

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 18, 2006. THE MEETING CONVENED AT 8:30 A.M.

MEMBERS PRESENT:

- Chairman Johnnie Sampson, Jr.
- Vice Chairman Jason 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

Following an invocation by Commissioner Sampson and the Pledge of Allegiance, Commissioner Sisk moved to approve minutes of the December 4, 2006 regular session, seconded by Commissioner Jones and unanimously carried.

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 Sisk and unanimously carried in a roll call vote.

Cooperative Extension Livestock

REVENUES	AMOUNT	EXPENDITURES	AMOUNT
101-4206-349-46-0 NC State	\$(1,000.00)		
101-00-399-01-0 Fund Balance	\$1,000.00		
TOTAL	\$0.00		

Justification: Funds will not be received from NCSU in the amount of \$1,000.00. Funds for Jones County in the amount of \$1,000 were budgeted and have been received.

Home Health/Carolina Access

101-6500-353-05-00 Third Party Payments	\$506.00	101-6500-440-97-10 Transfer Out	\$506.00
101-5810-366-03-00 Transfer in Home Health	\$506.00	101-5810-440-46-00 General Insurance	\$506.00
TOTAL	\$1,012.00	TOTAL	\$1,012.00

Justification: Contract with Community Care Plan of Eastern Carolina states that Craven County has the responsibility for paying employee general insurance.

DSS 7291 Mandated

101-7291-349-32-00	\$64,373.00	101-7291-450-23-04	\$64,373.00
Energy CIP/CPL/STW		Crisis Intervention Program	
TOTAL	\$64,373.00	TOTAL	\$64,373.00

Justification: Additional funding for Crisis Intervention Program received. Funds are 100% federal, no County match.

DSS 7291 Mandated

101-7291-349-10-00	\$5,266.00	101-7291-450-39-26	\$5,266.00
Day Care Combined		Child Day Care	
TOTAL	\$5,266.00	TOTAL	\$5,266.00

Justification: Additional funding from the State for Regular Subsidy Day Care. There is no County match.

Occupancy Tax Trust Fund

590-0000-329-00-00	\$38.00	590-9600-500-15-10	\$38.00
Interest		Audit	
TOTAL	\$38.00	TOTAL	\$38.00

Justification: Budget Additional interest received to cover suit costs.

Recreation & Parks

101-8050-336-02-00	\$4,500.00	101-8050-460-73-02	\$4,500.00
Donations/Contributions		Donations/other improve	
TOTAL	\$4,500.00	TOTAL	\$4,500.00

Justification: This amount is being donated to Craven County from the New Bern Girls Babe Ruth Baseball League for consideration of a batting cage at Creekside Park.

Vanceboro Fire Department

241-0000-399-01-00	\$85,000.00	241-2900-410-96-80	\$85,000.00
Fund Balance		Vanceboro Alloc	
TOTAL	\$85,000.00	TOTAL	\$85,000.00

Justification: Budget \$85,000 from fund balance for property and construction of a new fire station.

Tax Releases and Refunds

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

Credits

TAXPAYER NAME	TICKET#	AMOUNT
AIKEN, HOVEY E III	2006-0000365	\$1,603.43
INCORRECT SITUS – SHOULD BE CARTERET CO.		

ARTHUR, G M & J FRANKLIN CORRECTING APPRAISAL ERROR – WILL BE REBILLED	2006-0091715	\$7.74
ARTHUR, GUY JR & ARTHUR, JAMES CORRECTING APPRAISAL ERROR – WILL BE REBILLED	2006-0091721	\$312.07
BERRY, ABRAM DID NOT OWN 01-01-2001	2006-0090083	\$629.18
BERRY, ABRAM DID NOT WON 01/01/2001	2006-0091724	\$192.00
BROWN, BRUCE FORECLOSURE – LIEN EXTINGUISHED	1997-0005435	\$17.61
BROWN, BRUCE FORECLOSURE – LIEN EXTINGUISHED	1998-0005513	\$16.60
BROWN, BRUCE FORECLOSURE – LIEN EXTINGUISHED	1999-0005777	\$15.76
BROWN, BRUCE FORECLOSURE – LIEN EXTINGUISHED	2000-0005945	\$16.35
BROWN, BRUCE FORECLOSURE – LIEN EXTINGUISHED	2001-0005998	\$16.12
BROWN, BRUCE FORECLOSURE – LIEN EXTINGUISHED	2003-0006097	\$17.59
BROWN, BRUCE FORECLOSURE – LIEN EXTINGUISHED	2004-0006168	\$16.39
BROWN, BRUCE FORECLOSURE – LIEN EXTINGUISHED	2005-0006397	\$16.31
BROWN, BRUCE FORECLOSURE – LIEN EXTINGUISHED	2006-0006455	\$11.90
BROWN, BRUCE FORECLOSURE – LIEN EXTINGUISHED	2002-0006110	\$19.38
CAZADORES INC NOT LOCATED IN CRAVEN CO 01/01/2006	2006-0091725	\$6,451.67
COASTAL MARKETING & DEVELOP CORRECTING APPRAISAL ERROR	2006-0010544	\$43.36
COASTAL MARKETING & DEVELOP CORRECTING APPRAISAL ERROR	2006-0010545	\$43.36
COASTAL MARKETING & DEVELOP CORRECTING APPRAISAL ERROR	2006-0010546	\$43.36
COASTAL MARKETING & DEVELOP CORRECTING APPRAISAL ERROR	2006-0010547	\$43.36
COASTAL MARKETING & DEVELOP CORRECTING APPRAISAL ERROR	2006-0010548	\$43.36
COASTAL MARKETING & DEVELOP CORRECTING APPRAISAL ERROR	2006-0010549	\$43.36

COASTAL MARKETING & DEVELOP CORRECTING APPRAISAL ERROR	2006-0010550	\$43.36
COASTAL MARKETING & DEVELOP CORRECTING APPRAISAL ERROR	2006-0010551	\$43.36
COASTAL MARKETING & DEVELOP CORRECTING APPRAISAL ERROR	2006-0010552	\$43.36
COASTAL MARKETING & DEVELOP CORRECTING APPRAISAL ERROR	2006-0010553	\$43.36
COASTAL MARKETING & DEVELOP CORRECTING APPRAISAL ERROR	2006-0010554	\$43.36
COASTAL MARKETING & DEVELOP CORRECTING APPRAISAL ERROR	2006-0010555	\$43.36
COASTAL MARKETING & DEVELOP CORRECTING APPRAISAL ERROR	2006-0010556	\$43.36
COASTAL MARKETING & DEVELOP CORRECTING APPRAISAL ERROR	2006-0010557	\$43.36
COASTAL MARKETING & DEVELOP CORRECTING APPRAISAL ERROR	2006-0010558	\$43.36
COASTAL MARKETING & DEVELOP CORRECTING APPRAISAL ERROR	2006-0010559	\$43.36
COASTAL MARKETING & DEVELOP CORRECTING APPRAISAL ERROR	2006-0010560	\$43.36
COASTAL MARKETING & DEVELOP CORRECTING APPRAISAL ERROR	2006-0010561	\$43.36
COASTAL MARKETING & DEVELOP CORRECTING APPRAISAL ERROR	2006-0010562	\$43.36
COASTAL MARKETING & DEVELOP CORRECTING APPRAISAL ERROR	2006-0010563	\$43.36
COASTAL MARKETING & DEVELOP CORRECTING APPRAISAL ERROR	2006-0010564	\$43.36
COASTAL MARKETING & DEVELOP CORRECTING APPRAISAL ERROR	2006-0010565	\$43.36
COASTAL MARKETING & DEVELOP CORRECTING APPRAISAL ERROR	2006-0010566	\$43.36
COASTAL MARKETING & DEVELOP CORRECTING APPRAISAL ERROR	2006-0010567	\$43.36
COASTAL MARKETING & DEVELOP CORRECTING APPRAISAL ERROR	2006-0010568	\$43.36
COASTAL MARKETING & DEVELOP CORRECTING APPRAISAL ERROR	2006-0010569	\$43.36

COASTAL MARKETING & DEVELOP CORRECTING APPRAISAL ERROR	2006-0010570	\$43.36
COASTAL MARKETING & DEVELOP CORRECTING APPRAISAL ERROR	2006-0010571	\$43.36
COASTAL MARKETING & DEVELOP CORRECTING APPRAISAL ERROR	2006-0010572	\$43.36
COASTAL MARKETING & DEVELOP CORRECTING APPRAISAL ERROR	2006-0010573	\$43.36
COASTAL MARKETING & DEVELOP CORRECTING APPRAISAL ERROR	2006-0010574	\$43.36
COASTAL MARKETING & DEVELOP CORRECTING APPRAISAL ERROR	2006-0010575	\$43.36
COASTAL MARKETING & DEVELOP CORRECTING APPRAISAL ERROR	2006-0010576	\$43.36
COASTAL MARKETING & DEVELOP CORRECTING APPRAISAL ERROR	2006-0010577	\$43.36
COASTAL MARKETING & DEVELOP CORRECTING APPRAISAL ERROR	2006-0010578	\$43.36
COASTAL MARKETING & DEVELOP CORRECTING APPRAISAL ERROR	2006-0010579	\$43.36
COASTAL MARKETING & DEVELOP CORRECTING APPRAISAL ERROR	2006-0010580	\$43.36
COASTAL MARKETING & DEVELOP CORRECTING APPRAISAL ERROR	2006-0010581	\$43.36
COASTAL MARKETING & DEVELOP CORRECTING APPRAISAL ERROR	2006-0010582	\$43.36
COASTAL MARKETING & DEVELOP CORRECTING APPRAISAL ERROR	2006-0010583	\$43.36
CUNNINGHAM, LORNE C MILITARY – HIS NAME ONLY 06 LES-IL ECC-06/06/2007	2005-0012500	\$273.79
CUNNINGHAM, LORNE C MILITARY – HIS NAME ONLY 06 LES-IL ECC-06/06/2007	2006-0012687	\$363.00
DAUGHERTY, DEWEY P DOUBLE LISTED ON ACCT #61819	2006-0091685	\$74.54
HARROP, ALAN & MARY VALUE ADJUSTED PER BILL OF SALE	2006-0091608	\$337.72
HEATH, TIMOTHY RANDALL DOUBLE BILLED ON SAME ACCT.	2006-0091734	\$29.10
HOLLAND, JAY & KITTY LOCATED IN CRAVEN COUNTY LESS THAN 6 MONTHS	2006-0091616	\$96.50
HOLLAND, SARAH T CORRECT BILLING ERROR FOR RECYCLE FEE FOR SCE	2006-0091736	\$22.00

HORIZON NAVIGATOR LLC VALUE ADJUSTED PER BILL OF SALE	2006-0091513	\$3,457.33
KAUFMANN, JOSEPH F & LINDA CORRECTING APPRAISAL ERROR – WILL BE REBILLED	2006-0029798	\$1,481.56
MATTHEWS, ERNESTING W ET AL CORRECTING APPRAISAL ERROR	2006-0034814	\$37.58
MEWBORN, JOHN F & ESTHER SCE REMOVED IN ERROR	2006-0036572	\$148.76
MUSE, JANICE M RECYCLE FEE FOR SECOND HOME	2006-0039067	\$17.32
PHELPS, DONALD BATEMAN ADJUST. VALUE PER BILL OF SALE	2006-0091704	\$12.22
PIKE, ANDREW EARL INCORRECT SITUS – SHOULD BE 3D	2006-0042434	\$207.12
ROWE, EDWIN RECYCLING FEE CALCULATION ERROR	2006-0046111	\$2,528.00
SILVER, MARK ADJUST. OF VALUE PER BILL OF SALE	2006-0091552	\$177.82
	72 – CREDIT MEMO (S)	\$20,358.86

Refunds

LODGE – COLUMBUS CLUB OF NEW B ORDERED BY CRAVEN COUNTY EQUALIZATION & REVIEW	2006-0033096	\$3,689.89
MUSE, JANICE M RECYCLE FEE FOR SECOND HOME	2006-0039067	\$14.68
	2 – REFUND (S)	\$3,704.57

Request to Set Public Hearing for FY 2007 CDBG Application

The Planning Department requested that a public hearing be set for Tuesday, January 2, 2007 at 7:00 p.m. This will be the second of two public hearings required when applying for CDBG monies. Commissioner Allen moved to set a public hearing for Tuesday, January 2, 2007 at 7:00 p.m., as requested, seconded by Commissioner Sisk and unanimously carried in a roll call vote.

Subdivisions for Approval

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

Sara Nipper and Marcus A. Green Division: The property, owned by Kendall Gaskins & Jeremy Mills and surveyed by Kendall Gaskins, is located within Twp. 1 off of SR 1451 (Ward Field Rd.). The subdivision contains 1 lot on 2.99 acres and is proposed to be served by community water and an individual septic system.

Stately Pines Section 7 – Final: The property, owned by Stately Pines Partnership and engineered by Thomas Engineering, is located within Twp. 6 off of SR 1106 (Stately

Pines Road). The subdivision contains 35 lots on 18.07 acres and is proposed to be served by community water and sewer.

Health Department Request

The Board was requested to approve the following fees that were presented to the Craven County Health Board at their meeting on December 11, 2006. Commissioner Allen moved for their approval, as requested, seconded by Commissioner Sisk and unanimously carried in a roll call vote.

- (1) Dental fees for services not previously performed, but now necessary as more middle school children participate:

Anterior Root Canal	\$607
Bicuspid Root Canal	\$707
Molar Root Canal	\$842
Core Build-up and any pins	\$150

- (2) Adjustment to Home Health and Hospice fees due to changes in Medicaid rate.

2006-2007 Fee Schedule Changes

HOME HEALTH FEES

	<u>Old</u>	<u>New</u>
Skilled Nursing	\$102.00	\$110.00
Home Health Aide	\$47.00	\$50.00

HOSPICE FEES

Routine Home Care	\$120.00	\$125.00/Day
Continuous Home Care	\$29.00	\$30.00/Hour
Inpatient Respite Care	\$123.00	\$130.00/Day
General Inpatient Care	\$525.28	\$550.00/Day

HOSPICE MEDICARE/MEDICAID PER DIEM CHARGES

Are changed to keep up with Medicare and Medicaid as they increase their rates.

Routine Home Care	\$120.00	\$125.00/Day
Continuous Home Care (8 Hr. Min.)	\$29.00	\$30.00/Hour
Inpatient Respite Care	\$123.00	\$130.00/Day
General Inpatient Care	\$525.28	\$550.00/Day

PUBLIC HEARING – REQUEST FOR CONDITIONAL USE PERMIT

At 8:35 a.m. Commissioner Sisk moved to go into public hearing, as requested, concerning an application for a Conditional Use Permit on parcel #7-108-003. Plans for the property at 512 Church Road are proposed for a commercial/warehouse use. There were no members of the public to speak on the matter and at 8:36 a.m. Commissioner Allen moved to close to the public hearing, seconded by Commissioner Sisk. Commissioner Allen moved to approve the Conditional Use Permit, seconded by Commissioner Jones and unanimously carried.

COMMISSIONERS’ APPOINTMENTS

The Chairman designated Commissioners’ appointments to boards and committees for the year 2007, as follows:

APPOINTMENTS OF COMMISSIONERS

The following boards and committees require a Commissioner to serve.

1. Tourism Development Authority [Morris]
2. Neuse Center for Mental Health [Sisk]
3. Criminal Justice Advisory Board [Sampson]
4. Craven County Health Board [Allen]
5. East Carolina Work Force Development [Tyson]
6. New Bern Craven County Library [Sisk]
7. Swiss Bear [Tyson]
8. Craven Evaluation and Training Center [McCabe]
9. Military Civilian Community Council [McCabe]
10. Aging Planning Board [Sisk]
11. Kellenberger Foundation [Sampson]
12. Tryon Palace Commission [Sampson]
13. Juvenile Crime Prevention Council [Jones]
14. Smart Start [Jones]
15. ECCOG [McCabe]

Others Boards to which Commissioners were appointed are the following:

1. Coastal Regional Solid Waste Management Authority
(Voting member) [Tyson]
2. Economic Development Commission [Morris]
3. Local Emergency Planning Committee [Allen]
4. Cove City Library Board [Jones]
5. Havelock City Library Board [McCabe]
6. Vanceboro Library Board [Morris]
7. Craven Pamlico Transportation Committee [Allen]

HIGHWAY 17 ASSOCIATION PRESENTATION

Troy Smith, Chairman of Craven Pamlico Jones Transportation Committee, and Board member of the Highway 17 Association, introduced Marc Finlayson, Director of the Highway 17 Association. Mr. Finlayson provided some background concerning this position and the organization's objectives. He encouraged the Craven County Commissioners to continue their support of the Highway 17 Association's efforts for improvements along Highway 17. He announced a date for their annual meeting and asked that Commissioners plan to attend. Commissioner Allen expressed concern that Highway 17 project not divert funds from completion of the Havelock road projects along the Highway 70 corridor.

VANCEBORO VOLUNTEER FIRE DEPARTMENT REQUEST

Commissioner Morris requested on behalf of Vanceboro Volunteer Fire Department, the use of the fire department's fund balance for the purchase of property to build a new fire station. In addition to the proposed use of fund balance to cover the property purchase, it would also cover installation of a six inch line. Commissioner Morris moved that the Board approve use of \$85,000 in fund balance for this purpose, seconded by Commissioner Allen and unanimously carried in a roll call vote.

APPOINTMENTS

Neuse River Development Authority

The Board considered the expiring term of Michael Rogers who has served more than ten years. Commissioner Sisk nominated Chris Craze to fill the position on this Board. There were no additional nominees and Commissioner Sisk moved to close nominations

and declare Mr. Craze appointed by acclamation, seconded by Commissioner Tyson and unanimously carried.

Adult Care Home Advisory Committee

The Board received information that the term of Kathleen Sbarra is due to expire. Commissioner Allen nominated Ms. Sbarra for reappointment. There were no other nominations and Commissioner Allen moved to close nominations and declare Ms. Sbarra appointed by acclamation, seconded by Commissioner Jones and unanimously carried.

Coastal Regional Solid Waste Management Authority (CRSWMA)

Commissioner Allen nominated Paul Johnson for reappointment to his term and Ray Moser as the County’s alternate. There were no other nominations and Mr. Johnson and Mr. Moser were declared reappointed and appointed, respectively, by acclamation.

Health Board

Commissioner Allen nominated Ms. Jennetia Drake for reappointment and the Board reached consensus to table this nomination and to defer the nominations of a veterinarian to replace Dr. Ridgeway and an engineer to replace Gene Bowling, who has resigned.

New Bern Library Board

Commissioner Morris nominated Ken Brinson to replace Kathy Haroldson, who has served more than ten years. There being no additional nominees, Commissioner Morris moved to close nominations and declare Mr. Brinson appointed by acclamation, seconded by Commissioner Sisk and unanimously carried.

New Bern Planning Board

The Board considered the expiring terms of Robert Bell and Sharon Bland. Commissioner Jones nominated Sharon Bland for reappointment and Glen Ipock to replace Robert Bell. There were no additional nominees and Mr. Ipock and Ms. Bland were appointed acclamation.

Local Emergency Planning Committee (LEPC)

The Board received the following membership roster and a request from the Local Emergency Planning Committee that the roster be endorsed. Commissioner Sisk moved to accept the roster, seconded by Commissioner Allen and unanimously carried.

Local Emergency Planning Committee

Dave Gardner Weyerhaeuser Company	Stanley Kite Craven County EMS
Tom Cuthrell Craven Regional Medical Center	Tim Harvey Craven County EMS
Judy Antry Weyerhaeuser Company	Patti McDaniel Craven County EMS
Brad Chesson Weyerhaeuser Company	Sue Shivar Maola Milk and Ice Cream
Orathai Bulfer Environmental Affairs Dept.-Cherry Pt. MCAS	Wanda Sandelé Craven County Health Dept.

William N. Gainey
Environmental Affairs Dept.-Cherry Pt. MCAS

Theresa Ellen
Craven County Health Dept.

Ray Bonner
Craven Wood Energy (CMS)

Jane Sobotor
Craven County EMS Advisory Coun

Tom Glasgow
Agriculture Ext. CO-OP

Larry Baldwin
Neuse River Foundation

Ronnie Weems
BSH

Sam Phillips
BSH

Joe Baker
Encee Chemical

Stacy Caraway
Tidewater Energy

Danny Meadows
City of New Bern Public Works

Fire Chief Tom Mylett
Security Dept. Fire Div. Cherry Pt.

Jeff Payne
American Red Cross

Captain Eddie Lewis
Security Dept. Fire Div. Cherry Pt.

Rick Lail, Maint. Supervisor
Craven Correctional Center

Francine Sawyer
The Sun-Journal

Todd Hargett
Chatsworth Products, Inc.

John E. Hodge
Hatteras Yachts

Tim Owens
Pamlico County

Ben Barnett
Pamlico County EMS

Harvey Hill
Pamlico County Fire Commission

Jenny Lassiter
Pamlico County Health Dept.

Christine Mele
Pamlico County Commissioner

Bill Ellers
Pamlico County Extension

Scotty Whitford
Whitford Farms

Jeff Aydelette
Pamlico County News

Mr. Bill Vogelsang

Emergency Services Advisory Council

Commissioner Jones nominated Doug Ferguson to fill an at large vacancy on the EMS Advisory Council. There were no additional nominees and Mr. Jones moved to closed nominations, appointing Mr. Ferguson by acclamation, and accepting the list that was submitted of proposed appointees, as follows: Commissioner Allen seconded the motion, which carried unanimously.

EMS ADVISORY COUNCIL

Jeff Payne
American Red Cross

Stanley Kite/Tim Harvey
Craven County EMS

Joe Hoffman
C.C.L.E.A.

Keith McCoy
Craven County Firemen's Assoc.

Jackie Barrows
Craven County Sheriff's Office

Keith Harris/Jeremy Beal
OEMS

Dr. Robert Monteiro
ECIM

Kevin T. Davidson
MED 1 Medical Transport

Andrew Coleman
Coastline Care, Inc.

Jeff White
Johnston Ambulance Service, Inc.

Steve Williams
Tarheel Medical Transport

Capt. Debra Banks
Bridgeton EMS

Citizen At Large
Vacant

CRMC ER Supervisor
Vacant

Catp. Jean Matthews
Cove City Rescue Squad

Capt. Linda Bland
Fort Barnwell Rescue Squad

Capt. Rick Zaccardelli
Havelock Rescue Squad

Capt. Mary Wilis
New Bern-Craven County Rescue

Capt. Michael Paul
Township Seven EMS

Capt. Jeremy Rogers
Vanceboro Rescue Squad

Jane Sobotor
Craven Regional Medical Ctr EMS

Mark Dail
Rhems Volunteer Fire Dept.

Linda Boulanger
Township Six Fire Dept.

Mary Hum
Craven Regional Medical Center

Dr. Anthony Frank
Craven Regional Medical Ctr.

Michael Ford
Cherry Point Naval Hospital

Judy Cox
Craven Community College

Linda Little
East Carolina Council of Gov.

Voting Delegates – Legislative Goals Conference

Commissioner Allen stated that the Chair and Vice Chair are traditionally designated by the Board as the voting delegates; however, Vice Chairman Jones indicated that he would not be attending the Legislative Goals Conference. Commissioner Allen, who is attending, volunteered to serve as an alternate, with the Chairman serving as the voting delegate. The Board reached consensus to so designate Chairman Sampson and Commissioner Allen.

COUNTY ATTORNEY’S REPORT

County Attorney, Jim Sugg, requested a closed session concerning a Health Department sewer inspection matter. It was the Board’s consensus to defer closed session until the agenda was exhausted.

COUNTY MANAGER’S REPORT

County Manager, Harold Blizzard, informed the Board of a potential moratorium in Township 7. He stated that the moratorium, should it be put into affect, would not have an impact on existing subdivisions but only on new ones. This is a result of overburdening the system which was purchased by the City of New Bern, by the development in Township 7. Commissioner Tyson announced that he owns property in the areas that would be affected by a moratorium and would abstain from any vote concerning this matter; however, no vote was necessary. Mr. Blizzard presented a memorandum of agreement, which the Inspections Department proposed, as follows, and stated that without objection from the Board he would proceed with issuance of this agreement to owners/contractors with building projects in the affected areas. There was no objection from the Board.

To: All Owners/Contractors of Property in Forest Run, Phase 5 and Croatan Woods Subdivisions

From: Donald Baumgardner, Planning Director
Re: City of New Bern’s Upgrade of Sewer Collection System

As a recipient of this memo, you have applied for a building permit for a structure located in one of the following subdivisions: Forest Run, Phase 5, or Croatan Woods. The City of New Bern has informed the County that they are in the process of upgrading their collection system on Old Cherry Point Road to accommodate additional wastewater discharge. According to the City, the Division of Water Quality has placed conditions on the sewer permits for these subdivisions that prohibit the discharge of wastewater to the City of New Bern collection system until upgrades in the system have been completed. At this time, the City has not been able to provide a date of completion for the installation of upgrades to their system. Consequently, Craven County cannot assure you as to when the system upgrade will be completed, if at all, and assumes no responsibility for the same.

The Craven County Building Inspections Department will continue to issue building permits for said properties as requested. However, the NC Building Code requires that a building be connected to a sewer system and that it be effectively operational prior to final electrical inspections and the issuance of a Certificate of Occupancy (CO).

Due to these circumstances that are beyond the control of Craven County, it is necessary to have you, the contractor or owner, sign this memo indicating that you have read and understand the above. By signing, you are accepting all risk that, although your construction may be complete, the County **will be unable to authorize the power company to provide electricity to the structure** or issue a Certificate of Occupancy until the City has supplied a letter of completion for system upgrades to Craven County, and you have satisfied all other conditions to receive the same. And since the City is uncertain of the timeline for completion, Craven County is not able to make any estimates as to how long of a delay this may cause. **Therefore, should you elect to proceed with your building permit application, you hereby agree to indemnify and hold Craven County harmless for any and all claims that you may have as related to the provision of electricity or the issuance of a certificate of occupancy due to the upgrade to the system by the City of New Bern, or any moratorium instituted by any regulatory agency.**

We appreciate your cooperation and understanding as the City of New Bern works to construct their system upgrades.

Owner/Contractor Signature: _____ Date: _____

Property Address: _____ Permit #: _____

COMMISSIONERS’ REPORTS

Commissioner Morris reported on calls from citizens who want junk nuisances in rural areas addressed; however, he stated that the County is limited in its policing of private property and in the absence of restrictive covenants, which only apply to subdivisions, there is no authority to address what citizens can have on their property.

Commissioner McCabe indicated concerns about Highway 101 from Havelock to the Carteret County line, the repaving of Ferry Road and the condition of Blades Road. He indicated that funds had been available for some of the projects and wanted to know what had happened. He stated that the first priority for road projects in his district would be Adams Creek Road, where there is a need to bridge a culvert. He advised the Board that emergency vehicles are unable to pass on this road when water rises and covers the roadway. He also expressed concerns about sewer needs. Commissioner Sampson responded that the County has been working on the road issues; however, the Department of Transportation has dropped some of the projects because of funding constraints.

Commissioner Allen encouraged all Commissioners to attend the upcoming conferences.

Commissioner Jones reported on discussions with Craven County’s State Legislative Delegation and Senator Elect Jean Preston concerning the Highway 55 West repaving project. He asked the Board to consider adoption of a resolution to be directed to the legislators encouraging them to place Highway 55 back on the North Carolina Moving Ahead priority list. Commissioner Morris requested that Highway 118 be included in the

resolution and Commissioner McCabe requested that Highway 101 also be included. Commissioner Allen moved to defer consideration of the resolution until there could be a review of the original list of project priorities in the North Carolina Moving Ahead program. Commissioner Sisk seconded the motion, which failed, there being three (3) "Ayes" from Commissioners Allen, Sisk and Tyson, and four (4) "Nays" from Commissioners Jones, McCabe, Morris and Sampson. The original motion carried with four (4) "Ayes" from Commissioners Jones, McCabe, Morris and Sampson, there being three (3) "Nays" from Commissioners Allen, Sisk and Tyson. Commissioner Allen asked that the vote on the resolution be noted.

Commissioner Jones introduced discussion of beaver problems in his district and possible solutions.

Commissioner Sampson stated that he had also received a call from a citizen concerning junk stored on property and he reinforced that the County has no authority. He asked that citizens keep up pressure concerning rising gas prices.

At 10:05 a.m. Commissioner Morris moved to go into closed session after a five minute recess, to discuss potential litigation pursuant to NCGS 143-318.11(a) (3) and (10). The motion was seconded by Commissioner McCabe and unanimously carried.

At 11:00 a.m. the Board reconvened in regular session. County Attorney, Jim Sugg, announced that the Board had discussed disposition of a problem with a septic tank and that no affirmative action had been taken; however, the Board reached consensus on a possible solution.

At 11:04 Commissioner Sisk moved to adjourn, seconded by Commissioner Morris and unanimously carried.

Chairman Johnnie Sampson, Jr.
Craven County Board of Commissioners

Gwendolyn M. Bryan
Clerk to the Board