

NORTH CAROLINA

WAYNE COUNTY

The Wayne County Board of Commissioners met on Tuesday, December 7, 2021 at 9:02 a.m. in the Commissioners Meeting Room in the Wayne County Courthouse Annex, Goldsboro, North Carolina, after due notice thereof had been given.

Members present: George Wayne Aycock, Jr., Chairman; Freeman Hardison, Jr., Vice-Chairman; Barbara Aycock; Joe Daughtery; Bevan Foster; Chris Gurley and Antonio Williams.

Members absent: None

Briefing Session

During the scheduled briefing and prior to the regularly scheduled meeting, the Board of Commissioners held an advertised briefing session to discuss the items of business on the agenda.

The briefing began at 8:00 a.m. with County Manager Craig Honeycutt reviewing the agenda. He added the following:

- CAD Contract Modifications
- Discussion of possible Dudley Satellite Library

Finance Director Allison Speight reviewed the Budget Amendments and answered questions from the board.

Wayne County Library Director Donna Phillips reviewed the motion to permanently close the Fremont Branch Library and Library Advisory Board Chairperson Lee Hulse spoke on behalf of the Board in support of closing the Fremont Branch.

Commissioner Antonio Williams asked to add a discussion on a satellite library location in Dudley. Commissioner Chris Gurley stated he thought a regional library approach was being looked at by the Board, as Mount Olive is the newest library facility in the County and the growth is in the northern area. Commissioner Joe Daughtery stated he has an objection to adding items the day of meetings, preferring to add it to the next agenda. Commissioner Bevan Foster stated he has no problem adding to the next agenda, but something is added almost every meeting and he felt it was purposefully done to postpone Commissioner Williams' request.

County Manager Craig Honeycutt reviewed the Mobile Command Center budget amendment and answered questions from the Board.

Staff Attorney Andrew Neal reviewed the Surplus Property Sale and the changes to the Wayne County Ordinances to comply with Session Law 2021-138.

Recess the Board of Commissioners Meeting

At 8:52 a.m., Chairman George Wayne Aycock, Jr. recessed the meeting of the Board of Commissioners.

Call to Order

Chairman George Wayne Aycock, Jr. called the meeting of the Wayne County Board of Commissioners to order.

Invocation

Commissioner Chris Gurley introduced Pastor John Howard who gave the invocation.

Pledge of Allegiance

Commissioner Bevan Foster led the Board of Commissioners in the Pledge of Allegiance to the Flag of the United States of America.

Election of Chairman

Chairman George Wayne Aycock, Jr. turned the meeting over to Wayne County Attorney E. B. Borden Parker for the purpose of electing a Chairman.

County Attorney E. B. Borden Parker opened the nominations for Chairman of the Wayne County Board of Commissioners.

Commissioner Chris Gurley nominated Commissioner Joe Daughtery for Chairman of the Wayne County Board of Commissioners.

Commissioner Antonio Williams nominated Vice-Chairman Freeman Hardison, Jr. for Chairman of the Wayne County Board of Commissioners. Mr. Hardison stated he denied the nomination.

There being no other nominations, Wayne County Attorney E. B. Borden Parker closed the nominations.

Voting for Mr. Daughtery: Commissioner Barbara Aycock, Commissioner George Wayne Aycock, Jr., Commissioner Daughtery, Commissioner Chris Gurley, and Commissioner Freeman Hardison, Jr.

Voting against Mr. Daughtery: Commissioner Bevan Foster and Commissioner Antonio Williams.

Commissioner Joe Daughtery was elected Chairman of the Wayne County Board of Commissioners by a 5 to 2 vote.

Election of Vice-Chairman

Chairman Joe Daughtery opened the floor for nominations for Vice-Chairman of the Wayne County Board of Commissioners.

Commissioner Freeman Hardison, Jr. nominated Commissioner George Wayne Aycock, Jr. as Vice-Chairman of the Wayne County Board of Commissioners.

Commissioner Bevan Foster nominated Commissioner Antonio Williams as Vice-Chairman of the Wayne County Board of Commissioners.

There being no other nominations, Chairman Joe Daughtery called for the "Aye" votes.

Voting for George Wayne Aycock, Jr.: Commissioner Barbara Aycock, Commissioner George Wayne Aycock, Jr., Commissioner Daughtery, Commissioner Chris Gurley, and Commissioner Freeman Hardison, Jr.

Voting for Commissioner Antonio Williams: Commissioner Bevan Foster and Commissioner Antonio Williams.

Commissioner George Wayne Aycock, Jr. was elected Vice-Chairman of the Wayne County Board of Commissioners.

Approval of Minutes

Upon motion of Vice-Chairman George Wayne Aycock, Jr., the Board of Commissioners approved the minutes of the regularly scheduled meeting of the Board of Commissioners on November 16, 2021, by a vote of 6 to 1. Voting against the motion was Commissioner Bevan Foster.

Discussion/Adjustment of Agenda

County Manager Craig Honeycutt made the following adjustments to the agenda:

- Motion to approve the CAD Contract with CentralSquare Solutions contingent on County Attorney approval and preliminary approve by 911 board staff, and appropriate budget amendment, under Unfinished Business.
- Discussion of a proposed satellite library in Dudley under New Business.
- Motion to Move Public Comments to after Consent Agenda.

Upon motion of Commissioner Barbara Aycock, the Board of Commissioners unanimously approved moving Public Comments to after Consent Agenda. Commissioner Antonio Williams abstained from voting, resulting in an affirmative vote.

Upon motion of Commissioner Chris Gurley, the Board of Commissioners unanimously approved and authorized the adjusted agenda. Commissioner Bevan Foster abstained from voting, resulting in an affirmative vote.

Presentation by Thomas Rice with MLFL

Mr. Thomas Rice with MLFL, and Mr. David Simmons gave a presentation on a proposed homeless shelter community, attached hereto as Attachment A.

Commissioner Antonio Williams asked Mr. Rice what they needed from the County. Mr. Rice stated they need \$4 million and asked the County to contribute what they could.

Presentation by Matthew Whittle, Executive Director for Goldsboro-Wayne Habitat for Humanity

Mr. Matthew Whittle, Executive Director for Goldsboro-Wayne Habitat for Humanity gave a presentation on his organization, attached hereto as Attachment B.

Vice-Chairman George Wayne Aycock, Jr. and Commissioner Barbara Aycock asked questions of Mr. Whittle.

Request to Speak Before the Board of Commissioners by Register of Deeds Constance Coram

Ms. Constance Coram requested to speak before the Board of Commissioners.

Commissioner Antonio Williams commended Ms. Coram and asked questions regarding additional training and increased budgeting.

Staff Recommendations for Dealing with Register of Deeds Finances

County Manager Craig Honeycutt presented staff recommendations for handling the finances of the Register of Deeds office, attached hereto as Attachment C.

Commissioner Antonio Williams asked Mr. Honeycutt to explain the recommendations in laymen's terms. Commissioner Bevan Foster asked what the Register of Deeds thought about the recommendations and called Ms. Coram to the podium. Chairman Joe Daughtery stated he was not recognizing Ms. Coram to speak and discussion was limited to amongst Board members, as Ms. Coram had already presented to the Board.

Upon motion of Commissioner Freeman Hardison, Jr., the Board of Commissioners approved the recommendations for handling the finances of the Register of Deeds office by a vote of 5 to 2. Voting against the motion were Commissioners Foster and Williams.

Appointment Committee

Upon motion of Commissioner Chris Gurley, the Board of Commissioners unanimously approved the appointments of KerriAnn Jayne and Judith Gray to the Wayne County Tourism Development Alliance, replacing Tyrone Barrett and Bharat Prajapati.

Consent Agenda

Upon motion of Commissioner Antonio Williams, the Board of Commissioners approved and authorized the following items under the consent agenda by a vote of 6 to 1 with Commissioner Bevan Foster voting against.

1. Applications for Elderly or Disabled Exclusion.
2. Budget Amendments
 - a. Sheriff's Office - #113
 - b. Sheriff's Office - #158
 - c. HMGP - #160
 - d. Development Alliance - #162
 - e. EMS - #164
 - f. Sheriff's Office - #165
 - g. Sheriff's Office - #166
 - h. Jetport- #168
 - i. Library - #169
 - j. Sheriff's Office - #171
3. Motion to Approve the Sale of Surplus Property located at 412 E. Walnut Street, Goldsboro, jointly owned with the City of Goldsboro, as requested by the City of Goldsboro, to Oliver Design, attached hereto as Attachment D.
4. Motion to Adopt Resolution #2021-42 allowing the use of Pyrotechnics in the Town of Seven Springs, North Carolina, attached hereto as Attachment E.
5. Motion to Adopt Resolution #2021-43 allowing the use of Pyrotechnics in the Town of Mount Olive, North Carolina, attached hereto as Attachment F.
6. Motion to Approve Amendment to Audit Contract with Nunn, Brashear, & Uzzell, to amend audit due date, attached hereto as Attachment G.

Clerk to the Board Carol Bowden asked the Chairman to discuss any items of contention, as Commissioner Bevan Foster had voted against the Consent Agenda. Following discussion, Item #3 was removed and a vote was taken.

Upon motion of Commissioner Antonio Williams, the Board of Commissioners unanimously approved and authorized the following items under the consent agenda.

1. Applications for Elderly or Disabled Exclusion.
2. Budget Amendments
 - a. Sheriff's Office - #113
 - b. Sheriff's Office - #158
 - c. HMGP - #160
 - d. Development Alliance - #162
 - e. EMS - #164
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Upon motion of Commissioner Antonio Williams, the Board of Commissioners unanimously approved Item #3 be deferred until the December 21, 2021 meeting.

Motion to Approve the CAD Contract with CentralSquare Solutions contingent on County Attorney approval and preliminary approval by 911 Board staff, and appropriate budget amendment

Upon motion of Commissioner Chris Gurley, the Board of Commissioners unanimously approved the CAD Contract with CentralSquare Solutions contingent on County Attorney approval and preliminary approval by 911 Board staff, and appropriate budget amendment.

Public Comments

Mr. Tony Howell, Fremont Town Administrator, spoke of his concerns regarding the Fremont Library closure.

Motion to Adopt Resolution #2021-44: A Joint Resolution with the Wayne County Public Schools allowing the use of \$20 million in state funding for a new Rosewood Middle School, and appropriate budget amendment

Staff Attorney Andrew Neal reviewed the joint resolution with the Wayne County Public Schools, attached hereto as Attachment H.

Upon motion of Commissioner Freeman Hardison, Jr., the Board of Commissioners unanimously approved the adoption of Resolution #2021-44: A Joint Resolution with the Wayne County Public Schools allowing the use of \$20 million in state funding for a new Rosewood Middle School, and appropriate budget amendment.

Motion to Approve Recommendation from Wayne County Library Director Donna Phillips and Library Advisory Board to permanently close the Fremont Branch Library

Library Director Donna Phillips reviewed the recommendation to permanently close the Fremont Branch Library, attached hereto as Attachment I.

Commissioner Barbara Aycock asked if the vote by the Library Board was 100% and Mrs. Phillips stated it was. Mrs. Aycock stated she had discussed the issue with Facilities Director Kendall Lee and wants the Board of Commissioners to push the library closer to the northern end of the County and not the Buck Swamp area.

Chairman Joe Daughtery asked questions about the mobile unit, including when it would be ready, and expressed his sorrow for the difficult decision to permanently close the Fremont library.

Upon motion of Commissioner Freeman Hardison, Jr., the Board of Commissioners approved the permanent closure of the Fremont Branch Library by a vote of 6 to 1 with Williams voting against.

Discussion of Proposed Dudley Library

Commissioner Antonio Williams expressed his concerns for Dudley not having a library, or anything else. He said residents may not have transportation to the Mount Olive library and proposed a study to see how valuable a library would be in Dudley.

Following additional discussion, the Board agreed to add the discussion to the retreat in January.

Motion to Approve Budget Amendment for the purchase of Emergency Response Mobile Command Center for the Wayne County Sheriff's Office

County Manager Craig Honeycutt presented the information and Sheriff Larry M. Pierce explained the unit and answered questions regarding the Emergency Response Mobile Command Center for the Wayne County Sheriff's Office, attached hereto as Attachment J.

Upon motion of Commissioner Chris Gurley, the Board of Commissioners unanimously approved the Budget Amendment for the purchase of the Emergency Response Mobile Command Center for the Wayne County Sheriff's Office.

Motion to Approve Changes to the Wayne County Ordinances to Comply with Session Law 2021-138, new GS 153A-123 and GS 14-4

Staff Attorney Andrew Neal reviewed the changes to the Wayne County Ordinances, attached hereto as Attachment K.

Upon motion of Commissioner Chris Gurley, the Board of Commissioners unanimously approved the Changes to the Wayne County Ordinances to Comply with Session Law 2021-138, new GS 153A-123 and GS 14-4.

County Manager's Report

County Manager Craig Honeycutt reminded staff of the employee Christmas luncheon and thank Human Resources Director Ginger Moore and the Activities Committee for their work throughout the year.

Board of Commissioners Committee Reports

Commissioner Bevan Foster had no comment.

Commissioner Barbara Aycock stated she enjoyed the recent parades and thanked the towns for hosting them.

Chairman George Wayne Aycock, Jr. stated it was a busy weekend with all the parades and thanked the towns for their efforts.

Commissioner Freeman Hardison, Jr. echoed Commissioner Barbara Aycock's comments and congratulated Chris West for being selected as the Board of Education Chairman again.

Commissioner Chris Gurley shared his thoughts on the parades and thanked Pastor John Howard for providing the prayer. He wished everyone a Merry Christmas and spoke of economic development for the region. Mr. Gurley congratulated Mr. Daughtery for being elected Chairman.

Commissioner Antonio Williams stated he enjoyed the parades and giving out candy. He discussed the needs of Mount Olive and congratulated Mr. Daughtery for being elected Chairman.

Chairman Joe Daughtery spoke of the 80th Anniversary of the bombing of Pearl Harbor. He also stated he enjoyed the Christmas parades and giving out candy and wants the City of Goldsboro to allow that at the Goldsboro parade. He also thanked the Board for electing him as Chairman.

Adjournment

At 11:21 a.m., Chairman Joe Daughtery adjourned the meeting of the Wayne County Board of Commissioners.



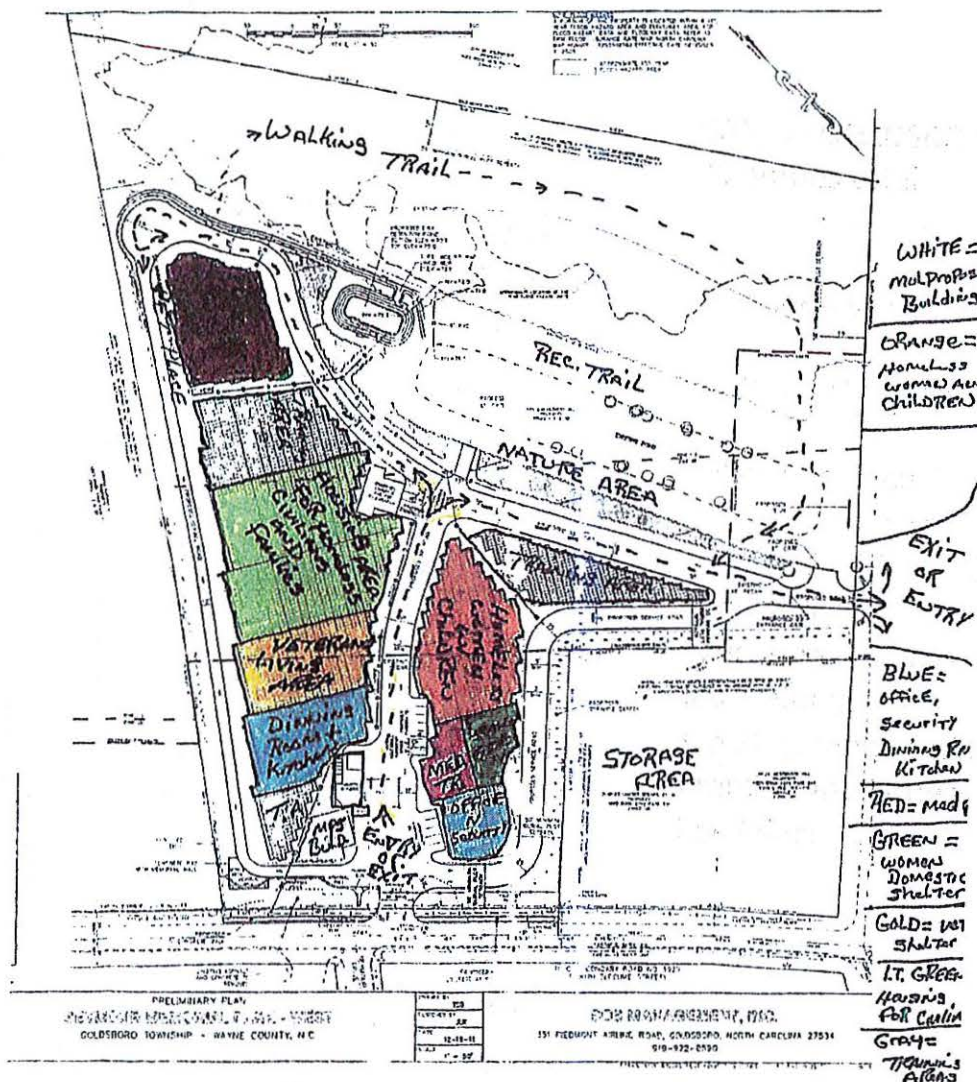
Carol Bowden, Clerk to the Board
Wayne County Board of Commissioners



MLFL, INC

MLFL, Inc. Proposal for Homeless Shelter

Mirakal Love for Life, Inc
GOLDSBORO, NC



CITY OF GOLDSBORO HOMELESS VILLAGE

40 homes total

2001 S. Slocumb Street

Goldsboro, NC 27530

*for chronically homeless and unsheltered residents

PROPOSED AMENITIES

- Police and Security
- Medical services
- Mental Health and Substance Abuse Treatment
- Food services
- Education Services
- Job Training
- Job Placement and Manpower Services
- Exercise and Fitness
- Pet Palace

MFL, Inc. Proposal for Homeless Shelter
 GOLDSBORO, NC



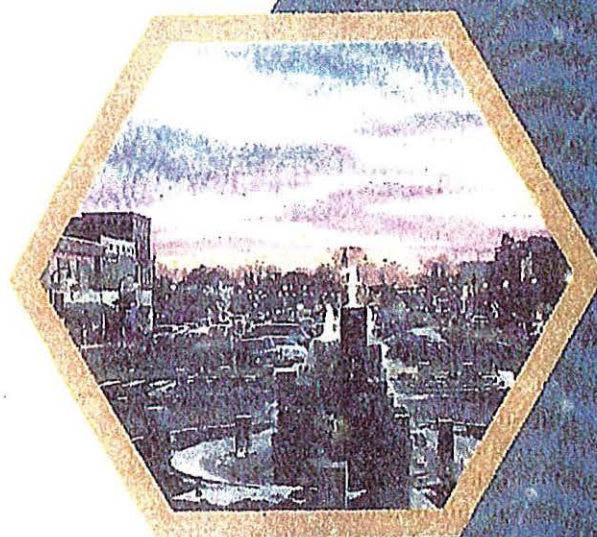
CONCRETE SHELTER
TRANSITIONAL HOUSING FOR THE
UNSHeltered HOMELESS VETERANS
AND HOMELESS CITIZENS

Are you ready?

-  The homeless shelter park is located at 2001 South Slocum Street in Goldsboro, North Carolina.
-  This park houses men, women with children, and families on different sections of the park.
-  The park has on-site security to maintain, discipline and provide wellness checks.
-  On-Site Medical Station
-  Pet Palace if needed
-  Accommodation for women who are fleeing domestic violence, dating violence, stalking, sexual assault, or human trafficking.

Our Goal...

-  Start with sheltering 50 unsheltered homeless citizens and distance them safely.
-  Take citizens in, examine and treat them, provide training, assist with job location and housing within 180 days.



PROPOSED AMENITIES

Police & Security
Medical Services
Mental Health and Substance Abuse Treatment
Food Services
Education Services
Job Training
Job Placement & Manpower Services
Exercise & Fitness
Pet Palace

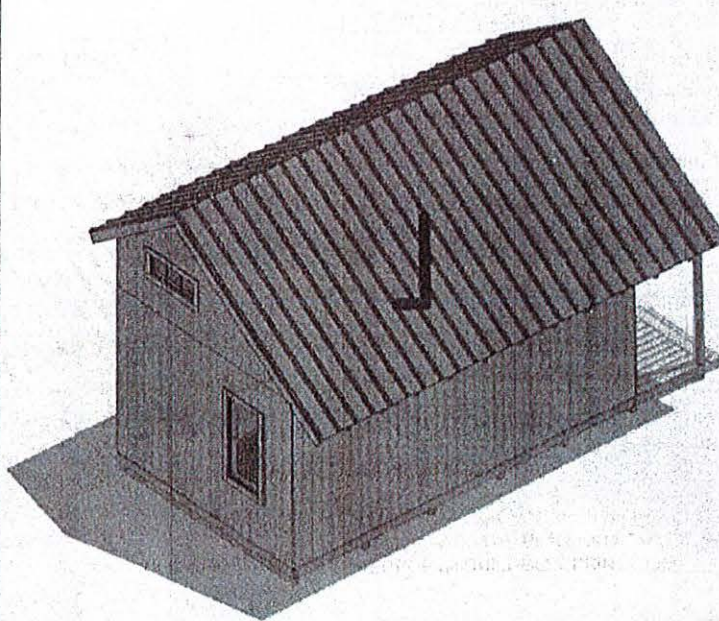
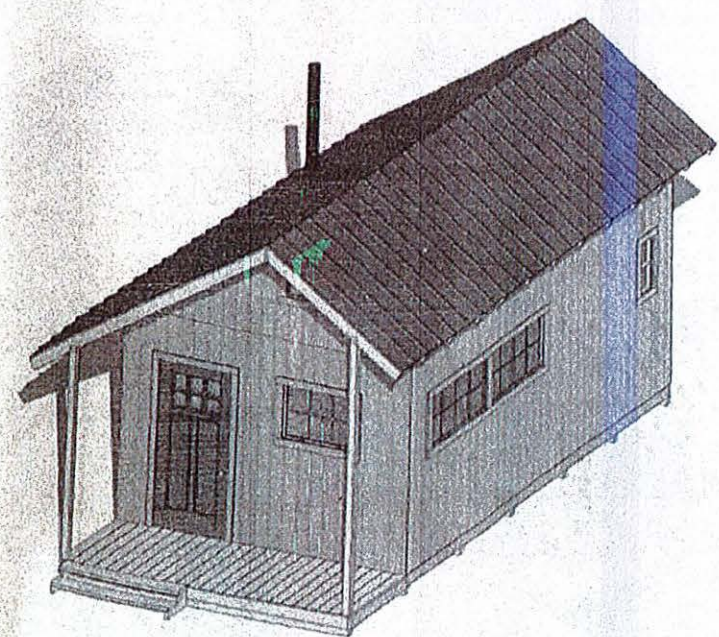
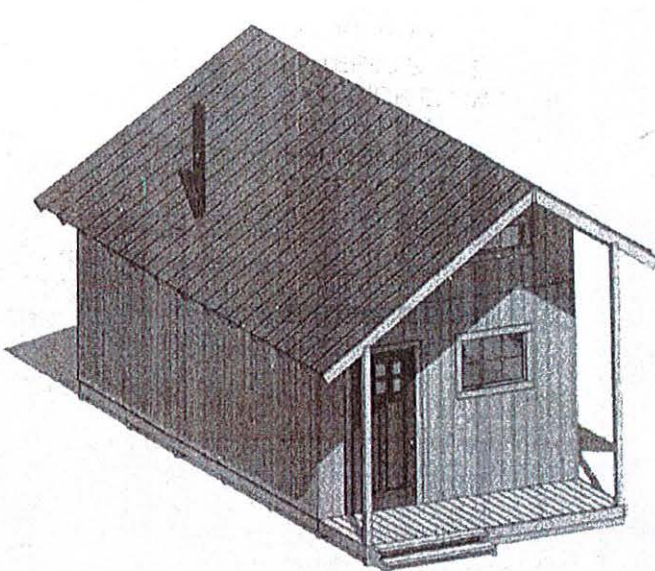
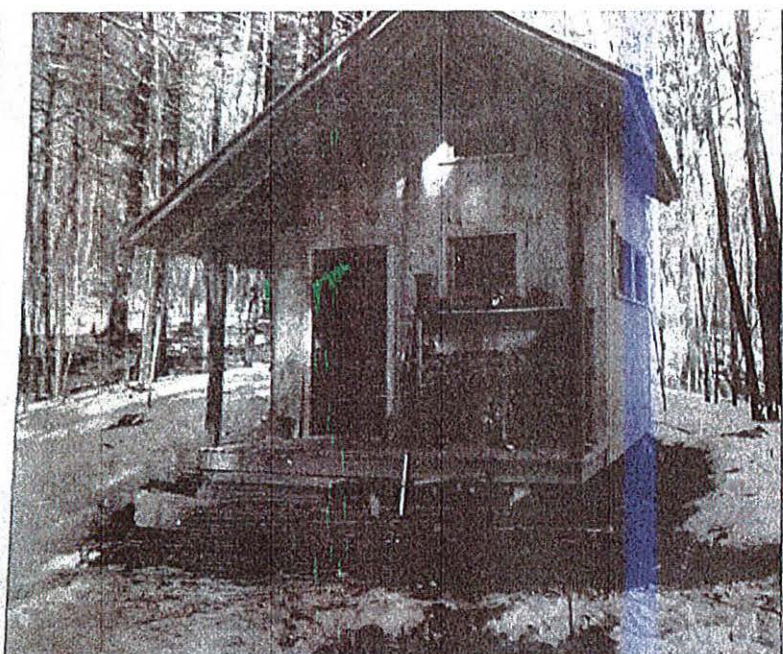
MISSION

It is our mission to help distill the quality of life in all human beings. To help restore the dignity, self esteem, and honor to God in the displaced souls of our society. Like the cold of snow in the time of harvest, so is a faithful messenger to the one that sends him, for he refreshes the soul of his Father. We are God's messenger.

VISION STATEMENT

Our vision is that each living soul will have their own place, their own dignity, and most of all carry their own responsibilities. A place where they can call home, feel secure and enjoy the fruits of their labor. We're making our city / county a place where **EVERY SOUL HAS A HOME.**

WINSTON SALEM
PALEIGH
CHARLOTTE
GOLDSDORF
MILAN PRINCE
BETHLEHEM



COVER PAGE	0
MATERIALS LIST	02
EXTERIOR ELEVATIONS	04
FLOOR PLAN	06
FOUNDATION	08
EXTERIOR WALLS	10
BATHROOM AND LOFT	12
ROOF RAFTERS	14
ROOFING	16
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INSULATION & DRYWALL	30
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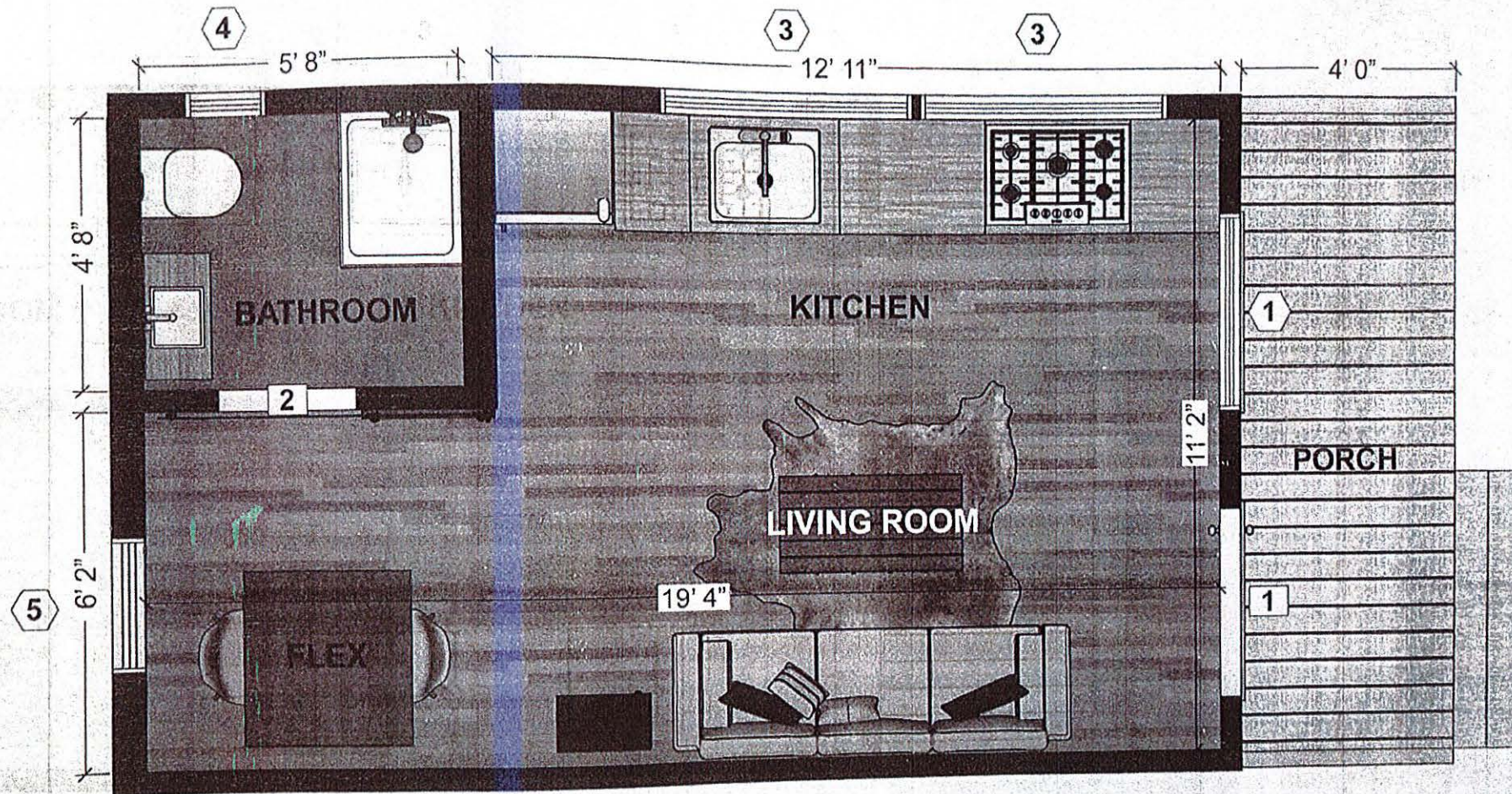
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FIRST FLOOR PLAN

215SF

215SF

SHEET SIZE: 17"X22" OR 8.5"X11"

DRAWN BY: J.L.

12x20 SALTBOX CABIN



Planning Department
200 North Center Street
Goldsboro, NC 27530
(919) 580-4333

July 19, 2021

MLFL Inc.
Attn: Thomas Rice
1412 Hwy 117 South
Goldsboro, NC 27530

Re: **Z-8-21 MLFL, LLC (Tiny Home Village) – Located on the south side of S. Slocumb between Westbrook Road and Seymour Drive.**

Dear Mr. Rice:

At their meeting on Monday, July 12, 2021, the Goldsboro City Council concurred with the recommendation of the Planning Commission and approved the above referenced change of zone from General Business and General Industry (GB RM-NC, GB & I-2) zoning district to Planned Unit Development (PUD) Conditional Zoning limiting the use of the property to a 40-unit tiny home village.

In addition, the Goldsboro City Council concurred with the recommendation of the Planning Commission and waived the requirement of site plan at the time of rezoning. A North Carolina registered engineer is required to design the site plan in accordance with City's Unified Development Ordinance and subject to City Council approval.

Enclosed is a copy of Ordinance No. 2021-27, which officially changes the zoning for the property change of zone from General Business and General Industry (GB RM-NC, GB & I-2) zoning district to Planned Unit Development (PUD) Conditional Zoning.

Please feel free to contact me if you have any questions concerning this matter.

Sincerely,

Jennifer Collins
Planning Director
Enclosure

Cc:

NCDOT District Engineer
2671 US Hwy 70 West
Goldsboro, NC 27530

Wayne County Tax Office
P O Box 227
Goldsboro, NC 27533

ORDINANCE NO. 2021 - 27

AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT ORDINANCE
OF THE CITY OF GOLDSBORO, NORTH CAROLINA
CODE OF ORDINANCES

WHEREAS, after notice duly given according to law, a public hearing was held before the City Council and the Planning Commission at a regular meeting held in the City Council Chambers, 214 N. Center St. in the Historic City Hall building, on Monday, June 21, 2021, at 7:00 p. m., for the purpose of considering and discussing the passing of an ordinance amending the Unified Development Ordinance of the City of Goldsboro, North Carolina; and

WHEREAS, after completion of said public hearing and receipt of the recommendation of the Planning Commission, the City Council of the City of Goldsboro deems it advisable and for the best interest of the City and those residing within its zoning jurisdiction that the Unified Development Ordinance be amended as herein below set forth;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Goldsboro, North Carolina:

1. That the Unified Development Ordinance of the City of Goldsboro, North Carolina Code of Ordinances, be and the same is hereby amended by changing:

From General Business and General Industry (GB RM-NC, GB & I-2) zoning district to Planned Unit Development (PUD) Conditional Zoning district for the purposes of limiting the use of the property to a 40-unit tiny home village.

Z-8-21 MLFL Inc. - Located on the south side of S. Slocumb Street between Westbrook Road and Seymour Drive.

The Wayne County Tax Identification Numbers are 3508-14-9911 & 3508-14-6495.

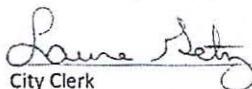
2. That the Official Zoning Map, Goldsboro, North Carolina, on file in the Office of the Director of Planning and Community Development be promptly changed to reflect this amendment and the appropriate entries in reference thereto be entered in the descriptive record of changes as provided in Section 2 of the Unified Development Ordinance.

3. That this Ordinance shall become effective from and after the entry of the changes or amendments herein made on the said Official Zoning Map.

Adopted this 12th day of July, 2021.


Mayor Pro Tem

Attested by:


City Clerk



SMITH ENGINEERING AND DESIGN, P.A.

Mr. David Simmons
S.T.S. Inc.
P.O. Box 10616
Goldsboro, NC 27532

August 30, 2021

RE: Single-Family Home Construction
2001 S. Slocumb St.
Goldsboro, NC 27530

Dear Mr. Simmons:

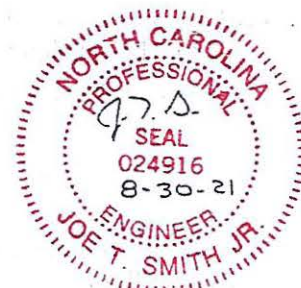
I have reviewed the plans prepared by Build Blueprint titled "12 x 20 Saltbox Cabin" for the residence to be constructed at the above referenced location. The residence is a one-story single-family dwelling with dimensions of 12'-0" x 20'-0". It will be located between the 65 and 70 Day-Night Average Sound Level (DNL) contours as shown on the Noise Contour Map of the County of Wayne Noise Overlay Manual. A 25-decibel noise level reduction is required for dwellings located in this zone. The home will be will meet the noise level reduction requirements by complying with Section 5.9.9 of the City of Goldsboro Unified Development Ordinance. Below is a general description of the construction methods; please see the plans for additional information:

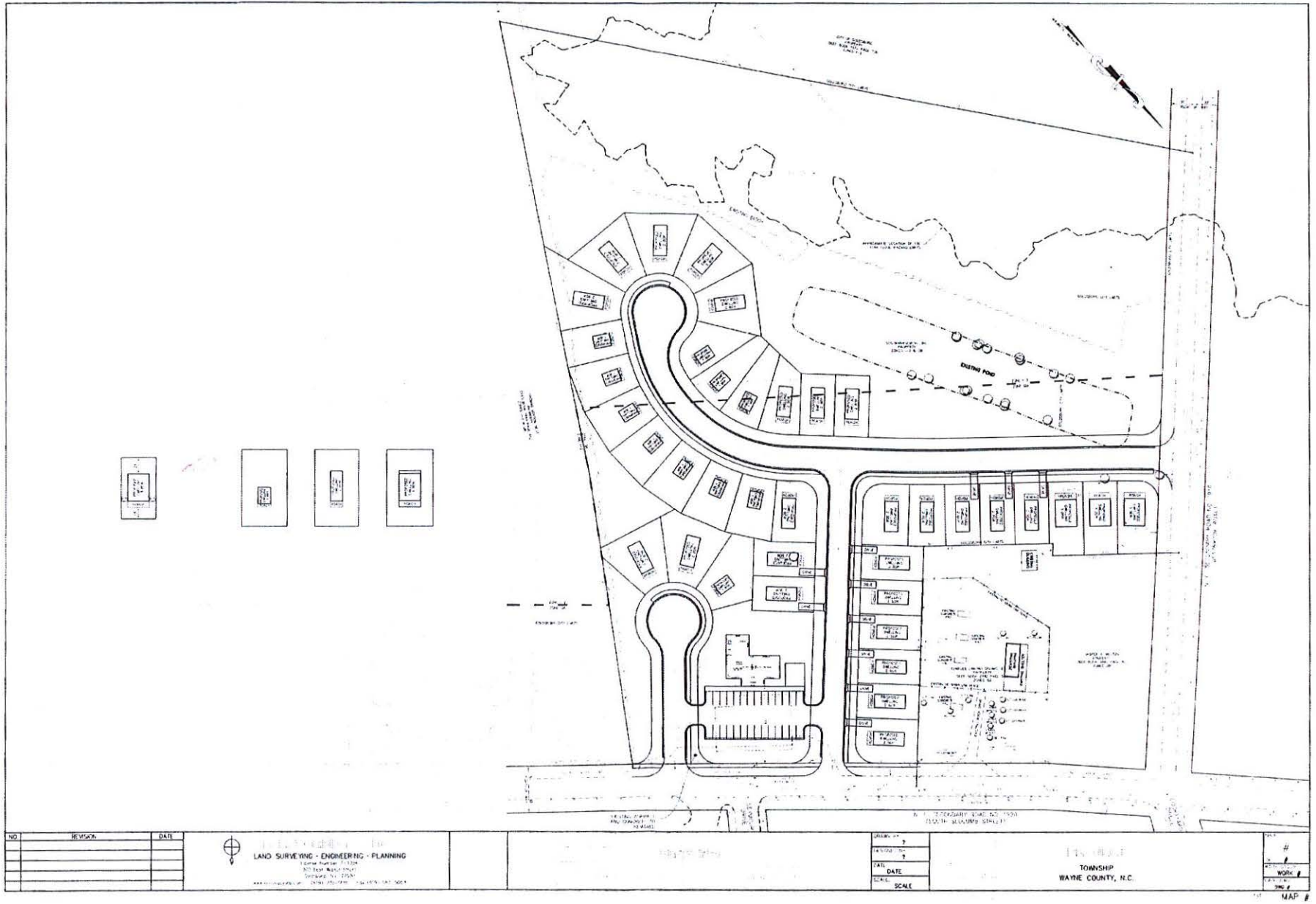
- A. Exterior stud walls shall be constructed with a combination of 2"x 4" and 2"x 6" wood studs with R-19 insulation, 1/2" interior gypsum wall board and 19/32" T1-11 wood siding attached to wood studs.
- B. There are seven (7) Jeld-Wen brand windows with sizes 36"x 24", 35.5"x 11.5", 48"x 24", 11.5"x 35.5 and 23.5"x 41.5" with a minimum of 3/16" thick interior and exterior glass panes to be used. The STC on these windows range from 28 to 30. Each exceeds the minimum required STC rating of 28 for this zone.
- C. The front door of the home is not specified in the plans but shall be a solid-core wood or insulated hollow metal door at least 1-3/4" thick, fully weather-stripped and have a minimum STC of 28.
- D. The roof shall be constructed with 2"x 10" rafters spaced at 24" on center with 3/4" plywood sheathing and metal roof panels.
- E. The ceiling shall be finished with 1/2" gypsum board attached to the rafters with R-30 batt insulation.

It is my professional opinion that this home's construction materials and methods as specified above are in substantial compliance with the City of Goldsboro's Noise Overlay District requirements. Please note that this plan review was for noise district requirements only for not for compliance with the NC Residential Building Code. All materials and construction shall be completed in accordance with the NC Residential Building Code. If I may be of further assistance, please feel free to call.

Respectfully,

Joe T. Smith, Jr., P.E.
SMITH ENGINEERING AND DESIGN, P.A.
NC Firm Lic. No: C-2241





NO	REVISION	DATE

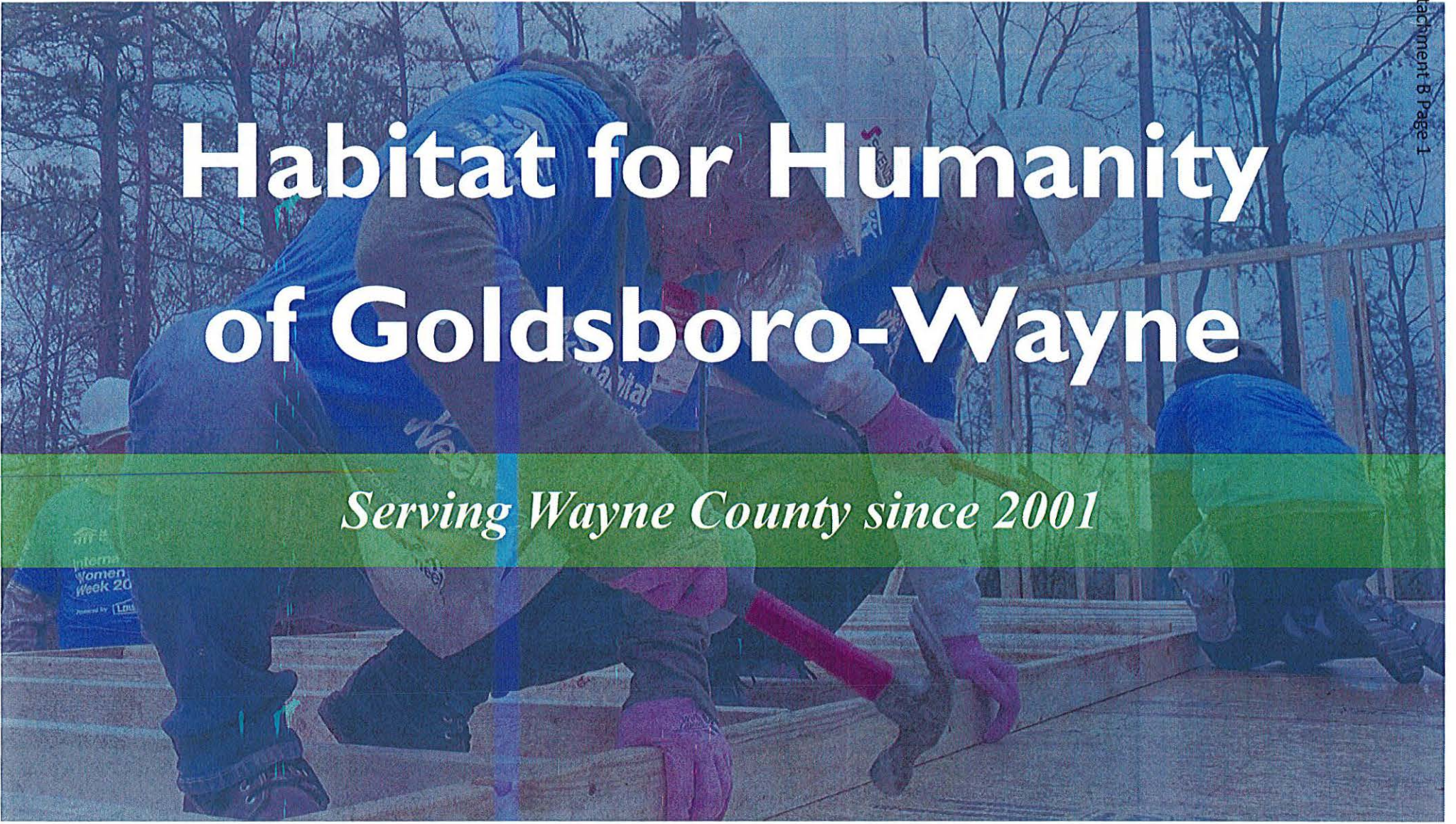
LAND SURVEYING - ENGINEERING - PLANNING
10000 S. 100th St.
PO Box 10000
Wayne County, N.C. 28390
www.lse-inc.com (919) 286-1000 FAX (919) 286-1001

DRAWN BY
CHECKED BY
DATE
SCALE

TOWNSHIP
WAYNE COUNTY, N.C.

WORK
MAP #





Habitat for Humanity of Goldsboro-Wayne

Serving Wayne County since 2001

The background image shows a group of people, including women, working on the construction of a house. One person in the foreground is wearing a blue t-shirt with 'Habitat for Humanity' and 'International Women's Week 2020' printed on it. They are using tools like hammers and nails to build the wooden frame of a structure. The scene is outdoors with trees in the background.

Vision

A community in which everyone has a decent place to live.

Mission

To work with our neighbors in Wayne County to share God's love by building homes, communities & hope through affordable housing.

WHAT WE DO

✓ **New Home Construction**
“Building Foundations”

✓ **Financial Counseling**
Resources

✓ **Simple Home Repair**
“Brush With Kindness”

✓ **Homeowner**
Learning Lab

✓ **Habitat ReStore**

✓ **Homeowner Support**

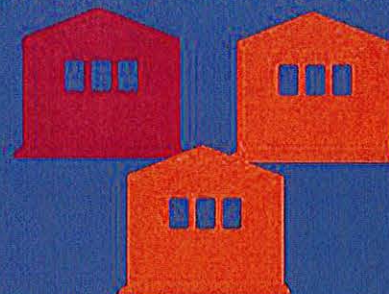


Habitat's Impact in FY20-21

3

NEW HOMES BUILT

families closed on their new homes thanks to our new home construction program, Building Foundations



EXISTING HOMES REPAIRED

11

families improved their living conditions thanks to our home repair program, A Brush With Kindness



Habitat's Impact in FY20-21

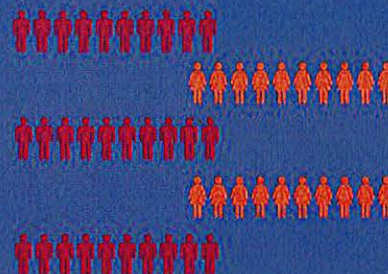
1,823

volunteers spent

11,527

hours on construction &
in the ReStore

VOLUNTEERS



DONATIONS & OTHER LOCAL CONTRIBUTIONS



\$339,833

was generously given by local
individuals, churches,
businesses & organizations
to help purchase the necessary
land and construction materials
to build and repair homes

UNRESTRICTED \$119,604

RESTRICTED \$220,229

Habitat's Impact in FY20-21

\$1,273,207

estimated economic impact of
Habitat's investments in operations,
construction and repair in FY20-21

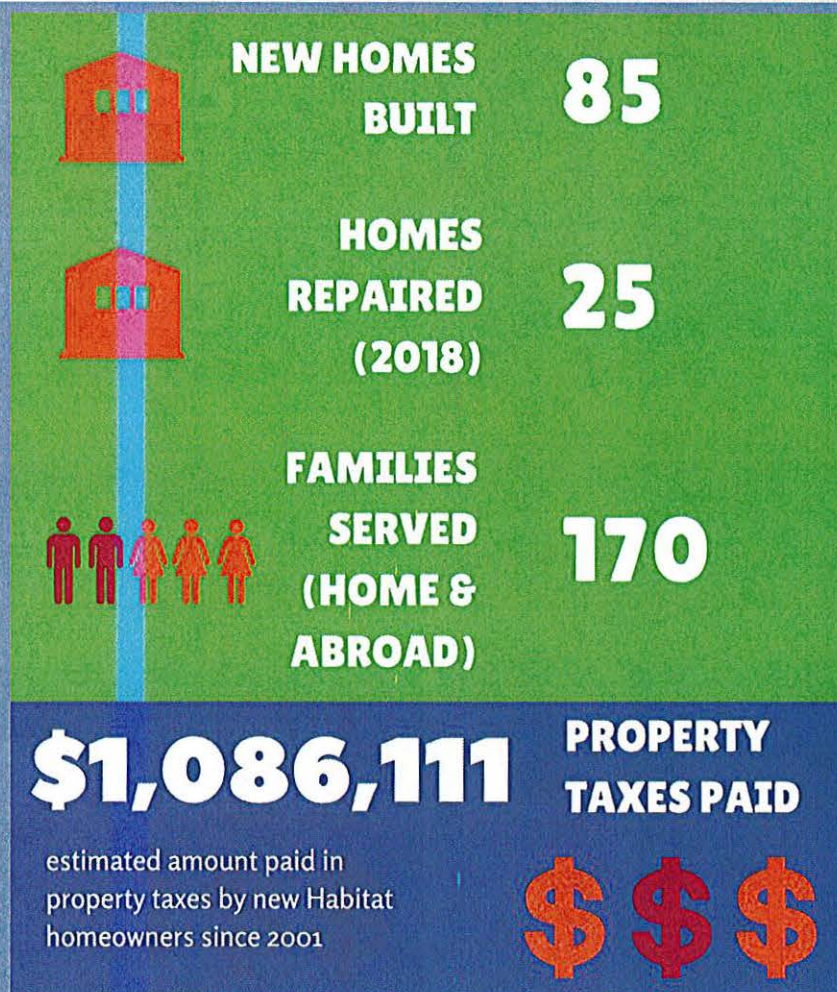
**ESTIMATED
ECONOMIC
IMPACT**



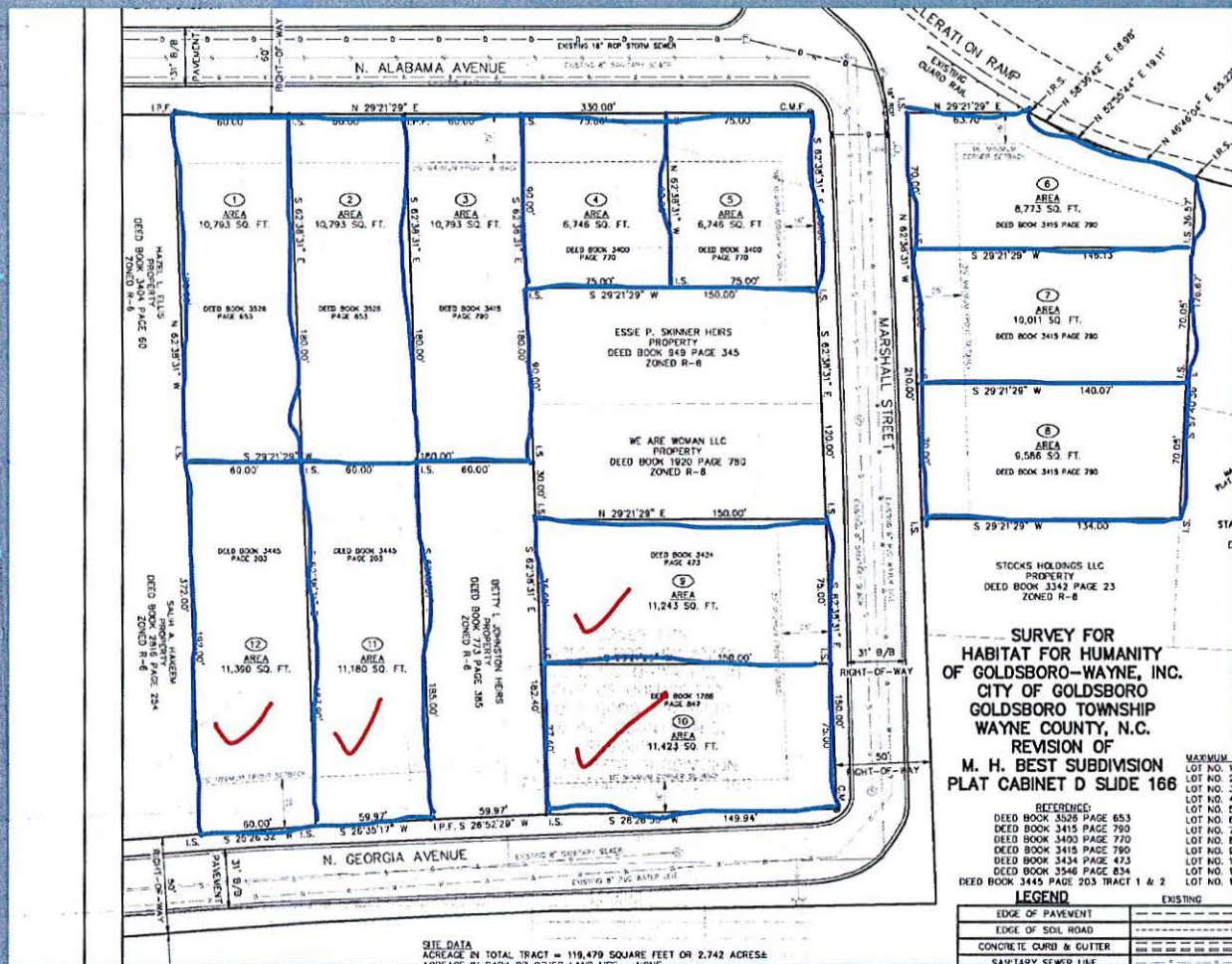
**24 JOBS SUPPORTED
IN WAYNE COUNTY (EST.)**

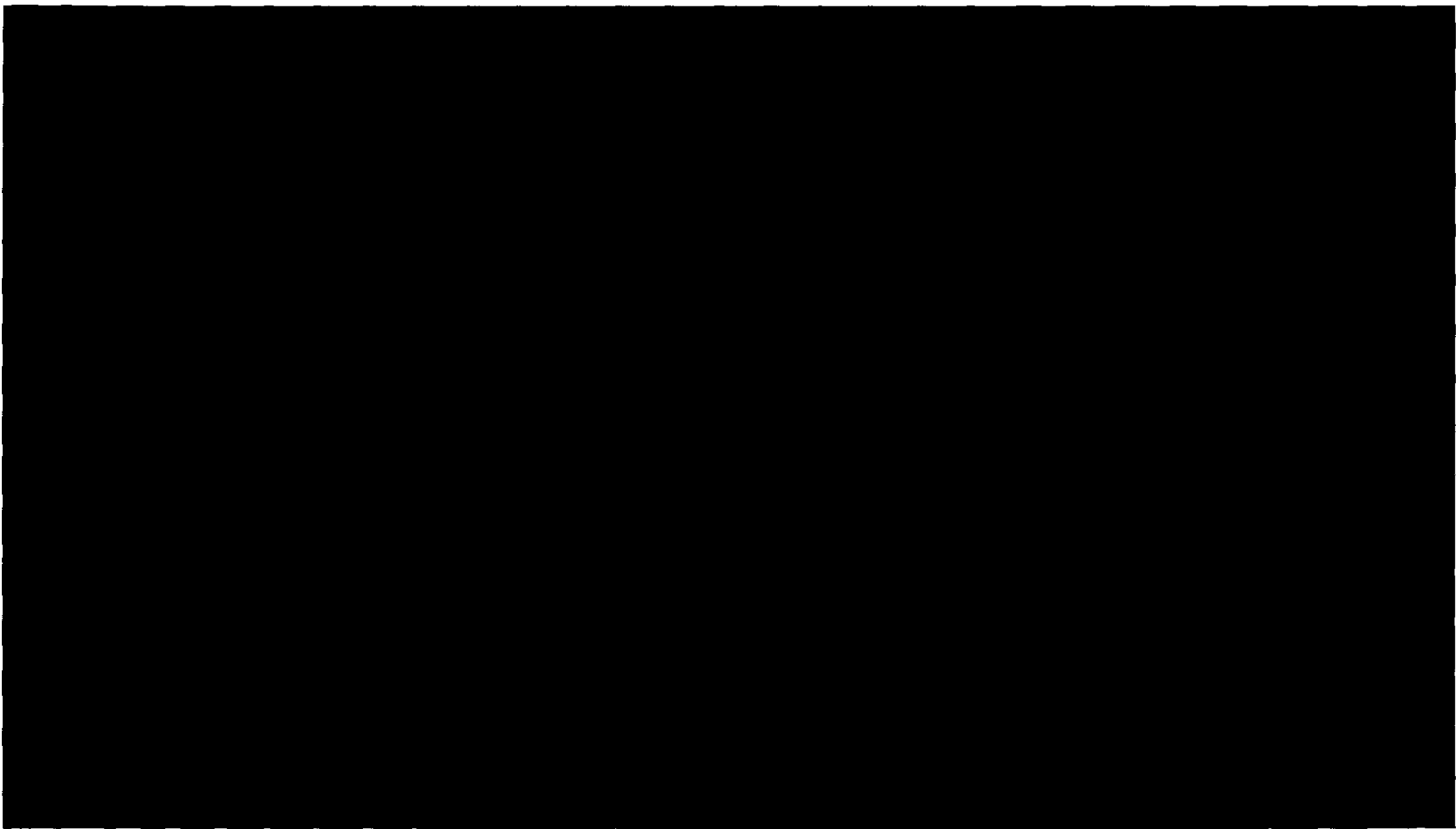
**\$1.60 INJECTED INTO LOCAL ECONOMY
FOR EACH \$1 INVESTED BY HABITAT**

Habitat's Impact since 2001



Where are building in 2022 & beyond?







Contact us

Office: 131 E. Walnut St. 919-736-9592

ReStore: 124 E. Mulberry St. 919-736-9550

www.habitatgoldsboro.org executive@habitatgoldsboro.org

To donate, volunteer or for more information, including about our Building Foundations Annual Partner Campaign, contact volunteer@habitatgoldsboro.org or 919-736-9592 x4.



TO: WAYNE COUNTY BOARD OF COMMISSIONERS
FROM: CRAIG F. HONEYCUTT – COUNTY MANAGER 
DATE: DECEMBER 2, 2021
RE: PROCEDURES FOR COUNTY FINANCE/REGISTER OF DEEDS

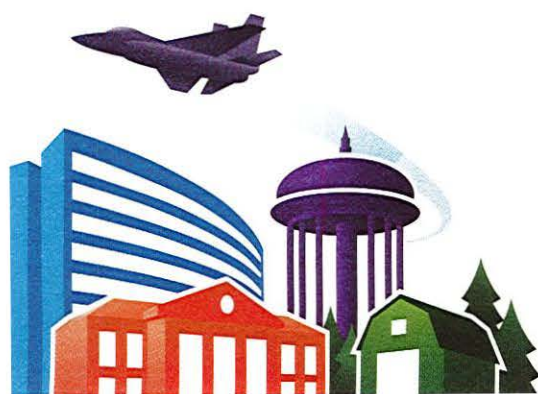
As the Board is aware, at your August 17, 2021 meeting the Board approved of hiring a new position in County Finance to help the Register of Deeds with their County finances (IE accounts payable/state reports/etc.). This new position started approximately two weeks ago.

In order to clarify job responsibilities of Finance and the Register of Deeds, we would like to recommend approval by the Board of Commissioners of the attached memo outlining responsibilities for each department.

We have reviewed these processes with our local auditor and the Local Government Commission to see if they had any issues on what is being proposed, and they offered some suggestions for us to consider including as well.

This is our effort in trying to come up with a workable solution to this situation for all parties. This will be a work in progress, because we know of no other County that has a similar working situation between Finance and the Register of Deeds.

Please let us know if you have any questions.



RECOMMENDATION FROM COUNTY MANAGEMENT ON THE HANDLING OF FINANCES WITH THE REGISTER OF DEEDS:

- Cott Systems, Inc. shall provide READ ONLY access to County Finance to allow access to information to remit the following monthly State reports: Conveyance Tax Return, House Bill 384 Fee Report and the Supplemental Pension Fund Report. Additionally, reports will be used to assist with reconciliation issues of deposits and general ledger discrepancies.
- Invoices - Register of Deeds shall no longer have access to MUNIS software system. For any outstanding invoices/bills to be paid – the Register of Deeds shall scan (as an attachment) and email any approved invoices to Finance to be paid.
 - Physical copies of invoices will be signed by Mrs. Coram (or her designee) and coded with the correct line item. They will then be scanned in and emailed to Thelma Spencer in Finance with a CC to Allison Speight. Any invoices not received in this method will NOT be processed.
 - Invoices for goods/services that do not have sufficient budget will NOT be processed for payment until a budget amendment is submitted and approved.
- Budgeting will be done by Excel spreadsheet, as Finance will provide a template to ROD with account codes, account descriptions and the following information:
 - Current budget
 - Budget spent to date (of report)
 - Prior year budget numbers
 - Next year budget request (to be completed by ROD)
- Purchasing – Any purchases expected to exceed \$1,000 must have three (3) quotes (unless a current contract exists). The completed & signed Memorandum of Award and the three (3) quotes must be emailed to Thelma Spencer with a CC to Allison Speight before a purchase can be made.
 - This is only for items not covered by a current contract, (i.e. Office Depot, Cott or Toshiba invoices).
 - Purchases must be made only where sufficient budget exists. A preaudit will be done before payments are made for purchases. Any budget violations will be the responsibility of the Register of Deeds.
- Budget amendments – If a budget amendment is needed, Mrs. Coram can complete the budget amendment form from the Finance webpage, sign it and email it to Thelma Spencer in Finance with a CC to Allison Speight.
- Daily deposit reports – All daily reports & attached deposit slips must be correctly coded & balanced and submitted to Finance by scanning the reports and deposit slips, attaching them and emailing them to Thelma Spencer with a CC to Allison Speight. These reports/deposit slips

must be submitted to Finance within 2 business days of the report's transaction date. (Example: Monday's work would be submitted to Finance no later than Wednesday.)

- Time sheets – Time sheets should be reviewed and signed off for approval by Mrs. Coram then emailed to Thelma Spencer with a CC to Allison Speight.
- Reporting – Any reporting that the Register of Deeds may need from Munis can be requested from Finance through an email to Thelma Spencer with a CC to Allison Speight. Finance will be given up to 3 business days to complete requested reporting.
- All other communications between the Register of Deeds and Finance should be done via email to Allison Speight and a CC to Craig Honeycutt.

Item _____

CITY OF GOLDSBORO
AGENDA MEMORANDUM
NOVEMBER 15, 2021 COUNCIL MEETING

SUBJECT: Accept Final Upset Bids for 412 East Walnut Street (Oliver Design)

BACKGROUND: Council authorized the staff to advertise for upset bids (G.S. 160A-266 and 160A-269) at the July 12, 2021 meeting. Staff advertised and received a total of six upset bids through October 25, 2021.

DISCUSSION: The following final upset bid has been received for the sale of surplus real property under **Negotiated offer, advertisement, and upset bid process (G.S. §160A-266(a) (3))**

412 East Walnut Street

Offeror: Oliver Design Group, LLC

Offer: \$9,500.00

Bid Deposit: \$475.50

Parcel #: 50440

Pin #: 3509057190

Tax Value: \$6,210.00

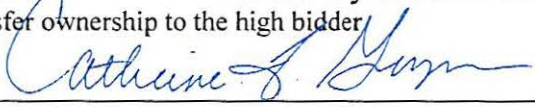
Zoning: R-9

The offer is at least 50% of the tax value of the property. The bid deposit of 5% has been received in the form of multiple cashier checks and money order. The original offer was \$3,210.00, and the fifth upset bid amount was \$8,800.00. The upset bid amount was a minimum of \$9,290.00 which is 10% of the first \$1,000.00 and 5% after the first \$1,000.00, so the final upset bid of \$9,500.00 was satisfactory. There were no further bids received when the final upset period ended on October 25th.

RECOMMENDATION: It is recommended that the City Council, by motion:

1. Adopt the attached resolution to accept upset bid offer on 412 East Walnut so that staff may request consensus from Wayne County Board of Commissioners and authorize city officials to execute documents to transfer ownership to the high bidder

Date: 11/1/2021


Catherine F. Gwynn, Finance Director

Date: _____

Timothy M. Salmon, City Manager

RESOLUTION NO. 2021- _____

RESOLUTION AUTHORIZING AWARD AND FINAL SALE OF REAL PROPERTY

WHEREAS, the City of Goldsboro and County of Wayne jointly own certain real property at 412 East Walnut Street (Pin #3509057190); and

WHEREAS, North Carolina General Statute § 160A-269 permits the city to sell real property by upset bid, after receipt of an offer for the property; and

WHEREAS, the City has received an upset bid offer to purchase the property described above, in the amount of \$9,500.00 (Nine Thousand Five Hundred Dollars and no/100) submitted by Oliver Design Group, LLC (Offeror); and

WHEREAS, there were no other upset bids received in the subsequent upset bid period; and

WHEREAS, Offeror has paid the required five percent (5%) deposit on his/her offer in the amount of \$475.50 (Four Hundred Seventy Five Dollars and 50/100).

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Goldsboro, North Carolina, that:

- 1) The City Council declares this property as surplus.
- 2) The City Council authorizes the sale of the property described above through North Carolina General Statute § 160A-269.
- 3) The City Council accepts the final upset bid offer as stated.
- 4) City officials shall seek approval of the final sale from the Wayne County Board of Commissioners.
- 5) City Council further authorizes and empowers City officials to execute the instruments necessary to convey the property to the Offeror after concurrence from the Wayne County Board of Commissioners.
- 6) The City reserves the right to withdraw the property from sale at any time before ownership is transferred and recorded.
- 7) The terms of the final sale are:
 - a) Buyer must pay with cash at the time of closing.
 - b) Buyer must pay closing costs.

This resolution shall be in full force and effect from and after this _____ day of _____, 2021.

Mayor

Attest: _____
City Clerk

OLIVER DESIGN GROUP, LLC

102 Whitfield Drive
Goldsboro NC 27530
919-344-7964

October 11, 2021

Catherine F. Gwynn
City of Goldsboro Finance Director
200 North Center St
Goldsboro, NC 27530

REF: Upset Bid Offer

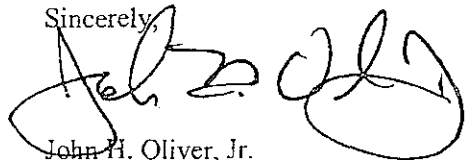
Mrs. Gwynn,

I am writing to submit my upset bid offer for property owned by the City of Goldsboro. The property is located at 412 East Walnut St. and the parcels tax ID # 12- 3509-05-7190.

I am offering ^{2.2} ~~59,000.00~~ ^{9,500} as my upset bid offer amount to the current offer for the property. I am including the required 5% deposit along with my upset offer.

Thank you in consideration in this matter and I look forward to hearing from you soon.

Sincerely,

A handwritten signature in black ink, appearing to read "John H. Oliver, Jr.", written over a horizontal line.

John H. Oliver, Jr.
President



P.O. Drawer A
Goldsboro, NC 27533-9701

Opened 10/11/21 5:13pm
Catherine F. Guyon
Christine Janson
\$9500-
\$415⁵⁰ EMD Deposit
(5% EMD)

JOHN OLIVER

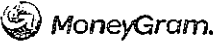
Upset B7D

412 E. WALNUT STREET

RECEIVED

2021 OCT 11 PM 4:51

CITY OF GOLDSBORO
FINANCE DEPARTMENT

		INTERNATIONAL MONEY ORDER 10/11/2021	
To Validate: Touch the stop sign, then watch it fade and reappear MOBILE DEPOSIT PROHIBITED		20913618059 MONEY ORDER	
PAY TO THE ORDER OF / PAGAR A LA ORDEN DE: <u>City of Goldsboro</u>		PAY EXACTLY: <u>SEVENTY-FIVE *** DOLLARS 00 CENTS</u>	
ORDER NUMBER: 36180594		1003872083	
OFFICIAL CHECK			
ISSUING BRANCH: 6061201-GOLDSBORO - MAIN DATE: September 13, 2021			
PAY TO THE ORDER OF: <u>CITY OF GOLDSBORO</u>		\$150.00	
One Hundred Fifty and 00/100ths Dollars			
BB&T		AUTHORIZED SIGNATURE	
STATE EMPLOYEES' CREDIT UNION 00002 Goldsboro - West Ash Street		CASHIER'S CHECK 156581	
PAY TO THE ORDER OF: <u>CITY OF GOLDSBORO</u>		DATE: August 12, 2021	
**** NINETY DOLLARS AND 00 CENTS		\$*****90.00	
REMITTER: CONNIE D OLIVER MEMO: OLIVER DESIGN GROUP LLC		VVOID AFTER 180 DAYS AUTHORIZED SIGNATURE	
OFFICIAL CHECK			
ISSUING BRANCH: 6061201-GOLDSBORO - MAIN DATE: June 30, 2021			
PAY TO THE ORDER OF: <u>CITY OF GOLDSBORO</u>		\$160.50	
One Hundred Sixty and 50/100ths Dollars			
BB&T		AUTHORIZED SIGNATURE	
MEMO/PURCHASER: OLIVER DESIGN GROUP LLC		1003711166	

O&H

Address: 412 E Walnut St
PIN # 3509057190
Zoning R-9

411

415

417

O&H

WALNUT
Address: 412 Walnut St
PIN # 3509057190
Zoning R-9

78'

404

410

412

135'

R-9

KORNEGAY

132'

78'

500

105

105

107

109

108

R-9



7/6/2021 2:47:09 PM

WAYNE COUNTY		WAYNE COUNTY		Return/Appeal Notes: 3509057190	
CITY OF GOLDSBORO		CITY - GOLDSBORO (100), COUNTYWIDE ADVALOREM TAX (100)		UNIQ ID 50440	
412 E WALNUT ST		E WALNUT ST		ID NO: 12000002001013A	
75254500				CARD NO. 1 of 1	
Reval Year: 2019 Tax Year: 2021		Appraised by 60 on 01502 DOWNTOWN		1,000 LT SRC=	
				C-01 EX-2AT- LAST ACTION 20181205	
CONSTRUCTION DETAIL		MARKET VALUE		DEPRECIATION	
TOTAL POINT VALUE		Eff. Area		BASE RATE	
BUILDING ADJUSTMENTS		QUAL		RCN EYBAYB	
TOTAL ADJUSTMENT		01 00		% GOOD	
FACTOR					
TOTAL QUALITY INDEX					
		TYPE: SINGLE FAMILY RESIDENTIAL		CREDENCE TO	
		STORIES:		DEPR. BUILDING VALUE - CARD	
				DEPR. OB/XF VALUE - CARD	
				MARKET LAND VALUE - CARD	
				TOTAL MARKET VALUE - CARD	
				TOTAL APPRAISED VALUE - CARD	
				TOTAL APPRAISED VALUE - PARCEL	
				TOTAL PRESENT USE VALUE - PARCEL	
				TOTAL VALUE DEFERRED - PARCEL	
				TOTAL TAXABLE VALUE - PARCEL	
				PRIOR	
				BUILDING VALUE	
				OBXF VALUE	
				LAND VALUE	
				PRESENT USE VALUE	
				DEFERRED VALUE	
				TOTAL VALUE	
				PERMIT	
				CODE DATE NOTE NUMBER AMOUNT	
				ROUT: WTRSHD:	
				SALES DATA	
				OFF. RECORD DATE DEED TYPE Q/UV/I INDICATE SALES PRICE	
				BOOK PAGE MOYR	
				03406 0323 11 2018 WD C V 0	
				02695 0759 4 2009 WD U I 30000	
				02664 0520 10 2008 WD U I 0	
				01448 0635 10 1994 WD U I 34500	
				01123 0764 2 1986 WD U I 0	
				01113 0287 11 1985 WD U I 23000	
				HEATED AREA	
				NOTES	
				P4-09 RENOV.FROM APTS TO SINGLE FAM FOR 2012. 1/10	
				PARTIAL RENOV. DEMO 11-17, 2/18 CONDEMNED.	
SUBAREA		CODE QUALITY DESCRIPTION LTH WTH UNITS		UNIT PRICE ORIG % COND BLDG# L/B SIZE FACT AYB EYB ANN DEP RATE OVR COND OB/XF DEPR. VALUE	
TYPE GS AREA % RPL CS		TOTAL OB/XF VALUE		0	
FIREPLACE					
SUBAREA					
TOTALS					
BUILDING DIMENSIONS					
LAND INFORMATION					
HIGHEST AND BEST USE		USE CODE LOCAL ZONING FRON TAGE DEPTH / SIZE LND MOD COND FACT		OTHER ADJUSTMENTS AND NOTES RF AC LC TO OT ROAD LAND UNIT TOTAL LAND UNITS UNT TYP TOTAL ADJST ADJUSTED UNIT PRICE LAND VALUE LAND NOTES	
0100		0100 R-9 80 135 0.9700 2 1.0000		80.00 80.000 FF 0.970 77.60 6208	
TOTAL MARKET LAND DATA				6,210	
TOTAL PRESENT USE DATA					

NORTH CAROLINA

WAYNE COUNTY

**RESOLUTION #2021-42: A RESOLUTION ALLOWING THE USE OF
PYROTECHNICS**

WHEREAS, the Town of Seven Springs, North Carolina and Hale Artificier, Inc. has requested the Board of Commissioners of Wayne County for permission for pyrotechnics to be exhibited, used, and discharged in a safe and proper manner under the supervision of experts for two fireworks celebrations which will be held on January 1, 2022, at Roadies Nightclub, 5404 N.C. 55 Highway, Seven Springs, North Carolina, as provided by North Carolina General Statute 14-410; and

WHEREAS, it is the intention of the Town of Seven Springs and Hale Artificier, Inc. to use said displays in a public celebration; and

WHEREAS, it appears to the Wayne County Board of Commissioners that permits to use pyrotechnics should be given for such celebration as provided by North Carolina General Statutes 14-410 and 14-413.

NOW, THEREFORE, BE IT RESOLVED by the Wayne County Board of Commissioners that the Town of Seven Springs and Hale Artificier, Inc. is hereby given permission to use pyrotechnics under the supervision of an expert at their public celebrations to be held on January 1, 2022, contingent upon the approval of the Wayne County Inspections Department.

This the 7th day of December, 2021.



[Signature]
Joe Daughtery, Chairman
Wayne County Board of Commissioners

Attest:

[Signature]
Carol Bowden
Clerk to the Board

FIREWORKS

ROADIES NIGHTCLUB

5404 NC 55 HWY.

SEVEN SPRINGS, NC 28578

January 1. 2022

12:00 AM

COUNTY OF WAYNE

APPLICATION FOR OPERATIONAL FIRE PERMIT

DATE: NOVEMBER 15, 2021NAME OF OWNER(S)/CONTRACTOR: Hale Artificier IncPERMANENT 911 ADDRESS: 545 New Bowers Road Seungton NC 27292

TYPE OF OCCUPANCY/USE:

AMUSEMENT BUILDINGS: _____

CARNIVALS & FAIRS: _____

COVERED MALL BUILDINGS: _____

EQUIPMENT IN ASSEMBLY BUILDINGS: _____

EXHIBITS & TRADE SHOWS: _____

EXPLOSIVES: ☒

FLAMMABLE & COMBUSTIBLE LIQUIDS: _____

FUMMIGATION & THERMAL INSECTICIDAL FOGGING: _____

LIQUID OR GAS FUELED VEHICLES: _____

PRIVATE FIRE HYDRANTS: _____

PYROTECHNIC SPECIAL EFFECTS MATERIALS: _____

SALE OF FIRE WORKS: _____

SPRAYING OR DIPPING: _____

TEMPORARY MEMBRANCE STRUCTURES, TENTS & CANOPIES: _____

TOTAL OPERATIONAL FIRE PERMIT FEE: \$ 85⁰⁰

Hale Artificier Inc
 CONTRACTOR/OWNER/BUSINESS LISTING WITH THE STATE
545 New Bowers Road Seungton NC 27292
 MAILING ADDRESS

NC LICENSE NO.
(919) 380-7417
 MOBILE NO.

SAME
 WORK NO.

1.) CASH PAYMENT:

YES, HOW MUCH?

NO CASH PAYMENT WILL BE USED: _____

2.) CHECK PAYMENT:

YES, HOW MUCH?

\$170⁰⁰CHECK NO. 1231

NO CHECK PAYMENT WILL BE USED: _____

I, _____, HEREBY AUTHORIZE THE WAYNE COUNTY INSPECTIONS DEPARMENT
 TO CHARGE THE PERMIT FEE TO MY CREDIT CARD.

3.) CREDIT CARD PAYMENT (VISA OR MASTERCARD ONLY)

CREDIT CARD NO.: _____

EXPIRATION DATE (MM/YY): _____ 3 DIGIT CVV/CCID/V-CODE ON THE BACK OF CREDIT CARD: _____

BILLING ADDRESS OF CREDIT CARD: _____

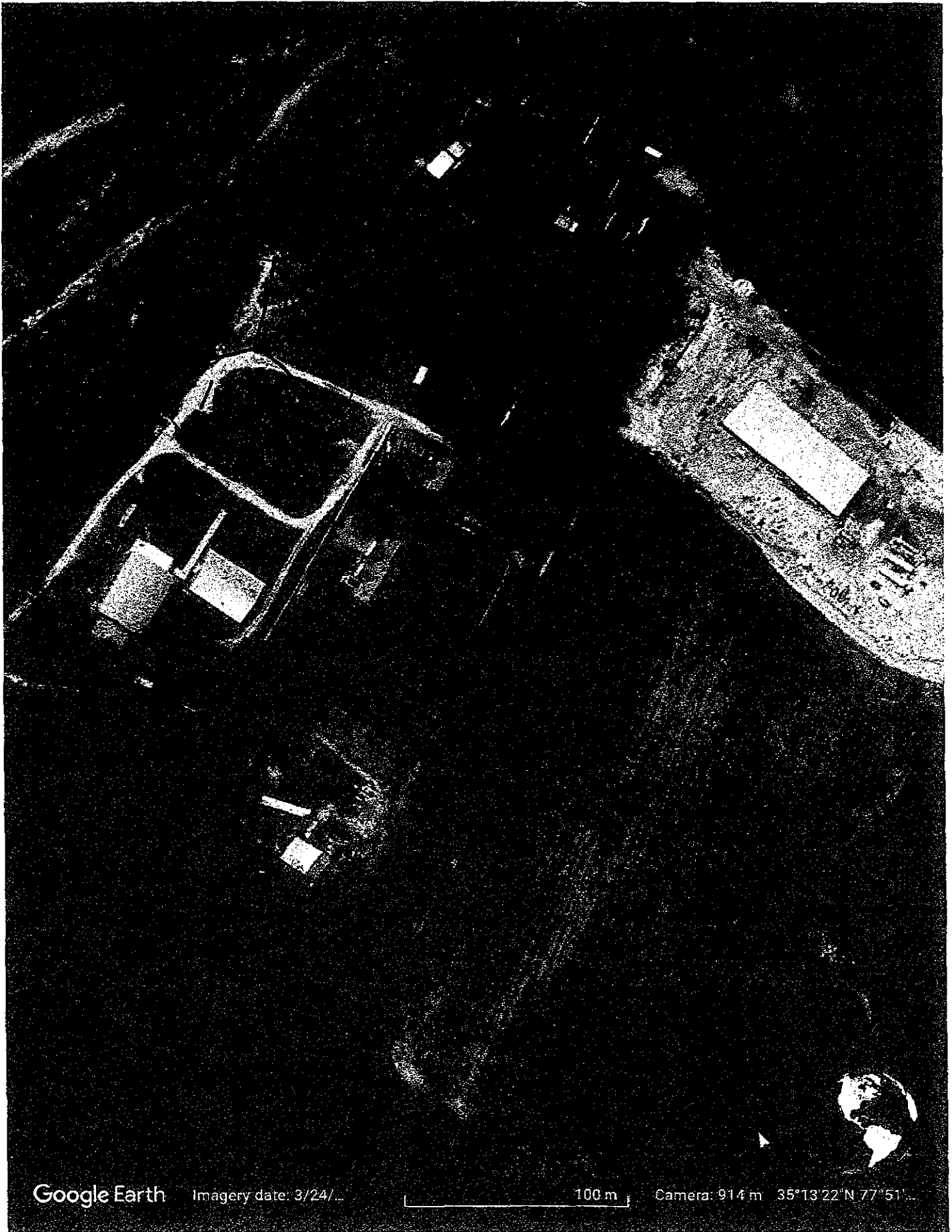
FEE SCHEDULE – UPDATED JULY 1, 2020 A RE-INSPECTION FEE OF \$60.00 WILL BE CHARGED PER RE-INSPECTION
 1.5 TIMES TOTAL PERMIT FEE – ONLY IF WORK IS STARTED BEFORE THE PERMIT IS ISSUED

WAYNE COUNTY INSPECTIONS DEPARTMENT CONTACT INFORMATION:

MAILING ADDRESS: P.O. BOX 227, GOLDSBORO, NC 27533

PHYSICAL ADDRESS: 134 N. JOHN STREET, GOLDSBORO, NC 27533 (3RD FLOOR OF THE JEFFREY'S BLDG IN RM 305)

PHONE NO.: (919) 731-1169 FAX NO.: (919) 705-1815 WEBSITE: WWW.WAYNEGOV.COM



Google Earth

Imagery date: 3/24/...

100 m

Camera: 914 m 35°13'22"N 77°51'...

<b style="font-size: 1.2em;">CERTIFICATE OF LIABILITY INSURANCE		DATE (MM/DD/YYYY) 11/12/2021																						
THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.																								
IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).																								
PRODUCER Mountcastle Insurance 307 W Center St Lexington, NC 27293 (336) 249-4951	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2">CONTACT NAME:</td> </tr> <tr> <td style="width: 60%;">PHONE (A/C, No, Ext): (877) 234-4420</td> <td style="width: 40%;">FAX (A/C, No): (877) 234-4421</td> </tr> <tr> <td colspan="2">E-MAIL ADDRESS:</td> </tr> <tr> <td colspan="2">PRODUCER CUSTOMER ID #</td> </tr> <tr> <td colspan="2" style="text-align: center;">INSURER(S) AFFORDING COVERAGE</td> </tr> <tr> <td colspan="2">INSURER A: Continental Indemnity Co.</td> </tr> <tr> <td colspan="2">INSURER B:</td> </tr> <tr> <td colspan="2">INSURER C:</td> </tr> <tr> <td colspan="2">INSURER D:</td> </tr> <tr> <td colspan="2">INSURER E:</td> </tr> <tr> <td colspan="2">INSURER F:</td> </tr> </table>		CONTACT NAME:		PHONE (A/C, No, Ext): (877) 234-4420	FAX (A/C, No): (877) 234-4421	E-MAIL ADDRESS:		PRODUCER CUSTOMER ID #		INSURER(S) AFFORDING COVERAGE		INSURER A: Continental Indemnity Co.		INSURER B:		INSURER C:		INSURER D:		INSURER E:		INSURER F:	
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INSURER B:																								
INSURER C:																								
INSURER D:																								
INSURER E:																								
INSURER F:																								
INSURED Hale Artificier, Inc. 545 New Bowers Rd Lexington, NC 27292-7058 CTL 1273 1679430	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2">INSURER A: Continental Indemnity Co.</td> <td>NAIC #</td> </tr> <tr> <td colspan="2">INSURER B:</td> <td></td> </tr> <tr> <td colspan="2">INSURER C:</td> <td></td> </tr> <tr> <td colspan="2">INSURER D:</td> <td></td> </tr> <tr> <td colspan="2">INSURER E:</td> <td></td> </tr> <tr> <td colspan="2">INSURER F:</td> <td></td> </tr> </table>		INSURER A: Continental Indemnity Co.		NAIC #	INSURER B:			INSURER C:			INSURER D:			INSURER E:			INSURER F:						
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INSURER F:																								
COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:																								
THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.																								
INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS																	
	GENERAL LIABILITY ☐ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS MADE ☐ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☐ POLICY ☐ PROJECT ☐ LOC						EACH OCCURRENCE \$ DAMAGE TO RENTED PREMISES (Ea occurrence) \$ MED EXP (any one person) \$ PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ PRODUCTS - COMPIOP AGG \$																	
	AUTOMOBILE LIABILITY ☐ ANY AUTO ☐ ALL OWNED AUTOS ☐ SCHEDULED AUTOS ☐ HIRED AUTOS ☐ NON-OWNED AUTOS						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$ \$																	
	UMBRELLA LIAB ☐ OCCUR EXCESS LIAB ☐ CLAIMS MADE DEDUCTIBLE \$ RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$ \$																	
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? ☒ Y ☐ N (Mandatory in NH) If yes, describe under SPECIAL PROVISIONS below			46-879245-01-09	12/01/2021	12/01/2022	☒ WC STATUTORY LIMITS ☐ OTHER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000																	
DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach Acord 101, Additional Remarks Schedule, if more space is required)																								
CERTIFICATE HOLDER Roadies 5404 NC 55 Seven Springs, NC 28578				CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE 1000002116																				



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

11/12/2021

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must have **ADDITIONAL INSURED** provisions or be endorsed. If **SUBROGATION IS WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Mountcastle Insurance P.O. Box 1937 Lexington NC 27293-1937	CONTACT NAME: Penny Watts, CIC, CISR PHONE (A/C, No, Ext): (336) 249-4951 FAX (A/C, No): E-MAIL ADDRESS: pwatts@mountcastleinsurance.com <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 80%;">INSURER(S) AFFORDING COVERAGE</th> <th style="width: 20%;">NAIC #</th> </tr> <tr> <td>INSURER A: National Fire & Marine</td> <td></td> </tr> <tr> <td>INSURER B: RWI - Penn. Natl Mutual Cas Ins Co.</td> <td></td> </tr> <tr> <td>INSURER C:</td> <td></td> </tr> <tr> <td>INSURER D:</td> <td></td> </tr> <tr> <td>INSURER E:</td> <td></td> </tr> <tr> <td>INSURER F:</td> <td></td> </tr> </table>	INSURER(S) AFFORDING COVERAGE	NAIC #	INSURER A: National Fire & Marine		INSURER B: RWI - Penn. Natl Mutual Cas Ins Co.		INSURER C:		INSURER D:		INSURER E:		INSURER F:	
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INSURER E:															
INSURER F:															
INSURED Hale Artificier, Inc 545 New Bowers Rd. Lexington NC 27292															

COVERAGES **CERTIFICATE NUMBER:** CL219706619 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS		
A	☒ COMMERCIAL GENERAL LIABILITY			72LPS039510	04/28/2021	04/28/2022	EACH OCCURRENCE		
	☐ CLAIMS-MADE ☒ OCCUR						\$ 2,000,000		
	GEN'L AGGREGATE LIMIT APPLIES PER:							DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 100,000
	☐ POLICY ☐ PROJECT ☐ LOC						MED EXP (Any one person)	\$ 5,000	
	OTHER:						PERSONAL & ADV INJURY	\$ 2,000,000	
							GENERAL AGGREGATE	\$ 2,000,000	
							PRODUCTS - COMP/OP AGG	\$ 2,000,000	
								\$	
B	AUTOMOBILE LIABILITY			AU9 0607811	09/23/2021	09/23/2022	COMBINED SINGLE LIMIT (Ea accident)	\$ 5,000,000	
	☐ ANY AUTO						BODILY INJURY (Per person)	\$	
	☒ OWNED AUTOS ONLY ☒ SCHEDULED AUTOS						BODILY INJURY (Per accident)	\$	
	☒ HIRED AUTOS ONLY ☒ NON-OWNED AUTOS ONLY						PROPERTY DAMAGE (Per accident)	\$	
								\$	
	UMBRELLA LIAB						EACH OCCURRENCE	\$	
	EXCESS LIAB						AGGREGATE	\$	
	DED		RETENTION \$					\$	
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						PER STATUTE	OTH-ER	
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)		Y/N	N/A			E.L. EACH ACCIDENT	\$	
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE	\$	
							E.L. DISEASE - POLICY LIMIT	\$	

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Event Date: January 1, 2022. Seven Springs, Wayne County are additional insured as required by written contract with regards to general liability.

CERTIFICATE HOLDER

Roadies 5404 NC 55 Seven Springs NC 28578	
---	--

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE 	
---	--

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U.S. Department of Justice
Bureau of Alcohol, Tobacco, Firearms and Explosives

Federal Explosives License/Permit (18 U.S.C. Chapter 40)

PERMITTING OFFICE IS SUBJECT TO CHANGE AT ANY TIME

In accordance with the provisions of Title XI, Organized Crime Control Act of 1970, and the regulations issued thereunder (27 CFR Part 555), you may engage in the activity specified in this license or permit within the limitations of Chapter 40, Title 18, United States Code and the regulations issued thereunder, until the expiration date shown. **THIS LICENSE IS NOT TRANSFERABLE UNDER 27 CFR 555.53.** See "WARNINGS" and "NOTICES" on reverse.

Direct ATF ATF - Chief, FELC
Correspondence To 244 Needy Road
 Martinsburg, WV 25405-9431

License/Permit
Number

1-NC-057-51-1J-00088

Chief, Federal Explosives Licensing Center (FELC)

Expiration
Date

September 1, 2021

Name

HALE ARTIFICIER INC

Premises Address (Changes? Notify the FELC at least 10 days before the move.)

**345 DAISY COURT
LEXINGTON, NC 27292-**

Type of License or Permit

51-IMPORTER OF EXPLOSIVES

Purchasing Certification Statement

The licensee or permittee named above shall use a copy of this license or permit to assist a transferor of explosives to verify the identity and the licensed status of the licensee or permittee as provided by 27 CFR Part 555. The signature on each copy must be an original signature. A faxed, scanned or e-mailed copy of the license or permit with a signature intended to be an original signature is acceptable. The signature must be that of the Federal Explosives Licensee (FEL) or a responsible person of the FEL. I certify that this is a true copy of a license or permit issued to the licensee or permittee named above to engage in the business or operations specified above under "Type of License or Permit."

Mailing Address (Changes? Notify the FELC of any changes.)

**HALE ARTIFICIER INC
545 NEW BOWERS RD
LEXINGTON, NC 27292-**

Licensee/Permittee Responsible Person Signature

JEFF HALE

Printed Name

President
Position/Title

9-17-14

Date

In accordance with the provisions of Title XI, Organized Crime Control Act of 1970, and the regulations issued thereunder (27 CFR Part 555), you may engage in the activity specified in this license or permit within the limitations of Chapter 40, Title 18, United States Code and the regulations issued thereunder, until the expiration date shown. **THIS LICENSE IS NOT TRANSFERABLE UNDER 27 CFR 555.53.** See "WARNINGS" and "NOTICES" on reverse.

Direct ATF Correspondence To ATF - Chief, FELC 244 Needy Road Martinsburg, WV 25405-9431	License/Permit Number 1-NC-057-20-4L-00921
Chief, Federal Explosives Licensing Center (FELC) <i>Mamethurid</i>	Expiration Date November 1, 2024

Name
HALE ARTIFICIER, INC

Premises Address (Changes? Notify the FELC at least 10 days before the move.)

3185 EAST US HWY 64
LEXINGTON, NC 27292-

Type of License or Permit

20-MANUFACTURER OF EXPLOSIVES

Purchasing Certification Statement

The licensee or permittee named above shall use a copy of this license or permit to assist a transfer of explosives to verify the identity and the licensed status of the licensee or permittee as provided by 27 CFR Part 555. The signature on each copy must be an original signature. A faxed, scanned or e-mailed copy of the license or permit with a signature intended to be an original signature is acceptable. The signature must be that of the Federal Explosives Licensee (FEL) or a responsible person of the FEL. I certify that this is a true copy of a license or permit issued to the licensee or permittee named above to engage in the business or operations specified above under "Type of License or Permit."

Mailing Address (Changes? Notify the FELC of any changes.)

HALE ARTIFICIER, INC
545 NEW BOWERS ROAD
LEXINGTON, NC 27292-

Jeff Hale
Licensee/Permittee Responsible Person Signature

PRESIDENT
Position/Title

JEFF HALE
Printed Name

11/1/21
Date

Previous Edition is Obsolete
HALE ARTIFICIER, INC 3185 EAST US HWY 64 LEXINGTON, NC 27292-1-NC-057-20-4L-00921 November 1, 2024 20-MANUFACTURER OF EXPLOSIVES

ATF Form 5400.14/5400.15 Part I
Revised September 2011

Federal Explosives License (FEL) Customer Service Information

Federal Explosives Licensing Center (FELC)
244 Needy Road
Martinsburg, WV 25405-9431

Toll-free Telephone Number: (877) 283-3352
Fax Number: (304) 616-4401
E-mail: FELC@atf.gov

ATF Homepage: www.atf.gov

Change of Address (27 CFR 555.54(a)(1)). Licensees or permittees may during the term of their current license or permit remove their business or operations to a new location at which they intend regularly to carry on such business or operations. The licensee or permittee is required to give notification of the new location of the business or operations not less than 10 days prior to such removal with the Chief, Federal Explosives Licensing Center. The license or permit will be valid for the remainder of the term of the original license or permit. **(The Chief, FELC, shall, if the licensee or permittee is not qualified, refer the request for amended license or permit to the Director of Industry Operations for denial in accordance with § 555.54.)**

Right of Succession (27 CFR 555.59). (a) Certain persons other than the licensee or permittee may secure the right to carry on the same explosive materials business or operations at the same address shown on, and for the remainder of the term of, a current license or permit. Such persons are: (1) The surviving spouse or child, or executor, administrator, or other legal representative of a deceased licensee or permittee; and (2) A receiver or trustee in bankruptcy, or an assignee for benefit of creditors. (b) In order to secure the right provided by this section, the person or persons continuing the business or operations shall furnish the license or permit for that business or operations for endorsement of such succession to the Chief, FELC, within 30 days from the date on which the successor begins to carry on the business or operations.

(Continued on reverse side)

Cut Here ✂

Federal Explosives License/Permit (FEL) Information Card	
License/Permit Name:	HALE ARTIFICIER, INC
Business Name:	
License/Permit Number:	1-NC-057-20-4L-00921
License/Permit Type:	20-MANUFACTURER OF EXPLOSIVES
Expiration:	November 1, 2024
Please Note: Not Valid for the Sale or Other Disposition of Explosives.	

**ROADIES NIGHTCLUB
FIREWORKS
MATERIALS LIST**

48 – 1 3/4" Assorted Shells

10 – 1.4g Boxed Cakes

6 - 1.3g Boxed Cakes

80 – 1 3/4" Chained Finale Shells

HALE ARTIFICIER, INC.

Safety Procedures for Fireworks Displays

NFPA 1123 Codes are to be followed at all times.

1. Firing Procedure:

- A. Operators are to use the Pre-display checklist provided in the display paperwork. AT NO TIME are the materials to be left unattended.
- B. Upon arrival at the site, check site conditions for any hazards that may impede the safety of the display operation.
- C. Insure the site meets all distance requirements.
- D. Confirm that there is adequate ingress and egress for emergency vehicles.
- E. Inspect all racks and equipment as it is coming off the truck. Any equipment that is damaged, or broken is not to be used in the display.
- F. All mortar racks are to be set up and installed prior to any loading of live materials.
- G. Inspect all shells and fireworks devices such as cakes, candles, and ground effects prior to loading, or placing in the firing area. Any materials found to be damaged, or not in proper condition are not to be used in the display.
- H. All materials fuses are to be situated and secured for easy access and removal of safety caps just prior to firing.
- I. (Electric firing) Any e-matching of materials will take place at least 50 feet from the truck holding the fireworks, and at least 100 feet from any public access. Limit the amount of materials in this area to just ONE box at a time.
- J. (Electric firing) Once all materials are set up, no personnel are allowed within the firing area during the continuity testing. If there is a need to check contact points, or adjust materials, the firing control panel must be disabled completely before an operator enters the firing area.
- K. (Manual Firing) Operators will use fusees (flares) for ignition of shell leaders.
- L. Previously installed multiple ignition points are to be placed along Finale racks, or any chain fused sections of the display.

545 NEW BOWERS ROAD, LEXINGTON, NC 27292

WWW.HALEARTFIREWORKS.COM

HALE ARTIFICIER, INC.

D. Ingress and Egress routes are to to be maintained at all times, and are to remain clear for emergency vehicles and personnel.

1. Should there be any reason to need such access, the Operator shall halt all firing, and suspend the display.

2. The Operator and other display personnel may assist such emergency personnel to control and contain any condition to insure the safety and security of the site.

3. Post Display

A. Once the display has been completed, the Operator will make the determination to break down the display equipment when he/she finds all conditions safe to do so.

1. The operator and assistants should allow at least 15 minutes for a "cool-down" period, once the display is completed.

a. Beginning with the mortars that were fired first, make sure that all shells and materials were discharged.

b. Once all racks and equipment have been cleared, the Operator will approve the break down of the display.

2. Misfired Materials

a. Identify any and all misfired materials.

b. Insure that there are no ignition hazards present before handling. All sparks are to be extinguished. E-matches should be disconnected and shunted, and then may be carefully removed.

c. Carefully remove materials from the discharge area.

d. Place materials into a regulation carton, and transport back to Hale Artificier, Inc.

e. Record misfires in the Operator's display report.

3. Dud Shells

a. Identify any and all dud shells and their location.

b. No unauthorized personnel are to be allowed in those areas.

c. Insure that there are no ignition hazards before handling. If necessary, spray with water to extinguish any sparks or flame.

HALE ARTIFICIER, INC.

d. Carefully remove dud shells, place into a regulation carton and transport back to Hale Artificier, Inc.

e. Record duds in the Operator's display report.

B. The operator will assist the AHJ in conducting the post-display inspection, and sign off on any documentation the AHJ may require.

C. Once that inspection is completed, the operator may clear the on-duty Fire Department personnel.

D. The entire discharge area and fallout zones are to be inspected to insure that there are no duds, misfires, or any other materials left on the display site. If necessary, a site check is to be made early the following morning.

E. Clean up includes removal of all equipment, paper debris, and any other items that remain as a result of the display.

NORTH CAROLINA

WAYNE COUNTY

**RESOLUTION #2021-43: A RESOLUTION ALLOWING THE USE OF
PYROTECHNICS**

WHEREAS, the Town of Mount Olive and Hale Artificier, Inc. has requested the Board of Commissioners of Wayne County for permission for pyrotechnics to be exhibited, used, and discharged in a safe and proper manner under the supervision of experts for two fireworks celebrations which will be held on December 31, 2021, at 576 James B. Hunt Drive, Mount Olive, North Carolina, as provided by North Carolina General Statute 14-410; and

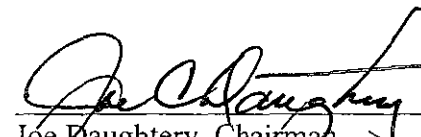
WHEREAS, it is the intention of the Town of Mount Olive and Hale Artificier, Inc. to use said displays in a public celebration; and

WHEREAS, it appears to the Wayne County Board of Commissioners that permits to use pyrotechnics should be given for such celebration as provided by North Carolina General Statutes 14-410 and 14-413.

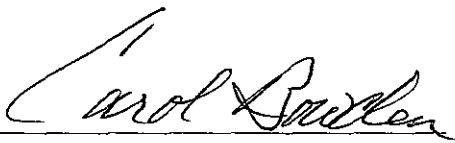
NOW, THEREFORE, BE IT RESOLVED by the Wayne County Board of Commissioners that the Town of Mount Olive and Hale Artificier, Inc. is hereby given permission to use pyrotechnics under the supervision of an expert at their public celebrations to be held on December 31, 2021, contingent upon the approval of the Wayne County Inspections Department.

This the 7th day of December, 2021.




Joe Daughtery, Chairman
Wayne County Board of Commissioners

Attest:


Carol Bowden
Clerk to the Board

**Mount Olive
Pickledrop
Fireworks**

December 31, 2021

7:00 PM

COUNTY OF WAYNE

APPLICATION FOR OPERATIONAL FIRE PERMIT

NAME OF OWNER(S)/CONTRACTOR:

PERMANENT 911 ADDRESS:

TYPE OF OCCUPANCY/USE:

DATE: NOVEMBER 15-2021Hale Artificier Inc.
545 New Bowers Road Selington NC 27292

AMUSEMENT BUILDINGS: _____

CARNIVALS & FAIRS: _____

COVERED MALL BUILDINGS: _____

EQUIPMENT IN ASSEMBLY BUILDINGS: _____

EXHIBITS & TRADE SHOWS: _____

EXPLOSIVES: ☒

FLAMMABLE & COMBUSTIBLE LIQUIDS: _____

FUMMIGATION & THERMAL INSECTICIDAL FOGGING: _____

LIQUID OR GAS FUELED VEHICLES: _____

PRIVATE FIRE HYDRANTS: _____

PYROTECHNIC SPECIAL EFFECTS MATERIALS: _____

SALE OF FIRE WORKS: _____

SPRAYING OR DIPPING: _____

TEMPORARY MEMBRANCE STRUCTURES, TENTS & CANOPIES: _____

TOTAL OPERATIONAL FIRE PERMIT FEE: \$ 85.00Hale Artificier Inc.
CONTRACTOR/OWNER/BUSINESS LISTING WITH THE STATE
545 New Bowers Road Selington NC 27292
MAILING ADDRESSNC LICENSE NO. 919-580-7417
MOBILE NO.SMK
WORK NO.

1.) CASH PAYMENT:

YES, HOW MUCH?

NO CASH PAYMENT WILL BE USED: _____

2.) CHECK PAYMENT:

YES, HOW MUCH?

8170.00CHECK NO. 1231 NO CHECK PAYMENT WILL BE USED: _____I, _____, HEREBY AUTHORIZE THE WAYNE COUNTY INSPECTIONS DEPARMENT
TO CHARGE THE PERMIT FEE TO MY CREDIT CARD.

3.) CREDIT CARD PAYMENT (VISA OR MASTERCARD ONLY)

CREDIT CARD NO.: _____

EXPIRATION DATE (MM/YY): _____ 3 DIGIT CVV/CCID/V-CODE ON THE BACK OF CREDIT CARD: _____

BILLING ADDRESS OF CREDIT CARD: _____

FEE SCHEDULE – UPDATED JULY 1, 2020 A RE-INSPECTION FEE OF \$60.00 WILL BE CHARGED PER RE-INSPECTION
1.5 TIMES TOTAL PERMIT FEE – ONLY IF WORK IS STARTED BEFORE THE PERMIT IS ISSUED

WAYNE COUNTY INSPECTIONS DEPARTMENT CONTACT INFORMATION:

MAILING ADDRESS: P.O. BOX 227, GOLDSBORO, NC 27533

PHYSICAL ADDRESS: 134 N. JOHN STREET, GOLDSBORO, NC 27533 (3RD FLOOR OF THE JEFFREY'S BLDG IN RM 305)

PHONE NO.: (919) 731-1169 FAX NO.: (919) 705-1815 WEBSITE: WWW.WAYNEGOV.COM

Legend

- Addresses
- Local Roads
- == Interstate
- US Routes
- NC Routes
- Property Lines

0 40 80 160 Feet



MOUNT OLIVE PICKLEDROP FIREWORKS

MATERIALS LIST

Opener

40 – 3” Chained Color Finale Shells

Body

140 – 3” Assorted Aerial Shells

60 – 4” Assorted Aerial Shells

Finale

120 – 3” Chained Color Finale Shells

12 – 4” Chained Color Finale Shells



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

10/26/2021

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

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PRODUCER Mountcastle Insurance P.O. Box 1937 Lexington NC 27293-1937	CONTACT NAME: Penny Watts, CIC, CISR PHONE (A/C, No, Ext): (336) 249-4951 FAX (A/C, No): E-MAIL ADDRESS: pwatts@mountcastleinsurance.com INSURER(S) AFFORDING COVERAGE INSURER A: National Fire & Marine INSURER B: RWI - Penn. Natl Mutual Cas Ins Co. INSURER C: INSURER D: INSURER E: INSURER F:
INSURED Hale Artificer, Inc 545 New Bowers Rd. Lexington NC 27292	

COVERAGES

CERTIFICATE NUMBER: CL219706619

REVISION NUMBER:

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INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☐ POLICY ☐ PRO-JECT ☐ LOC OTHER:			72LPS039510	04/28/2021	04/28/2022	EACH OCCURRENCE \$ 2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 2,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
B	AUTOMOBILE LIABILITY ☐ ANY AUTO ☐ OWNED AUTOS ONLY ☒ SCHEDULED AUTOS ☒ HIRED AUTOS ONLY ☒ NON-OWNED AUTOS ONLY			AU9 0607811	09/23/2021	09/23/2022	COMBINED SINGLE LIMIT (Ea accident) \$ 5,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	UMBRELLA LIAB ☐ OCCUR EXCESS LIAB ☐ CLAIMS-MADE DED RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A				PER STATUTE ☐ OTH-ER ☐ E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

12-31-21 - Mount Olive Pickle Company, Town of Mount Olive, Mt. Olive University & Wayne County are additional insured with regards to general liability as required by written contract.

CERTIFICATE HOLDER

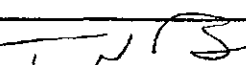
CANCELLATION

Mount Olive Pickle Drop 576 James B Hunt Drive Mount Olive NC 28365	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE
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© 1988-2015 ACORD CORPORATION. All rights reserved.

	CERTIFICATE OF LIABILITY INSURANCE	DATE (MM/DD/YYYY) 11/12/2021																						
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PHONE (A/C, No, Ext): (877) 234-4420	FAX (A/C, No): (877) 234-4421																							
E-MAIL ADDRESS:																								
PRODUCER CUSTOMER ID #																								
INSURER(S) AFFORDING COVERAGE																								
INSURER A: Continental Indemnity Co.																								
INSURER B:																								
INSURER C:																								
INSURER D:																								
INSURER E:																								
INSURER F:																								
INSURED Hale Artificier, Inc. 545 New Bowers Rd Lexington, NC 27292-7058 CTL 1273 1679433	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2">NAIC #</td> </tr> <tr> <td colspan="2">28258</td> </tr> </table>		NAIC #		28258																			
NAIC #																								
28258																								

COVERAGES	CERTIFICATE NUMBER:	REVISION NUMBER:				
THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.						
INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
	GENERAL LIABILITY ☐ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS MADE ☐ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☐ POLICY ☐ PRO-JECT ☐ LOC					EACH OCCURRENCE \$ DAMAGE TO RENTED PREMISES (Ea occurrence) \$ MED EXP (any one person) \$ PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ PRODUCTS - COMP/OP AGG \$ \$
	AUTOMOBILE LIABILITY ☐ ANY AUTO ☐ ALL OWNED AUTOS ☐ SCHEDULED AUTOS ☐ HIRED AUTOS ☐ NON-OWNED AUTOS					COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$ \$
	UMBRELLA LIAB ☐ OCCUR EXCESS LIAB ☐ CLAIMS MADE DEDUCTIBLE RETENTION \$					EACH OCCURRENCE \$ AGGREGATE \$ \$ \$
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? ☒ Y ☐ N/A (Mandatory in NH) If yes, describe under SPECIAL PROVISIONS below		46-879245-01-09	12/01/2021	12/01/2022	☒ WC STATUTORY LIMITS ☐ OTHER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach Acord 101, Additional Remarks Schedule, if more space is required)						

CERTIFICATE HOLDER Mt. Olive Pickle Drop 576 James B Hunt Drive Mt Olive, NC 28365	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE  1000002116
--	---

HALE ARTIFICIER, INC.

2. Termination and Emergency Procedures

A. If, at any time before, or during the discharge of a Display, there arises a condition that adversely affects the firing or completion of the Display, the operator will **IMMEDIATELY** halt the display, until such a time that the condition can either be corrected, or deleted from the program.

1. The AHJ will also have the authority to halt the display, should any such condition arise.

2. Communication between the Operator and the AHJ will be necessary to provide for the continuation of the display.

B. If there is a weather related concern, the display is to be halted, or postponed, until better conditions prevail. If there is no alternative, or if conditions remain at an unsafe level, then the Operator is to cancel the display, and the Rain Date option will be considered.

1. All mortar racks are to be covered with tarps, plastic or other suitable materials to prevent materials from getting wet. Cakes, and other ground effects can be placed in plastic bags.

2. Any materials that do become wet shall not be used, and are to be placed into regulation cartons and returned to Hale Artificier, Inc.

C. If, during the display, an errant shell or malfunction of equipment causes materials to be sent towards or into the spectator area, or out of the intended fallout area, the operator will **IMMEDIATELY** halt the display.

1. The safety of the spectators is the primary concern, and the operator is to insure that any errant shell trajectories or malfunctions are dealt with as soon as it is safe to do so. Repositioning of the racks, or dropping that part of the display will be done before resuming any firing.

2. A situation of this nature could cause the rest of the display to be postponed, or cancelled with the communication and cooperation of the AHJ.

3. Identification of the errant materials and/or equipment is to be documented in the Operators display report.

4. If there is ANY injury of any nature, to a spectator, or any other person, the display is to be halted, and the assistance of the local EMS, Fire Department, and/or other fire and life safety personnel on duty at the time is to be utilized.

Federal Explosives License/Permit
(18 U.S.C. Chapter 40)

0123456789101112131415161718192021222324252627282930313233343536373839404142434445464748495051525354555657585960616263646566676869707172737475767778798081828384858687888990919293949596979899100

Direct ATF ATF - Chief, FELC
Correspondence To 244 Needy Road
 Martinsburg, WV 25405-9431

License/Permit
Number

1-NC-057-51-4J-00088

Chief, Federal Explosives Licensing Center (FELC)

Expiration Date

September 1, 2024

Name
HALE ARTIFICIER INC

Premises Address (Changes? Notify the FELC at least 10 days before the move.)

345 DAISY COURT
LEXINGTON, NC 27292-

Type of License or Permit

51-IMPORTER OF EXPLOSIVES

Purchasing Certification Statement

The licensee or permittee named above shall use a copy of this license or permit to assist a transfer of explosives to verify the identity and the licensed status of the licensee or permittee as provided by 27 CFR Part 555. The signature on each copy must be an original signature. A faxed, scanned or e-mailed copy of the license or permit with a signature intended to be an original signature is acceptable. The signature must be that of the Federal Explosives Licensee (FEL) or a responsible person of the FEL. I certify that this is a true copy of a license or permit issued to the licensee or permittee named above to engage in the business operations specified above under "Type of License or Permit."

Mailing Address (Changes? Notify the FELC of any changes.)

HALE ARTIFICIER INC
545 NEW BOWERS RD
LEXINGTON, NC 27292-

Licensee/Permittee Responsible Person Signature

President
Position Title

JEFF HALE

8242
Date: _____

Printed Name _____

Previous Edition is Obsolete

HALE ARTIFICIAL DRESSING DRESSY COURT 27282.1-EC-057-51-4J-00004:September 1, 2024:51-REPORTER OF EXPLOSIVES

ATF Form 5400.14/5400.15 Part 1
Revised September 2011

Federal Explosives License (FEL) Customer Service Information

Federal Explosives Licensing Center (FELC)
244 Needy Road
Martinsburg, WV 25405-9431

Toll-free Telephone Number: (877) 283-3352
Fax Number: (304) 616-4401
E-mail: FELC@atf.gov

ATF Homepage: www.atf.gov

Change of Address (27 CFR 555.54(a)(1)). Licensees or permittees may during the term of their current license or permit remove their business or operations to a new location at which they intend regularly to carry on such business or operations. The licensee or permittee is required to give notification of the new location of the business or operations not less than 10 days prior to such removal with the Chief, Federal Explosives Licensing Center. The license or permit will be valid for the remainder of the term of the original license or permit. (The Chief, FELC, shall, if the licensee or permittee is not qualified, refer the request for amended license or permit to the Director of Industry Operations for denial in accordance with § 555.54.)

Right of Succession (27 CFR 555.59). (a) Certain persons other than the licensee or permittee may secure the right to carry on the same explosive materials business or operations at the same address shown on, and for the remainder of the term of, a current license or permit. Such persons are: (1) The surviving spouse or child, or executor, administrator, or other legal representative of a deceased licensee or permittee; and (2) A receiver or trustee in bankruptcy, or an assignee for benefit of creditors. (b) In order to secure the right provided by this section, the person or persons continuing the business or operations shall furnish the license or permit for that business or operations for endorsement of such succession to the Chief, FELC, within 30 days from the date on which the successor begins to carry on the business or operations.

(Continued on reverse side)

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Federal Explosives License/Permit (FEL) Information Card

License/Permit Name: **HALE ARTIFICIER INC**

Business Name:

License/Permit Number: 1-NC-057-51-4J-00088

License/Permit Type: **51-IMPORTER OF EXPLOSIVES**

Expiration: September 1, 2024

Please Note: Not Valid for the Sale or Other Disposition of Explosives

In accordance with the provisions of Title XI, Organized Crime Control Act of 1970, and the regulations issued thereunder (27 CFR Part 555), you may engage in the activity specified in this license or permit within the limitations of Chapter 40, Title 18, United States Code and the regulations issued thereunder, until the expiration date shown. **THIS LICENSE IS NOT TRANSFERABLE UNDER 27 CFR 555.53.** See "WARNINGS" and "NOTICES" on reverse.

Direct ATF
Correspondence To
ATF - Chief, FELC
244 Needy Road
Martinsburg, WV 25405-9431

License/Permit
Number

1-NC-057-20-4L-00921

Chief, Federal Explosives Licensing Center (FELC)

Expiration
Date

November 1, 2024

Name

HALE ARTIFICIER, INC

Premises Address (Changes? Notify the FELC at least 10 days before the move.)

3185 EAST US HWY 64
LEXINGTON, NC 27292-

Type of License or Permit

20-MANUFACTURER OF EXPLOSIVES

Purchasing Certification Statement

The licensee or permittee named above shall use a copy of this license or permit to assist a transfer of explosives to verify the identity and the licensed status of the licensee or permittee as provided by 27 CFR Part 555. The signature on each copy must be an original signature. A faxed, scanned or e-mailed copy of the license or permit with a signature intended to be an original signature is acceptable. The signature must be that of the Federal Explosives Licensee (FEL) or a responsible person of the FEL. I certify that this is a true copy of a license or permit issued to the licensee or permittee named above to engage in the business or operations specified above under "Type of License or Permit."

Mailing Address (Changes? Notify the FELC of any changes.)

HALE ARTIFICIER, INC
545 NEW BOWERS ROAD
LEXINGTON, NC 27292-

Licensee/Permittee Responsible Person Signature

President

Printed Name

Date

Previous Edition is Obsolete

ATF Form 5400.14/5400.15 Part I
Revised September 2011

Federal Explosives License (FEL) Customer Service Information

Federal Explosives Licensing Center (FELC)
244 Needy Road
Martinsburg, WV 25405-9431

Toll-free Telephone Number: (877) 283-3352
Fax Number: (304) 616-4401
E-mail: FELC@atf.gov

ATF Homepage: www.atf.gov

Change of Address (27 CFR 555.54(a)(1)). Licensees or permittees may during the term of their current license or permit remove their business or operations to a new location at which they intend regularly to carry on such business or operations. The licensee or permittee is required to give notification of the new location of the business or operations not less than 10 days prior to such removal with the Chief, Federal Explosives Licensing Center. The license or permit will be valid for the remainder of the term of the original license or permit. **(The Chief, FELC, shall, if the licensee or permittee is not qualified, refer the request for amended license or permit to the Director of Industry Operations for denial in accordance with § 555.54.)**

Right of Succession (27 CFR 555.59). (a) Certain persons other than the licensee or permittee may secure the right to carry on the same explosive materials business or operations at the same address shown on, and for the remainder of the term of, a current license or permit. Such persons are: (1) The surviving spouse or child, or executor, administrator, or other legal representative of a deceased licensee or permittee; and (2) A receiver or trustee in bankruptcy, or an assignee for benefit of creditors. (b) In order to secure the right provided by this section, the person or persons continuing the business or operations shall furnish the license or permit for that business or operations for endorsement of such succession to the Chief, FELC, within 30 days from the date on which the successor begins to carry on the business or operations.

(Continued on reverse side)

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Federal Explosives License/Permit (FEL) Information Card

License/Permit Name: HALE ARTIFICIER, INC

Business Name:

License/Permit Number: 1-NC-057-20-4L-00921

License/Permit Type: 20-MANUFACTURER OF EXPLOSIVES

Expiration: November 1, 2024

Please Note: Not Valid for the Sale or Other Disposition of Explosives.

HALE ARTIFICIER, INC.

Safety Procedures for Fireworks Displays

NFPA 1123 Codes are to be followed at all times.

1. Firing Procedure:

- A. Operators are to use the Pre-display checklist provided in the display paperwork. AT NO TIME are the materials to be left unattended.
- B. Upon arrival at the site, check site conditions for any hazards that may impede the safety of the display operation.
- C. Insure the site meets all distance requirements.
- D. Confirm that there is adequate ingress and egress for emergency vehicles.
- E. Inspect all racks and equipment as it is coming off the truck. Any equipment that is damaged, or broken is not to be used in the display.
- F. All mortar racks are to be set up and installed prior to any loading of live materials.
- G. Inspect all shells and fireworks devices such as cakes, candles, and ground effects prior to loading, or placing in the firing area. Any materials found to be damaged, or not in proper condition are not to be used in the display.
- H. All materials fuses are to be situated and secured for easy access and removal of safety caps just prior to firing.
- I. (Electric firing) Any e-matching of materials will take place at least 50 feet from the truck holding the fireworks, and at least 100 feet from any public access. Limit the amount of materials in this area to just ONE box at a time.
- J. (Electric firing) Once all materials are set up, no personnel are allowed within the firing area during the continuity testing. If there is a need to check contact points, or adjust materials, the firing control panel must be disabled completely before an operator enters the firing area.
- K. (Manual Firing) Operators will use fusees (flares) for ignition of shell leaders.
- L. Previously installed multiple ignition points are to be placed along Finale racks, or any chain fused sections of the display.

545 NEW BOWERS ROAD, LEXINGTON, NC 27292

WWW.HALEARTFIREWORKS.COM

HALE ARTIFICIER, INC.

D. Ingress and Egress routes are to to be maintained at all times, and are to remain clear for emergency vehicles and personnel.

1. Should there be any reason to need such access, the Operator shall halt all firing, and suspend the display.

2. The Operator and other display personnel may assist such emergency personnel to control and contain any condition to insure the safety and security of the site.

3. Post Display

A. Once the display has been completed, the Operator will make the determination to break down the display equipment when he/she finds all conditions safe to do so.

1. The operator and assistants should allow at least 15 minutes for a "cool-down" period, once the display is completed.

a. Beginning with the mortars that were fired first, make sure that all shells and materials were discharged.

b. Once all racks and equipment have been cleared, the Operator will approve the break down of the display.

2. Misfired Materials

a. Identify any and all misfired materials.

b. Insure that there are no ignition hazards present before handling. All sparks are to be extinguished. E-matches should be disconnected and shunted, and then may be carefully removed.

c. Carefully remove materials from the discharge area.

d. Place materials into a regulation carton, and transport back to Hale Artificier, Inc.

e. Record misfires in the Operator's display report.

3. Dud Shells

a. Identify any and all dud shells and their location.

b. No unauthorized personnel are to be allowed in those areas.

c. Insure that there are no ignition hazards before handling. If necessary, spray with water to extinguish any sparks or flame.

HALE ARTIFICIER, INC.

- d. Carefully remove dud shells, place into a regulation carton and transport back to Hale Artificier, Inc.
 - e. Record duds in the Operator's display report.
- B. The operator will assist the AHJ in conducting the post-display inspection, and sign off on any documentation the AHJ may require.
- C. Once that inspection is completed, the operator may clear the on-duty Fire Department personnel.
- D. The entire discharge area and fallout zones are to be inspected to insure that there are no duds, misfires, or any other materials left on the display site. If necessary, a site check is to be made early the following morning.
- E. Clean up includes removal of all equipment, paper debris, and any other items that remain as a result of the display.

LGC-205 Amendment

AMENDMENT TO CONTRACT TO AUDIT ACCOUNTS

Rev. 10/2021

Whereas	Primary Government Unit County of Wayne, North Carolina
and	Discretely Presented Component Unit (DPCU) (if applicable)
and	Auditor Nunn, Brashear, & Uzzell, P.A.

entered into a contract in which the Auditor agreed to audit the accounts of the Primary Government Unit and DPCU (if applicable)

for	Fiscal Year Ending 06/30/21	and originally due on	Audit Report Due Date 10/31/21
-----	--------------------------------	-----------------------	-----------------------------------

hereby agree that it is now necessary that the contract be modified as follows.

☒ Modification to date

☐ Modification to fee

Original due date 10/31/21	Modified due date 01/31/22
Original fee	Modified fee

Primary Other
(choose 1)(choose 0-2)

Reason(s) for Contract Amendment

- | | | |
|----------------------------------|-------------------------------------|--|
| ☐ | ☐ | Change in scope |
| ☐ | ☐ | Issue with unit staff/turnover |
| ☐ | ☐ | Issue with auditor staff/workload |
| ☐ | ☐ | Third-party financial statements not prepared by agreed-upon date |
| ☐ | ☐ | Unit did not have bank reconciliations complete for the audit period |
| ☐ | ☐ | Unit did not have reconciliations between subsidiary ledgers and general ledger complete |
| ☐ | ☐ | Unit did not post previous years adjusting journal entries resulting in incorrect beginning balances in the general ledger |
| ☐ | ☐ | Unit did not have information required for audit complete by the agreed-upon time |
| ☐ | ☐ | Delay in component unit reports |
| ☒ | ☐ | Software - implementation issue |
| ☐ | ☐ | Software - system failure |
| ☐ | ☐ | Software - ransomware/cyberattack |
| ☐ | ☐ | Natural or other disaster |
| ☐ | ☒ | Other (please explain) |

Plan to Prevent Future Late Submissions

If the amendment is submitted to extend the due date, please indicate the steps the unit and auditor will take to prevent late filing of audits in subsequent years. Indicate NA if this is an amendment due to a change in cost only.

The unit implemented new financial and payroll software in the 20-21 fiscal year. The closing-out process of the first year with new software was more time-consuming than a typical year-end close. This process is anticipated to be quicker for the next fiscal year.

Additional Information

Please provide any additional explanation or details regarding the contract modification.

The unit's Finance Office began working with a newly elected Register of Deeds in January of 2021 to train her on the unit's finance-related policies and procedures. Since that time, the Finance Office has spent hundreds of hours providing repetitive training and support to assist the Register of Deeds with finance-related tasks.

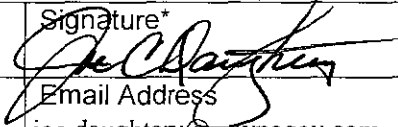
By their signatures on the following pages, the Auditor, the Primary Government Unit, and the DPCU (if applicable), agree to these modified terms.

SIGNATURE PAGE

AUDIT FIRM

Audit Firm*	
Nunn, Brashear, & Uzzell, P.A.	
Authorized Firm Representative* (typed or printed)	Signature*
Paul Nunn, CPA	
Date*	Email Address

GOVERNMENTAL UNIT

Governmental Unit*	
County of Wayne, North Carolina	
Date Primary Government Unit Governing Board Approved Amended Audit Contract* (If required by governing board policy)	
Mayor/Chairperson* (typed or printed)	Signature*
Joe Daughtery	
Date	Email Address
2-7-21	joe.daughtery@waynegov.com

Chair of Audit Committee (typed or printed, or "NA")	Signature
N/A	
Date	Email Address

GOVERNMENTAL UNIT – PRE-AUDIT CERTIFICATE

ONLY REQUIRED IF FEES ARE MODIFIED IN THE AMENDED CONTRACT

(Pre-audit certificate not required for hospitals)

Required by G.S. 159-28(a1) or G.S. 115C-441(a1)

This instrument has been pre-audited in the manner required by The Local Government Budget and Fiscal Control Act or by the School Budget and Fiscal Control Act.

Primary Governmental Unit Finance Officer*	Signature*
Date of Pre-Audit Certificate*	Email Address*
	Allison.Speight@waynegov.com

SIGNATURE PAGE – DPCU
(complete only if applicable)

DISCRETELY PRESENTED COMPONENT UNIT

DPCU	
Date DPCU Governing Board Approved Amended Audit Contract (If required by governing board policy)	
DPCU Chairperson (typed or printed)	Signature
Date	Email Address

Chair of Audit Committee (typed or printed, or "NA")	Signature
Date	Email Address

DPCU – PRE-AUDIT CERTIFICATE

ONLY REQUIRED IF FEES ARE MODIFIED IN THE AMENDED CONTRACT

(Pre-audit certificate not required for hospitals)

Required by G.S. 159-28(a1) or G.S. 115C-441(a1)

This instrument has been pre-audited in the manner required by The Local Government Budget and Fiscal Control Act or by the School Budget and Fiscal Control Act.

DPCU Finance Officer (typed or printed)	Signature
Date of Pre-Audit Certificate	Email Address

**NORTH CAROLINA
WAYNE COUNTY**

**RESOLUTION #2021-44: A JOINT RESOLUTION BETWEEN THE WAYNE COUNTY
BOARD OF COMMISSIONERS AND THE WAYNE COUNTY BOARD OF
EDUCATION COMMITTING TWENTY MILLION DOLLARS IN STATE FUNDING
FOR ROSEWOOD MIDDLE SCHOOL CONSTRUCTION**

WHEREAS, the State of North Carolina has allocated Twenty Million Dollars (\$20,000,000) to Wayne County in its approved Biannual Budget as a block grant; and

WHEREAS, Rosewood Middle School was constructed in the 1920s and is currently in need of replacement and/or extensive renovations; and

WHEREAS, several state leaders have visited the Rosewood Middle School facility and acknowledged the serious need for construction funding; and

WHEREAS, the Wayne County Board of Commissioners and the Wayne County Board of Education have identified Rosewood Middle School as a capital needs priority; and

WHEREAS, the intent of the \$20,000,000 block grant from the State was to fund Rosewood Middle School renovations or to assist in funding a replacement facility; and

WHEREAS, the Wayne County Board of Commissioners and the Wayne County Board of Education are committed to work together to ensure the entire \$20,000,000 block grant is used for Rosewood Middle School and not for other capital needs; and

WHEREAS, both the Wayne County Board of Commissioners and the Wayne County Board of Education acknowledge the leadership and tireless work of Representative John Bell, Representative Raymond Smith, and Senator Jim Perry in obtaining funds for the Rosewood Middle School project.

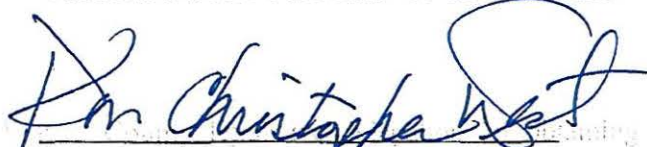
NOW, BE IT THEREFORE RESOLVED by the Wayne County Board of Commissioners and the Wayne County Board of Education:

1. That funding from the \$20,000,000 block grant to Wayne County will be used exclusively for renovations to Rosewood Middle School or a replacement facility.
2. That the Boards will work together on the Rosewood Middle School project to ensure efficient use of state funds.
3. That should the project exceed the \$20,000,000 block grant, the Boards will work to identify additional funding sources to complete the project.

4. That appreciation is given to the Wayne County legislative delegation for obtaining funding for this much needed project which will benefit future generations of Wayne County children.

PASSED AND ADOPTED THIS 6th DAY OF DECEMBER, 2021.

WAYNE COUNTY BOARD OF EDUCATION


Don Christopher West, Chairman
Wayne County Board of Education

ATTEST:


Dr. David A. Lewis, Secretary

PASSED AND ADOPTED THIS 7th DAY OF DECEMBER, 2021.

WAYNE COUNTY BOARD OF
COMMISSIONERS




Joe Daughtery, Chairman

ATTEST:


Carol Bowden
Clerk of the Board

Memo

To: Craig Honeycutt

From: Donna Phillips

Re: Fremont Branch Library

Date: 11/23/2021

On Friday, November 19, 2021, the Wayne County Public Library Advisory Board unanimously approved a motion that the library advisory board recommends to the Board of Commissioners that the Fremont Branch Library be permanently closed and that the county turns its attention toward planning strategically for a full service northern branch library.

The following timeline outlines the events leading up to this decision.

- **1/8/2021**, Reports of leaking roof, wet ceiling tiles, strong odor, & possible mold sent to county manager.
- **3/11/2021**, No repairs have been reported by Town of Fremont nor is branch manager aware of any repairs being made. Kendall Lee visited the facility and said the roof needs to be replaced. Donna Phillips expressed safety concerns about staff members working in a building that potentially has mold and mildew. She reported to county manager that staff members are having allergic reactions. Craig Honeycutt responds that if mold exists we may have to bring in the Health Department and the responsibility of addressing the issue will be the Town of Fremont's responsibility as they own the building.
- **March 19, 2021** Library Advisory Board is made aware of issues and informed that the Fremont Branch is temporarily closed.
- **3/12/21**, Craig Honeycutt reports status of branch library to Commissioner B. Aycock. Commissioner B. Aycock expresses support for closing the branch library until repairs are made. County Manager authorizes temporary closing of the Fremont branch library until repairs are made.
- **3/24/21**, Fremont branch manager reports that it appears interior repairs are made. The library resumes regular hours the following Monday.
- **4/15/21**, Branch manager reports that it appears repairs made were cosmetic in nature, not corrective as water continues to enter the building and painting continues to chip. Kendall Lee visits the library and notes the same concerns. The county manager authorizes the reclosing of the library and sends photos along with his decision to the Fremont town administrator, Mr. Howell.
- **April 16, 2021** Library Advisory Board is updated on the status of the Fremont Branch Library. Library consultant, Jeff Hall, presented the 2021 Library Facilities Study Plan. County manager was in attendance.
- **4/29/21**, Branch manager reports a squirrel running freely inside the branch library & this is reported to the Town of Fremont on this date.
- **May 20, 2021** Craig Honeycutt attends the library advisory board meeting and provides an update on the status of the branch library & announces that if repairs are not completed soon the county plans to remove the materials and equipment from the

branch library and move them to safe storage. The board agrees that the action taken is appropriate.

- **6/4/21**, Branch manager reports that the leaks have become worse with water actively running down the wall. The squirrels are still active in the building. Library administration expresses concern to county manager over the materials and technology equipment in the library. Craig Honeycutt sends email to Fremont Town Administrator that materials and equipment will have to be removed if repairs are not made. Mr. Howell responds that he is working with a repair person.
- **6/18/21**, Donna Phillips updates library advisory board on status of Fremont branch and John Pippin agrees to facilitate meeting between library administration and Mr. Tony Howell.
- **6/22/21**, Donna Phillips, Maegen Wilson, & John Pippin meet with Mr. Howell. Mr. Howell reports he has secured a contractor to work on the repairs. Mr. Howell reported that the Friends of the Fremont Library will contribute \$1,000.00 towards the repairs. A roof will cost approximately \$20,000 and Mr. Howell is researching funding and grant opportunities. When asked by Mr. Howell about her priorities, Donna Phillips says the safety and well-being of the staff and the public is her highest priority and she requested that Mr. Howell provide something in writing verifying there is no mold in the building.
- **7/7/21**, Updated photos from 6/25/21 are sent to Craig Honeycutt.
- **7/9/21**, A ServPro report is received from the Town of Fremont indicating mold is not present. Donna Phillips and Maegen Wilson visit the Fremont Branch and speak with Fremont maintenance staff about new leaks that have formed since the completion of the reported repairs. Town maintenance workers agree that the leaks are new.
- **7/12/21**, Donna Phillips sends email to Mr. Howell thanking him for his reports and attaching photos of current condition of Fremont Branch. Photos depict active leaks, chipped paint, and a new leak in the bathroom ceiling. On this same day, library staff begin offering curbside service on Tuesdays and Thursdays at the Fremont library. This compromise will allow patrons who wish to pick up materials from the Fremont branch and opportunity to do so while we await building repairs. On this same day, Craig Honeycutt shares photos with board of commissioners showing ongoing structural issues. Mr. Howell reports that the kitchen was painted and the bathroom ceiling was repaired. He is obtaining quotes for repainting the ceiling and addressing the windows. He reports he is searching for additional funding for vinyl siding, roof, columns, and other needed repairs.
- **8/20/21**, Donna Phillips updated library advisory board on the Fremont branch & reported that according to Mr. Howell minimal building repairs, paid for by the Friends of the Fremont Library, were made. Mr. Howell also expressed hope that grant funds could be secured that would allow the Town of Fremont to replace the roof and fully complete the necessary repairs.
- **9/1/21**, Donna Phillips and Craig Honeycutt agree that materials and equipment need to be moved to storage.
- **9/14/21**, Donna Phillips gives Craig Honeycutt another update on Fremont, prior to library advisory board meeting.
- **9/16/21**, Donna Phillips informs Tony Howell that library materials & equipment are being moved to storage out of concern for their safety. Mrs. Phillips reports to Mr. Howell that to date only one person has taken advantage of library curbside service. As a result this service will end and patrons will be encouraged to visit the Pikeville branch. So that

children can continue to be served, Mrs. Phillips reported to Mr. Howell that the library will begin offering story programming at CB Aycock Birthplace.

- **9/17/21**, Donna Phillips updates the library advisory board that the Fremont Library is still taking on water. The library has removed their most vulnerable assets from the building, until the repairs are completed. Charles Brown recommended that the Town of Fremont look into USDA grants to aid in repair costs and offered to contact Mr. Howell about this grant opportunity.
- **9/28/21**, Donna Phillips informed county manager that she had met with, Charles Brown, Commissioner B. Aycock, and library advisory board chair, Lee Hulse to regarding the Fremont branch library & shared with him the nature of her conversation. In speaking with Charles, Barbara, and Lee Hulse, Mrs. Phillips reminded them that the library completed a facility study plan last year and that a new northern regional library is where she felt our attention should be focused. She explained that both the Pikeville and Fremont libraries are operating out of old buildings that were never designed to be public libraries and that these spaces are not really equipped to handle the growing technology needs of a modern public library. She further explained that our northern branch libraries are overcrowded and do not have public programming space.
- **10/19/2021**, Craig Honeycutt instructs Donna Phillips to disconnect Spectrum service at Fremont Branch. Completed on this date.
- **11/19/21**, Wayne County Public Library advisory board met and after discussions unanimously approved a motion that the library advisory board recommends to the Board of Commissioners that the Fremont Branch Library be permanently closed and that the county turns its attention toward planning strategically for a full service northern branch library.



November 28, 2021

Proposal Submitted To:
Town Of Fremont

Work To Be Performed At:
Fremont Public Library
402 N. Goldsboro Street
Fremont, NC

We hereby propose to furnish the materials and perform the labor necessary for the completion of:

Option 1

Remove the existing tin roof. Install synthetic underlayment, white aluminum drip edge, pipe vent boots, ridge vents, ice and water shield in valleys and at penetrations and CertainTeed Landmark Architectural grade fungus resistant shingles. Clean up and haul away all job related debris. Remove the chimney to below the roof surface and haul away the brick.

Labor and Materials.....\$ 12,000.00

Note: Any rotted woodwork replaced will be an additional charge.
This job can be completed by January 31 if proposal is signed by
Nov 30. Job could possibly be complete by Dec 31 depending on
the weather and material availability.

Respectfully submitted by,
Mark Gregory
Mark Gregory Roofing Company, Inc.

Note: This Proposal may be withdrawn by us if not accepted within 30 days.

Payment Terms: Due upon completion of job unless otherwise noted.
Accounts not paid within 10 days of invoice date are subject to a 1.5% finance charge.

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. We provide Workmen's Compensation and General Liability Insurance.

Acceptance of Proposal

The above prices, payment terms and specifications are satisfactory and hereby accepted. You are authorized to do the work as specified.

Date _____

Signature _____











Office of the Sheriff

SHERIFF
LARRY M. PIERCE



P.O. Box 1877
207 E. Chestnut St.
Goldsboro, NC 27533
(919) 731-1481 Office
(919) 731-1699 Fax

Date: November 29, 2021

To: Wayne County Board of Commissioners

From: Sheriff Larry M. Pierce

Re: Budget Amendment Request

The North Carolina General Assembly passed its biennial budget on November 18, 2021. \$500,000.00 was earmarked in the budget for the Wayne County Sheriff's Office to purchase an Emergency Mobile Command Unit. The unit would be used by the Sheriff's Office, OES, EMS, and volunteer fire departments to respond to emergencies and disasters throughout the County. Additionally, the unit would be shared with County first responders for emergency readiness training and the County Health Department in the event of another pandemic or other mass vaccination event where an offsite office or command would be needed. In the past, the Sheriff's Office relied on temporary use of the Johnston County Mobile Command unit during emergencies.

The Sheriff's Office has secured a quote of \$902,965.00 for the unit from LDV, Inc. in Burlington, Wisconsin. County Management is hopeful that the \$402,965.00 balance not covered by state funding can be paid for with American Rescue Plan (ARP) funds; however, the US Treasury has not released guidance on use of that funding. The vehicle is being purchased through an existing Cooperative Agreement which complies with 2 CFR Part 200, Subpart D (Uniform Guidance procurement requirements). If the US Treasury authorizes ARP funds for this type of purchase, all federal procurement requirements have been met. Use of County fund balance or other grant funding would be required in the event ARP funds cannot be used to cover the balance.

The Sheriff's Office is requesting Board approval to order the unit immediately. The vendor has a shortage of vehicle chassis such that waiting to submit the order would significantly delay delivery of the unit. If the Board approves the purchase, a budget amendment would be required to appropriate the entire cost of the unit from County fund balance. The County would then reimburse itself upon receipt of state and federal funds.

Thank you for your consideration,

A handwritten signature in cursive script that reads "Larry M. Pierce".

Sheriff Larry M. Pierce



CUSTOM SPECIALTY VEHICLES

180 Industrial Drive
Burlington, WI 53105 USA

Phone: 800-558-5986
Fax: (262) 767-2529
Direct: +1 (262) 763-0147
www.ldvusa.com

PRICING PAGE: (HGAC contract AM10-20)

Total price per unit as specified, FOB Origin	\$969,139.00
Discount amount	-\$69,778.00
HGAC discounted price for 1 unit as specified	\$899,361.00

Contract Administration Fee - HGAC	\$1,000.00
HGAC discounted price for 1 unit as specified with Contract Admin Fees	\$900,361.00
Delivery charge to Goldsboro (NC)	\$2,604.00

Total price per unit	\$902,965.00
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Delivery terms: Ask your Sales Representative

Payment Terms: Net 30 days.

Quote is firm for 30 days from specification date.

Quoted price does not include any applicable FET, federal, state or local tax unless specified.



County of Wayne Budget Amendment

#165

 11/21/21
Date

Memorandum

From: Sheriff's Office
 To: Wayne County Board of Commissioners
 Via: County Manager & Finance Officer
 Subject: Budget Amendment for Fiscal Year 2021-2022

1. It is requested that the budget for Sheriff be amended as follows:

EXPENDITURE

Code Number	Project	String	Description	Decrease	Increase
1104310 554000			Non Capital - Vehicles		\$ 902,965.00

REVENUE

Code Number	Description	Increase	Decrease
1100000 399100	Fund Balance Appropriated	\$ 402,965.00	
1104310 335000	Grant Revenues - State of NC	\$ 500,000.00	
Totals		\$ 902,965.00	\$ 902,965.00

2. Reason(s) for the above request is/are as follows: to appropriate funds for command center vehicle

Endorsement

1. Forward, recommending approval/disapproval

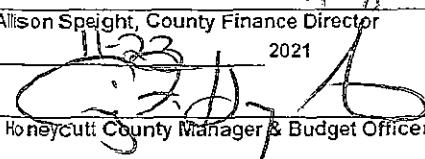
Endorsement

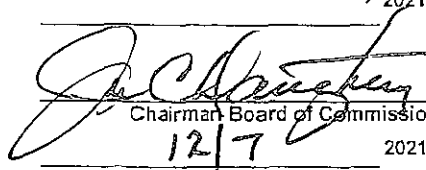
2. Forward, recommending approval/disapproval

3. Approval/Disapproval by Chairman Board of Commissioners


 Department Head Signature


 Allison W. Speight, County Finance Director


 Craig Honeycutt, County Manager & Budget Officer


 Chairman Board of Commissioners

11/23/2021
 12/7/2021

WAYNE COUNTY
STAFF ATTORNEY



WAYNE COUNTY
NORTH CAROLINA

Phone: (919) 705-1713
Fax (919) 988-6495

TO: WAYNE COUNTY BOARD OF COMMISSIONERS

FROM: ANDREW NEAL, STAFF ATTORNEY *AN*

SUBJECT: ORDINANCE CHANGES PURSUANT TO NC GENERAL ASSEMBLY SESSION
LAW 2021-138

DATE: 11/23/2021

CC: CRAIG HONEYCUTT, COUNTY MANAGER

On September 2, 2021 the Governor signed Session Law 2021-138 into law which modified NCGS §153A-123 and NCGS §14-4. These two statutes permit counties to criminally enforce local ordinances. Under the previous version of NCGS §14-4, a violation of any local ordinance was a Class 3 misdemeanor. SL 2021-138 enacted the following changes to criminal enforcement of local ordinances:

- A violation of a county ordinance can only be a misdemeanor under NCGS §14-4 if the county specifies such in its ordinance.
- Counties are prohibited from enacting criminal penalties in the types of ordinances enumerated newly created NCGS §153A-123(b1).

Staff has reviewed the existing Wayne County Code of Ordinances and identified ordinances which must be revised under SL 2021-138. Attached is a list of proposed ordinance revisions recommended for approval at the December 7, 2021 and December 21, 2021 Commissioner meetings. Ordinance changes recommended for approval at the December 7, 2021 meeting are ordinances in which criminal penalties are no longer permitted under state law. Ordinance changes recommended for approval at the December 21, 2021 meeting modify the Wayne County ordinances with existing criminal penalties to comply with newly revised §153A-123(b). SL 2021-138 prohibits counties from enacting criminal penalties in ordinances at the meeting which they are first introduced; therefore, the Board cannot take any action on these changes until December 21, 2021.

The relevant portion of SL 2021-138 is also attached for reference.

THE GOOD LIFE. GROWN HERE.

P.O. BOX 227
GOLDSBORO, NC 27533

GENERAL ASSEMBLY OF NORTH CAROLINA SESSION LAW 2021-138

PART XIII. DECRIMINALIZATION OF CERTAIN ORDINANCES

SECTION 13.(a) G.S. 153A-123 reads as rewritten:

"§ 153A-123. Enforcement of ordinances.

(b) ~~Unless the board of commissioners has provided otherwise,~~ Except for the types of ordinances listed in subsection (b1) of this section, violation of a county ordinance is may be a misdemeanor or infraction as provided by G.S. 14-4. G.S. 14-4 only if the county specifies such in the ordinance. An ordinance may provide by express statement that the maximum fine, term of imprisonment, or infraction penalty to be imposed for a violation is some amount of money or number of days less than the maximum imposed by G.S. 14-4. Notwithstanding G.S. 153A-45, no ordinance specifying a criminal penalty may be enacted at the meeting in which it is first introduced.

(b1) No ordinance of the following types may impose a criminal penalty:

- (1) Any ordinance adopted under Article 18 of this Chapter, Planning and Regulation of Development or, its successor, Chapter 160D of the General Statutes, except for those ordinances related to unsafe buildings.
- (2) Any ordinance adopted pursuant to G.S. 153A-134, Regulating and licensing businesses, trades, etc.
- (3) Any ordinance adopted pursuant to G.S. 153A-138, Registration of mobile homes, house trailers, etc.
- (4) Any ordinance adopted pursuant to G.S. 153A-140.1, Stream-clearing programs.
- (5) Any ordinance adopted pursuant to G.S. 153A-143, Regulation of outdoor advertising or, its successor, G.S. 160D-912, Outdoor advertising.
- (6) Any ordinance adopted pursuant to G.S. 153A-144, Limitations on regulating solar collectors or, its successor, G.S. 160D-914, Solar collectors.
- (7) Any ordinance adopted pursuant to G.S. 153A-145, Limitations on regulating cisterns and rain barrels. (8) Any ordinance regulating trees.

SECTION 13.(c) G.S. 14-4 reads as rewritten:

"§ 14-4. Violation of local ordinances misdemeanor.

(a) ~~Except as provided in subsection (b);~~ (b) or (c) of this section, if any person shall violate an ordinance of a county, city, town, or metropolitan sewerage district created under Article 5 of Chapter 162A, he shall be guilty of a Class 3 misdemeanor and shall be fined not more than five hundred dollars (\$500.00). No fine shall exceed fifty dollars (\$50.00) unless the ordinance expressly states that the maximum fine is greater than fifty dollars (\$50.00).

(b) If any person shall violate an ordinance of a county, city, or town regulating the operation or parking of vehicles, he shall be responsible for an infraction and shall be required to pay a penalty of not more than fifty dollars (\$50.00).

(c) A person may not be found responsible or guilty of a local ordinance violation punishable pursuant to subsection (a) of this section if, when tried for that violation, the person produces proof of compliance with the local ordinance through any of the following:

- (1) No new alleged violations of the local ordinance within 30 days from the date of the initial alleged violation.
- (2) The person provides proof of a good-faith effort to seek assistance to address any underlying factors related to unemployment, homelessness, mental health, or substance abuse that might relate to the person's ability to comply with the local ordinance."

PROPOSED CHANGES TO WAYNE COUNTY ORDINANCES PURSUANT TO
SESSION LAW 2021-138
DECEMBER 7, 2021 ACTION ITEMS

Chapter 1: General Provisions

Current Language:

Sec. 1-6. – General penalty; continuing violations; ordinance enforcement

(b) Violations of any provision of the chapters and sections of this Code shall be a misdemeanor and punishable as provided by G.S. 14-4.

Proposed Language:

Delete subsection (b) in its entirety.

Justification: A blanket criminal enforcement of all ordinances is prohibited under new NCGS §153A-12(b1).

Chapter 18: Businesses; Article II: Massage Parlors-

Current Language:

Sec. 18-33. – Violations.

If any person shall violate any provision, rule or regulation of this article he shall be guilty of a misdemeanor and upon conviction punished as prescribed by G.S. 14-4. Each day that any person shall continue to do any act in violation of any such provision, rule or regulation shall be and constitute a distinct and separate offense.

Proposed Change:

Sec. 18-33. – Penalties for Violation.

A violation of any provision of this article shall subject the violator to a civil penalty in the amount of One Hundred (\$100.00) Dollars to be recovered by Wayne County. Each day such violation continues shall be considered a separate and distinct violation.

In addition to the above civil fines, the County may obtain enforcement from a court of competent jurisdiction through equitable remedies such as, prohibitory injunctions, affirmative injunctions, mandamus, or an order of abatement as provided by North Carolina General Statute §153A-123.

Nothing herein contained shall prevent Wayne County from taking such other lawful action as is necessary to prevent or remedy any violation.

Justification: Criminal enforcement prohibited under new NCGS §153A-12(b1).

Chapter 18: Businesses: Article IV: Automobile Junkyards-

Current Language:

Sec. 18-132. – Violation of article a misdemeanor.

Any person who maintains or operates or who controls the maintenance of a junkyard or automobile graveyard in violation of this article shall be guilty of a misdemeanor and subject to prosecution, and if convicted, shall be punished by a fine not to exceed \$50.00 or by imprisonment not to exceed 30 days, or both, in the discretion of the court. Each day that said junkyard or automobile graveyard shall be maintained or operated in violation of this article shall constitute a separate and distinct offense.

Proposed Language:

Sec. 18-132. – Penalties for Violation.

A violation of any provision of this article shall subject the violator to a civil penalty in the amount of One Hundred (\$100.00) Dollars to be recovered by Wayne County. Each day such violation continues shall be considered a separate and distinct violation.

In addition to the above civil fines, the County may obtain enforcement from a court of competent jurisdiction through equitable remedies such as, prohibitory injunctions, affirmative injunctions, mandamus, or an order of abatement as provided by North Carolina General Statute §153A-123.

Nothing herein contained shall prevent Wayne County from taking such other lawful action as is necessary to prevent or remedy any violation.

Justification: Criminal enforcement prohibited under new NCGS §153A-12(b1).

Chapter 18: Businesses: Article VI: Electronic Gaming-

Current Language:

Sec. 18-164. – Penalties for violation.

Any person violating any provision of this ordinance shall be guilty of a misdemeanor and, upon conviction, shall be punished for each offense by a fine not exceeding \$50.00 or by imprisonment not to exceed 30 days. Each day such violation continues shall be deemed a separate offense.

Proposed Language:

Sec. 18-164. – Penalties for Violation.

A violation of any provision of this article shall subject the violator to a civil penalty in the amount of One Hundred (\$100.00) Dollars to be recovered by Wayne County. Each day such violation continues shall be considered a separate and distinct violation.

In addition to the above civil fines, the County may obtain enforcement from a court of competent jurisdiction through equitable remedies such as, prohibitory injunctions, affirmative

injunctions, mandamus, or an order of abatement as provided by North Carolina General Statute §153A-123.

Nothing herein contained shall prevent Wayne County from taking such other lawful action as is necessary to prevent or remedy any violation.

Justification: Criminal enforcement prohibited under new NCGS §153A-12(b1).

Chapter 18: Businesses; Article VII: Solar Facilities-

Current Language:

Sec. 18-201. – Violation shall be a misdemeanor.

Any person, firm, corporation, or other entity who maintains or operates or who controls the maintenance of a solar energy facility in violation of this article shall be guilty of a misdemeanor and subject to prosecution, and if convicted, shall be punished by a fine not to exceed \$50.00 or by imprisonment not to exceed 30 days, or both, in the discretion of the court. Each day that said solar energy facility shall be maintained or operated in violation of this article shall constitute a separate and distinct offense.

Proposed Language:

Sec. 18-201. – Penalties for Violation

A violation of any provision of this article shall subject the violator to a civil penalty in the amount of One Hundred (\$100.00) Dollars to be recovered by Wayne County. Each day such violation continues shall be considered a separate and distinct violation.

In addition to the above civil fines, the County may obtain enforcement from a court of competent jurisdiction through equitable remedies such as, prohibitory injunctions, affirmative injunctions, mandamus, or an order of abatement as provided by North Carolina General Statute §153A-123.

Nothing herein contained shall prevent Wayne County from taking such other lawful action as is necessary to prevent or remedy any violation.

Justification: Criminal enforcement prohibited under new NCGS §153A-12(b1).

Chapter 54: Sexually Oriented Business; Articles I-III-

Current Language:

Sec. 54-54. – Violations; penalty.

(a) Any person who violates this chapter shall be guilty of a misdemeanor and, upon conviction, shall be punished in accordance with G.S. 14-4(a).

Proposed Language:

Sec. 54-54. – Penalties for Violation.

A violation of any provision of this chapter shall subject the violator to a civil penalty in the amount of One Hundred (\$100.00) Dollars to be recovered by Wayne County. Each day such violation continues shall be considered a separate and distinct violation.

In addition to the above civil fines, the County may obtain enforcement from a court of competent jurisdiction through equitable remedies such as, prohibitory injunctions, affirmative injunctions, mandamus, or an order of abatement as provided by North Carolina General Statute §153A-123.

Nothing herein contained shall prevent Wayne County from taking such other lawful action as is necessary to prevent or remedy any violation.

Justification: Criminal enforcement prohibited under new NCGS §153A-12(b1).

Chapter 58: Business Signs; Article II: Outdoor Advertising Signs-

Current Language:

Sec. 58-28. – Penalties and remedies.

(a) *Criminal penalty.* Any person, firm, corporation, or association placing or erecting any outdoor advertising sign in violation of this article shall be guilty of a misdemeanor, punishable as provided by G.S. 153A-123(b) and G.S. 14-4, with each day considered a separate violation.

Proposed Language:

Delete subsection (a) in its entirety.

Justification: Criminal enforcement prohibited under new NCGS §153A-12(b1).

Chapter 70: Subdivisions-

Current Language:

Sec. 70-36. – Penalties for violation

(a) Pursuant to G.S. 153A-334, after the effective date of the ordinance from which this chapter is derived, any person who being the owner or agent of the owner of any land located within the territorial jurisdiction of this chapter, thereafter subdivided his land in violation of this chapter or transfers or sells land by reference to, exhibition of, or any other use of a plat showing a subdivision of the land before the plat has been properly approved under the terms of this chapter and recorded in the office of the county register of deeds, shall be guilty of a misdemeanor. The description by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring land shall not exempt the transaction from this penalty. The county, through its attorney or other official designated by the board of commissioners, may enjoin illegal subdivision, transfer, or sale of land by action for injunction. Further, violators of this chapter shall be subject, upon conviction, to fine and/or imprisonment and provided by G.S. 14-4.

(b) The violation of any provision of this chapter shall subject the offender to a civil penalty in the amount of \$50.00 to be recovered by the county. Violators shall be issued a written citation which must be paid within ten days.

(c) Each day's continuing violation of this chapter shall be a separate and distinct offense.

(d) Notwithstanding subsection (b) of this section, this chapter may be enforced by appropriate equitable remedies issuing from a court of competent jurisdiction.

(e) Nothing in this section shall be construed to limit the use of remedies available to the county. The county may seek to enforce this chapter by using any one, all or a combination of remedies.

Proposed Language:

Sec. 70-36. – Penalties for violation

Replace subsection (a) as follows:

(a) Pursuant to G.S. 160D-807, any person who being the owner or agent of the owner of any land located within the territorial jurisdiction of this chapter, thereafter subdivided his land in violation of this chapter or transfers or sells land by reference to, exhibition of, or any other use of a plat showing a subdivision of the land before the plat has been properly approved under the terms of this chapter and recorded in the office of the county register of deeds, shall be guilty of a Class 1 misdemeanor. The description by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring land shall not exempt the transaction from this penalty. The county, through its attorney or other official designated by the board of commissioners, may enjoin illegal subdivision, transfer, or sale of land by action for injunction.

Justification: Criminal enforcement prohibited under new NCGS §153A-12(b1).

Appendix A: Zoning-

Current Language:

Section 114. – Penalties for Violation.

Any person violating any provision of this ordinance or failing to comply with this ordinance shall be guilty of a misdemeanor any upon conviction shall be punishable for each offense by a fine not to exceed fifty (50) dollars a day or by imprisonment not to exceed thirty (30) days.

In addition to the above criminal fines, the Enforcement Officer may obtain enforcement from a court of competent jurisdiction through equitable remedies such as, prohibitory injunctions, affirmative injunctions, mandamus, or an order of abatement as provided by North Carolina General Statute 153A-123.

Notwithstanding the criminal penalties and fines and equitable remedies, a violation of any provision of this ordinance shall subject the violator to a civil penalty in the amount of fifty (50) dollars to be recovered by Wayne County. Violators shall be issued a written citation which must be paid within ten (10) days.

Any violation of this ordinance of [or] failure to comply with this ordinance may be enforced by any one or more of the remedies specified above. Each day such violation continues shall be considered a separate and distinct violation.

Nothing herein contained shall prevent Wayne County from taking such other lawful action as is necessary to prevent or remedy any violation.

Proposed Change:

Section 114. – Penalties for Violation.

The Enforcement Officer may obtain enforcement from a court of competent jurisdiction through equitable remedies such as, prohibitory injunctions, affirmative injunctions, mandamus, or an order of abatement as provided by North Carolina General Statute 153A-123.

Notwithstanding equitable remedies, a violation of any provision of this ordinance shall subject the violator to a civil penalty in the amount of fifty (50) dollars to be recovered by Wayne County. Violators shall be issued a written citation which must be paid within ten (10) days. Any violation of this ordinance of [or] failure to comply with this ordinance may be enforced by any one or more of the remedies specified above. Each day such violation continues shall be considered a separate and distinct violation.

Nothing herein contained shall prevent Wayne County from taking such other lawful action as is necessary to prevent or remedy any violation.

Justification: Criminal enforcement prohibited under new NCGS § 153A-12(b1).

PROPOSED CHANGES TO WAYNE COUNTY ORDINANCES PURSUANT TO
SESSION LAW 2021-138
DECEMBER 21, 2021 ACTION ITEMS

Chapter 14: Buildings and Building Regulations; Articles I-V-

Current Language:

Sec. 14-299. – Willful failure or refusal to comply with order.

It shall be unlawful for any person to willfully fail or refuse to comply with any final order or direction of the building inspector or board of commissioners made by virtue and in pursuance of this article, and any person violating this article shall, upon conviction, be punished as provided by G.S. §153A-123 for the violation of county ordinances, and every day such person shall willfully fail or refuse to comply with any final order or direction of the building inspector or governing body made by virtue and in pursuance of this article shall constitute a separate and distinct offense.

Proposed Language:

Sec. 14-299. – Willful failure or refusal to comply with order.

It shall be unlawful for any person to willfully fail or refuse to comply with any final order or direction of the building inspector or board of commissioners made by virtue and in pursuance of this article. Any person violating this article shall, upon conviction, be punished as provided by G.S. 14-4 for a class 3 misdemeanor and shall be fined not more than \$500.00 for the violation of county ordinances. Every day such person shall willfully fail or refuse to comply with any final order or direction of the building inspector or governing body made by virtue and in pursuance of this article shall constitute a separate and distinct offense. In addition to criminal prosecution, the County shall be permitted to define and declare nuisances and to cause their abatement by summary action as provided by law.

Justification: Reference to NCGS §14-4 required under new NCGS §153A-12(b).

Chapter 23: State of Emergency-

Current Language:

Sec. 23-10. – Violations of subchapter.

Any person violating any prohibition or restriction imposed by a proclamation authorized by this chapter shall be guilty of a misdemeanor.

Proposed Language:

Sec. 23-10. – Violations of subchapter.

Any person violating any prohibition or restriction imposed by a proclamation authorized by this chapter shall be guilty of a misdemeanor pursuant to G.S. 14-4 and shall be subject to a fine up to \$500.00.

Justification: Reference to NCGS §14-4 required under new NCGS §153A-12(b).

Chapter 42: Manufactured Housing

Current Language:

Sec. 42-86. – Penalties for violation.

(a) After the effective date of the ordinance from which this article is derived, any person who, being the owner or agent of the owner of any land located within the territorial jurisdiction of this article, thereafter establishes or operates a mobile home park on his land in violation of this article before the plat has been properly approved under the terms of this article shall be guilty of a misdemeanor. The county, through its attorney or other official designated by the board of commissioners, may enjoin illegal creation or operation of a mobile home park by action or injunction. Further, violators of this article shall be subject, upon conviction, to a fine and/or imprisonment as provided by G.S. 14-4.

Proposed Language:

After the effective date of the ordinance from which this article is derived, any person who, being the owner or agent of the owner of any land located within the territorial jurisdiction of this article, thereafter establishes or operates a mobile home park on his land in violation of this article before the plat has been properly approved under the terms of this article shall be guilty of a misdemeanor pursuant to G.S. § 14-4 and shall be subject to a fine up to \$500.00. The county, through its attorney or other official designated by the board of commissioners, may enjoin illegal creation or operation of a mobile home park by action or injunction.

Justification: Reference to NCGS §14-4 and punishment clarification required under new NCGS §153A-123(b).

Chapter 66: Streets, Sidewalks, and Other Public Property; Article I: Concealed Weapons-

Current Language:

Sec. 66-1. – Concealed weapons prohibited in county buildings.

(e) Any person violating this section shall be guilty of a misdemeanor and shall be subject to a fine of \$500.00 or imprisonment of up to 30 days.

Proposed Language:

Sec. 66-1. – Concealed weapons prohibited in county buildings.

Any person violating this section shall be guilty of a misdemeanor pursuant to G.S. 14-4 and shall be subject to a fine up to \$500.00

Justification: Reference to NCGS §14-4 required under new NCGS §153A-12(b).

Chapter 78: Utilities; Article II: Sewer Service-

Current Language:

Sec. 78-26. – Penalties.

(a) Any person found to be violating any provisions of this chapter shall be served by the county with a written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof; provided, however, that said notice shall not be required for violations of section 78-23. The offender shall, within the period of time stated in such notice, permanently cease all violations and shall pay the cost of sampling which revealed said violations.

(b) Any person who shall continue any violation beyond the above time limit shall be guilty of a misdemeanor, and upon conviction thereof, shall be fined in an amount not exceeding \$200.00 for each violation. Each day in which any such violation shall continue shall be deemed a separate offense.

(c) Any person violating any of the provisions of this chapter shall become liable to the county for any expense loss or damage occasioned by the county, by reason of such violation.

Proposed Language:

Sec. 78-26. – Penalties.

Subsection (b) shall be modified as follows:

(b) Any person who shall continue any violation beyond the above time limit shall be guilty of a misdemeanor under G.S. 14-4, and upon conviction thereof, subject to a fine not exceeding \$200.00 for each violation. Each day in which any such violation shall continue shall be deemed a separate offense.

Justification: Reference to NCGS §14-4 required under new NCGS §153A-12(b).

Chapter 78: Utilities; Article 3: Stormwater Management-

Current Language:

Sec. 78-67. – Criminal penalties.

Any person who knowingly or willfully violates any provision of this article, rule, regulation, or order duly adopted or issued pursuant to this article, shall be guilty of a misdemeanor, punishable by a fine not to exceed \$500.00. Each violation shall be a separate offense.

Proposed Language:

Sec. 78-67. – Criminal penalties.

Any person who violates any provision of this article, rule, regulation, or order duly adopted or issued pursuant to this article, shall be guilty of a misdemeanor under G.S. 14-4 and upon conviction thereof, subject to a fine not to exceed \$500.00. Each violation shall be a separate offense.

Justification: Reference to NCGS §14-4 required under new NCGS §153A-12(b).