

**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 NOVEMBER 3, 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, Finance Officer
- Gwendolyn M. Bryan, Clerk to the Board
- Jim Hicks, County Attorney

Following an invocation by Commissioner Morris and the Pledge of Allegiance, Commissioner Sampson moved to approve the minutes of October 20, 2008, seconded by Commissioner Sisk and unanimously carried.

**CONSENT AGENDA**

Per consensus of the Board, two items were removed from the consent agenda, pertaining to a Secure Schools and Communities Act Resolution and an Amendment to the Craven County Personnel Resolution.

*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 McCabe and unanimously carried in a roll call vote.

*Health*

<b>REVENUES</b>	<b>AMOUNT</b>	<b>EXPENDITURES</b>	<b>AMOUNT</b>
101-6602-349-54-00 Cancer Control	\$15,045.00	101-6602-440-40-00 Contractual Services	\$15,045.00
<b>TOTAL</b>	<b>\$15,045.00</b>	<b>TOTAL</b>	<b>\$15,045.00</b>

**Justification:** When the budget was submitted it was unknown that additional funds would be awarded for the Breast and Cervical Program. This will allow for additional breast and cervical cancer screenings.

*DSS 7231 TANF*

101-7231-349-23-00 TANF Staff & Overhead	\$8,400.00	101-7231-450-40-00 Contract Services	\$8,400.00
<b>TOTAL</b>	<b>\$8,400.00</b>	<b>TOTAL</b>	<b>\$8,400.00</b>

**Justification:** New funding for the Work First Functional Assessment program. Funds are 100% Federal, no County match required.

**DSS 7291 Mandated**

101-7291-349-32-00	\$(40,363.00)	101-7291-450-23-04	\$(40,363.00)
Energy CIP, CP&L		Energy CIP	
101-7291-349-32-00	\$16,414.00	101-7291-450-23-04	\$16,414.00
Energy CIP, CP&L		Energy CIP	
TOTAL	\$(23,949.00)	TOTAL	\$(23,949.00)

**Justification:** Reversal of BA #1436 posted 9/15/08 from CIP line item due to duplicate BA sent to Finance. Additional funds received for the Crisis Intervention Program. There is no County match, funds are 100% federal.

**DSS 7295 Senior Program**

101-7295-377-55-00	\$(250.00)	101-7295-450-39-37	\$(278.00)
Title IIID Health Prom		Title IIID Health Prom	
101-00-399-01-0	\$(28.00)		
TOTAL	\$(278.00)	TOTAL	\$(278.00)

**Justification:** Contract amount from the Eastern Carolina Council of Governments (ECC) for the Title IIID Health Promotion grant is \$278 less than originally anticipated amount. Funds are 90% reimbursed, with 10% County match.

*Subdivision for Approval*

Craven County Planning Director, Don Baumgardner, submitted the following subdivision for the Board’s approval. Commissioner Sampson moved for its approval, as requested, seconded by Commissioner McCabe and unanimously carried in a roll call vote.

Vern-CO Investments, LLC – Final: The property, owned by Vern-CO Investments, LLC and surveyed by Terry K. Wheeler, is located within Twp. 2 off of SR 1431 (Wildlife Road). The subdivision contains 1 lot on 1.4 acres and is proposed to be served by existing water and septic system.

*Road Addition Request*

The Planning staff received a request to adopt a standard SR-2 Road Addition Resolution and add the following roads to the state maintenance system; Pioneer Trail, Cliffridge Road, Ridgewood Trail, Fields Road, Rolling Lane, Huntcliff Road, Woodcrest Circle, Stately Pines Road and Pine Circle in Stately Pines subdivision located within Twp. 6. Commissioner Sampson moved to adopt a standard SR-2 Road Addition Resolution and add the requested roads to the state maintenance system, seconded by Commissioner McCabe and unanimously carried in a roll call vote.

*Tax Releases and Refunds*

Craven County Tax Administrator, Ronnie Antry, submitted the following routine requests for tax releases and refunds. Commissioner Sampson moved for their approval, seconded by Commissioner McCabe and unanimously carried in a roll call vote.

**Credits**

<b>TAXPAYER NAME</b>	<b>TICKET#</b>	<b>AMOUNT</b>
ANDREWS, GREGORY A DID NOT OWN 01/01/2007	2007-0001277	\$30.90

ANDREWS, GREGORY A DID NOT OWN 01/01/2008	2008-0001306	\$25.88
BAYER REVOCABLE TRUST-ALICE J ANNEXED – RELEASED 2 MONTHS CITY OF HAVELOCK	2008-0092077	\$156.15
BEQUETTE, RICHARD FRED TAGGED VEHICLE 01/01/08	2008-0091674	\$169.43
BROWN, THEODORE J DECEASED – UNCOLLECTABLE	1999-0006056	\$76.66
BROWN, THEODORE J DECEASED – UNCOLLECTABLE	2000-0006210	\$75.82
CAHOON, CECIL LEE & EDA B NOT LOCATED IN CRAVEN CO 01/01/1999	1999-0007128	\$.69
CAHOON, CECIL LEE & EDA B NOT LOCATED IN CRAVEN COUNTY 01/01/2000	2000-0007294	\$.64
CHAMPION, CYNTHIA DID NOT OWN 01/01/2008	2008-0091681	\$312.86
COWARD, ROBERT T & ROSA C CORRECTING APPRAISAL ERROR	2008-0012543	\$194.81
DUNCAN, RYAN SHERRILL NOT LOCATED IN CRAVEN CO 01/01/2008	2008-0016296	\$34.83
ERIKSSON, LEIF F & SHIRLEY INCORRECT SITUS – LOCATED IN 7G 01/01/08	2008-0090157	\$2.68
GRANT, ERNEST LEE II & TAMMY DID NOT OWN 01/01/2008	2008-0022534	\$26.46
HOWARD, LELA CORRECTING APPRAISAL ERROR	2008-0027796	\$87.13
HOWARD, PATRICIA ANN CORRECTING APPRAISAL ERROR	2008-0027808	\$87.13
HURT, RUTH A SCE REMOVED IN ERROR	2008-0028386	\$250.72
MARTIN, GILLETTE VACANT PROPERTY	2008-0036247	\$36.00
PETERS, PAUL JAMES MILITARY – HIS NAME ONLY 07 LES-AK ECC-10/17/2011	2008-0091747	\$94.43
ROSE BAY YACHTS INC DISCHARGED BY BANKRUPTCY – UNCOLLECTABLE	1999-0091211	\$50.68
ROAE BAY YACHTS INC DISCHARGED BY BANKRUPTCY – UNCOLLECTABLE	2000-0041977	\$203.69
SNYDER, TERENCE G & CYNTHIA L BOAT HAS NO TAX SITUS IN CRAVEN COUNTY	2008-0091597	\$254.72
SOUSA, ALVIN A VALUE ADJUSTED PER BILL OF SALE	2008-0091774	\$1,934.79

STEVENS, EM UNCOLLECTALBE-PROPERTY REMOVED FROM COUNTRY	2000-0046087	\$191.50
STEVENS, E M DID NOT OWN 01/01/2001	2001-0046506	\$228.79
THE SAIL BULKLEY REVOKABLE TRU NOT LOCATED IN CRAVEN CO 01/01/2008	2008-0054734	\$2,155.08
VALENTINE, ANNIE B LATE FEE CHARGED IN ERROR	2008-0091898	\$13.08
WAYNE, EVA MAE DECEASED – UNCOLLECTABLE	1999-0049731	\$173.15
WHITE, NEPHEW LEON VACANT PROPERTY	2008-0059747	\$36.00
WILLIAMS, DARRELL R & SUSAN E NOT LOCATED IN CRAVEN CO 01/01/2008	2008-0092008	\$121.19
YACHTING HARDWARE COMPANY UNCOLLECTABLE – CORPORATION DISSOLVED	2000-0055269	\$54.73
YACHTING HARDWARE COMPANY UNCOLLECTABLE – CORPORATION DISSOLVED	2001-0090908	\$52.18
	31 – CREDIT MEMO (S)	\$7,132.80

***Refunds***

BAYER REVOCABLE TRUST – ALICE J ANNEXED INTO CITY OF HAVELOCK – REF 11 MONTHS FIRE	2008-0003482	\$13.13
WHITE, NEPHEW LEON PROPERTY VACANT	2005-0056383	\$32.00
WHITE, NEPHEW LEON PROPERTY VACANT	2006-0057328	\$32.88
WHITE, NEPHEW LEON PROPERTY VACANT	2007-0059073	\$36.72
	4 – REFUND (S)	\$114.73

***Offer to Purchase Property***

The Board considered an offer to purchase 1409/1411 Boones Alley, which is jointly owned by Craven County and the City of New Bern, for the sum of \$2,800. The property, valued at \$5,070, was obtained as a result of a tax foreclosure on a \$4,851.07 lien. Commissioner Sampson moved to approve the purchase, pending the City’s approval, seconded by Commissioner McCabe and unanimously carried in a roll call vote. It was noted that the intent to accept the offer will be advertised to provide an opportunity for upset bids.

**SECURE RURAL SCHOOLS AND COMMUNITIES ACT RESOLUTION**

The Board was informed that Congress recently reauthorized the Secure Rural Schools and Communities Act (SRSCA) and significantly revised the funding formulas for county payments. County Manager, Harold Blizzard, explained that counties in North Carolina receiving these funds are expected to forward them to their school systems. He further

clarified that the payments received under the new funding formula would not be level through 2011; however, the projected amounts for each year will be committed. Commissioner Sampson moved to adopt the following resolution, seconded by Commissioner McCabe and unanimously carried. Commissioner Sisk moved to approve a budget amendment for this funding in the amount of \$31,393, seconded by Commissioner Sampson and unanimously carried in a roll call vote.

**RESOLUTION**  
**National Forest Counties & Schools Coalition**  
**Selection of Forest Reserve Payment System**

**Opting in/out of HR 1424 (PL 110-343 – Sect. 601(a), Division C) Safety Net**

**WHEREAS**, counties having United States National Forests within their boundaries have received Forest Reserve funds for roads and schools since the passage of the Agricultural Reapportionment Act of 1908 based on revenues generated from these forests; and

**WHEREAS**, these counties have substantial areas of land in public ownership which can neither be developed nor taxed to generate revenue from economic activity or taxation; and

**WHEREAS**, during most of the 20th century Forest Reserve payments were a consistent but cyclical source of income for schools and counties; and

**WHEREAS**, during the past decade changes in public policy at the national revenue have substantially reduced and in some cases virtually eliminated economic activity on national forests; and

**WHEREAS**, the demands for education and roads have in most jurisdictions continually increased while Forest Reserve revenues have declined; and

**WHEREAS**, the Congress of the United States recognizing the existence of the above mentioned conditions has seen fit to pass PL 110-343, which provides a four (4) year safety net whereby counties may either receive the traditional annual payment from the Forest Service (and/or BLM) or select four years of payments based on a formula provided in the legislation.

**WHEREAS**, PL 110-343 specifies that each forest county has an option to select either: (a) remaining on the traditional 25% Forest Reserve Receipts payment system or (b) selecting the full payment system set forth in Title I of PL 110-343; and

**WHEREAS**, it is understood that counties which select the PL 110-343 full payment (safety net) option are doing so for the full four (4) year life of the bill; and

**WHEREAS**, it is further understood, that those counties who select to remain on the traditional 25% Forest Reserve Receipt system, are obligating themselves for a two year period, and will have the option of changing to the PL 110-343 safety net system after the second year of the bill.

**BE IT THEREFORE RESOLVED** that Craven County and its impacted school districts, hereby select to receive their forest reserve payments as the **Full Safety Net Payment amount as per PL 110-343**; and

**BE IT FURTHER RESOLVED** that this selection be communicated to the Governor of the State of North Carolina, by November 10, 2008; and

**BE IT FURTHER RESOLVED** that all jurisdictions receiving Forest Reserve Funds within Craven County receive a copy of this resolution for their official records as soon as it is officially adopted.

Adopted this 3<sup>rd</sup> day of November, 2008.



*Schools*

101-0000-399-01-00	\$(31,393.00)	101-8500-480-37-01	\$(31,393.00)
Fund Balance		Schools C/E	
101-0000-309-12-00	\$31,393.00	101-8500-480-37-02	\$31,393.00
State PILT		Schools PILT	

**Justification:** Additional State funding for timber harvesting.

**AMENDMENT TO PERSONNEL RESOLUTION**

The following amendment to the Craven County Personnel Policy, Article X was presented for the Board’s consideration. The amendment formalizes a policy which was adopted by the Board on March 17, 2008.

**ARTICLE X. CONDITIONS OF EMPLOYMENT**

**X. SMOKING POLICY – Amended March 17, 2008**

**PURPOSE**

In an effort to promote a safe and hazard free work environment for all employees and to promote the public health, safety and welfare of all persons employed by Craven County or transacting business within buildings and facilities owned, operated, controlled or leased by Craven County, the following policy is hereby established.

**A. SCOPE**

This policy shall apply to any person entering a County owned, operated, controlled or leased facility.

**B. DEFINITIONS**

1. **“Smoking or smoking”** shall refer to the carrying or holding of a lighted pipe, cigar or cigarette of any kind or any other lighted smoking equipment or device; the possession of any burning tobacco, weed or other plant product and the lighting of, emitting or exhaling of the smoke of a pipe, cigar, cigarette or other combustible tobacco product.
2. **“County Building”** shall mean any building or facility now or hereafter owned, leased, operated, occupied, managed or controlled by Craven County.

**C. POLICY**

**Effective November 20, 2008, Smoking is prohibited throughout all County owned, operated, controlled or leased facilities.**

In addition to smoking being prohibited in any area inside of the Human Services Building, smoking is prohibited within 50 linear feet of any entrance to the building and also within 50 linear feet of any air intake unit serving the Human Services Building.

**D. PROCEDURES**

1. “NO SMOKING” or other signs shall be clearly posted in conspicuous places on each building.
2. Every employee and official of Craven County shares the responsibility of adhering to this policy. They should communicate with the general public in a courteous and understanding manner, to inform them of the policy.
3. All prospective new County Employees shall be informed of the County’s smoking policy during the interview process, and if hired, the employee will be informed during orientation.

**E. ENFORCEMENT**

1. All Craven County Department Heads shall be responsible for enforcing this policy in their department and effective communications concerning this policy.
2. All County Employees are expected to abide by the provisions of the policy. Violations of this policy will be considered a disciplinary problem, according to the Craven County Personnel Manual, Article VII, Section B, Personal Conduct, (f) insubordination and (n) willful disobedience.

**F. EFFECTIVE DATE**

This Amendment approved by the Board of Commissioners at their regular meeting on March 17, 2008, with an effective date of November 20, 2008.

Commissioner Allen moved for approval of the amendment, seconded by Commissioner Sisk and carried by four (4) “Ayes” from Commissioners Allen, Sampson, Sisk and Tyson, there being three (3) “Nays” from Commissioners Jones, McCabe and Morris.

**PUBLIC HEARING – ROAD NAMING AND ADDRESSING ORDINANCE**

At 8:20 p.m. Commissioner McCabe moved to go into public hearing, as advertised, to receive public comment regarding proposed changes to the Craven County Naming and Addressing Ordinance, and the naming of a private road. There were no speakers from the public and Commissioner Sisk moved to close the public hearing, seconded by Commissioner McCabe. Commissioner Allen moved to accept the proposed changes, as follows, seconded by Commissioner McCabe and unanimously carried.

**ROAD NAME ADDITIONS**  
**NAME, TOWNSHIP #**

- Silverthorn County, Township 7
- Paradise Acres Drive, Township 7
- Pheasant Drive, Township 7
- Sanderling Lane, Township 7
- Pond View Drive, Township 1
- Swan Drive, Township 1
- Plantation Creek Drive, Township 1

**REQUEST FOR PRIVATE ROAD NAME**

Berling Pritchard Lane, 5

**PETITIONS OF CITIZENS**

*Marion Larabee*

Mr. Larabee requested to appear before the Board, but cancelled.

*Ray Griffin*

Reverend Griffin shared comments concerning the upcoming election.

*Charlie Simmons*

Mr. Simmons spoke in opposition to the new Judicial Center site.

**FIBER PROJECT RELOCATION**

Information Technology Director, Dennis Holton, informed the Board of a DOT required relocation of a section of Craven County’s fiber, necessitating an expenditure of \$30,791.42. The application for the fiber easement, which is located in the planned interchange area of U.S. 17 by-pass at U.S. 70, was submitted in October, 2007, approved in January, 2008 and fiber laid in March-April, 2008. County Manager, Harold Blizzard, stated that although he is not optimistic, he has been negotiating with DOT to share the cost inasmuch as DOT approved the easement just six months prior to notifying the County that the easement would need to be moved, which should have been known by DOT at the time of approval. Commissioner Sampson moved to appropriate \$30,791.42 from Capital Reserve, as requested, with the understanding that staff would continue negotiating with DOT. Commissioner Morris seconded the motion, which carried unanimously in a roll call vote.

***Non Dept/IT***

371-0000-399-01-00	\$30,792.00	371-0571-400-97-01	\$30,792.00
Fund Balance		To Genl Fund	
101-0401-366-07-00	\$30,792.00	101-0401-400-40-00	\$30,792.00
From Reserve Fd 371		Cont Ser	
<b>JOURNAL ENTRY</b>			
371-0571-400-97-01	\$30,791.42	371-0000-101-00-00	\$30,791.42
To General Fd		Cash	
101-0000-101-00-00	\$30,792.42	101-0401-366-07-00	\$30,791.42
Cash		Fr Reserve	

Reserve to General for fiber move Hwy 17 Bi

**Justification:** Budget funds to cover cost of relocating fiber due to Hwy 17/US 70 DOT Bypass.

**APPOINTMENTS**

*Adult Care Home Advisory Committee*

The Board was advised of a vacancy on the Adult Care Home Advisory Committee created by the death of Albert Clark. An appointment was deferred by consensus of the Board.

*EMS Advisory Committee*

The Board received recommendations from the EMS Advisory Council for appointments of James Davis to replace Mary Hum and Debra Rogers, to serve in the capacity of Emergency Room Supervisor. There were no additional nominees, and Mr. Davis and Ms. Rogers were appointed by acclamation.

**COMMISSIONERS’ REPORTS**

*Commissioner Sampson* re-introduced a request of Ben Watford on behalf of the James City Historical Society to appropriate \$2,500 for the purchase of a lawn mower and

storage shed. He stated that Mr. Watford had insisted that the Historical Society’s agreement with the airport for use of the property is based on the Society’s responsibility for cutting the grass. Commissioner Sampson moved to appropriate the \$2,500, as requested, from fund balance. Commissioner McCabe seconded the motion. There was discussion concerning the James City Historical Society’s non-profit status, and the propriety of using taxpayer funds to buy a lawnmower. Chairman Jones suggested that staff be allowed to confirm with the airport that their offer to cut the grass would not void the agreement. Commissioner Allen moved to defer consideration; however, the motion died without a second. The original motion carried with four (4) “Ayes” from Commissioners Allen, Jones, McCabe and Sampson, there being three (3) “Nays” from Commissioners Morris, Sisk and Tyson.

*Special Appropriations*

101-0000-399-01-00	\$2,500.00	101-0190-400-96-23	\$2,500.00
Fund Balance		James City Historical Society	
<b>TOTAL</b>	<b>\$2,500.00</b>	<b>TOTAL</b>	<b>\$2,500.00</b>

**Justification:** Pay for mower and shed for cutting grass at airport.

*Commissioner Tyson* gave a reminder of the Super 70 Corridor Committee meeting and public forum on November 13.

*Commissioner McCabe* announced that DOT has started working on the widening of Ferry Road in District 5.

*Commissioner Jones* announced that he had held a community meeting with Representative Wainwright and citizens of the Rhems and Clarks Road Community regarding their concerns about the location of the Judicial Center.

At 7.55 p.m. Commissioner Sisk moved to adjourn, seconded by Commissioner McCabe and unanimously carried.

---

Chairman Jason R. Jones  
Craven County Board of Commissioners

---

Gwendolyn M. Bryan, Clerk to the Board