

**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 4, 2008. THE MEETING CONVENED AT 7:00 P.M.**

**MEMBERS PRESENT:**

Chairman Jason R. Jones  
 Vice Chairman Theron McCabe  
 Commissioner Lee Kyle Allen  
 Commissioner Perry L. Morris  
 Commissioner Johnnie Sampson, Jr.  
 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  
 Jim Hicks, County Attorney

Following an invocation by Commissioner Sampson and the Pledge of Allegiance, Commissioner Sampson moved to approve minutes of the January 22, 2008 regular session, seconded by Commissioner Morris and unanimously carried in a roll call vote.

Before proceeding with the agenda, the Chairman called for Judge Ben Alford to make a special presentation to former County Attorney Jim Sugg. Mr. Sugg was presented a certificate from the Governor's office for the Order of the Long Leaf Pine.

**CONSENT AGENDA**

The Chairman moved to remove item concerning the request to set a public hearing on the road naming and addressing ordinance. At the request of the Chairman, it was the consensus of the Board to remove from the consent agenda the scheduling of a public hearing on the road naming and addressing ordinance.

*Tax Releases and Refunds*

Craven County Tax Administrator, Ronnie Antry, submitted the routine tax releases and refunds for the Board's approval. Commissioner Sampson moved for their approval, as requested, seconded by Commissioner Morris and unanimously carried in a roll call vote.

*Credits*

<b>TAXPAYER NAME</b>	<b>TICKET #</b>	<b>AMOUNT</b>
AMERSON, PHILLIP W DID NOT OWN 01/01/2007	2007-0000973	\$10.38
ASBY, ROBERT NOT LOCATED IN CRAVEN CO 01/01/2007	2007-0091642	\$1,711.05
BARNES, RONALD H DOUBLE LISTED ON SAME ACCT	2007-0002819	\$131.14
BECTON, HATTIE C CORRECTING APPRAISAL ERROR	2007-0091040	\$151.35
BECTON, HATTIE C CORRECTING APPRAISAL ERROR	2007-0003715	\$101.20

BIRMINGHAM, PATRICK M CORRECTING APPRAISAL ERROR	2007-0090254	\$457.23
BLAKELY, ZELEDITH H CORRECTING APPRAISAL ERROR	2007-0090257	\$998.14
BRANNAN, JR GEORGE WYATT INCORRECT SITUS-SHOULD BE WAKE CO.	2007-0091412	\$99.93
BYRD, ROBERT EARL NOT IN BUSINESS 01/01/2007	2007-0090288	\$572.14
COASTAL CHOICE DEVELOPMENT LLC DID NOT OWN 01/01/2007	2007-0090329	\$71.47
DICKE, PETER V & KAREN DOUBLE BILLED ON ACCT #15516	2007-0090399	\$1,293.77
DUNNE, TERENCE JAMES & DANA MILITARY-HIS NAME ONLY 07 LES-TX ECC-NONE (LT COL)	2007-0016095	\$38.58
EDWARDS, VIRGIL J & DEIDRE J CORRECTING APPRAISAL ERROR	2007-0090438	\$935.96
FORNES, LINWOOD EARL CORRECTING APPRAISAL ERROR	2007-0018871	\$579.44
GERMOND, JENNIFER M CORRECTING APPRAISAL ERROR	2007-0090493	\$543.65
HARGETT, MARY M CORRECTING APPRAISAL ERROR	2007-0090529	\$977.66
HARRIS, BOBBY MILITARY HIS NAME ONLY SWMH	2007-0024425	\$166.37
HART, REUBEN E & SUSAN CAROLE CORRECTING APPRAISAL ERROR	2007-0024705	\$648.00
HEATH FAMILY FARM LLC CORRECTING APPRAISAL ERROR	2007-0090016	\$1,154.66
HIGDON, JERALD L & JUDITH M VALUE ADJUSTED PER BILL OF SALE	2007-0026020	\$69.41
HOLLEMAN, JOSEPH ALLEN DID NOT OWN 01/01/2007	2007-0091592	\$29.98
KOPECKY, GREGORY C & KIMBERLEE MILITARY-HIS NAME ONLY 07 LES-TX ECC-12/08/09	2007-0091478	\$22.88
LEWIS, SAMUEL PHILLIP & TERESA DID NOT OWN 01/01/2007	2007-0033444	\$17.65
LINKS AT PLANTATION HARBOR LLC CORRECTING APPRAISAL ERROR	2007-0033770	\$37.02
LINKS AT PLANTATION HARBOR LLC CORRECTING APPRAISAL ERROR	2007-0033772	\$63.06
LINKS AT PLANTATION HARBOR LLC CORRECTING APPRAISAL ERROR	2007-0033775	\$422.58

LINKS AT PLANTATION HARBOR LLC 2007-0033776 CORRECTING APPRAISAL ERROR	\$808.14
MARBLE, RAMON A & MARTHA M 2007-0035259 DOUBLE BILLED ON SAME ACCT #63821	\$1,639.82
MONK, SAMUEL & SERENE 2007-0038730 MILITARY-HIS NAME ONLY 07 LES-GA ECC-NONE (CAPT)	\$176.15
MOULTON, ROBERT R & DAVIES, PA 2007-0091287 VALUE ADJUSTED DUE TO INCORRERCT YR OF VESSEL	\$704.65
NEWKIRK, GEORGE W & DELOIS A 2007-0090718 DOUBLE BILLED ON SAME ACCT.	\$583.48
NICHOLS, GEORGE A & CATHRYN 2007-0041167 DID NOT OWN 01/01/2007	\$62.22
NOVAK, KEVIN A & ALBERTA 2007-0090730 CORRECTING APPRAISAL ERROR	\$2,578.63
PRESNELL, JR JOHNNY 2007-0091511 VALUE ADJUSTED PER ABOS BOOK	\$266.24
RAULERSON, TIMOTHY J & DEBRA L 2007-0045533 DID NOT OWN 01/01/2007	\$97.29
SAWYER, JOYCE J 2007-0090852 DID NOT OWN 01/01/2007	\$23.03
SAWYER, JOYCE J 2007-0090853 DID NOT OWN 01/01/2007	\$32.90
SPENCE, AMY & IRA BRYAN 2007-0091532 DOUBLE BILLED ON ACCT #63558	\$49.20
STANCIL, JULIA HICKMAN 2007-0051692 VACANT PROPERTY	\$36.72
STOVALL, WILLIAM & SHIRLEY 2007-0090898 DOUBLE BILLED ON SAME ACCT	\$194.92
TEW, ROBERT FRANCIS & SHARON R 2007-0090928 CORRECTING APPRAISAL ERROR	\$72.29
TYLER, PAUL M & AMY J 2007-0055685 VACANT PROPERTY	\$73.44
WELLS, JEAN E DAUGHERTY 2007-0057999 DID NOT OWN 01/01/2007	\$293.73
WILLIAMSON, CHARLES IV & MICHE 2004-0056226 DID NOT OWN 01/01/2004	\$93.06
WILLIAMSON, CHARLES IV & MICHE 2005-0091097 DID NOT OWN 01/01/2005	\$89.26
WILLIAMSON, CHARLES IV & MICHE 2003-0055661 DID NOT OWN 01/01/2003	\$104.85
46 – CREDIT MEMO (S)	\$19,284.72

**Refunds**

CRAIG, INC CORRECTING APPRAISAL ERROR	2006-0012018	\$722.36
CRAIG INC CORRECTING APPRAISAL ERROR	2007-0012397	\$658.16
GREENBERG, BRENT J DID NOT OWN 01/01/2007	2007-0022373	\$85.07
LITTLEJOHN, LANNY F & JANA S NOT TAXABLE IN CRAVEN COUNTY	2007-0091657	\$1,164.04
PRECISION MOULDING & WOODWO CORRECTING LISTING ERROR	2007-0044576	\$133.51
5 – REFUNDS (S)		\$2,763.14

**Budget Amendments**

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

**Health/Hospice**

REVENUES	AMOUNT	EXPENDITURES	AMOUNT
101-6502-370-03-00 Hospice-Medicaid	\$10,000.00	101-6502-440-32-05 Hospice Prescriptions	\$10,000.00
TOTAL	\$10,000.00	TOTAL	\$10,000.00

**Justification:** When budget was originally submitted it was unknown that the Hospice patient load would be significantly higher this year than last. This has resulted in higher than anticipated prescription drug costs as well as higher than anticipated Medicaid payments. We have already exceeded the anticipated revenue budget of \$15,000 by an additional \$4005.76 as of January 14, 2008 and have averaged \$2,715.11 per month time 5 months remaining in current fiscal year equals \$13,757.55. There currently is not enough money in the Prescription Drugs line to cover all outstanding bills.

**DSS/7291 Mandated**

101-7291-349-32-00 Energy CIP, CP&L	\$22,107.00	101-7291-450-23-04 CIP	\$22,107.00
TOTAL	\$22,107.00	TOTAL	\$22,107.00

**Justification:** Fifth allocation has been received for the Crisis Intervention Program. There is no County match, funds are 100% federal.

**Request to Set Public Hearing on Conditional Use Permit**

The Planning Board requested that a public hearing be set for February 18, 2008 at 8:30 a.m. to hear comments regarding the parcel located at 226 Kale Road. The owner is KLASCO, LLC and the property’s current use is vacant but it is proposed for 6 commercial units of flex space. Commissioner Sampson moved to set a public hearing on February 18, 2008 at 8:30 a.m. to hear comments regarding the parcel located at 226

Kale Road. Commissioner Morris seconded the motion, which carried unanimously in a roll call vote.

*Subdivisions for Approval*

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

The Lakes at Antioch Section I Phase II – Final: The property, owned by LRH Development, LLC and surveyed by Brad Suitt & Associates, is located within Twp. 2 off of Antioch Lakes Road. The subdivision contains 15 lots on 11.81 acres and is proposed to be served by community water and individual septic systems. (The Planning Director indicated that he was not present and did not participate in deliberations or formulating a recommendation concerning this subdivision.)

George Stevenson Division – Final: The property, owned by Ray Ipock and surveyed by William E. Matthews, is located within Twp. 9 off of SR 1247 (Ipock Loop Road). The division contains 1 lot on 2.29 acres and is proposed to be served by community water and an individual septic system.

Mona T. Jones Trust Division – Final: The property, owned by Mona T. Jones Trust and surveyed by Mayo & Associates, is located within Twp. 2 off of SR 1433 (Antioch Road). The division contains 1 lot on 4.097 acres and is proposed to be served by community water and an individual septic system.

Paradise Landing Section I Phase II – Final: The property, owned by Gourdiere Land Company, Inc. and surveyed by Bjerkeset Land Surveying, is located within Twp. 5 off of SR 1822 (Live Oak Drive). The subdivision contains 3 lots on 2.69 acres and is proposed to be served by community water and individual septic systems.

*Road Addition Request*

The Board was requested to add Blackheath Dr., Two Putt Ct., Els Land, Venturi Dr., Jubilee Place, Bermuda View and Lakeside Green Dr. located within Lakeside at Royal Pines Division of Carolina Pines, Sections One A, One B, Two, Three and Four to the state maintenance system, and to adopt the following SR-2 Resolution. Commissioner Sampson moved to add Blackheath Dr., Two Putt Ct., Els Land, Venturi Drive., Jubilee Place, Bermuda View and Lakeside Green Dr. and adopt the following resolution, seconded by Commissioner Morris and unanimously carried in a roll call vote.

NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION  
REQUEST FOR ADDITION TO STATE MAINTAINED SECONDARY ROAD SYSTEM

North Carolina  
County of Craven

Road Description Blackheath Dr. (2200'), Two Putt Ct. (390'), Els Ln. (1330')  
Venturi Dr. (remainder), Jubilee Pl. (550'), Bermuda View (920'), Lakeside Green Dr. (550')  
located within Twp 6 in Lakeside @ Royal Pines – Sections One A, One B, Two, Three and  
Four

WHEREAS, the attached petition has been filed with the Board of County Commissioners of the County of Craven requesting that the above described road, the location of which has been indicated in red on the attached map, be added to the Secondary Road System; and

WHEREAS, the Board of County Commissioners is of the opinion that the above described road should be added to the Secondary Road System, if the road meets minimum standards and criteria established by the Division of Highways of the Department of Transportation for the addition of roads to the system.

NOW, THEREFORE, be it resolved by the Board of County Commissioners of the County of Craven that the Division of Highways is hereby requested to review the above described road, and to take over the road for maintenance if it meets established standards and criteria.

**CERTIFICATE**

The foregoing resolution was duly adopted by the Board of Commissioners of the County of Craven at a meeting on the 4th of February, 2008.

WITNESS my hand and official seal on this the 4th day of February, 2008.

**PETITIONS OF CITIZENS**

*Mr. Ryan Willett and Ms. Colleen Olfenbittel*, who is a furbearing biologist with the North Carolina Wildlife Commission, spoke to the Board seeking amendment to a state law which prohibits fox trapping. They indicated that the fox population is encroaching into residential neighborhoods and is increasing the threat of rabies. They argued that the population can be more effectively controlled by trapping versus hunting. The Board was informed that 33 counties in North Carolina currently allow trapping of foxes. Commissioner Jones indicated that residents of Greenbriar are having problems with foxes and asked how citizens in neighborhoods can have the foxes removed or eradicated. Ms. Olfenbittel responded that in order to do that it would be necessary for residents to acquire a depredation permit and get an assessment by law enforcement, in the absence of authorization to trap the foxes in the County. The Board reached consensus to defer the request and asked the County Manager to research additional information and return to the Board.

*Mary Fatherly, Charlie Simmons, O'Neal Simmons and Mattie Foy* spoke in opposition to the siting of the new Judicial Center. The Chairman indicated that he continues to receive letters and calls in opposition to the siting of the Judicial Center and that he is still opposed to it.

**7:00 P.M. PUBLIC HEARING ON PROPOSED LOCAL HUNTING REGULATION**

At 7:40 p.m. Commissioner Sampson moved to go into public hearing, as advertised, to consider a resolution to support a local hunting regulation controlling hunting from roadsides on SR 1862, Joyner Road, in Township Five. The following citizens spoke:

*Dr. Larry Paul*, 801 Greenfield Heights Blvd, who owns property at 745 Joyner Road, requested that the Commissioners also consider a standardized countywide rule that addresses roadside hunting countywide.

*Mr. Steve Peters*, 308 John Deer Drive, Goldsboro, who owns 130 acres along SR 1862, spoke in favor of the petition, stating that there is no residence on his property as yet; however, he does intend to build and live there.

There were no other speakers to address the Board. At 7:47 p.m. Commissioner Allen moved to close the public hearing, seconded by Commissioner Tyson and unanimously carried.

Commissioner McCabe indicated that he would like to defer action on this petition to study it further. Commissioner Allen indicated support for uniform rules countywide. Commissioner Tyson asked to be provided copies of the fifteen local rules that exist in Craven County. Commissioner Sampson moved to defer action, seconded by Commissioner Tyson and unanimously carried.

**EAST COAST BEHAVIORAL HEALTH SEMI-ANNUAL REPORT**

Mr. Roy Wilson, Executive Director of East Carolina Behavioral Health, announced that the merger of Neuse Center with Roanoke-Chowan, which was effective July 1, 2007, has gone well. He and Ms. Joy Futrell, Finance Officer, presented the fiscal report.

## TAX DEPARTMENT MATTERS

### *Report of Unpaid 2007 Taxes*

Tax Administrator, Ronnie Antry, presented the report of unpaid 2007 taxes as required by NCGS 105-369(a). He stated that the amount of unpaid taxes is \$1,251,909.87, which represents 3.89 percent uncollected against a total levy of \$37.5 million. He indicated that the uncollected rate is a little higher than the last year and that 9,600 notices were sent out approximately January 5. The tax department is now ready to enforce its authority to advertise tax liens. He requested that he be allowed to advertise in the *Sun Journal* on April 7, 2008. Commissioner Allen moved to accept the report and authorize Mr. Antry to advertise the tax liens on the date requested in the *Sun Journal*, seconded by Commissioner Morris and unanimously carried. Commissioner Sampson emphasized for the public that delinquent taxes may also have the foreclosure attorney's fees attached. In a response to an inquiry by Commissioner Sisk, Mr. Antry reported that the legal description for properties in the County that are contained on the deed are the source for the descriptions on tax bills, which are usually parcel numbers. He stated that a street address can be added at the request of a property owner; however, it is not routinely done because postal enumerations can easily be changed.

## RESQUE SQUAD GRANTS

Emergency Services Director, Stanley Kite, requested grant matches on behalf of the following rescue squads from the Commissioners. The North Carolina Department of Insurance grants are for rescue equipment. The grants, as follows, total \$92,243.00.

A.	Havelock Fire & Rescue	\$16,000.00
B.	Vanceboro Rescue	\$25,000.00
C.	Ft. Barnwell Rescue	\$25,000.00
D.	New Bern Craven Rescue	\$17,945.89
E.	Cove City Rescue	\$ 8,296.31

Commissioner Allen moved to approve the grant matches, seconded by Commissioner McCabe and unanimously carried in a roll call vote; however, Commissioner Allen, who had left the room, did not voice a vote.

Gary Davis of Township Nine Fire Department was asked to explain a grant received by the department and what the department and the proposed use of the funds. He responded that the department had applied for and been awarded a grant in the amount of \$291,113.00 for fire fighter equipment. The total project cost is \$306,495, with a ninety-five percent/five percent match. He stated that the department would have until December to acquire the equipment. Major equipment being purchased includes pagers, hoses and portable radios. He stated that the funds cannot be used for a new fire truck. Commissioner Sisk moved to extend the required approval for use of funds for the major expenditures outlined, seconded by Commissioner McCabe and unanimously carried.

## APPOINTMENTS

### *EMS Advisory Council*

The Board received a request from Emergency Services Director, Stanley Kite, for new appointments to the EMS Advisory Council based upon changes of positions. Billy Hoffman was recommended to replace Linda Bland and Dr. Stanley Koontz to replace Dr. S. Henke as Medical Director. Commissioner Sampson moved to accept the nominations by acclamation, there being no additional names submitted, seconded by Commissioner McCabe and unanimously carried.

### *New Bern-Craven County Library*

The Board received information concerning the resignation of Mr. Ed Armstrong from the New Bern Craven County Library Board. He recommended Ms. Maria Muniz to replace him and the nomination was being supported by the library. Commissioner

Sampson moved to appoint Ms. Muniz by acclamation, as recommended, there being no additional names put forth, seconded by Commissioner McCabe and unanimously carried.

### **COUNTY ATTORNEY'S REPORT**

County Attorney, Jim Hicks, indicated that he would be requesting a closed session at the end of business.

### **COUNTY MANAGER'S REPORT**

#### *March 3<sup>rd</sup> Meeting*

County Manager, Harold Blizzard, asked that the Board consider cancelling or rescheduling the regularly scheduled meeting for March 3<sup>rd</sup> considering the fact that the majority of Commissioners would be out of town on that date. Commissioner Allen moved to cancel the March 3<sup>rd</sup> meeting and rely upon the County Manager and the Chairman to schedule a special meeting if there are pressing needs prior to the regular meeting on March 17. Commissioner Sampson seconded the motion, which carried unanimously.

#### *Register of Deeds Salary*

The County Manager presented the following resolution, which allows the Board to reset the salary of a newly entering Register of Deeds. Commissioner Morris moved for its adoption, seconded by Commissioner Allen and unanimously carried.

### **RESOLUTION SETTING THE SALARY OF THE CRAVEN COUNTY REGISTER OF DEEDS**

**WHEREAS**, election of the Craven County Register of Deeds will be held in the November, 2008 general election; and

**WHEREAS**, NCGS 153A-92 provides for the reduction of the salary of an officer to be elected at the general election by the county board of commissioners at least fourteen (14) days prior to the filing deadline; and

**WHEREAS**, the filing deadline for the 2008 general election in Craven County has been established to be February 29, 2008.

**NOW, THEREFORE, BE IT RESOLVED** by the Craven County Board of Commissioners that the salary for a newly entering Craven County Register of Deeds to be set at \$38,000, to become effective at the time a newly entering Register of Deeds takes office.

Adopted this 4<sup>th</sup> day of February, 2008.

#### *Public Information Meeting on Zoning*

Mr. Blizzard reminded the Board of the second public information meeting concerning zoning in Twp. Six and Seven to be held on February 5 at 7:00 p.m.

### **COMMISSIONERS' REPORTS**

Prior to receiving comments from Commissioners, the Chairman asked that the Board act on the request by the Planning Department to set a public hearing on the Road Naming and Addressing Ordinance. Commissioner Sampson moved to set the public hearing for 8:30 a.m. on March 17, seconded by Commissioner Morris and unanimously carried.

*Commissioner Allen* reported that Paul Meyer, Attorney with the North Carolina Association of County Commissioners, is working on a response to propose stormwater rules, which will be addressed in the Board of Directors meeting on February 6.

*Commissioner Sampson* announced a Health Fair which will be held on February 9 at the Craven Terrace “big field” from 11:00 a.m. to 3:00 p.m.

*Commissioner Tyson* reported on the Highway 70 Corridor Commission meeting which was recently held. He said that changes will be made to maps as a result of the public input that was received at the meeting. On another matter, he reported on having received numerous citizen indications of support for the County’s accepting the property bequeathed in the will of Ms. Hughrena McDonald. He stated that he could not find any reasons not to accept the property and asked that the Board consider scheduling a time to look at the property. County Attorney, Jim Hicks, stated that the Board needs to defer for the present because the will is still open and being probated. Commissioner Allen, however, did echo the sentiment that the County should accept the property.

*Commissioner Morris* reported that the prior zoning meeting that was held was well attended and well received. He expressed alarm for the practice that has emerged of stripping metal off of abandoned trailers. He stated that the remains of stripped trailers or mobile homes must be disposed of properly in order to avoid a DENR violation. He congratulated two of Craven County Schools graduates who were a part of the New York Giants winning Super Bowl Team; Anthony Wright of West Craven High School and Guy Whimper, Jr. from Havelock High School.

*Commissioner McCabe* announced that the new Harlowe Fire Department is now open to the public and that all three stations in his district are now rated a seven. He announced also that on February 23 a ribbon cutting and open house will be held at the fire station. On another topic he stated that a four-way stop sign is needed on Blades Road at Godette School Road.

*Commissioner Jones* commented on the North Carolina Association of County Commissioners list of priorities for 2008 in regard to the Associations Centennial Celebration. One of the recommended activities is the adoption of a resolution in February commemorating the anniversary. It was the consensus of the Board to consider a resolution to this effect on February 18. He also stated that on February 28 he will be beginning a series of community meetings, with one at 7:00 p.m. at the Cove City Fire Department involving a petition by citizens to have the old US 70 Highway redesignated as Highway 70A. He asked that a press release be sent out concerning this community meeting. He also acknowledged the 79<sup>th</sup> birthday of his grandmother, Mrs. Margaret French.

At 9:00 p.m. Commissioner Morris moved to go into closed session for discussions under attorney/client privilege as requested by the County Attorney, and pursuant to NCGS 143-318.11(a) (3). Commissioner McCabe seconded the motion, which carried unanimously.

At 9:27 p.m. Commissioner Morris moved to return to regular session, seconded by Commissioner McCabe and unanimously carried.

County Attorney, Jim Hicks, stated that there had been discussion only concerning a confidential matter and no action had been taken.

At 9:28 p.m. Commissioner Sisk moved to adjourn, seconded by Commissioner McCabe and unanimously carried.

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Chairman Jason R. Jones  
Craven County Board of Commissioners

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Gwendolyn M. Bryan, Clerk to the Board