

**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 16, 2009. 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
- Aaron Arnett, County Attorney's Office

Following an invocation by Commissioner Sampson and the Pledge of Allegiance, Commissioner Sisk moved to approve minutes of March 2, 2009 regular session, seconded by Commissioner McCabe and unanimously carried.

**CONSENT AGENDA**

*Tax Releases and Refunds*

Craven County Tax Administrator, Ronnie Antry, submitted the following tax releases and refunds for the Board's approval. 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>
ANDERSON, CLAYTON LEE DID NOT OWN 01-01-2008	2008-0001094	\$53.47
CONLEY, WILLIAM J JR MILITARY HIS NAME ONLY MA 8-31-2008	2008-0011795	\$120.61
DANIELS, EDWIN H SR & EDWIN H MILITARY ½ VAL 09 LES FL ECC	2008-0013834	\$72.11
EDWARDS, THOMAS JR & EVELYN FORECLOSURE – LIEN EXTINGUISHED	1999-0014379	\$113.46
EDWARDS, THOMAS JR & EVELYN FORECLOSURE – LIEN EXTINGUISHED	2000-0014722	\$26.09
EDWARDS, THOMAS JR & EVELYN FORECLOSURE – LIEN EXTINGUISHED	2001-0014869	\$25.77
EDWARDS, THOMAS JR & EVELYN FORECLOSURE – LIEN EXTINGUISHED	2004-0015385	\$26.89

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EDWARDS, THOMAS JR & EVELYN FORECLOSURE – LIEN EXTINGUISHED	2005-0016070	\$27.08
EDWARDS, THOMAS JR & EVELYN FORECLOSURE – LIEN EXTINGUISHED	2007-0016750	\$23.35
EDWARDS, THOMAS JR & EVELYN FORECLOSURE – LIEN EXTINGUISHED	2008-0017155	\$1.37
FORTUNE, MATTHEW S SOLD BOAT 2 ½ YEARS AGO	2008-0019382	\$22.88
GOSS, BLONNIE ELMA & BRYANT DOUBLE LISTED WITH ACCT #0052899	2008-0022388	\$430.24
HATFIELD, JOHN DID NOT OWN 1-1-2008	2008-0025375	\$15.18
JONES, JOHN HRS FORECLOSURE – LIEN EXTINGUISHED	1999-0025973	\$11.96
JONES, JOHN HRS FORECLOSURE – LIEN EXTINGUISHED	2000-0026692	\$12.10
JONES, JOHN HRS FORECLOSURE – LIEN EXTINGUISHED	2001-0026921	\$12.86
JONES, JOHN HRS FORECLOSURE – LIEN EXTINGUISHED	2002-0027246	\$14.81
JONES, JOHN HRS FORECLOSURE – LIEN EXTINGUISHED	2003-0027428	\$13.97
JONES, JOHN HRS FORECLOSURE – LIEN EXTINGUISHED	2004-0027887	\$13.13
JONES, JOHN HRS FORECLOSURE – LIEN EXTINGUISHED	2005-0028796	\$13.26
JONES, JOHN HRS FORECLOSURE – LIEN EXTINGUISHED	2006-0029145	\$12.28
JONES, JOHN HRS FORECLOSURE – LIEN EXTINGUISHED	2007-0029949	\$11.32
LUDWIG, PETER JOHN DID NOT OWN 1-1-2008	2008-0035052	\$45.53
MIDDLETON, DARLENE FORECLOSURE – LIEN EXTINGUISHED	1999-0032588	\$34.07
MIDDLETON, DARLENE FORECLOSURE – LIEN EXTINGUISHED	2000-0033512	\$33.13
MIDDLETON, DARLENE FORECLOSURE – LIEN EXTINGUISHED	2001-0033863	\$33.48
MIDDLETON, DARLENE FORECLOSURE – LIEN EXTINGUISHED	2002-0034268	\$39.83
MIDDLETON, DARLENE FORECLOSURE – LIEN EXTINGUISHED	2003-0034515	\$36.98

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MIDDLETON, DARLENE FORECLOSURE – LIEN EXTINGUISHED	2004-0035049	\$34.70
MIDDLETON, DARLENE FORECLOSURE – LIEN EXTINGUISHED	2005-0036109	\$34.83
MIDDLETON, DARLENE FORECLOSURE – LIEN EXTINGUISHED	2006-0036662	\$32.42
MIDDLETON, DARLENE FORECLOSURE – LIEN EXTINGUISHED	2007-0037805	\$30.02
MIDDLETON, DARLENE FORECLOSURE – LIEN EXTINGUISHED	2008-0038461	\$24.63
WHITE, STEPHEN M & SHANNON W DID NOT OWN 1-1-2008	2008-0091987	\$261.69
WILLIAMS, SUSAN E CORRECTING APPRAISAL ERROR	2003-0055611	\$134.05
WILLIAMS, SUSAN E CORRECTING APPRAISAL ERROR	2004-0056179	\$121.66
WILLIAMS, SUSAN E CORRECTING APPRAISAL ERROR	2005-0091093	\$115.94
WILLIAMS, SUSAN E CORRECTING APPRAISAL ERROR	2006-0058605	\$104.51
WILLIAMS, SUSAN E CORRECTING APPRAISAL ERROR	2007-0060357	\$140.80
WILLIAMS, SUSAN E CORRECTING APPRAISAL ERROR	2008-0092025	\$124.54

40 – CREDIT MEMO(S) \$2,457.00

***Refund***

MCDANIEL, CHARLES AARON MILITARY HIS NAME ONLY ECC 11-17-11	2008-0037271	\$104.25
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1 – REFUND \$104.25

*Correction to March 2 Tax Refunds*

At the Board’s March 2 meeting, the Board approved a list of tax refunds which contained an error. The Board was requested to approve the following corrected list. Commissioner Sampson moved to approve the corrected tax refunds, seconded by Commissioner McCabe and unanimously carried in a roll call vote.

EDWARDS, KURT D & DEANNA M HOUSE REMOVED FROM PROPERTY	2007-0016691	\$123.09
PECHA, MICHAEL R & HILLARY T CORRECTING APPRAISAL ERROR	2008-0043696	\$152.73
WILLIAMS, ANTHONY R & AMARYLLI SWMH LISTED ON ACCT #27827	2007-0059932	\$130.95

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WILLIAMS, ANTHONY R & AMARYLLI2008-0091641 SWMH LISTED ON ACCT #27827	\$134.20
WILLIAMS, ANTHONY R & AMARYLLI2006-0091426 SWMH LISTED ON ACCT #27827	\$139.55
5 – REFUND (S)	\$680.52

*Budget Amendment*

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

**DSS 7295 Senior**

101-7295-336-39-00	\$35.00	101-7295-450-39-37	\$35.00
General Donations		Health Promotion	
TOTAL	\$35.00	TOTAL	\$35.00

**Justification:** Contributions received for yoga under Health Promotion Grant must be expended as part of the Health Promotion Program.

*Subdivision for Approval*

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

The Village at Croatan Section I, Phase I – Final: The property, owned by LRH Development, LLC and surveyed by Brad Suitt & Associates, is located within Twp. 6 off of SR 1100 (Catfish Lake Road). The subdivision contains 62 lots on 24.89 acres and is proposed to be served by Neuse River water and City of New Bern sewer. Planning Director, Don Baumgardner, was not a party to the review, due to the interest of a family member.

*Road Addition Request*

The Board was requested to add Perry Meadow Drive in the Perrytown Meadows Subdivision located within Twp. 7 to the state maintenance system and to adopt a standard SR-2 Road Addition Resolution. Commissioner Sampson moved to add Perry Meadow Drive in the Perrytown Meadows Subdivision 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.

*Health Fee Recommendations*

The Craven County Board of Health recommended approval of the following fees. Commissioner Sampson moved to approve the fees, as requested, seconded by Commissioner McCabe and unanimously carried in a roll call vote.

1. Maternity:
 

Betamethasone	\$1.13 per dose
This is for high risk maternity patients experiencing preterm labor to help develop the babies’ lungs.	
  
2. Environmental Health:
 

Intro to Food Safety Class	\$20.00
This fee to help pay for food safety class and purchase books for students	

to keep.

*Request to Set Public Hearing on Economic Development Matter*

The Board was requested to set a public hearing for 7:00 p.m. on April 6 to consider input of citizens regarding a potential economic development grant agreement with Weyerhaeuser. Commissioner Sampson moved to set a public hearing for 7:00 p.m. on April 6, as requested, seconded by Commissioner McCabe and unanimously carried in a roll call vote.

*Building Permit Application Language Addition*

The Building Inspections Department requested further clarification to the Interpretation of North Carolina General Statute 153A-358, which provides that: “If after commencement the work is discontinued for a period of 12 months, the permit therefore immediately expires.” The following language was proposed to further clarify General Statute 153A-358 to assist the staff and permit holders in tracking expiration of the permit. The language would read as follows **“If an on-site inspection is not requested and/or performed within 12 months of any previously scheduled inspection(s) at the site, all permits will be considered discontinued. The permit must be renewed and payment made of all associated fees before inspections will be continued.** Commissioner Sampson moved that the Board of Commissioners officially acknowledge this clarification/interpretation to allow it to be included on the Craven County Inspection Department Master Permit, seconded by Commissioner McCabe and unanimously carried in a roll call vote.

**DISCUSSION WITH LEGISLATIVE DELEGATION**

Senator Preston and Representatives Wainwright and Underhill discussed the following matters with the Board.

*ADM and Lottery Funds*

Commissioners raised the concern that ADM funds may disappear, not only for the current year, but permanently, and advised the legislative delegation that Craven County would lose an estimated \$800,000 annually if that occurs. Senator Preston expressed her distaste for using education lottery and corporate tax funds for other purposes. Representative Wainwright stated the funds from these sources which Governor Perdue has placed on reserve will be used for educational purposes. A preliminary report on state revenues is not anticipated until early May. Finance Officer, Rick Hemphill, informed the legislators that the ADM and lottery proceeds are used to service the County’s debt, and that referenda were passed by citizens, at the urging of the Board of Education and Board of Commissioners, with the stipulation that there would be no tax increase to support the capital projects.

*Coastal Insurance*

Representative Wainwright advised the Board that he anticipates difficulty in getting a bill passed to stay new insurance rates for homeowners, because the insurance lobby is fighting hard against it. He stated that the justification for the insurance industry’s actions to increase rates and deductibles for wind damage in coastal counties is predicated upon erroneous and skewed information. Information that has been obtained demonstrates that only 31% of the industry’s North Carolina exposure to claim payment is in Coastal Carolina, contrary to assertions used to support an increase in coastal rates. The legislators urged Craven County to join the NC 20 to strengthen lobbying efforts that will support them in getting the bill passed.

Commissioner Tyson inquired if the General Assembly can pass legislation requiring the Rate Bureau to inform stakeholders of its meetings. There was discussion concerning the Rate Bureau’s status relative to being a public body. Representative Wainwright stated that he intends to introduce legislation to change the composition on some of the Boards

to enable the public to be a party to discussions on the Fair Plan and Beach plan, and to research Commissioner Tyson's request.

***Public Defender Program***

Staff explained that the Public Defender Program would reduce the amount of pre-trial jail time spent in Craven County and result in cost savings to the County and the State.

Representative Wainwright stated that the House of Representatives is unwilling to take on such a controversial piece of legislation at this time, considering the current budget issues, and Senator Preston expressed the same doubts in respect to the Senate. The legislators pledged to move forward to seek legislation allowing the Public Defender Program to become established in Craven County when the time is right.

***Stimulus Funds***

Representative Wainwright announced that the State has been allocated \$6.1 billion in stimulus funds but the federal government continues to re-write the rules daily concerning requirements. Senator Preston was asked by the Senate President to serve on a committee to monitor the State's stimulus funds. Representative Wainwright stated that any specific questions regarding stimulus funds in N.C. should be directed to his office.

County Manager, Harold Blizzard, noted three possible shovel-ready projects in Craven County, as follows:

1. Water Treatment Plant
2. Convention Center Exhibit Hall
3. New High School

At 9:55 a.m. the Board went into recess.

At 10:05 a.m. the Board was declared back in regular session.

**SCHOOL LIAISON PROGRAM PRESENTATION**

Donna Bagley, School Liaison for MCAS Cherry Point, presented an overview of the School Liaison Program. The School Liaison represents a critical link between the military community, local schools and the community. Ms. Bagley stated that education was at the top of the priority list in an assessment to determine concerns of service personnel during periods of high deployment. Funds were provided for local school districts in four North Carolina counties, including Craven, for counterpart liaisons within the school districts. Some districts, such as Craven, chose to use the funds to accomplish the same purpose through the existing guidance staff.

The Chairman recommended that the Board enter dialogue with the Craven County Board of Education to encourage re-consideration of establishing the liaison position.

**REQUEST TO SET PUBLIC HEARING FOR ADOPTION OF REVISED  
CRAVEN COUNTY CODE OF ORDINANCES**

The Board was requested to set a public hearing for 7:00 p.m. on April 6 to receive public comment on the newly revised Craven County Code of Ordinances. Commissioner Allen moved to set the public hearing, as requested, seconded by Commissioner McCabe and unanimously carried.

**APPOINTMENTS**

*Fire Tax Commissioner*

The Board was advised that Harry Mercer’s term as a Township Nine Fire Tax Commissioner is expiring. Commissioner Morris nominated Mr. Mercer for reappointment. There were no other nominations and Mr. Mercer was reappointed by acclamation.

*Upcoming Appointments – April*

The Board was advised of terms that are due to expire on the Planning Board and the Zoning Board of Adjustment. These appointments were deferred until the Board’s next meeting.

**RECONSIDERATION OF NC 20 MEMBERSHIP**

At the Board’s last meeting, there was discussion of Craven County’s potential membership in NC 20; however, the Board declined to join at that time. Discussion was revived at the request of a Commissioner. Commissioner Tyson asked if the other 20 coastal counties have joined. He expressed support for the concept, but also a need for more information, such as what period is covered by the dues, and what would be the result if no other counties join. County Manager, Harold Blizzard, responded that, to date, Carteret, Pamlico and Onslow counties have joined. Beaufort and Dare counties were considering membership simultaneously with Craven County. Commissioners Allen, Sampson and Sisk spoke favorably about membership, stating that it would demonstrate leadership on the part of the County, as well as a willingness to work with others for the benefit of constituents. Commissioner Sampson moved to join NC 20, at a membership rate of \$5,000, to come from fund balance. Commissioner McCabe seconded the motion, which carried unanimously in a roll call vote. Mr. Blizzard stated that he would advise NC 20 of the Board’s action, but would seek more information prior to the payment of the fee.

*Special Appropriations*

<b>REVENUES</b>	<b>AMOUNT</b>	<b>EXPENDITURES</b>	<b>AMOUNT</b>
101-0000-399-01-00 Fund Balance	\$5,000.00	101-0190-400-96-63 NC 20	\$5,000.00
<b>TOTAL</b>	<b>\$5,000.00</b>	<b>TOTAL</b>	<b>\$5,000.00</b>

**Justification:** Appropriate fund balance to pay dues to join NC 20 organization.

**COUNTY MANAGER’S REPORT**

Mr. Blizzard reviewed the budgeting calendar with the Board and requested that budget work sessions be scheduled. By consensus, the Board scheduled budget work sessions as follows:

- Thursday, May 21 8:30 a.m.
- Friday, May 22 8:30 a.m.
- Thursday, May 28 5:00 p.m.
- Friday, May 29 8:30 a.m.
- Thursday, June 4 5:00 p.m.

**COMMISSIONERS’ REPORTS**

*Commissioner Sisk* announced that she had addressed social studies students at New Bern High School last week on County Government and the role of Commissioners.

*Commissioner Tyson* reported on a meeting he attended in Raleigh last week regarding the Super 70 Corridor, and emphasized that it will be a long-term effort. He also participated in “Bowl for Kids’ Sake” to benefit Big Brothers, Big Sisters.

*Commissioner Sampson* reported on highlights of the NACo Legislative Conference and information on allocation of stimulus funds. He reported on a presentation to social studies students last week at New Bern High School.

*Commissioner Allen* announced he has provided the *Sun Journal* with a press release on highlights from the NACo Legislative Briefing. He also spoke to students at Havelock Middle School. He reported on meetings attended at the Legislative Conference and distributed more information to the Board on the NACo Drug Prescription Program. He stated that half of NC counties are currently participating in the program.

*Commissioner McCabe* noted letters sent to the Board concerning a drug rally in his district on March 21 at 3:00 p.m. at the Godette School as part of a community “take back” campaign.

*Commissioner Jones* stated that he met with the Dover Town Board. He also spoke to the 3<sup>rd</sup> and 4<sup>th</sup> grades at Calvary Baptist School.

At 11:30 a.m. the Board went into recess to convene the Water Board.

At 11:32 a.m. the Board re-convened in regular session.

#### **CLOSED SESSION**

At 11:33 a.m. Commissioner McCabe moved to go into closed session to discuss pending litigation relative to the Convention Center lawsuit. Commissioner Sampson seconded the motion, which carried unanimously.

At 11:45 a.m. the Board returned to regular session. Mr. Blizzard announced that the Board had, after consultation with counsel, taken action which will be made public at the appropriate time. The Board adjourned at 11:45 a.m.

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Chairman Jason R. Jones  
Craven County Board of Commissioners

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Gwendolyn M. Bryan, Clerk to the Board