

**AGENDA
CRAVEN COUNTY BOARD OF COMMISSIONERS
REGULAR SESSION
MONDAY, APRIL 4, 2016
7:00 P.M.**

CALL TO ORDER

ROLL CALL

INVOCATION

PLEDGE OF ALLEGIANCE

APPROVE AGENDA

1. PETITIONS OF CITIZENS
2. CONSENT AGENDA
 - A. Minutes of March 21, 2016
 - B. Tax Releases and Refunds
 - C. Road Addition Resolution
 - D. Request to Set Public Hearing – Subdivision Ordinance Changes
 - E. Sheriff's Department Budget Amendment

DEPARTMENTAL MATTERS

3. CARTS – REQUEST FOR APPROVAL OF RESOLUTION TO APPLY FOR AND ENTER AGREEMENT WITH NORTH CAROLINA DEPARTMENT OF TRANSPORTATION FOR FY2017 URBAN STATE MATCH FUNDS:
Kelly Walker, CARTS Director
4. APPOINTMENTS
5. COUNTY ATTORNEY'S REPORT: Jim Hicks
6. COUNTY MANAGER'S REPORT: Jack Veit
7. COMMISSIONERS' REPORTS
8. CLOSED SESSION

Agenda Date: April 4, 2016

Presenter: _____

Agenda Item No. 1

Board Action Required or Considered: No

PETITIONS OF CITIZENS

Board Action: Receive information

Agenda Date: April 4, 2016

Presenter: _____

Agenda Item No. 2

Board Action Required or Considered: Yes

CONSENT AGENDA

A. MINUTES OF MARCH 21, 2016

The Board will be requested to approve the minutes of March 21, 2016 regular session.

B. TAX RELEASES AND REFUNDS

The Board will be requested to approve the routine requests for tax releases and refunds contained in Attachment #2.B.

There are two releases and one refund of larger than normal amounts that require some further explanation.

The releases for the Mallison and Simmons properties in foreclosure are routine in nature except for the large amounts released for one of the years for each property. Most of the Malison release for 2011 consists of \$5,506.15 in a nuisance abatement lien added by the City of Havelock. As a result of the foreclosure, this lien along with the lien for taxes is removed as the City and County now own it. The Simmons release in the amount of \$9,136.03 is entirely a City of New Bern nuisance abatement lien on the property that is being released as a result of the City and the County acquiring the parcel through the foreclosure process.

There is also a refund request from Joe's Toys, Inc. in the amount of \$10,982.80. The corporation is requesting a refund of tax paid on its helicopter that was incorrectly listed in Craven County. The tax situs of this aircraft is in Carteret County and thus the tax paid to Craven County is an illegal tax that should be refunded. It is my understanding that the taxpayer is working with Carteret County officials to rectify this listing so that it is properly taxed by that county.

C. ROAD ADDITION RESOLUTION

The Board will be requested to approve the road addition resolution contained in Attachment #2.C and to approve that a portion of Station House Road and Coree Way to be turned over to the State of North Carolina for maintenance. The resolution, once passed, will be forwarded to NCDOT for their final consideration and acceptance of the road to the State Maintenance System.

D. REQUEST TO SET PUBLIC HEARING – SUBDIVISION ORDINANCE CHANGES

The Craven County Planning Department requests to set a public hearing on May 2nd, 2016 at 7:00 p.m. The purpose of this public hearing is to review and approve the recommended Subdivision Ordinance changes as presented at the March, 21st 2016 work session.

E. SHERIFF'S DEPARTMENT BUDGET AMENDMENT

The Board will be requested to approve the budget amendment contained in Attachment #2.E.

Board Action: A roll call vote is needed to approve consent agenda items.

Agenda Date: April 4, 2016

Presenter: Kelly Walker

Agenda Item No. 3

Board Action Required or Considered: Yes

DEPARTMENTAL MATTERS: CARTS – REQUEST FOR APPROVAL OF RESOLUTION TO APPLY FOR AND ENTER AGREEMENT WITH NORTH CAROLINA DEPARTMENT OF TRANSPORTATION FOR FY2017 URBAN STATE MATCH FUNDS

On March 14, 2016 the North Carolina Department of Transportation/Public Transportation Division released a call for projects due April 1. This call for projects was for small urban systems to apply for 2017 Urban State Match funds.

A resolution to enter into an agreement for Urban State Match funding for FY2016 Urbanized Area Formula Program (5307 federal grant) vehicles was approved at the March 21 meeting. Those vehicles are not part of this request. This request is for Urban State Match on FY2017 Bus and Bus Facilities Formula (5339 federal grant) funded vehicles.

CARTS has been approved to receive three FY2017 replacement vehicles purchased with 5339 Bus and Bus Facilities Formula federal funding through NCDOT. At the March 7 meeting, a resolution was approved allowing application for that funding. As a reminder, the vehicles will replace vehicles which have met useful life as defined by NCDOT. The project total was \$174,000 with at 15% local match, or \$26,100. If CARTS is approved for FY2017 Urban State Match funds for the FY2017 5339 Bus and Bus Facilities project, NCDOT/PTD would match 7% or \$12,180. The remaining 8% or \$13,920 would be the new, reduced, local match. These vehicles are designated for use in the urbanized area only.

CARTS is asking for approval of the resolution, shown as Attachment #3, which would allow CARTS to apply for and Craven County to enter into agreement for FY2017 Urban State Match funding for FY 2017 5339 Bus and Bus Facilities funded vehicles.

Board Action: Consider resolution for approval

Agenda Date: April 4, 2016

Presenter: _____

Agenda Item No. 4

Board Action Required or Considered: Yes

APPOINTMENTS

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

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

CRAVEN COMMUNITY CHILD PROTECTION TEAM

AUTHORIZATION: NCGS 7B-1406

MISSION/FUNCTION: To respond to child protection needs before a child is harmed by taking action to identify and address gaps or deficiencies in services and resources through the annual report to the County Board of Commissioners, collaboration with community partners, promoting public awareness and advocating for action that addresses the child protection needs of each county.

NUMBER OF MEMBERS: 11-16

TYPE: DSS Director, DSS staff member, law enforcement officer, attorney from DA's office, executive director of local community action agency, public School superintendent or designee, member of DSS Board, mental health professional, Guardian ad Litem Coordinator, Public Health Director, local health care provider, EMS/firefighter, District Court Judge, Commissioners appointees from other county agencies or community at-large

QUALIFICATIONS: Stated above.

LENGTH OF TERMS: As set by respective agencies, position and Commissioners'

MEETING SCHEDULE: Quarterly; January, April, July, October

Term(s) expiring: Dawn Gibson (Not seeking reappointment; parent who has lost child before the age of 18)

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:
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 a nursing home.

LENGTH OF TERMS: 3 Years

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

COMPENSATION: No Yes Specify: _____

Term(s) expiring: Donna Siegmund (2013 – not functioning)

No applications on file.

RIVER BEND BOARD OF ADJUSTMENT (EXTRATERRITORIAL JURISDICTION)

AUTHORIZATION: NCGS 160A-362

MISSION/FUNCTION: Serves as a quasi-judicial body; reviews and rules on permitted variances

NUMBER OF MEMBERS:

1

TYPE:

Resident of River Bend's ETJ Area

1

Alternate; resident of River Bend's ETJ Area

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

LENGTH OF TERMS: 3 Years

MEETING SCHEDULE: As needed

No applications on file.

B. CURRENT APPOINTMENTS

CRAVEN AGING PLANNING BOARD

AUTHORIZATION: Bylaws

MISSION/FUNCTION: To provide a comprehensive assessment of the needs and opportunities associated with older adults; an achievable vision of successful aging. Craven County based programs for the support of and investment in older adults and their families, including a system of care for high-risk older adults; and policy strategies for maximizing the functional independence and quality of life of older adults and their families consonant with their wishes and desires.

Serves as the sole policy formulation board concerning aging programs on behalf of the Craven County Board of Commissioners.

NUMBER OF MEMBERS:

18

TYPE:

Agency - 10
Local Government - 3
Client/Caregiver - 2
Senior Representative - 3

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

Representative of senior population (60+ years of age), client representative (caretaker of an older adult, employed by or volunteering for senior service provider) or representative of one of the following agencies or government entities: Craven County DSS, Craven County Health, Carolina East Medical Center, CARTS, Employment Security Commission, Neuse Center, Coastal Community Action, Legal Aid of North Carolina, Senior Tarheel Legislature, Craven County Commissioners, Craven County Manager, Council of Governments.

LENGTH OF TERMS: 2 Years

MEETING SCHEDULE: Fourth Thursday of every second month, beginning in January, at 1:30 p.m. in the Craven County Administration Building

COMPENSATION: No X Yes Specify: _____

Terms Expiring: Joy Hudson (Permanent agency seat; Employment Security Commission "ESC")*
 Linda Klund (Permanent agency seat; Trillium)

*The ESC member has not been attending for some time. The Aging Planning Board is in the process of determining if this seat needs to continue or if bylaws need amendment.

No applications on file.

CRAVEN COUNTY HEALTH BOARD

AUTHORIZATION: NCGS 130A-35

MISSION/FUNCTION: Primary policy making and hearing body for the Craven County Health Department, charged with the immediate care and responsibility for promoting and protecting the public health in Craven County.

NUMBER OF MEMBERS:

11

TYPE:

A physician, dentist, optometrist, veterinarian, registered nurse, licensed pharmacist, Craven County Commissioner, general public

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

(See above)

LENGTH OF TERMS: 3 Years

MEETING SCHEDULE: 2nd Monday of every month, 12:00 – 1:30 p.m.

COMPENSATION: No Yes Specify: \$50/meeting

Term(s) expiring: Dr. Eric Wheelis (Veterinarian; appointed 2013; but **considering not seeking re-appointment**)

No application on file.

DOWN EAST RPO (Rural Planning Organization)

AUTHORIZATION: Memorandum of Understanding (Pursuant to NCGS 136-211)

MISSION/FUNCTION: To develop, in cooperation with the Department of Transportation, long-range local and regional multimodal transportation plans; to provide a forum for public participation in the transportation planning process; to develop and prioritize suggestions for transportation projects the organization believes should be included in the State's Transportation Improvement Program; and to provide transportation-related information to local governments and other interested organizations and persons.

NUMBER OF MEMBERS:

TYPE: (TAC)

1

County Elected Official

1

County Alternate (Elected Official)

1

Municipal Elected Official

1

Municipal Alternate (Elected Official)

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

LENGTH OF TERMS: 2 Years

MEETING SCHEDULE: _____

COMPENSATION: No Yes Specify: _____

Term(s) ending: Chad Braxton (municipal official; appointed 2013; **wishes to continue**)

No applications on file.

AGRICULTURAL ADVISORY COMMITTEE

AUTHORIZATION: Local Ordinance

MISSION/FUNCTION: Administer provision of the Craven County Voluntary Agricultural District Ordinance and perform other agricultural related tasks or duties assigned by the Craven Count Board of Commissioners.

NUMBER OF MEMBERS:
9

TYPE:
(See qualifications)

QUALIFICATIONS (Special Skills, Professional Classifications, Affiliations, Limitations, etc.):
1) resident of area Township representing; 2) agricultural landowner; 3) actively and directly involved in agricultural production on at least 10 acres of farmland 4) special interest, experience, or education in agriculture and/or rural land preservation

LENGTH OF TERMS: 3 Years

MEETING SCHEDULE: At the call of the Chairperson

COMPENSATION: No Yes Specify: _____

Terms expiring: Jimmy Arthur (appointed 2009)
Glen Ipock (appointed 2009)
David Parker (appointed 2009)
Carl Turner (appointed 2010)
Wyatt Whitford (appointed 2009)
(All seeking reappointment except Jimmy Arthur, but will stay until replacement found.)

No applications on file.

CRAVEN COUNTY CLEAN SWEEP COMMITTEE

AUTHORIZATION: Bylaws

MISSION/FUNCTION: To eliminate littering and promote recycling through education and ordinance enforcement.

NUMBER OF MEMBERS:

15

TYPE:

Civic, neighborhood, municipal, industrial business, schools

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

LENGTH OF TERMS: 3 Years

MEETING SCHEDULE: 3rd Wednesday of the months of March, June, September and December

COMPENSATION: No Yes Specify: _____

Application on file to fill vacancy: Peggy Broadway (Attachment #4.B.)
(She expressed interest and the committee requests her appointment.)

C. UPCOMING APPOINTMENTS

May

EMS Advisory Council:

Keith Morris (Appointed 2012)
Jonathan Stephens (Appointed 2012)

Local Emergency Planning Committee:

Paul Bryant (Appointed 2011)
Danny Hill (Appointed 2011)
Tamara Jones (Appointed 2011)
Timothy Lawrence (Appointed 2011; MCAS)
Rick Weaver (Appointed 2011; MCAS)
Deborah Yarborough (Appointed 2011)

New Bern Board of Adjustment:

John "Pop" Murrell (Appointed 2013)

June

ABC Board:

Chip Chagnon (Appointed 2013)
Tony Lee (Appointed 2013)
Barbara Whiteman (Appointed 2013)

Social Services Board:

Clayton Gaskins (Appointed 2013)

Fire Tax Commissioner:

Sandra Hammer (Appointed 2014)

Juvenile Crime Prevention Council:

Jennifer Dacey (Appointed 2013)
Dawn Gibson (Appointed 2014)
Debbie Hodges (Appointed 2010; Schools)
Jan Hood (Appointed 2012; Non-Profit; retired)
Jean Huryn (Appointed 2010; Substance Abuse)
Faye Legacy (Appointed 2014; DSS)
Todd Shuart (Appointed 2010; YMCA)
Toussaint Summers (Appointed 2011; N.B.P.D.)

Nursing Home Advisory Committee:

Howard Humphreys (Appointed 2013)

Recreation Advisory Board:

Dickie Fairburn (Appointed 2009; two terms)
Cathy Frazier (Appointed 2013)
Bill Taylor (Appointed 2010; two terms)

Coastal Carolina Airport Authority:

Harold Blot (Appointed 2008)

Agenda Date: April 4, 2016

Presenter: Jim Hicks

Agenda Item No. 5

COUNTY ATTORNEY'S REPORT

- A. Final Acceptance - Offer to Purchase Real Property – Off of Maul Swamp Road, Vanceboro (Parcel Number 1-044-156)

The County previously received and tentatively approved an offer in the amount of \$1,000.00 for this property, which was acquired through a tax foreclosure. The total taxes and costs that were foreclosed were \$1,469.12. The current tax value is \$13,500.00. The offer was advertised, and there were no upset bids. Attachment #5 contains the proposed resolution, deed and lien waiver.

- B. Request for Closed Session – Real Property Acquisition

The County Attorney requests a closed session to discuss real property acquisition, in accordance with G.S. Sec. 143-318.11(a)(5).

Agenda Date: April 4, 2016

Presenter: Jack Veit

Agenda Item No. 6

COUNTY MANAGER'S REPORT

Agenda Date: April 4, 2016

Presenter: _____

Agenda Item No. 7

COMMISSIONERS' REPORTS

Property acquisition (NCGS 143-318.11(a)(5))

Agenda Date: April 4, 2016

Presenter: _____

Agenda Item No. 8

CLOSED SESSION

CREDIT MEMOS SUBJECT TO BOARD APPROVAL ON 04/04/2016

TAXPAYER NAME	ACCT#/TICKET#	AMOUNT
BLANDFORD, ROYSTON D III & ANG CORRECTED DISCOVERED PROPERTY VALUE	0036585 2015-0090262	21.89
CAROLINA EAST REALTY CORRECTED DISCOVERED PROPERTY VALUE	0082138 2010-0008406	140.45
CAROLINA EAST REALTY CORRECTED DISCOVERED PROPERTY VALUE	0082138 2009-0091443	838.53
DARDEN, ZIGMOND KEITH CORRECTED DISCOVERED PROPERTY VALUE	0103842 2016-0090057	227.45
DIXON, TIMOTHY E & HARDY, EVOR DWELLING VACANT SINCE 2006	0039372 2015-0015329	38.26
HILLYER, WILLIAM HUSTEN MILITARY EXEMPTION	0098788 2015-0027065	11.92
HODGES, SALLIE M DOUBLE BILLED-SEE ACCT 74570	0027629 2015-0091137	28.33
MALLISON, JOSEPH WHITE JR FORECLOSURE-LIEN EXTINGUISHED	0047365 2009-0035791	271.22
MALLISON, JOSEPH WHITE JR FORECLOSURE-LIEN EXTINGUISHED	0047365 2010-0032627	1,152.35
MALLISON, JOSEPH WHITE JR HRS FORECLOSURE-LIEN EXTINGUISHED	0085771 2011-0036317	6,326.66
MALLISON, JOSEPH WHITE JR HRS FORECLOSURE-LIEN EXTINGUISHED	0085771 2012-0036198	1,529.16
MALLISON, JOSEPH WHITE JR HRS FORECLOSURE-LIEN EXTINGUISHED	0085771 2013-0034870	948.87
MALLISON, JOSEPH WHITE JR HRS FORECLOSURE-LIEN EXTINGUISHED	0085771 2014-0035612	1,719.05
MALLISON, JOSEPH WHITE JR HRS FORECLOSURE-LIEN EXTINGUISHED	0085771 2015-0036304	506.14

CREDIT MEMOS SUBJECT TO BOARD APPROVAL ON 04/04/2016

TAXPAYER NAME	ACCT#/TICKET#	AMOUNT
REYNOLDS, ALPHONSO DWELLINGS UNOCCUPIED SINCE 2013	6016350 2015-0048212	75.60
SENF, LOGAN J & KAYLA J MILITARY EXEMPTION	0091872 2015-0051601	167.43
SILANCE SERVICE CENTER INC DOUBLE BILLED 2014	0102855 2015-0090251	248.65
SIMMONS, TIMOTHY FORECLOSURE-LIEN EXTINGUISHED	6545800 2007-0049892	9,136.03
SIMMONS, TIMOTHY FORECLOSURE-LIEN EXTINGUISHED	6545800 2010-0046941	139.00
SIMMONS, TIMOTHY FORECLOSURE-LIEN EXTINGUISHED	6545800 2013-0050011	95.59
SIMMONS, TIMOTHY FORECLOSURE-LIEN EXTINGUISHED	6545800 2014-0051172	88.51
SIMMONS, TIMOTHY FORECLOSURE-LIEN EXTINGUISHED	6545800 2015-0052399	78.20
	22 -CREDIT MEMO(S)	23,789.29

REFUNDS SUBJECT TO BOARD APPROVAL ON 04/04/2016

TAXPAYER NAME	ACCT#/TICKET#	AMOUNT
BRANCH BANKING & TRUST CO CORRECTED VALUATION CLERICAL ERROR	0766800 2015-0006111	67.55
BRANCH BANKING & TRUST CO CORRECTED VALUATION CLERICAL ERROR	0766802 2015-0006113	36.21
JOES TOYS INC TAX SITUS IS IN CARTERET COUNTY	0075696 2015-0091794	10,982.80
JONES, EDNA D DID NOT OWN 1/1/2015	0048496 2015-0030645	55.31
WHITE, HERMAN DONALD & GRIFFIN DOUBLE BILLED W/ PARCEL 3-049-19001	0040689 2015-0061853	688.16
	5 -REFUND(S)	11,830.03

**NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION
DIVISION OF HIGHWAYS
REQUEST FOR ADDITION TO STATE MAINTAINED SECONDARY ROAD SYSTEM**

North Carolina
County of Craven

Road Description: Station House Rd. (approx.. 4,100'), Coree Way (approx.. 570')

WHEREAS, the attached petition has been filed with the Board of County Commissioners of the County of Craven requesting that the above described road, the location of which has been indicated in red on the attached map, be added to the Secondary Road System; and

WHEREAS, the Board of County Commissioners is of the opinion that the above described road should be added to the Secondary Road System, if the road meets minimum standards and criteria established by the Division of Highways of the Department of Transportation for the addition of roads to the system.

NOW, THEREFORE, be it resolved by the Board of County Commissioners of the County of Craven that the Division of Highways is hereby requested to review the above described road, and to take over the road for maintenance if it meets established standards and criteria.

CERTIFICATE

The foregoing resolution was duly adopted by the Board of Commissioners of the County of Craven at a meeting on the ____ day of _____, 2016.

WITNESS my hand and official seal on this the ____ day of _____, 2016.

(Official Seal)

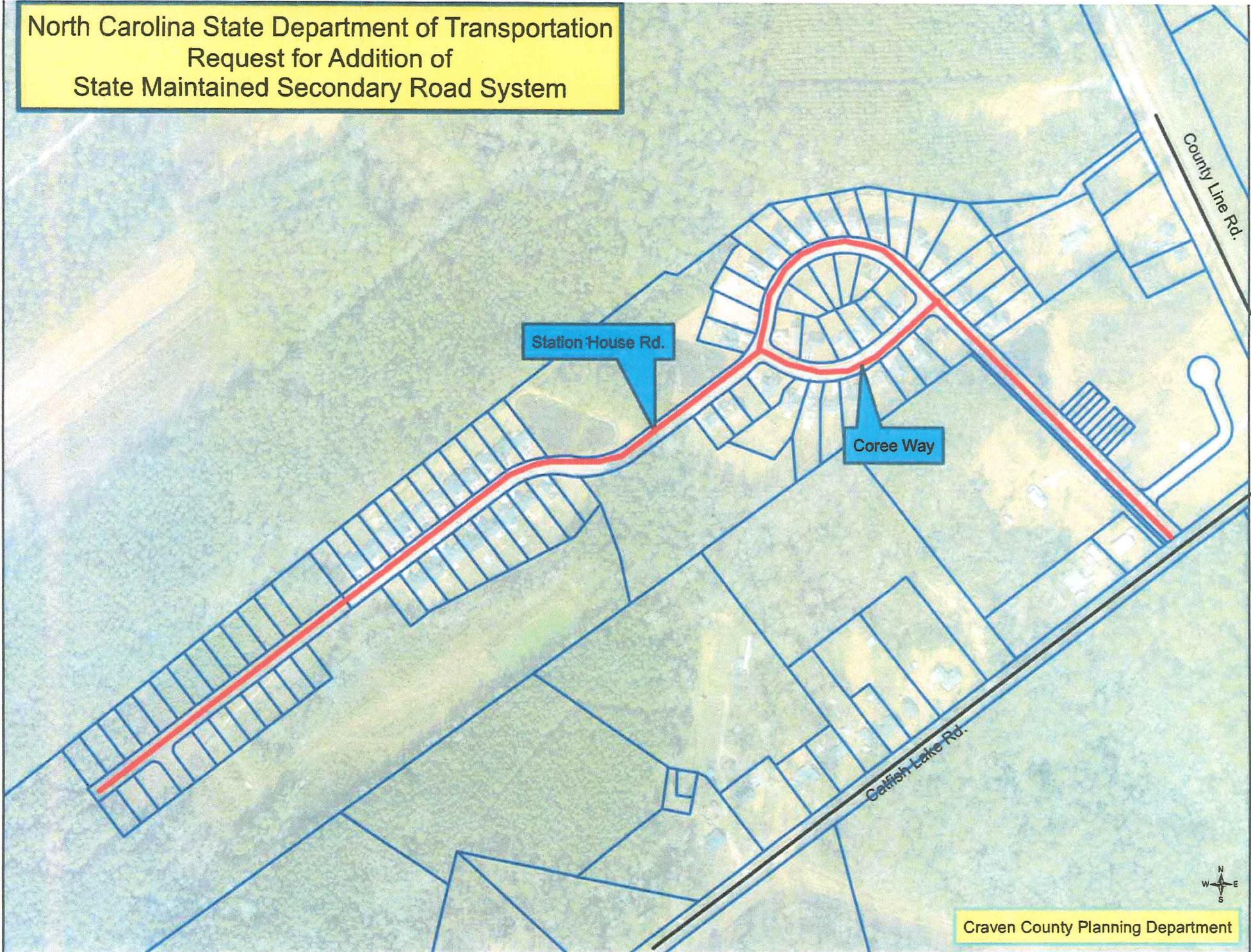
Clerk to the Board of Commissioners
County of Craven

PLEASE NOTE:

Forward direct with request to the Division Engineer, Division of Highways

Form SR-2 (3/2006)

North Carolina State Department of Transportation
Request for Addition of
State Maintained Secondary Road System



TRANSPORTATION PROGRAM RESOLUTION

**Urban State Match
FY 2016 and FY 2017 RESOLUTION**

Applicant seeking permission to apply for the Urban State Match Program funding, enter into agreement with the North Carolina Department of Transportation, provide the necessary assurances and the required local match.

A motion was made by *(Board Member's Name)* _____ and seconded by *(Board Member's Name or N/A, if not required)* _____ for the adoption of the following resolution, and upon being put to a vote was duly adopted.

WHEREAS, Article 2B of Chapter 136 of the North Carolina General Statutes and the Governor of North Carolina have designated the North Carolina Department of Transportation (NCDOT) as the agency responsible for administering federal and state public transportation funds; and

WHEREAS, the North Carolina Department of Transportation will apply for a grant from the US Department of Transportation, Federal Transit Administration and receives funds from the North Carolina General Assembly to provide assistance for Small Urban Public Transportation Projects; and

WHEREAS, the purpose of these transportation funds is to provide grant monies to local agencies for the provision of small urban public transportation services consistent with the policy requirements for planning, community and agency involvement, service design, service alternatives, training and conference participation, reporting and other requirements (drug and alcohol testing policy and program, disadvantaged business enterprise program, and fully allocated costs analysis); and

WHEREAS, *(Legal Name of Applicant)* Craven County hereby assures and certifies that it will provide the required local matching funds; that its staff has the technical capacity to implement and manage the project, prepare required reports, obtain required training, attend meetings and conferences; and agrees to comply with the federal and state statutes, regulations, executive orders, Section 5333 (b) Warranty, and all administrative requirements related to the applications made to and grants received from the Federal Transit Administration, as well as the provisions of Section 1001 of Title 18, U. S. C.

NOW, THEREFORE, be it resolved that the *(Authorized Official's Title)** Chairman of *(Name of Applicant's Governing Body)* Craven County Board of Commissioners is hereby authorized to submit a grant application for federal and state funding, make the necessary assurances and certifications and be empowered to enter into an agreement with the NCDOT to provide rural public transportation services.

I *(Certifying Official's Name)** Gwendolyn M. Bryan *(Certifying Official's Title)* Clerk of the Board do hereby certify that the above is a true and correct copy of an excerpt from the minutes of a meeting of the *(Name of Applicant's Governing Board)* Craven County Board of Commissionoerns duly held on the 4th day of April, 2016.

Signature of Certifying Official

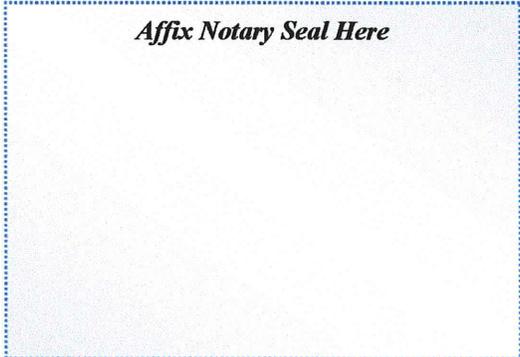
***Note that the authorized official, certifying official, and notary public should be three separate individuals.**

Seal Subscribed and sworn to me *(date)* _____

*Notary Public **

Printed Name and Address

My commission expires *(date)* _____



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:

Wherever needed on "Clean Sweep"
Committee efforts.

Name: Leggy J. Broadway Home Phone: 252-637-6989

Home Address: 214 Change St

City: New Bern NC 28560 Zip Code: 28560

Township: _____ City Limits: Yes No

Occupation: retired Physical Therapist Business Phone: _____

Place of Employment: _____ Fax Number: _____

E-Mail Address: pbway@suddenlink.net

(Please indicate your preferred contact number.)

Education

Attended Wake Forest College Transferred ->
BS Medical College of VA, School of Physical Therapy
BA UNC Charlotte City Planning

Business and Civic Experience

Served on NPE Commission
Chairman, Appearance Commission of New Bern
Board member of PLAT

Areas of Expertise, Interest, Skills

City Planning, Urban Forestry, Water quality,
gardening, Environmental concerns, preservation of
species

Why do you want to serve?

Deeply concerned about loss of natural
pride and concern for environment.

Please List Other Local, Regional and Statewide Boards, Committees or Commissions on Which You Serve

Garden Club and City Beautiful when living in
Greensboro, NC.

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

Date: 2/9/16

Signature: Leggy J Broadway

Please be advised that this form is a public record, and must be made available to the public upon request.
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.

RESOLUTION

Tax Parcel Number 1-044-156, Craven County, North Carolina

THAT WHEREAS, Craven County has received an offer to purchase a parcel of property owned by the County, identified as Tax Parcel Number 1-044-156, and being more particularly described herein; and

WHEREAS, the Board of Commissioners is authorized to sell the County's interest in the property pursuant to North Carolina General Statute §160A-269; and

WHEREAS, the offer to purchase was advertised as required by said statute; and

WHEREAS, the final offer to purchase, after the upset bid period, was in the sum of \$1,000.00 by Jerry Jones; and

WHEREAS, the Board of Commissioners deems it advisable and in the best interest of the County to sell its interest in the subject property to the successful bidder and to convey its interest in said property by quitclaim deed.

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

Section 1. That the last and highest bid of Jerry Jones in the sum of \$1,000.00 for said parcel identified as Tax Parcel Number 1-044-156, and being more particularly described herein, be and the same is hereby accepted as to the County's interest in said property, and the Chairman, County Manager and/or Clerk be and they are hereby authorized and directed to execute a quitclaim deed to the purchasers for the County's interest in said property, and to further execute any and all other documents related to the sale of the same..

Section 2. That a copy of said quitclaim deed is attached hereto and incorporated herein by reference, and the original deed shall be delivered to said purchaser once the same has been executed on behalf of the County, upon payment of the purchase price.

Section 3. That the subject property is more particularly described as follows:

All that certain lot or parcel of land lying and being situate in Number One (1) Township, Craven County, North Carolina, and being more particularly described as follows:

All of that certain property more fully described in Deed Book 2190 at Page 856 in the Craven County Registry. This property is also commonly referred to by its tax parcel identification number which is 1-044-156.

ADOPTED THIS 4th DAY OF APRIL, 2016.

GEORGE LINER, Chairman

(County Seal)

GWENDOLYN BRYAN,
Clerk to the Board

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NORTH CAROLINA
CRAVEN COUNTY

Tax Parcel No. 1-044-156
Revenue Stamps \$0.00

QUITCLAIM DEED

THIS QUITCLAIM DEED made this ____ day of April, 2016, by and between **CRAVEN COUNTY**, a body politic and corporate of the State of North Carolina (“Grantor”); to **JERRY JONES** (“Grantees”), whose mailing address is 670 Weyerhaeuser Rd., Vanceboro, NC 28586, is as follows:

WITNESSETH:

That said Grantor for and in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration to Grantor paid by the Grantee, the receipt of which is hereby acknowledged, has remised and released, and by these presents does remise, release and forever quitclaim unto the Grantee, Grantee’s heirs, successors and assigns, pursuant to N.C.G.S. Section 160A-274, the following described property, **which said property does not include the primary residence of the Grantor** to wit:

**SEE EXHIBIT “A” ATTACHED HERETO
AND INCORPORATED HEREIN BY REFERENCE.**

TO HAVE AND TO HOLD the above described lot or parcel of land and all privileges and appurtenances thereunto belonging to the Grantee, Grantee’s heirs, successors and assigns, free and discharged from all right, title, claim or interest of the said Grantor or anyone claiming by, through or under the Grantor.

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

IN TESTIMONY WHEREOF, **CRAVEN COUNTY** has caused this instrument to be executed as its act and deed by the Chairman of its Board of Commissioners, attested by its Clerk, and its seal to be hereunto affixed, all by the authority of its Board of Commissioners, as of the day and year first above written.

CRAVEN COUNTY

(County Seal)

By: _____
GEORGE LINER, Chairman
Craven County Board of Commissioners

ATTEST:

GWENDOLYN M. BRYAN, Clerk
Craven County Board of Commissioners

STATE OF NORTH CAROLINA
COUNTY OF _____

I, _____, Notary Public in and for said County and State, do hereby certify that on the ____ day of April, 2016, before me personally appeared GEORGE LINER, 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 April, 2016.

Notary Public

My Commission Expires:

EXHIBIT A

The following parcel or tract of land situate and lying in the Number One (1) Township located in Craven County, North Carolina, and being more particularly described as follows:

FIRST PARCEL

That certain lot, tract or parcel of land lying and being in No. 1 Township, Craven County, N.C., and in the Mauls Swamp Community, bounded on the east and south by Joe J. Dawson, on the west by a ditch in Pitch Hole Branch, Beginning at a stake which stands S 16 E. 157.50 feet from a point on top of the south end of a 36 inch pipe culbert across N.C. Highway No. 1638; thence S. 21 E. 80.00 feet to a stake; thence S. 69 W. 176.00 feet to a stake on the ditch in Pitch Hole Branch; thence with said ditch N. 22-32 E. 110.32 feet to a stake; thence N. 69 E. 100.00 feet to the beginning, containing 11038.26 square feet more or less, and being part of Tract No. 2 of the deed recorded in Book 670, Page 180, filed in the Craven County Registry.

SECOND PARCEL

An easement for the purposes of ingress and egress over, upon, and across a strip of land for a road to the First Parcel described as follows: Beginning at a point in the South margin of N.C. Highway No. 1638; thence running with a line 10 feet west of and parallel to the west side of the ditch in Pitch Hole Branch, a southerly direction 190 feet.

Being the identical property described in Deed recorded in Book 2190, Page 856 filed in the Craven County Registry. This property is also commonly referred to by its tax parcel identification number which is 1-044-156.

Subject to restrictive covenants and easements of record.

**OWNER AFFIDAVIT AND INDEMNITY AGREEMENT
(NO RECENT IMPROVEMENTS AND NO EXECUTORY CONTRACTS FOR IMPROVEMENTS)**

PARTIES: All parties identified in this section must execute this Agreement.

Owner: **CRAVEN COUNTY, a body politic and corporate**

(NOTE: A separate Agreement is required for each successive owner in the 120-Day Lien Period.)

PROPERTY: See "EXHIBIT A" attached hereto and incorporated herein by reference

(Insert street address or brief description and/or attach a description as Exhibit A. Include here any real estate that is a portion of a larger, pre-unsegregated tract when that area is reasonably necessary for the convenient use and occupation of Improvements on the larger tract.)

DEFINITIONS: The following capitalized terms as used in this Agreement shall have the following meanings:

- **Improvement:** All or any part of any building, structure, erection, alteration, demolition, excavation, clearing, grading, filling, or landscaping, including tree shrubbery, driveways, and private roadways on the Property as defined below.
- **Labor, Services or Materials:** ALL labor, services, materials for which a lien can be claimed under NCGS Chapter 44A, Article 2, including but not limited to professional design services (including architectural, engineering, landscaping and surveying) and/or rental equipment.
- **Contractor:** Any person or entity who has performed or furnished or has contracted to perform or furnish Labor, Services or Materials pursuant to a contract, either express or implied, with the Owner of real property for the making of an Improvement thereon. (Note that services by architects, engineers, landscapers, surveyors, furnishers of rental equipment and contracts for construction on Property of Improvements are often provided before there is evidence of construction.)
- **120-Day Lien Period:** The 120 days immediately preceding the date of recordation of the latter of the deed to purchaser or deed of trust to lender in the County of the Register of Deeds of the county in which the Property is located.
- **Owner:** Any person or entity, as defined in NCGS Chapter 44A, Article 2, who has or has had any interest in the Property within the 120-Day Lien Period for the purposes of this Agreement, the term Owner includes: (i) a seller of the Property or a borrower under a loan agreement secured by the Property; (ii) the Owner's successors in interest and agents of the Owner acting within their authority.
- **Company:** The title insurance company providing the title policy for the transaction contemplated by the parties herein.
- **Property:** The real estate described above or on Exhibit A and any leaseholds, tenements, hereditaments, and improvements placed thereon.
- All defined terms shall include the singular or plural as required by context.

AGREEMENT: For good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, and as an inducement to the purchase of the Property by a purchaser and/or the making of a loan by a lender secured by a deed of trust encumbering the Property and the issuance of a title insurance policy by Company insuring title to the Property without exception to liens for Labor, Services or Materials; Owner first being duly sworn, deposes, says and certifies:

1. **Certifications:** Owner certifies that at no time during the 120-Day Lien Period have any Labor, Services or Materials been furnished in connection with the making of a loan secured by a deed of trust encumbering the Property (including architectural, engineering, landscaping or surveying services or materials or rental equipment) for which a lien can be claimed under NCGS Chapter 44A) nor have any Labor, Services or Materials been furnished on the Property prior to the 120-Day Lien Period that will or may be completed after the date of this affidavit OR only minor repairs and/or alterations to pre-existing Improvements have been made and Owner certifies that no Mechanics Lien Agent has been appointed.

2. **Reliance and Indemnification:** This Agreement may be relied upon by the purchaser in the purchase of the Property, a lender to make a loan secured by a deed of trust encumbering the Property and by Company in issuance of a title insurance policy or policies insuring title to the Property without exception to liens as certified in this Agreement. The provisions of this Agreement shall survive the disbursement of funds and closing of this transaction and shall be binding upon and anyone claiming by, through or under Owner.

Owner agrees to indemnify and hold purchaser, lender, and Company harmless of and from any and all loss, cost, damage and expense of every kind, and all fees, costs and expenses, which the purchaser, lender or Company shall or may incur or become liable for, directly or indirectly, as a result of reliance on the certifications of Owner made herein or in enforcement of the Company's rights hereunder.

3. **NCLTA Copyright and Entire Agreement:** This Agreement and any attachments hereto represent the entire agreement between the Owner and the Company and no prior or contemporaneous agreement or understanding inconsistent herewith (whether oral or written) pertaining to such matters is effective. THIS IS A COPYRIGHT FORM and any variances in the form provisions hereof must be specifically stated in the blank below and agreed to in writing by the Company.

No modification of this Agreement, and no waiver of any of its terms or conditions, shall be effective unless made in writing and approved by the Company.

PROVIDING A FALSE AFFIDAVIT IS A CRIMINAL OFFENSE		
EXECUTION BY OWNER		
<p>CRAVEN COUNTY, a body politic and corporate</p> <p>By: _____</p> <p>Printed or Typed Name/Title: _____</p> <p>(Seal)</p>	<p>State of <u>NORTH CAROLINA</u> County of <u>CRAVEN</u></p> <p>Signed and sworn to (or affirmed) before me this day by</p> <p>_____</p> <p>As _____ of</p> <p><u>Craven County, a body politic and corporate.</u></p> <p>Date: _____</p> <p>_____, Notary Public</p> <p>My Commission Expires: _____</p>	<p style="writing-mode: vertical-rl; transform: rotate(180deg);">[Affix Official/Notarial Seal]</p>

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