

THE BOARD OF COMMISSIONERS OF THE COUNTY OF CRAVEN MET IN REGULAR SESSION IN THE COMMISSIONERS' ROOM OF THE CRAVEN COUNTY ADMINISTRATION BUILDING, 406 CRAVEN STREET, NEW BERN, NORTH CAROLINA ON MONDAY, FEBRUARY 3, 2003. THE MEETING CONVENED AT 7:00 P.M.

MEMBERS PRESENT:

Chairman Johnnie Sampson, Jr.
 Vice Chairman Lee Kyle Allen
 Commissioner George Brown
 Commissioner Bill Harper
 Commissioner Perry Morris
 Commissioner M. Renée Sisk
 Commissioner Leon C. Staton

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 Brown moved to approve minutes of the January 21, 2003 regular session, seconded by Commissioner Morris and unanimously carried.

CONSENT AGENDA

Tax Releases and Refunds

Craven County Tax Administrator, Ronnie Antry, submitted the following tax releases and refunds for the Board's approval. Commissioner Sisk moved for their approval, seconded by Commissioner Morris and unanimously carried in a roll call vote.

Credits

TAXPAYER NAME	TICKET #	AMOUNT
ALLEN, WANDA S MOBILE HOME DID NOT EXIST	2002-0000720	\$ 55.86
ARMSTRONG, ORAL KEITH DID NOT OWN 1/1/2002	2002-0001403	\$ 183.93
CATES, CLIFTON M DOUBLE LISTED WITH ACCT #0000047	2002-0008471	\$ 30.28
CRAYTON BROS PARTNERSHIP CORRECTED APPRAISAL ERROR	2002-0090916	\$ 248.47
CRAYTON BROS PARTNERSHIP CORRECTED APPRAISAL ERROR	2002-0090915	\$ 248.47
CRAYTON BROS PARTNERSHIP CORRECTED APPRAISAL ERROR	2002-0090914	\$ 248.47
CRAYTON BROS PARTNERSHIP CORRECTED APPRAISAL ERROR	2002-0090913	\$ 7.19

CRAYTON, WALTER FRANKLIN & DAN CORRECTED APPRAISAL ERROR	2002-0090679	\$ 220.08
CRAYTON, WALTER FRANKLIN & DAN CORRECTED APPRAISAL ERROR	2002-0090680	\$ 248.47
FLEET CAPITAL LEASING CORRECTED APPRAISAL ERROR-DID NOT POST ON 1/6/03	2002-0016658	\$ 14.19
GILLIS, WILLIE & LOUISE DOUBLE LISTED WITH ACCT #38109	2002-0019350	\$ 100.39
JOHNSON, DAVID MICHAEL DID NOT OWN 1/1/1999	1999-0090551	\$ 224.06
KASZCZEWSKI, RICHARD A NOT IN BUSINESS 1/1/2002	2002-0027845	\$ 17.31
RHM INC NOT IN BUSINESS 1/1/2002	2002-0090830	\$ 6.51
ROOSA, KENNETH ALFRED & ROSIE INCORRECT SITUS-S/B 7G	2002-0043040	\$ 6.08
SAVAGE, DAPHNE ROACH DOUBLE LISTED WITH ACCT #13788	2002-0044086	\$ 56.43
SHENK, ROBERT INCORRECT SITUS-TRANSIT BOAT	2002-0090852	\$ 445.12
STRYKER, JOHN TRANSIT-CANADIAN CITIZEN-NOT TAXABLE IN CRAVEN COUNTY	2002-0090613	\$ 1,005.61
TILLET, ROBERT S VALUE ADJUSTED PER BILL OF SALE-DID NOT -POST ON 1/	2002-0090866	\$ 148.70
WHITE, PERCY F DID NOT OWN 1/1/1999-FACILITY RPT SHOWS MH OUT	1999-0051233	\$ 67.49

20 – CREDIT MEMO (S) \$ 3,583.11

Refunds

AUTRY, LARRY & KAREN H CORRECTED APPRAISAL ERROR-DID NOT POST ON 1/6/03	2002-0090134	\$ 4.06
CRAYTON BROS PARTNERSHIP CORRECTED APPRAISAL ERROR	2002-0090913	\$ 241.28
HIGH, ROBERT M & HIGH, JOHN H CORRECTED APPRIASAL ERROR	2002-0090738	\$ 6.96
KUHN, N FRED & EDITH J DID NOT OWN 1/1/2002	2002-0029080	\$ 9.40
PATTERSON, ROLVIX HARLAN & BET DOUBLE LISTED ON SAME ACCT #40121	2002-0038925	\$ 62.64

PILOTS INVEST G P LTD	2002-0090821	\$ 8.12
CORRECTED APPRAISAL ERROR-DID NOT POST ON 1/6/03		

TAYLOR, BRIAN Z & TAYLOR, JOHM	2002-0048571	\$ 353.45
CORRECTED APPRAISAL ERROR		

WELLS, JACK C	2002-0090887	\$ 6.96
CORRECTED APPRAISAL ERROR		

WHALEY, MABEL RUTH	2002-0053625	\$ 64.00
VACANT PROPERTY		

9 – REFUND(S) \$ 756.87

Budget Amendments

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

DSS 7291 Mand

REVENUES	AMOUNT	EXPENDITURES	AMOUNT
101-7291-349-32-00 Energy CIP	\$ 2,173.00	101-7291-450-23-03 CP&L	\$ 2,173.00
TOTAL	\$ 2,173.00	TOTAL	\$ 2,173.00

Justification: Additional funds allocated for the CP&L Project Share Program. Funds are 100% State.

Seized Assets

114-0000-399-01-00 Fund Balance	\$ 5,000.00	114-2001-410-33-01 Misc Exp	\$65,541.00
114-2001-377-01-00	\$60,541.00		
TOTAL	\$65,541.00	TOTAL	\$65,541.00

Justification: Budget fund balance and additional \$60,541 received in Federal Asset Forfeiture funds 1-29-2003.

Court Facilities

101-0000-399-01-00 Fund Balance	\$ 3,000.00	101-1301-400-21-05 Rent/Utilities – Gaston House	\$ 3,000.00
TOTAL	\$ 3,000.00	TOTAL	\$ 3,000.00

Justification: To provide funds for rental of Gaston House for Superior Court judges – Funds for FY 03.

DSS

101-7221-349-78-00 Adult Day Care	\$ (30,000.00)	101-7221-450-39-18 Adult Day Care	\$ (30,000.00)
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TOTAL \$ (30,000.00) TOTAL \$ (30,000.00)

Justification: Allocation reduced by the State. Funds will not be used due to the closing of the adult day care center. Funds are 100% State.

Schedule Public Hearing for FY 2002 CDBG Amendment

The Planning Department requested that the Board set a public hearing for 9:00 a.m. on March 17, 2003 concerning the FY 2002 CDBG Amendment. Commissioner Sisk moved to set a public hearing, as requested, seconded by Commissioner Morris and unanimously carried in a roll call vote.

Subdivisions for Approval

Craven County Planning Director, Don Baumgardner, submitted the following subdivisions for the Board's approval. Commissioner Sisk moved for their approval, as requested, seconded by Commissioner Morris and unanimously carried in a roll call vote.

Linwood Morris Division – Final: The property, owned by Linwood Morris and surveyed by Kendall Gaskins, is located within Twp 1 along SR 1638 (Maul Swamp Rd). The subdivision contains 2 lots on 4 acres and is proposed to be served by community water and individual septic systems. The Planning Board reviewed and recommended the subdivision for final approval.

Indian Woods – Section One – Phase Three – Final: The property, owned by B. Fetzer and surveyed by Suitt & Associates, is located within Twp 6 off of SR 1101 (County Line Rd). The subdivision contains 10 lots on 2.30 acres and is proposed to be served by community water and City of New Bern sewer. The Planning Board reviewed and recommended the subdivision for final approval.

Road Addition Request

Mr. Baumgardner requested to have the NC Department of Transportation add River Bluffs Drive, Nature Court, Serenity Court and Stillwood Court within the River Bluff Subdivision, Twp 7, to the state maintenance system. The following standard SR-2 Road Addition Resolution needs to be approved by the Board. Commissioner Sisk moved for approval of the resolution to add River Bluffs Drive, Nature Court, Serenity Court and Stillwood Court within the River Bluff Subdivision, Twp 7, to the state maintenance system, seconded by Commissioner Morris and unanimously carried in a roll call vote.

North Carolina
County of Craven

Road Description River Bluffs Dr. Nature Ct. Serenity Ct. and Stillwood Ct. within
River Bluffs Subd. TWP 7 Length 0.765 miles Width 18 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.

PETITIONS OF CITIZENS

Larry Baldwin, Lower Neuse Riverkeeper with the Neuse River Foundation, was not present when called.

Noka Hills, spoke on behalf of others in her circumstances, stating that she had been convicted of welfare fraud although she objected to her conviction. She stated that she would like to work to repay her debt; however, she had been unsuccessful in finding work with a criminal record. She advocated some kind of program that would provide a second chance for those who are trying to correct their course.

Marie Thompson, spoke on behalf of citizens who have a need for respite care who are attending Alzheimers patients at home. She stated that there is hope for reopening Tender Care at a new site on Trent Road beginning March 1st and at a reduced rental cost from the prior location. She stated that the participation fee for Tender Care was \$44 per day, with \$23 per day being reimbursed by the Department of Social Services, for a total of approximately \$800 per month cost to consumers of the service. She advised the Board that \$2,300 in pledges is currently available, in addition to \$1,800 in one-time donations to go toward re-establishing the program. She requested an appropriation of matching funds to allow the continued operation of Tender Care at the proposed new location. Commissioner Sampson questioned the amount of \$30,000 in the budget amendments adopted by the Board that is being returned to the State. He recommended that the State be petitioned to allow the County to keep those funds and apply them toward the continuation of the Adult Day Care program, if it could be determined that the program would be eligible for these funds. Commissioner Allen moved to reverse the Board's action in adopting the consent agenda, relative to the budget amendment returning \$30,000 to the State of North Carolina, solely, seconded by Commissioner Brown and unanimously carried. Commissioner Brown moved to forward a resolution to the County's Legislative Delegation requesting that the \$30,000 be retained in Craven County on the condition that it could be applied to the continuation of the Adult Day Care program. Commissioner Morris seconded the motion, which carried unanimously.

Jim Barnhill, spoke in opposition to the proposed location of an Outlying Landing Field in Craven County, as well as the adoption of the additional half cent sales tax.

Larry Baldwin, previously scheduled, appeared and was allowed to address the Board. He introduced himself as the new Lower Neuse Riverkeeper and asked for the Board's support by considering the health of the river when making their decisions.

At 7:35 p.m. Commissioner Allen moved to go into public hearing, as advertised, concerning the CDBG Scattered Site Application. Commissioner Brown seconded the motion, which carried unanimously.

Mr. Charlie Simmons spoke once again on behalf of Jim Scott, who is living in substandard housing without electricity, toilet, or running water. He reminded the Board that Mr. Scott's trailer was destroyed in a tornado and has not been replaced. Planning Director, Don Baumgardner, stated that the Planning Department is aware of the situation and will consider Mr. Scott's circumstances when the applications are received. He further stated that his needs are recognized as a priority situation. There were no other speakers from the public and at 7:43 p.m. Commissioner Sisk moved to return to regular session, seconded by Commissioner Morris and unanimously carried.

RESOLUTION OF RECOGNITION

Commissioner Sampson requested that the Board adopt and present the following resolution to Mr. John "Zeke" Simmons, which was prepared for the Board's last meeting; however, Mr. Simmons was ill and was unable to be present. Mr. Simmons was called forward and the following resolution was presented.

**RESOLUTION
RECOGNIZING JOHN “ZEKE” SIMMONS**

WHEREAS, John “Zeke” Simmons has been an active resident of Craven County during his lifetime; and

WHEREAS, prior to his retirement, he served on Swiss Bear’s exploratory Task Force on the development of Union Point, which functioned from 1983-1986; and

WHEREAS, he retired as a Probation/Parole officer in 1991 after 20 years of service and has, since that time, continued to volunteer in various capacities; and

WHEREAS, he was the first President of the Five Points Economic Development Corporation, and served on the New Bern Recreation Advisory Committee for twenty-eight years, and during his service two new gymnasiums were built; and

WHEREAS, he has served his church, First Missionary Baptist Church, as Chairman of the Trustee Board; and

WHEREAS, he has been an active member of the school support group which launched the Concerned Parents Organization; and continues to direct the Pembroke Community Crime Watch; and

WHEREAS, John Simmons exemplifies the spirit of community volunteerism.

NOW, THEREFORE, BE IT RESOLVED that the Craven County Board of Commissioners recognizes John “Zeke” Simmons for his commitment to the community and ongoing involvement.

Adopted this 21st day of January, 2003

PRESENTATION OF UNPAID TAXES

Craven County Tax Administrator, Ronnie Antry, presented to the Board the amount of 2002 taxes that remain unpaid, which are a lien upon real estate, pursuant to NCGS 105-369(a). The amount of uncollected taxes is \$1.3 million. Commissioner Morris moved to authorize the tax collector to advertise and publish the liens in the *Sun Journal* on April 7, 2003, seconded by Commissioner Harper and unanimously carried. Mr. Antry advised the Board that Jones and Lenoir Counties have adopted an ongoing program of foreclosures and the firm which operates their program has made an offer to Craven County. He asked that the Board allow him to present the proposal at its next meeting.

PLANNING AND COMMUNITY DEVELOPMENT FUNCTIONS AND OPERATIONS

Planning Director, Don Baumgardner, provided an overview of the Planning and Community Development Department’s operations, including the Flood Plain Management Program and the Stormwater Management Plan. He outlined highlights of the program, as follows:

- Current availability of all necessary applications online for central permitting
- Road identification signs at secondary road intersections are placed and maintained by the Department
- Craven County was among the first group of six (6) communities in the state to participate in community rating system.
- Craven County due to receive new flood maps in May or June of this year.
- Craven County not a phase 2 area for stormwater management with the exception of industrial permitting.

COUNTY MANAGER'S REPORT

ADM Funds

County Manager, Harold Blizzard, advised the Board that correspondence had been received indicating that Craven County may be in jeopardy of losing ADM Funds for the schools. Commissioner Allen moved to send a resolution to the N.C. General Assembly in protest with all Commissioners as signers. Commissioner Brown seconded the motion, which carried unanimously.

Environmental Conference

The Board was advised of an opportunity to send a representative to the Environmental Conference being held in Greenville, March 6-7 by the NC Eastern Region Commission. Commissioner Harper indicated that he would be interested in attending and he was designated as the Board's representative.

Wirthwein Project Plans

Economic Developer, Jim Davis, advised the Board that a committee has reviewed documents and plans relative to the Wirthwein Project.

- Plans include an area for future storage, which needs clarification, as outside storage is not allowed by the Industrial Park.
- additional landscaping will be necessary on the north side.
- recommendation of plans indicating aluminum siding on manufacturing areas
- potential need for piping or relocation of drainage in storage area

Commissioner Morris moved to accept the Committee's report, seconded by Commissioner Harper and unanimously carried.

Joint Meeting with School Board

The Board was informed that the School Superintendent had advised that the School Board has interest in a joint meeting with the Board of Commissioners. He proposed February 25th or 26th. It was the consensus of the Board to schedule the joint meeting for February 25th at 3:00 p.m.

Judge's Office Space

Assistant County Manager, George Sawyer, advised the Board that in researching office space for Superior Court Judges it had been determined that the Gaston House is available. He concluded that the first floor appears to be adequate to serve Judges Ben Alford and Ken Crow. In initial discussions with the owner, Tryon Palace, the rental amount of \$375 a month, totaling \$4,500 per year, was proposed, in exchange for the County's keeping up the grounds and taking care of the utility bill. He recommended that the County enter the agreement, to begin March 1st and that a lease be drafted for one year, with the option to renew for a second year at the same rate. Funds for this agreement were not budgeted, and would, therefore, need to come from fund balance in the amount of \$3,000 for the remaining four (4) months of the current fiscal year. Commissioner Morris moved to authorize the Assistant Manager to proceed in negotiating the lease with the requested funds to be designated from fund balance. Commissioner Harper seconded the motion, which carried unanimously in a roll call vote.

COMMISSIONERS' REPORTS

Commissioner Sisk commented that it would be desirable to include an agenda item for additions and deletions from the agenda at the beginning and asked that the Board consider this. She commented that the schools need more volunteers.

Commissioner Staton praised the Water and Sewer Superintendent and his staff for a speedy response when the water system in the Harlowe area was adversely affected during the recent snowstorm and freezing weather.

Commissioner Morris reemphasized the need for school volunteers.

Commissioner Allen advised the Board that he had recently received a Certificate of Appreciation from the past President of the State Health Directors' Association for his involvement with that Association, as well as the Association of North Carolina Boards of Health and the National Association of Local Boards of Health.

Commissioner Sampson recommended that the Local Emergency Planning Committee be invited to give a presentation before the Board concerning emergency preparedness.

At 9:15 p.m. Commissioner Allen moved to adjourn, seconded by Commissioner Sisk and unanimously carried.

Chairman Johnnie Sampson, Jr.
Craven County Board of Commissioners

Gwendolyn M. Bryan
Clerk to the Board