request. Excluding the amount awarded to New Bern Area Improvement Association, the total amount would be \$61,409. Commissioner Bland introduced an amendment to fund the non-profit organizations, as follows, in half the amount they were funded in FY01-02. Commissioner Tyson seconded by motion, which carried with four (4) “Ayes” from Commissioners Bland, Sampson, Talton, and Tyson, there being two (2) “Nays” from Commissioners Allen and Phillips.

Swiss Bear	\$ 6,880
Teen Court	\$ 3,500
Sexual Assault Resource Ctr	\$ 6,880
Big Brothers/Big Sisters	\$ 1,835
Coastal Women’s Shelter	\$12,500
Senior Companion	\$ 6,880
MERCI Clinic	\$ 6,880
RCS	\$ 4,587
Red Cross	\$ 4,587
James City Family Res Ctr	\$ 2,294
Craven Arts Council	\$ 4,587
	<u>          </u>
	\$61,409

At 10:35 a.m. the Board recessed to convene the meeting of the Water and Sewer Board of Directors.

At 10:37 a.m. the regular session reconvened and Commissioner Phillips moved to go into closed session pursuant to NCGS 143-318.11(a)(4) to discuss industrial development and 143-318.11(a)(6) relative to personnel. Commissioner Talton seconded the motion, which carried unanimously.

At 11:10 the Board reconvened in regular session. The County Attorney announced that the Board had discussed personnel and industrial development, with no action having been taken except approval of closed session minutes some of which may be released to the public.

Commissioner Talton moved to adjourn, seconded by Commissioner Sampson 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