

THE BOARD OF COMMISSIONERS OF THE COUNTY OF CRAVEN MET IN REGULAR SESSION IN THE SUPERIOR COURTROOM OF THE CRAVEN COUNTY COURTHOUSE, 302 BROAD STREET, NEW BERN NORTH CAROLINA ON MONDAY, JUNE 5, 2006. THE MEETING CONVENED AT 7:00.

MEMBERS PRESENT:

- Chairman Perry L. Morris
- Vice Chairman Johnnie Sampson, Jr.
- Commissioner Lee Kyle Allen
- Commissioner George N. Brown, Jr.
- Commissioner M. Renée Sisk
- Commissioner Leon C. Staton
- Commissioner Steve Tyson

STAFF PRESENT:

- Harold Blizzard, County Manager
- Ray H. Moser, Assistant County Manager
- Richard F. Hemphill, County Finance Officer
- Gwendolyn M. Bryan, Clerk to the Board
- James R. Sugg, County Attorney

Following an invocation by Commissioner Morris and the Pledge of Allegiance, Commissioner Sampson moved to approve the minutes of May 15, 2006, seconded by Commissioner Staton and unanimously carried.

CONSENT AGENDA

Tax Releases

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

Credits

TAXPAYER NAME	TICKET#	AMOUNT
BEDROOMS & SOFAS PLUS NOT IN BUSINESS 01/01/2005	2005-0003614	\$52.87
BUNN, FELICIA ESTHER & EDWARD MILITARY – ½ VAL. EDWARD 05 LES-VA ECC-NONE(WARRAN	2003-0007086	\$154.09
BUNN, FELICIA ESTHER & EDWARD MILITARY – ½ VAL. EDWARD 05 LES-VA ECC-NONE(WARRAN	2005-0007405	\$131.18
BUNN, FELICIA ESTHER & EDWARD MILITARY – ½ VAL. EDWARD 05 LES-VA ECC-NONE(WARRAN	2004-0007177	\$153.85
BURRIER, ALBERT BOAT IN TRANSIT	1996-0091033	\$1,986.81
LIVERMAN, ROLAND DID NOT OWN 01/01/2005	2005-0032537	\$45.02
SIMMONS, CHARLES F JR DID NOT OWN 01/01/2005	2005-0090850	\$40.19
SPENCE, STEPHEN C DID NOT OWN 01/01/2005	2005-0049037	\$13.63

TEXFI INDUSTRIES INC	2005-0051495	\$2,365.68
ADJUSTED VALUATION BY ORDER OF BANDRUPTCY COURT		

WINDOW WALL & INTERIOR DÉCOR	2005-0058128	\$70.45
NOT LOCATED IN CRAVEN CO. 01/01/05		

10 – CREDIT MEMO (S) \$5,013.77

Subdivisions for Approval

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

Butler Farm Section Four – Final: The property, owned by Joseph E. Thomas and surveyed by Kendall E. Gaskins, is located within Twp. 1 off of SR 1400 (Streets Ferry Road). The subdivision contains 30 lots on 24.59 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.

Reedy Creek Phase Five – Reapproval for Final: The property, owned by River Bluff Ltd. Partnership and surveyed by Atlantic Survey and Design, is located within Twp. 7 off Hwy 70 W. The subdivision contains 1 lot on 2.410 acres and is proposed to be served by community water and New Bern sewer. The Planning Board reviewed and recommended the subdivision for final approval.

Westgate Estates – Final: The property, owned by Kenneth H. Hartley and surveyed by Terry Wheeler is located within Twp. 2 off of SR 1435 (Cool Springs Road). The subdivision contains 9 lots on 10.40 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.

Budget Amendments

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

DSS/CARTS/Craven Elderly Handicapped

Journal Entry

101-7231-349-11-00	\$5,000.00	101-7024-348-21-00	\$5,000.00
DOT		Craven Elderly Handicapped	
TOTAL	\$5,000.00	TOTAL	\$5,000.00

Budget Amendment

101-7231-349-11-00	\$(5,000.00)	101-7231-450-39-38	\$(5,000.00)
DOT		DOT	
101-7002-368-02-0	\$5,000.00	101-7001-450-31-01	\$5,000.00
Craven Elderly Handicapped		Vehicle Expense	
101-7024-348-21-00	\$5,000.00	101-7024-450-39-25	\$5,000.00
Craven Elderly Handicapped		CARTS	
TOTAL	\$0.00	TOTAL	\$0.00

Justification: Work First (DOT) will underutilize funds which are needed by CARTS Craven Elderly Handicapped. There is no County Match.

Health Bio 5010

101-5010-357-86-00	\$2,059.00	101-5010-440-40-00	\$2,059.00
Course & Seminars		Contractual Services	
TOTAL	\$2,059.00	TOTAL	\$2,059.00

Justification: These funds are revenues collected from the Covello presentation and to be utilized to pay Bio Contractor bills thru year end.

7295 Senior Program

101-7295-369-06-00	\$382.00	101-7295-450-39-31	\$382.00
Eastern Carolina Council Fan		Crisis	
TOTAL	\$382.00	TOTAL	\$382.00

Justification: Funds received from Eastern Carolina Council for Project Fan/Heat Relief Program. There is no match.

Benefits Fund

512-0000-329-00-00	\$10,000.00	512-0321-400-40-81	\$650,000.00
Interest		Hlth Claims	
512-0321-354-31-00	\$31,250.00	512-0321-400-40-91	\$1,000.00
Refunds		Dental Claims	
512-329-399-01-0	\$558,950.00		
Fund Balance			
512-321-357-62-0	\$32,000.00		
Employee Hlth			
512-321-357-63-0	\$28,000.00		
Employer Hlth			
512-0321-357-92-00	\$7,600.00	To Other Side	
Employee Dental			
512-0321-357-93-00	\$(4,000.00)	512-0351-357-95-00	\$(12,800.00)
Employer Dental		Employer Work Comp	
TOTAL	\$651,000.00	TOTAL	\$651,000.00

Justification: Budget benefits fund balance to cover claims through year end.

PUBLIC HEARINGS – 7:00 P.M.

Road Naming and Addressing Ordinance

At 7:05 p.m. Commissioner Sisk moved to go into public hearing, as advertised, seconded by Commissioner Sampson, concerning changes to the Road Naming and Addressing Ordinance. Planning Director, Don Baumgardner, explained that residents of the Crump Woods subdivision had petitioned for the change in name of OC Drive to Crump Woods Drive. There were no speakers from the public to address the Board and at 7:07 p.m. Commissioner Sampson moved to close the public hearing, seconded by Commissioner Allen and unanimously carried. Commissioner Allen moved to approve the requested change in name, thereby amending the Road Naming and Addressing Ordinance, seconded by Commissioner Staton and unanimously carried.

Public Hearing for the Airport Zoning and Height Ordinance

At 7:08 p.m. Commissioner Sisk moved to go into public hearing, as advertised, to receive public comment on a proposed zoning and height ordinance in Township 7. Commissioner Staton seconded the motion, which carried unanimously. The Chairman requested that Planning Director, Don Baumgardner, present a Power Point, including the maps of the proposed areas to be zoned. During the presentation, Mr. Baumgardner

emphasized that the proposed zoning ordinance would have the existing height control ordinance incorporated into it and there are no changes to the current height control ordinance. He also indicated that there were approximately twenty three clarifications and corrections that needed to be addressed before the document could be finalized. The Chairman invited members of the public to speak and established a four minute time limit for each speaker. He stated that questions raised during the public hearing would be addressed after the close of the hearing. The following citizens spoke:

1. *Freda Barron of 915 Madam Moore's Lane* spoke with concerns about run-off water from the airport developments flooding her property and others in the area.
2. *Franklin White of 621 Glenn Drive* expressed concerns about flooding in the area as a result of developments on the airport property. He indicated that during the runway extension project flooding occurred, which affected his property.
3. *Glen Bush of 160 Blount Brimage Drive in the Perrytown community* inquired if the proposed ordinance would have any effect on the Perrytown community.
4. *Bradford Cummings of 307 Madam Moore's Lane* stated that he has been involved with neighboring property owners in making sure that any controls that are established have the broadest protection of the property owners included. As a result no less than three members of the Zoning Board of Adjustment are appointed from that area. The group of citizens had twenty five concerns with the proposed ordinance, all which had been favorably addressed in the final proposal, and he commended Mr. Baumgardner and his staff for their responsiveness to the citizens' concerns.
5. *Patricia Thomas of 722 Clermont Road* inquired if the proposed zoning ordinance would affect improvements being made to existing homes.
6. *Andy Hall of 1709 Old Airport Road* inquired if the surrounding property values are anticipated to be affected over the next fifteen to twenty years as a result of the proposed ordinance.
7. *Gene Summrell of Tidewater Marina* inquired who would make the judgment on mixed use applications and expressed concerns about the future usage of his property should he decide to sell it.
8. *Floyd Hill of 400 Old Cherry Point Road* inquired how the zoning proposal would affect the James City community.
9. *Bud Stilley of 208 Bridge Point Drive* requested clarification on acceptable uses and requested that the Board continue the public comment period until all affected citizens have a thorough understanding of the proposed ordinance and its affect.
10. *Daryell Forbes of 713 Vail Street* inquired if Vail Street properties would be annexed as a result of the proposed ordinance going into effect. He also inquired if property owners would be able to rebuild in their same locations under the proposed ordinance.

There were no additional speakers to address the Board and at 7:48 p.m. Commissioner Brown moved to close the public hearing, seconded by Commissioner Sampson and unanimously carried.

The Chairman asked Mr. Baumgardner to respond to the questions that had been raised by citizens during the public hearing. In response to Ms. Barron, Mr. Baumgardner stated that some areas around the airport are within a drainage pattern from the airport and in response to Mr. White, he stated that the Department of Transportation has been contacted and has made some improvements in the roadway crossings relative to

drainage; however, this is an ongoing issue. In response to Mr. Bush, he stated that the proposed zoning area abuts the rear of the Perrytown community and comes up to Perrytown Road but it does not cross Perrytown Road. Mr. Baumgardner thanked Mr. Cummings and other residents for their assistance in getting their concerns included in the draft ordinance. In response to Ms. Thomas, Mr. Baumgardner stated that renovation permits should not be a problem. If a property is in the airport zone the property owner can be permitted to add to or improve the property but at some point would possibly need to assess how far to go with property improvements in the event of future consideration of selling the property. In response to Andy Hall, Mr. Baumgardner indicated that future property values could be affected positively as well as negatively. In response to Mr. Summrell's concerns Mr. Baumgardner stated that in the case of one parcel, no permission would be needed for a single family structure, but a permit would be needed for business development. Mr. Summrell's second parcel falls on a direct flight path to the runway and would be more significantly affected. Mr. Baumgardner responded to Floyd Hill stating that the proposed ordinance would not limit building of single family housing in the James City community; however, multi family dwellings would require application for a conditional use permit. In response to Mr. Forbes, he stated that 713 Vail Street is included in the mixed use zone but this would not prevent the owner from building on the property; however, the zoning would prevent the city's annexation.

Martha Jackson of 614 Vail Street was allowed to speak although the public hearing had been closed and she had not chosen to speak during the public hearing. She inquired how many times the residents of the James City community would be uprooted and moved for the needs of government.

Commissioner Tyson inquired about the language concerning conditional uses, which states that conditional uses "are" permissible as opposed to "may be" permissible. He asked if there is anything in the ordinance that addresses density in the zoned area and Mr. Baumgardner responded that there is not. The Chairman stated that the Board would not take action during the meeting, but would make sure that the desirable changes and corrections are made before action is taken.

At 8:45 p.m. a brief recess was declared.

At 9:00 p.m. the Board reconvened in regular session.

FY 2006-2007 Proposed Budget Public Hearing

Commissioner Brown moved to go into public hearing, as advertised, to receive public comment on the proposed FY 2006-2007 Craven County Budget, seconded by Commissioner Tyson and unanimously carried. The Chairman announced that the recommended budget had been available for public review in the County Commissioner's Office since May 15, 2006. The following members of the public spoke:

1. *Nancy Alexander, Executive Director of Merci Clinic*, requested that the Board reconsider the original budget request of \$25,000, as opposed to the recommended appropriation of \$15,000. She asked if, alternately,
2. the Board would consider providing the additional \$10,000 in-kind through the services of a Medicaid caseworker to be dedicated to Merci Clinic. She also explained the value of the clinic's Pharmacy Assistance Program and asked that, should the Board be considering the NACo Prescription Drug Plan in the future, that consideration be given also to the Merci Clinic Assistance Pharmacy program for providing prescription drug services to the community.
3. *James Norment, Board Member of Craven Arts Council and Gallery*, expressed appreciation to the Board for its support over the years and for the recommended \$6,000 appropriation to the FY 2006-2007 budget.
4. *Andrea Wheatley, Board Member of the Community Coalition Against Family Violence*, presented information on the programs of the Coalition that are assisted by County funding.

5. *Pat Coleman, Board Member of the Havelock Library, 1562 Belangia Road,* stated that the Havelock Library is growing in service to the citizens in the eastern end of the County and asked that the Board reconsider increasing its recommended appropriation to the Havelock Library.
6. *Bill Miner, Member of the Craven County Board of Elections,* asked that the Board reconsider reinstatement of two additional one stop voting sites, one in the Grantham/Taberna area and the other in the Trent Woods/River Bend/West New Bern area. This would impact the budget by an additional \$7,000. He also asked that previously requested reclassification issues be revisited, as well as fees paid to the precinct workers.
7. *Billy Matthews of 1280 Wintergreen Road, Cove City,* spoke to request that the Board consider matching funds for the fire department, stating that Cove City Fire Department has requested an \$18,000 grant for extrication equipment.
8. *JoAnne Straight, Librarian of the New Bern/Craven County Library,* spoke to update the Board on the library's services and to thank the Board for its ongoing support.
9. *William Lutz,* requested that the Board increase the allocation to the Havelock Library.
10. *Brad White of the Dover Fire Department,* spoke to support the Commissioner's consideration of matching fire department grant funds.
11. *Doug Ferguson, representing the Firemen's Association,* also requested that the Board give extra consideration of matching funds to the fire department.
12. *John Price, Interim Airport Director,* stated that loan on the new terminal is scheduled to be paid off by 2013. He advised the Board that he has been authorized to pay interest on the loan from passenger facility fees.

At 9:30 p.m. there being no additional members of the public to speak, Commissioner Sampson moved to close the public hearing, seconded by Commissioner Sisk and unanimously carried.

A conflict was noted for June 7, the date scheduled for the Board's next budget work session. The final budget work session was rescheduled for Monday, June 12 at 10:00 a.m. in the Commissioner's Room.

APPOINTMENTS

Craven Community College

The Board had previously been advised of the expiring term of Don Brinkley, who was eligible for reappointment. Commissioner Tyson moved to reappoint Mr. Brinkley, seconded by Commissioner Staton and unanimously carried.

ABC Board

The Board considered the expiring term of Mr. John Brazzelton. Commissioner Staton nominated Mr. Brazzelton for reappointment. Commissioner Allen nominated Jackie Rice for appointment. In a roll call vote, Mr. Brazzelton received four (4) votes from Commissioners Brown, Morris, Sampson and Staton, with Ms. Rice receiving three (3) votes from Commissioners Allen, Sisk and Tyson.

Industrial Facilities Pollution Control Financing Authority

The Board had previously been advised that the term of Mr. Charles Dees was expiring. Commissioner Brown moved to reappoint Mr. Dees, who was eligible for reappointment, seconded by Commissioner Staton and unanimously carried.

Regional Aging Advisory Committee

The Board was advised of the expiring term of Ms. Ethel Staten. Commissioner Sampson moved to reappoint Ms. Staten, seconded by Commissioner Staton and unanimously carried.

Planning Board

The Board received a request from the Planning Department that Mr. Louis Balogh be considered for reappointment. Commissioner Allen moved to reappoint Mr. Balogh, as requested, seconded by Commissioner Staton and unanimously carried.

COMMISSIONERS' REPORTS

Commissioner Sisk reported that the budget work sessions had gone well and she reminded the Board of the River Bend July 4 Parade and invited Commissioners to participate.

Commissioner Allen brought to the Board's attention that the Havelock Chamber of Commerce will be holding its annual banquet on June 23 and he encouraged his fellow Commissioners to attend.

Commissioner Sampson spoke again in opposition to increasingly high gas prices.

Commissioner Tyson moved to direct staff to develop a resolution in observance of the 10th Anniversary of Merci Clinic, seconded by Commissioner Brown and unanimously carried.

Commissioner Brown extended congratulations to high school seniors who are graduating in Craven County and congratulated West Craven High School Principal, Don Hughes, on his retirement. He presented the designation form for a voting delegate to the NACo conference in August for the Board's consideration. Commissioner Sampson moved to designate Chairman Morris as the voting delegate, seconded by Commissioner Allen and unanimously carried. It was the consensus of the Board that Vice Chairman Johnnie Sampson, Jr. should serve as alternate.

At 9:45 p.m. the Board was declared in recess to reconvene at 10:00 a.m. on June 12 in budget work session.

Chairman Perry L. Morris
Craven County Board of Commissioners

Gwendolyn M. Bryan
Clerk to the Board