

**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 4, 2013. THE MEETING CONVENED AT 7:00 P.M.**

**MEMBERS PRESENT:**

Chairman Scott C. Dacey  
Vice Chairman Thomas F. Mark  
Commissioner Lee Kyle Allen  
Commissioner Theron L. McCabe  
Commissioner Johnnie Sampson, Jr.  
Commissioner Jefferey S. Taylor  
Commissioner Steve Tyson

**STAFF PRESENT:**

Jack B. Veit III, County Manager  
Gene Hodges, Assistant County Manager – Operations/Facilities  
Richard F. Hemphill, Assistant County Manager – Finance/Administration  
Gwendolyn M. Bryan, Clerk to the Board  
Amber Parker, Human Resources Director  
Jim Hicks, County Attorney

Following an invocation by Commissioner Sampson and the Pledge of Allegiance, Commissioner Mark moved to approve the agenda, as presented, seconded by Commissioner Taylor and unanimously carried.

Commissioner Sampson moved to approve minutes of October 14, 2013 reconvened session and October 21, 2013 regular and reconvened sessions, seconded by Commissioner Mark and unanimously carried.

**REQUEST ADJORNMENT OF PUBLIC HEARING RELATED TO THE SALE OF REAL PROPERTY IN THE CRAVEN COUNTY INDUSTRIAL PARK**

The Board of Commissioners previously set a public hearing for October 7, 2013, related to the sale of real property in the industrial park, but due to hesitation on the part of the buyer, the Board opened the hearing and held it in recess until November 4. The buyer has withdrawn its offer to purchase the property. There being no transfer of County-owned property, there was no need to hold a public hearing.

At 7:04 p.m. the Chairman declared the public hearing open and immediately Commissioner Mark moved to close it, seconded by Commissioner Taylor and unanimously carried.

**PETITIONS OF CITIZENS**

*Hal James*

Mr. James spoke about state and local funding of federally mandated programs. He cited Union County budget initiatives for 2013-2014. He urged the County to study and fight back and to challenge the congressional authority, suing the federal government if necessary.

*Steve Ipock*

Mr. Ipock spoke about prayer and the eroding of the fabric of our nation.

*Chris Elks*

Mr. Elks requested to be on the agenda but was not present.

*Ray Griffin*

Mr. Griffin spoke about prayer and restoring the Ten Commandments in schools.

**DEPARTMENTAL MATTERS: TAX – RELEASES AND REFUNDS**

Craven County Tax Administrator, Ronnie Antry, presented the following tax releases and refunds for the Board's approval. He explained that two Kane Revocable Trust releases and four refunds are not routine. They are the result of a clerical error that came about in the year following the revaluation. The system error correction did not carry over to the new year. Commissioner Allen moved to approve the following tax releases and refunds, seconded by Commissioner Sampson and unanimously carried in a roll call vote.

*Credits*

<b>TAXPAYER NAME</b>	<b>TICKET #</b>	<b>AMOUNT</b>
ALLTEL COMMUNICATIONS INC #199 VALUATION ERROR – TO BE REBILLED	2013-0000821	\$1,796.50
ALLTEL COMMUNICATIONS INC #201 VALUATION ERROR – TO BE REBILLED	2013-0000823	\$2,064.42
CIT TECHNOLOGY FINANCING SERVI VALUATION ERROR – TO BE REBILLED	2013-0010399	\$40.36
CIT TECHNOLOGY FINANCING SERVI CORRECTING ERROR ON LISTING	2013-0092321	\$53.80
DAUGHERTY, SHELTON B & LILA C RECYCLE & DRAINAGE BILLED IN ERROR	2013-0013517	\$54.90
DIRECT CAPITAL CORPORATION DID NOT OWN 1/1/2013	2013-0014832	\$211.12
DRAPAL, MARTIN J QUALIFIED FOR VETERAN EXCLUSION	2013-0015532	\$242.35
EBORN, BENJAMIN LEE DID NOT OWN BOAT 1/1/2013	2013-0090524	\$79.60
GASKINS, FRANCES SENIOR EXCLUSION REMOVED IN ERROR	2013-0020342	243.38
GATES, GREGORY T DOUBLE BILLED – SEE ACCT 75480	2010-0019361	\$58.58
GATES, GREGORY T DOUBLE BILLED – SEE ACCT 75480	2011-0021399	\$53.63
GATES, GREGORY T DOUBLE BILLED – SEE ACCT 75480	2012-0021223	\$49.02
GOODING, JOHNNIE R, SR & WEST DID NOT OWN 1/1/2009	2009-0022326	\$609.81
GOODING, JOHNNIE R, SR & WEST DID NOT OWN 1/1/2010	2010-0020346	\$433.24
GOODING, JOHNNIE R, SR & WEST DID NOT OWN 1/1/2011	2011-0022557	\$384.62
GOODING, JOHNNIE R, SR & WEST DID NOT OWN 1/1/2012	2012-0022384	\$337.82

HOLLOWAY, ROBERT NOT IN BUSINESS 1/1/2011	2011-0090655	\$6.30
HOLLOWAY, ROBERT NOT IN BUSINESS 1/1/2012	2012-0090769	\$12.62
HOLMES, JERRY LEE MOVED FROM CRAVEN COUNTY IN 2012	2013-0092218	\$170.74
JOHNSTON, JONATHAN M & DEEANNA DRAINAGE BILLED IN ERROR	2013-0029283	\$5.00
JONES, CLARENCE P DWELLING BURNED 7/28/12	2013-0090700	\$241.44
LATHAM, ETHEL B FORECLOSURE – LIEN EXTINGUISHED	2004-0030336	\$15.10
LATHAM, ETHEL B FORECLOSURE – LIEN EXTINGUISHED	2005-0031345	\$14.60
LATHAM, ETHEL B FORECLOSURE – LIEN EXTINGUISHED	2006-0031736	\$14.11
LATHAM, ETHEL B FORECLOSURE – LIEN EXTINGUISHED	2007-0032630	\$14.23
LATHAM, ETHEL B FORECLOSURE – LIEN EXTINGUISHED	2009-0033232	\$26.97
LATHAM, ETHEL B FORECLOSURE – LIEN EXTINGUISHED	2010-0030280	\$41.45
LATHAM, ETHEL B FORECLOSURE – LIEN EXTINGUISHED	2011-0033632	\$38.86
LATHAM, ETHEL B FORECLOSURE – LIEN EXTINGUISHED	2012-0033513	\$36.21
LATHAM, ETHEL B FORECLOSURE – LIEN EXTINGUISHED	2013-0032292	\$24.40
LATHER, RONALD M BILLED IN INCORRECT SITUS – TO REBILL	2013-0032300	\$28.96
MAYBERRY, OID C PER MARINA BOAT LEFT IN 2011	2012-0037173	\$47.62
MOBILE MINI INC CHARGED LATE FEE IN ERROR	2013-0090854	\$5.56
MOBILE MINI INC CHARGED LATE FEE IN ERROR	2013-0090856	\$.99
MOBILE MINI INC CHARGED LATE FEE IN ERROR	2013-0090857	\$1.21
MOFFITT, JOHN T JR BOAT NOT TAXABLE TO CRAVEN COUNTY	2013-0038458	\$121.85
NUCO2 SUPPLY LLC LATE PENALTY CHARGED IN ERROR	2013-0090963	\$1.60

NUCO2 SUPPLY LLC LATE FEE CHARGED IN ERROR	2013-0090962	\$10.18
NUCO2 SUPPLY LLC LATE LISTING FEE CHARGED IN ERROR	2013-0090961	\$7.11
PATRICIA R ROBBINS LCP LPA PLL NOT IN BUSINESS 1/1/2012	2013-0042783	\$78.89
RUSSELL, JOSEPH ADAM MILITARY EXEMPTION	2013-0047852	\$43.30
SIMONEAUX, RAMON J NOT IN BUSINESS 1/1/2013	2013-0091655	\$13.81
SINCLAIR, MAYNARD LEE JR RELEASED TO ONSLOW COUNTY	2012-0052241	\$90.24
STEVENS, TINA DID NOT OWN 1/1/2012	2012-0054360	\$169.34
WHITE, GRACE B CORRECTED VALUATION ERROR	2013-0058972	\$145.54
WOOD, BILLY J & NANCY L DWELLING VACANT SINCE 2009	2013-0061080	\$36.00
ZAMORA, ENRIQUE DOUBLE BILLED – SEE ACCT 93137	2010-0058169	\$81.50
ZAMORA, ENRIQUE DOUBLE BILLED – SEE ACCT 93137	2011-0064653	\$79.64
ZAMORA, ENRIQUE DOUBLE BILLED – SEE ACCT 93137	2012-0064589	\$71.15
	49 – CREDIT MEMO (S)	\$8,409.67
<b><i>Refunds</i></b>		
EBORN, BENJAMIN LEE DID NOT OWN 1/1/2010	2010-0015442	\$27.46
EBORN, BENJAMIN LEE DID NOT OWN 1/1/2011	2011-0017012	\$26.33
EBORN, BENJAMIN LEE DID NOT OWN 1/1/2012	2012-0016860	\$79.04
HARRIS CORPORATION – GCSD LOCATED ON BASE CHERRY POINT	2009-0024894	\$135.76
HARRIS CORPORATION – GCSD LOCATED ON BASE CHERRY POINT	2010-0022721	\$84.64
HARRIS CORPORATION – GCSD LOCATED ON BASE CHERRY POINT	2011-0025164	\$47.81
HARRIS CORPORATION – GCSD LOCATED ON BASE CHERRY POINT	2012-0025022	\$43.37

PHILLIPS, LINDA ANN DOUBLE BILLED – SEE ACCT 83727	2013-0043598	\$36.00
SANDERSON, DELBERT JR DOUBLE BILLED SEE ACCT 25522	2012-0091487	\$580.11
	9 – REFUND (S)	\$1,060.52

**DEPARTMENTAL MATTERS: PLANNING**

*FY12 CDBG Infrastructure Program*

The following guidelines, plans and policies were presented for formal adoption in order to move forward with the FY12 CDBG Infrastructure Program:

1. Citizen Participation Plan
2. Residential Anti-displacement and Relocation Assistance Plan
3. Local Economic Benefit for LMI Persons (Section 3) Plan
4. Equal Employment and Procurement Policy
5. Policy Concerning Code of Conduct
6. Fair Housing Policy
7. Section 519 Policy (Prohibiting Use of Excessive Force)
8. Designation of Labor Standards Enforcement Officer

These are the standard guidelines, plans and policies that are required to be adopted for each individual CDBG program.

Reed Whitesell of Holland Consulting Planners stated that there is a \$60,000 commitment from New Bern, and there is no housing assistance component to this project. The City is using its own force contract for the infrastructure work, based on an estimate that has been obtained from the market.

Commissioner Sampson moved to approve the FY12 CDBG Infrastructure Program Guidelines, Plans and Policies, seconded by Commissioner McCabe and unanimously carried.

Mr. Whitesell gave an update on the Scattered Site Program, stating that three contingencies have been put into place to address some of the Board’s concerns, as follows:

1. Required homeowner training
2. Required homeowner employment
3. Required homeowner financial commitment, based on a sliding scale.

Commissioner Sampson stated that he is not in favor of the contingencies that have been placed on the current Scattered Site project, because they eliminate some citizens who may legitimately be in dire need.

*Subdivisions for Approval*

The Planning Board recommended the following subdivisions for the Board’s approval:

The Gardens at Swift Creek Plantation Ph. 1 – Final: The property, owned by Swift Creek Plantation, LLC and surveyed by Herbert J. Nobles, Jr. and engineered by Thomas Engineering, P.A., is located within Twp. 1, off of Streets Ferry Road (SR1440); Parcel ID 1-046-054. The subdivision contains 9 lots on 3.89 acres and is proposed to be served by County water and individual septic systems.

James & Eloise Collins – Final: The property, owned by James & Eloise Collins and surveyed by Robert H. Davis, PLS, is located within Twp. 2 off of Wildlife Road (SR 1431); Parcel ID 2-040-169. The subdivision contains 1 lot on 1.415 acres and is proposed to be served by First Craven water and an existing septic system.

Jennifer H. Prescott – Final: The property, owned by Hazel Hawkins and surveyed by Matthews Surveying PLLC, is located within Twp. 3 off of White Ave. (SR 1240); Parcel ID 3-035-044. The subdivision contains 1 lot on 2.70 acres and is proposed to be served by County water and an existing septic system.

McCoy Estate – Final: The property, owned by Roy D. McCoy and surveyed by Brad L. Suitt & Assoc. P.A., is located within Twp. 3 off of Up Creek Road (SR 1239); Parcel ID 3-044-086. The subdivision contains 1 lot on 0.50 acre and is proposed to be serviced by County water and an existing septic system.

Commissioner Mark moved to approve the subdivisions, as recommended, seconded by Commissioner Sampson and unanimously carried.

### **DEPARTMENTAL MATTERS: FACILITIES – REVIEW OF FARMLAND LEASE PROPOSALS**

Gene Hodges, Assistant County Manager for Facilities and Operations, advised the Board that Craven County owns approximately 150 acres of land that is leased as farmland for crop production. This acreage is comprised of undeveloped land in the Industrial Park, and land adjacent to the Cove City Park. Proposals were solicited and seven were submitted. The criteria for the proposals were: price per acre, intended crop use, past production history, and detailed maintenance plan for the farmland. The Craven County Agricultural Advisory Board was asked to review the proposals and provide a ranking of the proposals, which was incorporated into the review. When all the proposals were evaluated and ranked, two proposals were tied for first. Using the higher price per acre as the breaker, Mitchell Farms from Cove City submitted the highest ranked proposal at a lease rate of \$85/acre per year for a 3-year lease. The proposed usage is for soybeans, corn and wheat. Commissioner Mark moved to direct staff to move forward with advertising the public notice of intent to enter into a farmland lease agreement and place it on the November 18 agenda for the Board's approval, seconded by Commissioner Taylor and unanimously carried.

### **APPOINTMENTS**

#### *Firemen's Relief Fund Board of Trustees*

Commissioner Allen moved to appoint Donald Rottmann to replace Ralph Roeland on the Firemen's Relief Fund Board of Trustees, representing Twp. 6. Commissioner Mark seconded the motion, which carried unanimously.

#### *Nursing Home Advisory Committee*

It was the consensus of the Board that this appointment be deferred.

#### *Regional Aging Advisory Committee*

It was the consensus of the Board that this appointment be deferred and the Chairman suggested requesting assistance from the Craven Aging Planning Board for a recommendation.

#### *Juvenile Crime Prevention Council*

Commissioner Taylor nominated Carlton Metts, Tracy Monk, Catherine Hardison and James Anderson for appointment to the JCPC. There being no additional nominees, Mr. Metts, Ms. Monk, Ms. Hardison and Mr. Anderson were appointed by acclamation. The applications of Wendy Paschal and Jennifer Dacey will be held until the next vacancies are considered.

#### *Jury Commission*

Commissioner Allen nominated James A. Muse, Sr. for appointment to the Jury Commission, to replace George Griffin. There being no additional nominees, Mr. Muse was appointed by acclamation.

*Upcoming Appointments*

The Board was apprised of the following upcoming appointments on boards and committees:

**November** - None

**December**

- Health
- Firemen's Relief Fund
- JCPC
- Havelock Library

**January** – None

**COUNTY ATTORNEY'S REPORT***Final Approval – Offer to Purchase Real Property – 705 Scott Street (Parcel No. 7-005-055)*

County Attorney, Jim Hicks, presented a previously received tentative offer to acquire property located at 705 Scott Street from Mr. Craig Rodney Allen for the sum of \$500. The Board accepted the tentative offer and it was advertised for upset bids. No bids were received.

*Final Approval – Offer to Purchase Real Property – 311 James Street (Parcel No. 7-006-183)*

Mr. Hicks presented a previously received tentative offer to acquire property located at 311 James Street from Mr. Craig Rodney Allen for the sum of \$2,000. The Board accepted the tentative offer and it was advertised for upset bids. No bids were received.

*Final Approval – Offer to Purchase Real Property – Elder Street (Parcel No. 7-006-258)*

Mr. Hicks presented a previously received tentative offer to acquire property located on Elder Street from Mr. Craig Rodney Allen for the sum of \$3,000. The Board accepted the tentative offer and it was advertised for upset bids. No bids were received.

Commissioner Mark moved to accept all three (3) final offers, seconded by Commissioner McCabe and unanimously carried.

*Update on Lawsuit of Sirsi v. Library*

Mr. Hicks stated that the deadline for appeal by Sirsi was late last week and they did not file; therefore, the case is now finished.

**COMMISSIONERS' REPORTS**

*Commissioner McCabe* announced that he was sworn in as an at-large member of the NCACC Board of Directors on November 1. He thanked County Commissioners and staff who attended the reception and dinner on that date.

*Commissioner Sampson* congratulated Commissioner McCabe and expressed confidence that he will do a good job representing the citizens of Craven County on the NCACC Board. He commented on gas prices decreasing for regular gas, but not premium grades. He stressed the need for people to help each other during times of high unemployment. He expressed condolences to the family of Walt Bellamy on his passing and announced that Mrs. Sampson portrayed her ancestral relative, Mary Starky, in the recent Ghost Walk.

*Commissioner Allen* congratulated Commissioner McCabe. He stated that all counties and municipalities exist at the pleasure of the state legislature and that NCACC has five lobbyists looking out for counties. He commented on a letter he received from the Governor asking him to serve on the Child Crime Prevention Council. He expressed that he would like to serve, but he is currently serving on the Healthy Carolinians and the N.C. Health Department Accreditation Board.

*Commissioner Taylor* congratulated Commissioner McCabe. He reminded citizens that local voting is November 5. On behalf of the Cove City Library Board he expressed appreciation to Jim Hicks in regards to the Sirsi lawsuit. He announced an upcoming blood drive at Greenbrier and stated that on November 14, he and Commissioner Mark will be attending a 4-H Achievement Banquet. He stated that on Friday, November 8, he will be going with Timothy Downs and Lane Mills on a tour of western Craven County (Dover & Cove City) and meeting with those Mayors regarding economic development.

*Commissioner Mark* announced the success of Bridgeton Riverfest and stated that on November 2, he and Commissioner Taylor attended City Farm Day and read the County's proclamation. He congratulated Commissioner McCabe on his appointment to the NCACC Board.

*Chairman Dacey* thanked those who attended his town hall meeting in October. He suggested that Commissioners use their allotted time during Commissioners' reports to talk more about committees they serve on as liaisons. He commented on criticism received concerning the adequacy of notice for the October 21 work session, notwithstanding that the County Manager specified the topics at the previous meeting, and notwithstanding his reporting on radio and television, and notwithstanding that there is usually not a great deal of detail available in advance. He acknowledged that there is room for improvement; however, citizens must take some responsibility for paying attention to information that has already been placed at the disposal of the public.

At 8:20 p.m. Commissioner Mark moved to adjourn, seconded by Commissioner Sampson and unanimously carried.

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Chairman Scott C. Dacey  
Craven County Board of Commissioners

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Gwendolyn M. Bryan  
Clerk to the Board