

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, MARCH 17, 2008. THE MEETING CONVENED AT 8:30 A.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 Jones and the Pledge of Allegiance, Commissioner Sisk moved to approve minutes of the February 18, 2008 regular session, seconded by Commissioner McCabe and unanimously carried.

CONSENT AGENDA

Commissioner Tyson asked that a resolution supporting the Military Growth Task Force be removed for discussion. He inquired about the mission, the time limit and budget for the Military Growth Task Force and asked that staff clarify these questions for the Board to address later in the meeting.

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 Sampson and unanimously carried in a roll call vote.

Credits

TAXPAYER NAME	TICKET#	AMOUNT
ACKER, HARMON DID NOT OWN 01/01/2007	2007-0000088	\$52.35
AMMAN, SEAN B MILITARY – ½ VAL SEAN 07 LES-MI ECC-08/30/2008	2007-0000994	\$30.29
BEHRENDT, TED CORRECTING APPRAISAL ERROR	2007-0090241	\$1,525.76
BROOKS, STEPHANIE DID NOT OWN 01/01/2007	2007-0006500	\$228.41
CAMP BRYAN FARMS INC CORRECTING APPRAISAL ERROR	2007-0008237	\$21,031.61
CARTER, THOMAS GERARD TAGGED VEHICLE	2008-0090034	\$10.88

CHERRY BRANCH HOMEOWNERS AS EXEMPT PROPERTY	2007-0009866	\$23.37
CHERRY BRANCH HOMEOWNERS AS EXEMPT PROPERTY	2007-0009867	\$5.42
CHERRY BRANCH HOMEOWNERS AS EXEMPT PROPERTY	2007-0009868	\$11.06
COLGROVE, JUSTIN C MILITARY-HIS NAME ONLY 07 LES-SD ECC-04/25/2011	2007-0011240	\$40.44
COWARD, MINNIE R VACANT PROPERTY	2007-0012190	\$36.27
COX, KEITH MONROE & TRACY CLAR CORRECTING APPRAISAL ERROR	2007-0012282	\$713.46
DAVIS, LARRY L JR & ANGELA DID NOT OWN 01/01/2007	2007-0013890	\$80.05
DESHANE, RODNEY E NOT IN BUSINESS 01/01/2007	2007-0090397	\$7.73
DORMAN, LANCE STERLING MILITARY-HIS NAME ONLY 07 LES-FL ECC-NONE (MAJOR)	2007-0015335	\$60.61
DURACLEAN BY MAXWELL PARTNER NOT IN BUSINESS 01/01/2007	2007-0090418	\$9.21
EPTING, BEN NOT LOCATED IN CRAVEN CO 01/01/2007	2007-0091450	\$1,107.43
FONVILLE, HELEN M VACANT PROPERTY	2007-0018700	\$37.26
FOSKEY, DORIS BERNICE DID NOT OWN 01/01/2007	2007-0018926	\$58.23
FRANK, JAMES JOSEPH III DID NOT OWN 01/01/2007	2007-0090469	\$7.12
JOHNSON, SHANE MILITARY-HIS NAME ONLY 08 LES-TX ECC-10/15/2011 (1	2003-0027027	\$19.80
JOHNSON, SHANE MILITARY-HIS NAME ONLY 08 LES-TX ECC-10/15/2011 (1	2004-0027488	\$17.40
JOHNSON, SHANE MILITARY-HIS NAME ONLY 08 LES-TX ECC-10/15/2011 (1	2006-0028758	\$13.85
JOHNSON, SHANE MILITARY-HIS NAME ONLY 08 LES-TX ECC-10/15/2011 (1	2007-0029569	\$14.66
JOHNSON, SHANE MILITARY-HIS NAME ONLY 08 LES-TX ECC-10/15/2011 (16	2005-0028405	\$16.87
KILROY, JAMES DID NOT OWN 01/01/2007	2007-0031122	\$37.26
LINKS AT PLANTATION HARBOR LLC DID NOT OWN 01/01/2007	2007-0033753	\$1,342.36

LOGAN, ERIC DOUBLE LISTED ON ACCT #39242	2005-0091247	\$144.76
LOGAN, ERIC DOUBLE LISTED ON ACCT #39262	2006-0033139	\$129.24
LOGAN, ERIC DOUBLE LISTED ON ACCT #39262	2007-0034063	\$119.44
NELSON, CLYDE E III RELEASING 8 MOS. DUE TO ANNEXATION	2008-0090040	\$670.21
NELSON, LARUE W RELEASING 8 MOS. DUE TO ANNEXATION	2008-0090041	\$1,095.82
NIELSEN, TRIPP CORRECTED APPRAISAL ERROR	2007-0041204	\$31.43
PARKER, DANIEL DID NOT OWN 01/01/2007	2007-0042605	\$101.35
PEARSALL, JACQUELINE WEBB DID NOT OWN 01/01/2003	2003-0039345	\$79.47
PEARSALL, JACQUELINE WEBB DID NOT OWN 01/01/2003	2003-0090088	\$357.08
PEARSALL, JACQUELINE WEBB DID NOT OWN 01/01/2004	2004-0039891	\$72.67
PEARSALL, JACQUELINE WEBB DID NOT OWN 01/01/2005	2005-0041066	\$68.47
PEARSALL, JACQUELINE WEBB DID NOT OWN 01/01/2006	2006-0041710	\$62.06
PEARSALL, JACQUELINE WEBB DID NOT OWN 01/01/2007	2007-0043088	\$60.12
PUGH, JOSEPH VACANT PROPERTY	2007-0044958	\$37.26
SPARROW, ANJANETTA DENISE DID NOT OWN 01/01/2007	2007-0051271	\$52.33
STOMPIN GROUNDS WINE & COFFEE DOUBLE LISTED ON ACCT #61513	2007-0090895	\$543.92
SUTTON, LARRY DONNELL DWELLING USED FOR STORAGE SINCE 2003	2007-0052876	\$37.26
WARD, LYDIA RENEE WETHERINGTON VACANT PROPERTY	2007-0057272	\$37.26
WARKER, PETER M J & KATHLEEN M MILITARY-HIS NAME ONLY 07 LES-PA ECC-NONE (LT COL)	2007-0057357	\$172.09
46 – CREDIT MEMO (S)		\$30,411.40

Refunds

ACKER, HARMON DID NOT OWN 01/01/06	2006-0091798	\$53.64
BROWN, DAVID A DOUBLE BILLED ON ACCT #55788	2007-0006613	\$55.57
TYLER, PAUL M & AMY J VACANT PROPERTY	2003-0051126	\$64.00
TYLER, PAUL M & AMY J VACANT PROPERTY	2004-0051668	\$65.76
TYLER, PAUL M & AMY J VACANT PROPERTY	2005-0053133	\$64.00
TYLER, PAUL M & AMY J VACANT PROPERTY	2006-0053967	\$64.00
VROUWENVELDER ADRIAN & ANGIE DOUBLE BILLED ON ACCT #68849	2007-0091550	\$858.65
WILKINS, JONATHAN E CORRECTING APPRAISAL ERROR	2007-0059864	\$5.25
	8 – REFUND (S)	\$1,230.87

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 Sampson and unanimously carried in a roll call vote.

Silverthorn Cottages – Final: The property, owned by Tyson and Brabble, LLC, and engineered by Robert Chiles Eng., is located within Twp. 7 off of Stony Brook Drive. The subdivision contains 4 lots on 1.74 acres and is proposed to be served by community water and individual septic systems.

Willie Stallings Phase II (PUD) – Final: The property, owned by Willie A. and Jane J. Stallings and surveyed by Atlantic Surveying, is located within Twp. 7 off of SR 1111 (Old Airport Road). The subdivision contains 3 lots on 0.174 acres and is proposed to be served by community water and City of New Bern sewer.

Budget Amendments and Ordinance Updates

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

Rescue Squads

REVENUES	AMOUNT	EXPENDITURES	AMOUNT
101-2825-357-53-00 NB Craven	\$7,800.00	101-2525-410-33-10 90% Collect	\$7,020.00
		101-2801-410-40-03 Collection	\$780.00
101-2827-357-51-00 Ft. Barnwell	\$14,000.00	101-2827-410-33-10 90% Collect	\$12,600.00

		101-2801-410-40-03 Collection	\$1,400.00
101-2829-357-50-0 Vanceboro	\$30,000.00	101-2829-410-33-10 90% Collect	\$27,000.00
		101-2801-410-40-03 Collection	\$3,000.00
101-2830-357-52-0 Cove City	\$28,000.00	101-2830-410-33-10 90% Collect	\$25,200.00
		101-2801-410-40-03 Collection	\$2,800.00
TOTAL	\$79,800.00	TOTAL	\$79,800.00

Justification: Budget additional revenue for ambulance calls for rescue squads (90% to squads, 10% collection fees).

Environmental Health/Lead

101-5600-348-45-00 State Grant/Lead Partnership	\$5,000.00	101-5600-440-32-40 Supplies/Data Processing	\$2,500.00
		101-5600-440-25-0 Travel	\$2,000.00
		101-5600-440-32-40 Supplies/Other Supplies	\$500.00
TOTAL	\$5,000.00	TOTAL	\$5,000.00

Justification: The Children’s Environmental Health Branch has awarded an additional \$5,000 that can be used to purchase computer software office suite upgrade. They would like the Health Dept. to send at least one person to the National Healthy Homes Conference. The remaining funds will be used for promotional supplies, e.g., hand towellettes to distribute at health fairs.

Health/Home Health Hospice

101-6502-371-02-00 Hospice Medicare	\$20,000.00	101-6502-440-20-00 Postage	\$350.00
		101-6502-440-32-05 Prescription drugs	\$8,000.00
		101-6502-440-32-08 Medical Supplies	\$10,000.00
		101-6502-440-32-40 Other Supplies	\$280.00
		101-6502-440-40-20 Contractual Therapists	\$300.00
		101-6500-440-40-0 Contractual Services	\$1,070.00
TOTAL	\$20,000.00	TOTAL	\$20,000.00

Justification: When budget was originally submitted, it was unknown that Hospice patient load would be significantly higher this year than last. This has resulted in higher than anticipated costs as well as higher than anticipated revenues. Current budget for Hospice Medicaid is \$25,000. We have already collected \$22,957.64 through 02/18/08. Current budget for Hospice Medicare is \$590,550. We have already collected \$420,429.10 through 02/18/08. Additional contract in Home Health-VSS, LLC for 9 additional email licenses was unknown at budget submission.

Transportation (CARTS)

101-7002-369-33-00	\$2,231.00	101-7001-450-20-00	\$275.00
Jones Employment		Postage	
101-7002-369-38-00	\$6,336.00	101-7001-450-31-01	\$8,292.00
Pamlico Employment		Veh Expense/Regular Vehicle	
101-7028-348-34-00	\$4,186.00	101-7028-450-3950	\$4,186.00
		Jones	
101-7028-348-43-00	\$6,336.00	101-7028-450-3951	\$6,336.00
		Pamlico	
TOTAL	\$8,567.00	TOTAL	\$8,567.00

Justification: Due to ROAP Grant from NCDOT/PTD arriving late, employment funding for Jones and Pamlico not in original budget. Funds increased in postage and regular vehicle due to rising cost. Budget Jones & Pamlico Work First to be transferred to CARTS-operations.

Schools

101-0000-303-00-00	\$7,000.00	101-8500-480-37-12	\$7,000.00
Late Listing Penalty		Penalties	
TOTAL	\$7,000.00	TOTAL	\$7,000.00

Justification: Budget additional tax late listing penalties to be paid to the schools. Original budget \$65,000 to date (Feb. 08) \$65,572.25

PDM 06

276-0000-335-42-00	\$16,025.00	276-4076-430-76-01	\$65,728.00
Owner Contri			
276-0000-348-89-00	\$55,467.00	276-4076-430-76-70	\$5,764.00
NC Crime Control		Admin	
TOTAL	\$71,492.00	TOTAL	\$71,492.00

Justification: Close out Predisaster Mitigation 06 Project.

Orthophotography

361-0000-329-00-00	\$6,405.00	361-0861-400-97-01	\$6,405.00
Interest		To general fd	
Journal Entry			
361-0861-400-97-01	\$6,404.03	361-0000-101-00-00	\$6,404.03
To general fd			
101-0000-101-00-00	\$6,404.03	101-2511-366-50-00	\$6,404.03
Cash		from closed project	

Justification: Close out Orthophotography Project Fund 361 with interest being returned to E911 Wireless.

Convention Center

371-0000-399-00-00	\$3,600.00	371-0571-400-97-01	\$3,600.00
Fund Balance		To Genl Fund	
371-0000-399-00-00	\$3,700.00	371-0571-400-97-01	\$3,700.00
Fund Balance		To Genl Fund	

101-8201-366-07-00	\$3,600.00	101-8201-430-73-21	\$3,600.00
From Reserve		C/O < 4999	
101-8201-366-07-00	\$3,700.00	101-8201-430-73-21	\$3,700.00
From Reserve		C/O < 4999	
TOTAL	\$7,300.00	TOTAL	\$7,300.00

Justification: Budget reserve funds to be transferred to the Convention Center Operating budget to cover the cost of replacement of the lift on the loading dock and amplifier replacement in the ballroom.

Sheriff

101-0000-399-01-00	\$20,000.00	101-2001-410-73-01	\$20,000.00
Fund Balance		C/O	
TOTAL	\$20,000.00	TOTAL	\$20,000.00

Justification: Accessories for new vehicles due to closure/payment of another company.

ORDINANCES:

Pre Disaster Mitigation 06

There is hereby amended the following amounts for the Pre Disaster Mitigation 06 Project.

Expenditures:

Refunds	\$2,491.00
Construction	\$ 508.00
Soft Costs	\$5,530.00
(Legal, Administration, Permits)	
TOTAL	\$8,529.00

There is hereby amended the following amounts in revenue for the Pre Disaster Mitigation 06 Project.

Revenue:

Owner Contribution	\$4,000.00
NC Crime Control and Public	\$4,529.00
TOTAL	\$8,529.00

This ordinance is amended this 17th day of March, 2008.

Orthophotography

This ordinance is hereby amended in the following amounts for expenditures for the Orthophotography Project.

Expenditures:

Contractual Services	\$359,250.00
Transfer to General Fund	\$ 6,405.00
TOTAL	\$365,655.00

The following revenues are hereby estimated for the Orthophotography Project.



Revenues:

From E 911 Wirelss	\$359,250.00
Interest	\$ 6,405.00
 TOTAL	 \$365,655.00

This ordinance is hereby amended this 17th day of March, 2008.

Tourism Development Authority Management Services Contract

The Board was asked to approve the contract between Craven County and the Tourism Development Authority (TDA) for the management services of the Convention and Visitors Bureau, as is done every three years. Commissioner Allen moved to approve the contract between the County and the TDA, as requested, seconded by Commissioner Sampson and unanimously carried in a roll call vote.

Community Services Block Grant Application

Coastal Community Action presented to the Board for review the Executive Summary for the Community Services Block Grant application for 2008-2009. Commissioner Allen moved to acknowledge receipt of the Community Services Block Grant application, seconded by Commissioner Sampson and unanimously carried in a roll call vote.

Resolution for Funding of Signal Enhancements on US 70 Corridor

Commissioner Allen moved to adopt the following resolution making a contingency request of Craven County’s legislative delegation for funding enhancements to signals along the US 70 Corridor in the James City area. Commissioner Sampson seconded the motion, which carried unanimously in a roll call vote.

**RESOLUTION
IN SUPPORT OF
FUNDING FOR IMPROVEMENTS TO SIGNALS
ON THE US 70 CORRIDOR
IN CRAVEN COUNTY**

WHEREAS, the section of the US 70 Corridor east of New Bern in Craven County receives extremely high levels of traffic; and

WHEREAS, the intersections in the James City area along this corridor are in need of an enhanced signal system for safety concerns and the alleviation of congestion; and

WHEREAS, the signalized intersections at Williams Road, Airport Road, Taberna Way and Thurman Road currently act independently; and

WHEREAS, the signal equipment used at these intersections is older and, therefore, less flexible than the current equipment being installed; and

WHEREAS, installation of a coordinated signal system, if funded, would greatly improve the progression of traffic along US 70 and improve side street access.

NOW, THEREFORE, BE IT RESOLVED that the Craven County Board of Commissioners petitions its legislative delegation to make this project a priority and to identify and designate funds to provide the required equipment upgrades.

Adopted this 17th day of March 2008.

Military Family of the Quarter Resolution

The Board was requested to adopt a resolution recognizing the Family of Staff Sergeant Bernadette H. Sholl as Military Family of the Quarter. Commissioner Allen moved to adopt the following resolution, as requested, seconded by Commissioner Sampson and unanimously carried in a roll call vote.

**RESOLUTION
RECOGNIZING THE FAMILY OF
STAFF SERGEANT BERNADETTE H. SHOLL
AS MILITARY FAMILY OF THE QUARTER**

WHEREAS, Staff Sergeant Bernadette H. Sholl serves as the 2nd Marine Aircraft Wings Operation Chief at Marine Corps Air Station Cherry Point, responsible for tracking over 6,500 Marines in support of Operation Iraqi Freedom, Operation Enduring Freedom, exercises such as Desert Talon, Joint Manning Documentation and several Military Training Teams and Police Transition Teams; and

WHEREAS, on November 8, 2007, Staff Sergeant Sholl's personal dedication made a significant impact on the 2nd Marine Aircraft Wing, Headquarters Marine Corps Birthday Ball when she recited the Prisoner of War, Missing in Action Speech, touching the hearts of many in attendance; and

WHEREAS, in her off time she contributes her knitting skills to knit baby blankets, hats, sweaters and booties which are given to the Navy and Marine Corps Relief Society and several hospitals for children battling cancer; and

WHEREAS, her husband, Staff Sergeant Douglas Sholl, also serves as an active duty Marine and is a dedicated father to their two daughters, Skyler 2 ½ and Summer, 15 months, while volunteering a great deal of his time to his fellow marines and community.

NOW, THEREFORE, BE IT RESOLVED that the Craven County Board of Commissioners recognizes the family of Staff Sergeant Bernadette H. Sholl for being one of the rare dual military families that easily balance career and family values, creating a nurturing environment for their home, and valuable contributions to their community.

BE IT FURTHER RESOLVED that the Craven County Board of Commissioners congratulates them on being selected Military Family of the Quarter.

Adopted this the 17th day of March, 2008.

Resolution For Property Disposition

The Board was requested to adopt a resolution transferring its title interest in tax parcel 1-V-06-010 located on Main Street, Vanceboro, NC to the Town of Vanceboro so that it can be maintained by the town. Commissioner Allen moved to adopt the following resolution allowing the transfer of the jointly owned property to the Town of Vanceboro, as requested, seconded by Commissioner Sampson and unanimously carried in a roll call vote.

**RESOLUTION OF THE
CRAVEN COUNTY BOARD OF COMMISSIONERS
AUTHORIZING THE DONATION OF ITS
INTEREST IN TAX PARCEL 1-V-06-010 LOCATED ON MAIN STREET
VANCEBORO, CRAVEN COUNTY, NC
TO THE TOWN OF VANCEBORO**

WHEREAS, Craven County (hereinafter "County") and the Town of Vanceboro (hereinafter "Town") acquired the real property identified as parcel 1-V-06-010 in Vanceboro,

County , North Carolina, through the County’s tax foreclosure proceeding pursuant to N.C. Gen. Stat. § 105-376; and

WHEREAS, neither the County nor the Town owe taxes on the subject property as said Town and County taxes were extinguished by the foreclosure proceeding; and

WHEREAS, the Town desires to acquire the property in order to demolish the structure and maintain the green space; and

WHEREAS, the County proposes to donate its interest in the subject property to the Town; and

WHEREAS, the County believes that it is in its best interest to donate its interest in Tax Parcel 1-V-06-010 to the Town as set forth above.

NOW, THEREFORE, BE IT RESOLVED by the Craven County Board of Commissioners that:

1. County is authorized to donate its interest in Tax Parcel 1-V-06-010 located on Main Street, Vanceboro, North Carolina, to the Town provided that the Town agrees to demolish the structure and maintain the lot.

2. The Chairman of the Craven County Board of Commissioners is authorized to execute, on behalf of the County, a deed to the Town for the property identified as Tax Parcel 1-V-06-010 on Main Street.

Done this 17th day of March, 2008.

Request for Rescue Squad Driveway Paving

Fire Marshal, Stanley Kite, presented a request and a resolution to the Board on behalf of Township Seven EMS for assistance in getting the driveway paved for the new building on Old Cherry Point Road. Commissioner Allen moved to contract with the Department of Transportation for the paving of the driveway on Old Cherry Point Road, and to adopt the following resolution, seconded by Commissioner Sampson and unanimously carried in a roll call vote.

**BOARD OF COMMISSIONERS – COUNTY OF CRAVEN
REQUEST FOR CONSTRUCTION OF ACCESS TO TOWNSHIP SEVEN
EMS BUILDING**

North Carolina

County of Craven County Government

Project Description: Paving of Driveway to Township Seven EMS on SR 113 (Old Cherry Point Road)

WHEREAS, the attached request has been filed with the Craven County Board of Commissioners requesting that the above described project 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 Secondary Road Highway Funds for said access improvement.

CERTIFICATE

The foregoing resolution was duly adopted by the Board of Commissioners of the County of Craven at a meeting on the 17th day of March, 2008.

WITNESS my hand and official seal this the 17th day of March, 2008.

Charges for New GIS Maps

The Board received a recommendation from staff to establish a fee of \$175.00 for new GIS maps and associated data in an electronic format, which is expected to be available for the public by June or July 2008. The fee includes the County's provision of the disk, a 500 gigabyte external hard drive, at a cost of \$150.00. Commissioner Allen moved to approve the fee, as recommended, seconded by Commissioner Sampson and unanimously carried in a roll call vote.

Appeal of Late Listing Penalty

Tax Administrator, Ronnie Antry, presented a request on behalf of Mr. Anand Maheshwari, Hampton Inn, Havelock, who requested a release for the penalty in the amount of \$1,209.09 for late filing and late payment of the hotel and motel occupancy tax. Mr. Antry recommended that the request be denied to uphold fairness to those filing and paying on time, and in keeping with the Board's actions in previous circumstances of this nature. Commissioner Allen moved to accept Mr. Antry's recommendation and deny the request for release of the late listing penalty, seconded by Commissioner Sampson and unanimously carried in a roll call vote.

**PUBLIC HEARING – 8:30 A.M.: ROAD NAMING AND ADDRESSING
ORDINANCE**

Planning Director, Don Baumgardner, indicated that the private road in Twp. 5 proposed to be named Hills Lane, has 80% property owners who concur with the petition for the naming of the road; however, one property owner opposes. At 8:40 a.m. Commissioner Sampson moved to go into public hearing, seconded by Commissioner Morris and unanimously carried. There were no speakers from the public and Commissioner Sampson moved to close the public hearing, seconded by Commissioner Allen. Commissioner Sisk moved to approve the naming of Hills Lane, as requested, seconded by Commissioner McCabe and unanimously carried.

SHERIFF'S DEPARTMENT MATTERS

Capt. Duke Netko and Lt. Jesse Pittman presented a request for funding to pay the balance of an outstanding debt with B & G Electronics. The debt was incurred when B & G Electronics was engaged to complete a project on which Coastal Electronics defaulted when it went out of business. The invoice amount was \$19,828.00. Commissioner Allen moved to approve the request for \$19,828.00 with funds to come from fund balance, seconded by Commissioner McCabe and unanimously carried in a roll call vote.

PRESENTATION BY CHAIRMAN OF THE HEALTH BOARD

Dr. Robert Monteiro, Chairman of the Craven County Health Board, presented articles relative to the subject of environmental tobacco smoke. He asked that Mr. Joe Bedard be allowed to speak. The Board allowed Mr. Bedard to speak. He stated that he had become disabled as a result of the effects of tobacco smoke, and appealed to the Board to favorably consider the previous request of the Health Board to adopt a tobacco free policy for all Craven County Government buildings. Commissioner Sampson indicated that he still would be in favor of phasing out smoking in County buildings. Commissioners Morris stated that smoking does not interfere or cause offense in the County Administration Building as a result of self policing by employees who smoke. Commissioner Allen emphasized that second hand smoke triggers asthma attacks and advocated for prevention rather than treatment. He recommended that the Board consider a November 2008 target effective date for a policy of tobacco free buildings, to coincide with "smoke out" day. Commissioner Sisk expressed appreciation for the consideration of employees; however, she moved to adopt the Board of Health resolution, declaring all Craven County Government buildings "tobacco free". Commissioner Allen seconded the motion and submitted an amendment that the effective date be November 20, 2008. The amendment was carried with four (4) "Ayes", there being three (3) "Nays" from

Commissioners Jones, McCabe and Morris. Commissioner Tyson stated that he respects the rights of smokers; however, the information presented stands unless the facts submitted by the Center for Disease Control can be disputed. He stated that although most employees are considerate, some members of the public could still create a problem because they are still allowed to smoke in the hallways of the Administration Building and designated areas of other buildings.

REQUEST FOR REVISION OF ANIMAL CONTROL REGULATIONS

Health Director, Wanda Sandel , presented a recommendation from the Board of Health that Section 3-37 of the Sterilization Ordinance, which allows for a five day waiting period before animals are deemed to belong to the County and subject to being sterilized when adopted, be brought in alignment with the Craven County Rabies Control Ordinance, which provides for a minimum impoundment term of seventy two hours. She indicated that the seventy two hour time frame is consistent with state law. The Board was advised that a public hearing would be necessary in order to consider this change. Commissioner Allen moved to set a public hearing for 7:00 p.m. on April 7, seconded by Commissioner McCabe and unanimously carried.

COUNTY ATTORNEY'S REPORT

County Attorney, Jim Hicks, announced that a suit has been filed on the failure of the County's contract with Coastal Electronics.

He commented on the tobacco-free building policy adopted by the Board, emphasizing the limitations of the Board's ordinance-making authority within the corporate limits, in the absence of the city's concurrence. He stated that the policy adopted by the Board can regulate tobacco use inside buildings but not on the grounds. Further, as it is a policy as opposed to an ordinance, it is not enforceable by the courts. Although the policy can be enforced with staff through the County's personnel policy, the public can only be asked to stop, or to leave the premises. Failure to do so could constitute a trespass.

COMMISSIONERS' REPORTS

Commissioner McCabe announced that the Department of Transportation is resurfacing Hwy. 101 from Havelock to the Carteret County line, and will also be paving Hwy. 306. He stated that he hopes to raise funds in Raleigh for enhancements to Blades Road and elevation of the bridge on Adams Creek Road.

Commissioner Morris announced that the Department of Transportation is beginning the re-surfacing of Streets Ferry Road, has completed the patching on NC118 and scheduled it for widening.

Commissioner Sisk reported on her attendance at the dog training graduation at the correctional facility, and on a session she attended at the NACo Legislative Conference, where it was predicted that the economy will worsen for at least the next two quarters. She expressed concern about the intersection of Highway 17 and Pirates Road where traffic fatalities have occurred.

Chairman Jones reported on his attendance at the Lawson Creek Park memorial event for the fallen heroes of the Iraq War. He announced the State of the Child Conference to be held on April 18 at New Bern Church of God, and asked for two Commissioners to participate in a panel at the conference. Commissioner Tyson volunteered to serve. The second volunteer will be forthcoming. He also announced a public hearing on fox trapping, to be held on April 7, and a meeting with Commissioner McCabe and the DOT engineer concerning road issues in their respective districts.

At 9:40 a.m. the Board recessed to convene the Water Board.

The regular session reconvened at 11:08 a.m. and the Board addressed the request for a resolution in support of the Military Growth Task Force that was removed from the consent agenda. County Manager, Harold Blizzard, reported that the organization has no

formal mission statement as yet; however, its purpose is to serve as a central repository to collect and disseminate information, to develop plans and to seek funding. The main budgetary source is the Office of Economic Adjustment, with NC Eastern Region helping to match. The seven participating counties will be asked to split \$125,000 of the match. Although the individual county contributions have not been determined, the distribution is expected to be proportionate with the anticipated growth in each area. He stated that there has been no time limit established for the task force's function. It is expected to be operational for approximately three years, but could be extended.

Commissioner Allen moved to adopt the resolution, as follows, without any financial commitment at this time, to be clarified in a cover letter. Commissioner McCabe seconded the motion, which carried unanimously.

**RESOLUTION
REGARDING MILITARY GROWTH TASK FORCE**

**County of: Craven
State of North Carolina**

WHEREAS, the United States Marine Corps, under "202K Plus-Up" will increase the nation's total number of active-duty Marines to 202,000 by 2011; and

WHEREAS, as part of this plan, approximately 25,000 active-duty Marines, civilian staff and family members will be coming to eastern North Carolina at and around the Marine Corps Base Camp Lejeune, the Marine Corps Air Station New River, and the Marine Corps Air Station Cherry Point; and

WHEREAS, this growth is expected to impact the counties of: Carteret, Craven, Duplin, Jones, Onslow, Pamlico and Pender; and

WHEREAS, in response to this planned growth, North Carolina's Eastern Region created the Military Growth Task Force to focus on the impact this will have in Eastern North Carolina; and

WHEREAS, the Military Growth Task Force will address the additional resources and infrastructure that will be needed as a result of this growth in the Marine Corps; and

NOW, THEREFORE, BE IT RESOLVED, that the Craven County Board of Commissioners hereby supports the purpose and mission of the Military Growth Task Force as it prepares and plans for the expected surge of Marines in eastern North Carolina through the year 2011.

Passed, Approved, and Adopted this 17th day of March, 2008.

At 11:00 a.m. the Board recessed until 1:00 p.m. to reconvene in joint session with the Board of Education.

Chairman Jason R. Jones
Craven County Board of Commissioners

Gwendolyn M. Bryan, Clerk to the Board