

REQUEST FOR BOARD ACTION
HENDERSON COUNTY
BOARD OF COMMISSIONERS

MEETING DATE: 3 January 2006
SUBJECT: Request for Pawnshop License
ATTACHMENT(S): Application and supporting documents

SUMMARY OF REQUEST:

Bruce Gosnell has applied, pursuant to §134-5 of the Henderson County Code, for a license to conduct the business of pawnbroker within Henderson County. Mr. Gosnell has previously applied for, and been granted, this license. He has supplied the required documentation (attached) for such license, including the \$50.00 annual fee.

Under your ordinance, this is an annual process. §134-6 requires that such applications be brought “for consideration by the Board of Commissioners at a regular scheduled meeting”.

COUNTY MANAGER RECOMMENDATION/BOARD ACTION REQUESTED:

The County manager supports granting this proposal.

County staff will be present and prepared if requested to give further information on this matter.

If the Board is so inclined, the following Motion is suggested:

I move that the Board grant a renewal of a pawnshop license to Bruce Gosnell, as applied for.

APPLICATION/PETITION
for License to Operate a Pawnshop in the County of Henderson

Petitioners name(s) BRUCE GOSWELL

Mailing Address 1930 Pleasant Grove RD
Hendersonville NC 28735

Business name ETOWAH PAWN BROKERS INC

Location 125 Center Drive ETOWAH Shopping Center

Mailing Address PO BX 709 ETOWAH NC 28729

Fill out the above and attach the following requirements:(As required in Section 91A-6 of the Pawnbrokers Modernization Act of 1989)

- Criminal record checks for petitioner(s).
- License and Permit Bond. *Bing mailed by mailman to com office*
- Financial statement by CPA of proposed capital.

Additional requirements:(As required by County Ordinance Adopted-Oct.1990)

- A criminal record check from the Clerk of Court of every county where the applicant has resided during the past ten years.
- References from two or more local citizens to demonstrate good character.
- A notarized statement to the effect that the applicant has read, understands, and agrees to comply with the provisions of Chapter 91A and any applicable local provisions.
- A local record check for all prospective pawnshop employees (attach list and update as necessary).
- An affidavit by the petitioner that he has not been convicted of a felony.
- A certificate from the Chief of Police or Sheriff of the County or the State Bureau of Investigation that the petitioner has not been convicted of a felony.

TYPE OR PRINT IN BLACK INK.

STATE OF NORTH CAROLINA

Henderson County

In The General Court Of Justice
Before The Clerk

IN THE MATTER OF:

Name(s) Of Individual To Be Searched As Provided By The Requestor

Bruce E. Gosnell

5-24-41

CRIMINAL RECORD CHECK

G.S. 7A-109, -308(a)(17), .

Name Of Requestor

Address Of Requestor

City, State, Zip

Signature Of Requestor

For DMV Hearing

IMPORTANT INFORMATION REGARDING CRIMINAL RECORD CHECKS

1. The criminal records in this office are indexed solely by name and not by any other identifying character. Other identifying information such as race, sex, date of birth, social security number or address cannot be verified. The name(s), as provided, was searched and any records that the clerk deems applicable are attached to this form. You may form your own opinions as to the information provided.
2. This record check is for the county named above only and does not constitute a statewide search.
3. This office cannot guarantee that the record(s) attached to this record check belong to the individual for whom such record(s) is sought.
4. Some automated system code definitions are included on the back of this form to help you understand the record(s) that may be attached to this form.

CERTIFICATION

This is to certify that I have searched the indices to criminal actions in this office from September / 1986 to the present and

I have found that no record was indexed by the name(s) given above.

I have found the following excerpt(s) from the public records indexed by the name(s) given above as appended to the attached _____ page(s).

Not Valid Without
Clerk of Court's Seal
On Each Page

Date Of Search

11-30-05

Signature

Devin Fox

Deputy CSC Assistant CSC Clerk Of Superior Court

(Over)

SYSTEM CODE DEFINITIONS

- ADA - Assistant District Attorney
- Appealed to S.C. - Appealed To Superior Court From District Court
- CR - A Case Type Meaning Criminal District Court
- CRS - A Case Type Meaning Criminal Superior Court
- CV - Change Of Venue (To Another County)
- DA - District Attorney
- DC - Dismissed By Court (Judge)
- DD - Dismissal - Deferred Prosecution
- (F) - Felony Offense
- FE - Extradition Hearing By Judge
- GL - A Plea Or Finding Of Guilty To A Lesser Or Other Offense
- GU - A Plea Or Finding Of Guilty To The Offense
- HC - Habeas Corpus Hearing
- (I) - Infraction (Non-Criminal Offense)
- JA - Judgment Arrested
- JR - Jury Trial (Jury Impaneled In Case)
- JU - Disposed By A Judge
- LID - A Local Identification Number Issued By Local Law Enforcement Officials
- (M) - Misdemeanor Offense
- MA - Disposed By A Magistrate
- NB - No True Bill Returned By Grand Jury
- NC - No Contest
- NG - Not Guilty
- NP - No Probable Cause
- NR - Not Responsible
- NS - Process Never To Be Served (Recalled, Etc.)
- OF - Offense Date
- OT - Other
- PC - Probable Cause Found By Judge (Transfer To Superior Court)
- PJ - Prayer For Judgment Continued
- PO - Process/Probation Other
- PR - Process/Probation Revoked
- PROB - Refers To Probation, Either None, Or Supervised Or Unsupervised And Length In Days, Months Or Years
- REST - Amount Of Restitution Ordered By The Court
- RL - A Plea Or Finding Of Responsibility To A Lesser Or Other Infraction Offense
- RM - Remanded To District Court
- RS - A Plea Or Finding Of Responsible To Infraction Offense
- SENT - Sentence Length Imposed In Months, Days, Years, Life Or Death (X)
- SI - Superseding Indictment (Indicted By Grand Jury) Or Other Superseding Process
- SPEC COND - Miscellaneous Notes Added By The Clerk
- ST - Dismissed By Court - Speedy Trial Rule
- (T) - Traffic (Misdemeanor Traffic Offense)
- TD - Class H Or I Felony Transferred From Superior Court To District Court
- Transferred to S.C. - Transferred To Superior Court
- TYPE - Active (Jail/Prison Time), Intermediate (Supervised Probation Plus Certain Additional Conditions) Or Community (Supervised Probation, Unsupervised Probation, Fine)
- VD - Voluntarily Dismissed Without Leave (Dismissed By DA)
- VL - Voluntarily Dismissed With Leave (Offense Subject To Reinstatement)
- WC - Waiver Before The Clerk
- WD - Withdrawn From Superior Court
- WE - Waiver Of Extradition
- WM - Waiver Before Magistrate
- WP - Waiver Probable Cause Hearing In District Court (Transfer To Superior Court)
- X - A Sentence Of Death

ETOWAH PAWN BROKERS, INC.
STATEMENT OF ASSETS, LIABILITIES, & CAPITAL-INCOME TAX BASIS
September 30, 2005

ASSETS

CURRENT ASSETS

Cash on Hand	\$	265.00
Cash in Bank-United Community		4,114.01
Pawn Loans Receivable		70,382.24
Inventory		37,226.47

TOTAL CURRENT ASSETS \$ 111,987.72

PROPERTY AND EQUIPMENT

Furniture & Fixtures	3,107.52
Machinery & Equipment	2,159.11
Accumulated Depreciation	(5,266.63)

TOTAL PROPERTY AND EQUIPMENT 0.00

OTHER ASSETS

Deposits	550.00
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TOTAL OTHER ASSETS 550.00

TOTAL ASSETS \$ 112,537.72

SEE ACCOUNTANT'S COMPILATION REPORT
F. LEE THOMAS, P.A., CPA

I have known Bruce Gosnell
for the past Ten years and
find him of good moral character,

Br. Ma

I have known Bruce Gosnell for
the past Ten years and find him
of good moral character.

Armen Gunn

I have read, understood, and agree to comply with the provisions of Chapter 91A and any applicable local provision.

~~_____~~

Bruce Howell

Sworn This 16 DAY NOV 2006 11-16-05

My Commission Expires

Sept 13, 2007

I have never been accused or convicted of any felonies.

~~_____~~

Sworn This 16 DAY NOV 2006

Bruce Howell

My Commission Expires

11-16-05

Sept 13, 2007

TYPE OR PRINT IN BLACK INK.

STATE OF NORTH CAROLINA

Henderson County

In The General Court Of Justice
Before The Clerk

IN THE MATTER OF:

Names/Of Individual To Be Searched As Provided By The Requestor

Austin V. Gosnell
12-28-02

CRIMINAL RECORD CHECK

G.S. 7A-109, -308(a)(17), -3

Name Of Requestor

Address Of Requestor

City, State, Zip

Signature Of Requestor

For DMV Hearing

IMPORTANT INFORMATION REGARDING CRIMINAL RECORD CHECKS

1. The criminal records in this office are indexed solely by name and not by any other identifying characteristics. Other identifying information such as race, sex, date of birth, social security number or address cannot be verified. The name(s), as provided, was searched and any records that the clerk deems applicable are attached to this form. You may form your own opinions as to the information provided.
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On Each Page

Date Of Search

11-30-05

Signature

Dennis Fox

Deputy CSC Assistant CSC Clerk Of Superior Court

(Over)

TYPE OR PRINT IN BLACK INK.

STATE OF NORTH CAROLINA

Henderson County

In The General Court Of Justice
Before The Clerk

IN THE MATTER OF:

Names) Of Individual To Be Searched As Provided By The Requestor

Carroll E. Gosnell
10-09-61

CRIMINAL RECORD CHECK

G.S. 7A-109, -308(a)(17), -3

Name Of Requestor

Address Of Requestor

City, State, Zip

Signature Of Requestor

For DMV Hearing

IMPORTANT INFORMATION REGARDING CRIMINAL RECORD CHECKS

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Signature

Genney Fox

Deputy CSC Assistant CSC Clerk Of Superior Court

(Over)

HENDERSON COUNTY SHERIFF'S OFFICE



GEORGE H. ERWIN, JR.
SHERIFF

COMMUNICATIONS - 828/697-4911
PATROL DIVISION - 828/697-4946
CIVIL & COURTS - 828/697-4940
CRIMINAL INVESTIGATIONS - 828/697-4930
DETENTION - 828/697-4955
FAX - 828/697-4759

The Badge Means WE CARE.

December 2, 2005

To Whom It May Concern

Ref: Bruce E. Gosnell
Of 1930 Pleasant Grove Road
Hendersonville, NC 28739

Dear Sir/Madam:

I have completed a Criminal History check on Mr. Gosnell and he does not have a criminal history as checked by the Henderson County Sheriff's Office.

If you have any questions or my staff and I can be of further assistance, please do not hesitate to call upon us.

Sincerely,

A handwritten signature in black ink, appearing to be "GHE".

George H. Erwin, Jr.
Sheriff

GHE/cg

Thank you!



Western Surety Company

CONTINUATION CERTIFICATE

Western Surety Company hereby continues in force Bond No. 58403818

briefly described as Pawn Broker County of Henderson

for BRUCE EDWARD GOSNELL & PATRICIA A. GOSNELL DBA ETOWAH PAWN BROKERS

_____, as Principal,

in the sum of \$FIVE THOUSAND AND NO/100 Dollars, for the term beginning

October 01, 2005, and ending October 01, 2006, subject to all

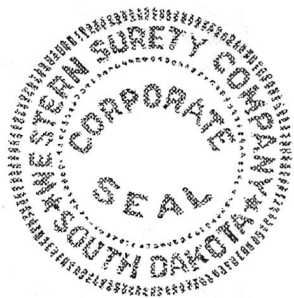
the covenants and conditions of the original bond referred to above.

This continuation is issued upon the express condition that the liability of Western Surety Company under said Bond and this and all continuations thereof shall not be cumulative and shall in no event exceed the total sum above written.

Dated this 16 day of June, 2005.

WESTERN SURETY COMPANY

By Paul T. Bruflat
Paul T. Bruflat, Senior Vice President



THIS "Continuation Certificate" MUST BE FILED WITH THE ABOVE BOND.



Western Surety Company

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:

That WESTERN SURETY COMPANY, a corporation organized and existing under the laws of the State of South Dakota, and authorized and licensed to do business in the States of Alabama, Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, Wyoming, and the United States of America, does hereby make, constitute and appoint

Paul T. Bruflat of Sioux Falls,
State of South Dakota, its regularly elected Senior Vice President,
as Attorney in Fact, with full power and authority hereby conferred upon him to sign, execute, acknowledge and deliver for and on its behalf as Surety and as its act and deed, all of the following classes of documents to-wit:

Indemnity, Surety and undertakings that may be desired by contract, or may be given in any action or proceeding in any court of law or equity, policies indemnifying employers against loss or damage caused by the misconduct of their employees; official, bail, and surety and fidelity bonds. Indemnity in all cases where indemnity may be lawfully given; and with full power and authority to execute consents and waivers to modify or change or extend any bond or document executed for this Company, and to compromise and settle any and all claims or demands made or existing against said Company.

Western Surety Company further certifies that the following is a true and exact copy of Section 7 of the by-laws of Western Surety Company duly adopted and now in force, to-wit:

Section 7. All bonds, policies, undertakings, Powers of Attorney, or other obligations of the corporation shall be executed in the corporate name of the Company by the President, Secretary, any Assistant Secretary, Treasurer, or any Vice President, or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys-in-Fact or agents who shall have authority to issue bonds, policies, or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation. The signature of any such officer and the corporate seal may be printed by facsimile.

In Witness Whereof, the said WESTERN SURETY COMPANY has caused these presents to be executed by its Senior Vice President Paul T. Bruflat with the corporate seal affixed this 16 day of June 2005

ATTEST

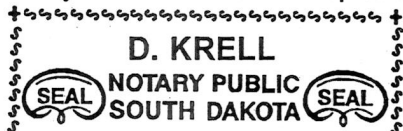
L. Nelson
Assistant Secretary

WESTERN SURETY COMPANY
By Paul T. Bruflat
Paul T. Bruflat, Senior Vice President

STATE OF SOUTH DAKOTA }
COUNTY OF MINNEHAHA } SS

On this 16 day of June, 2005, before me, a Notary Public, personally appeared Paul T. Bruflat and L. Nelson

who, being by me duly sworn, acknowledged that they signed the above Power of Attorney as Senior Vice President and Assistant Secretary, respectively, of the said WESTERN SURETY COMPANY, and acknowledged said instrument to be the voluntary act and deed of said Corporation.



My Commission Expires November 30, 2006

D. Krell
Notary Public

