

**AGENDA
CRAVEN COUNTY BOARD OF COMMISSIONERS
REGULAR SESSION
MONDAY, APRIL 21, 2014
8:30 A.M.**

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVE AGENDA

APPROVE MINUTES OF APRIL 7, 2014 REGULAR SESSION AND MARCH 17, 2014 RECONVENED SESSION

1. FARMERS' MARKET FINANCIAL IMPACT BRIEFING: Joe Hunt, President
2. JUVENILE CRIME PREVENTION COUNCIL (JCPC) FUNDING RECOMMENDATIONS FOR FY-15: Jennifer Knight, Chair
3. NURSING HOME ADVISORY COMMITTEE REQUEST FOR APPROVAL ON REVISED BYLAWS: Alvia Hearren, Chairman and Angelia Pridgen, Ombudsman

DEPARTMENTAL MATTERS

4. SOCIAL SERVICES – FAMILY CAREGIVER BUDGET AMENDMENT: Kent Flowers, Social Services Director and Alfreda Stout, Deputy Director
5. TAX – RELEASES AND REFUNDS: Ronnie Antry, Tax Administrator
6. HEALTH: Scott Harrelson, Health Director
 - A. Home Health Timeline and Request for Public Notice
 - B. Hospice House Financial Update
7. EMERGENCY SERVICES – SECOND VOTE ON GRANTING FRANCHISE: Stanley Kite, Emergency Services Director
8. ASSISTANT MANAGER – HARLOWE CANAL TREE SNAGGING PROJECT BID AWARD: Gene Hodges

9. RESOLUTION FOR WW II COASTWISE MERCHANT MARINERS: CHAIRMAN MARK
10. APPOINTMENTS
 - A. Pending
 - B. Current
 - C. Upcoming
11. COUNTY ATTORNEY'S REPORT: Jim Hicks
12. COUNTY MANAGER'S REPORT: Jack Veit
13. COMMISSIONERS' REPORTS

Agenda Date: April 21, 2014

Presenter: Joe Hunt

Agenda Item No. 1

Board Action Required: No

FARMERS' MARKET FINANCIAL IMPACT BRIEFING

Farmers' Market President, Joe Hunt, will make a visual presentation concerning the economic impact of the market.

Board Action: Receive information

Agenda Date: April 21, 2014

Presenter: Jennifer Knight

Agenda Item No. 2

Board Action Required: Yes

**JUVENILE CRIME PREVENTION COUNCIL (JCPC) FUNDING
RECOMMENDATIONS FOR FY-15**

Juvenile Crime Prevention (JCPC) Chair, Jennifer Knight, will present the recommended funding allocations for FY 14-15 according to Attachment #2.

Board Action: A vote to approve the recommendations.

Agenda Date: April 21, 2014

Presenters: Alvia Hearren, Angelia Pridgen

Agenda Item No. 3

Board Action Required: Yes

**NURSING HOME ADVISORY COMMITTEE REQUEST FOR APPROVAL OF
REVISED BYLAWS**

Chairman, Alvia Hearren, and Ombudsman, Angelia Pridgen, will present the bylaws contained in Attachment #3 for the Board's approval.

Board Action: A vote to approve bylaws.

Agenda Date: April 21, 2014

Presenters: Kent Flowers, Alfreda Stout

Agenda Item No. 4

Board Action Required: Yes

DEPARTMENTAL MATTERS: SOCIAL SERVICES – FAMILY CAREGIVER BUDGET AMENDMENT

At the Board's last meeting, a request to approve the budget amendment contained in Attachment #4 was deferred pending additional information. Social Services Director, Kent Flowers and Deputy Director, Alfreda Stout, will be available to address the Board's questions.

Board Action: If there is a motion to approve the budget amendment, a roll call vote will be necessary.

Agenda Date: April 21, 2014

Presenter: Ronnie Antry

Agenda Item No. 5

Board Action Required: Yes

DEPARTMENTAL MATTERS: TAX – RELEASES AND REFUNDS

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 and refunds.

Agenda Date: April 21, 2014

Presenter: Scott Harrelson

Agenda Item No. 6

Board Action Required: Yes

DEPARTMENTAL MATTERS: HEALTH

A. HOME HEALTH TIMELINE AND REQUEST FOR NOTICE

The Board will be requested to authorize the publication of a notice of intent to sell its home health operation (Attachment #6). Craven County Health Director, Scott Harrelson, will advise the Board on the recommended timeline for putting the process in place, beginning with a resolution of intent to be considered at the May 5 meeting.

Board Action: A vote to authorize publication

B. HOSPICE HOUSE FINANCIAL UPDATE

At the Board's request, Mr. Harrelson will provide a financial update on the Hospice House project.

Board Action: Receive information

Agenda Date: April 21, 2014

Presenter: Stanley Kite

Agenda Item No. 7

Board Action Required: Yes

DEPARTMENTAL MATTERS: EMERGENCY SERVICES – SECOND VOTE ON GRANTING FRANCHISE

At the Board's last meeting, the Board voted to revoke the franchise of Coastline Care and grant a franchise to Friendly Medical Transportation, LLC. A second vote will be required.

Board Action: A motion to ratify the Board's action taken on April 7, revoking and granting the franchise.

Agenda Date: April 21, 2014

Presenter: Gene Hodges

Agenda Item No. 8

Board Action Required: Yes

**DEPARTMENTAL MATTERS: ASSISTANT MANAGER – HARLOWE CANAL TREE
SNAGGING PROJECT BID AWARD**

On October 7, 1985 the Craven County Board of Commissioners by resolution agreed to partner with Carteret County to clean out Harlowe Canal and to accept responsibility for future periodic maintenance of the canal. After this was brought to our attention by a citizen in the area, we determined that it had been a number of years since Craven County had performed any maintenance on the portion of the canal that is in Craven County. Chad Strawn, Assistant Planning Director, and Patrick Baker, Natural Resource Conservationist with Craven Soil and Water Conservation District, issued a request for proposals and received 3 bids. The bids ranged from \$2,499 to \$31,400. We are recommending that the project be awarded to the lowest bidder, David Layne. His references from other Soil and Water Districts were all positive. Attached you will find a copy of the original 1985 resolution and minutes (Attachment #8.A.), a map of the Harlowe Canal area that was the subject of the project (Attachment #8.B.), the bid tabulation sheet (Attachment #8.C.), the proposals as provided from the contractors (Attachment #8.D.) and a budget amendment (Attachment #8.E.).

Board Action: A roll call vote will be required to approve the budget amendment.

Agenda Date: April 21, 2014

Presenter: Chairman Mark

Agenda Item No. 9

Board Action Required: Yes

RESOLUTION FOR WW II COASTWISE MERCHANT MARINERS

The Chairman has received a request from Don Horton for adoption of the resolution contained in Attachment #9.

Board Action: Consider resolution for adoption

Agenda Date: April 21, 2014

Presenter: _____

Agenda Item No. 10

Board Action Required: Yes

APPOINTMENTS

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

Board Action: Appointments will be effective immediately, unless otherwise specified.

A. PENDING APPOINTMENT(S):

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:
Dictated 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 (Not serving and needs to be replaced.)
Alvia Hearren (Initial appointment 1991)

No Applications on file.

A. CURRENT APPOINTMENTS

JUVENILE CRIME PREVENTION COUNCIL

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 attorney, chief district court judge, member of the community, local health director, non-profit representative, parks and recreation up to seven additional Board of

defense
business
representative,
members appointed by the
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: _____

Vacancies: Representative of Faith Community
Youth Representative

Application on file: Ashton Craft (Youth Representative)

A. UPCOMING APPOINTMENTS

April - Highway 70 Corridor Committee (additional member)

May - Craven Community College: Bill Naumann (Appointed 2009)

Craven Community Child Protection Team: Christy Hawkins (Appointed 2011)

CarolinaEast Medical Center: David Blain (Appointed 2011)
Clay Milstead (Appointed 2011)
Purvis Rogers (Appointed 2011)
Trawick Stubbs (Appointed 2011)

* These appointments are made by the Chairman from a list of nominees provided by the hospital.

EMS Advisory Council: Keith Morris (Appointed 2012)
Jonathan Stephens (Appointed 2012)

Agenda Date: April 21, 2014

Presenter: Jim Hicks

Agenda Item No. 11

Board Action Required: Yes

COUNTY ATTORNEY'S REPORT

A. Water System Easements – Charles and Amanda Oakley Property (Parcel Number 6-213-K-091).

The County, City of New Bern, and Oakleys have tentatively agreed to exchange, and create, certain easements upon the Oakleys property in the Stately Pines Subdivision for the new water system project. Specifically:

1. The Oakleys will grant the City of New Bern two new permanent easements on the Oakley property (Tracts D and E);
2. The City will surrender an existing but unused easement on the Oakley property (Tract C); and the County will consent to the same, as the County also has certain subsequently assigned rights in these easements;
3. The City will grant the County the right to use its new easements (Tracts D and E), as well as a new easement on City property (Tract F); and,
4. The County will purchase a temporary easement for a work/staging area from the Oakleys for \$5,000 (Temporary Construction Area). The easement will terminate after 2 years.

Board Action: The Board will need to approve the attached Resolutions, and documents referenced therein, to accomplish the same.

B. DUCK HUNTING LAWS

At the Board's last meeting, a citizen expressed concerns about the adequacy of duck hunting laws in Craven County, and staff was asked to research the issue. In response, County Attorney, Jim Hicks, has prepared a draft using the local act for Carteret and Pamlico Counties as a template (Attachment #11.B.).

C. SUBDIVISION FIREARM REQUEST UPDATE

Mr. Hicks will update the Board on his findings relative to a request for regulating discharge of firearms in the Cherry Branch subdivision.

Agenda Date: April 21, 2014

Presenter: Jack Veit

Agenda Item No. 12

COUNTY MANAGER'S REPORT

Agenda Date: April 21, 2014

Presenter: _____

Agenda Item No. 13

COMMISSIONERS' REPORTS

JCPC FUNDING AND REVIEW RECOMMENDATIONS 14-15

Funding Available: \$254,570.00

Committee Members Present:

Jennifer Dacey Michelle Jerome
 Johnnie Sampson, Jr. Todd Shuart

Robert Keeter
 Jackie Smith

Jennifer Knight

NEEDED PROGRAMS	PROGRAM	CURRENT FUNDING	REQUEST 14-15	RECOMMENDATION
1. Community Day-Structured Day Reporting	Area Day Reporting Center	131,923.00	139,356.00	130,888.00
2. Community Service/Restitution	Juvenile Restitution Program	61,669.00	62,918.00	61,669.00
3. Teen Court Services	Teen Court	59,564.00	85,263.00	59,564.00
JCPC Administrative Funds		1,414.00	1,200.00	2,449.00
Totals		254,570.00	288,737.00	254,570.00

BYLAWS
OF
CRAVEN COUNTY NURSING HOME COMMUNITY ADVISORY COMMITTEE

ARTICLE 1

Purpose, Duties and Membership

The Craven County Nursing Home Community Advisory Committee (hereinafter referred to as the "Advisory Committee") was established in accordance with North Carolina General Statute 131E-115, to work to maintain the spirit and intent of the Nursing Home Patients' Bill of Rights, and to promote community involvement and cooperation with nursing homes and an integration of these homes into a system of care for the elderly. G.S. 131E-128 defines the duties and the appointments by the Craven County Board of Commissioners, by which the Advisory Committee will follow.

ARTICLE 11

General Rules

All Advisory Committee members are expected to attend committee meetings, quarterly visits, and training sessions. Membership on the Committee will be terminated automatically upon two (2) unexcused absences from meetings of the Committee whether absences from a meeting are excused or not shall be determined by the Committee.

ARTICLE 111

Meetings

- A. The Advisory Committee shall meet quarterly beginning in January. The stated meeting shall be in the first month of the quarter and on the fourth Wednesday in the month at 9:30 am.
- B. Other meetings may be held at other times during the year at the request of any member, and after consultation with the Chairperson of the Committee. Such meetings shall be termed "unscheduled". Notification of all members shall be accomplished by the Chairperson or Secretary.
- C. Any scheduled or unscheduled meetings are open to the general public and subject to the State Open Meeting Law although only members may vote or hold office. Matters of a confidential nature may be discussed in executive session subject to the open meeting law.
- D. Minutes of all meetings shall be kept subject to the opening law.

ARTICLE IV

Election of Officers

- A. The officers of the Advisory Committee shall be Chairperson and Secretary.
- B. The Committee shall nominate from its membership a candidate for each office and secure the consent of the nominee to serve.
- C. Officers shall be elected, by a majority vote, for a period of one(1) year at the Annual Meeting each January. They shall take office at the close of the meeting at which they were elected.
- D. Officers may serve a maximum of 2 consecutive years in the same office..

ARTICLE V

Duties of the Officers

- A. The duties of the Chairperson shall be:
 - ~~1. Maintain general supervision over all the Advisory Committee functions.~~
 - 2. Preside at all meetings of the Advisory Committee.
 - 3. Call both scheduled and unscheduled meetings of the Advisory Committee.
 - 4. Make an annual report to the Craven County Commissioners at the end of the fiscal year.
 - 5. Be responsible for the quarterly report submitted to the Regional Ombudsman.
- B. The duties of the Secretary shall be:
 - 1. Act as aid to the Chairperson and perform all duties of the Chairperson in his/her absence.
 - 2. Record attendance and keep accurate minutes of all the Advisory Committee meetings.
 - 3. Maintain a current list of Advisory Committee members.
 - 4. Complete all required reports and complete correspondence as assigned by the Chairperson.

ARTICLE VI

Voting and Quorum

- A. A quorum shall consist of the members present at any duly announced meeting. Fourteen days notice shall constitute a duly announced meeting.
- B. The affirmative vote of the majority of the Advisory Committee members present shall be sufficient to carry the issue(s) at test.
- C. The presiding officer shall be entitled to exercise his/her voting prerogative.

ARTICLE VII

Amendment of Bylaws

These rules, regulations and guidelines may be amended or repealed and new Bylaws adopted by the affirmative vote of the majority of the Advisory Committee at any regular meeting. A written notice of any proposed changes shall be sent to the membership thirty (30) days prior to a meeting and shall be subject to the approval of the Craven County Commissioners.

Adopted by the Craven County Nursing Home Community Advisory Committee
on the _____ day of _____ 2013

(Signature)

Alvia Hearren, Chairperson
CRAVEN COUNTY NURSING HOME
COMMUNITY ADVISORY COMMITTEE

Approved by the Craven County Board of Commissioners on _____ day
of _____ 2013.

Scott C. Dacey, Chairman
CRAVEN COUNTY BOARD OF COMMISSIONERS

REFUNDS SUBJECT TO BOARD APPROVAL ON 04/21/2014

TAXPAYER NAME	ACCT#/TICKET#	AMOUNT
PEARSON, SAMMIE DURELL & JO AN VETERAN EXCLUSION ERROR CORRECTION	0048635 2012-0044741	94.11
PEARSON, SAMMIE DURELL & JO AN VETERAN EXCLUSION ERROR CORRECTION	0048635 2013-0043008	93.66
SKINNER, R L & JEAN DID NOT OWN 1/1/2010	6587100 2010-0047163	17.98
SKINNER, R L & JEAN DID NOT OWN 1/1/2011	6587100 2011-0052430	16.41
SKINNER, R L & JEAN DID NOT OWN 1/1/2012	6587100 2012-0052377	16.31
WETHERINGTON, GLORIA WIGGINS APPRAISAL ERROR CORRECTION	0044962 2011-0092126	162.22
	6 -REFUND(S)	400.69

CREDIT MEMOS SUBJECT TO BOARD APPROVAL ON 04/21/2014

TAXPAYER NAME	ACCT#/TICKET#	AMOUNT
DIXON, DANIEL A & MELISSA H DID NOT OWN 1/1/2013	0027163 2013-0090485	60.86
DOUTHIT, SHEILA HOPE RELEASED TO JONES COUNTY	0078206 2013-0015355	7.07
FORTUNA, JIM & JODY BOAT NOT LOCATED IN CRAVEN COUNTY	0076449 2013-0095475	462.53
GRAHAM, HUNTER C MILITARY EXEMPTION	0093120 2013-0092351	9.30
KEITH, PAUL D II & CRISTINA L MILITARY EXEMPTION	0085329 2012-0031538	13.64
OLALDE, MARTIN DOUBLE BILLED-SEE ACCT 91292	0035864 2008-0091309	75.73
OLALDE, MARTIN DOUBLE BILLED-SEE ACCT 91492	0035864 2009-0042794	70.45
OLALDE, MARTIN DOUBLE BILLED-ACCT 91492	0035864 2010-0039088	61.04
OLALDE, MARTIN DOUBLE BILLED-SEE ACCT 91492	0035864 2011-0043508	56.08
OLALDE, MARTIN DOUBLE BILLED -SEE ACCT 91294	0035864 2012-0043413	51.42
OLALDE, MARTIN DOUBLE BILLED - SEE ACCT 91492	0035864 2013-0093011	47.14
PIERRE, NICOLE DID NOT OWN 1/1/2013	0077897 2013-0095112	111.27
SKINNER, R L & JEAN DID NOT OWN 1/1/2013	6587100 2013-0050242	32.75
13 -CREDIT MEMO(S)		1,059.28

CRAVEN COUNTY

PUBLIC NOTICE

Intent to Sell the
Craven County Home Health Agency

The Craven County Board of Commissioners announces it will consider a Resolution Declaring its Intent to Sell the Craven County Home Health Agency, pursuant to N.C.Gen.Stat. Sec. 131E-13, at its regular meeting on May 5, 2014, or as soon thereafter as this matter may be heard. The meeting will be held in the Craven County Board of Commissioner Room, Craven County Administration Building, 406 Craven Street, New Bern, North Carolina. Questions or inquiries should be directed to Jack Veit, Craven County Manager.

Gwendolyn Bryan
Clerk to the Board



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

1. That we do hereby petition the State of North Carolina, Department of Natural Resources and Community Development for 66 2/3% of the \$15,000.00 for the restoration project.
2. That this Board agrees to pay up to \$250.00 as its proportionate share of the funding.
3. That we do hereby accept responsibility for future periodic maintenance to remove trees that continue to fall into the canal after completion of the project.

Adopted this 7th day of October 1985

G. Roger Forrest, Chairman
Craven County Board of Commissioners

(SEAL)

NEUSE RIVER COUNCIL OF GOVERNMENTS

The Bylaws of the Neuse River Council of Governments require that its Board of Directors be comprised of at least 25% minority representation. This is because economic development is a major program function of the COG. To obtain this minority representation, the minority presidents or their alternates must be invited to a caucus at which time they must agree on and recommend three nominees to their respective Boards of County Commissioners. The Boards of County Commissioners are then required to designate one of the nominees as their county's minority delegate on the COG Board. The Council of Governments requires that the Commissioners be given the right of first refusal for hold the caucus. If the Board so desires, the Council of Governments will hold for the caucus or the county's minority representative could do so. Chairman Forrest moved to let Mr. Bryant, the county's current representative, hold the caucus; seconded by Commissioner Armstrong and unanimously carried by the Board.

LAND SALES

The Board indicated to the Manager that he should initiate the sale of County-owned property (if willing buyers could be found) in an effort to get the property off of the tax books and back on the tax rolls. In keeping with the request of the Board, the Manager presented the following five lots to be put up for sale:

- A. 843 North Pasteur Street: date of deed - October 1984; Amount of foreclosure - \$1,396.71; tax value - \$1,900.00; City 51%/County 49%; Measured 32' x 145'.
- B. 1218 Raleigh Street: date of deed - October 1980; Amount of foreclosure - \$869.91; Tax Value \$1,010.00; City 82.5%/County 17.5%; Measured - 50' x 100'.
- C. 1510 Myrtle Avenue: Date of Deed - November 1981; Amount of foreclosure - \$1,079.98; Tax value - \$710.00; City 62%/County 38%; Measured - 50' x 50'.
- D. 1116 Raleigh Street: Date of Deed - October 1974; Amount of foreclosure - \$1,149.99; Tax value - \$510.00; City 56%/ County 44%; Measured - 25' x 100'.
- E. 1006 North Pasteur Street: Date of deed - September 1975; Amount of foreclosure - \$570.00; Tax value - \$1,580.00; City 65%/County 35%; measured 50' x 164'.

Commissioner Armstrong moved that the Manager be instructed to move forward with the sale of properties and make a formal request of the City to sell the land; seconded by Vice-Chairman Pridgen and unanimously carried by the Board.

HARLOWE CANAL

The Manager informed the Board that he had received notice from the Carteret County Manager that their Board has decided to sponsor the Harlowe Canal Restoration Project. The restoration is estimated at \$15,000.00 of which \$10,000.00 is to be provided by the State. The balance must be provided by the respective counties with an agreement that we will maintain the Canal in perpetuity. The Manager recommended that the Board act positively on this matter. Assistant Manager, George Sawyer, informed the Board that a resolution would have to be forwarded to the Division of Water Resources. The County's cost of the restoration would be approximately \$250.00, which would represent the actual work that has to be done in Craven County. Commissioner Bell moved that a resolution be drawn and forwarded to the State Division of Water Resources and that the Chairman be authorized to sign all necessary documents that the the following budget amendment be approved; seconded by Commissioner Armstrong and unanimously carried by the Board with a roll call vote.

REVENUES	AMOUNT	EXPENDITURES	AMOUNT
10-3-399-01	\$250.00	10-4-690-00	\$250.00

JUSTIFICATION: To budget funds from Fund Balance to cover repairs to the Harlowe Canal.

BUDGET AMENDMENTS

Mr. Sawyer presented the following budget amendments:

REVENUES	AMOUNT	EXPENDITURES	AMOUNT
76-3-336-01	(\$14,400.00)	76-4-810-00	(\$14,400.00)

JUSTIFICATION: To decrease Community Development Block Grant Project, Phase I.

The Manager explained that we are at the end of Phase I of the Community Development Block Grant Project. We now need to make the necessary adjustments and decrease the project amount by \$14,400.00, and change the budgeted amounts from Phase I to Phase II. Vice-Chairman Pridgen moved to approve the amendment; seconded by Chairman Forrest and unanimously carried with a roll call vote.

10-3-399-03	\$4,471.00	10-4-593-00	\$4,471.00
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JUSTIFICATION: This is a full time, temporary, five months duration, Clerk Typist I position for home health.

Commissioner French moved to approve the budget amendment; seconded by Commissioner Armstrong and unanimously carried with a roll call vote.

10-3-335-00	\$15,000.00	10-4-690-00	\$15,000.00
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JUSTIFICATION: To budget funds for County complex site improvement project as approved by Ordinance dated 9/03/85.

SOCIAL SERVICES

The Manager informed the Board that the Department of Social Services needed to hire 30 day temporary employee for the Energy Assistance Program. The Energy Assistance checks are a onetime lump sum appropriation. Once the checks are distributed the position will end. This will not mean any new County money. Commissioner Armstrong moved to allow the new temporary position; seconded by Chairman Forrest and unanimously carried.

APPOINTMENTS

A. Town of River Bend

Mayor Runge of the Town of River Bend, requested that Mr. Robert Bail of 500 Old Pollocksville Highway be reappointed to the River Bend Zoning Board of Adjustment as an Extraterritorial Member for a term of three years. Commissioner Bell moved that the appointment be tabled; seconded by Commissioner Armstrong and so carried.

B. Council on Women

Requested that Mrs. Elsie M. Stephenson and Mrs. Sue



Harlowe Canal

- 911 Structures
- Historical Loss Structures
- County Boundary
- Basin Boundary



1 inch = 1000 feet

HARLOWE CANAL SNAGGING PROJECT
 BID OPENING DATE: April 4, 2014
 PROJECT: Harlowe Canal Snagging Project

FINAL BID TABULATION FORM

BID SUMMARY REVIEWED/TABULATED BY: Patrick Baker / Chad Strawn

HARLOWE CANAL	ACTUAL BID (TABULATED)	CONTRACTOR	RECOMMENDED AWARD (✓)	COMMENTS
	\$ 2,499.00	David Layne		Three References provided
	\$ 31,400.00	TRC Construction		No References
	\$ 3,749.00	J and J Environmental		Used contractor on Swift Creek project, References on file.

**SCOPE OF WORK
STREAM DEBRIS REMOVAL PROJECT**

David Layne (the "CONTRACTOR") will complete stream debris removal activities including cutting and removing downed trees, broken tops, and woody debris that impede or potentially impede water flow in the streams and tributaries described in the application submitted by the CONTRACTOR.

The CONTRACTOR will ensure that all required permits are secured before any work proceeds for that site.

The CONTRACTOR will ensure that it follows the attached Woody Debris Removal Guidelines to manage all woody debris removed from streams.

Craven County staff will conduct a site visit and approve the work completed prior to releasing any payment to the CONTRACTOR. The County must determine that all work has been completed in accordance with the Woody Debris Removal Guidelines.

TO: Craven Soil + Water Conservation District
After Care Fully Looking @ the Harlowe Canal snagging project, We place the Bid @ \$2,499.00. Thank you For allowing us to Bid on this Job.

References would be :

- * VIC Thompson with Bertie Soil + Water
- * Lynn Whitehurst with Martin Soil + Water
- * Mike Doxey with Currituck Soil + Water

David Layne
MARCH 30- 2014

252-333-8321

**SCOPE OF WORK
STREAM DEBRIS REMOVAL PROJECT**

_____ (the "CONTRACTOR") will complete stream debris removal activities including cutting and removing downed trees, broken tops, and woody debris that impede or potentially impede water flow in the streams and tributaries described in the application submitted by the CONTRACTOR.

The CONTRACTOR will ensure that all required permits are secured before any work proceeds for that site.

The CONTRACTOR will ensure that it follows the attached Woody Debris Removal Guidelines to manage all woody debris removed from streams.

Craven County staff will conduct a site visit and approve the work completed prior to releasing any payment to the CONTRACTOR. The County must determine that all work has been completed in accordance with the Woody Debris Removal Guidelines.

Water	3749. ⁰⁰
BANK to BANK	7500. ⁰⁰

TRC Construction

Phone: 252-413-7653

Manager James Corey

Order#	Date
Customer Name <i>Crawford Sail/Water Conservation District</i>	
Street <i>302 Industrial Drive</i>	
City <i>Alamogordo</i>	State/Zip <i>N.C. 28562</i>

Job Name *Swaging In Harlowe Canal*

Location *Crawford County*

Job/Contract#

Date *4-3-14* Fax *252-514-2009*

Description of Work: *All work specified in project MANUAL for*

Swaging Harlowe Canal

Total Cost of Job: \$ *31,400⁰⁰*

We hereby submit the following specifically described additional work:

MTT Patrick Baker

Price for additional work \$ _____ Dollars

With payments to be made as follows:

Additional work to be performed under same conditions as specified in original contract unless otherwise stipulated.

Date of Acceptance _____

Signature _____

ACCEPTANCE OF WORK

The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payments will be made as outlined above.

Date of Acceptance _____

Signature _____

WORK AUTHORIZATION

**A RESOLUTION OF THE NC CRAVEN COUNTY BOARD OF COMMISSIONERS
SUPPORTING HR 1288 “WW II MERCHANT MARINERS SERVICE ACT”**

Whereas, Public Laws 95-202 and 105-368 bestowed veterans status on US Merchant Marine Seamen of WWII; and

Whereas, between 250,000 to 280,000 merchant seamen served during WW II and yet only **about 91,000** seamen have been recognized as veterans for their service, to date. Now, about 30,000 Coastwise Merchant seamen, who served gallantly, may be unable to gain recognition as veterans because of the required documentation having been destroyed or denied. Those denials, partly due to age, sex or physical disability are now referred to as discrimination. Women were denied recognition from the very beginning of WW II; and

Whereas, the denial of these required documents came about through specific government orders and actions that may have resulted in female mariners, school children working during school breaks and elderly handicapped seamen being unable to qualify as veterans; and

Whereas, the average age of the remaining seamen is above 90 years of age and the ranks of the WW II US veteran is shrinking at an average of 1000 per year causing time to be of the essence. There are less than 10,000 WW II merchant seamen (overall) remaining. Less than 400 coastwise seamen are alive that is associated with this bill. Time is of the essence; and

Whereas, the Craven County Board of Commissioners has supported resolutions, entitled “Alternative Methods of Recognition for Veteran Status for Merchant Marine Seamen of WW II” in previous congressional sessions to correct this inconceivable action; and

Whereas, that resolution, along with many others from various bi-partisan party factions and petitions and letters from citizens and state officials that, collectively, represented all 100 counties of North Carolina, has resulted in the bill HR 1288, “WW II Merchant Mariners Service Act” that has been incorporated into HR 2189 which passed the house on a 404 to 1 vote; and

Whereas, the Craven County Board Commissioners therefore requests that immediate action be taken to correct this travesty and have these Coastwise Merchant seamen recognized for their service to our country, providing closure to a long standing obligation.

NOW, THEREFORE, BE IT RESOLVED that the Craven County Board of Commissioners supports HR 1288 “WW II Merchant Mariners Service Act” and so orders that this Resolution be sent to Senator Richard Burr and Senator Kay Hagen for this matter to be placed into action before the US Senate in such form as a companion bill to HR 1288, with their full support, to ensure expedient passage, leading to law, before this all become history.

Adopted this 21st day of April, 2014

Thomas F. Mark, Chairman
Craven County Board of Commissioners

Gwendolyn M. Bryan, Clerk

NORTH CAROLINA
CRAVEN COUNTY

Tax Parcel Nos. 6-213-K-091
Revenue Stamps: \$0.00

This **PERMANENT DEED OF EASEMENT**, made this ____ day of April, 2014, by and between **CHARLES OAKLEY and wife AMANDA OAKLEY**, citizens and residents of Craven County, North Carolina (hereinafter "Grantor"), whose mailing address is P.O. Box 1009, Havelock, North Carolina 28532; to **CITY OF NEW BERN**, a North Carolina municipal corporation (hereinafter "Grantee"), whose mailing address is 300 Pollock Street, New Bern, North Carolina 28560.

W I T N E S S E T H:

IN CONSIDERATION of Ten Dollars (\$10.00) and other good and valuable consideration paid to Grantor by Grantee the receipt of which is hereby acknowledged, the Grantor does hereby grant, bargain, sell, transfer and convey unto the Grantee, its successors and assigns a perpetual non-exclusive utility easement, which easement expressly includes the right of Grantee to erect, construct, and install, and thereafter use, operate, inspect, repair, maintain, replace and remove sewer lines, water lines and pipes, as well as any attachments appurtenant thereto, over, across, and through the lands of the Grantor situated in Township No. Six (6), Craven County, North Carolina, being more particularly described as follows:

SEE EXHIBIT "A"

Prepared By:
Jimmie B. Hicks, Jr.
Sumrell, Sugg, Carmichael, Hicks and Hart, P.A.
Attorneys at Law
416 Pollock Street
New Bern, North Carolina 28560

Together with the right of ingress and egress over the adjacent lands of the Grantor, its successors and assigns, for the purposes of these easements as stated and described herein.

The consideration hereinabove recited shall constitute payment in full for all damages to the land of the Grantor, its successors and assigns, by reason of the installation, operation, and maintenance of the structures of and/or improvements referred to herein. The Grantee covenants to maintain these easements in good repair so that no unreasonable damage will result from its use to the adjacent land of the Grantor, its successors and assigns.

The grant and other provisions of these easements shall constitute a covenant running with the land for the benefit of the Grantee, its successors and assigns.

IN TESTIMONY WHEREOF, the Grantor has executed this instrument in such form as to be binding, this the day and year first above written.

By _____ (SEAL)
CHARLES OAKLEY

By _____ (SEAL)
AMANDA OAKLEY

STATE OF NORTH CAROLINA
COUNTY OF _____

I, _____, a Notary Public in and for said County and State do hereby certify that **CHARLES OAKLEY and wife AMANDA OAKLEY** personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and notarial seal this _____ day of _____, 20__.

NOTARY PUBLIC

My Commission Expires:

EXHIBIT A

Description of Permanent Easement

All of that certain tract or parcel of land lying and being situate in Number Six (6) Township, Craven County, North Carolina and being more particularly described as follows:

Being all of Tracts D and E as shown on that certain map entitled "20' Utility Easement Survey on the Lands of Charles Oakley and wife Amanda Oakley For Craven County Water Treatment Plant Project", prepared by McKim & Creed, dated June 18, 2013, Project Number 01082-0028, and recorded March 20, 2014 in Plat Cabinet I, Slide 38F in the office of the Register of Deeds of Craven County, reference to said map being hereby made for a more perfect description of said easement.

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NORTH CAROLINA
CRAVEN COUNTY

Tax Parcel No. 6-213-K-091
Revenue Stamps: \$0.00

DEED OF RELEASE OF EASEMENT

THIS DEED OF RELEASE OF EASEMENT (“Release”) is made effective as of the 22nd day of April, 2014, by **CITY OF NEW BERN** (“City”) to and for the benefit of **CHARLES OAKLEY and wife AMANDA OAKLEY** (“Oakleys”).

WHEREAS, the City currently holds several easements on, over and across the property of the Oakleys for utility purposes, which were previously conveyed to the City and are described in Exhibit “A” (“Original Easement”);

WHEREAS, the City desires to release all right, title and interest in the Original Easement to the Oakleys;

NOW, THEREFORE, the City, in consideration of the foregoing and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, has remised and released, and by these presents does hereby remise, release, convey and forever quitclaim unto the Oakleys, their heirs, successors and assigns, all of its right, title and interest in and to the easements and rights granted to the City in the following described property:

SEE EXHIBIT "A"

Prepared By:
Jimmie B. Hicks, Jr.
Sumrell, Sugg, Carmichael, Hicks and Hart, P.A.
Attorneys at Law
416 Pollock Street
New Bern, North Carolina 28560

TOGETHER WITH all rights, titles, privileges, easements, hereditaments and appurtenances belonging or appurtenant to the above-described easements and any reversions and remainders thereto, including all rights of way, rights of ingress and egress, and licenses appurtenant to or benefiting the above-described easements.

TO HAVE AND TO HOLD the easements and rights, together with all improvements, privileges and appurtenances thereunto belonging, to the Oakleys and their heirs, successors and assigns and free and discharged from any and all claims and rights of the City and its successors and assigns.

IN WITNESS WHEREOF, the City of New Bern has caused this Release to be duly signed on the day and year first written above.

CITY OF NEW BERN

(SEAL)

By: _____
DANA E. OUTLAW, Mayor

ATTEST:

VERONICA MATTOCKS, City Clerk

STATE OF NORTH CAROLINA
COUNTY OF CRAVEN

I, _____, Notary Public in and for said County and State, do hereby certify that on the ____ day of _____, 2014, before me personally appeared DANA E. OUTLAW, with whom I am personally acquainted, who, being by me duly sworn, says that he is the Mayor and that VERONICA MATTOCKS is the City Clerk for the City of New Bern, the municipal corporation described in and which executed the foregoing instrument; that he knows the common seal of said municipal corporation; that the seal affixed to the foregoing instrument is said common seal; that the name of the municipal corporation was subscribed thereto by the said Mayor; that the said common seal was affixed, all by order of the Board of Aldermen of said municipal corporation; and that the said instrument is the act and deed of said municipal corporation.

WITNESS my hand and official seal this the ____ day of _____, 2014.

Notary Public

My Commission Expires:

EXHIBIT A

Description of Easement

All of that certain tract or parcel of land lying and being situate in Number Six (6) Township, Craven County, North Carolina and being more particularly described as follows:

Being all of Tract C as shown on that certain map entitled "20' Utility Easement Survey on the Lands of Charles Oakley and wife Amanda Oakley For Craven County Water Treatment Plant Project", prepared by McKim & Creed, dated June 18, 2013, Project Number 01082-0028, and recorded March 20, 2014 in Plat Cabinet I, Slide 38F in the office of the Register of Deeds of Craven County, reference to said map being hereby made for a more perfect description of said easement.

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NORTH CAROLINA
CRAVEN COUNTY

Tax Parcel Nos. 6-213-K-090 and 6-213-K-091
Revenue Stamps: \$0.00

DEED OF RELEASE OF EASEMENTS

THIS DEED OF RELEASE OF EASEMENTS (“Release”) is made effective as of the ____ day of April, 2014, by **CRAVEN COUNTY** (“County”) to and for the benefit of **CITY OF NEW BERN** (“City”).

WHEREAS, the County currently holds several easements on, over and across the property of the City for utility purposes, which were conveyed to the County by the City recorded in the Craven County Registry in Deed Book 3234 at Page 632 (“Original Easements”);

WHEREAS, the County desires to release all right, title and interest in the Original Easements to the City;

NOW, THEREFORE, the County, in consideration of the foregoing and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, has remised and released, and by these presents does hereby remise, release, convey and forever quitclaim unto the City, its successors and assigns, all of its right, title and interest in and to the easements and rights granted to the County in that certain Deed of Easement recorded in the Craven County Register of Deeds in Deed Book 3234, at Page 632.

Prepared By:
Jimmie B. Hicks, Jr.
Sumrell, Sugg, Carmichael, Hicks and Hart, P.A.
Attorneys at Law
416 Pollock Street
New Bern, North Carolina 28560

TOGETHER WITH all rights, titles, privileges, easements, hereditaments and appurtenances belonging or appurtenant to the above-described easements and any reversions and remainders thereto, including all rights of way, rights of ingress and egress, and licenses appurtenant to or benefiting the above-described easements.

TO HAVE AND TO HOLD the easements and rights, together with all improvements, privileges and appurtenances thereunto belonging, to the City, its successors and assigns and free and discharged from any and all claims and rights of the County and its successors and assigns.

The rights, covenants and other terms contained in the said Deed of Easement recorded in the Craven County Register of Deeds in Deed Book 3234, at Page 632; are fully released by this Deed of Release.

IN WITNESS WHEREOF, Craven County has caused this Release to be duly signed on the day and year first written above.

CRAVEN COUNTY

(SEAL)

By: THOMAS F. MARK, Chairman
Craven County Board of Commissioners

ATTEST:

GWENDOLYN M. BRYAN, Clerk
Craven County Board of Commissioners

STATE OF NORTH CAROLINA
COUNTY OF CRAVEN

I, _____, Notary Public in and for said County and State, do hereby certify that on the ____ day of _____, 2014, before me personally appeared THOMAS F. MARK, with whom I am personally acquainted, who, being by me duly sworn, says that he is the Chairman of the Board of Commissioners for Craven County, and that GWENDOLYN M. BRYAN is the Clerk of the Board of Commissioners for Craven County, the body politic and corporate described in and which executed the foregoing instrument; that he knows the common seal of said body politic and corporate; that the seal affixed to the foregoing instrument is said common seal; that the name of the body politic and corporate was subscribed thereto by the said Chairman; that the said common seal was affixed, all by order of the Board of Commissioners of said body politic and corporate; and that the said instrument is the act and deed of said body politic and corporate.

WITNESS my hand and official seal this the ____ day of _____, 2014.

Notary Public

My Commission Expires:

CITY OF NEW BERN

RESOLUTION TO EXCHANGE INTERESTS IN REAL PROPERTY
NCGS Section 160A-271

WHEREAS, Charles Oakley and wife Amanda Oakley (hereinafter "Oakleys") are the owners of that certain tract or parcel of land bearing Tax Parcel Identification Numbers 6-213-K-091, which parcel is more particularly described in that deed recorded in Deed Book 2753 at Page 901 in the Craven County Registry (hereinafter "Real Property"); and,

WHEREAS, the City of New Bern (hereinafter "City") is the owner of a certain utility easement located upon the Real Property, more particularly identified as Tract C in that certain map entitled "20' Utility Easement Survey on the Lands of Charles Oakley and wife Amanda Oakley For Craven County Water Treatment Plant Project", prepared by McKim & Creed, dated June 18, 2013, Project Number 01082-0028 (hereinafter "Survey"), which Survey is incorporated herein by reference; and,

WHEREAS, upon the request of Craven County, whose interests are more particularly identified below, and to improve the effectiveness of the use of the Real Property for the intended purposes of its utility easements, the City desires to relocate its utility easements upon the Real Property, and in doing so, desires to exchange its interest in Tract C as shown on the Survey (hereinafter "Old Easement") with new utility easements over Tracts D and E as shown on the Survey (hereinafter "New Easements"); and,

WHEREAS, the value of the Old Easement is estimated to have a value of less than \$1,000.00; and,

WHEREAS, the value of the New Easements is estimated to have a value in excess of \$1,000.00; and,

WHEREAS, the parties desire to exchange said utility easements, with no additional consideration to be paid; but the City shall pay all costs to exchange the properties; and,

WHEREAS, the City has properly advertised by Public Notice its intent to exchange said interests in said Real Property, and has complied with all statutory requirements to accomplish the same; and,

WHEREAS, Craven County has certain rights in the Old Easement assigned to it by the City, and has requested this exchange of interests in the Real Property whereby it may utilize the New Easements, and has agreed to the exchange of interests in the Real Property identified herein.

NOW THEREFORE, BE IT RESOLVED, by the City of New Bern as follows:

1. That the City exchange the Old Easement for the New Easements;

2. That the City shall pay all costs associated with the exchange of said utility easements;
3. That the City shall assign a non-exclusive right to use said New Easements to Craven County, as well as an identical utility easement in Tract F as shown on the Survey, upon Craven County's release of all of its rights in the Old Easement; conditioned upon Craven County reimbursing all expenses incurred by the City in relation to the purposes of this Resolution.
4. That the Mayor, Clerk and other appropriate Officers be and are hereby authorized to execute any and all documents, and do whatever is necessary to accomplish the purposes of this Resolution.

ADOPTED on this 22nd day of April, 2014.

CITY OF NEW BERN

(SEAL)

By: _____
DANA E. OUTLAW, Mayor

ATTEST:

VERONICA E. MATTOCKS, City Clerk

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CRAVEN COUNTY

RESOLUTIONS

WHEREAS, Craven County is undertaking a 3 MGD (future capacity 5 MGD) potable water nanofiltration water treatment plant, with a groundwater intake from the Lower Castle Hayne Aquifer (hereinafter "Project"), which Project requires obtaining certain easements more particularly described below; and,

WHEREAS, Charles Oakley and wife Amanda Oakley (hereinafter "Oakleys") are the owners of that certain tract or parcel of land bearing Tax Parcel Identification Numbers 6-213-K-091, which parcel is more particularly described in that deed recorded in Deed Book 2753 at Page 901 in the Craven County Registry (hereinafter "Real Property"); and,

WHEREAS, the City of New Bern (hereinafter "City") is the owner of a certain utility easement located upon the Real Property, more particularly identified as Tract C in that certain map entitled "20' Utility Easement Survey on the Lands of Charles Oakley and wife Amanda Oakley For Craven County Water Treatment Plant Project", prepared by McKim & Creed, dated June 18, 2013, Project Number 01082-0028, and recorded in Plat Cabinet I, Slide 38F in the Craven County Registry (hereinafter "Survey"), which Survey is incorporated herein by reference; and,

WHEREAS, upon the request of Craven County in relation to the Project, and to improve the effectiveness of the use of the Real Property for the intended purposes of its utility easements, the City has agreed to relocate its utility easements upon the Real Property, and to accomplish the same, desires to exchange its interest in Tract C as shown on the Survey (hereinafter "Old Easement") with new utility easements over Tracts D and E as shown on the Survey (hereinafter "New Easements"); and,

WHEREAS, Craven County has certain rights in the Old Easement assigned to it by the City, and has requested this exchange of interests in the Real Property whereby it may utilize the New Easements, and has agreed to the exchange of interests in the Real Property identified herein; and,

WHEREAS, Craven County desires to acquire a temporary utility easement from the Oakleys, as the same is identified in the Survey (hereinafter "Temporary Easement").

NOW THEREFORE, BE IT RESOLVED, by Craven County as follows:

1. The County accepts a non-exclusive right to use said New Easements from the City, as well as a second utility easement in Tract F as shown on the Survey.
2. The County hereby releases any and all rights it may have in the Old Easement.

3. The County shall reimburse the City in relation to all expenses incurred by the City in relation to the purposes of this Resolution, including but not limited to document preparation, advertising costs, and recording fees.
4. The County shall pay the sum of \$5,000 to the Oakleys for the Temporary Easement, which easement shall be for a period of two years from the date of recording.
5. All of the actions authorized herein are contingent upon the City of New Bern and the Oakleys taking similar actions, and agreeing to all of the terms and conditions contained herein.
6. That the Chairman, Vice Chairman, Manager, Clerk, Finance Officer and other appropriate Officers be and are hereby authorized to execute any and all documents, and do whatever is necessary, to accomplish the purposes of this Resolution.

ADOPTED on this 21st day of April, 2014.

CRAVEN COUNTY

(SEAL)

By: _____
THOMAS MARK, Chairman

ATTEST:

GWENDOLYN BRYAN, Clerk

NORTH CAROLINA
CRAVEN COUNTY

Tax Parcel Nos. 6-213-K-091
Revenue Stamps: \$0.00

This **TEMPORARY DEED OF EASEMENT**, made this ___ day of April, 2014 by and between **CHARLES OAKLEY and wife AMANDA OAKLEY**, citizens and residents of Craven County, North Carolina (hereinafter "Grantor"), whose mailing address is P.O. Box 1009, Havelock, North Carolina 28532; to **CRAVEN COUNTY**, a body politic and corporate of the State of north Carolina (hereinafter "Grantee"), whose mailing address is 406 Craven Street, New Bern, North Carolina 28560.

W I T N E S S E T H:

IN CONSIDERATION of Ten Dollars (\$10.00) and other good and valuable consideration paid to Grantor by Grantee the receipt of which is hereby acknowledged, the Grantor does hereby grant, bargain, sell, transfer and convey unto the Grantee, its successors and assigns a perpetual non-exclusive utility easement, which easement expressly includes the right of Grantee to erect, construct, and install, and thereafter use, operate, inspect, repair, maintain, replace and remove sewer lines, water lines and pipes, as well as any attachments appurtenant thereto, over, across, and through the lands of the Grantor situated in Township No. Six (6), Craven County, North Carolina, being more particularly described as follows:

SEE EXHIBIT "A"

Prepared By:
Jimmie B. Hicks, Jr.
Sumrell, Sugg, Carmichael, Hicks and Hart, P.A.
Attorneys at Law
416 Pollock Street
New Bern, North Carolina 28560

Together with the right of ingress and egress over the adjacent lands of the Grantor, its successors and assigns, for the purposes of these easements as stated and described herein.

The consideration hereinabove recited shall constitute payment in full for all damages to the land of the Grantor, its successors and assigns, by reason of the installation, operation, and maintenance of the structures of and/or improvements referred to herein. The Grantee covenants to maintain these easements in good repair so that no unreasonable damage will result from its use to the adjacent land of the Grantor, its successors and assigns.

The grant and other provisions of these easements shall constitute a covenant running with the land for the benefit of the Grantee, its successors and assigns; provided however said temporary easement shall automatically expire two (2) years from the date this Temporary Deed of Easement is recorded in the Craven County Registry, and thereafter shall be of no further force or effect.

IN TESTIMONY WHEREOF, the Grantor has executed this instrument in such form as to be binding, this the day and year first above written.

By _____ (SEAL)
CHARLES OAKLEY

By _____ (SEAL)
AMANDA OAKLEY

STATE OF NORTH CAROLINA

COUNTY OF _____

I, _____, a Notary Public in and for said County and State do hereby certify that **CHARLES OAKLEY and wife AMANDA OAKLEY** personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and notarial seal this _____ day of _____, 20__.

NOTARY PUBLIC

My Commission Expires:

EXHIBIT A

Description of Temporary Easement

All of that certain tract or parcel of land lying and being situate in Number Six (6) Township, Craven County, North Carolina and being more particularly described as follows:

Being all of that tract entitled "Temporary Construction Area 0.103 Acres" as shown on that certain map entitled "20' Utility Easement Survey on the Lands of Charles Oakley and wife Amanda Oakley For Craven County Water Treatment Plant Project", prepared by McKim & Creed, dated June 18, 2013, Project Number 01082-0028, and recorded March 20, 2014 in Plat Cabinet I, Slide 38F in the office of the Register of Deeds of Craven County, reference to said map being hereby made for a more perfect description of said easement.

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NORTH CAROLINA GENERAL ASSEMBLY
2014 SESSION

CHAPTER ____
SENATE BILL ____

AN ACT TO PROVIDE FOR SAFE DISTANCES FOR
HUNTING MIGRATORY WILD WATERFOWL IN CRAVEN COUNTY.

The General Assembly of North Carolina enacts:

Section 1. Except as provided in Section 2 of this Act, it is unlawful to take migratory wild waterfowl within 500 yards of another person's permanently established hunting location.

Section 2. This Act does not apply to a person taking migratory wild waterfowl:

(1) On property of which he is the landholder or has the landholder's permission to hunt; or

(2) Within the riparian water area of property of which he is the landholder or has the landholder's permission to hunt; or

(3) If he comes within 500 yards of another person's permanently established hunting location only after legally shooting at migratory wild waterfowl and while in active pursuit of a visible, crippled bird.

Section 3. The definitions of Subchapter IV of Chapter 113 of the General Statutes apply in interpreting this Act. A "permanently established hunting location" is a blind, float, raft, mat, or other buoyant craft or any other location, position, or device that is permanently established for hunting migratory wild waterfowl at a specific site by:

(1) The landholder of the property; or

(2) The riparian landholder, if the site is on or in water and hunting rights in that water are not controlled by someone other than the riparian landholder; or

(3) A person who has written permission to establish the permanent site from a landholder who would qualify under subdivisions (1) or (2).

Section 4. Any person who violates this Act is guilty of a misdemeanor. A first offense is punishable by a fine of not less than ten dollars (\$10.00) nor more than two hundred fifty dollars (\$250.00), imprisonment not to exceed five months, or both. A second offense is a misdemeanor punishable by mandatory revocation of the violator's hunting licenses and cancellation of all his

hunting privileges for one year and by fine, imprisonment or both in the discretion of the Court. The Court must notify the North Carolina Wildlife Resources Commission of such revocation of licenses and cancellation of privileges.

Section 5. This Act applies only to the County of Craven.

Section 6. This Act is effective upon ratification.

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