

**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, DECEMBER 4, 2006. THE MEETING CONVENED AT 7:00 P.M.**

**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 Brown and the Pledge of Allegiance, Commissioner Sisk moved to approve the minutes of November 20, 2006 regular session, seconded by Commissioner Staton and unanimously carried.

**OLD BUSINESS**

Chairman Morris reminded Commissioners of his request for their input on the development of a recreation facility ordinance and policies. Commissioner Staton moved to table the discussion of the recreation ordinance; however, his motion was withdrawn when the Board determined that the matter had already been tabled. Chairman Morris made presentations to departing Commissioners George N. Brown, Jr. and Leon C. Staton, and following their comments expressing appreciation to the citizens of Craven County for the privilege of having served for the last four years, they were excused. The Chairman called forward the newly elected Commissioners to be sworn in. The oath of office was administered by Clerk of Court, Jan Cahoon, to Jason Jones and Theron McCabe. Following the oath and seating of Commissioners Jones and McCabe, returning Commissioners Lee K. Allen, Perry L. Morris, Johnnie Sampson, Jr., M. Renée Sisk and Steve Tyson, were sworn in. Chairman Morris turned the meeting over to County Attorney, Jim Sugg, for the election of the Chairman. Commissioner Allen nominated Johnnie Sampson, Jr. There were no additional nominations and Commissioner Allen moved to close nominations and elect Commissioner Sampson by acclamation, seconded by Commissioner Morris. Commissioner McCabe nominated Jason Jones as Vice Chairman. There were no additional nominations and Commissioner Morris moved that the nominations be closed and that Commissioner Jones be elected by acclamation, seconded by Commissioner McCabe and unanimously carried. The oaths for the Chairman and Vice Chairman were administered by the Clerk to the Board.

At 7:30 p.m. Chairman Sampson declared a recess and the Board reconvened at 7:40 p.m.

**MEMBERS PRESENT:**

Chairman Johnnie Sampson, Jr.  
Vice Chairman Jason R. Jones  
Commissioner Lee Kyle Allen  
Commissioner Theron McCabe  
Commissioner Perry L. Morris  
Commissioner M. Renée Sisk  
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

**PETITION OF CITIZEN – NANCY CHILDS**

The Board received a petition from Ms. Nancy Childs concerning testing in the Trent River. She requested periodic or weekly testing of high usage areas of the Trent River in the vicinity of Wilson Creek and Brice’s Creek during the warm months of May through September, and was advised that the Board would look into the feasibility of her request. She left a petition for filing containing one hundred and five names.

**CONSENT AGENDA**

*Budget Amendments*

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

*E911 – Administration*

<b>REVENUES</b>	<b>AMOUNT</b>	<b>EXPENDITURES</b>	<b>AMOUNT</b>
101-0000-399-01-00 Fund Balance	\$5,000.00	101-2501-410-32-30 Supply/Signs	\$5,000.00
<b>TOTAL</b>	<b>\$5,000.00</b>	<b>TOTAL</b>	<b>\$5,000.00</b>

**Justification:** Funds needed to cover the cost of supplies, labor and installation of signs. There has been an unusually large order of supplies that depleted the original budgeted amount. The contractor was unable to complete the assigned work in FY 06 and therefore funds needed to cover the completion of this work in this fiscal year.

*Health/Hospice*

101-6502-353-07-00 Third Party Pay	\$5,269.00	101-6502-440-12-00 Unemployment	\$5,269.00
<b>TOTAL</b>	<b>\$5,269.00</b>	<b>TOTAL</b>	<b>\$5,269.00</b>

**Justification:** When budget was originally submitted, it was unknown that there would be an unemployment claim against Hospice. Actual revenue from third party payors has already exceeded budget by \$7,809.98.

*DSS – 7291 Mandated*

101-7291-349-10-00 Day Care Combined	\$9,111.00	101-7291-450-39-26 Child Day Care	\$9,111.00
<b>TOTAL</b>	<b>\$9,111.00</b>	<b>TOTAL</b>	<b>\$9,111.00</b>

**Justification:** Additional funding from the State for regular subsidy day care. There is no County match.

*DSS 7295 Senior*

101-7295-336-39-00 Donations Home Delivered	\$2,200.00	101-7295-450-32-29 Supplies Donations Meals	\$2,000.00
--	------------	--	------------

		101-7295-450-32-12	\$200.00
		Activity Supplies	
101-7296-336-31-00	\$220.00	101-7296-450-32-12	\$220.00
Vanceboro Senior Ctr Events		Vanceboro Activity Supplies	
<b>TOTAL</b>	<b>\$2,420.00</b>	<b>TOTAL</b>	<b>\$2,420.00</b>

**Justification:** Funds donated for the Senior Center and the Meals on Wheels program; also funds raised from quilt raffle for Vanceboro Center.

*Request to Set Public Hearing on Conditional Use Permit*

The Planning Department requested that a public hearing be set for Monday, December 18, 2006 at 8:30 a.m. to hear comments regarding the request for Conditional Use Permit at 512 Church Road. Commissioner Allen moved to set a public hearing for Monday, December 18, 2006 at 8:30 a.m., as requested, seconded by Commissioner Jones and unanimously carried in a roll call vote.

*Tax Releases and Refund*

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

**Credits**

<b>TAXPAYER NAME</b>	<b>TICKET#</b>	<b>AMOUNT</b>
BAUER, RON NOT LOCATED IN CRAVEN CO 01/01/2006	2006-0091470	\$1,201.09
CAMERON, THOMAS NOT IN CRAVEN COUNTY 01/01/2006	2006-0091479	\$1,778.15
CRAM, GORDON ADJUST VAL PER ABOS	2006-0091487	\$43.62
EVANS, MATTHEW PROPERTY VACANT	2006-0016910	\$32.00
FRAZIER, LINSTER DOUBLE BILLED ON ACCT #19019	2006-0018804	\$675.33
FRENCH, CHRISTINE W VACANT PROPERTY	2006-0018937	\$32.00
KAISER, JOAN DID NOT OWN 01/01/1995	1999-0026485	\$12.78
KAISER, JOAN DID NOT OWN 01/01/2000	2000-0027209	\$45.36
KAISER, JOAN DID NOT OWN 01/01/2001	2001-0027426	\$42.88
KENT, STEVEN J NOT LOCATED IN CRAVEN CO 01/01/2006	2006-0030075	\$191.91
KIBLER, DEVIN & NINA MILITARY ½ VAL. DEVIN 06 LES-FL ECC-12/24/09	2006-0030161	\$64.06

L & E HEALTH SERVICES INC. BUSINESS HAD NO ASSETS 1-1-2006	2006-0090511	\$190.85
MUSE, GREGORY DEAN DID NOT OWN 01/01/2006	2006-0039058	\$161.30
NEWBY, JOHN TIMOTHY DID NOT OWN 01/01/2005	2005-0039080	\$8.83
NEWBY, JOHN TIMOTHY DID NOT OWN 01/01/2006	2006-0091254	\$7.67
POLO, ROBERT C & MARILYN P DOES NOT LIVE ABOARD BOAT	2006-0091646	\$32.00
PYE, HARVEY GEORGE ADJUST VALUE ON BOARD PER BILL OF SALE	2006-0091647	\$184.47
RIGGS, RONALD DWAYNE VACANT PROPERTY	2006-0045056	\$32.00
ROSE, PETER O & MARGARET R DOUBLE LISTED ON ACCT #6229598	2006-0091650	\$31.40
SOTO, EDUARDO MORAN VALUE ADJUSTED DUE TO CONDITION OF HOME	2006-0049545	\$81.60
	20 – CREDIT MEMO(S)	\$4,849.30

***Refund***

CRAVEN COUNTY HUMANE SOCIETY I2006-0012089 EXEMPT PER GS 105-278.6(A)(4)		\$239.51
	1 – REFUND	\$239.51

**HIGHWAY 70 CORRIDOR COMMITTEE MEMORANDUM OF UNDERSTANDING**

Commissioner Sisk presented the following Memorandum of Understanding and requested its approval. She explained that there is no designated funding for the Highway 70 Corridor projects outlined. Commissioner Sisk moved for approval of the Memorandum of Understanding, seconded by Commissioner Tyson and unanimously carried.

**MEMORANDUM OF UNDERSTANDING**

This Memorandum of Understanding among state and local political jurisdictions along the US 70 Corridor in Johnston, Wayne, Lenoir, Jones, Craven, and Carteret Counties is executed because of a long-term, mutual interest in retrofitting the corridor as North Carolina’s next freeway. Constituents along US 70 agree that consensus among state and local political jurisdictions demonstrates a unified vision for the corridor – “One Vision, One Voice”. Grassroots support for short-term and long-term improvements identified by the **US Corridor Commission** should attract the resources needed for expediting a new freeway, which will serve as the catalyst for economic development throughout the corridor.

**Background**

Momentum continues at the US 70 Corridor Commission to retrofit the corridor as North Carolina’s next freeway. Some of this transformation will take place on existing roadway, while other portions of the freeway will be built on new location. The new

freeway will provide high mobility and increase safety for motorists traveling between Interstate 40 and the coast, while eliminating direct access to the freeway from adjacent land uses. Traffic signals and driveways will be removed, remaining cross streets will be grade-separated or retrofitted with access ramps, and full access to the freeway will be limited to new interchanges. Direct access to properties abutting the freeway will be provided via side or rear connections to a secondary street system. A local example of a freeway facility (i.e., controlled access) is the portion of US 70 between Kinston and New Bern.

Retrofitting US 70 as a freeway will have a profound impact on properties located in close proximity to the corridor. Land use, building placement, design orientation, landscaping sign size and placement, and site access requirements included in current local land development ordinances will need to be re-written, and communities along the corridor will need to come together for implementing minimum criteria that protects the intended function of the freeway. More importantly, these communities will need to act in unison for adopting plans, policies, and minimum design criteria that move US 70 towards a freeway.

#### Purpose of this Agreement

The purpose of this agreement is to unify state and local political jurisdictions along the corridor for implementing regulatory tools and policy measures that will ultimately build a new freeway and protect the integrity of this strategic corridor. Short-term improvements recommended by the US 70 Corridor Commission will improve regional mobility along the corridor and reserve the opportunity to build a freeway in the long-term planning horizon.

Short-term improvements for the corridor will focus on access management, and the undersigned agree to support the recommendations included in the *US 70 Access Management Study* developed by the North Carolina Department of Transportation in July 2005, or as amended by the US 70 Corridor Commission. Minimum access management standards for the US 70 Corridor will be incorporated into regulatory tools (e.g., zoning ordinance, subdivision ordinance, unified land development code, or engineering design standards) maintained by the local political jurisdiction.

The US 70 Corridor Commission will provide the undersigned with model development regulations and/or administrative policies for adoption through legislative action. Minimum development regulations and/or administrative policies in the model regulations will provide continuity along the corridor for protecting regional mobility. Local political jurisdictions are welcome to adopt more restrictive access management standards for fulfilling their own local vision established for the corridor.

The foundation for long-term transformation of the corridor into a freeway will be memorialized in a *Comprehensive Freeway Master Plan*. The undersigned agree to be an active partner in the planning process, and will implement recommendations from the Plan. A corridor protection overlay district will ultimately be established to protect the preferred general alignment and design concepts for building the new freeway. Recommendations for implementing the freeway will support proposed bypass routes (i.e., new location) and require retrofitting small segments of the corridor in both urban and rural settings.

The US 70 Corridor Commission will partner with state and local political jurisdictions to designate the extents of the proposed corridor protection overlay district at the completion of the *Comprehensive Freeway Master Plan*. Minimum rules and requirements for protecting the function of the freeway will be developed by the US 70 Corridor Commission and adopted by local political jurisdictions. Additional development controls and/or minimum design criteria for the corridor protection overlay district may be adopted by the local political jurisdiction for fulfilling their own local vision established for the corridor.

Responsibilities of the Undersigned

- (A) The local political jurisdiction shall formally propose by resolution the endorsement of the *US 70 Access Management Study* developed by the North Carolina Department of Transportation in July 2005, or as amended by the US 70 Corridor Commission before January 1, 2007.
- (B) The local political jurisdiction will formally consider and, through the appropriate political process with public input, propose the adoption of minimum access management standards and design criteria for the existing US 70 Corridor in accordance with model development regulations and/or administrative policies provided by the US 70 Corridor Commission. New rules and regulations shall be adopted before January 1, 2007.
- (C) The local political jurisdiction shall be an active partner (through membership on an established Advisory Committee) in the planning process for developing the *Comprehensive Freeway Master Plan*.
- (D) The local political jurisdiction shall formally support recommendations in the *Comprehensive Freeway Master Plan* and, through the appropriate political process with public input, propose the adoption of a corridor protection overlay district and corresponding minimum rules and requirements for protecting the function of the new freeway. A model corridor protection overlay district will be provided by the US 70 Corridor Commission.

Local Political Jurisdiction Signature

The undersigned state or local political jurisdiction hereby supports retrofitting the US 70 Corridor as North Carolina's next freeway and pledges to coordinate and cooperate with other political jurisdictions that are signatories to the Memorandum of Understanding. Common goals of the local political jurisdictions include implementing new access management standards, land development controls, and a corridor protection overlay district that protects the intended function of the new freeway.

**APPOINTMENTS**

Commissioner Allen moved to table appointments until the Board's next meeting, seconded by Commissioner Morris and unanimously carried.

**COMMISSIONERS' REPORTS**

*Commissioner Allen* announced his attendance at a recent NACo Board of Director's meeting, during which the location of the 2010 and 2011 annual conferences were announced. The conferences will be held in Portland, Oregon and Pittsburgh, Pennsylvania, respectively.

*Commissioner Sampson* urged the public's continued pressure against increasing gas prices.

At 7:55 p.m. Commissioner Sisk moved to adjourn, seconded by Commissioner Allen and unanimously carried.

---

Chairman Johnnie Sampson, Jr.  
Craven County Board of Commissioners

---

Gwendolyn M. Bryan  
Clerk to the Board