

BERTIE COUNTY BOARD OF COMMISSIONERS

April 16th 2018

Agenda

4:00 p.m. Town of Windsor Commissioners room
6:00 p.m. Commissioners meeting room, Windsor, NC

This agenda is only a tentative schedule of matters the Commissioners may address at their meeting and all items found on it may be deleted, amended or deferred. The Commissioners may also, in their absolute discretion, consider matters not shown on this agenda.

4:00 Joint meeting with Town of Windsor—Hurricane Matthew Recovery Update—Holland Consulting Planners, Mr. Chris Hilbert

6:00 Welcome and Call to Order by Board Chair Bazemore

Opening Invocation and Pledge of Allegiance by Commissioner Lee

Public Comments (3-minute time limit per person)

(A)

***** APPOINTMENTS *****

- (1) American Cancer Society Relay for Life Proclamation presented by Ms. Jo Ann Jordan
- (2) Comprehensive Recreation Plan—project update by Dr. Paige Viren and Mr. David Hodges
- (3) Bertie County Schools—update from Superintendent Dr. Catherine Edmonds
- (4) Trillium—2017 annual report and update provided by Mr. Bland Baker and Ms. Hope Eley

Board Appointments (B)

1. Vacancies—Poverty Commission; Nursing Home Advisory Committee; Region Q Workforce Development Board-public sector representative

Consent Agenda (C)

1. Approve Minutes for Regular Meeting 3-12-2018
2. Approve Minutes for Special meeting 3-26-2018 in Windsor and 3-26-2018 joint meeting with Martin County and the BMRJ Commission.
3. Register of Deeds report-March 2018
4. Tax Release Journal-February and March 2018
5. Budget amendments
6. Approve negotiated land sale which was advertised for ten days beginning 3-28-2018
7. Approve Council on Aging's annual agreement for transportation services with Choanoke Public Transportation Authority.

*****OTHER ITEMS*****

Discussion Agenda (D)

1. Review of two Bertie County Noise Ordinances adopted July 3, 2000
 - a) Sound measurement standards
 - b) Restrictions and prohibitions for Unnecessary, Unreasonably Loud, and Disturbing Sounds
2. Review and consider resolution approving merger for Hertford County with Albemarle Regional Health Services
3. Review road naming process and petition requirements
4. Private Roads (public safety access for emergency response vehicles)
5. Calendar review: Discuss possible dates for legislative meetings with members of NC General Assembly delegation representing Bertie County in advance of upcoming short session.

Commissioners' Reports (E)

County Manager's Reports (F)

County Attorney's Reports (G)

Public Comments Continued

Closed Session

Pursuant to N.C.G.S. § 143-318.11(a)(3) to go into closed session to consult with the County Attorney in order to preserve the attorney-client privilege that exists between the attorney and this public body.
Pursuant to N.C.G.S. § 143-318.11(a)(4) to discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body, including agreement on a tentative list of economic development incentives that may be offered by the public body in negotiations. The action approves the signing of an economic development contract or commitment, or the action authorizing the payment of economic development expenditures, shall be taken in an open session.
Pursuant to N.C.G.S. § 143-318.11(a)(5) to establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease; or (ii) the amount of compensation and other material terms of an employment contract or proposed employment contract.
Pursuant to N.C.G.S. § 143-318.11(a)(6) to consider the qualifications, competence, performance, character, fitness, conditions of employment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee.

Recess until April 30th at 2:00 p.m.



Bertie County

Board of Commissioners

ITEM ABSTRACT

MEETING DATE: April 16, 2018

AGENDA ITEM: A-1 thru A-4

DEPARTMENT: Governing Body

SUBJECT: Appointments and Reports

- (1) Bertie County American Cancer Society Relay for Life Proclamation presented by Ms. Jo Ann Jordan
- (2) Comprehensive Recreation Plan—Update by Dr. Paige Viren and Mr. David Hodges
- (3) Bertie County Schools—Update from Superintendent Dr. Catherine Edmonds
- (4) Trillium—Presentation of 2017 annual report and update provided by Mr. Bland Baker and Ms. Hope Eley

ATTACHMENTS:

LEGAL REVIEW PENDING: N/A

ITEM HISTORY:



BERTIE COUNTY
106 DUNDEE STREET
POST OFFICE BOX 530
WINDSOR, NORTH CAROLINA 27983
(252) 794-5300
FAX: (252) 794-5327
WWW.BERTIECOUNTY.NC.GOV

BOARD OF COMMISSIONERS
ERNESTINE (BRYD) BAZEMORE, Chairman
RONALD "RON" WESSON, Vice-Chairman
JOHN TRENT
TAMMY LEE
STEWART WHITE

**PROCLAMATION FOR AMERICAN CANCER SOCIETY'S RELAY FOR LIFE
BERTIE COUNTY – MAY 19, 2018**

WHEREAS, the American Cancer Society is the nation's largest and most respected voluntary health organization since 1913 and has funded research which has contributed to every known method for detecting cancer and techniques for treating cancer; thereby increasing the cancer survival rates, and is dedicated to eliminating cancer through research, education, advocacy and service; and

WHEREAS, cancer, (a group of diseases characterized by uncontrolled growth and spread of abnormal cells, which if not controlled, can result in premature death), is predicated to strike one out of every three Americans sometime in our lifetime; and

WHEREAS, 134 new cases of cancer are projected to occur in Bertie County in 2018, and 49 Bertie County citizens are expected to die from cancer this year; and

WHEREAS, Bertie County Relay For Life of the American Cancer Society is a voluntary community coalition of local citizens dedicated to increasing vital financial support to fund research, and also by providing educational awareness for cancer prevention, screenings, and resources available; and

WHEREAS, Bertie County Relay For Life, sponsored by the American Cancer Society, will celebrate, remember, and honor, Bertie County citizens and their families that have been affected by cancer; and

WHEREAS, Bertie County Relay For Life of the American Cancer Society is an event that brings together the entire community with the same goal of making a difference in the battle against cancer and celebrating more birthdays:

NOW THEREFORE, We the Bertie County Board of Commissioners, do hereby proclaim the month of **May 2018** as **Relay For Life Month** throughout the County and encourage all Bertie County residents to recognize the American Cancer Society's many contributions to improving the quality of life for all of our citizens; and

BE IT FURTHER RESOLVED that We the Bertie County Board of Commissioners do hereby proclaim Bertie County Relay For Life as a **Paint Your World Purple** Campaign, and encourage all citizens to join the celebrations and activities of Relay for Life on May 18, 2018.

This the 16th day of April, 2018.

Ernestine (Bryd) Bazemore, Chairman

Sarah S. Tinkham, Clerk to the Board

Bertie County Board of County Commissioners,

As an American Cancer Society Relay For Life of Bertie County planning committee member, I thank you for your continued support. This year we will be celebrating our 25th consecutive event on Friday, May 18, 2018 from 6pm - midnight.

Bertie County Government has been a vital partner for the success of Relay For Life in our county. The longstanding tradition is to hold ACS's signature, family friendly event at Bertie High School Roy L. Bond, Jr. Football Stadium. Over the years, we have been fortunate and grateful for your unwavering assistance to proclaim an event that involves ALL citizens of Bertie County. We are proud to say that the Bertie County Relay For Life was the first Relay event to be held in North Carolina. Our event has maintained state, regional and national recognition the majority of the years. This distinction is because of a county-wide effort. Thank you.

While one of the main goals of Relay For Life is to raise the much needed funds to assist in research through the American Cancer Society, it is also about bringing the community together. Cancer does not discriminate. This annual event allows our community to take up the fight against cancer; regardless of age, race, gender, or socio-economic background. Having our county government participate in this worthy fundraising opportunity instills a sense of accomplishment, while allowing each citizen to honor and remember our family and friends that may be battling cancer. Together we bring HOPE to many.

Thanks to your and the community's support, Relay For Life of Bertie County has raised more than 3.5 million dollars! This money goes to the American Cancer Society to support research to fight cancer and provide patient support programs. The ACS is the top non-government funder of research projects. The majority of cancer detection options and many treatments were developed through the American Cancer Society.

All donations are changing the course of cancer! According to the American Cancer Society, Inc. in Atlanta, GA; the cancer stats for the cancer death rate in Bertie County is declining. The incidence rate is "stable". Progress is being made to end the suffering from cancer.

Last year the county government's donation was \$2000. Won't you help us again this year? Also the proclamation is attached for your review and approval.

Again, Thank you for your consideration, time, support, and commitment to our 25th Relay For Life of Bertie County. We look forward to our continued partnership with Bertie County Government. Please join Our event this year! May we count on you?

Respectfully,

Jo Ann Jordan, Volunteer RFL Committee member



Bertie County

Board of Commissioners

ITEM ABSTRACT

MEETING DATE: April 16, 2018

AGENDA ITEM: B-1

DEPARTMENT: Governing Body

SUBJECT: Appointments

COUNTY MANAGER RECOMMENDATION OR COMMENTS:

- 1) Nursing Home and Adult Care Advisory Council—Dr. Susia Smallwood
- 2) Poverty Commission
- 3) Region Q Workforce Development Board—public sector representative

SUMMARY OF AGENDA ITEM ACTION(S): Consider approval

ATTACHMENTS:

LEGAL REVIEW PENDING: N/A

ITEM HISTORY:



APPLICATION FOR BERTIE COUNTY AUTHORITIES, BOARDS, COMMISSIONS, AND COMMITTEES

Name: Dr. Susia Smallwood
Home Phone Number: 252-348-2337 Mobile: 252-484-2719
Home Fax Number: N/A
Email Address: apostlesue@outlook.com
Home Address: 344 Jack Branch Rd, Windsor, NC 27983
Mailing Address: SAME

Are you a full-time resident of Bertie County? Yes No

How long have you been a full-time resident of Bertie County? 17 1/2 yrs

Do you live within any corporate or town limits? Yes No Which: _____

County Commissioner District: _____
(This information can be obtained from the Bertie County Board of Elections at 252-794-5306)

Occupation: Retired RN Employer: DC Dept on Mental Health

Business Address: Washington, DC 20032

Business Phone Number: N/A Business Fax: N/A

Please list in order of preference the Boards/Commissions/Committees on which you would like to serve:

- | | |
|------------------------|-----------------------|
| 1. <u>Nursing Home</u> | 3. <u>Health Care</u> |
| 2. <u>HOSPITALS</u> | 4. _____ |

Qualification for specific category: _____

Name of any Bertie County Board/Commission/Committee on which you presently serve:

NONE

If reapplying for a position you presently hold, how long have you served? N/A

Based on your qualifications and experiences, briefly describe why your services on this Authority/Board/Commission/Committee would be beneficial to the County:

I have the passion, education and experience in a diverse population, cultures, and a desire to be open and vocal regarding possible changes to implement.

Do you have any delinquent Bertie County taxes? Yes No

Other information you consider pertinent: (i.e., education, occupational background, civic memberships, related work experiences, etc.) If necessary, you may add additional pages:

RN for 34 years in public, Gov't and private sector.
Served one term on the Death review board for D.C.
Supervised, managed, and worked in nsg. homes, hospitals, clinics, colleges health centers, and ran drug programs for D.C.
Also an ordained Reverend/Apostle and holds a D.D., Honorary doctorate, Ph.D & Doctorate in Christian Counseling. Ambassador to The nations.

CODE OF ETHICS

By submitting this application and by my signature below, I pledge that, if appointed, I agree to comply with the attached Code of Ethics as adopted by the Bertie County Board of Commissioners.

Date: 3/27/18 Applicant's Signature: Dr. Susia Mallwood, Ph.D.

Return application to:

Sarah Tinkham
PO Box 530
106 Dundee Street
Windsor, NC 27983
Fax: (252) 794-5327
sarah.tinkham@bertie.nc.gov

Note:

*All information on this document is subject to the Public Records Law and will be released to the public upon request.

**Interest to Service forms remain current for two years. Following that, the applicant may wish to contact the Clerk to the Board's Office for an updated form.

***Applications must be on file in the Clerk to the Board's Office 7 days prior to consideration for appointment.

FOR OFFICE USE ONLY

Date Received: _____

Received By: _____



Bertie County

Board of Commissioners

ITEM ABSTRACT

MEETING DATE: April 16, 2018

AGENDA ITEM: Consent Agenda

DEPARTMENT: Administration

SUBJECT: C-1 through C-7

1. Approve Minutes for Regular Meeting 3-12-2018
2. Approve Minutes for Special meeting 3-26-2018 in Windsor and 3-26-2018 joint meeting with Martin County and the BMRJ Commission.
3. Register of Deeds report-March 2018
4. Tax Release Journal-February and March 2018
5. Budget amendments
6. Approve negotiated land sale which was previously approved, subject to advertisement for ten days beginning 3-28-2018
7. Approve Council on Aging's annual agreement for transportation services with Choanoke Public Transportation Authority.

COUNTY MANAGER RECOMMENDATION OR COMMENTS: Approval

SUMMARY OF AGENDA ITEM NEEDED ACTION(S): Approval

ATTACHMENTS: Yes

LEGAL REVIEW PENDING: N/A



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Bertie County
Board of Commissioners
March 12, 2018

Draft Minutes

Commissioners present: Bazemore, Wesson, Lee, Trent and White

Staff: Sauer, Roberson, White (Planning) and legal coverage by Lloyd Smith

Media present: Thadd White, Bertie Ledger Advance and Gene Motely,
Roanoke Chowan News Herald

At 6:00 p.m. Board Chair Ernestine Bazemore called the meeting to order, which was held in the Commissioners meeting room, Windsor, NC. Commissioner John Trent requested Rev. Anthony Ward provide the invocation and then Commissioner Trent led the Pledge of Allegiance.

Board Chair Bazemore indicated that there was one additional discussion item for the agenda requested by Commissioner Lee, regarding a proposed height restriction ordinance for the Tri-County Airport.

Public comment: Sheriff John Holley provided a brief report regarding recent threats on public facilities including Bertie Middle School, the Board of Education offices, the Courthouse and March 9th's "soft lock down" impacting all school facilities. Commissioner Lee commended the Sheriff's Office for its recent response coverage at Bethel Christian Academy. Mr. Norman Cherry, campus administrator for Martin Community College's Windsor campus introduced newly appointed Martin Community College President, Dr. Paul Hutchins. Dr. Hutchins shared his vision and gratitude for the opportunity to serve Bertie County in this new role. Two local farmers, Mr. Sid Copeland and Mr. Charles Harden, spoke as representatives of the next generation of young farmers and their desire to see Bertie County maintain its leadership as an agricultural producing community, as evidenced by recent statistics reflecting farm income in northeastern North Carolina. Each Commissioner expressed support and encouragement for these young leaders. Reverend Anthony Ward spoke on behalf of the South Windsor Water Association and reported the merger with Bertie County Water District III and the related capital project construction is now complete. Reverend Ward commended the Commissioners for their commitment to this project and thanked them for a "job well done." He also commended the project leadership of Mr. Ricky Spivey, Superintendent for Bertie County's Regional Water System.

Mr. Bryant Buck, Executive Director of the Mid-East Commission provided a summary of the 2020 Census LUCA program, known as the Local Update of Census Addresses which is an effort to improve the data integrity of geographic data points. He emphasized the importance of the initial steps for the County to insure the resulting census information yields accurate information and documentation for low to moderate income residents, which will assist the County in qualify for federal grant funds. Vice Chairman Wesson further explained the potential loss of \$1,600 per resident annually, if documentation is not accurate during the census process. Mr. Buck presented three potential strategies where the Mid-East Commission can provide services to improve the LUCA process for the County. Board Chair Bazemore offered a Motion to approve the first option, a complete update of address points for a cost of \$17,500 and to engage the Mid-East Commission for these services. Commissioner Trent seconded the motion and the vote was unanimous.

Mr. Buck, also updated the governing body regarding the CDBG Broadband grant project and recommended that the Board approve a grant administration agreement with the Mid-East Commission to complete the reporting documentation. As a unit of local government and given the extensive grant administration experience of the Mid-East Commission staff, no formal procurement process is required, explained Mr. Buck. Commissioner Trent offered a Motion to approve the recommendation, and Vice Chairman Wesson seconded the Motion, which passed by unanimous vote.

Mr. Buck reported that two key citizen appointments for the workforce development board remain vacant, one for the private sector and one for the public-sector (or labor union) representative. Vice Chairman Wesson offered a Motion to nominate Mr. Ron Robertson for the private sector and suggest that the Superintendent of Schools make a recommendation for the public-sector vacancy. The Motion was amended at the suggestion of Commissioner Lee, to insert the requirement that these appointments be subject to submission of the required citizen appointment application to the Clerk to the Board. Commissioner Trent offered a Second to the motion, which passed by unanimous vote.

Mr. Joe Dehner, General Manager for Republic Services presented a letter requesting the Board's initiation of the franchise renewal process, including the extension of the landfill host agreement using the statutory criteria for the "life of site" process. Mr. Dehner explained that the franchise expires in October of 2018 and the "life of site" process is predicated on the current volumes, densities and service area for the existing landfill. Currently, Republic Services is preparing technical reports in preparation of a formal presentation to the Board in mid-April.

Mr. Dehner and Division Manager Mike Kavanaugh also reviewed recent complaints regarding convenience center operations and the negative impact on customer service. Mr. Dehner shared a site plan proposal for improvements to the Hardentown convenience center, including the addition of concrete pads and improved grading at the site. Commissioner White expressed concerns about "furious calls" from citizens and the resulting negative impacts for Republic Services reputation due to the inability of residents to drop off their trash due to backlogs and service delays at the sites.

Commissioner Lee echoed these concerns, and Mr. Dehner responded saying that Republic Services is committed to providing excellent service at all sites. Vice Chairman Wesson explained that the Windsor location continues to have pot holes causing extensive damage to vehicles attempting to access the site. Commissioner Trent thanked the Republic Services staff for their efforts to correct the situation, and he noted that Republic Services is a strong supporter of community projects and programs. Board Chair Bazemore thanked Mr. Dehner and Mr. Kavanaugh for their report and noted that the Commissioners are looking forward to the upcoming open house and community day at the landfill.

Board Chair Bazemore noted that item A-3 on the agenda had been withdrawn.

County Manager Sauer presented the Tax Administrator's report regarding the recent Court Judgement and foreclosure sale of the two lots on Grandy Lane. Commissioner Trent offered a Motion, which was Seconded by Commissioner Lee to proceed with the transaction and the sale price of \$4,200 as recommended. The vote was unanimous to approve.

Board Chair Bazemore noted the application submitted by Mr. Melvin Askew to serve on the Nursing Home Advisory Committee. Vice Chairman Wesson made the nomination and Commissioner Lee offered a Second. The vote was unanimous to approve.

County Manager Sauer reminded the Board that there have been no further applications submitted for the Poverty Commission. Board Chair Bazemore indicated that she will be actively working to identify candidates for these appointments, and suggested that the kick off for the poverty initiative be deferred until April 30th at 2:00 p.m.

Following Board Chair Bazemore's review of the consent agenda items, Commissioner Lee offered a Motion to approve items one through six as follows:

1. Approve Minutes for Regular Meeting 2-19-2018
2. Approve Minutes for the Board acting as the Board of Commissioners for Bertie County Water District III meeting for adoption of USDA Bond Resolution 2-19-2018
3. Register of Deeds report-February
4. Approval of 2020 revaluation services contract with Piner Appraisal, Inc. based on revised terms.
5. Tax Release Journal-January
6. Budget amendments

Vice Chairman Wesson offered a Second, and the Motion to approve consent items one through six was approved by unanimous vote.

Board Chair Bazemore called on Mr. Ricky Spivey to review the two change orders recommended as consent items number seven and eight. Following Mr. Spivey's report, Commissioner Trent made a Motion to approve as follows:

7. Water District II – Change order in the amount of \$32,448.84 and remaining project contingency is \$9,857.16
8. Water District IV – Change order in the amount of \$17,973.40 and remaining project contingency is \$55,150.60

Vice Chairman Wesson seconded the Motion to approve, and the vote was unanimous.

Board Chair Bazemore called on the County Attorney, Mr. Lloyd Smith to review the first two discussion items. County Attorney Lloyd Smith reviewed the Teacher Housing Initiative and the relevant statutory provisions necessary for the Windsor Township Development Commission's SECU loan application and the County's management support for this project. Mr. Smith noted that the agenda package contained several examples of local legislation for similar teach housing projects in Hertford, Dare and Buncombe counties. Mr. Smith provided a handout, which mapped out the roles and responsibilities in the form of a flow chart to further define the need for special legislation. The County Attorney recommended that the Board seek legislation during upcoming short session of the NC General Assembly, both clarifying and expanding the statutory authority for the Windsor Township Development Commission and Bertie County. After much discussion, Commissioner Trent offered a Motion authorizing the County Attorney to prepare a local bill for the upcoming short session, using the Hertford County legislation as a guide and further clarify the specific authority of the Windsor Township Development Commission and Bertie County's role and responsibilities to proceed with the teacher housing initiative. Vice Chairman Wesson offered a Second to the Motion, which passed by unanimous vote.

County Attorney Lloyd Smith also reported on the availability of three law firms which have expressed interest in representing Bertie County in the multi-jurisdiction litigation related to OPIOID cases filed by various North Carolina counties. The three firms identified were Ward and Smith of Raleigh, Daniel and Thomas of Yanceyville, and the Richards firm of Fayetteville. Vice Chairman Wesson offered a Motion to engage the Richards firm, which was Seconded by Commissioner Lee. The vote to approve was unanimous.

Board Chair Bazemore noted that the item added to the agenda, the height restrictions for Tri-County Airport, is for information only. She indicated that the proposed ordinance will be forwarded to the Planning Board for review and recommendations at a later date.

County Manager Sauer reported that the County had received two resolutions recently adopted by Dare County as follows:

- (a) opposing any adverse change in the definition of commercial fishing operation;
 - and (b) requesting Governor's review and examination of current membership of the NC Marine Fisheries Commission.
-

Commissioner Lee reported that she had reviewed both of these resolutions and shared copies with members of the NC General Assembly including Senator Erica Smith, Representative Howard Hunter and Representative Bob Steinburg. After much discussion, there was consensus among the Commissioners to not support the second resolution proposed by Dare County. Commissioner Lee offered a Motion approve the language in the first resolution and directing staff to prepare the document for the Chair's signature. Vice Chairman Wesson offered a Second to the Motion, which passed by unanimous vote.

The resolution will read as follows:

RESOLUTION
OPPOSING ANY ADVERSE CHANGE
IN THE DEFINITION OF A COMMERCIAL FISHING OPERATION

WHEREAS, the Marine Fisheries Commission at their Wrightsville Beach meeting on February 14, 2018 voted 5 to 4 to change the criteria that was previously under consideration and approve a redefinition of commercial fishing; and

WHEREAS, the Commission's new criteria identified seven qualification components including a requirement that commercial license holders demonstrate a minimum level of participation by documenting 1000 pounds of landings through the trip ticket program during any of the two out of five continuous calendar years; and

WHEREAS, the new criteria advanced by the Marine Fisheries Commission would have an adverse impact on those who now engage in commercial fishing and already suffer because of government overregulation that imposes severe quotas and unnecessary restrictions on fishing seasons, limits, and gear forcing many to take on additional jobs and engage in part-time businesses in order to support their families; and

WHEREAS, imposing an arbitrary level of participation would unfairly have a harsh and punitive effect on coastal communities hit by hurricanes and other natural disasters where many commercial license holders, whose income generating season may have been entirely wiped out by a storm, are forced to temporarily divert their time and talents to other business enterprises; and

WHEREAS, no other professional license issued by the State dictates a level of participation in order for its holders to qualify; and

WHEREAS, additionally the new criteria would create a requirement that all individuals wanting to engage in commercial fishing must first complete a three-year apprenticeship or graduate from a community college commercial fishing program before being eligible to purchase a standard commercial fishing license; and

WHEREAS, the imposition of an apprenticeship requirement would unfairly penalize those with an entrepreneurial spirit willing to invest their skills and resources in the commercial fishing industry. This requirement is counterproductive to economic development principles and would only serve to thwart individuals wanting to pursue their dream of creating a small business in our coastal communities; and

WHEREAS, the definition of what constitutes commercial fishing in North Carolina has been determined by the General Assembly and has long been established in section 113-168 of North Carolina's General Statutes; and

WHEREAS, over seven years ago, in October of 2010, the Marine Fisheries Commission empaneled a Fishing License Review Taskforce, which examined in detail the requirements for holding a commercial fishing license and concluded that the definition contained in the General Statutes was adequate and therefore there was no real need to modify the definition of what constitutes a commercial fisherman; and

WHEREAS, furthermore, the Final Report from the Fishing License Review Taskforce clearly stated its recommendation that "no changes are needed to the existing definition;" and

WHEREAS, the effort that is underway by the Marine Fisheries Commission to redefine Commercial Fishing is a misguided attempt to fix something that is not broken and would jeopardize coastal communities whose economy and wellbeing are dependent upon both full-time and part-time commercial fishermen and would have an adverse impact on young entrepreneurs wishing to enter the commercial fishing industry.

NOW THEREFORE BE IT RESOLVED that the Bertie County Board of Commissioners supports the definition of commercial fishing that has been determined by the duly elected members of the North Carolina General Assembly and reflected in the North Carolina General Statutes.

AND BE IT FURTHER RESOLVED that the Bertie County Board of Commissioners strongly opposes any adverse change in the definition of commercial fishing and urges the North Carolina General Assembly to take no action that would harm the hard-working North Carolinians who put fresh seafood on American tables.

Adopted this the 12th day of March, 2018.

Ernestine Bazemore, Chair

ATTEST:

Scott T. Sauer, acting Clerk to the Board

Board Chair Bazemore reviewed several upcoming dates and activities noting that Commissioner Lee will be representing Bertie County on March 13 and 14 in Washington, DC at NACO's White House briefing. Vice Chairman Wesson will provide opening remarks at the "Site X" program on March 17 sponsored by the NC Coastal Land Trust. March 28th is the gathering of state and local officials regarding recreation trails related to the County's Albemarle Sound recreation site and the State's planned Salmon Creek recreation area. There was consensus to recommend that the joint meeting with the Bertie Martin Regional Jail Commission and Martin County, consider alternative dates of March 26 or April 12 rather than the scheduled date of April 18th. The County Manager will submit these alternative dates to Martin County for consideration.

Board Chair Bazemore called on each Commissioner for individual reports. Commissioner White had no report. Commissioner Lee reported on a wi-fi service offered by a firm known as "Open Broadband" which operates in several NC counties using existing structures such as elevated water tanks. Vice Chairman Wesson reported that he participated in a program honoring Dr. Ben Speller, who received the "Old North State" award, which was held in Edenton. Commissioner Trent had no report. Board Chair Bazemore reported on the program that she and Commissioner Lee attended at the Governor's mansion with the NC Clean Water Management Trust Fund and the NC Coastal Land Trust. She also noted a recent meeting with Superintendent of Schools Dr. Edmonds, and she expressed her gratitude for the Board's participation in the memorial services for School Board member Mr. Barry McGlone.

County Attorney Lloyd Smith reported that the NC Wildlife Resources Commission has recently abandoned its proposed deer hunting regulation changes. Mr. Smith further noted that the resolution presented by Bertie County opposing these regulations was replicated by nearly all northeastern NC counties.

There were no public comments.

Motion to adjourn was made by Commissioner White, Seconded by Vice Chairman Wesson and vote was unanimous.

Respectfully submitted,

Scott T. Sauer

Recording Clerk



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Bertie County
Board of Commissioners
March 26, 2018

Draft Minutes

Commissioners present: Bazemore, Wesson, Lee, Trent and White
Staff: Sauer, Roberson, Barrow and Lloyd Smith
Media present: None

At 4:45 p.m. Board Chair Ernestine Bazemore called the meeting of the Bertie County Board of Commissioners to order and reminded those present of the purpose for convening this special meeting and read the following statement: The purpose of the meeting is to meet with County staff and legal counsel to review the status of the land purchase contract for the property located at 308 West Camden Street (intersection with Sterlingworth), and to consider any and all appropriate action.

County Attorney Lloyd Smith reminded the governing body of the findings in the recently released Terracon report and the groundwater contamination impacting the cost and project schedule for development of this site.

Commissioner Lee offered a Motion to instruct the legal team to send correspondence (and a copy of the Terracon report) to the primary property owner of the former dry-cleaning site, notifying the owners of the testing results. The correspondence should include a recommendation that the property owner should report these findings to the appropriate State regulatory agencies and copy the County and Town with this communication. Vice Chairman Wesson Seconded the Motion which passed by unanimous vote.

County Attorney Lloyd Smith reported that his office had communicated informally with the owners of the impacted properties and put them on notice of the Board's concerns regarding the results of the study.

Vice Chairman Wesson offered a Motion to direct the legal team to send notification to the seller of the subject property (Spruill Farms) of the County's intent to immediately withdraw the offer to purchase and include a copy of the Terracon report. Commissioner Lee Seconded the Motion and was approved by unanimous vote.

Board Chair Bazemore offered a Motion directing the County Manager to notify the Golden LEAF Foundation of these findings, the proposed action and the impact on the project schedule. Included in this Motion, Chair Bazemore further requested the architect (MHAworks) to provide the County with a summary of activities and charges incurred for both programming, preliminary design and site evaluation (Phase 1 environmental assessment and groundwater testing studies). Vice Chairman Wesson offered a Seconded to the Motion. The Board voted unanimously to approve this Motion.

Board Chair Bazemore suggested to the governing body that time is of the essences and it is now time to begin phase two of the site selection process for this project. She stated her preference for finding a site close to the downtown area and suggested the site on South Granville Street which is around the bend just beyond Martin Community College. Several Commissioners expressed support for this possible location, and Commissioner Trent that there is a USGS monitoring device installed on this property.

County Manager Sauer reported that he had received communication from Windsor Town Mayor Jim Hoggard who suggested the former DSS/Health Department property owned by the County may be a suitable location for the public library and cooperative extension facility.

Commissioner White expressed concern that the County should consider utilizing a site with no additional cost to the County, including the land behind the new DSS building. He further expressed his concern that the County should closely monitor its use of fund balance reserves.

Board Chair Bazemore reminded the Commissioners of the evening schedule and the joint meeting with Martin County at 7:00 p.m. and the remaining business item including approval of minutes for March 13th. Vice Chairman Wesson offered a Motion to approve the minutes for March 13, 2018 as prepared by the County Manager. Commissioner Trent offered a Second, and the Motion was approved by unanimous vote.

The meeting was adjourned at 5:05 p.m.

Respectfully submitted,

Scott T. Sauer

County Manager

JOINT SPECIAL MEETING

MARTIN COUNTY BOARD OF COMMISSIONERS
BERTIE COUNTY COMMISSIONERS
BERTIE-MARTIN JAIL COMMISSION

NC TeleCenter, Class Room
415 East Boulevard, Williamston, NC 27892
Monday, March 26, 2018

Draft Minutes

Martin County Board of Commissioners

Elmo "Butch" Lilley, Commissioner/Chair
Tommy Bowen, Commissioner/Vice Chair
Ronnie Smith, Commissioner
Dempsey Bond, Jr.
Joe R. Ayers (did not attend)
David Bone, County Manager
Marion B. Thompson, County Clerk
Cindy Ange, Finance Officer

Bertie County Commissioners

Ernestine Byrd Bazemore, Chair
Ronald "Ron" Wesson, Vice Chair
Tammy A. Lee, Commissioner
John Trent, Commissioner
Stewart White, Commissioner
Scott Sauer, County Manager
Sarah S. Tinkham, County Clerk (on medical leave)

Bertie-Martin Regional Jail Commission – Board of Directors

Bertie County

John Trent, Commissioner
Dianne Bazemore
Lawrence Carter, Jr.
Terrence Whitehurst, Administrator
Lydra Freeman, Deputy Administrator/Secretary
John Holley, Bertie County Sheriff

Martin County

Dempsey Bond, Jr. Commissioner/Chair
John MacDonald
William Stalls

At 7:00 p.m. the joint special was called to order by Chairman Elmo "Butch" Lilley, Martin County Board of Commissioners; Board Chair Ernestine Bazemore, Bertie County Board of Commissioners; and Commissioner Dempsey Bond, Jr., Chairman, Bertie-Martin Jail Commission. Martin County Vice Chairman Tommy Bowen led the pledge of allegiance and gave the invocation. Martin County Chairman Lilley provided the official welcome and each governing body confirmed approval for the agenda by consensus.

Bertie Martin Regional Jail Administrator Mr. Terrence Whitehurst provided a detailed history of staffing concerns and challenges at the Jail, noting that eight (8) positions are open, with seven vacancies and one staff member unavailable and on extended medical leave. Mr. Whitehurst also listed the recent efforts by the BMRJ Commission to increase salaries in each of the past three fiscal years in addition to a one-time employee bonus last December. Administrator Whitehurst shared a staffing position budget work sheet and explained the recent board action by the BMRJ Commission to address salary compression with adjustments based on a two percent (2.0%) increase for the base salary applied for each service year for existing staff.

There was much discussion and dialogue between the two Boards of County Commissioners, Jail Administrator Whitehurst and Sheriff John Holley. Data was also shared comparing Detention Officer salaries from several surrounding counties, and there was discussion of providing a sign-on bonus for new staff and other recruiting strategies. It was also understood and discussed that time is of the essence and that there exist certain liabilities for not addressing this matter in a proactive manner.

It was agreed by consensus that the Bertie Martin Jail Commission will revisit its recommendations and be prepared to present specific steps and actions for both County governing bodies to consider within the next 45 to 60 days.

Martin County Chairman Lilley, Bertie County Board Chair Bazemore and BMRJ Chairman Bond spoke of their respective support and cooperation to address the concerns presented by Jail Administrator Whitehurst.

The meeting adjourned at 8:20 p.m.

Respectfully submitted,

Scott T. Sauer
County Manager



C - 3



Bertie County Register of Deeds

Annie F. Wilson
Register of Deeds

P.O. Box 340
Windsor, NC 27983
252-794-5309
www.bertie-live.inttek.net

NORTH CAROLINA
BERTIE COUNTY

TO: THE BOARD OF COUNTY COMMISSIONERS:

Agreeable to and in compliance with Chapter 590 of the Public Local Laws of North Carolina, Sessions 1913, I beg leave to submit the following statement of all fees, commissions, etc. of any kind collected by me as Register of Deeds for the month of **MARCH 2018** and for an itemized statement thereof, I respectfully refer you to the following books in my office.

AMOUNT SUBJECT TO GS 161-50.2

| | | |
|-----------------|--|--------------------|
| 10-0030-4344-01 | REAL ESTATE REGISTRATION----- | \$3,392.80 |
| 10-0030-4344-03 | VITAL STATISTICS----- | \$1,382.00 |
| 10-0050-4839-02 | MISCELLANEOUS(NOTARY OATHS/PHOTO COPIES, ETC)----- | \$196.70 |
| 10-0030-4344-04 | NO. MARRIAGE LICENSE----- <u>3 @60.00</u> | <u>\$180.00</u> |
| | | \$5,151.50 |
| 10-0018-4240-01 | N. C. STATE EXCISE STAMP TAX----- | \$5,712.00 |
| 10-0030-4344-10 | STATE TREASURER FEE----- <u>106 @\$6.20</u> | <u>\$657.20</u> |
| | STATE VITAL RECORDS----- <u>6 @14.00</u> | <u>\$84.00</u> |
| | | \$11,604.70 |
| 10-0000-1251-00 | A/R IN/OUT(REFUND)----- | |
| | | \$11,604.70 |

Annie F. Wilson
REGISTER OF DEEDS - BERTIE COUNTY
By: *Shameckia L. Williams, Asst.*

FOR INFORMATIONAL PURPOSES

| | | |
|--------------------------------|---------------------|-----------------|
| D/T /MORTGAGES----- | <u>19 @\$6.20=</u> | <u>\$117.80</u> |
| ADDITIONAL PAGES----- | <u>@\$0.40=</u> | |
| DEEDS & OTHER INSTRUMENTS----- | <u>119 @\$1.94=</u> | <u>\$230.86</u> |



C - 4



Bertie County Tax Department
PO Box 527
106 Dundee St.
Windsor, NC 27983
Phone: (252) 794-5310
Fax: (252) 794-5357

March 19, 2018

William Roberson
Bertie County Finance Officer
Windsor, NC 27983

Dear Mr. Roberson:

Attached you will find a (1) Computer Printout and, (2) Copies of the appropriate pages of the "Tax Release Journal" (Ledger) manually maintained in the tax office, both relative to Tax Releases which are now ready for your approval.

The releases herein are for the month of **February** and this request for your approval is made pursuant to a "Resolution of the Board of Commissioners" dated August 5, 1985. This may also serve as your report to the Board of Commissioners required by the same "Resolution."

Respectfully Submitted,


Tax Administrator

Approved on _____ 20____

Balance a Group

Group: RLS*18*059
Type: A Abatement/Relea
Status: O Open

| | | | |
|---------------------|-------------|--------------------------|----|
| Group Total: | \$4,718.84- | Group Transaction Count: | 55 |
| Transactions Total: | \$4,718.84- | Transaction File Count: | 55 |
| Difference: | \$0.00 | Difference: | 0 |

Enter certify batch as balanced(B) or cancel(XX)

Tax Collections
03/19/18

Detail Transactions by Group

RTC020303

Page 1

Group Number RLS*18*059

Abatement

Effective Date 02/12/18

| Date | Account Number | Tax-11 Number | Tax Code | Transaction Amount | Levy Amount | Penalty Amount | Addl Chge | Interest Amount | Discont Amount | Trm Code | Check Number | Trans Description |
|----------|----------------|-------------------------------|----------|--------------------|-------------|----------------|-----------|-----------------|----------------|----------|--------------|-------------------|
| 02/12/18 | 21092 | 17A21092.80 | 601 | 23.42 | 21.47 | 2.15 | | 0.00 | | | | |
| | | DAWSON, TOMMY EUGENE, ESTATE | | | | | | | | | | |
| 02/12/18 | 21092 | 16A21092.80 | 601 | 25.95 | 23.89 | 2.36 | 0.00 | 0.00 | 0.00 | R | P6239 | |
| | | DAWSON, TOMMY EUGENE, ESTATE | | | | | | | | | | |
| 02/12/18 | 21092 | 15A21092.80 | 601 | 28.86 | 26.14 | 2.42 | 0.00 | 0.00 | 0.00 | R | P6183 | |
| | | DAWSON, TOMMY EUGENE, ESTATE | | | | | | | | | | |
| 02/12/18 | 21092 | 14A21092.80 | 601 | 31.73 | 28.84 | 2.99 | 0.00 | 0.00 | 0.00 | R | P6101 | |
| | | DAWSON, TOMMY EUGENE, ESTATE | | | | | | | | | | |
| 02/12/18 | 31520 | 17A31520.44 | 601 | 5.13 | 4.66 | 0.47 | 0.00 | 0.00 | 0.00 | R | P629 | |
| | | TOPPING, CALEB EVERETTE HEIRS | | | | | | | | | | |
| 02/12/18 | 24263 | 17A24263.80 | 601 | 63.92 | 58.02 | 5.90 | 0.00 | 0.00 | 0.00 | R | P6239 | |
| | | HARRELL, BARBARA ANN | | | | | | | | | | |
| 02/12/18 | 24263 | 16A24263.80 | 601 | 66.10 | 62.00 | 4.10 | 0.00 | 0.00 | 0.00 | R | P6239 | |
| | | HARRELL, BARBARA ANN | | | | | | | | | | |
| 02/12/18 | 24263 | 15A24263.80 | 601 | 73.92 | 67.20 | 6.72 | 0.00 | 0.00 | 0.00 | R | P6183 | |
| | | HARRELL, BARBARA ANN | | | | | | | | | | |
| 02/12/18 | 24263 | 14A24263.80 | 601 | 77.34 | 70.31 | 7.03 | 0.00 | 0.00 | 0.00 | R | P6101 | |
| | | HARRELL, BARBARA ANN | | | | | | | | | | |
| 02/12/18 | 24263 | 13A24263.80 | 601 | 82.79 | 75.26 | 7.53 | 0.00 | 0.00 | 0.00 | R | P629 | |
| | | HARRELL, BARBARA ANN | | | | | | | | | | |
| 02/12/18 | 26744 | 17A26744.10 | 601 | 16.55 | 15.11 | 1.44 | 0.00 | 0.00 | 0.00 | R | P611 | |
| | | ODOM, RICKY ALLEN | | | | | | | | | | |
| 02/12/18 | 21097 | 17A21097.00 | 601 | 25.63 | 23.30 | 2.33 | 0.00 | 0.00 | 0.00 | R | P6239 | |
| | | MORRIS, DORIS L. HEIRS | | | | | | | | | | |
| 02/12/18 | 21097 | 15A21097.00 | 601 | 21.45 | 19.45 | 2.00 | 0.00 | 0.00 | 0.00 | R | P6239 | |
| | | | | | | | | | | | | |
| | | | AD | 2.27 | 2.12 | 0.00 | 0.00 | 0.00 | 0.00 | | | |

| Tax Collections 03/19/18 | | Detail Transactions by Group | | | | | | | | | | RTCO20303 Page 2 | |
|-----------------------------|----------|------------------------------|----------------|----------|--------------------|-------------|----------------|-----------|-----------------|----------------|----------|-------------------------|----------------|
| Group Number RLS*18*089 | | Abatement | | | | | | | | | | Effective Date 02/12/18 | |
| Seq | Date | Account Number | Taxbill Number | Tax Code | Transaction Amount | Levy Amount | Penalty Amount | Addl Chgs | Interest Amount | Discont Amount | TRM Code | Check Number | Trans Descrptn |
| | | | | FL | 2529.50- | | 0.00 | 529.50- | 0.00 | | | | |
| 1 | 02/12/18 | 9107 | 14A6828090637 | 301 AD | 2615.89- | 34.12- | 0.00 | 531.77- | 0.00 | 0.00 | R | PG101 | |
| 2 | | | | | 9.77- | 3.77- | 0.00 | | 0.00 | | | | |
| 3 | | | | | 0.26- | | | 0.26- | | | | | |
| 4 | 02/12/18 | 9107 | 13A6828090637 | 601 AD | 10.03- | 9.77- | 0.00 | 0.26- | 0.00 | 0.00 | R | PG29 | |
| 5 | | | | | 22.55- | 22.55- | 0.00 | | 0.00 | | | | |
| 6 | | | | | 2.50- | | | 2.50- | 0.00 | | | | |
| 7 | 02/12/18 | 9107 | 17A6828090637 | 601 AD | 95.05- | 85.55- | 0.00 | 2.50- | 0.00 | 0.00 | R | PG11 | |
| 8 | | | | | 95.24- | 85.94- | 0.00 | | 0.00 | | | | |
| 9 | | | | | 2.50- | | | 2.50- | 0.00 | | | | |
| 10 | 02/12/18 | 9107 | 11A6828090637 | 601 AD | 98.44- | 85.94- | 0.00 | 2.50- | 0.00 | 0.00 | R | PG270 | |
| 11 | | | | | 37.70- | 37.70- | 0.00 | | 0.00 | | | | |
| 12 | | | | | 2.30- | | | 2.50- | 0.00 | | | | |
| 13 | 02/12/18 | 28615 | 17A6800575311 | 6.1 | 90.20- | 87.70- | 0.00 | 2.50- | 0.00 | 0.00 | R | PG249 | |
| 14 | | | | | 3.17- | 3.17- | 0.00 | | 0.00 | | | | |
| 15 | 02/12/18 | 28615 | 16A6800575311 | 301 AD | 3.17- | 3.17- | 0.00 | 0.00 | 0.00 | 0.00 | R | PG239 | |
| 16 | | | | | 2.50- | | | 2.50- | 0.00 | | | | |
| 17 | 02/12/18 | 28615 | 18A6800575311 | 301 AD | 5.67- | 3.17- | 0.00 | 2.50- | 0.00 | 0.00 | R | PG183 | |
| 18 | | | | | 3.21- | 3.21- | 0.00 | | 0.00 | | | | |
| 19 | | | | | 2.50- | | | 2.50- | 0.00 | | | | |
| 20 | 02/12/18 | 28615 | 14A6800575311 | 301 AD | 5.71- | 3.21- | 0.00 | 2.50- | 0.00 | 0.00 | R | PG101 | |
| 21 | | | | | 3.17- | 3.21- | 0.00 | | 0.00 | | | | |
| 22 | | | | | 2.50- | | | 2.50- | 0.00 | | | | |
| 23 | 02/12/18 | 28615 | 13A6800575311 | 301 AD | 5.71- | 3.21- | 0.00 | 2.50- | 0.00 | 0.00 | R | PG20 | |
| 24 | | | | | 3.21- | 3.21- | 0.00 | | 0.00 | | | | |
| 25 | | | | | 2.50- | | | 2.50- | 0.00 | | | | |
| 26 | 02/12/18 | 28615 | 11A6800575311 | 301 AD | 5.71- | 3.21- | 0.00 | 2.50- | 0.00 | 0.00 | R | PG11 | |
| 27 | | | | | 2.98- | 2.98- | 0.00 | | 0.00 | | | | |
| 28 | | | | | 2.50- | | | 2.50- | 0.00 | | | | |

Tax Collections
03/19/18

Detail Transactions by Group

RTCO20303

Page 3

Group Number RLS*18*059

Abatement

Effective Date 02/12/18

| Seq | Date | Account Number | Tax+11 Number | Tax Code | Transaction Amount | Levy Amount | Penalty Amount | Addl Chgs | Interest Amount | Discont Amount | Trm Cds | Check Number | Trans Rev Description |
|-----|----------|----------------|---------------|----------|--------------------|-------------|----------------|-----------|-----------------|----------------|---------|--------------|-----------------------|
| 1 | 02/12/18 | 28615 | 10A6800575311 | 501 | 2.98 | 2.98 | 0.00 | 0.00 | 0.00 | 0.00 | R | PG249 | |
| 2 | 02/12/18 | 8183 | 13A8183.30 | 501 | 2.98 | 2.98 | 0.00 | 0.00 | 0.00 | 0.00 | R | PG205 | |
| 3 | 02/12/18 | 8183 | 14A8183.30 | 501 | 9.43 | 9.43 | 0.00 | 0.00 | 0.00 | 0.00 | R | PG11 | |
| 4 | 02/12/18 | 8183 | 15A8183.30 | 501 | 9.24 | 9.24 | 0.00 | 0.00 | 0.00 | 0.00 | R | PG38 | |
| 5 | 02/12/18 | 8183 | 16A8183.30 | 501 | 9.24 | 9.24 | 0.00 | 0.00 | 0.00 | 0.00 | R | PG101 | |
| 6 | 02/12/18 | 8183 | 17A8183.30 | 501 | 9.13 | 9.13 | 0.00 | 0.00 | 0.00 | 0.00 | R | PG193 | |
| 7 | 02/12/18 | 8183 | 12A8183.30 | 501 | 9.13 | 9.13 | 0.00 | 0.00 | 0.00 | 0.00 | R | PG239 | |
| 8 | 02/12/18 | 8183 | 08A8183.30 | 501 | 9.20 | 9.20 | 0.00 | 0.00 | 0.00 | 0.00 | R | PG276 | |
| 9 | 02/12/18 | 8183 | 06A8183.30 | 501 | 12.19 | 12.19 | 0.00 | 0.00 | 0.00 | 0.00 | R | PG20 | |
| 10 | 02/12/18 | 8183 | 05A8183.30 | 501 | 13.98 | 13.98 | 0.00 | 0.00 | 0.00 | 0.00 | R | PG78 | |
| 11 | 02/12/18 | 8183 | 07A8183.30 | 501 | 12.96 | 12.96 | 0.00 | 0.00 | 0.00 | 0.00 | R | PG122 | |
| 12 | 02/12/18 | 8183 | 09A8183.30 | 501 | 11.33 | 11.33 | 0.00 | 0.00 | 0.00 | 0.00 | R | PG173 | |
| 13 | 02/12/18 | 8183 | 10A8183.30 | 501 | 11.33 | 11.33 | 0.00 | 0.00 | 0.00 | 0.00 | R | PG208 | |
| 14 | 02/12/18 | 8183 | 11A8183.30 | 501 | 9.78 | 9.78 | 0.00 | 0.00 | 0.00 | 0.00 | R | | |

| TAX Collections | | | | | | | | | | | | RT020303 | | |
|------------------------------|----------|---------|-------------|------|-------------|-------------------|---------|------|----------|--------|-----|-------------------------|-----------|-----|
| 03/19/18 | | | | | | | | | | | | Page 4 | | |
| Detail Transactions by Group | | | | | | | | | | | | Effective Date 02/12/18 | | |
| Group Number (RLS#18#050) | | | | | | | | | | | | | | |
| Abatement | | | | | | | | | | | | | | |
| Seq | Date | Account | Taxp ID | Tax | Transaction | Levy | Penalty | Addl | Interest | Discnt | Tax | Chck | Trans | Rev |
| NO | | Number | Number | Code | Amount | Amount | Amount | Chgs | Amount | Amount | Cde | Number | Descriptn | |
| 1 | | | | | 9.78- | 9.78- | 0.00 | 0.00 | 0.00 | 0.00 | R | PG249 | | |
| 2 | 02/12/18 | 8183 | 04A8183.30 | 601 | 14.27- | 14.27- | 0.00 | 0.00 | 0.00 | 0.00 | R | PG249 | | |
| 3 | | | | | 14.27- | 14.27- | 0.00 | 0.00 | 0.00 | 0.00 | R | PG249 | | |
| 4 | 02/12/18 | 20741 | 08A20741.40 | 601 | 27.69- | 27.69- | 0.00 | 0.00 | 0.00 | 0.00 | R | PG249 | | |
| 5 | | | | 602 | 26.98- | 26.98- | 0.00 | 0.00 | 0.00 | 0.00 | R | PG249 | | |
| 6 | | | | | 54.67- | 54.67- | 0.00 | 0.00 | 0.00 | 0.00 | R | PG20 | | |
| 7 | 02/12/18 | 20741 | 10A20741.40 | 601 | 25.82- | 25.82- | 0.00 | 0.00 | 0.00 | 0.00 | R | PG20 | | |
| 8 | | | | 602 | 25.14- | 25.14- | 0.00 | 0.00 | 0.00 | 0.00 | R | PG20 | | |
| 9 | | | | | 50.98- | 50.98- | 0.00 | 0.00 | 0.00 | 0.00 | R | PG208 | | |
| 10 | 02/12/18 | 20741 | 11A20741.40 | 601 | 22.46- | 22.46- | 0.00 | 0.00 | 0.00 | 0.00 | R | PG208 | | |
| 11 | | | | 602 | 21.89- | 21.89- | 0.00 | 0.00 | 0.00 | 0.00 | R | PG208 | | |
| 12 | | | | | 44.35- | 44.35- | 0.00 | 0.00 | 0.00 | 0.00 | R | PG249 | | |
| 13 | 02/12/18 | 20741 | 12A20741.40 | 601 | 23.08- | 23.08- | 0.00 | 0.00 | 0.00 | 0.00 | R | PG249 | | |
| 14 | | | | 602 | 22.48- | 22.48- | 0.00 | 0.00 | 0.00 | 0.00 | R | PG249 | | |
| 15 | | | | | 45.56- | 45.56- | 0.00 | 0.00 | 0.00 | 0.00 | R | PG270 | | |
| 16 | 02/12/18 | 20741 | 13A20741.40 | 601 | 29.75- | 29.75- | 0.00 | 0.00 | 0.00 | 0.00 | R | PG270 | | |
| 17 | | | | 602 | 21.48- | 21.48- | 0.00 | 0.00 | 0.00 | 0.00 | R | PG270 | | |
| 18 | | | | | 45.23- | 45.23- | 0.00 | 0.00 | 0.00 | 0.00 | R | PG11 | | |
| 19 | 02/12/18 | 20741 | 14A20741.40 | 601 | 21.99- | 21.99- | 0.00 | 0.00 | 0.00 | 0.00 | R | PG11 | | |
| 20 | | | | 602 | 19.90- | 19.90- | 0.00 | 0.00 | 0.00 | 0.00 | R | PG11 | | |
| 21 | | | | | 41.89- | 41.89- | 0.00 | 0.00 | 0.00 | 0.00 | R | PG30 | | |
| 22 | 02/12/18 | 20741 | 15A20741.40 | 601 | 21.97- | 21.97- | 0.00 | 0.00 | 0.00 | 0.00 | R | PG30 | | |
| 23 | | | | 602 | 19.06- | 19.06- | 0.00 | 0.00 | 0.00 | 0.00 | R | PG30 | | |
| 24 | | | | | 40.13- | 40.13- | 0.00 | 0.00 | 0.00 | 0.00 | R | PG101 | | |
| 25 | 02/12/18 | 20741 | 16A20741.40 | 601 | 19.84- | 19.84- | 0.00 | 0.00 | 0.00 | 0.00 | R | PG101 | | |
| 26 | | | | 602 | 17.80- | 17.80- | 0.00 | 0.00 | 0.00 | 0.00 | R | PG101 | | |
| 27 | | | | | 37.43- | 37.43- | 0.00 | 0.00 | 0.00 | 0.00 | R | PG183 | | |
| 28 | 02/12/18 | 20741 | 17A20741.40 | 601 | 18.35- | 18.35- | 0.00 | 0.00 | 0.00 | 0.00 | R | PG183 | | |
| 29 | | | | 602 | 16.81- | 16.81- | 0.00 | 0.00 | 0.00 | 0.00 | R | PG183 | | |

Tax Collections
03/19/18

Detail Transactions by Group

RTCO20303
Page 5

Group Number RLS*18*009

Abatement

Effective Date 02/12/18

| Seq | Date | Account Number | Taxbill Number | Tax Code | Transaction Amount | Levy Amount | Penalty Amount | Adm Chgs | Interest Amount | Discont Amount | Txn Cde | Check Number | Trans Rev Descriptn |
|-----|----------|----------------|----------------------|----------|--------------------|-------------|----------------|----------|-----------------|----------------|---------|--------------|---------------------|
| 77 | 02/12/18 | 30186 | 17A30186.80 | 601 | 17.53 | 15.94 | 1.59 | 0.00 | 0.00 | 0.00 | R | PG239 | |
| 78 | 02/12/18 | 30156 | 1A470166.80 | 601 | 18.42 | 15.93 | 2.49 | 0.00 | 0.00 | 0.00 | R | PG239 | |
| 79 | 02/12/18 | 30186 | 15A30186.80 | 601 | 20.24 | 18.40 | 1.84 | 0.00 | 0.00 | 0.00 | R | PG183 | |
| 80 | 02/12/18 | 30186 | 14430186.80 | 601 | 21.07 | 19.15 | 1.92 | 0.00 | 0.00 | 0.00 | R | PG101 | |
| 81 | 02/12/18 | 30186 | 13A30186.80 | 601 | 22.83 | 20.75 | 2.08 | 0.00 | 0.00 | 0.00 | R | PG30 | |
| 82 | 02/12/18 | 30186 | 12A30186.80 | 601 | 22.06 | 20.05 | 2.01 | 0.00 | 0.00 | 0.00 | R | PG11 | |
| 83 | 02/12/18 | 30186 | 11A30186.80 | 601 | 23.68 | 21.53 | 2.15 | 0.00 | 0.00 | 0.00 | R | PG279 | |
| 84 | 02/12/18 | 14670 | 0446903629 1.. | 601 | 296.16 | 296.16 | 0.00 | 0.00 | 0.00 | 0.00 | R | PG250 | |
| 85 | 02/28/18 | 20509 | 17A8861534587 | 601 | 207.50 | 207.50 | 0.00 | 0.00 | 0.00 | 0.00 | R | PG70 | |
| 86 | | | RABCOE, MARY SUTLAIN | | 207.50 | 207.50 | 0.00 | 0.00 | 0.00 | 0.00 | R | PG239 | |



Bertie County Tax Department
PO Box 527
106 Dundee St.
Windsor, NC 27983
Phone: (252) 794-5310
Fax: (252) 794-5357

April 06, 2018

William Roberson
Bertie County Finance Officer
Windsor, NC 27983

Dear Mr. Roberson:

Attached you will find a (1) Computer Printout and, (2) Copies of the appropriate pages of the "Tax Release Journal" (Ledger) manually maintained in the tax office, both relative to Tax Releases which are now ready for your approval.

The releases herein are for the month of ~~March~~ and this request for your approval is made pursuant to a "Resolution of the Board of Commissioners" dated August 5, 1985. This may also serve as your report to the Board of Commissioners required by the same "Resolution."

Respectfully Submitted,

Tax Administrator

Approved on _____ 20____

Balance a Group

Group: RLS*18*090
Type: A Abatement/Relea
Status: O Open

| | | | |
|---------------------|-----------|--------------------------|----|
| Group Total: | \$586.65- | Group Transaction Count: | 13 |
| Transactions Total: | \$586.65- | Transaction File Count: | 13 |
| Difference: | \$0.00 | Difference: | 0 |

Enter certify batch as balanced(B) or cancel(XX)

Detail Transactions by Group

Effective Date 03/22/18

| Seq No | Date | Account Number | Taxbill Number | Tax Code | Transaction Amount | Levy Amount | Penalt. Amount | Addl Chgs | Interest Amount | Discnt Amount | Tax Code | Trans Description |
|-----------|----------|-------------------------------|-------------------|-------------|---------------------------|--------------------------|------------------------|----------------|--------------------|------------------|-------------|----------------------|
| | | BLNCH, SAMUEL, HEIRS | | | | | | | | | | |
| | 03/27/18 | 2068 | 12A6809069E5F | 601 AD | 45.12- 58.15- 2.50- | 62.62- 58.15- 0.00 | 0.00- 0.00- 0.00 | 2.50- 2.50- | 0.00- 0.00 | 0.00- 0.00 | R | P611 |
| | | BLNCH, SAMUEL, HEIRS | | | | | | | | | | |
| | | | | | 50.65- | 58.15- | 0.00- | 2.50- | 0.00 | 0.00 | R | P6270 |
| | | Tax Code Totals | | | | | | | | | | |
| | | | | | AD*10 - ADVERT | 4.00- | 0.00 | 0.00 | 0.00 | 0.00 | | |
| | | | | | AD*12 - ADVERT | 4.50- | 0.00 | 0.00 | 0.00 | 0.00 | | |
| | | | | | AD*13 - ADVERT | 4.50- | 0.00 | 0.00 | 0.00 | 0.00 | | |
| | | | | | AD*14 - ADVERT | 4.50- | 0.00 | 0.00 | 0.00 | 0.00 | | |
| | | | | | AD*15 - ADVERT | 4.50- | 0.00 | 0.00 | 0.00 | 0.00 | | |
| | | | | | AD*16 - ADVERT | 4.50- | 0.00 | 0.00 | 0.00 | 0.00 | | |
| | | | | | 601*11 - BRT TAX | 20.18- | 20.18- | 0.00 | 0.00 | 0.00 | | |
| | | | | | 601*13 - BRT TAX | 20.62- | 20.62- | 0.00 | 0.00 | 0.00 | | |
| | | | | | 601*14 - BRT TAX | 20.62- | 20.62- | 0.00 | 0.00 | 0.00 | | |
| | | | | | 601*15 - BRT TAX | 20.07- | 20.07- | 0.00 | 0.00 | 0.00 | | |
| | | | | | 601*16 - BRT TAX | 143.97- | 141.98- | 2.50- | 0.00 | 0.00 | | |
| | | | | | 601*17 - BRT TAX | 144.70- | 138.99- | 5.00- | 0.00 | 0.00 | | |
| | | Total for Group RLS*18*090 | | | | | | | | | | |
| | | | | | 586.65- | 551.93- | 18.22- | 12.50- | 0.00 | 0.00 | | |

| ***** Total By Tax Cycle ***** | | | |
|--------------------------------|---------|------------|--|
| Cycle | Current | Delinquent | |
| A | 0.00 | 586.65- | |

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BUDGET AMENDMENT

| # 18-09 | | | | |
|---|-----------|-------|-----------------|-----------|
| INCREASE | | | | INCREASE |
| 10-0025-4473-12 | \$ 13,798 | BMAP | 10-4950-5399-28 | \$ 2,000 |
| | | C & S | 10-4960-5399-09 | \$ 11,798 |
| SETUP BUDGET FOR STREAM DEBRIS REMOVAL PROJECT | | | | |
| NOTICE OF FUNDING OFFER RECEIVED ON 2/13/18. | | | | |
| 10-0025-4301-22 | \$ 5,695 | SAL | 10-4110-5121-00 | \$ 8,051 |
| 10-0090-4991-99 | \$ 5,468 | FICA | 10-4110-5181-00 | \$ 616 |
| | | RET | 10-4110-5182-00 | \$ 845 |
| | | INS | 10-4110-5183-00 | \$ 1,651 |
| SETUP BUDGET FOR NCACC/ICMA FELLOWSHIP PROGRAM | | | | |
| NOTICE OF EFFECTIVE DATE IS 4/09/18. | | | | |
| | | | | |
| | | | | |
| APPROVED ___ / ___ /2018 | | | | |
| | | | | |

BUDGET AMENDMENT

| # 18-09 | | | | |
|--|-----------|-------|-----------------|-----------|
| INCREASE | | | INCREASE | |
| 10-0025-4473-12 | \$ 13,798 | BMAP | 10-4950-5399-28 | \$ 2,000 |
| | | C & S | 10-4960-5399-09 | \$ 11,798 |
| SETUP BUDGET FOR STREAM DEBRIS REMOVAL PROJECT NOTICE OF FUNDING OFFER RECEIVED ON 2/13/18. | | | | |



Steve Troxler
Commissioner

North Carolina Department of Agriculture
and Consumer Services

N. David Smith
Chief Deputy Commissioner

February 13, 2018

Mr. Vic Thompson
Bertie County
106 Dundee St Room 211
Windsor, NC 27983

NOTIFICATION OF FUNDING OFFER

Dear Mr. Thompson:

On behalf of Commissioner Steve Troxler and the North Carolina Department of Agriculture and Consumer Services – Division of Soil & Water Conservation, I am pleased to inform you that \$13,798.00 for your Stream Debris Removal Project, was approved under the Disaster Recovery Act.

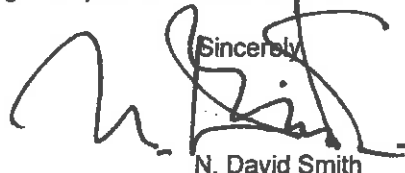
Two original contract packets must be completed and returned to the NCDA&CS, making sure that the contracts and certain forms have been signed, dated, and witnessed, as applicable, before they are returned to the address provided below. By completing these documents, you are agreeing to the specific stipulations, the general terms and conditions and specific reporting requirements. Please return the two completed packets to:

David B. Williams, Deputy Director
NC Department of Agriculture & Consumer Services, Division of Soil & Water Conservation
1614 Mail Service Center
Raleigh, NC 27699-1614

All authorized representative signatures must be in blue ink. Use the Contract Check Off List to ensure all attachments are included and are in the correct order for each contract packet.

One fully executed, original contract will be returned to you for your records. If you have any questions about your contract or any of the forms contained in your offer packet, please call David Williams at 919-707-3772, or feel free to send an email to David.B.Williams@ncagr.gov.

I would like to take this opportunity to thank you for participating in the Stream Debris Removal Project for removing stream debris resulting from past and recent storms.

Sincerely,


N. David Smith
Chief Deputy Commissioner

R
C+S 100025 447312
(BMAP)

Enclosures
cc: L.L. McMillan, Grants & Contracts Administrative Assistant

E
C+S 104960 539909 117A8
BMAP 104950 539928 2.000

Email: David.Smith@ncagr.gov
1001 Mail Service Center, Raleigh, North Carolina, 27699-1001
(919) 707-3033 • Fax (919) 715-0026
An Equal Opportunity Affirmative Action Employer

BUDGET AMENDMENT

| # 18-09 | | | | | | |
|--|----|-------|------|-----------------|----|-------|
| 10-0025-4301-22 | \$ | 5,695 | SAL | 10-4110-5121-00 | \$ | 8,051 |
| 10-0090-4991-99 | \$ | 5,468 | FICA | 10-4110-5181-00 | \$ | 616 |
| | | | RET | 10-4110-5182-00 | \$ | 845 |
| | | | INS | 10-4110-5183-00 | \$ | 1,651 |
| SETUP BUDGET FOR NCACC/ICMA FELLOWSHIP PROGRAM | | | | | | |
| NOTICE OF EFFECTIVE DATE IS 4/09/18. | | | | | | |



BERTIE COUNTY

106 DUNDEE STREET
P.O. BOX 530
WINDSOR, N.C. 27983
PHONE:(252) 794-5300
FAX:(252) 794-5327
<http://bertiecounty.nc.gov>

BOARD OF COMMISSIONERS
ERNESTINE (BYRD) BAZEMORE, Chair
RONALD "RON" WESSON, Vice Chairman
JOHN TRENT
TAMMY A. LEE
STEWART WHITE

March 20, 2018

Ms. Dominique Walker
600 Laurel Springs Drive
Durham, NC 27713

RE: NCACC—ICMA County Management Fellowship Program

Dear Ms. Walker:

Greetings. I am writing in follow-up to your telephone conversation with Board Chair Ernestine Bazemore on March 12th to confirm your interest in the twelve-month fellowship with Bertie County to commence on April 9th, 2018.

Bertie County and the NC Association of County of Commissioners have approved a memorandum of understanding regarding this fellowship opportunity and a copy of the executed agreement is enclosed.

The twelve-month fellowship will provide an annual salary of \$35,000 plus fringe benefits (health insurance, enrollment in the local government retirement systems and 401(k) supplemental retirement contribution of three percent.) Employees are paid on the last day of the month and direct deposit is required.

Your experience in Bertie County will provide a wide array of opportunities and an introduction to most, if not all aspects of service delivery, county administration and citizen services. Again, if you have any questions please call me at any time. My mobile number is 910-985-1283.

Best regards,

A handwritten signature in black ink, appearing to read "Scott T. Sauer".

Scott T. Sauer
County Manager



MEMORANDUM OF UNDERSTANDING BETWEEN NCACC AND BERTIE COUNTY

This Memorandum of Understanding (MOU) is between Bertie County Government (Host County) and the North Carolina Association of County Commissioners (NCACC) for the NCACC-ICMA County Management Fellowship Program, to take effect on 04 / 09 / 2018

WHEREAS, a goal of the NCACC and its partner organization, the International City/County Management Association (ICMA), through this program is to attract recent Master of Public Administration/Affairs/Policy (MPA/MPP) graduates to careers in North Carolina county government management and administration;

The NCACC and Bertie County Government agree to the language contained in this MOU regarding the mentoring and career development of the Fellow. In consideration of these understandings, the NCACC and Bertie County Government agree the following:

- Bertie County Government will employ a recent MPA/MPP graduate from a National Association of Schools of Public Affairs and Administration (NASPAA)-member school in a salaried Fellowship position;
- Bertie County Government will create a work plan and set the work schedule of the Fellow;
- Bertie County Government shall establish the compensation and benefits of the Fellow and provide such compensation and benefits to the Fellow as established;
- The NCACC will provide to Bertie County Government \$2,083.33 on a monthly basis to help with Bertie County Government's costs of the Fellowship Program for a maximum of two fiscal years;
- The NCACC will provide membership for the Fellow in the North Carolina City & County Management Association (NCCCMA) and fund registration fees for the Fellow to attend NCCCMA Winter and Summer Seminars;
- The NCACC will provide complimentary registration for the Fellow to attend the NCACC Annual Conference, Legislative Goals Conference, County Assembly Day, a District Meeting, and other pertinent NCACC events and/or courses offered through the Local Elected Leaders Academy, and Bertie County Government will incur travel expenses for the Fellow for these events;
- Bertie County Government will encourage the Fellow to attend and will provide adequate time in the Fellow's work plan for attendance at these events;

- Bertie County Government will allow time for the Fellow to participate in scheduled program conference calls and learning activities through ICMA;
- Bertie County Government will create an enriching professional learning experience for the Fellow;
- Bertie County Government will assign a mentor to the Fellow who will, for the duration of the Fellowship, be the Fellow's primary point of contact and coach while the Fellow is in its jurisdiction, and will be available to the Fellow during rotation assignments;
- The NCACC will make available to the Fellow its Executive Director and former County Managers serving as Outreach Associates as mentoring resources throughout the Fellowship;
- Bertie County Government will participate as available in any evaluation process that will help strengthen the program in the coming years;
- Bertie County Government is encouraged to employ their Fellow for up to two years; and
- Bertie County Government will endeavor to hire the Fellow full-time at or before the end of their Fellowship, or assist them (with the NCACC) in finding full-time employment when the Fellowship period ends.

Through a separate agreement between the NCACC and ICMA:

- ICMA will include this hire in its current class of Local Government Management Fellows;
- ICMA will provide complimentary membership for the Fellow in ICMA;
- ICMA will waive its Annual Conference registration fee for the Fellow to attend up to two ICMA Annual Conferences as long as they are a Fellow; and
- ICMA will assign an outside mentor to the Fellow who will be available to the Fellow throughout the Fellowship.

The duration of this MOU will be for a minimum of one year, and a maximum of two years, from the date printed above, and it will be in effect when the appropriate representatives from each organization have signed below. At the end of this period, this MOU may be reviewed by representatives of all organizations to evaluate its effectiveness, make recommendations for any mutually agreeable revisions, and prepare a proposed revision for any future Fellow hires.


Kevin Leonard
NCACC Executive Director


Scott Sauer
Bertie County Manager

PROJECT ORDINANCE

| # PROJ 18-06 | | | | |
|--|-----------|-----------|-----------------|------------|
| | DECREASE | | | DECREASE |
| 36-0025-4301-00 | \$ 55,942 | 36-SCADA | 36-8181-5991-00 | \$ 75,875 |
| | INCREASE | | | |
| 36-8181-5396-01 | \$ 19,933 | | | |
| AMEND PROJECT ORDINANCE TO REFLECT AUTHORITY TO AWARD AMOUNTS, CHANGE ORDER NUMBER ONE (1) APPROVED ON 3/12/18 SRF PROJECT NO.: WIF-1912 (SCADA) | | | | |
| | INCREASE | | | DECREASE |
| 37-8200-5396-01 | \$ 53,200 | 37-MERGER | 37-8200-5991-00 | \$ 56,200 |
| 37-8200-5396-38 | \$ 3,000 | | | |
| AMEND PROJECT ORDINANCE TO REFLECT AUTHORITY TO AWARD AMOUNTS, CHANGE ORDER NUMBER ONE (1) APPROVED ON 3/12/18 SRF PROJECT NO.: WIF-1897 (ROXOBEL MERGER) | | | | |
| | INCREASE | | | DECREASE |
| 57-8260-5396-12 | \$ 24,640 | 57-WD III | 57-8260-5991-00 | \$ 105,541 |
| 57-8260-5396-01 | \$ 79,133 | | | |
| 57-8260-5396-29 | \$ 493 | | | |
| 57-8260-5396-40 | \$ 1,275 | | | |
| AMEND PROJECT ORDINANCE TO REFLECT AUTHORITY TO AWARD AMOUNTS, CHANGE ORDER NUMBER TWO (2) APPROVED ON 01/03/17, CHANGE ORDER NUMBER THREE (3) APPROVED ON 11/06/17 ADJUSTING CHANGE ORDER NUMBER FOUR (4) APPROVED ON 03/07/18 INCREASE ADV/PERMIT FEES AND ADMIN FEES PROJECT NO.: CFDA 10-60 (WD III IMPROVEMENTS) | | | | |
| APPROVED / /2018 | | | | |

| PROJECT ORDINANCE | | | | |
|--|----------|--------------|----------|---------------------------|
| | | # PROJ 18-06 | | |
| | DECREASE | | | DECREASE |
| 36-0025-4301-00 | \$ | 55,942 | 36-SCADA | 36-8181-5991-00 \$ 75,875 |
| | INCREASE | | | |
| 36-8181-5396-01 | \$ | 19,933 | | |
| AMEND PROJECT ORDINANCE TO REFLECT AUTHORITY TO AWARD AMOUNTS, | | | | |
| CHANGE ORDER NUMBER ONE (1) APPROVED ON 3/12/18 | | | | |
| SRF PROJECT NO.: WIF-1912 (SCADA) | | | | |



Water Infrastructure
ENVIRONMENTAL QUALITY

ROY COOPER
Governor

MICHAEL S. REGAN
Secretary

KIM H. COLSON
Director

07-August-2017

Mr. Scott T. Sauer, Manager
Bertie County
Post Office Box 530
Windsor, North Carolina 27983

SUBJECT: Authority to Award
DWI Project No.: WIF-1912
Project Scope: Replacement/installation of: 1) Altitude valves at three (3) elevated storage tank (EST) sites, and 2) Chlorine analyzers, static-level gauges, and totalizers at three (3) well sites; 3) Replace the existing standby generator at one (1) booster pump station (BPS) site; and 4) Install SCADA/telemetry at four (4) (each) BPS and EST sites, three (3) supply well sites, and one (1) existing and three (3) new control-valve vault sites.

Dear Mr. Sauer:

The Project Bid Information documents, including the Disadvantaged Business Enterprise (DBE) solicitations, have been reviewed for the subject project. The project budget is approved as follows:

| <u>PROJECT EXPENSES</u> | <u>Total Amount</u> | <u>Eligible Amount</u> |
|---|---------------------|------------------------|
| Construction Contract No. 1: <i>Temple Grading & Construction Co., Inc.</i> | \$373,050 | \$373,050 |
| Construction Contract No. 2: <i>Custom Controls Unlimited, Inc.</i> | \$473,434 | \$473,434 |
| Equipment/Materials: <i>Not Applicable</i> | \$ - - | \$ - - |
| Contingency (5% of Total Construction Contracts) | \$42,324 | \$42,324 |
| Technical Services (Planning & Design)*: <i>Green Engineering, PLLC</i> | \$182,000 | \$182,000 |
| Technical Services (Construction Phase)*: <i>Green Engineering, PLLC</i> | \$197,500 | \$197,500 |
| Technical Services (Loan/Grant Admin)*: <i>Unspecified</i> | \$ - - | \$ - - |
| Non-Engineering Professional Services (Legal / Surveying / Lab Testing, etc.) | \$6,100 | \$6,100 |
| Real Property Acquisition Costs* | \$5,000 | \$5,000 |
| Other Project Expenses (specify): <i>permitting / advertisements</i> | \$4,000 | \$4,000 |
| Closing Costs (2% of Total SRF Loan) | \$25,668 | \$ - - |
| Total Project Costs | \$1,309,076 | |

Total DWI-Eligible Project Cost (Not to Exceed) \$1,283,408**

*Subject to further review

**The Applicant/Owner shall understand that the listing of the line-item costs outlined above does NOT guarantee that - at the time of this approval - all funding for said costs has been both approved by the North Carolina LGC and awarded by the North Carolina DEQ/DWI. Therefore, should the Applicant/Owner wish to proceed with the awarding of construction contracts prior to securing the full, entire funding necessary to finance the project scope as outlined above, the Applicant/Owner shall do so at their own risk, which possibly may result in the payment of some project expenditures out-of-pocket.



State of North Carolina | Environmental Quality | Water Infrastructure
1633 Mail Service Center, Raleigh, North Carolina 27699 | Location 512 N. Salisbury Street, Raleigh, North Carolina 27604
919 707 9160 T

P.O. 859,000
- (12,516)
- 4,184
- 379,500
- 55,942
P.O. 1,329,250

GREEN ENGINEERING, P.L.L.C.

Engineers/Planners/Surveyors

303 Goldsboro Street East Post Office Box 609

Wilson, North Carolina 27893

Telephone (252) 237-5365

Fax (252) 243-7489

LETTER OF TRANSMITTAL

| | |
|--|---------------------|
| Date March 6, 2018 | JOB NO. 15-037.1 |
| ATTENTION Mr. Scott Sauer - County Manager | |
| RE: Change Order No. 1 | |
| Bertie County Water District II - Project WIF-1912 | |
| Temple Grading & Construction Company, Inc. | |

TO Bertie County
Post Office Box 530
Windsor, North Carolina 27983

WE ARE SENDING YOU: Attached Under separate cover via _____ the following items:
 Shop Drawings Prints Plans Samples Specifications
 Copy of letter Change order _____

| COPIES | DATE | NO. | DESCRIPTION |
|--------|--------|-----|---|
| 5 | 3/6/18 | | Change Order No. 1 - Installation of Bypass Piping at Master Meter No. 1 and Booster Pump Station No. 2 |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

THESE ARE TRANSMITTED as checked below:

For approval Approved as submitted Approved as noted Resubmit ___ copies for approval Return ___ corrected prints
 For your use Review and comment As requested Submit ___ copies for distribution Returned for corrections
 For Execution by County FOR BIDS DUE _____ 20____ PRINTS RETURNED AFTER LOAN TO US

REMARKS:

 Scott,
 Please find attached Change Order No.1 for Contract No. 1 - Temple Grading & Construction Company which requires County execution. This change order is for the addition of bypass piping at Master Meter No.1, Booster Pump Station No.2, as well as other miscellaneous piping at elevated tank sites on the project.
 Please execute all copies and return.

COPY TO William Roberson - Finance Officer
 file

SIGNED


 W. Landon Younce, P.E.

If enclosures are not as noted, kindly notify us at once.

UNITED STATES DEPARTMENT OF AGRICULTURE
RURAL DEVELOPMENT AND
FARM SERVICE AGENCY
CONTRACT CHANGE ORDER

| | |
|-----------|-----------------------|
| ORDER NO. | <i>One (1)</i> |
| DATE | <i>March 6, 2018</i> |
| STATE | <i>North Carolina</i> |
| COUNTY | <i>Bertie</i> |

CONTRACT FOR
WIF-1912 - Water District II - Water Loss Reduction
OWNER
Bertie County, North Carolina

TO *Temple Grading and Construction Company, Inc.*
(Contractor)

You are hereby requested to comply with the following changes from the contract plans and specifications:

| Description of Changes (Supplemental Plans and Specifications Attached) | DECREASE in Contract Price | INCREASE in Contract Price |
|--|-------------------------------|--|
| <i>Booster Pumping Station Bi-Directional Pumping Retrofit Piping and Valve Installation</i> | \$ | \$ |
| <i>(See Attached)</i> | | |
| TOTALS | \$ | \$ <i>32,448.84</i> ^(12,516) +19933 |
| NET CHANGE IN CONTRACT PRICE | \$ | \$ <i>32,448.84</i> |

JUSTIFICATION:

Arrangements required to install bypass piping at Master Meter No. 1 as well as Booster Pump Station No. 2 in order to maintain water quality in Water District II. Estimate also includes additional retrofit materials at various sites.

The amount of the Contract will be (Decreased)(Increased) By The Sum Of: *Thirty-two Thousand,*
Four Hundred Forty-eight and 84/100 ***** Dollars (\$ *32,448.84*).

The Contract Total Including this and previous Change Orders Will Be: *Four Hundred Five Thousand,*
Four Hundred Ninety-eight and 84/100 ***** Dollars (\$ *405,498.84*).

The Contract Period Provided for Completion Will Be (Increased)(Decreased)(Unchanged): *120* Days.

This document will become a supplement to the contract and all provisions will apply hereto.

Requested *Scott T. Sawyer - County Manager* (Signature of Owner)

Recommended *W. Landon Younce* (Signature of Owner's Architect/Engineer)

Accepted *Temple Grading & Construction Company, Inc.* (Signature of Contractor)

Approved by Agency _____ (Name and Title)

Certification *William Robison* (Signature of Owner's Finance Officer)

| | |
|----------------------|--------|
| _____ | (Date) |
| <i>March 6, 2018</i> | |
| _____ | (Date) |
| <i>March 6, 2018</i> | |
| _____ | (Date) |
| <i>3-13-18</i> | |

*This change order has been pre-audited in accordance with the
Local Government Budget and Fiscal Control Act.*

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to U.S. Department of Agriculture, Clearance Officer, STOP 7602, 1400 Independence Avenue, S.W., Washington, D.C. 20250-7602. Please DO NOT RETURN this form to this address. Forward to the local USDA office only. You are not required to respond to this collection of information unless it displays a currently valid OMB control number.

**WATER DISTRICT II WATER LOSS PROJECT
WIF-1912**

**TEMPLE GRADING AND CONSTRUCTION CO.
BOOSTER PUMPING STATION BI-DIRECTIONAL PUMPING
RETROFIT PIPING AND VALVE INSTALLATION**

PART A: BYPASS AT BOOSTER PUMP STATION No. 2 - N.C. HIGHWAY 45

| ITEM | QUANTITY | DESCRIPTION | UNIT COST | TOTAL COST |
|----------------------|----------|--|-----------|--------------------|
| 1 | 160 | LF 6-inch Ductile Iron Pipe | \$33.00 | \$5,280.00 |
| 2 | 2 | EA 6-inch Gate Valves with Boxes | 1,200.00 | 2,400.00 |
| 3 | 2 | EA 6" x 6" M.J.D.I. Tees | 575.00 | 1,150.00 |
| 4 | 5 | EA 45 degree Bends | 380.00 | 1,900.00 |
| 5 | 2 | EA 6-inch M.J.D.I. Sleeve | 325.00 | 650.00 |
| 6 | 2 | EA 6-inch Tie-in to Existing 6-inch Water Main | 2,600.00 | 5,200.00 |
| TOTAL PART A: | | | | \$16,580.00 |

PART B: BYPASS AT MASTER METER No. 1 - SALMON CREEK / MERRY HILL

| | | |
|----------------------|---|-------------------|
| 1 LS | 4-inch Bypass to serve Master Meter No.1 (Avoca Bypass) | <u>\$7,522.49</u> |
| TOTAL PART B: | | \$7,522.49 |

PART C: ADDITIONAL PIPE RETROFIT / MATERIALS COST - BOOSTER STATION No. 2 AND No. 3

| | | |
|----------------------|---|-------------------|
| 1 LS | Additional Materials necessary for installation at Booster Station No. 2 and No. 3 | <u>\$1,295.89</u> |
| TOTAL PART C: | | \$1,295.89 |

PART D: ADDITIONAL PIPE RETROFIT / MATERIALS COST - TANKS No. 5 AND No. 6

| | | |
|----------------------|---|-------------------|
| 1 LS | Additional Materials necessary for installation at Tank No. 5 and Tank No. 6 | <u>\$7,050.46</u> |
| TOTAL PART D: | | \$7,050.46 |

TOTAL PARTS A, B, C & D: TOTAL CHANGE ORDER No. 1: \$32,448.84

| PROJECT ORDINANCE | | | | |
|--|----------|--------------|-----------|---------------------------|
| | | # PROJ 18-06 | | |
| | INCREASE | | | DECREASE |
| 37-8200-5396-01 | \$ | 53,200 | 37-MERGER | 37-8200-5991-00 \$ 56,200 |
| 37-8200-5396-38 | \$ | 3,000 | | |
| AMEND PROJECT ORDINANCE TO REFLECT AUTHORITY TO AWARD AMOUNTS, | | | | |
| CHANGE ORDER NUMBER ONE (1) APPROVED ON 3/12/18 | | | | |
| SRF PROJECT NO.: WIF-1897 (ROXOBEL MERGER) | | | | |

| PROJECT COST SUMMARY (as-bid) | | |
|---------------------------------------|---------------------|---------------------|
| List contractor names below: | TOTAL | ELIGIBLE* |
| 1. Herring-Rivenbark, Inc. | \$ 933,335 | \$ 933,335 |
| 2. Custom Controls Unlimited, Inc. | 487,924 | 487,924 |
| 3. | | |
| 4. | | |
| 5. | | |
| EQUIPMENT AND MATERIALS (Meters) | 41,225 | 41,225 |
| SUBTOTAL | \$ 1,462,484 | \$ 1,462,484 |
| PLANNING AND DESIGN (attach contract) | 186,500 | 186,500 |
| CONSTRUCTION PHASE ENGINEERING | 202,000 | 202,000 |
| CONTINGENCY (5% of construction) | 73,124 | 73,124 |
| LEGAL, TESTING, ETC. | 5,000 | 5,000 |
| OTHER (specify) → | - | - |
| REAL PROPERTY ACQUISITION COSTS** | 8,500 | 8,500 |
| CLOSING COSTS (Not eligible in CWSRF) | 38,752 | - |
| TOTAL | \$ 1,976,360 | \$ 1,937,608 |

P.O. 18-03
1427,258 +35,226

388,900 ✓
13,500 ✓

*Please see eligibility guidance for a full accounting of eligible costs. ** Please use the form provided on the website in addition to land cost invoices.

Legal/ETC: +3,000

| REVENUE SOURCES FOR PROJECT CONSTRUCTION | |
|--|---------------------|
| List funds that are available for this project | AMOUNT |
| DENR FUNDING (specify) → | \$ 1,937,608 |
| CASH | 38,752 |
| GENERAL OBLIGATION or REVENUE BONDS | |
| OTHER AGENCY (specify) → | |
| OTHER AGENCY (specify) → | |
| OTHER (specify) → | |
| OTHER (specify) → | |
| TOTAL | \$ 1,976,360 |

The undersigned representative of the Recipient certifies that the information contained above and in any attached statements and material in support thereof is true and correct to the best of his or her knowledge.

Scott T. Sauer
Signature of Authorized Representative

Scott T. Sauer, County Manager
Name and Title (type or print)

8-4-2017
Date

GREEN ENGINEERING, P.L.L.C.

Engineers/Planners/Surveyors

303 Goldsboro Street East Post Office Box 609

Wilson, North Carolina 27893

Telephone (252) 237-5365 Fax (252) 243-7489

LETTER OF TRANSMITTAL

| | |
|--|---------------------|
| Date February 28, 2018 | JOB NO. 15-077.1 |
| ATTENTION Mr. Scott Sauer - County Manager | |
| RE: Change Order No. 1 - Interim Adjusting Change Order | |
| Bertie County Water District IV - Project WIF-1897 | |
| Herring - Rivenbark | |

TO Bertie County

Post Office Box 530

Windsor, North Carolina 27983

WE ARE SENDING YOU: Attached Under separate cover via _____ the following items:

Shop Drawings Prints Plans Samples Specifications

Copy of letter Change order _____

| COPIES | DATE | NO. | DESCRIPTION |
|--------|---------|-----|---|
| 5 | 2/20/18 | | Change Order No. 1 - Interim Adjusting Change Order |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

THESE ARE TRANSMITTED as checked below:

For approval Approved as submitted Approved as noted Resubmit ___ copies for approval Return ___ corrected prints

For your use Review and comment As requested Submit ___ copies for distribution Returned for corrections

For Execution by County FOR BIDS DUE _____ 20 _____ PRINTS RETURNED AFTER LOAN TO US

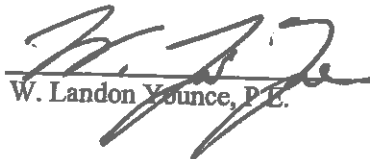
REMARKS:

Scott,

Please find attached Change Order No.1 for Contract No. 1 - Herring Rivenbark which requires County execution. This Change Order has become necessary because NCDEQ-DWI will not authorize over-runs on any project quantities as bid. In order for the County to be reimbursed, quantities must be adjusted now, rather than wait for a final adjusting change order at the end of the project. Please execute all copies and return.

COPY TO William Roberson - Finance Officer
file

SIGNED



W. Landon Younce, P.E.

If enclosures are not as noted, kindly notify us at once.

UNITED STATES DEPARTMENT OF AGRICULTURE
RURAL DEVELOPMENT AND
FARM SERVICE AGENCY
CONTRACT CHANGE ORDER

| | |
|-----------|--------------------------|
| ORDER NO. | <i>One (1)</i> |
| DATE | <i>February 20, 2018</i> |
| STATE | <i>North Carolina</i> |
| COUNTY | <i>Bertie</i> |

CONTRACT FOR
WIF-1897 - Water District IV - County Merger With the Town of Roxobel
OWNER
Bertie County, North Carolina

TO *Herring-Rivenbark, Inc.*

(Contractor)

You are hereby requested to comply with the following changes from the contract plans and specifications:

| Description of Changes (Supplemental Plans and Specifications Attached) | DECREASE in Contract Price | INCREASE in Contract Price |
|--|-------------------------------|-------------------------------|
| <i>Interim Adjustment of Bid Quantities to Quantities as Installed to cover Additional Water Mains and Meters: (See Attached)</i> | \$ | \$ |
| TOTALS | \$ | \$ <i>17,973.40</i> |
| NET CHANGE IN CONTRACT PRICE | \$ | \$ <i>17,973.40</i> |

JUSTIFICATION:

Once construction began, it became apparent that an additional 1,500 LF of 6-inch water main and 25 water meters would be required in order to complete crucial connections to the Town of Roxobel system. (See Attached Summary)

The amount of the Contract will be (Decreased)(*Increased*) By The Sum Of: *Seventeen Thousand*

Nine Hundred Seventy-three and 40/100 ***** Dollars (\$ *17,973.40*).

The Contract Total Including this and previous Change Orders Will Be: *Nine Hundred Fifty-one Thousand,*

Three Hundred Eight and 40/100 ***** Dollars (\$ *951,308.40*).

The Contract Period Provided for Completion Will Be (Increased)(Decreased)(*Unchanged*): _____ Days.

This document will become a supplement to the contract and all provisions will apply hereto.

Requested _____
Scott T. Sauer - County Manager (Signature of Owner)

(Date)

Recommended _____
W. Landon Younger, P.E. (Signature of Owner's Architect/Engineer)

February 20, 2018
(Date)

Accepted _____
Herring-Rivenbark, Inc. (Signature of Contractor)

2/26/18
(Date)

Approved by Agency _____
(Name and Title)

Certification _____
William Roberson
(Signature of Owner's Finance Officer)

(Date)
3-13-18
(Date)

*This change order has been pre-audited in accordance with the
Local Government Budget and Fiscal Control Act.*

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to U.S. Department of Agriculture, Clearance Officer, STOP 7602, 1400 Independence Avenue, S.W., Washington, D.C. 20250-7602. Please DO NOT RETURN this form to this address. Forward to the local USDA office only. You are not required to respond to this collection of information unless it displays a currently valid OMB control number.

COST ESTIMATE - ADDITIONAL QUANTITIES ADJUSTMENT
BERTIE COUNTY WATER DISTRICT IV
MERGER WITH THE TOWN OF ROXOBEL
 February 20, 2018
 PN: 15-077.1

INTERIM ADJUSTMENT OF BID QUANTITIES TO QUANTITIES AS INSTALLED:

| | | Qty. | Cost |
|--|--------------|---------|-------------|
| 1 LF 6" Dia. PVC Water Main | @ \$11.40 | 1,518.0 | \$17,305.20 |
| 2 LF 6" Dia. Ductile Iron Pipe | @ \$50.00 | (15.0) | (750.00) |
| 3 LF 6" DIP Dry Bore (Roadway) | @ \$55.00 | (30.0) | (1,650.00) |
| 4 LF 6" PVC Dry Bore (Concrete & Asphat Dr.) | @ \$45.00 | (45.0) | (2,025.00) |
| 5 LF 6" Dia. HDPE Directional Bore | @ \$900.00 | 0.0 | 0.00 |
| 6 LF Pipeline Clean-up, Seeding & Testing | @ \$0.90 | 1,428.0 | 1,285.20 |
| 7 EA 6" Gate Valve w/Box | @ \$1,300.00 | 2.0 | 2,600.00 |
| 8 EA Fire Hydrant | @ \$3,800.00 | 0.0 | 0.00 |
| 9 LBS Compact Fittings | @ \$9.00 | (612.0) | (5,508.00) |
| 10 EA 3/4" Water Service Reconnect Including Saddle, Corporation Stop, 3/4" Angle Stop, Dual Check, Polymer Meter Box and Installation of Meter/Transmitter (Meter/Transmitter Furnished by Bertie County) | @ \$700.00 | 21.0 | 14,700.00 |
| 11 3/4" Service Tubing (Open Cut) | @ \$3.00 | 366.0 | 1,098.00 |
| 12 3/4" Service Tubing Encased in 1-1/2" SDR 21 | @ \$7.00 | 253.0 | 1,771.00 |
| 13 PVC Casing (Bored) | | | |
| 13 TNS Stone Bedding | @ \$35.00 | 0.0 | 0.00 |
| 14 CY Select Backfill (In & Out) | @ \$25.00 | (31.0) | (775.00) |
| 15 LF Silt Fence | @ \$4.00 | (535.0) | (2,140.00) |
| 16 EA Silt Wattle Check Dam | @ \$90.00 | (29.0) | (2,610.00) |
| 17 SY Temporary Ditch Liner | @ \$5.00 | (230.0) | (1,150.00) |
| 18 TNS CABC Stone | @ \$40.00 | (93.95) | (3,758.00) |
| 19 SY Class 1 Rip Rap | @ \$60.00 | (37.5) | (2,250.00) |
| 20 EA 3/4" Meter Replacement including Plasma-cutting 1 3/4" penetration in Existing MBX-style Metal Lid and Installation of Meter/Transmitter (Meter/Transmitter furnished by Bertie County) | @ 75.00 | 80.0 | 6,000.00 |
| 21 EA 3/4" Water Meter Replacement Including Replacement of Existing Concrete Meter Box and Lid with High Impact Copolymer Resin Meter Box and Compatible Metal Lid with 1 3/4" penetration to accommodate installation of Antenna and Meter/Transmitter (Meter/Trans. furnished by Bertie County) | @ 125.00 | (15.0) | (1,875.00) |
| 22 3/4" Water Meter Replacement in existing plastic meter boxes and installation of Meter/Transmitter (Meter/Transmitter furnished by Bertie County) | @ 55.00 | (40.0) | (2,200.00) |
| 23 1" Water Meter Replacement Including Plasma-Cut 1 3/4" Opening in Existing Cast Iron Meter Box Lid to accommodate installation of Antenna and Meter/Transmitter (Meter/Transmitter furnished by Bertie County) | @ 245.00 | (1.0) | (245.00) |
| 24 2" Water Meter Replacement including Installation of Meter/ Transmitter (Meter/ Transmitter furnished by Bertie County) | @ 150.00 | 1.0 | 150.00 |

TOTAL INCREASE FROM ORIGINAL BID:

\$17,973.40

PROJECT ORDINANCE

| # PROJ 18-06 | | | | | |
|--|----------|--------|-----------|-----------------|------------|
| | INCREASE | | | DECREASE | |
| 57-8260-5396-12 | \$ | 24,640 | 57-WD III | 57-8260-5991-00 | \$ 105,541 |
| 57-8260-5396-01 | \$ | 79,133 | | | |
| 57-8260-5396-29 | \$ | 493 | | | |
| 57-8260-5396-40 | \$ | 1,275 | | | |
| AMEND PROJECT ORDINANCE TO REFLECT AUTHORITY TO AWARD AMOUNTS, | | | | | |
| CHANGE ORDER NUMBER TWO (2) APPROVED ON 01/03/17, | | | | | |
| CHANGE ORDER NUMBER THREE (3) APPROVED ON 11/06/17 | | | | | |
| ADJUSTING CHANGE ORDER NUMBER FOUR (4) APPROVED ON 03/07/18 | | | | | |
| INCREASE ADV/PERMIT FEES AND ADMIN FEES | | | | | |
| PROJECT NO.: CFDA 10-60 (WD III IMPROVEMENTS) | | | | | |

**Windsor, North Carolina
January 3, 2017
Regular Meeting**

The Bertie County Board of Commissioners met for their regularly scheduled meeting inside the Commissioners Room located at 106 Dundee Street, Windsor, NC. The following members were present or absent:

Present: Ronald "Ron" Wesson, District I
Stewart White, District II
Tammy A. Lee, District III
John Trent, District IV
Ernestine (Byrd) Bazemore, District V

Absent: None

Staff Present: County Manager Scott Sauer
Clerk to the Board Sarah S. Tinkham
Assistant/County Attorney Lloyd Smith
Finance Officer William Roberson
Register of Deeds Annie Wilson
Network Administrator Joe Wilkes

Gene Motley of the Roanoke-Chowan News Herald and Leslie Beachboard of the Bertie-Ledger Advance was present from the media.

CALL TO ORDER

Chairman Trent called the meeting to order and thanked those present for their attendance.

INVOCATION/PLEDGE OF ALLEGIANCE

Commissioner Lee led the Invocation and Pledge of Allegiance.

Water District III Change Order No. 2, to secure remaining USDA Rural Development Grant funds to include Woodard Road Booster Pump Station, Well House #2 standby generator, and water line size increase in the amount of \$448,570

After a brief summary update by County Manager Sauer, Commissioner Wesson made a **MOTION** to approve the Water District III Change Order No. 2, to secure remaining USDA Rural Development Grant funds to include Woodard Road Booster Pump Station, Well House #2 standby generator, and water line size increase in the amount of \$448,570 and to amend the project ordinance as outlined in the revised budget in the agenda packet. Commissioner Lee **SECONDED** the motion. The **MOTION PASSED** unanimously.

Amendment to Martin County Regional PSAP back-up facility interlocal agreement, adding Pasquotank County

There was some clarification needed about the location of this facility, and how it would operate in the event that all three counties included in the agreement were hit with an emergency situation.

County Manager Sauer stated that the Regional PSAP back-up facility can accommodate pertinent dispatch and emergency personnel in Martin County. Martin County would serve as the central location in the event that all three counties 9-11 systems were to go down for any reason.

Vice Chairman Bazemore made a **MOTION** to approve the amendment to the Martin County Regional PSAP back-up facility interlocal agreement adding Pasquotank County. Commissioner White **SECONDED** the motion. The **MOTION PASSED** unanimously.

**Windsor, North Carolina
November 6, 2017
REGULAR MEETING**

The Bertie County Board of Commissioners met for their regular meeting today inside the Commissioners Room, 106 Dundee Street, Windsor, NC. The following members were present or absent:

Present: Ronald "Ron" Wesson, District I
Stewart White, District II
Tammy A. Lee, District III
John Trent, District IV
Ernestine (Byrd) Bazemore, District V

Absent: None

Staff Present: County Manager Scott Sauer
County Attorney Lloyd Smith
Economic Development Director Steve Biggs
Finance Officer William Roberson
Water Superintendent Ricky Spivey
Sheriff John Holley
Maintenance Superintendent Anthony Rascoe

Gene Motley of the Roanoke-Chowan News Herald and Leslie Beachboard of the Bertie-Ledger Advance were present from the media.

CALL TO ORDER

Chairman Trent called the meeting to order.

INVOCATION/PLEDGE OF ALLEGIANCE

Vice Chairman Bazemore asked that Reverend Leola Mitchell to lead the Invocation before leading the Pledge of Allegiance.

CONSENT AGENDA

Upon review by Chairman Trent, Commissioner Wesson made a **MOTION** to approve the Consent Agenda in its entirety. Vice Chairman Bazemore **SECONDED** the motion. The **MOTION PASSED** unanimously.

The Consent Agenda was approved as follows:

1. **Minutes** – Regular Session 10-16-17, Work Session 10-17-17 and 10-30-17
2. **Fees Report** – Register of Deeds, October 2017
3. **Budget Amendments** – #18-04 (see below for detailed information)
4. **DWSRF Loan (#WIF-1897)** – amended offer & acceptance documents for federal DWSRF Loan; Town of Roxobel/BCWDIV system merger in the amount of \$1,937, 608.
5. **Transfer of assets** – approval of all documents presented for the water system for Town of Roxobel and Town of Lewiston-Woodville consolidations
6. **Work Authorization #3** – Holland Consulting Planers, Hurricane Matthew Disaster Recovery and Flood Mitigation Project, HCP#5634
7. **Water District III system improvements** – South Windsor change order for Herring-Rivenbark in the amount of \$23,446.25 and an amendment to the engineering agreement with Green Engineering for related construction inspections in the amount of \$24, 640.
8. **CDBG Broadband grant** – approval of application submission and execution of all documents as prepared by the County Attorney by the Mid-East Commission and Roanoke-Electric Cooperative

Commissioner Wesson also noted for the Board's information the amount of excise taxes recorded due to the Register of Deed's work on behalf of the State Association, which could have been received anywhere in the State of North Carolina.

Budget Amendment #18-04 reads as follows:

William Roberson

From: Thompson, Charlie - RD, Kinston, NC <Charlie.Thompson@nc.usda.gov>
Sent: Wednesday, March 14, 2018 4:05 PM
To: Scott Sauer; l.younce@greeneng.com; elg@greeneng.com; elg3@greeneng.com; clmurphy@suddenlinkmail.com; William Roberson
Cc: Washington, Angela - RD, Kinston, NC; Gaskins, Aaron - RD, Kinston, NC
Subject: [External] Bertie County - Pay Requests
Attachments: Scanned from a Xerox multifunction device.pdf

CAUTION: External email. Do not click links or open attachments unless verified. Send all suspicious email as an attachment to [Report Spam](#).

Good afternoon,

We received approved Change Order # 4 (Final) from Brian today, however we cannot approve Contractor's Application for Payment # 10 (final) until we receive the information requested on March 8, 2018. Please refer to the attach document, (item 6.4. iv,v,vi) these are the remaining items needed in order to process the final pay request for Herring & Rivers, Inc.

Questions please contact us.

Thanks.

From: Thompson, Charlie - RD, Kinston, NC
Sent: Thursday, March 8, 2018 12:05 PM
To: 'scott.sauer@bertie.nc.gov' <scott.sauer@bertie.nc.gov>; 'l.younce@greeneng.com' <l.younce@greeneng.com>; 'elg@greeneng.com' <elg@greeneng.com>; 'elg3@greeneng.com' <elg3@greeneng.com>; 'clmurphy@suddenlinkmail.com' <clmurphy@suddenlinkmail.com>; 'william.roberson@bertie.nc.gov' <william.roberson@bertie.nc.gov>
Cc: Miller, Kimberly - RD, Kinston, NC <Kimberly.Miller@nc.usda.gov>; Washington, Angela - RD, Kinston, NC <Angela.Washington@nc.usda.gov>; Gaskins, Aaron - RD, Kinston, NC <Aaron.Gaskins@nc.usda.gov>
Subject: Bertie County - Pay Requests

Good afternoon,

I received Final Closeout Documents from Mr. Landon Younce, Green Engineering this morning. After review of the documentation, there were several items that I didn't see in the package. Please refer to the attach document, (item 6.4, iv,v,vi,) these are the remaining items needed in order to process the final pay request for Herring & Rivers, Inc. However I can process the Engineering Services Invoice # 11 today. I will also provide Brian with Change Order # 4 for his review and approval. Questions please contact us.

Thanks.

From: Miller, Kimberly - RD, Kinston, NC
Sent: Wednesday, March 7, 2018 10:52 AM
To: scott.sauer@bertie.nc.gov; l.younce@greeneng.com; elg@greeneng.com; elg3@greeneng.com; clmurphy@suddenlinkmail.com; william.roberson@bertie.nc.gov
Cc: Washington, Angela - RD, Kinston, NC <Angela.Washington@nc.usda.gov>; Thompson, Charlie - RD, Kinston, NC



Contractor's Application for Payment No. 10 (Final)

| | | |
|--|---|---|
| Application Period: January 9th., 2018 to February 14th., 2018 | | Application Date: February 15th., 2018 |
| To (Owner): Bertie County Water District No. III | From (Contractor): Herring-Rivenbark, Inc. | Via (Engineer): Green Engineering, PLLC / Mr. Landon Younce, P.E. |
| Project: Water System Improvements / Bertie Co. Regional Water System / Water District III, Bertie Co., N.C. | Contract: Water System Improvements / Bertie Co. Regional Water System / Water District III | |
| Owner's Contract No.: N/A | Contractor's Project No.: N/A | Engineer's Project No.: N/A |

**Application For Payment
Change Order Summary**

| Approved Change Orders | | |
|-----------------------------|---------------------|------------|
| Number | Additions | Deductions |
| One (1) | Time Only (60 Days) | |
| Two (2) | \$448,569.59 | |
| | \$23,446.25 | |
| | | |
| | | |
| | | |
| | | |
| TOTALS | \$472,015.84 | |
| NET CHANGE BY CHANGE ORDERS | \$472,015.84 | |

| | |
|---|-----------------|
| 1. ORIGINAL CONTRACT PRICE..... | \$ 1,758,245.40 |
| 2. Net change by Change Orders..... Change Order No. 2 | \$ 472,015.84 |
| 3. Current Contract Price (Line 1 ± 2)..... | \$ 2,230,261.24 |
| 4. TOTAL COMPLETED AND STORED TO DATE (Column F on Progress Estimate)..... | \$ 2,227,968.62 |
| 5. RETAINAGE: | |
| a. 5% X _____ | |
| b. 5% X _____ Stored Material | \$ _____ |
| c. Total Retainage (Line 5a + Line 5b)..... | \$ _____ |
| 6. AMOUNT ELIGIBLE TO DATE (Line 4 - Line 5c)..... | \$ 2,227,968.62 |
| 7. LESS PREVIOUS PAYMENTS (Line 6 from prior Application)..... | \$ 2,058,711.96 |
| 8. AMOUNT DUE THIS APPLICATION..... | \$ 169,256.66 |
| 9. BALANCE TO FINISH, PLUS RETAINAGE (Column G on Progress Estimate + Line 5 above)..... | \$ 2,292.62 |

Contractor's Certification

The undersigned Contractor certifies that to the best of its knowledge: (1) all previous progress payments received from Owner on account of Work done under the Contract have been applied on account to discharge Contractor's legitimate obligations incurred in connection with Work covered by prior Applications for Payment; (2) title of all Work, materials and equipment incorporated in said Work or otherwise listed in or covered by this Application for Payment will pass to Owner at time of payment free and clear of all Liens, security interests and encumbrances (except such as are covered by a Bond acceptable to Owner indemnifying Owner against any such Liens, security interest or encumbrances); and (3) all Work covered by this Application for Payment is in accordance with the Contract Documents and is not defective.

By: [Signature] Date: 2/15/2018

Payment of: \$ 169,256.66
(Line 8 or other - attach explanation of the other amount)

is recommended by: [Signature] 2/22/18
(Engineer) (Date)

Payment of: \$ 169,256.66
(Line 8 or other - attach explanation of the other amount)

is approved by: [Signature] 3-1-2018
(Owner) (Date)

Approved by: _____
Funding Agency (if applicable) (Date)



C - 6



C - 7

AGREEMENT FOR TRANSPORTATION SERVICES

This agreement, made and entered into by and between Choanoke Public Transportation Authority, hereafter called Provider; and THE COUNTY OF BERTIE, hereafter called Contractor;

WITNESSETH:

WHEREAS, the Provider is a body corporate and politic created by the joint resolution of the Boards of Commissioners of the counties of Bertie, Halifax, Hertford and Northampton, North Carolina, for the purpose of meeting the Public Transportation needs in the four-county area; and

WHEREAS, the Contractor is desirous of the transportation services provided by the Provider; and

WHEREAS, the Provider and the Contractor have negotiated the terms of understanding whereby the Provider agrees to provide the needed transportation services to the Contractor upon the compensation basis set forth below; and

WHEREAS, the Provider and the Contractor acknowledge that it is in the best interests of each that they make and enter into this agreement.

NOW, THEREFORE, in consideration of the premises and in further consideration of the terms and provisions set forth below, the receipt and sufficiency of which is hereby respectively acknowledged, the Provider and the Contractor agree as follows:

1. **PERIOD.** The period of performance of this agreement shall begin on JULY 1, 2018 and shall terminate automatically on JUNE 30, 2019.
2. **PROVIDER'S RESPONSIBILITIES.**
 - A. Provide transportation services for Older Americans 60 years of age and older who reside in Bertie County, to the Nutrition Sites in Aulander, Windsor, and Colerain and to other destinations as specified by the County.
 - B. Notify the Contractor immediately of emergencies that may interrupt the transportation schedule.

- C. The Provider reserves the right to refuse transportation of a Contractor's client when it has been determined by the Provider that to do so would endanger the driver and other passengers being transported.
- D. The Provider's liability shall end when passengers leave the Provider's vehicles. At no time shall employees of the Provider's enter the Contractor's premises escorting the Contractor's clients.
- E. Maximize it's efforts to deliver Older Americans to the Aulander, Windsor, and Colerain Nutrition Sites at 10:30 a.m.
- F. Call the Nutrition Site no later than 11:00 a.m. if there will be a delay in delivering the participants on time. The Provider further agrees that if the participants are not delivered by 12 noon and no telephone call is received by the sire, that day's charges for that bus will be canceled.
- G. Have the participants sign in when they board the bus and to give the above mentioned signature sheet to the site manager.
- H. Provide special trips for the Contractor within the Provider's limitation. All trips must be requested at least one week prior to delivery date.
- I. Notify the Contractor immediately of any condition that affects the transportation schedule. When conditions, such as ice and snow occur, the provider will make announcements through local radio stations concerning the transportation schedule.

3. **CONTRACTOR'S RESPONSIBILITIES.**

- A. To fax names, addresses, destinations and changes in schedules to the Provider by 10:00 a.m. the day before transportation is to be provided.
- B. The Contractor will notify the Provider of any cancellations by 4:00 p.m. on the day before. Failure to meet this deadline will result in the Contractor being charged with one-way trips.

- C. Notify the Provider concerning holidays or closings at least one week in advance. Except in cases of emergencies the Provider shall be notified as soon as possible.
- D. Provide emergency information on all agency clients scheduled for transportation. Such information shall include: parent or guardian's name and address, phone number, family physician and any special medical and/or physical conditions or special needs. Such information shall be kept in strict confidence by the Provider.
- E. The Contractor shall be responsible for escorting passengers needing assistance to and from the Provider's vehicles. In addition, the Contractor shall be responsible for arranging for caretakers once the Provider returns their clients to the final destination.
- F. To reimburse the Provider at a rate of \$19.80 per round trip or \$9.90 per unit of service in the agreement by the 25th day of the month.
- G. The Contractor will supply any special equipment needed by its clients.
- H. The Contractor will provide chaperones or escorts for any of its clients needing such services while such clients are being transported by the Provider.
- I. Notify the Provider of any special trip needs at least one week in advance.

4. SPECIAL CONDITIONS.

PROVIDER: The following holidays will be observed by the Provider.

| | | |
|---------------------|-----|-----------------------------------|
| Independence Day | --- | <i>JULY 4, 2018</i> |
| Labor Day | --- | <i>SEPTEMBER 3, 2018</i> |
| Thanksgiving Days | --- | <i>NOVEMBER 22 & 23, 2018</i> |
| Christmas Days | --- | <i>DECEMBER 24 & 25, 2018</i> |
| New Year's Day | --- | <i>JANUARY 1, 2019</i> |
| Dr. King's Birthday | --- | <i>JANUARY 21, 2019</i> |
| Easter | --- | <i>APRIL 19, 2019</i> |
| Memorial Day | --- | <i>MAY 27, 2019</i> |

In order to better communicate with you during inclement weather conditions you may call (252) 539-2022 Ext. 222 to be able to hear our schedule. We also have announcements on the following television stations:

WITN (Channel 7) Washington, NC
WRAL (Channel 5) Raleigh, NC

If you should see (**Severe Weather Plan**) this message means that Driver's do not operate and office staff more than likely will have a delayed time.

5. **COMPENSATION.** The Contractor agrees to pay the Provider for its transportation services, upon invoice, at the following rates and terms:

\$9.90 per unit of service (Unit of Service meaning one-way trip)
Agency will be charged for a one-way trip for no shows, unless cancellation is made by 4:00 p.m. on the day before services are scheduled to be provided.

1 ½% service charge will be added for all past due accounts beyond 60 days.

Checks shall be made payable to: Choanoke Public Transportation Authority.

6. **RATE INCREASES.** Rate increases will be based on several factors such as the cost of fuel, operating expenses, local support, etc. The provider will notify the contractor immediately of any rate increase. All increases shall take affect within ten (10) days of such notification.
7. **RELATIONSHIP.** The Provider is an independent contractor and no employee-employer or agency relationship exists between the Provider and the Contractor. Drivers and other employees of the Provider are not subject to the control or supervision of the Contractor.
8. **INDEMNITY.** To the extent of its liability insurance coverage, the Provider agrees to indemnify the Contractor of and from any and all personal injury and property damage claims which may result from the Provider's operation of its motor vehicles. The Provider shall provide the contractor proof of insurance upon request.

9. **SAFETY POLICIES.** To ensure the safe transportation of passengers, the motor vehicles of the Provider shall be operated in a careful and prudent manner and in compliance with the motor vehicle and highways laws of the State of North Carolina. Each driver shall hold a current North Carolina Drivers License issued by the Division of Motor Vehicles. The Provider maintains a statement of safety policies for the protection of its passengers and drivers, a copy of which has been provided to the Contractor, and the Contractor agrees to use its best efforts to encourage passengers to honor these policies.
10. **EARLY TERMINATION.** This agreement may be terminated at anytime with the mutual consent of the Provider and the Contractor, and it may be terminated unilaterally by either party upon thirty (30) days written notice to the other.
11. **AMENDMENTS.** This agreement may be amended or modified anytime with the mutual consent of the Provider and the Contractor. Amendments shall be in writing and in an instrument or equal dignity with this agreement.
12. **COMMUNICATIONS.** The mailing address of the Provider is **CHOANOKE PUBLIC TRANSPORTATION AUTHORITY, PO BOX 320, RICH SQUARE, NC 27869** and its telephone number is **(252) 539-2022**. The contact person is **PAMELA PERRY, EXECUTIVE DIRECTOR**. The mailing address of the Contractor is **103 WEST SCHOOL STREET WINDSOR, NC 27983** and its telephone number is **(252) 794-5315**. The contact person for the Contractor is **Venita Thompson**.
13. **INTERPRETATION.** This agreement shall be interpreted in accordance with the laws of the State of North Carolina.
14. **CAPTIONS.** The captions in this agreement are for convenience only, and they shall not be interpreted to diminish or amplify the terms hereof.
15. **ENTIRE AGREEMENT.** These terms of this agreement constitute the entire agreement between the Provider and the Contractor, and there are no contemporaneous oral agreements contrary hereto.

IN WITNESS WHEREOF, the Provider, by its Executive Director and by Authority duly given by its Board of Directors, and the Contractor, by its Board and by Authority duly given, hereby execute this agreement in duplicate originals, one of which is retained by each, this the 28th day of March 2018.

CHOANOKE PUBLIC TRANSPORTATION AUTHORITY

Stanh Williams

BY

[Signature]

WITNESS

THE COUNTY OF BERTIE

BY

WITNESS



Bertie County

Board of Commissioners

ITEM ABSTRACT

MEETING DATE: April 16, 2018

AGENDA ITEM: D1 through D 5

DEPARTMENT: Governing Body

SUBJECT: See discussion items listed below

COUNTY MANAGER RECOMMENDATION: Review and Consider for Approval

1. Review of two Bertie County Noise Ordinances adopted July 3, 2000
 - a) Sound measurement standards
 - b) Restrictions and prohibitions for Unnecessary, Unreasonably Loud, and Disturbing Sounds
2. Review and consider resolution approving merger for Hertford County with Albemarle Regional Health Services
3. Review road naming process and petition requirements
4. Private Roads (public safety access for emergency response vehicles)
5. Calendar review

SUMMARY OF AGENDA ITEM ACTION(S): Guidance and direction, if approved

ATTACHMENTS: Yes

LEGAL REVIEW PENDING: N/A

ITEM HISTORY: see attachments



D - 1

**NOISE ORDINANCE
BERTIE COUNTY, NORTH CAROLINA**

ARTICLE I

SECTION 1 - PURPOSE AND AUTHORITY

WHEREAS, the Board of County Commissioners of Bertie County, North Carolina desires to enact an ordinance regulating, restricting or prohibiting the production or emission of loud and unnecessary noises or amplified speech, music or other sounds that tend to annoy, disturb or frighten the citizens of Bertie County, North Carolina;

WHEREAS, the Board of Commissioners has determined that such an ordinance is necessary to protect and maintain the comfort, health, peace and safety of the citizens of Bertie County, North Carolina; and

WHEREAS, Section 153A-133 of the North Carolina General Statutes confers upon the Board the authority to enact an ordinance regulating, restricting or prohibiting the production or emission of certain noises;

NOW, THEREFORE, the Board of County Commissioners of Bertie County, North Carolina does hereby ordain and enact into law these articles and sections:

ARTICLE II

This Ordinance shall be known and may be cited as The Bertie County Noise Ordinance.

ARTICLE III

SECTION 1 - DEFINITIONS

In addition to the common meaning of words, the following definitions shall be used in interpreting this ordinance.

- (1) "A" weighting scale: The sound pressure level in decibels as measured with a sound level meter using the "A" weighted network. The standard unit notation is dB(A).
- (2) dB(A): Sound level in decibels determined by the "A" weighting scale of a standard sound level meter having characteristics defined by the American National Standards Institute (ANSI) Publication ANSI, S14-1971.
- (3) Decibel: A unit of measure on a logarithmic scale of the ratio of the magnitude of a particular sound pressure to a standard reference pressure, which for purposes of this ordinance shall be 20 micronewtons/square meter .
- (4) Impact Noise: Sound that occurs intermittently rather than continuously.
- (5) Sound Amplifying Equipment: Any device for the amplification of the human voice, music or any other sound, including juke boxes, stereos and radios.
- (6) Sound Level: In decibels, a weighted sound pressure level determined by the use of a sound level meter whose characteristics and frequency weightings are specified in the ANSI Standards.
- (7) Sound Level Meter: Any instrument certified to meet or exceed ANSI standards which includes an omni-directional microphone, an amplifier, an output meter and frequency weighting network(s) for the measurement of sound level.
- (8) Sound Pressure Level: In decibels 20 times the logarithm to be base 10 of the ratio of the magnitude of a particular sound pressure to the standard reference pressure. The standard reference pressure is 20 micronewtons/square meter.

SECTION 2 - MAXIMUM PERMISSIBLE STANDARDS BY RECEIVING LAND

- (1) The use of sound amplifying equipment is limited to the conditions specified in this article.
- (2) No person shall operate or cause to be operated any source of sound in such a manner as to create a sound level which exceeds the limits set forth in the table below when measured as specified in Section 3 of this Article.

| | | |
|----------|---|----------|
| | <u>Sound Levels dB(A) by Receiving Land</u> | |
| 60 dB(A) | | 50 dB(A) |

Sunday – Thursday 8 a.m. – 11 p.m.
Friday & Saturday 8 a.m. – 12 a.m.

Sunday – Thursday 11 p.m. – 8 a.m.
Friday & Saturday 12 a.m. – 8 a.m.

SECTION 3 – SOUND MEASUREMENT STANDARDS

Standards, instrumentation, and measurement procedures to be used in the measurement of sound as provided for in this ordinance are as follows:

(1) Sound level measurement shall be made with a sound level meter using the "A" weighting scale set on "slow response."

(2) Sound level meters shall be of at least Type Three meeting American National Standards Institute, Incorporated (ANSI) S1.4 – 1971 requirements (or the latest approved version thereof). The entire sound measurement system shall be serviced and operated as recommended by the manufacturer. Persons using the sound level meters shall be trained in sound level measurement and the operation of sound level meters.

(3) Except in the case where noises are emanating from within multi-family structures and the complainant is a resident of the same multi-family structure, noise measurements shall be taken at the corner of the primary structure of the complainant nearest the noise source but when this location is not practical noise measurement shall be made at the boundary of the public or private right-of-way which adjoins the complainants' property.

(4) In the case of noises emanating from within a multi-family structure and where the complainant is a resident of the same multi-family structure, noise measurements shall be made in the unit of the complainant at a height of at least four (4) feet above the floor and at a point approximately equidistant from all walls.

SECTION 4 - EXEMPTIONS

The provisions of this Ordinance shall not apply to the following:

1) *Emergency.* The emission of sound for the purpose of alerting persons to the existence of an emergency, and noises resulting from any authorized emergency vehicle when responding to any emergency call or acting in time of emergency;

2) *Aircraft, Agricultural or Industrial Related Activities.* This ordinance shall not apply to aircraft, agricultural or industrial related activities, including but not limited to, the operation of agricultural equipment operated for farming purposes and cotton gins;

3) *Lawn Care.* Residential lawn care equipment used between daylight and 10:00 p.m. when operated with all the manufacturer's standard mufflers and noise reducing equipment in use and in proper operating condition;

4) *Construction.* Construction operations from daylight to 9 p.m. on weekdays and from 8 a.m. to 9 p.m. on weekends for which building permits have been issued, or construction operations not requiring permits, provided all equipment is operated in accordance with all the manufacturer's specifications and with all standard equipment, manufacturer's mufflers and noise reducing equipment in use and in proper operating condition;

5) *Fairs and Parades.* Unamplified noises at street activity where the participants have a permit for use of the streets, including but not limited to fairs and parades; and

6) *Fireworks.* Noise from lawful fireworks and noise makers on New Year's Day and Independence Day.

ARTICLE IV

SECTION 1 - PRESUMPTIONS/BURDEN OF PERSUASION

The owner, individual or group of individuals in apparent control of the residence or noise device shall be the responsible party for application of this Ordinance.

In any proceeding to enforce this Ordinance, if an exception may be applicable to limit an obligation to comply with the regulations herein, the person who would benefit from the application of the exception shall have the burden of persuasion that the exception applied and that the terms of the exception have been met.

SECTION 2 – PENALTY

In accordance with North Carolina General Statute 14-4 a violation of any section of this Ordinance shall constitute a Class 3 misdemeanor in which no fine shall exceed five hundred dollars (\$500.00).

SECTION 3 - SEVERABILITY

If any part of this ordinance should be declared invalid, such part shall be deemed severable in the invalidity thereof and shall not affect the remaining parts hereof.

SECTION 4 - EFFECTIVE DATE

This ordinance shall be in full force and effect from and after its ratification.

Adopted and executed in open session, this the 3rd day of July, 2000, after being passed at the regular meeting of the Bertie County Board of Commissioners held on the 3rd day of July, 2000, and the 3rd day of July, 2000.



John Jasper Bazemore, Chairman
Bertie County Board of Commissioners


Clerk to the Board

**NOISE ORDINANCE
BERTIE COUNTY, NORTH CAROLINA**

ARTICLE I

SECTION 1 - PURPOSE AND AUTHORITY

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WHEREAS, the Board of Commissioners has determined that such an ordinance is necessary to protect and maintain the comfort, health, peace and safety of the citizens of Bertie County, North Carolina; and

WHEREAS, Section 153A-133 of the North Carolina General Statutes confers upon the Board the authority to enact an ordinance regulating, restricting or prohibiting the production or emission of certain noises;

NOW, THEREFORE, the Board of County Commissioners of Bertie County, North Carolina does hereby ordain and enact into law these articles and sections:

ARTICLE II

This Ordinance shall be known and may be cited as The Bertie County Noise Ordinance.

ARTICLE III

SECTION 1 - DEFINITIONS

For the purposes of this Ordinance, the following definitions shall apply:

Unnecessary. Any excessive or unusually loud sound or any sound which is of such character, intensity and duration as to disturb the peace and quiet of any neighborhood or which disturbs, injures or endangers the comfort, repose, health, peace or safety of reasonable persons with ordinary sensibilities, and being a type of sound which could be lessened or otherwise controlled by the maker without unduly restricting his/her conduct.

Unreasonably Loud. Any sound which is perceived by a person of ordinary sensibilities as being substantially incompatible with the time and location where created to the extent that it creates an actual or imminent interference with peace or good order.

Disturbing. Sound which is perceived by a reasonable person of ordinary sensibilities as interrupting the normal peace and calm of the area.

SECTION 2 - GENERAL PROHIBITION

It shall be unlawful for any person to make or emit any unreasonably loud, disturbing and unnecessary noise that annoys, disturbs, frightens or endangers reasonable persons of ordinary sensibilities within the jurisdictional limits of Bertie County.

In determining whether a sound or noise is unreasonably loud, disturbing and unnecessary the following factors incident to such sound or noise are to be considered: time of day; proximity to residential structure; whether the sound or noise is recurrent, intermittent or constant; the volume and intensity; whether the sound or noise has been enhanced in volume or range by any type of electronic or mechanical means; the character and zoning of the area; whether the sound or noise is related to the regular operation of a business or other labor activity; and whether the noise is subject to being controlled without unreasonable effort or expense to the creator thereof.

SECTION 3 - SPECIFIC PROHIBITIONS

The following acts, by way of illustration and not limitation, are declared to be noises in violation of Article III, Section 1 of the Ordinance:

A) *Radios, stereos, etc.* The playing of any radio, stereo, record player, cassette player, compact disc player, television set, musical instrument or sound-producing or sound-amplifying device in such a manner or with such volume as to annoy, disturb or frighten any reasonable person of ordinary sensibilities;

B) *Use of vehicles.* The use of any automobile, motorcycle bus or other vehicle so out of repair, so loaded or in such manner as to create an unreasonably loud, disturbing and unnecessary noise which would tend to annoy, disturb or frighten any reasonable person of ordinary sensibilities;

C) *Sounding Horns.* The sounding of any horn or signal device on any automobile, motorcycle, bus or other vehicle, except as a danger or warning signal, so as to create an unreasonably loud, disturbing and unnecessary noise which would tend to annoy, disturb or frighten any reasonable person of ordinary sensibilities;

D) *Animals.* The keeping of any animal or fowl which creates an unreasonably loud, disturbing and unnecessary noise which would tend to annoy, disturb or frighten any reasonable person of ordinary sensibilities;

E) *Guns or Explosive Devices.* The firing or discharging of any gun, gun powder, firecracker or any other explosive substance or device which creates an unreasonably loud, disturbing and unnecessary noise which would tend to annoy, disturb or frighten any reasonable person of ordinary sensibilities;

F) *Appliances and Other Mechanical Devices.* The operation of any noise-producing appliance or other mechanical device which, due to operational deficiencies, malfunction or other type of disrepair, creates an unreasonably loud, disturbing and unnecessary noise which would tend to annoy, disturb or frighten any reasonable person of ordinary sensibilities;

G) *Bells or gongs.* The sounding of any bell or gong attached to any building or premises, except the sounding of church bells, which creates an unreasonably loud, disturbing and unnecessary noise which would tend to annoy, disturb or frighten any reasonable person of ordinary sensibilities;

H) *Noises to attract attention.* The use of any drum, loudspeaker or other instrument for the purpose of attracting attention to any performance, show, sale, display or advertisement of merchandise and thereby creating an unreasonably loud, disturbing and unnecessary noise which would tend to annoy, disturb or frighten any reasonable person of ordinary sensibilities; and

I) *Soliciting.* The shouting and crying of solicitors or vendors that creates an unreasonably loud, disturbing and unnecessary noise which would tend to annoy, disturb or frighten any reasonable person of ordinary sensibilities.

SECTION 4 - EXEMPTIONS

The provisions of this Ordinance shall not apply to the following:

A) *Emergency.* The emission of sound for the purpose of alerting persons to the existence of an emergency, and noises resulting from any authorized emergency vehicle when responding to any emergency call or acting in time of emergency;

C) *Aircraft, Agricultural or Industrial Related Activities.* This ordinance shall not apply to aircraft, agricultural or industrial related activities, including but not limited to, the operation of agricultural equipment operated for farming purposes and cotton gins;

D) *Lawn Care.* Residential lawn care equipment used between daylight and 10:00 p.m. when operated with all the manufacturer's standard mufflers and noise reducing equipment in use and in proper operating condition;

E) *Construction.* Construction operations from daylight to 9 p.m. on weekdays and from 8 a.m. to 9 p.m. on weekends for which building permits have been issued, or construction operations not requiring permits, provided all equipment is operated in accordance with all the manufacturer's specifications and with all standard equipment, manufacturer's mufflers and noise reducing equipment in use and in proper operating condition;

F) *Fairs and Parades.* Unamplified noises at street activity where the participants have a permit for use of the streets, including but not limited to fairs and parades; and

G) *Fireworks.* Noise from lawful fireworks and noise makers on New Year's Day and Independence Day.

ARTICLE IV

SECTION 1 - PRESUMPTIONS/BURDEN OF PERSUASION

The owner, individual or group of individuals in apparent control of the residence or noise device shall be the responsible party for application of this Ordinance.

The complaints of two (2) or more persons, at least one of whom resides in a different home from the other complaining person or persons, when combined with the complaint of a duly authorized investigating person, shall be prima facie evidence that such sound is an unreasonably loud, disturbing, and unnecessary noise. Sound emission decibel measurements shall not be required for establishment of a prima facie case.

In any proceeding to enforce this Ordinance, if an exception may be applicable to limit an obligation to comply with the regulations herein, the person who would benefit from the application of the exception shall have the burden of persuasion that the exception applied and that the terms of the exception have been met.

SECTION 2 - PENALTY

In accordance with North Carolina General Statute 14-4 a violation of any section of this Ordinance shall constitute a Class 3 misdemeanor in which no fine shall exceed five hundred dollars (\$500.00).

SECTION 3 - SEVERABILITY

If any part of this ordinance should be declared invalid, such part shall be deemed severable in the invalidity thereof and shall not affect the remaining parts hereof.

SECTION 4 - EFFECTIVE DATE

This ordinance shall be in full force and effect from and after its ratification.

Adopted and executed in open session, this the 3rd day of July, 2000, after being passed at the regular meeting of the Bertie County Board of Commissioners held on the 3rd day of July, 2000, and the 3rd day of July, 2000.

John Jasper Bazemore, Chairman
Bertie County Board of Commissioners

Clerk to the Board



D - 2

**RESOLUTION FOR THE MERGER OF HERTFORD COUNTY
HEALTH DEPARTMENT WITH ALBEMARLE REGIONAL HEALTH SERVICES
WHICH INCLUDES THE COUNTIES OF PASQUOTANK, PERQUIMANS,
CAMDEN, CHOWAN, CURRITUCK, BERTIE, AND GATES**

WHEREAS, the Pasquotank County Health Department was established in 1942; and

WHEREAS, Pasquotank, Perquimans and Camden County Health Departments joined together in 1942 to form a District Health Department; and

WHEREAS, in 1949 Chowan County Health Department joined the Pasquotank, Perquimans, Camden Health Department to form the Pasquotank, Perquimans, Camden, Chowan District Health Department (PPCC); and

WHEREAS, in 1999, Currituck County Health Department joined PPCC to form Albemarle Regional Health Services; and

WHEREAS, in 2002, Bertie County Health Department joined Albemarle Regional Health Services; and

WHEREAS, in 2004, Gates County Health Department joined Albemarle Regional Health Services; and

WHEREAS, after due and diligent consideration, the Hertford County Board of Commissioners desire to take action to join Albemarle Regional Health Services, which will create the Albemarle Regional Health Services, consisting of Pasquotank, Perquimans, Camden, Chowan, Currituck, Bertie, Gates and Hertford Counties.

NOW THEREFORE BE IT RESOLVED, that the Bertie County Board of Commissioners in session duly convened, by adoption of this resolution does hereby create Albemarle Regional Health Services consisting of Pasquotank, Perquimans, Camden, Chowan, Currituck, Bertie, Gates, and Hertford Counties.

ARTICLE I

The name shall be Albemarle Regional Health Services, which will include Pasquotank, Perquimans, Camden, Chowan, Currituck, Bertie, Gates and Hertford Counties.

ARTICLE II
MISSION

The respective counties recognize that a unified purpose and direction of the public health system is necessary to ensure that all citizens in their jurisdictional areas have equal access to essential public health services. The Pasquotank, Perquimans, Camden, Chowan, Currituck, Bertie, Gates and Hertford County Boards of Commissioners declare that the mission of Albemarle Regional Health Services is to promote and contribute to the highest level of health possible for the people that they serve.

ARTICLE III
DISTRICT BOARD OF HEALTH

The policy-making body of Albemarle Regional Health Services shall be a District Board of Health composed of 18 members in accordance with North Carolina General Statute 130A-37.

ARTICLE IV
ADOPTION OF ORDINANCES

The Albemarle Regional Health Services Board of Health agrees to adopt and assumes responsibility for the enforcement of any and all existing local health ordinances or rules, previously adopted as Albemarle Regional Health Services and any ordinances or rules previously adopted by the Hertford County Board of Health that are not consistent there with.

ADOPTED, this the _____ day of _____ 2018.

Ernestine Byrd Bazemore, Chair
Bertie County Board of Commissioners

ATTESTED:

Sarah S. Tinkham, Clerk to the Board

- ARHS is the largest district health department in the State and with the addition of Hertford county we will now serve over 160K residents in eight counties..
- The fund balance buy-in provision will provide county partners a steady source of additional operating revenues for the next 10 years, thus assisting in the goal of holding local appropriations as low as possible for member counties.
- Hertford County has one of the best HIV screening and assistance programs in the State. These resources will enhance services to other member counties.
- ARHS will gain additional expertise in several professional and occupational areas. An example of this is an often difficult to recruit Registered Dietitian currently on staff with Hertford County.
- Sharing resources will assist all member counties in maximizing efficiencies and increasing encounters.
- The larger 8 county model should facilitate an increased ability for ARHS to generate additional funding and service opportunities for NE NC.

Thanks to all of you for your support during this merger process. Please share the executed resolutions with us as they are acted upon by your respective boards.

Thanks,

Battle

R. Battle Betts, Jr., MPA

Health Director

Albemarle Regional Health Services

PO Box 189

[711 Roanoke Ave.](#)

[Elizabeth City, NC 27909](#)

bbetts@arhs-nc.org

252-338-4404 (Phone)

252-337-7902 (Fax)



D - 3

BERTIE COUNTY

PETITION

ROAD NAME CHANGE

Amended July 7, 2014

PROCEDURE FOR ROAD NAME CHANGES

1. Applicant must acquire road name petition from the Emergency Management Office.
2. Petitions must be returned to the Emergency Management Office by July 15th.
 - A. Each year a public hearing will be held the second regular meeting of the County Commissioners in the month of October. *
3. Petitions should carry the names of at least eighty percent (80%) of the land owners on the road.
 - A. Property owners are defined as those persons owning parcel/s which touch or have their only access to the road as mapped by the Bertie county Tax Office, Mapping Division. (Property owners whose access to the public road is via a named private lane are not property owners as defined herein.)
 - B. Property owners may be limited to one (1) signature when more than one owner is involved.
 - C. When more than one parcel appears on a road owned by the same person/s, one signature will be allowed.
4. The county will present the petition to the fire department/s. The department shall recommend approval or disapproval of the proposed name change. If the department recommends disapproval, reason/s for such action must be stated.
5. The cost incurred in changing road name shall be paid by the property owners affected by the change. A responsible party must be identified at the time of petitioning. The cost shall be one hundred dollars (\$100.00) plus eighteen dollars (\$18.00) per sign required.

* See minutes 7-7-14

ROAD NAME PETITION

Number _____
Filed _____

Bertie County Emergency Management
P O Box 530
Windsor, NC 27983
(919)794-5302

It is the goal of Bertie County to name it's roads, lanes, and avenues for the purpose of addressing residential and commercial property. This is done to aid emergency response personnel (fire, Law Enforcement) in locating these parcels with the least amount of time delay. Name requested should represent that which it has been known by the people and emergency service responders of the area.

The General Statutes of the State of North Carolina, GS 153A-240, authorizes the Bertie County Board of Commissioners to name or rename any public road within the County and not within a city. This will be done at the second regular meeting of October of each year. All petitions must be submitted to the Emergency Management Office by July 15th to be heard at the aforementioned meeting.

It is the goal of Bertie County to prevent and eliminated road name duplication or names that are similar to existing road names.

We, the undersigned, present this petition and request that action be taken administratively or a public hearing be called by the Bertie County Board of Commissioners to consider the following matter indicated by a check mark (✓) and described below.

- () Assignment of a name to an unnamed road.
- () Changing the name of a road.

LOCATION OF ROAD

Described location in relation to major highways or state roads: _____

FIRE DISTRICT/S

If in more than one fire district, list all of them: _____

CITIES AND TOWNS WITHIN FIVE MILES OF ROAD

Please include all cities and towns and indicate which county if outside of Bertie: _____

Property Owners

1. _____

Map & Parcel # _____
2. _____

Map & Parcel # _____
3. _____

Map & Parcel # _____
4. _____

Map & Parcel # _____
5. _____

Map & Parcel # _____
6. _____

Map & Parcel # _____
7. _____

Map & Parcel # _____
8. _____

Map & Parcel # _____
9. _____

Map & Parcel # _____
10. _____

Map & Parcel # _____

Others

1. _____

Map & Parcel # _____
 2. _____

Map & Parcel # _____
 3. _____

Map & Parcel # _____
 4. _____

Map & Parcel # _____
 5. _____

Map & Parcel # _____
 6. _____

Map & Parcel # _____
 7. _____

Map & Parcel # _____
 8. _____

Map & Parcel # _____
 9. _____

Map & Parcel # _____
 10. _____

Map & Parcel # _____
-

Property Owners

- 11. _____

Map & Parcel # _____
- 12. _____

Map & Parcel # _____
- 13. _____

Map & Parcel # _____
- 14. _____

Map & Parcel # _____
- 15. _____

Map & Parcel # _____
- 16. _____

Map & Parcel # _____
- 17. _____

Map & Parcel # _____
- 18. _____

Map & Parcel # _____
- 19. _____

Map & Parcel # _____
- 20. _____

Map & Parcel # _____

Others

- 11. _____

Map & Parcel # _____
 - 12. _____

Map & Parcel # _____
 - 13. _____

Map & Parcel # _____
 - 14. _____

Map & Parcel # _____
 - 15. _____

Map & Parcel # _____
 - 16. _____

Map & Parcel # _____
 - 17. _____

Map & Parcel # _____
 - 18. _____

Map & Parcel # _____
 - 19. _____

Map & Parcel # _____
 - 20. _____

Map & Parcel # _____
-

Property Owners

21. _____

 Map & Parcel # _____

22. _____

 Map & Parcel # _____

23. _____

 Map & Parcel # _____

24. _____

 Map & Parcel # _____

25. _____

 Map & Parcel # _____

Others

21. _____

 Map & Parcel # _____

22. _____

 Map & Parcel # _____

23. _____

 Map & Parcel # _____

24. _____

 Map & Parcel # _____

25. _____

 Map & Parcel # _____

COUNTY USE ONLY

Number of property owners along the road _____.

Number of property owners in support of the petition _____.

Number of non-property owners in support of the petition _____.

Percentage of property owners signing the petition _____%.

Administrative Action: _____

Board Action: _____



ROAD NUMBERS

(SR & four digits) SR _____

(Highway Number) N.C. # _____ U.S. # _____

No number ()

PRESENT NAME OF ROAD

Name or names by which the road is known (If the road has no name, write "no name"):

PROPOSED NAME OF ROAD

Name to which road be renamed: _____

RESPONSIBLE PERSON

Name of person to pay for change, including map changes and signs:

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____

Estimated Cost: _____

FIRE DEPARTMENT

Fire Department Name: _____

Check One: _____ Approved _____ Not Approved

If not approved, give reason/s below:

Signature: Chief _____

Secretary _____

Fire Department Name: _____

Check One: _____ Approved _____ Not Approved

If not approved, give reason/s below:

Signature: Chief _____

Secretary _____



7-7-2014
Sec Page 2

Set date for extended Water Department Work Session

The Board set a date of Wednesday, August 6, 2014 at 10:00am to hold a Water Department Work Session as requested by County Manager Sauer. The meeting will be held in the Commissioner's Room located at 106 Dundee Street in Windsor.

COMMISSIONER'S REPORTS

Commissioner Wesson introduced Bertie County's Youth Delegate, Clint Conner, of the Bertie County STEM School.

Mr. Wesson informed those present that Mr. Conner would be representing Bertie County at the 107th NCACC Annual Conference on August 14-17, 2014 in Asheville, NC.

COUNTY MANAGER'S REPORTS

County Manager Sauer informed that Board that Timothy Baynes of Mid-East Commission would be approaching the Board on 7-21-14 with a request for a joint meeting of all County and municipality representatives.

Commissioner Wesson also informed the Board that the Mid-East Commissioner Board is looking to gain input and suggestions from the County and its municipalities in regards to Mr. Baynes performance, funding requests, etc.

COUNTY ATTORNEY'S REPORT

County Attorney Smith informed the Board that CDBG Scattered Site Housing financial obligation notes could be reduced for several homeowners according to McDavid and Associates, and that Mr. Smith just needed a motion, and signature for the notes to be accepted.

Commissioner Harrell made a **MOTION** to accept the reduced notes for the CDBG Scattered Site Housing program as requested by the County Attorney. Vice Chairman Smith **SECONDED** the motion. The **MOTION PASSED** unanimously.

County Attorney Smith also requested the opportunity for Closed Session.

PUBLIC COMMENTS CONTINUED

Diane Spivey, wife of deceased Isaiah Spivey, approached the Board about her request of renaming her street as "Isaiah Spivey Lane" instead of "Spivey Lane." Ms. Spivey informed the Board that the road name had just been re-posted as Spivey Lane, and that even though the Board

7-7-2024

couldn't accomplish her request to rename it, she stated that she enjoys the Commissioners meetings, and will still continue to attend.

Commissioner Wesson interjected by stating that the motion that the Board made at a recent meeting to maintain the street name as "Spivey Lane" was only meant to be temporary as per Bertie County's Road Name Change Policy, those requests can only be reviewed during the month of October.

Commissioner Harrell stated that the policy could just be amended by the Board.

Commissioner Harrell made a **MOTION** to amend the Road Name Change Policy allowing road name changes to occur during anytime in the year. Commissioner Wesson **SECONDED** the motion. The **MOTION PASSED** unanimously.

CLOSED SESSION

As requested by the County Attorney, and County Manager Sauer, Vice Chairman Smith made a **MOTION** to go into Closed Session pursuant to N.C.G.S. § 143-318.11(a)(3) to go into closed session to consult with the County Attorney in order to preserve the attorney-client privilege that exists between the attorney and this public body, pursuant to N.C.G.S. § 143-318.11(a)(6) to consider the qualifications, competence, performance, character, fitness, conditions of employment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee, and pursuant to N.C.G.S. § 143-318.11(a)(4) To discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body, including agreement on a tentative list of economic development incentives that may be offered by the public body in negotiations. The action approving, the signing of an economic development contract or commitment, or the action authorizing the payment of economic development expenditures, shall be taken in an open session. Commissioner Wesson **SECONDED** the motion. The **MOTION PASSED** unanimously.

The Board shifts into Closed Session.

Commissioner Harrell made a **MOTION** to return to Open Session. Commissioner Trent **SECONDED** the motion. The **MOTION PASSED** unanimously.

ADJOURN

Chairman Perry adjourned the meeting at 12:30pm.



D - 4

Draft Correspondence - Oct. 2017

PRITCHETT & BURCH, PLLC

ATTORNEYS AT LAW
101 LAWYERS LANE - POST OFFICE DRAWER 100 - WINDSOR, NC 27983
Telephone (252) 794-3161- Facsimile (252) 794-2392
e-mail csmith@windsorlaw.com

LLOYD C. SMITH, JR. * +
JONATHAN E. HUDDLESTON
LLOYD C. (CLIF) SMITH, III
PEGGY T. SMITH

J.A. PRITCHETT (1897-1986)
WILLIAM W. PRITCHETT, JR. (1944-2001)

*Certified Mediator
+Certified Family Financial Mediator

_____, _____, 2017

Dear _____ :

Re:

You have been identified by Bertie County as the owner of _____ (address) _____ on which a private roadway exists. It is the understanding of the County that this private roadway acts as an ingress and egress for at least one dwelling. It has further come to the attention of the County that the private roadway is in a state of disrepair that prevents County agencies from guaranteeing and providing necessary and important services to the citizens and residents of Bertie County. It is the intention of the Bertie County Commissioners to pass a local ordinance requiring that said private roadways be in compliance with standards set forth in said ordinance. These standards include meeting minimum requirements for the access of certain public services, including EMS, fire, and law enforcement. It shall be the responsibility of any and all land owners listed in the Bertie County Tax Office to make repairs to any part of said roadways which are situated upon their property. Upon passage of the ordinance, the Bertie County Commissioners shall have the legal authority to issue both civil and criminal penalties for failing to adhere and maintain to the standards set forth in the ordinance.

This letter is an attempt by the County to give all land owners of these certain roadways an opportunity to correct all deficiencies in said roadways prior to the passage of the ordinance. This potentially limits the penalties that could be incurred by said landowners. If you are interested in correcting or maintaining the roadway in a manner which shall not violate the proposed ordinance, please contact the Bertie County Manager's Office to discuss the minimum maintenance standards.

Sincerely,

John Trent
Chairman of the Board
Bertie County Commissioners

Latest draft per Jonathan H.

PRIVATE ROAD SAFETY AND MAINTENANCE ORDINANCE

FOR

BERTIE COUNTY, NORTH CAROLINA

MAY 2016

**ARTICLE I
INTRODUCTORY PROVISIONS**

Section 101 Title

This Ordinance is entitled the *Bertie County Road Safety and Maintenance Ordinance*, and may be cited as the *Road Safety and Maintenance Ordinance*.

Section 102 Authority & Purpose

Whereas, in order to promote the health, safety, and general welfare of the citizens of Bertie County, North Carolina; and to allow for and provide for safe and timely emergency services to those citizens of Bertie County and to abate and repair any deterrence to these services because of the conditions of any private roadways which have been deemed to be detrimental to the public health, safety, and general welfare of a citizen of this county; it is desirable and necessary to adopt the *Private Road Safety and Maintenance Ordinance*, for the territorial jurisdiction of Bertie County as herein set forth.

Section 103 Jurisdiction

Upon adoption, this ordinance shall govern every private and public road not maintained by the North Carolina Department of Transportation within Bertie County, North Carolina, where said road provides for public or private access to, at a minimum, one residence or dwelling which is used for residential purposes.

**ARTICLE II
DEFINITIONS**

Section 201 General

For the purpose of this ordinance, certain terms or words used herein shall be interpreted as follows:

Section 202 Words Interpretation

For the purpose of this Ordinance, certain words shall be interpreted as follows:

- a) The word "may" is permissive
- b) The words " shall" and "will" are mandatory
- c) The present tense includes the future tense and the future tense includes the present tense.
- d) The singular includes the plural and plural includes the singular.
- e) The word "county" shall mean Bertie County, North Carolina
- f) The words "County Commissioners" shall mean the Bertie County Board of Commissioners.
- g) The word "person" includes firm, association, organization; trust, company, corporation, or any legal entity as well as an individual
- h) The words "used" or "occupied" include the phrases: "intended to be occupied or used".

Section 203 Definitions

Dwelling- For the purpose of this Ordinance a dwelling, means any building, structure, manufactured home or mobile home, occupied, maintained or intended for use as a residence.

Enforcement Officer- The enforcement officer for Bertie County shall be the Planning Director or his or her designated representative, which may be the Emergency Management Services Director.

Private Road- A Street that has not been accepted nor planned for acceptance by North Carolina Department of Transportation or other governmental entity, and which provides public or private access to a minimum of one Dwelling. Private Road does not include private driveways providing access to a Dwelling that is less than seventy five feet in length.

Owner- The legal owner of the parcel or real property upon which any part of the private road is situated as documented in the Bertie County Tax Office. An owner will only be responsible pursuant to Article III of this ordinance for that portion or section of the private road which is found within the boundary of their parcel as defined by the Bertie County Tax and Mapping Department.

Residence- A place where a person or group of persons resides on a permanent or temporary basis, this includes all lodging, clubs or other places where people gather, either public or private.

**ARTICLE III
SPECIFICATIONS FOR PRIVATE ROADS**

Section 401 General Provisions

Any Private Road within the jurisdiction of this ordinance will be subject to the specifications set forth within this article.

Section 402 Specifications

All Private Roads must be passable in all weather conditions by any two-wheel drive vehicle, including, but not limited to, emergency vehicles operated by law enforcement, emergency management services and any fire department. The Private Road must be passable in both directions without the need to cross the centerline to avoid potholes or other obstructions. "Passable" is defined as being clear of obstacles and capable of being traveled on comfortably, safely and without the bottom of the vehicle contacting the ground or water.

Section 403 Maintenance

The owner of said Private Roads shall have a specific duty to maintain, repair, and bring up to standard, all private roads within the jurisdiction of this ordinance. The Enforcement Officer will inspect any and all private roads subject to this ordinance periodically to ensure compliance with the specification set forth in Article III, Section 402 above.

Section 404 Compliance

Any current owner of a private road subject to this Ordinance shall have 120 days to come into compliance with said Ordinance. All new private roads subject to this Ordinance shall be built in compliance with the Specifications set forth in Article III, Section 402 above.

**ARTICLE IV
ENFORCEMENT**

Section 501 General Provisions

If the specifications required by this Ordinance are not met within the 120 day period, the owner of said private road shall be guilty of a Class III misdemeanor and assessed a fine of five hundred dollars (\$500.00) pursuant to N.C.G.S. §14-4. In lieu of or in addition to the criminal penalties outlined above, the private road owner may be subject to a civil penalty pursuant to N.C.G.S. 153A-123(c) of \$1,000 per day for each day the violation continues, recoverable by the County in a civil action in the nature of a debt.

In addition to all other remedies available either at law or in equity, the County may institute an action in the General Court of Justice, more specifically the Superior Court of Bertie County, seeking enforcement of the ordinance by injunction and order of abatement pursuant to N.C.G.S. §153A-123(d) and (e), including but not limited to, action by the County seeking an order of abatement requiring the private road owner to make the necessary improvements to said private road within the time allowed by the Court, whereupon noncompliance with the abatement order the County may execute the Order, making the necessary repairs and maintenance, creating a lien upon the owner's real property for the costs of executing said order.

Scott Sauer

From: Jonathan E. Huddleston <JHuddleston@windsorlaw.com>
Sent: Thursday, January 28, 2016 8:46 AM
To: L. Clifton Smith, III; Scott Sauer
Cc: Lloyd C. Smith, Jr.
Subject: private roads; poor condition; health and safety

Here are possible options for the County to address private roads that are in poor condition:

- If an impassable road can be considered a public health nuisance, 153A-140 says that "a county shall have authority to remove, abate, or remedy everything that is dangerous or prejudicial to the public health or safety." The County could declare by resolution that private roads that are in such poor condition that they are impassable by EMS, fire and law enforcement vehicles are dangerous and prejudicial to the public health and safety and must be repaired to a certain standard. They then have to define that standard. They can also identify which types of private roads this would apply to. Once the property owners know what the standard is and whether it applies to them, they can be required to repair their roads and maintain them in a passable condition, as defined. If they don't comply, 153A-140 allows the County to repair the road for the owner and put a lien on it. A good feature of 153A-140 is that the lien can be enforced and collected as unpaid taxes, which means that the lien has super-priority over all other liens, even bank liens or IRS liens.
- 153A-123(e) is a statute similar to 153A-140 in that it requires a landowner to correct any "unlawful condition". It says that if an ordinance makes a condition on a landowner's land unlawful, and if the owner doesn't fix it after notice from the County, the County can get an injunction or an order of abatement, and then the County can fix it and charge the landowner for the cost and put a basic mechanics lien on the property (not collectable as a tax lien). This statute is usually used for dilapidated homes and structures, but it also can be used to enforce simple things like high grass and weeds. One could argue that if a County can make someone mow their grass to correct a problem, the County should also be able to make roads passable for EMS, fire and law enforcement, and school buses and postal service.

The problem with these two options above is writing the ordinance or resolution so that it is not too vague or too broad to accomplish its purpose. Otherwise it is subject to challenge on constitutional grounds. Also, it has to be written in a way that its enforcement is not subject to attack in being arbitrary or capricious.

Two other options are:

- The County could condemn the road and then spend county funds to bring it up to DOT standards, but that would have to be done in cooperation with DOT to make sure that the road meets the requirements for the DOT to take it over when the work is done. NCGS 136-98 gives some authority to the County to improve roads, but the road needs to be a state road or turned over to the state by agreement.
- The County could use its special assessment authority to pay for road improvements, but there has to be a petition from 75% of the owners who represent 75% of the value of the property to be assessed. Under 153A-205 counties can pay for the local share of the cost of improvements to private roads to bring them up to DOT standards and then levy a special assessment on the property owners for the cost of the local share. The would also need to be done with DOT permission.

As you can see, the County's options are limited, but if the Commissioners want to press ahead with one of these we can help write something that will minimize the County's exposure as best we can.

Jonathan E. Huddleston
Attorney At Law
Pritchett & Burch, PLLC
101 Lawyers Lane

Scott Sauer

From: Tammy Lee <lee4bertie@gmail.com>
Sent: Wednesday, February 11, 2015 4:23 PM
To: Scott Sauer; Sarah Tinkham; Ronald Wesson; Ernestine (Byrd) Bazemore (ernestinebyrd@yahoo.com); John Trent (abjtrent3@yahoo.com); John Trent; Stewart White; Lloyd C. Smith, Jr.
Subject: County roads
Attachments: IMG_2211.jpg; IMG_2212.jpg

I found a website from Onslow county today(see attached). I emailed the Onslow county Manager and received an email back. Below is the email I received back. A lot of what is in the brochure comes from NC G.S. 136-67 Article 4 This would be a helpful tool for our citizens for only pennies

I received a copy of your inquiry regarding Onslow County's "Private Road Maintenance" brochure. The brochure is quite old; however, the information contained is still relevant. It has been a valuable educational tool for those seeking information on options to improve/maintain their roads. We receive quite a few requests for the County to assist with maintaining private roads. In such cases, we typically refer requesters to the brochure and cover the various processes available. The County has received several requests for the special assessment (Option #1 in the brochure), but only one has been successful thus far. Others have been disqualified as a result of failing to meet the 75% participation threshold.

I hope this information is helpful. Please let me know if you have questions or would like further information on this matter.

Best Regards,

Ben

Benjamin I. Warren

Planning & Development Director

County of Onslow

234 NW Corridor Boulevard

Jacksonville, North Carolina 28540

910.989.3085 Office

Call us with any questions or comments.

2 of 2



ONSLOW COUNTY

Planning and Development Department
604 College Street
Jacksonville, NC 28540

Phone: 910-455-2661

Fax: 910-347-3759

E-mail: scott_thuford@onslowcountync.gov



Private Road Maintenance - Responsibilities and Other Maintenance Alternatives



Private Road Maintenance is the responsibility of the Owner. If you own a farm, a home or a business on a private road, you may appreciate the privacy and control that ownership of your property's access offers. However, with

those ownership rights comes the responsibility to maintain the road and any associated drainage improvements. That maintenance involves ensuring that the road remains passable for other owners and that the drainage facilities work properly so that the road is not damaged by rainfall and that stormwater does not negatively affect other adjoining or nearby properties.

In some cases, these maintenance responsibilities are beyond the capacity of the owner or owners to handle. Onslow County officials are frequently asked about alternatives to maintaining private roads. As a result, the County has produced this brochure that describes maintenance options available to private road owners.



Private Roads May Be Paved or Unpaved

IS MY ROAD PRIVATE?

Property owners often don't know whether their road is public or private. If you live in the unincorporated area of the County (not in a city or town), you will need to contact the North Carolina Department of Transportation at 910-346-2040 to determine the



ownership status of your road. If you live in a city or town, you will need to contact their office to see if your road is public or private. Onslow County does not own or maintain any roads or streets.

ALTERNATIVES TO PRIVATE MAINTENANCE

The following options are available in unincorporated Onslow County. If your road is located in a city or town, you will need to follow their procedures.

Improve Road to State Standards
This approach is commonly used by developers. The property owner(s) build or improve the road to state standards and petition the NCDOT to accept the road for maintenance.

Old Rural Roads Program
This NCDOT program allows the state to assume maintenance of some pre-1974 roads. It requires 100% property owner

participation and all property owners must deed the required R.O.W to the state and remove all obstructions in the R.O.W, including fences, trees, and buildings. NCDOT will improve the road to its standards and assume maintenance.

Assessment Option #1

The County can use the special assessment process to construct and finance roads. Property owners are assessed their share of the cost of the road improvements over a period of time (usually 10 years) at an interest rate determined by the County (usually 8%). This requires a petition from at least 75% of the property owners who must represent at least 75% of the total frontage of the lands abutting the road. If necessary, the County can condemn land for the road if the NCDOT agrees that the road is needed and is willing to assume maintenance after it is improved.

Assessment Option #2

The County can use the "new special assessment" provision in state law to construct a road that is not to state standards but which can provide safe access. Property owners would be assessed the cost of construction and maintenance. This approach requires >50% of the property owners owning 66%+ of the value of the affected land to agree to the assessment. Condemnation of property could be used to provide sufficient R.O.W.

Private Options

1. Property owners could form an association to formally address road maintenance through private assessments.
2. Owners could periodically pool funds to provide maintenance on an informal basis.
3. Owners can pursue grants for road maintenance.





Maintaining Private Roads

This brochure is intended to provide property owners with information regarding private road maintenance in the event that self-maintenance is proving difficult due to any number of factors, including financial and right-of-way constraints.

We hope that you find this information to be of assistance. Please feel free to contact us with any questions or comments.



Maintaining Your Private Road - Options for Property Owners



ONSLOW COUNTY

Planning and Development Department
604 College Street
Jacksonville, NC 28540

Phone: 910-455-3641

Fax: 910-347-5759

E-mail: scott_shelford@onslowcountync.gov

Private Road Maintenance - Responsibilities and Other Maintenance Alternatives



Private Road Maintenance is the Responsibility of the Owner. If you own a farm, a home or a business on a private road, you may appreciate the privacy and control that ownership of your property's access offers. However, with

those ownership rights comes the responsibility to maintain the road and any associated drainage improvements. That maintenance involves ensuring that the road remains passable for other owners and that the drainage facilities work properly so that

IS MY ROAD PRIVATE?

Property owners often don't know whether their road is public or private. If you live in the unincorporated area of the County (not in a city or town), you will need to contact the North Carolina Department of Transportation at 910-346-2040 to determine the



ownership status of your road. If you live in a city or town, you will need to contact their office to see if your road is public or private. Onslow County does not

participate and all property owners must deed the required R-O-W to the state and remove all obstructions in the R-O-W, including fences, trees, and buildings. NCDOT will improve the road to its standards and assume maintenance.

Assessment Option #1

The County can use the special assessment process to construct and finance roads. Property owners are assessed their share of the cost of the road improvements over a period of time (usually 10 years) at an interest rate determined by the County (usually 8%). This requires a petition from at least 75% of the property owners who must represent at least 75% of the lineal footage of the lands abutting the road. If necessary, the County can condemn land for the road if the NCDOT agrees that the road is needed and is willing to assume maintenance when it is completed.



Scott Sauer

From: Jonathan E. Huddleston <jhuddleston@pb-attorneys.com>
Sent: Monday, November 28, 2016 9:57 PM
To: Scott Sauer
Cc: Lloyd C. Smith, Jr.; L. Clifton Smith, III
Subject: county ordinances

Scott,

I saw a couple newspaper articles of note recently. Sunday's Greenville paper had an article about private neighborhood roads that are in poor condition and how difficult it is for the County to do anything about them. Pitt County has started a program of repair and assessment, kind of like Windsor does, where if the owners of 75% or more of the road frontage petition the county for repairs, the County will fix the roads and assess the owners with the costs payable over time. The landowners that were interviewed were still complaining because either they couldn't get 75% to sign the petition, or if they did they complained that it was taking too long. They went from "please protect us from the problems we didn't anticipate" to "thanks but you can do better than that". I see that being a public official can be quite frustrating at times.

In at least one of those Pitt County neighborhoods the average landowner's cost was going to be around \$10,000, so they were not happy with the cost. I doubt that the assessment approach would ever work here in Bertie because in these neighborhoods with trailers where the problems are worst you're not going to get owners of at least 75% of the frontage to agree to pay a share of the kind of money it takes to improve one of these roads to DOT specifications.

Also, I see that Chowan County passed a tobacco ordinance that prevents smoking and other tobacco use in county-owned vehicles and buildings, but not at other county facilities such as ballparks. The article said that smoking at county-owned recreational facilities is already discouraged under existing county policy. I will complete the draft of our tobacco ordinance before Friday.

Jonathan E. Huddleston
Attorney At Law
Pritchett & Burch, PLLC
101 Lawyers Lane
Post Office Drawer 100
Windsor, North Carolina 27983
Tel. 252.794.3161 ext 223
Fax 252.794.2392
www.windsorlaw.com

Sarah Seredni

From: Scott Sauer
Sent: Monday, October 07, 2013 3:26 PM
To: wallaceperry@centurylink.net; Charles L. Smith (CssCharles@aol.com); Ronald Wesson; Rick Harrell - work (rick.harrell@perdue.com); Harrell, Rick (rick.e.harrell@gmail.com); john trent
Cc: Lloyd C. Smith, Jr.; Lynette B. Taylor; Jonathan E. Huddleston; Sarah Seredni; Traci White
Subject: Dirt roads

Good afternoon and happy Monday!

After the Chairman alerted me to one of John Ed's news articles this morning regarding dirt roads in Cumberland County, I contacted Rick Moorefield the county attorney. Rick and I worked together in Sampson County many years ago.

Below is the General Statute that Cumberland County's Board of Commissioners will be using to lean on their NCDOT District Engineer for some assistance.

Scott

§ 136-67. Neighborhood public roads. All those portions of the public road system of the State which have not been taken over and placed under maintenance or which have been abandoned by the Department of Transportation, but which remain open and in general use as a necessary means of ingress to and egress from the dwelling house of one or more families, and all those roads that have been laid out, constructed, or reconstructed with unemployment relief funds under the supervision of the Department of Health and Human Services, and all other roads or streets or portions of roads or streets whatsoever outside of the boundaries of any incorporated city or town in the State which serve a public use and as a means of ingress or egress for one or more families, regardless of whether the same have ever been a portion of any State or county road system, are hereby declared to be neighborhood public roads and they shall be subject to all of the provisions of G.S. 136-68, 136-69 and 136-70 with respect to the alteration, extension, or discontinuance thereof, and any interested party is authorized to institute such proceeding, and in lieu of personal service with respect to this class of roads, notice by publication once a week in any newspaper published in said county, or in the event there is no such newspaper, by posting at the courthouse door and three other public places, shall be deemed sufficient: Provided, that this definition of neighborhood public roads shall not be construed to embrace any street, road or driveway that serves an essentially private use, and all those portions and segments of old roads, formerly a part of the public road system, which have not been taken over and placed under maintenance and which have been abandoned by the Department of Transportation and which do not serve as a necessary means of ingress to and egress from an occupied dwelling house are hereby specifically excluded from the definition of neighborhood public roads, and the owner of the land, burdened with such portions and segments of such old roads, is hereby invested with the easement or right-of-way for such old roads heretofore existing. Upon request of the board of county commissioners of any county, the Department of Transportation is permitted, but is not required, to place such neighborhood public roads as above defined in a passable condition without incorporating the same into the State or county system, and without becoming obligated in any manner for the permanent maintenance thereof. This section shall not authorize the reopening on abandoned roads of any railroad grade crossing that has been closed by order of the Department of Transportation in connection with the building of an overhead bridge or underpass to take the place of such grade crossing. (1929, c. 257, s. 1; 1933, c. 302; 1941, c. 183; 1949, c. 1215; 1957, c. 65, s. 11; 1969, c. 982; 1973, c. 476, s. 138; c. 507, s. 5; 1977, c. 464, s. 7.1; 1997-443, s. 11A.122.)

Three dirt roads in Cumberland County will soon be maintained by state

By Gregory Phillips Staff writer | Posted: Monday, July 28, 2014 5:26 pm

Three dirt roads in Cumberland County will soon be maintained by the state, but they don't include two that the Cumberland County Board of Commissioners has been asking about for years.

Commissioners met in special session Monday morning to endorse improvements to Chipper Street near Eastover, Williams Street in Spring Lake and McCall Drive north of Stedman. The state Department of Transportation will bring the roads up to minimum standards for the state to take them over, at no cost to the county.

"They will be improved to gravel road status," said Richie Hines, a resident engineer for the DOT.

But two more roads - Pinpoint and Draper, connected dirt paths off Clinton Road in Vander - the county has wanted fixed for decades weren't on the list.

"They are two roads that are in terrible, terrible condition," Commissioner Billy King said. "After the last 20-some years, we're still talking about these roads."

Hines said residents of Pinpoint and Draper roads have said time and again - twice within the last five years - they are not prepared to surrender any portion of their front yards to provide the width necessary for DOT to take over the narrow dirt path.

"That will stop the process in its tracks," Hines said. "That would prohibit this one right off the bat."

A rarely used state law allows county commissioners to ask DOT to make a road passable without assuming responsibility for maintaining it, provided the homeowners agree.

The process involves leveling the road but doesn't provide any protection from traffic and weather returning the road to its original state.

The commissioners requested in September 2013 for DOT to perform that work, but it was not done. County Attorney Rick Moorefield said DOT told him the weather last winter prevented it.



Dirt roads

Cumberland County has wanted to fix up Pinpoint and Draper Roads for 20 years.

"The board has made that request," Moorefield said.

Chairwoman Jeannette Council said she wants an answer by September.

"All of us are concerned about these roads," she said.

The three roads that were chosen were the three most recently requested that meet those criteria, Hines said. Chipper Street and McCall Drive are residential. Williams Street, behind the Walmart in Spring Lake, is a bumpy, twisting, single-lane track that is home to two churches: Body of Christ Families 1st International Ministries and Faith Christian Fellowship Center.

The county's approval was required by July 31 so the state Board of Transportation can add the roads at its next meeting. Roads in Bladen and Harnett counties also will be part of the process, state Sen. Wesley Meredith said.

"I went to the division and said are there any roads that could be improved, and they had a list," he said.

On Pinpoint and Draper roads Monday, the air was hot and dusty. That makes driving easier; it's rain that causes problems.

"When it rains, it sinks and you get these big potholes," said Lakita Campbell, who has lived on Draper Road for three years.

Ronnie and Patricia Smith have lived on Pinpoint Road for 30 years. They own the homes on either side of theirs and a field that borders Draper Road. Their yards are neat, and Ronnie Smith drags the roads himself to keep them passable. They prefer that to having the state take half their front yard to widen the road.

"We've been down here since '84 and it was worse then than it is now," Patricia Smith said. But she has no problem with the state upgrading what's already there.

"As long as it's not going to affect the houses," she said, "they can do whatever they want."

Staff writer Gregory Phillips can be reached at phillipsg@fayobserver.com or 486-3596.

Scott Sauer

From: Sarah Tinkham
Sent: Wednesday, March 29, 2017 1:02 PM
To: Scott Sauer
Subject: FW: Private Roads Joint Meeting -- Thursday/Friday of this week

Importance: High

Scott,

I may have jumped the gun, but this morning you mentioned you wanted to hold off on this meeting until after the April 3rd meeting.

I didn't realize though that **Cliff** was the one who drafted the private roads ordinance.

Does that make a difference?

Just let me know so I know what to tell Cliff when he calls.

From: Jonathan E. Huddleston [mailto:jhuddleston@pb-attorneys.com]
Sent: Wednesday, March 29, 2017 12:58 PM
To: Sarah Tinkham <sarah.tinkham@bertie.nc.gov>
Subject: RE: Private Roads Joint Meeting -- Thursday/Friday of this week

I talked to Cliff and he said he will contact you to set up the meeting.

Jonathan E. Huddleston
Attorney At Law
Pritchett & Burch, PLLC
101 Lawyers Lane
Post Office Drawer 100
Windsor, North Carolina 27983
Tel. 252.794.3161 ext 223
Fax 252.794.2392
www.windsorlaw.com

From: Sarah Tinkham [mailto:sarah.tinkham@bertie.nc.gov]
Sent: Tuesday, March 28, 2017 8:32 AM
To: Jonathan E. Huddleston
Subject: RE: Private Roads Joint Meeting -- Thursday/Friday of this week

Hi Jonathan,

Thanks!

Just let me know.

From: Jonathan E. Huddleston [mailto:jhuddleston@pb-attorneys.com]
Sent: Monday, March 27, 2017 5:40 PM
To: Sarah Tinkham <sarah.tinkham@bertie.nc.gov>
Subject: RE: Private Roads Joint Meeting -- Thursday/Friday of this week

Sarah,

I am trying to get up with Clif who was the one here that was spearheading the work on the private roads ordinance to see when he's available. I jumped back in to make a few final revisions to the ordinance last week, but it's Clif that is working that file. He was out today. I will try to let you know something tomorrow.

Jonathan E. Huddleston
Attorney At Law
Pritchett & Burch, PLLC
101 Lawyers Lane
Post Office Drawer 100
Windsor, North Carolina 27983
Tel. 252.794.3161 ext 223
Fax 252.794.2392
www.windsorlaw.com

From: Sarah Tinkham [<mailto:sarah.tinkham@bertie.nc.gov>]
Sent: Monday, March 27, 2017 12:25 PM
To: Jonathan E. Huddleston; DBF
Cc: Scott Sauer; Traci White
Subject: Private Roads Joint Meeting -- Thursday/Friday of this week

Jonathan,

Hope you're doing well.

The County Manager asked that I schedule a meeting for both of you along with Traci White to talk about the private roads ordinance.

Does sometime Thursday afternoon work for your schedule?

Just let us know.

Thanks!

Sincerely,

Sarah S. Tinkham

Clerk to the Board/Exec. Asst. to the County Manager

Bertie County Board of Commissioners

106 Dundee Street

PO Box 530

Windsor, NC 27983

Switchboard: (252) 794-5300

Fax: (252)794-5327

sarah.tinkham@bertie.nc.gov



Pursuant to North Carolina General Statutes Chapter 132, Public Records, this electronic mail message and any attachments hereto, as well as any electronic mail message(s) that may be sent in response to it may be considered public record and as such are subject to request and review by third parties.