

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 7, 2005. THE MEETING CONVENED AT 7:00 P.M.

MEMBERS PRESENT:

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

* Arrived at 7:05 p.m.

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 Allen and the Pledge of Allegiance, Commissioner Morris moved to approve minutes of January 18, 2005 regular session, seconded by Commissioner Harper and unanimously carried in a roll call vote.

CONSENT AGENDA

Tax Releases and Refunds

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

* Commissioner Sisk was not present for these two votes.

Credits

TAXPAYER NAME	TICKET #	AMOUNT
ACE & SONS METAL BUILDING NOT IN BUSINESS 01/01/2004	2004-0090330	\$167.05
ALEXANDRE, JEAN-CLAUDE MILITARY-HIS NAME ONLY 05 LES-NY ECC-06/18/09	2003-0000497	\$64.97
ALEXANDRE, JEAN-CLAUDE MILITARY-HIS NAME ONLY 05 LES-NY ECC-06/18/09	2004-0000488	\$56.70
BOWER, FRANK THOMAS MILITARY-HIS NAME ONLY 04 LES-PA ECC-07/31/04	2004-0005157	\$23.59
COGGER, THOMAS W & SHERRY NOT LOCATED IN CRAVEN CO. 01/01/2004	2004-0010113	\$50.89
COLGROVE, JUSTIN C MILITARY-HIS NAME ONLY 04 LES-SD ECC-05/20/07	2004-0010228	\$63.59

DANIELS, EDWIN H SR & EDWIN H MILITARY ½ VALUE E. DANIELS, JR 05 LES-FL ECC-NONE (CA	2004-0012331	\$151.56
DEDCO, INC DID NOT OWN 01/01/2004	2004-0013184	\$273.16
DUNN, PRESTON JR DID NOT OWN 01/01/2004	2004-0014736	\$96.18
FISHER, ALBERT LEE DOUBLE LISTED WITH ACCT. #2330255	2004-0091457	\$52.16
FRAZIER, MARVIN DID NOT OWN 01/01/2004	2001-0091712	\$65.30
FRAZIER, MARVIN DOUBLE LISTED WITH ACCT # 48296	2002-0090709	\$207.49
FRAZIER, MARVIN DID NOT OWN 01/01/2004	2002-0017505	\$57.02
FRAZIER, MARVIN DID NOT OWN 01/01/2004	2003-0017603	\$52.81
FRAZIER, MARVIN DOUBLE LISTED WITH ACCT #48296	2003-0017604	\$175.72
FRAZIER, MARVIN DID NOT OWN 01/01/2004	2004-0017903	\$47.73
FRAZIER, MARVIN DOUBLE LISTED WITH ACCT #48296	2004-0017904	\$185.98
HARREL, BRADLEY BEAUMAN MILITARY-HIS NAME ONLY 05 LES-SC ECC-11/24/06	2004-0022558	\$140.52
HARRELL, HATTIE HRS PROPERTY VACANT	2004-0022571	\$32.64
HOPKINS, KENNETH WILLIAMS II DID NOT OWN 01/01/2003	2004-0091401	\$208.36
HOPKINS, KENNETH WILLIAMS II DID NOT OWN 01/01/2004	2004-0091505	\$199.59
HUKINS, MABRY HRS PROPERTY VACANT	2004-0025644	\$32.64
LANSCH, WILLIAM J III CORRECTING APPRAISAL ERROR	2004-0090798	\$126.78
MACK, GREGORY DEVON NOT IN BUSINESS 01/01/2004	2004-0090822	\$65.98
MAYO, JOHN RICHARD NOT IN CRAVEN CO 01/01/2004	2004-0033455	\$6.07
MCDONALD, JAMIE C & DIANE L DID NOT OWN 01/01/2004	2004-0090233	\$129.95
MOORE, DIANNA PROPERTY VACANT	2003-0035567	\$35.52

MOORE, FRED SR & ETHEL C DOUBLE LISTED AS REAL ON THIS ACCT.	2004-0091646	\$299.17
MORALES, EDWIN GONZALES DID NOT OWN 01/01/2004	2004-0091673	\$91.84
MURPHY, PAUL USED FOR STORAGE ONLY	2004-0090247	\$32.64
NIDA INTERNATIONAL INC NOT IN BUSINESS 01/01/2004	2004-0038102	\$26.28
NO SEVEN TOWNSHIP FIRE DEPT EXEMPT PER GS 105-278.1	2004-0038141	\$32.64
PICKENS, JAMES J MILITARY-HIS NAME ONLY 05 LES -TX ECC-10/04/08	2004-0090258	\$47.31
QUIXOTE DEVELOPMENT LTD HOUSE BILLED ON INCORRECT LOT	2004-0041933	\$696.24
ROBERT E WHITLEY JR PA NOT IN BUSINESS 01/01/2004	2004-0091002	\$67.99
ROTCHFORD, WILLIAM WADE DOUBLE LISTED WITH ACCT #40691	2004-0044582	\$143.36
SABLE, SANIEL W JR MILITARY-HIS NAME ONLY 05 LES-FL ECC-02/22/08	2004-0044582	\$220.98
SERVICE MOVING & STORAGE INC NOT IN BUSINESS 01/01/2004	2004-0091035	\$11.23
SHERRILL, JARRED MILITARY-HIS NAME ONLY 03 LES-AR ECC-08/07/04	2003-0045360	\$243.15
SHERRILL, JARRED MILITARY-HIS NAME ONLY	2004-0045879	\$193.01
SMALL, THOMAS EDWARD DID NOT OWN 01/01/2003	2003-0046067	\$210.62
SMALL, THOMAS EDWARD DID NOT OWN 01/01/2004	2004-0046611	\$171.64
SMITH, CHARLES JOSEPH DID NOT OWN 01/01/2004	2004-0090119	\$112.79
SMITH, SALLY WHITE DOUBLE LISTED ON ACCT. #7694400	2004-0047187	\$52.02
THORPE, DOROTHY LEE PROPERTY VACANT	2004-0050466	\$32.64
TURNER, IVAN L DOUBLE LISTED WITH ACCT #2751	2004-0091690	\$50.43
WADDEN, DOROTHEA DID NOT OWN 01/01/2000	2000-0050392	\$395.53

WADDEN, DOROTHEA DID NOT OWN 01/01/1999	1999-0091975	\$435.17
WADDEN, DOROTHEA DOUBLE LISTED AS REAL ON ACCT #40493	2002-0051582	\$324.58
WADDEN, DOROTHEA DOUBLE LISTED AS REAL ON ACCT #40493	2003-0051992	\$277.97
WADDEN, DOROTHEA DOUBLE LISTED AS REAL ON ACCT #40493	2004-0052567	\$244.26
WADDEN, DOROTHEA DOUBLE LISTED AS REAL ON ACCT #40493	2001-0050760	\$378.27
WALTER, CHARLES WAYNE & RENE T NOT IN CRAVEN CO. 01/01/2003	2003-0052345	\$64.03
WALTER, CHARLES WAYNE & RENE T NOT IN CRAVEN CO. 01/01/2004	2004-0052942	\$54.73
WIGGINS LUMBER LLC NOT IN BUSINESS 01/01/2004	2004-0091181	\$128.82
WILLIS, REGINALD DENNIS DOUBLE LISTED AS REAL ON ACCT. #8071900	2004-0056371	\$63.01
56 – CREDIT MEMO (S)		\$7,872.30

Refunds

FORNES, ROY LEE DOUBLE LISTED WITH ACCT. #2391800	2000-0090365	\$43.70
LUNDY, DEBORAH D PROPERTY VACANT	2004-0031888	\$32.64
WAGNER, MARY DIXON DOUBLE LISTED AS REAL ON ACCT #38218	2004-0052619	\$255.42
WAGNER, MARY DIXON DOUBLE LISTED AS REAL ON ACCT #38218	2003-0052034	\$267.16
WAGNER, MARY DIXON DOUBLE LISTED AS REAL ON ACCT #38218	2002-0051625	\$295.95
WAGNER, MARY DIXON DOUBLE LISTED AS REAL ON ACCT #38218	2001-0050800	\$310.40
6 – REFUND (S)		\$1,205.27

Request for Driveway Paving

The Planning Department made a request to the Board to have the driveway to the Rhems Fire Department paved and to adopt the following resolution for this project. Commissioner Morris moved to approve the request and to adopt the following resolution, seconded by Commissioner Harper and unanimously carried in a roll call vote.

**Board of Commissioners – County of Craven
Request for Construction of Access To Rhems Volunteer Fire Department**

North Carolina

County of Craven

Project Description: Paving of Driveway to Rhems Fire Department

WHEREAS, the attached request has been filed with the Craven County Board of Commissioners requesting that the above described project, the location which has been indicated in red on the attached map, be approved; and

WHEREAS, the Board of County Commissioners is of the opinion that the above described project should occur, if the project is within the policy, procedures, and funding capability of the Division of Highways of the Department of Transportation.

NOW, THEREFORE, be it resolved by the Craven County Board of Commissioners that the Division of Highways is hereby requested to review and approve the use of up to \$24,586 of Secondary Road Highway Funds for said access improvement.

Subdivisions for Approval

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

Midway Crossing Commercial – Reapproval for Final: The property, owned by Grit of Eastern NC, LLC and engineered by Thomas Engineering, is located within Twp 7 off of SR 1113 (Old Cherry Point Road). The subdivision contains 4 lots on 3.92 acres and is proposed to be served by community water and sewer. The Planning Board reviewed and recommended the subdivision for final reapproval.

Marina Townes – Final: The property, owned by Figure 8 Partners, LLC and surveyed by Robert Davis, is located within Twp 2 along Riverview Dr. and Lakeview Dr. The subdivision contains 20 lots on 2.4 acres of land and is proposed to be served by community water and sewer. The Planning Board reviewed and recommended the subdivision for final approval.

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 Harper and unanimously carried in a roll call vote.

Cooperative Extension PAT

REVENUES	AMOUNT	EXPENDITURES	AMOUNT
101-4242-348-59-00	\$23,426	101-4242-420-40-50	\$20,205.00
Smart Start		Personnel	
		101-4242-420-32-40	\$1,604.00
		Office Supplies	
		101-4242-420-25-0	\$658.00
		Travel	
		101-4242-420-22-0	\$309.00
		Telephone	
		101-4242-420-24-0	\$400.00
		Meeting/Conf	
		101-4242-420-25-15	\$200.00

		Training	
		101-4242-420-15-15	\$50.00
		Dues/Sub	
TOTAL	\$23,426.00	TOTAL	\$23,426.00

Justification: Smart Start approved full allocation for the Parents As Teachers program.

Sheriff

TRANSFER FROM	AMOUNT	TRANSFER TO	AMOUNT
101-2001-410-73-01 C/O	\$5,832.00	101-2001-410-31-01 Vehicle Exp	\$5,832.00
TOTAL	\$5,832.00	TOTAL	\$5,832.00

Budget Amendment

101-0000-354-01-00 Insurance	\$5,833.00	101-2001-410-73-01 C/O	\$5,833.00
TOTAL	\$5,833.00	TOTAL	\$5,833.00

Justification: Budget insurance refund to replace Sheriff’s Dept. vehicle. Replacement Vehicle is being purchased from State surplus – used, low mileage for \$6,000 plus \$180 road use tax. Difference of \$348 is coming from Sheriff’s current vehicle budget.

PETITIONS OF CITIZENS

Janice Parys presented a petition which she had started, seeking help for the development of an alternate access to Carolina Pines. The Chairman directed her to petition the North Carolina Department of Transportation, stating that the County has no jurisdiction in the matter; however, he assured her that the County would support her efforts and pass along the petition, when completed, along with the County’s endorsement.

Joan Minitti again requested that the Board consider the closing of Middle Street in Bridgeton from Purifoy Street to the Neuse River because of encroachment on the public right-of-way and harassment by a neighbor. The Chairman advised her of an agenda item relative to this request.

Leslie McCombs spoke to represent the interest of animals for a peaceful and humane death. She advocated death by injection only as opposed to the gas chamber, when such action becomes necessary. She also appealed for a low cost spay and neuter program in the County.

Leo Valerian, a resident of the Bridgeton Heights area, stated that he had experienced no problems for the first twenty years of his twenty-two years of residence, but for the last few years he has experienced harassment by a neighbor who has taken possession of and blocked the access of the public way on Middle Street between Purifoy Street and the Neuse River in Bridgeton Heights. He stated his support for the request to close the road.

**PRESENTATION ON STATUS AND ACTIVITIES OF COMMUNITY
COALITION AGAINST FAMILY VIOLENCE**

Executive Director, Sheri Rettew, stated that the agency needs continued financial support from the County, which it has received consistently in recent years, as well as the access to more schools that will allow the agency to conduct prevention training for child sexual abuse. She detailed some of the important functions of the agency.

RECOGNITION OF VISITORS

The Chairman recognized members of Leadership Craven in attendance.

REPORT OF UNPAID 2004 TAXES AND REQUEST FOR AUTHORIZATION TO ADVERTISE LIENS

County Tax Administrator, Ronnie Antry, presented the current amount of \$944,518.32 in uncollected taxes for the year 2004, which he stated represents an improvement over prior years and is at 96%, the lowest collection rate since the year 2000. He asked that he be directed to advertise the 2004 tax liens on April 4, 2005 in the Sun Journal.

Commissioner Allen moved to direct the County Tax Administrator, as requested, to advertise the unpaid taxes which are a lien against real estate on April 4, 2005 in the Sun Journal, seconded by Commissioner Morris and unanimously carried.

Commissioner Sampson asked Mr. Antry to explain the role of the foreclosure attorney who has been hired by the County in the collection process. Mr. Antry explained that an attorney has been hired to file suit against citizens who owe delinquent taxes and this process incurs a cost of \$500, which is passed along to the delinquent taxpayer. He stated that if the taxpayer pays before the suit is filed, the \$500 attorney fee is not incurred. He stated that the cost could continue to mount by several hundred dollars if other fees are incurred in the process.

PUBLIC HEARING ON CONVEYANCE OF REAL PROPERTY

At 7:32 p.m. Commissioner Sampson moved to go into public hearing, as advertised, concerning the conveyance of property at the Industrial Park, seconded by Commissioner Staton and unanimously carried. Arey Grady, representing the County Attorney's office, summarized the background of the proposed transaction to convey real property to B/S/H and the requirements for such a conveyance. It must be shown that:

- the transaction would result in enhancement of the County's economy
- the transaction would result in the creation of substantial new jobs
- the new jobs created as a result of the proposed transaction would pay above the current average wage level in the County
- It must be shown that for ten years subsequent to the proposed transaction, the estimated ad valorem tax to be received by the County as a result of the transaction must exceed the value of the property conveyed
- Any agreement relative to the proposed conveyance would require a reversion clause of the property to the County if improvements are not made within the specified time

Mr. Grady continued to detail the proposed conveyance of a 61-acre tract on the south side of Highway 70 in the Industrial Park valued at \$15,000 per acre, with a total value for the entire parcel of \$915,000. The expected tax revenue on the improvements, machinery, equipment and sales tax is \$1.335 million. The average weekly wage projected for jobs created is \$607 against the current average weekly average in the County of \$510. The company's long term expansion goals indicate a need for an additional 23 acres at a later time. Mr. Grady recommended that the Board not consider the proposed transaction immediately following the public hearing due to the need for additional work on the document.

The following citizens addressed the Board during the public hearing:

1. *Milt Gold of Amital Spinning* expressed violent opposition to the proposed conveyance, stating that B/S/H experienced \$7 billion in sales during the last year, and that the proposal being considered constitutes stealing from the people of Craven County. He repeatedly asserted that he would challenge the action, should the Board choose to proceed, and threatened to meet the Commissioners in court or in the street to stop it. Although his remarks were construed by the Board as menacing, and despite his mentioning his being

privileged to carry a .38 pistol, Mr. Gold denied that he was threatening the Board.

2. *Dick Scoppe* sought information on the exact location of the parcel that is being considered for conveyance.
3. *Steve Tyson* inquired about the types of jobs that the expansion would bring to the County. Mr. Grady responded that the site would be used for the purpose of warehousing, distribution/logistics, not manufacturing.
4. *Joe Grubbs of 310 Pattswood Dr., New Bern*, read a prepared statement in opposition to the proposed conveyance, and asked if the company has upheld its end of the bargain so far on its existing performance agreement.
5. *Chris Craze of 1051 Concord Ln., New Bern*, stated that tax dollars are spent every day for improvements to attract industry, such as infrastructure development. He expressed a desire to see growth and stated that \$1 million is a reasonable investment for what the County would be getting in exchange.
6. *Janice Parys* conveyed her experiences in other situations concerning hiring promises that have been made and not always fulfilled. The Chairman responded that the record of B/S/H has been checked and that they have fulfilled their hiring promises to date.

Milt Gold was allowed to speak again and stated that Amital would be willing to add 28 jobs in the County but would not ask for anything in exchange.

7. *Linda Lagoya* asked how many of the 1,100 jobs that B/S/H has brought to the County through its performance agreement are being filled by imported personnel. Mr. Grady responded that the commitment for job growth was to be demonstrated over a period of time and that B/S/H is about halfway through the agreed upon period.

Mr. Gold was allowed to speak again and stated that what the Board is considering is nothing more than corporate welfare and corporate welfare is not on his agenda.

There were no additional speakers from the public and at 8:12 p.m. Commissioner Sisk moved to close the public hearing, seconded by Commissioner Sampson and unanimously carried.

In response, Commissioner Sampson expressed his resentment towards the reference to corporate welfare. He stated that he will do what he feels is right for the County.

At 8:15 p.m. the Board was declared in recess and reconvened at 8:25 p.m.

CONSIDERATION OF CONVEYANCE OF PROPERTY IN THE INDUSTRIAL PARK

Commissioner Morris moved to defer consideration of the proposed conveyance to B/S/H until the Board's next meeting or whenever the County Attorney feels that the matter is ready to be considered. Commissioner Sampson seconded the motion, which carried unanimously.

CONSIDERATION OF SUBDIVISION ORDINANCE AMENDMENTS

Planning Director, Don Baumgardner, presented for the second time, proposed amendments to Craven County's Subdivision Ordinance. The main issue that was the subject of the previously held public hearing was concerning the option of developers to reduce the buffer from a 50 ft. open buffer to a 20 ft. wide 6 ft. high opaque screen requiring dense vegetation with a three year maturity rate or other opaque treatment. The Planning Board recommended the amendments. There were residents present who

wished to speak but were not allowed to, as the Board had held a public hearing at its January 3rd meeting for that purpose. Commissioner Morris moved to allow developers the option of a 20 ft. buffer with a 6 ft. high opaque screen, as recommended by the Planning Board, seconded by Commissioner Allen. The motion carried with six (6) “Ayes”, there being one (1) “Nay” from Commissioner Harper. Commissioner Sisk moved to accept the remainder of changes in the Subdivision Ordinance, seconded by Commissioner Morris and unanimously carried.

APPOINTMENTS

Craven Regional Medical Center

It was the Board’s consensus to defer an appointment to fill the Chief of Staff vacancy being created by the rotation from that position of the current member, Catherine J. Everett, MD.

EMS Advisory Council

The Board received a request from Township Seven EMS that its new Captain, Walt Adams, be appointed to replace Michael Paul. Commissioner Sisk moved to approve the request, seconded by Commissioner Harper and unanimously carried.

COUNTY ATTORNEY’S REPORT

At 8:55 p.m. County Attorney, Jim Sugg, presented the following petition on the part of Mrs. Joan Minitti for the closure of Middle Street in Bridgeton between Purifoy Street and the Neuse River.

STATE OF NORTH CAROLINA

COUNTY OF CRAVEN

BEFORE THE BOARD OF COMMISSIONERS
OF CRAVEN COUNTY

IN THE MATTER OF THE CLOSING
OF A PORTION OF MIDDLE STREET,
“PLAN OF BRIDGETON HEIGHTS”
RECORDED IN BOOK 191 AT PAGE
200 IN THE OFFICE OF THE REGISTER
OF DEEDS OF CRAVEN COUNTY

PETITION OF JOAN C. MINNITI
TO THE CRAVEN COUNTY
BOARD OF COMMISSIONERS
TO CLOSE A PORTION OF
MIDDLE STREET FROM THE
INTERSECTION WITH PURIFOY
STREET SOUTHWESTWARDLY
TO THE NEUSE RIVER AS THE
SAME IS SHOWN ON A
CERTAIN MAP OR PLAT OF
BRIDGETON HEIGHTS
RECORDED IN BOOK 191 AT
PAGE 200 IN THE OFFICE OF
THE REGISTER OF DEEDS OF
CRAVEN COUNTY

Joan C. Minniti (“Petitioner”) petitions the Craven County Board of Commissioners seeking the closing of a portion of Middle Street as the same is shown on a map or plat captioned “Plan of Bridgeton Heights” recorded in Book 191 at Page 200 in the office of the Register of Deeds of Craven County, said property being more particularly described on Exhibit “A” attached hereto; and

WHEREAS, said Petitioner is the owner of all property abutting and adjacent to the northeastern side of the described portion of Middle Street, and the Andrews' heirs are the owners of all the property abutting and adjacent to the northwestern side of the described portion of Middle Street; and

WHEREAS, the street is bounded by and is entirely adjacent to the Neuse River at the southern terminus of said Middle Street; and

WHEREAS, Middle Street has not been previously accepted by the North Carolina Department of Transportation ("DOT") for maintenance and is not presently under the control and supervision of the DOT, and Middle Street has never been opened or used as a street; and

WHEREAS, Middle Street has never been accepted by the County of Craven on behalf of the general public since the street was dedicated and the map of Bridgeton Heights recorded in Book 191 at Page 200 in the office of the Register of Deeds of Craven County; and

WHEREAS, the closing of a portion of Middle Street as said street is described on Exhibit "A" attached hereto is not contrary to the public interest, and no individual owning property in the vicinity or in the subdivision in which said street is located will be deprived of reasonable means of ingress or egress to his or her property; and Middle Street does not lie within the limits of any municipality.

Done this 7 day of February, 2005.

The following resolution to accept the segment of Middle Street for public purpose and expressing the County's intent to close the street was filed at 9:00 p.m. The closure of the segment of the street will result in the land on right-of-way being divided equally between the two property owners on either side of the street. The resolution calls for a public hearing to be set for 8:30 a.m. on March 21st. Commissioner Allen moved to adopt the resolution declaring the County's intent to close that section of Middle Street in Bridgeton between Purifoy Street and the Neuse River and setting a public hearing for March 21, 2005 at 8:30 a.m. concerning the matter. Commissioner Morris seconded the motion, which carried unanimously.

STATE OF NORTH CAROLINA

COUNTY OF CRAVEN

BEFORE THE BOARD OF COMMISSIONERS
OF CRAVEN COUNTY

IN THE MATTER OF THE CLOSING
OF A PORTION OF MIDDLE STREET,
"PLAN OF BRIDGETON HEIGHTS"
RECORDED IN BOOK 191 AT PAGE
200, IN THE OFFICE OF THE REGISTER
OF DEEDS OF CRAVEN COUNTY

RESOLUTION OF THE CRAVEN
COUNTY BOARD OF
COMMISSIONERS DECLARING
ITS INTENT TO CLOSE THE
PUBLIC ROAD OR EASEMENT
DESCRIBED IN EXHIBIT "A"
AND CALLING FOR A PUBLIC
HEARING ON THE QUESTION

WHEREAS, on the 7th day of February, 2005, Joan C. Minniti ("Petitioner") filed a petition with the Craven County Board of Commissioners ("Board") seeking the closing

of a portion of Middle Street as the same is shown on a map or plat captioned "Plan of Bridgeton Heights" recorded in Book 191 at Page 200, in the office of the Register of Deeds of Craven County, said property being more particularly described in Exhibit "A" attached hereto; and

WHEREAS, said Petitioner is the owner of all property abutting and adjacent to the northeastern side of that portion of Middle Street described in Exhibit "A" and the Andrews' heirs are the owners of all the property abutting and adjacent to the northwestern side of that portion of Middle Street described in Exhibit "A"; and

WHEREAS, the street is bounded by the Neuse River at the southern terminus of said Middle Street and no part thereof lies within the limits of any municipality; and

WHEREAS, Middle Street has not been previously accepted by the North Carolina Department of Transportation ("DOT") for maintenance and is not presently under the control and supervision of the DOT, and Middle Street has never been opened or used as a street; and

WHEREAS, Middle Street has never been accepted by the County of Craven on behalf of the general public since the street was dedicated and the map of Bridgeton Heights recorded in Book 191 at Page 200 in the office of the Register of Deeds of Craven County and does give notice of its acceptance of the dedication of said street for the general public prior to declaring its intent to close said street; and

WHEREAS, prior to the closing of Middle Street, said street must have been accepted by Craven County on behalf of the general public and is so accepted; and

WHEREAS, the closing of a portion of Middle Street as said street is described on Exhibit "A" attached hereto is not contrary to the public interest, and no individual owning property in the vicinity or in the subdivision in which said street is located will be deprived of reasonable means of ingress or egress to his or her property.

NOW, THEREFORE, be it hereby resolved by the Board that Craven County accepts so much of Middle Street as is described in Exhibit "A" attached hereto on behalf of the general public, and declares its intent to close the said described street, and calls for a public hearing on the question to be held in the Commissioners' Room at its regularly scheduled meeting on March 21, 2005 at 8:30 a.m. at which time all interested persons may be heard.

NOW, THEREFORE, be it hereby resolved that the Board shall cause a notice of the public hearing to be published in the *Sun Journal* once a week for three (3) consecutive weeks before the hearing, and a copy of the resolution to be sent by Certified Mail to each owner on County tax records of property adjoining the public road to be closed who did not join in the request to have the road closed, and a notice of the closing and public hearing be posted in two places along the said road or street to be closed.

Done this 7th day of February, 2005.

EXHIBIT "A"

All that certain tract or parcel of land lying and being situate in Number Two (2) Township, Craven County, North Carolina, and being more particularly described as follows:

Beginning at the northeast corner of Lot 15 at the intersection of Middle Street and Purifoy Street as the same is shown on the map or plat of Bridgeton Heights recorded in Book 191 at Page 200 in the office of the Register of Deeds of Craven County; thence running southwardly along the western right of way line of Middle Street to the intersection of Middle Street and Riverside Drive (now Neuse River); thence running in a southeastwardly direction along and with Riverside Drive (now Neuse River) to the southwestern-most corner of Lot 22 on said map; thence running northwestwardly along the eastern right of way line of Middle Street to Purifoy Street; thence running northwardly along Purifoy Street to the northeast corner of Lot 15, the point and place of beginning.

COMMISSIONERS' REPORTS

Commissioner Harper commented on the failure of the Global Transpark Executive Director to respond to his contacts.

Commissioner Sampson reemphasized the need for citizens to be cognizant of the tax collection provisions in the County.

Commissioner Sisk wished County Manager, Harold Blizzard, a happy birthday and advised the Board of a conference on the State of the Child which will be held on April 7th. She expressed a need for funds to aid the agency which she will present formally to the Board at its next meeting.

Commissioner Staton reported on an Eastern Carolina Council of Governments study which was conducted on Clubfoot Creek to evaluate water quality and related issues in the area. A meeting was held with the citizens to discuss areas of concern uncovered by the study, particularly involving Health and Planning Department issues. He stated that concerns raised would need the County's attention and asked the Board to hear comments from Harlowe resident, Rufus Carter. Mr. Carter challenged the causes to which the study attributes the problems, and asked the Board to help the citizens of the area to find out what is really causing the bacteria buildup in Clubfoot Creek. He expressed his support of Commissioner Staton in trying to address this issue. Commissioner Staton also reported that letters from realtors representing the Department of the Navy have been received by some residents of the Harlowe area, generating some confusion and requested that the County Manager organize a meeting with all parties, including residents of Harlowe, the Department of the Navy, the County and Cherry Point Marine Corps Air Station. County Manager, Harold Blizzard, stated that it would also be helpful to have a presentation on the Council of Governments study report to the Board of Commissioners.

Commissioner Allen reported on the recent Health Director's Conference, where public health concerns were discussed relative to obesity, especially among children, and lack of access to medical care.

Commissioner Morris announced a site visit of the State Accreditation Team to the Craven County Health Department and reemphasized the importance of citizens paying taxes on time. He also announced that Craven County's tobacco quota represents about \$12 million in our tax base that will need to be made up elsewhere.

At 9:30 p.m. Commissioner Sisk moved to adjourn, seconded by Commissioner Morris and unanimously carried.

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

Gwendolyn M. Bryan, Clerk to the Board