

**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 2, 2009. 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
- Arey Grady, County Attorney's Representative

Following an invocation by Commissioner Sisk and the Pledge of Allegiance, Commissioner Sampson moved to approve minutes of January 5, 2009 regular session and January 8, 2009 reconvened session, seconded by Commissioner McCabe and unanimously carried.

**CONSENT AGENDA**

*Budget Amendments*

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

*Health/Cancer Control*

<b>REVENUES</b>	<b>AMOUNT</b>	<b>EXPENDITURES</b>	<b>AMOUNT</b>
101-6602-349-54-00 Cancer Control – State	\$117.00	101-6602-440-40-00 Contractual Services	\$117.00
<b>TOTAL</b>	<b>\$117.00</b>	<b>TOTAL</b>	<b>\$117.00</b>

**Justification:** Additional state funding has become available for screening breast and cervical cancer patients. The funding will be used to pay for mammograms and cervical biopsies.

*Health/Healthy Carolinians*

101-6604-349-20-00 State grant	\$5,727.00	101-6604-440-40-00 Contractual Services	\$5,727.00
<b>TOTAL</b>	<b>\$5,727.00</b>	<b>TOTAL</b>	<b>\$5,727.00</b>

**Justification:** When budget was originally submitted, it was unknown that the stat would award \$5,727.00 to the Healthy Carolinians program. Grant money will be used to pay JoAnn Gottsleben (ENRICH Executive Director).

*Sheriff*

101-0000-354-01-00	\$14,086.00	101-2001-410-73-21	\$14,086.00
Refund Insurance		Sheriff C/O 500-4,999	
TOTAL	\$14,086.00	TOTAL	\$14,086.00

**Justification:** Sheriff Dept received \$19,848.71 insurance payment 10/21/08. Funds requested to accommodate immediate firearm, computer and mobile radio needs.

*DSS 7291 Mandated*

101-7291-349-32-00	\$88,430.00	101-7291-450-23-04	\$88,430.00
Energy CIP, CP&L		Energy CIP	
TOTAL	\$88,430.00	TOTAL	\$88,430.00

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

*Subdivision for Approval*

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

Long Creek Estates, Section 3 – Final: The property, owned by Harry B. Taylor and surveyed by Powell Surveying Company, is located within Twp. 5 off of SR 1700 (Adams Creek Road). The subdivision contains 14 lots on 8.54 acres of land and is proposed to be served by community water and individual septic systems.

*Tax Releases and Refunds*

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

*Credits*

TAXPAYER NAME	TICKET #	AMOUNT
BEAVERS, CHRISTOPHER CRAIG MILITARY – HIS NAME ONLY 08 LES – OK ECC-NONE (MAJOR)	2008-0003673	\$346.11
BELIVEAU, KATHLEEN A LATE PENALTY CHARGED IN ERROR	2008-0092206	\$128.08
BRYAN, CHARLES H VALUE ADJUSTED PER BILL OF SALE	2008-0091678	\$310.97
CARTER, WALTER D & FRANCES S DUPLEX VACANT SINCE FEBRUARY 2007	2008-0009521	\$72.00
CISCO SYSTEMS CAPITAL CORP LATE PENALTY CHARGED IN ERROR	2008-0010581	\$10.97
DAWSON, LUCRETIA CORRECTING APPRAISAL ERROR	2008-0014543	\$47.26
DAWSON, LUCRETIA CORRECTING APPRAISAL ERROR	2008-0014544	\$269.86

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DAWSON, LUCRETIA CORRECTING APPRAISAL ERROR	2008-0014539	\$258.70
DAWSON, LUCRETIA CORRECTING APPRAISAL ERROR	2008-0014540	\$504.30
DAWSON, LUCRETIA CORRECTING APPRAISAL ERROR	2008-0014541	\$423.69
GARNER, ALLEN H & JUDY A VACANT SINCE JULY 2007	2008-0092114	\$36.00
GASKINS, GARY A & SHIRLEY H DWELLING VACANT SINCE 2005	2008-0020889	\$36.00
GONZALES, ENRIQUE T & MARJORIE DOUBLE LISTED WITH TICKET #22224	2008-0090059	\$252.57
GRIMES, JAMES SCOTT DID NOT OWN 01/01/2008	2008-0092198	\$231.97
HAVELOCK DEVELOPMENT CORP DID NOT OWN 01/01/2008	2008-0025439	\$17.44
HAVELOCK DEVELOPMENT CORP DID NOT OWN 01/01/2008	2008-0025440	\$24.65
HAVELOCK DEVELOPMENT CORP DID NOT OWN 01/01/2008	2008-0025441	\$24.65
HAVELOCK DEVELOPMENT CORP DID NOT OWN 01/01/2008	2008-0025442	\$24.65
HAVELOCK DEVELOPMENT CORP DID NOT OWN 01/01/2008	2008-0025443	\$18.72
HAVELOCK DEVELOPMENT CORP DID NOT OWN 01/01/2008	2008-0025444	\$20.36
HAVELOCK DEVELOPMENT CORP DID NOT OWN 01/01/2008	2008-0025445	\$20.36
HAVELOCK DEVELOPMENT CORP DID NOT OWN 01/01/2008	2008-0025446	\$19.54
HAVELOCK DEVELOPMENT CORP DID NOT OWN 01/01/2008	2008-0025447	\$25.35
HAVELOCK DEVELOPMENT CORP DID NOT OWN 01/01/2008	2008-0025448	\$48.49
HAVELOCK DEVELOPMENT CORP DID NOT OWN 01/01/2008	2008-0025457	\$25.58
HAVELOCK DEVELOPMENT CORP DID NOT OWN 01/01/2008	2008-0025458	\$25.58
HAYES, LILLIE M DWELLINGS VACANT SINCE 2002	2008-0025677	\$72.00

HUBBARD, WILLIAM RANDALL MILITARY-HIS NAME ONLY 08 LES-GA ECC-04/04/2012	2008-0027945	\$185.84
IPOCK, J A JR CORRECTING APPRAISAL ERROR	2008-0028699	\$177.65
IPOCK, JOSELYN CORRECTING APPRAISAL ERROR	2008-0028745	\$94.42
KIMREY, RANDALL D NOT LOCATED IN DUCK CREEK MARINA 01/01/2008	2008-0090187	\$.37
KIMREY, RANDALL D NOT LOCATED IN DUCK CREEK MARINA 01/01/2008	2008-0090188	\$5.87
LILLY, JOHN H ET-AL VACANT SINCE MARCH 2006	2008-0034188	\$36.00
NORVILLE, CHERYL ANN DOUBLE LISTED ON ACCT 0027194	2008-0042266	\$514.95
PLANTATION HARBOR PROPERTY OW CORRECTING APPRAISAL ERROR	2008-0044593	\$36.29
PLANTATION HARBOR PROPERTY OW CORRECTING APPRAISAL ERROR	2008-0044595	\$61.82
PLANTATION HARBOR PROPERTY OW CORRECTING APPRAISAL ERROR	2008-0044596	\$1,296.96
PLANTATION HARBOR PROPERTY OW CORRECTING APPRAISAL ERROR	2008-0044597	\$792.29
POTTER & ASSOCIATES INC-HAROLD CORRECTING APPRAISAL ERROR	2008-0044901	\$1,316.80
SBW ENTERPRISES LLC DID NOT OWN 01/01/2008	2008-0049265	\$161.97
SHEARMAN, DAVID M & SHEARMAN MILITARY ½ VALUE DAVID 08 LES-MI ECC-NONE (CAPT)	2008-0050161	\$84.07
SHIELDS, ROBERT STRONG JR DID NOT OWN 01/01/2008	2008-0050261	\$43.61
SHIELDS, ROBERT STRONG JR DID NOT OWN 01/01/2008	2008-0050260	\$9.58
SMITH MAYFIELD, ROSA MARIE VACANT PROPERTY	2008-0051021	\$36.00
TAYLOR, ROBIN LAND DWELLING VACANT SINCE 1997	2008-0054409	\$36.00
VENTERS PROPERTIES LLC DID NOT OWN 01/01/2008	2008-0057118	\$25.35
WILLOUGHBY, JESSIE RAY CORRECTING APPRAISAL ERROR	2008-0092031	\$53.23
WOOLARD, JOYCE BARROW DUPLICATE RECYCLE BILL	2008-0092191	\$36.00

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ZAYTOUN & RAINES CONSTRUCTION 2008-0062551	\$36.00
PROPERTY VACANT	
49 – CREDIT MEMO(S)	\$8,336.92

*Refunds*

BRYANT, ERNEST & EFFIE CORRECTING APPRAISAL ERROR	2008-0007351	\$242.61
DALY, JOHNNY ROBERT PAYMENT POSTED TO INCORRECT ACCT.	2008-0092180	\$131.99
HAYES, LILLIE M PROPERTY VACANT	2004-0023447	\$64.00
HAYES, LILLIE M PROPERTY VACANT	2005-0024267	\$64.00
HAYES, LILLIE M PROPERTY VACANT	2006-0024553	\$64.00
HAYES, LILLIE M PROPERTY VACANT	2007-0025235	\$72.00
SHEARMAN, DAVID M & SHEARMAN MILITARY ½ VAL DAVID 09 LES-MI ECC-NONE (CAPT)	2007-0090868	\$92.91
7 – REFUND (S)		\$731.51

*Correction to December Minutes*

The Board was requested to approve correction of the December 15, 2008 minutes due to redundant appointments that were made to the Firemen’s Relief Fund Board of Trustees, by striking through the names of Carroll White on line 334 and Roy Whitley on line 335. Commissioner Morris moved to approve correction to the December 15, 2008 minutes, seconded by Commissioner McCabe and unanimously carried in a roll call vote.

*Set Public Hearing for CARTS*

Craven County CARTS Director, Phyllis Toler, requested that the Board set a public hearing for March 2, 2009 to receive public comment regarding the FY 2010 Community Transportation (CTP) grant application. Commissioner Morris moved to set a public hearing for March 2, 2009 at 7:00 p.m., as requested, seconded by Commissioner McCabe and unanimously carried in a roll call vote.

*Environmental Health Fees*

The Craven County Board of Health, at the request of Pamlico County, recommended that the following new fees be approved for the Environmental Health Laboratory:

Heterotrophic Plate Count	Fee \$30
Combination (HPC and TC/E coli)	Fee \$42

Commissioner Morris moved to approve the new fees, as requested, seconded by Commissioner McCabe and unanimously carried in a roll vote.

*Road Addition Request*

The Board was requested to add Arabica Lane, Crooked Run Drive, Mocha Court, Cona Court and Sumatra Court in the Crooked Run Subdivision located within Twp. 7 to the

state maintenance system and to adopt a standard SR-2 Road Addition Resolution. Commissioner Morris moved to add the requested roads to the state maintenance system and to adopt a standard SR-2 Road Addition Resolution, seconded by Commissioner McCabe and unanimously carried in a roll call vote.

*Farming Lease*

The Board was requested to renew the lease of approximately 30 acres of land located at the Judicial Center property on Clarks Road for one year at \$45 per acre to Kenneth Nobles for the purpose of farming. Commissioner Morris moved to allow the Chairman to sign the contract renewing the lease, seconded by Commissioner McCabe and unanimously carried in a roll call vote.

*Church Parking Lease*

The Board was requested to renew the lease on a parcel of land beside the New Hope Baptist Church on Adams Creek road in No. 5 Township for the purpose of parking for the church parishioners. Commissioner Morris moved to allow the Chairman to sign the contract renewing the lease, seconded by Commissioner McCabe and unanimously carried in a roll call vote.

*Application for Lottery Project*

Finance Officer, Rick Hemphill, submitted a request that the Board authorize the Chairman to sign the application which allows the County to draw down the lottery funds. Currently \$593,373 is available in the County's account to be applied to debt service in the amount of \$2,029,073 for Creekside Elementary School and renovations at J.T. Barber Elementary School. Commissioner Morris moved to allow the Chairman to sign the application for drawing down the lottery funds, seconded by Commissioner McCabe and unanimously carried in a roll call vote.

*Agricultural Lease for County Owned Property in Cove City*

The Planning Department requested that the Chairman be authorized to enter into the terms and conditions for the Agricultural Lease Agreement for County owned property located next to the new recreational facilities in Cove City. The property is proposed to be leased to Ward McCoy for \$60 per acre for 14 acres totaling \$840 per year. Commissioner Sampson moved to authorize the Chairman to enter into the Agricultural Lease Agreement, as requested, seconded by Commissioner McCabe and unanimously carried in a roll call vote.

**PETITION OF CITIZEN**

*Mr. Charlie Simmons* continued to oppose the siting of the Judicial Center, stating that during the period from the 1970's-mid 1990's there was no road frontage on the parcel purchased by the County for the Judicial Center.

**CONVENTION CENTER MATTERS**

Convention Center Director, Sandy Chamberlin, reviewed the Convention Center rental rate history and competitive analysis including hotels, convention centers and conference centers within the Eastern Region and across the state, with the Board. She stated that many facilities have taken substantial space rental increases over the past two years. Craven County's rate increases have been comparatively low. In addition, the Convention Center's operational costs have increased for every expense line on an average of 6%, with substantial increases in utility fees, refuse, linen rentals, cleaning fees and staff salaries. Based on these findings and increased operating costs, she requested that the following space rental rate increases be approved by the Board. Commissioner Tyson inquired how much revenue will be generated and if there have been many cancellations. Ms. Chamberlin responded that approximately \$15,000 in revenues will be generated by the proposed new fees. She stated that there have been three state based cancellations due to travel freezes. Commissioner Sisk moved to

approve the following space rental rate increases, as requested, seconded by Commissioner Morris and unanimously carried in a roll call vote.

<b>ROOM</b>	<b>2009 DAILY RATE</b>	<b>2010 DAILY RATE</b>
Colonial Capital Ballroom (A, B & C)	\$2,350	\$2,500
Ballroom A	\$1,175	\$1,250
Ballroom B	\$ 700	\$ 750
Ballroom C	\$ 575	\$ 600
Tryon Room (A and B)	\$ 500	\$ 550
Tryon Room A	\$ 325	\$ 350
Tryon Room B	\$ 250	\$ 275
Berne Room	\$ 400	\$ 450
Craven Board Room	\$ 200	\$ 250
Heritage Hall	\$ 450	\$ 500
Promenade	\$ 250	\$ 250
Riverfront Veranda	\$ 450	\$ 500
Entire Facility	\$3,550	\$4,150

**EMS GRANTS**

Emergency Services Director, Stanley Kite, presented notification of grant awards from the N.C. Department of Insurance for the following departments:

	<b><u>Match</u></b>	<b><u>Total</u></b>
New Bern Craven Rescue	\$15,177.50	\$30,355.00
Ft. Barnwell Rescue	\$24,775.00	\$49,550.00
Number 7 Township Rescue	\$24,999.92	\$49,999.92
Vanceboro Rescue	\$15,898.25	\$31,796.50
Cove City Rescue	\$25,000.00	\$50,000.00

Mr. Kite stated that any equipment purchased before December 15, 2008 cannot be eligible for grant funds. Commissioner Tyson inquired if the County could afford this match. County Manager, Harold Blizzard, responded affirmatively. He stated that he was originally reluctant to budget these funds out of fund balance due to the ever increasing number of grants; however, it is inevitable that the County would eventually need to procure this equipment, paying 100% of cost if grant funds are not accepted. Commissioner Jones inquired if the grants are likely to go away next year, in light of the state budget. Mr. Kite responded that grants come from a fund generated by vehicle inspection fees. Commissioner McCabe moved to approve the following budget amendment allocating grant match funds from fund balance, seconded by Commissioner Morris and unanimously carried in a roll call vote.

***Rescue Squads***

REVENUES	AMOUNT	EXPENDITURES	AMOUNT
101-0000-399-01-00	\$105,852.00	101-2825-410-33-20	\$15,178.00
Fund Balance		Grant Match NB/Craven	
		101-2827-410-33-20	\$24,775.00
		Grant Match Ft. Barnwell	
		101-2829-410-33-20	\$15,899.00
		Grant Match Vanceboro	
		101-2830-410-33-20	\$25,000.00
		Grant Match Cove City	
		101-2831-410-33-20	\$25,000.00
		Grant Match Twp. 7	
<b>TOTAL</b>	<b>\$105,852.00</b>	<b>TOTAL</b>	<b>\$105,852.00</b>

**Justification:** Budget fund balance to match state grants for rescue squads.

## **REPORT OF UNPAID 2008 TAXES AND DATE FOR ADVERTISING LIENS**

Craven County Tax Administrator, Ronnie Antry, presented to the Board the amount of 2008 taxes that remain unpaid which are a lien upon real estate, as required by NCGS 105-369(a). He stated that, to date, \$1,625,355.17 remains unpaid, representing a 95% collection rate, compared to \$1.2 million this time last year, representing a 96% collection rate. Mr. Antry advised the Board that the \$7 million valuation estimate for the fiscal year was relatively accurate in respect to real estate; however, motor vehicle registration is down. He stated that the 2009 tax base is not expected to increase as it has over the last several years, and he projected a \$17-\$20 million decrease in valuation, which would result in approximately \$120,000 in revenue. Commissioner Morris moved to authorize the Tax Collector to advertise the liens, as requested, on April 13, 2009, seconded by Commissioner McCabe and unanimously carried.

## **REPEAL OF APPROVAL OF RENCLAIR SUBDIVISION – SECTION 3**

At the December 15, 2008 Commissioners meeting the Renclair Subdivision Section 3 was approved in error. Planning Director, Don Baumgardner, advised the Board that to keep this error from being recorded, the Planning Department held on to the map. The error resulted from the non-approval of a septic system by the Environmental Health Department prior to the recommendation of the Planning Board. The Board was requested to withdraw their approval of the Renclair Subdivision Section 3. Commissioner Morris moved to approve repeal of Renclair Subdivision Section 3, seconded by Commissioner Sampson and unanimously carried in a roll call vote.

## **APPOINTMENTS**

### *Havelock Library Board*

The Board was reminded that the term of Lossie Carter had expired. Commissioner Allen moved to reappoint Ms. Carter. There were no other nominations and Ms. Carter was reappointed by acclamation.

### *Clean Sweep Committee*

The Board considered a request from the Clean Sweep Committee that Bobbi Waters be appointed as a non-voting member. Commissioner Allen moved to appoint Ms. Waters, there being no other nominees, Ms. Waters was appointed by acclamation.

### *Upcoming Appointments*

The Board was advised of expiring terms on the Craven Aging Planning Board, Farmers Market Board, Nursing Home Advisory Committee and Fire Tax Commission. Consideration of these appointments was deferred until the Board's next meeting.

## **COUNTY ATTORNEY'S REPORT**

County Attorney representative, Arey Grady, requested that the Board go into closed session at the end of the meeting to discuss matters under the attorney-client privilege pursuant to G.S. Section 143-318.11(a)(3).

## **COUNTY MANAGER'S REPORT**

County Manager, Harold Blizzard, shared information regarding Standard & Poors' review of Craven County and upgrading of its rating from A+(stable) to AA (stable). He stated that the upgrade reflects the strong economic base of the County along with several other factors.

Mr. Blizzard also reported on information received from Dare County regarding the Department of Insurance Coastal County rate increases, policy surcharges and deductible increases. The impact on Craven County is a 6.5% rate increase and deductible increases on hail and wind policies. Dare County Attorney, Bob Outten, agreed to appear before

the Board on February 16, 2009 to discuss the issue and solicit the support of Craven County in opposing this measure. Meanwhile, a Senate bill has been introduced to stay in position of the new rules. A coalition to challenge the new rules has been formed and has invited counties to participate in a symposium on February 10, 2009 to receive additional information. Commissioner Sisk moved to sign on to the protest by adopting a resolution which mirrors one adopted by the Carteret County Board of Commissioners, with some variation, seconded by Commissioner McCabe and unanimously carried. It was the consensus of the Board to leave it to the County Manager's discretion whether or not to invite Mr. Outten to the February 16 Commissioners' meeting, depending on the outcome of the symposium.

### COMMISSIONERS' REPORTS

*Commissioner Sisk* inquired if payroll direct deposit notices can be posted by email. It was the consensus of the Commissioners that direct deposit notices be placed in Commissioners' boxes.

*Commissioner Sampson* commented that fuel prices are rising again and that citizens need to form coalitions to protest. He announced his attendance at the Martin Luther King, Jr. scholarship presentation program on February 1, as well as the Habitat for Humanity home dedication.

*Commissioner Allen* congratulated the Havelock High School Rams wrestling team for their current 7-0 record.

At 8:12 p.m. the Board was declared in recess to convene the Water Board.

At 8:15 p.m. the Board returned to regular session and Commissioner Sampson moved to go into closed session, pursuant to NCGS 143-318.11(a)(3) under the attorney-client privilege, seconded by Commissioner McCabe. The Board invited Convention Center Director, Sandy Chamberlin, into closed session regarding Convention Center pending litigation.

At 9:15 p.m. the Board was declared back in regular session. County Manager, Harold Blizzard, reported that the Board had consulted with counsel retained by the County regarding Convention Center pending litigation but no action was taken.

At 9:16 p.m. Commissioner Sisk moved to adjourn, seconded by Commissioner Tyson 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