

**THE BOARD OF COMMISSIONERS OF THE COUNTY OF CRAVEN MET IN REGULAR SESSION IN THE COMMISSIONERS' ROOM OF THE CRAVEN COUNTY ADMINISTRATION BUILDING, 406 CRAVEN STREET, NEW BERN, NORTH CAROLINA ON MONDAY, AUGUST 16, 2004. THE MEETING CONVENED AT 8:30 A.M.**

**MEMBERS PRESENT:**

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

**STAFF PRESENT:**

Harold Blizzard, 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 Morris and the Pledge of Allegiance, Commissioner Sisk moved to approve minutes of August 2, 2004 regular session, seconded by Commissioner Samspon and unanimously carried in a roll call vote.

**CONSENT AGENDA**

*Budget Amendments*

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

*Elections*

<b>REVENUES</b>	<b>AMOUNT</b>	<b>EXPENDITURES</b>	<b>AMOUNT</b>
101-0000-399-01-00 Fund Balance	\$16,660.00	101-0601-400-10-01 Fees to Bd Members	\$1,140.00
		101-601-400-21-0 Bldg. Rents	\$50.00
		101-601-400-32-01 Supplies	\$200.00
		101-601-400-40-0 Custodians	\$60.00
		101-601-400-40-09 Precinct Officials	\$15,210.00
<b>TOTAL</b>	<b>\$16,660.00</b>	<b>TOTAL</b>	<b>\$16,660.00</b>

**Justification:** Second Primary August 17, 2004.

*DSS Mandated Services*

101-7291-349-32-00 Energy	\$(12,392.00)	101-7291-450-23-03 CP&L	\$(12,392.00)
<b>TOTAL</b>	<b>\$(12,392.00)</b>	<b>TOTAL</b>	<b>\$(12,392.00)</b>

**Justification:** Funding authorization for Carolina Power and Light Project Share Program reflects a much lower amount than original figure on the State estimates. Funds are 100% State, no County match.

**General TDA Trust Fund**

**JOURNAL ENTRY**

101-0560-400-82-01	\$500,000.00	101-0000-170-90-00	\$500,000.00
Debt Write Off		Loan Room Occ Trust	
590-0000-230-01-00	\$500,000.00	590-0000-380-03-00	\$500,000.00
Owed to Fd 101		Debt Write Off	

Loan write off in the amount of \$50,000  
Room Occ Fd 590/General 101

**BUDGET AMENDMENT**

101-0000-399-01-00	\$500,000.00	101-0560-400-82-01	\$500,000.00
Fund Balance		Debt Write Off	
TOTAL	\$500,000.00	TOTAL	\$500,000.00

**Justification:** To write off \$500,000(one third) of the loan between the County and Occupancy Trust Fund pertaining to the construction of the Convention Center.

*Tax Releases and Refunds*

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

**Credits**

<b>TAXPAYER NAME</b>	<b>TICKET #</b>	<b>AMOUNT</b>
ANDERSON, SUSAN M CORRECTING APPRAISAL ERROR-WILL BE REBILLED	2004-0001149	\$320.50
AVERY, ROBERT TERRY & JEANETTE CORRECTING MAPPING ERROR	2004-0001829	\$10.38
BARG, RITA DOUBLE LISTED WITH ACCT #47321	2004-0002490	\$41.97
BENNETT, CHRISTOPHER J & EMILY DID NOT OWN 01/01/04	2004-0003896	\$994.02
BERNHARDT, DONALD M JR & CATHE CORRECTING APPRAISAL ERROR	2004-0004083	\$208.10
BICYCLES AND FITNESS INC CORRECTING APPRIASAL ERROR-WILL BE REBILLED	2004-0004258	\$98.48
BOWLEN, ROBERT S VALUE ADJUSTED PER BILL OF SALE	2004-0005172	\$64.22
BUCK, FRANCIS LEROY JR VALUE ADJUSTED-HOMEMADE BOAT	2004-0007014	\$11.68

CHURCH-BROAD STREET CHRISTIAN EXEMPT PER GS 105-278.3	2004-0009316	\$256.48
CLARK HOMES OF GREENVILLE LLC PROPERTY VACANT	2004-0009602	\$32.00
CLARK HOMES OF GREENVILLE LLC RECYCLE FEE CHARGED IN ERROR	2004-0009588	\$32.00
CLARK, DONALD VALUE ADJUSTED PER BILL OF SALE	2004-0009645	\$88.64
CLS LEASING CORPORATION NOT IN BUSINESS 01/01/04	2004-0009921	\$17.89
COASTAL WOMENS SHELTER INC EXEMPT PROPERTY	2004-0009986	\$32.00
COWARD, MARJORIE T DID NOT OWN 01/01/04	2004-0011136	\$83.89
CRAVEN COUNTY EXEMPT PROPERTY	2004-0011417	\$32.00
CREEL, BETTY JONES DOUBLE LISTED WITH ACCT #1594910	2004-0011629	\$131.31
CROOM, PAUL HALE & ROBIN LYNN VALUE ADJUSTED PER BILL OF SALE	2004-0011757	\$13.18
CRUZ, PAUL P DOUBLE LISTED WITH ACCT #53662	2004-0011903	\$62.78
DAVIS, CAROLYN BOYETTE CORRECTING APPRAISAL ERROR	2004-0012639	\$6.31
DEAN, JOHN DOUBLE LISTED WITH ACCT #53661	2004-0013095	\$44.73
DEMORANVILLE, MARK A VALUE ADJUSTED PER BILL OF SALE & CONDITION	2004-0013333	\$52.07
DICKSON, CATHERINE E CORRECTING APPRAISAL ERROR	2004-0013560	\$153.03
DUHON, JASON T & MARIA E MILITARY-1/2 VAL. JASON LES-TX ECC-01/20/08	2004-0014559	\$39.25
DUNN, ROBERT EUGENE SR & EVELY ANNEXED BY CITY OF NEW BERN	2004-0014761	\$1,733.40
DYSINGER, DAVID W & ANGELA N DID NOT OWN 01/01/04	2004-0014892	\$743.09
FELIX, LUIS A & ECHEVERRIA, MA DOUBLE LISTED WITH ACCT #51013	2003-0016161	\$75.16
FELIX, LUIS A & ECHEVERRIA, MA DOUBLE LISTED WITH ACCOUNT #51013	2004-0016467	\$68.65

FILLINGAME, GELEA M PROPERTY VACANT	2004-0016714	\$32.00
FOUNDATION LIFE FELLOWSHIP INC EXEMPT PROPERTY	2004-0017563	\$32.00
GARNER, WANDA G SCE REMOVED IN ERROR	2004-0018654	\$180.65
GARRIS, ANGELA DID NOT OWN 01/01/04	2004-0018686	\$48.63
GRIMSHAW, JIM VALUE ADJUSTED PER BILL OF SALE	2004-0021057	\$111.49
GRIMSHAW, JIM VALUE ADJUSTED PER BILL OF SALE	2003-0091220	\$136.43
H & W INVESTMENTS PARTNERSHIP DID NOT OWN 01/01/04	2004-0021349	\$12.33
H & W INVESTMENTS PARTNERSHIP DID NOT OWN 01/01/04	2004-0021343	\$91.57
H & W INVESTMENTS PARTNERSHIP DID NOT OWN 01/01/04	2004-0021345	\$29.92
H & W INVESTMENTS PARTNERSHIP DID NOT OWN 01/01/04	2004-0021346	\$174.86
H & W INVESTMENTS PARTNERSHIP DID NOT OWN 01/01/04	2004-0021347	\$161.66
H & W INVESTMENTS PARTNERSHIP DID NOT OWN 01/01/04	2004-0021348	\$148.63
H & W INVESTMENTS PARTNERSHIP DID NOT OWN 01/01/04	2004-0021367	\$20.31
H & W INVESTMENTS PARTNERSHIP DID NOT OWN 01/01/04	2004-0021351	\$91.57
H & W INVESTMENTS PARTNERSHIP DID NOT OWN 01/01/04	2004-0021352	\$91.57
H & W INVESTMENTS PARTNERSHIP DID NOT OWN 01/01/04	2004-0021354	\$91.57
H & W INVESTMENTS PARTNERSHIP DID NOT OWN 01/01/04	2004-0021355	\$91.57
H & W INVESTMENTS PARTNERSHIP DID NOT OWN 01/01/04	2004-0021356	\$91.57
H & W INVESTMENTS PARTNERSHIP DID NOT OWN 01/01/04	2004-0021357	\$91.57
H & W INVESTMENTS PARTNERSHIP DID NOT OWN 01/01/04	2004-0021358	\$91.57

H & W INVESTMENTS PARTNERSHIP DID NOT OWN 01/01/04	2004-0021359	\$91.57
H & W INVESTMENTS PARTNERSHIP DID NOT OWN 01/01/04	2004-0021360	\$91.57
H & W INVESTMENTS PARTNERSHIP DID NOT OWN 01/01/04	2004-0021361	\$91.57
H & W INVESTMENTS PARTNERSHIP DID NOT OWN 01/01/04	2004-0021362	\$91.57
H & W INVESTMENTS PARTNERSHIP DID NOT OWN 01/01/04	2004-0021363	\$91.57
H & W INVESTMENTS PARTNERSHIP DID NOT OWN 01/01/04	2004-0021364	\$91.57
H & W INVESTMENTS PARTNERSHIP DID NOT OWN 01/01/04	2004-0021365	\$91.57
H & W INVESTMENTS PARTNERSHIP DID NOT OWN 01/01/04	2004-0021366	\$91.57
H & W INVESTMENTS PARTNERSHIP DID NOT OWN 01/01/04	2004-0021350	\$13.79
HALL, BRENDA DID NOT OWN 01/01/04	2004-0021609	\$47.26
HALL, DONALD EDWARD VALUE ADJUSTED PER BILL OF SALE	2004-0021621	\$64.20
HARPER, CAROL ROSE DID NOT OWN 01/01/04	2004-0022510	\$294.42
HAYE, DEWEY M JR DID NOT OWN 01/01/04-WILL BE REBILLED	2004-0023416	\$429.09
HILL, CAROL YVETTE CORRECTING APPRAISAL ERROR	2004-0024216	\$298.20
HOFFMAN, NORMAN F JR & PHYLLIS VALUE ADJUSTED PER ABOS	2004-0024722	\$1.93
HUEBNER, GERTRUDE VALUE ADJUSTED PER BILL OF SALE	2004-0025546	\$60.37
JOHNSON, JOHN ANDREW & WILLIS DID NOT OWN 01/01/04	2004-0027364	\$46.88
JONES, JAMES RICHARD SR & MARY DID NOT OWN 01/01/04	2004-0027852	\$101.47
KING, CHARLES R INCORRECT SITUS-SHOULD BE 5 E	2004-0029035	\$42.93
KING, SCOTT A MILITARY-HIS NAME ONLY 04 LES-FL ECC-11/22/07	2004-0029124	\$592.49

LANSCHÉ, WILLIAM J III CORRECTED BOAT VALUATION	2004-0030273	\$90.15
LANSCHÉ, WILLIAM J III CORRECTED BOAT VALUATION	2003-0091249	\$101.78
LEARY, HELEN RESTORE SCE FOR 2004	2004-0030561	\$141.00
LIFSEY, WILLIAM N & PATRICIA G CORRECTING APPRAISAL ERROR	2004-0031182	\$994.86
LUNDY, H L & DORIS PROPERTY VACANT	2004-0031891	\$32.00
MANNING, JOYCE SMITH PROPERTY LISTED AS REAL	2004-0032554	\$311.35
MANNING, MARY ADAMS CORRECTING APPRAISAL ERROR-WILL BE REBILLED	2004-0032559	\$213.74
MANNING, SARAH M & BOBO, LOLIT DID NOT OWN 01/01/04	2004-0032579	\$32.76
MARTIN, RENEE ROXANNE DID NOT OWN 01/01/04	2003-0032521	\$235.49
MARTIN, RENEE ROXANNE DID NOT OWN 01/01/04	2004-0033013	\$217.61
MATHEWS, NICHOLAS C & MELISSA CORRECTING APPRAISAL ERROR	2004-0033141	\$1,653.80
MAXWELL, ELKE BURTI DID NOT OWN 01/01/04	2004-0033373	\$72.53
MAYBROOK MOBILE HOME PARK LLC LATE FEE CHARGED IN ERROR	2004-0033406	\$58.91
MCKEON, RICHARD L & LOUISE J CORRECTING APPRAISAL ERROR	2004-0034331	\$1,034.01
MCLAWHORN, CARLA ROUSE DOUBLE LISTED WITH ACCT #4836600	2004-0034414	\$135.33
MILLS, FRED JR & DOROTHY S INCORRECT SITUS-SHOULD BE 8-J	2004-0035376	\$30.53
MITCHELL, MARY DAIL DWELLING VACANT SINCE 1999	2004-0035697	\$32.00
MOORE, WALTER C & CONNIE T DID NOT OWN 01/01/04	2004-0036387	\$144.97
MOORING, ROLAND JEFFERY DOUBLE LISTED WITH ACCT #54702	2004-0036417	\$144.96
NEW BERN-CITY OF EXEMPT PROPERTY	2004-0037918	\$6.55

NEWBERRY, MATTHEW A & KIMBERLY DID NOT OWN 01/01/04	2004-0037948	\$633.06
OWENS, THOMAS BRADLEY MILITARY-HIS NAME ONLY 04 LES-MI ECC-01/21/06	2004-0039152	\$30.30
PARKER, GEORGE D INCORRECT SITUS-SHOULD BE PAMLICO COUNTY	2004-0039433	\$96.10
PEACE, THOMAS WILLIAM MILITARY-HIS NAME ONLY 04 LES-FL ECC-05/25/04	2004-0039869	\$20.64
PERRY, RONALD L & MARTHA M DID NOT OWN 01/01/04	2004-0040187	\$843.94
PETERSEN, HANS JULIUS INCORRECT SITUS-SHOULD BE CARTERET CO.	2004-0040227	\$152.71
REGISTER, TERRY T JR DID NOT OWN 01/01/04	2004-0042499	\$185.51
ROACH, RAYMOND EARL SCE REMOVED IN ERROR	2004-0043433	\$150.79
ROBISON, NEDSON K II & JUDITH LATE FEE CHARGED IN ERROR	2004-0043743	\$5.37
SEWELL, TAMMY V DID NOT OWN 01/01/04	2004-0045695	\$772.53
SMITH, ANGELA M DID NOT OWN 01/01/04	2004-0046667	\$808.89
SMITH, OWEN R & CAROLYN P LATE LISTING FEE CHARGED IN ERROR	2004-0047125	\$36.89
SOUTHTRUST BANK DID NOT OWN 01/01/04	2003-0046960	\$159.20
SOUTHTRUST BANK DID NOT OWN 01/01/04	2004-0047490	\$147.27
STROUD, THOMAS L CORRECTING APPRAISAL ERROR	2004-0048758	\$714.18
STROUD, THOMAS L CORRECTING APPRAISAL ERROR	2004-0048757	\$714.18
TORRES, SHIRLEY ANN VALUE ADJUST PER BILL OF SALE	2004-0050927	\$3.84
TRAN, THANH & SUONG THI THU CORRECTING APPRAISAL ERROR	2004-0051017	\$25.42
WACHOVIA LEASING CORPORATION DID NOT OWN 01/01/04	2004-0052525	\$655.67
WEST, TIMOTHY STEVEN DID NOT OWN 01/01/04	2004-0054003	\$236.83

WESTBROOK, VERDA HRS DID NOT OWN 01/01/02	2002-0052965	\$125.20
WESTBROOK, VERDA HRS DID NOT OWN 01/01/04	2003-0053393	\$108.92
WESTBROOK, VERDA HRS DID NOT OWN 01/01/04	2004-0054022	\$98.76
WIGGINS, RONALD F USED FOR STORAGE ONLY	2004-0055602	\$32.00
WILLIAMS, STEPHEN TODD CORRECTING APPRAISAL ERROR	2004-0056175	\$8.99
113 – CREDIT MEMO (S)		\$22,445.79

*Refunds*

BRYANT, GENE O NOT IN BUSINESS 01/01/2003	2003-0091171	\$54.24
DUNN, ROBERT EUGENE SR & EVELY ANNEXED BY CITY OF NEW BERN	2004-0014761	\$145.00
NTR GROUP LLC LATE FEE CHARGED IN ERROR	2004-0038602	\$173.81
3 – REFUND (S)		\$373.05

*Holiday Schedule for 2005*

The Craven County Human Resources Department submitted for approval the following proposed 2005 Holiday Schedule for Craven County employees. For the year 2005, eleven (11) holidays will be given. This schedule is the same as the State of North Carolina’s holiday schedule for 2005. Commissioner Morris moved to approve the proposed 2005 Holiday Schedule for Craven County employees, seconded by Commissioner Staton and unanimously carried in a roll call vote.

**2005  
HOLIDAY SCHEDULE**

**NEW YEAR’S DAY**  
Friday, December 31, 2004

**MARTIN LUTHER KING, JR.’S BIRTHDAY**  
Monday, January 17, 2005

**GOOD FRIDAY**  
Friday, March 25, 2004

**MEMORIAL DAY**  
Monday, May 30, 2005

**INDEPENDENCE DAY**  
Monday, July 4, 2004

**LABOR DAY**  
Monday, September 5, 2005

**VETERANS' DAY**  
**Friday, November 11, 2005**

**THANKSGIVING**  
**Thursday, November 24, 2005**  
**Friday, November 25, 2005**

**CHRISTMAS**  
**Friday, December 23, 2005**  
**Monday, December 26, 2005**

*Fair Labor Standards Act (FLSA) Revised Regulations*

The Board was advised that the U.S. Department of Labor has issued revised Fair Labor Standards Act Overtime Regulations, with which employers are required to comply by August 23, 2004. The following proposed amendments to Craven County's Personnel Resolution were presented for the Board's approval to ensure compliance with the new regulations. Commissioner Morris moved for approval of the recommended amendments, seconded by Commissioner Staton and unanimously carried in a roll call vote.

**ARTICLE XI. EMPLOYEE BENEFITS, SECTION G. PAYROLL DEDUCTIONS**

**PURPOSE:** To prohibit improper pay deductions, provide a vehicle for employee complaints regarding improper pay deductions, reimburse employees for any improper deductions made, and ensure future compliance with all state and federal wage laws and internal policies regarding any improper pay practices.

Therefore, pursuant to Department of Labor's FairPay Regulations, effective August 23, 2004, the above Article XI. Section G. is amended by adding the following:

**G(1) DISCIPLINARY DEDUCTIONS:** Deductions may be made from an employee's pay for a disciplinary suspension in violation of Workplace Conduct as set forth in an amendment of Article VIII. Separation, Disciplinary Action and Reinstatement, Section B. Disciplinary Actions, Violation of Workplace Conduct.

**G(2) OTHER PERMISSIBLE DEDUCTIONS:** Deductions may also be made from an employee's pay for any absence where the employee has exhausted all accrued leave, including, but not limited to, personal reasons, sickness or disability. Deductions may be made for absences resulting from work-related accidents, if the employee elects to receive worker's compensation benefits directly, pursuant to the County's Worker's Compensation Leave policy. Deductions for leave time taken under the Family and Medical Leave Act where all accrued leave has been exhausted and deductions for infractions of safety rules of major significance are also permissible. Other deductions allowed by the Fair Labor Standards Act may also be made as appropriate.

**G(3) IMPROPER PAY DEDUCTIONS – COMPLAINT PROCEDURE:** If an employee feels their pay has been improperly reduced, they may address their concerns in accordance with the Craven County Personnel Resolution, **ARTICLE IX. GRIEVANCE PROCEDURE.**

**G(4) COMPLIANCE:** If a determination that an improper deduction was made, Craven County will fully reimburse the employee for any improper deductions. Craven County will also take all measures necessary to ensure that no further improper deductions are made.

This policy shall apply to all employees in accordance with Craven County's policies and procedures for making deductions for reasons of public accountability.

Adopted this 16th day of August, 2004.

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This policy shall apply to all employees in accordance with Craven County's policies and procedures for making deductions for reasons of public accountability.

Adopted this 16th day of August, 2004.

*Subdivision For Approval*

Craven County Planning Director, Don Baumgardner, submitted the following subdivision for the Board's approval. Commissioner Morris moved for its approval as recommended, seconded by Commissioner Staton and unanimously carried in a roll call vote.

Hunters Ridge Phase V – Reapproval for Final: The property, owned by Robert E. Dunn, Sr., and engineered by Thomas Engineering, is located within Twp 7 off of SR 1144 (Perrytown Loop Road). The subdivision contains 36 lots on 16.35 acres and is proposed to be served by community water and individual septic systems. The Planning Board reviewed and recommended the subdivision for reapproval.

*Proposed Contract Amendment for FY 03 CDBG – SS Project*

Holland Consulting Planners, consultants who administer the current grant housing assistance program, requested a \$6,000 contract amendment to cover changes in the project activities, increasing the contract amount from \$48,000 to \$54,000. This increase is to be covered from grant funds, with no County money needed. Commissioner Morris moved to approve the \$6,000 contract amendment, increasing the contract amount from \$48,000 to \$54,000, seconded by Commissioner Staton and unanimously carried in a roll call vote.

**CONVENTION CENTER ANNUAL REPORT**

Convention Center Director, Sandy Richardson, presented the Annual Report for fiscal year 2004 for the Convention Center. She summarized the operating year 2004, and stated that it was as successful as projected, with the economic impact of \$8,274,535.00 surpassing the previous year's economic impact of approximately \$7 million. Included in Ms. Richardson's report was a summary of year end group evaluations, as well as a power point presentation of comments by group contacts who have used the facility in the past year. All comments were positive.

**AIRPORT MATTERS**

*Grant Offer Acceptance*

The Board was requested to approve acceptance of a Grant Offer and Agreement from the Federal Aviation Administration in favor of Craven County Regional Airport in the amount of One Million One Hundred Eighteen Thousand Six Hundred Twenty-Five and 00/100 Dollars (\$1,118,625.00). The Grant is for the purpose of improving the safety area, a safety and security access road, a new emergency response vehicle, and upgrades to the air traffic control tower. Commissioner Allen moved to approve acceptance of the grant offer, as requested, seconded by Commissioner Morris and unanimously carried.

*Property Disposition*

The Board was requested to adopt the following resolution authorizing the sale of a dwelling located on Craven Regional Airport property at 714 Clermont Road. Commissioner Sampson moved to adopt the resolution declaring the property surplus and authorizing its disposition, seconded by Commissioner Harper and unanimously carried.

**RESOLUTION OF CRAVEN COUNTY BOARD OF COMMISSIONERS  
AUTHORIZING PRIVATE NEGOTIATIONS AND SALE OF DWELLING  
HOUSE VALUED AT LESS THAN \$30,000**

WHEREAS, Craven County ("County") is the owner of a parcel of land located at the Craven County Regional Airport ("Airport") which parcel known and referred to as 714 Clermont Road and is more particularly described as Tract 62, on a map entitled "Survey for Craven County Regional Airport" prepared by Suitt & Associates, P.A., dated February 4, 1998 and recorded in Plat Cabinet G, Slide 47G in the office of the Register of Deeds of Craven County, North Carolina (hereinafter "Airport Real Property").

WHEREAS, a home and several out buildings (hereinafter "Improvements") are located on the Airport Real Property.

WHEREAS, the Airport Real Property and Improvements were acquired by the Craven County Regional Airport Authority ("Airport Authority") for the purpose of Airport expansion;

WHEREAS, the Airport Authority wishes to sever the Improvement from the Airport Real Property;

WHEREAS, the Improvements located on the Airport Real Property have been determined by the County and the Airport Authority to be surplus property; and N.C. Gen Stat. § 160A-266 authorizes the private negotiation and sale of the property; and

WHEREAS, the County adopts this resolution to secure for the County the fair market value of the personal property and to accomplish the efficient disposal of the same. The County authorizes the Airport Authority to set its fair market value and to convey title to the property in accordance with this resolution.

NOW, THEREFORE,

1. The property being disposed of consists of a home and several outbuildings (Improvements) located on the Airport Real Property.
2. The Improvements shall be severed from the Airport Real Property and Shall become personal property subject to transfer by Bill of Sale.
3. The Airport Authority shall maintain such records as generally describe the Improvements and to whom they were sold, and the amount of money or other consideration received for said sale of the Improvements in accordance with the provisions of N.C. Gen. Stat. § 160A-266.
4. This resolution shall be published in the *Sun Journal* one (1) time ten (10) days prior to the date set for sale by private sale.

This the 16<sup>th</sup> day of August, 2004.

**TAX MATTERS**

*Settlement of 2003 Taxes*

Tax Administrator, Ronnie Antry, presented the settlement of 2003 taxes, as follows:

**CRAVEN COUNTY, NORTH CAROLINA  
YEAR ENDED JUNE 30, 2004**

General Fund Original Levy	\$	30,943,072.98
Fire District Original Levy	\$	<u>1,181,659.64</u>
Total Original Levy	\$	32,124,732.62
Add:		
Afterlists	\$	972,597.42
Additions	\$	469.62
Plus Adjustments	\$	<u>288.26</u>
Total	\$	33,098,087.92
Less:		
Write-offs	\$	8,848.38
Adjustments	\$	75.82
Releases	\$	<u>536,417.37</u>
Net Levy	\$	32,552,746.35
Collected	\$	31,751,684.84

Uncollected as of June 30, 2004 \$ 801,061.51

Percentage of 2003 taxes collected.....97.54

Net taxable valuation--\$5,565,211,273

**ANNUAL REPORT OF REAL PROPERTY, CERTIFIED VALUATION AND  
PERSONAL PROPERTY OTHER THAN REGISTERED MOTOR VEHICLES**

**CRAVEN COUNTY, NORTH CAROLINA  
YEAR ENDED JUNE 30,  
2004**

General Fund Original Levy	\$	26,614,148.94
Fire District Original Levy	\$	<u>1,012,366.23</u>
Total Levy	\$	27,626,515.17
Add:		
Afterlists	\$	972,597.42
Additions	\$	393.80
Plus Adjustments	\$	<u>70.89</u>
Total	\$	28,599,577.28
Less:		
Write-offs	\$	1,520.20
Releases	\$	<u>110,234.26</u>
Net Levy	\$	28,487,822.82
Collected	\$	28,141,673.80
Uncollected as of June 30, 2004	\$	346,149.02

Percentage of 2003 taxes collected.....98.78

Net taxable valuation..\$4,869,059,640

**ANNUAL REPORT OF REGISTERED MOTOR VEHICLES**

**CRAVEN COUNTY, NORTH CAROLINA  
YEAR ENDED JUNE 30, 2004**

General Fund Original Levy	\$	4,328,924.04
Fire District Original Levy	\$	<u>169,293.41</u>
Total Original Levy	\$	4,498,217.45
Add:		
Additions	\$	75.82
Plus Adjustments	\$	<u>217.37</u>
Total	\$	4,498,510.64

Less:

Write-offs	\$	7,328.18
Adjustments	\$	75.82
Releases	\$	<u>426,183.11</u>
Net Levy	\$	4,064,923.53
Collected	\$	3,610,011.04
Uncollected as of June 30, 2004	\$	454,912.49

Percentage of 2003 taxes collected.....88.81

Net taxable valuation--\$696,151,633

Commissioner Sisk moved for acceptance of the settlement, as reported, seconded by Commissioner Sampson and unanimously carried.

*Charge to the Tax Collector*

Commissioner Sampson moved to adopt the following charge to the Tax Collector, as required by NCGS 105-321(b), seconded by Commissioner Harper and unanimously carried.

**TO THE TAX COLLECTOR OF THE COUNTY OF CRAVEN**

You are hereby authorized, empowered, and commanded to collect the taxes set forth in the tax records filed in the office of the Craven County Tax Collector and in the tax receipts herewith delivered to you, in the amounts and from the taxpayers likewise therein set forth. Such taxes are hereby declared to be a first lien upon all real property of the respective taxpayers in the County of Craven, and this order shall be a full and sufficient authority to direct, require, and enable you to levy on and sell any real or personal property of such taxpayer, for and on account thereof, in accordance with law.

Witness my hand and official seal, this 16<sup>th</sup> day of August, 2004.

**PUBLIC HEARING ON NEUSE HARBOUR FINAL ASSESSMENT ROLL**

At 9:00 a.m. Commissioner Morris moved to go into public hearing, as advertised, to provide an opportunity for Neuse Harbour property owners to express concerns about the assessment and/or the amount of assessment relative to road improvements in Neuse Harbor. Commissioner Staton seconded the motion, which carried unanimously. County Attorney, Jim Sugg, announced that all necessary steps have been taken for the assessment in Neuse Harbour to enable financing for required road improvements on specified roads. He stated this is the final step before the roll is taken to the Tax Collector and the information will be published for a final time. The following citizens spoke:

*Ed Giunco of 227 Drake Landing* identified himself as the President of the Neuse Harbour Homeowner's Association. He thanked the Board for their assistance in accomplishing this project. He inquired if the property owner assessment could be paid in full in advance as opposed to over a period of 5 years as specified. Mr. Sugg responded that the assessments could be paid in full in advance.

*Johnnie Bunting of 215 Drake Landing* also thanked the Board and staff for their support during the process of establishing the assessment and arranging for the road improvements.

At 9:10 a.m. Commissioner Sampson moved to return to regular session, there being no additional citizens who wished to speak. Commissioner Harper seconded the motion, which carried unanimously.

At 9:11 a.m. Commissioner Sisk moved to adopt the following resolution establishing the final assessment roll for Neuse Harbour Road Improvements, seconded by Commissioner Sampson and unanimously carried.

**RESOLUTION OF THE  
CRAVEN COUNTY BOARD OF COMMISSIONERS  
CONFIRMING THE ASSESSMENT  
AGAINST LOTS DESCRIBED IN  
PRELIMINARY ASSESSMENT ROLL**

WHEREAS, Craven County is authorized pursuant to N.C. Gen. Stat. § 153A-185(4) to make special assessments against benefited property within the County for all or part of the costs of constructing, reconstructing, paving, widening, installing curbs and gutters and otherwise building and improving the streets, as provided in N.C. Gen. Stat. § 153A-205; and

WHEREAS, Craven County is authorized pursuant to N.C. Gen. Stat. § 153A-205(b) to finance the local share of the cost of improvements made under the supervision of the Department of Transportation to a subdivision and residential streets located in the County and outside of a municipality in order to bring those streets up to the standard of the Secondary Roads Council so that those streets may become a part of the state maintained system and, in doing so, shall levy and collect, pursuant to the procedures of Article 9 of Chapter 153A of the General Statutes of North Carolina, special assessments against benefited property to recoup that portion of the costs financed by the County; and

WHEREAS, Craven County has received a petition to finance the entire portion of the costs of improvements to a certain subdivision and residential streets within the Neuse Harbour Subdivision; and

WHEREAS, on October 20, 2003, Craven County adopted a preliminary assessment resolution and on December 1, 2003, Craven County adopted a final assessment resolution, said resolutions evidencing Craven County's intent to undertake and finance the entire cost of the proposed project; and

WHEREAS, the project is now complete and pursuant to N.C. Gen. Stat. § 153A-193, Craven County has determined that the total cost of the project to be \$99,215.72; and

WHEREAS, the assessment roll has been filed in the office of the Clerk to the Board of Commissioners, where it was available for public inspection, and on August 2, 2004 a public hearing on the roll was set for August 16, 2004 before the Board of Commissioners; and

WHEREAS, at least ten (10) days before the date set for the hearing on the roll, the Board published a notice that the preliminary assessment roll has been completed. At least ten (10) days before the date set for the hearing, the Board caused notice of the hearing to be mailed by First Class mail to each property owner listed on the roll. This notice stated the time and place of the hearing, that the roll is open for inspection in the office of the Clerk to the Board, which shows the amount on the roll of the assessment against the property of each owner; and

WHEREAS, at the public hearing held on August 16, 2004 the Commissioners heard all interested persons who appeared with respect to the preliminary assessment roll. After the hearing, the Board confirmed the assessments against those parcels described as Lots 15-50 and Lots 103-150 Neuse Harbour Subdivision, as depicted on maps recorded

in Plat Cabinet E, Slide 30-34 and Plat Cabinet E, Slide 324, in the Office of the Register of Deeds of Craven County, North Carolina; and

WHEREAS, after the Board shall confirm the assessment, the Clerk shall enter in the minutes of the Board the date, hour and minute of confirmation. At such time the assessment is a lien on the property assessed of the same nature and to the same extent as the lien for County property taxes with the priority set out in N.C. Gen. Stat. § 153A-200; and

WHEREAS, a copy of the assessment roll shall be delivered to the County Tax Collector for collection in the same manner as collection of County ad valorem taxes.

NOW, THEREFORE, BE IT RESOLVED, by the Craven County Board of Commissioners that the assessment roll against Lots 15-50 and Lots 103-150 Neuse Harbour Subdivision, as depicted on maps recorded in Plat Cabinet E, Slide 30-34 and Plat Cabinet E, Slide 324 in the Office of the Register of Deeds of Craven County, North Carolina be and is confirmed.

Done this 16<sup>th</sup> day of August, 2004.

### **PUBLIC HEARING ON BSH PERFORMANCE GRANT AGREEMENT**

At 9:12 a.m. Commissioner Morris moved to go into public hearing, as advertised, to receive public input on a proposed Economic Development Performance Grant Agreement with BSH Home Appliances Corporation. Commissioner Staton seconded the motion, which carried unanimously. Arey Grady of the County Attorney's Office presented the final agreement resulting from months of negotiations involving Craven County's Economic Development Commission, senior County staff and BSH representatives. He outlined the structure and requirements of the agreement, stating that it requires a tangible capital investment of \$15 million from BSH and the hiring of an additional 1,041 employees. As a result, a Performance Grant in the amount of \$2,050,000.00 cash payment based on performance would be granted to BSH. The agreement is contingent upon BSH doing what they have agreed to do and the performance will be analyzed each year. Measurement relative to investment will be based on the County's internal records available in the Tax Office. There were no members of the public who spoke on the matter. Mr. Grady indicated that before the agreement is executed there are two technical issues to be resolved, including establishment of the effective date and the issue of performance relative to hourly salary. BSH requested that the requirement be couched in terms of weekly or monthly salaries and Mr. Grady requested that BSH and the County Manager be allowed to work out the language. At 9:20 a.m. Commissioner Allen moved to close the public hearing, seconded by Commissioner Sampson and unanimously carried. Commissioner Allen moved to adopt the Performance Grant Agreement subject to the technical issues being worked out by appropriate County staff and BSH representatives. Commissioner Staton seconded the motion, which carried unanimously. County Attorney, Jim Sugg, stated that the matters discussed at this time represent a fulfillment of prior closed session discussions concerning this matter.

### **HEALTH DEPARTMENT REQUEST**

Health Director, Wanda Sandel , presented a request for additional staffing, which would add a Public Health Nurse II position for the Maternity Clinic. She explained that the request is a result of a recent policy adopted by private ob/gyn practices in Craven County. They have stopped taking new Medicaid clients and all Medicaid patients are now referred to the Health Department for the first trimester. Human Resources Director, Ray Moser, stated concurrence with the request. Commissioner Allen moved to approve, as requested, a new Public Health Nurse (PHN II) position at a grade 70, and a budget amendment of \$52,293.00 to increase the Medicaid revenue and expense lines. Commissioner Sisk seconded the motion, which carried unanimously in a roll call vote. Ms. Sandel  advised the Board that any further changes in private practice policy relative

to primary pre-natal care will result in her returning to the Board for additional requests as needed.

***Maternity***

<b>REVENUES</b>	<b>AMOUNT</b>	<b>EXPENDITURES</b>	<b>AMOUNT</b>
101-5700-370-08-00 Medicaid Revenue	\$52,293.00	101-5700-440-10-02 Salaries	\$39,490.00
		101-5700-440-11-01 FICA	\$3,021.00
		101-5700-440-11-02 Retirement	\$1,939.00
		101-5700-440-11-03 401K	\$3,021.00
		101-5700-440-11-06 Health	\$3,780.00
		101-5700-440-11-07 Dental	\$360.00
		101-5700-440-11-08 Life	\$23.00
		101-5700-440-11-09 Disability	\$31.00
		101-5700-440-11-04 W/C	\$628.00
<b>TOTAL</b>	<b>\$52,293.00</b>	<b>TOTAL</b>	<b>\$52,293.00</b>

At 9:35 a.m. the Board was declared in recess.

At 9:43 a.m. the Board reconvened.

**RESOLUTIONS**

*Us 70 Corridor Study*

The Board was requested to adopt and forward the following resolution in support of a study of the eastern end of the Highway 70 Corridor to Morehead City. Commissioner Sampson provided some background and an update on the activities of the Downeast RPO (Rural Planning Organization) and he moved to adopt the resolution, seconded by Commissioner Morris and unanimously carried.

**RESOLUTION REQUESTING US 70 CORRIDOR STUDY**

WHEREAS, the North Carolina Department of Transportation is in the process of selecting additional corridors to study; and

WHEREAS, the Highway 70 Corridor from I-40 east to Morehead City has continued to hamper the economic growth of eastern North Carolina due to the number of traffic lights, the number of driveways existing directly onto Highway 70 and the time it takes to get from Raleigh to the coast; and

WHEREAS, a study of the Highway 70 Corridor would provide valuable information that would assist in making present and future decisions regarding safety, access and connectivity; and

WHEREAS, the Transportation Advisory Committee of the Down East RPO feels it is in the best interest of the concerned communities to study the Highway 70 Corridor in depth;

NOW, BE IT THEREFORE RESOLVED, that the Craven County Board of Commissioners supports the selection of the Highway 70 Corridor from I-40 to Morehead City for the next corridor study by the North Carolina Department of Transportation as the information gained will ultimately facilitate safety, growth, and prosperity throughout eastern North Carolina.

Adopted this the 16<sup>th</sup> day of August, 2004.

*NCDOT Assignment of One Individual to Highway 70 Corridor*

The following resolution was presented to the Board requesting the assignment of one staff person to work with the Highway 70 Corridor Committee from I-40 to Morehead City. Commissioner Sampson moved to adopt the resolution supporting the request of DOT, seconded by Commissioner Morris and unanimously carried.

**RESOLUTION  
REQUESTING ASSIGNMENT OF SINGLE NCDOT STAFF PERSON TO  
HIGHWAY 70 CORRIDOR**

WHEREAS, the North Carolina Department of Transportation previously had assigned the responsibility for tracking projects and issues related to the Highway 70 Corridor from I-40 to Morehead City to one single staff person; and

WHEREAS, that staff person has since been promoted and no one has been assigned to take his place; and

WHEREAS, the Highway 70 Corridor spans three different RPOs and two different NCDOT Divisions making it more difficult to track projects and issues; and

WHEREAS, the Transportation Advisory Committee of the Down East RPO feels it is in the best interest of the concerned communities to have such a person assigned.

NOW, BE IT THEREFORE RESOLVED, that the Craven County Board of Commissioners requests that NC DOT once again assign one NCDOT staff person to track projects and issues related to the Highway 70 Corridor and that this person be required to keep the concerned RPOs, various committees, and local governments abreast of the problems, issues, decisions, proposed changes, progress of projects and staff changes.

Adopted this the 16<sup>th</sup> day of August, 2004.

**COUNTY ATTORNEY'S REPORT**

County Attorney, Jim Sugg, presented a request from the City of New Bern that the County transfer its interest in 910 Bern Street to the City of New Bern for disposal. He advised that the City's interest is 84% and the County's interest is 16%, as a result of tax foreclosure. The City's intention, he stated, is to demolish the structure and make the lot available for Habitat for Humanity, thus putting the property back on the tax rolls. Commissioner Sampson moved to approve transfer of the County's interest in the property, as requested, seconded by Commissioner Morris and unanimously carried.

**COUNTY MANAGER'S REPORT**

*Construction Management Agreement*

County Manager, Harold Blizzard, presented the proposed agreement between Craven County and Construction Control Corporation (CCC) for construction manager services in conjunction with the design and construction of a new law enforcement center and jail.

He stated that the fee for the service is \$489,676.00 comprised of \$99,115 for the Pre-Design through Bid/Award Phase services and \$390,561 for the Construction Phase services. Commissioner Allen inquired if Construction Control Corporation is to decide between three to five sites for the construction of the jail. Mr. Blizzard stated that the company has been asked to assist in evaluation of a final three to five sites; however, the Board will make the ultimate decision. Commissioner Sampson moved to approve the proposed agreement with Construction Control Corporation, seconded by Commissioner Sisk and unanimously carried in a roll call vote.

*Resolution Proclaiming Literacy Day*

Mr. Blizzard presented the following resolution submitted by Craven Community College for the proclamation of Literacy Day in Craven County. Commissioner Morris moved for its adoption, seconded by Commissioner Staton and unanimously carried.

**RESOLUTION  
PROCLAIMING SEPTEMBER 11, 2004  
AS LITERACY DAY FOR CRAVEN COUNTY**

WHEREAS, approximately 16,000 adults – nearly 18 percent – in Craven County lack high school diplomas or the equivalent; and

WHEREAS, Craven Community College through the Comprehensive Community College Act has been designated by the state of North Carolina as the primary provider of basic skills training and preparation of adults for the Adult High School Diploma and General Education Development certificate; and

WHEREAS, Craven Community College did provide in the 2003-2004 academic year more than 150,500 hours of instruction to 1,759 adults working to improve their literacy skills; and

WHEREAS, 82 percent of those adults made progress in their respective literacy programs, compared to state and nationwide targets of 55 percent and 60 percent, respectively; and

WHEREAS, 598 Craven Community College students were seeking a GED certificate or high school diploma, and 123 of those individuals were successful in receiving the certificate or diploma in 2003-2004; and

WHEREAS, Craven Community College's literacy programs include compensatory education, adult basic education, English as a second language, workplace literacy training, and the high school diploma and GED certificate program; and

WHEREAS, such programs are offered through seated locations throughout Craven County as well as through distance education courses over the Internet and by video; and

WHEREAS, Craven Community College wants to make adults who would like to improve literacy skills, as well as their family members, aware of such literacy programs; and

WHEREAS, individuals attending and completing literacy program offerings report they are not only able to read, write and compute better but also have more interaction with their children's education and learning and are often able to move into better careers; and

WHEREAS, September is National Literacy Month; and

WHEREAS, Saturday, September 11, 2004, is a date set aside by Craven Community College for a Race for Literacy Walk-a-thon on the college's New Bern campus.

NOW LET US THEREFORE RESOLVE to proclaim September 11, 2004, as Literacy Day for Craven County; and

LET US FURTHER RESOLVE that such resolution shall be spread across our minutes in an effort to inform all residents of Craven County of the opportunities available to them to increase their capacities for reading, writing, and computing and earning a high school diploma or certificate.

Adopted this 16<sup>th</sup> day of August, 2004.

*Additional Budget Amendments*

Mr. Blizzard called upon County Finance Office, Rick Hemphill, to present and recommend additional budget amendments, as follows:

***EDC***

<b>REVENUES</b>	<b>AMOUNT</b>	<b>EXPENDITURES</b>	<b>AMOUNT</b>
101-4401-348-92-00 Dept of Commerce	\$200,000.00	101-4401-430-47-01 Grant-Bosch-BSH	\$200,000.00
<b>TOTAL</b>	<b>\$200,000.00</b>	<b>TOTAL</b>	<b>\$200,000.00</b>

Justification: Budget one North Carolina grant for BSH Appliances.

***EDC***

**JOURNAL ENTRY**

101-4401-430-47-10 Wirthwein	\$21,341.32	101-0000-201-00-00 Wirthwein	\$21,341.32
<b>TOTAL</b>	<b>\$21,341.32</b>	<b>TOTAL</b>	<b>\$21,341.32</b>

**BUDGET AMENDMENT**

101-0000-399-01-00 Fund Balance	\$21,341.00	101-4401-430-47-10 Wirthwein	\$21,341.00
<b>TOTAL</b>	<b>\$21,341.00</b>	<b>TOTAL</b>	<b>\$21,341.00</b>

**Justification:** Set up Wirthwein account payable incentive award.

Commissioner Allen moved for approval of the additional budget amendments, seconded by Commissioner Morris and unanimously carried in a roll call vote.

**COMMISSIONERS' REPORTS**

*Commissioner Harper* commented on the support he has received from friends and neighbors following the fire at his home and business establishment on July 9<sup>th</sup> and he expressed appreciation.

*Commissioner Sampson* applauded the efforts of Habitat for Humanity and also the efforts of citizens pulling together in the wake of Hurricane Charley. He expressed the

desire that people should be able to cooperate and collaborate all the time and not just in the wake of a disaster.

*Commissioner Sisk* encouraged parents to wait for the school bus with their children as opposed to leaving them alone waiting for the bus, which makes them vulnerable.

*Commissioner Staton* thanked the staff for their cooperation and assistance to the County citizens during Hurricane Charley.

*Commissioner Morris* congratulated students of West Craven High School who tied for first place in a recent talent contest in Florida.

*Commissioner Brown* commended the staff for working to support the citizens during the hurricane.

At 10:22 a.m. Commissioner Morris moved to go into closed session, as requested by the County Manager, pursuant to NCGS 143-318.11(a)(5) relative to possible property acquisition. Commissioner Staton seconded the motion, which carried unanimously.

At 11:14 a.m. Commissioner Sampson moved to return to regular session, seconded by Commissioner Sisk and unanimously carried.

The County Attorney reported that there had been discussion concerning possible property acquisition, but no action had been taken. He stated that the closed session minutes of August 2, 2004 had been adopted and released.

At 11:15 a.m. Commissioner Sisk moved to adjourn, seconded by Commissioner Allen and unanimously carried.

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Chairman George N. Brown, Jr.  
Craven County Board of Commissioners

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Gwendolyn M. Bryan, Clerk to the Board