

# Bertie County Board of Commissioners



**August 15, 2022  
6:00 PM**

Vice Chair	Ronald “Ron” Wesson	District I
	Greg Atkins	District II
	Tammy A. Lee	District III
Chair	John Trent	District IV
	Ron Roberson	District V



Bertie County is now utilizing Zoom during the COVID-19 pandemic.

**Zoom is available to the public to participate during this meeting.**

To call in to our meeting on the phone, use the following information:

Phone #: 1-301-715-8592

Meeting ID: 723 391 6141

To listen to our meeting online, click or copy and paste this link into your browser:

<https://us02web.zoom.us/j/7233916141>

Questions? Call the County Manager's Office at 794-5300.

**BERTIE COUNTY BOARD OF COMMISSIONERS**

**August 15, 2022**

**Meeting Agenda**

*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.*

**6:00 PM** Welcome and Call to Order by Board Chair John Trent, Commissioners Room, Windsor

Invocation and Pledge of Allegiance by Commissioner Ron Roberson

Public Comments (*3-minute limit per speaker*)

**(A)**

**\*\*\* REPORTS & APPOINTMENTS \*\*\***

- (1) Citizen's Variance Request by Planning & Inspections Director Traci White
- (2) Dental Care Practice Announcement by Kim Schwartz, CEO of Roanoke Chowan Community Health Center
- (3) ECU Health Bertie Hospital Update by President Brian Harvill
- (4) 2022 NC GREAT – Bertie County Project Presentation by Eric Collins, Director of Government Affairs, Spectrum
- (5) TGOW and Capacity Building Update by Project Consultant Robin Payne
- (6) Financial Summary by Finance Director William Roberson

**Board Appointments (B)**

1. Reappointment to Planning Board – Jim Wiggins

**Consent Agenda (C)**

1. Approve Register of Deeds Fees Report – July 2022
2. Approve Minutes for Regular Session 4-4-2022
3. Budget Amendments
4. Project Amendment

**\*\*\*OTHER ITEMS\*\*\***

**Discussion Agenda (D)**

1. Addition of Communications Director and Emergency Services Billing Coordinator Positions to Salary Schedule
2. Emergency Management Update and Request to Unfreeze Positions
3. Plans for Bertie County's 300<sup>th</sup> Anniversary Celebration

**Commissioners' Reports (E)**

**County Manager's Reports (F)**

**County Attorney's Reports (G)**

**Public Comments**  
(*3 minutes per speaker*)

**Adjourn**



# Bertie County

Board of Commissioners

## ITEM ABSTRACT

**MEETING DATE:** August 15, 2022

**SECTION:** Appointments & Reports (A-1 to A-6)

**DEPARTMENT:** Governing Body

**TOPICS:**

- (1) Citizen's Variance Request by Planning & Inspections Director Traci White
- (2) Dental Care Practice Announcement by Kim Schwartz, CEO of Roanoke Chowan Community College
- (3) Vidant Bertie Hospital Update by President Brian Harvill
- (4) 2022 NC GREAT -Bertie County Project Presentation by Eric Collins, Director of Government Affairs, Spectrum
- (5) TGOW and Capacity Building Update by Project Consultant Robin Payne
- (6) Financial Summary by Finance Director William Roberson

**COUNTY MANAGER RECOMMENDATION OR COMMENTS:** --

**SUMMARY OF AGENDA ITEM AND/OR NEEDED ACTION(S):** --

**ATTACHMENTS:** Yes

**LEGAL REVIEW PENDING:** N/A

**ITEM HISTORY:** ---



A-1

**From:** [Traci White](#)  
**To:** [Juan Vaughan II](#)  
**Subject:** Chevelle Swain property  
**Date:** Thursday, July 28, 2022 2:18:53 PM

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Juan,

Per our conversation earlier regarding Ms. Chevelle Swain's complaint of elevation requirements, I am sending you an overview of what has taken place within our department and what is required for the home to be permitted.

Property location: 2840 US-13 N, Ahoskie (east side of US 13 N, across from its intersection with Hexlena Road)

- Chevelle Swain purchased property from a family member that is located in a Special Flood Hazard Area, Zone AE
- Ms. Swain plans to replace an existing single-wide mobile home that has been or will be removed from the property; The manufactured home permit was applied for in March, but was not paid, therefore, has not been approved.
- Ms. Swain was told by the dealer that the new doublewide manufactured home would be approximately 10 feet high [from the ground]
- Ms. Swain visited my office to speak with me about this and apply for the Flood Development Permit on 7/5/22 (FDP issued 7/5/22)
- Details –
  - Bertie County has a Flood Damage Prevention Ordinance in place that requires new homes be elevated to 5 feet above the Base Flood Elevation (BFE); This area is called "freeboard".
  - A registered land surveyor, hired by the homeowner, completes an elevation certificate to determine the actual elevation of grade (the ground) and sets a benchmark at BFE. The benchmark is used as a guide ensure the home is set at the correct elevation.
  - For this particular property, the distance from grade (37.09' above mean sea level) to BFE (39.7' above mean sea level) is 2.61'; with the 5 feet of freeboard required by ordinance, the bottom of the floor and all utilities must be at or above 44.7' (7.61 feet from the lowest adjacent grade i.e., the lowest ground level under the home).
  - Ms. Swain said she was told by the dealer that the home would be elevated to 10 feet above the ground; After speaking with Matt about the home, I explained the additional footage is due to the design of the manufactured home where the duct work underneath the home, which must meet the freeboard requirement, goes under the marriage wall connecting the 2 halves of the home together; whatever the depth of that duct work will be will added

to the elevation. It is part of the design of the home. The design of a manufactured home can only be changed via a licensed engineer.

- Once the home has been set up, the land surveyor will need to complete a final elevation certificate to verify the elevation that the home and utilities have been set so the Building Inspector and Floodplain Administrator can approve the home for occupancy.

Please let me know if you have any questions or need further information regarding this property.

*~ Traci B. White ~*

Traci B. White,CFM  
Director of Planning & Inspections  
Bertie County  
106 Dundee ST  
PO Box 530  
Windsor, NC 27983  
Dept. (252)794-5336  
Direct (252)794-6185  
FAX (252)794-5361  
[traci.white@bertie.nc.gov](mailto:traci.white@bertie.nc.gov)  
[www.co.bertie.nc.us](http://www.co.bertie.nc.us)

**FLOODPLAIN DEVELOPMENT PERMIT APPLICATION**

**Bertie County                  Town of Aulander                  Town of Colerain**  
**Town of Roxobel                  Town of Windsor**

Date:                                  Tax PIN:                                  FDP# (office use):

Location of Property:

Type of Development:      Residential Construction      Nonresidential Construction  
Excavation      Fill      Grading      Utility Construction      Road Construction  
Addition      Renovation      Other (specify)

Size of Development:

FIRM Data: Map Panel No.      Suffix      Map Panel Date      Map Index Date      Flood Zone

Regulatory Floodway Info:      Inside Regulatory Floodway      Outside Regulatory Floodway      No Regulatory Floodway  
Non-Encroachment Area

Development Standards Data:

1. If Inside Regulatory Floodway is checked above, attach engineering certification and supporting data as required.
2. Base flood elevation (BFE) per FIRM at development site \_\_\_\_\_ (NGVD).
3. Regulatory flood elevation at development site (BFE + Freeboard): \_\_\_\_\_(NGVD).
4. Elevation in relation to mean sea level (MSL) at or above which the lowest floor (including basement) must be constructed (BFE + Freeboard)\_\_\_\_\_ (NGVD).
5. Elevation in relation to mean sea level (MSL) at or above which all attendant utilities to include, but not limited to, all heating, air conditioning and electrical equipment must be installed (BFE + Freeboard)\_\_\_\_\_ (NGVD).
6. Will garage (if applicable) be used for any purpose other than parking vehicles, building access, or storage?      Yes      No  
If yes, then the garage must be used in determining the lowest floor elevation.
7. Proposed method of elevating the structure:      Fill      Foundation  
(a) If foundation wall is used - provide minimum of 2 openings  
(b) Total area of openings required: \_\_\_\_\_ (1 sq. inch per sq. foot of enclosed footprint area below BFE)
8. Will any watercourse be altered or relocated as a result of the proposed development?      Yes      No  
If yes, attach a description of the extent of the alteration or relocation.
9. Floodproofing information (if applicable): (Non-residential structures in A/AE zones only)  
Elevation in relation to mean sea level (MSL) to which structure shall be floodproofed (BFE + Freeboard) \_\_\_\_\_ (NGVD).

Applicant acknowledgment: I the undersigned understand that the issuance of a floodplain development permit is contingent upon the above information being correct and that the plans and supporting data have been or shall be provided as required. I also understand that prior to occupancy of the structure being permitted, an elevation and/or floodproofing certificate signed by a professional engineer or registered land surveyor must be on file with the Bertie County Planning & Inspections Department indicating the "as built" elevations in relation to mean sea level (MSL).

Print or Type Name of Applicant or Agent (if applicable)

Address:

Phone Number:

Signature of Applicant/Agent

Date:



**FLOODPLAIN DEVELOPMENT PERMIT**

**Bertie County      Town of Aulander      Town of Colerain  
Town of Roxobel      Town of Windsor**

Flood Permit # \_\_\_\_\_ Issuance Date \_\_\_\_\_ PIN \_\_\_\_\_ Building Permit Issuance Date \_\_\_\_\_

In accordance with the Flood Damage Prevention Ordinance, a Floodplain Development Permit is hereby granted to [Name of Applicant].

To conduct development activities within the area of special flood hazard on property located at: \_\_\_\_\_

This Permit is issued to the aforementioned individual, firm, partnership, etc. for the purpose noted above and in accordance with the Flood Damage Prevention Ordinance, this Floodplain Development Permit and attachments hereto; and is subject to the following modifications and/or performance reservations:

Permit issued for the following development only: Residential Construction: \_\_\_\_\_ Nonresidential Construction: \_\_\_\_\_  
Excavation: \_\_\_\_\_ Fill: \_\_\_\_\_ Grading: \_\_\_\_\_ Utility Construction: \_\_\_\_\_ Road Construction: \_\_\_\_\_  
Addition: \_\_\_\_\_ Renovation: \_\_\_\_\_ Other (specify): \_\_\_\_\_

1. The lowest floor and all attendant utilities shall be at or above \_\_\_\_\_ feet Mean Sea Level (MSL).
2. Pursuant to Article 4, Section B (3)(a)(ii) of the Flood Damage Prevention Ordinance, it shall be the duty of the permit holder to submit to the Floodplain Administrator the Elevation/Floodproofing Certification after construction is completed and prior to Certificate of Compliance/Occupancy issuance.
3. All buildings or structures shall be located landward of the first line of stable natural vegetation and comply with all applicable CAMA setback requirements. Division of Coastal Management, CAMA Office shall approve CAMA permits for structures within any setbacks.
4. Fill material shall not encroach into the floodway/non-encroachment area of [Name of Watercourse].
5. Proper Erosion and Sediment control measures shall be installed and maintained in accordance with North Carolina State Standards during fill operations.
6. Provide a minimum of two (2) openings in the foundation wall having a total area of not less than \_\_\_\_\_ square inches. The bottom of the openings shall not be greater than one (1) foot above the ground elevation at the perimeter of the foundation wall. The access area to the crawl space may be utilized to meet these criteria provided a mesh or screen door is used. *Note: Vent opening area requirement is calculated at 1 sq. in. per sq. ft of structures footprint below BFE.*
7. Mobile/Manufactured home shall be installed in accordance with the Flood Damage Prevention Ordinance, Article 5, Section B (3). *Applicable      N/A*
8. Upon completion of foundation construction, contact Floodplain Administrator’s office for foundation inspection.

Failure to comply with the Flood Damage Prevention Ordinance including any modifications and/or performance reservations could result in criminal penalties pursuant to Article 3, Section H.

\_\_\_\_\_  
Floodplain Administrator

\_\_\_\_\_  
Date of Issuance

**ELEVATION CERTIFICATE**

OMB No. 1660-0008  
Expiration Date: November 30, 2022

<b>IMPORTANT: In these spaces, copy the corresponding information from Section A.</b>			<b>FOR INSURANCE COMPANY USE</b>	
Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. <u>2808 US 12 N</u>			Policy Number:	
City <u>AHOSKI</u>	State <u>NC</u>	ZIP Code <input checked="" type="checkbox"/> <u>27910</u>	Company NAIC Number:	

**SECTION C – BUILDING ELEVATION INFORMATION (SURVEY REQUIRED)**

C1. Building elevations are based on:  Construction Drawings\*     Building Under Construction\*     Finished Construction  
\*A new Elevation Certificate will be required when construction of the building is complete.

C2. Elevations – Zones A1–A30, AE, AH, A (with BFE), VE, V1–V30, V (with BFE), AR, AR/A, AR/AE, AR/A1–A30, AR/AH, AR/AO.  
Complete Items C2.a–h below according to the building diagram specified in Item A7. In Puerto Rico only, enter meters.  
Benchmark Utilized: PUMPD      Vertical Datum: 41.5 SFT.

Indicate elevation datum used for the elevations in items a) through h) below.  
 NGVD 1929     NAVD 1988     Other/Source: \_\_\_\_\_  
Datum used for building elevations must be the same as that used for the BFE.

Check the measurement used.

a) Top of bottom floor (including basement, crawlspace, or enclosure floor) _____	<input type="checkbox"/> feet <input type="checkbox"/> meters
b) Top of the next higher floor _____	<input type="checkbox"/> feet <input type="checkbox"/> meters
c) Bottom of the lowest horizontal structural member (V Zones only) _____	<input type="checkbox"/> feet <input type="checkbox"/> meters
d) Attached garage (top of slab) _____	<input type="checkbox"/> feet <input type="checkbox"/> meters
e) Lowest elevation of machinery or equipment servicing the building (Describe type of equipment and location in Comments) _____	<input type="checkbox"/> feet <input type="checkbox"/> meters
f) Lowest adjacent (finished) grade next to building (LAG) _____	<u>37.09</u> <input checked="" type="checkbox"/> feet <input type="checkbox"/> meters
g) Highest adjacent (finished) grade next to building (HAG) _____	<u>37.69</u> <input checked="" type="checkbox"/> feet <input type="checkbox"/> meters
h) Lowest adjacent grade at lowest elevation of deck or stairs, including structural support _____	<input type="checkbox"/> feet <input type="checkbox"/> meters

**SECTION D – SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION**

This certification is to be signed and sealed by a land surveyor, engineer, or architect authorized by law to certify elevation information. I certify that the information on this Certificate represents my best efforts to interpret the data available. I understand that any false statement may be punishable by fine or imprisonment under 18 U.S. Code, Section 1001.

Were latitude and longitude in Section A provided by a licensed land surveyor?     Yes     No     Check here if attachments.

Certifier's Name <u>TED STELTON HOPKINS</u>		License Number <u>63976</u>	
Title <u>LAND SURVEYOR</u>			
Company Name <u>CIVILTEK LAND SURVEYING</u>			
Address <u>602 EAST NASH ST.</u>			
City <u>SPRING HOPE</u>	State <u>NC</u>	ZIP Code <input checked="" type="checkbox"/> <u>27882</u>	
Signature <u>Ted Hopkins</u>	Date <u>06-22-2022</u>	Telephone <u>1-252-478-5005</u>	Ext.

Copy all pages of this Elevation Certificate and all attachments for (1) community official, (2) insurance agent/company, and (3) building owner.

Comments (including type of equipment and location, per C2(e), if applicable)

BASE Flood Elevation is 39.7'  
Ground Elevation VARIES FROM - 37.09 - 37.69'  
Home to be set AT 44.7'

## ELEVATION CERTIFICATE

Important: Follow the instructions on pages 1-9.

Copy all pages of this Elevation Certificate and all attachments for (1) community official, (2) insurance agent/company, and (3) building owner.

SECTION A - PROPERTY INFORMATION				FOR INSURANCE COMPANY USE	
A1. Building Owner's Name <u>SHERA E WAINWRIGHT</u>				Policy Number:	
A2. Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. <u>2808 U.S. 13 North</u>				Company NAIC Number:	
City <u>AHOSKI</u>		State <u>N.C</u>		ZIP Code <input checked="" type="checkbox"/> <u>27910</u>	
A3. Property Description (Lot and Block Numbers, Tax Parcel Number, Legal Description, etc.)					
A4. Building Use (e.g., Residential, Non-Residential, Addition, Accessory, etc.) <u>RESIDENTIAL</u>					
A5. Latitude/Longitude: Lat. <u>076.956266</u> Long. <u>36.193359</u> Horizontal Datum: <input type="checkbox"/> NAD 1927 <input checked="" type="checkbox"/> NAD 1983					
A6. Attach at least 2 photographs of the building if the Certificate is being used to obtain flood insurance.					
A7. Building Diagram Number <u>8</u>					
A8. For a building with a crawlspace or enclosure(s):					
a) Square footage of crawlspace or enclosure(s) <u>1,568</u> sq ft					
b) Number of permanent flood openings in the crawlspace or enclosure(s) within 1.0 foot above adjacent grade <u>N/A</u>					
c) Total net area of flood openings in A8.b _____ sq in					
d) Engineered flood openings? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					
A9. For a building with an attached garage:					
a) Square footage of attached garage <u>N/A</u> sq ft					
b) Number of permanent flood openings in the attached garage within 1.0 foot above adjacent grade _____					
c) Total net area of flood openings in A9.b _____ sq in					
d) Engineered flood openings? <input type="checkbox"/> Yes <input type="checkbox"/> No					
SECTION B - FLOOD INSURANCE RATE MAP (FIRM) INFORMATION					
B1. NFIP Community Name & Community Number <u>Bertie CID: 370290</u>			B2. County Name <u>Bertie County</u>		B3. State <u>North Carolina</u> <input checked="" type="checkbox"/>
B4. Map/Panel Number <u>37206808 00J</u>	B5. Suffix <u>J</u>	B6. FIRM Index Date <u>2.4.2009</u>	B7. FIRM Panel Effective/Revised Date	B8. Flood Zone(s) <u>A.E</u>	B9. Base Flood Elevation(s) (Zone AO, use Base Flood Depth) <u>39.7'</u>
B10. Indicate the source of the Base Flood Elevation (BFE) data or base flood depth entered in Item B9: <input type="checkbox"/> FIS Profile <input checked="" type="checkbox"/> FIRM <input type="checkbox"/> Community Determined <input type="checkbox"/> Other/Source: _____					
B11. Indicate elevation datum used for BFE in Item B9: <input type="checkbox"/> NGVD 1929 <input checked="" type="checkbox"/> NAVD 1988 <input type="checkbox"/> Other/Source: _____					
B12. Is the building located in a Coastal Barrier Resources System (CBRS) area or Otherwise Protected Area (OPA)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Designation Date: _____ <input type="checkbox"/> CBRS <input type="checkbox"/> OPA					

( 21 NCAC 56. 1600 )

I CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION ( DEED DESCRIPTION RECORDED IN BOOK 066 PAGE 034 OR OTHER REFERENCE SOURCE PIN 6809369864; THAT THE BOUNDARIES NOT SURVEYED ARE INDICATED AS DRAWN FROM INFORMATION IN BOOK 547 PAGE 702 OR OTHER REFERENCE SOURCE PIN 6809368975; THAT THE RATIO OF PRECISION OR POSITIONAL ACCURACY IS 1:10,000; AND THAT THIS MAP MEETS THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA (21 NCAC 56. 1600). THIS 22TH DAY OF JUNE, 2022

- \* LEGEND
- ISS ● IRON STAKE SET
  - EPF ● EXISTING IRON PIPE ( TYP )
  - PP ▲ MARK NAIL FOUND
  - PP ● POWER POLE
  - PP ● PHONE PEDISTAL
  - W/M ● WATER METER
  - R/W RIGHT OF WAY
  - OHE OVERHEAD ELECTRIC
  - WOOD LINE
  - CP ● COMPUTED POINT (TYP. WHERE SHOWN)
  - X EXISTING FENCE
  - ⊗ SANITARY SEWER MANHOLE
  - ELECTRIC BOX
  - SB= SET BACK

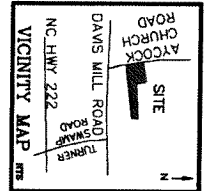
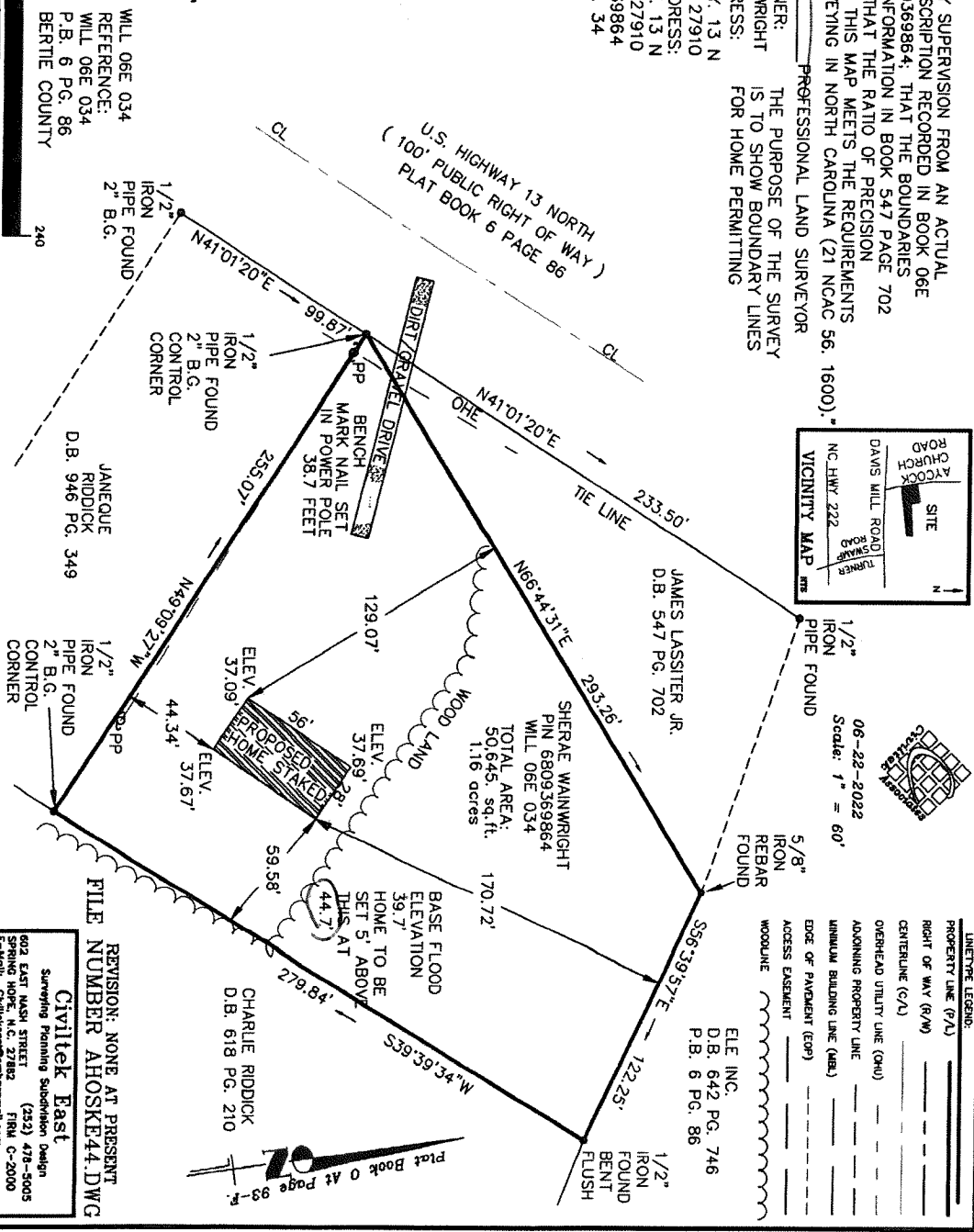
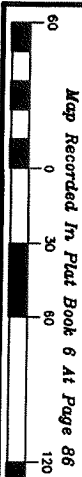
CURRENT OWNER:  
SHERAE WAINWRIGHT  
MAILING ADDRESS:  
2808 US HWY. 13 N  
AHOSKI, N.C. 27910  
PHYSICAL ADDRESS:  
2808 US HWY. 13 N  
AHOSKI, N.C. 27910  
PIN # 6809369864  
D.B. 06 E PG. 34

PROFESSIONAL LAND SURVEYOR  
THE PURPOSE OF THE SURVEY IS TO SHOW BOUNDARY LINES FOR HOME PERMITTING



SITE PLAN  
FOR  
OAKWOOD HOMES OF ROCKY MOUNT  
2808 U.S. HWY. 13 NORTH  
AHOSKI, N.C. 27910  
COLERAIN Township  
BERTIE County, North Carolina  
Map Recorded In Plat Book 6 At Page 86

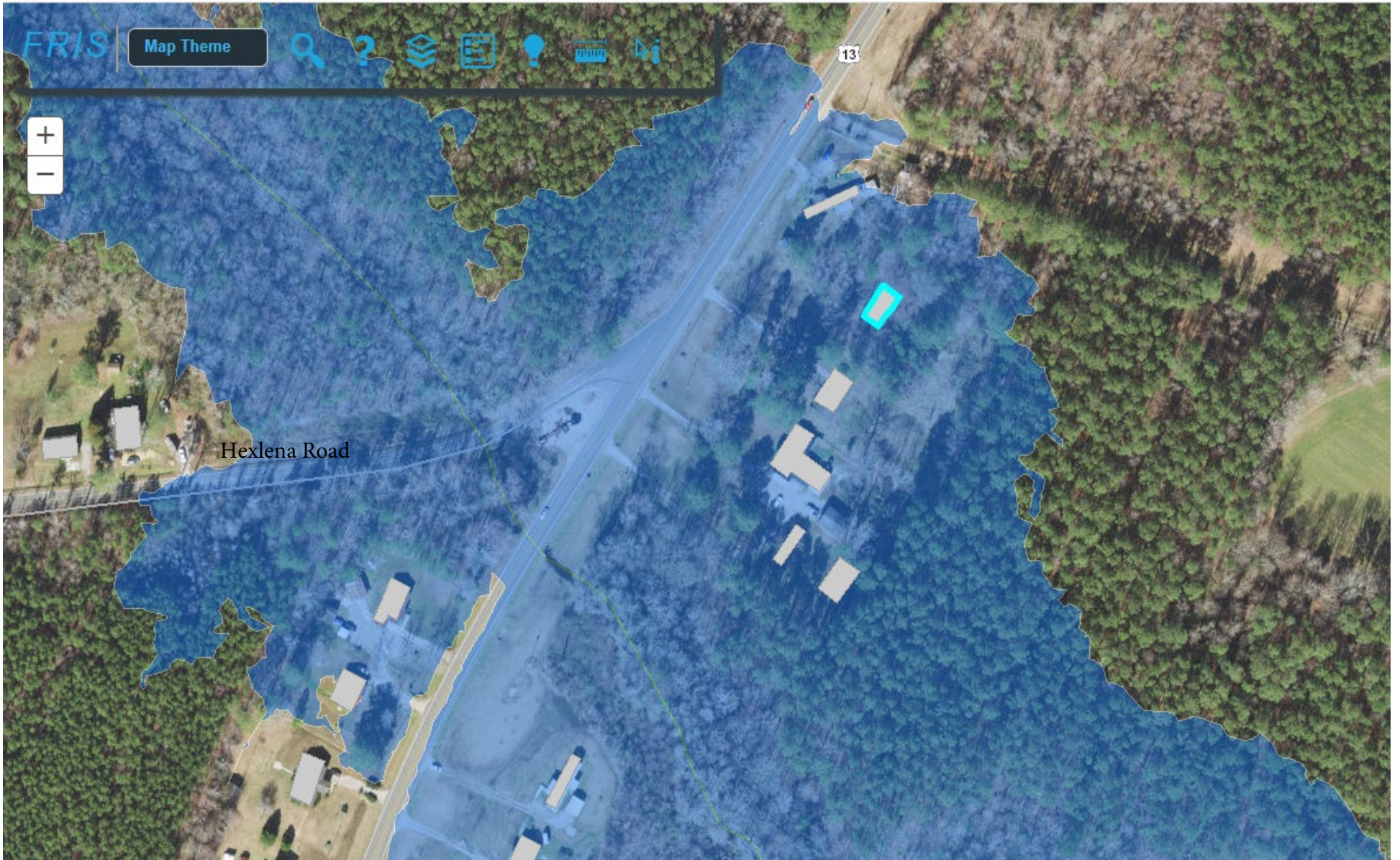
WILL 06E 034  
REFERENCE:  
WILL 06E 034  
P.B. 6 PG. 86  
BERTIE COUNTY

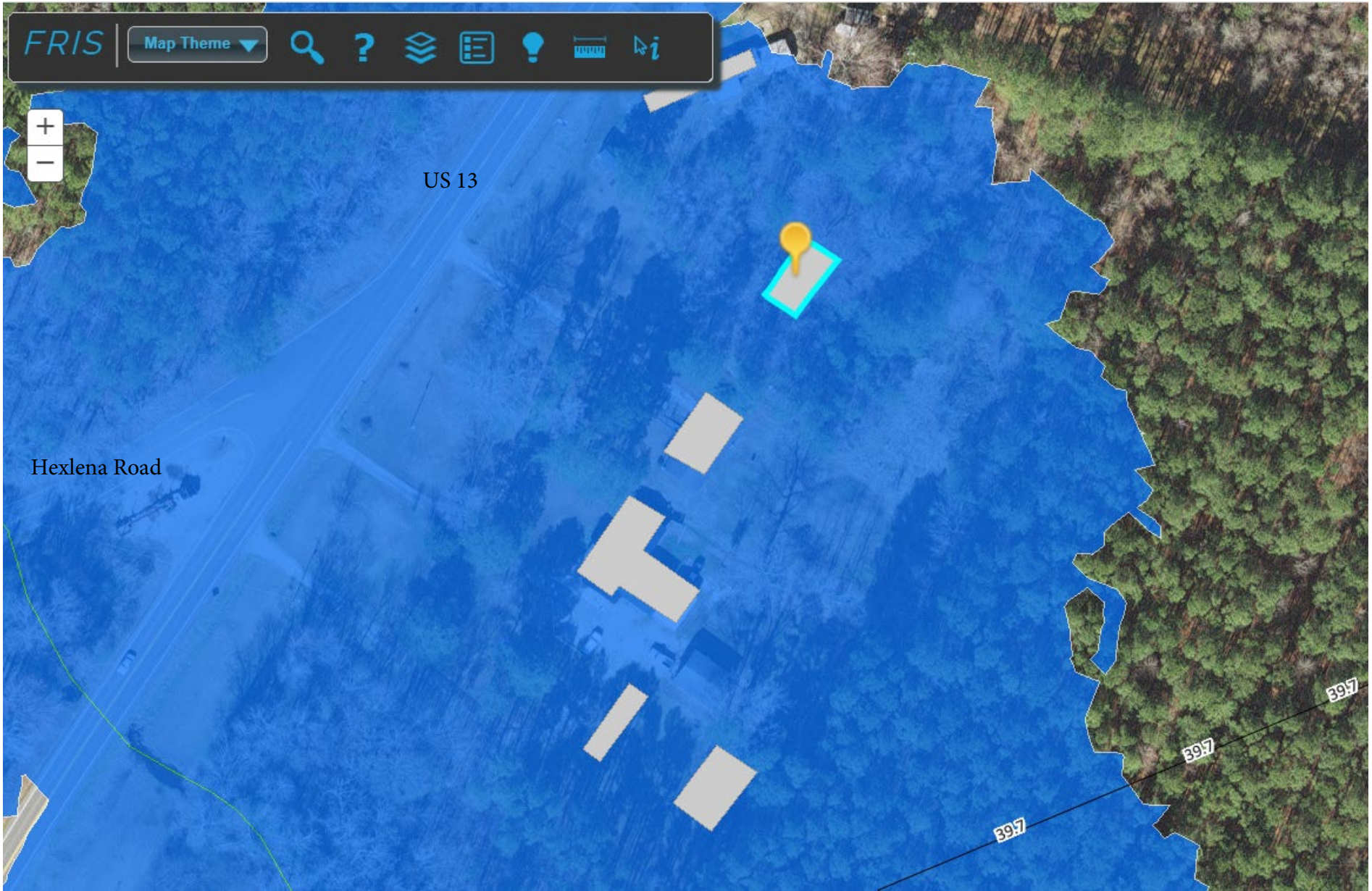


06-22-2022  
Scale: 1" = 60'

- LINE/TYPE LEGEND:
- PROPERTY LINE (PL)
  - RIGHT OF WAY (R/W)
  - CENTERLINE (C/L)
  - OVERHEAD UTILITY LINE (OHL)
  - ADJOINING PROPERTY LINE
  - UNIMPL. BUILDING LINE (UBL)
  - EDGE OF PAVEMENT (EOP)
  - ACCESS EASEMENT
  - WOODLINE
  - ELE INC.
  - D.B. 642 PG. 746  
P.B. 6 PG. 86

REVISION: NONE AT PRESENT  
NUMBER AHOSKE44.DWG  
Civilek East  
Surveying Planning Subdivision Design  
602 EAST NASH STREET  
SPRING HOPKINS, N.C. 27882  
FIRM C-2000





# BERTIE COUNTY NORTH CAROLINA



## FLOOD DAMAGE PREVENTION ORDINANCE

*Effective February 4, 2009  
Amended January 7, 2019*

**BERTIE COUNTY**  
**FLOOD DAMAGE PREVENTION ORDINANCE**

Non-Coastal Regular Phase

**ARTICLE 1.      STATUTORY AUTHORIZATION, FINDINGS OF FACT, PURPOSE AND OBJECTIVES.**

**SECTION A.      STATUTORY AUTHORIZATION.**

The Legislature of the State of North Carolina has in Part 6, Article 21 of Chapter 143; Parts 3 and 4 of Article 18 of Chapter 153A; and Part 121, Article 6 of Chapter 153A of the North Carolina General Statutes, delegated to local governmental units the responsibility to adopt regulations designed to promote the public health, safety, and general welfare.

Therefore, the Board of Commissioners of Bertie County, North Carolina, does ordain as follows:

**SECTION B.      FINDINGS OF FACT.**

- (1) The flood prone areas within the jurisdiction of Bertie County are subject to periodic inundation which results in loss of life, property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures of flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare.
- (2) These flood losses are caused by the cumulative effect of obstructions in floodplains causing increases in flood heights and velocities and by the occupancy in flood prone areas of uses vulnerable to floods or other hazards.

**SECTION C.      STATEMENT OF PURPOSE.**

It is the purpose of this ordinance to promote public health, safety, and general welfare and to minimize public and private losses due to flood conditions within flood prone areas by provisions designed to:

- (1) restrict or prohibit uses that are dangerous to health, safety, and property due to water or erosion hazards or that result in damaging increases in erosion, flood heights or velocities;
- (2) require that uses vulnerable to floods, including facilities that serve such uses, be protected against flood damage at the time of initial construction;
- (3) control the alteration of natural floodplains, stream channels, and natural protective barriers, which are involved in the accommodation of floodwaters;
- (4) control filling, grading, dredging, and all other development that may increase erosion or flood damage; and
- (5) prevent or regulate the construction of flood barriers that will unnaturally divert flood waters or which may increase flood hazards to other lands.

**SECTION D.      OBJECTIVES.**

The objectives of this ordinance are to:

- (1) protect human life, safety, and health;
- (2) minimize expenditure of public money for costly flood control projects;
- (3) minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;



- (4) minimize prolonged business losses and interruptions;
- (5) minimize damage to public facilities and utilities (i.e. water and gas mains, electric, telephone, cable and sewer lines, streets, and bridges) that are located in flood prone areas;
- (6) help maintain a stable tax base by providing for the sound use and development of flood prone areas; and
- (7) ensure that potential buyers are aware that property is in a Special Flood Hazard Area.

**ARTICLE 2. DEFINITIONS.**

Unless specifically defined below, words or phrases used in this ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this ordinance its most reasonable application.

**“Accessory Structure (Appurtenant Structure)”** means a structure located on the same parcel of property as the principal structure and the use of which is incidental to the use of the principal structure. Garages, carports and storage sheds are common urban accessory structures. Pole barns, hay sheds and the like qualify as accessory structures on farms, and may or may not be located on the same parcel as the farm dwelling or shop building.

**“Addition (to an existing building)”** means an extension or increase in the floor area or height of a building or structure.

**“Appeal”** means a request for a review of the Floodplain Administrator's interpretation of any provision of this ordinance.

**“Area of Special Flood Hazard”** see “Special Flood Hazard Area (SFHA)”.

**“Basement”** means any area of the building having its floor subgrade (below ground level) on all sides.

**“Base Flood”** means the flood having a one (1) percent chance of being equaled or exceeded in any given year.

**“Base Flood Elevation (BFE)”** means a determination of the water surface elevations of the base flood as published in the Flood Insurance Study. When the BFE has not been provided in a “Special Flood Hazard Area”, it may be obtained from engineering studies available from a Federal, State, or other source using FEMA approved engineering methodologies. This elevation, when combined with the “Freeboard”, establishes the “Regulatory Flood Protection Elevation”.

**“Building”** see “Structure”.

**“Chemical Storage Facility”** means a building, portion of a building, or exterior area adjacent to a building used for the storage of any chemical or chemically reactive products.

**“Development”** means any man-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, or storage of equipment or materials.

**“Disposal”** means, as defined in NCGS 130A-290(a)(6), the discharge, deposit, injection, dumping, spilling, leaking, or placing of any solid waste into or on any land or water so that the solid waste or any constituent part of the solid waste may enter the environment or be emitted into the air or discharged into any waters, including groundwaters.

**“Elevated Building”** means a non-basement building which has its lowest elevated floor raised above ground level by foundation walls, shear walls, posts, piers, pilings, or columns.

**“Encroachment”** means the advance or infringement of uses, fill, excavation, buildings, structures or development into a floodplain, which may impede or alter the flow capacity of a floodplain.

**“Existing Manufactured Home Park or Manufactured Home Subdivision”** means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete

pads) was completed before the initial effective date of the floodplain management regulations adopted by the community.

“Flood” or “Flooding” means a general and temporary condition of partial or complete inundation of normally dry land areas from:

- (1) the overflow of inland or tidal waters; and/or
- (2) the unusual and rapid accumulation of runoff of surface waters from any source.

“Flood Boundary and Floodway Map (FBFM)” means an official map of a community, issued by the Federal Emergency Management Agency, on which the Special Flood Hazard Areas and the floodways are delineated. This official map is a supplement to and shall be used in conjunction with the Flood Insurance Rate Map (FIRM).

“Flood Insurance” means the insurance coverage provided under the National Flood Insurance Program.

“Flood Insurance Rate Map (FIRM)” means an official map of a community, issued by the Federal Emergency Management Agency, on which both the Special Flood Hazard Areas and the risk premium zones applicable to the community are delineated.

“Flood Insurance Study (FIS)” means an examination, evaluation, and determination of flood hazards, corresponding water surface elevations (if appropriate), flood hazard risk zones, and other flood data in a community issued by the Federal Emergency Management Agency. The Flood Insurance Study report includes Flood Insurance Rate Maps (FIRMs) and Flood Boundary and Floodway Maps (FBFMs), if published.

“Flood Prone Area” see “Floodplain”

“Floodplain” means any land area susceptible to being inundated by water from any source.

“Floodplain Administrator” is the individual appointed to administer and enforce the floodplain management regulations.

“Floodplain Development Permit” means any type of permit that is required in conformance with the provisions of this ordinance, prior to the commencement of any development activity.

“Floodplain Management” means the operation of an overall program of corrective and preventive measures for reducing flood damage and preserving and enhancing, where possible, natural resources in the floodplain, including, but not limited to, emergency preparedness plans, flood control works, floodplain management regulations, and open space plans.

“Floodplain Management Regulations” means this ordinance and other zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances, and other applications of police power. This term describes Federal, State or local regulations, in any combination thereof, which provide standards for preventing and reducing flood loss and damage.

“Floodproofing” means any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitation facilities, structures, and their contents.

“Floodway” means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one (1) foot.

“Flood Zone” means a geographical area shown on a Flood Hazard Boundary Map or Flood Insurance Rate Map that reflects the severity or type of flooding in the area.

“Freeboard” means the height added to the Base Flood Elevation (BFE) to account for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, blockage of bridge openings, and the hydrological effect of urbanization of the watershed. The Base Flood Elevation plus the freeboard establishes the “Regulatory Flood Protection Elevation”.

“Functionally Dependent Facility” means a facility which cannot be used for its intended purpose unless it is located in close proximity to water, limited to a docking or port facility necessary for the loading and unloading of cargo or passengers,

shipbuilding, or ship repair. The term does not include long-term storage, manufacture, sales, or service facilities.

**“Hazardous Waste Management Facility”** means, as defined in NCGS 130A, Article 9, a facility for the collection, storage, processing, treatment, recycling, recovery, or disposal of hazardous waste.

**“Highest Adjacent Grade (HAG)”** means the highest natural elevation of the ground surface, prior to construction, immediately next to the proposed walls of the structure.

**“Historic Structure”** means any structure that is:

- (a) listed individually in the National Register of Historic Places (a listing maintained by the US Department of Interior) or preliminarily determined by the Secretary of Interior as meeting the requirements for individual listing on the National Register;
- (b) certified or preliminarily determined by the Secretary of Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- (c) individually listed on a local inventory of historic landmarks in communities with a “Certified Local Government (CLG) Program”; or
- (d) certified as contributing to the historical significance of a historic district designated by a community with a “Certified Local Government (CLG) Program”.

Certified Local Government (CLG) Programs are approved by the US Department of the Interior in cooperation with the North Carolina Department of Cultural Resources through the State Historic Preservation Officer as having met the requirements of the National Historic Preservation Act of 1966 as amended in 1980.

**“Lowest Adjacent Grade (LAG)”** means the elevation of the ground, sidewalk or patio slab immediately next to the building, or deck support, after completion of the building.

**“Lowest Floor”** means lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access, or limited storage in an area other than a basement area is not considered a building's lowest floor, provided that such an enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this ordinance.

**“Manufactured Home”** means a structure, transportable in one or more sections, which is built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. The term “manufactured home” does not include a “recreational vehicle”.

**“Manufactured Home Park or Subdivision”** means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

**“Market Value”** means the building value, not including the land value and that of any accessory structures or other improvements on the lot. Market value may be established by independent certified appraisal; replacement cost depreciated for age of building and quality of construction (Actual Cash Value); or adjusted tax assessed values.

**“Mean Sea Level”** means, for purposes of this ordinance, the National Geodetic Vertical Datum (NGVD) as corrected in 1929, the North American Vertical Datum (NAVD) as corrected in 1988, or other vertical control datum used as a reference for establishing varying elevations within the floodplain, to which Base Flood Elevations (BFEs) shown on a FIRM are referenced. Refer to each FIRM panel to determine datum used.

**“New Construction”** means structures for which the “start of construction” commenced on or after the effective date of the initial floodplain management regulations and includes any subsequent improvements to such structures.

**“Non-Encroachment Area”** means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one (1) foot as designated in the Flood Insurance Study report.

**“Post-FIRM”** means construction or other development for which the “start of construction” occurred on or after the effective

date of the initial Flood Insurance Rate Map.

**“Pre-FIRM”** means construction or other development for which the “start of construction” occurred before the effective date of the initial Flood Insurance Rate Map.

**“Principally Above Ground”** means that at least 51% of the actual cash value of the structure is above ground.

**“Public Safety” and/or “Nuisance”** means anything which is injurious to the safety or health of an entire community or neighborhood, or any considerable number of persons, or unlawfully obstructs the free passage or use, in the customary manner, of any navigable lake, or river, bay, stream, canal, or basin.

**“Recreational Vehicle (RV)”** means a vehicle, which is:

- (a) built on a single chassis;
- (b) 400 square feet or less when measured at the largest horizontal projection;
- (c) designed to be self-propelled or permanently towable by a light duty truck; and
- (d) designed primarily not for use as a permanent dwelling, but as temporary living quarters for recreational, camping, travel, or seasonal use.

**“Reference Level”** is the top of the lowest floor for structures within Special Flood Hazard Areas designated as Zone A or AE.

**“Regulatory Flood Protection Elevation”** means the “Base Flood Elevation” plus the “Freeboard”. In “Special Flood Hazard Areas” where Base Flood Elevations (BFEs) have been determined, this elevation shall be the BFE plus five (5) feet of freeboard. In “Special Flood Hazard Areas” where no BFE has been established, this elevation shall be at least five (5) feet above the highest adjacent grade. Duct Work & non-flood resistant materials are subject to the Regulatory Flood Protection Elevation.

**“Remedy a Violation”** means to bring the structure or other development into compliance with State and community floodplain management regulations, or, if this is not possible, to reduce the impacts of its noncompliance. Ways that impacts may be reduced include protecting the structure or other affected development from flood damages, implementing the enforcement provisions of the ordinance or otherwise deterring future similar violations, or reducing Federal financial exposure with regard to the structure or other development.

**“Riverine”** means relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

**“Salvage Yard”** means any non-residential property used for the storage, collection, and/or recycling of any type of equipment, and including but not limited to vehicles, appliances and related machinery.

**“Solid Waste Disposal Facility”** means any facility involved in the disposal of solid waste, as defined in NCGS 130A-290(a)(35).

**“Solid Waste Disposal Site”** means, as defined in NCGS 130A-290(a)(36), any place at which solid wastes are disposed of by incineration, sanitary landfill, or any other method.

**“Special Flood Hazard Area (SFHA)”** means the land in the floodplain subject to a one percent (1%) or greater chance of being flooded in any given year, as determined in Article 3, Section B of this ordinance.

**“Start of Construction”** includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling,

floor, or other structural part of the building, whether or not that alteration affects the external dimensions of the building.

“Structure” means a walled and roofed building, a manufactured home, or a gas, liquid, or liquefied gas storage tank that is principally above ground.

“Substantial Damage” means damage of any origin sustained by a structure during any one-year period whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred. See definition of “substantial improvement”.

“Substantial Improvement” means any combination of repairs, reconstruction, rehabilitation, addition, or other improvement of a structure, taking place during any one-year period for which the cost equals or exceeds 50 percent of the market value of the structure before the “start of construction” of the improvement. This term includes structures which have incurred “substantial damage”, regardless of the actual repair work performed. The term does not, however, include either:

- (a) any correction of existing violations of State or community health, sanitary, or safety code specifications which have been identified by the community code enforcement official and which are the minimum necessary to assure safe living conditions; or
- (b) any alteration of a historic structure, provided that the alteration will not preclude the structure's continued designation as a historic structure.

“Variance” is a grant of relief from the requirements of this ordinance.

“Violation” means the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in Articles 4 and 5 is presumed to be in violation until such time as that documentation is provided.

“Water Surface Elevation (WSE)” means the height, in relation to mean sea level, of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

“Watercourse” means a lake, river, creek, stream, wash, channel or other topographic feature on or over which waters flow at least periodically. Watercourse includes specifically designated areas in which substantial flood damage may occur.

### **ARTICLE 3.        GENERAL PROVISIONS.**

#### **SECTION A.        LANDS TO WHICH THIS ORDINANCE APPLIES.**

This ordinance shall apply to all Special Flood Hazard Areas within the jurisdiction of Bertie County and within the jurisdiction of any other community whose governing body agrees, by resolution, to such applicability.

#### **SECTION B.        BASIS FOR ESTABLISHING THE SPECIAL FLOOD HAZARD AREAS.**

The Special Flood Hazard Areas are those identified under the Cooperating Technical State (CTS) agreement between the State of North Carolina and FEMA in its Flood Insurance Study (FIS) and its accompanying Flood Insurance Rate Maps (FIRM), for Bertie County dated February 4, 2009, which are adopted by reference and declared to be a part of this ordinance.

The initial Flood Insurance Rate Maps are as follows for the jurisdictional areas at the initial date:

Bertie County Unincorporated Area	December 4, 1985
Town of Windsor	July 18, 1977
Town of Aulander	February 4, 2009
Town of Roxobel	February 4, 2009

#### **SECTION C.        ESTABLISHMENT OF FLOODPLAIN DEVELOPMENT PERMIT.**

A Floodplain Development Permit shall be required in conformance with the provisions of this ordinance prior to the

commencement of any development activities within Special Flood Hazard Areas determined in accordance with the provisions of Article 3, Section B of this ordinance.

**SECTION D. COMPLIANCE.**

No structure or land shall hereafter be located, extended, converted, altered, or developed in any way without full compliance with the terms of this ordinance and other applicable regulations.

**SECTION E. ABROGATION AND GREATER RESTRICTIONS.**

This ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance and another conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

**SECTION F. INTERPRETATION.**

In the interpretation and application of this ordinance, all provisions shall be:

- (a) considered as minimum requirements;
- (b) liberally construed in favor of the governing body; and
- (c) deemed neither to limit nor repeal any other powers granted under State statutes.

**SECTION G. WARNING AND DISCLAIMER OF LIABILITY.**

The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering consideration. Larger floods can and will occur. Actual flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside the Special Flood Hazard Areas or uses permitted within such areas will be free from flooding or flood damages. This ordinance shall not create liability on the part of Bertie County or by any officer or employee thereof for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made hereunder.

**SECTION H. PENALTIES FOR VIOLATION.**

Violation of the provisions of this ordinance or failure to comply with any of its requirements, including violation of conditions and safeguards established in connection with grants of variance or special exceptions, shall constitute a misdemeanor. Any person who violates this ordinance or fails to comply with any of its requirements shall, upon conviction thereof, be fined not more than \$50.00 or imprisoned for not more than thirty (30) days, or both. Each day such violation continues shall be considered a separate offense. Nothing herein contained shall prevent Bertie County from taking such other lawful action as is necessary to prevent or remedy any violation.

**ARTICLE 4. ADMINISTRATION.**

**SECTION A. DESIGNATION OF FLOODPLAIN ADMINISTRATOR.**

The Planning Director or his/her designee, hereinafter referred to as the "Floodplain Administrator", is hereby appointed to administer and implement the provisions of this ordinance.

**SECTION B. FLOODPLAIN DEVELOPMENT APPLICATION, PERMIT AND CERTIFICATION REQUIREMENTS.**

- (1) **Application Requirements.** Application for a Floodplain Development Permit shall be made to the Floodplain Administrator prior to any development activities located within Special Flood Hazard Areas. The following items shall be presented to the Floodplain Administrator to apply for a floodplain development permit:

- (a) A plot plan drawn to scale which shall include, but shall not be limited to, the following specific details of the proposed floodplain development:
  - (i) the nature, location, dimensions, and elevations of the area of development/disturbance; existing and proposed structures, utility systems, grading/pavement areas, fill materials, storage areas, drainage facilities, and other development;
  - (ii) the boundary of the Special Flood Hazard Area as delineated on the FIRM or other flood map as determined in Article 3, Section B, or a statement that the entire lot is within the Special Flood Hazard Area;
  - (iii) flood zone(s) designation of the proposed development area as determined on the FIRM or other flood map as determined in Article 3, Section B;
  - (iv) the boundary of the floodway(s) or non-encroachment area(s) as determined in Article 3, Section B;
  - (v) the Base Flood Elevation (BFE) where provided as set forth in Article 3, Section B; Article 4, Section C; or Article 5, Section D;
  - (vi) the old and new location of any watercourse that will be altered or relocated as a result of proposed development;
  - (vii) the certification of the plot plan by a registered land surveyor or professional engineer.
- (b) Proposed elevation, and method thereof, of all development within a Special Flood Hazard Area including but not limited to:
  - (i) Elevation in relation to mean sea level of the proposed reference level (including basement) of all structures;
  - (ii) Elevation in relation to mean sea level to which any non-residential structure in Zone AE or A will be flood-proofed; and
  - (iii) Elevation in relation to mean sea level to which any proposed utility systems will be elevated or floodproofed;
- (c) If floodproofing, a Floodproofing Certificate (FEMA Form 81-65) with supporting data and an operational plan that includes, but is not limited to, installation, exercise, and maintenance of floodproofing measures.
- (d) A Foundation Plan, drawn to scale, which shall include details of the proposed foundation system to ensure all provisions of this ordinance are met. These details include but are not limited to:
  - (i) The proposed method of elevation, if applicable (i.e., fill, solid foundation perimeter wall, solid backfilled foundation, open foundation on columns/posts/piers/piles/shear walls);
  - (ii) Openings to facilitate automatic equalization of hydrostatic flood forces on walls in accordance with Article 5, Section B(4)(c) when solid foundation perimeter walls are used in Zones A and AE;
- (e) Usage details of any enclosed areas below the lowest floor.
- (f) Plans and/or details for the protection of public utilities and facilities such as sewer, gas, electrical, and water systems to be located and constructed to minimize flood damage;
- (g) Certification that all other Local, State and Federal permits required prior to floodplain development permit issuance have been received.
- (h) Documentation for placement of Recreational Vehicles and/or Temporary Structures, when applicable, to

ensure that the provisions of Article 5, Section B, subsections (6) and (7) of this ordinance are met.

- (i) A description of proposed watercourse alteration or relocation, when applicable, including an engineering report on the effects of the proposed project on the flood-carrying capacity of the watercourse and the effects to properties located both upstream and downstream; and a map (if not shown on plot plan) showing the location of the proposed watercourse alteration or relocation.

(2) **Permit Requirements.** The Floodplain Development Permit shall include, but not be limited to:

- (a) A description of the development to be permitted under the floodplain development permit.
- (b) The Special Flood Hazard Area determination for the proposed development in accordance with available data specified in Article 3, Section B.
- (c) The regulatory flood protection elevation required for the reference level and all attendant utilities.
- (d) The regulatory flood protection elevation required for the protection of all public utilities.
- (e) All certification submittal requirements with timelines.
- (f) A statement that no fill material or other development shall encroach into the floodway or non-encroachment area of any watercourse, as applicable.
- (g) The flood openings requirements, if in Zones A or AE.
- (h) Limitations of below BFE enclosure uses (if applicable). (i.e., parking, building access and limited storage only).

(3) **Certification Requirements.**

(a) Elevation Certificates

- (i) In lieu of a preliminary Elevation Certificate, a temporary benchmark at the Regulatory Flood Elevation & BFE shall be placed on site by a registered land surveyor prior to issuance of a Floodplain Development Permit/Building Permit.
- (ii) A final as-built Elevation Certificate (FEMA Form 81-31) is required after construction is completed and prior to Certificate of Compliance/Occupancy issuance. It shall be the duty of the permit holder to submit to the Floodplain Administrator a certification of final as-built construction of the elevation of the reference level and all attendant utilities. The Floodplain Administrator shall review the certificate data submitted. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to Certificate of Compliance/Occupancy issuance. In some instances, another certification may be required to certify corrected as-built construction. Failure to submit the certification or failure to make required corrections shall be cause to withhold the issuance of a Certificate of Compliance/Occupancy.

(b) Floodproofing Certificate

If non-residential floodproofing is used to meet the regulatory flood protection elevation requirements, a Floodproofing Certificate (FEMA Form 81-65), with supporting data, an operational plan, and an inspection and maintenance plan are required prior to the actual start of any new construction. It shall be the duty of the permit holder to submit to the Floodplain Administrator a certification of the floodproofed design elevation of the reference level and all attendant utilities, in relation to mean sea level. Floodproofing certification shall be prepared by or under the direct supervision of a professional engineer or architect and certified by same. The Floodplain Administrator shall review the certificate data, the operational plan, and the inspection and maintenance plan. Deficiencies detected by such review shall be corrected by the applicant prior to permit approval. Failure to submit the certification or failure to make required corrections shall be cause to deny a floodplain development permit. Failure to construct in accordance with the certified design shall be cause to



withhold the issuance of a Certificate of Compliance/Occupancy.

- (c) If a manufactured home is placed within Zone A or AE and the elevation of the chassis is more than 36 inches in height above grade, an engineered foundation certification is required in accordance with the provisions of Article 5, Section B(3)(b).
- (d) If a watercourse is to be altered or relocated, a description of the extent of watercourse alteration or relocation; a professional engineer's certified report on the effects of the proposed project on the flood-carrying capacity of the watercourse and the effects to properties located both upstream and downstream; and a map showing the location of the proposed watercourse alteration or relocation shall all be submitted by the permit applicant prior to issuance of a floodplain development permit.
- (e) Certification Exemptions. The following structures, if located within Zone A or AE, are exempt from the elevation/floodproofing certification requirements specified in items (a) and (b) of this subsection:
  - (i) Recreational Vehicles meeting requirements of Article 5, Section B(6)(a);
  - (ii) Temporary Structures meeting requirements of Article 5, Section B(7); and
  - (iii) Accessory Structures less than 150 square feet meeting requirements of Article 5, Section B(8).

### **SECTION C. DUTIES AND RESPONSIBILITIES OF THE FLOODPLAIN ADMINISTRATOR.**

The Floodplain Administrator shall perform, but not be limited to, the following duties:

- (1) Review all floodplain development applications and issue permits for all proposed development within Special Flood Hazard Areas to assure that the requirements of this ordinance have been satisfied.
- (2) Review all proposed development within Special Flood Hazard Areas to assure that all necessary Local, State and Federal permits have been received.
- (3) Notify adjacent communities and the North Carolina Department of Crime Control and Public Safety, Division of Emergency Management, State Coordinator for the National Flood Insurance Program prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency (FEMA).
- (4) Assure that maintenance is provided within the altered or relocated portion of said watercourse so that the flood-carrying capacity is maintained.
- (5) Prevent encroachments into floodways and non-encroachment areas unless the certification and flood hazard reduction provisions of Article 5, Section F are met.
- (6) Obtain actual elevation (in relation to mean sea level) of the reference level (including basement) and all attendant utilities of all new and substantially improved structures, in accordance with Article 4, Section B(3).
- (7) Obtain actual elevation (in relation to mean sea level) to which all new and substantially improved structures and utilities have been floodproofed, in accordance with the provisions of Article 4, Section B(3).
- (8) Obtain actual elevation (in relation to mean sea level) of all public utilities in accordance with the provisions of Article 4, Section B(3).
- (9) When floodproofing is utilized for a particular structure, obtain certifications from a registered professional engineer or architect in accordance with the provisions of Article 4, Section B(3) and Article 5, Section B(2).
- (10) Where interpretation is needed as to the exact location of boundaries of the Special Flood Hazard Areas, floodways, or non-encroachment areas (for example, where there appears to be a conflict between a mapped boundary and actual field conditions), make the necessary interpretation. The person contesting the location of the boundary shall be given

a reasonable opportunity to appeal the interpretation as provided in this article.

- (11) When Base Flood Elevation (BFE) data has not been provided in accordance with Article 3, Section B, obtain, review, and reasonably utilize any Base Flood Elevation (BFE) data, along with floodway data or non-encroachment area data available from a Federal, State, or other source, including data developed pursuant to Article 5, Section D(2)(b), in order to administer the provisions of this ordinance.
- (12) When Base Flood Elevation (BFE) data is provided but no floodway or non-encroachment area data has been provided in accordance with Article 3, Section B, obtain, review, and reasonably utilize any floodway data or non-encroachment area data available from a Federal, State, or other source in order to administer the provisions of this ordinance.
- (13) Permanently maintain all records that pertain to the administration of this ordinance and make these records available for public inspection, recognizing that such information may be subject to the Privacy Act of 1974, as amended.
- (14) Make on-site inspections of work in progress. As the work pursuant to a floodplain development permit progresses, the floodplain administrator shall make as many inspections of the work as may be necessary to ensure that the work is being done according to the provisions of the local ordinance and the terms of the permit. In exercising this power, the floodplain administrator has a right, upon presentation of proper credentials, to enter on any premises within the jurisdiction of the community at any reasonable hour for the purposes of inspection or other enforcement action.
- (15) Issue stop-work orders as required. Whenever a building or part thereof is being constructed, reconstructed, altered, or repaired in violation of this ordinance, the Floodplain Administrator may order the work to be immediately stopped. The stop-work order shall be in writing and directed to the person doing or in charge of the work. The stop-work order shall state the specific work to be stopped, the specific reason(s) for the stoppage, and the condition(s) under which the work may be resumed. Violation of a stop-work order constitutes a misdemeanor.
- (16) Revoke floodplain development permits as required. The Floodplain Administrator may revoke and require the return of the floodplain development permit by notifying the permit holder in writing stating the reason(s) for the revocation. Permits shall be revoked for any substantial departure from the approved application, plans, and specifications; for refusal or failure to comply with the requirements of State or local laws; or for false statements or misrepresentations made in securing the permit. Any floodplain development permit mistakenly issued in violation of an applicable State or local law may also be revoked.
- (17) Make periodic inspections throughout the special flood hazard areas within the jurisdiction of the community. The Floodplain Administrator and each member of his or her inspections department shall have a right, upon presentation of proper credentials, to enter on any premises within the territorial jurisdiction of the department at any reasonable hour for the purposes of inspection or other enforcement action.
- (18) Follow through with corrective procedures of Article 4, Section D.
- (19) Review, provide input, and make recommendations for variance requests.
- (20) Maintain a current map repository to include, but not limited to, the FIS Report, FIRM and other official flood maps and studies adopted in accordance with Article 3, Section B of this ordinance, including any revisions thereto including Letters of Map Change, issued by FEMA. Notify State and FEMA of mapping needs.
- (21) Coordinate revisions to FIS reports and FIRMs, including Letters of Map Revision Based on Fill (LOMR-F) and Letters of Map Revision (LOMR).

#### **SECTION D. CORRECTIVE PROCEDURES.**

- (1) **Violations to be Corrected:** When the Floodplain Administrator finds violations of applicable State and local laws, it shall be his or her duty to notify the owner or occupant of the building of the violation. The owner or occupant shall immediately remedy each of the violations of law cited in such notification.
- (2) **Actions in Event of Failure to Take Corrective Action:** If the owner of a building or property shall fail to take prompt corrective action, the Floodplain Administrator shall give the owner written notice, by certified or registered mail to

the owner's last known address or by personal service, stating:

- (a) that the building or property is in violation of the floodplain management regulations;
  - (b) that a hearing will be held before the floodplain administrator at a designated place and time, not later than ten (10) days after the date of the notice, at which time the owner shall be entitled to be heard in person or by counsel and to present arguments and evidence pertaining to the matter; and
  - (c) that following the hearing, the Floodplain Administrator may issue an order to alter, vacate, or demolish the building; or to remove fill as applicable.
- (3) **Order to Take Corrective Action:** If, upon a hearing held pursuant to the notice prescribed above, the Floodplain Administrator shall find that the building or development is in violation of the Flood Damage Prevention Ordinance, they shall issue an order in writing to the owner, requiring the owner to remedy the violation within a specified time period, not less than sixty (60) calendar days, nor more than one hundred eighty (180) calendar days. Where the Floodplain Administrator finds that there is imminent danger to life or other property, they may order that corrective action be taken in such lesser period as may be feasible.
- (4) **Appeal:** Any owner who has received an order to take corrective action may appeal the order to the local elected governing body by giving notice of appeal in writing to the Floodplain Administrator and the clerk within ten (10) days following issuance of the final order. In the absence of an appeal, the order of the Floodplain Administrator shall be final. The local governing body shall hear an appeal within a reasonable time and may affirm, modify and affirm, or revoke the order.
- (5) **Failure to Comply with Order:** If the owner of a building or property fails to comply with an order to take corrective action for which no appeal has been made or fails to comply with an order of the governing body following an appeal, the owner shall be guilty of a misdemeanor and shall be punished at the discretion of the court.

#### **SECTION E. VARIANCE PROCEDURES.**

- (1) The Board of Commissioners of Bertie County is hereby established as the Appeal Board (and any reference herein to the "Appeal Board" shall mean the Board of commissioners of Bertie County) and shall hear and decide requests for variances from the requirements of this ordinance.
- (2) Any person aggrieved by the decision of the appeal board may appeal such decision to the Court, as provided in Chapter 7A of the North Carolina General Statutes.
- (3) Variances may be issued for:
  - (a) the repair or rehabilitation of historic structures upon the determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and that the variance is the minimum necessary to preserve the historic character and design of the structure.
  - (b) functionally dependent facilities if determined to meet the definition as stated in Article 2 of this ordinance, provided provisions of Article 4, Section E(9)(b), (c), and (e) have been satisfied, and such facilities are protected by methods that minimize flood damages during the base flood and create no additional threats to public safety.
  - (c) any other type of development, provided it meets the requirements of this Section.
- (4) In passing upon variances, the appeal board shall consider all technical evaluations, all relevant factors, all standards specified in other sections of this ordinance, and:
  - (a) the danger that materials may be swept onto other lands to the injury of others;
  - (b) the danger to life and property due to flooding or erosion damage;

- (c) the susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
  - (d) the importance of the services provided by the proposed facility to the community;
  - (e) the necessity to the facility of a waterfront location as defined under Article 2 of this ordinance as a functionally dependent facility, where applicable;
  - (f) the availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;
  - (g) the compatibility of the proposed use with existing and anticipated development;
  - (h) the relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
  - (i) the safety of access to the property in times of flood for ordinary and emergency vehicles;
  - (j) the expected heights, velocity, duration, rate of rise, and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site; and
  - (k) the costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, and streets and bridges.
- (5) A written report addressing each of the above factors shall be submitted with the application for a variance.
- (6) Upon consideration of the factors listed above and the purposes of this ordinance, the appeal board may attach such conditions to the granting of variances as it deems necessary to further the purposes and objectives of this ordinance.
- (7) Any applicant to whom a variance is granted shall be given written notice specifying the difference between the Base Flood Elevation (BFE) and the elevation to which the structure is to be built and that such construction below the Base Flood Elevation increases risks to life and property, and that the issuance of a variance to construct a structure below the Base Flood Elevation will result in increased premium rates for flood insurance up to \$25 per \$100 of insurance coverage. Such notification shall be maintained with a record of all variance actions, including justification for their issuance.
- (8) The Floodplain Administrator shall maintain the records of all appeal actions and report any variances to the Federal Emergency Management Agency and the State of North Carolina upon request.
- (9) Conditions for Variances:
- (a) Variances shall not be issued when the variance will make the structure in violation of other Federal, State, or local laws, regulations, or ordinances.
  - (b) Variances shall not be issued within any designated floodway or non-encroachment area if the variance would result in any increase in flood levels during the base flood discharge.
  - (c) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
  - (d) Variances shall only be issued prior to development permit approval.
  - (e) Variances shall only be issued upon:
    - (i) a showing of good and sufficient cause;
    - (ii) a determination that failure to grant the variance would result in exceptional hardship; and

- (iii) a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, or extraordinary public expense, create nuisance, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.
- (10) A variance may be issued for solid waste disposal facilities or sites, hazardous waste management facilities, salvage yards, and chemical storage facilities that are located in Special Flood Hazard Areas provided that all of the following conditions are met.
- (a) The use serves a critical need in the community.
  - (b) No feasible location exists for the use outside the Special Flood Hazard Area.
  - (c) The reference level of any structure is elevated or floodproofed to at least the regulatory flood protection elevation.
  - (d) The use complies with all other applicable Federal, State and local laws.
  - (e) Bertie County has notified the Secretary of the North Carolina Department of Crime Control and Public Safety of its intention to grant a variance at least thirty (30) calendar days prior to granting the variance.

**ARTICLE 5. PROVISIONS FOR FLOOD HAZARD REDUCTION.**

**SECTION A. GENERAL STANDARDS.**

In all Special Flood Hazard Areas the following provisions are required:

- (1) All new construction and substantial improvements shall be designed (or modified) and adequately anchored to prevent flotation, collapse, and lateral movement of the structure.
- (2) All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.
- (3) All new construction and substantial improvements shall be constructed by methods and practices that minimize flood damages.
- (4) Electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding to the Regulatory Flood Protection Elevation. These include, but are not limited to, HVAC equipment, water softener units, bath/kitchen fixtures, ductwork, electric/gas meter panels/boxes, utility/cable boxes, hot water heaters, and electric outlets/switches.
- (5) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system.
- (6) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharges from the systems into flood waters.
- (7) On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding.
- (8) Any alteration, repair, reconstruction, or improvements to a structure, which is in compliance with the provisions of this ordinance, shall meet the requirements of "new construction" as contained in this ordinance.
- (9) Nothing in this ordinance shall prevent the repair, reconstruction, or replacement of a building or structure existing on the effective date of this ordinance and located totally or partially within the floodway, non-encroachment area, or stream setback, provided there is no additional encroachment below the regulatory flood protection elevation in the

floodway, non-encroachment area, or stream setback, and provided that such repair, reconstruction, or replacement meets all of the other requirements of this ordinance.

- (10) New solid waste disposal facilities and sites, hazardous waste management facilities, salvage yards, and chemical storage facilities shall not be permitted, except by variance as specified in Article 4, Section E(10). A structure or tank for chemical or fuel storage incidental to an allowed use or to the operation of a water treatment plant or wastewater treatment facility may be located in a Special Flood Hazard Area only if the structure or tank is either elevated or floodproofed to at least the regulatory flood protection elevation and certified in accordance with the provisions of Article 4, Section B(3).
- (11) All subdivision proposals and other development proposals shall be consistent with the need to minimize flood damage.
- (12) All subdivision proposals and other development proposals shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage.
- (13) All subdivision proposals and other development proposals shall have adequate drainage provided to reduce exposure to flood hazards.
- (14) All subdivision proposals and other development proposals shall have received all necessary permits from those governmental agencies for which approval is required by Federal or State law, including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334.
- (15) When a structure is partially located in a special flood hazard area, the entire structure shall meet the requirements for new construction and substantial improvements.
- (16) When a structure is located in multiple flood hazard zones or in a flood hazard risk zone with multiple base flood elevations, the provisions for the more restrictive flood hazard risk zone and the highest base flood elevation shall apply.

#### **SECTION B. SPECIFIC STANDARDS.**

In all Special Flood Hazard Areas where Base Flood Elevation (BFE) data has been provided, as set forth in Article 3, Section B, or Article 5, Section D, the following provisions, in addition to the provisions of Article 5, Section A, are required:

- (1) Residential Construction. New construction and substantial improvement of any residential structure (including manufactured homes) shall have the reference level, including basement, elevated no lower than the regulatory flood protection elevation, as defined in Article 2 of this ordinance.
- (2) Non-Residential Construction. New construction and substantial improvement of any commercial, industrial, or other non-residential structure shall have the reference level, including basement, elevated no lower than the regulatory flood protection elevation, as defined in Article 2 of this ordinance. Structures located in A or AE Zones may be floodproofed to the regulatory flood protection elevation in lieu of elevation provided that all areas of the structure, together with attendant utility and sanitary facilities, below the regulatory flood protection elevation are watertight with walls substantially impermeable to the passage of water, using structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A registered professional engineer or architect shall certify that the standards of this subsection are satisfied. Such certification shall be provided to the Floodplain Administrator as set forth in Article 4, Section B(3), along with the operational and maintenance plans..
- (3) Manufactured Homes.
  - (a) New and replacement manufactured homes shall be elevated so that the reference level of the manufactured home is no lower than the regulatory flood protection elevation, as defined in Article 2 of this ordinance.
  - (b) Manufactured homes shall be securely anchored to an adequately anchored foundation to resist flotation, collapse, and lateral movement, either by certified engineered foundation system, or in accordance with the

most current edition of the State of North Carolina Regulations for Manufactured Homes adopted by the Commissioner of Insurance pursuant to NCGS 143-143.15. Additionally, when the elevation would be met by an elevation of the chassis thirty-six (36) inches or less above the grade at the site, the chassis shall be supported by reinforced piers or engineered foundation. When the elevation of the chassis is above thirty-six (36) inches in height, an engineering certification is required.

- (c) All enclosures or skirting below the lowest floor shall meet the requirements of Article 5, Section B(4).
  - (d) An evacuation plan must be developed for evacuation of all residents of all new, substantially improved or substantially damaged manufactured home parks or subdivisions located within flood prone areas. This plan shall be filed with and approved by the Floodplain Administrator and the local Emergency Management coordinator.
- (4) Elevated Buildings. Fully enclosed area, of new construction and substantially improved structures, which is below the lowest floor:
- (a) shall not be designed or used for human habitation, but shall only be used for parking of vehicles, building access, or limited storage of maintenance equipment used in connection with the premises. Access to the enclosed area shall be the minimum necessary to allow for parking of vehicles (garage door) or limited storage of maintenance equipment (standard exterior door), or entry to the living area (stairway or elevator). The interior portion of such enclosed area shall not be finished or partitioned into separate rooms, except to enclose storage areas;
  - (b) shall be constructed entirely of flood resistant materials;
  - (c) shall include, in Zones A and AE, flood openings to automatically equalize hydrostatic flood forces on walls by allowing for the entry and exit of floodwaters. To meet this requirement, the openings must either be certified by a professional engineer or architect or meet or exceed the following minimum design criteria:
    - (i) A minimum of two flood openings on different sides of each enclosed area subject to flooding;
    - (ii) The total net area of all flood openings must be at least one (1) square inch for each square foot of enclosed area subject to flooding;
    - (iii) If a building has more than one enclosed area, each enclosed area must have flood openings to allow floodwaters to automatically enter and exit;
    - (iv) The bottom of all required flood openings shall be no higher than one (1) foot above the adjacent grade;
    - (v) Flood openings may be equipped with screens, louvers, or other coverings or devices, provided they permit the automatic flow of floodwaters in both directions; and
    - (vi) Enclosures made of flexible skirting are not considered enclosures for regulatory purposes, and, therefore, do not require flood openings. Masonry or wood underpinning, regardless of structural status, is considered an enclosure and requires flood openings as outlined above.
- (5) Additions/Improvements.
- (a) Additions and/or improvements to pre-FIRM structures when the addition and/or improvements in combination with any interior modifications to the existing structure are:
    - (i) not a substantial improvement, the addition and/or improvements must be designed to minimize flood damages and must not be any more non-conforming than the existing structure.
    - (ii) a substantial improvement, both the existing structure and the addition and/or improvements must comply with the standards for new construction.

- (b) Additions to post-FIRM structures with no modifications to the existing structure other than a standard door in the common wall shall require only the addition to comply with the standards for new construction.
  - (c) Additions and/or improvements to post-FIRM structures when the addition and/or improvements in combination with any interior modifications to the existing structure are:
    - (i) not a substantial improvement, the addition and/or improvements only must comply with the standards for new construction.
    - (ii) a substantial improvement, both the existing structure and the addition and/or improvements must comply with the standards for new construction.
- (6) Recreational Vehicles. Recreational vehicles shall either:
- (a) be on site for fewer than 180 consecutive days and be fully licensed and ready for highway use (a recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities, and has no permanently attached additions); or
  - (b) meet all the requirements for new construction.
- (7) Temporary Non-Residential Structures. Prior to the issuance of a floodplain development permit for a temporary structure, the applicant must submit to the Floodplain Administrator a plan for the removal of such structure(s) in the event of a hurricane, flash flood or other type of flood warning notification. The following information shall be submitted in writing to the Floodplain Administrator for review and written approval:
- (a) a specified time period for which the temporary use will be permitted. Time specified may not exceed three (3) months, renewable up to one (1) year;
  - (b) the name, address, and phone number of the individual responsible for the removal of the temporary structure;
  - (c) the time frame prior to the event at which a structure will be removed (i.e., minimum of 72 hours before landfall of a hurricane or immediately upon flood warning notification);
  - (d) a copy of the contract or other suitable instrument with the entity responsible for physical removal of the structure; and
  - (e) designation, accompanied by documentation, of a location outside the Special Flood Hazard Area, to which the temporary structure will be moved.
- (8) Accessory Structures. When accessory structures (sheds, detached garages, etc.) are to be placed within a Special Flood Hazard Area, the following criteria shall be met:
- (a) Accessory structures shall not be used for human habitation (including working, sleeping, living, cooking or restroom areas);
  - (b) Accessory structures shall not be temperature-controlled;
  - (c) Accessory structures shall be designed to have low flood damage potential;
  - (d) Accessory structures shall be constructed and placed on the building site so as to offer the minimum resistance to the flow of floodwaters;
  - (e) Accessory structures shall be firmly anchored in accordance with the provisions of Article 5, Section A(1);
  - (f) All service facilities such as electrical shall be installed in accordance with the provisions of Article 5, Section A(4); and



- (g) Flood openings to facilitate automatic equalization of hydrostatic flood forces shall be provided below regulatory flood protection elevation in conformance with the provisions of Article 5, Section B(4)(c).

An accessory structure with a footprint less than 150 square feet that satisfies the criteria outlined above does not require an elevation or floodproofing certificate. Elevation or floodproofing certifications are required for all other accessory structures in accordance with Article 4, Section B(3).

**SECTION C. RESERVED.**

**SECTION D. STANDARDS FOR FLOODPLAINS WITHOUT ESTABLISHED BASE FLOOD ELEVATIONS.**

Within the Special Flood Hazard Areas designated as Approximate Zone A and established in Article 3, Section B, where no Base Flood Elevation (BFE) data has been provided by FEMA, the following provisions, in addition to the provisions of Article 5, Section A, shall apply:

- (1) No encroachments, including fill, new construction, substantial improvements or new development shall be permitted within a distance of twenty (20) feet each side from top of bank or five times the width of the stream, whichever is greater, unless certification with supporting technical data by a registered professional engineer is provided demonstrating that such encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge.
- (2) The BFE used in determining the regulatory flood protection elevation shall be determined based on the following criteria:
  - (a) When Base Flood Elevation (BFE) data is available from other sources, all new construction and substantial improvements within such areas shall also comply with all applicable provisions of this ordinance and shall be elevated or floodproofed in accordance with standards in Article 5, Sections A and B.
  - (b) When floodway data is available from a Federal, State, or other source, all new construction and substantial improvements within floodway areas shall also comply with the requirements of Article 5, Sections B and F.
  - (c) All subdivision, manufactured home park and other development proposals shall provide Base Flood Elevation (BFE) data if development is greater than five (5) acres or has more than fifty (50) lots/manufactured home sites. Such Base Flood Elevation (BFE) data shall be adopted by reference in accordance with Article 3, Section B and utilized in implementing this ordinance.
  - (d) When Base Flood Elevation (BFE) data is not available from a Federal, State, or other source as outlined above, the reference level shall be elevated or floodproofed (nonresidential) to or above the Regulatory Flood Protection Elevation, as defined in Article 2. All other applicable provisions of Article 5, Section B shall also apply.

**SECTION E. STANDARDS FOR RIVERINE FLOODPLAINS WITH BFE BUT WITHOUT ESTABLISHED FLOODWAYS OR NON-ENCROACHMENT AREAS.**

Along rivers and streams where BFE data is provided by FEMA or is available from another source but neither floodway nor non-encroachment areas are identified for a Special Flood Hazard Area on the FIRM or in the FIS report, the following requirements shall apply to all development within such areas:

- (1) Standards of Article 5, Sections A and B; and
- (2) Until a regulatory floodway or non-encroachment area is designated, no encroachments, including fill, new construction, substantial improvements, or other development, shall be permitted unless certification with supporting technical data by a registered professional engineer is provided demonstrating that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one (1) foot at any point within the community.

**SECTION F. FLOODWAYS AND NON-ENCROACHMENT AREAS.**

Areas designated as floodways or non-encroachment areas are located within the Special Flood Hazard Areas established in Article 3, Section B. The floodways and non-encroachment areas are extremely hazardous areas due to the velocity of floodwaters that have erosion potential and carry debris and potential projectiles. The following provisions, in addition to standards outlined in Article 5, Sections A and B, shall apply to all development within such areas:

- (1) No encroachments, including fill, new construction, substantial improvements and other developments shall be permitted unless:
  - (a) it is demonstrated that the proposed encroachment would not result in any increase in the flood levels during the occurrence of the base flood, based on hydrologic and hydraulic analyses performed in accordance with standard engineering practice and presented to the Floodplain Administrator prior to issuance of floodplain development permit, or
  - (b) a Conditional Letter of Map Revision (CLOMR) has been approved by FEMA. A Letter of Map Revision (LOMR) must also be obtained upon completion of the proposed encroachment.
- (2) If Article 5, Section F(1) is satisfied, all development shall comply with all applicable flood hazard reduction provisions of this ordinance.
- (3) No manufactured homes shall be permitted, except replacement manufactured homes in an existing manufactured home park or subdivision, provided the following provisions are met:
  - (a) the anchoring and the elevation standards of Article 5, Section B(3); and
  - (b) the no encroachment standard of Article 5, Section F(1).

**ARTICLE 6.     LEGAL STATUS PROVISIONS.**

**SECTION A.     EFFECT ON RIGHTS AND LIABILITIES UNDER THE EXISTING FLOOD DAMAGE PREVENTION ORDINANCE.**

This ordinance in part comes forward by re-enactment of some of the provisions of the flood damage prevention ordinance enacted December 4, 1985 as amended, and it is not the intention to repeal but rather to re-enact and continue to enforce without interruption of such existing provisions, so that all rights and liabilities that have accrued thereunder are reserved and may be enforced. The enactment of this ordinance shall not affect any action, suit or proceeding instituted or pending. All provisions of the flood damage prevention ordinance of Bertie County enacted on December 4, 1985, as amended, which are not reenacted herein are repealed.

The date of the initial flood damage prevention ordinance for each municipal jurisdiction within Bertie County is as follows:

Town of Windsor	March 14, 1974
Town of Aulander	June 27, 2000
Town of Roxobel	November 26, 2002

**SECTION B.     EFFECT UPON OUTSTANDING FLOODPLAIN DEVELOPMENT PERMITS.**

Nothing herein contained shall require any change in the plans, construction, size, or designated use of any development or any part thereof for which a floodplain development permit has been granted by the floodplain administrator or his or her authorized agents before the time of passage of this ordinance; provided, however, that when construction is not begun under such outstanding permit within a period of six (6) months subsequent to the date of issuance of the outstanding permit, construction or use shall be in conformity with the provisions of this ordinance.

**SECTION C.     EFFECTIVE DATE.**

This ordinance shall become effective February 4, 2009.

**SECTION D.     ADOPTION CERTIFICATION.**

I hereby certify that this is a true and correct copy of the flood damage prevention ordinance as adopted by the Board of Commissioners of Bertie County, North Carolina, on the 4<sup>th</sup> day of February, 2009 and amended January 7<sup>th</sup>, 2019.

WITNESS my hand and the official seal of Bertie County, this the 7<sup>th</sup> day of January, 2019.

BERTIE COUNTY:

\_\_\_\_\_  
Chairman, Bertie County Board of Commissioners:

ATTEST:

*Sarah Tiukhan*

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



A-4



Roy Cooper  
Governor

James A. Weaver  
Secretary and State Chief Information Officer

July 18, 2022

Joe Prater, Director, State Government Affairs  
Bertie County, Spectrum Southeast, LLC, Charter Communications dba Spectrum  
7800 Crescent Executive Drive  
Charlotte, NC 28217

Re: Growing Rural Economies with Access to Technology (GREAT) Grant Award  
Notification; Application # 1000013999

Dear Mr. Prater:

Congratulations! On behalf of the N.C. Department of Information Technology's Division of Broadband and Digital Equity, I am pleased to announce that Bertie County, Spectrum Southeast, LLC, Charter Communications dba Spectrum has been selected for funding under the GREAT Grant program in the amount of \$1,813,102.90. These funds are awarded from American Rescue Plan Act State and Local Fiscal Recovery Funds as appropriated by N.C. Session Law 2021-180 and are subject to federal requirements as detailed in the U. S. Treasury Final Rule and other applicable documents referenced in the GREAT Grant Guidance Document.

The required match for this project is \$777,044.10. These funds are contingently awarded for the project entitled 2022 NC GREAT - Bertie County Project to deploy broadband services to approximately 478 households and businesses in Bertie County. The Broadband Infrastructure Office will send a follow-up letter in the coming days outlining the additional information that must be submitted to the Office prior to contracting. If the requested information is not received by the due date supplied, the awarded project may be rescinded and the next highest scoring application in the county may be eligible for award.

The GREAT grant awards are being made on a rolling basis through July and August for this funding round. We extend our best wishes for success in deploying broadband services to unserved areas in North Carolina, and we look forward to working with you on this important project. If you have any questions about the next steps, please contact Angie Bailey, Director of the Broadband Infrastructure Office, at [GREATgrant@nc.gov](mailto:GREATgrant@nc.gov).

Sincerely,

DocuSigned by:  
  
7808BF9EB6564CB...

Nathaniel S. Denny  
Deputy Secretary  
Division of Broadband and Digital Equity  
N.C. Department of Information Technology



# **Bertie County**

**Board of Commissioners**

## **ITEM ABSTRACT**

**MEETING DATE:** August 15, 2022

**SECTION:** Board Appointments

**DEPARTMENT:** Governing Body

**TOPICS:**

1. Reappointment to Planning Board - Jim Wiggins

**COUNTY MANAGER RECOMMENDATION OR COMMENTS:**

**SUMMARY OF AGENDA ITEM AND/OR NEEDED ACTION(S)**

**ATTACHMENTS:** No

**LEGAL REVIEW PENDING:** N/A

**ITEM HISTORY:** ---



# Bertie County

## Board of Commissioners

### ITEM ABSTRACT

**MEETING DATE:** August 15, 2022

**SECTION:** Consent (C-1 to C-4)

**DEPARTMENT:** Governing Body

**TOPICS:**

1. Approve Register of Deeds Fees Report – July 2022
2. Approve Minutes for Regular Session 4-4-2022
3. Budget Amendments
4. Project Amendment

**COUNTY MANAGER RECOMMENDATION OR COMMENTS:** Recommend approval.

**SUMMARY OF AGENDA ITEM AND/OR NEEDED ACTION(S):** Recommend approval.

**ATTACHMENTS:** Yes, see each particular agenda item.

**LEGAL REVIEW PENDING:** N/A

**ITEM HISTORY:** ---



C-1



This report from July 1, 2022-July 15, 2022 was reported on Internet Technologies system due to system change.

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 JULY 1, 2022-JULY 15, 2022 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-----		\$1,375.60
10-0030-4344-03	VITAL STATISTICS-----		\$2,690.00
10-0050-4839-02	MISCELLANEOUS(NOTARY OATHS/PHOTO COPIES, ETC)-----		\$103.15
10-0030-4344-04	NO. MARRIAGE LICENSE-----	5 @60.00	\$300.00
			<u>\$4,468.75</u>
10-0018-4240-01	N. C. STATE EXCISE STAMP TAX-----		\$1,606.00
10-0030-4344-10	STATE TREASURER FEE-----	37 @\$6.20	\$229.40
	STATE VITAL RECORDS-----	134 @14.00 1876+215	\$2,091.00
		43 Extra Cer.	<u>\$8,395.15</u>
10-0000-1251-00	A/R IN/OUT(REFUND)-----		<u>\$8,395.15</u>

*Annie J. Wilson*

REGISTER OF DEEDS - BERTIE COUNTY

By: *Shakedia L. Williams, Asst.*

FOR INFORMATIONAL PURPOSES

D/T /MORTGAGES-----	10 @\$6.20=	\$62.00
ADDITIONAL PAGES-----	@\$0.40=	
DEEDS & OTHER INSTRUMENTS-----	<u>32</u> @\$1.94=	<u>\$62.08</u>

This report from July 18, 2022-July 29, 2022 was reported on Business Information System due to system change.

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 JULY 18, 2022-JULY 29, 2022 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-----		\$1,546.60
10-0030-4344-03	VITAL STATISTICS-----		\$720.00
10-0050-4839-02	MISCELLANEOUS(NOTARY OATHS/PHOTO COPIES, ETC)-----		\$173.80
10-0030-4344-04	NO. MARRIAGE LICENSE-----	2 @60.00	\$120.00
			<u>\$2,560.40</u>
10-0018-4240-01	N. C. STATE EXCISE STAMP TAX-----		\$3,754.00
10-0030-4344-10	STATE TREASURER FEE-----	52 @\$6.20	\$322.40
	STATE VITAL RECORDS-----	4 @14.00	\$96.00
			<u>\$6,732.80</u>
10-0000-1251-00	A/R IN/OUT(REFUND)-----		
			<u>\$6,732.80</u>

*Annie J. Wilson*

REGISTER OF DEEDS - BERTIE COUNTY

*By: Shanelia R. Williams, Clerk*

FOR INFORMATIONAL PURPOSES

D/T /MORTGAGES-----	8 @\$6.20=	\$49.60
ADDITIONAL PAGES-----	@\$0.40=	
DEEDS & OTHER INSTRUMENTS-----	<u>39</u> @\$1.94=	<u>\$75.66</u>



C-2

Windsor, North Carolina  
April 4, 2022  
COMMISSIONERS MEETING

The Bertie County Board of Commissioners met for a regularly scheduled meeting today at 6:00 PM inside the Commissioners Room, 106 Dundee Street, Windsor, NC. Because of the COVID-19 pandemic, this meeting was hosted partially in person and partially via Zoom (conference call). The following members were present or absent:

Present: Ronald “Ron” Wesson, District I  
Greg Atkins, District II  
Tammy A. Lee, District III  
Ronald “Ron” Roberson, District V  
John Trent, District IV

Staff Present: County Manager Juan Vaughan, II  
Assistant County Manager David Scarborough  
County Attorney Lloyd Smith  
Finance Director William Roberson

Staff Present (Zoom): Clerk to the Board LaShonda Cartwright

**CALL TO ORDER**

Chairman Trent called the meeting to order.

**INVOCATION & PLEDGE OF ALLEGIANCE**

Commissioner Ron Wesson gave the Invocation and led the Pledge of Allegiance.

**PUBLIC COMMENTS (3 MINUTE LIMIT PER SPEAKER)**

Mayor Cordon, Lewiston-Woodville

Mayor Cordon from Lewiston-Woodville came before the Board to present a resolution pursuant to NCGS §18B-801 for the Board’s consideration. Mayor Cordon stated she is seeking an agreement from the Bertie County Board of Commissioners to support no further consideration for the location of the ABC store in the town of Lewiston-Woodville and its municipal boundaries. Mayor Cordon then stated that her presence and request is a representation of their citizens and municipality.

Mayor Cordon then stated that at a Public Hearing held on March 22, 2022, it was asked by a show of hands as to how many people oppose a liquor store coming to Lewiston-Woodville. Mayor Cordon stated that to her knowledge and understand, everyone in attendance at the meeting raised their hands against having a liquor store coming to the Lewiston-Woodville area. She then stated that to further clarify, it was then asked a second time if anyone was in favor of an ABC store coming to the Lewiston-Woodville area and no one was in favor of nor expressed an interest in an ABC store coming to Lewiston-Woodville.

Mayor Cordon then stated they are submitting a resolution to the proper individuals, agencies and newspaper. Mayor Cordon further stated they are asking that Bertie County Board of Commissioners to support their decision.

Mayor Cordon then thanked the board for their attention.

Commissioner Lee asked Mayor Cordon if they have received an update from the ABC Board or Commission.

Mayor Cordon stated that she spoke to Mr. Miles Davis. She then stated that her understanding is there will not be an ABC store in the Lewiston-Woodville area. However, she had not received anything official or in writing.

#### Michel A. Bond

Mr. Bond came before the Board of Commissioners requesting a letter of support for his ergonomically-designed paint brush. Mr. Bond stated that for the past two years he has been speaking with Jamie Johnson of Ace Hardware in Ahoskie, NC in efforts of developing a partnership with the store to sell his paint brushes.

Mr. Bond hopes that a letter of support coming from the Bertie County Board of Commissioners would help Ace Hardware sell his paint brushes.

Vice-Chair Wesson stated that he knows Mr. Bond well and he is very familiar with the fine work that he does for the County and the citizens of Bertie County. Vice-Chair Wesson then stated that he knew about Mr. Bond's paint brush design. He further stated that a lot of people over the years have shown an interest in Mr. Bond's ergonomically-designed paint brushes. Vice-Chair Wesson stated that he remembered when it was patented and he commends Mr. Bond as an entrepreneur and sticking with it and trying to make it happen.

Vice-Chair Wesson then stated he agreed that the Board could not formally endorse his paint brush, but he would recommend talking about the service that Mr. Bond has performed for the County as well as praising his entrepreneurial spirit for his invention.

Chairman Trent said he thinks that would be appropriate and then asked the county attorney if there would be any legal ramifications behind that.

The county attorney advised there were no legal ramifications behind it.

Chairman Trent then advised Mr. Bond that he should also talk to Sherwin Williams and thinks this will be a good idea.

The board then gave a consensus that they would give a letter of support to Mr. Bond for his ergonomically-designed paint brush.

Chairman Trent then followed up by saying Mr. Bond was an outstanding man and he appreciates all the work that he has done for them.

Commissioner Lee thanked Mr. Bond for coming to see them.

Commissioner Roberson thanked Mr. Bond for all that he does and told him to keep up the good work.

Commissioner Atkins told a story how he met Mr. Bond over thirty years ago and how he did a great job painting his house.

The Board then thanked Mr. Bond collectively.

Chairman Trent then asked Clerk to the Board LaShonda Cartwright if there were any more public comments.

Clerk to the Board LaShonda Cartwright stated there were no more public comments.

## **REPORTS & APPOINTMENTS (A)**

### 1. Recognition of the Bertie High School Lady Falcons for Participation in State Championship

The Bertie High School Lady Falcons were unable to attend.

### 2. Request to Renew Albemarle Regional Library Agreement by Executive Director Hugh Davis

Director Davis thanked the board for allowing him to attend the meeting and he asked them to renew the agreement that have had in place since 1948 for Bertie County Library to be a part of Albemarle Regional Library system.

Director Davis stated that this is a 10-year renewal and they are appreciative of all the support that has been given to them.

Commissioner Roberson made the **MOTION** to approve the renewal of the Albemarle Regional Library Agreement. Commissioner Lee **SECONDED** the **MOTION**. The **MOTION PASSED** with a unanimous decision.

### 3. Results of 11-Month Walk- Through of Library/NC Cooperative Extension Facility by Architect Amber Idol

Ms. Idol gave the board a quick update on the new Library/NC Cooperative Extension Facility. Ms. Idol stated that on March 24<sup>th</sup>, they completed a walk through of the Library & NC

Cooperative facility. This was around the 11-month point; the contractor warranty will expire at the end of April.

Ms. Idol stated that they like to do the walk throughs at the 11-month point so that they can gather any items or issues that the user may have. This will allow them to go through that list before the 1-year contractor warranty expires.

Ms. Idol stated they did a complete walk through of the interior and exterior of the building and she is currently compiling a list. Ms. Idol stated that she has three lists that she is making and one list is a contractor warranty list, which means the contractor is responsible for fixing those issues because they are within his scope of work.

Ms. Idol stated she has a separate list for furniture related items because that was out of the contractor's scope.

Ms. Idol stated the third list includes additional items that the users may want or need. She stated this list will not be under the contractor's warranty either. This will include items that will be additional to the project and if the users would like those items addressed, they will put that request in their funding to do so.

Ms. Idol stated those lists will be in her report and they will be sent out to everyone at the meeting for their review and if anyone has any comments they can let her know.

Ms. Idol stated that they still have a month before the one-year mark and if any of those items have been noted within this year, A.R. Chesson is responsible for fixing and any item that has been repaired or something may happen to it again, A.R. Chesson will come back and fix that as well. However, any items outside that one year, are no longer the responsibility of the contractor. It will be more of a manufacturer or product warranty item. At that point, they can help the County reach out to that manufacturer in attempts of having any issues resolved.

Ms. Idol stated none of the items on the list were major and they are currently trying to work with the manufacturers for some of the items right now.

#### 4. Convene as Board of Equalization & Review, Tax Administrator Jodie Rhea

A **MOTION** was made to Convene as Board of Equalization & Review by Commissioner Lee. The **MOTION** was **SECONDED** by Vice-Chair Wesson. The **MOTION PASSED** with a unanimous decision.

Tax Administrator Jodi Rhea stated that at this time they did not have any appeals to present. Mr. Rhea then stated they could recess until the April 20<sup>th</sup> meeting.

Chairman Trent stated that they will be recessing the Board of Equalization & Review until April 20<sup>th</sup> at 10:00AM.

A **MOTION** to recess convening of Board of Equalization & Review until April 20<sup>th</sup> at 10:00 AM was made by Commissioner Roberson. The **MOTION** was **SECONDED** by Commissioner Lee. The **MOTION PASSED** with a unanimous decision.

#### 5. Financial Summary by Finance Director William Roberson

Finance Director Roberson provided the Board with a financial summary. Director Roberson stated that the summary he was providing was through the month of January.

Director Roberson began by going down the expenditure line items. He stated the department that stands out is Emergency Services. He then stated that Emergency Services was sitting around 77% and that still looked a little high. Director Roberson then stated that they know that Emergency Services was going to be a bit high due to overtime around the holidays. Mr. Roberson stated that it was little less than the difference was last month, so it is starting to improve.

Director Roberson then stated that the total expenditures to this date was 53.8% and 67% is the point where we are, so it looks like the County is keeping their expenditures in check.

Director Roberson then reviewed the finances for the Water Department and stated the biggest thing worth noting is the increase in Sales & Services Total, now at 78% compared to 63%.

Director Roberson stated that the reimbursables are a little bit higher than what he thought he would have had before. Director Roberson stated that's because now it includes the total amount that they will receive back from Golden Leaf. Directed Roberson then stated they received those funds back in March and that money is now in the bank.

Chairman Trent asked Director Roberson how much was the reimbursement for.

Director Roberson informed Chairman Trent that the reimbursement ended up being \$412,000 in total.

Vice-Chair Wesson asked Finance Director Roberson if he saw anything in the next few months that could derail them on the progress they were making.

Director Roberson stated that he doesn't foresee anything at the moment that could cause any issues.

### **BOARD APPOINTMENTS (B)**

#### 1. Appointment of Clinton Freeman -Economic Development Board

Commissioner Roberson made the **MOTION** to appoint Clinton Freeman to the Economic Development Board. The **MOTION** was **SECONDED** by Commissioner Lee. The **MOTION PASSED** with a unanimous decision.

#### 2. Appointment of Crystal Godwin -Economic Development Board

Vice-Chair Wesson made the **MOTION** to appoint Crystal Godwin to the Economic Development Board. The **MOTION** was **SECONDED** by Commissioner Roberson. The **MOTION PASSED** with a unanimous decision.

### **CONSENT AGENDA (C)**



1. Approve Register of Deeds Fees Report -March 2022

Commissioner Roberson made the **MOTION** to approve the Register of Deeds Fees Report. The **MOTION** was **SECONDED** by Commissioner Lee. The **MOTION PASSED** with a unanimous decision.

2. Approve Tax Release Journal -February 2022

Commissioner Lee made the **MOTION** to approve Tax Release Journal February 2022. The **MOTION** was **SECONDED** by Commissioner Roberson. The **MOTION PASSED** with a unanimous decision.

3. Approve Regular Meeting Minutes 2-7-22

Commissioner Roberson made the **MOTION** to approve Regular Meeting Minutes 2-7-22. The **MOTION** was **SECONDED** by Commissioner Lee. The **MOTION PASSED** with a unanimous decision.

4. Approve Work Session Minutes 3-15-2021

Commissioner Lee made the **MOTION** to approve Work Session Minutes 3-15-2021. The **MOTION** was **SECONDED** by Commissioner Roberson. The **MOTION PASSED** with a unanimous decision.

5. Approve Budget Amendments

Finance Director Roberson stated that the first and third amendments were grant money. Director Roberson then stated the second amendment was a situation where someone had an accident. They hit a deer and he needs the Board's approval to put those funds back in the account so that the vehicle can be repaired.

Commissioner Lee made the **MOTION** to approve the Budget Amendments. The **MOTION** was **SECONDED** by Commissioner Roberson. The **MOTION PASSED** with a unanimous decision.

6. Albemarle Regional Library Agreement

Chairman Trent stated they already discussed this item and it was **APPROVED**. (for voting details see **REPORTS & APPOINTMENTS (A) item #2**).

7. Access Agreement for Tidewater Land & Timber, LLC

Chairman Trent asked the county attorney if he had any information to share regarding this agreement.

Attorney Smith stated they did not know how the money was supposed to be divided.

County Manager Vaughan stated that the \$1,000 is only supposed to be paid to the County. He then stated that the Assistant County Manager, David Scarborough, had spoken with the Town Administrator Allen Castelleo and Tidewater's method of paying the town would be to provide rocks and gravel for the path for the town, but the \$1,000 is to Bertie County.

The County Attorney Lloyd Smith stated that it needs to be specified in the agreement who will be receiving the \$1,000.

Commissioner Roberson asked County Manager Vaughan if Tidewater Land & Timber, LLC had stated when the County would receive the money.

County Manager Vaughan stated that one of Attorney Huddleston's suggestions was to include that it would be 10 days within the effective date of the agreement.

Attorney Smith reiterated that the changes basically were just a general liability waiver and a request that Bertie County be added on as a third-party insurer on their policy.

Commissioner Lee made the **MOTION** to approve the Access Agreement for Tidewater Land & Timber, LLC with the suggested changes made by the attorney. The **MOTION** was **SECONDED** by Commissioner Roberson. The **MOTION PASSED** with a unanimous decision.

### **OTHER ITEMS** **DISCUSSION AGENDA (D)**

#### 1. Bertie County Regional Water System Capital Improvement Plan

Water Superintendent Ricky Spivey was available by phone and he stated to the Board that an updated Capital Improvement Plan is needed for the Lewiston-Woodville project.

County Manager Vaughan stated that the Regional Water System Capital Improvement Plan was needed for the grant they were pursuing to upgrade the water system in Lewiston-Woodville. County Manager Vaughan then stated the point of the Regional Water System Capital Improvement Plan was to meet the requirements of the grant.

Commissioner Roberson made the **MOTION** to approve the Bertie County Regional Water System Capital Improvement Plan. The **MOTION** was **SECONDED** by Commissioner Lee. The **MOTION PASSED** with a unanimous decision.

#### 2. Upcoming Meetings

County Manager Vaughan stated that they had a Work Session coming up on April 20<sup>th</sup> at 10:00 AM.

County Manager Vaughan then stated that the Mayors and Commissioners Dinner is scheduled for April 14<sup>th</sup> at 7:00PM in Lewiston.

## COMMISSIONERS' REPORTS (E)

### Vice-Chair Wesson

Vice-Chair Wesson stated that he received a call from our representative, GK Butterfield, requesting the County to submit projects for funding. Vice-Chair Wesson then stated that he forwarded this request on to County Manager Vaughan, Economic Director Steve Biggs, and Consultant Robin Payne.

Vice-Chair Wesson then stated that this was a unique opportunity and the TGOW project would be the kind of earmark that Representative Butterfield would be looking for. He then stated that TGOW was a big project and they wanted to help the County with this project.

Vice-Chair Wesson stated the key thing is that the request is due next week which is April 13<sup>th</sup>.

Vice-Chair Wesson then explained to the Board an idea that he had about utilizing the old Southwestern School building as a start up incubator for new businesses in the county. He then stated this may also be a good project to submit for the earmark money.

Chairman Trent stated that would be a good idea because all it takes is a vision.

Chairman Trent stated that broadband throughout the county is something else that needs to have earmark money because we have a match to this grant. He then stated that they were not sure what that match is because it could be anywhere from 20% to 50% of an eight-million-dollar grant.

Chairman Trent then stated that this is something else that they should make a priority on because they do not have the money to match that grant if needed.

Chairman Trent then stated that broadband is the most important thing that we can get in this county. He then stated that it would help revitalize businesses and companies. He followed up by saying that broadband would be an attraction for outside companies.

Chairman Trent stated that he agreed with Vice-Chair Wesson and broadband needs to be included on the list of earmark projects.

Vice-Chair Wesson then stated that for this particular project for the broadband it could not be included in the earmark funding because you can't use federal funds to support another federal project like that.

Vice-Chair Wesson then follow up by saying that however, under Reginald Speight and Rural Development the broadband project would be something that they could do.

Vice-Chair Wesson then stated if there was any other project that they could think of, it needs to be done fairly quickly.

Commissioner Lee then stated that the Tri-County Airport could definitely use some earmark funding.

County Manager Vaughan then asked the board for some clear direction on the projects that they would like to submit since the due date was approaching during the following week.

Commissioner Lee stated that the TGOW project should definitely be submitted and the Board agreed.

County Manager asked the Board if they had a consensus to move forward with TGOW as well as the Southwestern School partnership.

Vice-Chair Wesson stated that Tri-County cannot be submitted by the County, but it could be submitted by that Tri-County Airport Board.

Vice-Chair Wesson congratulated the NAACP on their Annual Freedom Fund Banquet that was held on Saturday at the middle school.

Vice-Chair Wesson stated that it was a wonderful event and a complete sell-out. He then stated that Bakari Sellers from South Carolina was the keynote speaker.

Vice-Chair Wesson then stated that they were going to lose a couple of citizens who are moving away from the county and they are Dr. Johnny Hill and Dr. Karen Ray, who have been very active in this community for years. He then stated that they both were retired college professors and they sold their property in Trap and are moving to Richmond.

Vice-Chair Wesson stated that have done so many service projects and non-profits and it was because of Karen's idea that Youth Bertie was started five years ago and they are now feeding 210 plus children every week for the last five years in the school system.

Vice-Chair Wesson stated that John served on the Elections Board, Democratic Party, and a lot of other state and county organizations.

Vice-Chair Wesson stated that he attended a zoom meeting on how to save money on your electric bill. Vice-Chair Wesson then pointed out the off-peak rates that the citizens need to be aware of and that means if you are doing things between 9:00 PM-7:00 AM, the kilowatt rate is only between 7¢ and 10¢ per kilowatt hour. However, if you are using electricity outside of that peak, you could be using as much as \$2.50-\$3.00 an hour.

Vice-Chair Wesson then stated that Consultant Robin Payne sent something from Destinations by Design, which is the firm that they would be using for some of their design work.

Vice-Chair Wesson then stated that he thought they were a very capable firm and some of the projects they used in terms of basic content were very good. However, he stated he had a real issue when you looked at their imaging. The images shown in their projects are concerning because of approximately twenty plans, he only saw two people of color.

Vice-Chair Wesson stated that even in their group shots there was no diverse images shown.

Vice-Chair Wesson followed up by stating if they are going to represent Bertie County, their imaging needs to reflect the people of Bertie County.

Chairman Trent stated to Mr. Vaughan that he thinks they need to get some other people involved possibly or send a message over and have a conversation about this issue.

Commissioner Lee stated that they needed to make sure that this company understands and knows what their expectations are.

Economic Director Steve Biggs stated that Dr. Smallwood, his Executive Assistant, Kim Cooper, and Kim Outlaw are on that board along with Robin and himself. Director Biggs then stated that they understand and he has had that conversation with Robin and it is definitely being taken care of.

The Board then thanked Economic Director Steve Biggs for handling this issue.

Commissioner Roberson

Commissioner Roberson thanked Director Biggs for handling the issue with Destination by Design. He then thanked Vice-Chair Wesson for his follow up on that situation as well.

Commissioner Lee

Commissioner Lee stated that she serves on the Board of Directors for the North Carolina Association of County Commissioners, which met this past weekend. She added that when one of the commissioners serve on that board, it is at the expense of that board and not the taxpayers of this county.

Commissioner Lee then stated they approved a five-year contract for Kevin Leonard just to hold on to him as other organizations have been interested in him. Commissioner Lee then stated everyone knows what a great job he does for the counties of North Carolina as the Executive Director.

Commissioner Lee stated they also voted to change the way they were bringing in legislative goals. She stated that in the past you had to have a vote of fifty plus one to bring a legislative goal to the full body, now it will require three-quarters vote.

Commissioner Lee stated that you will be able to see those changes in a handout.

Commissioner Atkins

Commissioner Atkins stated that he did not have anything to report.

**COUNTY MANGER'S REPORTS (F)**

County Manager Vaughan stated that Project Consultant Robin Payne reminded him that they needed an official vote from the board when it comes to getting grants and funds.

County Manager Vaughan then asked the board if they could have a vote for the TGOW project and for the Southwestern School project for submission to Representative Butterfield's office.

Vice-Chair Wesson made the **MOTION** to approve the TGOW project and Southwestern School project. The **MOTION** was **SECONDED** by Commissioner Roberson. The **MOTION PASSED** with a unanimous decision.

**COUNTY ATTORNEY'S REPORTS (G)**

County Attorney Lloyd Smith stated that he did not have any reports at this time.

**PUBLIC COMMENTS ( 3 MINUTES PER SPEAKER)**

Clerk to the Board LaShonda Cartwright stated that she did not have any public comments at this time.

**ADJOURN**

Commissioner Lee made the **MOTION** to adjourn the meeting. The **MOTION** was **SECONDED** by Commissioner Roberson. **The MOTION PASSED** with a unanimous decision.

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John Trent, Chair

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Clerk to the Board, LaShonda Cartwright



C-3

# BUDGET AMENDMENT

<b># 23-01</b>				
INCREASE				INCREASE
12-0025-4586-45	\$ 46,707	LIHWAP	12-5380-5412-55	\$ 46,707
LOW-INCOME HOME WATER ASSISTANCE PROGRAM (LIHWAP)				
INCREASE				INCREASE
35-0025-4587-51	\$ 1,840,117	MT/REP EQUIP	35-3535-5352-00	\$ 25,000
		ARP EXP	35-3535-5485-00	\$ 1,229,356
		EQUIP < 5000	35-3535-5499-90	\$ 6,000
		CAP EQUIP	35-3535-5510-00	\$ 162,761
		CAP VEH	35-3535-5540-00	\$ 417,000
TO INCREASE BUDGET FOR CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUND				
SLFRF (OR) ARP [AMERICAN RESCUE PLAN] -SECOND TRANCHE				
INCREASE				DECREASE
10-0025-4495-07	\$ 16,000		10-0090-4991-99	\$ 14,371
				INCREASE
			10-4950-5399-30	\$ 1,629
TO SETUP BUDGET - EFNEP PROGRAM (GRANT AMOUNT RECEIVED)				
EXPANDED FOOD & NUTRITION				
INCREASE				INCREASE
10-0025-4495-08	\$ 2,000		10-4950-5399-32	\$ 2,000
TO SETUP BUDGET - ESMM PROGRAM (GRANT AMOUNT RECEIVED)				
ESMM - EAT SMART MOVE MORE				
APPROVED ___ / ___ /2022				



# BUDGET AMENDMENT

BUDGET AMENDMENT						
		# 23-01				
	INCREASE			INCREASE		
12-0025-4586-45	\$	46,707	LIHWAP	12-5380-5412-55	\$	46,707
LOW-INCOME HOME WATER ASSISTANCE PROGRAM (LIHWAP)						



**DIVISION OF SOCIAL SERVICES**

**Low-Income Household Water Assistance Program (LIHWAP)**

**FUNDING SOURCE: American Rescue Plan Act (ARPA)**

**EFFECTIVE DATE: 7/01/2022**

**AUTHORIZATION NUMBER: 1**

**ALLOCATION PERIOD**

**FROM JUNE 2022 THRU MAY 2023 SERVICE MONTHS**

**FROM JULY 2022 THRU JUNE 2023 PAYMENT MONTHS**

Co. No.	COUNTY	Initial (or Previous) Allocation Funding Authorization		Additional Allocation		Grand Total Allocation	
		Federal	Total	Federal	Total	Federal	Total
01	ALAMANCE	257,630	257,630	0	0	257,630	257,630
02	ALEXANDER	44,021	44,021	0	0	44,021	44,021
03	ALLEGHANY	18,657	18,657	0	0	18,657	18,657
04	ANSON	59,396	59,396	0	0	59,396	59,396
05	ASHE	41,054	41,054	0	0	41,054	41,054
06	AVERY	22,604	22,604	0	0	22,604	22,604
07	BEAUFORT	93,279	93,279	0	0	93,279	93,279
08	BERTIE	46,707	46,707	0	0	46,707	46,707
09	BLADEN	78,513	78,513	0	0	78,513	78,513
10	BRUNSWICK	166,742	166,742	0	0	166,742	166,742
11	BUNCOMBE	367,752	367,752	0	0	367,752	367,752
12	BURKE	150,758	150,758	0	0	150,758	150,758
13	CABARRUS	206,871	206,871	0	0	206,871	206,871
14	CALDWELL	124,661	124,661	0	0	124,661	124,661
15	CAMDEN	8,502	8,502	0	0	8,502	8,502
16	CARTERET	71,539	71,539	0	0	71,539	71,539
17	CASWELL	39,821	39,821	0	0	39,821	39,821
18	CATAWBA	208,051	208,051	0	0	208,051	208,051
19	CHATHAM	64,783	64,783	0	0	64,783	64,783
20	CHEROKEE	46,342	46,342	0	0	46,342	46,342
21	CHOWAN	27,812	27,812	0	0	27,812	27,812
22	CLAY	18,164	18,164	0	0	18,164	18,164
23	CLEVELAND	191,900	191,900	0	0	191,900	191,900
24	COLUMBUS	120,506	120,506	0	0	120,506	120,506
25	CRAVEN	136,405	136,405	0	0	136,405	136,405
26	CUMBERLAND	677,284	677,284	0	0	677,284	677,284
27	CURRITUCK	24,119	24,119	0	0	24,119	24,119
28	DARE	32,356	32,356	0	0	32,356	32,356
29	DAVIDSON	235,080	235,080	0	0	235,080	235,080
30	DAVIE	44,224	44,224	0	0	44,224	44,224
31	DUPLIN	98,286	98,286	0	0	98,286	98,286
32	DURHAM	402,610	402,610	0	0	402,610	402,610
33	EDGECOMBE	142,477	142,477	0	0	142,477	142,477
34	FORSYTH	546,927	546,927	0	0	546,927	546,927
35	FRANKLIN	90,421	90,421	0	0	90,421	90,421
36	GASTON	331,327	331,327	0	0	331,327	331,327
37	GATES	16,572	16,572	0	0	16,572	16,572
38	GRAHAM	14,564	14,564	0	0	14,564	14,564
39	GRANVILLE	85,411	85,411	0	0	85,411	85,411
40	GREENE	41,553	41,553	0	0	41,553	41,553
41	GUILFORD	831,312	831,312	0	0	831,312	831,312
42	HALIFAX	142,273	142,273	0	0	142,273	142,273
43	HARNETT	193,524	193,524	0	0	193,524	193,524
44	HAYWOOD	90,118	90,118	0	0	90,118	90,118
45	HENDERSON	123,101	123,101	0	0	123,101	123,101
46	HERTFORD	54,708	54,708	0	0	54,708	54,708
47	HOKE	91,150	91,150	0	0	91,150	91,150

**Low-Income Household Water Assistance Program (LIHWAP)**

**AUTHORIZATION NUMBER: 1**

		Initial (or Previous) Allocation Funding Authorization		Additional Allocation		Grand Total Allocation	
	COUNTY	Federal	Total	Federal	Total	Federal	Total
48	HYDE	9,443	9,443	0	0	9,443	9,443
49	IREDELL	163,816	163,816	0	0	163,816	163,816
50	JACKSON	58,251	58,251	0	0	58,251	58,251
51	JOHNSTON	258,303	258,303	0	0	258,303	258,303
52	JONES	19,256	19,256	0	0	19,256	19,256
53	LEE	95,715	95,715	0	0	95,715	95,715
54	LENOIR	121,081	121,081	0	0	121,081	121,081
55	LINCOLN	105,857	105,857	0	0	105,857	105,857
56	MACON	46,886	46,886	0	0	46,886	46,886
57	MADISON	32,116	32,116	0	0	32,116	32,116
58	MARTIN	49,722	49,722	0	0	49,722	49,722
59	MCDOWELL	78,617	78,617	0	0	78,617	78,617
60	MECKLENBURG	1,340,215	1,340,215	0	0	1,340,215	1,340,215
61	MITCHELL	22,953	22,953	0	0	22,953	22,953
62	MONTGOMERY	42,000	42,000	0	0	42,000	42,000
63	MOORE	101,310	101,310	0	0	101,310	101,310
64	NASH	160,322	160,322	0	0	160,322	160,322
65	NEW HANOVER	268,028	268,028	0	0	268,028	268,028
66	NORTHAMPTON	48,847	48,847	0	0	48,847	48,847
67	ONSLow	220,572	220,572	0	0	220,572	220,572
68	ORANGE	133,923	133,923	0	0	133,923	133,923
69	PAMLICO	18,487	18,487	0	0	18,487	18,487
70	PASQUOTANK	67,073	67,073	0	0	67,073	67,073
71	PENDER	77,552	77,552	0	0	77,552	77,552
72	PERQUIMANS	21,751	21,751	0	0	21,751	21,751
73	PERSON	63,148	63,148	0	0	63,148	63,148
74	PITT	330,582	330,582	0	0	330,582	330,582
75	POLK	23,903	23,903	0	0	23,903	23,903
76	RANDOLPH	212,243	212,243	0	0	212,243	212,243
77	RICHMOND	120,751	120,751	0	0	120,751	120,751
78	ROBESON	382,338	382,338	0	0	382,338	382,338
79	ROCKINGHAM	149,537	149,537	0	0	149,537	149,537
80	ROWAN	212,118	212,118	0	0	212,118	212,118
81	RUTHERFORD	130,004	130,004	0	0	130,004	130,004
82	SAMPSON	130,332	130,332	0	0	130,332	130,332
83	SCOTLAND	102,976	102,976	0	0	102,976	102,976
84	STANLY	91,316	91,316	0	0	91,316	91,316
85	STOKES	58,316	58,316	0	0	58,316	58,316
86	SURRY	118,379	118,379	0	0	118,379	118,379
87	SWAIN	20,648	20,648	0	0	20,648	20,648
88	TRANSYLVANIA	41,361	41,361	0	0	41,361	41,361
89	TYRRELL	7,649	7,649	0	0	7,649	7,649
90	UNION	181,622	181,622	0	0	181,622	181,622
91	VANCE	117,611	117,611	0	0	117,611	117,611
92	WAKE	855,769	855,769	0	0	855,769	855,769
93	WARREN	45,779	45,779	0	0	45,779	45,779
94	WASHINGTON	30,546	30,546	0	0	30,546	30,546
95	WATAUGA	56,797	56,797	0	0	56,797	56,797
96	WAYNE	212,505	212,505	0	0	212,505	212,505
97	WILKES	109,175	109,175	0	0	109,175	109,175
98	WILSON	174,245	174,245	0	0	174,245	174,245
99	YADKIN	45,880	45,880	0	0	45,880	45,880
100	YANCEY	29,759	29,759	0	0	29,759	29,759
	<b>Total</b>	<b>14,539,252</b>	<b>14,539,252</b>	<b>0</b>	<b>0</b>	<b>14,539,252</b>	<b>14,539,252</b>

**Low-Income Household Water Assistance Program (LIHWAP)**

**AUTHORIZATION NUMBER: 1**

**FUNDING SOURCE: Low-Income Home Energy Assistance**  
**CFDA Number: 93.568**  
**CFDA Name: Low-Income Home Energy Assistance**  
**Award Name: Low-Income Home Energy Assistance**  
**Award Number: 2101NCLWC6**  
**Award Date: FFY 2022**  
**Federal Agency: DHHS/ACF**

**GRANT INFORMATION: This represents 100% federal dollars.**

**XS411 Heading: LIHWAP CAA**  
**Tracked on XS411: Federal Share 100%**

**OBLIGATIONS INCURRED AND EXPENDITURES MADE UNDER THIS ADVICE WILL BE SUBJECT TO LIMITATIONS PUBLISHED BY FEDERAL AND STATE AGENCIES AS TO THE AVAILABILITY OF FUNDS**

**AUTHORIZED SIGNATURE**



**DATE:**

**July 7, 2022**

# BUDGET AMENDMENT

# 23-01				
	INCREASE			INCREASE
35-0025-4587-51	\$ 1,840,117	MT/REP EQUIP	35-3535-5352-00	\$ 25,000
		ARP EXP	35-3535-5485-00	\$ 1,229,356
		EQUIP < 5000	35-3535-5499-90	\$ 6,000
		CAP EQUIP	35-3535-5510-00	\$ 162,761
		CAP VEH	35-3535-5540-00	\$ 417,000
TO INCREASE BUDGET FOR CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUND				
SLFRF (OR) ARP [AMERICAN RESCUE PLAN] -SECOND TRANCHE				



## BERTIE COUNTY

<b>Proposed FY 2022-23 ARPA Plan</b>	<b>Revenues</b>	<b>Eligible Expenditures</b>
Second Payment	\$ 1,840,116	
<hr/>		
GREAT Grant Match		\$ (500,000)
TGOW Phase I Overage		\$ (350,000)
TGOW Phase II Match (Half)		\$ (250,000)
Home Consortium Contribution		\$ (33,000)
Tax Software		\$ (50,000)
Firewall		\$ (8,000)
Communications Tower Repair		\$ (25,000)
Ambulance & Remount		\$ (400,000)
Sheriff Equipment/Supplies		\$ (35,589)
Computer Upgrades		\$ (6,000)
Water Equipment		\$ (41,000)
NC Forest Vehicle		\$ (45,172)
<hr/>		
	\$ 1,840,116	\$ (1,743,761)
<b>Remaining unassigned</b>		<b>\$ 96,355</b>

# BUDGET AMENDMENT

		# 23-01		
		INCREASE		
				DECREASE
10-0025-4495-07	\$	16,000	10-0090-4991-99	\$
				14,371
				INCREASE
			10-4950-5399-30	\$
				1,629
TO SETUP BUDGET - EFNEP PROGRAM (GRANT AMOUNT RECEIVED)				
EXPANDED FOOD & NUTRITION				
		INCREASE		
10-0025-4495-08	\$	2,000	10-4950-5399-32	\$
				2,000
TO SETUP BUDGET - ESMM PROGRAM (GRANT AMOUNT RECEIVED)				
ESMM - EAT SMART MOVE MORE				

0.00 \*

BERTIE COUNTY COOPERATIVE EXTENSION

...0...CASH FAMILY CASH COLLECTIONS/TURNOVER REPORT

16,000.00 +  
2,000.00 +  
19.00 +  
18,019.00 \*

Date: 8-5-22

At the location and date at the top of the report, enter a summary of all cash collections/turnover for the day in the column below. Adding machine tapes should be attached to the report to indicate amounts for checks and money orders.

SUMMARY

Checks/Money Orders (Attach Tape):	\$	<u>18,019.00</u>
Currency	\$	<u>                    </u>
Change	\$	<u>                    </u>
<b>TOTAL</b>	\$	<u>18,019.00</u>

10-0000-2110-05 - IPM PEST MANAGEMENT	\$	<u>19.00</u>
10 4950 539930 EFNEP	\$	<u>16,000</u>
10 4980 539932 ESimm	\$	<u>2,000</u>
<b>TOTAL</b>	\$	<u>18,019.00</u>

Billy Brown  
Signature of Preparer

Distribution: Original -- Finance Office  
Rev/16

Duplicate -- Retain





C-4

# PROJECT AMENDMENT

PROJECT AMENDMENT				
		# PROJ 22-04		
	INCREASE			INCREASE
15-0025-4410-00	\$ 34,508		15-5140-5486-00	\$ 34,508
TO SETUP OPIOID SETTLEMENT FUND				
APPROVED ___ / ___ /2022				

## Deposit Account Reporting

### Deposit Accounts Activity Summary

Report Created: 07/01/2022 09:30:57 AM (ET)  
Account: Main Account - Checking - 053102586 - \*8879  
Date Range: 06/30/2022  
Transaction Types: All Transactions  
Detail Option: Includes transaction detail  
Total By Day: Includes total by day within the selected date range

#### Main Account - Checking - 053102586 - \*8879

Post Date	Reference	Additional Reference	Description	Debit	Credit
06/30/2022	190		INTEREST CREDIT Interest Paid		\$30.32
06/30/2022	138		CREDIT ORIG:WILMINGTON TRUST TRN:P202206300025518		\$34,508.49
06/30/2022	5/3 BANKCARD SYS/COM		PREAUTHORIZED ACH CREDIT 5/3 BANKCARD SYS/COMB. DEP. 5/3 BANKCARD COMB. DEP. 44450186195 02 OPC*BERTIE CO UTILITY BC 4445018619502 OPC*BERTIE CO UTILITY		\$955.35
06/30/2022	SIMPLIFILE LC/RECFEE		PREAUTHORIZED ACH CREDIT SIMPLIFILE LC/RECFEE0629 NCCTGW- BERTIE COUNTY		\$480.00
06/30/2022	BIS COMM/Govt Pmts T		PREAUTHORIZED ACH CREDIT BIS COMM/Govt Pmts TaxPackage		\$60.00
06/30/2022	Totals			\$0.00	\$36,034.16

Showing 1 - 1 of 1



# Bertie County

## Board of Commissioners

### ITEM ABSTRACT

**MEETING DATE:** August 15, 2022

**SECTION:** Discussion

**DEPARTMENT:** Governing Body (D-1 to D-3)

**TOPIC(S):**

1. Addition of Communications Director and Emergency Services Billing Coordinator Positions to Salary Schedule
2. Emergency Management Update and Request to Unfreeze Positions
3. Plans for Bertie County's 300th Anniversary Celebration

**COUNTY MANAGER RECOMMENDATION OR COMMENTS:**

**SUMMARY OF AGENDA ITEM AND/OR NEEDED**

**ACTION(S):** --

**ATTACHMENTS:** Yes

**LEGAL REVIEW PENDING:** N/A

**ITEM HISTORY:** ---



D-1

## COMMUNICATIONS DIRECTOR

### General Statement of Duties

Performs complex advanced technical and administrative work directing and managing the communications department and related work as required.

### Qualification Requirements

To perform this job successfully, an individual must be able to perform each essential function satisfactorily. The requirements listed below are representative of the knowledge, skill and/or ability required. Reasonable accommodations may be made to enable an individual with disabilities to perform the essential functions.

### Distinguishing Features of the Class

An employee in this class supervises a staff providing twenty-four-hour emergency communications, develops short term and long-range plans for electronics equipment and systems needs for the County, and coordinates the installation, maintenance of all electronic equipment for the purpose of emergency telecommunications. Work includes personnel management and training, establishing policies and procedures, and coordination with outside agencies and vendors. The employee must exercise independent judgement and initiative in dealing with personnel matters, coordinating with other law enforcement, rescue, and fire jurisdictions, and responding to emergency situations. Work is performed under the general direction of the County Manager.

### Duties and Responsibilities

#### Essential Duties and Tasks

Supervises the day to day operations on the County's 911 Emergency Communications Center.

Establishes goals and objectives for the department and its staff.

Prepares, develops and implement policies and standard operating guidelines for the communications center;

Collaborates professionally with law enforcement, fire, EMS agencies, town/county officials, local, state and federal representatives;

Hires, trains and evaluates and counsels staff as appropriate;

Develops the departmental training program, maintains continuing education certification records;

Receives and investigates complaints, troubleshoots and recommends appropriate action;

Serves as department Terminal Agency Coordinator with DCI;

Prepares and oversees annual department budget, verifies expenditures and maintains budget balances;

Oversees the scheduling shift and work assignment of personnel;

Prepares performance evaluations of staff, reviews and approves all departmental work evaluations;

Maintains procedural control of records, tapes, and transcripts and the release;

Provides feedback, guidance, and counseling for staff;

Manages and reviews departmental call responses and prepares reports, and provides constructive feedback;

Assists as needed as an alternate Telecommunicator;

Prepares daily, weekly, monthly and annual communications reports for appropriate agencies;

Responds after hours, when required, to restore communications outages;

Performs coordination during emergency and/or disaster situations;  
Maintains the 911 addressing master database.  
Participates on various emergency planning efforts.

#### Additional Job Duties

Performs other related duties as required.

#### Recruitment and Selection Guidelines

#### Knowledges, Skills, and Abilities

Thorough knowledge of County and department policies and procedures.

Thorough knowledge of the methods and procedures of operating the communications system.

Thorough knowledge of the DCI system, emergency communications procedures, and jurisdictions and services of various emergency service agencies.

Thorough knowledge of applicable Federal and State laws, rules and regulations governing transmission by radio and teletype.

Thorough knowledge of a variety of electronic equipment including radios and telephone systems and the related computer hardware and software applications involved in 911, computer-aided dispatch, alarms and monitors.

Comprehensive knowledge of the County geography and functions practices and procedures of law enforcement, fire and rescue agencies.

Thorough knowledge in the use of standard office equipment and associated software (e.g. CAD, DCI and Mapping).

Comprehensive knowledge of modern and effective supervisory principles and practices including the related laws and regulations regarding hiring, motivation, communications, performance coaching and evaluation, etc.

Ability to monitor, inspect, and quality control the work of the communications center.

Ability to exercise sound judgement and remain calm under the stress of emergency situations.

Ability to analyze data and trends and prepare clear and precise reports.

Ability to communicate clearly and effectively in oral and written form.

Ability to develop and maintain effective working relationships with emergency personnel, law enforcement agencies, County officials, staff and the general public.

#### Physical Requirements

Must be able to physically perform the basic life support functions of sitting, reaching, standing, walking, fingering, grasping, seeing, talking, hearing, and repetitive motions.

Must be able to perform sedentary work exerting up to 10 pounds of force occasionally to move objects.

#### Desirable Education and Experience

Graduation from high school and considerable experience working as a 911 dispatcher, operating a dispatch center including some supervisory experience, or an equivalent combination of education and experience.

#### Special Requirements

Possession of NC DCI and Telecommunicator certifications upon hire.

Possession of a valid North Carolina driver's license.

## EMERGENCY SERVICES BILLING COORDINATOR

### General Statement of Duties

Performs intermediate administrative work coordinating the billing function for the Emergency Services Departments, preparing billing for services rendered, transmits billing file to third party vendor for mailing, preparing and maintaining records and files and preparing reports.

### Qualification Requirements

To perform this job successfully, an individual must be able to perform each essential function satisfactorily. The requirements listed below are representative of the knowledge, skill and/or ability required. Reasonable accommodations may be made to enable an individual with disabilities to perform the essential functions.

### Distinguishing Features of the Class

An employee in this class is responsible for daily billing and the exporting of data to the North Carolina Office of EMS Pre-Mis database as required. This position, at times, will provide EMT coverage on an Emergency Services unit in the event of staffing shortages or special events. Work occasionally requires exposure to outdoor weather conditions and exposure to blood borne pathogens and may be required to wear specialized personal protective equipment, occasionally requires working in high, precarious places, exposure to the risk of electrical shock, exposure to vibration, exposure to extreme heat (non-weather), exposure to fumes or airborne particles and exposure to toxic or caustic chemicals. Work is performed under the limited supervision of the Emergency Services Director and is evaluated through observations, reports and feedback from the citizens and staff.

### Duties and Responsibilities

#### Essential Duties and Tasks

Coordinates the initial and ongoing collection of medical records, insurance data and face sheets for the transport services, insurance authorization and EMS billing.

Completes quality checks for transport below ALS level services.

Responsible for the completion of all records requests as well as internal emergency services requests.

Assists with transport coordination, generally, on a rotating schedule.

Acts as the billing auditor to locate errors in the billing process.

Responsible for keeping the department up to date on CMS billing rules and regulations.

Prepares billing invoices and transmits to third party billing service provider for mailing.

Reviews and runs reports for compliance for invoicing; obtains physician certification statement.

Exports data to the Pre-Mis database.

Prepares purchase requisitions for the department.

Responds to emergency medical calls, as needed.

Prepares a variety of reports and other types of correspondence; prepares and maintains files and records.

#### Additional Job Duties

Performs other related duties as required.



## Recruitment and Selection Guidelines

### Knowledges, Skills, and Abilities

Thorough knowledge of County and department policies and procedures, and medical protocols.

Thorough knowledge of medical billing and customer service principles and practices.

General knowledge of the principles of anatomy and physiology.

General knowledge of the principles and techniques of emergency care, including diagnosis, proper treatment and transportation.

General knowledge in the use of the equipment and supplies employed in the emergency care of patients and victims of accidents.

Comprehensive knowledge in preparing detailed reports and other types of correspondence, and maintaining files and records.

Thorough knowledge in the use of standard office equipment and associated software (e.g. Microsoft Office Professional).

Skill in diagnosing a victim's condition and applying emergency medical care.

Ability to understand and follow oral and written instructions.

Ability to make arithmetic computations.

Ability to compute rates, ratios and percentages.

Ability to understand and apply governmental accounting practices in maintenance of financial records.

Ability to establish and maintain effective working relationships with physicians, associates, patients and their families, other emergency service agencies and the general public.

### Physical Requirements

Must be able to physically perform the basic life operational functions of, sitting, standing, walking, seeing, talking and hearing, reaching, lifting, grasping, feeling, stooping, kneeling, crouching, crawling, climbing, balancing, pushing, pulling and repetitive motions.

Work requires the exertion of up to 25 pounds of force occasionally, and in excess of 100 pounds of force occasionally to move objects.

Work requires preparing and analyzing written or computer data, visual inspection involving small defects and/or small parts, using measuring devices, operating motor vehicles or equipment and observing general surroundings and activities.

### Desirable Education and Experience

Graduation from a community college with an Associate's degree in business administration, or related field and moderate experience in medical billing, or an equivalent combination of education and experience.

### Special Requirements

Possession of NC EMT and CPR certifications upon hire.

Possession of a valid North Carolina driver's license.



D-2

**From:** [Mitch Cooper](#)  
**To:** [Juan Vaughan II](#)  
**Subject:** Positions Request  
**Date:** Monday, August 8, 2022 2:42:51 PM  
**Importance:** High

---

Good afternoon, starting at the beginning of the last fiscal year Non – Emergency transport has seen an increase in call volume. Our local nursing homes have contributed to the increase so we monitored the call volume to see if it was going to sustain the demand we were seeing. For the past six months we have seen that demand maintain, and the need to expand our Non-Emergency department based on the increase of a new demand for discharge calls coming out of the hospital. We currently average six trucks a day during the week to operate current call load. We have enough staff to operate five trucks and the sixth truck is being back filled with EMS staff.

Non-emergency has twelve positions currently with two Captains and ten EMT'S. The two Captains are currently doing the Coordinators and Compliance officers jobs. It is the request of Emergency Services to be placed on the Commissioners agenda for August 15<sup>th</sup> requesting to unfreeze the Transport Coordinators position and EMT position. This will take NET to a Transport Coordinator, one Captain and twelve EMT's. This will allow for one more full-time crew to help with the increasing day time demand and cover some night time shifts to cover the turned down call volume. Prior to COVID Net had 19 positions available.

To unfreeze the positions and the estimated equipment operational cost the County will see an increase of \$130,000.00 in the budget to cover the cost.

To justify the budget increase, increased revenue will come from the average of turning down three transports a day and the reduction of overtime which will also increase our man hours of availability. The gross revenue based on last year's collection data will be around \$185,000.00. This will have an additional net revenue gain of \$55,000.00.

Our plan is to monitor this growth closely with the potential for more request in the near future. Please let me know what questions or concerns you have for this proposal. I have spoken to William about the budget impact to insure our number are good.

Thank you

Mitch Cooper

**NON-EMERGENCY TRANSPORT**

**Breakdown of Projected Revenue and Increased Expenditures for Unfreezing Two Positions**

<b>Avg calls turned down</b>					
1 BLS	x	\$237.07			
1 ALS	x	\$475			
<b>Avg cost per day operation</b>					
Ambo cost per hour		\$28.09	x	4	\$112.36
EMT P		\$23.07	x	8	\$184.56
				Daily Op Cost	<b>\$296.92</b>
EMT P and Ambo Cost		296.92	x	260 days	\$77,199.20
Transport Coordinator					\$53,276.00
					<b>\$130,475.20</b>
Potential Revenue		712.07	x	260 days	\$185,138.20
					<b>\$54,663.00</b>