

**AGENDA
CRAVEN COUNTY BOARD OF COMMISSIONERS
REGULAR SESSION
TUESDAY, SEPTEMBER 3, 2013
7:00 P.M.**

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVE AGENDA

APPROVE MINUTES OF AUGUST 19, 2013 REGULAR SESSION

1. PETITIONS OF CITIZENS
 - A. Raynor James
 - B. Ray Griffin
2. ABC BOARD PRESENTATION: Charles Collins, Chairman; Donna Rouse, Director
3. RECOGNITIONS
 - A. Chairman's Privilege
 - B. Military Family of the Quarter
4. RESOLUTION EXPRESSING GRATITUDE AND APPRECIATION TO U.S. ARMED FORCES

DEPARTMENTAL MATTERS

5. TAX – RELEASES: Ronnie Antry, Tax Administrator
6. DSS – BUDGET AMENDMENT: Alfreda Stout, Assistant Social Services Director
7. CARTS – PUBLIC HEARING REQUEST: Terry Jordan, CARTS Director
8. ECONOMIC DEVELOPMENT – PUBLIC HEARING REQUEST: Timothy Downs, Economic Development Director
9. PLANNING – SUBDIVISIONS FOR APPROVAL: Don Baumgardner, Planning Director
10. WATER – REVOLVING LOAN FUND APPLICATION: Rick Hemphill, Assistant County Manager, Finance/Administration

11. FINANCE – BUDGET AMENDMENTS: Rick Hemphill, Assistant County Manager, Finance/Administration
12. APPOINTMENTS
 - A. Pending
 - B. Current
 - C. Upcoming
13. COUNTY ATTORNEY'S REPORT: Jim Hicks
14. COUNTY MANAGER'S REPORT: Jack Veit
15. COMMISSIONERS' REPORTS

Agenda Date: September 3, 2013

Presenters: Raynor James, Ray Griffin

Agenda Item No. 1

Board Action Required: No

PETITIONS OF CITIZENS

A. RAYNOR JAMES

Ms. James will address the Board concerning Extraterritorial Jurisdiction.

B. RAY GRIFFIN

Mr. Griffin wishes to speak about government issues.

Board Action: Receive information

Agenda Date: September 3, 2013

Presenters: Charles Collins, Donna Rouse

Agenda Item No. 2

Board Action Required: No

ABC BOARD PRESENTATION

Representatives of the ABC Board wish to make a check presentation to the County.

Board Action: Receive Information

Agenda Date: September 3, 2013

Presenter: _____

Agenda Item No. 3

Board Action Required: Yes

RECOGNITIONS

- A. CHAIRMAN'S PRIVILEGE
- B. MILITARY FAMILY OF THE QUARTER

The Board received a request to adopt a resolution, shown as Attachment #3, honoring the family of First Lieutenant Richard Salchow, as Military Family of the Quarter. A recognition luncheon will be held on Thursday September 12 at noon at the New Bern Golf and Country Club. A Commissioner is requested to attend to present the resolution.

Board Action: Consider adopting resolution and designate a Commissioner to attend the luncheon.

Agenda Date: September 3, 2013

Presenter: _____

Agenda Item No. 4

Board Action Required: Yes

**RESOLUTION EXPRESSING GRATITUDE AND APPRECIATION
TO U.S. ARMED FORCES**

The Highway 70 Corridor Commission has requested that the Board adopt the resolution appearing as Attachment #4.

Board Action: Consider resolution for adoption.

Agenda Date: September 3, 2013

Presenter: Ronnie Antry

Agenda Item No. 5

Board Action Required: Yes

DEPARTMENTAL MATTERS: TAX RELEASES

Craven County Tax Administrator, Ronnie Antry, will present the routine requests for tax releases and refunds contained in Attachment #5 for the Board's approval.

Board Action: A roll call vote is needed to approve tax releases.

Agenda Date: September 3, 2013

Presenter: Alfreda Stout

Agenda Item No. 6

Board Action Required: Yes

DEPARTMENTAL MATTERS: DSS BUDGET AMENDMENT

Attachment #6 is a budget amendment and supporting documentation for funding received from Duke Energy for Duke Energy Progress customers.

Board Action: A roll call vote is needed to approve budget amendment.

Agenda Date: September 3, 2013

Presenter: Terry Jordan

Agenda Item No. 7

Board Action Required: Yes

DEPARTMENTAL MATTERS: CARTS PUBLIC HEARING REQUEST

As a NCDOT requirement all applicants receiving ROAP (Rural Operating Assistance Program) funding, transit systems must allow for public comment/input on the submitted application. In order to comply with this requirement Craven County/CARTS is requesting to set a Public Hearing to be held on Monday, September 16th, 2013 at 8:30 a.m. at the Craven County Commissioner meeting. The Public Hearing notice will be advertised to the general public at a minimum seven days prior to the meeting.

The FY 2014 ROAP funding will be utilized in provision of services through CARTS to the residents of Craven County. The grant includes funding for the: EDTAP (Elderly and Disabled Transportation Assistance Program), EMPL (Employment Program) and RGP (Rural General Public) transportation services.

Board Action: Set public hearing for September 16, 2013.

Agenda Date: September 3, 2013

Presenter: Timothy Downs

Agenda Item No. 8

Board Action Required: Yes

**DEPARTMENTAL MATTERS: ECONOMIC DEVELOPMENT PUBLIC HEARING
REQUEST**

Per the requirements of General Statutes 158-7.1, we are requesting that the Board of Commissioners set a public hearing related to the sale of real property in the industrial park to American Eagle Manufacturing for the purpose of industrial expansion and job creation. We request that the public hearing be held at the next Board of Commissioners' meeting on September 16, 2013 at 8:30 a.m. (See Attachment #8)

Board Action: Set the Public Hearing for September 16, 2013.

Agenda Date: September 3, 2013

Presenter: Don Baumgardner

Agenda Item No. 9

Board Action Required: Yes

DEPARTMENTAL MATTERS: PLANNING – SUBDIVISIONS FOR APPROVAL

Craven County Planning Director, Don Baumgardner, will present the following subdivisions, which are recommended by the Planning Board for the Board's final approval.

Mary Helen Jones Division Ph. 1 - Final

Property is owned by Mary Helen Jones and surveyed by Herbert J. Nobles, Jr.
Property is located within Twp 7 off of Brices Creek Rd. (SR 1004)
Parcel ID 7-103-043
Subdivision contains 1 lot on .91 acres
Lot proposed to be served by County water and an existing individual septic system

Hughes Family Farm Ph. 2 – Final

Property is owned by Donald and Becky Hughes and surveyed by Kendall Gaskins
Property is located within Twp 1 off of Cow Pen Landing Rd. (SR 1441)
Parcel ID 1-048-043
Subdivision contains 1 lot on 3.22 acres
Lot proposed to be served by County water and an individual septic system

John & Linda Thurston - Final

Property is owned by William and Stanley Sutton and surveyed by Kendall Gaskins
Property is located within Twp 1 off River Rd. (SR 1400)
Parcel ID 1-057-034
Subdivision contains 1 lot on 2.48 acres
Lot proposed to be served by County water and an individual septic system

Craven County Industrial Park Lot 30 Division – Final

Property is owned by Craven County and surveyed by Robert M. Chiles, P.E.
Property is located within Twp 8 off Corporate Ln. (SR 1371)
Parcel ID 8-217-5004
Division contains 2 lots on 8.06 acres
Lots proposed to be served by City water and sewer.

Board Action: A vote to approve the subdivisions is needed.

Agenda Date: September 3, 2013

Presenter: Rick Hemphill

Agenda Item No. 10

Board Action Required: Yes

DEPARTMENTAL MATTERS: WATER – REVOLVING LOAN FUND APPLICATION

Attachment #10 is a resolution and a certification form regarding submitting an application to the State for the revolving loan relating to the water treatment plant construction. It is the same resolution passed in 2010 by the previous Board. The application deadline is 9/30/13.

Board Action: Consider resolution for approval.

Agenda Date: September 3, 2013

Presenter: Rick Hemphill

Agenda Item No. 11

Board Action Required: Yes

DEPARTMENTAL MATTERS: FINANCE BUDGET AMENDMENTS

Assistant County Manager, Finance/Administration, Rick Hemphill, will present the following budget amendments for the Board's approval.

Amendments: Volunteer Fire Depts/Water Dept – Need to budget and transfer a total of \$40,500 FEMA funds to Fire depts and Water dept that sustained damage from Hurricane Irene. Little Swift Creek will receive \$4,397, Ft. Barnwell \$1,396, Twp #5 \$7,901, Twp #9 \$4,596 and Water \$21,760.

Volunteer Fire Depts – Need to budget \$ 2,340 in additional fire dept funds to cover shortages in Volunteer Fire Departments' workers compensation lines. VFIS invoice dated 08/14/13 is for \$ 72,247.50.

Convention Center – Original budget included the appropriation of \$15,963 from Tourism Development Authority Board (FD 801) to Convention Center for Advertising/Marketing of Craven County through Outdoor Advertising Campaign. While this was budgeted in the TDA Fund for FY'14, the receipt and expenditure through the Convention Center was not. Need to budget that receipt and expenditure in the Convention Center at this time.

Convention Center – Appropriation of an additional \$15,037 was made from Tourism Development Authority Board (FD 801) to Convention Center. Need to budget these additional funds for Advertising/Marketing of Craven County through Outdoor Advertising Campaign.

Board Action: A roll call vote is needed to approve budget amendments.

Agenda Date: September 3, 2013

Presenter: _____

Agenda Item No. 12

Board Action Required: Yes

APPOINTMENTS

- A. PENDING
- B. CURRENT
- C. UPCOMING

Board Action: If the intent is to make appointments effective immediately, a motion to waive the one meeting waiting requirement would be in order.

A. PENDING APPOINTMENT(S):

FIREMEN'S RELIEF FUND BOARD OF TRUSTEES

AUTHORIZATION: NCGS 58-84-30

MISSION/FUNCTION: To safeguard firefighters in active service and dependent members of their families from financial loss resulting from sickness, injury or loss of life suffered while in performance of his or her duties as a firefighter.

NUMBER OF MEMBERS:
5 per department

TYPE:
2 appointed by Board of Commissioners; 2 appointed by the department; 1 appointed by Commissioner of Insurance

QUALIFICATIONS (Special Skills, Professional Classifications, Affiliations, Limitations, etc.):

LENGTH OF TERMS: 2 Years

MEETING SCHEDULE: As necessary

COMPENSATION: No Yes Specify: _____

Term(s) ending: Ralph Roeland - #6 (Initial Appointment 1999)

No applications on file

NURSING HOME ADVISORY COMMITTEE

AUTHORIZATION: N.C.G.S.131E-115

MISSION/FUNCTION: Work to maintain the intent of the Nursing Home Patients Bill of Rights within the licensed homes in the County; to promote community involvement and cooperation with domiciliary homes to ensure quality care for the elderly.

NUMBER OF MEMBERS:
7-12

TYPE:
Dictacted by the number of homes in the county; homes have right to recommend 25% of appointees

QUALIFICATIONS (Special Skills, Professional Classifications, Affiliations, Limitations, etc.):

Cannot be employed by or have a relative in an adult care home.

LENGTH OF TERMS: 3 Years

MEETING SCHEDULE: Quarterly, beginning in March, third Wednesday, 10:00 a.m.

COMPENSATION: No Yes

Term(s) Ending: Rachelle Martin (Initial appointment 2010)
(No longer serving and needs to be replaced.)

No applications on file.

REGIONAL AGING ADVISORY COMMITTEE

AUTHORIZATION: _____

MISSION/FUNCTION: The committee advocates on behalf of the senior population of COG Region P, and as advocates for seniors in their respective counties. It reviews and comments on laws, policies, actions and programs that affect older adults.

NUMBER OF MEMBERS:

27

TYPE:

3 Representatives of each county in Region P

QUALIFICATIONS (Special Skills, Professional Classifications, Affiliations, Limitations, etc.):

Interest in issues affecting the senior population; older adults who are participants in aging services, representatives of older adults, older minority individuals, nutrition project representatives, general public, local elected officials

LENGTH OF TERMS: 3 Years

MEETING SCHEDULE: First Monday of January, April, July and October, 10:00 a.m.

COMPENSATION: No Yes Specify: _____

Term(s) ending: Gertha Williams (Deceased)

No applications on file.

B. CURRENT APPOINTMENTS

EMS (Emergency Medical Services) ADVISORY COUNCIL

AUTHORIZATION: Bylaws

MISSION/FUNCTION: Develops and recommends for approval by the Board of Commissioners standards of care, procedures and actions which will maintain and improve the quality of emergency Medical Services for the residents of Craven County.

NUMBER OF MEMBERS:
28

TYPE:
County Manager (or representative), County Emergency Services Director, Representative from each Craven County Emergency Medical Services Provider, representative from each authorized First Responder Provider, hospital president (or designee), Craven County Medical Director, physician nominated by Craven County Medical Society, representative from Craven County Communications, representative from Craven County Firemen's Association, hospital Emergency Room Supervisor, citizen (non-provider affiliated), Community College Dean of Continuing Education, representative nominated by Craven County Law Enforcement Association, representative from naval hospital aboard MCAS Cherry Point, ad hoc members (ECCOG EMS Director, OEMS Regional Coordinator, American Red Cross Director

QUALIFICATIONS (Special Skills, Professional Classifications, Affiliations, Limitations, etc.):

(See above)

LENGTH OF TERMS: 2 Years

MEETING SCHEDULE: Bi-monthly

COMPENSATION: No Yes Specify: _____

Term ending: Richard Crumbacher (Being replaced)

Application on file: Crystal Tew (Attachment # 12.B.)

JUVENILE CRIME PREVENTION COUNCIL (JCPC)

AUTHORIZATION: N.C.G.S. 147-33.66

MISSION/FUNCTION: To assess the needs of juveniles in the community, evaluate the adequacy of resources available and develop or propose ways to address unmet needs.

NUMBER OF MEMBERS:
25 (maximum)

TYPE:
From among the following categories, or in some instances, the designees of the specified position: school superintendent, chief of police, sheriff, district attorney, chief court counselor, area mental health director, social services director, county manager, substance abuse professional, member of faith community, county commissioner, person under the age of 21, juvenile defense attorney, chief district court judge, member of the business community, local health director, non-profit representative, parks and recreation representative, up to seven additional members appointed by the Board of Commissioners

QUALIFICATIONS (Special Skills, Professional Classifications, Affiliations, Limitations, etc.):

LENGTH OF TERMS: 2 Years

MEETING SCHEDULE: 2nd Monday of the month 12:30 p.m.

COMPENSATION: No Yes Specify: _____

Terms ending:

Scott Harrelson (Craven County Health Department)
Lillie Hayes (Deceased)
Robert Keeter (Initial Appointment 2006)
Jennifer Knight (initial appointment 2001)
Tony Lee (initial appointment 2011)
Mary Mallard (initial appointment 2006)
Carol Mattocks (initial appointment 2001)
Rudy Riggs (Sheriff's Department designee)
Eddie Games (County Manager's designee)
Jackie Smith (District Attorney's designee)
Clint Rowe (assumed Cheryl Spencer unexpired term)
Kim Best (Craven County DSS))
Nancy Wells (ECBH)
Alvin Burney (Deceased)

No applications on file

C. UPCOMING APPOINTMENTS

October

Firemen's Relief Fund

Anthony Elliott, Twp. 6 (initial appointment 2011)

Industrial Facilities Pollution
Control Financing Authority

Gary Essex (initial appointment 2001)

Agenda Date: September 3, 2013

Presenter: Jim Hicks

Agenda Item No. 13

Board Action Required: Yes

COUNTY ATTORNEY'S REPORT

A. Offer to Purchase Real Property - 4296 River Road (#1-048-14003).

The County has received an offer from Lester Fornes in the amount of \$2,100.00 for this property, which was acquired through a tax foreclosure on May 6, 2013. The total taxes and costs that were foreclosed on were \$2,145.35. The tax value is \$26,000; and the property does not have public access frontage. Attachment #13.A contains a copy of the offer to purchase, deed, tax card, and GIS information.

Mr. Fornes was the owner of the property at the time of foreclosure. He indicates that he did not know about the foreclosure action until after its conclusion; however, he was served with the complaint by certified mail (which was signed), and was sent numerous additional pleadings and notices to his correct address.

Should the Board accept this offer, then the property will then be advertised for upset bids in accordance with General Statutes. Once no further upset bids are timely received, the County may accept or reject the final offer.

B. Offer to Purchase Real Property - Off of Ferry Road (#5-003-091).

The County previously received an offer from John and Patricia DeStefano in the amount of \$2,500.00 for this property, which was acquired through a tax foreclosure in 2005. At the time of the foreclosure, the total of the County's taxes and costs were \$1,242.67. The offer was tentatively accepted by the Board on July 1, 2013, and the offer was advertised for upset bids; no upset bids were received.

Board Action: Consider acceptance of offers

Agenda Date: September 3, 2013

Presenter: Jack Veit

Agenda Item No. 14

COUNTY MANAGER'S REPORT

County Manager, Jack Veit, will update the Board on the status of the County's redistricting plan. (See Attachment #14)

Agenda Date: September 3, 2013

Presenter: _____

Agenda Item No. 15

COMMISSIONERS' REPORTS

**RESOLUTION
RECOGNIZING THE FAMILY
OF FIRST LIEUTENANT RICHARD SALCHOW
AS MILITARY FAMILY OF THE QUARTER**

WHEREAS, First Lieutenant Richard Salchow is an active duty Marine stationed on Marine Corps Air Station Cherry Point, NC, working with the 2nd Marine Aircraft Wing Marine Headquarters 2; and

WHEREAS, 1st Lt. Salchow completed his Logistics Officer Course in Jacksonville, NC, and was transferred to Marine Logistics Squadron 14, being designated as the S-4/Embarkation Officer; and

WHEREAS, in August of 2012, 1st Lt. Salchow was accepted as the Aide-de-camp for the Commanding General of 2nd Marine Aircraft Forward and deployed in support of Operation Enduring Freedom; however, a medical condition forced him to return to MCAS Cherry Point and he currently serves as the Aide-de-camp for Commanding General of the 2nd Marine Aircraft Wing; and

WHEREAS, he is an active member with the Knights of Columbus, Habitat for Humanity and St. Paul's Catholic Church, devoting many volunteer hours helping in fundraising events; and

WHEREAS, his personal awards include the Navy Achievement Medal; and

WHEREAS, 1st Lt. Salchow's wife, Colleen Salchow, also volunteers her counseling services for the Religious Catholic Services at St. Paul's Parish and works as a fourth grade teacher at St. Paul's Catholic School in New Bern; and

WHEREAS, the Salchow's have one son, Daniel Salchow.

NOW, THEREFORE, BE IT RESOLVED THAT THE CRAVEN COUNTY BOARD OF COMMISSIONERS, recognizes the family of First Lieutenant Richard Salchow for their strong dedication to the United States Marine Corps and their selfless contributions to their community and church, which have greatly enriched the lives of many.

BE IT FURTHER RESOLVED THAT THE CRAVEN COUNTY BOARD OF COMMISSIONERS congratulates them on being selected Military Family of the Quarter.

Adopted this 3rd day of September, 2013.

Chairman Scott C. Dacey
Craven County Board of Commissioners

Gwendolyn M. Bryan
Clerk to the Board

**RESOLUTION
EXPRESSING GRATITUDE AND APPRECIATION
TO THE UNITED STATES ARMED FORCES**

Whereas, eastern North Carolina is the home of six major Department of Defense (DOD)/Department of Homeland Security (DHS) installations: Coast Guard Station, Elizabeth City; Fort Bragg; Marine Corps Air Station Cherry Point; Marine Corps Air Station New River; Marine Corps Base Camp Lejeune; and Seymour Johnson Air Force Base, as well as the North Carolina National Guard and other DOD/DHS activities and organizations; and

Whereas, the United States military is the second largest sector of the State of North Carolina's economy, accounting for 8% of North Carolina's gross State product, worth \$23.4 billion, and more than 416,000 individuals are either directly employed by the military or working in jobs providing goods or services that support the military's presence in North Carolina; and

Whereas, defense procurement contracts in North Carolina exceeded \$4.1 billion in 2011, and businesses with defense-related contracts operate in 87 of North Carolina's 100 counties; and

Whereas, the continued long-term military presence in North Carolina is directly dependent on DOD/DHS's ability to operate not only its installations but also its training and other readiness functions critical to national defense; and

Whereas, it is therefore of paramount importance to the future of North Carolina to maintain the best possible relationship with all branches of the United States military and to promote practices that maintain North Carolina's preeminent position as the best location for military bases and training installations; and

Whereas, North Carolina has a vested economic interest in the preservation and enhancement of land uses that are compatible with military activities.

Now, therefore, be it resolved by the Craven County Board of Commissioners: The Craven County Board of Commissioners expresses its profound gratitude and support to the United States Armed Forces for their continued presence in eastern North Carolina and the positive impacts they have on our communities.

Adopted this 3rd day of September, 2013.

Scott C. Dacey, Chairman
Craven County Board of Commissioners

Gwendolyn M. Bryan, Clerk to the Board

CREDIT MEMOS SUBJECT TO BOARD APPROVAL ON 09/03/2013

TAXPAYER NAME	ACCT#/TICKET#	AMOUNT
ARBYS RESTAURANT GROUP INC CORRECTED VALUATION	0076097 2013-0001471	103.08
BANKS, HATTIE M FORECLOSURE-LIEN EXTINGUISHED	0023507 2013-0002680	47.92
BENJAMIN, WILLIAM FORECLOSURE-LIEN EXTINGUISHED	0036365 2013-0004259	503.00
BIZZELL, BETTIE RUTH FORECLOSURE-LIEN EXTINGUISHED	0600000 2013-0004843	244.76
BROOKS, DANIEL E FORECLOSURE-LIEN EXTINGUISHED	0019674 2013-0006764	61.43
CARTER, CLAUDIE FORECLOSURE-LIEN EXTINGUISHED	1211400 2013-0009311	149.18
CITIFINANCIAL SERVICES INC FORECLOSURE-LIEN EXTINGUISHED	0092988 2013-0010404	621.55
COUTE, SCOTT DOUGLAS DID NOT OWN 1/1/2010	0080883 2010-0011254	100.86
COUTE, SCOTT DOUGLAS DID NOT OWN 1/1/2011	0080883 2011-0012432	91.23
COUTE, SCOTT DOUGLAS DID NOT OWN 1/1/2012	0080883 2012-0012312	81.64
DILLAHUNT, MICHAEL HRS FORECLOSURE-LIEN EXTINGUISHED	1871550 2013-0014765	194.91
DURHAM, LILLIE FAYE ET AL FORECLOSURE-LIEN EXTINGUISHED	0014061 2013-0016121	890.15
ELLISON, PAUL FORECLOSURE-LIEN EXTINGUISHED	0088545 2013-0016971	59.10
FLOWERS, CLARENCE JASPER JR FORECLOSURE-LIEN EXTINGUISHED	0047469 2013-0018508	17.55

CREDIT MEMOS SUBJECT TO BOARD APPROVAL ON 09/03/2013

TAXPAYER NAME	ACCT#/TICKET#	AMOUNT
FORNES, LESTER E FORECLOSURE-LIEN EXTINGUISHED	0082347 2013-0018847	128.05
GARDNER, ALEXANDER B SR FORECLOSURE-LIEN EXTINGUISHED	2554700 2013-0019952	192.46
HARPER, LENORA DOUBLE BILLED/SEE ACCT 86884	0024897 2011-0091586	391.28
HARPER, LENORA DOUBLE BILLED/SEE ACCT 86884	0024897 2012-0024883	382.02
HARPER, LENORA DOUBLE BILLED/SEE ACCT 67451	0024897 2012-0091442	138.23
HATCH, EDNA FORECLOSURE-LIEN EXTINGUISHED	3240000 2013-0024656	26.33
HEADLEE, RODNEY BOAT NOT TAXABLE TO CRAVEN COUNTY	0094775 2012-0091649	1,289.62
JACKSON, MARY M FORECLOSURE-LIEN EXTINGUISHED	0024745 2013-0028323	30.45
JONES, CHARLES L & ORA B FORECLOSURE-LIEN EXTINGUISHED	3897175 2013-0029419	46.77
LITTLETON, BEN FORECLOSURE-LIEN EXTINGUISHED	0029302 2013-0033579	74.59
LOVETTE, WILLIE L HEIRS FORECLOSURE-LIEN EXTINGUISHED	0073579 2013-0033955	52.65
MILLER, CHARLILLIE HRS FORECLOSURE-LIEN EXTINGUISHED	0086037 2013-0037745	310.13
MOORE, DEBRA & CORBIN, SEAN FORECLOSURE-LIEN EXTINGUISHED	0012137 2013-0038759	46.07
NOLAN, MELINDA FORECLOSURE-LIEN EXTINGUISHED	0041261 2013-0041193	12.46

CREDIT MEMOS SUBJECT TO BOARD APPROVAL ON 09/03/2013

TAXPAYER NAME	ACCT#/TICKET#	AMOUNT
NORTH CAROLINA DEPARTMENT OF EXEMPT PROPERTY	5306280 2013-0041398	6.94
RHODES, CARROL J FORECLOSURE-LIEN EXTINGUISHED	6029100 2013-0046049	74.59
RHODES, HAYWOOD HRS FORECLOSURE-LIEN EXTINGUISHED	6031350 2013-0046060	67.93
SIMMONS, MORRIS & SUSIE FORECLOSURE-LIEN EXTINGUISHED	6535955 2013-0049949	50.36
SIMMONS, MORRIS & SUSIE FORECLOSURE-LIEN EXTINGUISHED	6535955 2013-0049947	74.59
SIMS, MARY & ALEXANDER J FORECLOSURE-LIEN EXTINGUISHED	6568500 2013-0050106	47.92
SPRUELL, HORACE LEE HEIRS FORECLOSURE-LIEN EXTINGUISHED	0093955 2013-0051568	300.66
SWINDELL, GEORGE & HELEN FORECLOSURE-LIEN EXTINGUISHED	7047103 2013-0053255	50.95
TAYLOR, FRANK M JR FORECLOSURE-LIEN EXTINGUISHED	0072860 2013-0053690	23.08
TAYLOR, FRANK M JR FORECLOSURE-LIEN EXTINGUISHED	0072860 2013-0053689	23.08
VAILES, MELISSA S FORECLOSURE-LIEN EXTINGUISHED	7421400 2013-0056277	269.59
VINES, WILLIAM H SR FORECLOSURE-LIEN EXTINGUISHED	7454700 2013-0056670	31.50
	40 -CREDIT MEMO(S)	7,308.66

REFUNDS SUBJECT TO BOARD APPROVAL ON 09/03/2013

TAXPAYER NAME	ACCT#/TICKET#	AMOUNT
	-REFUND(S)	.00

The Parties agree that this Memorandum is expressly contingent on the receipt of all regulatory approvals or waivers they deem necessary.

IN WITNESS WHEREOF, the Parties have reviewed and agree to the above guidelines of the Duke Energy Progress' North Carolina Merger Settlement Funds distribution program, and subscribe their names as of the day and year first written above:

Organization Name

please make any funds payable to the:

Craven County Department of Social Services

Address

P.O. Box 12039

New Bern, NC 28561

Telephone & Fax Number

(252) 636-4944 (F)(252) 636-4946

E-mail address for organization

Kimberly.morton@CravenCountyNC.gov

Printed Name and Title of Organization Official

X Kent G. Flowers, Jr. 7/29/13
Date

X [Signature] 7/29/13
Signature of Organization Official Date

Printed Name and Title of Duke Energy Progress Official

X _____ / / _____
Date

X _____ / / _____
Signature of Duke Energy Progress Official Date

- Electric bill payment assistance,
- Duke Energy deposit and establishment of service assistance,
- Energy equipment purchases (electric heating and cooling and other high energy use appliances such as refrigerators/freezers),
- Simple weatherization projects (caulking and weather stripping), and
- Budget counseling assistance for low-income customers of the Company through member agency guidelines and relationships.
- Vendor payments (for electric energy equipment installation/repair),
- Agency capacity and infrastructure (extending hours and staffing levels, computers, copiers, fax machines) necessary to support disbursement of these funds to continue existing or implement new programs, Educational materials (English and Spanish),
- Electric energy equipment for member agencies (electric heating and cooling and other high energy use appliances such as refrigerators/freezers),

Of the uses listed above, priority will be given to delinquent bills, deposits, and hookups. No more than seven percent (7%) of the Merger Funds shall be used for agency capacity and infrastructure and/or electric energy equipment for member agencies.

-  B. Disburse **\$76,149** of North Carolina Merger Settlement Funds between June 30, 2013, and June 30, 2016.
- C. Maintain accurate and detailed records of the distribution of the North Carolina Merger Settlement Funds, and make sure records are available for review by the Company for a minimum of four (4) years, following the agency's receipt of funds, up to seven (7) years.
- D. Provide the Company the right to review all records, at any time, pertaining to the distribution of such funds.
- E. With the period beginning June 30, 2013, on a quarterly basis and until the North Carolina Merger Settlement Funds are exhausted, or June 30, 2016, complete, retain and make available upon request, a "Quarterly/Annual Summary of Spending for North Carolina Merger Settlement Funds" form within thirty (30) days of the preceding quarter. The quarterly/annual summary form will state the total funds received, the number of North Carolina Duke Energy Progress customers assisted, and an itemization of the purpose of the funds disbursed (as identified in Item #1 above).
- F. On an annual basis and until the funds are exhausted, complete, retain and submit to the Company, a "Quarterly/Annual Summary of Spending for North Carolina Merger Settlement Funds" for the preceding year (July 1st through June 30th) by July 31st.



**MEMORANDUM OF UNDERSTANDING FOR THE DISTRIBUTION OF
NORTH CAROLINA MERGER SETTLEMENT FUNDS FROM DUKE ENERGY
PROGRESS, INC TO DEPARTMENT OF SOCIAL SERVICE AGENCY**

This Memorandum of Understanding ("Memorandum") is entered into as of July 29, 2013 by and between Duke Energy Progress, Inc (hereinafter referred to as "Duke Energy Progress" or the "Company") and Craven County Department of Social Services [X DEPARTMENT OF SOCIAL SERVICE AGENCY] (hereinafter referred to as "X Department of Social Service Agency") Duke Energy Progress and [X Department of Social Service Agency] are herein collectively referred to as "Parties" and individually as a "Party."

WHEREAS, the Parties share concerns for the Company's low-income customers who experience hardships brought about by increasing electric rates.

WHEREAS, pursuant to the Orders issued by the North Carolina Utilities Commission on June 29, 2012 in Docket Nos. E-7, Sub 986 and E-2, Sub 998 and on November 12, 2012, in Docket No. E-7, Sub 1017, Duke Energy Progress has committed to make a one-time contribution to agencies that provides energy assistance to low-income customers for uses such as those identified in Docket No. E-7, Sub 989.

WHEREAS, the Parties desire to form a collaborative partnership to assist with the energy costs of the Company's low-income customers.

WHEREAS, as a result of the foregoing, the Progress Energy Carolinas will:

1. Distribute a one-time **\$5,429,195** contribution ("North Carolina Merger Settlement Funds") to the North Carolina Community Foundation by June 29, 2013, using the allocation model of the number of Duke Energy Progress customers and unemployment rates in each county served, and which are to be used exclusively to provide assistance to the Company's North Carolina retail electric customers in managing their electricity consumption and paying their Duke Energy Progress electric bills; and
2. Reduce paperwork by providing a concise "Quarterly/Annual Summary of Spending for Distribution of North Carolina Merger Settlement Funds" form for use by the Department of Social Service agencies.

In recognition of the foregoing, the Department of Social Service agencies agree to participate in the distribution of the North Carolina Merger Settlement Funds, as follows:

- A. Utilize funds for the benefit of Duke Energy Progress' North Carolina low-income retail electric customers for:



Duke Energy Progress
3401 Hillsborough Street
Raleigh, NC 27607

July 17, 2013

TO: North Carolina Division of Social Service Agencies

FROM: Cindy Givens/Leslie Ann Jackson

SUBJECT: 2013-2016 Duke Energy Progress North Carolina Merger Settlement Funds

As you are aware, pursuant to the Orders issued by the North Carolina Utilities Commission on June 29, 2013, Duke Energy Progress has committed to make a one-time contribution of \$5,429,195 contribution to agencies, such as yours, to exclusively provide assistance to Duke Energy Progress' low-income customers.

Duke Energy Progress is pleased to partner with the North Carolina Community Foundation for the disbursement of the funds and the administration of this program. Please note that all documents you are asked to complete will be returned to Leslie Ann Jackson at the North Carolina Community Foundation. Leslie Ann's email address is lajackson@nccommunityfoundation.org.

Attached you will find the **Memorandum of Understanding** for the North Carolina Merger Settlement Funds. Please complete and return all pages to Leslie Ann Jackson at the North Carolina Community Foundation no later than **Friday, August 2, 2013**. Please remember that **no funds will be disbursed without a signed MOU returned to us.**

In addition to the MOU, you will find the annual summary report detailed by quarter regarding the distribution of funds. Your first report will be due no later than July 31st of each of the program years beginning in 2014. Also, a formatted spreadsheet is attached to allow you to track specific data related to the distribution of the merger settlement funds. This spreadsheet is for your records and will not be returned with the summary each year; however, all documents must be made available upon request.

Thank you for assisting Duke Energy Progress with the North Carolina Merger Settlement Funds. Should you have any questions, please contact Leslie Ann Jackson at lajackson@nccommunityfoundation.org or Cindy Givens at 513.287.2316 or cindy.givens@duke-energy.com.

Best,

A handwritten signature in brown ink that reads "Cindy Givens".

Cindy Givens

Attachments: Merger Settlement Funds Memorandum of Understanding
Quarterly/ Annual Summary of Spending
Quarterly Support Worksheet

Craven County



**Economic Development
Timothy Downs
Director**

To: Craven County Board of Commissioners
From: Timothy S. Downs, Economic Development Director
Date: August 28, 2013
Re: Craven County Industrial Park Property Conveyance

At the September 3, 2013 Commissioners' meeting, I will be requesting the Board to set a public hearing for September 16, 2013, pursuant to General Statutes 158-7.1, to discuss the conveyance of two tracts of land in the Craven County Industrial Park to American Eagle Manufacturing. The first tract is approximately 5 acres that is being purchased at \$20,000 per acre. The second tract is approximately 3 acres that is adjacent to the first tract and is being purchased at \$16,500 per acre. With the assistance of a Small Business and Entrepreneurial Assistance (SBEA) Grant, American Eagle will be building a new facility on the 5 acre tract and moving their operations from leased space at the airport to the new facility. American Eagle Manufacturing produces conveyor and screening products used in heavy industrial settings and sells these products worldwide. As a part of this project, American Eagle has agreed to create 10 new jobs related to this relocation. The 3 acre tract will be held by the company for possible future expansion.



RESOLUTION BY GOVERNING BODY OF APPLICANT

- WHEREAS, The Federal Safe Drinking Water Act Amendments of 1996 and the North Carolina Water Infrastructure Act of 2005 (NCGS 159G) have authorized the making of loans and grants to aid eligible units of government in financing the cost of construction of drinking water system improvements, and
- WHEREAS, The Board of Commissioners of Craven County has need for and intends to construct a drinking water system project described as water treatment plant, wells, and distribution system to replace the capacity lost as a result of the Capacity Use rules for the Black Creek Aquifer, and
- WHEREAS, The Board of Commissioners of Craven County intends to request state loan assistance for the project,

NOW THEREFORE BE IT RESOLVED, BY THE BOARD OF COMMISSIONERS OF CRAVEN COUNTY:

That Craven County, the **Applicant**, will arrange financing for all remaining costs of the project, if approved for a State loan award.

That the **Applicant** will adopt and place into effect on or before completion of the project a schedule of fees and charges and other available funds which will provide adequate funds for proper operation, maintenance, and administration of the system and the repayment of all principal and interest on the debt.

That the governing body of the **Applicant** agrees to include in the loan agreement a provision authorizing the State Treasurer, upon failure of Craven County to make scheduled repayment of the loan, to withhold from Craven County any State funds that would otherwise be distributed to the local government unit in an amount sufficient to pay all sums then due and payable to the State as a repayment of the loan.

That the **Applicant** will provide for efficient operation and maintenance of the project on completion of construction thereof.

That Jack Veit, Craven County Manager, the **Authorized Official**, and successors so titled, is hereby authorized to execute and file an application on behalf of the **Applicant** with the State of North Carolina for a loan to aid in the construction of the project described above.

That the **Authorized Official**, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project: to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

That the **Applicant** has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto.

Adopted this the 3rdth day of September, 2013 at New Bern, North Carolina.

Scott Dacey
Chairman, Board of Commissioners of Craven County



CERTIFICATION BY RECORDING OFFICER

The undersigned duly qualified and acting Clerk to the Board of the Craven County Board of Commissioners does hereby certify: That the above/attached resolution is a true and correct copy of the resolution authorizing the filing of an application with the State of North Carolina, as regularly adopted at a legally convened meeting of the Board of Commissioners of Craven County duly held on the 3rd day of September, 2013; and, further, that such resolution has been fully recorded in the journal of proceedings and records in my office. IN WITNESS WHEREOF, I have hereunto set my hand this ____ day of _____, 20__.

(Signature of Recording Officer)

(Title of Recording Officer)

Attachment #12.B.

Volunteer Board Information and Interest Sheet Craven County, North Carolina

Names of board, committee, authority, etc., in which you are interested. Please list in order of priority:

(Captain - Fort Barnwell Rescue Squad) - Representative to EMS Advisory Council

Name:	Crystal Tew	Home Phone:	252-526-2916**
Home Address:	247 Debbie Ave		
City:	Kinston, NC	Zip Code:	28504
Township:		City Limits:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Occupation:	EMT	Business Phone:	252-522-1209
Place of Employment:	Fort Barnwell Rescue Squad	Fax Number:	252-522-1211
E-Mail Address:	medichoward@hotmail.com		

(Please indicate your preferred contact number.)

Education

HS Graduate - South Lenoir High School 2004

Some College - Lenoir Community College, Wayne Community College

Continuing Education - Lenoir, Coastal, Craven, & Pamlico Community Colleges along with regional AHEC

Business and Civic Experience

Have worked in the field on a 911 truck for 7 years total between Craven and Onslow counties.

Areas of Expertise, Interest, Skills

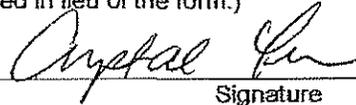
EMT-Paramedic. During my 7 years experience in the field I have developed a wide knowledge of the inner workings of an EMS agency to include things such as operations, budgeting, and supply along with my personal patient care experience.

Why do you want to serve?

I believe that I can bring a fresh motivation to the squad and help facilitate the transition of the BLS squad to ALS level.

(A resume may be attached to this form, but will not be accepted in lieu of the form.)

Date: 07/22/2013


Signature

The Craven County Board of Commissioners sincerely appreciates the interest of all citizens in serving their county. For more information on the responsibilities of various boards, you may view the on-line board descriptions or contact the County Clerk's Office at (252) 636-6601. RETURN FORM TO: CRAVEN COUNTY CLERK, 406 CRAVEN STREET, NEW BERN, NC 28560. The form may also be sent via e-mail (gbryan@cravencountync.gov) or fax: (252) 637-0526.

This form will remain active until two years after date received.

CRAVEN COUNTY

LESTER FORNES, as Buyer, hereby offers to purchase and CRAVEN COUNTY, as Seller, upon acceptance of said offer, agrees to sell and convey, all of that plot, piece or parcel of land described below (hereafter referred to as the "Property"), upon the following terms and conditions:

1. REAL PROPERTY: Located near the City of n/a, Craven County, North Carolina, being known as and more particularly described as:

Street Address: n/a
Subdivision Name: n/a
Tax Parcel ID No.: 1-048-14003
Plat Reference: n/a

Being all of that property more particularly described in Deed Book 3209, Page 0584 in the Craven County Registry.

2. PURCHASE PRICE: The purchase price is \$ 2100.00 and shall be paid as follows:

- (a) \$500.00 EARNEST MONEY DEPOSIT with this offer by [] cash [] bank check [X] certified check [] other: N/A to be held by Seller until the sale is closed...
(b) \$ 1600.00, BALANCE of the purchase price in cash or readily available funds at Closing.

3. CONDITIONS:

- (a) This contract is not subject to Buyer obtaining financing.
(b) The Property must be in substantially the same or better condition at Closing as on the date of this offer, reasonable wear and tear excepted.
(c) The Property is being sold subject to all liens and encumbrances of record, if any.
(d) Other than as provided herein, the Property is being conveyed "as is".
(e) This contract is subject to the provisions of G.S. §160A-269. Buyer acknowledges that this contract is subject to certain notice provisions and the rights in others to submit upset bids in accordance therewith.
(f) Title shall be delivered at Closing by QUITCLAIM DEED

4. SPECIAL ASSESSMENTS: Seller makes no warranty or representation as to any pending or confirmed governmental special assessments for sidewalk, paving, water, sewer, or other improvements on or adjoining the Property, or pending or confirmed owners' association special assessments. Buyer shall take title subject to all pending assessments, if any.

5. PRORATIONS AND ADJUSTMENTS: Unless otherwise provided, the following items shall be prorated and either adjusted between the parties or paid at Closing: (a) Ad valorem taxes on real property shall be prorated on a calendar year basis through the date of Closing; (b) All late listing penalties, if any, shall be paid by Seller; and (c) Rents, if any, for the Property shall be prorated through the date of Closing.

6. EXPENSES: Buyer shall be responsible for all costs with respect to any title search, title insurance, recording of the deed, its legal fees, and for preparation and recording of all instruments required to secure the balance of the purchase price unpaid at Closing. Seller shall pay for preparation of a deed and all other documents necessary to perform Seller's obligations under this agreement, and for any excise tax (revenue stamps) required by law.

7. EVIDENCE OF TITLE: Not Applicable.

8. LABOR AND MATERIAL: Seller shall furnish at Closing an affidavit and indemnification agreement in form satisfactory to Buyer showing that all labor and materials, if any, furnished to the Property within 120 days prior to the date of Closing have been paid for and agreeing to indemnify Buyer against all loss from any cause or claim arising therefrom.

9. CLOSING: Closing shall be defined as the date and time of recording of the deed. All parties agree to execute any and all documents and papers necessary in connection with Closing and transfer of title on or before October 31, 2013.

The deed is to be made to: LESTER FORNES, or assign(s).

CLOSING SHALL CONSTITUTE ACCEPTANCE OF THE PROPERTY IN ITS THEN EXISTING CONDITION.

10. POSSESSION: Unless otherwise provided herein, possession shall be delivered at Closing.

Buyer Initials [Handwritten initials] Seller Initials _____

11. PROPERTY INSPECTION, APPRAISAL, INVESTIGATION:

(a) This contract is not subject to inspection, appraisal or investigation, as the Property is being bought "as is". Seller makes no representation as to water, sewer, conditions, title, access, or fitness for any intended use.

(b) CLOSING SHALL CONSTITUTE ACCEPTANCE OF THE PROPERTY IN ITS THEN EXISTING CONDITION.

12. RIGHT OF ENTRY, RESTORATION AND INDEMNITY: Buyer and Buyer's agents and contractors shall not have the right to enter upon the Property for any purpose without advance written permission of the Seller. If such permission is given, Buyer will indemnify and hold Seller harmless from all loss, damage, claims, suits or costs, which shall arise out of any contract, agreement, or injury to any person or property as a result of any activities of Buyer and Buyer's agents and contractors relating to the Property. This indemnity shall survive this contract and any termination hereof.

13. OTHER PROVISIONS AND CONDITIONS: (ITEMIZE ALL ADDENDA TO THIS CONTRACT AND ATTACH HERETO.): None.

14. RISK OF LOSS: The risk of loss or damage by fire or other casualty prior to Closing shall be upon Seller.

15. ASSIGNMENTS: This contract may not be assigned without the written consent of all parties, but if assigned by agreement, then this contract shall be binding on the assignee and the assignee's heirs, successors or assigns (as the case may be).

16. PARTIES: This contract shall be binding upon and shall inure to the benefit of the parties, i.e., Buyer and Seller and their heirs, successors and assigns. As used herein, words in the singular include the plural and the masculine includes the feminine and neuter genders, as appropriate.

17. SURVIVAL: If any provision herein contained which by its nature and effect is required to be observed, kept or performed after the Closing, it shall survive the Closing and remain binding upon and for the benefit of the parties hereto until fully observed, kept or performed.

18. ENTIRE AGREEMENT: This contract contains the entire agreement of the parties and there are no representations, inducements or other provisions other than those expressed herein. All changes, additions or deletions hereto must be in writing and signed by all parties.

19. NOTICE AND EXECUTION: Any notice or communication to be given to a party herein may be given to the party or to such party's agent. This offer shall become a binding contract (the "Effective Date") when signed by both Buyer and Seller and such signing is communicated to the offering party. This contract is executed under seal in signed multiple originals, all of which together constitute one and the same instrument, with a signed original being retained by each party, and the parties adopt the word "SEAL" beside their signatures below.

BUYER:

SELLER

CRAVEN COUNTY

Lester E Fornes (SEAL)

Name: Lester Fornes

Date: 8-21-2013

By: _____ (SEAL)

Its: _____

Date: _____

PRINTED ON LINEMARK PAPER - HOLD TO LIGHT TO VIEW FOR ADDITIONAL SECURITY FEATURES SEE BACK.

0067488
Office AU #

11-24
1210(8)

CASHIER'S CHECK

[REDACTED]

Operator I.D.: u266507

u266507

August 21, 2013

PAY TO THE ORDER OF ***CRAVEN COUNTY***

Five hundred dollars and no cents

\$500.00

WELLS FARGO BANK, N.A.
3100 DR M L KING JR BLVD
NEW BERN, NC 28562
FOR INQUIRIES CALL (480) 394-3122

For: Lester Fornes Sr.

VOID IF OVER US \$ 500.00

Richard Levy
CONTROLLER

[REDACTED]

Security Features Included.  Details on Back.

Craven County Geographic Information System

Craven County does NOT warrant the information shown on this page and should be used ONLY for tax assessment purposes.

This report was created by Craven County GIS reporting services on 8/23/2013 11:01:29 AM

Parcel ID : 1-048 -14003
Owner : CRAVEN COUNTY
Mailing Address : 406 CRAVEN ST NEW BERN NC 28560
Property Address : 4296 RIVER RD
Description : SURVEY FOR LESTER FORNES
Lot Description :



Assessed Acreage : 2.600 **Calculated Acreage:** 2.600
Deed Reference : 3209-0584 **Recorded Date :** 7 2 2013

Recorded Survey :

Estate Number :

Land Value : \$26,000 **Tax Exempt :** Yes
Improvement Value : \$0 **# of Improvements :** 0
Total Value : \$26,000

City Name : **Fire tax District :** TOWNSHIP 1
Drainage District : **Special District :**

Land use : RES - PERSONAL PROP MFG HOME

Recent Sales Information

SALE DATE	Sellers Name	Buyers Name	Sale Type	Sale Price
7/2/2013	FORNES, LESTER E	CRAVEN COUNTY	STRAIGHT TRANSFER	\$2,500
12/10/2009	FORNES, LINWOOD EARL & LENNIE E	FORNES, LESTER E	PROPERTY SPLIT	\$0

List of Improvements to Site

No improvements listed for this parcel

Image ID: 00002247903 Type: CRP
Recorded: 07/02/2013 at 01:35:35 PM
Fee Amt: \$31.00 Page 1 of 3
Revenue Tax: \$5.00
Workflow# 000096252-0001
Craven, NC
Sherril B. Richard Register of Deeds
BK **3209 PG 584**

NORTH CAROLINA

COMMISSIONER'S DEED

CRAVEN COUNTY

Revenue Stamps: \$5.00
Parcel # 1-048-14003

THIS **COMMISSIONER'S DEED**, made and executed this 6th day of May, 2013, by and between **AARON D. ARNETTE, Commissioner**, pursuant to a judgment of the District Court of the N.C. General Court of Justice in Craven County, North Carolina in an action entitled "Craven County, Plaintiff v. Lester E. Fornes, et al, Defendants (12-CVD-1566).", Grantor, to **Craven County**, whose mailing address is: 406 Craven Street, New Bern, NC 28560, Grantee.

WITNESSETH :

WHEREAS, said Aaron D. Arnette, Commissioner, being empowered and directed by a judgment in the said action, did, on the 16th day of April, 2013, after due advertisement according to law, and as directed by said judgment, expose the land hereinafter described to public sale at the door of the Craven County Courthouse, where and when Craven County became the last and highest bidder for said land at the public sale for the sum of \$2,145.35;

WHEREAS, on the 16th day of April, 2013, Aaron D. Arnette, Commissioner, reported to the Court that Craven County was the last and highest bidder for said property in the amount of \$2,145.35;

WHEREAS, more than 10 days elapsed since the report of sale was filed and no upset bid was offered;

✓
Prepared By:
Sumrell, Sugg, Carmichael, Hicks & Hart, P.A.
416 Pollock Street
New Bern, NC 28560

SV



WHEREAS, an order confirming the sale to Craven County was entered by the Assistant Craven County Clerk of Superior Court on or about April 29, 2013.

WHEREAS, on or about the 29th day of April, 2013, Aaron D. Arnette, Commissioner, was ordered by judgment of said Court to execute a deed in fee simple to Craven County; and

NOW THEREFORE, in consideration of the premises, the said Aaron D. Arnette, Commissioner, as aforesaid, does hereby grant, bargain, sell, and convey to Craven County, all of that certain tract or parcel of land Lying, situate and being in Number One Township, Craven County, North Carolina, and more particularly described as follows:

All of that certain property more particularly described in Deed Book 2878, at Page 36, in the Craven County Registry. This property is also commonly referred to by its tax parcel identification number which is 1-048-14003.

This parcel is not the primary residence of the grantor.

TO HAVE AND TO HOLD the aforesaid tracts or parcels of land and all privileges and appurtenances thereunto belonging to Craven County, the said Grantee, in fee simple forever, in as full and ample manner as said Aaron D. Arnette, Commissioner, as aforesaid, is authorized and empowered to convey same.



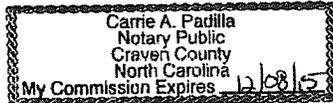
IN WITNESS WHEREOF, the said Aaron D Arnette, Commissioner, hath hereunto set his hand and seal the day and year first above written.


_____(SEAL)
Aaron David Arnette, COMMISSIONER

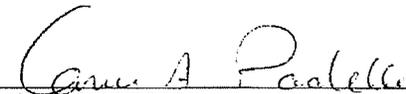
STATE OF NORTH CAROLINA
COUNTY OF CRAVEN

I, Carrie A. Padilla, a Notary Public of the County of Craven, State of North Carolina, do hereby certify that **Aaron D. Arnette, Commissioner**, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and notarial stamp or seal, this 5th day of May, 2013.



My Commission Expires:
12/08/15



NOTARY PUBLIC

August 27, 2013

The Honorable Scott C. Dacey, Chairman
Craven County Board of Commissioners
406 Craven Street
New Bern, NC 28560

Dear Mr. Chairman:

I am writing to advise you of the status of the 2013 Craven County commissioner redistricting resolution in light of the decision of the United States Supreme Court in *Shelby County v. Holder*, 570 U.S. ____, 133 S. Ct. 2612; 186 L. Ed. 2d 651 (2013). In *Shelby County*, the Supreme Court found that section 4(b) of the Voting Rights Act was unconstitutional because it was based on a formula that used 40-year-old facts that had no logical relation to the present day, and it held that the formula could not be used as a basis for subjecting jurisdictions to preclearance by federal authorities. The decision did not alter section 2 of the Act, which is the law with respect to the permanent, nationwide ban on racial discrimination in voting. The Craven County redistricting resolution was passed prior to the decision in *Holder* and prior to submission for preclearance. Because of the extraordinary remedial nature of the Voting Rights Act itself, there is no known precedent for determining the status of unprecleared legislative actions. However, it is clear that there is no longer an enforceable mechanism requiring preclearance submissions by previously covered jurisdictions. I am reliably informed that the U.S. Justice Department has declined to consider preclearance requests from covered jurisdictions submitted subsequent to the *Shelby County* decision.

It could be posited that the redistricting resolution never became effective as law prior to the *Shelby County* decision, and therefore the resolution remains without effect. However, the better determination appears to be that the resolution was, in fact, lawfully enacted by your Board of Commissioners and there is no existing, valid requirement for any further legal step as a precondition to its effectiveness. The statute requiring submission has been declared unconstitutional. For these reasons, it is my opinion that the redistricting resolution is presently effective as law and may be implemented.

As an extraordinary precaution, I would ask that the Board consider the simple step of re-enacting the ordinance. Should the Board choose to take this step, upon its re-enactment, it would clearly be a legislative act taken after the declaration of unconstitutionality, free from any question of preclearance requirements.

If you have any questions regarding this matter, please feel free to contact me.

Marshall Hurley
Attorney @ Law
300 Gateway Business Center
2400 Freeman Mill Rd.
Greensboro, NC 27406