



TO: Wayne County Board of Commissioners

FROM: Craig Honeycutt, Wayne County Manager 

DATE: December 14, 2021

SUBJECT: Board of Commissioners Meeting – December 21, 2021

The Appointment Committee of the Wayne County Board of Commissioners will meet on Tuesday, December 7, 2021 at 7:30 a.m. in Room 458 of the Wayne County Courthouse Annex, 224 E. Walnut Street, Goldsboro, North Carolina.

At 8:00 a.m., the Wayne County Board of Commissioners will meet for a briefing session and other matters in the Commissioners Meeting Room on the fourth floor of the Wayne County Courthouse Annex, located at 224 E. Walnut Street in Goldsboro, North Carolina.

The formal Wayne County Board of Commissioners meeting will begin at 9:00 a.m. in the Commissioners Meeting Room in the Wayne County Courthouse Annex, 224 E. Walnut Street, Goldsboro, North Carolina.

The public is invited to view the meeting livestream at www.waynegov.com.



THE GOOD LIFE. GROWN HERE.

WAYNE COUNTY BOARD OF COMMISSIONERS AGENDA

December 21, 2021 – 9:00 A.M.

PLEASE SILENCE YOUR CELLPHONES

CALL TO ORDER – Chairman Joe Daughtery

INVOCATION – Commissioner Chris Gurley

PLEDGE OF ALLEGIANCE – Commissioner Antonio Williams

APPROVAL OF MINUTES – December 7, 2021

Pg. 4-9

DISCUSSION/ADJUSTMENT OF AGENDA

SPECIAL PRESENTATIONS *Time Limit of 6 to 10 Minutes*

1. Recognition of the Wayne County Finance Department's GFOA Certificate of Achievement for Excellence in Financial Reporting. Pg. 10-11
2. GIS/Mapping Presentation by Julio Garrido.
3. Announcement of Community Development Block Grant (CDBG) funds for the Neighborhood Revitalization Program for Rollingwood Community in Dudley. Pg. 12

APPOINTMENT COMMITTEE

UNFINISHED BUSINESS

1. Receive Information from the DSS Board concerning the privatization of the Child Support Enforcement Office and taking appropriate action.

CONSENT AGENDA

1. Applications for Elderly or Disabled Exclusion. Pg. 13-22
2. Application for Present Use Value. Pg. 23-24
3. Budget Amendments Pg. 25-32
4. 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. Pg. 33-46
4. Motion to Adopt Resolutions #2021-45 and #2021-46: Resolutions declaring surplus real property and authorizing its Sale. The Surplus Property is at 611 and 613 E. Spruce Street, and 306 N. Carolina Street, Goldsboro, North Carolina, Jointly Owned with the City of Goldsboro. Pg. 47-59
5. Motion to Approve the Annual Community Services Block Grant (CSBG) application. Pg. 60
6. Motion to Approve Changes to the Wayne County Ordinances to Comply with Session Law 2021-138, new GS 153A-123 and GS 14-4. Pg. 61-66
7. Motion to Approve Final Plat for Glenn Laurel Section 13, as recommended by the Wayne County Planning Board. Pg. 67-68
8. Motion to Establish a Public Hearing on Tuesday, January 4, 2022 at 5:15 p.m. in the Commissioners Meeting Room in the Wayne County Courthouse Annex, 224 E. Walnut Street, Goldsboro, North Carolina. The purpose of the public hearing is to receive public comments regarding a proposed economic development incentive grant to Hosokawa Micon International. The Board of Commissioners will consider a \$240,000 incentive grant payable over (10) years in exchange for the company's commitment to invest \$6,335,169 in capital improvements and to create 16 jobs in Wayne County. Pg. 69-75

NEW BUSINESS

1. Motion to Amend the Wayne County Board of Commissioners Rules of Procedure.

Pg. 76

COUNTY MANAGER'S REPORT

BOARD OF COMMISSIONERS COMMITTEE REPORTS

ADJOURNMENT – MERRY CHRISTMAS AND HAPPY NEW YEAR!!!

DENOTES ACTION REQUESTED

REMINDER!!!

THE FIRST MEETING IN JANUARY WILL BE HELD AT 4:00 P.M., BEGINNING WITH THE AGENDA BRIEFING.

NORTH CAROLINA

WAYNE COUNTY

The Wayne County Board of Commissioners met on Tuesday, November 16, 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 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 how 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
 - f. Sheriff's Office - #165
 - g. Sheriff's Office - #166
 - h. Jetport- #168
 - i. Library - #169
 - j. Sheriff's Office - #171
3. Motion to Adopt Resolution #2021-42 allowing the use of Pyrotechnics in the Town of Seven Springs, North Carolina, attached hereto as Attachment E.
4. Motion to Adopt Resolution #2021-43 allowing the use of Pyrotechnics in the Town of Mount Olive, North Carolina, attached hereto as Attachment F.
5. Motion to Approve Amendment to Audit Contract with Nunn, Brashear, & Uzzell, to amend audit due date, attached hereto as Attachment G.

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



Government Finance Officers Association
203 North LaSalle Street, Suite 2700
Chicago, Illinois 60601-1210
312.977.9700 fax: 312.977.4806

11/24/2021

Craig Honeycutt
Manager
County of Wayne, North Carolina

Dear Mr. Honeycutt:

We are pleased to notify you that your annual comprehensive financial report for the fiscal year ended June 30, 2020 qualifies for GFOA's Certificate of Achievement for Excellence in Financial Reporting. The Certificate of Achievement is the highest form of recognition in governmental accounting and financial reporting, and its attainment represents a significant accomplishment by a government and its management.

When a Certificate of Achievement is awarded to a government, an Award of Financial Reporting Achievement (AFRA) is also presented to the individual(s) or department designated by the government as primarily responsible for its having earned the Certificate. This award has been sent to the submitter as designated on the application.

We hope that you will arrange for a formal presentation of the Certificate and Award of Financial Reporting Achievement, and give appropriate publicity to this notable achievement. A sample news release is included to assist with this effort.

We hope that your example will encourage other government officials in their efforts to achieve and maintain an appropriate standard of excellence in financial reporting.

Sincerely,

A handwritten signature in black ink, reading "Michele Mark Levine". The signature is written in a cursive, flowing style.

Michele Mark Levine
Director, Technical Services



GOVERNMENT FINANCE OFFICERS ASSOCIATION
NEWS RELEASE

FOR IMMEDIATE RELEASE

11/24/2021

For more information contact:
Michele Mark Levine, Director/TSC
Phone: (312) 977-9700
Fax: (312) 977-4806
Email: mlevine@gfoa.org

(Chicago, Illinois)—Government Finance Officers Association of the United States and Canada (GFOA) has awarded the Certificate of Achievement for Excellence in Financial Reporting to **County of Wayne** for its annual comprehensive financial report for the fiscal year ended June 30, 2020. The report has been judged by an impartial panel to meet the high standards of the program, which includes demonstrating a constructive "spirit of full disclosure" to clearly communicate its financial story and motivate potential users and user groups to read the report.

The Certificate of Achievement is the highest form of recognition in the area of governmental accounting and financial reporting, and its attainment represents a significant accomplishment by a government and its management.

Government Finance Officers Association (GFOA) advances excellence in government finance by providing best practices, professional development, resources, and practical research for more than 21,000 members and the communities they serve.

203 NORTH LASALLE STREET, SUITE 2700, CHICAGO, ILLINOIS 60601-1210



**NC DEPARTMENT
of COMMERCE**
RURAL ECONOMIC
DEVELOPMENT

Roy Cooper
GOVERNOR

Machelle Sanders
SECRETARY

Kenny Flowers
ASSISTANT SECRETARY

December 9, 2021

The Honorable George Wayne Aycock, Jr., Chairman
Wayne County Board of Commissioners
Post Office Box 227
Goldsboro, North Carolina 27533

Dear Chairman Aycock:

It is my pleasure to officially notify you that the Wayne County has been awarded \$750,000 in Community Development Block Grant (CDBG) funds for the Neighborhood Revitalization Program. I commend you on your efforts to provide Community Development Assistance.

Please note that under CDBG program regulations, project funds may not be obligated or spent until certain grant conditions are met with the Rural Economic Development Division (REDD), which administers the CDBG Program, will contact you about these conditions and help you implement your grant.

Congratulations on this award. We look forward to working with you and other officials. Should you have any questions regarding this grant, please contact Valerie Fegans, Rural Economic Development Division at (919) 814-4673.

Sincerely,

Kenny Flowers
Assistant Secretary

MEMORANDUM

TO: Craig Honeycutt, County Manager
FROM: Alan Lumpkin, Tax Administrator
DATE: November 30, 2021
RE: Application for Elderly or Disabled Exclusion

Enclosed is a letter for property tax exclusion submitted by Benny Best parcel 2563037682. A full copy of the application is not enclosed since it contains income information. This property would have qualified for exemption for 2021 under North Carolina law if a timely application had been filed. Since the application was filed after the close of the regular listing period, action by the Board is necessary to exempt this property. The Board has authority under G.S. 105-282.1(a1).

Application for Property Tax Relief

Elderly or Disabled Exclusion (G.S. 105-277.1),
Disabled Veteran Exclusion (G.S. 105-277.1C), or
Circuit Breaker Tax Deferment Program (G.S. 105-277.1B)

County of Wayne, NC

Year 2021

Instructions

Application Deadline: This application must be filed by June 1st to be timely filed. You may submit additional information separately if needed.

Where to Submit Application: Submit this application to the county tax assessor where this property is located. County tax assessor addresses and telephone numbers can be found online at: <https://www.ncdor.gov/documents/north-carolina-county-assessors-list>. **DO NOT** submit this application to the North Carolina Department of Revenue.

- Office Use Only:

Property ID Number

2563-03-7682

Last Name of Applicant

Best

First Name

Benny

Middle Name

Norman

Date of Birth (MM-DD-YY)

05/25/53

Last Name of Spouse

Best

First Name

Phyllis

Middle Name

Mauldin

Date of Birth (MM-DD-YY)

08/11/51

Residence Address

890 Shady Grove Rd

City

Mt Olive

State

NC

Zip Code

28365

Mailing Address (if different from residence address)**City****State****Zip Code****E-mail Address****Home Telephone Number**

919-223-7458

Work Telephone Number

NA

Ext.**Cell Phone Number**

919-223-7489

Fill in applicable boxes:

☒ Yes ☐ No ➤ Is this property your permanent legal residence?

Addresses of secondary residences (if any):

☒ Yes ☐ No ➤ If married, does your spouse live with you in the residence? If you answer **No**, provide your spouse's address.

Addresses of spouse:

☐ Yes ☒ No ➤ Are you or your spouse (if applicable) currently residing in a health care facility? If you answer **Yes**, fill in applicable circle

☐ Applicant ☐ Spouse and indicate current length of stay:

☒ Yes ☐ No ➤ Do you and your spouse (if applicable) own 100% interest in the property? If you answer **No**, list all owners and their ownership percentage (round to the nearest 0.1%):

Owner		%	Owner		%
Owner		%	Owner		%
Owner		%	Owner		%

Note: Separate applications are required for each owner that is claiming property tax relief. If husband and wife own the property, only one application is required.

MEMORANDUM

TO: Craig Honeycutt, County Manager

FROM: Alan Lumpkin, Tax Administrator

DATE: December 07, 2021

RE: Application for Elderly or Disabled Exclusion

Enclosed is a letter for property tax exclusion submitted by Gary Singleton parcel 3525495938. A full copy of the application is not enclosed since it contains income information. This property would have qualified for exemption for 2021 under North Carolina law if a timely application had been filed. Since the application was filed after the close of the regular listing period, action by the Board is necessary to exempt this property. The Board has authority under G.S. 105-282.1.(a1).

SLE

Application for Property Tax Relief

Elderly or Disabled Exclusion (G.S. 105-277.1),
 Disabled Veteran Exclusion (G.S. 105-277.1C), or
 Circuit Breaker Tax Deferment Program (G.S. 105-277.1B)

County of Wayne, NC

Year 2021

Instructions

Application Deadline: This application must be filed by June 1st to be timely filed. You may submit additional information separately if needed.

Where to Submit Application: Submit this application to the county tax assessor where this property is located. County tax assessor addresses and telephone numbers can be found online at: <https://www.ncdor.gov/documents/north-carolina-county-assessors-list>. DO NOT submit this application to the North Carolina Department of Revenue.

- Office Use Only:

Property ID Number

3525495938

Last Name of Applicant

Singleton

First Name

GARRY

Middle Name

RONALD

Date of Birth (MM-DD-YY)

2/13/1955

Last Name of Spouse**First Name****Middle Name****Date of Birth (MM-DD-YY)****Residence Address**

1998 Hwy 111 - South

City

Goldsboro

State

N.C.

Zip Code

27534

Mailing Address (if different from residence address)**City****State****Zip Code****E-mail Address**

Wendy.Filion400@gmail.com

Home Telephone Number

CELL

Work Telephone Number**Ext.****Cell Phone Number**

252 724-0200

919 922-3908

Fill in applicable boxes:

☒ Yes ☐ No Is this property your permanent legal residence?

Addresses of secondary residences (if any):

☐ Yes ☐ No If married, does your spouse live with you in the residence? If you answer **No**, provide your spouse's address.

Addresses of spouse:

☐ Yes ☒ No Are you or your spouse (if applicable) currently residing in a health care facility? If you answer **Yes**, fill in applicable circle

☐ Applicant ☐ Spouse and indicate current length of stay:

☒ Yes ☐ No Do you and your spouse (if applicable) own 100% interest in the property? If you answer **No**, list all owners and their ownership percentage (round to the nearest 0.1%):

Owner		%	Owner		%
Owner		%	Owner		%
Owner		%	Owner		%

Note: Separate applications are required for each owner that is claiming property tax relief. If husband and wife own the property, only one application is required.

MEMORANDUM

TO: Craig Honeycutt, County Manager

FROM: Alan Lumpkin, Tax Administrator

DATE: December 07, 2021

RE: Application for Elderly or Disabled Exclusion

Enclosed is a letter for property tax exclusion submitted by Diane Donnelly parcel 3642308173. A full copy of the application is not enclosed since it contains income information. This property would have qualified for exemption for 2021 under North Carolina law if a timely application had been filed. Since the application was filed after the close of the regular listing period, action by the Board is necessary to exempt this property. The Board has authority under G.S. 105-282.1.(a1).

SEE

Application for Property Tax Relief
Elderly or Disabled Exclusion (G.S. 105-277.1),
Disabled Veteran Exclusion (G.S. 105-277.1C), or
Circuit Breaker Tax Deferment Program (G.S. 105-277.1B)

County of WAYNE, NC

Year 2021

Instructions

Application Deadline: This application must be filed by June 1st to be timely filed. You may submit additional information separately if needed.

Where to Submit Application: Submit this application to the county tax assessor where this property is located. County tax assessor addresses and telephone numbers can be found online at: <https://www.ncdor.gov/documents/north-carolina-county-assessors-list>. DO NOT submit this application to the North Carolina Department of Revenue.

- Office Use Only:

Property ID Number <u>3642-30-8173</u>			
Last Name of Applicant <u>DONNELLY</u>		First Name <u>DIANE</u>	Middle Name <u>MARIE</u>
Last Name of Spouse		First Name	Middle Name
Residence Address <u>216 LANCASTER POINTE DR.</u>			
City <u>PIKEVILLE</u>		State <u>NC</u>	Zip Code <u>27863</u>
Mailing Address (if different from residence address)			
City		State	Zip Code
E-mail Address			
Home Telephone Number		Work Telephone Number	Ext. Cell Phone Number <u>508 513 7655</u>

Fill in applicable boxes:

☒ Yes ☐ No	Is this property your permanent legal residence?		
Addresses of secondary residences (if any):			
☐ Yes ☒ No	If married, does your spouse live with you in the residence? If you answer No , provide your spouse's address.		
Addresses of spouse:			
☐ Yes ☒ No	Are you or your spouse (if applicable) currently residing in a health care facility? If you answer Yes , fill in applicable circle		
Applicant Spouse and indicate current length of stay:			
☐ Yes ☒ No	Do you and your spouse (if applicable) own 100% interest in the property? If you answer No , list all owners and their ownership percentage (round to the nearest 0.1%):		
Owner	%	Owner	%
Owner	%	Owner	%
Owner	%	Owner	%
Note: Separate applications are required for each owner that is claiming property tax relief. If husband and wife own the property, only one application is required.			

MEMORANDUM

TO: Craig Honeycutt, County Manager

FROM: Alan Lumpkin, Tax Administrator

DATE: December 09, 2021

RE: Application for Elderly or Disabled Exclusion

Enclosed is a letter for property tax exclusion submitted by Wanda Lynch parcel 3519965631. A full copy of the application is not enclosed since it contains income information. This property would have qualified for exemption for 2021 under North Carolina law if a timely application had been filed. Since the application was filed after the close of the regular listing period, action by the Board is necessary to exempt this property. The Board has authority under G.S. 105-282.1.(a1).

Application for Property Tax Relief

Elderly or Disabled Exclusion (G.S. 105-277.1),
Disabled Veteran Exclusion (G.S. 105-277.1C), or
Circuit Breaker Tax Deferment Program (G.S. 105-277.1B)

County of Wayne, NC

Year 2021

Instructions

Application Deadline: This application must be filed by June 1st to be timely filed. You may submit additional information separately if needed.

Where to Submit Application: Submit this application to the county tax assessor where this property is located. County tax assessor addresses and telephone numbers can be found online at: <https://www.ncdor.gov/documents/north-carolina-county-assessors-list>. **DO NOT** submit this application to the North Carolina Department of Revenue.

- Office Use Only:

Property ID Number

3519-96-5631

Last Name of Applicant

Lynch

First Name

Wanda

Middle Name

Newsome

Date of Birth (MM-DD-YY)

04-23-53

Last Name of Spouse

None

First Name**Middle Name****Date of Birth (MM-DD-YY)****Residence Address**

2614 Lisa Lane

City

Goldsboro

State

N.C.

Zip Code

27534

Mailing Address (if different from residence address)

P.O. Box 11334

City

Goldsboro

State

N.C.

Zip Code

27532

E-mail Address**Home Telephone Number**

919-738-6055

Work Telephone Number**Ext.****Cell Phone Number**

919-738-6055

Fill in applicable boxes:

☒ Yes ☐ No Is this property your permanent legal residence?

Addresses of secondary residences (if any):

☐ Yes ☐ No If married, does your spouse live with you in the residence? If you answer **No**, provide your spouse's address.

Addresses of spouse:

☐ Yes ☐ No Are you or your spouse (if applicable) currently residing in a health care facility? If you answer **Yes**, fill in applicable circle

☐ Applicant ☐ Spouse and indicate current length of stay:

☒ Yes ☐ No Do you and your spouse (if applicable) own 100% interest in the property? If you answer **No**, list all owners and their ownership percentage (round to the nearest 0.1%):

Owner	Wanda N. Lynch	100	%	Owner		%
Owner			%	Owner		%
Owner			%	Owner		%

Note: Separate applications are required for each owner that is claiming property tax relief. If husband and wife own the property, only one application is required.

MEMORANDUM

TO: Craig Honeycutt, County Manager

FROM: Alan Lumpkin, Tax Administrator

DATE: December 10, 2021

RE: Application for Elderly or Disabled Exclusion

Enclosed is a letter for property tax exclusion submitted by Sharon DeAngelo parcel 2572984081. A full copy of the application is not enclosed since it contains income information. This property would have qualified for exemption for 2021 under North Carolina law if a timely application had been filed. Since the application was filed after the close of the regular listing period, action by the Board is necessary to exempt this property. The Board has authority under G.S. 105-282.1.(a1).

Income
Letter

AV-9
Web
7-20

SLE

Application for Property Tax Relief

Elderly or Disabled Exclusion (G.S. 105-277.1),
Disabled Veteran Exclusion (G.S. 105-277.1C), or
Circuit Breaker Tax Deferment Program (G.S. 105-277.1B)

County of , NC

Year 2021

Instructions

Application Deadline: This application must be filed by June 1st to be timely filed. You may submit additional information separately if needed.

Where to Submit Application: Submit this application to the county tax assessor where this property is located. County tax assessor addresses and telephone numbers can be found online at: <https://www.ncdor.gov/documents/north-carolina-county-assessors-list>. **DO NOT** submit this application to the North Carolina Department of Revenue.

- Office Use Only:

Property ID Number 2572-98-4081			
Last Name of Applicant DE ANGELO	First Name SHARON	Middle Name ANN	Date of Birth (MM-DD-YY) 10-11-46
Last Name of Spouse /	First Name /	Middle Name /	Date of Birth (MM-DD-YY) /
Residence Address 109 EAST JOHN STREET			
City MOUNT OLIVE		State NC	Zip Code 28365
Mailing Address (if different from residence address) Same			
City /		State /	Zip Code /
E-mail Address sharonandcdeangelo@gmail.com			
Home Telephone Number /	Work Telephone Number /	Ext. /	Cell Phone Number 919-750-4823

Fill in applicable boxes:

☒ Yes ☐ No ➤ Is this property your permanent legal residence?

Addresses of secondary residences (if any):

☐ Yes ☐ No ➤ If married, does your spouse live with you in the residence? If you answer **No**, provide your spouse's address.

Addresses of spouse:

☐ Yes ☒ No ➤ Are you or your spouse (if applicable) currently residing in a health care facility? If you answer **Yes**, fill in applicable circle
☐ Applicant ☐ Spouse and indicate current length of stay: _____

☒ Yes ☐ No ➤ Do you and your spouse (if applicable) own 100% interest in the property? If you answer **No**, list all owners and their ownership percentage (round to the nearest 0.1%):

Owner	SHARON DEANGELO	100 %	Owner	/	%
Owner	/	%	Owner	/	%
Owner	/	%	Owner	/	%

Note: Separate applications are required for each owner that is claiming property tax relief. If husband and wife own the property, only one application is required.

MEMORANDUM

TO: Craig Honeycutt, County Manager

FROM: Alan Lumpkin, Tax Administrator

DATE: December 7, 2021

RE: Application for Present Use Value

Enclosed is a letter from Polly D. Smith, parcel(s) 4 parcels, requesting approval for a late application for present use value. A full copy of the application is not enclosed since it contains income information. This property would have qualified for present use value for 2021 had a timely application been filed. The Board has the authority to approve late applications under G.S. 105-277.4.(a1).

AV-5
Web
8-11

Application for Agriculture, Horticulture, and
Forestry Present-Use Value Assessment

(G.S. 105-277.2 through G.S. 105-277.7)

County of Wayne, NC

Tax Year 2021

Full Name of Owner(s)

Polly D. Smith

Mailing Address of Owner

3534 US Highway 70 W

City

Goldsboro

State

NC

Zip Code

27530

Home Telephone Number

(919) 735-3890

Work Telephone Number

Ext.

Cell Phone Number

(919) 738-1990

Instructions

Application Deadline: This application must be filed during the regular listing period, or within 30 days of a notice of a change in valuation, or within 60 days of a transfer of the land.

Where to Submit Application: Submit this application to the county tax assessor where this property is located. County tax assessor addresses and telephone numbers can be found online at: www.dorncc.com/downloads/CountyList.pdf. DO NOT submit this application to the North Carolina Department of Revenue.

- Office Use Only:

This application is for: (check all that apply)

☒ **AGRICULTURE** (includes Aquaculture)

☐ **HORTICULTURE**

☐ **FORESTRY**

Enter the Parcel Identification Number, acreage breakdown, and acreage total for each tax parcel included in this application:

PARCEL ID	OPEN LAND in Production	OPEN LAND not in Production	WOOD LAND	WASTE LAND	CRP LAND	HOME SITE	OTHER (Describe in Comments)	TOTAL ACRES
<u>2671021747</u>	<u>9.0 ac</u>		<u>3.250 ac</u>					<u>12.25 ac</u>
<u>2661934131</u>	<u>9.1 ac</u>		<u>1.150 ac</u>					<u>10.25 ac</u>
<u>2671026497</u>	<u>7.6 ac</u>		<u>9.6 ac</u>			<u>1.0 ac</u>		<u>18.2 ac</u>
<u>2661833739</u>	<u>1.2 ac</u>		<u>20.8 ac</u>					<u>22.0 ac</u>

Comments:

☐ Yes ☒ No Does the applicant own property in other counties that is also in present-use value and is within 50 miles of this property? If YES, list the county or counties and parcel identification number(s):

County:

Parcel ID:

County:

Parcel ID:

IMPORTANT!

AGRICULTURE and HORTICULTURE applications with LESS than 20 acres of woodland generally need to complete PARTS 1, 2, and 4.

AGRICULTURE and HORTICULTURE applications with MORE than 20 acres of woodland generally need to complete PARTS 1, 2, 3, and 4.

FORESTRY applications need to complete PARTS 1, 3, and 4.

ADDITIONALLY, applications for CONTINUED USE of existing present-use value classification need to complete PART 5.

Please contact the Tax Assessor's office if you have questions about which parts should be completed.

#176



County of Wayne Budget Amendment

11/30/21
Date

Memorandum

From: Larry Pierce
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's Office be amended as follows:

EXPENDITURE

Code Number	Project	String	Description	Decrease	Increase
1104310 519000			Professional Services	\$ 7,057.00	
1104310 526200			Non-Capital Computer		\$ 7,057.00

REVENUE

Code Number	Description	Increase	Decrease
Totals		\$ 7,057.00	\$ 7,057.00

2. Reason(s) for the above request is/are as follows: to transfer funds that were budgeted in professional services to purchases computers for professional standards accreditation program

[Signature] Dec 1, 2021
Department Head Signature

Endorsement

1. Forward, recommending approval/disapproval

Allison W. Speight
Allison Speight, County Finance Director
2021

Endorsement

2. Forward, recommending approval/disapproval

[Signature]
Craig Honeycutt County Manager & Budget Officer
2021

3. Approval/Disapproval by Chairman Board of Commissioners

Chairman Board of Commissioners
2021

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 30, 2021

To: Wayne County Board of Commissioners

From: Sheriff Larry M. Pierce

Lurial C. Lewis for Sheriff Pierce Dec 1, 2021

Re: Budget Amendment Request

The purpose of this budget amendment is to appropriate \$ 7057.00 from funds budgeted in professional services for our professional standards accreditation program. These funds were to be used in various areas to aid us in getting this program up and running. These specific funds will be transferred to non-capital computer for purchase of computers for this program.



County of Wayne
Budget Amendment

178

12/1/2021
Date

Memorandum

From: Kimberly McGuire, Director
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 **Social Services** be amended as follows:

EXPENDITURE						
Code Number	Project	String	Description	Decrease	Increase	
1265302.549700	LIWAP		Low Income Water Assistance Program		\$ 273,281.00	

REVENUE					
Code Number	Description	Increase	Decrease		
1265300.353003	Administration	\$ 273,281.00			

Totals	\$	273,281.00	\$ 273,281.00
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2. Reason(s) for the above request is/are as follows: To balance with LIWAP funding authorization #1

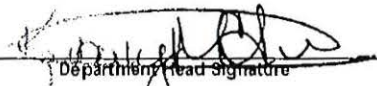
Endorsement

1. Forward, recommending approval/disapproval

Endorsement

2. Forward, recommending approval/disapproval

3. Approval/Disapproval by Chairman Board of Commissioners


Department Head Signature


Allison Speight, County Finance Director
2021


Craig Honeycutt, County Manager & Budget Officer
2021

Chairman Board of Commissioners
2021

WAYNE COUNTY
DEPARTMENT OF SOCIAL SERVICES



WAYNECOUNTY
NORTH CAROLINA
Phone: (919) 580-4034

Memorandum

To: Wayne County Board of Commissioners
From: Kimberly McGuire, Director of Social Services
Date: December 1, 2021
Subject: Budget Amendment

This Budget Amendment is for the Low Income Water Assistance Program and the purpose is to balance our general ledger amount with State Funding Authorization #1. This is a new program implemented by NC DHHS due to COVID19 and details are attached. The effective date for this program is December 1, 2021 and ends September 30, 2023, or until funds are exhausted.

THE GOOD LIFE. GROWN HERE.

301 N. HERMAN STREET
BOX HH
GOLDSBORO, NC 27530



County of Wayne Budget Amendment

#179

12/02/21
Date

Memorandum

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

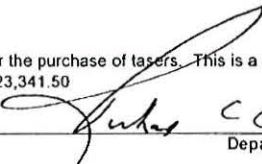
1. It is requested that the budget for Sheriff's Office be amended as follows:

EXPENDITURE						
Code Number	Project	String	Description	Decrease	Increase	
1104310-562000	X2211	Taser Equip	WCSO - Taser Project		\$	23,341.50

REVENUE						
Code Number		Description	Increase	Decrease		
1104310-335000	X2211	Taser Equip	NC Governor's Crime Commission Grant	\$	23,341.50	
Totals			\$	23,341.50	\$	23,341.50

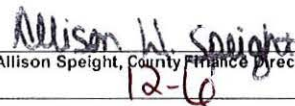
2. Reason(s) for the above request is/are as follows:

to accept grant funds from the NC Governor's Crime Commission for the purchase of tasers. This is a reimbursement grant in which funds will be distributed as tasers are purchased up to the approved amount of \$23,341.50


Department Head Signature Dec 2, 2021

Endorsement

1. Forward, recommending approval/disapproval


Allison Speight, County Finance Director
12-6 2021

Endorsement

2. Forward, recommending approval/disapproval

Craig Honeycutt County Manager & Budget Officer
2021

3. Approval/Disapproval by Chairman Board of Commissioners

Chairman Board of Commissioners
2021

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: December 2, 2021

To: Wayne County Board of Commissioners

From: Sheriff Larry M. Pierce

Submitted & Approved for Sheriff Pierce Dec 2, 2021

Re: Budget Amendment Request

The purpose of this budget amendment is to accept grant award funds from the North Carolina Governor's Crime Commission in order to purchase 18 tasers for the WCSO taser project. These tasers will be purchased immediately to begin the process of replacing the tasers that are out of service. This is a reimbursement grant in which funds will be distributed as tasers are purchased up to the approved amount of \$ 23,341.50.

Thank you for your consideration.



County of Wayne Budget Amendment

#182

12/6/2021
Date

Memorandum

From: Kimberly McGuire, Director
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 **Social Services** be amended as follows:

EXPENDITURE					
Code Number	Project	String	Description	Decrease	Increase
1265302.549700	LIEAP		Low Income Energy Assistance Program		\$ 3,832.00

REVENUE				
Code Number	Description	Increase	Decrease	
1265300.353003	Administration	\$ 3,832.00		

Totals		\$ 3,832.00	\$ 3,832.00	
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2. Reason(s) for the above request is/are as follows: To balance with LIEAP funding authorization #2.

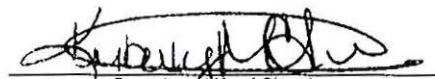
Endorsement

1. Forward, recommending approval/disapproval

Endorsement

2. Forward, recommending approval/disapproval

3. Approval/Disapproval by Chairman Board of Commissioners


Department Head Signature


Allison Speight, County Finance Director
2021


Craig Honeycutt County Manager & Budget Officer
2021

Chairman Board of Commissioners
2021

WAYNE COUNTY
DEPARTMENT OF SOCIAL SERVICES



WAYNECOUNTY
NORTH CAROLINA
Phone: (919) 580-4034

Memorandum

To: Wayne County Board of Commissioners
From: Kimberly McGuire, Director of Social Services
Date: December 6, 2021
Subject: Budget Amendment

This Budget Amendment is for the Low Income Energy Assistance Program and the purpose is to balance our general ledger amount with State Funding Authorization #2.

THE GOOD LIFE. GROWN HERE.

301 N. HERMAN STREET
BOX HH
GOLDSBORO, NC 27530

WAYNE COUNTY
STAFF ATTORNEY



WAYNECOUNTY
NORTH CAROLINA

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

TO: WAYNE COUNTY BOARD OF COMMISSIONERS

FROM: ANDREW NEAL, STAFF ATTORNEY *AN*

SUBJECT: SALE OF SURPLUS PROPERTY JOINTLY OWNED WITH THE CITY OF
GOLDSBORO; 412 E. WALNUT STREET, GOLDSBORO (PIN: 3509057190)

DATE: 12/10/2021

CC: CRAIG HONEYCUTT, COUNTY MANAGER

Goldsboro City Council approved the sale of 412 E. Walnut Street to Oliver Design Group, LLC in the amount of \$5,455.00 at its November 12, 2021 meeting. The Board of Commissioners deferred its decision on the sale at the December 7, 2021 meeting so staff could request more information from the City of Goldsboro. Following the meeting, County personnel contacted City staff and gathered the information requested by Commissioners. Attached is an email from City staff containing the relevant information. Further research revealed that the sole member of Oliver Design Group, LLC is John Oliver. Mr. Oliver is related to the property owner of 410 E. Walnut Street, Ava Oliver.

Also attached is a copy of SL 2004-94. The local act governs the City of Goldsboro's disposition of surplus property. Under SL 2004-94, the City may sell non-conforming parcels to adjoining property owners for one dollar (\$1). Additionally, the City cannot accept any offer pursuant to NCGS §160A-269 on a conforming lot which is less than 50% of the appraised tax value. 412 E. Walnut Street is a conforming lot and is therefore not eligible to be sold to adjoining property owners for \$1.

THE GOOD LIFE. GROWN HERE.

P.O. BOX 227
GOLDSBORO, NC 27533
033

Andrew Neal

From: Catherine Gwynn <CGwynn@goldsboronc.gov>
Sent: Thursday, December 9, 2021 10:56 AM
To: Octavius Murphy; Andrew Neal
Cc: Nona Robbins; Carol Bowden; Kenny Talton
Subject: RE: [External] - Surplus Final Award - 412 E Walnut (Oliver Design)

Andrew,

Good morning. Please see responses below. Octavius can weigh in with his opinion if he agrees/disagrees with any of my statements below (in blue).

- Were the adjacent property owners notified of the sale?
 - **We conform with the statutory requirement and publish an advertisement in the newspaper for the upset bid, so there is notification to the public in general. Under the upset bid process we are not specifically required to notify adjacent property owners of the sale.**
- Were the adjacent property owners given the chance to buy the property?
 - **We conform with the statutory requirement of upset bid process(160A-269), so anyone could have upset the bid to buy the property. Under the upset bid process we are not specifically required to give adjacent property owners the opportunity to bid – they are given this right in the fact anyone can put in an upset bid during the upset bid period.**
- What information, if any, do we have on future development of 412 E. Walnut and Oliver Design?
 - **The Finance office is not involved in those such matters.**
- Am I correct that this is a conforming lot and therefore it did not have to be sold for \$1 to the adjoining property owner?
 - **Correct, that is the understanding that Finance has that it was a conforming lot. That is handled between Planning and Octavius. Finance handles the back end agenda item preparation and presentation of the surplus property. The Session Law that is in place to allow the sale of the property for a \$1 is an option, not a requirement. The SL outlines procedures to follow if SL 2004-94 is used to dispose of the property.**

If the Commissioners are not in agreement and do not wish to concur with the sale of the property, then my opinion is that they just need to decline to approve it. If they do not approve it, then we will return the EMD funds to Oliver Design. Let us know if you need any additional information.

Regards,
Catherine

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

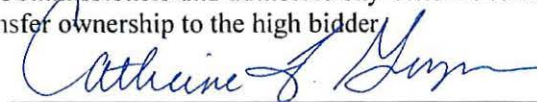
The offer is at least 50% of the tax value of the property. The bid deposit of 5% has been received in the form of multiple cashier checks and money order. The original offer was \$3,210.00, and the fifth upset bid amount was \$8,800.00. The upset bid amount was a minimum of \$9,290.00 which is 10% of 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

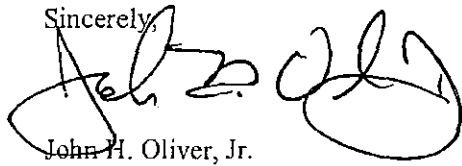
Mrs. Gwynn,

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 ~~\$9,000.00~~ ^{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,



John H. Oliver, Jr.
President



BE MORE DO MORE SEYMOUR

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

RECEIVED

2021 OCT 17 PM 4:51

CITY OF GOLDSBORO
FINANCE DEPARTMENT

Opened 10/11/21 5:13pm

Catherine F. Guyon

Chestine Jaison

\$9500-

\$415⁵⁰ EMD Deposit

(5% EMD)

JOHN OLIVER

Upset B7D

412 E. WALNUT STREET

Valid Money Order Includes: 1. Heat sensitive, red stop sign AND 2. Contains a True Watermark hold up to light to view.

MoneyGram INTERNATIONAL MONEY ORDER 65-189 1037

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: City of Goldsboro

IMPORTANT! SEE BACK BEFORE CASHING

PAY EXACTLY ~~*****75.00~~
SEVENTY-FIVE ***
DOLLARS 00 CENTS

ORDER NUMBER 36180594

THIS DOCUMENT CONTAINS A TRUE WATERMARK - HOLD TO LIGHT TO VIEW

OFFICIAL CHECK 1003872083

ISSUING BRANCH 6061201-GOLDSBORO - MAIN 68-235/514

DATE September 13, 2021

PAY TO THE ORDER OF CITY OF GOLDSBORO \$150.00

One Hundred Fifty and 00/100ths Dollars

BB&T \$150.00

AUTHORIZED SIGNATURE

Details on Back

CASHIER'S CHECK 156581

STATE EMPLOYEES' CREDIT UNION
09002 Goldsboro - West Ash Street

DATE: August 12, 2021 66-1704/2331

PAY TO THE ORDER OF CITY OF GOLDSBORO

*****90.00

**** NINETY DOLLARS AND 00 CENTS

VOID AFTER 180 DAYS

REMITTER: CONNIE D OLIVER

MEMO: OLIVER DESIGN GROUP LLC

AUTHORIZED SIGNATURE

Details on Back

OFFICIAL CHECK 1003711166

ISSUING BRANCH 6061201-GOLDSBORO - MAIN 68-236/514

DATE June 30, 2021

PAY TO THE ORDER OF CITY OF GOLDSBORO \$160.50

One Hundred Sixty and 50/100ths Dollars

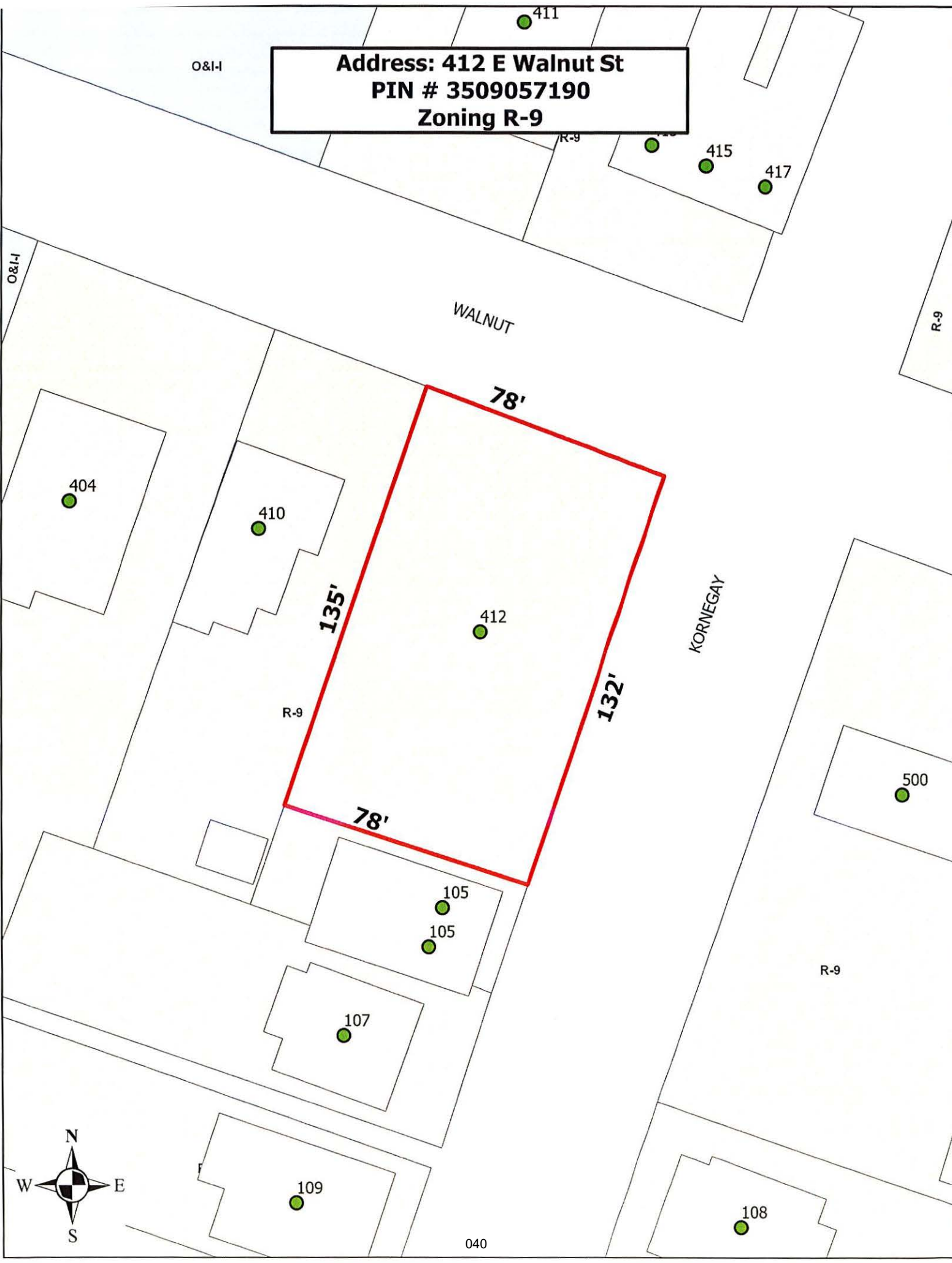
BB&T \$160.50

AUTHORIZED SIGNATURE

MEMO/PURCHASER OLIVER DESIGN GROUP LLC

Details on Back

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



WAYNE COUNTY

7/6/2021 2:47:09 PM

CITY OF GOLDSBORO		WAYNE COUNTY		Return/Appeal Notes: 3509057190	
412 E WALNUT ST				UNIQ ID 50440	
75254500				ID NO: 12000002001013A	
Reval Year: 2019 Tax Year: 2021		CITY - GOLDSBORO (100), COUNTYWIDE ADVALOREM TAX (100)		CARD NO. 1 of 1	
Appraised by 60 on 01502 DOWNTOWN		E WALNUT ST		1.000 LT	
				SRC=	
				TW-12 C-01 EX-2 AT- LAST ACTION 20181205	

CONSTRUCTION DETAIL		MARKET VALUE				DEPRECIATION				CORRELATION OF VALUE				
TOTAL POINT VALUE	USE MOD	EFF	Area	QUAL	BASE	RCN	EYB	% GOOD	CREDENCE TO					
BUILDING ADJUSTMENTS	01 00								DEPR. BUILDING VALUE - CARD					
TOTAL ADJUSTMENT									DEPR. OB/XF VALUE - CARD					
FACTOR									MARKET LAND VALUE - CARD					
TOTAL QUALITY INDEX									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	Q/UN/V	INDICATE SALES										
BOOK PAGE	MO/YR	TYPE		PRICE										
03406 0323	11 2018	WD	C V											
02695 0759	4 2009	WD	U I	30000										
02664 0520	10 2008	WD	U I											
01448 0635	10 1994	WD	U I	34500										
01123 0764	2 1986	WD	U I											
01113 0287	11 1985	U	I	23000										
HEATED AREA														
NOTES														
P4-09 RENOV.FROM APTS TO SINGLE FAM FOR 2012. 1/10														
PARTIAL RENOV.DEMO11-17. 2/18 CONDEMNED.														

SUBAREA		CODE	QUALITY	DESCRIPTION	LT	WT	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															
FIREPLACE																		
SUBAREA																		
TOTALS																		

BUILDING DIMENSIONS																		
LAND INFORMATION																		
HIGHEST AND BEST USE	USE CODE	LOCAL ZONING	FRONTAGE	DEPTH	DEPTH / SIZE	LND MOD	COND FACT	AND NOTES	ROAD	LAND UNIT	TOTAL LAND UNITS	UNT TYP	TOTAL ADJUST	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																		
TOTAL PRESENT USE DATA																		

State of North Carolina
Department of the Secretary of State

SOSID: 2063207
Date Filed: 10/8/2020 11:13:00 AM
Elaine F. Marshall
North Carolina Secretary of State
C2020 282 00338

Limited Liability Company
ARTICLES OF ORGANIZATION

Pursuant to §57D-2-20 of the General Statutes of North Carolina, the undersigned does hereby submit these Articles of Organization for the purpose of forming a limited liability company.

1. The name of the limited liability company is: Oliver Design Group, LLC
(See Item 1 of the Instructions for appropriate entity designation)
2. The name and address of each person executing these articles of organization is as follows: (State whether each person is executing these articles of organization in the capacity of a member, organizer or both by checking all applicable boxes.) **Note: This document must be signed by all persons listed.**

Name	Business Address	Capacity
<u>John H. Oliver, Jr</u>	<u>102 Whitfield Dr., Goldsboro, N.C.</u>	☒ Member ☒ Organizer
_____	_____	☐ Member ☐ Organizer
_____	_____	☐ Member ☐ Organizer
3. The name of the initial registered agent is: John H. Oliver, Jr.
4. The street address and county of the initial registered agent office of the limited liability company is:
Number and Street 102 Whitfield Drive
City Goldsboro State: NC Zip Code: 27530 County: Wayne
5. The mailing address, if different from the street address, of the initial registered agent office is:
Number and Street _____
City _____ State: NC Zip Code: _____ County: _____
6. Principal office information: (Select either a or b.)
 - a. ☒ The limited liability company has a principal office.
The principal office telephone number: 919-344-7964
The street address and county of the principal office of the limited liability company is:
Number and Street: 102 Whitfield Drive
City: Goldsboro State: NC Zip Code: 27530 County: Wayne

The mailing address, if different from the street address, of the principal office of the company is:

Number and Street: _____

City: _____ State: _____ Zip Code: _____ County: _____

b. ☐ The limited liability company does not have a principal office.

7. Any other provisions which the limited liability company elects to include (e.g., the purpose of the entity) are attached.

8. **(Optional):** Listing of Company Officials (See instructions on the importance of listing the company officials in the creation document.

Name	Title	Business Address

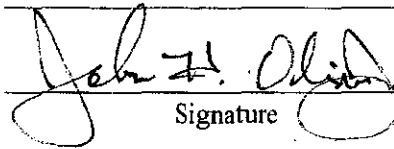
9. **(Optional):** Please provide a business e-mail address: _____

The Secretary of State's Office will e-mail the business automatically at the address provided above at no cost when a document is filed. The e-mail provided will not be viewable on the website. For more information on why this service is offered, please see the instructions for this document.

10. These articles will be effective upon filing, unless a future date is specified:

This is the 8th day of October, 2020.

Member/Organizer


Signature

John H. Oliver, Jr.

Type or Print Name and Title

The below space to be used if more than one organizer or member is listed in Item #2 above.

Signature

Signature

Type and Print Name and Title

Type and Print Name and Title

NOTE:

1. Filing fee is \$125. This document must be filed with the Secretary of State.

• File an Annual Report/Amend an Annual Report • Upload a PDF Filing • Order a Document Online • Add Entity to My Email Notification List • View Filings • Print a Pre-Populated Annual Report form • Print an Amended a Annual Report form

Limited Liability Company

Legal Name

Oliver Design Group, LLC

Information

SosId: 2063207

Status: Current-Active ⓘ

Date Formed: 10/8/2020

Citizenship: Domestic

Annual Report Due Date: April 15th

Current**Annual Report Status:**

Registered Agent: Oliver, John H, Jr

Addresses

Mailing

102 Whitfield Drive
Goldsboro, NC 27530

Principal Office

102 Whitfield Drive
Goldsboro, NC 27530

Reg Office

102 Whitfield Drive
Goldsboro, NC 27530

Reg Mailing

102 Whitfield Drive
Goldsboro, NC 27530

Company Officials

All LLCs are managed by their managers pursuant to N.C.G.S. 57D-3-20.

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003**

**SESSION LAW 2004-94
SENATE BILL 1370**

**AN ACT TO CHANGE THE PROCEDURE FOR DISPOSAL OF SURPLUS
STANDARD AND SUBSTANDARD LOTS BY THE CITY OF GOLDSBORO
AND WAYNE COUNTY.**

The General Assembly of North Carolina enacts:

SECTION 1.(a) Notwithstanding the provisions of Article 12 of Chapter 160A of the General Statutes, the following procedures may be utilized by the City of Goldsboro relative to the sale of surplus real property owned alone by the City or jointly owned by the City and by Wayne County.

SECTION 1.(b) Substandard surplus real property may be disposed of under the following procedures:

- (1) The City Clerk will notify the Planning and Community Development Department of the City's receipt of substandard surplus property.
- (2) The Planning and Community Development Department will identify all contiguous property owners.
- (3) The Planning and Community Development Department will determine if any of the adjoining parcels are substandard.
- (4) If only one of the adjacent lots is substandard, the owner of that lot will be deeded the City's surplus lot if the owner elects in writing to receive title to the property in return for one dollar (\$1.00).
- (5) If more than one adjoining parcel to the surplus property is substandard, the Planning and Community Development Department will contact these property owners to determine their interest in receiving the substandard lot. If more than one adjoining property owner elects in writing to receive title to a portion of the substandard lot, the property will be divided in order to create two standard adjoining lots.
- (6) If dividing the substandard lot among adjoining property owners does not create two standard lots, ownership of the entire lot will be awarded to the owner of the adjoining lot with the greater degree of a substandard condition. If not accepted by this adjoining owner, then the lot will be awarded to the other adjoining owner.
- (7) If the property adjacent to a substandard lot is standard in nature, the property will be divided among the adjoining property owners. If only one adjoining standard property owner shows interest in the standard lot, full property ownership will be awarded to this owner.

SECTION 1.(c) Standard surplus real property may be disposed of under the following procedures:

- (1) The City Clerk will notify the Planning and Community Development Department of the City's receipt of standard real surplus property.
- (2) The Planning and Community Development Department will identify all contiguous property owners.
- (3) The Planning and Community Development Department will determine if any of the adjoining parcels are substandard.

- (4) If a substandard lot adjoins a standard City surplus lot and the property owner agrees to pay fifty percent (50%) of the tax value of the surplus lot, this lot will be sold to the owner of the substandard lot at this price without soliciting further additional bids.
- (5) If more than one adjoining property is substandard and both property owners are willing to share in the minimum asking price of fifty percent (50%) of the total property tax value of the standard lot, the lot in question will then be subdivided between the two adjoining property owners of substandard lots without soliciting further bids provided this division creates two standard lots. If not accepted by this adjoining owner, then the lot will be awarded to the other adjoining owner.
- (6) When all adjacent lots are standard in nature, the Finance Department will conduct the sale of the standard surplus lot. Standard surplus lots will be offered for sale in accordance with the provisions of G.S. 160A-266, provided however, the minimum sales price will be at least fifty percent (50%) of the property's tax value. No bid for the lot under fifty percent (50%) of the property's tax value may be accepted by the City council.

SECTION 2. When selling standard properties, the City of Goldsboro will at a minimum:

- (1) Notify the adjacent property owners and individuals and entities who have bid on surplus property in the past as well as all local real estate firms.
- (2) Place upon the property a "For Sale" sign.
- (3) Place a nonlegal advertisement in a local newspaper.
- (4) Arrange for the broadcast of at least one public service announcement on a local radio station and PACC 10 TV.

SECTION 3. The City of Goldsboro will contact the County of Wayne for its concurrence prior to beginning the sale of substandard and standard lots which are jointly owned by both governmental entities.

SECTION 4. This act becomes effective July 1, 2004.

In the General Assembly read three times and ratified this the 13th day of July, 2004.

s/ Beverly E. Perdue
President of the Senate

s/ James B. Black
Speaker of the House of Representatives

WAYNE COUNTY
STAFF ATTORNEY



WAYNECOUNTY
NORTH CAROLINA

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

TO: WAYNE COUNTY BOARD OF COMMISSIONERS

FROM: ANDREW NEAL, STAFF ATTORNEY *AN*

SUBJECT: SALE OF SURPLUS PROPERTY JOINTLY OWNED WITH THE CITY OF GOLDSBORO; 306 N. CAROLINA STREET, GOLDSBORO (PIN: 2599775683) AND 611/613 E. SPRUCE STREET, GOLDSBORO (PINS: 3509049269 & 3509140217)

DATE: 12/10/2021

CC: CRAIG HONEYCUTT, COUNTY MANAGER

The County and the City of Goldsboro jointly own the properties located at 306 N. Carolina Street and 611/613 E. Spruce Street in Goldsboro. The properties were obtained via tax foreclosure auctions. The County has received offers to purchase the properties pursuant to NCGS §160A-269.

306 N. Carolina Street, Goldsboro (PIN: 2599775683)

Buyer: LaShauna Reid Ballard (adjoining property owner)

Sales Price: \$2,000.00

Tax Value: \$3,900.00

Deposit: \$100.00 (5% of purchase price)

611 & 613 E. Spruce Street, Goldsboro (PINs: 3509049269 & 3509140217)

Buyer: Stephanie Ross

Sales Price: \$2,400.00

Combined Tax Value: \$5,140.00

Deposit: \$120.00 (5% of purchase price)

If the terms are approved by the Board of Commissioners, the offers will be advertised in the News-Argus and upset bids will be accepted for 10 days. Once upset bidding is complete, the sales will be sent to the Goldsboro City Council for City approval. Enclosed please find proposed Resolutions, Public Notices, Tax Cards, and GIS maps.

THE GOOD LIFE. GROWN HERE.

P.O. BOX 227
GOLDSBORO, NC 27533
047

NORTH CAROLINA

WAYNE COUNTY

**RESOLUTION #2021-45: A RESOLUTION DECLARING SURPLUS REAL
PROPERTY AND AUTHORIZING ITS SALE**

WHEREAS, the County has acquired a property interest a piece of property located at 306 N. Carolina Street, Goldsboro, North Carolina, having parcel identification numbers of 2599775683 and being more particularly described in the deed recorded in Deed Book 3686, Page 107 in the Office of the Register of Deeds for Wayne County ("Property"); and

WHEREAS, the County obtained an interest in this property through tax foreclosure proceedings; and

WHEREAS, the Staff Attorney and County Manager have recommended that this property be declared surplus and sold, following a careful review by the Staff Attorney and the Facilities Services Director that determined the County has no use for these properties; and

WHEREAS, NCGS § 160A-269 permits the County to sell property by upset bid, after receipt of an offer for the property; and

WHEREAS, the County has received an offer to purchase the properties described above, in the amount of \$2,000, submitted by LaShauna Reid Ballard; and

WHEREAS, LaShauna Reid Ballard has paid the required five percent (5%) deposit on its offer;

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

1. The Board of Commissioners declares the property described above surplus and authorizes the sale of the Property through upset bid procedure of North Carolina General Statute §160A-269.
2. A notice of the proposed sale shall be published which shall describe the property and the amount of the offer and shall state the terms under which the offer may be upset.
3. Any person may submit an upset bid to the Clerk to the Board within 10 days after the notice of sale is published. Once a qualifying higher bid has been received, that bid will become the new offer.
4. If a qualifying higher bid is received, new notice of upset bid shall be published, and shall continue to do so until a 10-day period has passed without any qualifying upset bid having been received. At that time, the amount of the final high bid shall be reported to the Board of Commissioners.

5. A qualifying higher bid is one that raises the existing offer by not less than ten percent (10%) of the first \$1,000.00 of that offer and five percent (5%) of the remainder of that offer.
6. A qualifying higher bid must also be accompanied by a deposit in the amount of five percent (5%) of the bid; the deposit may be made in cash, cashier's check, or certified check. The County will return the deposit on any bid not accepted and will return the deposit on an offer subject to upset if a qualifying higher bid is received. The county will return the deposit of the final high bidder at closing.
7. The County reserves the right to withdraw the property from sale at any time before the final high bid is accepted and the right to reject at any time all bids.
8. If no qualifying upset bid is received after the initial public notice, the offer set forth above is hereby accepted. The appropriate County officials are authorized to refer the matter to the City of Goldsboro by the City Council and, pending approval by said body, execute the instruments necessary to convey the property to LaShauna Reid Ballard.

Passed and adopted this the 21st day of December, 2021.

Joe Daughtery, Chairman
Wayne County Board of Commissioners

ATTEST:

Carol Bowden, Clerk to the Board

PUBLIC NOTICE
SALE OF COUNTY PROPERTY

An offer of \$2,000.00 has been submitted for the purchase of certain property owned by the County of Wayne located at 306 N. Carolina Street, Goldsboro, NC (Wayne County PIN 2599775683) more particularly described as follows:

BEGINNING at an iron stake on the Eastern right of way of Carolina Street, said stake being located South 22 degrees 00 minutes West 220 feet from an iron stake at the most Southeastern intersection corner of Oak Street and said Carolina Street; thence from the beginning South 68 degrees 00 minutes East 150 feet to an iron stake; thence South 22 degrees 00 minutes West 60 feet to an iron stake; thence North 68 degrees 00 minutes West 150 feet to an iron stake in the most Eastern right of way of Carolina Street; thence north 22 degrees 00 minutes East and along the Eastern right of way of Carolina Street 60 feet to the point of beginning; and being part of lot No. 5 as shown on a plat made by C. Beems, Surveyor, in September 1940, showing subdivision of certain lots in the F.K. Borden Subdivision, said plat having been recorded in the Wayne County Registry in Plat Book 5 at page 9.

Persons wishing to upset the offer that has been received shall submit a sealed bid with their offer and the required deposit to the Clerk to the Board of Commissioners, PO Box 227, Goldsboro, NC 27533 by 5:00 P.M. on January 7, 2022. At that time the Clerk to the Board shall open the bids, if any, and the highest qualifying bid will become the new offer. If there is more than one bid in the highest amount, the first such bid received will become the new offer.

A qualifying higher bid is one that raises the existing offer at least 10% of the first \$1,000 and 5% of the remainder. A qualifying bid must raise the existing offer to an amount not less than \$2,150.00.

A qualifying higher bid must be accompanied by a deposit in the amount of five percent (5%) of the bid; the deposit may be made in cash, cashier's check, or certified check. The County will return the deposit on any bid not accepted and will return the deposit on an offer subject to upset if a qualifying higher bid is received. If no other bids are made the original offer to purchase of \$2,000.00 will be accepted.

Further information may be obtained at the Wayne County Staff Attorney's Office, 100 S. Ormond Ave., Goldsboro, NC or by telephone at (919) 705-1971 during normal business hours.

Andrew J. Neal
Wayne County Staff Attorney
PO Box 227
Goldsboro, NC 27533
(919) 705-1971
Run date: December 28, 2021

ACTION INVESTMENT GROUP LLC

306 N CAROLINA ST
75336790

Return/Appeal Notes: 2599775683

UNIQ ID 47379

ID NO: 12000068006003

CITY - GOLDSBORO (100), COUNTYWIDE ADVALOREM TAX (100)

Reval Year: 2019 Tax Year: 2021 CAROLINA ST

CARD NO. 1 of 1

1.000 LT

SRC=

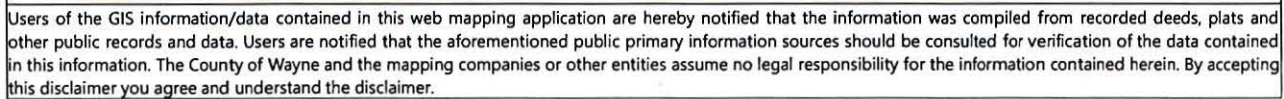
Appraised by 60 on 01702 WEST SIDE DOWNTOWN

TW-12

C-01 EX-AT-

LAST ACTION 20180329

CONSTRUCTION DETAIL		MARKET VALUE				DEPRECIATION				CORRELATION OF VALUE																							
TOTAL POINT VALUE	USE	MOD	Eff. Area	QUAL	BASE RATE	RCN	EYB	AYB	CREDENCE TO																								
BUILDING ADJUSTMENTS	D1	00							% GOOD																								
TOTAL ADJUSTMENT FACTOR	TYPE: SINGLE FAMILY RESIDENTIAL								DEPR. BUILDING VALUE - CARD																								
TOTAL QUALITY INDEX	STORIES:								DEPR. OB/XF VALUE - CARD																								
									MARKET LAND VALUE - CARD																								
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									TOTAL APPRAISED VALUE - CARD																								
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SALES DATA																																	
OFF. RECORD		DATE		DEED		Q/U/V/I		INDICATE SALES PRICE																									
BOOK	PAGE	MO	YR	TYPE																													
02708	0533	10	2008	WD	U	I						6500																					
02457	0609	9	2006	WD	U	I						11500																					
02364	0727	10	2005	WD	U	I						69000																					
01219	0130	12	1988	WD	U	I						22000																					
00866	0368	1	1975	WD	U	I						0																					
HEATED AREA																																	
NOTES																																	
P9-17 DEMO FOR 2018.																																	
SUBAREA		GS AREA		RPL CS		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		AREA		CS		TOTAL OB/XF VALUE																											
FIREPLACE																																	
SUBAREA TOTALS																																	
BUILDING DIMENSIONS																																	
LAND INFORMATION																																	
HIGHEST AND BEST USE		USE CODE		LOCAL ZONING		FRONT TAGE		DEPTH		DEPTH / SIZE		LND MOD		COND FACT		OTHER ADJUSTMENTS AND NOTES		ROAD TYPE		LAND UNIT PRICE		TOTAL LAND UNITS		UNT TYP		TOTAL ADJST		ADJUSTED UNIT PRICE		LAND VALUE		LAND NOTES	
0100		0100		R-6		60		150		1.0000		2		1.0000		RF AC LC TO OT				65.00		60.000		FF		1.000		65.00		3900			
TOTAL MARKET LAND DATA																																	
TOTAL PRESENT USE DATA																																	



NORTH CAROLINA

WAYNE COUNTY

**RESOLUTION #2021- 46: A RESOLUTION DECLARING SURPLUS REAL
PROPERTY AND AUTHORIZING ITS SALE**

WHEREAS, the County and the City of Goldsboro have acquired a property interest a piece of property located at 611 and 613 E. Spruce Street, Goldsboro, North Carolina, having parcel identification numbers of 3509049269 and 3509140217 and being more particularly described in the deed recorded in Deed Book 3411 Page 621 in the Office of the Register of Deeds for Wayne County ("Property"); and

WHEREAS, the County and the City of Goldsboro obtained an interest in this property through tax foreclosure proceedings; and

WHEREAS, the Staff Attorney and County Manager have recommended that this property be declared surplus and sold, following a careful review by the Staff Attorney and the Facilities Services Director that determined the County has no use for these properties; and

WHEREAS, NCGS § 160A-269 permits the County to sell property by upset bid, after receipt of an offer for the property; and

WHEREAS, the County has received an offer to purchase the properties described above, in the amount of \$2,400, submitted by Stephanie Ross; and

WHEREAS, Stephanie Ross has paid the required five percent (5%) deposit on its offer;

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

1. The Board of Commissioners declares the property described above surplus and authorizes the sale of the Property through upset bid procedure of North Carolina General Statute §160A-269.
2. A notice of the proposed sale shall be published which shall describe the property and the amount of the offer and shall state the terms under which the offer may be upset.
3. Any person may submit an upset bid to the Clerk to the Board within 10 days after the notice of sale is published. Once a qualifying higher bid has been received, that bid will become the new offer.
4. If a qualifying higher bid is received, new notice of upset bid shall be published, and shall continue to do so until a 10-day period has passed without any qualifying upset bid having been received. At that time, the amount of the final high bid shall be reported to the Board of Commissioners.

5. A qualifying higher bid is one that raises the existing offer by not less than ten percent (10%) of the first \$1,000.00 of that offer and five percent (5%) of the remainder of that offer.
6. A qualifying higher bid must also be accompanied by a deposit in the amount of five percent (5%) of the bid; the deposit may be made in cash, cashier's check, or certified check. The County will return the deposit on any bid not accepted and will return the deposit on an offer subject to upset if a qualifying higher bid is received. The county will return the deposit of the final high bidder at closing.
7. The County reserves the right to withdraw the property from sale at any time before the final high bid is accepted and the right to reject at any time all bids.
8. If no qualifying upset bid is received after the initial public notice, the offer set forth above is hereby accepted. The appropriate County officials are authorized to refer the matter to the City of Goldsboro by the City Council and, pending approval by said body, execute the instruments necessary to convey the property to Stephanie Ross.

Passed and adopted this the 21st day of December, 2021.

Joe Daughtery, Chairman
Wayne County Board of Commissioners

ATTEST:

Carol Bowden, Clerk to the Board

PUBLIC NOTICE
SALE OF COUNTY PROPERTY

An offer of \$2,400.00 has been submitted for the purchase of certain property owned by the County of Wayne and City of Goldsboro, located at 611 and 613 E. Spruce Street, Goldsboro (Wayne County PINs 3509049269 & 3509140217) more particularly described as follows:

PIN: 3509049269 / 611 E. Spruce St., Goldsboro

BEGINNING at a stake on East Spruce Street, Annie Fort's Southeast corner, and runs thence with her line Northwardly 85 feet to a stake in the old Fields line; thence Eastwardly 50 feet to Dorothy Peel's Northwest corner; thence Southwardly with her line 85 feet to Spruce Street; thence Westwardly with said street 50 feet to the beginning. Being the same property described in a deed recorded in Book 1364, Page 845 in the Wayne County Registry.

PIN: 3509140217 / 613 E. Spruce Street, Goldsboro

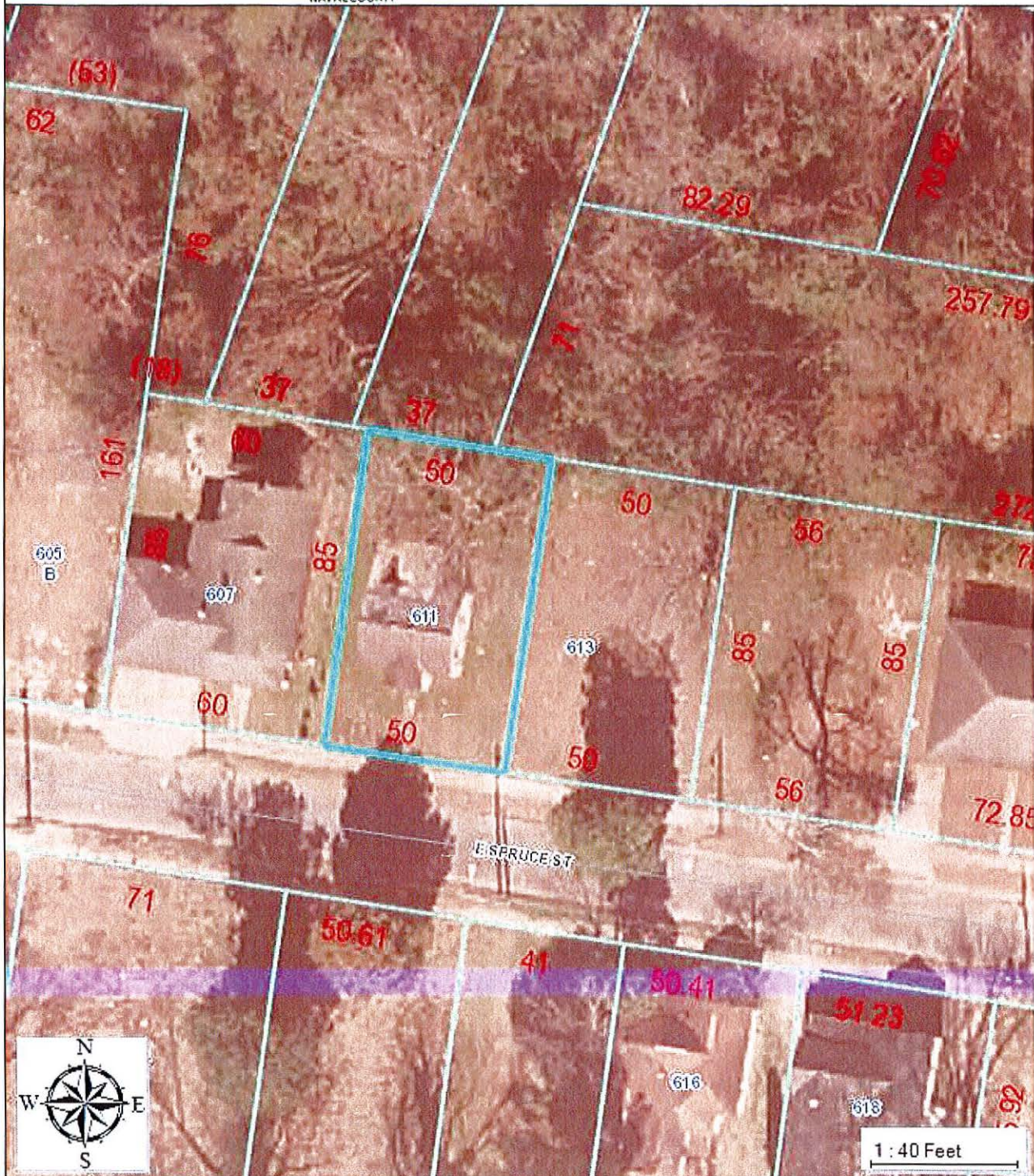
BEGINNING at Margaret Boothe's Southwest corner of East Spruce Street and runs thence with her line Northwardly 85 feet to a stake; thence Westwardly 50 feet to stake in the dividing line between the lot of land herein conveyed and the vacant lot adjoining same on the West; thence Southerly with said line 85 feet to Spruce Street; thence with Spruce Street Eastwardly 50 feet to the beginning. Being the same property described in a deed recorded in Book 822, Page 803 in the Wayne County Registry.

Persons wishing to upset the offer that has been received shall submit a sealed bid with their offer and the required deposit to the office of the Wayne County Staff Attorney, PO Box 227, Goldsboro, NC 27533 by 5:00 P.M. on January 7, 2022. At that time the Clerk to the Board shall open the bids, if any, and the highest qualifying bid will become the new offer. If there is more than one bid in the highest amount, the first such bid received will become the new offer.

A qualifying higher bid is one that raises the existing offer at least 10% of the first \$1,000 and 5% of the remainder. A qualifying bid must raise the existing offer to an amount not less than \$2,570.00. A qualifying higher bid must be accompanied by a deposit in the amount of five percent (5%) of the bid; the deposit may be made in cash, cashier's check, or certified check. The County will return the deposit on any bid not accepted and will return the deposit on an offer subject to upset if a qualifying higher bid is received. If no other bids are made the original offer to purchase of \$2,400.00 will be accepted.

Further information may be obtained at the Wayne County Staff Attorney's Office, 100 S. Ormond Ave., Goldsboro, NC or by telephone at (919) 705-1971 during normal business hours.

Andrew J. Neal
Wayne County Staff Attorney
PO Box 227
Goldsboro, NC 27533
(919) 705-1971
Run date: December 28, 2021



Users of the GIS information/data contained in this web mapping application are hereby notified that the information was compiled from recorded deeds, plats and other public records and data. Users are notified that the aforementioned public primary information sources should be consulted for verification of the data contained in this information. The County of Wayne and the mapping companies or other entities assume no legal responsibility for the information contained herein. By accepting this disclaimer you agree and understand the disclaimer.

CITY OF GOLDSBORO

WAYNE COUNTY

611 E SPRUCE ST
75254500

Return/Appeal Notes: 3509049269

UNIQ ID 50387

ID NO: 12000003002011A

CITY - GOLDSBORO (100), COUNTYWIDE ADVALOREM TAX (100)
Reval Year: 2019 Tax Year: 2021 E SPRUCE ST

CARD NO. 1 of 1

1.000 LT

SRC=

TW-12

C-01 EX-2AT-

LAST ACTION 20191016

Appraised by on 01502 DOWNTOWN

CONSTRUCTION DETAIL		MARKET VALUE				DEPRECIATION				CORRELATION OF VALUE										
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CITY OF GOLDSBORO										WAYNE COUNTY										Return/Appeal Notes: 3509140217																			
613 E SPRUCE ST																				UNIQ ID 50950																			
75254500																				ID NO: 12000003002011																			
CITY - GOLDSBORO (100), COUNTYWIDE ADVALOREM TAX (100)																				CARD NO. 1 of 1																			
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TOTAL MARKET LAND DATA																														2,570									
TOTAL PRESENT USE DATA																																							

**Community Services Block Grant [CSBG]
Documentation of Submission to County Commissioners**

Background: The North Carolina Administrative Code [10A NCAC 97C.0111 (b)(1)(A)] requires that each CSBG grant recipient submit its Community Anti-Poverty Plan [grant application] to each County Commissioner Board that it serves.

Instructions: This form is to be completed and notarized by the Clerk to the Board.

Agency Name: _____

County: _____

Date of Application Submission: _____

[Note: This application should be submitted to the County Commissioners at least thirty [30] days prior to application submission to the Office of Economic Opportunity [OEO]. The grant application is due to OEO **January 14, 2022**.

Clerk to the Board should initial all items below.

_____ The agency submitted a complete grant application for Commissioner review.

_____ The Clerk to the Board will be responsible for assuring that the application is distributed to the Commissioners.

_____ Commissioners' comments provided those to the agency. (If applicable)

Clerk to the Board

Date

Notary

Date

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

At the December 7, 2021 meeting staff proposed changes to sixteen ordinances in order to comply with North Carolina General Assembly SL 2021-138. At that meeting, the Board amended nine ordinances to remove criminal enforcement which are now barred under new NCGS §153A-123. Additionally, staff introduced amendments to six ordinances which require text changes under new NCGS §14-4. SL 2021-138 modified NCGS §153A-123 such that these six amendments could not be enacted at the first meeting in which they were presented. These amendments are therefore being recommended for approval at the December 21, 2021 meeting. Attached are the proposed ordinance amendments and relevant portion of SL 2021-138.

THE GOOD LIFE. GROWN HERE.

P.O. BOX 227
GOLDSBORO, NC 27533
061

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 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).

MEMORANDUM

To: Wayne County Board of Commissioners

From: Berry Gray, Planning Director

Date: December 15, 2021

Re: Final Subdivision Plat Approval

Item: Glenn Laurel Section 13, Final
Owner/Developer: The H Ray Family Limited Partnership
Surveyor/Engineer: R. Daneel Butler, PLS
Stoney Creek Township, Daw Pate Road (SR 1546)
Lots 108-109, 115-125 (13 lots)

Discussion: Glenn Laurel Section 13 consists of 13 lots on 7.62 acres. This subdivision includes the extension of Glenn Laurel Drive and Coffman Drive off Daw Pate Road (SR 1546), just north of the intersection with NC Hwy 111 N. The property is not within a zoning district and the average lot size at 18,250 sf. Building lots will utilize public water and onsite septic. The property is shown within the Rural area on the Wayne County Growth Strategies Map. Improvements are complete and a NCDOT Built to Standards letter has been submitted to the County. Until the streets are accepted onto the State's secondary road system, the developer has signed a statement regarding the maintenance of the streets and right of ways.

The property is located within the following service areas:

- Schools – Charles B Aycock HS, Norwayne Middle, Northeast Elementary
- Water – Belfast Patetown Sanitary District
- Fire – Patetown Fire Department
- EMS – Station 10
- Transportation – MPO
- Water Supply Watershed – No
- Voluntary Agriculture District – No
- Wetlands – No
- Board of Commissioners District – 5

Recommendation: The Wayne County Planning Board recommends approval of the final plat.

NOTICE OF PUBLIC HEARING
NORTH CAROLINA
WAYNE COUNTY

Notice is hereby given the Wayne County Board of Commissioners will hold a public hearing on Tuesday, January 4, 2022 at 5:15 p.m. in the Commissioners Meeting Room in the Wayne County Courthouse Annex, 224 E. Walnut St., Goldsboro, NC. The purpose of the public hearing is to receive public comments regarding a proposed economic development incentive grant to Hosokawa Micron International. The Board of Commissioners will consider a \$240,000 incentive grant payable over ten (10) years in exchange for the company's commitment to invest \$6,335,169 in capital improvements and to create 16 jobs in Wayne County.

All interested parties are invited to attend this public hearing and be heard. Written comments may be made in advance to the following:

Carol Bowden, Clerk to the Board
Wayne County Board of Commissioners
P.O. Box 227
Goldsboro, NC 27533-0227
919-731-1445
carol.bowden@waynegov.com

This the 21st day of December, 2021.

Carol Bowden
Wayne County Clerk to the Board

ECONOMIC DEVELOPMENT AGREEMENT

This AGREEMENT is executed this 7th day of January, 2022, by and between Company, Hosokawa Micron International, headquartered at 10 Chatham Road, Summit, NJ 07901, a corporation authorized to do business in the state of North Carolina, having a principal place of business at 501 Challen Drive Goldsboro, NC, 27530 (hereinafter “Hosokawa Micron International”), and Wayne County a political subdivision of the State of North Carolina, having its principal place of business at 224 E. Walnut Street, Goldsboro NC 27530 (hereinafter the “County”).

WITNESSETH:

WHEREAS, Hosokawa Micron International desires to install certain machinery and equipment and expand its existing facility located in Goldsboro, Wayne County, representing a total non-depreciated investment of at least \$6,335,169 in personal and real property, and to create at least sixteen (16) new jobs at this facility on or before December 31, 2023, with incremental achievement goals starting December 31, 2021; and

WHEREAS, Hosokawa Micron International shall incur certain costs for installation of these improvements; and

WHEREAS, the addition of these improvements will expand the County tax base through increased ad valorem tax value created as a consequence of capital investment in real property and machinery and equipment being brought into the County; and

WHEREAS, the County recognizes that a portion of the revenues generated as a consequence of this business venture be returned to Hosokawa Micron International to pay a portion of the costs of the investment, and that such revenues be designated as an “Economic Development Grant” to Hosokawa Micron International in the amount of Two Hundred Forty Thousand Dollars (\$240,000); and

WHEREAS, the parties hereto wish to reduce their understanding regarding the details of the Economic Development Grant and Hosokawa Micron International performance to this writing;

NOW, THEREFORE, for the mutual considerations noted hereinafter, the sufficiency of which are hereby acknowledged, the parties do hereby contract and agree as follows:

I. Economic Development Incentives.

Hosokawa Micron International will incur costs in adding machinery and equipment as well as additional real property at their current facility and the County will realize economic benefits due to the expansion of the tax base. As an incentive for Hosokawa Micron International to invest in machinery and equipment and real property at its existing site in accordance with NCGS §158-7.1, the County shall provide to Hosokawa Micron International the incentives set forth herein in accordance with the terms and conditions of this Agreement. The County shall provide an Economic Development Grant to Hosokawa Micron International with an estimated value of \$240,000, with such a grant to be

made available to Hosokawa Micron International as set forth in Exhibit A.

- A. The County shall pay to Hosokawa Micron International in installments a total grant of \$240,000 as shown on, and in accordance with terms and conditions described in, Exhibit A to this Agreement (the “**County Performance Grant**”).

II. Representations.

The County represents and warrants that (a) it has the power and authority to bind itself to the requirements of this Agreement and (b) this Agreement is executed under the authority granted to the County under North Carolina General Statutes §158-7.1, The Local Development Act of 1925, as amended, and 1987 Sessions Laws, Chapter 1002, a Local Act applying to the County.

III. Miscellaneous Provisions.

- A. Independent Agreement. This Agreement and the conditions hereof only relate to the provisions and grants from the County set forth herein and do not limit or affect other commitments made by the County, the State of North Carolina, or other entities.
- B. Governing Law. This Agreement has been drafted and shall be interpreted under the laws of the State of North Carolina and in the event any provision is found by a court of competent jurisdiction to be unenforceable or unconstitutional, all other provisions shall remain in full force and effect. The parties agree that exclusive venue for any dispute shall be the General Court of Justice in Wayne County, North Carolina.
- C. Binding Agreement. The parties hereto acknowledge that this Agreement and the foregoing actions and grants each represent binding contractual agreements among the parties hereto and that Hosokawa Micron International is acting in reliance upon this Agreement and the provisions and grants provided herein in its decision as to whether it will expand its investment in Wayne County, North Carolina.
- D. Assignment. This Agreement shall be assignable by Hosokawa Micron International to any entity that is controlled by controls or under common control with Hosokawa Micron International or in the case of a sale of substantially all of the operating assets of the facility, Hosokawa Micron International may assign this Agreement to the purchaser of the facility.
- E. Survival. The contractual commitments provided for herein and made by the parties hereto shall be deemed to continue into the future, survive, and remain binding upon future elected officials fully permitted under applicable law.
- F. Force Majeure. Hosokawa Micron International shall not assume any responsibility for any event or failure to act that is due to any cause in whole or in part that is beyond Hosokawa Micron International control, even if advised of same, foreseeable or in contemplation of the parties, including without limitation force majeure, the public enemy, fire, flood, earthquake, hurricane, strike or labor disputes, boycott, the inability to obtain raw materials, labor or transportation, the loss of any public or private supplied utilities, the regulations issued by any government or any of its agencies, acts of God, or any other cause similar or dissimilar to the foregoing.

G. Entire Agreement. This writing contains the entire agreement between the parties hereto and may be amended only by writing signed by all parties hereto.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day and year first above written.

WAYNE COUNTY

Attest:

Chairman
Wayne County Board of Commissioners

Clerk to the Board

Hosokawa Micron International

Attest:

By: _____

Secretary

Title: _____

EXHIBIT A

Performance Goals

Year	Annual Job Increase (minimum)	Total Jobs in County (minimum as of 12.31.21)	Non Depreciated Capital Investment Increase (minimum)	Capital Investment Cumulative Totals (minimum)	County Grant Annual New Increment (maximum)	County Grant Payment Year (Amount attributed to prior year achievement)
2021	13	13	\$3,155,244	\$3,155,244	\$14,000	\$0
2022	1	14	\$3,179,925	\$6,335,169	\$28,000	\$14,000
2023	2	16			\$28,000	\$28,000
2024					\$27,000	\$28,000
2025					\$26,000	\$27,000
2026					\$25,000	\$26,000
2027					\$25,000	\$25,000
2028					\$23,000	\$25,000
2029					\$23,000	\$23,000
2030					\$21,000	\$23,000
2031					0	\$21,000
Totals	16	16	\$6,335,169	\$6,335,169	\$240,000	\$240,000

Calculation Methodology:

Hosokawa Micron International performance against the job creation, job maintenance, and the capital investment goals shall be reviewed by the County after submission by Hosokawa Micron International before September of each year, beginning in CY 2019 for performance year 2019. The total amount of capital investment and job increases as of January 1st of that year shall be calculated; the total for each shall be expressed as a percentage of the respective total projected goal. The average of the two percentages shall be the achievement percentage of capital investment and job creation and the grant funds that shall be actually awarded in and for each calendar year based on that achievement, subject to the County Grant Annual New increment maximum and the following. Should the average percentage of the cumulative projected goal capital investment and job increase be less than 100% as of January 1st of any given year, the County shall accrue the amount of funds budgeted but unearned and such funds shall be paid out in the first year Hosokawa Micron International attains in a given year at least 100% of its cumulative projected goals, in addition to paying the new increment amount of funds budgeted for that year. The payments by the County, should Hosokawa Micron International be current in all tax payments and to the extent provided above that performance goals be met, shall be made by September 30th of each year beginning in 2022, for calendar year 2021. This grant shall expire on December 31, 2031. For clarification, if Hosokawa Micron International does not submit performance data for a year before September of the normal review year, the funds budgeted will accrue and be reviewed by the County during the review year following Hosokawa Micron International submission, but not after December 31, 2031 (that is, when the grant expires).

Example of Calculation Methodology:

	<i>A</i>	<i>B</i>	<i>C</i>	<i>D</i>	<i>E</i>
<i>Year</i>	<i>Annual Job Increase Goal (minimum)</i>	<i>Total Jobs Increase Cumulative Goal</i>	<i>Total Jobs Increase Cumulative Attained (% = C/B)</i>	<i>Capital Investment Cumulative Totals Goal</i>	<i>Actual Investment Cumulative Totals (%=E/D)</i>
2021	13	13	9	\$3,155,244	\$2,555,747
2022	1	14	5	\$3,179,925	\$6,335,169
2023	2	16	2	\$0	\$0
2024					
2025					
2026					
2027					
2028					
2029					
2030					
2031					
Totals	16	16	16 (100%)	\$6,335,169	\$6,335,169 (100%)

Year 2022

(For calendar year 2021)

Average % attained = (67% [Jobs] + 81% [Investment]) ÷ 2 = 74%

Amount due from County payable by September 30, 2022, = .74 x \$14,000 = \$10,360

Amount unearned and being accrued \$14,000 - \$10,360 = \$3,640

Year 2023

(For calendar year 2022)

Average % attained = (100% [Jobs] + 100% [Investment]) ÷ 2 = 100%

Amount due from County payable by September 30, 2023, = 1.00 x \$28,000 = \$28,000

2022 Accruals now earned and also due from County payable by

September 30, 2023, = \$3,640

Total due from County payable by September 30, 2023, = \$28,000 + \$3,640 = \$31,640

Year 2024

(For calendar year 2023)

Average % attained = (100% [Jobs] + 100% [Investment]) ÷ 2 = 100%

Amount due from County payable by September 30, 2024, = 1.00[cap] x \$28,000 = \$28,000

Year 2025

(For calendar year 2024)

Average % attained = (100% [Jobs] + 100% [Investment]) ÷ 2 = 100%

Amount due from County payable by September 30, 2025, = 1.00 x \$27,000 = \$27,000

Year 2026

(For calendar year 2025)

Performance Goals completed as of December 31, 2023, County final payment by September 30, 2031. Grant amount earned and paid.

Average % attained = (100% [Jobs] + 100% [Investment]) ÷ 2 = 100%

Amount due from County payable by September 30, 2026, = 1.00 x \$26,000 = \$26,000

Definitions:

“Capital Investment” shall be the ad valorem tax value of the property located in the County that is owned by Hosokawa Micron International its affiliates, or financing entities where Hosokawa Micron International or its affiliates maintain operational control of the property. Any disputes as to the calculation of Capital Investment shall be subject to mediation between senior executives of the applicable parties, or if such mediation is not successful by an action at law or in equity.

“Budget” unless otherwise agreed in this Agreement, the County shall approve a budget for the specific grant amount offered to Hosokawa Micron International by July 1st of each year that the respective grant is offered, for payment by the agreed-upon date.

No provision of this Agreement shall be construed or interpreted as creating a pledge of the faith and credit of the County within the meaning of any constitutional debt limitation. No provision of this Agreement shall be construed or interpreted neither as delegating governmental powers nor as a donation or a lending of the credit of the County within the meaning of the State Constitution. No provision of this Agreement shall be construed to pledge or to create a lien on any class or source of the County's moneys, nor shall any provision of the Agreement restrict to any extent prohibited by law, any action or right of action on the part of any future County governing body. To the extent of any conflict between this paragraph and any other provisions of this Agreement, this paragraph shall take priority.

The Rules of Procedure for the Wayne County Board of Commissioners is amended as follows:

1. In paragraph (5) a. add after Briefing Session "The Agenda Briefing on the Board of Commissioners meeting days is the time to introduce the Agenda to the full Board. As such, this is not a time to discuss or act upon any items. Individuals associated with the items may provide further explanation during the briefing at the request of the Chairman, but discussion should be held until the formal meeting begins."

2. In paragraph (8) Powers of the Presiding Officer, add g. as follows: "The presiding officer shall determine the length of special presentations if scheduled."