

Bertie County Board of Commissioners



October 16, 2017
7:00 PM

	Ronald "Ron" Wesson	District 1
	Stewart White	District II
	Tammy A. Lee	District III
Chairman	John Trent	District IV
Vice Chairman	Ernestine (Byrd) Bazemore	District V

BERTIE COUNTY BOARD OF COMMISSIONERS
October 16, 2017
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.

7:00-7:05 Call to Order and Welcome by Chairman Trent, **Kelford Community Building, Town of Kelford**

7:05-7:15 Invocation and Pledge of Allegiance by Commissioner Lee

7:15-7:25 Public Comments (*3 minute time limit per speaker*)

(A)

***** APPOINTMENTS *****

7:25 – 7:35 (1) CDBG-DR grant Public Hearing #2 of 2 – facilitated by Chris Hilbert, Holland Consulting

7:35 – 7:45 (2) Roanoke Electric Cooperative update on broadband project and CDBG grant schedule

7:55 – 8:05 (3) Economic Development Report by Steve Biggs, Economic Development Director

Board Appointments (B)

1. Peanut Belt Rural Planning Organization

Consent Agenda (C)

1. Approve Minutes for Regular Session 10-2-17
2. Approve Minutes for Work Session 10-10-17
3. Approve bid for debris collection contract
4. Budget Amendment(s)
5. Tax Release Journal
6. Conditionally approve offer to purchase 106 Beacon Height Church Road – 10 day upset bid required

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

Discussion Agenda (D)

1. Schedule for opening temporary library facility – Food Lion Shopping Center
2. Private roads – correspondence for property owners prepared by County Attorney
3. Calendar Reminders/Event Updates
 - a. Design proposal presentations for joint-use facility, 10/17 at 9am
 - b. Community Town Hall – BHS Auditorium, 10/21/17 at 10am

Commissioners' Reports (E)

County Manager's Reports (F)

County Attorney's Reports (G)

Public Comments Continued

Closed Session

Pursuant to N.C.G.S. § 143-318.11(a)(3) to go into closed session to consult with the County Attorney in order to preserve the attorney-client privilege that exists between the attorney and this public body.

Pursuant to N.C.G.S. § 143-318.11(a)(4) to discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body, including agreement on a tentative list of economic development incentives that may be offered by the public body in negotiations. The action approves the signing of an economic development contract or commitment, or the action authorizing the payment of economic development expenditures, shall be taken in an open session.

Pursuant to N.C.G.S. § 143-318.11(a)(5) to establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease; or (ii) the amount of compensation and other material terms of an employment contract or proposed employment contract.

Pursuant to N.C.G.S. § 143-318.11(a)(6) to consider the qualifications, competence, performance, character, fitness, conditions of employment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee.

Recess

October 17, 2017 at 9:00 AM,
Commissioners Room



Bertie County

Board of Commissioners

ITEM ABSTRACT

MEETING DATE: October 16, 2017

AGENDA ITEM: A-1

DEPARTMENT: Governing Body

SUBJECT: CDBG-DR grant Public Hearing #2 of 2 – facilitated by Chris Hilbert, Holland Consulting

COUNTY MANAGER RECOMMENDATION OR COMMENTS: --

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

ATTACHMENTS: Yes

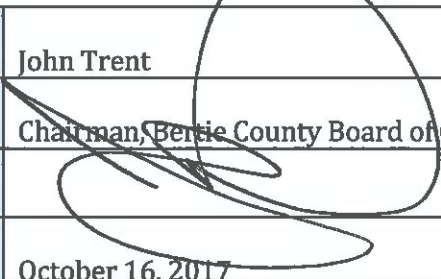
LEGAL REVIEW PENDING: N/A

ITEM HISTORY:

First public hearing – October 2, 2017

10. Certification by the Chief Elected Official

- (a) I certify that to the best of my knowledge and belief:
- (1) Data in this application is true and correct,
 - (2) Opportunities have been provided for citizen participation and access to information concerning the proposed activities,
 - (3) This document has been duly authorized by the governing body of the applicant and the applicant will comply with the attached certifications and state standards if the assistance is approved.
- (b) I acknowledge that, if funded, this application is part of the Grant Agreement.

(c) Typed Name of Chief Elected Official ➤	John Trent		
(d) Typed Title ➤	Chairman, Bertie County Board of Commissioners		
(e) Signature ➤			
(f) Typed Date ➤	October 16, 2017		
For NCEM Use Only	Date Received:	Application Number:	

FEDERAL CERTIFICATIONS

A. Regulations

The applicant hereby assures and certifies that:

- (a) It will comply with all applicable federal and state laws, regulations, and rules and Executive Orders.
- (b) It possesses legal authority to apply for the grant, and to execute the proposed program.
- (c) Its governing body has duly adopted or passed as an official act a resolution, motion or similar action authorizing the filing of the application, including all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the applicant to act in connection with application and to provide such additional information as may be required.
- (d) It is following a detailed, written citizen participation plan, which will provide opportunities for citizen participation, hearings, and access to information with respect to its community development program that are comparable to those required of grantees under Section 104 (a) of the Act and in accordance with Rule .1002 of the North Carolina Community Development Block Grant Administrative Rules.
- (e) Its chief elected official or other officer of the applicant if assistance is approved by Division of Emergency Management:
 - (1) Consents to assume the status of the "responsible Federal Official" as that term is used in Section 102 of the National Environmental Policy Act (NEPA), Section 104(f) of Title 1 of the Housing and Community Development Act of 1974, as amended, and other provisions of Federal law, as specified in 24 CFR 58.5 which further the purposes of NEPA.
 - (2) Is authorized and consents on behalf of the applicant and himself to accept the jurisdiction of the Federal courts for the purpose of enforcement of his responsibilities as such official.
 - (3) Consents to review and comment on all Environmental Impact Statements prepared for Federal projects which may have an impact on the applicant's/recipient's community development program CDBG 2-97.
 - (4) Consents to perform all coordination functions required under 24 CFR Part 58 and 40 CFR Parts 1500-1508.
- (f) The Community Development Block Grant - DR Program has been developed so as to give maximum feasible priority to activities, which will benefit low and moderate income families or aid in the prevention or elimination of slums and blight. The requirement for this certification will not preclude NCEM from approving an application where the

applicant certifies, and NCEM determines, that all or part of the Community Development Program activities are designed to meet other community development needs having particular urgency as specifically explained in the application in accordance with Section .0800 of 4 NCAC 19L of the North Carolina Administrative Code.

- (g) Its program will be conducted and administered in conformity with Public Law 88-352 and Public Law 90-284, and that will affirmatively further, fair housing.
- (h) It will comply with all provisions of 4 NCAC 19L of the North Carolina Administrative Code, entitled North Carolina Community Development Block Grant Program.
- (i) It will give NCEM, Commerce, HUD and the Comptroller General through any authorized representative access to and the right to examine all records, books, papers or documents related to the grant.
- (j) It will establish safeguards to prohibit employees from using positions for a purpose that is or gives the appearance of being motivated by a desire for private gain for themselves or others, particularly those with whom they have family, business, or other ties.
- (k) It will follow a residential anti-displacement and relocation assistance plan that is in accordance with the provisions of Section 104(d) and all other provisions of the Act.
- (l) It will not attempt to recover any capital costs of public improvements assisted in whole or part under Section 106 of the Act or with amounts resulting from a guarantee under Section 108 of the Act by assessing any amount against properties owned and occupied by persons of low and moderate income, including any fee charged to assessment made as a condition of obtaining access to such public improvements, unless (i) funds received under Section 106 are used to pay the proportion of such fee or assessment that relates to the capital costs of such public improvements that are financed from revenue sources other than under this title; or (ii) for purposes of assisting any amount against properties owned and occupied by persons of low and moderate income who are not persons of very low income, the grantee certifies to the Secretary of such State, as the case may be, that it lacks sufficient funds received under Section 106 to comply with requirements of clause (i).
- (m) It has or will develop a plan that identifies community development and housing needs, including the needs of low and moderate income persons, and the activities to be undertaken to meet such needs.
- (n) Its notification, inspection, testing and abatement procedures concerning lead-based paint will comply with 24 CFR 570.608.
- (o) When issuing statements, press releases, request for proposals, bid solicitation and other documents describing the above-mentioned program such as the environmental review, public hearings, fair housing notices, etc., it shall clearly state:
 - (1) the percentage of the total cost of the project, which will be financed with CDBG-DR money, and
 - (2) the dollar amount of CDBG-DR funds for the project.

- (p) (1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- (2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- (3) The undersigned shall require that the language of this certification be included in the award documents for all sub awards at all tiers (including subcontracts, sub-grants, and contracts under grant, loans, and cooperative agreements) and that all sub recipients shall certify and disclose accordingly.
- (q) It has adopted and will enforce a policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in nonviolent civil rights demonstrations and has adopted and is enforcing a policy of enforcing applicable state and local laws against any individuals engaged in nonviolent civil rights demonstrations and has adopted and is enforcing a policy of enforcing applicable state and local laws against physically barring entrance to or exit from a facility or location which is the subject of such nonviolent civil rights demonstration within its jurisdiction in accordance with Section 519 of Public Law 101-144, (the 1990 HUD Appropriations Act).
- (r) All project areas are either not in a floodplain, or if the project area is in a floodplain, the applicant participates in the flood insurance program. All properties assisted in the project will be covered for flood insurance prior to beginning construction and all public facilities will be constructed to comply with applicable floodplain regulations.

CERTIFICATION OF ABILITY

The County/City of Bertie hereby certifies its ability to meet Federal Performance and Procurement Requirements with Certification as further expanded in the preceding attachments.

SIGNATURE OF CEO: _____

DATE: October 16, 2017

TITLE: Chairman, Bertie County Board of Commissioners

3. State CDBG – DR Program

A. Regulations

Citizen Participation

If funded, the grantee will have documentation on file of compliance with citizen participation requirements in the application process 4 NCAC 19L. 1002 (b): publisher's affidavits of notices and minutes signed by the town or county clerk of the two required public hearings.

Project Administration

- The grantee is responsible for CDBG-DR oversight. If funded, the grantee will supervise the implementation of the project as follows:
- The local government manager reviews and signs off on all project reports.
- The project administrator or local government staff will present and give at least quarterly written status reports to the elected board. A signed copy of the quarterly report must be submitted to the grant representative for review.
- At least two persons from the local government listed on the signatory cards will review and sign off on invoices and requests for payment.
- Maintain all project files at the local government offices and make them available to citizens during regular business hours.

Audits/Compliance

CDBG –DR grantees expending \$25,000 or more in a fiscal year are required to have funds audited for the CDBG program. CDBG-DR funds can be used to pay for the CDBG-DR portion of the audit provided the grantee has expended \$500,000 or more in the fiscal year in total federal awards (CDBG and other federal funds). If the grantee has expended less than \$500,000 in total federal awards, the grantee may budget local funds in the administrative line item in the CDBG application to pay for the CDBG portion of the audit and claim the local administrative funds as local commitment.

Housing

Substantial Rehabilitation: Any rehabilitation cost above \$40,000 per unit or \$38 per square foot which would include the Lead Based Paint cost and any other additional funds is considered substantial rehabilitation and requires the prior approval of NCEM

The CDBG-DR assistance must be secured by a Note and Deed of Trust at the time of rehabilitation. The maximum amount that may be spent rehabilitating a manufactured home is \$15,000 per applicant with damages totaling less than 51% of its pre-disaster value. No CDBG funds may be spent to rehabilitate any manufactured home built prior to 1978.

Mobile Home Replacement is limited to \$60,000 per applicant when damages total 51% or more of the pre-disaster value.

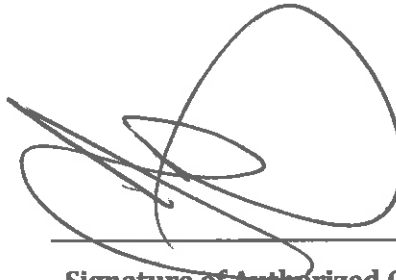
In addition, the grantee will adhere to the following:

1. Adopt a financial design for rehabilitation that meets the minimum NCEM criteria. The financial design must be submitted to NCEM for review.
2. Prior to rehabilitating a house with a pit privy/outhouse or no wastewater disposal system, if public sewer is unavailable, contact the local health department for a determination whether the property can be permitted for an on-site wastewater system. If not, the family should be relocated.
3. Clear titles as required in the application
4. Have houses inspected by a North Carolina licensed home inspector.
5. Work with the State Health Hazard Control Unit and local government departments to comply with federal and state lead-based paint requirements. In addition, ensure rehabilitation design will address lead-based paint hazards.
6. Voluntary withdrawal from the program, document with evidence on file.
7. Establish and implement a home maintenance program to instruct occupants of rehabilitated houses, including (1) maintenance of any on-site wastewater systems and/or wells or (2) maintenance of newly installed indoor plumbing.
8. Install water saving devices in houses with on-site septic tanks. If facets need to be replaced install a water saving device.
9. If undertaking voluntary clearance, document with evidence on file that property owners are aware of and agree to voluntary clearance.
10. If undertaking rehabilitation, acquisition and/or clearance of dwellings, comply with state notification, certification and disposal requirements for asbestos.
11. If acquiring property with a dwelling, maintain a plan for residential reuse of the residential property.
12. If undertaking temporary or permanent relocation, budget adequate funds based on the costs of housing in the area.
13. If abandoning outhouses or septic tanks, budget adequate funds to cover related costs in accordance with state and local health department regulations.
14. Establish a written recipient referral procedure to address non-CDBG needs (i.e. social services, credit counseling, employment etc.)
15. Low and moderate beneficiaries may not be charged for tap fees or assessments for water or sewer improvements.
16. All items rehabilitated, if required under the building code, must be permitted and inspected.
17. Under procurement, and bid request for rehabilitation should include a section for estimated man hours expended on the project. It should include both administration and labor.

The applicant hereby assures and certifies that by his/her signature, its duly authorized official has read and understands the State CDBG-DR Program Regulations and, if funded, will adhere to all regulations applicable to the funded project.

October 16, 2017

Date



Signature of Authorized Official

Chairman, Bertie County Board of Commissioners
Title

B. Disclosure of Civil Rights Complaints/Lawsuits


The City/County of Bertie hereby assures and certifies that there are no open, unresolved or pending Civil Rights Lawsuits against the participating local governments in this Scattered Site Housing project.

Signature of CEO:  _____

Date: October 16, 2017 _____

5. County Certification as Lead Agency

By signing below, I certify that Bertie County has allowed all interested municipalities to participate in the planning and development of the distribution plan. As the lead agency, Bertie County will continue to include all interested municipalities as full and active partners on the selection committee, any other committees and in all activities relating to this SSH project.



*Signature of Chairman or Chief
Administrative Officer*

October 16, 2017

Date

C. CERTIFICATIONS REGARDING DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS

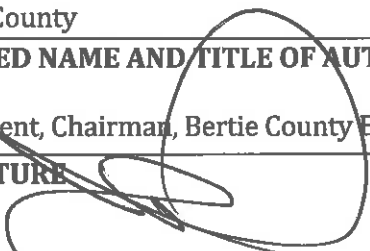
Applicants should refer to the regulations cited below. Applicants should also review the instructions for certification included in the regulations before completing this form, signature on this form provides for compliance with certification requirements implementing Federal Executive Order 12549 and guidance issued in the *Federal Register*, Volume 70, No. 168, pages 51863 through 51880 for "Government wide Debarment and Suspension (Non procurement)." The certification shall be treated as a material representation of fact upon which reliance will be placed when the Department of Commerce determines to award the covered transaction, grant or cooperative agreement.

1. DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS

As required by Executive Order 12549, Debarment and Suspension, for prospective participants in primary covered transactions:

- (1) The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:
 - (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by a Federal department or agency;
 - (b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
 - (c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
 - (d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.
- (2) Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above applicable certification(s).

NAME OF APPLICANT/GRANTEE Bertie County	GRANT NUMBER AND PROJECT NAME Bertie County Hurricane Matthew CDBG-DR Project
PRINTED NAME AND TITLE OF AUTHORIZED REPRESENTATIVE John Trent, Chairman, Bertie County Board of Commissioners	
SIGNATURE 	DATE October 16, 2017



Bertie County

Board of Commissioners

ITEM ABSTRACT

MEETING DATE: October 16, 2017

AGENDA ITEM: A-2

DEPARTMENT: Governing Body

SUBJECT: Roanoke Electric Cooperative update on broadband project and CDBG grant schedule

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: October 16, 2017

AGENDA ITEM: A-3

DEPARTMENT: Governing Body

SUBJECT: Economic Development Report by Steve Biggs, Economic Development Director

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: October 16, 2017

AGENDA ITEM: B-1

DEPARTMENT: Governing Body

SUBJECT: Peanut Belt Rural Planning Organization/TAC

COUNTY MANAGER RECOMMENDATION OR COMMENTS: Recommend approval.

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

ATTACHMENTS: Yes

LEGAL REVIEW PENDING: N/A

ITEM HISTORY: --

Peanut Belt Rural Planning Organization

Immediate Vacancies: 1

Position Vacancy:

Board	Term	Name	Began	End
Peanut Belt Rural Planning Organization	---	James Peele	--	--

Special requirements: N/A

Notes: Mr. Peele is being recommended to this Board by the current members on the RPO Board.

Attendance of Current Members: N/A

Applications Received:

1 – James Peele

Current Members (unexpired):

1. --



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

Name: James L. Peele

Home Phone Number: 252-332-5340 Mobile: 252-287-7466

Home Fax Number: 252-332-5340

Email Address: townofpowellsville@mchsi.com

Home Address: 106 Sally Freeman Rd Powellville

Mailing Address: P.O. Box 276 Powellville, N. C. 27967

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

How long have you been a full-time resident of Bertie County? 45yrs

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

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

Occupation: _____ Employer: _____

Business Address: _____

Business Phone Number: _____ Business Fax: _____

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

- | | |
|----------|----------|
| 1. _____ | 3. _____ |
| 2. _____ | 4. _____ |

Qualification for specific category: _____

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

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

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

A broad knowledge of demographics/geography equips me to be objective to the needs of communities

Do you have any delinquent Bertie County taxes? Yes No

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

CODE OF ETHICS

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

Date: Oct. 2, 2017 Applicant's Signature: James L. Peele 

Return application to:

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

Note:

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

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

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

FOR OFFICE USE ONLY

Date Received: _____

Received By: _____



Bertie County

Board of Commissioners

ITEM ABSTRACT

MEETING DATE: October 16, 2017

AGENDA ITEM: C-1

DEPARTMENT: Governing Body

SUBJECT: Approve Minutes for Regular Session 10-2-17

COUNTY MANAGER RECOMMENDATION OR COMMENTS: Recommend approval.

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

ATTACHMENTS: Yes

LEGAL REVIEW PENDING: N/A

ITEM HISTORY: --

Windsor, North Carolina
October 2, 2017
REGULAR SESSION

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

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

Absent: None

Staff Present: County Manager Scott Sauer
Clerk to the Board Sarah S. Tinkham
County Attorney Lloyd Smith
Finance Officer William Roberson
Economic Development Director Steve Biggs
Register of Deeds Annie Wilson
Tax Administrator Jodie Rhea
Cooperative Extension Director Billy Barrow
Sheriff John Holley

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

CALL TO ORDER

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

INVOCATION/PLEDGE OF ALLEGIANCE

Commissioner White led the Invocation and Pledge of Allegiance.

PUBLIC COMMENTS

Dr. Del Burns, Interim Superintendent of Bertie County Public Schools (BCPS), officially introduced himself to the Board, and stated that he was thrilled to be in Bertie County. He discussed his priority concerns for the state of the BCPS which included the lack of approved budget for the current fiscal year, as well as the organization structure of the school system which included the recent reduction in force. In regards to the unapproved budget, he assured the Board that he and his staff are working feverishly to present an adequate, statutorily sound budget to the Board of Education at their next meeting on October 10th.

The Commissioners thanked Dr. Del Burns for his candor and stated they looked forward to working with him in the coming months.

APPOINTMENTS

CDBG-DR Public Hearing #1 – prior to submittal of a grant application for low-moderate income individuals who were displaced by Hurricane Matthew

Chris Hilbert of Holland Consulting was present for the first of two required public hearings from the CDBR Disaster Recovery grant that the County is looking to apply for which would assist dislocated, low to middle income citizens with housing needs that are due to Hurricane Matthew.

Chairman Trent opened the public hearing and solicited citizen questions or feedback.

Vivian Clarke of Windsor inquired if this program would be in collaboration with the Town of Windsor. Allen Castelloe, Town Administrator, and Mayor James Hoggard, were present to represent the Town of Windsor. Both Mr. Castelloe and Mayor Hoggard confirmed that this was a Town and County effort.

There were no other public comments.

Chairmen Trent closed the public hearing. The next public hearing date will be held on Monday, October 16, 2017 at the Town of Kelford Community Building at 7:00 PM.

The CDBG-DR application is due on October 20th.

Updates from Dr. Barbara Doll of NCSU on the Cashie River Basin Feasibility Study

Dr. Barbara Doll of NCSU presented a PowerPoint presentation on the current findings of a Cashie River Basin Feasibility Study.

Dr. Doll presented various scenarios the Board could consider to reduce the flooding seen in downtown Windsor in future rain and storm events. Some of the suggestions ranged from reinstating various mill bonds in various areas of the County, additional bridges/extending of the current King Street Bridge, and upgrades made to existing drainage systems in the Windsor area.

The study has not yet been completed, but Dr. Doll stated that all efforts have been met before scheduled deadlines. A final report will be submitted by her office in late January 2018.

The Board asked various questions including the possibility of increased water impoundment outside of Windsor in order to prevent further flooding in downtown Windsor. Dr. Doll stated that the goal of this study was to prevent flooding in all areas of the County, and not just to move the flooding concerns to other areas.

Commissioner Wesson encouraged Dr. Doll to take a look at the area by Powell & Stokes as well as the Roquist Pocosin community near Highway 308 and to see if the remaining time in the study could be spent addressing those particular areas.

**Middle Income Housing Initiative for Teachers – Windsor Township Development
Commissioner, represented by Commissioner Wesson**

Commissioner Wesson briefly introduced this initiative to the public present, as well as to BCPS Interim Superintendent, Dr. Del Burns.

Additionally, Mr. Wesson provided the Board with a brief updated regarding the responses received during the public forums held in recent weeks about this project.

Commissioner Wesson mentioned that the potential locations were discussed among the public, and after some discussion among the members of the Windsor Township Development Commission, the most desirable location appears to be a 6-acre tract of land on Harrell Heights Road located just off of Highway 17, which is owned by the Town of Windsor.

Additionally, Commissioner Wesson reported that the loan application was currently being completed, and if approved, the potential grand opening would take place in May 2019. The complex would contain 24 total units with 2 bedroom/2-bathrooms, and rent would be approximately \$650 a month for teachers, law enforcement, and other government employees.

Dr. Del Burns returned to the podium to state that he thought this project would be beneficial to Bertie County as there is a high rate of turnover among teachers within BCPS. He requested that he be considered in the future for any upcoming meetings, or that he receive updates as they become available.

Holland Planning Consultants will provide an update on various recovery grant applications

Chris Hilbert of Holland Planning Consultants returned to the podium to discuss the latest updates on various recovery grant applications that will be submitted on behalf of the County.

BOARD APPOINTMENTS

There were no Board appointments.

CONSENT AGENDA

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

The Consent Agenda was approved as follows:

1. **Minutes** – Work Session 9-18-17, Regular Session 9-18-17
2. **Fees Report** – Register of Deeds, September 2017
4. **Budget Amendments** – various
5. **Resolution** – Rural Impact Poverty Resolution
6. **General-Purpose Funding** – Senior Center
7. **Memorandum** – Agreement; dynamics of Bertie County’s Coastal Drainage System: Feasibility Study of Change and Resilience, Dr. Stanley Riggs, Chair, NC LOW

DISCUSSION AGENDA

Review of proposals in response to the RFP for tax revaluation

Tax Administrator, Jodie Rhea, submitted the three proposals received during the RFP process for the 2020 County tax revaluation. He also directed the Commissioners to spreadsheet that provided a useful cost comparison.

The Board agreed that a work session would need to be held on October 10th at 10:00 AM here in Windsor to discuss the proposals and next steps.

The Board also asked various questions of the Tax Administrator.

Calendar Reminders/Event Updates

- a. **Work Session – Commissioners Room, 10/10 at 10am**
- b. **Commissioners Meeting – Kelford, 10/16 at 7pm**
- c. **Design proposal presentations for joint-use facility, 10/17 at 9am**
- d. **Community Town Hall – BHS Auditorium, 10/21/17 at 10am**

County Manager Sauer reminded the Board of the dates listed above, and answered any questions for clarification.

Lewiston Woodville's request for Building Inspector to inspect within Town limits per State Building Code

The Board briefly discussed a proposed resolution drafted by the Legal Team to have the County Building Inspector, by request only, to visit various residences in the Town of Lewiston to assess their livability, and their potential risk of being condemned. No action was taken on this item.

County Attorney Smith advised the Board regarding the 1985 Ordinance creating the County Inspections Department which mandates the County's acceptance of a Town's request if the appropriate resolution form is submitted to the County.

Set date for 2017 Employee Appreciation Luncheon – Thursday, December 7, 2017

The Board confirmed the date of Thursday, December 7th for the Bertie County Employee Appreciation Luncheon. This date also coincides with the Town of Windsor Christmas Parade.

COUNTY MANAGER'S REPORTS

There County Manager gave no remarks at this time.

COUNTY ATTORNEY'S REPORTS

The County Attorney gave no remarks at this time.

PUBLIC COMMENTS

There were no public comments during this section.

COMMISSIONERS REPORTS

Commissioner Wesson

Commissioner Wesson reported that the Mid-East Commission (also serves as the Treasurer) is working with the Roanoke Electric Membership Corporation to obtain a potential \$250K grant to Bertie County for the expansion of broadband services to additional citizens across the County.

Additionally, Mr. Wesson discussed the Thinking Big For Small People Pre-K Conference in Chapel Hill (also attended by Vice Chairman Bazemore) which featured Bertie County as one of eight counties that are making exceptional progress on "K-3" Early Childhood initiatives. Better Beginnings for Bertie Children was identified and discussed as a significant and exportable initiative to improve Early Childhood Development in other counties.

Vice Chairman Bazemore

Vice Chairman Bazemore briefly discussed the latest conferences she had attended including a grant writing seminar, a webinar regarding health and human services, as well as the 150th Anniversary of Conocanary Missionary Baptist Church. Lastly, she mentioned that she and Commissioner Wesson recently represented Bertie County at the Thinking Big For Small People Pre-K workshop in Chapel Hill.

In conclusion, she mentioned a concern she had received from the employees currently working at the Lewiston-Woodville convenience trash site. She was informed by one of the employees that the site has not had running water in over 2 years, but that Republic was just made aware of the issue within the last 2 months.

Chairman Trent

Chairman Trent gave no remarks at this time.

Commissioner Lee

Commissioner Lee alerted the Board to an event in New Bern. A dental clinic will be held in the coming weeks (October 27-28) which will allow citizens to receive dental cleanings and some other dental services, free of charge.

She also reminded the Board of the Aulander Peanut Festival being held this Saturday, October 7th from 10:00 AM – 9:00 PM as well as the Annual Roxobel Fish Fry Fundraiser beginning at 4:00 PM on the same day.

Lastly, Mrs. Lee let all of those present know that Dolly's Café in Colerain held its grand opening this past weekend, and that Café 45 in Colerain was now serving dinner Monday-Saturday nights.

Commissioner White

Commissioner White reported that he had received good feedback from citizens about the newly placed satellite Sheriff's Office in Powellsville, and also discussed the CADA Board meeting he recently attended.

RECESS

Chairman Trent **RECESSED** this meeting until Tuesday, October 10th at 10:00 AM in this location which is a work session to discuss the Town Hall meeting scheduled for October 21st.

John Trent, Chairman

Sarah S. Tinkham, Clerk to the Board



Bertie County

Board of Commissioners

ITEM ABSTRACT

MEETING DATE: October 16, 2017

AGENDA ITEM: C-2

DEPARTMENT: Governing Body

SUBJECT: Approve Minutes for Work Session 10-16-17

COUNTY MANAGER RECOMMENDATION OR COMMENTS: Recommend approval.

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

ATTACHMENTS: Yes

LEGAL REVIEW PENDING: N/A

ITEM HISTORY: --

Windsor, North Carolina
October 10, 2017
WORK SESSION

The Bertie County Board of Commissioners met for a work session after recessing their October 2, 2017 regular meeting inside the Commissioners Room, 106 Dundee Street, Windsor, NC. The following members were present or absent:

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

Absent: None

Staff Present: County Manager Scott Sauer
Clerk to the Board Sarah S. Tinkham
Finance Officer William Roberson
Tax Administrator Jodie Rhea

No media members were present during this session.

WORK SESSION

Review of Tax Revaluation slated for 2020

Tax Administrator, Jodie Rhea, was present to discuss the proposals that were submitted to the Board at the last regular meeting.

The Board briefly discussed each RFP that was submitted and expressed their concerns about each type of each appraisal method.

The Board concurred that they wanted an accurate revaluation, but that they did not want to be overly intrusive to residents.

Vice Chairman Bazemore recommended that the County Manager and Tax Administrator seek out the NCACC as they are said to have a partnership with revaluation consultants that could offer their services for a discounted rate.

County Manager Sauer mentioned that the first 6-8 months of the revaluation would consist of thorough research on the area including conversations with residents, business owners, engineers, etc. At that time, the revaluation firm would submit a preliminary report of recommendations for Board review before proceeding further.

Lastly, Mr. Rhea discussed that during the first meeting in November, he would be presenting a report to the Board regarding the renewal or discontinuance of elderly/disabled tax exemptions. This review is required every 8 years.

Public Town Hall meeting – October 21, 2017

The County Manager briefly reviewed the proposed schedule of speakers and agenda items for the upcoming Public Town Hall meeting on October 21, 2017.

Various community leaders, State representatives, and rural health partners will be in attendance to discuss the good things happening in Bertie while also giving the public a chance to share their concerns.

The proposed agenda is below:

Draft outline for the proposed agenda

Opening comments:	Bertie County Board of Commissioners
Moderator:	Mr. Ronnie Smith, Second Vice President (Martin County) North Carolina Association of County Commissioners
Federal Government Updates: K. Butterfield	U.S. Senator Burr, U.S. Senator Tillis, and U.S. Representative G.
North Carolina General Assembly:	Senator Erica Smith-Ingram and Representative Howard Hunter Senator Don Davis
NC Department of Transportation:	Interstate 87 update and local transportation project highlights Mr. Jerry Jennings
Health Care Centers:	Colerain and Windsor facility updates VIDANT Bertie Hospital, Mr. Brian Harville
Bertie County Schools:	Bobby Oceana, Board of Education Chairman
Open mike for Mayors:	Mayors from each municipality will have the opportunity to update the audience on various town activities.

Fatal Wreck on Highway 305 near Connaritsa Road

County Manager Sauer briefly discussed the latest updates about a fatal wreck that took place this past Friday, October 6th in the Aulander area on Highway 305.

He stated that charges had been filed against the driver of the automobile, and that more could be pending. One fatality was reported from the crash, and alcohol and speed have been determined as factors in the incident by NC State Highway Patrol.

The Board expressed condolences to the family of the victim that was killed.

Heritage Collegiate Leadership Academy (HCLA) – Charter School Advisory Board recommends revocation of charter to State Board of Education

The Commissioners also briefly discussed an article published yesterday about HCLA and the Charter School Advisory Board's decisions to recommend that the school's charter be revoked by the State Board of Education.

The Board of Commissioners discussed the potential impacts on the approximately 100 Bertie students that could be impacted by this if the school lost its charter.

ADJOURN

Chairman Trent **ADJOURNED** the meeting at 11:20 AM.

John Trent, Chairman

Sarah S. Tinkham, Clerk to the Board



Bertie County

Board of Commissioners

ITEM ABSTRACT

MEETING DATE: October 16, 2017

AGENDA ITEM: C-3

DEPARTMENT: Governing Body

SUBJECT: Approve bid for debris collection contract

COUNTY MANAGER RECOMMENDATION OR COMMENTS: Recommend approval.

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

ATTACHMENTS:

LEGAL REVIEW PENDING: N/A

ITEM HISTORY: --

SDR

FEE SCHEDULE

FEE SCHEDULE			
1.	Vegetative storm debris picked up at the designated work zone, hauled to and dumped at a Temporary Debris Storage and Reduction Site (TDSRS)		
	Mileage Radius: 0-15 Miles	\$ 7.20/cu.yd.	\$ 64.00 Per ton
	16-30 Miles	\$ 7.50/cu.yd.	\$ 69.00 Per ton
	31-60 Miles	\$ 7.50/cu.yd.	\$ 69.00 Per ton
	61-90 Miles	\$ 7.50/cu.yd.	\$ 69.00 Per ton
	91-120 Miles	\$ 7.50/cu.yd.	\$ 69.00 Per ton
2.	Construction and Demolition debris hauled to and dumped at a County approved disposal site or landfill		
	Mileage Radius: 0-20 Miles	\$ 7.35/cu.yd.	\$ 72.00 Per ton
	21-40 Miles	\$ 7.65/cu.yd.	\$ 77.00 Per ton
	41-70 Miles	\$ 8.00/cu.yd.	\$ 85.00 Per ton
	71-100 Miles	\$ 8.00/cu.yd.	\$ 93.00 Per ton
	101-140 Miles	\$ 8.00/cu.yd.	\$ 101.00 Per ton
3.	Validated load hauled tickets from the TDSRS for final processed vegetative debris at a County approved recycling facility		
	Mileage Radius: 0-20 Miles	\$ 4.00/cu.yd.	\$ 38.00 Per ton
	21-40 Miles	\$ 4.25/cu.yd.	\$ 40.00 Per ton
	41-70 Miles	\$ 4.50/cu.yd.	\$ 45.00 Per ton
	71-100 Miles	\$ 5.50/cu.yd.	\$ 50.00 Per ton
	101-140 Miles	\$ 5.50/cu.yd.	\$ 60.00 Per ton
4.	Tipping fees/disposal costs for Green Waste and C&D Debris shall be paid by CONTRACTOR and actual incurred cost shall be invoiced to the County for reimbursement	At Cost	
5.	Management, Processing and Loading of all eligible debris and/or residue at the TDSRS Including locating, leasing (if required), preparing and layout of site; management, maintenance and operation of the TDSRS; the receiving, sorting, segregation, processing and reduction of vegetative debris (chipping or grinding or burning as directed by the County); furnishing materials, supplies, labor, tools and equipment necessary to perform services; maintenance of internal roadways, providing traffic control, dust control, erosion control, inspection tower(s), lighting, hazardous/toxic waste (HTW) containment areas, fire protection, all required permits, environmental monitoring, and safety measures; loading reduced/stored debris and initiating load tickets for final disposition; and Closure and remediation of the TDSRS	\$ 3.55/cu.yd.	\$ 17.75 Per ton
6.	Pick up and dispose of hazardous materials	\$ 1.75 /lb.	
7.	Dead Animal Collection, Transportation & Disposal	\$ 1.50 /lb.	
8.	Hazardous trees – Trees will be evaluated by the County and be designated to be cut down and hauled to the TDSRS for reduction. Trees will be measured 4 ½' above the ground		
	Trees with branches remaining – FEE ONLY TO CUT TREE		
	6-12" Diameter	\$ 35.00 /tree	
	13-24" Diameter	\$ 65.00 /tree	
	25-48" Diameter	\$ 185.00/tree	
	> 48" Diameter	\$ 260.00/tree	
9.	Hangers – Hangers will be considered any hanging limbs/damaged remaining in the tree(s) above the ROW of 2" or greater diameter at the point of the break. The Contractor, at the direction of the County, will remove hangers for a unit price per tree.	Per tree \$ 72.00	
10.	Hazardous stump extraction from public property 24" or greater measured 2' above ground	Per Stump	

	to include fill dirt for stump holes		
	24" - 35.99"	\$ 100.00	
	36" - 47.99"	\$ 200.00	
	48" - 59.99"	\$ 275.00	
11.	<u>Private Property Demolition and Debris Removal</u> – The CONTRACTOR shall operate beyond the Public Right-of-Way (ROW) only as identified and directed by the COUNTY. Operations beyond the ROW on private property shall be only as necessary to abate imminent and significant threats to the public health and safety of the community and shall include, but is not limited to, the demolition of structures and the removal and relocation of the debris to the public ROW	\$ 3.00 per sq.ft.	
12.	<u>Fallen Trees</u> – The CONTRACTOR shall cut a fallen tree, which extends onto the ROW from private property, at the point where it enters the ROW. Vegetative debris will be placed on the ROW for collection as addressed under item #1. (a.)	Covered under Phase I	
13.	<u>White Goods</u> – The CONTRACTOR shall recycle all eligible white goods in accordance with all federal, state and local rules, regulations and laws	\$ 40.00/unit	
14.	<u>Freon Recovery</u> – The CONTRACTOR SHALL REMOVE AND RECOVER Freon from any white goods, such as refrigerators, freezers or air conditioners, at the TDSRS or final disposition site in accordance with all federal, state and local rules, regulations and laws	\$ 25.00/unit	
15.	<u>Training and Assistance Sessions</u> for all key COUNTY personnel and assistance in all disaster debris recovery planning efforts as requested	Price included	
16.	<u>Preliminary Damage Assessment</u> – Determining the impact and magnitude of the disaster event before federal assistance is requested, identifying damaged locations and facilities, distinguishing between pre-disaster damage and disaster – generated damage, documenting eligible costs and describing the physical and financial impact of the disaster	Price included	
17.	<u>Mobilization and Demobilization</u> – All arrangements necessary to mobilize and demobilize the CONTRACTOR's labor force and machinery needed to perform the Scope of Services contained herein shall be made by the CONTRACTOR	Price included	
18.	<u>Temporary Storage of Documents</u> – The CONTRACTOR shall provide storage of daily or disaster-related documents and reports for protection during the disaster event	Price included	
19.	<u>Debris Planning Efforts</u> – The CONTRACTOR shall assist in all disaster debris recovery planning efforts as requested by the COUNTY. These planning efforts shall include, but are not limited to, development of a <i>debris management</i> plan, identification of adequate temporary debris storage and reduction sites, estimation of debris quantities, and emergency action plans for debris clearance following a disaster event	Price included	
20.	<u>Closure and Remediation of the TDSRS</u> – The CONTRACTOR shall remove all CONTRACTOR equipment and temporary structures and shall dispose of all residual debris from the TDSRS at an approved final disposition site. The CONTRACTOR is responsible for the reclamation and remediation of the TDSRS site to its original state prior to use by the CONTRACTOR	Price included	
21.	<u>Reporting and Documentation</u> – The CONTRACTOR shall provide and submit to the COUNTY all reports and documents as may be necessary to <u>adequately</u> document the <u>Debris Recovery Services</u> in accordance with FEMA/NC requirements	Price included	

HOURLY FEE SCHEDULE

<i>All equipment rates below include operator, fuel and maintenance costs</i>	
<i>Applies to Phase I Emergency Road Clearance Only</i>	
Personnel/Equipment	Hourly Rate
30 Ton Crane	\$ 90.00
Stump Grinder	\$ 45.00
50' Bucket Truck	\$ 75.00
Track-Hoes John Deere 690 Equivalent	\$ 125.00
D-6 Dozers or Equivalent	\$ 80.00
John Deere 544 or Equivalent	\$ 80.00
Service Trucks	\$ 50.00
Tractor with Box Blade	\$ 45.00
5-14 Cubic yard Dump Truck	\$ 50.00
15-24 Cubic Yard Dump Truck	\$ 55.00
25-34 Cubic Yard Dump Truck	\$ 55.00
35-44 Cubic Yard Dump Truck	\$ 65.00
45-54 Cubic Yard Dump Truck	\$ 65.00
55-64 Cubic Yard Dump Truck	\$ 75.00
65-74 Cubic Yard Dump Truck	\$ 75.00
75+ Cubic Yard Dump Truck	\$ 90.00
850 HP or Equivalent Tree Grinder	\$ 550.00
Water Truck (2000 gal.)	\$ 45.00
Rubber Tire Backhoe	\$ 70.00
Motor Grader	\$ 65.00
Pickup Truck	\$ 25.00
Pickup Truck, Extended Cab	\$ 25.00
Pickup Truck, 4 x 4	\$ 30.00
Pickup Truck, 1 Ton	\$ 30.00
Mechanized Boom	\$ 45.00
Trackhoe, 490 or Equivalent	\$ 125.00
Bulldozer, D4 or Equivalent	\$ 65.00
12 Ton Lowboy	\$ 112.00
50 Ton Lowboy	\$ 145.00
Skidsteer	\$ 45.00
Rubber Tire Excavator	\$ 110.00

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2017 CrowderGulf Pricing for Bertie County, NC

FEE SCHEDULE

FEE SCHEDULE			
1.	Vegetative storm debris picked up at the designated work zone, hauled to and dumped at a Temporary Debris Storage and Reduction Site (TDSRS)		
	Mileage Radius: 0-15 Miles	\$ 9.40 /cu.yd.	\$ 94.00 Per ton
	16-30 Miles	\$ 9.80 /cu.yd.	\$ 98.00 Per ton
	31-60 Miles	\$ 10.40 /cu.yd.	\$ 104.00 Per ton
	61-90 Miles	\$ 11.25 /cu.yd.	\$ 110.00 Per ton
	91-120 Miles	\$ 12.50 /cu.yd.	\$ 125.00 Per ton
2.	Construction and Demolition debris hauled to and dumped at a County approved disposal site or landfill		
	Mileage Radius: 0-20 Miles	\$ 9.75 /cu.yd.	\$ 97.00 Per ton
	21-40 Miles	\$ 10.00 /cu.yd.	\$ 100.00 Per ton
	41-70 Miles	\$ 10.75 /cu.yd.	\$ 105.00 Per ton
	71-100 Miles	\$ 11.50 /cu.yd.	\$ 110.00 Per ton
	101-140 Miles	\$ 12.50 /cu.yd.	\$ 120.00 Per ton
3.	Validated load hauled tickets from the TDSRS for final processed vegetative debris at a County approved recycling facility		
	Mileage Radius: 0-20 Miles	\$ 5.00 /cu.yd.	\$ 50.00 Per ton
	21-40 Miles	\$ 5.75 /cu.yd.	\$ 57.00 Per ton
	41-70 Miles	\$ 6.25 /cu.yd.	\$ 62.00 Per ton
	71-100 Miles	\$ 7.00 /cu.yd.	\$ 70.00 Per ton
	101-140 Miles	\$ 7.50 /cu.yd.	\$ 75.00 Per ton
4.	Tipping fees/disposal costs for Green Waste and C&D Debris shall be paid by CONTRACTOR and actual incurred cost shall be invoiced to the County for reimbursement	At Cost	
5.	Management, Processing and Loading of all eligible debris and/or residue at the TDSRS Including locating, leasing (if required), preparing and layout of site; management, maintenance and operation of the TDSRS; the receiving, sorting, segregation, processing and reduction of vegetative debris (chipping or grinding or burning as directed by the County); furnishing materials, supplies, labor, tools and equipment necessary to perform services; maintenance of internal roadways, providing traffic control, dust control, erosion control, inspection tower(s), lighting, hazardous/toxic waste (HTW) containment areas, fire protection, all required permits, environmental monitoring, and safety measures; loading reduced/stored debris and initiating load tickets for final disposition; and Closure and remediation of the TDSRS	\$ 5.70 /cu.yd.	\$ 57.00 Per ton
6.	Pick up and dispose of hazardous materials	\$ 6.00 /lb.	
7.	Dead Animal Collection, Transportation & Disposal	\$ 0.75 /lb.	
8.	<u>Hazardous trees</u> – Trees will be evaluated by the County and be designated to be cut down and hauled to the TDSRS for reduction. Trees will be measured 4 ½' above the ground		
	Trees with branches remaining – FEE ONLY TO CUT TREE		
	6-12" Diameter	\$ 65.00/tree	
	13-24" Diameter	\$150.00/tree	
	25-48" Diameter	\$225.00/tree	
	> 48" Diameter	\$300.00/tree	
9.	<u>Hangers</u> – Hangers will be considered any hanging limbs/damaged remaining in the tree(s) above the ROW of 2" or greater diameter at the point of the break. The Contractor, at the direction of the County, will remove hangers for a unit price per tree.	Per tree 90.00	
10.	<u>Hazardous stump extraction from public property 24" or greater measured 2' above ground</u>	Per Stump	

	to include fill dirt for stump holes		
	24" - 35.99"	\$200.00	
	36" - 47.99"	\$240.00	
	48" - 59.99"	\$325.00	
11.	<u>Private Property Demolition and Debris Removal</u> - The CONTRACTOR shall operate beyond the Public Right-of-Way (ROW) only as identified and directed by the COUNTY. Operations beyond the ROW on private property shall be only as necessary to abate imminent and significant threats to the public health and safety of the community and shall include, but is not limited to, the demolition of structures and the removal and relocation of the debris to the public ROW	\$ 4.00 per sq.ft.	
12.	<u>Fallen Trees</u> - The CONTRACTOR shall cut a fallen tree, which extends onto the ROW from private property, at the point where it enters the ROW. Vegetative debris will be placed on the ROW for collection as addressed under item #1. (a.)	Covered under Phase I	
13.	<u>White Goods</u> - The CONTRACTOR shall recycle all eligible white goods in accordance with all federal, state and local rules, regulations and laws	\$ 40.00/unit	
14.	<u>Freon Recovery</u> - The CONTRACTOR SHALL REMOVE AND RECOVER Freon from any white goods, such as refrigerators, freezers or air conditioners, at the TDSRS or final disposition site in accordance with all federal, state and local rules, regulations and laws	\$ 40.00/unit	
15.	<u>Training and Assistance</u> Sessions for all key COUNTY personnel and assistance in all disaster debris recovery planning efforts as requested	Price included	
16.	<u>Preliminary Damage Assessment</u> - Determining the impact and magnitude of the disaster event before federal assistance is requested, identifying damaged locations and facilities, distinguishing between pre-disaster damage and disaster - generated damage, documenting eligible costs and describing the physical and financial impact of the disaster	Price included	
17.	<u>Mobilization and Demobilization</u> - All arrangements necessary to mobilize and demobilize the CONTRACTOR's labor force and machinery needed to perform the Scope of Services contained herein shall be made by the CONTRACTOR	Price included	
18.	<u>Temporary Storage of Documents</u> - The CONTRACTOR shall provide storage of daily or disaster-related documents and reports for protection during the disaster event	Price included	
19.	<u>Debris Planning Efforts</u> - The CONTRACTOR shall assist in all disaster debris recovery planning efforts as requested by the COUNTY. These planning efforts shall include, but are not limited to, development of a <i>debris management</i> plan, identification of adequate temporary debris storage and reduction sites, estimation of debris quantities, and emergency action plans for debris clearance following a disaster event	Price included	
20.	<u>Closure and Remediation of the TDSRS</u> - The CONTRACTOR shall remove all CONTRACTOR equipment and temporary structures and shall dispose of all residual debris from the TDSRS at an approved final disposition site. The CONTRACTOR is responsible for the reclamation and remediation of the TDSRS site to its original state prior to use by the CONTRACTOR	Price included	
21.	<u>Reporting and Documentation</u> - The CONTRACTOR shall provide and submit to the COUNTY all reports and documents as may be necessary to <u>adequately</u> document the Debris Recovery Services in accordance with FEMA/NC requirements	Price included	

HOURLY FEE SCHEDULE

<i>All equipment rates below include operator, fuel and maintenance costs</i>	
<i>Applies to Phase I Emergency Road Clearance Only</i>	
Personnel/Equipment	Hourly Rate
30 Ton Crane	\$ 202.00
Stump Grinder	\$ 101.00
50' Bucket Truck	\$ 194.00
Track-Hoes John Deere 690 Equivalent	\$ 144.00
D-6 Dozers or Equivalent	\$ 180.00
John Deere 544 or Equivalent	\$ 144.00
Service Trucks	\$ 86.00
Tractor with Box Blade	\$ 65.00
5-14 Cubic yard Dump Truck	\$ 65.00
15-24 Cubic Yard Dump Truck	\$ 92.00
25-34 Cubic Yard Dump Truck	\$ 97.00
35-44 Cubic Yard Dump Truck	\$ 105.00
45-54 Cubic Yard Dump Truck	\$ 120.00
55-64 Cubic Yard Dump Truck	\$ 126.00
65-74 Cubic Yard Dump Truck	\$ 137.00
75+ Cubic Yard Dump Truck	\$ 144.00
850 HP or Equivalent Tree Grinder	\$ 720.00
Water Truck (2000 gal.)	\$ 94.00
Rubber Tire Backhoe	\$ 94.00
Motor Grader	\$ 130.00
Pickup Truck	\$ 22.00
Pickup Truck, Extended Cab	\$ 27.00
Pickup Truck, 4 x 4	\$ 29.00
Pickup Truck, 1 Ton	\$ 43.00
Pickup Truck, 1 Ton	\$ 72.00
Mechanized Boom	\$ 144.00
Trackhoe, 490 or Equivalent	\$ 115.00
Bulldozer, D4 or Equivalent	\$ 115.00
12 Ton Lowboy	\$44.00
50 Ton Lowboy	\$130.00
Skidsteer	\$94.00
Rubber Tire Excavator	\$159.00

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Ceres Environmental Services

FEE SCHEDULE

FEE SCHEDULE			
1.	Vegetative storm debris picked up at the designated work zone, hauled to and dumped at a Temporary Debris Storage and Reduction Site (TDSRS)		
	Mileage Radius: 0-15 Miles	\$ 9.24 /cu.yd.	\$ 101.64 Per ton
	16-30 Miles	\$ 9.88 /cu.yd.	\$ 108.68 Per ton
	31-60 Miles	\$ 10.88/cu.yd.	\$ 119.68 Per ton
	61-90 Miles	\$ 11.88/cu.yd.	\$ 130.68 Per ton
	91-120 Miles	\$ 12.88/cu.yd.	\$ 141.68 Per ton
2.	Construction and Demolition debris hauled to and dumped at a County approved disposal site or landfill		
	Mileage Radius: 0-20 Miles	\$9.44 /cu.yd.	\$ 103.84 Per ton
	21-40 Miles	\$10.44/cu.yd.	\$ 114.84 Per ton
	41-70 Miles	\$11.94/cu.yd.	\$ 131.34 Per ton
	71-100 Miles	\$12.54/cu.yd.	\$ 137.94 Per ton
	101-140 Miles	\$13.14/cu.yd.	\$ 144.54 Per ton
3.	Validated load hauled tickets from the TDSRS for final processed vegetative debris at a County approved recycling facility		
	Mileage Radius: 0-20 Miles	\$ 4.62/cu.yd.	\$ 50.82 Per ton
	21-40 Miles	\$ 5.82/cu.yd.	\$ 64.02 Per ton
	41-70 Miles	\$ 7.27/cu.yd.	\$ 79.97 Per ton
	71-100 Miles	\$ 8.07/cu.yd.	\$ 88.77 Per ton
	101-140 Miles	\$ 9.47/cu.yd.	\$ 104.17 Per ton
4.	Tipping fees/disposal costs for Green Waste and C&D Debris shall be paid by CONTRACTOR and actual incurred cost shall be invoiced to the County for reimbursement	At Cost	At Cost
5.	Management, Processing and Loading of all eligible debris and/or residue at the TDSRS Including locating, leasing (if required), preparing and layout of site; management, maintenance and operation of the TDSRS; the receiving, sorting, segregation, processing and reduction of vegetative debris (chipping or grinding or burning as directed by the County); furnishing materials, supplies, labor, tools and equipment necessary to perform services; maintenance of internal roadways, providing traffic control, dust control, erosion control, inspection tower(s), lighting, hazardous/toxic waste (HTW) containment areas, fire protection, all required permits, environmental monitoring, and safety measures; loading reduced/stored debris and initiating load tickets for final disposition; and Closure and remediation of the TDSRS	\$ 4.24/cu.yd.	\$46.64 Per ton
6.	Pick up and dispose of hazardous materials	\$ 6.50 /lb.	
7.	Dead Animal Collection, Transportation & Disposal	\$ 1.40 /lb.	
8.	<u>Hazardous trees</u> – Trees will be evaluated by the County and be designated to be cut down and hauled to the TDSRS for reduction. Trees will be measured 4 ½' above the ground		
	Trees with branches remaining – FEE ONLY TO CUT TREE		
	6-12" Diameter	\$ 87.00 /tree	
	13-24" Diameter	\$ 135.00/tree	
	25-48" Diameter	\$ 195.00/tree	
	> 48" Diameter	\$ 265.00/tree	
9.	<u>Hangers</u> – Hangers will be considered any hanging limbs/damaged remaining in the tree(s) above the ROW of 2" or greater diameter at the point of the break. The Contractor, at the direction of the County, will remove hangers for a unit price per tree.	Per tree \$87.00	
10.	<u>Hazardous stump extraction from public property 24" or greater measured 2' above ground</u>	Per Stump	

	to include fill dirt for stump holes		
	24" - 35.99"	\$150.00	
	36" - 47.99"	\$230.00	
	48" - 59.99"	\$310.00	
11.	<u>Private Property Demolition and Debris Removal</u> – The CONTRACTOR shall operate beyond the Public Right-of-Way (ROW) only as identified and directed by the COUNTY. Operations beyond the ROW on private property shall be only as necessary to abate imminent and significant threats to the public health and safety of the community and shall include, but is not limited to, the demolition of structures and the removal and relocation of the debris to the public ROW	\$ 2.68 per sq.ft.	
12.	<u>Fallen Trees</u> – The CONTRACTOR shall cut a fallen tree, which extends onto the ROW from private property, at the point where it enters the ROW. Vegetative debris will be placed on the ROW for collection as addressed under item #1. (a.)	Covered under Phase I	
13.	<u>White Goods</u> – The CONTRACTOR shall recycle all eligible white goods in accordance with all federal, state and local rules, regulations and laws	\$ 32.00 /unit	
14.	<u>Freon Recovery</u> – The CONTRACTOR SHALL REMOVE AND RECOVER Freon from any white goods, such as refrigerators, freezers or air conditioners, at the TDSRS or final disposition site in accordance with all federal, state and local rules, regulations and laws	\$ 30.00 /unit	
15.	<u>Training and Assistance Sessions</u> for all key COUNTY personnel and assistance in all disaster debris recovery planning efforts as requested	Price included	
16.	<u>Preliminary Damage Assessment</u> – Determining the impact and magnitude of the disaster event before federal assistance is requested, identifying damaged locations and facilities, distinguishing between pre-disaster damage and disaster – generated damage, documenting eligible costs and describing the physical and financial impact of the disaster	Price included	
17.	<u>Mobilization and Demobilization</u> – All arrangements necessary to mobilize and demobilize the CONTRACTOR’s labor force and machinery needed to perform the Scope of Services contained herein shall be made by the CONTRACTOR	Price included	
18.	<u>Temporary Storage of Documents</u> – The CONTRACTOR shall provide storage of daily or disaster-related documents and reports for protection during the disaster event	Price included	
19.	<u>Debris Planning Efforts</u> – The CONTRACTOR shall assist in all disaster debris recovery planning efforts as requested by the COUNTY. These planning efforts shall include, but are not limited to, development of a <i>debris management</i> plan, identification of adequate temporary debris storage and reduction sites, estimation of debris quantities, and emergency action plans for debris clearance following a disaster event	Price included	
20.	<u>Closure and Remediation of the TDSRS</u> – The CONTRACTOR shall remove all CONTRACTOR equipment and temporary structures and shall dispose of all residual debris from the TDSRS at an approved final disposition site. The CONTRACTOR is responsible for the reclamation and remediation of the TDSRS site to its original state prior to use by the CONTRACTOR	Price included	
21.	<u>Reporting and Documentation</u> – The CONTRACTOR shall provide and submit to the COUNTY all reports and documents as may be necessary to <u>adequately</u> document the <u>Debris Recovery Services</u> in accordance with FEMA/NC requirements	Price included	

HOURLY FEE SCHEDULE

<i>All equipment rates below include operator, fuel and maintenance costs</i>	
<i>Applies to Phase I Emergency Road Clearance Only</i>	
Personnel/Equipment	Hourly Rate
30 Ton Crane	\$ 285.00
Stump Grinder	\$ 95.00
50' Bucket Truck	\$ 195.00
Track-Hoes John Deere 690 Equivalent	\$ 198.00
D-6 Dozers or Equivalent	\$ 165.00
John Deere 544 or Equivalent	\$ 142.00
Service Trucks	\$ 103.00
Tractor with Box Blade	\$ 95.00
5-14 Cubic yard Dump Truck	\$ 78.00
15-24 Cubic Yard Dump Truck	\$ 90.00
25-34 Cubic Yard Dump Truck	\$ 98.00
35-44 Cubic Yard Dump Truck	\$ 105.00
45-54 Cubic Yard Dump Truck	\$ 109.00
55-64 Cubic Yard Dump Truck	\$ 115.00
65-74 Cubic Yard Dump Truck	\$ 115.00
75+ Cubic Yard Dump Truck	\$ 115.00
850 HP or Equivalent Tree Grinder	\$ 475.00
Water Truck (2000 gal.)	\$ 98.00
Rubber Tire Backhoe	\$ 128.00
Motor Grader	\$ 175.00
Pickup Truck	\$ 15.00
Pickup Truck, Extended Cab	\$ 17.00
Pickup Truck, 4 x 4	\$ 18.00
Pickup Truck, 1 Ton	\$ 21.00
Mechanized Boom	\$ 92.00
Trackhoe, 490 or Equivalent	\$ 195.00
Bulldozer, D4 or Equivalent	\$ 135.00
12 Ton Lowboy	\$ 115.00
50 Ton Lowboy	\$ 125.00
Skidsteer	\$ 85.00
Rubber Tire Excavator	\$ 185.00



Bertie County

Board of Commissioners

ITEM ABSTRACT

MEETING DATE: October 16, 2017

AGENDA ITEM: C-4

DEPARTMENT: Governing Body

SUBJECT: Budget Amendment(s)

COUNTY MANAGER RECOMMENDATION OR COMMENTS: Recommend approval.

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

ATTACHMENTS: Yes

LEGAL REVIEW PENDING: N/A

ITEM HISTORY: --

PROJECT ORDINANCE

# PROJ 18-03				
INCREASE				INCREASE
37-0025-4301-00	\$ 1,437,608	37-MERGER	37-8200-5396-01	\$ 1,427,258
37-0025-4301-13	\$ 500,000		37-8200-5396-12	\$ 388,500
37-0070-3981-65	\$ 38,752		37-8200-5396-14	\$ 38,752
			37-8200-5396-19	\$ 2,030
			37-8200-5396-38	\$ 3,000
			37-8200-5991-00	\$ 116,820
60-7110-5980-67	\$ 38,752		60-0090-4991-99	\$ 38,752
SRF PROJECT NO.: WIF-1897 (ROXOBEL MERGER)				
PROJECT ORDINANCE - WATER DISTRICT IV - "REVISION #2"				
"REVISED BASED ON LGC'S VOTE ON OCTOBER 03, 2017 TO APPROVE ADDITIONAL FUNDING TO COMPLETE PROJECT"				
APPROVED / /2017				



Dale R. Folwell, CPA

STATE AND LOCAL GOVERNMENT FINANCE DIVISION
AND THE LOCAL GOVERNMENT COMMISSION

GREGORY C. GASKINS
DEPUTY TREASURER

October 4, 2017

The Honorable Chairman
County of Bertie
c/o William Roberson
Finance Officer
PO Box 530
Windsor, North Carolina 27983

Re: Bertie County Water District IV - Request an increase of additional funds for
State Revolving Loan – Water

Dear Chairman:

On October 3, 2017, the Commission approved the request for an increase of additional funds on a State Revolving Loan. The City is requesting an increase of \$259,058 for a total loan of a \$1,937,608 which was formally approved by the N.C. Local Government Commission on August 2, 2016.

We are pleased to have had this opportunity to serve you.

Sincerely,

Greg C. Gaskins, Secretary
Local Government Commission

GCG/aps

cc: Mark L. Hubbard, P.E., Assistant Chief
Division of Water Infrastructure



Bertie County

Board of Commissioners

ITEM ABSTRACT

MEETING DATE: October 16, 2017

AGENDA ITEM: C-5

DEPARTMENT: Governing Body

SUBJECT: Tax Release Journal

COUNTY MANAGER RECOMMENDATION OR COMMENTS: Recommend approval.

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

ATTACHMENTS: Yes

LEGAL REVIEW PENDING: N/A

ITEM HISTORY: --



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

October 3, 2017

William Roberson
Bertie County Finance Officer
Windsor, NC 27983

Dear Mr. Roberson:

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

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

Respectfully Submitted,


Tax Administrator

Approved on _____ 20____

RLS*17*273	DATE	NAME	CODE	LEVY	ADV	PEN	INT	TOTAL
2017	9/20/2017	Dominion NC Power 17A26571.80	G01	\$8,300.00	\$0.00	\$0.00		\$8,300.00
		Correction to corporate utility value						
	9/25/2017	Asbell, Stewart 17A682510329001	G01	\$150.19		\$0.00		\$150.19
		Corrected building code						
								<u>\$8,450.19</u>



Bertie County

Board of Commissioners

ITEM ABSTRACT

MEETING DATE: October 16, 2017

AGENDA ITEM: C-6

DEPARTMENT: Governing Body

SUBJECT: Conditionally approve offer to purchase 106 Beacon Height Church Road – 10 day upset bid required

COUNTY MANAGER RECOMMENDATION OR COMMENTS: Recommend approval.

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

ATTACHMENTS: Yes

LEGAL REVIEW PENDING: N/A

ITEM HISTORY: --

To whom it may concern:
Mr. Godie Rhee

I Mr. Davonte Howell am
purchase this on 1060 Beacon
Right Church Rd. for the amount
of \$1100.00.

252-217-1981

Earnest Harrell

349 A Morning Rd

Windsor. NC 27983

**FINAL REPORT - SCHEDULE A
HENRY CARTER HEIRS
Bertie County File No: 17-CVD-78**

RECEIPTS

Bid price to be applied toward costs and taxes, pursuant to N.C.G.S. 105-376:	\$5,895.40
Recording fee for Deed	\$26.00
Total	\$5,921.40

DISBURSEMENTS

Clerk of Court - Filing Fees	\$150.00	
Certified Mail	\$383.90	
Bertie Ledger - Notice of Publication	\$708.00	
Service by Sheriff	\$30.00	
Bertie Ledger-Notice of Sale	\$672.00	
Guardian ad Litem	\$200.00	
Service fee - NC Secretary of State	\$10.00	
Postage -Cert. Mail to NC Sec. of State	\$8.13	
Postage - Cert. Mail to Luther Culpepper	\$8.76	
Postage - Default Judgment & Notice of	\$45.78	
Sale to all Defendants		
Postage - Default Judgment & Notice of	\$2.03	
Sale to Luther Culpepper		
Postage - Letters to Landowners	\$6.16	
Bertie County Register of Deeds	\$26.00	
Total Cost	\$2,250.76	
Attorney's Fees - Pritchett & Burch, PLLC	\$ 3,240.50	
Fees and Cost		\$5,491.26
Taxes		\$430.14
Total Cost and Taxes		\$5,921.40
Bertie County Tax Office for Fees and Costs		(-\$5,465.26)
Bertie County Tax Office for Taxes		(-\$430.14)
Check to Bertie County Register of Deeds		(-\$26.00)
EXCESS PROCEEDS		\$0.00

**PURSUANT TO N.C.G.S. 105-376. THERE WERE
NO ACTUAL RECEIPTS AND DISBURSEMENTS**



Bertie County

Board of Commissioners

ITEM ABSTRACT

MEETING DATE: October 16, 2017

AGENDA ITEM: D-1

DEPARTMENT: Governing Body

SUBJECT: Schedule for opening temporary library facility – Food Lion Shopping Center

COUNTY MANAGER RECOMMENDATION OR COMMENTS: Discussion requested.

SUMMARY OF AGENDA ITEM AND/OR NEEDED ACTION(S): Discussion requested.

ATTACHMENTS: Yes

LEGAL REVIEW PENDING: N/A

ITEM HISTORY: --



Bertie County

Board of Commissioners

ITEM ABSTRACT

MEETING DATE: October 16, 2017

AGENDA ITEM: D-2

DEPARTMENT: Governing Body

SUBJECT: Private roads – correspondence for property owners prepared by County Attorney

COUNTY MANAGER RECOMMENDATION OR COMMENTS: Discussion requested.

SUMMARY OF AGENDA ITEM AND/OR NEEDED ACTION(S): Discussion requested.

ATTACHMENTS: Yes

LEGAL REVIEW PENDING: N/A

ITEM HISTORY:

March 6, 2017 – Board directed Legal Team to prepare an ordinance.

DISCUSSION AGENDA

Discuss approval of three (3) ordinances

a. Smoking Policy

After a brief discussion, Commissioner Wesson made a **MOTION** to approve the Smoking Policy ordinance as presented. Commissioner Lee **SECONDED** the motion. The **MOTION PASSED** unanimously.

b. Dangerous Weapons on County property

After a brief discussion, Commissioner Wesson made a **MOTION** to approve the Dangerous Weapons on County property ordinance as drafted. Vice Chairman Bazemore **SECONDED** the motion. The **MOTION PASSED** unanimously.

c. Private Roads

After a lengthy discussion, the Board decided to table this matter until letters can be drafted and sent to homeowners that would be impacted by this ordinance. The Board also asked that the County Attorney provide an additional draft of this ordinance to further specify its terms.

The Board agreed that an ordinance was needed, but that they didn't feel this version of the ordinance was ready for adoption.

The Board will discuss this matter at an upcoming Work Session on Monday, March 13th.

PRITCHETT & BURCH, PLLC

ATTORNEYS AT LAW

101 LAWYERS LANE – POST OFFICE DRAWER 100 – WINDSOR, NC 27983

Telephone (252) 794-3161- Facsimile (252) 794-2392

e-mail csmith@windsorlaw.com

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

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

*Certified Mediator

+Certified Family Financial Mediator

_____, _____, 2017

Dear _____ :

Re:

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

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

Sincerely,

John Trent
Chairman of the Board
Bertie County Commissioners

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PRIVATE ROAD SAFETY AND MAINTENANCE ORDINANCE

FOR

BERTIE COUNTY, NORTH CAROLINA

MAY 2016

**ARTICLE I
INTRODUCTORY PROVISIONS**

Section 101 Title

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

Section 102 Authority & Purpose

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

Section 103 Jurisdiction

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

**ARTICLE II
DEFINITIONS**

Section 201 General

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

Section 202 Words Interpretation

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

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

Section 203 Definitions

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

Enforcement Officer- The enforcement officer for Bertie County shall be the Planning Director or designated representative, more specifically the Emergency Management Services Director

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

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

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

**ARTICLE III
SPECIFICATIONS FOR PRIVATE ROADS**

Section 401 General Provisions

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

Section 402 Specifications

All private roads are to be maintained in a manner so as to allow reasonable access for all emergency vehicles, including but not limited to, vehicles operated by law enforcement, emergency management services, and fire departments, which are operating in the normal course of business. All private roads should be specifically maintained to prevent the impediment of the aforementioned vehicles from using said roadways at all times.

Section 403 Maintenance

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

Section 404 Compliance

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

**ARTICLE IV
ENFORCEMENT**

Section 501 General Provisions

If the specifications required by this Ordinance are not met within the 120 day period, the owner of said private road shall be guilty of a Class III misdemeanor and assessed a fine of five hundred dollars (\$500.00) pursuant to N.C.G.S. §14-4. In lieu of or in addition to the criminal penalties outlined above, the private road owner may be subject to a civil penalty pursuant to N.C.G.S. 153A-123(c) of \$1,000 per day for each day the violation continues, recoverable by the County in a civil action in the nature of a debt. In addition to all other remedies available either at law or in equity, the County may institute an action in the General Court of Justice, more specifically the Superior Court of Bertie County, seeking enforcement of the ordinance by injunction and order of abatement pursuant to N.C.G.S. §153A-123(d) and (e), including but not limited to, action by the County seeking an order of abatement requiring the private road owner to make the necessary improvements to said private road within the time allowed by the Court, whereupon noncompliance with the abatement order the County may execute the Order, making the necessary repairs and maintenance, creating a lien upon the owner's real property for the costs of executing said order.



Bertie County

Board of Commissioners

ITEM ABSTRACT

MEETING DATE: October 16, 2017

AGENDA ITEM: D-3

DEPARTMENT: Governing Body

SUBJECT: Calendar Reminders/Event Updates

- a. Design proposal presentations for joint-use facility, 10/17 at 9am
- b. Community Town Hall – BHS Auditorium, 10/21/17 at 10am

COUNTY MANAGER RECOMMENDATION OR COMMENTS: Discussion requested.

SUMMARY OF AGENDA ITEM AND/OR NEEDED ACTION(S): Discussion requested.

ATTACHMENTS: No

LEGAL REVIEW PENDING: N/A

ITEM HISTORY: --