

**AGENDA  
CRAVEN COUNTY BOARD OF COMMISSIONERS  
REGULAR SESSION  
MONDAY, AUGUST 17, 2020  
8:30 A.M.**

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVE AGENDA

1. CONSENT AGENDA
  - A. Minutes of August 6, 2020 Special Session
  - B. Tax Releases
  - C. National Recovery Month Proclamation
  - D. Budget Amendment – Sheriff K-9 Donation
  
2. CHILD SUPPORT ENFORCEMENT OFFICE SFY 2019-2020 PERFORMANCE NUMBERS PRESENTATION: Willie R. Smith, III, Project Manager

**DEPARTMENTAL MATTERS**

3. COASTAL CAROLINA REGIONAL AIRPORT AUTHORITY – FAA GRANT FUNDING REQUEST: Andrew Shorter, Airport Director
  
4. EMERGENCY SERVICES – BUDGET AMENDMENT: Stanley Kite, EMS Director
  
5. SHERIFF: Tony Lee, Administrative Captain
  - A. Budget Amendment – K-9 Funds
  - B. Budget Amendment – Acceptance of Grant Award for School Safety Project
  - C. Budget Amendment – Acceptance of CARES Grant Program
  - D. Budget Amendment
  
6. TAX: Ronnie Antry, Tax Administrator
  - A. 2019 Tax Collection Settlement
  - B. 2020 Charge to the Tax Collector
  
7. PLANNING: Don Baumgardner, Planning Director; Chad Strawn, Assistant Planning Director
  - A. Subdivision for Approval – Lake Hazel Estates Ph. 3 Block D – Final
  - B. Green Trees Drive Road Addition Resolution
  - C. Station House Road, Coree Way and Station Yard Road – Road Addition Resolution

- D. Golden Leaf Foundation Grant – Project Budget Amendment and Budget Ordinance
- 8. CARTS: Roy Beeson, Assistant Transportation Director; Kelly Walker, Transportation Director
  - A. Public Transportation Agency Safety Plan (PTASP)
  - B. Request for Public Hearing Regarding CARTS Title VI Program Plan
- 9. SOCIAL SERVICES – CARES ACT COVID CPS/APS ADDITIONAL WORKER, FOSTER CARE SUPPLEMENTAL FUNDS: Geoffrey Marett, DSS Director
- 10. HEALTH: Clayton Gaskins, Hospice Director; Scott Harrelson, Health Director
  - A. Funding for Back-Up Medical Director
  - B. Additional Funding from NCCHCA to Health Centers for COVID-19
  - C. Additional State Funding related to COVID-19
  - D. Additional WIC Funding
- 11. HUMAN RESOURCES – 2021 HOLIDAY SCHEDULE: Amber Parker, Human Resources Director
- 12. APPOINTMENTS
- 13. COUNTY ATTORNEY’S REPORT: Arey Grady
- 14. COUNTY MANAGER’S REPORT: Jack Veit
- 15. COMMISSIONERS’ REPORTS

Agenda Date August 17, 2020

Presenter: \_\_\_\_\_

Agenda Item No. 1

Board Action Required or Considered: Yes

## CONSENT AGENDA

### A. MINUTES OF AUGUST 6, 2020 SPECIAL MEETING

The Board will be requested to approve the minutes of August 6, 2020 special session, as shown in Attachment #1.A.

### B. TAX RELEASES

The Board will be requested to approve the tax releases shown in Attachment #1.B.

### C. NATIONAL RECOVERY MONTH PROCLAMATION

The Board will be requested to adopt the proclamation, shown in Attachment #1.C., recognizing September 2020 as National Recovery Month in Craven County.

### D. BUDGET AMENDMENT –SHERIFF K-9 DONATION

The Board will be requested to approve the budget amendment, shown in Attachment #1.D., to accept a donation check in the amount of \$250 to support the purchase of dog food, supplies, medical care/supplies, and training related specifically to the CCSO K-9 Division.

**Board Action: A roll call vote is needed to accept the consent agenda items**

Agenda Date August 17, 2020

Presenter: Willie R. Smith, III.

Agenda Item No. 2

Board Action Required or Considered: No

**CHILD SUPPORT ENFORCEMENT OFFICE SFY 2019-2020 PERFORMANCE  
NUMBERS PRESENTATION**

Project Manager, Willie R. Smith, III, will present a PowerPoint summary of the Craven County Child Support Enforcement Office SFY 2019-2020 Performance Numbers, highlighting how the office performed over the previous state fiscal year and what to expect in the current state fiscal year to assist the citizens of Craven County.

**Board Action: Information only**

Agenda Date August 17, 2020

Presenter: Andrew Shorter

Agenda Item No. 3

Board Action Required or Considered: Yes

**DEPARTMENTAL MATTERS: AIRPORT – FAA GRANT FUNDING REQUEST**

Airport Director, Andrew Shorter, will present the FAA Grant funding request, shown in Attachment #3, for the Board's approval.

-The Coastal Carolina Regional Airport Authority is in receipt of its FY2020 FAA Airport Improvement Program grant offer in the amount of \$893,806.00

-This grant authority is derived from EWN's annual FAA entitlement funding formula based on its commercial passenger traffic utilizing the annual enplanement figures. There is no additional discretionary funding in this grant offer.

-Due to the CARES Act, this year's grant will be funded at 100% with no local match required.

-This grant has been issued to cover the cost of several items: 1) New Airport Fire Fighting Vehicle, 2) Final Reimbursement for two airport Design Projects, 3) Reimbursement for two previous Independent Fee Estimates, 4) Reimbursement for updating the Airport's Disadvantaged Business Enterprise Program, 5) Reimbursement for one executed Categorical Exclusion for environmental documentation.

**Board Action: Approve and sign Federal Grant**

Agenda Date August 17, 2020

Presenter: Stanley Kite

Agenda Item No. 4

Board Action Require or Considered: Yes

**DEPARTMENTAL MATTERS: EMERGENCY SERVICES – BUDGET AMENDMENT**

Emergency Services Director, Stanley Kite, will present the budget amendment, shown in Attachment #4, requesting to move approved funds from previous FY 19-20 to current FY 20-21 for the Emergency Shelter for the Covid-19 Pandemic. Emergency Services received a 50/50 grant from the State of North Carolina as part of the supplemental money to the Emergency Management Performance Grant.

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

Agenda Date August 17, 2020

Presenter: Tony Lee

Agenda Item No. 5

Board Action Required or Considered: Yes

**DEPARTMENTAL MATTERS: SHERIFF**

**A. BUDGET AMENDMENT – K-9 FUNDS**

Administrative Captain, Tony Lee, will present the budget amendment, shown in Attachment #5.A., requesting to move remaining funds in the K-9 supplies line from the FY20 budget to the FY21 budget.

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

**B. BUDGET AMENDMENT – ACCEPTANCE OF GRANT AWARD FOR SAFETY SCHOOL PROJECT**

The Craven County Sheriff's Office has been awarded a "School Safety Project" grant in the amount of \$33,980.00 to purchase equipment and gear for our School Resource Officers.

Mr. Lee will present the budget amendment, shown in Attachment #5.B., requesting that the Board accept the awarded grant.

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

**C. BUDGET AMENDMENT – ACCEPTANCE OF CARES GRANT AWARD**

The Craven County Sheriff's Office has been awarded a "Coronavirus Emergency Supplemental Funding Program" grant in the amount of \$58,008.00 to purchase equipment and gear related to disinfecting and cleaning supplies, personal protective equipment (PPE), and public information message display boards (electronic) and software.

Mr. Lee will present the budget amendment, shown in Attachment #5.C., requesting that the Board accept the awarded grant.

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

D. BUDGET AMENDMENT

Mr. Lee will present the budget amendment, shown in Attachment #5.D., requesting to allow the Sheriff's Office to pay remaining outstanding invoices for FY20 by allowing the department to roll over the original encumbered funds for the following items:

- Transfer \$12,540.00 from Cap Outlay-Over \$5,000 from FY20 into Cap Outlay \$500-\$4,999 FY21 for body armor that was not delivered until late June/mid-July 2020 due to the items being customized for each officer.
- Transfer \$41,113.00 from FY20 Supplies-Other into Supplies-Other FY21 for riot gear year delivered after June 2020.

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

Agenda Date August 17, 2020

Presenter: Ronnie Antry

Agenda Item No. 6

Board Action Required or Considered: Yes

## DEPARTMENTAL MATTERS: TAX

### A. 2019 TAX COLLECTION SETTLEMENT

Before being charged with the collection of the 2020 tax levy, the Craven County Tax Collector must present to the Board his settlement of the 2019 tax levy. A copy of the settlement is shown in Attachment #6.A. Pursuant to NCGS 105-273(3), the tax collector requests that the settlement, along with the Board's action regarding it, be entered in full upon the minutes.

**Board Action: Accept the settlement of the 2019 tax levy and enter into minutes**

### B. 2020 CHARGE TO THE TAX COLLECTOR

If the 2019 settlement is accepted, then the Board must adopt and enter into its minutes an order to charge the tax collector with the collection of the 2020 tax levy. The order to be adopted is required by NCGS 105-321(b) and is shown in Attachment #6.B.

**Board Action: Adopt the order for the collection of the 2020 taxes and enter into minutes**

Agenda Date August 17, 2020

Presenters: Don Baumgardner, Chad Strawn

Agenda Item No. 7

Board Action Required or Considered: Yes

## DEPARTMENTAL MATTERS: PLANNING

### A. SUBDIVISION FOR APPROVAL – LAKE HAZEL ESTATES PH. 3 BLOCK D – FINAL

The Planning Board met on July 23, 2020 and recommended the following subdivision for approval:

Lake Hazel Estates Ph. 3 Block D - Final

- Property is owned by Robert Holton, Sr. and surveyed by Michael W. Stahl, PLS
- Property is located within Twp. 2 off of Two Lakes Trl. (SR# 1665)
- Parcel ID 2-026-19002
- Subdivision contains 6 lots on 8.01 acres
- Lots will be served by First Craven Water and proposed individual septic systems

Maps of the subdivision are shown in Attachment #7.A.

**Board Action: Approve the subdivision**

### B. GREEN TREE DRIVE ROAD ADDITION RESOLUTION

The Board will be requested to adopt the road addition resolution, shown in Attachment #7.B., approving Green Trees Drive in the Green Trees Subdivision (approximately .22 tenths of a mile) to be turned over to the State of North Carolina for maintenance. The resolution, once passed, will be forwarded to the NCDOT for their final consideration and acceptance of the road to the State Maintenance System.

**Board Action: Adopt the standard SR2 Road Addition Resolution**

C. STATION HOUSE ROAD, COREE WAY AND STATION YARD ROAD – ROAD ADDITION RESOLUTION

The Board will be requested to adopt the road addition resolution, shown in Attachment #7.C., approving Station House Road (approximately .92 tenths of a mile), Coree Way (approximately .10 tenths of a mile) Station Yard Road (approximately .19 tenths of a mile) in the Croatan Crossing Subdivision 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.

**Board Action: Adopt the standard SRT Road Addition Resolution**

D. GOLDEN LEAF FOUNDATION GRANT – PROJECT BUDGET AMENDMENT AND BUDGET ORDINANCE

Craven County has been notified by The Golden LEAF Foundation that we have received a grant award in the amount of \$1,393,800.00 that will be used to install permanent generators at five schools in Craven County. The Board will be requested to approve the budget amendment and budget ordinance, shown in Attachment #7.D., in order to begin this project.

Please see the budget breakdown below; engineering/design/construction inspection will be for the electrical engineering and design along with inspection services. The construction line-item will be for the purchase and installation of the generators.

Engineering/Design/Construction Inspection (15%) -	\$ 209,070.00
Construction (85%) -	\$1,184,730.00
Project Total:	(100%) - \$1,393,800.00

**Board Action: A roll call vote is needed to approve the budget amendment and budget ordinance**

Agenda Date August 17, 2020

Presenters; Roy Beeson, Kelly Walker

Agenda Item No. 8

Board Action Required or Considered: Yes

## DEPARTMENTAL MATTERS: CARTS

### A. PUBLIC TRANSPORTATION AGENCY SAFETY PLAN (PTASP)

The Federal Transit Administration (FTA) requires transit agencies to implement a Safety Management System (SMS) to manage safety risk, which can help agencies maintain or improve their safety performance. The way that the FTA wants transit systems to package the safety information is by using the Public Transportation Agency Safety Plan (PTASP).

CARTS, in concert with NCDOT, has completed the draft PTASP that is to be implemented no later than December of 2020 as per FTA guidance. The PTASP enhances our current SMS by identifying accidental and operational risks, assessing these risks, and aids in the development of mitigation strategies for the risks identified. This enables CARTS to develop strategies, training, and cyclic assessments that will lead to safe operations now and in the future.

CARTS is asking for approval of the PTASP, as shown in Attachment #8.A., to be implemented to meet the FTA and NCDOT requirements.

#### **Board Action: Approve the Public Transportation Agency Safety Plan**

### B. REQUEST TO HOLD A PUBLIC HEARING AT THE SEPTEMBER 8, 2020 BOARD OF COMMISSIONERS MEETING REGARDING THE CARTS TITLE VI PROGRAM PLAN

The Federal Transit Administration (FTA) requires that all direct and primary recipients document their compliance with Department of Transportation Title VI regulations by submitting a Title VI Program to their FTA regional civil rights officer once every three years or as otherwise directed. CARTS has been instructed to submit a Title VI Program by September 30, 2020. The current Title VI Program is located on the CARTS webpage.

We are requesting a public hearing to be held at the first Board of Commissioners meeting in September (September 8, 2020). The proposed program will be available no later than August 21, 2020. Availability for public review will be on the Craven County website and at the CARTS office. CARTS will switch to a template provided by the North Carolina Department of Transportation/Integrated Mobility Division (NCDOT/IMD).

There is no change to the program itself, just the format in which the plan is written, additional required information, and the frequency with which CARTS must present the plan for signature. Upon conclusion of the public hearing, CARTS will be requesting consideration for approval and consideration of any comments regarding the Title VI plan. (See Attachment #8.B.)

Agenda Date August 17, 2020

Presenter: Geoffrey Marett

Agenda Item No. 9

Board Action Required or Considered: Yes

**DEPARTMENTAL MATTERS: SOCIAL SERVICES – CARES ACT COVID CPS/APS  
ADDITIONAL WORKER, FOSTER CARE SUPPLEMENTAL FUNDS**

Social Services Director, Geoffrey Marett, will present the budget amendment, shown in Attachment #9, requesting to budget CARES Act funding provided for CPS/APS temporary staff and supplemental COVID foster care payments.

CARES Act funding for the Covid 19 Recovery Act has been awarded to County Social Services. Funding for Supplemental Foster Care COVID payments of \$100 for each child or youth in foster care for the months of April, May, June, and July of 2020, each month estimating \$10,000, as well as APS/CPS Essential Worker Additional Cost funding to support additional APS/CPS salary costs for temporary/time-limited workers. This is 100% Federal funding and must be used by 12/30/2020.

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

Agenda Date August 17, 2020

Presenters: Clayton Gaskins, Scott Harrelson

Agenda Item No. 10

Board Action Required or Considered: Yes

## DEPARTMENTAL MATTERS: HEALTH

### A. FUNDING FOR BACK-UP MEDICAL DIRECTOR

Hospice is completely dependent on Dr. Fisher, our Medical Director, to complete consultations with RNs as well as covering the on-call needs of our patients. We cannot function as a business without a Medical Director. Dr. Fisher is on-call for our nurses constantly. He also makes himself available for on-call needs during late PM/early AM for patients who have another attending physician that are unable to be reached during those times. Dr. Jenny Aaron is interested in becoming our back-up Medical Director. She is a supporter of our business and sends referrals to us on a regular basis. In the event Dr. Fisher is not available, she would fulfill his duties. In addition, she would cover on-call for one weekend per month to relieve Dr. Fisher. The salary request is \$15,000 per year. The budget amendment, shown in Attachment #10.A, for the remainder of FY20 is \$12,500.

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

### B. ADDITIONAL FUNDING FROM NCCHCA TO HEALTH CENTERS FOR COVID-19

In July 2020, Craven County Health Department received funding from NCCHCA (NC Community Health Center Assoc.) in the amount of \$126,668 in order to cover necessary expenditures incurred due to the public health emergency related to Coronavirus Disease 2019. Since then, a few members of NCCHCA declined their funding amounts. NCCHCA is distributing the remainder of the funds across the remainder of the health center members. CCHD has received an additional \$15,289 in funding. We will use these funds to purchase additional janitorial, PPE, and other supplies that will be directly related to COVID-19. Funds must be spent by 12/31/2020.

The Board will be requested to approve the budget amendment shown in Attachment #10.B.

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

### C. ADDITIONAL STATE FUNDING RELATED TO COVID-19

The intention of this funding is to rapidly establish and monitor key activities related to COVID-19 in the areas of epidemiology, laboratory, and informatics.

Monitoring the indicators associated with these activities are intended to assist State, local, and territorial governments in making data-driven policy decisions regarding testing, mitigation, and prevention efforts. Funds can be used towards detection, investigation, testing, treatment, tracking, control, education and care activities to improve the health of people in NC.

The Board will be requested to approve the budget amendment shown in Attachment #10.C.

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

D. ADDITIONAL WIC FUNDING

Additional funding allows CCHD to serve more participants and will be used to further enhance WIC's ability to continue with the objective of providing supplemental nutritious foods, nutrition education, and referrals to health care for low-income persons during critical periods of growth & development.

The Board will be requested to approve the budget amendment shown in Attachment #10.D.

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

Agenda Date August 17, 2020

Presenter: Amber Parker

Agenda Item No. 11

Board Action Required or Considered: Yes

**DEPARTMENTAL MATTERS: HUMAN RESOURCES –2021 HOLIDAY SCHEDULE**

Attachment #11 contains the proposed Craven County 2021 Holiday Schedule for the Board's consideration. The proposed 2021 Holiday Schedule grants twelve (12) holidays which includes two (2) days for Christmas and one floating holiday for Veterans Day.

The Craven County Personnel Resolution, Article VIII. Leave of Absence, Section 2. Paid Holidays Observed states, "The Floating Holiday will be used in conjunction with holidays observed on Tuesday or Thursday to extend the weekend and will only be used as such occurs from year to year."

The proposed 2021 Holiday Schedule is the same as the State of North Carolina's 2021 Holiday Schedule with the exception that the State of North Carolina grants three (3) days for Christmas and Craven County's schedule grants two (2) days for Christmas and Craven County grants the Veterans Day floating holiday and the State of North Carolina does not. Please consider approval of the schedule as presented.

**Board Action: Approve the Craven County 2021 Holiday Schedule**

Agenda Date August 17, 2020

Presenter: \_\_\_\_\_

Agenda Item No. 12

Board Action Required or Considered: Yes

## APPOINTMENTS

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

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

A. PENDING

- i. Adult Care Home Advisory Committee
- ii. Nursing Home Advisory Committee
- iii. Regional Aging Advisory Board
- iv. Senior Legislative Tarheel Alternate
- v. Coastal Carolina Regional Airport Authority (September)

B. CURRENT

- i. **Adult Care Home Advisory Committee** – Dred Mitchell has submitted an application shown in Attachment 12.B., seeking appointment to this Board
- ii. **River Bend Planning Board** – the following seeks re-appointment
  - Kelly Forrest, District 4
- iii. **Voluntary Agriculture District Advisory Board** – Larry Paul, District 6, does not wish to be reappointed:
- iv. **Fireman’s Relief Fund Board of Trustees**  
(Township #6 vacancies) – Brian Wielhouwer and Dennis Wilson of Township #6 have submitted applications, shown in Attachment #12.B., seeking appointment to this Board
- v. **Craven County ABC Board** – Charles Collins term expired on June 30, 2020, creating a vacancy. Dred Mitchell has submitted an application shown in Attachment #12.B., seeking appointment to this Board.
- vi. **Nursing Home Advisory Committee** – the following seeks re-appointment
  - Linda Lelli, District 1

C. UPCOMING: Terms Expiring

- i. Adult Care Home Advisory Committee
  - Nancy Verzier, District 1
  - Linda Chagnon
- ii. Fire Tax Commissioners Board
  - Rolf Maris, TWP 2 Tri Community
  - Alton Riggs, TWP 7

- iii. Fireman's Relief Fund Board of Trustees
  - Robert Stroud, TWP 3 Dover
  - Felix Croom, TWP 3 Ft. Barnwell
- iv. Craven County Clean Sweep
  - Pat Sager
  - Joan Campbell

Agenda Date August 17, 2020

Presenter: Arey Grady

Agenda Item No. 13

Board Action Required or Considered: Yes

### COUNTY ATTORNEY'S REPORT

A. APPROVAL OF CONVEYANCE AFTER EXPIRATION OF UPSET BID PERIOD  
W NC 55 HWY, NEW BERN (PARCEL NUMBER 3-055-040)

The County previously received and approved an offer to purchase this real property, subject to the completion of the upset bid process. The upset bid period has now expired, and the County Attorney recommends approval of the conveyance at the purchase price of \$2,850.00. The County originally acquired this property through a tax foreclosure, with past due taxes and costs of foreclosure totaling \$2,842.39. The tax value of this property is \$22,500.00.

Should the Board of Commissioners authorize this transaction, the resolution, shown in Attachment #13.A., should be adopted, which in turn will authorize the execution and delivery of the necessary documents.

**Board Action: Adopt resolution to accept final sale**

B. APPROVAL OF CONVEYANCE AFTER EXPIRATION OF UPSET BID PERIOD  
– 1146 TEMPLE POINT ROAD, NEW BERN (PARCEL NUMBER 5-008-133)

The County previously received and approved an offer to purchase this real property, subject to the completion of the upset bid process. The upset bid period has now expired, and the County Attorney recommends approval of the conveyance at the purchase price of \$3,760.00. The County originally acquired this property through a tax foreclosure, with past due taxes and costs of foreclosure totaling \$3,757.13. The tax value of this property is \$20,180.00.

Should the Board of Commissioners authorize this transaction, the resolution, shown in Attachment #13.B., should be adopted, which in turn will authorize the execution and delivery of the necessary documents.

**Board Action: Adopt resolution to accept final sale**

Agenda Date August 17, 2020

Presenter: Jack Veit

Agenda Item No. 14

## **COUNTY MANAGER'S REPORT**

Agenda Date August 17, 2020

Presenter: \_\_\_\_\_

Agenda Item No. 15

## **COMMISSIONERS' REPORTS**

1 THE BOARD OF COMMISSIONERS OF THE COUNTY OF CRAVEN MET IN  
 2 SPECIAL SESSION IN THE COMMISSIONERS' ROOM OF THE CRAVEN COUNTY  
 3 ADMINISTRATION BUILDING, 406 CRAVEN STREET, NEW BERN, NC, ON  
 4 THURSDAY, AUGUST 6, 2020. THE MEETING CONVENED AT 7:00 P.M. THE  
 5 PURPOSE OF THIS MEETING WAS TO ADDRESS THE AGENDA ITEMS FROM  
 6 THE REGULAR SESSION MEETING SLATED FOR MONDAY, AUGUST 3, 2020  
 7 THAT HAD TO BE CANCELED DUE TO TROPICAL STORM ISAIAS.

8  
9 **MEMBERS PRESENT:**

- 10 Chairman Thomas F. Mark
- 11 Vice Chairman Jason R. Jones
- 12 Commissioner Denny Bucher
- 13 Chairman George S. Liner
- 14 Commissioner Theron L. McCabe
- 15 Commissioner E. T. Mitchell
- 16 Commissioner Johnnie Sampson, Jr.

17  
18 **STAFF PRESENT:**

- 19 Jack B. Veit, III, County Manager
- 20 Gene Hodges, Assistant County Manager
- 21 Craig Warren, Finance Director
- 22 Amber Parker, Human Resources Director
- 23 Arey Grady, County Attorney
- 24 Nan Holton, Clerk to the Board

25  
26 Following the Pledge of Allegiance, County Attorney, Arey Grady, recited the following  
27 invocation:

28  
29 *Lord God, we humbly come before You today, and we thank You for Your*  
30 *love and Your Grace and Your peace that is made available to us all.*

31  
32 *God, we ask for Your divine wisdom and guidance here today, for You*  
33 *and You alone know the future and the things that are to come. We ask*  
34 *that You would lead us in the decisions we are a part of and that You*  
35 *would give us boldness to honor You.*

36  
37 *Would You empower every man and woman in this room to use the life*  
38 *You have given them for good? Let us be leaders who follow Your*  
39 *example, leaders who love sacrificially, give selflessly, and serve*  
40 *graciously. May we all do our best to impact this incredible County and*  
41 *Nation of ours for the better.*

42  
43 *We ask Your blessing on our Commissioners, on our County and on our*  
44 *United States of America.*

45 *In the name of Jesus, we pray.*  
46 *Amen.*

47 *Based upon the invocation given by Pastor Randy Bezet at the June 25,*  
48 *2015 session of the US House of Representatives*

49  
50 Chairman Mark remarked that the Agenda would need to be amended since Lauren Wandzel,  
51 District Staff Member from Congressman Greg Murphy’s office, was unable to be present.  
52 Commissioner Liner motioned to amend the Agenda by tabling Item #4 until the August 17,  
53 2020 meeting. His motion was seconded by Commissioner Mitchell and approved unanimously.

54  
55 **PETITIONS OF CITIZENS**

56  
57 Chairman Mark read the Rules of Procedures related to Citizen Petitions. The following citizens  
58 addressed the Board:

- 59  
60 1. *Stephen DiPiero, 4208 Rawley Road, New Bern,* presented information regarding access  
61 *to the river along Gibbs Road.*  
62 2. *Eddie Games, 111 Wadsworth Lane, New Bern,* spoke in support of the waterfront dock  
63 *improvements for Creekside Park that Recreation Director Billy Wilkes is seeking*  
64 *through the North Carolina Public Beach and Coastal Waterfront Access Fund.*

65  
66 **CONSENT AGENDA**

67  
68 Commissioner Mitchell motioned to approve the Consent Agenda consisting of the Minutes of  
69 July 20, 2020 Regular Session and the Tax Releases. Her motion was seconded by  
70 Commissioner Liner and approved in a 7-0 roll call vote.

71  
72 *Tax Releases*

73  
74 **Credits**

75  
76 **TAXPAYER NAME** **TICKET#** **AMOUNT**  
77  
78 BROWN, GLENDA LEARY 2015-7055 \$58.86  
79 DID NOT OWN JANUARY 1  
80  
81 BROWN, GLENDA LEARY 2016-7125 \$56.95  
82 DID NOT OWN JANUARY 1  
83  
84 BROWN, GLANDA LEARY 2017-7209 \$54.97  
85 DID NOT OWN JANUARY 1  
86  
87 BROWN, GLENDA LEARY 2018-7175 \$55.70  
88 DID NOT OWN JANUARY 1  
89

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90	BROWN, GLENDA LEARY	2019-205588	\$77.02
91	DID NOT OWN JANUARY 1		
92			
93	BROWN, JUSTIN ANTHONY	2012-542868	\$165.42
94	DISCHARGED BANKRUPTCY		
95			
96	FAULK, ERIKA LAKEISHA	2012-552190	\$65.49
97	DISCHARGED BANKRUPTCY		
98			
99	FULCHER, TODD A	2010-18506	\$67.18
100	DISCHARGED BANKRUPTCY		
101			
102	JOHNSTON AMBULANCE SERVICE INC	2016-90710	\$412.91
103	DISCHARGED BY BANKRUPTCY		
104			
105	MIDGETTE, LINCOLN JR	2013-92838	\$107.39
106	DISCHARGED BY BANKRUPTCY		
107			
108	MIDGETTE, LINCOLN JR	2014-92610	\$143.70
109	DISCHARGED BY BANKRUPTCY		
110			
111	MIDGETTE, LINCOLN JR	2015-39243	\$133.64
112	DISCHARGED BY BANKRUPTCY		
113			
114	MONTGOMERIE, ROBERT	2019-212222	\$49.98
115	NOT TAXABLE TO CRAVEN COUNTY		
116			
117	PIEDMONT AIRLINES INC	2020-403373	\$122.95
118	DOUBLE BILLED		
119			
120	PIEDMONT AIRLINES INC	2020-403372	\$113.15
121	DOUBLE BILLED		
122			
123	POUZAR, MICHAEL JAMES	2019-211676	\$358.74
124	DID NOT OWN JANUARY 1		
125			
126	PRICE, GERALD FITZPATRICK	2010-555338	\$39.06
127	DISHCHARGED BY BANKRUPTCY		
128			
129	PRICE, GERALD FITZPATRICK	2011-506276	\$81.91
130	DISHCHARGED BY BANKRUPTCY		
131			
132	RICHARDS, JANE HRS	2019-21288	\$16.07
133	DID NOT OWN JANUARY 1		
134			
135			

136	SCHRECK, CRAIG	2020-403423	\$689.46
137	CORRECTED DISCOVERED PROPERTY VALUE		
138			
139	TRENT ROAD PROPERTIES LLC	2019-401288	\$701.90
140	DOUBLE BILLED		
141			
142		21 – RELEASES	\$3,572.45
143			

### VOLT CENTER UPDATE

146 Craven Community College President, Dr. Raymond Staats, provided a VOLT Center update to  
 147 the Board. He outlined the Volt Center timeline, dating back to September, 2015; and covered  
 148 the First Year Operations, focusing on the type of instruction provided and the fact that 89 jobs  
 149 had been generated from the training received. Dr. Staats highlighted the Phase 2 projects,  
 150 inclusive of a Small Business Center, a Garage, and a Law Enforcement Simulation facility.  
 151 Programming for the Small Business Center will include business counseling and space for  
 152 entrepreneurial prototypes. Dr. Staats remarked that the Garage construction has started and  
 153 programming for diesel mechanics and heavy equipment operators should begin in January 2021.  
 154 He highlighted the Law Enforcement Simulator, with 5 screens capable of 300 degrees, which  
 155 will enable critical thinking in real life scenarios as well as remedial firearms training. In  
 156 reviewing the life cycle cost model for Phase 2, Dr. Staats revealed the need for an annual total  
 157 of \$72,000 looking forward to FY 2022. He concluded his presentation with anticipated program  
 158 needs for the future.

159  
 160 Commissioner Sampson expressed his pride in the VOLT Center.

161  
 162 There was discussion regarding the annual operational costs, funding for and training capabilities  
 163 of the law enforcement simulator, creating a stronger path for high school students to get access  
 164 to these trade skills, and how funds received for COVID19 were being expended.

### DEPARTMENTAL MATTERS: SHERIFF

165  
 166  
 167  
 168 Administrative Captain, Tony Lee, presented the Board with a Budget Amendment in the  
 169 amount of \$12,640.00, transferring funds from the Federal Asset Forfeitures revenue to  
 170 expenditures to allow for the purchase of Cellbrite (Cell Phone Analyzer) and the required  
 171 training for the Craven County Sheriff's Office Crime Lab personnel to use this technology. He  
 172 explained that Cellbrite is technology that is used for data extraction from cellular phones during  
 173 criminal investigations. The Board of Commissioners had been provided a summary comparison  
 174 between Cellbrite and Securus, the current program being used, in regards to cell phone analysis  
 175 capabilities.

176  
 177 Commissioner Liner expressed frustration that one of the main selling points utilized the  
 178 previous year was that Securus was capable of analyzing cell phones. Mr. Lee and Sheriff  
 179 Hughes explained the time delays with Securus by having to mail the phones in for analysis,  
 180 versus the ability to be self-reliant with Cellbrite, and not relying on other law enforcement  
 181 agencies. Commissioner Liner requested data on how often they have utilized Securus the past

182 13 months; and how often they have had to rely on other law enforcement agencies with the  
 183 Cellbrite equipment because of the need to have cases acted upon immediately.

184  
 185 Commissioner Mitchell inquired of its needs for citizen safety matters.  
 186

187 Commissioner McCabe made the motion to approve the Budget Amendment in the amount of  
 188 \$12,640.00 to purchase Cellbrite and required training. His motion was seconded by  
 189 Commissioner Sampson and approved in a 6-1 roll call vote (Nay: Liner).  
 190

191 ***Sheriff's Department***

192

193	REVENUES	AMOUNT	EXPENDITURES	AMOUNT
194				
195	1154310-33100	\$12,640.00	1154310-47301	\$12,640.00
196	Federal Drug Forfeitures		Capital Outlay over \$5,000	
197				
198	TOTAL	\$12,640.00	TOTAL	\$12,640.00

199  
 200 **DEPARTMENTAL MATTERS: ELECTIONS – CARES ACT/HAVA FUNDS**

201  
 202 Elections Director, Meloni Wray, presented a budget amendment for federal funds to deliver  
 203 economic relief to assist the Board of Elections to prevent, prepare for, and respond to COVID-  
 204 19 for the 2020 Federal Election.

205  
 206 Craven County Board of Elections CARES Act Award:

- 207
- 208 ➤ \$126,111; HAVA minimum \$10,000-maximum \$250,000 (first come/first serve)
- 209

210 Permissible Uses:

- 211 ➤ Increased Postage
- 212 ➤ Increase in Recruiting Poll Workers
- 213 ➤ Security/Protection while Voting in the Office
- 214 ➤ Training Aids/Online for Election Officials
- 215 ➤ Lease of New One-Stop Sites
- 216 ➤ PPE Packets for all Polling Locations, etc.
- 217

218 Commissioner Liner motioned to approve the following budget amendment in the amount of  
 219 \$126,111.00, seconded by Commissioner Mitchell and approved 7-0 in a roll call vote.  
 220  
 221  
 222  
 223  
 224  
 225  
 226  
 227

228 *Elections*

229

230	REVENUES	AMOUNT	EXPENDITURES	AMOUNT
231				
232	1014160-33119	\$126,111.00	1014160-43201	\$66,111.00
233			Supplies	
234			1014160-42000	\$25,000.00
235			Postage	
236			1014160-42700	\$10,000.00
237			Advertising	
238			1014160-44000	\$25,000.00
239			Contracted Services	
240				
241	TOTAL	\$126,111.00	TOTAL	\$126,111.00

242  
243 **DEPARTMENTAL MATTERS: RECREATION & PARKS**

244  
245 *Creekside Park Dock Improvement Grant*

246  
247 Recreation and Parks Director, Billy Wilkes, reminded the Board he had presented the  
248 opportunity to submit a final application for waterfront dock improvements at Creekside Park at  
249 their July 20, 2020 meeting. Mr. Wilkes reviewed the three main focuses of the grant are to  
250 make the dock more inclusive, safe, and to replace all the existing boards and rails. He indicated  
251 that providing the public the opportunity to comment on this grant application was one of the  
252 requirements, which was met by this evening’s Citizens’ Petitions period. A second requirement  
253 is the Board’s approval of this process, which he requested upon closing.

254  
255 Commissioner McCabe motioned to approve the final grant application with the NC Public  
256 Beach and Coastal Waterfront Access Fund. His motion was seconded by Commissioner  
257 Mitchell and approved 7-0 in a roll call vote.

258  
259 *Grant Match for New Swing Sets*

260  
261 Mr. Wilkes reported that Rocky Run Park has one remaining original piece of equipment; a  
262 1980’s swing set that needs to be replaced. Creekside Park also has one original swing set that  
263 was part of the first playground and is over 20 years old.

264  
265 He stated that he was able to secure two grants towards the purchase of the swing sets. The first  
266 grant is from the Cherry Point Spouses Club in the amount of \$1,000. The second grant is from  
267 the Harold Bate Foundation in the amount of \$24,600 of which \$7,600 will go towards the  
268 purchase of the two swing sets. Mr. Wilkes requested that Craven County match the Harold Bate  
269 Foundation grant of \$7,600.

270  
271 Mr. Wilkes addressed inquiries about the timeframe for completion. County Manager, Jack Veit,  
272 commended Mr. Wilkes for his efforts in pursuing grants to take on new projects.

274 Commissioner Mitchell motioned to approve the grant match of \$7,600, as requested, seconded  
 275 by Commissioner Jones and approved 7-0 in a roll call vote.

276  
 277 **Recreation & Parks**

278	279	280	281	282	283	284	285
	<b>REVENUES</b>	<b>AMOUNT</b>		<b>EXPENDITURES</b>		<b>AMOUNT</b>	
281	101300-39901	\$8,600.00		1015910-47302		\$16,200.00	
282	Current Year Fund Balance			Other Improvements			
283	1015910-33500	\$7,600.00					
285	<b>TOTAL</b>	<b>\$16,200.00</b>		<b>TOTAL</b>		<b>\$16,200.00</b>	

287 **DEPARTMENTAL MATTERS: FACILITIES – APPROVAL OF CHANGE ORDER TO**  
 288 **INCLUDE HVAC REPAIRS IN COURTHOUSE PROJECT**

289  
 290 Assistant County Manager, Gene Hodges, reported that on June 1, 2020, the Craven County  
 291 Board of Commissioners approved a contract with Barnhill Contracting Company for repairs to  
 292 the Courthouse/Emergency Services/Information Technology Facility (Courthouse). This initial  
 293 contract was for \$1,280,453 to replace and repair the critical building systems that were damaged  
 294 during Hurricane Florence. As explained at that time, the initial contract did not include the  
 295 pricing for the repairs to the chiller and air handler components of the HVAC system that  
 296 services the 1st floor. At that time, staff explained that it had been decided to bid out the  
 297 permanent repair work of these components versus installation of portable/temporary systems.  
 298 The pricing for this permanent repair work has come in at \$666,037:

299  
 300 Construction Costs and CM@R Fees: \$666,037  
 301 Contingency (5% of construction costs): \$ 34,000  
 302 Total \$700,037

303  
 304 Mr. Hodges requested that the Board approve a project ordinance amendment and associated  
 305 budget amendment in the amount of \$700,037 to fund this project and to authorize the County  
 306 Manager to execute the change order with Barnhill Contracting to include the HVAC repairs in  
 307 the Courthouse project.

308  
 309 Commissioner Mitchell motioned to approve the project ordinance and budget amendment and to  
 310 authorize the County Manager to execute the change order with Barnhill Contracting, as  
 311 requested, seconded by Commissioner McCabe and approved 7-0 in a roll call vote.

312  
 313 **Courthouse EOC Recovery Project**  
 314 **Fund 415**  
 315 **Update**

316  
 317 This ordinance is hereby approved in the following amount for expenditure of the Courthouse  
 318 EOC Recovery Project

320	Expenditures:		
321	Architectural/Engineering Design Services	\$	550,000.00
322	Construction	\$	1,946,490.00
323	Contingency	\$	98,000.00
324			
325	TOTAL		\$2,594,490.00

326  
327 The following revenues are hereby estimated for the Courthouse EOC Recovery Project

328	Revenues;		
329	Transfer from General Fund		\$2,594,490.00
330			
331			
332	TOTAL		\$2,594,490.00

333  
334 ***Facilities***

335				
336	<b>REVENUES</b>	<b>AMOUNT</b>	<b>EXPENDITURES</b>	<b>AMOUNT</b>
337				
338	4154200-39801	\$700,037.00	4154200-47659	\$ 34,000.00
339	Transfer to General fund		Construction Contingency	
340			4154200-47301	\$666,037.00
341			Construction General	
342				
343	TOTAL	\$700,037.00	TOTAL	\$700,037.00

344  
345 **DEPARTMENTAL MATTERS: HUMAN RESOURCES – OPIOID PROGRAM**  
346 **COMMUNITY OUTREACH BUDGET AMENDMENT**

347  
348 Human Resources Director, Amber Parker, presented a budget amendment requesting to roll  
349 over funds budgeted in FY 2019 -2020 to pay for the Opioid Program Community Outreach  
350 advertising costs for ads on CARTS vans. She stated that ads were completed near the end of  
351 FY 2019-2020 but invoices were not submitted for processing in time to meet the FY 2019-2020  
352 year-end cutoff and they will need to be paid in FY 2020 - 2021.

353  
354 Commissioner Liner inquired about what type of outreach activities have been conducted by the  
355 Opioid Program and the status of a decision to form a committee to provide guidance.

356  
357 Ms. Parker provided a report on the hiring of Jasmine Canady, her training, and the marketing  
358 tools she has implemented, while being socially restricted due to COVID 19. Ms. Parker  
359 highlighted the creation of brochures, thirty second radio ads, a billboard on Hwy. 70 East, social  
360 media targeting, and the use of ads on the CARTS vehicles that Ms. Canady has utilized in her  
361 tenure. Ms. Parker also remarked on the various partnerships and coalitions that Ms. Canady has  
362 established; mentioning she serves on the Board for RealizeU252.

363  
364 County Manager Jack Veit, indicated that forming a committee has been delayed because of  
365 COVID19 restrictions.

366  
 367 Commissioner Liner motioned to approve the budget amendment, as requested, seconded by  
 368 Commissioner Mitchell and approved 7-0 in a roll call vote.

369  
 370 ***Human Resources***

371

372	REVENUES	AMOUNT	EXPENDITURES	AMOUNT
373				
374	1010000-39901	\$14,400.00	1014130-42702	\$14,400.00
375	Fund Balance		Community Outreach	
376				
377	TOTAL	\$14,400.00	TOTAL	\$14,400.00

378  
 379 **APPOINTMENTS**

380  
 381 *Pending Appointments*

382  
 383 Chairman Mark reviewed the following pending appointments:

- 384
- 385 ➤ Adult Care Home Advisory Committee
  - 386 ➤ Nursing Home Advisory Committee
  - 387 ➤ Regional Aging Advisory Board
  - 388 ➤ Senior Legislative Tarheel Alternate
  - 389 ➤ Coastal Carolina Regional Airport Authority
  - 390 ➤ Craven County ABC Board
  - 391 ➤ Fireman’s Relief Fund Board of Trustees

392  
 393 *Current Appointments*

394  
 395 *Fire Tax Commissioners*

396  
 397 Commissioner Jones motioned to reappoint Otto Simmons, Twp. 8 WNB Rhems. There being  
 398 no additional nominations, Mr. Simmons was reappointed by acclamation.

399  
 400 *Emergency Medical Services Advisory Council*

401  
 402 Commissioner Liner motioned to reappoint Nicholas Salter and Doug Ferguson; Commissioner  
 403 Mitchell motioned to reappoint Mark Dail and Jean Matthews. There being no additional  
 404 nominations, Mr. Salter, Mr. Ferguson, Mr. Dail and Mr. Matthews were reappointed by  
 405 acclamation.

406  
 407 *Craven Community Child Protection Team*

408  
 409 Chairman Mark motioned to reappoint Debbie Hodges. There being no additional nominations,  
 410 Ms. Hodges was reappointed by acclamation.

411

412 *Craven County ABC Board*

413

414 Commissioner Jones requested that Carol Crayton be reappointed. There being no additional  
415 nominations, Ms. Crayton was reappointed by acclamation.

416

417 *Upcoming Appointments*

418

419 Chairman Mark reviewed the following upcoming appointments due to expire in September.

420

- 421 ➤ River Bend Planning Board – Kelly Forrest, District 4
- 422 ➤ Voluntary Agriculture District Advisory Board – Larry Paul, District 6, unable to  
423 continue serving
- 424 ➤ Nursing Home Advisory Committee – Linda Lelli, District 1
- 425 ➤ Adult Care Home Advisory Committee – Nancy Verzier

426

427

### COUNTY ATTORNEY'S REPORT

428

429 *Final Offer to Purchase Real Property – Tax Parcel Number 5-004-042 (No Assigned Street*  
430 *Address)*

431

432 County Attorney, Arey Grady, presented an offer previously received and tentatively approved  
433 by Craven County in the amount of \$1,800.00 for this property, which was acquired through a  
434 tax foreclosure. The total taxes and costs that were foreclosed were \$1,812.21. The current tax  
435 value is \$4,680.00. The offer was advertised, and there were no upset bids, the final bid being  
436 \$1,800.00.

437

438 Commissioner Liner motioned to adopt the following resolution accepting the final sale,  
439 seconded by Commissioner Mitchell and approved unanimously.

440

441

### RESOLUTION

442

#### New Bern, North Carolina

443

#### Tax Parcel Number 5-004-042

444 THAT WHEREAS, Craven County has received an offer to purchase a parcel of property owned  
445 by the County, identified as Tax Parcel Number 5-004-042 and being more particularly described herein;  
446 and,

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

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

450 WHEREAS, the final offer to purchase, after the upset bid period, was for the sum of \$1,800.00 by  
451 Rayshawn Johnson and Alexandra A. Boyd; and,

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

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

457 Section 1. That the last and highest bid of Rayshawn Johnson and Alexandra A. Boyd in the  
458 sum of \$1,800.00 for said parcel identified as Tax Parcel Number 5-004-042, and being more particularly  
459 described herein, be and the same is hereby accepted as to the County's interest in said property, and the  
460 Chairman, County Manager and/or Clerk be and they are hereby authorized and directed to execute a  
461 quitclaim deed to the purchaser for the County's interest in said property, and to further execute any and all  
462 other documents related to the sale of the same.

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

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

467 All that certain lot or parcel of land lying and being situate in Number Five (5) Township, Craven  
468 County, North Carolina, and being more particularly described as follows:

469  
470 All of that certain property more fully described in Deed Book 3534, Page 2100 in the Craven  
471 County Registry. This property is also commonly referred to by its tax parcel identification number  
472 which is 5-004-042.

473 ADOPTED THIS 6<sup>th</sup> DAY OF AUGUST, 2020.

474  
475 *Final Offer to Purchase Real Property – 2203 Chestnut Ave., New Bern*  
476 *(Parcel Number 8-037-001)*  
477

478 Mr. Grady presented an offer previously received and tentatively approved by Craven County in  
479 the amount of \$375.00 for this property, which was acquired through a tax foreclosure. The total  
480 taxes and costs that were foreclosed were \$4,179.83. The current tax value is \$750.00. This  
481 offer was advertised and there were no upset bids, the final bid being \$375.00.  
482

483 Commissioner Mitchell motioned to adopt the following resolution accepting the final sale,  
484 seconded by Commissioner Liner and approved unanimously.  
485  
486



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516

**RESOLUTION**

**2203 Chestnut Avenue, New Bern, North Carolina**

**Tax Parcel Number 8-037-001**

THAT WHEREAS, Craven County has received an offer to purchase a parcel of property owned by the County, identified as Tax Parcel Number 8-037-001, 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 for the sum of \$375.00 by JK Investments Holdings, LLC; 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 JK Investments Holdings, LLC in the sum of \$375.00 for said parcel identified as Tax Parcel Number 8-037-001, 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 purchaser 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 Eight (8) Township, Craven County, North Carolina, and being more particularly described as follows:

517 All of that certain property more fully described in Deed Book 3569, Page 529 in the Craven County  
518 Registry. This property is also commonly referred to by its tax parcel identification number which  
519 is 8-037-001.

520 ADOPTED THIS 6<sup>th</sup> DAY OF AUGUST, 2020.

### 521 COUNTY MANAGER'S REPORT

522  
523 County Manager, Jack Veit, expressed gratitude to County Staff that worked Monday night and  
524 Tuesday during Tropical Storm Isaias. He recounted that many employees worked to clean up  
525 vegetative debris, dealt with power outages, the involvement of DSS staff, Health staff and  
526 Sheriff staff to open three shelters. Mr. Veit recognized Stanley Kite, Ira Whitford, and Patti  
527 McDaniel for their commitment during these events; highlighting that due to the pandemic, EOC  
528 staffing was conducted remotely in four different sites successfully.

529  
530 Mr. Veit reminded the Board that the NC Association of County Commissioners Annual  
531 Conference is ongoing now through Saturday, August 8<sup>th</sup>, remotely, and encouraged  
532 Commissioners to log in and check it out.

533  
534 Mr. Veit reported that upon adopting the CARES Act, the County has communicated with each  
535 of the municipalities, fire and rescue organizations, and non-profits to inform them of the funds  
536 and the process.

537  
538 Chairman Mark thanked the County Manager and staff for working during Tropical Storm Isaias  
539 and acknowledged the IT department for setting it up remotely, so that the Commissioners were  
540 able to see what was going on from each area of the County.

### 541 COMMISSIONERS' REPORTS

542  
543  
544 Chairman Mark read from a statement regarding the meeting held with the Board of Education,  
545 along with Commissioners Jones and Liner earlier in the day. It expressed the concern over loss  
546 of instruction and personal time with the students after the recent decision by the BOE to go to  
547 remote learning for the first nine weeks. He advocated for in person instruction as soon as  
548 possible, referring to special needs and at risk students, and the lack of connectivity for many  
549 throughout Craven County.

550  
551 *Commissioner Bucher* referenced employees at major industries, County employees, police,  
552 firefighters and others who have continued to work throughout the pandemic, while the Board of  
553 Education has decided to shutter 25 schools and conduct online learning only. He encouraged  
554 the public to pay attention to who serves on that Board and make changes when elections occur  
555 in November. Mr. Bucher remarked he had communicated directly with the Chairperson of the  
556 BOE about their decision. He relayed that 7,877 people died every day in the United States  
557 during 2019 for various reasons; and we are all going to die, but the reality is that life goes on.  
558 Mr. Bucher expressed his frustration at the Governor for continuing to impose restrictions for  
559 five more weeks, stating that politics are driving decisions.

560

561 *Commissioner Mitchell* stated she would like to see a comparison between what Craven County  
562 and other eastern NC counties are doing in regards to educating their children. Mrs. Mitchell  
563 highlighted the difficulty for parents being able to go to work, while also having to be  
564 responsible for educating their children; creating not only an educational impact, but an  
565 economical one too. She expressed that there are other options available and the Board of  
566 Education did not adopt an optimal solution.

567  
568 *Commissioner Liner* reported that the regional library board is putting in for an \$80,000 grant for  
569 IT and hotspot equipment for areas needing connectivity. He thanked the management team and  
570 County workers for all that they do.

571  
572 Commissioner Liner then reflected on the budget process and commented on issues and concerns  
573 he has with how the Sheriff's Office conducts budget requests; indicating it puts the County  
574 Manager in a difficult position.

575  
576 *Commissioner McCabe* recognized the accomplishments of civil rights leader, John Lewis, and  
577 his connection with him. He relayed he had been interviewed by the newspaper and a local TV  
578 station; and had people reach out to him regarding those. Mr. McCabe expressed hope of finding  
579 another icon like John Lewis.

580  
581 *Commissioner Sampson* stated we are living in critical times. He remarked that he has been in  
582 the fight a long time and referenced racial activities he was aware of when he was young and his  
583 efforts at trying to make difference. Mr. Sampson read from a statement written by his wife,  
584 Ethel Sampson, about the civil rights movements in which they participated in around New Bern,  
585 attending a national convention in Atlanta, GA with many civil rights leaders such as Martin  
586 Luther King and Andrew Young, and marching at the US Capitol in 1963 where they heard  
587 speeches by MLK and John Lewis. Commissioner Sampson expressed discouragement at the  
588 number of people who have no place to live and no food to eat, and who lack the ability to  
589 participate in online learning. He pronounced that the poor and black people are the last to get  
590 help based on the continuing power structure. He reflected on the difficult decisions that are  
591 having to be made during this pandemic and the people being hurt by those decisions. He  
592 concluded by saying we have to do the best we can for all people and pray over decisions.

593  
594 *Commissioner Jones* provided some background on why he, Commissioner Liner and Chairman  
595 Mark met with the Board of Education leadership, stating it was on behalf of their constituents  
596 who have made their opinions known. He commented on how the internet service in Craven  
597 County is not working well, as 10% of students (1300 students) have no access to the internet,  
598 which constrains their ability to participate in online learning. Mr. Jones stressed that there are a  
599 lot of students who are going to be left behind because of the Board of Education's decision and  
600 this issue. He expressed concern over wanting everyone to be safe, but stated a decision needs to  
601 be made that will provide everyone with an education. Mr. Jones remarked on how many  
602 educational days have been lost already as a result of Hurricane Florence and the pandemic. He  
603 referred to a *Sun Journal* article written by Tom Campbell, who interviewed former Superior  
604 Court Judge Howdy Manning, who stated: "Let's start with the children. They are the ones we  
605 are losing, because we aren't teaching them to read and do basic math. If they don't get it by  
606 third grade, they won't ever catch up; our primary effort needs to be pre-K to grade three." Mr.

607 Jones emphasized that we cannot wait and continue to sit idle for this virus to leave, as our  
608 young people need an education; and we need to stand up for those who lack access to education  
609 because of no internet access. He thanked Dr. Greg Murphy for his wisdom and being an  
610 advocate for schools reopening. Mr. Jones indicated his comments are his opinion, on behalf of  
611 his constituents, and he stands up for these children who are not getting educated. He advocates  
612 for the BOE to go back to the drawing table and come up with other options so that all children,  
613 black, Hispanic, and white, can receive equal access to the education they deserve.

614  
615 Commissioner Jones, Chairman Mark, and County Manager, Jack Veit, reported on their phone  
616 meeting with a Senior Vice President of Century Link regarding the lack of internet services in  
617 parts of the County. There are approximately 696 homes without fiber. The end result was that  
618 Century Link indicated this is a business decision and unless the federal government comes up  
619 with funds, they will not be doing anything to improve the internet service. A discussion ensued  
620 about this being an infrastructure problem and the need for the County to make capital  
621 investments towards creating its own infrastructure. The secondary problem of how the lack of  
622 connectivity affects the County's water system was also highlighted.

623  
624 *Chairman Mark* pointed out that Craven Community College is conducting 18% of its classes  
625 face to face and does not see why Craven County Schools could not also offer face-to-face  
626 instruction with necessary precautions in place. He stated he does not think we can afford to let  
627 our children go without learning until 2021. Mr. Mark also stated that the Sheriff is to call the  
628 County Manager regarding requests prior to calling him going forward.

629  
630 At 9:20 p.m., Commissioner McCabe motioned to adjourn. His motion was seconded by  
631 Commissioner Mitchell and approved unanimously.

632

## Craven County

## RELEASES SUBJECT TO BOARD APPROVAL ON 8/17/2020

Taxpayer Name	Account Number	Tax Year	Bill Number	Amount
DAVIS INDUSTRIES INC - J M DID NOT OWN JANUARY 1	1741101	2019	400676	274.35
DAVIS, STEVEN RAY & MARGARET V DID NOT OWN JANUARY 1	115672	2018	14549	600.73
DAWSON, VINETA RECYCLE FEE CORRECTION	17937	2015	14292	51.57
DAWSON, VINETA RECYCLE FEE CORRECTION	17937	2016	14465	48.33
DAWSON, VINETA RECYCLE FEE CORRECTION	17937	2017	14784	45.09
DAWSON, VINETA RECYCLE FEE CORRECTION	17937	2018	14738	41.85
DAWSON, VINETA PROPERTY VALUE CORRECTION	17937	2019	203554	100.01
FULCHER TIRE SALES & SERVICE INC DISCHARGED BY BANKRUPTCY	2499800	2010	18415	326.05
HUMPHREY, MORRIS DISCHARGED BY BANKRUPTCY	81621	2010	25833	584.43
HUMPHREY, MORRIS DISCHARGED BY BANKRUPTCY	81621	2011	28610	666.64
HUMPHREY, MORRIS DISCHARGED BY BANKRUPTCY	81621	2012	28484	522.90
HUMPHREY, MORRIS DISCHARGED BY BANKRUPTCY	81621	2013	92426	1,010.28
MCKINNEY, KENNETH KERLEE JR CORRECTED DISCOVERED PROPERTY VALUE	4828972	2020	403604	78.41
MCKINNEY, KENNETH KERLEE JR CORRECTED DISCOVERED PROPERTY VALUE	4828972	2020	403603	69.39
MIDGETT, JEFFERY R DOUBLE BILLED	4931087	2019	400128	83.63
MIDGETT, JEFFERY R DOUBLE BILLED	4931087	2019	400131	88.37
MIDGETT, JEFFERY R DOUBLE BILLED	4931087	2019	400132	93.22
MIDGETT, JEFFERY R DOUBLE BILLED	4931087	2019	400133	90.98
MIDGETT, JEFFERY R DOUBLE BILLED	4931087	2019	400134	95.68
POE, DUSTIN MICHAEL MILITARY EXEMPT	105429	2019	211637	65.66
TRUSS, OLLICE HRS FORECLOSURE-LIEN EXTINGUISHED	7347151	2010	52195	153.66
TRUSS, OLLICE HRS FORECLOSURE-LIEN EXTINGUISHED	7347151	2011	58059	146.34
TRUSS, OLLICE HRS FORECLOSURE-LIEN EXTINGUISHED	7347151	2012	58017	138.55
TRUSS, OLLICE HRS FORECLOSURE-LIEN EXTINGUISHED	7347151	2013	55614	130.80
TRUSS, OLLICE HRS FORECLOSURE-LIEN EXTINGUISHED	7347151	2014	56909	123.48
TRUSS, OLLICE HRS FORECLOSURE-LIEN EXTINGUISHED	7347151	2015	58265	118.27

# Craven County

## RELEASES SUBJECT TO BOARD APPROVAL ON 8/17/2020

Taxpayer Name	Account Number	Tax Year	Bill Number	Amount
TRUSS, OLLICE HRS FORECLOSURE-LIEN EXTINGUISHED	7347151	2016	58629	127.26
TRUSS, OLLICE HRS FORECLOSURE-LIEN EXTINGUISHED	7347151	2017	58977	118.74
TRUSS, OLLICE HRS FORECLOSURE-LIEN EXTINGUISHED	7347151	2018	59041	110.22
TRUSS, OLLICE HRS FORECLOSURE-LIEN EXTINGUISHED	7347151	2019	10547	103.28
WILLIAMS, MICHAEL S DOUBLE BILLED	112032	2019	208996	293.47
31 RELEASES SUBJECT TO BOARD APPROVAL ON 8/17/2020				<b>6,501.64</b>



## **PROCLAMATION NATIONAL RECOVERY MONTH**

**WHEREAS**, substance use disorders affect all communities nationwide, but with commitment and support, people with this disorder can achieve healthy lifestyles and lead rewarding lives in recovery; and

**WHEREAS**, by seeking help, people who experience substance use disorders can embark on a new path toward improved health and overall wellness; and

**WHEREAS**, the focus of National Recovery Month this September is to celebrate their journey with the theme **Join the Voices for Recovery: Together we are Stronger**; and

**WHEREAS**, Recovery Month spreads the message that behavioral health is essential to health and one's overall wellness, and that prevention works, treatment is effective, and people recover; and

**WHEREAS**, the impact of substance use disorders is apparent in our local community, and an estimated thousands of people in Craven County, NC are affected by this condition; and

**WHEREAS**, through Recovery Month, people become more aware and able to recognize the signs of substance use disorders, which can lead more people into needed treatment; and

**WHEREAS**, managing the effects of this condition can help people achieve healthy lifestyles, both physically and emotionally; and

**WHEREAS**, The Recovery Month observance continues to work to improve the lives of those affected by substance use disorders by raising awareness of these diseases and educating communities about the prevention, treatment, and recovery resources that are available.

**NOW, THEREFORE, THE CRAVEN COUNTY BOARD OF COMMISSIONERS** does hereby proclaim the month of September 2020 as National Recovery Month in Craven County, and calls upon our community to observe this month with compelling programs and events that support this year's observance.

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Thomas F. Mark, Chairman  
Craven County Board of Commissioners

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Nan Holton  
Clerk to the Board





U.S. Department  
of Transportation  
Federal Aviation  
Administration

Airports Division  
Southern Region  
Kentucky, North Carolina, Tennessee

FAA MEMADO  
2600 Thousand Oaks Blvd  
Suite 2250  
Memphis, TN 38118

July 29, 2020

Mr. Andrew Shorter, C.M., Airport Director  
Coastal Carolina Regional Airport  
200 Terminal Drive  
New Bern, NC 28562

Dear Mr. Shorter:

We are enclosing the electronic copy of the Grant Offer for Airport Improvement Program (AIP) Project No. 3-37-0050-044-2020 at Coastal Carolina Regional Airport in New Bern, North Carolina. This letter outlines expectations for success. Please read the conditions and assurances carefully.

To properly enter into this agreement, you must do the following:

- a. The governing body must provide authority to execute the grant to the individual signing the grant; i.e. the sponsor's authorized representative.
- b. The sponsor's authorized representative must execute the grant, followed by the attorney's certification, no later than **August 20, 2020**, in order for the grant to be valid.
  - The date of the attorney's signature must be on or after the date of the sponsor's authorized representative's signature.
- c. You may not make any modification to the text, terms or conditions of the grant offer.
- d. After you properly execute the grant agreement:
  - Return one executed copy of the Grant Agreement to our office by email (pdf document) prior to sending the hardcopy document through U.S. mail or commercial courier.
  - Retain one copy of the executed Grant Agreement for your records.
  - Forward one copy of the executed Grant Agreement to your associated State Aviation Official

Subject to the requirements in 2 CFR §200.305, each payment request for reimbursement under this grant must be made electronically via the Delphi eInvoicing System. Please see the attached Grant Agreement for more information regarding the use of this System.

The terms and conditions of this agreement require you to complete the project without undue delay. We will be monitoring your progress to ensure proper stewardship of these Federal funds. **We expect you to submit payment requests for reimbursement of allowable incurred project expenses consistent with project progress.** Should you fail to make draws on a regular basis, your grant may be placed in "inactive" status, which will affect your ability to receive future grant offers.

Until the grant is completed and closed, you are responsible for submitting formal reports as follows:

- A signed/dated SF-270 (non-construction projects) or SF-271 or equivalent (construction projects) and SF-425 annually, due 90 days after the end of each federal fiscal year in which this grant is open (due December 31 of each year this grant is open); and

- Performance Reports, which are due within 30 days of the end of a reporting period as follows:
  1. Non-construction project: Due annually at end of the Federal fiscal year.
  2. Construction project: Submit FAA form 5370-1, Construction Progress and Inspection Report at the end of each fiscal quarter.

As a condition of receiving Federal assistance under this award, you must comply with audit requirements as established under 2 CFR part 200. Subpart F requires non-Federal entities that expend \$750,000 or more in Federal awards to conduct a single or program specific audit for that year. Note that this includes Federal expenditures made under other Federal-assistance programs. Please take appropriate and necessary action to assure your organization will comply with applicable audit requirements and standards.

Once the project(s) is completed and all costs are determined, we ask that you close the project without delay and submit the necessary final closeout documentation as required by your Region/Airports District Office.

Ja'Monta Smith, (901) 322-8186, is the assigned program manager for this grant and is readily available to assist you and your designated representative with the requirements stated herein. We sincerely value your cooperation in these efforts and look forward to working with you to complete this important project.

Sincerely,

**TOMMY L DUPREE** Digitally signed by TOMMY L DUPREE  
Date: 2020.07.29 15:00:57 -05'00'

Tommy L. Dupree  
Manager, Memphis Airports District Office



U.S. Department  
of Transportation  
Federal Aviation  
Administration

## GRANT AGREEMENT

### PART I – OFFER

Federal Award Offer Date	<u>July 29, 2020</u>
Airport/Planning Area	<u>Coastal Carolina Regional</u>
AIP Grant Number	<u>3-37-0050-044-2020</u>
Unique Entity Identifier	<u>965408503</u>
TO:	<u>County of Craven, North Carolina</u> (herein called the "Sponsor")

FROM: **The United States of America**(acting through the Federal Aviation Administration, herein called the "FAA")

**WHEREAS**, the Sponsor has submitted to the FAA a Project Application dated May 29, 2020, for a grant of Federal funds for a project at or associated with the Coastal Carolina Regional Airport, which is Included as part of this Grant Agreement; and

**WHEREAS**, the FAA has approved a project for the Coastal Carolina Regional Airport (herein called the "Project") consisting of the following:

**Conduct Environmental Study (Environmental Assessment for Acquire Land for Development [Edwards Property (Tax ID 7-107- 031, 7-107-134, and 7-107-032)])**

**Acquire Aircraft Rescue & Fire Fighting Vehicle**

**Construct Aircraft Rescue & Fire Fighting Building [ARFF Building (Design)-Part II]**

**Expand Terminal Building [Expand Terminal Building (Design)-Part II]**

which is more fully described in the Project Application.

**NOW THEREFORE**, According to the applicable provisions of the former Federal Aviation Act of 1958, as amended and recodified, 49 U.S.C. § 40101, et seq., and the former Airport and Airway Improvement Act of 1982 (AAIA), as amended and recodified, 49 U.S.C. § 47101, et seq., (herein the AAIA grant statute is referred to as "the Act"), the representations contained in the Project Application, and in consideration of (a) the Sponsor's adoption and ratification of the Grant Assurances dated March 2014, as applied and interpreted consistent with the FAA Reauthorization Act of 2018 (see 2018 FAA Reauthorization grant condition.), (b) and the Sponsor's acceptance of this Offer; and, (c) the benefits to accrue to the United States and the public from the accomplishment of the Project and compliance with the Grant Assurances and conditions as herein provided.

**THE FEDERAL AVIATION ADMINISTRATION, FOR AND ON BEHALF OF THE UNITED STATES, HEREBY OFFERS AND AGREES** to pay one hundred (100) percent of the allowable costs incurred accomplishing the Project as the United States share of the Project.

Assistance Listings Number (Formerly CFDA Number): 20.106

This Offer is made on and **SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS:**

### CONDITIONS

1. **Maximum Obligation.** The maximum obligation of the United States payable under this Offer is \$893,806. The following amounts represent a breakdown of the maximum obligation for the purpose of establishing allowable amounts for any future grant amendment, which may increase the foregoing maximum obligation of the United States under the provisions of 49 U.S.C. § 47108(b):
  - \$0 for planning
  - \$893,806 airport development or noise program implementation; and,
  - \$0 for land acquisition.
2. **Period of Performance.** The period of performance begins on the date the Sponsor formally accepts this agreement. Unless explicitly stated otherwise in an amendment from the FAA, the end date of the period of performance is 4 years (1,460 calendar days) from the date of formal grant acceptance by the Sponsor. The Sponsor may only charge allowable costs for obligations incurred prior to the end date of the period of performance (2 CFR §200.309). Unless the FAA authorizes a written extension, the sponsor must submit all project closeout documentation and liquidate (pay off) all obligations incurred under this award no later than 90 calendar days after the end date of the period of performance (2 CFR §200.343). The period of performance end date does not relieve or reduce Sponsor obligations and assurances that extend beyond the closeout of a grant agreement.
3. **Ineligible or Unallowable Costs.** The Sponsor must not include any costs in the project that the FAA has determined to be ineligible or unallowable.
4. **Indirect Costs - Sponsor.** Sponsor may charge indirect costs under this award by applying the indirect cost rate identified in the project application as accepted by the FAA, to allowable costs for Sponsor direct salaries and wages.
5. **Determining the Final Federal Share of Costs.** The United States' share of allowable project costs will be made in accordance with the regulations, policies, and procedures of the Secretary. Final determination of the United States' share will be based upon the final audit of the total amount of allowable project costs and settlement will be made for any upward or downward adjustments to the Federal share of costs.
6. **Completing the Project Without Delay and in Conformance with Requirements.** The Sponsor must carry out and complete the project without undue delays and in accordance with this agreement, and the regulations, policies, and procedures of the Secretary. Per 2 CFR § 200.308, the Sponsor agrees to report to the FAA any disengagement from performing the project that exceeds three months. The report must include a reason for the project stoppage. The Sponsor also agrees to comply with the assurances which are part of this agreement.
7. **Amendments or Withdrawals before Grant Acceptance.** The FAA reserves the right to amend or withdraw this offer at any time prior to its acceptance by the Sponsor.
8. **Offer Expiration Date.** This offer will expire and the United States will not be obligated to pay any part of the costs of the project unless this offer has been accepted by the Sponsor on or before August 20, 2020, or such subsequent date as may be prescribed in writing by the FAA.
9. **Improper Use of Federal Funds.** The Sponsor must take all steps, including litigation if necessary, to recover Federal funds spent fraudulently, wastefully, or in violation of Federal antitrust statutes, or misused in any other manner for any project upon which Federal funds have been expended. For the purposes of this grant agreement, the term "Federal funds" means funds however used or dispersed by

the Sponsor, that were originally paid pursuant to this or any other Federal grant agreement. The Sponsor must obtain the approval of the Secretary as to any determination of the amount of the Federal share of such funds. The Sponsor must return the recovered Federal share, including funds recovered by settlement, order, or judgment, to the Secretary. The Sponsor must furnish to the Secretary, upon request, all documents and records pertaining to the determination of the amount of the Federal share or to any settlement, litigation, negotiation, or other efforts taken to recover such funds. All settlements or other final positions of the Sponsor, in court or otherwise, involving the recovery of such Federal share require advance approval by the Secretary.

- 10. United States Not Liable for Damage or Injury.** The United States is not responsible or liable for damage to property or injury to persons which may arise from, or be incident to, compliance with this grant agreement.
- 11. System for Award Management (SAM) Registration And Universal Identifier.**
- A. Requirement for System for Award Management (SAM): Unless the Sponsor is exempted from this requirement under 2 CFR 25.110, the Sponsor must maintain the currency of its information in the SAM until the Sponsor submits the final financial report required under this grant, or receives the final payment, whichever is later. This requires that the Sponsor review and update the information at least annually after the initial registration and more frequently if required by changes in information or another award term. Additional information about registration procedures may be found at the SAM website (currently at <http://www.sam.gov>).
- B. Unique entity identifier (UEI) means a 12-character alpha-numeric value used to identify a specific commercial, nonprofit or governmental entity. A UEI may be obtained from SAM.gov at <https://sam.gov/SAM/pages/public/index.jsf>.
- 12. Electronic Grant Payment(s).** Unless otherwise directed by the FAA, the Sponsor must make each payment request under this agreement electronically via the Delphi invoicing System for Department of Transportation (DOT) Financial Assistance Awardees.
- 13. Informal Letter Amendment of AIP Projects.** If, during the life of the project, the FAA determines that the maximum grant obligation of the United States exceeds the expected needs of the Sponsor by \$25,000 or five percent (5%), whichever is greater, the FAA can issue a letter amendment to the Sponsor unilaterally reducing the maximum obligation.

The FAA can also issue a letter to the Sponsor increasing the maximum obligation if there is an overrun in the total actual eligible and allowable project costs to cover the amount of the overrun provided it will not exceed the statutory limitations for grant amendments. The FAA's authority to increase the maximum obligation does not apply to the "planning" component of condition No. 1.

The FAA can also issue an informal letter amendment that modifies the grant description to correct administrative errors or to delete work items if the FAA finds it advantageous and in the best interests of the United States.

An Informal letter amendment has the same force and effect as a formal grant amendment.

- 14. Air and Water Quality.** The Sponsor is required to comply with all applicable air and water quality standards for all projects in this grant. If the Sponsor fails to comply with this requirement, the FAA may suspend, cancel, or terminate this agreement.
- 15. Financial Reporting and Payment Requirements.** The Sponsor will comply with all federal financial reporting requirements and payment requirements, including submittal of timely and accurate reports.
- 16. Buy American.** Unless otherwise approved in advance by the FAA, the Sponsor will not acquire or permit any contractor or subcontractor to acquire any steel or manufactured products produced outside the

United States to be used for any project for which funds are provided under this grant. The Sponsor will include a provision implementing Buy American in every contract.

**17. Maximum Obligation Increase.** In accordance with 49 U.S.C. § 47108(b), as amended, the maximum obligation of the United States, as stated in Condition No. 1 of this Grant Offer:

- A. May not be increased for a planning project;
- B. May be increased by not more than 15 percent for development projects if funds are available;
- C. May be increased by not more than 15 percent for land project if funds are available.

**18. Suspension or Debarment.** When entering into a "covered transaction" as defined by 2 CFR §180.200, the Sponsor must:

- A. Verify the non-federal entity is eligible to participate in this Federal program by:
  - 1. Checking the excluded parties list system (EPLS) as maintained within the System for Award Management (SAM) to determine if the non-federal entity is excluded or disqualified; or
  - 2. Collecting a certification statement from the non-federal entity attesting they are not excluded or disqualified from participating; or
  - 3. Adding a clause or condition to covered transactions attesting individual or firm are not excluded or disqualified from participating.
- B. Require prime contractors to comply with 2 CFR §180.330 when entering into lower-tier transactions (e.g. Sub-contracts).
- C. Immediately disclose to the FAA whenever the Sponsor (1) learns they have entered into a covered transaction with an ineligible entity or (2) suspends or debars a contractor, person, or entity.

**19. Ban on Texting While Driving.**

- A. In accordance with Executive Order 13513, Federal Leadership on Reducing Text Messaging While Driving, October 1, 2009, and DOT Order 3902.10, Text Messaging While Driving, December 30, 2009, the Sponsor is encouraged to:
  - 1. Adopt and enforce workplace safety policies to decrease crashes caused by distracted drivers including policies to ban text messaging while driving when performing any work for, or on behalf of, the Federal government, including work relating to a grant or subgrant.
  - 2. Conduct workplace safety initiatives in a manner commensurate with the size of the business, such as:
    - a. Establishment of new rules and programs or re-evaluation of existing programs to prohibit text messaging while driving; and
    - b. Education, awareness, and other outreach to employees about the safety risks associated with texting while driving.
- B. The Sponsor must insert the substance of this clause on banning texting while driving in all subgrants, contracts and subcontracts.

**20. AIP Funded Work Included in a PFC Application.**

Within 90 days of acceptance of this award, Sponsor must submit to the Federal Aviation Administration an amendment to any approved Passenger Facility Charge (PFC) application that contains an approved PFC project also covered under this grant award. The airport sponsor may not make any expenditure under this award until project work addressed under this award is removed from an approved PFC application by amendment.

**21. Exhibit "A" Property Map.** The Exhibit "A" Property Map dated July 2013 is incorporated herein by reference or is submitted with the project application and made part of this grant agreement.

**22. Employee Protection from Reprisal.**

A. Prohibition of Reprisals –

1. In accordance with 41 U.S.C. § 4712, an employee of a grantee or subgrantee may not be discharged, demoted, or otherwise discriminated against as a reprisal for disclosing to a person or body described in sub-paragraph (A)(2), information that the employee reasonably believes is evidence of:
  - i. Gross mismanagement of a Federal grant;
  - ii. Gross waste of Federal funds;
  - iii. An abuse of authority relating to implementation or use of Federal funds;
  - iv. A substantial and specific danger to public health or safety; or
  - v. A violation of law, rule, or regulation related to a Federal grant.
2. Persons and bodies covered: The persons and bodies to which a disclosure by an employee is covered are as follows:
  - i. A member of Congress or a representative of a committee of Congress;
  - ii. An Inspector General;
  - iii. The Government Accountability Office;
  - iv. A Federal office or employee responsible for oversight of a grant program;
  - v. A court or grand jury;
  - vi. A management office of the grantee or subgrantee; or
  - vii. A Federal or State regulatory enforcement agency.
3. Submission of Complaint – A person who believes that they have been subjected to a reprisal prohibited by paragraph A of this grant term may submit a complaint regarding the reprisal to the Office of Inspector General (OIG) for the U.S. Department of Transportation.
4. Time Limitation for Submittal of a Complaint - A complaint may not be brought under this subsection more than three years after the date on which the alleged reprisal took place.
5. Required Actions of the Inspector General – Actions, limitations and exceptions of the Inspector General's office are established under 41 U.S.C. § 4712(b)
6. Assumption of Rights to Civil Remedy - Upon receipt of an explanation of a decision not to conduct or continue an investigation by the Office of Inspector General, the person submitting a complaint assumes the right to a civil remedy under 41 U.S.C. § 4712(c).

**23. 2018 FAA Reauthorization.** This grant agreement is subject to the terms and conditions contained herein including the terms known as the Grant Assurances as they were published in the Federal Register on April 3, 2014. On October 5, 2018, the FAA Reauthorization Act of 2018 made certain amendments to 49 U.S.C. chapter 471. The Reauthorization Act will require FAA to make certain amendments to the assurances in order to best achieve consistency with the statute. Federal law requires that FAA publish any amendments to the assurances in the Federal Register along with an opportunity to comment. In order not to delay the offer of this grant, the existing assurances are attached herein; however, FAA shall interpret and apply these assurances consistent with the Reauthorization Act. To the extent there is a conflict between the assurances and Federal statutes, the statutes shall apply. The full text of the Act is at <https://www.congress.gov/bill/115th-congress/house-bill/302/text>.

**SPECIAL CONDITIONS**

- 24. Design Grant.** This grant agreement is being issued in order to complete the design of the project. The Sponsor understands and agrees that within 2 years after the design is completed that the Sponsor will accept, subject to the availability of the amount of federal funding identified in the Airport Capital Improvement Plan (ACIP), a grant to complete the construction of the project in order to provide a useful and useable unit of work. The Sponsor also understands that if the FAA has provided federal funding to complete the design for the project, and the Sponsor has not completed the design within four (4) years from the execution of this grant agreement, the FAA may suspend or terminate grants related to the design.
- 25. Equipment or Vehicle Replacement.** The Sponsor and the FAA agree that the Fair Market Value of equipment being replaced by this project is less than \$5,000, and that reimbursement to the FAA for the value of the replaced equipment to reduce the total project costs is not required.

The Sponsor's acceptance of this Offer and ratification and adoption of the Project Application incorporated herein shall be evidenced by execution of this instrument by the Sponsor, as hereinafter provided, and this Offer and Acceptance shall comprise a Grant Agreement, as provided by the Act, constituting the contractual obligations and rights of the United States and the Sponsor with respect to the accomplishment of the Project and compliance with the assurances and conditions as provided herein. Such Grant Agreement shall become effective upon the Sponsor's acceptance of this Offer.

**UNITED STATES OF AMERICA  
FEDERAL AVIATION ADMINISTRATION**

**TOMMY L DUPREE** Digitally signed by TOMMY L DUPREE  
Date: 2020.07.29 15:01:54-05'00'

*(Signature)*

**Tommy L. Dupree**

*(Typed Name)*

**Manager, Memphis Airports District Office**

*(Title of FAA Official)*

**PART II - ACCEPTANCE**

The Sponsor does hereby ratify and adopt all assurances, statements, representations, warranties, covenants, and agreements contained in the Project Application and incorporated materials referred to in the foregoing Offer, and does hereby accept this Offer and by such acceptance agrees to comply with all of the terms and conditions in this Offer and in the Project Application.

I declare under penalty of perjury that the foregoing is true and correct.<sup>1</sup>

Executed this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
*(Name of Sponsor)*

\_\_\_\_\_  
*(Signature of Sponsor's Authorized Official)*

**By:** \_\_\_\_\_  
*(Typed Name of Sponsor's Authorized Official)*

**Title:** \_\_\_\_\_  
*(Title of Sponsor's Authorized Official)*

**CERTIFICATE OF SPONSOR'S ATTORNEY**

I, \_\_\_\_\_, acting as Attorney for the Sponsor do hereby certify:

That in my opinion the Sponsor is empowered to enter into the foregoing Grant Agreement under the laws of the State of North Carolina. Further, I have examined the foregoing Grant Agreement and the actions taken by said Sponsor and Sponsor's official representative has been duly authorized and that the execution thereof is in all respects due and proper and in accordance with the laws of the said State and the Act. In addition, for grants involving projects to be carried out on property not owned by the Sponsor, there are no legal impediments that will prevent full performance by the Sponsor. Further, it is my opinion that the said Grant Agreement constitutes a legal and binding obligation of the Sponsor in accordance with the terms thereof.

Dated at \_\_\_\_\_ (location) this \_\_\_\_\_ day of \_\_\_\_\_,

**By:** \_\_\_\_\_  
*(Signature of Sponsor's Attorney)*

<sup>1</sup>Knowingly and willfully providing false information to the Federal government is a violation of 18 U.S.C. Section 1001 (False Statements) and could subject you to fines, imprisonment, or both.

## ASSURANCES

### AIRPORT SPONSORS

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#### A. General.

- a. These assurances shall be complied with in the performance of grant agreements for airport development, airport planning, and noise compatibility program grants for airport sponsors.
- b. These assurances are required to be submitted as part of the project application by sponsors requesting funds under the provisions of Title 49, U.S.C., subtitle VII, as amended. As used herein, the term "public agency sponsor" means a public agency with control of a public-use airport; the term "private sponsor" means a private owner of a public-use airport; and the term "sponsor" includes both public agency sponsors and private sponsors.
- c. Upon acceptance of this grant offer by the sponsor, these assurances are incorporated in and become part of this grant agreement.

#### B. Duration and Applicability.

##### 1. Airport development or Noise Compatibility Program Projects Undertaken by a Public Agency Sponsor.

The terms, conditions and assurances of this grant agreement shall remain in full force and effect throughout the useful life of the facilities developed or equipment acquired for an airport development or noise compatibility program project, or throughout the useful life of the project items installed within a facility under a noise compatibility program project, but in any event not to exceed twenty (20) years from the date of acceptance of a grant offer of Federal funds for the project. However, there shall be no limit on the duration of the assurances regarding Exclusive Rights and Airport Revenue so long as the airport is used as an airport. There shall be no limit on the duration of the terms, conditions, and assurances with respect to real property acquired with federal funds. Furthermore, the duration of the Civil Rights assurance shall be specified in the assurances.

##### 2. Airport Development or Noise Compatibility Projects Undertaken by a Private Sponsor.

The preceding paragraph 1 also applies to a private sponsor except that the useful life of project items installed within a facility or the useful life of the facilities developed or equipment acquired under an airport development or noise compatibility program project shall be no less than ten (10) years from the date of acceptance of Federal aid for the project.

##### 3. Airport Planning Undertaken by a Sponsor.

Unless otherwise specified in this grant agreement, only Assurances 1, 2, 3, 5, 6, 13, 18, 25, 30, 32, 33, and 34 in Section C apply to planning projects. The terms, conditions, and assurances of this grant agreement shall remain in full force and effect during the life of the project; there shall be no limit on the duration of the assurances regarding Exclusive Rights and Airport Revenue so long as the airport is used as an airport.

#### C. Sponsor Certification.

The sponsor hereby assures and certifies, with respect to this grant that:

##### 1. General Federal Requirements.

It will comply with all applicable Federal laws, regulations, executive orders, policies, guidelines, and requirements as they relate to the application, acceptance and use of Federal funds for this project including but not limited to the following:

**FEDERAL LEGISLATION**

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- a. Title 49, U.S.C., subtitle VII, as amended.
- b. Davis-Bacon Act - 40 U.S.C. 276(a), et seq.<sup>1</sup>
- c. Federal Fair Labor Standards Act - 29 U.S.C. 201, et seq.
- d. Hatch Act – 5 U.S.C. 1501, et seq.<sup>2</sup>
- e. Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 Title 42 U.S.C. 4601, et seq.<sup>1,2</sup>
- f. National Historic Preservation Act of 1966 - Section 106 - 16 U.S.C. 470(f).<sup>1</sup>
- g. Archeological and Historic Preservation Act of 1974 - 16 U.S.C. 469 through 469c.<sup>1</sup>
- h. Native Americans Grave Repatriation Act - 25 U.S.C. Section 3001, et seq.
- i. Clean Air Act, P.L. 90-148, as amended.
- j. Coastal Zone Management Act, P.L. 93-205, as amended.
- k. Flood Disaster Protection Act of 1973 - Section 102(a) - 42 U.S.C. 4012a.<sup>1</sup>
- l. Title 49, U.S.C., Section 303, (formerly known as Section 4(f))
- m. Rehabilitation Act of 1973 - 29 U.S.C. 794.
- n. Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252) (prohibits discrimination on the basis of race, color, national origin);
- o. Americans with Disabilities Act of 1990, as amended, (42 U.S.C. § 12101 et seq.), prohibits discrimination on the basis of disability).
- p. Age Discrimination Act of 1975 - 42 U.S.C. 6101, et seq.
- q. American Indian Religious Freedom Act, P.L. 95-341, as amended.
- r. Architectural Barriers Act of 1968 - 42 U.S.C. 4151, et seq.<sup>1</sup>
- s. Power plant and Industrial Fuel Use Act of 1978 - Section 403- 2 U.S.C. 8373.<sup>1</sup>
- t. Contract Work Hours and Safety Standards Act - 40 U.S.C. 327, et seq.<sup>1</sup>
- u. Copeland Anti-kickback Act - 18 U.S.C. 874.1
- v. National Environmental Policy Act of 1969 - 42 U.S.C. 4321, et seq.<sup>1</sup>
- w. Wild and Scenic Rivers Act, P.L. 90-542, as amended.
- x. Single Audit Act of 1984 - 31 U.S.C. 7501, et seq.<sup>2</sup>
- y. Drug-Free Workplace Act of 1988 - 41 U.S.C. 702 through 706.
- z. The Federal Funding Accountability and Transparency Act of 2006, as amended (Pub. L. 109-282, as amended by section 6202 of Pub. L. 110-252).

**EXECUTIVE ORDERS**

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- a. Executive Order 11246 - Equal Employment Opportunity<sup>1</sup>
- b. Executive Order 11990 - Protection of Wetlands
- c. Executive Order 11998 –Flood Plain Management

- d. Executive Order 12372 - Intergovernmental Review of Federal Programs
- e. Executive Order 12699 - Seismic Safety of Federal and Federally Assisted New Building Construction<sup>1</sup>
- f. Executive Order 12898 - Environmental Justice

#### **FEDERAL REGULATIONS**

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- a. 2 CFR Part 180 - OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement).
- b. 2 CFR Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards. [OMB Circular A-87 Cost Principles Applicable to Grants and Contracts with State and Local Governments, and OMB Circular A-133 - Audits of States, Local Governments, and Non-Profit Organizations].<sup>4,5,6</sup>
- c. 2 CFR Part 1200 – Nonprocurement Suspension and Debarment
- d. 14 CFR Part 13 - Investigative and Enforcement Procedures 14 CFR Part 16 - Rules of Practice For Federally Assisted Airport Enforcement Proceedings.
- e. 14 CFR Part 150 - Airport noise compatibility planning.
- f. 28 CFR Part 35- Discrimination on the Basis of Disability in State and Local Government Services.
- g. 28 CFR § 50.3 - U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964.
- h. 29 CFR Part 1 - Procedures for predetermination of wage rates.<sup>1</sup>
- i. 29 CFR Part 3 - Contractors and subcontractors on public building or public work financed in whole or part by loans or grants from the United States.<sup>1</sup>
- j. 29 CFR Part 5 - Labor standards provisions applicable to contracts covering federally financed and assisted construction (also labor standards provisions applicable to non-construction contracts subject to the Contract Work Hours and Safety Standards Act).<sup>1</sup>
- k. 41 CFR Part 60 - Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor (Federal and federally assisted contracting requirements).<sup>1</sup>
- l. 49 CFR Part 18 - Uniform administrative requirements for grants and cooperative agreements to state and local governments.<sup>3</sup>
- m. 49 CFR Part 20 - New restrictions on lobbying.
- n. 49 CFR Part 21 – Nondiscrimination in federally-assisted programs of the Department of Transportation - effectuation of Title VI of the Civil Rights Act of 1964.
- o. 49 CFR Part 23 - Participation by Disadvantage Business Enterprise in Airport Concessions.
- p. 49 CFR Part 24 – Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally Assisted Programs.<sup>1,2</sup>
- q. 49 CFR Part 26 – Participation by Disadvantaged Business Enterprises in Department of Transportation Programs.
- r. 49 CFR Part 27 – Nondiscrimination on the Basis of Handicap in Programs and Activities Receiving or Benefiting from Federal Financial Assistance.<sup>1</sup>

- s. 49 CFR Part 28 –Enforcement of Nondiscrimination on the Basis of Handicap in Programs or Activities conducted by the Department of Transportation.
- t. 49 CFR Part 30 - Denial of public works contracts to suppliers of goods and services of countries that deny procurement market access to U.S. contractors.
- u. 49 CFR Part 32 –Governmentwide Requirements for Drug-Free Workplace (Financial Assistance)
- v. 49 CFR Part 37 –Transportation Services for Individuals with Disabilities (ADA).
- w. 49 CFR Part 41 - Seismic safety of Federal and federally assisted or regulated new building construction.

### **SPECIFIC ASSURANCES**

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Specific assurances required to be included in grant agreements by any of the above laws, regulations or circulars are incorporated by reference in this grant agreement.

### **FOOTNOTES TO ASSURANCE C.1.**

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- <sup>1</sup> These laws do not apply to airport planning sponsors.
- <sup>2</sup> These laws do not apply to private sponsors.
- <sup>3</sup> 49 CFR Part 18 and 2 CFR Part 200 contain requirements for State and Local Governments receiving Federal assistance. Any requirement levied upon State and Local Governments by this regulation and circular shall also be applicable to private sponsors receiving Federal assistance under Title 49, United States Code.
- <sup>4</sup> On December 26, 2013 at 78 FR 78590, the Office of Management and Budget (OMB) issued the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards in 2 CFR Part 200. 2 CFR Part 200 replaces and combines the former Uniform Administrative Requirements for Grants (OMB Circular A-102 and Circular A-110 or 2 CFR Part 215 or Circular) as well as the Cost Principles (Circulars A-21 or 2 CFR part 220; Circular A-87 or 2 CFR part 225; and A-122, 2 CFR part 230). Additionally it replaces Circular A-133 guidance on the Single Annual Audit. In accordance with 2 CFR section 200.110, the standards set forth in Part 200 which affect administration of Federal awards issued by Federal agencies become effective once implemented by Federal agencies or when any future amendment to this Part becomes final. Federal agencies, including the Department of Transportation, must implement the policies and procedures applicable to Federal awards by promulgating a regulation to be effective by December 26, 2014 unless different provisions are required by statute or approved by OMB.
- <sup>5</sup> Cost principles established in 2 CFR part 200 subpart E must be used as guidelines for determining the eligibility of specific types of expenses.
- <sup>6</sup> Audit requirements established in 2 CFR part 200 subpart F are the guidelines for audits.

### **2. Responsibility and Authority of the Sponsor.**

#### **a. Public Agency Sponsor:**

It has legal authority to apply for this grant, and to finance and carry out the proposed project; that a resolution, motion or similar action has been duly adopted or passed as an official act of the applicant's governing body authorizing the filing of the application, including all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the applicant to act in connection with the application and to provide such additional information as may be required.

#### **b. Private Sponsor:**

It has legal authority to apply for this grant and to finance and carry out the proposed project and comply with all terms, conditions, and assurances of this grant agreement. It shall designate an official representative and shall in writing direct and authorize that person to file this application, including all understandings and assurances contained therein; to act in connection with this application; and to provide such additional information as may be required.

**3. Sponsor Fund Availability.**

It has sufficient funds available for that portion of the project costs which are not to be paid by the United States. It has sufficient funds available to assure operation and maintenance of items funded under this grant agreement which it will own or control.

**4. Good Title.**

- a. It, a public agency or the Federal government, holds good title, satisfactory to the Secretary, to the landing area of the airport or site thereof, or will give assurance satisfactory to the Secretary that good title will be acquired.
- b. For noise compatibility program projects to be carried out on the property of the sponsor, it holds good title satisfactory to the Secretary to that portion of the property upon which Federal funds will be expended or will give assurance to the Secretary that good title will be obtained.

**5. Preserving Rights and Powers.**

- a. It will not take or permit any action which would operate to deprive it of any of the rights and powers necessary to perform any or all of the terms, conditions, and assurances in this grant agreement without the written approval of the Secretary, and will act promptly to acquire, extinguish or modify any outstanding rights or claims of right of others which would interfere with such performance by the sponsor. This shall be done in a manner acceptable to the Secretary.
- b. It will not sell, lease, encumber, or otherwise transfer or dispose of any part of its title or other interests in the property shown on Exhibit A to this application or, for a noise compatibility program project, that portion of the property upon which Federal funds have been expended, for the duration of the terms, conditions, and assurances in this grant agreement without approval by the Secretary. If the transferee is found by the Secretary to be eligible under Title 49, United States Code, to assume the obligations of this grant agreement and to have the power, authority, and financial resources to carry out all such obligations, the sponsor shall insert in the contract or document transferring or disposing of the sponsor's interest, and make binding upon the transferee all of the terms, conditions, and assurances contained in this grant agreement.
- c. For all noise compatibility program projects which are to be carried out by another unit of local government or are on property owned by a unit of local government other than the sponsor, it will enter into an agreement with that government. Except as otherwise specified by the Secretary, that agreement shall obligate that government to the same terms, conditions, and assurances that would be applicable to it if it applied directly to the FAA for a grant to undertake the noise compatibility program project. That agreement and changes thereto must be satisfactory to the Secretary. It will take steps to enforce this agreement against the local government if there is substantial non-compliance with the terms of the agreement.

- d. For noise compatibility program projects to be carried out on privately owned property, it will enter into an agreement with the owner of that property which includes provisions specified by the Secretary. It will take steps to enforce this agreement against the property owner whenever there is substantial non-compliance with the terms of the agreement.
- e. If the sponsor is a private sponsor, it will take steps satisfactory to the Secretary to ensure that the airport will continue to function as a public-use airport in accordance with these assurances for the duration of these assurances.
- f. If an arrangement is made for management and operation of the airport by any agency or person other than the sponsor or an employee of the sponsor, the sponsor will reserve sufficient rights and authority to insure that the airport will be operated and maintained in accordance Title 49, United States Code, the regulations and the terms, conditions and assurances in this grant agreement and shall insure that such arrangement also requires compliance therewith.
- g. Sponsors of commercial service airports will not permit or enter into any arrangement that results in permission for the owner or tenant of a property used as a residence, or zoned for residential use, to taxi an aircraft between that property and any location on airport. Sponsors of general aviation airports entering into any arrangement that results in permission for the owner of residential real property adjacent to or near the airport must comply with the requirements of Sec. 136 of Public Law 112-95 and the sponsor assurances.

**6. Consistency with Local Plans.**

The project is reasonably consistent with plans (existing at the time of submission of this application) of public agencies that are authorized by the State in which the project is located to plan for the development of the area surrounding the airport.

**7. Consideration of Local Interest.**

It has given fair consideration to the interest of communities in or near where the project may be located.

**8. Consultation with Users.**

In making a decision to undertake any airport development project under Title 49, United States Code, it has undertaken reasonable consultations with affected parties using the airport at which project is proposed.

**9. Public Hearings.**

In projects involving the location of an airport, an airport runway, or a major runway extension, it has afforded the opportunity for public hearings for the purpose of considering the economic, social, and environmental effects of the airport or runway location and its consistency with goals and objectives of such planning as has been carried out by the community and it shall, when requested by the Secretary, submit a copy of the transcript of such hearings to the Secretary. Further, for such projects, it has on its management board either voting representation from the communities where the project is located or has advised the communities that they have the right to petition the Secretary concerning a proposed project.

**10. Metropolitan Planning Organization.**

In projects involving the location of an airport, an airport runway, or a major runway extension at a medium or large hub airport, the sponsor has made available to and has provided upon request to the metropolitan planning organization in the area in which the airport is located, if any, a copy

of the proposed amendment to the airport layout plan to depict the project and a copy of any airport master plan in which the project is described or depicted.

**11. Pavement Preventive Maintenance.**

With respect to a project approved after January 1, 1995, for the replacement or reconstruction of pavement at the airport, it assures or certifies that it has implemented an effective airport pavement maintenance-management program and it assures that it will use such program for the useful life of any pavement constructed, reconstructed or repaired with Federal financial assistance at the airport. It will provide such reports on pavement condition and pavement management programs as the Secretary determines may be useful.

**12. Terminal Development Prerequisites.**

For projects which include terminal development at a public use airport, as defined in Title 49, it has, on the date of submittal of the project grant application, all the safety equipment required for certification of such airport under section 44706 of Title 49, United States Code, and all the security equipment required by rule or regulation, and has provided for access to the passenger enplaning and deplaning area of such airport to passengers enplaning and deplaning from aircraft other than air carrier aircraft.

**13. Accounting System, Audit, and Record Keeping Requirements.**

- a. It shall keep all project accounts and records which fully disclose the amount and disposition by the recipient of the proceeds of this grant, the total cost of the project in connection with which this grant is given or used, and the amount or nature of that portion of the cost of the project supplied by other sources, and such other financial records pertinent to the project. The accounts and records shall be kept in accordance with an accounting system that will facilitate an effective audit in accordance with the Single Audit Act of 1984.
- b. It shall make available to the Secretary and the Comptroller General of the United States, or any of their duly authorized representatives, for the purpose of audit and examination, any books, documents, papers, and records of the recipient that are pertinent to this grant. The Secretary may require that an appropriate audit be conducted by a recipient. In any case in which an independent audit is made of the accounts of a sponsor relating to the disposition of the proceeds of a grant or relating to the project in connection with which this grant was given or used, it shall file a certified copy of such audit with the Comptroller General of the United States not later than six (6) months following the close of the fiscal year for which the audit was made.

**14. Minimum Wage Rates.**

It shall include, in all contracts in excess of \$2,000 for work on any projects funded under this grant agreement which involve labor, provisions establishing minimum rates of wages, to be predetermined by the Secretary of Labor, in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a-276a-5), which contractors shall pay to skilled and unskilled labor, and such minimum rates shall be stated in the invitation for bids and shall be included in proposals or bids for the work.

**15. Veteran's Preference.**

It shall include in all contracts for work on any project funded under this grant agreement which involve labor, such provisions as are necessary to insure that, in the employment of labor (except in executive, administrative, and supervisory positions), preference shall be given to Vietnam era veterans, Persian Gulf veterans, Afghanistan-Iraq war veterans, disabled veterans, and small business concerns owned and controlled by disabled veterans as defined in Section 47112 of Title

49, United States Code. However, this preference shall apply only where the individuals are available and qualified to perform the work to which the employment relates.

**16. Conformity to Plans and Specifications.**

It will execute the project subject to plans, specifications, and schedules approved by the Secretary. Such plans, specifications, and schedules shall be submitted to the Secretary prior to commencement of site preparation, construction, or other performance under this grant agreement, and, upon approval of the Secretary, shall be incorporated into this grant agreement. Any modification to the approved plans, specifications, and schedules shall also be subject to approval of the Secretary, and incorporated into this grant agreement.

**17. Construction Inspection and Approval.**

It will provide and maintain competent technical supervision at the construction site throughout the project to assure that the work conforms to the plans, specifications, and schedules approved by the Secretary for the project. It shall subject the construction work on any project contained in an approved project application to inspection and approval by the Secretary and such work shall be in accordance with regulations and procedures prescribed by the Secretary. Such regulations and procedures shall require such cost and progress reporting by the sponsor or sponsors of such project as the Secretary shall deem necessary.

**18. Planning Projects.**

In carrying out planning projects:

- a. It will execute the project in accordance with the approved program narrative contained in the project application or with the modifications similarly approved.
- b. It will furnish the Secretary with such periodic reports as required pertaining to the planning project and planning work activities.
- c. It will include in all published material prepared in connection with the planning project a notice that the material was prepared under a grant provided by the United States.
- d. It will make such material available for examination by the public, and agrees that no material prepared with funds under this project shall be subject to copyright in the United States or any other country.
- e. It will give the Secretary unrestricted authority to publish, disclose, distribute, and otherwise use any of the material prepared in connection with this grant.
- f. It will grant the Secretary the right to disapprove the sponsor's employment of specific consultants and their subcontractors to do all or any part of this project as well as the right to disapprove the proposed scope and cost of professional services.
- g. It will grant the Secretary the right to disapprove the use of the sponsor's employees to do all or any part of the project.
- h. It understands and agrees that the Secretary's approval of this project grant or the Secretary's approval of any planning material developed as part of this grant does not constitute or imply any assurance or commitment on the part of the Secretary to approve any pending or future application for a Federal airport grant.

**19. Operation and Maintenance.**

- a. The airport and all facilities which are necessary to serve the aeronautical users of the airport, other than facilities owned or controlled by the United States, shall be operated at all times in a safe and serviceable condition and in accordance with the minimum standards as may be

required or prescribed by applicable Federal, state and local agencies for maintenance and operation. It will not cause or permit any activity or action thereon which would interfere with its use for airport purposes. It will suitably operate and maintain the airport and all facilities thereon or connected therewith, with due regard to climatic and flood conditions. Any proposal to temporarily close the airport for non-aeronautical purposes must first be approved by the Secretary. In furtherance of this assurance, the sponsor will have in effect arrangements for-

- 1) Operating the airport's aeronautical facilities whenever required;
  - 2) Promptly marking and lighting hazards resulting from airport conditions, including temporary conditions; and
  - 3) Promptly notifying airmen of any condition affecting aeronautical use of the airport. Nothing contained herein shall be construed to require that the airport be operated for aeronautical use during temporary periods when snow, flood or other climatic conditions interfere with such operation and maintenance. Further, nothing herein shall be construed as requiring the maintenance, repair, restoration, or replacement of any structure or facility which is substantially damaged or destroyed due to an act of God or other condition or circumstance beyond the control of the sponsor.
- b. It will suitably operate and maintain noise compatibility program items that it owns or controls upon which Federal funds have been expended.

#### 20. Hazard Removal and Mitigation.

It will take appropriate action to assure that such terminal airspace as is required to protect instrument and visual operations to the airport (including established minimum flight altitudes) will be adequately cleared and protected by removing, lowering, relocating, marking, or lighting or otherwise mitigating existing airport hazards and by preventing the establishment or creation of future airport hazards.

#### 21. Compatible Land Use.

It will take appropriate action, to the extent reasonable, including the adoption of zoning laws, to restrict the use of land adjacent to or in the immediate vicinity of the airport to activities and purposes compatible with normal airport operations, including landing and takeoff of aircraft. In addition, if the project is for noise compatibility program implementation, it will not cause or permit any change in land use, within its jurisdiction, that will reduce its compatibility, with respect to the airport, of the noise compatibility program measures upon which Federal funds have been expended.

#### 22. Economic Nondiscrimination.

- a. It will make the airport available as an airport for public use on reasonable terms and without unjust discrimination to all types, kinds and classes of aeronautical activities, including commercial aeronautical activities offering services to the public at the airport.
- b. In any agreement, contract, lease, or other arrangement under which a right or privilege at the airport is granted to any person, firm, or corporation to conduct or to engage in any aeronautical activity for furnishing services to the public at the airport, the sponsor will insert and enforce provisions requiring the contractor to-
  - 1) furnish said services on a reasonable, and not unjustly discriminatory, basis to all users thereof, and
  - 2) charge reasonable, and not unjustly discriminatory, prices for each unit or service,

provided that the contractor may be allowed to make reasonable and nondiscriminatory discounts, rebates, or other similar types of price reductions to volume purchasers.

- a.) Each fixed-based operator at the airport shall be subject to the same rates, fees, rentals, and other charges as are uniformly applicable to all other fixed-based operators making the same or similar uses of such airport and utilizing the same or similar facilities.
- b.) Each air carrier using such airport shall have the right to service itself or to use any fixed-based operator that is authorized or permitted by the airport to serve any air carrier at such airport.
- c.) Each air carrier using such airport (whether as a tenant, non-tenant, or subtenant of another air carrier tenant) shall be subject to such nondiscriminatory and substantially comparable rules, regulations, conditions, rates, fees, rentals, and other charges with respect to facilities directly and substantially related to providing air transportation as are applicable to all such air carriers which make similar use of such airport and utilize similar facilities, subject to reasonable classifications such as tenants or non-tenants and signatory carriers and non-signatory carriers. Classification or status as tenant or signatory shall not be unreasonably withheld by any airport provided an air carrier assumes obligations substantially similar to those already imposed on air carriers in such classification or status.
- d.) It will not exercise or grant any right or privilege which operates to prevent any person, firm, or corporation operating aircraft on the airport from performing any services on its own aircraft with its own employees [including, but not limited to maintenance, repair, and fueling] that it may choose to perform.
- e.) In the event the sponsor itself exercises any of the rights and privileges referred to in this assurance, the services involved will be provided on the same conditions as would apply to the furnishing of such services by commercial aeronautical service providers authorized by the sponsor under these provisions.
- f.) The sponsor may establish such reasonable, and not unjustly discriminatory, conditions to be met by all users of the airport as may be necessary for the safe and efficient operation of the airport.
- g.) The sponsor may prohibit or limit any given type, kind or class of aeronautical use of the airport if such action is necessary for the safe operation of the airport or necessary to serve the civil aviation needs of the public.

### **23. Exclusive Rights.**

It will permit no exclusive right for the use of the airport by any person providing, or intending to provide, aeronautical services to the public. For purposes of this paragraph, the providing of the services at an airport by a single fixed-based operator shall not be construed as an exclusive right if both of the following apply:

- a. It would be unreasonably costly, burdensome, or impractical for more than one fixed-based operator to provide such services, and
- b. If allowing more than one fixed-based operator to provide such services would require the reduction of space leased pursuant to an existing agreement between such single fixed-based operator and such airport. It further agrees that it will not, either directly or indirectly, grant or permit any person, firm, or corporation, the exclusive right at the airport to conduct any aeronautical activities, including, but not limited to charter flights, pilot training, aircraft rental

and sightseeing, aerial photography, crop dusting, aerial advertising and surveying, air carrier operations, aircraft sales and services, sale of aviation petroleum products whether or not conducted in conjunction with other aeronautical activity, repair and maintenance of aircraft, sale of aircraft parts, and any other activities which because of their direct relationship to the operation of aircraft can be regarded as an aeronautical activity, and that it will terminate any exclusive right to conduct an aeronautical activity now existing at such an airport before the grant of any assistance under Title 49, United States Code.

#### **24. Fee and Rental Structure.**

It will maintain a fee and rental structure for the facilities and services at the airport which will make the airport as self-sustaining as possible under the circumstances existing at the particular airport, taking into account such factors as the volume of traffic and economy of collection. No part of the Federal share of an airport development, airport planning or noise compatibility project for which a grant is made under Title 49, United States Code, the Airport and Airway Improvement Act of 1982, the Federal Airport Act or the Airport and Airway Development Act of 1970 shall be included in the rate basis in establishing fees, rates, and charges for users of that airport.

#### **25. Airport Revenues.**

- a. All revenues generated by the airport and any local taxes on aviation fuel established after December 30, 1987, will be expended by it for the capital or operating costs of the airport; the local airport system; or other local facilities which are owned or operated by the owner or operator of the airport and which are directly and substantially related to the actual air transportation of passengers or property; or for noise mitigation purposes on or off the airport. The following exceptions apply to this paragraph:
  - 1) If covenants or assurances in debt obligations issued before September 3, 1982, by the owner or operator of the airport, or provisions enacted before September 3, 1982, in governing statutes controlling the owner or operator's financing, provide for the use of the revenues from any of the airport owner or operator's facilities, including the airport, to support not only the airport but also the airport owner or operator's general debt obligations or other facilities, then this limitation on the use of all revenues generated by the airport (and, in the case of a public airport, local taxes on aviation fuel) shall not apply.
  - 2) If the Secretary approves the sale of a privately owned airport to a public sponsor and provides funding for any portion of the public sponsor's acquisition of land, this limitation on the use of all revenues generated by the sale shall not apply to certain proceeds from the sale. This is conditioned on repayment to the Secretary by the private owner of an amount equal to the remaining unamortized portion (amortized over a 20-year period) of any airport improvement grant made to the private owner for any purpose other than land acquisition on or after October 1, 1996, plus an amount equal to the federal share of the current fair market value of any land acquired with an airport improvement grant made to that airport on or after October 1, 1996.
  - 3) Certain revenue derived from or generated by mineral extraction, production, lease, or other means at a general aviation airport (as defined at Section 47102 of title 49 United States Code), if the FAA determines the airport sponsor meets the requirements set forth in Sec. 813 of Public Law 112-95.
    - a.) As part of the annual audit required under the Single Audit Act of 1984, the sponsor will direct that the audit will review, and the resulting audit report will provide an opinion concerning, the use of airport revenue and taxes in paragraph (a), and indicating whether funds paid or transferred to the owner or operator are paid or transferred in a

manner consistent with Title 49, United States Code and any other applicable provision of law, including any regulation promulgated by the Secretary or Administrator.

- b.) Any civil penalties or other sanctions will be imposed for violation of this assurance in accordance with the provisions of Section 47107 of Title 49, United States Code.

## 26. Reports and Inspections.

It will:

- a. submit to the Secretary such annual or special financial and operations reports as the Secretary may reasonably request and make such reports available to the public; make available to the public at reasonable times and places a report of the airport budget in a format prescribed by the Secretary;
- b. for airport development projects, make the airport and all airport records and documents affecting the airport, including deeds, leases, operation and use agreements, regulations and other instruments, available for inspection by any duly authorized agent of the Secretary upon reasonable request;
- c. for noise compatibility program projects, make records and documents relating to the project and continued compliance with the terms, conditions, and assurances of this grant agreement including deeds, leases, agreements, regulations, and other instruments, available for inspection by any duly authorized agent of the Secretary upon reasonable request; and
- d. in a format and time prescribed by the Secretary, provide to the Secretary and make available to the public following each of its fiscal years, an annual report listing in detail:
  - 1) all amounts paid by the airport to any other unit of government and the purposes for which each such payment was made; and
  - 2) all services and property provided by the airport to other units of government and the amount of compensation received for provision of each such service and property.

## 27. Use by Government Aircraft.

It will make available all of the facilities of the airport developed with Federal financial assistance and all those usable for landing and takeoff of aircraft to the United States for use by Government aircraft in common with other aircraft at all times without charge, except, if the use by Government aircraft is substantial, charge may be made for a reasonable share, proportional to such use, for the cost of operating and maintaining the facilities used. Unless otherwise determined by the Secretary, or otherwise agreed to by the sponsor and the using agency, substantial use of an airport by Government aircraft will be considered to exist when operations of such aircraft are in excess of those which, in the opinion of the Secretary, would unduly interfere with use of the landing areas by other authorized aircraft, or during any calendar month that –

- a. by gross weights of such aircraft) is in excess of five million pounds Five (5) or more Government aircraft are regularly based at the airport or on land adjacent thereto; or
- b. The total number of movements (counting each landing as a movement) of Government aircraft is 300 or more, or the gross accumulative weight of Government aircraft using the airport (the total movement of Government aircraft multiplied.

## 28. Land for Federal Facilities.

It will furnish without cost to the Federal Government for use in connection with any air traffic control or air navigation activities, or weather-reporting and communication activities related to air traffic control, any areas of land or water, or estate therein, or rights in buildings of the sponsor as the Secretary considers necessary or desirable for construction, operation, and maintenance at

Federal expense of space or facilities for such purposes. Such areas or any portion thereof will be made available as provided herein within four months after receipt of a written request from the Secretary.

## 29. Airport Layout Plan.

- a. It will keep up to date at all times an airport layout plan of the airport showing:
- 1) boundaries of the airport and all proposed additions thereto, together with the boundaries of all offsite areas owned or controlled by the sponsor for airport purposes and proposed additions thereto;
  - 2) the location and nature of all existing and proposed airport facilities and structures (such as runways, taxiways, aprons, terminal buildings, hangars and roads), including all proposed extensions and reductions of existing airport facilities;
  - 3) the location of all existing and proposed nonaviation areas and of all existing improvements thereon; and
  - 4) all proposed and existing access points used to taxi aircraft across the airport's property boundary. Such airport layout plans and each amendment, revision, or modification thereof, shall be subject to the approval of the Secretary which approval shall be evidenced by the signature of a duly authorized representative of the Secretary on the face of the airport layout plan. The sponsor will not make or permit any changes or alterations in the airport or any of its facilities which are not in conformity with the airport layout plan as approved by the Secretary and which might, in the opinion of the Secretary, adversely affect the safety, utility or efficiency of the airport.
    - a.) If a change or alteration in the airport or the facilities is made which the Secretary determines adversely affects the safety, utility, or efficiency of any federally owned, leased, or funded property on or off the airport and which is not in conformity with the airport layout plan as approved by the Secretary, the owner or operator will, if requested, by the Secretary (1) eliminate such adverse effect in a manner approved by the Secretary; or (2) bear all costs of relocating such property (or replacement thereof) to a site acceptable to the Secretary and all costs of restoring such property (or replacement thereof) to the level of safety, utility, efficiency, and cost of operation existing before the unapproved change in the airport or its facilities except in the case of a relocation or replacement of an existing airport facility due to a change in the Secretary's design standards beyond the control of the airport sponsor.

## 30. Civil Rights.

It will promptly take any measures necessary to ensure that no person in the United States shall, on the grounds of race, creed, color, national origin, sex, age, or disability be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination in any activity conducted with, or benefiting from, funds received from this grant.

- a. Using the definitions of activity, facility and program as found and defined in §§ 21.23 (b) and 21.23 (e) of 49 CFR § 21, the sponsor will facilitate all programs, operate all facilities, or conduct all programs in compliance with all non-discrimination requirements imposed by, or pursuant to these assurances.
- b. Applicability
  - 1) Programs and Activities. If the sponsor has received a grant (or other federal assistance) for any of the sponsor's program or activities, these requirements extend to all of the

sponsor's programs and activities.

- 2) Facilities. Where it receives a grant or other federal financial assistance to construct, expand, renovate, remodel, alter or acquire a facility, or part of a facility, the assurance extends to the entire facility and facilities operated in connection therewith.
- 3) Real Property. Where the sponsor receives a grant or other Federal financial assistance in the form of, or for the acquisition of real property or an interest in real property, the assurance will extend to rights to space on, over, or under such property.

c. Duration.

The sponsor agrees that it is obligated to this assurance for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property, or interest therein, or structures or improvements thereon, in which case the assurance obligates the sponsor, or any transferee for the longer of the following periods:

- 1) So long as the airport is used as an airport, or for another purpose involving the provision of similar services or benefits; or
- 2) So long as the sponsor retains ownership or possession of the property.

d. Required Solicitation Language. It will include the following notification in all solicitations for bids, Requests For Proposals for work, or material under this grant agreement and in all proposals for agreements, including airport concessions, regardless of funding source:

"The County of Craven, North Carolina, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises and airport concession disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award."

e. Required Contract Provisions.

- 1) It will insert the non-discrimination contract clauses requiring compliance with the acts and regulations relative to non-discrimination in Federally-assisted programs of the DOT, and incorporating the acts and regulations into the contracts by reference in every contract or agreement subject to the non-discrimination in Federally-assisted programs of the DOT acts and regulations.
- 2) It will include a list of the pertinent non-discrimination authorities in every contract that is subject to the non-discrimination acts and regulations.
- 3) It will insert non-discrimination contract clauses as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a sponsor.
- 4) It will insert non-discrimination contract clauses prohibiting discrimination on the basis of race, color, national origin, creed, sex, age, or handicap as a covenant running with the land, in any future deeds, leases, license, permits, or similar instruments entered into by the sponsor with other parties:
  - a.) For the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and

- b.) For the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project, or program.
- f. It will provide for such methods of administration for the program as are found by the Secretary to give reasonable guarantee that it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the acts, the regulations, and this assurance.
- g. It agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the acts, the regulations, and this assurance.

### 31. Disposal of Land.

- a. For land purchased under a grant for airport noise compatibility purposes, including land serving as a noise buffer, it will dispose of the land, when the land is no longer needed for such purposes, at fair market value, at the earliest practicable time. That portion of the proceeds of such disposition which is proportionate to the United States' share of acquisition of such land will be, at the discretion of the Secretary, (1) reinvested in another project at the airport, or (2) transferred to another eligible airport as prescribed by the Secretary. The Secretary shall give preference to the following, in descending order, (1) reinvestment in an approved noise compatibility project, (2) reinvestment in an approved project that is eligible for grant funding under Section 47117(e) of title 49 United States Code, (3) reinvestment in an approved airport development project that is eligible for grant funding under Sections 47114, 47115, or 47117 of title 49 United States Code, (4) transferred to an eligible sponsor of another public airport to be reinvested in an approved noise compatibility project at that airport, and (5) paid to the Secretary for deposit in the Airport and Airway Trust Fund. If land acquired under a grant for noise compatibility purposes is leased at fair market value and consistent with noise buffering purposes, the lease will not be considered a disposal of the land. Revenues derived from such a lease may be used for an approved airport development project that would otherwise be eligible for grant funding or any permitted use of airport revenue.
- b. For land purchased under a grant for airport development purposes (other than noise compatibility), it will, when the land is no longer needed for airport purposes, dispose of such land at fair market value or make available to the Secretary an amount equal to the United States' proportionate share of the fair market value of the land. That portion of the proceeds of such disposition which is proportionate to the United States' share of the cost of acquisition of such land will, (1) upon application to the Secretary, be reinvested or transferred to another eligible airport as prescribed by the Secretary. The Secretary shall give preference to the following, in descending order: (1) reinvestment in an approved noise compatibility project, (2) reinvestment in an approved project that is eligible for grant funding under Section 47117(e) of title 49 United States Code, (3) reinvestment in an approved airport development project that is eligible for grant funding under Sections 47114, 47115, or 47117 of title 49 United States Code, (4) transferred to an eligible sponsor of another public airport to be reinvested in an approved noise compatibility project at that airport, and (5) paid to the Secretary for deposit in the Airport and Airway Trust Fund.
- c. Land shall be considered to be needed for airport purposes under this assurance if (1) it may be needed for aeronautical purposes (including runway protection zones) or serve as noise buffer land, and (2) the revenue from interim uses of such land contributes to the financial self-sufficiency of the airport. Further, land purchased with a grant received by an airport operator or owner before December 31, 1987, will be considered to be needed for airport purposes if the Secretary or Federal agency making such grant before December 31, 1987, was

notified by the operator or owner of the uses of such land, did not object to such use, and the land continues to be used for that purpose, such use having commenced no later than December 15, 1989.

- d. Disposition of such land under (a) (b) or (c) will be subject to the retention or reservation of any interest or right therein necessary to ensure that such land will only be used for purposes which are compatible with noise levels associated with operation of the airport.

**32. Engineering and Design Services.**

It will award each contract, or sub-contract for program management, construction management, planning studies, feasibility studies, architectural services, preliminary engineering, design, engineering, surveying, mapping or related services with respect to the project in the same manner as a contract for architectural and engineering services is negotiated under Title IX of the Federal Property and Administrative Services Act of 1949 or an equivalent qualifications-based requirement prescribed for or by the sponsor of the airport.

**33. Foreign Market Restrictions.**

It will not allow funds provided under this grant to be used to fund any project which uses any product or service of a foreign country during the period in which such foreign country is listed by the United States Trade Representative as denying fair and equitable market opportunities for products and suppliers of the United States in procurement and construction.

**34. Policies, Standards, and Specifications.**

It will carry out the project in accordance with policies, standards, and specifications approved by the Secretary including, but not limited to, the advisory circulars listed in the Current FAA Advisory Circulars for AIP projects, dated April 18, 2019, and included in this grant, and in accordance with applicable state policies, standards, and specifications approved by the Secretary.

**35. Relocation and Real Property Acquisition.**

- a. It will be guided in acquiring real property, to the greatest extent practicable under State law, by the land acquisition policies in Subpart B of 49 CFR Part 24 and will pay or reimburse property owners for necessary expenses as specified in Subpart B.
- b. It will provide a relocation assistance program offering the services described in Subpart C and fair and reasonable relocation payments and assistance to displaced persons as required in Subpart D and E of 49 CFR Part 24.
- c. It will make available within a reasonable period of time prior to displacement, comparable replacement dwellings to displaced persons in accordance with Subpart E of 49 CFR Part 24.

**36. Access By Intercity Buses.**

The airport owner or operator will permit, to the maximum extent practicable, intercity buses or other modes of transportation to have access to the airport; however, it has no obligation to fund special facilities for intercity buses or for other modes of transportation.

**37. Disadvantaged Business Enterprises.**

The sponsor shall not discriminate on the basis of race, color, national origin or sex in the award and performance of any DOT-assisted contract covered by 49 CFR Part 26, or in the award and performance of any concession activity contract covered by 49 CFR Part 23. In addition, the sponsor shall not discriminate on the basis of race, color, national origin or sex in the administration of its DBE and ACDBE programs or the requirements of 49 CFR Parts 23 and 26. The sponsor shall take all necessary and reasonable steps under 49 CFR Parts 23 and 26 to ensure

nondiscrimination in the award and administration of DOT-assisted contracts, and/or concession contracts. The sponsor's DBE and ACDBE programs, as required by 49 CFR Parts 26 and 23, and as approved by DOT, are incorporated by reference in this agreement. Implementation of these programs is a legal obligation and failure to carry out its terms shall be treated as a violation of this agreement. Upon notification to the sponsor of its failure to carry out its approved program, the Department may impose sanctions as provided for under Parts 26 and 23 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1936 (31 U.S.C. 3801).

**38. Hangar Construction.**

If the airport owner or operator and a person who owns an aircraft agree that a hangar is to be constructed at the airport for the aircraft at the aircraft owner's expense, the airport owner or operator will grant to the aircraft owner for the hangar a long term lease that is subject to such terms and conditions on the hangar as the airport owner or operator may impose.

**39. Competitive Access.**

- a. If the airport owner or operator of a medium or large hub airport (as defined in section 47102 of title 49, U.S.C.) has been unable to accommodate one or more requests by an air carrier for access to gates or other facilities at that airport in order to allow the air carrier to provide service to the airport or to expand service at the airport, the airport owner or operator shall transmit a report to the Secretary that-
- 1) Describes the requests;
  - 2) Provides an explanation as to why the requests could not be accommodated; and
  - 3) Provides a time frame within which, if any, the airport will be able to accommodate the requests.

Such report shall be due on either February 1 or August 1 of each year if the airport has been unable to accommodate the request(s) in the six month period prior to the applicable due date.



**FAA**  
**Airports**

## Current FAA Advisory Circulars Required for Use in AIP Funded and PFC Approved Projects

Updated: 4/18/2019

View the most current versions of these ACs and any associated changes at:

[http://www.faa.gov/airports/resources/advisory\\_circulars](http://www.faa.gov/airports/resources/advisory_circulars) and  
[http://www.faa.gov/regulations\\_policies/advisory\\_circulars/](http://www.faa.gov/regulations_policies/advisory_circulars/)

NUMBER	TITLE
70/7460-1L Change 2	Obstruction Marking and Lighting
150/5000-9A	Announcement of Availability Report No. DOT/FAA/PP/92-5, Guidelines for the Sound Insulation of Residences Exposed to Aircraft Operations
150/5000-17	Critical Aircraft and Regular Use Determination
150/5020-1	Noise Control and Compatibility Planning for Airports
150/5070-6B Changes 1-2	Airport Master Plans
150/5070-7 Change 1	The Airport System Planning Process
150/5100-13B	Development of State Standards for Nonprimary Airports
150/5200-28F	Notices to Airmen (NOTAMS) for Airport Operators
150/5200-30D Change 1	Airport Field Condition Assessments and Winter Operations Safety
150/5200-31C Changes 1-2	Airport Emergency Plan
150/5210-5D	Painting, Marking, and Lighting of Vehicles Used on an Airport
150/5210-7D	Aircraft Rescue and Fire Fighting Communications

NUMBER	TITLE
150/5210-13C	Airport Water Rescue Plans and Equipment
150/5210-14B	Aircraft Rescue Fire Fighting Equipment, Tools and Clothing
150/5210-15A	Aircraft Rescue and Firefighting Station Building Design
150/5210-18A	Systems for Interactive Training of Airport Personnel
150/5210-19A	Driver's Enhanced Vision System (DEVIS)
150/5220-10E	Guide Specification for Aircraft Rescue and Fire Fighting (ARFF) Vehicles
150/5220-16E Changes 1	Automated Weather Observing Systems (AWOS) for Non-Federal Applications
150/5220-17B	Aircraft Rescue and Fire Fighting (ARFF) Training Facilities
150/5220-18A	Buildings for Storage and Maintenance of Airport Snow and Ice Control Equipment and Materials
150/5220-20A	Airport Snow and Ice Control Equipment
150/5220-21C	Aircraft Boarding Equipment
150/5220-22B	Engineered Materials Arresting Systems (EMAS) for Aircraft Overruns
150/5220-23	Frangible Connections
150/5220-24	Foreign Object Debris Detection Equipment
150/5220-25	Airport Avian Radar Systems
150/5220-26 Changes 1-2	Airport Ground Vehicle Automatic Dependent Surveillance - Broadcast (ADS-B) Out Squitter Equipment
150/5300-13A Change 1	Airport Design
150/5300-14C	Design of Aircraft Deicing Facilities
150/5300-16A	General Guidance and Specifications for Aeronautical Surveys: Establishment of Geodetic Control and Submission to the National Geodetic Survey
150/5300-17C Change 1	Standards for Using Remote Sensing Technologies in Airport Surveys
150/5300-18B Change 1	General Guidance and Specifications for Submission of Aeronautical Surveys to NGS: Field Data Collection and Geographic Information System (GIS) Standards

NUMBER	TITLE
150/5320-5D	Airport Drainage Design
150/5320-6F	Airport Pavement Design and Evaluation
150/5320-12C Changes 1-8	Measurement, Construction, and Maintenance of Skid Resistant Airport Pavement Surfaces
150/5320-15A	Management of Airport Industrial Waste
150/5235-4B	Runway Length Requirements for Airport Design
150/5335-5C	Standardized Method of Reporting Airport Pavement Strength - PCN
150/5340-1L	Standards for Airport Markings
150/5340-5D	Segmented Circle Airport Marker System
150/5340-18F	Standards for Airport Sign Systems
150/5340-26C	Maintenance of Airport Visual Aid Facilities
150/5340-30J	Design and Installation Details for Airport Visual Aids
150/5345-3G	Specification for L-821, Panels for the Control of Airport Lighting
150/5345-5B	Circuit Selector Switch
150/5345-7F	Specification for L-824 Underground Electrical Cable for Airport Lighting Circuits
150/5345-10H	Specification for Constant Current Regulators and Regulator Monitors
150/5345-12F	Specification for Airport and Heliport Beacons
150/5345-13B	Specification for L-841 Auxiliary Relay Cabinet Assembly for Pilot Control of Airport Lighting Circuits
150/5345-26D	FAA Specification For L-823 Plug and Receptacle, Cable Connectors
150/5345-27E	Specification for Wind Cone Assemblies
150/5345-28G	Precision Approach Path Indicator (PAPI) Systems
150/5345-39D	Specification for L-853, Runway and Taxiway Retro reflective Markers
150/5345-42H	Specification for Airport Light Bases, Transformer Housings, Junction Boxes, and Accessories
150/5345-43H	Specification for Obstruction Lighting Equipment

NUMBER	TITLE
150/5345-44K	Specification for Runway and Taxiway Signs
150/5345-45C	Low-Impact Resistant (LIR) Structures
150/5345-46E	Specification for Runway and Taxiway Light Fixtures
150/5345-47C	Specification for Series to Series Isolation Transformers for Airport Lighting Systems
150/5345-49D	Specification L-854, Radio Control Equipment
150/5345-50B	Specification for Portable Runway and Taxiway Lights
150/5345-51B	Specification for Discharge-Type Flashing Light Equipment
150/5345-52A	Generic Visual Glideslope Indicators (GVGI)
150/5345-53D	Airport Lighting Equipment Certification Program
150/5345-54B	Specification for L-884, Power and Control Unit for Land and Hold Short Lighting Systems
150/5345-55A	Specification for L-893, Lighted Visual Aid to Indicate Temporary Runway Closure
150/5345-56B	Specification for L-890 Airport Lighting Control and Monitoring System (ALCMS)
150/5360-12F	Airport Signing and Graphics
150/5360-13A	Airport Terminal Planning
150/5360-14A	Access to Airports By Individuals With Disabilities
150/5370-2G	Operational Safety on Airports During Construction
150/5370-10H	Standards for Specifying Construction of Airports
150/5370-11B	Use of Nondestructive Testing in the Evaluation of Airport Pavements
150/5370-13A	Off-Peak Construction of Airport Pavements Using Hot-Mix Asphalt
150/5370-15B	Airside Applications for Artificial Turf
150/5370-16	Rapid Construction of Rigid (Portland Cement Concrete) Airfield Pavements
150/5370-17	Airside Use of Heated Pavement Systems
150/5390-2C	Heliport Design

NUMBER	TITLE
150/5395-1A	Seaplane Bases

**THE FOLLOWING ADDITIONAL APPLY TO AIP PROJECTS ONLY**

Updated: 3/22/2019

<b>NUMBER</b>	<b>TITLE</b>
150/5100-14E Change 1	Architectural, Engineering, and Planning Consultant Services for Airport Grant Projects
150/5100-17 Changes 1 - 7	Land Acquisition and Relocation Assistance for Airport Improvement Program Assisted Projects
150/5300-15A	Use of Value Engineering for Engineering Design of Airport Grant Projects
150/5320-17A	Airfield Pavement Surface Evaluation and Rating Manuals
150/5370-12B	Quality Management for Federally Funded Airport Construction Projects
150/5380-6C	Guidelines and Procedures for Maintenance of Airport Pavements
150/5380-7B	Airport Pavement Management Program
150/5380-9	Guidelines and Procedures for Measuring Airfield Pavement Roughness











Department of Justice (DOJ)  
Office of Justice Programs  
Bureau of Justice Assistance

Grant

PAGE 1 OF 16

1. RECIPIENT NAME AND ADDRESS (Including Zip Code) Craven County Government 406 Craven St New Bern, NC 28560-4911		4. AWARD NUMBER: 2020-VD-BX-1712	
2a. GRANTEE IRS/VENDOR NO. 566000290		5. PROJECT PERIOD: FROM 01/20/2020 TO 01/31/2022 BUDGET PERIOD: FROM 01/20/2020 TO 01/31/2022	
2b. GRANTEE DUNS NO. 091564294		6. AWARD DATE 06/06/2020	7. ACTION Initial
3. PROJECT TITLE Coronavirus Response Initiative		8. SUPPLEMENT NUMBER 00	
		9. PREVIOUS AWARD AMOUNT 50	
		10. AMOUNT OF THIS AWARD \$ 58,008	
		11. TOTAL AWARD \$ 58,008	
12. SPECIAL CONDITIONS THE ABOVE GRANT PROJECT IS APPROVED SUBJECT TO SUCH CONDITIONS OR LIMITATIONS AS ARE SET FORTH ON THE ATTACHED PAGE(S).			
13. STATUTORY AUTHORITY FOR GRANT This project is supported under FY20(BJA - CESF) Pub. L. No. 116-136, Div. H; 28 U.S.C. 530C			
14. CATALOG OF DOMESTIC FEDERAL ASSISTANCE (CFDA Number) 16.034 - Coronavirus Emergency Supplemental Funding Program			
15. METHOD OF PAYMENT GPRS			
AGENCY APPROVAL		GRANTEE ACCEPTANCE	
16. TYPED NAME AND TITLE OF APPROVING OFFICIAL Katharine T. Sullivan Principal Deputy Assistant Attorney General		18. TYPED NAME AND TITLE OF AUTHORIZED GRANTEE OFFICIAL Patrick E. McCain Captain, Jail Administrator	
17. SIGNATURE OF APPROVING OFFICIAL 		19. SIGNATURE OF AUTHORIZED RECIPIENT OFFICIAL 	19A. DATE 07/01/2020 Jail Administrator
AGENCY USE ONLY			
20. ACCOUNTING CLASSIFICATION CODES FISCAL YEAR FUND CODE BUD. ACT. DIV. OFC. REG. SUB. POMS AMOUNT X B VD 80 00 00 58008		21. VVDUGT1706	



Department of Justice (DOJ)  
Office of Justice Programs

Office of the Assistant Attorney General

Washington, D.C. 20531

June 6, 2020

Captain Patrick McCain  
Craven County Government  
406 Craven St  
New Bern, NC 28560-4911

Dear Captain McCain:

On behalf of Attorney General William P. Barr, it is my pleasure to inform you that the Office of Justice Programs (OJP), U.S. Department of Justice (DOJ), has approved the application by Craven County Government for an award under the OJP funding opportunity entitled "BJA FY 20 Coronavirus Emergency Supplemental Funding Program." The approved award amount is \$58,008. These funds are for the project entitled Coronavirus Response Initiative.

The award document, including award conditions, is enclosed. The entire document is to be reviewed carefully before any decision to accept the award. Also, the webpage entitled "Legal Notices: Special circumstances as to particular award conditions" ([ojp.gov/funding/Explore/LegalNotices-AwardReqs.htm](http://ojp.gov/funding/Explore/LegalNotices-AwardReqs.htm)) is to be consulted prior to an acceptance. Through that "Legal Notices" webpage, OJP sets out -- by funding opportunity -- certain special circumstances that may or will affect the applicability of one or more award requirements. Any such legal notice pertaining to award requirements that is posted through that webpage is incorporated by reference into the award.

Please note that award requirements include not only award conditions, but also compliance with assurances and certifications that relate to conduct during the period of performance for the award. Because these requirements encompass financial, administrative, and programmatic matters, as well as other important matters (e.g., specific restrictions on use of funds), it is vital that all key staff know the award requirements, and receive the award conditions and the assurances and certifications, as well as the application as approved by OJP. (Information on all pertinent award requirements also must be provided to any subrecipient of the award.)

Should Craven County Government accept the award and then fail to comply with an award requirement, DOJ will pursue appropriate remedies for non-compliance, which may include termination of the award and/or a requirement to repay award funds.

Please direct questions regarding this award as follows:

- For program questions, contact Christine O. Torres, Program Manager at (202) 305-1978; and
- For financial questions, contact the Customer Service Center of OJP's Office of the Chief Financial Officer at (800) 458-0786, or at [ask.ocfo@usdoj.gov](mailto:ask.ocfo@usdoj.gov).

We look forward to working with you.

Sincerely,

A handwritten signature in black ink, appearing to read "K. Sullivan", written over a horizontal line.

Katharine T. Sullivan  
Principal Deputy Assistant Attorney General

Encl.

Handwritten initials "JTB" inside a hand-drawn circle.

**Coronavirus Supplement Grant Application – Program Narrative**

Coronavirus Emergency Supplemental Funding Program allows for certain jurisdictions to receive support for coronavirus related expenses and projects. Craven County is allocated \$58,008.00 for this award. The award/solicitation does not require a match.

According to the United States Census Bureau, Craven County, NC has an estimated population of 103,505. Craven County encompasses 735 miles. Craven County has 706 employees with the Sheriff's Office maintaining 147 positions. The mission of the County and Sheriff's Office is to provide high-quality services at the lowest cost possible to our citizenry. Therefore, the County has taken proactive measures to protect the health and well-being of its citizens. Additional measures will also benefit County employees and using their equipment to effectively serve citizens.

**Digital Message Boards**

The Craven County Government and Sheriff's Office are responsible for reaching out to the public by various means as to reach the target audience. In the field of emergency management, our goal as first responders is to protect life. There have been many technological advancements that can greatly affect our community. Tools that will increase information-sharing and increase situational awareness is beneficial to everyone. Message boards are highly visible which makes crowd communication more efficient. Due to limited funding, the Coronavirus supplement is the best solution for purchasing *digital message boards*.

Craven County Government will be purchasing:

<b>DESCRIPTION:</b>	<b>QTY: EACH:</b>	<b>EXT. PRICE:</b>
Wanco Metro Matrix WIMMB(B)-BD Full Matrix Message Display, NTCIP with TrafficBridge, with trailer, 75" x 138 display, touch screen controller, 400Ah battery kit, 15A charger, 130W solar, 360 rotation, 2" hitch, axle lock bar, White (InstAlert 68)	2 @ \$18,900.	\$37,800.00
App, Message Suite, NTCIP, (36mos)	2 @ \$ 2,850.	\$5,700.00
Shipping and Handling Common Carrier	2 @ \$ 750.	\$1,500.00
<b>SALES AMOUNT:</b>		\$45,000.00

With the advent of COVID-19, any County personnel dealing with the public has the potential to be exposed. Providing updated information to the public will reduce physical contact, maximize resources, and reduce unnecessary exposure. The County is limited with personnel and financial resources. Variable message signs can communicate public service messages throughout the County. These signs are cost-effective because the messages can be changed without directly manipulating the instrument. With this specific device, it will reduce the time spent driving to specific locations around the County to update message signs.

For example, a drive-up Coronavirus (COVID-19) testing site was opened inside the County at the health department or other facility. To pass information quickly, a message board can be deployed at any

location within the County as needed. Information such as reminding citizens to practice social distancing would be disseminated in areas such as parks, busy roadways, and commercial areas. Information can be disseminated in real-time, keeping everyone informed with the use of cloud-management software and cellphone applications.

In the future, the County could use the additional portable message board to advise the citizens of closed roads or events which are taking place to help the motoring public be safe. Purchasing these instruments will make tasks more efficient for all departments within the County. Such departments include but are not limited to: Sheriff's Office, Fire, Rescue, Electric, Parks & Recreation, and Public Works. If not purchased, our ability to message the public will be hindered tremendously.

**Heavy-Duty Disinfecting Fogging Machines and Chemicals**

Craven County and the Craven County Sheriff's Office must take extra precautions to prevent, prepare, and respond to the coronavirus. All facilities must take extra precautions to disinfect all surfaces to include but not limited the Sheriff's Office, Craven County Confinement Center, and vehicles used by the County and Sheriff's Office. Although different surfaces require different disinfection products and procedure, fogging allows the treatment of all surfaces in mass. When fogging, personal protective equipment (PPE) must be worn. This includes gloves, safety glasses, and a respirator, preferably a N95 mask. Due to limited funding, the Coronavirus supplement is the best solution for purchasing *heavy-duty fogging machines and chemicals*.

Craven County Government will be purchasing:

DESCRIPTION:	QTY: EACH:	EXT. PRICE:
TRI-JET FOGGER, Disinfectant Fogger	4 @ \$494.50	\$1,978.00
<b>SALES AMOUNT:</b>		<b>\$1,978.00</b>

With the advent of the coronavirus, any and all County equipment, vehicles, and facilities, have the potential to be exposed. Although different surfaces require different disinfection products and procedure, fogging allows the treatment of all surfaces in mass. Fogging helps combat the spread of viruses by disinfecting hard and soft surfaces. Heavy-Duty fogging machines allow the dispersal of product up to 30-feet directionally using adjustable valve and tornado action nozzles for maximum coverage.

Many areas within the Craven County Sheriff's Office have a greater risk of exposure due to the very nature of a Sheriff's Office and Confinement Facility serving the general public. Some areas that the fogger will be used include the Sheriff's Office areas, lobbies, vehicles, and the full Craven County Confinement Facility. Purchasing these instruments will make tasks more efficient for all departments within the County. Such departments include but are not limited to: Sheriff's Office, County Transportation, and Public Works. If not purchased, our ability to prevent, prepare, and respond to the corona virus will be hindered tremendously.

**Personal Protective Equipment and Cleaning and Disinfectant Supplies**

Craven County and the Craven County Sheriff's Office must take extra precautions to prevent, prepare, and respond to the coronavirus. Ample supplies of PPE, cleaning, disinfectants and other supplies are needed to prevent the spread and to effectively respond to the coronavirus crisis. Just like many

jurisdictions we have found that a stockpile of PPE, cleaning disinfectants supplies, and other equipment is vital and our existing supplies were quickly diminished. A stockpile of PPE, cleaning disinfectant supplies, and other equipment is currently needed for current needs and when another wave of the virus hits. Due to limited funding, the Coronavirus supplement is the best solution for purchasing a stockpile of *Personal Protective Equipment and Cleaning Disinfectant Supplies*.

Craven County Government will be purchasing:

<b>DESCRIPTION:</b>	<b>EACH:</b>	<b>EXT. PRICE:</b>
Eco Disinfectant Cleaners (4 per Case) for Fogger above	10 @ \$272.28	\$2,722.80
Stockpile of PPE and other related equipment		\$5,000.00
Stockpile of Cleaning and Disinfectant Supplies		\$3,307.00
<b>SALES AMOUNT:</b>		\$11,030.00

Craven County and the Craven County Sheriff's Office must take extra precautions to prevent, prepare, and respond to the coronavirus. Without the proper PPE, cleaning and disinfectant supplies Craven County Employees, jail inmates, and the general public are at greater risks of coronavirus exposure. Being able to stockpile and use needed PPE, cleaning and Disinfectant supplies when the need arises will be a great asset to Craven County and the Craven County Sheriff's Office.



**ANNUAL TAX COLLECTION SETTLEMENT OF REAL PROPERTY,  
CERTIFIED VALUATION AND PERSONAL PROPERTY OTHER THAN  
REGISTERED MOTOR VEHICLES**

August 17, 2020

**CRAVEN COUNTY, NORTH CAROLINA  
YEAR ENDED JUNE 30, 2020**

General Fund Original Levy	\$	46,941,990.80
Fire District Original Levy	\$	<u>2,092,550.66</u>
Total Original Levy	\$	<b>49,034,541.46</b>
Add:		
Afterlists	\$	<u>494,026.89</u>
Total Levy	\$	<b>49,528,568.35</b>
Less:		
Write-offs	\$	<5,705.48>
Releases	\$	<131,973.76>
Refunds	\$	<u>&lt;4,124.74&gt;</u>
Net Levy	\$	<b>49,386,764.37</b>
Collected	\$	<b>48,774,484.92</b>
Uncollected as of June 30, 2020	\$	<b>642,279.45</b>

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Percentage of 2019 taxes collected: **98.70%**

Net taxable valuation: **\$8,592,423,696**

**2020 CHARGE TO THE CRAVEN COUNTY TAX COLLECTOR**

**STATE OF NORTH CAROLINA  
COUNTY OF CRAVEN**

**TO THE TAX COLLECTOR OF THE COUNTY OF CRAVEN**

You are hereby authorized, empowered, and commanded to collect the taxes set forth in the tax records filed in the office of the Craven County Tax Collector and in the tax receipts herewith delivered to you, in the amounts and from the taxpayers likewise therein set forth. Such taxes are hereby declared to be a first lien upon all real property of the respective taxpayers in the County of Craven, and this order shall be a full and sufficient authority to direct, require, and enable you to levy on and sell any real or personal property of such taxpayers, for and on account thereof, in accordance with law.

Witness my hand and official seal, this 17<sup>th</sup> day of August, 2020.

---

Thomas F. Mark, Chairman  
Craven County Board of Commissioners

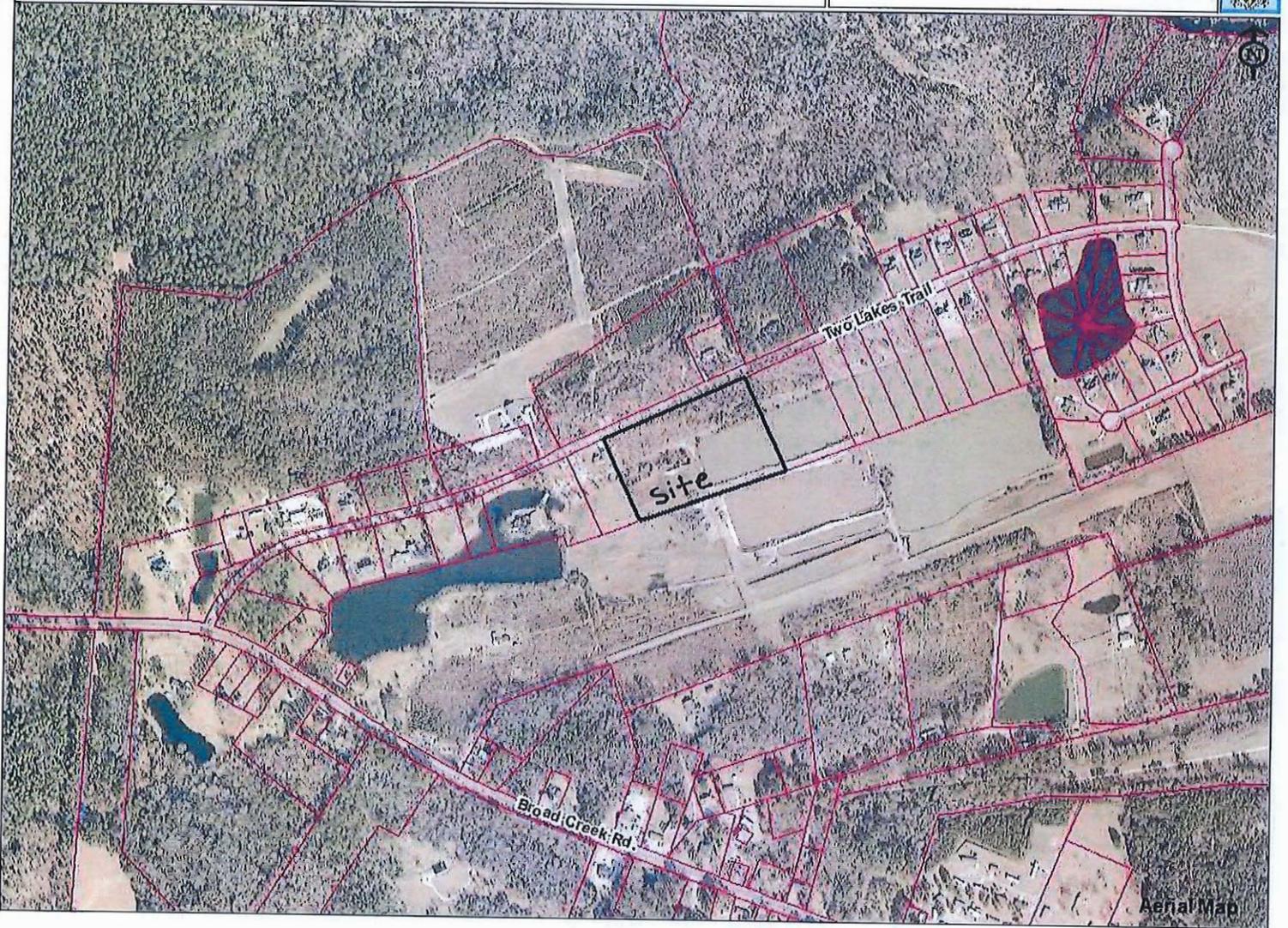
Attest:

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Nan Holton, Clerk  
Craven County Board of Commissioners

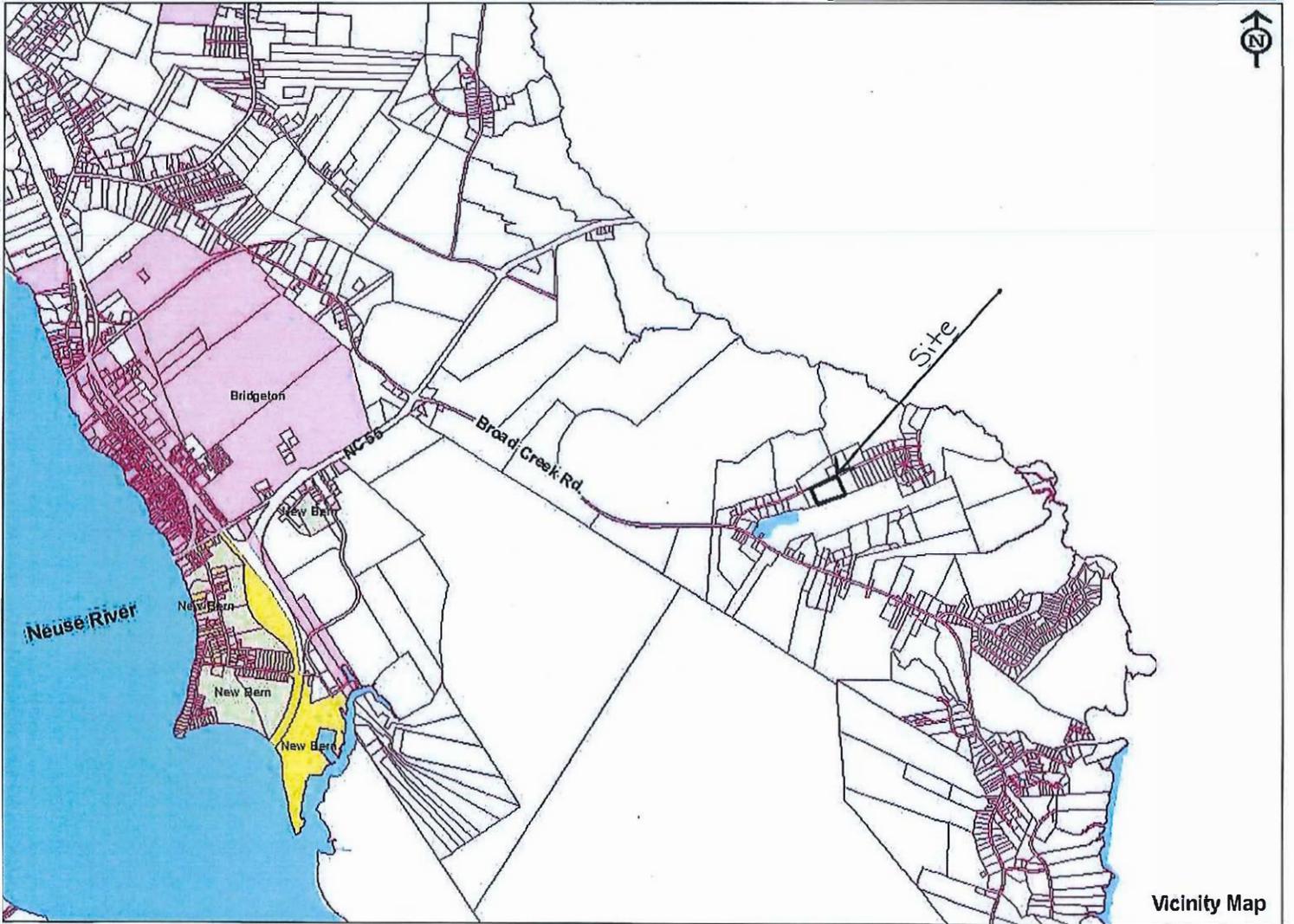
Lake Hazel Estates Ph. 3 Block D- Final

CRAVEN COUNTY PLANNING DEPT.



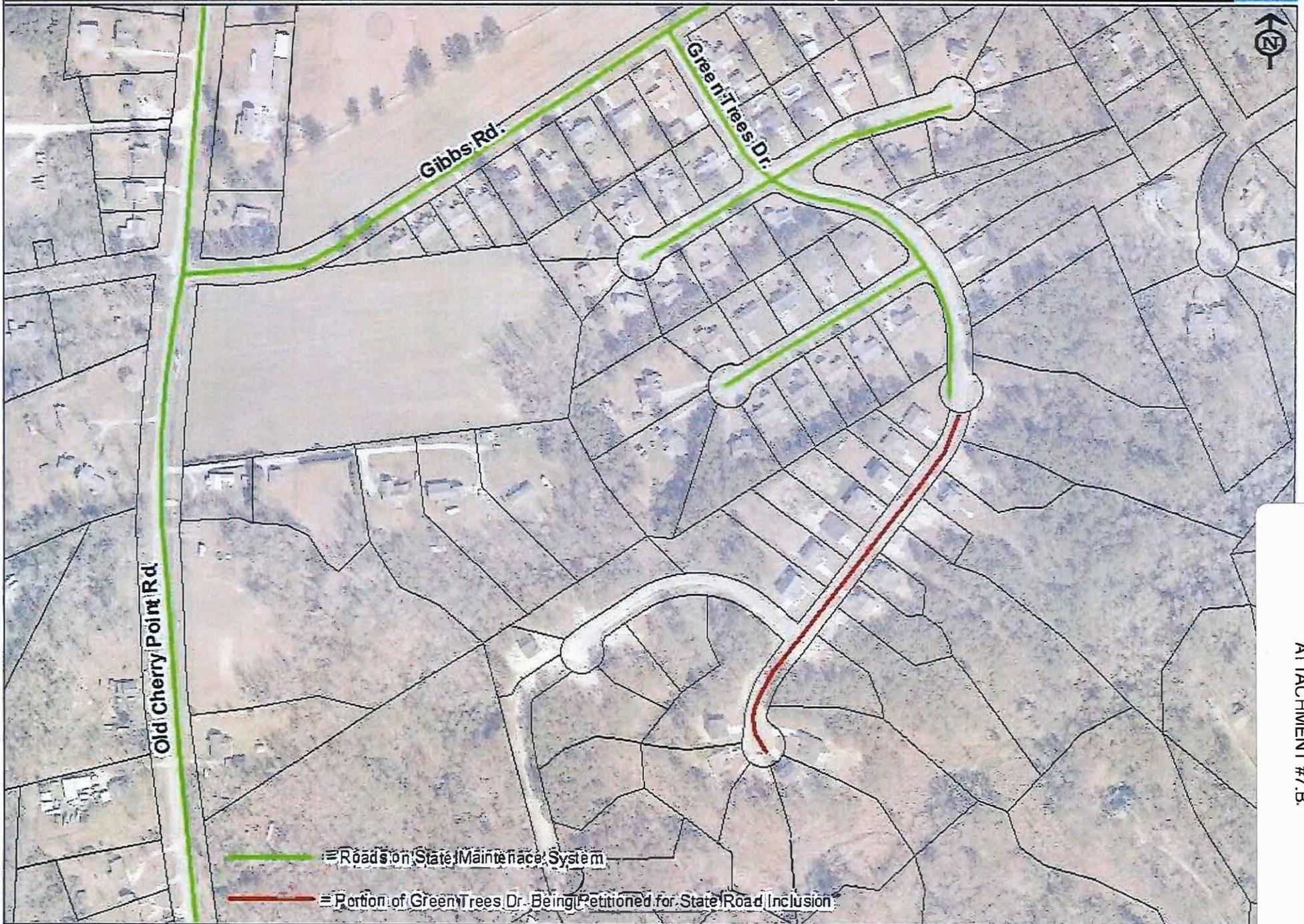
Lake Hazel Estates Ph. 3 Block D- Final

CRAVEN COUNTY PLANNING DEPT.



Vicinity Map





**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: Green Trees Drive (Approx .22 tenths of a mile)

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 17th day of August, 2020.

WITNESS my hand and official seal on this the 17th day of August, 2020.

**(Official Seal)**

\_\_\_\_\_  
Clerk to the Board of Commissioners  
County of Craven

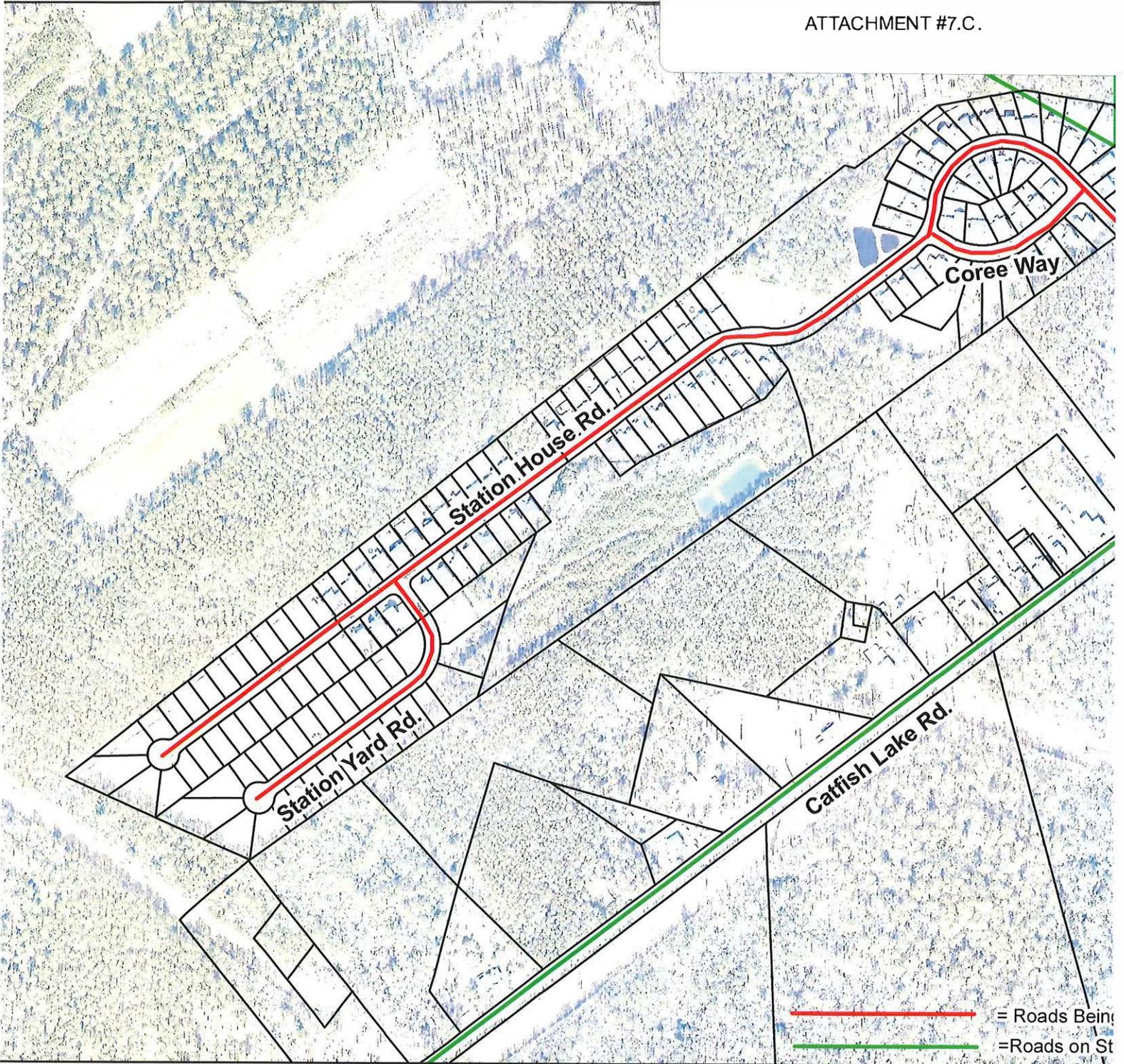
**PLEASE NOTE:**

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

Form SR-2 (3/2006)

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

ATTACHMENT #7.C.



**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 Road (Approx .92 tenths of a mile); Coree Way (Approx .10 tenths of a mile) and Station Yard Road (Approx .19 tenths of a mile)

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 17th day of August, 2020.

WITNESS my hand and official seal on this the 17th day of August, 2020.

**(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)





CCBOE Emergency Generators Project  
Craven County Schools Emergency Generators  
Fund 245  
Project # 21001

This ordinance is hereby approved in the following amount for expenditure of the CCBOE Emergency Generators Project Fund 245

Expenditures:

Architect/Engineering	\$	209,070.00
Construction	\$	1,184,730.00
TOTAL	\$	1,393,800.00

This ordinance is hereby approved in the following amount for expenditure of the CCBOE Emergency Generators Project Fund 245

Revenues:

Golden Leaf Foundation	\$	1,393,800.00
TOTAL	\$	1,393,800.00

This ordinance is hereby approved this 17th day of August 2020.

---

Thomas F. Mark, Chairman  
Craven County Board of Commissioners

Attest:

---

Nan E. Holton, Clerk to the Board  
Craven County Board of Commissioners

# Public Transportation Agency Safety Plan



December 2020

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## Section 1. Transit Agency Information

### General Information

CRAVEN AREA RURAL TRANSIT SYSTEM  
(CARTS)

Accountable Executive: Kelly Walker

Chief Safety Officer: Roy Beeson

2822 Neuse Boulevard  
New Bern, NC 28562

(252) 636-4917

<https://www.cravencountync.gov/165/Transportation-CARTS>

Modes of Service: Bus, Demand Response

FTA Funding Sources: FTA Section 5307

Modes of Service Directly Provided:

- |  |   |  |
|--|---|--|
| <input checked="" type="checkbox"/> Bus (MB)             | <input type="checkbox"/> Bus Rapid Transit (RB) | <input type="checkbox"/> Publico (PB)    |
| <input checked="" type="checkbox"/> Demand Response (DR) | <input type="checkbox"/> Commuter Bus (CB)      | <input type="checkbox"/> Trolleybus (TB) |
| <input type="checkbox"/> Demand Response Taxi (DT)       | <input type="checkbox"/> Jitney (JT)            | <input type="checkbox"/> Vanpool (VP)    |

CARTS does not provide transit services on behalf of another transit agency or entity.

CARTS provides the below transit modes on behalf of the following transit agency(s) or entity(s).

Transit Agency: \_\_\_\_\_

- |  |   |  |
|--|---|--|
| <input type="checkbox"/> Bus (MB)                  | <input type="checkbox"/> Bus Rapid Transit (RB) | <input type="checkbox"/> Publico (PB)    |
| <input type="checkbox"/> Demand Response (DR)      | <input type="checkbox"/> Commuter Bus (CB)      | <input type="checkbox"/> Trolleybus (TB) |
| <input type="checkbox"/> Demand Response Taxi (DT) | <input type="checkbox"/> Jitney (JT)            | <input type="checkbox"/> Vanpool (VP)    |

Public transportation system operating as Craven Area Rural Transit System (CARTS).

Regional community public transportation system serving Craven (including the New Bern urbanized area), Jones, and Pamlico counties.

Provides public transportation services to human service agencies as well as the general public through subscription, demand response, fixed routes, and ADA Complementary Paratransit service.

CARTS's System Safety Plan( SSP; dated NOV 2018) addresses all applicable requirements and standards as set forth in FTA's Public Transportation Safety Program and the National Public Transportation Safety Plan

## Section 2. Plan Development, Approval, and Updates

<b>Name of Entity That Drafted This Plan</b>		CRAVEN AREA RURAL TRANSIT SYSTEM	
<b>Signature by the Accountable Executive</b>		<b>Signature of Accountable Executive</b>	<b>Date of Signature</b>
<b>Approval by the Board of Directors or an Equivalent Authority</b>		<b>Name of Individual/Entity That Approved This Plan</b>	<b>Date of Approval</b>
		<b>Relevant Documentation (title and location)</b>	
<b>Certification of Compliance</b>		<b>Name of Individual/Entity That Certified This Plan</b>	<b>Date of Certification</b>
		<b>Relevant Documentation (title and location)</b>	
<b>Version Number and Updates</b>			
<i>Record the complete history of successive versions of this plan.</i>			
<b>Version Number</b>	<b>Section/Pages Affected</b>	<b>Reason for Change</b>	<b>Date Issued</b>
<b>Annual Review and Update of the Public Transportation Agency Safety Plan</b>			
<i>Describe the process and timeline for conducting an annual review and update of the Public Transportation Agency Safety Plan.</i>			
<i>The safety plan is reviewed/presented annually in the BOD for acceptance. Any updates to the plan are as directed by changes or updates to federal, state, and local guidance. These changes are consolidated and presented to the BOD for approval as required.</i>			

### Section 3. Safety Performance Targets

<b>Safety Performance Targets</b>							
<i>Specify performance targets based on the safety performance measures established under the National Public Transportation Safety Plan.</i>							
<b>Mode of Transit Service</b>	<b>Fatalities</b>	<b>Fatalities Per 100k VRM</b>	<b>Injuries</b>	<b>Injuries Per 100k VRM</b>	<b>Safety Events</b>	<b>Safety Events Per 100k VRM</b>	<b>System Reliability</b>
Fixed Route Vehicle	0	0	0	0	1	1.5	11,463
Demand Response	0	0	1	0.24	2	0.47	84,696

*Performance Measures:*

- Total Vehicle Revenue Mile (VRM) Fixed Route =63,681
- Total VRM Demand Response =423,478
  
- ◆ SAFETY PERFORMANCE MEASURE: FATALITIES (total number of reportable fatalities and rate per total vehicle revenue miles by mode)
  - Customers, employees and the public
    - DATA – Fatalities by mode target: Fixed Route = 0; Demand Response =0
    - DATA – Revenue miles by mode: Fixed Route =63,681; Demand Response =423,478
  
- ◆ SAFETY PERFORMANCE MEASURE: INJURIES (total number of reportable injuries and rate per total vehicle revenue miles by mode)
  - Customers, employees and the public
    - DATA – Accidents with injuries by mode: Fixed Route = 0; Demand Response =1
    - DATA – Revenue miles by mode: Fixed Route =63,681; Demand Response =423,478
  
- ◆ SAFETY PERFORMANCE MEASURE: SAFETY EVENTS (total number of reportable events and rate per total vehicle revenue miles by mode)
  - Combined above with reportable incidents for customers, employees and the public
    - DATA – Safety incidents by mode: Fixed Route = 1; Demand Response =2
    - DATA – Revenue miles by mode: Fixed Route =63,681; Demand Response =423,478
  
- ◆ SAFETY PERFORMANCE MEASURE: SYSTEM RELIABILITY (mean distance between major mechanical failures by mode) determined to be 82% on fixed route and 80% on Demand Response Routes

**Safety Performance Target Coordination**

*Describe the coordination with the State and Metropolitan Planning Organization(s) (MPO) in the selection of State and MPO safety performance targets.*

*CARTS shares safety performance targets with New Bern Area MPO (NBAMPO) annually as part of our continued coordination of transit data. This data also includes Transit Asset Management Plan updates and anticipated capital replacement schedules.*

Targets Transmitted to the State	State Entity Name	Date Targets Transmitted
	NCDOT	1 December 2020
Targets Transmitted to the Metropolitan Planning Organization(s)	Metropolitan Planning Organization Name	Date Targets Transmitted
	NBAMPO	1 December 2020

## Section 4. Safety Management Policy

### Safety Management Policy Statement

CARTS strives to provide safe, reliable, comfortable, and innovative transportation options to every member of the community. The Public Transportation Agency Safety Plan (PTASP) has been developed to integrate safety into all CARTS operations. By using the procedures contained in the PTASP, CARTS can continue to improve the safety and security of CARTS's operation and services.

This PTASP describes the policies, procedures, and requirements to be followed by management, maintenance, and operations personnel to provide a safe environment for CARTS employees, customers, and the general public. The goal of this program is to eliminate the human and fiscal cost of avoidable personal injury and vehicle accidents.

Each department has a responsibility under the PTASP. The Director and supervisors shall provide the continuing support necessary to achieve the PTASP objectives. A key to the success of this effort is for employees to be aware that they are accountable for safely performing the requirements of their position. The success of the program also depends on all employees actively identifying potential hazards and making a commitment to the safety of others.

CARTS must be aware that decisions and actions often affect the safety of those in other operations. By following the processes described in the PTASP, CARTS will continue to improve performance and the safety of the system while creating a culture of safety.

CARTS's commitment is to:

- **Support** the management of safety through the provision of appropriate resources that will result in an organizational culture that fosters safe practices, encourages effective employee safety reporting and communication, and actively manages safety with the same attention to results as the attention to the results of the other management systems of the organization;
- **Integrate** the management of safety among the primary responsibilities of all managers and employees;
- **Clearly define** for all staff, managers, and employees alike, their accountabilities and responsibilities for the delivery of the organization's safety performance and the performance of CARTS's safety management system;
- **Establish and operate** hazard identification and analysis, and safety risk evaluation activities--including an employee safety reporting program as a fundamental source for safety concerns and hazard identification--to eliminate or mitigate the safety risks of the consequences of hazards resulting from CARTS operations or activities to a point which is consistent with an acceptable level of safety performance;

- **Ensure** that no action will be taken against any employee who discloses a safety concern through the employee safety reporting program, unless disclosure indicates, beyond any reasonable doubt, an illegal act, gross negligence, or a deliberate or willful disregard of regulations or procedures;
- **Comply** with, and wherever possible exceed, legislative and regulatory requirements and standards;
- **Ensure** that sufficient skilled and trained human resources are available to implement safety management processes;
- **Ensure** that all staff are provided with adequate and appropriate safety-related information and training, are competent in safety management matters, and are allocated only tasks commensurate with their skills;
- **Establish and measure** safety performance against realistic and data-driven safety performance indicators and safety performance targets;
- **Continually improve** safety performance through management processes that ensure that appropriate safety management action is taken and is effective; and
- **Ensure** externally supplied systems and services to support operations are delivered, meeting established safety performance standards.

CARTS's Goals for Safety are established as follows:

- In collaboration with the NBAMPO, design, construct, test, and operate a transportation system that achieves an optimum level of safety, exceeding the safety performance of other transit systems of a similar size in the United States.
- Identify and evaluate, then eliminate or control hazards to employees, customers, and the public.
- Meet or exceed all government and industry occupational health and safety standards and practices.
- Maximize the safety of future operations by affecting the design and procurement processes.

The objectives of the PTASP are the means to achieving CARTS's safety goals. They also provide a method of evaluating the effectiveness of CARTS's safety efforts. The PTASP objectives are:

- Integrate safety management and hazard control practices within each CARTS department.
- Assign responsibilities for developing, updating, complying with, and enforcing safety policies, procedures, and requirements.
- Verify compliance with CARTS safety policies, procedures, and requirements through performance evaluations, accident/incident trends, and internal audits.

- Investigate all accidents/incidents, including identifying and documenting the causes for the purpose of implementing corrective action to prevent a recurrence.
- Increase investigation and systematic documentation of near misses.
- Identify, analyze and resolve safety hazards in a timely manner.
- Minimize system modifications during the operational phase by establishing and utilizing safety controls at system design and procurement phases.
- Ensure that system modifications do not create new hazards.
- Train employees and supervisors on the safety components of their job functions.

CARTS takes these commitments seriously as the lives of CARTS riders, employees and the general public depend on CARTS's ability to operate in a culture of safety.

---

Accountable Executive

---

Date

## Safety Management Policy Communication

CARTS realizes the importance of ensuring its employees and riders are aware of CARTS safety management policies and procedures to effectively manage the system's day to day operations. To do this, CARTS relies on several forms of effective communication with employees and riders.

Employees: CARTS is constantly evaluating existing policies and procedures to verify their effectiveness. To do this, CARTS seeks input from all staff, including other County departments, to determine if change is necessary based on trends, data analysis, operational changes or new assets. Several methods are used to communicate policy and/or procedure changes, including:

- ◆ Employee memorandum
- ◆ Daily manifests
- ◆ Agency meetings
- ◆ Bulletin board notices

CARTS includes a training element for safety management policies impacting safety or service delivery and is conducted before the policy effective date. New policies and procedures are incorporated into orientation training for new employees as well.

Depending on the importance of the policy or procedure change, an acknowledgement signature is required of each employee verifying their understanding of the change.

Riders: If a rider policy is changed or added, CARTS notifies riders through the following methods:

- ◆ Notices posted on vehicle and facilities including the effective date and who to contact for more information
- ◆ Changes to digital rider guidance including schedules and ride guides as appropriate
- ◆ Public Meetings
- ◆ Social Media
- ◆ Any services impacted by policy changes will include outreach as required by Federal Guidance.

## Authorities, Accountabilities, and Responsibilities

As mentioned in the Safety Policy Statement, the ultimate authority for the success of this PTASP falls to the Accountable Executive (AE). The Chief Safety Officer (CSO), the administration and management team, as well as employees fulfilling their commitment to safety on a day-to-day basis, support the AE.

Accountable Executive (AE): The Accountable Executive will determine, based on feedback from senior staff, the level of Safety Management System principals to maintain to ensure a safe work environment, rider experience and community safety. CARTS's AE is committed to providing employees with the tools and training needed to be successful and safe in their roles with CARTS. The AE will continually strive to

create a culture of safety among the employees, and CARTS expects each employee to play a role in maintaining a safe workplace.

CARTS's AE is accountable for ensuring that the agency's SMS is effectively implemented throughout the agency's public transportation system. The AE is accountable for ensuring action is taken, as necessary, to address substandard performance in the agency's SMS. The AE may delegate specific responsibilities, but the ultimate accountability for the transit agency's safety performance cannot be delegated and always rests with the AE.

The AE, who is also the Transportation Director, has ultimate responsibility for carrying out the Public Transportation Agency Safety Plan of the public transportation agency; responsibility for carrying out the agency's Transit Asset Management(TAM) Plan; and control or direction over the human and capital resources needed to develop and maintain both the agency's Public Transportation Agency Safety Plan, in accordance with 49 U.S.C. § 5329(d), and the agency's Transit Asset Management Plan in accordance with 49 U.S.C. § 5326.

Chief Safety Officer (CSO): CARTS has concluded one CSO will be sufficient to manage the day to day adherence to this Plan and, while in this role, reports directly to the AE. As CSO, this individual will monitor safety and security throughout the organization including sub-contractors if applicable. All departments have been notified of the CSO's role and the established reporting requirements relating to safety-related matters. The CSO has been adequately trained for this role and has the authority and responsibility for day-to-day implementation and operation of CARTS's SMS.

CARTS's CSO will be responsible for the following:

- ◆ Developing and maintaining SMS documentation;
- ◆ Directing hazard identification and safety risk assessment;
- ◆ Monitoring safety risk mitigation activities;
- ◆ Providing periodic reports on safety performance;
- ◆ Briefing the Accountable Executive and other County Management individuals on the SMS implementation progress; and
- ◆ Planning safety management training.

## Roll of Staff to Develop and Manage Safety Management Systems (SMS)

### Accountable Executive

The Accountable Executive (AE) works with CARTS Administrative staff to adjust the PTASP as needed based on staff feedback, trends, and data analysis. The AE is vested with the primary responsibility for the activities of the transit system and overall safety performance. The AE fulfills these responsibilities by providing the resources necessary to achieve PTASP goals and objectives by exercising the approval authority for system modifications as warranted.

### Chief Safety Officer (CSO)

For purposes of managing the SMS and PTASP, the CSO will report directly to the AE to determine strategy, policy, and goals for maintaining safety and security for passengers, employees, and the

general public. The CSO will monitor day to day operations and work with staff to identify and mitigate risk through evaluation, feedback, and data analysis.

### Supervisors

Supervisors are responsible for the safety performance of all personnel and equipment under their supervision. They are responsible for the initial investigation of all accidents and incidents, and for reporting these accidents and incidents to the Human Resources, Risk Management and Transportation Operations Department. Supervisors include, but are not limited to, the Transportation Director and Assistant Director.

### Employees

All CARTS personnel are responsible for performing their work safely as well as following established safety-related rules, procedures, and work practices. This includes reporting all accidents, incidents, and hazards to their supervisor per established requirements for the protection of themselves, co-workers, customers, facilities, and equipment.

### Key Staff

CARTS staff will be responsible for maintaining high standards of safety, customer service, and security. The Employee Safety Reporting Program (ESRP) will define the employees' role to identify and mitigate risk through open communication to superiors including the CSO and AE. Administrative staff will be instrumental in ensuring action is taken to reduce risk and the whole system is continuously monitored to ensure actions are effective and appropriate.

CARTS staff will be involved with updates, modifications and implementation of the PTASP. Each staff member brings a valued perspective to the development of policies and procedures he or she will be expected to implement. Every opportunity will be given for employees and riders to provide input to increasing safety at CARTS. Those opportunities may include monthly safety meetings, monthly safety training, department meetings, customer and employee surveys and an open-door policy with access to all management staff.

### Employee Safety Reporting Program (ESRP)

As stated in the Safety Management Policy Statement, CARTS is determined to provide a safe working environment for its employees, riders and the general public. To ensure success, CARTS has developed an ESRP to enable employees to report any actual or perceived risk to a supervisor, CSO, or any other member of CARTS staff. Concerns may also be reported to the Craven County Risk Management Officer.

The ESRP allows each employee to report detailed information and observations whether they are a driver in service, maintenance staff, or other on-duty employee. This program dovetails with other methods currently in place to proactively identify hazards or threats. Those methods include but are not limited to the following:

- ◆ Pre/post trip inspections
- ◆ Preventive maintenance inspections
- ◆ Employee evaluations
- ◆ Training program
- ◆ Rider and public complaint/compliment process

- ◆ Safety and employee meetings
- ◆ Incident/accident policies

### *Sample Hazard Reporting Process*

CARTS has instructed all of its employees on the actions to take in the event that a suspected hazard is discovered. These concerns are communicated to the office staff and Assistant Director to determine the appropriate actions that need to be taken. The employee that discovers the hazard may be asked to provide a statement of the hazard using the department's incident report form to describe the hazard or unsafe condition. If the employee determines that there is an immediate threat to a person or county property, they may elect to contact 911/emergency services prior to reporting the incident. A follow up inquiry will be conducted by the Assistant Director to determine the cause and extent of the hazard or incident. This is covered in initial driver training and as part of orientation of new staff members.

The following process is used as part of the ESRP.

#### Immediate Action Required

If a hazard is identified which is perceived to be a risk to employees, passengers, or the public it must be reported immediately to the on-duty supervisor/dispatcher. Once reported, it must be determined if immediate action is necessary to prevent additional risk. If so, this information needs to be communicated to a supervisor before taking action if time allows. Once action has been taken to mitigate the potential harm to individuals or property, advise a supervisor of the results of any actions taken. An Incident Report with complete information must be completed and given to a supervisor on-duty.

#### Delayed Action Required

Once a hazard has been identified, the CARTS employee should assess if the hazard requires immediate action to reduce the risk or if delayed action can be taken. If the employee determines delayed action is appropriate a full report must be completed using the Investigation Report and submitted to the on-duty supervisor.

#### Role of Supervisor

The on-duty supervisor is responsible for advising the employee on immediate action or delayed action to mitigate a hazard. The supervisor must then review the Investigation Report to ensure all information is included. The supervisor will add information from his/her perspective. Once the form is completed, it must be reviewed by the CSO. The CSO will determine the action necessary, investigate root cause of hazard, and follow-up.

The CSO is responsible for determining the status of each hazard reported. In some cases, hazards may be identified and are not able to be resolved but actions are taken to reduce the risk of the hazard. It is CARTS's goal to eliminate all identified hazards if possible. Some hazards may require continuous monitoring to ensure the hazard does not elevate to an unacceptable level.

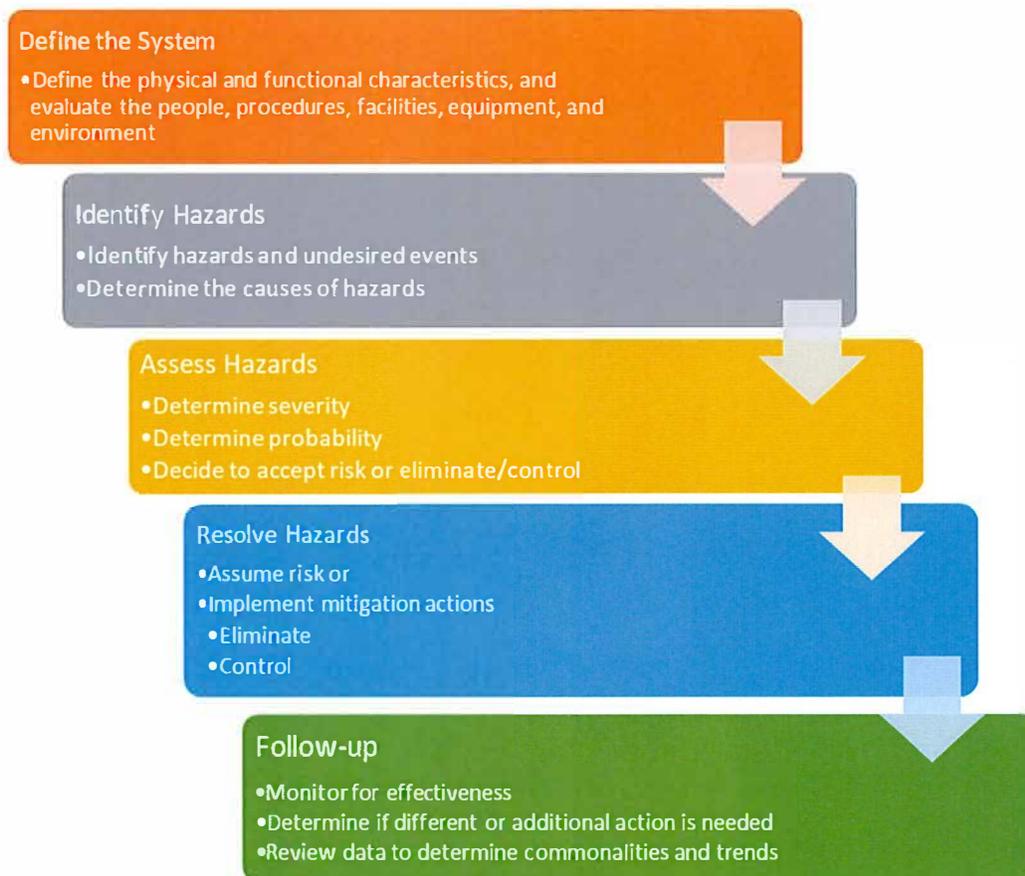
All hazard reports will be documented and integrated into current performance measures and data collection. The Assistant Director will track each hazard to completion and recommend policy or

procedural changes if needed as a result of the hazard mitigation as part of the standard accident/incident review process.

### CARTS Responsibility

CARTS takes every hazard report seriously and investigates each one to determine if it's an isolated case or emerging trend requiring evaluation of policies and procedures or service modifications. Employees reporting hazards will not face disciplinary action unless that employee contributed to the hazard. CARTS wants to encourage all employees to report any hazard or threat they observe and help make the CARTS system as safe as possible for its employees, riders, and the general public. Employees may report the hazard to their immediate supervisor or go directly to the CSO to submit and discuss their report.

The following process chart illustrates the steps taken as part of the hazard identification process through the ESRP.



## Section 5. Safety Risk Management

CARTS provides training to all personnel in the identification of hazards and security threats while also providing tools to enable personnel to report these risks. Once a risk has been identified CARTS conducts an assessment of the risk to determine the necessary response and response time. The response may include further investigation or monitoring, action(s) to mitigate the hazard or security threat and follow-up assessment to ensure action taken is appropriate and effective.

### Safety Hazard Identification:

Hazard and security threats are identified through different methods of monitoring the system. This includes system, employee and asset assessments conducted daily and on an incremental basis. Additionally, CARTS communicates with peers across the state, FTA and NCDOT to identify common hazards impacting multiple systems. CARTS conducts the following routine and random evaluations of the system in the following departments:

#### Personnel

Each CARTS employee is evaluated annually to ensure they are performing their job to the expectations of the department. As part of their orientation process, the employee is provided training and tools to perform their job while not receiving permanent status until completing 180 days of employment. During the 180 - day period, the employee is evaluated to determine if they are properly prepared to perform their job.

Additional evaluations of the employee are conducted throughout the year through spot-checks of some aspect of their job function. If through spot-check or annual evaluation it is determined the employee's performance does not meet expectations or training standards, remedial training will be provided and additional evaluations will take place to ensure remedial training was effective.

#### Assets

Rolling stock, facilities and equipment are monitored through a vigorous preventive maintenance plan aimed at identifying hazards and deficiencies as part of daily and scheduled inspections. The Assistant Director coordinates the preventive maintenance program including daily Vehicle Inspection Reports (VIR)s, repairs, and cyclic inspections.

CARTS updates the FTA required Transit Asset Management (TAM) Plan annually with data relevant to each asset to include a condition assessment, miles (with rolling stock and non-revenue vehicles) and age determine if the asset is in a State of Good Repair (SGR). The TAM Plan allows CARTS management to plan asset replacement or rehabilitation for future years.

#### System

As part of CARTS' safety management system monitoring, the department uses service evaluations when planning, spot-checking, or responding to an event like an accident or incident. New routes are strategically developed with safety being the first priority and passenger access second. CARTS route

planners plan and test all routes before activating the route for revenue service. All routes are reviewed periodically to determine if environmental hazards exist that may require modification to the route, schedule or vehicle.

All front-line staff members have been trained to note any changes to service which may be considered a hazard or security threat and through the ESRP/SSP, notify their supervisors immediately or upon return to CARTS depending on the severity of the hazard.

### Hazard Identification Procedure

Any employee seeing something through inspection or observation that they deem to be a hazard are instructed to immediately report that hazard to the supervisor on duty regardless of the perceived level of threat. Depending on the situation, either the immediate supervisor or the employee will complete a Hazard Report Form and submit it to the CSO.

If the hazard requires immediate mitigation, the employee will be instructed on steps to take to reduce the risk which may or may not alleviate the risk completely. Additional actions may be taken once the immediate risk mitigation has been taken. Some hazards may not pose an immediate risk but are still reported and the CSO will be responsible for risk assessment, investigation and mitigation strategy.

In some cases, a passenger or member of the general public may call CARTS with a complaint about a front-line employee which may rise to the level of hazardous behavior or actions. CARTS currently documents all customer complaints/compliments and takes appropriate action to investigate any complaints. Complaints deemed hazardous will trigger immediate action by on-duty supervisors.

*Incident* Forms will be located on all vehicles along with standard safety kits for accident and incident reporting, with all Customer Service Representatives (CSR)'s, Dispatch, Operations, and Maintenance Departments. A copy of the form is located in Appendix 1.

The *Incident Report* Form will require the employee to briefly describe the hazard noting date, time of day, location, and other pertinent information. The form includes a section for the CSO or immediate supervisor to document immediate action taken to reduce risk, a risk assessment chart prioritizing the risk, and a section for additional follow-up action. All forms will be processed by the CSO and summarized periodically for trend analysis and included in safety performance measures.

#### 49 CFR part 673.5

*Hazard* means any real or potential condition that can cause injury, illness, or death; damage to or loss of the facilities, equipment, rolling stock, or infrastructure of a public transportation system; or damage to the environment.

## Safety Risk Assessment

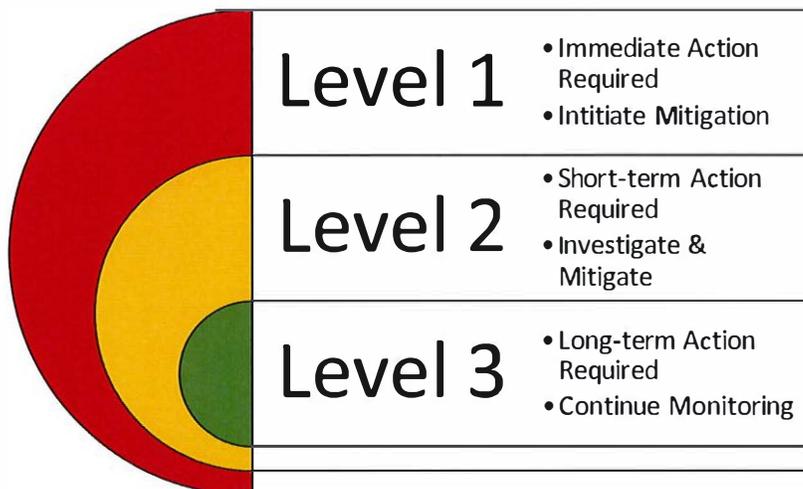
All CARTS staff members have been provided with training appropriate for their positions within the organization. CARTS expects its employees to respond to hazards or threats with professional judgement as sometimes there might not be time to contact a supervisor to prevent an emergency event. In cases where the hazard can be reported without immediate risk, the employee will make an initial assessment of the risk as part of their report.

Once received by the CSO, the initial risk assessment may be amended requiring immediate, short, or long-term response.

**Level 1 - Immediate:** A deficiency, threat or hazard requiring immediate attention to mitigate risk either temporarily until further action can be taken or complete mitigation.

**Level 2 - Short Term:** Action is needed within seven days to mitigate an identified deficiency, threat or hazard. The deficiency, threat or hazard does not pose immediate danger but if no action is taken could elevate to an Immediate level risk.

**Level 3 - Long Term:** A deficiency, threat or hazard has been identified but does not pose a threat currently but could at a later time. Continued monitoring and awareness are required.



The CSO in coordination with staff will investigate each identified hazard, assess the risk, and take appropriate action to mitigate the risk. Additional mitigation may be needed based on follow-up monitoring to the action taken.

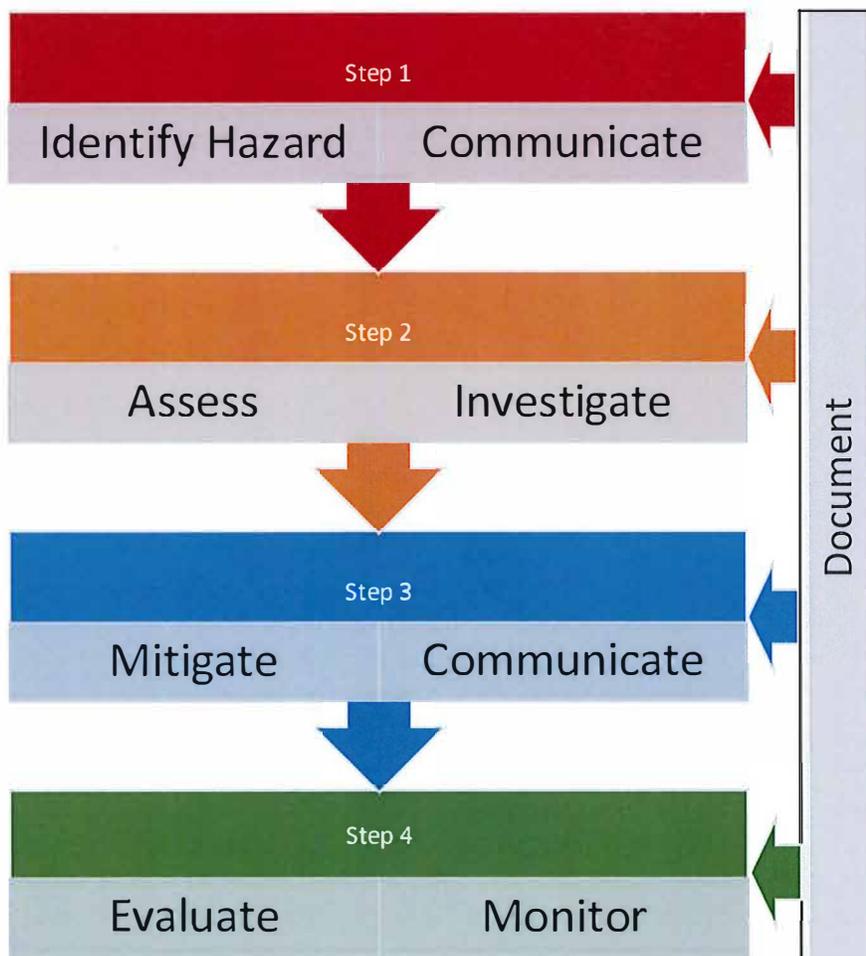
## Safety Risk Mitigation

In response to all identified and assessed hazards, CARTS will take steps to mitigate the hazard and reduce or eliminate the risk to employees, riders, and public. Mitigation strategies will be dependent on results of investigation into the elements contributing to the risks. The investigation may include more than one department and may include interviews outside of the transit system.

Actions to mitigate risk will include all employees, riders, and public who may be impacted by either the hazard or the actions to reduce or alleviate the risk. CARTS will communicate actions to appropriate staff members. In some cases, immediate communication through two-way communications (dispatch system, text burst, email, or web alert) may be necessary. In other cases, bulletin board notices or memorandum posting may be appropriate.

Once a risk mitigation strategy has been implemented, CARTS will monitor the actions to determine if full mitigation is possible. If full mitigation is not possible, CARTS will implement additional action necessary to alleviate the risk or step up monitoring as necessary. Some risks may not be completely mitigated but awareness to the risk is a top priority.

All actions taken to mitigate risk will be the responsibility of the CSO, documented and linked to the initial deficiency, threat, or hazard identification step.



## Section 6. Safety Performance Monitoring and Measurement

Safety performance monitoring and measurement involves the continual monitoring of the transit system's activities to understand safety performance. Through these efforts, CARTS can determine whether it is meeting its safety objectives and safety performance targets, as well as the extent to which it is effectively implementing Safety Management Systems (SMS).

CARTS is constantly striving to maintain the highest level of safety through its monitoring methods to include adherence to policies and procedures, safety and maintenance plans, and system and employee evaluation processes. These methods allow CARTS to determine the need to make changes to improve policies, employee training and service delivery.

The Assistant Director, in concert with the CSO, will monitor operations daily through observation, data analysis, communication and safety updates to identify mitigation strategies that may be ineffective. If mitigation actions are found to be ineffective, additional strategies will be developed through key and impacted staff feedback.

### Maintenance

**Maintenance Standards and Procedures.** Standards and procedures are included in Craven County Maintenance Plan. In general, maintenance procedures are designed to ensure that the maintenance recommendations of the manufacturer are met, maximum efficiency in performance and operation is obtained, and maximum vehicle life and condition are maintained. Daily vehicle inspections, an active Preventive Maintenance Program, contractor oversight, and careful monitoring are examples of procedures to ensure the safety of vehicles and adequacy of the fleet's maintenance plan.

**Operator Inspections.** All operators are required to perform a pre-trip and post-trip inspection to ensure that the vehicle is safe and in good operating condition. If any defects are noted by the operator, a Daily Inspection Sheet is completed and, depending on the severity and extent of the defect, the vehicle may be repaired or taken out of service until a repair can be made. In the case of a defect that develops or is noted once a vehicle is in service, the operator is required to communicate the problem to the CARTS office, who will then notify the Assistant Director.

**Daily Servicing and Inspections.** The CARTS driver inspects vehicles used in revenue service each day prior to the beginning of revenue service. The vehicles are fueled at the end of a service day. All fluids are checked, tires and lugs are checked, and the vehicle is inspected for any leaks or unusual noises as part of the Post-Trip Inspection. The drivers clean the vehicle interiors each day. When a defect is noted, it is reported to the Assistant Director so that evaluation and, if necessary, a repair can be conducted.

**Mileage-Based Maintenance Inspections.** All vehicles receive preventive maintenance inspections (PMI) at designated mileage intervals. Mileages are determined by vehicle and subcomponent manufacturers' recommendations as well as real-world experience.

## Operations

***Facility Monitoring, Frequency, Reporting, Follow-up, and Documentation are conducted by Craven County as CARTS is not a facility owner, nor has responsibility for any facility related operations task. Initial reporting can be made by CARTS and reported through the Craven County Facility and Maintenance Department.***

## Employee Hazard Reporting

### Loss Reports

Employees can fill out an Incident Report Form, which is turned into the department, and talk with a supervisor or any CARTS office staff member. Depending on the severity/risk of the hazard identified, immediate action may be taken, or the input will be brought to the Assistant Director for discussion. Feedback will be provided to the employee on what action, if any, will be taken.

### Route/Operations Safety

Employees can fill out a Hazard Report Form or discuss suggestions for making the system/route safer. CARTS encourages employees to be advocates for safety while also suggesting methods of increasing performance. Management has an open-door policy and makes clear the importance of employee feedback; both, positive and negative.

## Safety Events

### Accident and Incident Reporting Process

All accidents and loss incidents are to be investigated. CARTS's safe driving standards require professional safe performance of all operators. To ensure better than average safety performance, CARTS employs the *National Safety Council, the CARTS driver's handbook and other* guidelines to determine if a collision or onboard incident could have been prevented. All personnel operating any CARTS vehicle are held to this standard.

The CARTS Driver's Handbook and CARTS Incident sheet includes procedures and responsibilities for accident/incident investigation. These manuals establish procedures for accident notification, response, and investigation.

CARTS coordinates with outside law enforcement agencies if they investigate an event. Administrative staff coordinates with the Craven County Risk Management Officer and provides support for independent investigation to manage CARTS liability and claims.

Most accidents and incidents involving CARTS are relatively minor in severity and are investigated by the Assistant Director.

## Notification

Vehicle Operators are to notify the operations system supervisor anytime a CARTS vehicle might have been damaged, anytime an CARTS vehicle and another vehicle come into contact, or anytime an instance occurs where a customer may have been injured. A CARTS office staff member will be directed to the scene. Police and ambulance will be dispatched, if necessary. CARTS drivers have the authority and are expected to act accordingly to contact 911 first in an attempt to not delay professional medical assistance.

## At-Scene Procedures

Vehicle Operators will adhere to the following procedures defined in CARTS Operator's Driver's handbook and call 911 if appropriate.

Designated investigating staff members are responsible for conducting on-scene investigations of accidents and incidents. Depending on the severity and the nature of the event, various mechanisms will be used for preserving transient evidence. These may include digital photography, vehicle video, field sketches, interviews, and observations.

## Investigation

An attempt is made to complete the investigation of most accidents within three days. Designated Investigating Staff are required to complete an Accident/Incident Report. Operators are required to complete an Accident/Incident Information Report. The Investigating Staff Member is required to file reports electronically as well as a hard copy and attach all relevant media for use by the Director, County Risk Management Officer, and the CSO.

An accident/incident report must be completed with relevant injury information if an employee or rider suffers an injury or illness as a result of an accident or incident.

## Accident Review Process

Accidents and Incidents are classified as Preventable or Non-Preventable.

Preventable accidents are defined as those accidents that could have been reasonably avoided if the operator had followed all defensive driving techniques as established by the *National Safety Council Guidelines and CARTS Procedures and Policies*.

After reviewing all related documents and evidence, the investigating CARTS Staff Member makes an independent preliminary determination of whether the accident was preventable.

The final accident determination is made by the Accountable Executive with input from the investigating staff member, County Risk Management Officer, and other agencies that participated in the investigation (law enforcement, fire, medical, etc.).

CARTS follows all policies, procedures, and definitions as established in the Carts Driver's Handbook and Craven County procedures for accidents involving county interests. Examples of investigations may include reviews of accident and injury reports, vehicle condition reports, witness statements, employee interviews, accident scene sketches, vehicle videos, physical evidence, brake test reports, training manuals, and accident site visits. Full time employees who are not in agreement with the Accountable

Executive's determination can appeal directly to the Accountable Executive by providing additional evidence and testimony. If the employee is not in agreement with the results of the investigation and the associated disciplinary action, he or she can make a second and final appeal to office of the County Manager through the County's Human Resources Department. *Part time employees do not have appeal rights for disciplinary action.*

#### Hazard Resolution

The primary purpose of the accident investigation process is to determine the cause(s) of accidents so that they may be prevented or mitigated in the future. To this end, it is crucial that all relevant departments be appropriately involved in the process. A serious attempt is made to use lessons learned through the investigatory process to incorporate hazard resolutions into future procedures, designs, construction, modifications, training, and procurements.

#### Follow-up

Follow-up, in the form of corrective actions, is the responsibility of the director. The responsibility may be delegated to the assistant director or CSO.

Any disciplinary action will be assessed using the Craven County Personnel Policies document. Disciplinary consequences for accidents may include warnings, suspensions, and/or discharge. Disciplinary actions must be approved by the Craven County Human Resources Department.

Remedial training will be provided when necessary. Training and re-training are not disciplinary in nature.

#### Internal Reporting

The CSO is responsible for ensuring that all accident reports are completed and filed with the County Risk Management Officer and Director. The CSO will advise on the history of the employee if a pattern of safety events is evident.

#### Documentation

CSO and/or the Safety Risk Management Officer maintain the accident investigation documentation.

### Performance Measures

Through a series of performance measures relative to operations, maintenance, and safety, CARTS can monitor the system's safety by identifying trends and gaps in policies, procedures, training, and monitoring efforts. The following performance measures are on a daily, monthly, and quarterly basis.

#### Maintenance

- ◆ **Preventive Maintenance On-time Inspection Percentage** – determines the effectiveness of the maintenance department to ensure all inspections are conducted per manufacturing recommendations and CARTS mileage intervals.
- ◆ **Vehicles Removed From Revenue Service** – tracks vehicles removed from service due to a mechanical defect developed while in service requiring immediate service either on-site of failure or once returned to the facility.

- ◆ **Annual Vehicle Condition Assessment** – through annual inspection, determines on a scale of 1-5 the overall condition of the asset. This performance measure is also used in annual updates of CARTS’s Transit Asset Management Plan.

#### Operations

- ◆ **On-time Performance** – serves as an indicator to issues with time management, environmental factors, scheduling, and vehicle and driver performance.
- ◆ **On-board Surveys** – allows CARTS to receive rider feedback about vehicle operator performance, customer service, as well as vehicle safety.

#### Safety

- ◆ **Safety Performance Measure: Fatalities** (total number of reportable fatalities and rate per total vehicle revenue miles by mode)
- ◆ **Safety Performance Measure: Injuries** (total number of reportable injuries and rate per total vehicle revenue miles by mode)
- ◆ **Safety Performance Measure: Safety Events** (total number of reportable events and rate per total vehicle revenue miles by mode)
- ◆ **Safety Performance Measure: System Reliability** (mean distance between major mechanical failures by mode)

## 7. Safety Promotion

### Operator Selection

#### Hiring Practices

Selecting applicants best suited to excel at the Vehicle Operator job requirements is critical to safe transit operations. The transit Vehicle Operator is directly responsible for the safety of not only the passengers, but also the pedestrians, bicyclists, drivers, and all others who share the road with the transit vehicle. CARTS' hiring process includes the following components:

#### *Applications*

Applicants are sought through postings in traditional and culturally diverse media which may include referrals from current employees, NCWORKS, Craven County website, and local newspaper advertisements. Applications can still be filed by prospective candidates when there are no positions available.

#### *Interview*

*After application reviews, applicants are then interviewed by the Director or designee. The interview process is designed to evaluate a candidate's strengths in customer service, the ability to simultaneously perform tasks, conflict resolution, and the ability to perform well under temporal and interpersonal pressure.*

#### *Driving Record*

To be eligible for hire, a candidate must submit to a NC DMV records check dating back a minimum of three years.

#### *Licensing*

To be eligible for hire, a candidate must have a valid North Carolina Driver's License.

#### *Criminal Background Check*

To be eligible for hire, a candidate must submit to a Criminal Background Check administered by Craven County. The results must meet all statutory and CARTS standards for the Driver position.

#### *Drug Testing*

To be eligible for hire, a candidate must produce a negative result for a pre-employment drug test and understand that they are subject to random, post-accident, and reasonable suspicion drug and alcohol testing during employment period.

#### Training

There are formal training programs for Vehicle Drivers, Maintenance employees (done by their department) and Operations employees. These include training classes, manuals, CARTS Standard Operating Procedures, and on-the-job training.

The safety component of training is designed to make employees aware of the hazards associated with their jobs and the appropriate methods for controlling these hazards. The training is intended to motivate employees to work safely. Trainings fall into three main categories: (1) Initial, (2) Periodic, and (3) Remedial or Refresher.

## Initial Vehicle Operator Training

New Vehicle Operators receive an intensive, multi-week week training course that covers every aspect of their new job. Some components of the training are delivered in the classroom. The majority of learning occurs on the vehicles during off-route and on-route training. The training includes, but is not limited to, the following areas:

- *Orientation to Transit System*
- *Basic Transit Vehicle Maneuvers*
- *Service Stops*
- *System Overview*
- *System Procedures*
- *Communication skills*
- *Customer Service*
- *Accessible Service*
- *Emergency Management*
- *Personal Safety*
- *Health/Injury Prevention*
- *Stress Management*

## *Injury and Illness Prevention Training*

*Injury and Illness Prevention Training is directed toward achieving a safe working environment for all employees and reducing the chance of occupational-related injuries and illnesses. The program is based on applicable Federal, State, and local safety codes and regulations. Some areas addressed in training include:*

- *Handling Hazardous Materials (Right to Know)*
- *Slips, Trips, and Falls*
- *Personal Protection Equipment*

## *Emergency Response Planning and Coordination*

*Details are contained in the Craven County Emergency Action Plan.*

## System Modification Design Review and Approval

### General Process

The CARTS transit system is regularly modified in response to operational experience, the addition of new types of service, and changes in service design and levels. CARTS's philosophy is to use appropriate

new technologies to benefit the environment and the community it serves. The challenge is to review any proposed modification adequately before it is approved. Any proposed modification should be evaluated to ensure it is compatible with existing systems and does not introduce new hazards to the system or reduce the effectiveness of existing hazard controls.

Equipment modifications may be proposed by any employee of any department that uses the equipment. Changes may also occur from an analysis of reliability performance, historical data, and available improvements in equipment design and components.

#### Modification Design Review

A review of any modification in equipment design shall be made by the director and managers of the department responsible for the equipment. It is an informal practice to include Human Resources and Operations in the review of any change that might affect safety. The impact on the safety of all designs and specifications should be identified and evaluated before the change is approved. Some of the areas to be considered include but are not limited to:

- *Hazardous Materials (handling and use)*
- *Motor Vehicle Safety*
- *Human Factor*
- *Occupational Health and Safety*
- *Materials Compatibility*
- *Fire Protection*
- *Lighting*
- *Braking systems*
- *Mirrors*
- *Warning Devices*

Modifications must not be made before it is determined how they might affect the safety of the system, or any other systems. Other departments may evaluate a proposed change to determine its compatibility with other systems (e.g., hoists, fueling systems, communications systems). The evaluation may also include a review of applicable regulations, such as the Federal Motor Vehicle Safety Standards and Regulations and the U.S. Department of Labor's Occupational Safety and Health Act.

Testing may also be performed to evaluate the safety of a proposed modification. The testing of small changes may be minimal. For substantial modifications, extensive field testing, mock-ups, and structural evaluations may be employed.

#### Documentation

The Craven County Maintenance Department is responsible for documenting any vehicle modifications. Facilities are owned by Craven County, and accordingly, are not the responsibility of the transit system.

## Routes

Route modifications are designed by CARTS. CARTS may use a current Vehicle Operator to test routing and vehicle stop placement. This experience-based, real-world process is designed to protect the safety of the transit vehicle, transit passengers, other vehicles, and pedestrians.

Transit operations management may request a route modification it believes will improve operations. It may also choose to evaluate a modification that has been proposed by another department. Input from individual Vehicle Operators is encouraged through the Hazard Report Form, direct communication, and periodic surveying of Operators.

## 8. Additional Information

This PTASP was developed from information in other CARTS documents, policies and procedures and manuals. Those documents are listed below:

- *CARTS Driver's Handbook*
- *Safety and Security Plan (SSP)*
- *Craven County Employee's Handbook*

## 9. Definitions of Terms Used in the Safety Plan

CARTS incorporates all of FTA's definitions that are in 49 CFR § 673.5 of the Public Transportation Agency Safety Plan regulation.

- **Accident** means an Event that involves any of the following: A loss of life; a report of a serious injury to a person; a collision of public transportation vehicles; a runaway train; an evacuation for life safety reasons; or any derailment of a rail transit vehicle, at any location, at any time, whatever the cause.
- **Accountable Executive** means a single, identifiable person who has ultimate responsibility for carrying out the Public Transportation Agency Safety Plan of a public transportation agency; responsibility for carrying out the agency's Transit Asset Management Plan; and control or direction over the human and capital resources needed to develop and maintain both the agency's Public Transportation Agency Safety Plan, in accordance with 49 U.S.C. 5329(d), and the agency's Transit Asset Management Plan, in accordance with 49 U.S.C. 5326.
- **Equivalent Authority** means an entity that carries out duties similar to that of a Board of Directors for a recipient or sub recipient of FTA funds under 49 U.S.C. Chapter 53, including sufficient authority to review and approve a recipient or sub recipient's Public Transportation Agency Safety Plan.
- **Event** means any Accident, Incident, or Occurrence.
- **Hazard** means any real or potential condition that can cause injury, illness, or death; damage to or loss of the facilities, equipment, rolling stock, or infrastructure of a public transportation system; or damage to the environment.
- **Incident** means an event that involves any of the following: a personal injury that is not a serious injury; one or more injuries requiring medical transport; or damage to facilities, equipment, rolling stock, or infrastructure that disrupts the operations of a transit agency.
- **Investigation** means the process of determining the causal and contributing factors of an accident, incident, or hazard, for the purpose of preventing recurrence and mitigating risk.
- **National Public Transportation Safety Plan** means the plan to improve the safety of all public transportation systems that receive Federal financial assistance under 49 U.S.C. Chapter 53.
- **Occurrence** means an Event without any personal injury in which any damage to facilities, equipment, rolling stock, or infrastructure does not disrupt the operations of a transit agency.
- **Operator** of a public transportation system means a provider of public transportation as defined under 49 U.S.C. 5302.
- **Performance measure** means an expression based on a quantifiable indicator of performance or condition that is used to establish targets and to assess progress toward meeting the established targets.
- **Performance target** means a quantifiable level of performance or condition, expressed as a value for the measure, to be achieved within a time period required by the FTA.

- **Public Transportation Agency Safety Plan (or Agency Safety Plan)** means the documented comprehensive Agency Safety Plan for a transit agency that is required by 49 U.S.C. 5329 and Part 673.
- **Risk** means the composite of predicted severity and likelihood of the potential effect of a hazard.
- **Risk mitigation** means a method or methods to eliminate or reduce the effects of hazards.
- **Safety Assurance** means processes within a transit agency's Safety Management System that function to ensure the implementation and effectiveness of safety risk mitigation, and to ensure that the transit agency meets or exceeds its safety objectives through the collection, analysis, and assessment of information.
- **Safety Management Policy** means a transit agency's documented commitment to safety, which defines the transit agency's safety objectives and the accountabilities and responsibilities of its employees in regard to safety.
- **Safety Management System** means the formal, top-down, organization-wide approach to managing safety risk and assuring the effectiveness of a transit agency's safety risk mitigation. SMS includes systematic procedures, practices, and policies for managing risks and hazards.
- **Safety performance target** means a performance target related to safety management activities.
- **Safety Promotion** means a combination of training and communication of safety information to support SMS as applied to the transit agency's public transportation system.
- **Safety risk assessment** means the formal activity whereby a transit agency determines Safety Risk Management priorities by establishing the significance or value of its safety risks.
- **Safety Risk Management** means a process within a transit agency's Agency Safety Plan for identifying hazards and analyzing, assessing, and mitigating safety risk.
- **Serious injury** means any injury which: (1) Requires hospitalization for more than 48 hours, commencing within 7 days from the date when the injury was received; (2) Results in a fracture of any bone (except simple fractures of fingers, toes, or noses); (3) Causes severe hemorrhages, nerve, muscle, or tendon damage; (4) Involves any internal organ; or (5) Involves second or third-degree burns, or any burns affecting more than 5 percent of the body surface.
- **Transit agency** means an operator of a public transportation system.
- **Transit Asset Management Plan** means the strategic and systematic practice of procuring, operating, inspecting, maintaining, rehabilitating, and replacing transit capital assets to manage their performance, risks, and costs over their life cycles, for the purpose of providing safe, cost effective, and reliable public transportation, as required by 49 U.S.C. 5326 and 49 CFR Part 625.

## 10. Commonly Used Acronyms

Acronym	Word or Phrase
ADA	American's with Disabilities Act of 1990
ASP	Agency Safety Plan (also referred to as a PTASP in Part 673)
CFR	Code of Federal Regulations
CT	County Transit
ESRP	Employee Safety Reporting Program
FTA	Federal Transit Administration
NCDOT	North Carolina Department of Transportation
MPO	Metropolitan Planning Organization
Part 673	49 CFR Part 673 (Public Transportation Agency Safety Plan)
SMS	Safety Management System
SSP	System Safety Plan
U.S.C.	United States Code
VRM	Vehicle Revenue Miles

## Appendix 1: Risk Analysis and Assessments

- Critical Asset Analysis
- Accident and Incident Assessment
- Organizational Infrastructure Assessment
- Acts of Nature Assessment
- Hazardous Materials Assessment
- Criminal Activity Assessment
- Domestic or International Terrorism Assessment
- Prioritized Risk Reduction Strategies

## CRITICAL ASSET ANALYSIS

Critical Assets	Level of Criticality (Rate as High, Medium, Low)	Level of Vulnerability (Rate as High, Medium, Low)
<b>Vehicles</b>		
Buses/vans	<b>HIGH</b>	<b>MEDIUM</b>
Administrative vehicles	<b>MEDIUM</b>	<b>MEDIUM</b>
Radios	<b>MEDIUM</b>	<b>LOW</b>
Fare boxes	<b>MEDIUM</b>	<b>LOW</b>
Other		
<b>Maintenance Area</b>		
In-house		
Entrances/exits		
Restrooms		
Equipment		
Other		
Contractor		
<b>Storage Lots</b>		
Vehicles		<b>LOW</b>
Entrances/exits		<b>LOW</b>
Fuel areas		
Other		
<b>Office Facilities and Equipment</b>		
Office furniture	<b>MEDIUM</b>	<b>LOW</b>
Computers	<b>HIGH</b>	<b>LOW</b>
Phone systems	<b>MEDIUM</b>	<b>LOW</b>
Radio system	<b>MEDIUM</b>	<b>LOW</b>
Entrances/exits	<b>MEDIUM</b>	<b>LOW</b>

Restrooms		
Storage areas	<b>MEDIUM</b>	<b>LOW</b>
Revenue collection facilities	<b>MEDIUM</b>	<b>LOW</b>
Employee parking lots	<b>MEDIUM</b>	<b>LOW</b>
Other		
<b>Transit Support</b>		
Transit Center		
Bus Stops		
Bus Shelters		
<b>People</b>		
Drivers	<b>HIGH</b>	<b>LOW</b>
Other staff	<b>HIGH</b>	<b>LOW</b>
Passengers	<b>HIGH</b>	<b>LOW</b>

## Accident and Incident Assessment

Threat/Hazard	A. Likelihood 1 = improbable 10 = certain	B. Impact on Service Delivery 1 = minor 10 = catastrophic	C. Financial Impact 1 = negotiable 10 = catastrophic	Vulnerability Index  (A+B+C)
<b>Accidents &amp; Incidents</b>				
Minor Vehicle Collision	3	3	1	7
Major Collision no injuries	3	5	5	13
Major Collision injury/injuries	2	6	8	16
Major Collision fatality	2	8	8	18
Passenger Injury before boarding/ after alighting	3	3	1	7
Passenger Fall on vehicle/no injury	3	1	1	5
Passenger Fall on vehicle/injury	3	1	2	6
Employee Injury	2	2	1	5
Wheelchair Lift Failure/no injury	2	2	1	5
Wheelchair Lift Failure/injury	2	2	5	9
Injury Based on Securement Problem	2	2	2	6

## Organizational Infrastructure Assessment

Threat/Hazard	A.  Likelihood  1 = improbable  10 = certain	B.  Impact on Service Delivery  1 = minor  10 = catastrophic	C.  Financial Impact  1 = negotiable  10 = catastrophic	Vulnerability Index  (A+B+C)
<b><i>Organizational Infrastructure</i></b>				
Trespassing	5	1	1	7
Vandalism	2	2	3	7
Employee Theft	2	2	2	6
Bomb Threat	1	5	1	7
Dangerous Mail	2	3	1	6
Brief Power Outage	3	5	1	8
Extended Power Outage	2	8	3	13
Hard Drive Crash/Cyber Attack	2	5	3	10
Loss of Landline Phone Service	2	5	3	10
Loss Of Cell Phone Service	2	1	1	4

Loss Of Radio System	2	2	2	6
Minor Structural Fire	2	3	2	7
Major Structural Fire	1	8	5	14
Vehicle Fire without injuries	1	1	1	3
Vehicle Fire with injury/fatality	1	5	5	11

## Acts of Nature Assessment

Threat/Hazard	A.  Likelihood  1 = improbable  10 = certain	B.  Impact on Service Delivery  1 = minor  10 = catastrophic	C.  Financial Impact  1 = negotiable  10 = catastrophic	Vulnerability Index  (A+B+C)
<i>Acts of Nature</i>				
Flooding in community	3	6	6	15
Flooding of transit facilities	2	8	8	18
Severe Winter Weather	2	8	5	15
Fog	5	2	2	9
Tornado	2	3	3	8
Severe Thunderstorms	8	3	3	14
Fires	1	1	1	3
Landslide/ Rockslide/ Mudslide/ Sinkhole	1	1	1	3

## Hazardous Materials Assessment

Threat/Hazard	A.  Likelihood  1 = improbable  10 = certain	B.  Impact on Service Delivery  1 = minor  10 = catastrophic	C.  Financial Impact  1 = negotiable  10 = catastrophic	Vulnerability Index  (A+B+C)
<b><i>Hazardous Materials</i></b>				
Blood borne Pathogen Spill	3	4	2	9
Toxic Release	1	3	1	5
Fuel Related Event	1	1	1	3

## Criminal Activity Assessment

Threat/Hazard	A.  Likelihood  1 = improbable  10 = certain	B.  Impact on Service Delivery  1 = minor  10 = catastrophic	C.  Financial Impact  1 = negotiable  10 = catastrophic	Vulnerability Index  (A+B+C)
<b><i>Criminal Activity</i></b>				
Non-employee Theft	2	3	2	7
Menacing Behavior on Vehicle	3	3	1	7
Assault on Vehicle	1	3	1	5
Assault on Employees at or near facility	2	3	2	7
Shooter on Vehicle	1	10	5	16
Hostage Situation on Vehicle	1	10	5	16

## Domestic or International Terrorism Assessment

Threat/Hazard	A.  Likelihood  1 = improbable  10 = certain	B.  Impact on Service Delivery  1 = minor  10 = catastrophic	C.  Financial Impact  1 = negotiable  10 = catastrophic	Vulnerability Index  (A+B+C)
<b><i>Terrorism</i></b>				
Suspicious Item on Vehicle	1	10	2	13
Improvised Explosive Device	1	10	10	21
Chemical Weapon	1	10	10	21
Biological Weapon	1	10	10	21
Radiological Weapon	1	10	10	21

## Prioritized Risk Reduction Strategies

<i><b>Vulnerabilities Identified</b></i>		<i><b>Risk Reduction Actions Planned</b></i>
<b>1</b>	Major Collision with Injuries or Fatality	Monthly Safety Training, daily vehicle inspections, route familiarization,
<b>2</b>	Wheelchair Lift Failure/injury	Purchase and install wheelchair lift safety bars ; wheelchair services at 750 lift count intervals; daily vehicle inspections
<b>3</b>	Passenger Fall on vehicle/injury	Daily vehicle inspections; cleanliness of vehicles; removal of tripping hazards
<b>4</b>	Passenger Injury before boarding/ after alighting	Include proper stop location vehicle positioning into safety training
<b>5</b>	Flooding in community	Work with County to refine emergency action plan for severe weather; participate in EOC training; refine vehicle staging plan with other county departments to preposition vehicles prior to weather event; refine evacuation route
<b>6</b>	Severe Thunderstorms	Monitor weather assessments from County; identify potential cease operations thresholds (35 mph sustained winds; county/state directives)
<b>7</b>	Blood borne Pathogen Spill	Include blood borne pathogen into safety training minimum one time per year; inspect body fluid spill kits monthly; make additional PPE available to drivers and staff as required
<b>8</b>	Power Outage	Establish SOP for outage (computer shut downs; transfer of radio operations; data base back up); ensure drivers have contact rosters on vehicles to contact county cell phones
<b>9</b>	Menacing Behavior on Vehicle	Customer service training; camera system and notification of cameras on vehicle; two way radio utilization
<b>10</b>	Assault on Employees at or near facility	Lights in parking lot; random NBPD patrols; professionally monitored camera security system

# Appendix 2: Example Incident Report

## Example of Incident Form

Driver Name: \_\_\_\_\_ Vehicle # \_\_\_\_\_

### COMPLETE DESCRIPTION OF INCIDENT

A. Date of incident \_\_\_\_\_ Time \_\_\_\_\_

B. List of all persons involved in incident (driver, passengers, others)

---

---

C. Who reported incident? \_\_\_\_\_

Who was the incident reported to? \_\_\_\_\_

D. Were there any witnesses? (list name, address & telephone number)

---

---

---

E. Where did the incident occur? \_\_\_\_\_

F. Type of incident (Physical Injury, Accident, Etc.) \_\_\_\_\_



I. Other pertinent information \_\_\_\_\_

---

---

---

J. Draw a diagram of how the incident occurred ( if it will make explanation easier to understand)

*Driver Signature* \_\_\_\_\_ *Date* \_\_\_\_\_

# Craven Area Rural Transit System (CARTS)

## Title VI Program Plan

Date Adopted  
[Insert Date Adopted]

**PLAN REVIEW AND APPROVAL**

**Commented [KW1]:** New section in NCDOT template. Also, definitions that were at the beginning of the original Plan have been removed because that was not on the NCDOT template.

On behalf of the Craven County Board of Commissioners for Craven Area Rural Transit System (CARTS), I hereby acknowledge receipt of the Title VI Nondiscrimination Plan. We, the Craven County Board of Commissioners, have **reviewed and hereby approve** this Plan. We are committed to ensuring that all decisions are made in accordance with the nondiscrimination guidelines of this Plan, to the end that no person is excluded from participation in, denied the benefits of, or otherwise subjected to discrimination under any CARTS transportation services and activities on the basis of race, color, national origin, sex, age, religion, or disability, as protected by Title VI of the Civil Rights Act of 1964 and the nondiscrimination provisions of the Federal Transit Administration.

\_\_\_\_\_  
Chairman, Craven County Board of Commissioners

\_\_\_\_\_  
Date

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TITLE VI NONDISCRIMINATION AGREEMENT  
BETWEEN  
THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION  
AND  
CRAVEN AREA RURAL TRANSIT SYSTEM (CARTS)

In accordance with DOT Order 1050.2A, Craven Area Rural Transit System (CARTS) assures the North Carolina Department of Transportation (NCDOT) that no person shall, on the ground of race, color, national origin, sex, religion, age, or disability, as provided by Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987 and related nondiscrimination authorities, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination or retaliation under any program or activity undertaken by CARTS.

Commented [KW2]: New section in NCDOT template. No prior agreement.

Further, CARTS hereby agrees to:

1. Designate a Title VI Coordinator that has a responsible position within the organization and easy access to the Chairman of the Board of Commissioners.
2. Issue a policy statement, signed by the Chairman of the Board of Commissioners, which expresses a commitment to the nondiscrimination provisions of Title VI and related applicable statutes. The signed policy statement shall be posted and circulated throughout the organization and to the general public, and published where appropriate in languages other than English. The policy statement will be re-signed when there is a change of Chairman of the Board of Commissioners.
3. Insert the clauses of the contract language from Section 6.1 in every contract awarded by the organization. Ensure that every contract awarded by the organization's contractors or consultants also includes the contract language.
4. Process all and, when required, investigate complaints of discrimination consistent with the procedures contained within this Plan. Log all complaints for the administrative record.
5. Collect statistical data (race, color, national origin, sex, age, disability) on participants in, and beneficiaries of, programs and activities carried out by the organization.
6. Participate in training offered on Title VI and other nondiscrimination requirements. Conduct or request training for employees or the organization's subrecipients.
7. Take affirmative action, if reviewed or investigated by NCDOT, to correct any deficiencies found within a reasonable time period, not to exceed 90 calendar days, unless reasonable provisions are granted by NCDOT.
8. Document all Title VI nondiscrimination-related activities as evidence of compliance. Submit information and reports to NCDOT on a schedule outlined by NCDOT.

THIS AGREEMENT is given in consideration of, and for the purpose of obtaining, any and all federal funds, grants, loans, contracts, properties, discounts or other federal financial assistance under all programs and activities and is binding.

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Date

Thomas F. Mark  
Chairman, Craven County Board of Commissioners

## 1.0 INTRODUCTION

Commented [KW3]: Different format.

Title VI of the 1964 Civil Rights Act, 42 U.S.C. 2000d provides that: "No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance." The broader application of nondiscrimination law is found in other statutes, executive orders, and regulations, which provide additional protections based on age, sex, religion, and disability, including the 1987 Civil Rights Restoration Act, which extended nondiscrimination coverage to all programs and activities of federal-aid recipients, subrecipients, and contractors, including those that are not federally-funded (see Appendix A – Applicable Nondiscrimination Authorities).

CARTS is a recipient of Federal financial assistance from the North Carolina Department of Transportation (NCDOT) and the United States Department of Transportation (USDOT), receiving Federal Transit Administration (FTA) funds through the NCDOT. As the primary recipient of USDOT funds in North Carolina, the NCDOT's comprehensive Title VI Nondiscrimination Program includes compliance oversight and technical assistance responsibilities towards its subrecipients and those subrecipients must use federal and state funds in a nondiscriminatory manner.

CARTS establishes this Title VI Nondiscrimination Plan for the purpose of complying with Title VI of the Civil Rights Act of 1964, as required by FTA Circular 4702.1B, and related requirements outlined under Group 01.D, "Nondiscrimination Assurance," of the FTA Certifications and Assurances. This document details the nondiscrimination program, policies, and practices administered by this organization, and will be updated periodically to incorporate changes and additional responsibilities as they are made.

## 2.0 DESCRIPTION OF PROGRAMS AND SERVICES

Commented [KW4]: Different format. This information was in the original Plan.

### 2.1 PROGRAM(S) AND SERVICES ADMINISTERED

CARTS provides public transportation options to its customers within the geographical areas of Craven County, Jones County, and Pamlico County, North Carolina (including the New Bern Urbanized Area). Urban fixed route bus and complementary ADA service is provided within New Bern. CARTS operates two (2) bi-directional Loops Monday through Friday. The first route begins service at 7:00 a.m., and pulls into the parking lot to be out of service at 3:45 p.m. The second route begins service at 8:00 a.m., and pulls into the parking lot to be out of service at 5:00 p.m. The bi-directional loops have approximately 90-100 minute headways, but the routes cross paths throughout that time, at approximately 30-40 minute intervals. The fare for the fixed route bus service is \$1.00. The fare for a disabled passenger is \$.50. Demand response service is provided throughout Craven, Jones, and Pamlico Counties. Demand response services have a 30 minute window, allowing fifteen minutes both before and after the scheduled pick up times.

CARTS employs 38 full and part time employees. Appendix B shows the organizational chart.

### 2.2 FUNDING SOURCES / TABLES

Commented [KW5]: New section and information per NCDOT template.

For the purpose of federally-assisted programs, "federal assistance" shall include:

1. grants and loans of Federal funds;
2. the grant or donation of Federal property and interest in property;
3. the detail of Federal personnel;
4. the sale and lease of, and the permission to use (on other than a casual or transient basis), Federal property or any interest in such property without consideration or at a nominal consideration, or at a consideration which is

reduced for the purpose of assisting the recipient, or in recognition of the public interest to be served by such sale or lease to the recipient; and

5. any Federal agreement, arrangement, or other contract which has, as one of its purposes, the provision of assistance.

Each FTA Formula Grant received by our system the fiscal year ending June 30, 2020, and whether the funds were received through NCDOT or directly from FTA, is checked below. Additional details are provided on how often each of the grants is received (*annually, first time, etc.*).

Grant Title	NCDOT	FTA	Details (i.e., purpose, frequency, and duration of receipt)
5307 (Urbanized Area Formula)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Operating assistance, preventive maintenance, and ADA for the fiscal year, annually
5309 (b)(2) (Fixed Guideway Modernization)	<input type="checkbox"/>	<input type="checkbox"/>	
5310 (Transportation for Elderly Persons and Persons with Disabilities)	<input type="checkbox"/>	<input type="checkbox"/>	
5311 (Formula Grants for Other than Urbanized Areas)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Administrative and operating funding for the rural demand response service for the fiscal year, annually
5311 (b)(3) (Rural Transit Assistance)	<input type="checkbox"/>	<input type="checkbox"/>	
5316 (Job Access and Reverse Commute)	<input type="checkbox"/>	<input type="checkbox"/>	
5317 (New Freedom)	<input type="checkbox"/>	<input type="checkbox"/>	
5303, 5304 and/or 5305 (Metropolitan & Statewide Planning)	<input type="checkbox"/>	<input type="checkbox"/>	
5339 (Bus and Bus Facilities Formula)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Capital purchase of three (3) 20' LTV replacement vehicles for the rural demand response, annually
Other:	<input type="checkbox"/>	<input type="checkbox"/>	

### 2.3 **DECISION-MAKING PROCESS**

Any policy decisions and grant applications for CARTS are presented by CARTS to the Craven County Board of Commissioners at one of their twice per month meetings. The Transportation Advisory Board does not have any policy making authority.

**Commented [KW6]:** New section and information per NCDOT template.

Board or Committee Name	Appointed	Elected	# of Members
Craven County Board of Commissioners	<input type="checkbox"/>	<input checked="" type="checkbox"/>	7
Transportation Advisory Board	<input checked="" type="checkbox"/>	<input type="checkbox"/>	37. Seats are designated for agencies by the Craven County Board of Commissioners; Agencies choose and send the representative for their agency. Seats were determined using the recommended members provided by NCDOT in the 5311 Community Transportation Program Overview and is expanded to include representation of all three counties serviced by CARTS.
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	

#### 2.4 ~~TITLE VI COORDINATOR~~

The individual below has been designated as the Title VI Coordinator for CARTS, and is empowered with sufficient authority and responsibility to implement the Title VI Nondiscrimination Program:

Amber Parker, Director  
Craven County Human Resources Department  
406 Craven Street, New Bern, NC 28560  
202-636-6602  
aparker@cravencountync.gov

Key responsibilities of the Coordinator include:

- Maintaining knowledge of Title VI and related requirements.
- Attending civil rights training when offered by NCDOT or any other regulatory agency.
- Administering the Title VI Nondiscrimination Program and coordinating implementation of this Plan.
- Making sure internal staff and officials are familiarized and complying with their Title VI nondiscrimination obligations.
- Disseminating Title VI information internally and to the general public, including in languages other than English.
- Presenting Title VI-related information to decision-making bodies for input and approval.
- Ensuring Title VI-related posters are prominently and publicly displayed.
- Developing a process to collect data related to race, national origin, sex, age, and disability to ensure minority, low-income, and other underserved groups are included and not discriminated against.
- Ensuring that non-elected boards and committees reflect the service area and minorities are represented.
- Implementing procedures for prompt processing (receiving, logging, investigating and/or forwarding) of discrimination complaints.
- Coordinating with, and providing information to, NCDOT and other regulatory agencies during compliance reviews or complaint investigations.
- Promptly resolving areas of deficiency to ensure compliance with Title VI nondiscrimination requirements.

Commented [KW7]: New section and information per NCDOT template.

#### 2.5 ~~CHANGE OF TITLE VI COORDINATOR AND/OR CHAIRMAN OF THE CRAVEN COUNTY BOARD OF COMMISSIONERS~~

If the Title VI Coordinator or Chairman of the Craven County Board of Directors changes, this document and all other documents that name the Coordinator, will immediately be updated, and an updated policy statement and assurance will be signed by the new Chairman of the Craven County Board of Directors.

Commented [KW8]: New section and information per NCDOT template.

#### 2.6 ~~ORGANIZATIONAL CHART~~

An organizational chart showing the Title VI Coordinator's place within the organization is located in Appendix B.

Commented [KW9]: New section per NCDOT template. Organization chart is the same except this one has the additional "Title VI Coordinator" information (Human Resources Director).

#### 2.7 ~~SUBRECIPIENTS~~

CARTS does not have pass through funds to any other organizations and, therefore, does not have any subrecipients.

Commented [KW10]: New section and information per NCDOT template.

3.0 **TITLE VI NONDISCRIMINATION POLICY STATEMENT**

**Commented [KW11]:** New section per NCDOT template; different way of wording what original Plan stated.

It is the policy of CARTS as a federal-aid recipient, to ensure that no person shall, on the ground of race, color, national origin, sex, religion, age or disability, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any of our programs and activities, as provided by Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, and all other related nondiscrimination laws and requirements.

\_\_\_\_\_  
Thomas F. Mark, Chairman Craven County Board of Commissioners

\_\_\_\_\_  
Date

**Title VI and Related Authorities**

Title VI of the Civil Rights Act of 1964 (42 U.S.C. Section 2000d) provides that, "No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance." The 1987 Civil Rights Restoration Act (P.L. 100-259) clarified and restored the original intent of Title VI by expanding the definition of "programs and activities" to include all programs and activities of federal-aid recipients (such as CARTS), subrecipients, and contractors, whether such programs and activities are federally-assisted or not.

Related nondiscrimination authorities include, but are not limited to: U.S. DOT regulation, 49 CFR part 21, "Nondiscrimination in Federally-assisted Programs of the Department of Transportation—Effectuation of Title VI of the Civil Rights Act"; 49 U.S.C. 5332, "Nondiscrimination (Public Transportation)"; FTA Circular 4702.1B - Title VI Requirements and Guidelines for Federal Transit Administration Recipients; DOT Order 5610.2a, "Actions to Address Environmental Justice in Minority Populations and Low-Income Populations"; FTA C 4703.1 - Environmental Justice Policy Guidance For Federal Transit Administration Recipients; Policy Guidance Concerning (DOT) Recipient's Responsibilities to Limited English Proficient (LEP) Persons, 74 FR 74087; The Americans with Disabilities Act of 1990, as amended, P.L. 101-336; Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 790; Age Discrimination Act of 1975, as amended 42 U.S.C. 6101; Title IX of the Education Amendments of 1972, 20 U.S.C. 1681; Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, 42 U.S.C. 4601; Section 508 of the Rehabilitation Act of 1973, 29 U.S.C. 794d.

**Implementation**

- This statement will be signed by the Chairman of Craven County Board of Commissioners, and re-signed whenever a new person assumes that position.
- The signed statement will be posted on office bulletin boards, near the receptionist's desk, in meeting rooms, at transit stops, inside vehicles, and disseminated within brochures and other written materials.
- The core of the statement (signature excluded) will circulate *internally* within annual acknowledgement forms.
- The statement will be posted or provided in languages other than English, when appropriate.

#### 4.0 NOTICE OF NONDISCRIMINATION

Commented [KW12]: Different format.

- CARTS operates its programs and services without regard to race, color, national origin, sex, religion, age, and disability in accordance with Title VI of the Civil Rights Act and related statutes. Any person who believes she or he has been aggrieved by any unlawful discriminatory practice may file a complaint with CARTS.
  - For more information on the CARTS civil rights program, and the procedures to file a complaint, contact 252-636-4917, (TTY 800-735-2962 or 7-1-1); email [carts@cravencountync.gov](mailto:carts@cravencountync.gov); or visit our administrative office at 2822 Neuse Blvd., New Bern, NC 28560; and/or visit <https://www.cravencountync.gov/165/Transportation-CARTS>.
- If information is needed in another language, contact 252-636-4917.
- A complainant may file a complaint directly with the North Carolina Department of Transportation by filing with the Office of Equal Opportunity and Workforce Services, External Civil Rights Section, 1511 Mail Service Center, Raleigh, NC 27699-1511, Attention: Title VI Nondiscrimination Program; phone: 919-508-1808 or 800-522-0453, or TDD/TTY: 800-735-2962.
- A complainant may file a complaint directly with the Federal Transit Administration by filing a complaint with the Office of Civil Rights, Attention: Title VI Program Coordinator, East Building, 5th Floor-TCR, 1200 New Jersey Ave., SE, Washington, DC 20590.

##### Implementation

- The notice will be posted in its entirety on our website and in any documents and reports we distribute.
- Ads in newspapers and other publications shall include the first three (3) bullets.
- The statement will be posted or provided in languages other than English, when appropriate.

5.0 PROCEDURES TO ENSURE NONDISCRIMINATORY ADMINISTRATION OF PROGRAMS AND SERVICES

Commented [KW13]: New section and information per NCDOT template.

We are committed to the nondiscriminatory administration of our programs and services. As with the implementation of our programs in general, organization-wide compliance is required. Thus, employees and staff will periodically be reminded of our Title VI nondiscrimination obligations through staff training and use of the Annual Education and Acknowledgment Form below. The Title VI Coordinator will periodically assess program operations to ensure that this policy is being followed.

Annual Education and Acknowledgement Form

Title VI Nondiscrimination Policy  
(Title VI and related nondiscrimination authorities)

No person shall, on the grounds of race, color, national origin, sex, age, or disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity of a Federal-aid recipient.

All employees and representatives of CARTS are expected to consider, respect, and observe this policy in their daily work and duties. If any person approaches you with a civil rights-related question or complaint, please direct him or her to Amber Parker, Human Resources Director at 252-636-6602.

In all dealings with the public, use courtesy titles (e.g., Mr., Mrs., Miss, Dr.) to address or refer to them without regard to their race, color, national origin, sex, age or disability.

Acknowledgement of Receipt of Title VI Program

I hereby acknowledge receipt of CARTS' Title VI Program and other nondiscrimination guidelines. I have read the Title VI Program and I am committed to ensuring that no person is excluded from participation in or denied the benefits of CARTS' programs, policies, services and activities on the basis of race, color, national origin, sex, age, or disability, as provided by Title VI of the Civil Rights Act of 1964 and related nondiscrimination statutes.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

- Implementation**
- Periodically, but not more than once a year, employees and representatives will receive, review and certify commitment to the Title VI Program.
  - New employees shall be informed of Title VI provisions and expectations to perform their duties accordingly, asked to review the Title VI Program, and required to sign the acknowledgement form.
  - Periodic review of operational practices and guidelines by the Title VI Coordinator to verify compliance with the Title VI Program.
  - Signed acknowledgement forms and records of internal assessments will remain on file for at least three years.

6.0 CONTRACT ADMINISTRATION

Commented [KW14]: New section and Information per NCDOT template.

CARTS ensures all contractors will fulfill their contracts in a nondiscriminatory manner. While contractors are not required to prepare a Title VI Program, they must comply with the nondiscrimination requirements of the organization to which they are contracted. CARTS and its contractors will not discriminate in the selection and retention of contractors (at any level) or discriminate in employment practices in connection with any of our projects.

6.1 CONTRACT LANGUAGE

During the performance of this contract, the contractor, for itself, its assignees and successors in interest (hereinafter referred to as the "contractor") agrees as follows:

(1) Compliance with Regulations: The contractor shall comply with the Regulation relative to nondiscrimination in Federally-assisted programs of the Department of Transportation (hereinafter, "DOT") Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time, (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.

(2) Nondiscrimination: The contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, national origin, sex, religion, age, or disability in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.

(3) Solicitations for Subcontractors, Including Procurements of Materials and Equipment: In all solicitations either by competitive bidding or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the contractor of the contractor's obligations under this contract and the Regulations relative to nondiscrimination on the grounds of race, color, or national origin.

(4) Information and Reports: The contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by CARTS or the North Carolina Department of Transportation (NCDOT), the Federal Highway Administration (FHWA) and/or Federal Transit Administration (FTA) to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any

information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information the contractor shall so certify to CARTS, or the NCDOT, FHWA and/or FTA as appropriate, and shall set forth what efforts it has made to obtain the information.

(5) Sanctions for Noncompliance: In the event of the contractor's noncompliance with the nondiscrimination provisions of this contract, CARTS shall impose such contract sanctions as it or the NCDOT, FHWA and/or FTA may determine to be appropriate, including, but not limited to:

- (a) withholding of payments to the contractor under the contract until the contractor complies, and/or
(b) cancellation, termination or suspension of the contract, in whole or in part.

(6) Incorporation of Provisions: The contractor shall include the provisions of paragraphs (1) through (6) in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. The contractor shall take such action with respect to any subcontract or procurement as CARTS or the NCDOT, FHWA and/or FTA may direct as a means of enforcing such provisions including sanctions for noncompliance: Provided, however, that, in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the contractor may request CARTS to enter into such litigation to protect the interests of CARTS, and, in addition, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

\*The Contractor has read and is familiar with the terms above:

Contractor's Initials

Date

Implementation

- The nondiscrimination language above (with initials line) will be appended to any existing contracts, purchase orders, and agreements that do not include it, and initialed by the responsible official of the other organization.
The nondiscrimination language above (without initials line) will be incorporated as standard language before the signature page of our standard contracts, purchase orders, and agreements.

- The Title VI Coordinator will review *existing* contracts to ensure the language has been added.

#### 6.2 **NONDISCRIMINATION NOTICE TO PROSPECTIVE BIDDERS**

CARTS, in accordance with Title VI of the Civil Rights Act of 1964 and related nondiscrimination authorities, and Title 49 Code of Federal Regulations, Parts 21 and 26, hereby notifies all bidders that it will affirmatively insure that in any contract entered into pursuant to this advertisement, minority and women business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, national origin, or sex in consideration for an award.

**Commented [KW15]:** New section and information per NCDOT template.

#### **Implementation**

- The nondiscrimination language above will be included in all solicitations for bids for work or material and proposals for negotiated agreements to assure interested firms that we provide equal opportunity and do not discriminate.
- Outreach efforts will be made to minority and women-owned firms that work in requested fields, and documented.
- Unless specifically required under Disadvantaged Business Enterprise (DBE) or Affirmative Action programs, all contractors will be selected without regard to their race, color, national origin, or sex.

## 7.0 EXTERNAL DISCRIMINATION COMPLAINT PROCEDURES

Commented [KW16]: Different format plus additional information per NCDOT template.

These discrimination complaint procedures describe the process used by CARTS to process and investigate complaints of alleged discrimination filed under Title VI of the Civil Rights Act of 1964 and related nondiscrimination laws that are applicable to programs, services, and activities carried out by CARTS.

Complaints will be investigated by the appropriate authority. Upon completion of every investigation, CARTS will inform the complainant of all avenues of appeal. CARTS will make every effort to obtain early resolution of complaints at the lowest level possible. The option of informal mediation between the affected parties and CARTS staff may be utilized for resolution.

### FILING OF COMPLAINTS

1. **Applicability**– The complaint procedures apply to the beneficiaries of CARTS programs, activities, and services, such as the members of the public and any consultants/contractors hired by CARTS.
2. **Eligibility**– Any person or class of persons who believes that he/she has been subjected to discrimination or retaliation prohibited by any of the Civil Rights authorities based upon race, color, sex, age, national origin, or disability, may file a written complaint with CARTS. The law prohibits intimidation or retaliation of any sort. The complaint may be filed by the affected individual or a representative, and must be in writing.
3. **Time Limits and Filing Options** –A complaint must be filed no later than 180 calendar days after the following:
  - The date of the alleged act of discrimination; or
  - The date when the person(s) became aware of the alleged discrimination; or
  - Where there has been a continuing course of conduct, the date on which that conduct was discontinued or the latest instance of the conduct.Complaints may be submitted to the following entities:
  - CARTS, 2822 Neuse Blvd., New Bern, NC 28562.
  - North Carolina Department of Transportation, Office of Equal Opportunity and Workforce Services, External Civil Rights Section, 1511 Mail Service Center, Raleigh, NC 27699-1511; 919-508-1830 or toll free 800-522-0453
  - US Department of Transportation, Departmental Office of Civil Rights, External Civil Rights Programs Division, 1200 New Jersey Avenue, SE, Washington, DC 20590; 202-366-4070  
Federal Transit Administration, Office of Civil Rights, ATTN: Title VI Program Coordinator, East Bldg. 5<sup>th</sup> Floor – TCR, 1200 New Jersey Avenue, SE, Washington, DC 20590  
Federal Highway Administration, Office of Civil Rights, 1200 New Jersey Avenue, SE, 8<sup>th</sup> Floor, E81-314, Washington, DC 20590, 202-366-0693 / 366-0752  
Federal Highway Administration, North Carolina Division Office, 310 New Bern Avenue, Suite 410, Raleigh, NC 27601, 919-747-7010  
Federal Aviation Administration, Office of Civil Rights, 800 Independence Avenue, SW, Washington, DC 20591, 202-267-3258
  - US Department of Justice, Special Litigation Section, Civil Rights Division, 950 Pennsylvania Avenue, NW, Washington, DC 20530, 202-514-6255 or toll free 877-218-5228
4. **Format for Complaints** – Complaints shall be in writing and signed by the complainant(s) or a representative and include the complainant's name, address, and telephone number. Complaints received by fax or e-mail will be acknowledged and processed. Allegations received by telephone or in person will be reduced to writing, may be recorded and will be provided to the complainant for confirmation or revision before processing. Complaints will be accepted in other languages, including Braille.
5. **Discrimination Complaint Form** – The Discrimination Complaint Form is consistent with the Nondiscrimination Assurance in Group 01.D of the FTA Certifications & Assurances.
6. **Complaint Basis** – Allegations must be based on issues involving race, color, national origin, sex, age, or disability. The term "basis" refers to the complainant's membership in a protected group category.

Protected Categories	Definition	Examples	Applicable Statutes and Regulations	
			FHWA	FTA
Race	An individual belonging to one of the accepted racial groups; or the perception, based usually on physical characteristics that a person is a member of a racial group	Black/African American, Hispanic/Latino, Asian, American Indian/Alaska Native, Native Hawaiian/Pacific Islander, White	Title VI of the Civil Rights Act of 1964; 49 CFR Part 21; 23 CFR 200	Title VI of the Civil Rights Act of 1964; 49 CFR Part 21; Circular 4702.1B
Color	Color of skin, including shade of skin within a racial group	Black, White, brown, yellow, etc.		
National Origin	Place of birth. Citizenship is not a factor. Discrimination based on language or a person's accent is also covered.	Mexican, Cuban, Japanese, Vietnamese, Chinese		
Sex	Gender	Women and Men	1973 Federal-Aid Highway Act	Title IX of the Education Amendments of 1972
Age	Persons of any age	21 year old person	Age Discrimination Act of 1975	
Disability	Physical or mental impairment, permanent or temporary, or perceived.	Blind, alcoholic, para-amputee, epileptic, diabetic, arthritic	Section 504 of the Rehabilitation Act of 1973; Americans with Disabilities Act of 1990	

#### Complaint Processing

1. When a complaint is received by CARTS, a written acknowledgment and a Consent Release form will be mailed to the complainant within ten (10) business days by registered mail.
2. **CARTS cannot investigate Title VI complaints filed against itself**, but can investigate ADA complaints against itself. CARTS will consult with the NCDOT External Civil Rights Section to determine the acceptability and jurisdiction of all complaints received. (Note: If NCDOT has jurisdiction, the External Civil Rights Section will be responsible for the remainder of this process. CARTS will record the transfer of responsibility in its complaints log).
3. Additional information will be requested if the complaint is incomplete. The complainant will be provided 15 business days to submit any requested information and the signed Consent Release form. Failure to do so may be considered good cause for a determination of no investigative merit.
4. Upon receipt of the requested information and determination of jurisdiction, CARTS will notify the complainant and respondent of whether the complaint has sufficient merit to warrant investigation.
5. If the complaint is investigated, the notification shall state the grounds of CARTS' jurisdiction, while informing the parties that their full cooperation will be required in gathering additional information and assisting the investigator.
6. If the complaint does not warrant investigation, the notification to the complainant shall specifically state the reason for the decision.

#### Complaint Log

1. When a complaint is received by CARTS, the complaint will be entered into the Discrimination Complaints Log with other pertinent information, and assigned a **Case Number**. (Note: All complaints must be logged).
2. The complaints log will be submitted to the NCDOT's Civil Rights office during Title VI compliance reviews. (Note: NCDOT may also request the complaints log during pre-grant approval processes).
3. The **Log Year(s)** since the last submittal will be entered (e.g., 2012-2015, 2014-2015, FFY 2015, or 2015) and the complaints log will be signed before submitting the log to NCDOT.
4. When reporting no complaints, check the **No Complaints or Lawsuits** box and sign the log.

Craven Area Rural Transit System (CARTS)  
**DISCRIMINATION COMPLAINT FORM**

**Commented [KW17]:** Changed, using NCDOT format. This was a separate document in original Plan.

**Any person who believes that he/she has been subjected to discrimination based upon race, color, religion, sex, age, national origin, or disability may file a written complaint with Craven Area Rural Transit System (CARTS), within 180 days after the discrimination occurred.**

Last Name:		First Name:		<input type="checkbox"/> Male	
				<input type="checkbox"/> Female	
Mailing Address:			City	State	Zip
Home Telephone:		Work Telephone:		E-mail Address	
Identify the Category of Discrimination:					
<input type="checkbox"/> RACE		<input type="checkbox"/> COLOR		<input type="checkbox"/> NATIONAL ORIGIN	
<input type="checkbox"/> RELIGION		<input type="checkbox"/> DISABILITY		<input type="checkbox"/> AGE	
		<input type="checkbox"/> SEX			
<small>*NOTE: Title VI bases are race, color, national origin. All other bases are found in the "Non-discrimination Assurance" of the FTA Certifications &amp; Assurances.</small>					
Identify the Race of the Complainant					
<input type="checkbox"/> Black		<input type="checkbox"/> White		<input type="checkbox"/> Hispanic	
<input type="checkbox"/> American Indian		<input type="checkbox"/> Alaskan Native		<input type="checkbox"/> Asian American	
		<input type="checkbox"/> Pacific Islander		<input type="checkbox"/> Other _____	
Date and place of alleged discriminatory action(s). Please include earliest date of discrimination and most recent date of discrimination.					
Names of individuals responsible for the discriminatory action(s):					
How were you discriminated against? Describe the nature of the action, decision, or conditions of the alleged discrimination. Explain as clearly as possible what happened and why you believe your protected status (basis) was a factor in the discrimination. Include how other persons were treated differently from you. (Attach additional page(s), if necessary).					
The law prohibits intimidation or retaliation against anyone because he/she has either taken action, or participated in action, to secure rights protected by these laws. If you feel that you have been retaliated against, separate from the discrimination alleged above, please explain the circumstances below. Explain what action you took which you believe was the cause for the alleged retaliation.					
Names of persons (witnesses, fellow employees, supervisors, or others) whom we may contact for additional information to support or clarify your complaint. (Attached additional page(s), if necessary).					
<u>Name</u>		<u>Address</u>		<u>Telephone</u>	
1. _____		_____		_____	
2. _____		_____		_____	
3. _____		_____		_____	
4. _____		_____		_____	

**DISCRIMINATION COMPLAINT FORM**

<p>Have you filed, or intend to file, a complaint regarding the matter raised with any of the following? If yes, please provide the filing dates. Check all that apply.</p> <p> <input type="checkbox"/> NC Department of Transportation _____  <input type="checkbox"/> Federal Transit Administration _____  <input type="checkbox"/> Federal Highway Administration _____  <input type="checkbox"/> US Department of Transportation _____  <input type="checkbox"/> Federal or State Court _____  <input type="checkbox"/> Other _____                 </p>	
<p>Have you discussed the complaint with any CARTS representative? If yes, provide the name, position, and date of discussion.</p>	
<p>Please provide any additional information that you believe would assist with an investigation.</p>	
<p>Briefly explain what remedy, or action, are you seeking for the alleged discrimination.</p>	
<p><b>**WE CANNOT ACCEPT AN UNSIGNED COMPLAINT. PLEASE SIGN AND DATE THE COMPLAINT FORM BELOW.</b></p>	
<p>_____ COMPLAINANT'S SIGNATURE</p>	<p>_____ DATE</p>
<p><b>MAIL COMPLAINT FORM TO:</b>                  NORTH CAROLINA DEPARTMENT OF TRANSPORTATION                  OFFICE OF EQUAL OPPORTUNITY &amp; WORKFORCE SERVICES                  EXTERNAL SERVICES SECTION                  1511 MAIL SERVICE CENTER                  RALEIGH, NC 27899-1511                  919-508-1808 or 800-522-0453</p>	
<p><b>FOR OFFICE USE ONLY</b></p>	
<p>Date Complaint Received: _____</p> <p>Processed by: _____</p> <p>Case#: _____</p> <p>Referred to:    <input type="checkbox"/> NCDOT    <input type="checkbox"/> FTA    Date Referred: _____</p>	



## INVESTIGATIVE GUIDANCE

Commented [KW19]: New section and information per NCDOT template.

- A. **Scope of Investigation** – An investigation should be confined to the issues and facts relevant to the allegations in the complaint, unless evidence shows the need to extend the issues.
- B. **Developing an Investigative Plan** – It is recommended that the investigator prepares an Investigative Plan (IP) to define the issues and lay out the blueprint to complete the investigation. The IP should follow the outline below:
1. Complainant(s) Name and Address (Attorney name and address if applicable)
  2. Respondent(s) Name and Address (Attorney for the Respondent(s) name and address)
  3. Applicable Law(s)
  4. Basis/(es)
  5. Allegation(s)/Issue(s)
  6. Background
  7. Name of Persons to be interviewed
    - a. Questions for the complainant(s)
    - b. Questions for the respondent(s)
    - c. Questions for witness(es)
  8. Evidence to be obtained during the investigation
    - a. Issue – Complainant allege that there are only six African American contractors participating in the highway construction industry in the State and their contract awards are very small.
      - i. Documents needed: documents which show all DBE firms which currently have contracts and must include the following 1) name and race of DBE firm; 2) Date of initial certification into the DBE program; 3) type of business; 4) contracts awarded anytime during the period to the present; 5) dollar value of contract.
- C. **Request for Information** – The investigator should gather data and information pertinent to the issues raised in the complaint.
- D. **Interviews** – Interviews should be conducted with the complainant, respondent, and appropriate witnesses during the investigative process. Interviews are conducted to gain a better understanding of the situation outlined in the complaint of discrimination. The main objective during the interview is to obtain information that will either support or refute the allegations.
- E. **Developing an Investigative Report** – The investigator should prepare an investigative report setting forth all relevant facts obtained during the investigation. The report should include a finding for each issue. A sample investigative report is provided below.

**Investigative Report**

**Commented [KW20]:** New section and information per NCDOT template.

- I. **COMPLAINANT(S) NAME** (or attorney for the complainant(s) – name and address if applicable)
- II. **RESPONDENT(S)** (or attorney for the respondent(s) – name and address if applicable)
- III. **APPLICABLE LAW/REGULATION**  
[For example, Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d); 49 CFR §21.11; 49 CFR §26.53]
- IV. **COMPLAINT BASIS(ES)**
- V. **ISSUES/ALLEGATIONS**
- VI. **BACKGROUND**
- VII. **INVESTIGATIVE PROCEDURE**
- VIII. **ISSUES / FINDINGS OF FACT**
- IX. **CONCLUSION**
- X. **RECOMMENDED ACTIONS**

**8.0 SERVICE AREA POPULATION CHARACTERISTICS**

Commented [KW21]: All of Section 8 is new section and information per NCOOT template.

To ensure that Title VI reporting requirements are met, CARTS will collect and maintain population data on potential and actual beneficiaries of our programs and services. This section is intended as a compilation of relevant population characteristics from our overall service area. This data will provide context to the Title VI Nondiscrimination Program and be used to ensure nondiscrimination and improve public outreach initiatives and delivery of ongoing programs.

**8.1 RACE AND ETHNICITY**

The following table was completed using data from American Community Service Table ID: B2001 and ID: B03001, 2018.

Race and Ethnicity Craven County	Number	Percent
Total Population	103,082	100
White	72,467	70.3
Black or African American	22,362	21.7
American Indian or Alaska Native	799	0.8
Asian	2,848	2.8
Native Hawaiian and Other Pacific Islander	99	0.0
Some other Race	1,955	1.9
Two or More Races	2,552	2.5
HISPANIC OR LATINO (of any race)	7,404	7.2
Mexican	4,788	4.6
Puerto Rican	1,399	1.4
Cuban	172	0.1
Other Hispanic or Latino	215	0.2

Race and Ethnicity Jones County	Number	Percent
Total Population	9,695	100
White	6,363	65.6
Black or African American	3,028	31.2
American Indian or Alaska Native	42	0.4
Asian	19	0.2
Native Hawaiian and Other Pacific Islander	0	0.0
Some other Race	101	1.0
Two or More Races	142	1.6
HISPANIC OR LATINO (of any race)	445	4.6
Mexican	229	2.4
Puerto Rican	52	.5
Cuban	0	0
Other Hispanic or Latino	0	0

Race and Ethnicity Pamlico County	Number	Percent
Total Population	12,742	100
White	9,699	76.2
Black or African American	2,324	18.2
American Indian or Alaska Native	29	.2
Asian	75	.6
Native Hawaiian and Other Pacific Islander	0	0
Some other Race	157	1.2
Two or More Races	458	3.7
HISPANIC OR LATINO (of any race)	477	3.7
Mexican	414	3.2
Puerto Rican	53	.4
Cuban	0	0
Other Hispanic or Latino	0	0

## 8.2 AGE & SEX

The following table was completed using data from American Community Survey Table ID: S010, 2018. This chart combines data from all three counties because there are no margins of error on this chart.

Age	Number			Percent		
	Both sexes	Male	Female	Both sexes	Male	Female
Total Population	125,519	63,637	61,882	100%	100%	100%
Under 5 years	7,580	3,989	3,591	6	3.2	2.8
Under 18 years	26,582	13,650	12,932	21.2	10.9	10.3
18 to 64 years	74,758	39,084	35,674	59.5	31.1	28.4
65 years and over	24,179	10,903	13,276	19.3	8.7	10.6
<b>Median Age*</b>	<b>44.8</b>	<b>41.7</b>	<b>47.9</b>			

\*MEDIAN AGE CALCULATED BY GETTING THE AVERAGE MEDIAN AGE FOR EACH COUNTY

### 8.3 DISABILITY

The following table was completed using data from Census Table S1810, Disability Characteristics:2018. The percentage of margin of error varies by county; therefore each county is represented separately.

Subject	Total Craven County		With a Disability		Percent with a Disability	
	Estimate	Margin of Error +/-	Estimate	Margin of Error +/-	Estimate	Margin of Error +/-
Total civilian noninstitutionalized population	95,269	+/-734	15,960	+/-860	16.8	+/-0.9
Population under 5 years	6,684	+/-17	0	+/-29	0.0	+/-0.5
Population 5 to 17 years	16,065	+/-76	1,321	+/-271	8.2	+/-1.7
Population 18 to 64 years	54,345	+/-980	8,104	+/-910	14.9	+/-2.9
Population 65 years and over	18,175	+/-268	6,535	+/-546	35.9	+/-3.8
SEX						
Male	45,092	+/-706	8,029	+/-609	17.8	+/-1.3
Female	50,177	+/-254	7,931	+/-526	15.8	+/-1.1
RACE AND HISPANIC OR LATINO ORIGIN						
White	66,684	+/-739	11,944	+/-706	17.9	+/-1.1
Black or African American	21,112	+/-588	3,315	+/-428	15.7	+/-2.0
American Indian and Alaska Native	721	+/-266	145	+/-75	20.1	+/-13.3
Asian	2,709	+/-349	157	+/-75	5.8	+/-2.8
Native American and Other Pacific Islander	76	+/-57	9	+/-17	11.8	+/-18.5
Some other Race	1,792	+/-512	124	+/-90	6.9	+/-5.0
Two or more races	2,307	+/-602	266	+/-145	11.5	+/-4.9
Hispanic or Latino	6,223	+/-222	622	+/-190	10.0	+/-3.0
Subject	Total Jones County		With a Disability		Percent with a Disability	
	Estimate	Margin of Error +/-	Estimate	Margin of Error +/-	Estimate	Margin of Error +/-
Total civilian noninstitutionalized population	9,628	+/-25	2,405	+/-217	25.0	+/-2.3
Population under 5 years	433	+/-22	0	+/-17	0.0	+/-7.8
Population 5 to 17 years	1,395	+/-46	141	+/-69	10.1	+/-5.0
Population 18 to 64 years	5,747	+/-137	1,284	+/-222	22.3	+/-5.6
Population 65 years and over	2,053	+/-12	980	+/-183	47.7	+/-10.8
SEX						
Male	4,786	+/-69	1,222	+/-132	25.5	+/-2.8
Female	4,42	+/-68	1,183	+/-156	24.4	+/-3.3
RACE AND HISPANIC OR LATINO ORIGIN						
White	6,315	+/-83	1,564	+/-174	24.8	+/-2.8
Black or African American	3,009	+/-110	777	+/-141	25.8	+/-4.9
American Indian and Alaska Native	42	+/-35	13	+/-17	31.0	+/-37.6
Asian	19	+/-20	0	+/-17	0.0	+/-70.6
Native American and Other Pacific Islander	0	+/-17	0	+/-17	-	**
Some other Race	101	+/-78	5	+/-10	5.0	+/-13.5
Two or more races	142	+/-89	46	+/-40	32.4	+/-21.9
Hispanic or Latino	455	+/-2	46	+/-61	10.3	+/-13.7
Subject	Total		With a Disability		Percent with a Disability	
	Estimate	Margin of Error +/-	Estimate	Margin of Error +/-	Estimate	Margin of Error +/-

Total civilian noninstitutionalized population	12,045	+/-201	2,577	+/-255	21.4	+/-2.1
Population under 5 years	463	+/-28	0	+/-19	0.0	+/-7.3
Population 5 to 17 years	1,508	+/-31	98	+/-50	6.5	+/-3.3
Population 18 to 64 years	6,588	+/-250	1,116	+/-250	1.7	+/-4.3
Population 65 years and over	3,495	+/-79	1,363	+/-188	38.9	+/-5.8
SEX						
Male	6,100	+/-190	1,375	+/-162	22.5	+/-2.7
Female	6,249	+/-95	1,246	+/-143	19.9	+/-2.2
RACE AND HISPANIC OR LATINO ORIGIN						
White	9,383	+/-140	1,967	+/-219	21.0	+/-2.4
Black or African American	2,017	+/-167	566	+/-121	28.1	+/-5.7
American Indian and Alaska Native	20	+/-17	14	+/-12	70.0	+/-34.8
Asian	66	+/-23	0	+/-19	0.0	+/-37.9
Native American and Other Pacific Islander	0	+/-19	0	+/-19	-	**
Some other Race	148	+/-87	8	+/-12	5.4	+/-8.6
Two or more races	411	+/-90	22	+/-13	5.4	+/-3.4
Hispanic or Latino	430	+/-45	18	+/-14	4.2	+/-3.1

#### 8.4 POVERTY

The following table was completed using data from Census Table S1701, Poverty Status in the Past 12 Months: 2018. The percentage of margin of error varies by county; therefore each county is represented separately.

Subject Craven County	Total		Below poverty level		Percent below poverty level	
	Estimate	Margin of Error +/-	Estimate	Margin of Error +/-	Estimate	Margin of Error +/-
Population for whom poverty status is determined	97,743	+/-1,570	15,006	+/-3,568	15.4	+/-3.7
AGE						
Under 18	22,467	+/-1,019	4,679	+/-1,847	20.8	+/-8.4
18 to 64	56,095	+/-1,394	8,161	+/-2,144	14.5	+/-3.8
65 years and over	19,181	+/-438	2,166	+/-855	11.3	+/-4.5
SEX						
Male	48,360	+/-1,727	7,405	+/-2,082	15.3	+/-4.3
Female	49,383	+/-1,359	7,601	+/-2,052	15.4	+/-4.1
RACE AND HISPANIC OR LATINO ORIGIN						
White	68,603	+/-1,318	7,306	+/-2,110	10.6	+/-3.1
Black or African American	22,166	+/-1,529	5,687	+/-2,517	25.7	+/-11.6
American Indian and Alaska Native	N	N	N	N	N	N
Asian	N	N	N	N	N	N
Native American and Other Pacific Islander	N	N	N	N	N	N
Some other Race	N	N	N	N	N	N
Two or more races	N	N	N	N	N	N
Hispanic or Latino	6,150	+/-576	1,802	+/-1,087	29.3	+/-17.4
Subject Jones County						
	Total		Below poverty level		Percent below poverty level	
	Estimate	Margin of	Estimate	Margin of	Estimate	Margin of

		<b>Error +/-</b>		<b>Error +/-</b>		<b>Error +/-</b>
Population for whom poverty status is determined	9,655	+/-14	2,526	+/-336	26.2	+/-3.5
AGE						
Under 18	1,821	+/-39	832	+/-165	45.7	+/-8.9
18 to 64	5,781	+/-39	1,471	+/-190	25.4	+/-3.3
65 years and over	2,053	+/-7	223	+/-76	10.9	+/-3.7
SEX						
Male	4,800	+/-67	1,263	+/-189	26.3	+/-3.9
Female	4,855	+/-68	1,263	+/-194	26.0	+/-3.9
RACE AND HISPANIC OR LATINO ORIGIN						
White	6,342	+/-82	1,361	+/-276	21.5	+/-4.3
Black or African American	3,009	+/-110	1,081	+/-232	35.9	+/-7.4
American Indian and Alaska Native	42	+/-35	11	+/-16	26.2	+/-34.6
Asian	19	+/-20	0	+/-17	0.0	+/-70.6
Native American and Other Pacific Islander	0	+/-17	0	+/-17	-	**
Some other Race	101	+/-78	2	+/-4	2.0	+/-4.5
Two or more races	142	+/-89	71	+/-58	50.0	+/-23.6
Hispanic or Latino	445	+/-2	258	+/-82	58.0	+/-18.5
		<b>Total</b>		<b>Below poverty level</b>		<b>Percent below poverty level</b>
<b>Subject Pamlico County</b>	<b>Estimate</b>	<b>Margin of Error +/-</b>	<b>Estimate</b>	<b>Margin of Error +/-</b>	<b>Estimate</b>	<b>Margin of Error +/-</b>
Population for whom poverty status is determined	12,007	+/-206	1,696	+/-420	14.1	+/-3.5
AGE						
Under 18	1,933	+/-54	462	+/-193	23.9	+/-10.0
18 to 64	6,579	+/-190	941	+/-231	14.3	+/-3.5
65 years and over	3,495	+/-48	293	+/-93	8.4	+/-2.6
SEX						
Male	5,874	+/-201	801	+/-204	13.6	+/-3.4
Female	6,133	+/-71	895	+/-253	14.6	+/-4.1
RACE AND HISPANIC OR LATINO ORIGIN						
White	9,347	+/-144	1,049	+/-344	11.2	+/-3.7
Black or African American	2,017	+/-167	500	+/-145	24.8	+/-7.1
American Indian and Alaska Native	20	+/-17	1	+/-3	5.0	+/-17.2
Asian	66	+/-23	0	+/-19	0.0	+/-37.9
Native American and Other Pacific Islander	0	+/-19	0	+/-19	-	**
Some other Race	148	+/-87	79	+/-88	53.4	+/-41.3
Two or more races	409	+/-89	67	+/-60	16.4	+/-14.1
Hispanic or Latino	430	+/-45	163	+/-101	37.9	+/-24.4

### 8.5 HOUSEHOLD INCOME

The following table was completed using data from Census Table S1901, Income in the Past 12 Months :2018. The percentage of margin of error varies by county; therefore each county is represented separately.

Subject Craven County	Households	
	Estimate	Margin of Error +/-
Total	40,871	+/-625
Less than \$10,000	6.2%	+/-0.9
\$10,000 to \$14,999	5.4%	+/-0.8
\$15,000 to \$24,999	10.5%	+/-1.2
\$25,000 to \$34,999	11.9%	+/-1.2
\$35,000 to \$49,999	15.1%	+/-1.1
\$50,000 to \$74,999	20.4%	+/-1.4
\$75,000 to \$99,999	12%	+/-1.3
\$100,000 to \$149,999	11.2%	+/-1.1
\$150,000 to \$199,999	4.1%	+/-0.7
\$200,000 or more	3.3%	+/-0.7
Median income (dollars)	50,870	+/-1,421
Mean income (dollars)	67,598	+/-2,219
Subject Jones County	Households	
	Estimate	Margin of Error +/-
Total	4,137	+/-134
Less than \$10,000	11.1%	+/-3.0
\$10,000 to \$14,999	10.9%	+/-3.4
\$15,000 to \$24,999	14.7%	+/-3.3
\$25,000 to \$34,999	11.9%	+/-2.4
\$35,000 to \$49,999	11.7%	+/-2.8
\$50,000 to \$74,999	17.7%	+/-3.3
\$75,000 to \$99,999	11.6%	+/-2.9
\$100,000 to \$149,999	7.8%	+/-2.1
\$150,000 to \$199,999	1.6%	+/-0.8
\$200,000 or more	1.0%	+/-0.7
Median income (dollars)	36,892	+/-7,327
Mean income (dollars)	49,842	+/-4,405
Subject Pamlico County	Households	
	Estimate	Margin of Error +/-
Total	5,352	00+/-225
Less than \$10,000	7.8%	+/-2.0
\$10,000 to \$14,999	5.8%	+/-1.4
\$15,000 to \$24,999	12.7%	+/-2.1
\$25,000 to \$34,999	12.8%	+/-2.4
\$35,000 to \$49,999	16.1%	+/-2.6
\$50,000 to \$74,999	17.1%	+/-2.6
\$75,000 to \$99,999	11.8%	+/-2.1
\$100,000 to \$149,999	10.4%	+/-1.9
\$150,000 to \$199,999	2.6%	+/-1.0

\$200,000 or more	3.1%	+/-0.9
Median income (dollars)	44,947	+/-3,393
Mean Income (dollars)	62,842	+/-4,484

### 8.6 LIMITED ENGLISH PROFICIENCY POPULATIONS

The following table was completed using data from Census Table B16001, Language Spoke at Home by Ability to Speak English for the Population 5 Years and Older; 2015.

LANGUAGE SPOKEN AT HOME	Estimate	Margin of Error	Percent of Population	Margin of Error
Total (population 5 years and over):	119,132	+/- 115	100%	(X)
Speak only English	109,882	+/- 880	91.2%	+/-0.7%
Spanish or Spanish Creole:	5,833	+/- 651	3.9%	+/- 0.5%
Speak English "very well"	3,605	+/- 552	2.1%	+/- 0.4%
Speak English less than "very well"	2,228	+/- 509	1.8%	+/-0.4%

### 8.7 POPULATION LOCATIONS

Federal-aid recipients are required to know the characteristics and locations of populations they serve, particularly by race/ethnicity, poverty and limited English proficiency. This can be accomplished through maps that overlay boundaries and demographic features on specific communities.

### 9.0 TITLE VI EQUITY ANALYSES (AND ENVIRONMENTAL JUSTICE ASSESSMENTS)

As required under FTA C 4702.1B and 4703.1, Title VI equity and environmental justice (EJ) analyses will be conducted whenever we plan to construct (or modify) a facility, such as a vehicle storage facility, maintenance facility, operation center, etc., when there will be an increase in fares, or when there will be a major service reduction. These studies will be conducted to see if the change could result in either a disparate impact based on race, color or national origin (Title VI) or a disproportionately high and adverse impact to minority and/or low-income populations (EJ). Thus, they will look at various alternatives before selecting a site for the facility. Project-specific demographic data will be collected on potentially affected communities and their involvement in associated decision-making activities will be documented. Specific studies will be made available to oversight agencies during compliance reviews or to evidence our due diligence should a complaint be filed in relation to the location and effect of a proposed facility or fare increases. Project-related equity and EJ studies will remain on file indefinitely.

## 10.0 PUBLIC INVOLVEMENT

Commented [KW22]: New section and information per NCDOT template.

### 10.1 INTRODUCTION

Effective public involvement is a key element in addressing Title VI in decision-making. Recipients engaged in planning and other decision-making activities must have a documented public participation process that provides adequate notice of public participation activities, and early and continuous opportunities for public review and comment at key decision points. Underlying these efforts is our commitment to determining the most effective outreach methods for a given project or population.

This **Public Participation Plan** describes how CARTS will disseminate vital agency information and engage the public by seeking out and considering the needs and input of interested parties and those traditionally underserved by existing transportation systems, such as minority and limited English proficient persons, who may face challenges accessing programs and other services. General public involvement practices will include:

Commented [KW23]: We had a separate public involvement plan originally.

- Scheduling meetings at times and locations that are convenient and accessible for minority and LEP communities.
- Employing different meeting sizes and formats.
- Coordinating with community- and faith-based organizations, educational institutions, and other entities to implement public engagement strategies that reach out specifically to members of affected minority and/or LEP communities.
- Providing opportunities for public participation through means other than written communication, such as personal interviews or use of audio or video recording devices to capture oral comments.
- Considering radio, television, or newspaper ads on stations and in publications that serve LEP populations. Outreach to LEP persons could also include audio programming available on podcasts.

### 10.2 PUBLIC NOTIFICATION

Passengers and other interested persons will be informed of their rights under Title VI and related authorities with regard to our program. The primary means of achieving this will be posting and disseminating the policy statement and notice as stipulated in Sections 3.0 and 4.0, respectively. Additional measures may include openly stating our obligations and the public's rights at meetings, placing flyers at places frequented by targeted populations, and an equal opportunity tag-on at the end of radio announcements. The method of notification will be determined through an initial screening of the area.

### 10.3 DISSEMINATION OF INFORMATION

Information on Title VI and other programs will be crafted and disseminated to employees, contractors and subrecipients, stakeholders, and the general public. Public dissemination efforts may vary depending on factors present, but will generally include: posting public statements setting forth our nondiscrimination policy in eye-catching designs and locations; placing brochures in public places, such as government offices, transit facilities, and libraries; having nondiscrimination language within contracts; including nondiscrimination notices in meeting announcements and handouts; and displaying our Notice of Nondiscrimination at all our public meetings.

At a minimum, nondiscrimination information will be disseminated on our website and on posters in conspicuous areas at our office(s). Project-related information and our most current Title VI-related information will be maintained online.

### 10.4 MEETINGS AND OUTREACH

There is no one-size-fits-all approach to public involvement. A variety of comprehensive and targeted public participation methods will be used to facilitate meaningful public involvement. Methods for engaging stakeholders and target audiences, including traditionally underserved and excluded populations (i.e., minorities, youth, low-income, the disabled, etc.) will include the following:

### Public Relations and Outreach

Public relations and outreach (PRO) strategies aim to conduct well-planned, inclusive and meaningful public participation events that foster good relations and mutual trust through shared decision-making with the communities we serve.

- We will seek out and facilitate the involvement of those potentially affected.
- Public events will aim to be collaborative, fun, and educational for all, rather than confrontational and prescriptive.
- Media plans will typically involve multiple channels of communication like mailings, radio, TV, and newspaper ads.
- Abstract objectives will be avoided in meeting announcements. Specific "attention-grabbing" reasons to attend will be used, such as "Help us figure out how to relieve congestion on [corridor name]" or "How much does it cost CARTS? Let us know on [date]."
- Efforts will be made to show how the input of participants can, or did, influence final decisions.
- We will do our best to form decision-making committees that look like and relate to the populations we serve.
- We will seek out and identify community contacts and partner with local community- and faith-based organizations that can represent, and help us disseminate information to, target constituencies.
- Demographic data will be requested during public meetings, surveys, and from community contacts and committee members.

### Public Meetings

"Public meeting" refers to any meeting open to the public, such as hearings, charrettes, open house and board meetings.

- Public meetings will be conducted at times, locations, and facilities that are convenient and accessible.
- Meeting materials will be available in a variety of predetermined formats to serve diverse audiences.
- An assortment of advertising means may be employed to inform the community of public meetings.
- Assistance to persons with disabilities or limited English proficiency will be provided, as required.

### Small Group Meetings

A small group meeting is a targeted measure where a meeting is held with a specific group, usually at their request or consent. These are often closed meetings, as they will typically occur on private property at the owner's request.

- If it is determined that a targeted group has not been afforded adequate opportunities to participate, the group will be contacted to inquire about possible participation methods, including a group meeting with them individually.
- Unless unusual circumstances or safety concerns exist, hold the meeting at a location of the target group's choosing.
- Share facilitation duties or relinquish them to members of the target group.
- Small group discussion formats may be integrated into larger group public meetings and workshops. When this occurs, the smaller groups will be as diverse as the participants in the room.

### Community Surveying

- Opinion surveys will occasionally be used to obtain input from targeted groups or the general public on their transportation needs, the quality or costs of our services, and feedback on our public outreach efforts.
- Surveys may be conducted via telephone, door-to-door canvassing, at community fairs, by placing drop boxes in ideal locations, or with assistance from other local agencies like social services.

#### 10.5 LIMITED ENGLISH PROFICIENCY

Limited English Proficient (LEP) persons refers to persons for whom English is not their primary language who have a limited ability to read, write, speak, or understand English. It includes people who reported to the U.S. Census that they speak English less than very well, not well, or not at all.

**Commented [KW24]:** This was a separate document with less details. New section and information per NCDOT template. We did not have a Four Factor Analysis original and we were instructed to include it in the next plan.

In an effort to comply with DOT's LEP policy guidance and Executive Order 13166, this section of our public participation plan outlines the steps we will take to ensure meaningful access to all benefits, services, information, and other important portions of our programs and activities by individuals who are limited-English proficient. Accordingly, a four factor analysis was conducted to determine the specific language services appropriate to provide, and to whom, to inform language assistance planning and determine if our communication with LEP persons is effective.

**Four Factor Analysis**

This Four Factor Analysis is an individualized assessment that balances the following four factors:

- (1) The number or proportion of LEP persons eligible to be served or likely to be encountered by a program, activity, or service of the recipient or grantee;
- (2) The frequency with which LEP individuals come in contact with the program;
- (3) The nature and importance of the program, activity, or service provided by the recipient to people's lives; and
- (4) The resources available to the recipient and costs.

**Factor #1: *The number or proportion of LEP persons eligible to be served or likely to be encountered by the program, activity, or service of the recipient.***

LANGUAGE SPOKEN AT HOME	Estimate	Margin of Error	Percent of Population	Margin of Error
Total (population 5 years and over):	119,132	+/- 115	100%	(X)
Speak only English	109,882	+/- 880	91.2%	+/- 0.7%
Spanish or Spanish Creole:	5,833	+/- 651	3.9%	+/- 0.5%
Speak English "very well"	3,605	+/- 552	2.1%	+/- 0.4%
Speak English less than "very well"	2,228	+/- 509	1.8%	+/- 0.4%

CARTS works with the local refugee agency to explain CARTS in the refugee's native language. This usually involves making a presentation which includes opportunity for the individuals to board and explore a transit vehicle. CARTS may also work with other agencies to provide a travel training experience.

**Factor #2: *The frequency with which LEP individuals come in contact with the program.***

CARTS has been monitoring the frequency with which LEP individuals have come in contact with CARTS. Hispanic or Latino riders make use of both the fixed route and demand response services. Information for passengers is available through the CARTS webpage, <https://www.cravencountync.gov/165/Transportation-CARTS>.

LEP individuals are represented on the CARTS Transportation Advisory Board (TAB). While not a policy making body, the TAB makes recommendations to the governing board.

All grant application public hearing notices are at a minimum published in the New Bern Sun-Journal, on the Craven County website <https://www.cravencountync.gov/>.

**Factor #3: *The nature and importance of the program, activity, or service provided by the recipient to people's lives.***

CARTS provides service to all major employment, medical facilities, education, human services agencies, and recreation sites within the Craven, Jones, and Pamlico counties either by fixed route or demand response service.

**Factor #4: *The resources available to the recipient and costs.***

CARTS has numerous resources that could be used to provide LEP assistance to customers. This includes identifying CARTS staff, volunteers, community college, and county staff. Cost for these services has been free.

#### **LANGUAGE ASSISTANCE PLAN**

As a result of the above four factor analysis, a Language Assistance Plan (LAP) was not required. However, reasonable attempts will be made to accommodate any persons encountered who require written translation or oral interpretation services.

#### **Language Assistance Measures**

The following general language assistance measures are reasonable and achievable for our organization at this time:

- Translating public notices posted in the local paper and at stations, stops, and in vehicles into the languages of all language groups that met the threshold in Factor 1.
- Making a concerted effort to inform LEP persons of available language assistance via staff, broadcast media, relationship-building with organizations, and our website.
- Posting vital bulletin board information and disseminating community surveys in various languages.
- Providing translation and interpretive services when appropriate (upon request or predetermined) at meetings.
- Determining how best to take public involvement to LEP groups directly, including through small group meetings.
- Utilizing or hiring staff who speak a language other than English and can provide competent language assistance.  
Note: We will not ask community-based organizations to provide, or serve as, interpreters at our meetings. Relying upon CBOs in that capacity could raise ethics concerns. If a CBO decides (on its own) to translate any materials for its constituents, or bring interpreters it trusts to our meetings, we cannot object. That is their right.
- Using language identification flashcards to determine appropriate services.
- Establishing a process to obtain feedback on our language assistance measures.

#### **Written Translation and Oral Interpretation**

Vital documents will be translated for each eligible LEP language group in our service area that constitutes 5% or 1,000, whichever is less, of the population of persons eligible to be served or likely to be encountered. Translated materials will be placed online and in appropriate public (or private) places accessible to LEP persons. The safe harbor provisions apply to the translation of written documents only, and do not affect the requirement to provide meaningful access to LEP individuals through competent oral interpreters where oral language services are needed and are reasonable. When appropriate, translation of any document will be communicated orally in the appropriate language.

In the event that the 5% trigger is reached for a LEP language group that is fewer than 50 persons, written notice will be provided in the primary language of that group of the right to receive competent oral interpretation of vital written materials, free of cost. The most effective method of notice, which could be an ad in the local newspaper or other publication, a radio commercial, or door hangers, will be determined in consideration of the circumstances on the ground and in coordination with language access resource contacts (LARC)s).

#### Staff Support for Language Assistance

- Agency staff will be provided a list of referral resources that can assist LEP persons with written translation and oral interpretation, including the Title VI Officer and any outside consultant contracted to provide language services. This list will be updated as needed to remain current.
- All main offices and vehicles will have on hand a supply of language assistance flashcards and materials translated into the languages of the largest LEP language groups. When encountered by an LEP person, staff (including drivers) should present the individual with a flashcard and let them choose the language. Do not assume you know their preferred language. Drivers are permitted to seek volunteer assistance from other passengers before contacting a referral resource. Document the encounter and report it to the Title VI Coordinator.
- Training: All employees will be instructed on our procedures for providing timely and reasonable assistance to LEP persons. New employee orientation will also explain these procedures to new hires. Staff routinely encountering LEP persons by telephone or in person will receive annual refresher training. All other employees will be reminded of LEP through annual Title VI program acknowledgements (Section 5.0) and basic Title VI trainings (Section 11.0).

#### Project-Specific LEP Outreach

A project-specific four factor analysis will be conducted for any project being planned or scheduled outreach event limited to a specific geographical area delineated for that activity (i.e., the project study area or outreach area, respectively). Language assistance will be provided in accordance with the measures already outlined, including translating written materials for each LEP language group that is 5% or 1,000, whichever is less, of the project or outreach area population.

#### Monitoring and Updating the LAP

Monitoring of daily interactions with LEP persons will be continuous, thus assistance techniques may be refined at any time. This LAP will be periodically reviewed to determine if our language assistance measures and staff training are working. Resource availability and feedback from agency staff and the general public will be factors in the evaluation and any proposed updates. Among other practices, this process will include working with LEP community contacts to determine if our employees are responding appropriately to requests made with limited English or in languages other than English, and observing how agency staff responds to requests, including observing drivers or surveying riders. To the best of our ability, we will attempt to never eliminate a successful existing LEP service. Significant LEP program revisions will be approved or adopted by our board or designated official and dated accordingly. LEP data and procedures will be reviewed and updated at least once every three years.

### 10.6 DEMOGRAPHIC REQUEST

The following form was used to collect required data on Key Community Contacts and nonelected committee members.

CARTS is required by Title VI of the Civil Rights Act of 1964 and related authorities to record demographic information on members of its boards and committees. Please provide the following information:

<b>Race/Ethnicity:</b> <input type="checkbox"/> White <input type="checkbox"/> Black/African American <input type="checkbox"/> Asian <input type="checkbox"/> American Indian/Alaskan Native <input type="checkbox"/> Native Hawaiian/Pacific Islander <input type="checkbox"/> Hispanic/Latino <input type="checkbox"/> Other (please specify): _____	<b>National Origin:</b> (if born outside the U.S.) <input type="checkbox"/> Mexican <input type="checkbox"/> Central American: _____ <input type="checkbox"/> South American: _____ <input type="checkbox"/> Puerto Rican <input type="checkbox"/> Chinese <input type="checkbox"/> Vietnamese <input type="checkbox"/> Korean <input type="checkbox"/> Other (please specify): _____
<b>Gender:</b> <input type="checkbox"/> Male <input type="checkbox"/> Female	<b>Age:</b> <input type="checkbox"/> Less than 18 <input type="checkbox"/> 45-64 <input type="checkbox"/> 18-29 <input type="checkbox"/> 65 and older <input type="checkbox"/> 30-44
<b>Disability:</b> <input type="checkbox"/> Yes <input type="checkbox"/> No	
<b>I choose not to provide any of the information requested above:</b> <input type="checkbox"/>	

Completed forms will remain on file as part of the public record. For more information regarding Title VI or this request, please contact CARTS at 252-636-4917 or by email at [carts@cravencountync.gov](mailto:carts@cravencountync.gov).

Please sign below acknowledging that you have completed this form.

Thank you for your participation!

Name (print): \_\_\_\_\_

Signature: \_\_\_\_\_

**Implementation**

- Forms will be completed prior to triennial Title VI compliance reviews and remain on file for three years.
- All new and existing members of appointed decision-making boards or committees will be **required** to complete this form for reporting purposes.
- If a member, for whatever reason, selects "*I choose not to provide any of the information requested above,*" they will have also **completed** the form.
- If a member chooses not to provide any of the information on the form, the Title VI Coordinator will be permitted to indicate that member's race and gender, based on the Coordinator's best guess.
- Data from these forms will be used to complete the Demographic Request Table.
- Once a new member submits this form, the Demographic Request Table for the associated committee will be updated.

### 10.7 KEY COMMUNITY CONTACTS

Contact Name	Community Name	Interest or Affiliation	Also a Committee Member? (Y/N)
Thomas F. Mark	Craven County	Chairman, Craven County Board of Commissioners	No
Kim Maxey	New Bern Urbanized Area	New Bern Area Metropolitan Planning Organization	Yes
B. J. Eversole	Craven, Jones, and Pamlico Counties	Down East Rural Planning Organization	Yes

Contact information for key community contacts is not public information and is maintained outside of this document. Any staff member who wishes to contact anyone listed above must request that information from the Title VI Coordinator.

### 10.8 SUMMARY OF OUTREACH EFFORTS MADE SINCE THE LAST TITLE VI PROGRAM SUBMISSION

The following format will be used to report all outreach efforts made since our last NCDOT Title VI Compliance Review. All meetings and disseminations of information shall enable collection of information for the table below:

Meeting Date	Meeting Time	Meeting Purpose	Target Audience	Information Disseminated
02/16/2018	11am – 5pm	Meet and greet within Pamlico County	Governmental, non-profits, and nursing home	Information about CARTS services
03/15/2018	1:00pm	Share information about CARTS to agency community representatives	Pamlico DSS staff	Information about CARTS services
03/24/2018	11:30am – 4:30pm	Community Forum	General public including elderly and disabled	Information about CARTS services
04/14/2018	9:00am – 2:00pm	Health Fair	General Public with focus on elderly and disabled	Information about CARTS services
05/11/2018	8:00am	Share information about CARTS to agency representatives	General public including elderly and disabled	Information about CARTS services
06/05/2018	10:30am – 1:30pm	Summer Resource Fair at Craven Community College	General public	Information about CARTS services
10/6/2018	10:00am – 10:30am	Share information about CARTS to agency community representatives	Jones County Health Dept. staff	Information about CARTS services
11/16/2018	12:00pm	Share information about CARTS to community representatives	Jones County Juvenile Crime Prime Council	Information about CARTS services
05/11/2019	10:00am – 2:00pm	Pamlico Family Fun Day	General public including elderly and disabled	Information about CARTS services
05/31/2019	9:00am-11:00am	Jones County Health Expo	Elderly	Information about CARTS services
06/18/2019	Facebook Campaign	Facebook Campaign	General public	Information about CARTS services
06/22/2019	10:00am – 4:00pm	Duffest	General public including elderly and disabled	Information about CARTS services
07/18/2019	2:00pm – 5:00pm	Summer Showcase at New Bern Mall	General public including elderly and disabled	Information about CARTS services
08/16/2019	10:00am – 2:00pm	Outreach using Craven County Elections Training Room	General public including elderly and disabled	Information about CARTS services; Solicit information from the public regarding what they need their transit system to be

08/20/2019	12:00pm – 4:00pm	Outreach at Havelock Health Center	General public including elderly and disabled	Information about CARTS services; Solicit information from the public regarding what they need their transit system to be
08/20/2020	5:00pm – 7:00pm	Outreach at Harlowe Community Center	General public including elderly and disabled	Information about CARTS services; Solicit information from the public regarding what they need their transit system to be
08/21/2019	12:00pm – 3:00pm	Outreach at Bridgeton Town Hall	General public including elderly and disabled	Information about CARTS services; Solicit information from the public regarding what they need their transit system to be
08/22/2019	6:00pm – 8:00pm	Outreach at River Bend Town Hall	General public including elderly and disabled	Information about CARTS services; Solicit information from the public regarding what they need their transit system to be
08/23/2019	10:00am – 2:00pm	Outreach at Fairfield Harbor Activity Bldg	General public including elderly and disabled	Information about CARTS services; Solicit information from the public regarding what they need their transit system to be
08/24/2019	11:00am – 1:30pm	Outreach at Pamlico Public Library	General public including elderly and disabled	Information about CARTS services; Solicit information from the public regarding what they need their transit system to be
08/26/2019	10:00am – 8:00pm	Outreach at Craven Community College	General public including elderly and disabled	Information about CARTS services; Solicit information from the public regarding what they need their transit system to be
08/27/2019	3:00pm – 6:00pm	Outreach at New Bern Public Library	General public including elderly and disabled	Information about CARTS services; Solicit information from the public regarding what they need their transit system to be
08/29/2019	9:00am – 11:00am	Outreach at Trent Woods Town Hall	General public including elderly and disabled	Information about CARTS services; Solicit information from the public regarding what they need their transit system to be
09/09/2019	4:00pm – 7:30pm	Outreach at Cove City Public Library	General public including elderly and disabled	Information about CARTS services; Solicit information from the public regarding what they need their transit system to be
09/10/2019	4:00pm – 7:30pm	Outreach at Vanceboro Public Library	General public including elderly and disabled	Information about CARTS services; Solicit information from the public regarding what they need their transit system to be
09/12/2019	7:00pm – 9:00pm	Outreach at Carolina Pines Township 6 Fire Dept	General public including elderly and disabled	Information about CARTS services; Solicit information from the public regarding what they need their transit system to be
09/17/2019	6:30pm – 8:00pm	Outreach at Harlowe Community Center	General public including elderly and disabled	Information about CARTS services; Solicit information from the public regarding what they need their transit system to be
09/19/2019	11:00am – 1:30pm	Pantherfest at Craven Community College	General public including elderly and disabled	Information about CARTS services
09/25/2019	9:00am – 11:00am	Outreach at RCS Community Kitchen	General public including elderly and disabled	Information about CARTS services; Solicit information from the public regarding what they need their transit system to be
10/03/2019	2:00pm – 4:00pm	Outreach at Fairfield Harbor Community Bldg	General public including elderly and disabled	Information about CARTS services; Solicit information from the public regarding what they need their

				transit system to be
10/05/2019	11:00am – 12:00pm	Bryant Chapel Fellowship Hall Senior Celebration	Elderly and disabled	Information about CARTS services
10/22/2019	6:00pm – 7:30pm	Craven Connection	General public including elderly and disabled	Information about CARTS services
11/02/2019	1:00pm – 5:00pm	Habitat for Humanity Block Party	General public including elderly and disabled	Information about CARTS services
11/08/2019	9:00am – 3:00pm	Jones County Heritage Festival	General public including elderly and disabled	Information about CARTS services

**11.0 STAFF TRAINING**

**Commented [KW25]:** New section and information per NCDOT template.

All employees will receive basic Title VI training at least once every three years. New hires will receive this training prior to providing revenue service. Basic training will cover all sections of this Plan and our overall Title VI obligations. Staff may receive specialized training on the application of Title VI in their specific work areas. Those who routinely encounter the public, such as office personnel, call center staff, and vehicle drivers, will receive annual refresher training. Trainings will be provided or organized by the Title VI Coordinator (or designee), and will often coincide with updates to our nondiscrimination policies and procedures. Records of staff trainings will remain on file for at least three years (and in personnel files), and will include agendas, sign-in sheets, copies of calendars, and any certificates issued.

**12.0 NONELECTED BOARDS AND COMMITTEES – BY RACE AND GENDER**

**Commented [KW26]:** New section and information per NCDOT template.

The table below depicts race and gender compositions for each of our nonelected (appointed) decision-making bodies. Refer to Appendix C for membership slots approved by the Craven County Board of Commissioners.

Body	Male %	Female %	Caucasian %	African American %	Asian American %	Native American %	Other %	Hispanic %
Service Area Population								
Transit Advisory Board	18.75	81.25	50	37.5	0	0	12.5	0

**Strategies for Representative Committees**

We will seek minority participation and strive for committees that are representative of our constituencies by:

- Openly asking public and small group meeting participants if they would be interested in serving on a committee.
- Seeking referrals from local organizations and key community contacts that serve or represent minorities.
- Exploring different types of committees, such as ad hoc minority- or youth-only Citizen Advisory Committees.
- Outreach efforts and responses (or lack thereof from those asked to serve or refer others) will be documented.

**13.0 RECORD-KEEPING AND REPORTS**

**Commented [KW27]:** Different format, change in information.

Records will be kept to document compliance with the requirements of the Title VI Program. Unless otherwise specified, Title VI-related records shall be retained indefinitely. These records will be made available for inspection by authorized

officials of the NCDOT and/or FTA. As a subrecipient of FTA funds through NCDOT, we are required to submit a Title VI Program update to NCDOT every three years, the next of which is due in 2020. Reports on Title VI-related activities and progress to address findings identified in civil rights compliance reviews and assessments may also be submitted on an as-requested basis. It will occasionally be necessary to update this program plan and its component parts (e.g., complaints, Public Involvement, and LEP), applicable documents, and responsible officials. Updates will be submitted to NCDOT for review and approval.

In addition to other items throughout this plan, records and reports due at the time of compliance reviews or investigations will include:

Compliance Reviews

- Title VI Program Plan
- List of civil rights trainings provided or received
- Summaries from any *internal* reviews conducted
- Ads and notices for specific meetings
- Findings from reviews by any other *external* agencies
- Title VI equity analyses and EJ assessments
- Discrimination Complaints Log

Complaint Investigations

- Investigative Reports
- Discrimination complaint, as filed
- List of interviewees (names and affiliations)
- Supporting Documentation (e.g., requested items, photos taken, dates and methods of contact, etc.)

## 14.0 TRANSIT PROVIDERS

Commented [KW28]: Different format.

### 14.1 SERVICE STANDARDS

#### Vehicle load

CARTS operates two (2) bi-directional loops, utilizing three (3) 22' Light Transit Vehicles (1 spare). Each vehicle has a capacity of two (2) wheelchair and twelve (12) ambulatory passengers (no standees).

#### Vehicle headway

The first route begins service at 7:00am, and pulls into the parking lot to be out of service at 3:45 p.m. The second route begins service at 8:00 a.m., and pulls into the parking lot to be out of service at 5:00 p.m. The bi-directional loops have approximately 90-100 minute headways, but the routes cross paths throughout that time, at approximately 30-40 minute intervals.

#### On time performance

The intended standard will be zero (0) minutes early at stops and no more than five (5) minutes late.

#### Service availability

Both loops cover the same neighborhoods, shopping, and medical stops. There are occasional capacity issues, which are typically the first week or so of each semester of classes for Craven Community college, and only on the first run of the day.

### 14.2 SERVICE POLICIES

Commented [KW29]: Different format.

#### Transit Amenities for each mode

CARTS does not have transit amenities (shelters, benches, etc.) in place.

#### Vehicle Assignment for each mode

The assignment of vehicles is not applicable to the service mode offered by at CARTS, in that both loops cover the same areas. Vehicle assignment will be applicable when they system develops further.

## Appendix A

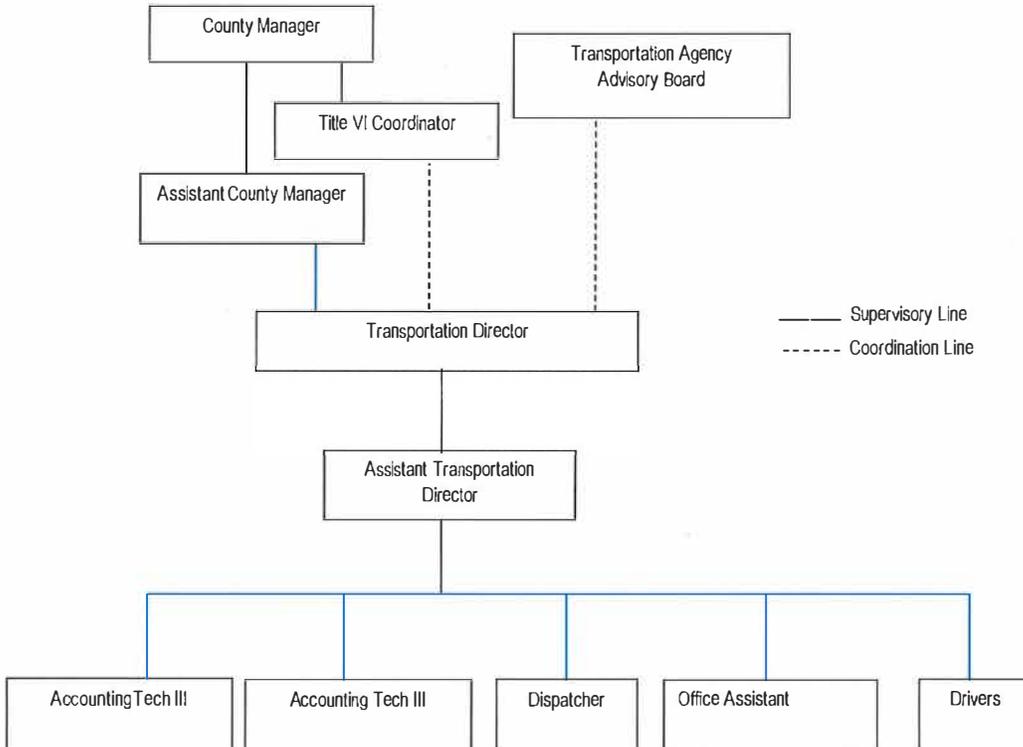
### Applicable Nondiscrimination Authorities

Commented [KW30]: New section and Information per NCDOT template.

During the implementation of this Title VI Program, the organization, for itself, its assignees and successors in interest, is reminded that it has agreed to comply with the following non-discrimination statutes and authorities, including but not limited to:

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.*, 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21.
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 *et seq.*), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27;
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 *et seq.*), (prohibits discrimination on the basis of age);
- The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not);
- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131-12189) as implemented by Department of Transportation regulations at 49 C.F.R. parts 37 and 38;
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 *et seq.*).
- Title VII of the Civil Rights Act of 1964 (42 U.S.C. § 2000e *et seq.*, Pub. L. 88-352), (prohibits employment discrimination on the basis of race, color, religion, sex, or national origin);
- 49 CFR Part 26, regulation to ensure nondiscrimination in the award and administration of DOT-assisted contracts in the Department's highway, transit, and airport financial assistance programs;
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 *et seq.*), (prohibits discrimination on the basis of sex);
- Airport and Airway Improvement Act of 1982, (49 USC § 4 71, Section 4 7123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Federal Aviation Administration's Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex).

**Appendix B  
Organizational Structure**



## Appendix C

### CARTS Transportation Advisory Board Composition

Approved by the Craven County Board of Commissioners October 5, 2015

Commented [KW31]: New section and information per NCDOT template.

The CARTS TAB is a locally formed advisory group based on guidelines provided by the North Carolina Department of Transportation/Public Transportation Division (NCDOT/PTD). Each transportation system is required to have a TAB approved by the governing board. NCDOT/PTD has recommended guidelines and requirements regarding TAB composition. These recommendations are conveyed through the Community Transportation Program Overview provided by NCDOT/PTD. This document includes examples provided in the Overview as well as the slots approved by the Craven County Board of Commissioners for each category on the CARTS TAB. Slots have been designated based on historical participation on the CARTS TAB, identified areas of under representation, and consideration for representation of all geographical areas within the CARTS service area.

Examples of Public Human Service Agencies include: Senior Services, DSS, Vocational Rehabilitation, Head Start, Shelter Workshop, Health Dept., Veterans Administration, Smart Start, Mental Health, Housing Authority, and Human Service Transit Users. Designated slots for the CARTS TAB under the category of Public Human Service Agencies are as follows:

1. Department of Social Services
  - a. Craven County Department of Social Services
  - b. Jones County Department of Social Services
  - c. Pamlico County Department of Social Services
2. Vocational Rehabilitation
3. Mental Health
  - a. Trillium Health Services
  - b. Port Human Services
4. One agency representing Senior Services, Health Dept., Veterans Administration, or Housing Authority
5. One agency representing Senior Services, Health Dept., Veterans Administration, or Housing Authority not already represented in slot 4.

Examples of Transportation Providers include: private transportation providers, intercity bus providers, ambulance service, regional authority, urban system, faith based services, volunteers. Designated slots for the CARTS TAB under the category of Transportation Providers are as follows:

1. Private transportation provider
  - a. Craven County
  - b. Jones County
  - c. Pamlico County
2. Ambulance service
3. One agency representing faith based services or volunteers

Examples of public and business sectors include: Chamber of Commerce, major employers, DBE's, hospital/dialysis center staff, non-profit organizations, employment transit users, general public transit users, and public citizens.

Designated slots for the CARTS TAB under the category of public and business sectors are as follows:

1. Dialysis Center
  - a. Craven County (which also serves Pamlico County)
  - b. Jones County
2. Hospital or other medical provider entity serving Craven, Jones, and/or Pamlico County
3. Non-profit
4. Public citizen or non-profit
5. Public citizen or non-profit

Examples of government and governmental affiliates include: MPO, RPO, economic development, Employment Security Commission, job link and/or career centers, elected officials, county government staff, community college. Designated slots for the CARTS TAB under the category of government and governmental affairs are as follows:

1. MPO
2. RPO
3. Economic Development
  - a. Craven County
  - b. Jones County
  - c. Pamlico County
  - d. City of New Bern
4. NC Department of Commerce – Division of Employment services, NC Joblink, or career center
5. Elected official
6. County government staff (i.e. County Manager, Finance Officer, etc.)
  - a. Craven County
  - b. Jones County
  - c. Pamlico County
7. Community college
  - a. Craven Community College
  - b. Lenoir Community College (Jones County)
  - c. Pamlico Community College

A Transit User is a passenger that currently utilizes the transit system. There will be four designated slots for this category.

1. Craven County (rural)
2. Jones County (rural)
3. Pamlico County (rural)
4. City of New Bern (urban)



Note: This is a modified view of the original table produced by the U.S. Census Bureau.

Note: This download or printed version may have missing information from the original table.

LANGUAGE SPOKEN AT HOME BY ABILITY TO SPEAK ENGLISH FOR THE POPULATION 5 YEARS AND OVER

Survey/Program:  
American Community Survey  
Universe:  
Population 5 years and over  
Year:  
2015  
Estimate:  
5-Year  
TableID:  
B16001

	Warren County, North Carolina		Jones County, North Carolina		Pamlico County, North Carolina	
	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error
✓ Total	96,972	+/-52	9,685	+/-24	12,475	+/-39
Speak only English	88,861	+/-612	9,244	+/-71	11,777	+/-97
✓ Spanish or Spanish Creole:	5,015	+/-453	392	+/-57	426	+/-141
Speak English "very well"	3,155	+/-355	165	+/-89	285	+/-108
Speak English less than "very well"	1,860	+/-243	227	+/-91	141	+/-55
✓ French (incl. Patois, Cajun):	254	+/-138	0	+/-19	33	+/-24
Speak English "very well"	241	+/-138	0	+/-19	26	+/-24
Speak English less than "very well"	13	+/-18	0	+/-19	7	+/-10
✓ French Creole:	0	+/-28	0	+/-19	0	+/-19
Speak English "very well"	0	+/-28	0	+/-19	0	+/-19
Speak English less than "very well"	0	+/-28	0	+/-19	0	+/-19
✓ Italian:	164	+/-104	0	+/-19	0	+/-12
Speak English "very well"	164	+/-104	0	+/-19	0	+/-19
Speak English less than "very well"	0	+/-28	0	+/-19	0	+/-12
✓ Portuguese or Portuguese Creole:	22	+/-27	0	+/-19	2	+/-9
Speak English "very well"	22	+/-27	0	+/-19	2	+/-9
Speak English less than "very well"	0	+/-28	0	+/-19	0	+/-19
✓ German:	158	+/-80	10	+/-13	8	+/-15
Speak English "very well"	150	+/-76	10	+/-13	8	+/-15

**Appendix E**

**NCDOT's Compliance Review Checklist for Transit**

**Commented [KW32]:** New section and information per NCDOT template.

**I. Program Administration (General Requirements)**

*Requirement: FTA C 4702.1B -- Title VI Requirements and Guidelines for FTA Recipients, Chapter III -- General Requirements and Guidelines.*

**Note:** Every NCDOT subrecipient receiving any of the FTA Formula Grants listed above must complete this section.

<b>Requested Items</b> <small>(Please attach electronic documents (.pdf, .doc, etc.) or provide links to online versions)</small>	<b>Completed</b>
1. A copy of the recipient's <i>signed</i> NCDOT's Title VI Nondiscrimination Agreement	<input type="checkbox"/>
2. Title VI Policy Statement ( <i>signed</i> )	<input type="checkbox"/>
3. Title VI Notice to the Public, including a list of locations where the notice is posted	<input type="checkbox"/>
4. Type the name and title of your Title VI Coordinator and attach a list of their Title VI duties <b>Name/Title:</b>	<input type="checkbox"/>
5. Title VI Complaint Procedures (i.e., instructions to the public regarding how to file a Title VI discrimination complaint)	<input type="checkbox"/>
6. Title VI Complaint Form	<input type="checkbox"/>
7. List of transit-related Title VI investigations, complaints, and lawsuits (i.e., discrimination complaints log)	<input type="checkbox"/>
8. Public Participation Plan, including information about outreach methods to engage traditionally underserved constituencies (e.g., minorities, limited English proficient populations (LEP), low-income, disabled), as well as a summary of outreach efforts made since the last Title VI Program submission	<input type="checkbox"/>
9. Language Assistance Plan for providing language assistance to persons with limited English proficiency (LEP), based on the DOT LEP Guidance, which requires conducting four-factor analyses	<input type="checkbox"/>
10. A table depicting the membership of non-elected committees and councils, the membership of which is selected by the recipient, broken down by race, and a description of the process the agency uses to encourage the participation of minorities on such committees	<input type="checkbox"/>
11. A copy of board meeting minutes, resolution, or other appropriate documentation showing the board of directors or appropriate governing entity or official(s) responsible for policy decisions <b>reviewed and approved</b> the Title VI Program	<input type="checkbox"/>
12. A description of the procedures the agency uses to ensure nondiscriminatory administration of programs and services	<input type="checkbox"/>
13. If you pass through FTA funds to other organizations, include a description of how you monitor your subrecipients for compliance with Title VI, and a schedule for your subrecipients' Title VI Program submissions. > No Subrecipients <input type="checkbox"/>	<input type="checkbox"/>
14. A Title VI equity analysis if you have constructed or conducted planning for a facility, such as a vehicle storage facility, maintenance facility, operation center, etc. > No Facilities Planned or Constructed <input type="checkbox"/>	<input type="checkbox"/>
15. Copies of environmental justice assessments conducted for any construction projects during the past three years and, if needed based on the results, a description of the program or other measures used or planned to mitigate any identified adverse impact on the minority or low-income communities > No Construction Projects <input type="checkbox"/>	<input type="checkbox"/>
16. If the recipient has undergone a Title VI Compliance Review in the last 3 years, please indicate the year of the last review and who conducted it. <b>Year/Agency:</b>	<input type="checkbox"/>

## II. Transit Providers

Requirement: FTA C 4702.1B, Chapter IV – Requirements and Guidelines for Fixed Route Transit Providers.

Note: All NCDOT subrecipients that provide fixed route public transportation services (e.g., local, express or commuter bus; bus rapid transit; commuter rail; passenger ferry) must complete this section.

➤ **Not Applicable**  (Check this box if you do not provide fixed route services, and skip questions 17 and 18. This section does not apply to you if you *only* provide demand response services.)

Requested Items (Please attach electronic documents (.pdf, .doc, etc.) or provide links to online versions)	Completed
<p>17. Service standards (quantitative measures) developed for each <i>specific fixed route mode</i> that the recipient provides (standards may vary by mode) must be submitted for each of the following indicators:</p> <ul style="list-style-type: none"> <li data-bbox="178 745 1015 819">• Vehicle load for each mode (Can be expressed as the ratio of passengers to the total number of seats on a vehicle. For example, on a 40-seat bus, a vehicle load of 1.3 means all seats are filled and there are approximately 12 standees.)</li> <li data-bbox="178 829 1015 903">• Vehicle headway for each mode (Measured in minutes (e.g., every 15 minutes), headway refers to the amount of time between two vehicles traveling in the same direction on a given line or combination of lines. A shorter headway corresponds to more frequent service. Service frequency is measured in vehicles per hour (e.g., 4 buses per hour).)</li> <li data-bbox="178 913 1015 987">• On time performance for each mode (Expressed as a percentage, this is a measure of runs completed as scheduled. The recipient must define what is considered to be "on time." Performance can be measured against route origins and destinations only, or against origins and destinations as well as specified time points along a route.)</li> <li data-bbox="178 997 1015 1071">• Service availability for each mode (Refers to a general measure of the distribution of routes within a transit provider's service area, such as setting the maximum distance between bus stops or train stations, or requiring that a percentage of all residents in the service area be within a one-quarter mile walk of bus service.)</li> </ul>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>
<p>18. Service policies (<b>system-wide policies</b>) adopted to ensure that service design and operations practices do not result in discrimination on the basis of race, color or national origin, must be submitted for each of the following:</p> <ul style="list-style-type: none"> <li data-bbox="178 1176 1015 1249">• Transit amenities for each mode (e.g., benches, shelters/canopies, printed materials, escalators/elevators, and waste receptacles. NOTE: Attach this information <u>only</u> if you have decision-making authority over siting transit amenities or you set policies to determine the siting of amenities.)</li> <li data-bbox="178 1260 1015 1333">• Vehicle assignment for each mode (Refers to the process by which transit vehicles are placed into service throughout a system. Policies for vehicle assignment may be based on the type or age of the vehicle, where age would be a proxy for condition, or on the type of service offered.)</li> </ul>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p>





NC DEPARTMENT OF  
**HEALTH AND  
HUMAN SERVICES**

ROY COOPER • Governor

MANDY COHEN, MD, MPH • Secretary

SUSAN OSBORNE • Assistant Secretary for County Operations for  
Human Services

July 16, 2020

**DEAR COUNTY DIRECTORS OF SOCIAL SERVICES**

**ATTENTION: DIRECTORS, FISCAL OFFICERS**

**SUBJECT: FEDERAL CARES ACT FUNDING – UPDATED APS/CPS Essential Worker  
Additional Costs – Guidance and Clarification**

**REQUIRED ACTION:** \_\_\_ Information Only \_\_\_ Time Sensitive **X Immediate**

**PURPOSE**

The General Assembly passed Session Law 2020-4, the 2020 COVID-19 Recovery Act, which appropriated federal CARES Act funding to include \$8.3 million allocated to county DSS agencies to support additional Adult Protective Services/Child Protective Services **salary** costs. These funds are made available effective March 1, 2020 and must be expensed by 12/30/2020.

**Use of Funds**

- Can only be used to pay **additional**, previously unbudgeted **salary** costs associated with pandemic-driven workforce shortfalls.
- Cannot be used to supplant current funding streams.
- **Further clarification defines that funds CANNOT be used to pay hazard pay or emergency pay as previously indicated.**
- Can be used to pay overtime, paid compensatory time, temporary/time-limited worker **salary** costs.
- Used for:  
APS Evaluations, Planning, Mobilizing services.  
CPS Investigations, Assessment, In-Home services.
- Overtime/Compensatory time expenditures paid due to staff shortages caused by COVID-19 illness, quarantine, care for COVID positive family members, closed child-care, closed schools during the eligibility period.
- Cost of additional temporary workers hired due to staff shortages, increase in referrals related to schools and senior facilities reopening.
- Cost of hired contract staff needed due to staffing shortages, increase in referrals related to schools and senior facilities reopening.
- Current guidance directs that funds must be expensed by the Department by December 30, 2020. In order to meet that timeline, counties will need to submit final costs on the December 15<sup>th</sup>, 1571 submission. Discussions continue with NCPRO concerning potential for December costs submission. We will update additional information as that becomes available.

NC DEPARTMENT OF HEALTH AND HUMAN SERVICES • DIVISION OF SOCIAL SERVICES

LOCATION: 820 S. Boylan Avenue, McBryde Building, Raleigh, NC 27603

MAILING ADDRESS: 2409 Mail Service Center, Raleigh, NC 27699-2409

www.ncdhhs.gov • TEL: 919-527-6390 • FAX: 919-733-3052

AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

COVID - APS/CPS Essential Worker - Additional Costs Funding

County	# CPS/APS Combined	% of total APS/CPS Assessments (Combined)	Allocation
ALAMANCE	1395	1.6%	\$133,670
ALEXANDER	396	0.5%	\$37,945
ALLEGHANY	109	0.1%	\$10,444
ANSON	211	0.2%	\$20,218
ASHE	319	0.4%	\$30,567
AVERY	99	0.1%	\$9,486
BEAUFORT	622	0.7%	\$59,601
BERTIE	146	0.2%	\$13,990
BLADEN	271	0.3%	\$25,967
BRUNSWICK	988	1.1%	\$94,671
BUNCOMBE	2964	3.4%	\$284,013
BURKE	1121	1.3%	\$107,415
CABARRUS	1452	1.7%	\$139,132
CALDWELL	958	1.1%	\$91,796
CAMDEN	56	0.1%	\$5,366
CARTERET	668	0.8%	\$64,008
CASWELL	211	0.2%	\$20,218
CATAWBA	2067	2.4%	\$198,062
CHATHAM	370	0.4%	\$35,454
CHEROKEE	350	0.4%	\$33,537
CHOWAN	108	0.1%	\$10,349
CLAY	138	0.2%	\$13,223
CLEVELAND	1342	1.5%	\$128,592
COLUMBUS	435	0.5%	\$41,682
CRAVEN	750	0.9%	\$71,866
CUMBERLAND	3821	4.4%	\$366,131
CURRITUCK	250	0.3%	\$23,955
DARE	213	0.2%	\$20,410
DAVIDSON	1653	1.9%	\$158,392
DAVIE	343	0.4%	\$32,867
DUPLIN	591	0.7%	\$56,630
DURHAM	1780	2.1%	\$170,561
EDGECOMBE	523	0.6%	\$50,114
FORSYTH	2554	2.9%	\$244,726
FRANKLIN	148	0.2%	\$14,181
GASTON	3422	4.0%	\$327,899
GATES	51	0.1%	\$4,887
GRAHAM	134	0.2%	\$12,840
GRANVILLE	406	0.5%	\$38,903
GREENE	143	0.2%	\$13,702
GUILFORD	3099	3.6%	\$296,949

County	# CPS/APS Combined	% of total APS/CPS Assessments (Combined)	Allocation
HALIFAX	393	0.5%	\$37,658
HARNETT	927	1.1%	\$88,826
HAYWOOD	691	0.8%	\$66,212
HENDERSON	1216	1.4%	\$116,518
HERTFORD	150	0.2%	\$14,373
HOKE	578	0.7%	\$55,384
HYDE	27	0.0%	\$2,587
IREDELL	1311	1.5%	\$125,621
JACKSON	365	0.4%	\$34,975
JOHNSTON	1244	1.4%	\$119,201
JONES	85	0.1%	\$8,145
LEE	269	0.3%	\$25,776
LENOIR	528	0.6%	\$50,593
LINCOLN	794	0.9%	\$76,082
MACON	190	0.2%	\$18,206
MADISON	165	0.2%	\$15,810
MARTIN	218	0.3%	\$20,889
MCDOWELL	525	0.6%	\$50,306
MECKLENBURG	9134	10.5%	\$875,227
MITCHELL	221	0.3%	\$21,176
MONTGOMERY	261	0.3%	\$25,009
MOORE	838	1.0%	\$80,298
NASH	577	0.7%	\$55,289
NEW HANOVER	3064	3.5%	\$293,595
NORTHAMPTON	111	0.1%	\$10,636
ONSLow	2422	2.8%	\$232,078
ORANGE	697	0.8%	\$66,787
PAMLICO	79	0.1%	\$7,570
PASQUOTANK	280	0.3%	\$26,830
PENDER	590	0.7%	\$56,534
PERQUIMANS	76	0.1%	\$7,282
PERSON	291	0.3%	\$27,884
PITT	1224	1.4%	\$117,285
POLK	225	0.3%	\$21,560
RANDOLPH	1179	1.4%	\$112,973
RICHMOND	730	0.8%	\$69,949
ROBESON	2200	2.5%	\$210,806
ROCKINGHAM	1190	1.4%	\$114,027
ROWAN	1696	2.0%	\$162,512
RUTHERFORD	1081	1.2%	\$103,582
SAMPSON	621	0.7%	\$59,505
SCOTLAND	399	0.5%	\$38,233
STANLY	570	0.7%	\$54,618

County	# CPS/APS Combined	% of total APS/CPS Assessments (Combined)	Allocation
STOKES	354	0.4%	\$33,921
SURRY	415	0.5%	\$39,766
SWAIN	177	0.2%	\$16,960
TRANSYLVANIA	395	0.5%	\$37,849
TYRRELL	41	0.0%	\$3,929
UNION	1234	1.4%	\$118,243
VANCE	402	0.5%	\$38,520
WAKE	4097	4.7%	\$392,578
WARREN	63	0.1%	\$6,037
WASHINGTON	87	0.1%	\$8,336
WATAUGA	136	0.2%	\$13,032
WAYNE	1052	1.2%	\$100,804
WILKES	855	1.0%	\$81,927
WILSON	770	0.9%	\$73,782
YADKIN	271	0.3%	\$25,967
YANCEY	162	0.2%	\$15,523
			\$8,300,000

## Accessing Funds / Requesting Reimbursement

Counties will receive a Funding Authorization with per-county allocation proportional to CPS/APS assessments in 2019. Attached is the per-county allocation calculation. These expenses will be claimed for reimbursement through the NC-CoReLS/1571 system, via new APS 203 and CPS 213 Part II service codes, application codes 303 and 309. A revised SIS Manual to include these codes/definitions will be posted shortly. Funds are available retroactive to March 1, 2020 via prior period adjustment. Counties must maintain documentation to support appropriate use and expense.

If you have questions or need clarification about these funds, please contact your Local Business Liaison.

Sincerely,



Richard Stegenga  
Deputy Director, Business Operations  
Division of Social Services

Cc: Susan G. Osborne, Assistant Secretary for County Operations  
Zachary E. Wortman, Chief Operating Officer, Human Services  
Lisa Tucker Cauley, Deputy Director for Child Welfare Services  
Karey Perez, Adult Services Section Chief  
Hank Bowers, Assistant Director for Aging and Adult Services

Attachment: APS/CPS County Funding Detail

BG-09-2020









Craven County



## **CRAVEN COUNTY 2021 HOLIDAY SCHEDULE**

**NEW YEAR'S DAY**  
Friday, January 1, 2021

**MARTIN LUTHER KING, JR. DAY**  
Monday, January 18, 2021

**GOOD FRIDAY**  
Friday, April 2, 2021

**MEMORIAL DAY**  
Monday, May 31, 2021

**INDEPENDENCE DAY**  
Monday, July 5, 2021

**LABOR DAY**  
Monday, September 6, 2021

**VETERANS DAY**  
Thursday, November 11, 2021  
Friday, November 12, 2021 (Floating)

**THANKSGIVING**  
Thursday, November 25, 2021  
Friday, November 26, 2021

**CHRISTMAS**  
Friday, December 24, 2021  
Monday, December 27, 2021

Approved by the Craven County Board of Commissioners at the  
August 17, 2020 regularly scheduled meeting.

---

Amber M. Parker  
Human Resources Director

# Dred C. Mitchell, Jr.

Craven County | Generated 8/11/2020 @ 12:21 pm by OnBoard2 - Powered by ClerkBase

## Status

**Name** Dred C. Mitchell, Jr.  
**Application Date** 6/24/2020  
**Expiration Date** 6/24/2022  
**Status** Validated

Board	Vacancies	Status
Adult Care Home Advisory Committee	5	<span style="background-color: #28a745; color: white; padding: 2px;">Pending</span>
Coastal Carolina Regional Airport Authority	2	<span style="background-color: #28a745; color: white; padding: 2px;">Pending</span>
Coastal Regional Solid Waste Management Authority (CRSWMA)	0	<span style="background-color: #28a745; color: white; padding: 2px;">Pending</span>
Cove City/Craven County Library	0	<span style="background-color: #28a745; color: white; padding: 2px;">Pending</span>
Craven County ABC Board	1	<span style="background-color: #28a745; color: white; padding: 2px;">Pending</span>

## Basic Information

**Name**  
Dred C. Mitchell, Jr.  
**Please list any other Boards or Commissions on which you currently serve?**  
RPO and Cove City Library

Craven County Farm Bureau Board

**Please tell us about yourself and why you interested in serving on a board or commission?**

I would like to serve on a board or commission to support my community and serve my fellow citizens. I have 40 plus years as a farmer/small business owner in Craven County and would like to promote positive commerce within our community.

I have been the Cove City Mayor for 17 years and was just newly re-elected. I have been on the library board for 3 years.

## Contact Information

**Address**  
109 N. Main Street  
P. O. Box 12  
Cove City, NC 28523

**Cell Phone**  
252-342-4590

**Email**  
dcmitchelljr@gmail.com

## Occupation

**Occupation**  
farmer/ small business owner

## Question #1

What is your Commissioner's District?

- 2

## Question #2

Highest Education Level

- High School or GED

## Gender

What is your gender?

- Male

## Ethnicity

What is your ethnic origin?

- Black or African American

# Brian Wielhouwer

Craven County | Generated 8/11/2020 @ 11:30 am by OnBoard2 - Powered by ClerkBase

## Status

**Name** Brian Wielhouwer  
**Application Date** 8/11/2020  
**Expiration Date** 8/11/2022  
**Status** Validated

Board	Vacancies	Status
Fireman's Relief Fund Board of Trustees	2	<span>Pending</span>

## Basic Information

**Name**  
Brian Wielhouwer

**Please tell us about yourself and why you interested in serving on a board or commission?**  
Give back to the Township #6 department that helps me

**areas of expertise:** ordinance proficient; explosive; medical; trauma

**Business and/or Civic Experience/Involvement**  
firefighths, security manager, safety supervisor, hazmat supervisor

## Contact Information

**Address**  
311 Mil Dam Road  
New Bern, NC 28560

**Cell Phone**  
781-635-3702

**Email**  
brianwielhouwer@gmail.com

## Occupation

**Employer**  
MCAS Cherry Point

**Occupation**  
Firefighter

## Question #1

**What is your Commissioner's District?**

- 6

## Question #2

**Highest Education Level**

- High School or GED

## Gender

**What is your gender?**

- Male

# Dred C. Mitchell, Jr.

Craven County | Generated 8/11/2020 @ 11:27 am by OnBoard2 - Powered by ClerkBase

## Status

**Name** Dred C. Mitchell, Jr.  
**Application Date** 6/24/2020  
**Expiration Date** 6/24/2022  
**Status** Validated

Board	Vacancies	Status
Adult Care Home Advisory Committee	5	<span>Pending</span>
Coastal Carolina Regional Airport Authority	2	<span>Pending</span>
Coastal Regional Solid Waste Management Authority (CRSWMA)	0	<span>Pending</span>
Cove City/Craven County Library	0	<span>Pending</span>
Craven County ABC Board	1	<span>Pending</span>

## Basic Information

**Name**  
Dred C. Mitchell, Jr.

**Please list any other Boards or Commissions on which you currently serve?**  
RPO and Cove City Library

Craven County Farm Bureau Board

**Please tell us about yourself and why you interested in serving on a board or commission?**

I would like to serve on a board or commission to support my community and serve my fellow citizens. I have 40 plus years as a farmer/small business owner in Craven County and would like to promote positive commerce within our community.

I have been the Cove City Mayor for 17 years and was just newly re-elected. I have been on the library board for 3 years.

## Contact Information

**Address**  
109 N. Main Street  
P. O. Box 12  
Cove City, NC 28523

**Cell Phone**  
252-342-4590

**Email**  
dcmitchelljr@gmail.com

## Occupation

**Occupation**  
farmer / small business owner

## Question #1

What is your Commissioner's District?

- 2

## Question #2

Highest Education Level

- High School or GED

## Gender

What is your gender?

- Male

## Ethnicity

What is your ethnic origin?

- Black or African American

**CRAVEN COUNTY**

**RESOLUTION AUTHORIZING CONVEYANCE**  
**AFTER EXPIRATION OF UPSET BID PERIOD**

WHEREAS, Craven County owns certain real property identified as Tax Parcel Number 3-055-040 (hereinafter "the Real Property"), the Real Property having been acquired by Craven County in deed recorded in Book 3532, Page 1316 in the Office of the Register of Deeds of Craven County; and,

WHEREAS, Craven County previously received and approved an Offer to Purchase the Real Property, and Craven County subsequently advertised said offer for upset bids as required by North Carolina General Statute §160A-269; and,

WHEREAS, the upset bid period required under North Carolina General Statute §160A-269 has expired; and,

WHEREAS, the Craven County Board of Commissioners deems it advisable and in the best interest of the County to sell its interest in the Real 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 THAT:

Section 1. The last and highest bid of Simbarashe Nyika in the sum of \$2,850.00 for the Real Property is hereby accepted, and the Offer to Purchase previously executed by Craven County subject to the provisions of North Carolina General Statute §160A-269 is hereby ratified and confirmed in its entirety.

Section 2. Upon payment of the full purchase price, the Chairman, the County Manager, the Assistant County Manager, the Clerk to the Board of Commissioners and/or County Attorney are authorized to take all actions necessary to accomplish the transactions contemplated by this Resolution, including but not limited to the execution and delivery of the quitclaim deed attached hereto and incorporated herein by reference.

ADOPTED THIS 17<sup>th</sup> DAY OF AUGUST, 2020.

---

THOMAS MARK, Chairman

{County Seal}

---

NAN HOLTON,  
Clerk to the Board

---

Prepared by:  
Grady Quattlebaum, PLLC  
244-A Craven Street  
New Bern, N.C.

Revenue Stamps:  
Parcel ID #: 3-055-040  
Type of Instrument: QCD  
Primary Residence of  
Grantor: No

Return to:

Address of Grantor: 406 Craven Street, New Bern, NC 28560

Address of Grantee: 65 TW Alexander Dr. #13302, Research Triangle Park, NC 27709

---

THIS DEED, made this \_\_\_\_\_ day of August, 2020, from **CRAVEN COUNTY** (referred to herein as "Grantor") to **CUB LANDS, LLC** (referred to herein as "Grantee"), is as follows:

WITNESSETH that Grantor in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration paid by Grantee to Grantor, the receipt of which is hereby acknowledged, has remised and released, and by these presents does remise, release and quitclaim to Grantee the real property described in **EXHIBIT A ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE**, which said real property does not include the primary residence of the Grantor.

TO HAVE AND TO HOLD the aforesaid described real property and all privileges and appurtenances thereunto belonging to the Grantee, forever free and discharged from all right, title and interest of the Grantor or anyone claiming by, through or under the Grantor.

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

**CRAVEN COUNTY**

By: \_\_\_\_\_  
THOMAS MARK, Chairman,  
Craven County Board of Commissioners

(COUNTY SEAL)

ATTEST:

\_\_\_\_\_  
NAN HOLTON, Clerk,  
Craven County Board of Commissioners

**ACKNOWLEDGEMENT**

The undersigned Notary Public does hereby certify that on the \_\_\_\_ day of August, 2020, THOMAS MARK, with whom I am personally acquainted, personally appeared before me in the State of North Carolina and the County of Craven and, being by me duly sworn, says that he is the Chairman of the Board of Commissioners for Craven County, and that NAN HOLTON 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 she 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 \_\_\_\_\_, 2020.

My Commission Expires:

\_\_\_\_\_  
NOTARY SEAL/STAMP MUST APPEAR  
LEGIBLY IN BOX TO RIGHT

\_\_\_\_\_  
NOTARY PUBLIC



## EXHIBIT A

### Property Description

BEGINNING at the junction of the centerline of NC Highway No. 55 with the centerline of N.C.S.R. No. 1271, and runs thence South 17 degrees 41 minutes East with the centerline of N.C.S.R. No. 1271, 557.25 feet; thence it runs South 72 degrees 20 minutes West 240 feet to a stake; thence it runs North 17 degrees 33 minutes West 582.26 feet to the centerline of NC Highway No. 55; thence it runs North 78 degrees 19 minutes East with the centerline of NC Highway No. 55, 240 feet to the beginning. This tract contains 3.13 acres, more or less. But this conveyance is made subject to the rights of way of NC Highway No. 55 (50 feet from the center) and N.C.S.R. 1271 (30 feet from center). No agricultural rights of bases are conveyed herewith.

Also being the same property described in Deed Book 1269, at page 608, in the Office of the Register of Deeds of Craven County, North Carolina.

Being also that same property conveyed in Craven County by Commissioner's Deed recorded April 16, 2018 in Deed Book 3532, at Page 1316, in the Craven County Registry.

This property is also commonly referred to by its tax parcel identification number which is 3-055-040.

Subject to any and all liens, restrictive covenants and easements appearing of record.

This parcel is not the primary residence of the grantor.

**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**

(NOTE: There can be more than one Owner if the Property has been owned by multiple parties or has been conveyed within the 120-Day Lien Period. A separate Agreement is required for each successive owner in the 120-Day Lien Period.)

**PROPERTY:** W NC 55 Hwy, New Bern, NC (Parcel No. 3-055-040) 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, previously 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 trees and shrubbery, driveways, and private roadways on the Property as defined below.
- **Labor, Services or Materials:** Labor or professional design (including architectural, engineering, landscaping) or surveying services or materials or rental equipment for which a lien can be claimed under NCGS Chapter 44A, Article 2.
- **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 visible 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 Office 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) a person with rights to purchase the Property under a contract and for whom an Improvement is made and who ordered the Improvement to be made; and (iii) 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 or policies by Company insuring title to the Property without exception to liens for Labor, Services or Materials; Owner first being duly sworn, deposes, says and agrees:

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 a contract, express or implied, for Improvements to 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 such repairs and/or alterations have been completed and those providing Labor, Services or Materials for the repairs have been paid in full.
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 matters 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 Owner 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 attorney's 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.

**(Signature page follows)**

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

**CRAVEN COUNTY**

By: \_\_\_\_\_  
THOMAS MARK, Chairman,  
Craven County Board of Commissioners

(COUNTY SEAL)

ATTEST:

\_\_\_\_\_  
NAN HOLTON, Clerk,  
Craven County Board of Commissioners

**ACKNOWLEDGEMENT**

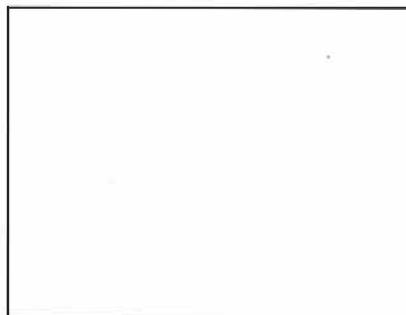
The undersigned Notary Public does hereby certify that on the \_\_\_\_ day of \_\_\_\_\_, 2020, THOMAS MARK, with whom I am personally acquainted, personally appeared before me in the State of North Carolina and the County of Craven and, being by me duly sworn, says that he is the Chairman of the Board of Commissioners for Craven County, and that NAN HOLTON 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 she 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 \_\_\_\_\_, 2020.

My Commission Expires:

\_\_\_\_\_  
NOTARY SEAL/STAMP MUST APPEAR  
LEGIBLY IN BOX TO RIGHT

\_\_\_\_\_  
NOTARY PUBLIC



## EXHIBIT A

### Property Description

BEGINNING at the junction of the centerline of NC Highway No. 55 with the centerline of N.C.S.R. No. 1271, and runs thence South 17 degrees 41 minutes East with the centerline of N.C.S.R. No. 1271, 557.25 feet; thence it runs South 72 degrees 20 minutes West 240 feet to a stake; thence it runs North 17 degrees 33 minutes West 582.26 feet to the centerline of NC Highway No. 55; thence it runs North 78 degrees 19 minutes East with the centerline of NC Highway No. 55, 240 feet to the beginning. This tract contains 3.13 acres, more or less. But this conveyance is made subject to the rights of way of NC Highway No. 55 (50 feet from the center) and N.C.S.R. 1271 (30 feet from center). No agricultural rights of bases are conveyed herewith.

Also being the same property described in Deed Book 1269, at page 608, in the Office of the Register of Deeds of Craven County, North Carolina.

Being also that same property conveyed in Craven County by Commissioner's Deed recorded April 16, 2018 in Deed Book 3532, at Page 1316, in the Craven County Registry.

This property is also commonly referred to by its tax parcel identification number which is 3-055-040.

Subject to any and all liens, restrictive covenants and easements appearing of record.

This parcel is not the primary residence of the grantor.



Doc No: 50021078  
Recorded: 04/18/2018, 02:51:49 PM  
Fee Amt: \$22.00 Page 1 of 4  
Revenue Tax: \$0.00  
Craven County, North Carolina  
Walter E. Hickend Register of Deeds  
# 3532 Pg 1316

NORTH CAROLINA

COMMISSIONER'S DEED

Craven County

Revenue Stamps: \$6.00  
Parcel #3-055-040

THIS COMMISSIONER'S DEED, made and executed this 16<sup>th</sup> day of April, 2018, by and between JIMMIE B. HICKS, JR., Commissioner, pursuant to a judgment of the General Court of Justice, Craven County, North Carolina in an action entitled "Craven County, Plaintiff v. LEROY O. BATTS, III, et al., Defendants.", Grantor, to Craven County whose mailing address is: 406 Craven St., New Bern, NC 28560. Grantee.

WITNESSETH:

WHEREAS, said JIMMIE B. HICKS, JR., Commissioner, being empowered and directed by a judgment in the said action, did, on the 28<sup>th</sup> day of March, 2018, after due advertisement according to law, and as directed by said judgment, expose the land hereinafter described to public sale at the door of the Craven County Courthouse, where and when Craven County became the highest bidder for said land at the public sale in the sum of \$2,842.39.

WHEREAS, on the 28<sup>th</sup> day of March, JIMMIE B. HICKS, JR., Commissioner, reported to the Court that Craven County was the highest bidder for said land in the amount of \$2,842.39;

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Prepared By  
Sunrell, Sugg, Carmichael, Hicks and Hart, P.A.  
Attorneys at Law  
416 Pollock Street  
New Bern, North Carolina 28560

WHEREAS, more than 10 days passed after the entry of said bid without any advance or upset bids being offered and the reports thereof were timely filed with the Court; and

WHEREAS, on the 11<sup>th</sup> day of April, 2018, JIMMIE B. HICKS, JR., Commissioner was ordered by judgment of said Court to execute a deed in fee simple to Grantees;

NOW THEREFORE, in consideration of the premises, the said JIMMIE B. HICKS, JR., Commissioner, as aforesaid, does hereby grant, bargain, sell, and convey to Grantee all of that certain tracts or parcels of land lying and being situated in Number Three (3) Township, Craven County, North Carolina, and being more particularly described as follows:

BEGINNING at the junction of the centerline of NC Highway No. 55 with the centerline of NCSR No. 1271, and runs thence South 17 degrees 41 minutes East with the centerline of NCSR No. 1271, 557.25 feet; thence it runs South 72 degrees 20 minutes West 240 feet to a stake; thence it runs North 17 degrees 33 minutes West 582.26 feet to the centerline of NC Highway No. 55; thence it runs North 78 degrees 19 minutes East with the centerline of NC Highway No. 55, 240 feet to the beginning. This tract contains 3.13 acres, more or less. But this conveyance is made subject to the rights of way of NC Highway No. 55 (50 feet from center) and NCSR 1271 (50 feet from center). No agricultural rights or bases are conveyed herewith.

All of that certain property more particularly described, in Deed Book 1269, at Page 608, in the Craven County Registry.

This property is also commonly referred to by its tax parcel identification number which is 3-055-040.

This parcel is not the primary residence of the grantor.

TO HAVE AND TO HOLD the aforesaid tracts or parcels of land and all privileges and appurtenances thereto belonging to the said Grantor, in fee simple forever, in as full and ample manner as said JIMMIE B. HICKS, JR., Commissioner, as aforesaid, is authorized and empowered to convey same.

IN WITNESS WHEREOF, the said JIMMIE B. HICKS, JR., Commissioner, hath hereunto set his hand and seal the day and year first above written.

  
\_\_\_\_\_  
JIMMIE B. HICKS, JR., COMMISSIONER (SEAL)

STATE OF NORTH CAROLINA  
COUNTY OF CRAVEN

I, Lauren P. Garvick, a Notary Public of the County of Craven, State of North Carolina, do hereby certify that JIMMIE B. HICKS, JR., Commissioner, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

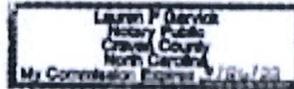
WITNESS my hand and notarial stamp or seal, this 11<sup>th</sup> day of April, 2018.

My Commission Expires:

03/26/2022

(88-8150)

*Lauren P. Garvick*  
NOTARY PUBLIC





# Craven County GIS

Craven County does NOT warrant the information shown on this map and should be used ONLY for tax assessment purposes. Printed on June 12, 2020 at 8:00:49 AM



1 inch = 396 feet



**CRAVEN COUNTY**

**RESOLUTION AUTHORIZING CONVEYANCE**  
**AFTER EXPIRATION OF UPSET BID PERIOD**

WHEREAS, Craven County owns certain real property identified as Tax Parcel Number 5-008-133 (hereinafter "the Real Property"), the Real Property having been acquired by Craven County in deed recorded in Book 3515, Page 1544 in the Office of the Register of Deeds of Craven County; and,

WHEREAS, Craven County previously received and approved an Offer to Purchase the Real Property, and Craven County subsequently advertised said offer for upset bids as required by North Carolina General Statute §160A-269; and,

WHEREAS, the upset bid period required under North Carolina General Statute §160A-269 has expired; and,

WHEREAS, the Craven County Board of Commissioners deems it advisable and in the best interest of the County to sell its interest in the Real 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 THAT:

Section 1. The last and highest bid of Simbarashe Nyika in the sum of \$3,760.00 for the Real Property is hereby accepted, and the Offer to Purchase previously executed by Craven County subject to the provisions of North Carolina General Statute §160A-269 is hereby ratified and confirmed in its entirety.

Section 2. Upon payment of the full purchase price, the Chairman, the County Manager, the Assistant County Manager, the Clerk to the Board of Commissioners and/or County Attorney are authorized to take all actions necessary to accomplish the transactions contemplated by this Resolution, including but not limited to the execution and delivery of the quitclaim deed attached hereto and incorporated herein by reference.

ADOPTED THIS 17<sup>th</sup> DAY OF AUGUST, 2020.

---

THOMAS MARK, Chairman

(County Seal)

---

NAN HOLTON,  
Clerk to the Board

---

Prepared by:  
Grady Quattlebaum, PLLC  
244-A Craven Street  
New Bern, N.C.

Revenue Stamps:  
Parcel ID #: 5-008-133  
Type of Instrument: QCD  
Primary Residence of  
Grantor: No

Return to:

Address of Grantor: 406 Craven Street, New Bern, NC 28560

Address of Grantee: 65 TW Alexander Dr. #13302, Research Triangle Park, NC 27709

---

THIS DEED, made this \_\_\_\_\_ day of August, 2020, from **CRAVEN COUNTY** (referred to herein as "Grantor") to **CUB LANDS, LLC** (referred to herein as "Grantee"), is as follows:

WITNESSETH that Grantor in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration paid by Grantee to Grantor, the receipt of which is hereby acknowledged, has remised and released, and by these presents does remise, release and quitclaim to Grantee the real property described in **EXHIBIT A ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE**, which said real property does not include the primary residence of the Grantor.

TO HAVE AND TO HOLD the aforesaid described real property and all privileges and appurtenances thereunto belonging to the Grantee, forever free and discharged from all right, title and interest of the Grantor or anyone claiming by, through or under the Grantor.

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

**CRAVEN COUNTY**

By: \_\_\_\_\_  
THOMAS MARK, Chairman,  
Craven County Board of Commissioners

(COUNTY SEAL)

ATTEST:

\_\_\_\_\_  
NAN HOLTON, Clerk,  
Craven County Board of Commissioners

**ACKNOWLEDGEMENT**

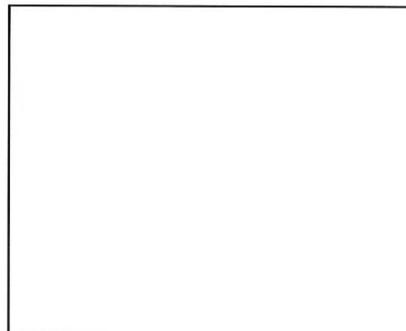
The undersigned Notary Public does hereby certify that on the \_\_\_\_ day of August, 2020, THOMAS MARK, with whom I am personally acquainted, personally appeared before me in the State of North Carolina and the County of Craven and, being by me duly sworn, says that he is the Chairman of the Board of Commissioners for Craven County, and that NAN HOLTON 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 she 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 \_\_\_\_\_, 2020.

My Commission Expires:

\_\_\_\_\_  
NOTARY SEAL/STAMP MUST APPEAR  
LEGIBLY IN BOX TO RIGHT

\_\_\_\_\_  
NOTARY PUBLIC



## EXHIBIT A

### Property Description

BEGINNING at a point in the east line of N.C.S.R. 1711 , said point being North 04° 53' 00" West 1782.32 feet, North 19° 49' 00" West 20.0 feet from the intersection of N.C.S.R. 1711 and N.C.S.R. 1715, thence from the beginning North 14° 11' 00" West, with the East line of N.C.S.R. 1711, 340.1 feet to a point in Snake Branch (where a 5-foot metal culvert crosses said N.C.S.R. 1711); thence with Snake Branch North 67° 44' 00" East 102.74 feet; North 57° 37' 00" East 101.12 feet; North 71° 52' 00" East 41.1 feet; thence South 03° 08' 30" East 379.61 feet to the North side of a 20-foot access road; thence with said access road South 70° 11' 00" West 166.89 feet to the point of beginning containing 1.62 acres according to a plat entitled "Willie Benjamin and Luella Benjamin" prepared by Hassell-Pittman (Larry C. Pittman, R.L.S. L-965), dated November 9, 1989 incorporated herein by reference.

Also being the same property described in Deed Book 1238, at page 0318, in the Office of the Register of Deeds of Craven County, North Carolina.

Being also that same property conveyed in Craven County by Commissioner's Deed recorded October 3, 2017 in Deed Book 3515, at Page 1544, in the Craven County Registry.

This property is also commonly referred to by its tax parcel identification number which is 5-008-133.

Subject to any and all liens, restrictive covenants and easements appearing of record.

This parcel is not the primary residence of the grantor.

**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**

(NOTE: There can be more than one Owner if the Property has been owned by multiple parties or has been conveyed within the 120-Day Lien Period. A separate Agreement is required for each successive owner in the 120-Day Lien Period.)

**PROPERTY:** 1146 Temples Point Rd., New Bern, NC (Parcel No. 5-008-133) 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, previously 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 trees and shrubbery, driveways, and private roadways on the Property as defined below.
- **Labor, Services or Materials:** Labor or professional design (including architectural, engineering, landscaping) or surveying services or materials or rental equipment for which a lien can be claimed under NCGS Chapter 44A, Article 2.
- **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 visible 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 Office 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) a person with rights to purchase the Property under a contract and for whom an Improvement is made and who ordered the Improvement to be made; and (iii) 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 or policies by Company insuring title to the Property without exception to liens for Labor, Services or Materials; Owner first being duly sworn, deposes, says and agrees:

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 a contract, express or implied, for Improvements to 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 such repairs and/or alterations have been completed and those providing Labor, Services or Materials for the repairs have been paid in full.

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 matters 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 Owner 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 attorney's 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.

**(Signature page follows)**

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

**CRAVEN COUNTY**

By: \_\_\_\_\_  
THOMAS MARK, Chairman,  
Craven County Board of Commissioners

(COUNTY SEAL)

ATTEST:

\_\_\_\_\_  
NAN HOLTON, Clerk,  
Craven County Board of Commissioners

**ACKNOWLEDGEMENT**

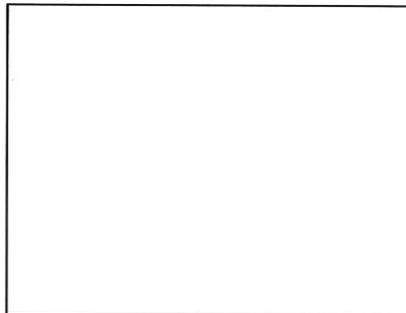
The undersigned Notary Public does hereby certify that on the \_\_\_\_ day of \_\_\_\_\_, 2020, THOMAS MARK, with whom I am personally acquainted, personally appeared before me in the State of North Carolina and the County of Craven and, being by me duly sworn, says that he is the Chairman of the Board of Commissioners for Craven County, and that NAN HOLTON 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 she 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 \_\_\_\_\_, 2020.

My Commission Expires:

\_\_\_\_\_  
NOTARY SEAL/STAMP MUST APPEAR  
LEGIBLY IN BOX TO RIGHT

\_\_\_\_\_  
NOTARY PUBLIC



## EXHIBIT A

### Property Description

BEGINNING at a point in the east line of N.C.S.R. 1711 , said point being North 04° 53' 00" West 1782.32 feet, North 19° 49' 00" West 20.0 feet from the intersection of N.C.S.R. 1711 and N.C.S.R. 1715, thence from the beginning North 14° 11' 00" West, with the East line of N.C.S.R. 1711, 340.1 feet to a point in Snake Branch (where a 5-foot metal culvert crosses said N.C.S.R. 1711); thence with Snake Branch North 67° 44' 00" East 102.74 feet; North 57° 37' 00" East 101.12 feet; North 71° 52' 00" East 41.1 feet; thence South 03° 08' 30" East 379.61 feet to the North side of a 20-foot access road; thence with said access road South 70° 11' 00" West 166.89 feet to the point of beginning containing 1.62 acres according to a plat entitled "Willie Benjamin and Luella Benjamin" prepared by Hassell-Pittman (Larry C. Pittman, R.L.S. L-965), dated November 9, 1989 incorporated herein by reference.

Also being the same property described in Deed Book 1238, at page 0318, in the Office of the Register of Deeds of Craven County, North Carolina.

Being also that same property conveyed in Craven County by Commissioner's Deed recorded October 3, 2017 in Deed Book 3515, at Page 1544, in the Craven County Registry.

This property is also commonly referred to by its tax parcel identification number which is 5-008-133.

Subject to any and all liens, restrictive covenants and easements appearing of record.

This parcel is not the primary residence of the grantor.

## Craven County Geographic Information System

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

This report was created by Craven County GIS reporting services on 6/12/2020 9:02:04 AM

**Parcel ID :** 5-008 -133  
**Owner :** CRAVEN COUNTY  
**Mailing Address :** 406 CRAVEN ST NEW BERN NC 28560  
**Property Address :** 1146 TEMPLES POINT RD  
**Description :** SNAKE BRANCH E S  
**Lot Description :**



**Subdivision :**

**Assessed Acreage :** 1.780      **Calculated Acreage :** 1.780  
**Deed Reference :** 3515-1544      **Recorded Date :** 10 3 2017  
**Recorded Survey :**  
**Estate Number :**  
**Land Value :** \$19,680      **Tax Exempt :** Yes  
**Improvement Value :** \$500      **# of Improvements :** 1  
**Total Value :** \$20,180  
**City Name :**      **Fire tax District :** TOWNSHIP 5  
**Drainage District :**      **Special District :**  
**Land use :** RESIDENTIAL - ONE FAMILY UNIT

### Recent Sales Information

SALE DATE	Sellers Name	Buyers Name	Sale Type	Sale Price
10/3/2017	ANTHONY, EVELYN B HRS ET AL	CRAVEN COUNTY	STRAIGHT TRANSFER	\$4,000
11/13/1989	ANTHONY, EVELYN BENJAMIN ET ALS	ANTHONY, EVELYN B HRS ET AL	STRAIGHT TRANSFER	\$0
11/13/1989	BENJAMIN, WILLIE & LUELLA M	ANTHONY, EVELYN BENJAMIN ET ALS	STRAIGHT TRANSFER	\$0

### List of Improvements to Site

Type of Structure	Year Built	Base Area 1st Floor	Value
CONVERTED FROM DWG TO STORAGE	1940	384	\$500

Doc No: 10015606  
Recorded: 10/03/2017 01:29:23 PM  
Fee Amt: \$34.00 Page 1 of 4  
Revenue Tax: \$8.00  
Craven County, North Carolina  
Shirley S. Richard Register of Deeds  
DA 3515 Pg 1544

NORTH CAROLINA

COMMISSIONER'S DEED

CRAVEN COUNTY

Revenue Stamps: \$8.00  
Parcel # 5-008-133

THIS COMMISSIONER'S DEED, made and executed this 3<sup>rd</sup> day of October, 2017, by and between DAVID B. BAXTER, JR., Commissioner, pursuant to a judgment of the District Court of the N.C. General Court of Justice in Craven County, North Carolina in an action entitled "Craven County, Plaintiff v. Heirs of Evelyn B. Anthony, et al. (File No. 17 CVD 230), Grantor, to Craven County, whose mailing address is 406 Craven Street, New Bern, North Carolina 28560, as Grantee.

**WITNESSETH:**

WHEREAS, said David B. Baxter, Jr., Commissioner, being empowered and directed by a judgment in the said action, did, on the 15<sup>th</sup> day of September, 2017, after due advertisement according to law, and as directed by said judgment, expose the land hereinafter described to public sale at the door of the Craven County Courthouse, where and when Craven County became the last and highest bidder(s) for said land at the public sale for the sum of \$3,757.13; and

WHEREAS, on the 15<sup>th</sup> day of September, 2017, David B. Baxter, Jr., Commissioner, filed a Report of Sale indicating that Craven County was the last and highest bidder for said property in the amount of \$3,757.13; and,

WHEREAS, more than 10 days elapsed since the original report of sale or most recent upset bid was filed; and

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

*Sum*

WHEREAS, on September 28, 2017, the assistant Craven County Clerk of Superior Court entered an Order of Confirmation directing David B. Baxter, Jr., Commissioner, to execute a deed in fee simple to Craven County; and

NOW THEREFORE, in consideration of the premises, the said David B. Baxter, Commissioner, as aforesaid, does hereby grant, bargain, sell, and convey to Craven County all of that certain tract or parcel of land lying, situate and being in Number Five (5) Township, Craven County, North Carolina, and more particularly described as follows:

**BEGINNING** at a point in the east line of N.C.S.R. 1711, said point being North 04° 53' 00" West 1782.32 feet, North 19° 49' 00" West 29.0 feet from the intersection of N.C.S.R. 1711 and N.C.S.R. 1715, thence from the beginning North 14° 11' 00" West, with the East line of N.C.S.R. 1711, 340.1 feet to a point in Snake Branch (where a 5-foot metal culvert crosses said N.C.S.R. 1711); thence with Snake Branch North 67° 44' 00" East 102.74 feet; North 57° 37' 00" East 101.12 feet; North 71° 52' 00" East 41.1 feet; thence South 03° 08' 30" East 379.61 feet to the North side of a 20-foot access road; thence with said access road South 70° 11' 00" West 166.89 feet to the point of beginning, containing 1.62 acres according to a plat entitled "Willie Benjamin and Luella Benjamin" prepared by Hassell-Pittman (Larry C. Pittman, R.L.S. L-965), dated November 9, 1989, a copy of which is hereto attached and incorporated herein by reference.

Also being that same property described in that certain deed of record in Deed Book 1238, at Page 0318 in the Craven County Registry.

The property is commonly referred to by its tax parcel identification number which is 5-008-133.

This parcel is not the primary residence of the grantor.

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

Regarding Parcel ID 5-008-133 the title conveyed by this Commissioner's Deed is held pursuant to N.C. Gen. Stat. § 105-376, with Craven County having \$3,757.13 in taxes, interest, penalties, fees and costs associated with this matter, all of which constitute a first and prior lien as of the date of the sale. Upon subsequent sale of this parcel, the proceeds will be distributed to Craven County pursuant to N.C. Gen. Stat. § 105-376.

IN WITNESS WHEREOF, the said David B. Baxter, Jr., Commissioner, hath hereunto set his hand and seal the day and year first above written.

  
\_\_\_\_\_  
David B. Baxter, Jr., Commissioner (SEAL)

STATE OF NORTH CAROLINA  
COUNTY OF CRAVEN

I, Ann Keever M. Carpenter, a Notary Public of Craven County, North Carolina, do hereby certify that **David B. Baxter, Jr., Commissioner**, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and notarial stamp or seal, this 3<sup>rd</sup> day of October, 2017.

My Commission Expires: 1/9/2022



*Ann Keever M. Carpenter*  
NOTARY PUBLIC



# Craven County GIS

Craven County does NOT warrant the information shown on this map and should be used ONLY for tax assessment purposes. Printed on June 12, 2020 at 2:03:22 AM



1 inch = 416 feet

