

Bertie County Board of Commissioners



January 7, 2019
6:00 PM

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

BERTIE COUNTY BOARD OF COMMISSIONERS

January 7, 2019

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** Welcome and Call to Order by Chairman Trent (**Commissioners Room**)
- Opening Invocation and Pledge of Allegiance by Vice Chairman Atkins
- Public Comments (*3-minute time limit per person*)

(A)

***** APPOINTMENTS *****

- (1) Public Hearing #1: Amendment to Bertie County Flood Damage Prevention Ordinance
- (2) Public Hearing #2: Tri-County Airport Height Restriction Ordinance
- (3) Introduction of Revaluation Team by Tax Administrator, Jodie Rhea
- (4) Brian Harvill, President of Vidant-Bertie and Chowan Hospitals review of proposed changes to the State Employee Health Plan

Board Appointments (B)

1. Nursing Home/Adult Care Home Advisory Council
2. Planning Board

Consent Agenda (C)

1. Approve Minutes for Regular Meeting 12-3-18
2. Approve Minutes for Work Session 12-13-18
3. Approve Minutes for Closed Session 12-13-18
4. Approve Register of Deeds Fees Report – December 2018
5. Tax Department Release Journal – November 2018
6. Soil & Water documents including MOU with USDA, NC DOA, and Bertie Soil and Water Conservation District
7. Budget Amendments

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

Discussion Agenda (D)

1. Presentation by Anna Phipps of the Roanoke-Chowan News Herald – 2019 Crossroads Magazine
2. Teacher Housing Initiative and next steps following approval of SB804 by the NC General Assembly.
3. Calendar Review:
 - January 9th Chair, Vice Chair NCACC training in Raleigh
 - January 10-11th NCACC Legislative Goals Conference in Raleigh. Commissioner Bazemore is voting delegate
 - January 10th 7:00 p.m. Mayors and Commissioners meeting at Heritage House restaurant
 - January 14th 2:00 p.m. Board work session with MHAworks to review final design for Library & Cooperative Extension project, and other items as necessary.

Commissioners' Reports (E)

Junior Commissioners' Reports

County Manager's Reports (F)

County Attorney's Reports (G)

Public Comments Continued
(3-minute time limit per person)

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

Monday, January 14th at 2:00pm
(MHAworks)



Bertie County

Board of Commissioners

ITEM ABSTRACT

MEETING DATE: January 7, 2019

SECTION: Appointments

DEPARTMENT: Governing Body

TOPICS:

- (1) Public Hearing #1: Amendment to Bertie County Flood Damage Prevention Ordinance
- (2) Public Hearing #2: Tri-County Airport Height Restriction Ordinance
- (3) Introduction of Revaluation Team by Tax Administrator, Jodie Rhea
- (4) Brian Harvill, President of Vidant-Bertie and Chowan Hospitals review of proposed changes to the State Employee Health Plan

COUNTY MANAGER RECOMMENDATION OR COMMENTS: --

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

ATTACHMENTS: No

LEGAL REVIEW PENDING: N/A

ITEM HISTORY: ---



A-1



**BERTIE COUNTY
PLANNING & INSPECTIONS**

PO BOX 530 106 DUNDEE STREET
WINDSOR, NC 27983

PHONE (252)794-5336

Fax (252)794-5361

www.co.bertie.nc.us

MEMORANDUM

TO: Bertie County Board of Commissioners
Scott Sauer, County Manager

FROM: Traci White, Planning Director

RE: **PLANNING BOARD RECOMMENDATION TO AMEND THE FLOOD DAMAGE PREVENTION ORDINANCE & PURSUE METHODS RECOMMENDED BY STUDY**

DATE: November 28, 2018

The Bertie County Planning Board met on November 27th and voted to recommend amending the Bertie County Flood Damage Prevention Ordinance to increase the freeboard from one foot to five feet. The following definition of Regulatory Flood Protection Elevation in Article 2 of the Ordinance would be changed to the following:

*“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.*

The Planning Board also recommends that the methods and alternatives presented by Stan Riggs to lessen flooding in Bertie County be vigorously pursued.

If anyone has any questions, please feel free to call 252-794-6185 or email traci.white@bertie.nc.gov.

NOTICE OF PUBLIC HEARING
MONDAY, JANUARY 7, 2019 6:00 PM
BERTIE COUNTY FLOOD DAMAGE PREVENTION
ORDINANCE AMENDMENT

The Bertie County Board of Commissioners will hold a public hearing to provide citizens an opportunity to comment on the amendment to the Bertie County Flood Damage Prevention Ordinance. The amendment will change the Regulatory Flood Protection Elevation from one (1) foot of freeboard to five (5) feet of freeboard in flood zones with an established Base Flood Elevation. The amendment will also change the elevation in flood zones where no BFE has been established from two (2) feet above adjacent grade to five (5) feet above adjacent grade.

The public hearing has been set for Monday, January 7, 2019 at 6:00 PM and will be held in the County Administration Building, Commissioners Meeting Room, 106 Dundee Street, Windsor, North Carolina. The Flood Damage Prevention Ordinance may viewed in the Bertie County Planning & Inspections Department or by visiting the Bertie County website at www.co.bertie.nc.us. Questions may be directed to Traci White, Planning Director at (252) 794-6185 or traci.white@ncmail.net.



A-2

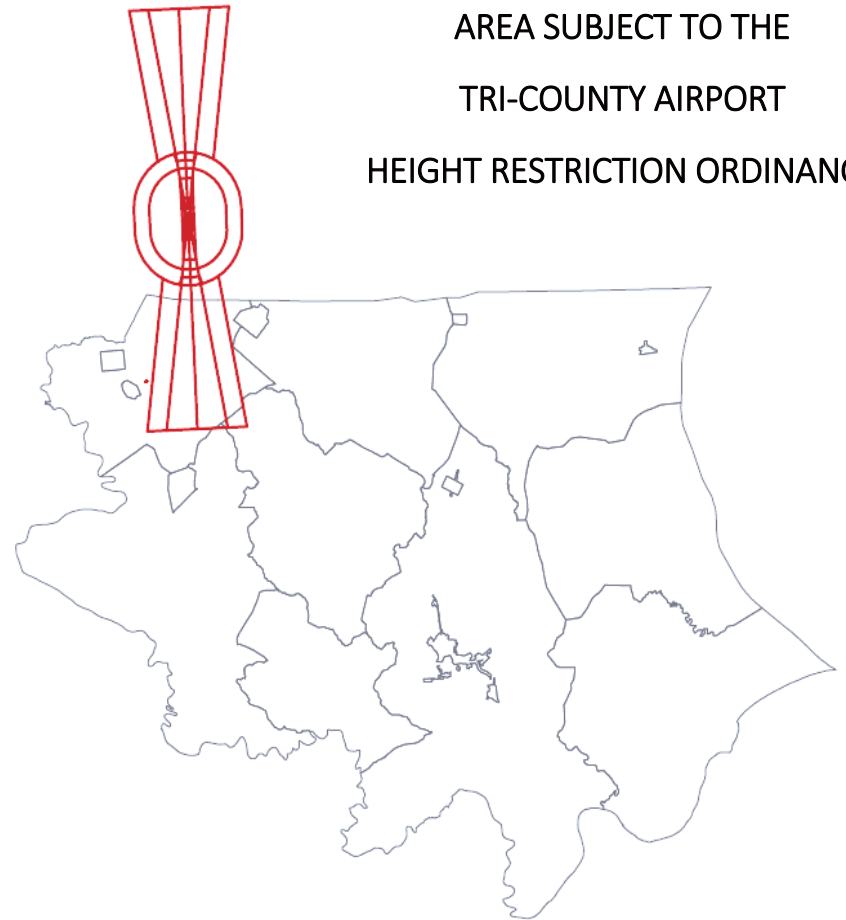
**NOTICE OF PUBLIC HEARING
MONDAY, JANUARY 7, 2019 6:00 PM**

**Bertie County
Tri-County Airport Height Restriction Ordinance**

The Bertie County Board of Commissioners will hold a public hearing to provide citizens an opportunity to comment on the proposed Tri-County Airport Height Restriction Ordinance. It has been found that an airport hazard endangers the lives and property of users of the airport and of occupants of land in its vicinity, and also, of the obstruction type, in effect reduces the size of the area available for the landing, taking off and maneuvering of aircraft, thus tending to destroy or impair the utility of the airport and the public investment therein, and is therefore not in the interest of the public health, public safety, or general welfare (§ 63-30). For the purpose of promoting health, safety, and the general welfare of the public, a county may adopt zoning and development regulation ordinances (§ 153A-340). The Ordinance, upon adoption, will regulate the height of structures within the proposed zoning area as shown on the associated zoning map. In lieu of this criminal penalty, the responsible person may be subject to a civil penalty pursuant to N.C.G.S. 1530A-123(c) in the amount of \$1,000 per day for each day the violation continues, recoverable by the County Zoning Board of Adjustment through its Administrator 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 Zoning Board of Adjustment through its Administrator may institute an action in the General Court of Justice seeking enforcement of the ordinance by injunction or order of abatement, or both, pursuant to N.C.G.S. 153A-123(d) and (e).

A public hearing will be held on Monday, January 7, 2019 at 6:00 PM in the County Administration Building, Commissioners Meeting Room, 106 Dundee Street, Windsor, North Carolina. The proposed ordinance and zoning map may be found online on the Bertie County website and in the County Manager's Office, 106 Dundee Street, Windsor, NC. Questions may be directed to Traci White, Planning Director, at (252)794-6185 or traci.white@bertie.nc.gov.

**AREA SUBJECT TO THE
TRI-COUNTY AIRPORT
HEIGHT RESTRICTION ORDINANCE**





BERTIE COUNTY
PLANNING & INSPECTIONS

PO Box 530 106 DUNDEE STREET
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MEMORANDUM

TO: Bertie County Board of Commissioners

FROM: Traci White, Planning Director

RE: **PLANNING BOARD REVIEW AND RECOMMENDATIONS FOR THE TRI-COUNTY AIRPORT HEIGHT RESTRICTION ORDINANCE IN BERTIE COUNTY**

DATE: May 2, 2018

The Bertie County Planning Board met on April 26th to review and discuss the proposed Tri-County Airport Height Restriction Ordinance for Bertie County. The following concerns were raised during the discussion and the consensus was to forward the following concerns and recommendations to the BCC:

1. Zoning map, dated 2004, may need to be updated to include proposed extension of runway.
2. Zoning map should be compatible with Bertie County GIS and be shown as a layer on the Bertie County GIS.
3. Remove "trees" from regulatory language throughout ordinance.
4. Take into consideration that the ordinance, Section 1.05 (p. 6-7), last paragraph, places responsibility on Bertie County to institute legal action, if necessary, for enforcement. Have County Attorney review and consider possible expenses.
5. Recommend that the Zoning Board of Adjustment be changed to 5 members and that the Board of Commissioners serve as this board due to the quasi-judicial nature of its decisions. The Planning Board is advisory, not quasi-judicial. Appeals of the decisions of the Board of Adjustment go to the courts. Planning Director recommends that Planning Board remain advisory to the Board of Adjustment, review cases and make recommendations.

Bertie County, North Carolina
Tri-County Airport Height Restriction Ordinance

§ 1 ORDINANCE SECTION

- 1.01 Short Title
- 1.02 Definitions
- 1.03 Airport Height Zones and Height Limitations
- 1.04 Use Restrictions
- 1.05 Nonconforming Uses - Regulations Not Retroactive
- 1.06 Permits
- 1.06 Variances
- 1.08 Enforcement
- 1.09 Zoning Board of Adjustment
- 1.10 Appeals
- 1.11 Judicial Review
- 1.12 Penalty
- 1.13 Conflicting Regulations
- 1.14 Severability
- 1.15 Effective Date

Statutory reference:

NC General Statutes, Model Airport Zoning Act, § 63-30 et seq.
NC General Statutes, Specific Powers of Municipalities Operating Airports, § 63-53
NC General Statutes, Chapter § 153A-340 et seq.

PURPOSE AND INTENT

AN ORDINANCE REGULATING AND RESTRICTING THE HEIGHT OF STRUCTURES AND OBJECTS OF NATURAL GROWTH, AND OTHERWISE REGULATING THE USE OF PROPERTY IN THE VICINITY OF THE TRI-COUNTY AIRPORT, HERTFORD COUNTY, NORTH CAROLINA.

APPLICABILITY

This Ordinance is adopted pursuant to the authority conferred under Chapter 63 of the North Carolina General Statutes, Article 4. Accordingly, it is declared:

1. that the creation or establishment of an obstruction has the potential of being a public nuisance and may impact the utility of the Tri-County Airport and the public investment therein;
2. that it is necessary in the interest of the public health, public safety, and general welfare that the creation or establishment of obstructions that are a hazard to air navigation be prevented, and;
3. that the prevention of these obstructions should be accomplished, to the extent legally permissible, by the exercise of the authority invested in **Bertie County**

Bertie County, North Carolina
Tri-County Airport Height Restriction Ordinance

It is further declared that the prevention of the creation or establishment of hazards to air navigation, the elimination, removal, alteration or mitigation of hazards to air navigation, or the marking and lighting of obstructions are in the public interest for which a political subdivision may raise and expend public funds and acquire land or interests in land.

SECTION § 1.01 SHORT TITLE

IT IS HEREBY ORDAINED BY the **Bertie County Commission**, as follows:

This Ordinance shall be known and may be cited as the "Tri-County Airport Height Restriction Ordinance." This attached map shall be known and may be cited as the "Tri-County Airport Height Restriction Ordinance Map".

SECTION § 1.02 DEFINITIONS

For the purpose of this Ordinance the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ADMINISTRATOR: – The individual responsible for performing the administrative functions of this ordinance. The administrator shall be the **Bertie County Planning Director**, unless otherwise designated or represented.

AIRPORT: The Tri-County Airport, North Carolina (ASJ)

AIRPORT AUTHORITY: – An appointed group of members representing the interests of the Tri-County Airport.

AIRPORT ELEVATION: – The highest point of an airport's usable landing area measured in feet (tenths) from mean sea level.

AIRPORT HAZARD: Any structure or tree or use of land which obstructs the airspace required for the flight of aircraft in landing or taking-off at the airport or is otherwise hazardous to such landing or taking-off of aircraft.

AIRPORT REFERENCE POINT (ARP): The point established as the approximate geographic center of the airport landing area and so designated.

APPROACH SURFACE: A surface longitudinally centered on the extended runway centerline, extending outward and upward from the end of the primary surface and at the same slope as the approach zone height limitation slope set forth in Section 1.03 of this Ordinance. In plan the perimeter of the approach surface coincides with the perimeter of the approach zone.

APPROACH, TRANSITIONAL, HORIZONTAL, AND CONICAL ZONES: These zones are set forth in Section 1.03 of this Ordinance.

CONICAL SURFACE: A surface extending outward and upward from the periphery of the horizontal surface at a slope of twenty feet horizontally for each one foot vertically (20:1) for a horizontal distance of 4,000 feet.

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COUNTY: shall mean the governing body of the Commissioners of Bertie County, North Carolina.

COUNTY ZONING BOARD OF ADJUSTMENT: A board consisting of seven members as appointed by Bertie County North Carolina.

EXCEPTED HEIGHT LIMITATIONS: -- Means that nothing in this Ordinance shall be construed as prohibiting the construction or maintenance of any structure, or growth of any tree or other vegetation to a height up to 50 feet above the surface of the land.

HAZARD TO AIR NAVIGATION: - An obstruction determined to have a substantial adverse effect on the safe and efficient utilization of the navigable airspace. A determination by the Federal Aviation Administration as to a hazard to air navigation is per FAA Form 7460-1.

HEIGHT: For the purpose of determining the height limits in all zones set forth in this Ordinance and shown on the Tri-County Airport Height Restriction Ordinance Map, the datum shall be mean sea level elevation unless otherwise specified.

LARGER THAN UTILITY RUNWAY: A runway that is constructed for and intended to be used by propeller driven aircraft of greater than 12,500 pounds maximum gross weight and jet powered aircraft.

LAND USE COMPATIBLE: The use of land adjacent to the Airport that does not endanger the health, safety, or welfare of the owners occupants, or users of the land because of levels of noise or vibrations or because of the risk of personal injury or property damage created by the operation of the Airport, including the take-off and landing of aircraft.

NONCONFORMING USE: Any structure, tree or use of land which does not conform to a regulation prescribed in this Ordinance or any amendment thereto, as of the effective date of such regulation.

NON-PRECISION INSTRUMENT RUNWAY: - A runway end having an instrument procedure utilizing air navigation facilities with horizontal approach guidance or area type navigation equipment, for which a straight-in non-precision instrument approach procedure has been approved or planned.

OBSTRUCTION: - Any structure, growth, or other object, including a mobile object, which exceeds a limiting height.

PERSON: An individual, firm, partnership, corporation, company, association, joint stock association, or body politic, and includes a trustee, receiver, assignee, administrator, executor, guardian, or other representative.

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PRECISION INSTRUMENT RUNWAY: A runway having an existing instrument approach procedure utilizing an Instrument Landing System (ILS) or a Precision Approach Radar (PAR). It also means a runway for which a precision approach system is planned.

PRIMARY SURFACE: – A surface longitudinally centered on a runway extending 200 feet beyond each end of a hard surfaced runway. The width of the primary surface is set forth as specified by the width of the runway inner approach surface. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway centerline.

RUNWAY: - A defined area on an airport prepared for landing and take-off of aircraft along its length. The runway end is the physical end of the hard-surfaced asphalt or turf runway threshold, having a defined coordinate and elevation as noted on the Tri-County Airport Height Restriction Ordinance Map.

RUNWAY ENDS: - Refers to the planned usable physical end of the hard-surfaced asphalt runway, having a defined coordinate and elevation as noted on the Tri-County Height Restriction Ordinance Map.

STRUCTURE: - An object, including a mobile object, constructed or installed by man, including but without limitation, buildings, towers, cranes, smokestacks, earth formation, and overhead transmission lines.

TREE: Any object of natural growth.

State law references: Definitions relating to municipal airports, G.S. § 83-1.

SECTION § 1.03: AIRPORT HEIGHT ZONES AND HEIGHT LIMITATIONS

In order to carry out the provisions of this Ordinance, there are created and established certain zones which include all of the land lying within the instrument approach zones, non-instrument approach zones, transition zones, horizontal zones, and conical zone. Such areas and zones are shown on the [Tri-County Airport Height Restriction Ordinance Map, dated May, 2004](#), which is incorporated by reference and made a part hereof. An area located in more than one (1) of the following zones is considered to be only in the zone with the more restrictive height limitation. The various zones are established and defined as follows:

- (A) **Primary Surface Zone** - A rectangular surface longitudinally centered on a runway. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway centerline.

Runway 1-19: 1,000 feet wide and extends 200 feet beyond each runway end.

- (B) **Approach Surface Zones** – A trapezoidal inclined plane symmetrically centered along the extended runway centerline, longitudinally extending outward and upward from the end of the primary surface. The perimeter of the approach

Bertie County, North Carolina
Tri-County Airport Height Restriction Ordinance

surface coincides with the perimeter of the approach zone, extending per a boundary and slope defined below, and as shown on the Tri-County Airport Height Restriction Ordinance Map.

<u>Runway End</u>	<u>Inner Width/Length/Outer Width (Slope)</u>
Runway 1 approach surface zone*:	1,000' x 50,000' x 16,000' (0'-10,000' @ 50:1) (10,000' – 50,000' @ 40:1)
Runway 19 approach surface zone**:	1,000' x 50,000' x 16,000' (0'-10,000' @ 50:1) (10,000' – 50,000' @ 40:1)

* portion of zone extends into Bertie County.

** portion of zone extends into Northampton County.

- (C) Horizontal Surface Zone* - A plane, elliptical in shape, with a height one hundred and fifty (150) feet above the established airport elevation and having a specified radius from the center of the primary surface for each runway end. The perimeter of the horizontal surface coincides with the perimeter of the horizontal zone as indicated on the Tri-County Airport Height Restriction Ordinance Map.

Runway 1-19 horizontal radius: 10,000'

* portion of zone extends into Northampton County.

- (D) Conical Surface Zone* – A surface, elliptical in shape, extending radially outward and upward from the periphery of the horizontal surface zone at a slope of 20:1 for a horizontal distance of 4,000 feet and vertical elevation of 200 feet above the horizontal surface. The conical surface zone is shown on the Tri-County Airport Height Restriction Ordinance Map.

* portion of zone extends into Northampton County.

- (E) Transitional Surface Zones – Inclined planes with a slope of 7:1 measured upward and outward in a vertical plane at right angles to the centerline of the runway and approach surfaces. The transitional surface zones, located on either side of the runway and symmetrically parallel to and level with the runway centerline, extend upward and outward from the primary surface and approach surface elevation to a point intersecting the horizontal or conical surface (150 feet above the airport elevation). Where the precision instrument runway approach zone projects beyond the conical zone, there are established height limits sloping 7:1 measured upward and outward beginning at the sides of and at the same elevation as the approach surface, and extending a horizontal distance of 5,000 feet measured at 90 degree angles to the extended runway centerline. The transitional surface zones are shown on the Tri-County Airport Height Restriction Ordinance Map.

Bertie County, North Carolina
Tri-County Airport Height Restriction Ordinance

Nothing in this Ordinance except as defined by Section 1.03 shall be construed as prohibiting the construction or maintenance of any structure, or growth of any tree, to a height of **50 feet** above the surface of the land.

SECTION § 1.04 USE RESTRICTIONS

Notwithstanding any other provisions of this Ordinance, no use may be made of land or water within any approach surface zone, horizontal surface zone, conical surface zone or transitional surface zone, in such manner as to create electrical interference with navigational signals or radio communication between the Airport and aircraft, make it difficult for flyers to distinguish between Airport lights and others, result in glare in the eyes of flyers using the airport, impair visibility in the vicinity of the Airport, create bird strike hazards or otherwise endanger the landing, taking-off or maneuvering of aircraft intending to use the Tri-County Airport.

SECTION § 1.05 NONCONFORMING USES –
REGULATIONS NOT RETROACTIVE

The regulations prescribed by this Ordinance shall not be construed to require the removal, lowering, or other change or alteration of any structure or tree not conforming to the regulations as of the effective date of this Ordinance, or otherwise interfere with the continuance of nonconforming use. Nothing contained herein shall require any change in the construction, alteration, or intended use of any structure, the construction or alteration of which was begun prior to the effective date of this Ordinance, and is diligently prosecuted. Except as specifically provided in this section, it is not permissible for any person to engage in any activity that causes an increase in the extent of nonconformity of a nonconforming situation. Physical alteration of structures or the placement of new structures on open land is unlawful if they result in:

- a. An increase in the total amount of space devoted to a nonconforming use, or
- b. greater nonconformity with respect to height limitation.

Nonconforming Uses Abandoned or Destroyed - Whenever the **Administrator** determines that a nonconforming tree or structure has been abandoned or more than 80 percent torn down, physically deteriorated, or decayed, no permit shall be granted that would allow such structure or tree to exceed the applicable height limit or otherwise deviate from the zoning regulations.

Marking and Lighting - Notwithstanding the preceding provision of this Ordinance, the owner of any existing nonconforming structure or tree is hereby required to permit the installation, operation, and maintenance thereon of such markers and lights as shall be deemed necessary by the **Administrator** to indicate to the operators of aircraft in the vicinity of the Airport the presence of such airport obstruction. Such markers and lights shall be installed, operated, and maintained at the expense of the **Airport Authority**

Notwithstanding any preceding provision of this Ordinance, if, by a determination of the NC Division of Aviation or Federal Aviation Administration, the encroachment of any structure or tree into regulated airspace is such that providing markers and lights is

Bertie County, North Carolina
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insufficient to protect the life and property of the flying public, the **Airport Authority** shall institute steps to have such structures or trees mitigated at the expense of the **Airport Authority**. If unsuccessful in obtaining the cooperation of the parties involved, **Bertie County** shall institute the appropriate legal action, as reasonably necessary, to insure the safety of the flying public in airspace regulated by this Ordinance.

SECTION 1.06 PERMITS

N.C.G.S. §83-32 provides for the issuance of permits with respect to allowing the construction of new structures and other uses, and to replace existing structures and other uses, or making substantial changes therein or substantial repairs thereof. Permit applications shall be made to the **Administrator** upon a form published for that purpose.

Permit Application –Each application shall indicate the purpose for which the permit is desired, with sufficient particularity to permit it to be determined whether the resulting use, structure or tree would conform to the regulations prescribed in this Ordinance, including any additional information requested by the **Administrator** as necessary to determine compliance with this Ordinance and the laws of the State of North Carolina and any applicable federal rules or regulations. A copy of the permit application shall be furnished to the **County Building Inspector** and **Airport Authority**, or to other designated agents, for advice as to the aeronautical effects of the said permit application.

Permit Review - Applications required by this Ordinance shall be promptly considered and granted or denied. Application for action by the Zoning Board of Adjustment shall be forthwith transmitted by the **Administrator, or a designated representative**

1. **Future Uses** - Except as specifically provided in (a) and (b) hereunder, no material change shall be made in the use of land, no structure shall be erected or otherwise established, and no tree shall be planted in any zone hereby created unless a permit therefore shall have been applied for and granted. Each application for a permit shall indicate the purpose for which the permit is desired, with sufficient particularity to permit it to be determined whether the resulting use, structure, or tree would conform to the regulations herein prescribed. If such determination is in the affirmative, the permit shall be granted.

No permit for a use inconsistent with the provisions of this Ordinance, as depicted on the Tri-County Airport Height Restriction Ordinance Map, shall be granted unless a variance has been approved in accordance with Section 1.07.

- a. In the area lying within the limits of the horizontal zone and conical zone, no permit shall be required for any tree or structure less than **50 feet** of vertical height above the ground, except when, because of terrain, land contour, or topographic features, such tree or structure would extend above the height limits prescribed for such zones.
- b. In the areas lying within the limits of the transition zones beyond the perimeter of the horizontal zone, no permit shall be required for any tree or structure less than

Bertie County, North Carolina
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50 feet of vertical height above the ground, except when such tree or structure, because of terrain, land contour, or topographic features, would extend above the height limits prescribed for such transition zones.

The preceding paragraphs (a) and (b) corresponds with permit areas (shaded yellow) identified on the Tri-County Airport Height Restriction Ordinance Map. Nothing contained in any of the foregoing exceptions shall be construed as permitting or intending to permit any construction, or alteration of any structure, or growth of any tree in excess of any of the height limits established by this Ordinance except as set forth in Section 1.03 and Section 1.04.

2. **Existing Uses** - No permit shall be granted that would allow the establishment or creation of an obstruction or permit a nonconforming use, structure, or tree to become a greater hazard to air navigation than it was on the effective date of this Ordinance or any amendments thereto or than it is when the application for a permit is made. Except as indicated, all applications for such a permit shall be granted.

SECTION § 1.07 VARIANCES

Any person desiring to erect or increase the height of any structure, or permit the growth of any tree, or use property, not in accordance with the regulations prescribed in this Ordinance, may apply to the **Administrator** for a variance from such regulations. The application for variance shall be accompanied by a determination from the NC Division of Aviation and/or Federal Aviation Administration as to the effect of the proposal on the operation of air navigation facilities and the safe, efficient use of navigable airspace. Such variances shall be allowed where it is duly found that a literal application or enforcement of the regulations will result in unnecessary hardship and relief granted will not be contrary to the public interest, will not create a hazard to air navigation, will do substantial justice, and will be in accordance with the spirit of this Ordinance.

1. **Obstruction Marking and Lighting** - Any permit or variance granted may, if such action is deemed advisable to effectuate the purpose of this Ordinance and be reasonable in the circumstances, be so conditioned as to require the owner of the structure or tree in question to install, operate, and maintain, at the owner's expense, such markings and lights as may be necessary. If deemed proper by the **Zoning Board of Adjustment**, this condition may be modified to require the owner to permit the **Airport Authority**, at its own expense, to install, operate, and maintain the necessary markings and lights.

SECTION § 1.08 ENFORCEMENT

It shall be the duty of the **Administrator** to administer and enforce the regulations prescribed herein. Applications for permits required by this Ordinance shall be promptly considered and granted or denied. Applications for variances may require up to **forty-five (45) days**. The ordinance may be enforced by any one or more of the remedies authorized by G.S. 153A-123.

SECTION § 1.09 ZONING BOARD OF ADJUSTMENT

Bertie County, North Carolina
Tri-County Airport Height Restriction Ordinance

The **Zoning Board of Adjustment** shall have and exercise the following powers: (1) to hear and decide appeals from any order, requirement, decision, or determination made by the **Administrator** in the enforcement of this Ordinance; (2) to hear and decide special exceptions to the terms of this Ordinance upon which such **Zoning Board of Adjustment** under such regulations may be required to pass, and; (3) to hear and decide specific variances.

SECTION § 1.10 APPEALS

It shall be the duty of the **Zoning Board of Adjustment** to hear and decide appeals and review any orders, requirements, decisions or determinations made by the enforcement officer responsible for administration or enforcement of this Ordinance.

SECTION § 1.11 JUDICIAL REVIEW

Any person aggrieved or any taxpayer affected by any decision of the board of adjustment, or any office, department, board or bureau of the County, under this Ordinance, may petition the superior court for a review of such decision.

State law references: Judicial review, G.S. § 63-34.

SECTION § 1.12 PENALTIES

In accordance with North Carolina General Statutes § 63-35; each violation of this Ordinance or of any regulation, order, or ruling promulgated hereunder shall constitute a **Class 3 misdemeanor punishable by a fine of not more than one hundred dollars (\$100) or imprisonment for not more than thirty (30) days or both**; and each day a violation continues to exist shall constitute a separate offense.

State law references: Enforcement and remedies, G.S. § 63-35.

SECTION § 1.13: CONFLICTING REGULATIONS

Where this Ordinance imposes a greater or more stringent restriction upon the use of land than is imposed or required by any other ordinance or regulation of the County, the provisions of this Ordinance shall govern. Where there exists a conflict between any of the regulations or limitations prescribed in this Ordinance and any other regulations applicable to the same area, whether the conflict be with respect to the height of structures or trees, and the use of land, or any other matter, the more stringent limitation or requirement shall govern and prevail.

SECTION § 1.14: SEVERABILITY

If any of the provisions of this Ordinance or the application thereof to any person or circumstances are held invalid, such invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end, the provisions of this Ordinance are declared to be severable.

Bertie County, North Carolina
Tri-County Airport Height Restriction Ordinance

SECTION § 1.15: EFFECTIVE DATE

WHEREAS, the immediate operation of the provisions of this Ordinance is necessary for the preservation of the public health, public safety, and general welfare, an EMERGENCY is hereby declared to exist, and this Ordinance shall be in full force and effect immediately after its passing, publication, and posting, as required by law. This Ordinance shall be effective upon adoption.

Duly adopted this _____ day of _____, 20__

BERTIE COUNTY: _____

Chairperson, County Commissioners:

ATTEST:

County Clerk to the Commissioners

Name	Mailing Address	City, State, Zip	Phy Address	Pin Number
Glover, Luther D, Jr	Po Box 198	Rich Square, NC, 27869	Off 719 Tyler School Rd	5931-11-3551
Weyerhaeuser Co	100 Professional Center Dr	Brunswick, GA, 31525	Off 731 Tyler School Rd	5931-31-0409
Terry, Alex Mccoy	120 Bruce Farmer Rd	Aulander, NC, 27805	803 Tyler School Rd	5931-42-1100
Terry, Michael M	801 Tyler School Rd	Kelford, NC, 27847	801 Tyler School Rd	5931-41-7513
Weyerhaeuser Co	100 Professional Center Dr	Brunswick, GA, 31525	Off 803 Tyler School Rd	5931-42-4208
Cox, Robert, Heirs	Po Box 193	Kelford, NC, 27847	805 Tyler School Rd	5931-41-9921
Shamblee, Christine W	510 Mill Branch Ch Rd	Aulander, NC, 27805	Off 815 Tyler School Rd	5931-52-1159
Shamblee, Christine W	510 Mill Branch Ch Rd	Aulander, NC, 27805	816 Tyler School Rd	5931-51-3918
Terry, Steven W	817 Tyler School Rd	Kelford, NC, 27847	817 Tyler School Rd	5931-52-5154
Shamblee, Christine W	510 Mill Branch Ch Rd	Aulander, NC, 27805	Off 816 Tyler School Rd	5931-61-6603
Terry, Michael M	801 Tyler School Rd	Kelford, NC, 27847	804 Tyler School Rd	5931-51-8012
White, Jeffrey L	750 Tyler School Rd	Kelford, NC, 27847	750 Tyler School Rd	5931-41-9185
Quail Wood Farms Inc	445 Jackie Brinkley Rd	Aulander, NC, 27805	727 Tyler School Rd	5931-40-5228
Meadows 163 LLC	3660 Gateway St	Springfield, OR, 97477	823 Harrells Siding Rd	5930-43-8907
Jilcott, Julian A, Jr	Po Box 191	Roxobel, NC, 27872	652 Tyler School Rd	5930-39-4119
Glover, Luther D, Jr	Po Box 198	Rich Square, NC, 27869	639 Tyler School Rd	5930-29-3247
Brinkley, L M, Jr	445 Jackie Brinkley Rd	Aulander, NC, 27805	642 Tyler School Rd	5930-38-7361
Brinkley, L M, Jr	445 Jackie Brinkley Rd	Aulander, NC, 27805	609 Tyler School Rd	5930-18-5372
Cemetary Liverman & Jilcott			Off 618 Tyler School Rd	5930-27-3865
Brinkley, L M, Jr	455 Jackie Brinkley Rd	Aulander, NC, 27805	614 Tyler School Rd	5930-27-8565
Brinkley, L M, Jr	455 Jackie Brinkley Rd	Aulander, NC, 27805	532 Tyler School Rd	5930-16-5459
Brinkley, L M, Jr	455 Jackie Brinkley Rd	Aulander, NC, 27805	Off 416 Horace Vick Rd	5930-35-6857
Gash Farms LLC	806 West Ray Ave	High Point, NC, 27262	Off 336 Horace Vick Rd	5930-23-1867
Davis, Carol Jean Knight	2 Banneret Place	Durham, NC, 27713	314 Horace Vick Rd	5930-12-9847
C and S Planting Co LLC	421 Jackie Brinkley Rd	Aulander, NC, 27805	250 Horace Vick Rd	5930-01-9889
Sakowski, Gerald David, II	1164 Oak Hill Dr	Greenville, NC, 27858	234 Horace Vick Rd	5930-30-7937
Smith, Edward Moreland Tyler	301 S Elam Ave	Greensboro, NC, 27403	220 Horace Vick Rd	5930-20-0542
Smith, Edward Moreland Tyler	301 S Elam Ave	Greensboro, NC, 27403	134 Horace Vick Rd	5839-28-1773
Baker, Junius G	2036 Tyler Rd	Rich Square, NC, 27869	115 Horace Vick rd	5839-17-3559
Baker, Jeffrey G	416 Harrells Siding Rd	Kelford, NC, 27847	416 Harrells Siding Rd	5839-06-6970
Cemetary Peele-Vick			432 Harrells Siding Rd	5839-16-3830
Taylor, Richard Stephen, Jr	Po Box 365	Aulander, NC, 27805	Off 503 Harrells Siding Rd	5839-27-9070
Timberlands Unlimited INC	Po Box 740	Windsor, NC, 27983	551 Harrells Siding Rd	5839-46-6549
Morris, Wilbert Lee, Sr	439 Harrells Siding Rd	Kelford, NC, 27847	439 Harrells Siding Rd	5839-26-2483
Morris, Wilbert Lee, Sr	439 Harrells Siding Rd	Kelford, NC, 27847	453 Harrells Siding Rd	5839-25-9741
Morris, Wilbert Lee, II	511 Harrells Siding Rd	Kelford, NC, 27847	511 Harrells Siding Rd	5839-26-7042
Davis, Carol Jean Knight	2 Banneret Place	Durham, NC, 27713	530 Harrells Siding Rd	5839-24-2653
Baker, Junius G	2036 Tyler Rd	Rich Square, NC, 27869	332 Harrells Siding Rd	5829-96-3617
Baker, Junius G	2036 Tyler Rd	Rich Square, NC, 27869	252 Harrells Siding Rd	5829-78-2584
Pontiac Plywood Inc	3204 Nash St N C	Wilson, NC, 27895	Off 253 72 Siding Rd	5829-93-4566
Timberlands Unlimited INC	Po Box 740	Windsor, NC, 27983	On Railroad Off 301 72 Siding Rd	5839-03-7348
Brogden, Patricia Benson	417 Tyler School Rd	Aulander, NC, 27805	302 72 Siding Rd	5839-02-2586
Vick, Effie Carew Early	Po Box 205	Roxobel, NC, 27872	849-915 Moore Rd	5829-90-0829
Tinkham, Anrew Ayscu	841 Moore Rd	Kelford, NC, 27847	841 Moore Rd	5839-00-1486
Brogden, Patricia Benson	417 Tyler School Rd	Aulander, NC, 27805	838 Moore Rd	5839-11-9612
Perry, Georgia Ann Askew	110 Charlene Dr	Elizabeth City, NC, 27909	552 Harrells Siding Rd	5839-33-1157
Parker, Suzanne	613 Harrells Siding Rd	Kelford, NC, 27847	611 Harrells Siding Rd	5839-43-1868
Urquhart Farms Inc	Po Box 605	Lewiston Woodville, NC, 27849	540-638 Harrells Siding Rd	5839-42-6381
Parker Brothers	308 N Main St	Kelford, NC, 27847	623 Harrells Siding Rd	5839-43-5653
Urquhart, Burges, IV	Po Box 605	Lewiston Woodville, NC, 27849	631 Harrells Siding Rd	5839-54-6553
Brinkley, L M, Jr	445 Jackie Brinkley Rd	Aulander, NC, 27805	803 Moore Rd	5838-18-6727
Baker, Joseph Franklin	1978 Tyler Rd	Rich Square, NC, 27869	140 72 Siding Rd	5828-89-8208
Baker, Joseph Franklin	1978 Tyler Rd	Rich Square, NC, 27869	122 Lewis Ln	5828-87-9264
Lewis, Brent Erwin	130 Lewis Ln	Kelford, NC, 27847	214 Ben Lewis Rd	5828-95-6608
Brinkley, L M, Jr	445 Jackle Brinkley Rd	Aulander, NC, 27805	713 Moore Rd	5838-16-8818
Brinkley, L M, Jr	445 Jackle Brinkley Rd	Aulander, NC, 27805	646 Moore Rd	5838-39-8020
Hardy, Irene R	Po Box 156	Kelford, NC, 27847	649 Moore Rd	5838-38-4083
Ruffin, John A, Heirs	Po Box 156	Kelford, NC, 27847	643 Moore Rd	5838-38-6182
Moore, Jacquelyn	643B Moore Rd	Kelford, NC, 27847	643B Moore Rd	5838-37-7974
Ruffin, Marinda L	Po Box 156	Kelford, NC, 27847	Off 647 Moore Rd	5838-37-6207
Hollingsworth, Evelyn B	399 Jeffries Rd	Pelham, NC, 27311	637 Moore Rd	5838-48-0124
Ruffin, Kenneth E	Po Box 156	Kelford, NC, 27847	633 Moore Rd	5838-48-2132
Hoggard, J C, Heirs	Po Box 156	Kelford, NC, 27847	623 Moore Rd	5838-46-2656
Weathers, Clyde R	615 Union St	Cary, NC, 27511	138 Ben Lewis Rd	5828-84-4893

Urquhart, Burges, IV Parker, Alton H Price Solar LLC	Po Box 605 1006 E Church St 192 Raceway Dr	Lewiston Woodville, NC, 27849 Roxobel, NC, 27872 Moorestville, NC, 28117	3752 Governors Rd 3724 Governors Rd 3628-3712 Governors Rd	5828-82-8647 5828-71-9578 5827-89-7569
Creedy, Robert Frizzell, Tr Savage, Frazier, Heirs Bazemore, Thomas Russell, Jr Bazemore, Thomas Russell, Jr Byrums Farm Service Center Inc	Po Box 307 1202 E 7th St 2214 Somers Ave 2214 Somers Ave Po Box 625	Kelford, NC, 27847 Plainfield, NJ, 07062 Burlington, NC, 27215 Burlington, NC, 27215 Ahoskle, NC, 27910	633-635 Piney Woods Rd 619-631 Piney Woods Rd 3538 Governors Rd 515 Piney Woods Rd 518 Piney Woods Rd	5838-00-5976 5838-00-8682 5827-97-5024 5837-28-8419 5838-40-4165
Savage, Frazier, Heirs Savage, Frazier, Heirs Creedy, Robert Frizzell Bazemore, Charles Scott Smith, Abraham, Heirs Smith, James Smith, Willie, Heirs Smith, Linwood Joseph Smith, Sallie Smith, Austin	1202 E 7th St 1202 E 7th St Po Box 317 241 Moore Rd 700 Spring Ave Apt 32 700 Spring Ave Apt 32 700 Spring Ave Apt 32 700 Spring Ave Apt 32 700 Spring Ave Apt 32 700 Spring Ave Apt 32	Plainfield, NJ, 07062 Plainfield, NJ, 07062 Rich Square, NC, 27869 Kelford, NC, 27847 Murfreesboro, NC, 27855 Murfreesboro, NC, 27855 Murfreesboro, NC, 27855 Murfreesboro, NC, 27855 Murfreesboro, NC, 27855 Murfreesboro, NC, 27855	634-648 Piney Woods Rd 618-632 Piney Woods Rd 650B Piney Woods Rd 417 Moore Rd Off 724 Piney Woods Rd Off 712 Piney Woods Rd Off 702 Piney Woods Rd Off 644 Piney Woods Rd Off 632 Piney Woods Rd Off 622 Piney Woods Rd	5838-01-6587 5838-11-3288 5838-02-5495 5838-10-5276 5838-03-8889 5838-13-3507 5838-13-7320 5838-23-1041 5838-22-5714 5838-22-9404
Bazemore, Charles Scott Jenkins, George J, Jr, Heirs Jones, Sidney Jenkins, Heirs Holloman, William L Wheeler, Abraham, Jr Clark, Clinton Earl, Sr Stancil, Naomi Stancil, Naomi Bazemore, Charles Scott Cherry, Simon	241 Moore Rd Po Box 724 Po Box 981 546 Piney Woods Rd Po Box 117 232 Ward Rd Po Box 174 Po Box 174 241 Moore Rd Po Box 742	Kelford, NC, 27847 Lewiston Woodville, NC, 27849 Lewiston Woodville, NC, 27849 Lewiston Woodville, NC, 27849 Lewiston Woodville, NC, 27849 Windsor, NC, 27983 Kelford, NC, 27847 Kelford, NC, 27847 Kelford, NC, 27847 Lewiston Woodville, NC, 27849	602 Piney Woods Rd 550 Piney Woods Rd 548 Piney Woods Rd 546 Piney Woods Rd Off 544 Piney Woods Rd Off 542 Piney Woods Rd Off 544 Piney Woods Rd 542 Piney Woods Rd 542 Moore Rd 538 Piney Woods Rd	5838-00-0863 5838-20-3376 5838-20-5276 5838-20-6148 5838-30-4613 5838-30-1344 5838-30-0336 5838-20-7120 5838-41-4793 5837-29-9947
Flood, Doris Jeanette Brown, Dallis L, Heirs Nichols, Patricia Brown, Dallis L, Heirs Gordon, Ernest Lee, Sr Gordon, Ernest Lee, Sr Gordon, Ernest Lee, Sr Gordon, Ernest Lee, Sr Gating, Joseph M, Jr Bell, Willie Mason Bell, Willie Mason Bell, Willie Mason Malloy, Curtis D Malloy, Curtis D Hoggard, Ruth B	282 Lincoln Rd 4 Baltas Rd 530 Piney Woods Rd 4 Baltas Rd 523 Piney Woods Rd 523 Piney Woods Rd 523 Piney Woods Rd 523 Piney Woods Rd Po Box 201 530 Piney Woods Rd 530 Piney Woods Rd 530 Piney Woods Rd 549 Piney Woods Rd 549 Piney Woods Rd 303 NC 11N Po Box 605	Rich Square, NC, 27869 Newburgh, NY, 12550 Lewiston Woodville, NC, 27849 Newburgh, NY, 12550 Lewiston Woodville, NC, 27849 Lewiston Woodville, NC, 27849 Lewiston Woodville, NC, 27849 Lewiston Woodville, NC, 27849 Lewiston Woodville, NC, 27849 Kelford, NC, 27847 Lewiston Woodville, NC, 27849 Lewiston Woodville, NC, 27849 Lewiston Woodville, NC, 27849 Lewiston Woodville, NC, 27849 Lewiston Woodville, NC, 27849 Lewiston Woodville, NC, 27849 Lewiston Woodville, NC, 27849	536 Piney Woods Rd 534 Piney Woods Rd 530 Piney Woods Rd 532 Piney Woods Rd 529 Piney Woods Rd 531 Piney Woods Rd 533 Piney Woods Rd 535 Piney Woods Rd 537 Piney Woods Rd 539 Piney Woods Rd 543 Piney Woods Rd 545 Piney Woods Rd 547 Piney Woods Rd 549/551 Piney Woods Rd Off 432 Piney Woods Rd Off 433 Piney Woods Rd Off 426 Piney Woods Rd Off 426 Piney Woods Rd	5837-29-9899 5837-39-0745 5837-39-1652 5838-30-2081 5837-39-0413 5837-29-9530 5837-29-8577 5837-29-7686 5837-29-7705 5837-29-6824 5837-29-5933 5838-20-4042 5838-20-3059 5838-20-2156 5837-68-4405 5837-68-8918 5837-78-7610
Weaver, Wanda Walton Urquhart, Burges, IV Walton, Thelma W Jenkins, Louise B S Flson, Rosetta Cox Clark, Clinton Earl, Sr Stancil, Naomi Harris, Melvin E Harris, Melvin E Bazemore, Charles Scott JBW Holdings LLC Sharp, Rolon Bazemore, Charles Scott Cherry, Lakeisha H Moore, Horace L Bazemore, Charles Scott Moore, Wayne Joseph Weyerhaeuser Co Moore, Oliver Moore, Larry D Cherry, Clifton	7115 Perrywood Rd Po Box 605 Po Box 208 106 N Holly Ln Po Box 28 232 Ward Rd Po Box 174 Po Box 216 Po Box 216 241 Moore Rd Po Box 429 206 Moore Rd 241 Moore Rd 921 Connaritsa Rd 324 Moore Rd 241 Moore Rd 140 Scott Rd 100 Professional Center Dr 434 Moore Rd 3804 Governors Rd 354 Moore Rd	Upper Marlboro, MD, 20772 Lewiston Woodville, NC, 27849 Lewiston Woodville, NC, 27849 Aulander, NC, 27805 Kelford, NC, 27847 Windsor, NC, 27983 Kelford, NC, 27847 Kelford, NC, 27847 Kelford, NC, 27847 Kelford, NC, 27847 Kelford, NC, 27847 Kelford, NC, 27847 Aulander, NC, 27805 Kelford, NC, 27847 Kelford, NC, 27847 Rocky Point, NC, 28457 Brunswick, GA, 31525 Kelford, NC, 27847 Kelford, NC, 27847 Kelford, NC, 27847	117 Country Ct Off 544 Piney Woods Rd Off 544 Piney Woods Rd Off 548 Piney Woods Rd Off 550 Piney Woods Rd Off 514 Piney Woods Rd Off 444 Piney Woods Rd 218 Moore Rd 139 Moore Rd 206 Moore Rd 241 Moore Rd 316 Moore Rd 324 Moore Rd 325 Moore Rd 326 Moore Rd Off 424 Moore Rd Off 434 Moore Rd 412 Moore Rd 354 Moore Rd	5837-59-3674 5838-30-7857 5838-31-9452 5838-31-8591 5838-31-8610 5838-61-8328 5838-70-6538 5848-00-2653 5847-10-7573 5848-10-3823 5838-91-1971 5848-03-1877 5848-04-0107 5838-83-7274 5848-04-5858 5848-07-7279 5838-96-9506 5838-96-1083 5838-95-0127

Moore, Larry D	3804 Governors Rd	Kelford, NC, 27847	426 Moore Rd	5838-86-2287
Evans, Joseph	2635 NC 305	Aulander, NC, 27805	430 Moore Rd	5838-86-1491
Moore, Oliver	434 Moore Rd	Kelford, NC, 27847	434 Moore Rd	5838-86-1642
Sykes, William	4217 Schooner Trail	Chesapeake, VA, 23321	Off 433 More Rd	5838-66-6366
Vick, Effie Carew Early	Po Box 205	Roxabel, NC, 27872	550 Moore Rd	5838-59-6199
Moore, Charlie T	520 Moore Rd	Kelford, NC, 27847	442 Moore Rd	5838-78-1135
Moore, Willie T	3504 Basset Dr	Killeen, TX, 76534	520 Moore Rd	5838-89-8072
Timberlands Unlimited INC	Po Box 740	Windsor, NC, 27983	526-532 Moore Rd	5839-80-7788
Mooris, Christopher Lee	4009 Governors Rd	Kelford, NC, 27847	Off 706 Harrells Siding Rd	5839-60-4763
Farmer, Lee Roy, Jr	Po Box 85	Kelford, NC, 27847	644 Harrells Siding Rd	5839-52-6981
Pittman, Joseph, III	637 Harrells Siding Rd	Kelford, NC, 27847	637 Harrells Siding Rd	5839-53-2398
Parker, Rebecca B	5452 Kentucky Ln	Hope Mills, NC, 28348	645 Harrells Siding Rd	5839-53-6304
Parker, Brittany Megan	308 N Main St	Kelford, NC, 27847	649 Harrells Siding Rd	5839-53-8322
Parker, Brittany Megan	308 N Main St	Kelford, NC, 27847	651 Harrells Siding Rd	5839-63-0208
Wynn, James	735 Harrells Siding Rd	Kelford, NC, 27847	735 Harrells Siding Rd	5839-74-4213
County Water District IV	Po Box 530	Windsor, NC, 27983	710 Harrells Siding Rd	5839-63-5159
Thompson, Michael Jerome	Po Box 42	Kelford, NC, 27847	720 Harrells Siding Rd	5839-73-0422
Futrell, Gilbert	408 Newsome Grove Rd	Ahoskie, NC, 27910	724-738 Harrells Siding Rd	5839-73-2760
Morris, Christopher Lee	4009 Governors Rd	Kelford, NC, 27847	706 Harrells Siding Rd	5839-62-4215
Futrell, Gilbert	408 Newsome Grove Rd	Ahoskie, NC, 27910	704-708 Harrells Siding Rd	5839-72-9735
Urquhart Farms Inc	Po Box 605	Lewiston Woodville, NC, 27849	703-717 Harrells Siding Rd	5839-63-4644
Farmer, Lee Roy, Jr	Po Box 85	Kelford, NC, 27847	719-733 Harrells Siding Rd	5839-64-8098
Meadows 163 LLC	3660 Gateway St	Springfield, OR, 97477	Off 235 War Tom Rd	5940-11-4623
Smithfield Carrolls Farms	Po Box 856	Warsaw, NC, 28398	709 Buck Branch Rd	5931-91-6102
Murphy Brown LLC	Po Box 856	Warsaw, NC, 28398	749 Buck Branch Rd	5931-71-6956
Smithfield Carrolls Farms	Po Box 856	Warsaw, NC, 28398	721 Buck Branch Rd	5931-91-2735
Ele Inc	Po Box 621	Ahoskie, NC, 27910	638 Buck Branch Rd	5941-01-7766
Ele Inc	Po Box 621	Ahoskie, NC, 27910	632 Buck Branch Rd	5941-11-1750
William, A Corwyn, Tr	809 N Kenilworth Ave	Elmhurst, IL, 60126	626 Buck Branch Rd	5941-11-4685
Brinkley Lands LLC	445 Jackie Brinkley Rd	Aulander, NC, 27805	602-620 Buck Branch Rd	5941-21-2616
Brinkley Lands LLC	445 Jackie Brinkley Rd	Aulander, NC, 27805	601-605 Buck Branch Rd	5941-20-2797
Quall Wood Farms Inc	445 Jackie Brinkley Rd	Aulander, NC, 27805	609 Buck Branch Rd	5941-10-9899
Weyerhaeuser Co	100 Professional Center Dr	Brunswick, GA, 31525	615-617 Buck Branch Rd	5941-10-7924
Weyerhaeuser Co	100 Professional Center Dr	Brunswick, GA, 31525	603B Buck Branch Rd	5940-19-3859
White, Anne Powell	308 E Main St	Conway, NC, 27820	Off 651 Buck Branch Rd	5940-09-4904
Quall Wood Farms Inc	445 Jackie Brinkley Rd	Aulander, NC, 27805	519 Buck Branch Rd	5940-38-8780
Meadows 163 LLC	3660 Gateway St	Springfield, OR, 97477	Off 235 War Tom Rd	5940-41-7463
The Timber Company LLC	102 W Nash Ste C	Louisburg, NC, 27549	227 War Tom Rd	5849-48-2402
Meadows 163 LLC	3660 Gateway St	Springfield, OR, 97477	On R/R Off 913 Harrells Siding Rd	5849-17-7668
Rock, John W, Jr	14 Irish Dr	New Oxford, PA, 17350	205 War Tom Rd	5849-68-2332
Meadows 163 LLC	3660 Gateway St	Springfield, OR, 97477	516 NC 11S Bus	5849-65-9919
Taylor, Richard Stephen, Jr	Po Box 365	Aulander, NC, 27805	1021 Harrells Siding Rd	5849-34-9973
Brannock, Joyce	Po Box 47526	Forestville, MD, 20747	905 Harrells Siding Rd	5849-14-1052
Sharrock, George A	276 Sherbrooke Dr	Newport News, VA, 23602	907 Harrells Siding Rd	5849-13-2967
Beckles, Margaret Jean	1004 Harrells Siding Rd	Kelford, NC, 27847	909 Harrells Siding Rd	5849-13-3879
Cherry, Marie	Po Box 837	Rich Square, NC, 27869	915 Harrells Siding Rd	5849-13-5772
Cherry, Clarence E, Sr	Po Box 263	Kelford, NC, 27847	919 Harrells Siding Rd	5849-13-7616
Winston, Mack	2625 NC 305	Aulander, NC, 27805	937 Harrells Siding Rd	5849-23-2242
Hoggard, James F, III	112 S King St	Windsor, NC, 27983	947 Harrells Siding Rd	5849-23-5936
Taylor, Gail W	Po Box 365	Aulander, NC, 27805	1005 Harrells Siding Rd	5849-33-2414
Staten, Willie J	952 Harrells Siding Rd	Kelford, NC, 27847	952 Harrells Siding Rd	5849-22-9766
Gillard Washington, Shakisha	1004 Harrells Siding Rd	Kelford, NC, 27847	954 Harrells Siding Rd	5849-32-1719
Gillard Washington, Shakisha	1004 Harrells Siding Rd	Kelford, NC, 27847	1004 Harrells Siding Rd	5849-32-2713
Harrell, Wilton	1008 Harrells Siding Rd	Kelford, NC, 27847	1008 Harrells Siding Rd	5849-32-3813
Williams, Thomas E	3308 East 36 St N	Tulsa, OK, 74115	1012 Harrells Siding Rd	5849-32-5819
Albritton, Mark	6 Menbrook Cir	Willingboro, NJ, 08046	1014 Harrells Siding Rd	5849-32-7817
Chinchilla, August	6322 S Harcourt Ave	Los Angeles, CA, 90043	1018 Harrells Siding Rd	5849-32-6616
Spruill, Ernest	Po Box 494	Lewiston Woodville, NC, 27849	1029 Harrells Siding Rd	5849-42-4834
Bond, George L	1039 Harrells Siding Rd	Kelford, NC, 27847	1031 Harrells Siding Rd	5849-42-5760
Freeman, Joyce C	1039 Harrells Siding Rd	Kelford, NC, 27847	1039 Harrells Siding Rd	5849-42-7568
Bond, Archie, Jr	Po Box 338	Lewiston Woodville, NC, 27849	1043 Harrells Siding Rd	5849-42-8564
Meadows 163 LLC	3660 Gateway St	Springfield, OR, 97477	1105 Harrells Siding Rd	5849-63-2601
Taylor, Ralph P	200 Homestead Rd	Franklin, VA, 23851	1113-1151 Harrells Siding Rd	5849-72-1058
Ray, William Anthony	1136B Harrells Siding Rd	Kelford, NC, 27847	1136B Harrells Siding Rd	5849-60-2222
Weyerhaeuser Co	100 Professional Center Dr	Brunswick, GA, 31525	940 Harrells Siding Rd	5848-19-9762

Baker, Junius G	2036 Tyler Rd	Rich Square, NC, 27869	1052 Harrells Siding Rd	5849-51-1792
Taylor, Richard Stephen, Jr	Po Box 365	Aulander, NC, 27805	1126-1204 Harrells Siding Rd	5849-60-7254
Baker, Lucy Lake	813 NC 11N	Kelford, NC, 27847	Off 819 NC 11N	5848-38-1283
Baker, Lucy Lake	813 NC 11N	Kelford, NC, 27847	Off 839 NC 11N	5848-48-9337
Baker, Lucy Lake	813 NC 11N	Kelford, NC, 27847	845 NC 11N	5848-77-3955
Fulton, Faye B	839 NC 11N	Kelford, NC, 27847	839 NC 11N	5848-77-3116
Griffith, David H	4991 Bostic Acres Farm Rd	Germantown, NC, 27019	825 NC 11N	5848-66-8782
Baker, Lucy Lake	813 NC 11N	Kelford, NC, 27847	Off 813 NC 11N	5848-56-5690
Baker, Lucy Lake	813 NC 11N	Kelford, NC, 27847	Off 741 NC 11N	5848-36-5371
S And M Farms LLC	Po Box 130	Sunbury, NC, 27979	531-537 Connaritsa Rd	5848-84-4841
S And M Farms LLC	Po Box 130	Sunbury, NC, 27979	812 NC 11N	5848-75-5797
Baker, Lucy Lake	813 NC 11N	Kelford, NC, 27847	805 NC 11N	5848-65-6813
Griffith, David H	4991 Bostic Acres Farm Rd	Germantown, NC, 27019	705 NC 11N	5848-63-0458
Jenkins, Robert H, III	136 Joe Phelps Rd	Aulander, NC, 27805	736 NC 11N	5848-65-2077
Griffith, David H	4991 Bostic Acres Farm Rd	Germantown, NC, 27019	Off 613 NC 11N	5848-22-5957
Scoggins, Willie R	3517 Berkshire Dr	Chesapeake, VA, 23321	Off 625 NC 11N	5848-32-6851
Harris, John D	626 NC 11N	Kelford, NC, 27847	626 NC 11N	5848-52-3061
Harris, John D	626 NC 11N	Kelford, NC, 27847	626B NC 11N	5848-51-9801
Brown, Leon	3912 Passage Way Dr	Chester, VA, 23831	Off 62 NC 11N	5848-51-8116
McCreynolds, David D	8906 Granby St	Norfolk, VA, 23503	313 Connaritsa Rd	5848-60-8988
Timbervest Ptnr II NC LLC	Po Box 3610	Albany, GA, 31706	601 NC 11N	5848-50-6760
Cuz Lands LLC	310 US 13-17S	Windsor, NC, 27983	116 Spruill St	5847-29-9890
Gatling, Pearlle Clayton	4022 Shady Brook Dr	Kittrell, NC, 27544	125 Summer St	5847-39-9716
JBW Holdings LLC	Po Box 429	Bethel, NC, 27812	201 Connaritsa Rd	5847-49-7605
Cherry, Tommie L, Jr	239 Connaritsa Rd	Kelford, NC, 27847	237 Connaritsa Rd	5847-59-8944
Outlaw, Brenda Marie	239 Connaritsa Rd	Kelford, NC, 27847	239 Connaritsa Rd	5848-50-9000
Wilkins, Fionnie Delois	804 Early Station Rd	Aulander, NC, 27805	239B Connaritsa Rd	5848-50-9073
Wilkins, Annie Powell	Po Box 551	Lewiston Woodville, NC, 27849	243 Connaritsa Rd	5848-60-0088
Bazemore, Letitia	5749 Edgapark Rd	Baltimore, MD, 21239	247 Connaritsa Rd	5848-60-2128
Brodie, Evangeline B	320 Mountalon Lake Dr	Raleigh, NC, 27610	254 Connaritsa Rd	5848-60-5291
Bazemore, Darryl	405 Oak Dr	Lewiston Woodville, NC, 27849	250 Connaritsa Rd	5847-69-6757
Bazemore, Charles Scott	241 Moore Rd	Kelford, NC, 27847	318 Connaritsa Rd	5848-70-3437
Peel, Dianne H	Po Box 472	Colerain, NC, 27924	337 Connaritsa Rd	5848-72-5352
Smith, Kevin	351 Connaritsa Rd	Kelford, NC, 27847	351 Connaritsa Rd	5848-81-5949
Urquhart, Burges, IV	Po Box 605	Lewiston Woodville, NC, 27849	350 Connaritsa Rd	5848-81-5791
Urquhart, Burges, IV	Po Box 605	Lewiston Woodville, NC, 27849	344 Connaritsa Rd	5848-90-2926
Jenkins, Robert H, III	136 Joe Phelps Rd	Aulander, NC, 27805	415 Connaritsa Rd	5848-82-7547
Weyerhaeuser Co	100 Professional Center Dr	Brunswick, GA, 31525	2311 Charles Taylor Rd	5858-61-9365
Lilley, R Mason	3100 Rolston Rd	Greenville, NC, 27858	2351 Charles Taylor Rd	5858-52-2316
Meadows 163 LLC	3660 Gateway St	Springfield, OR, 97477	Off 2437 Charles Taylor Rd	5858-43-3364
Bazemore, Charles Scott	241 Moore Rd	Kelford, NC, 27847	2517 Charles Taylor Rd	5858-34-4266
White, Margaret E, Helrs	2531 Charles Taylor Rd	Aulander, NC, 27805	542 Connaritsa Rd	5858-24-6440
Lee, Irene	418 Connaritsa Rd	Kelford, NC, 27847	418 Connaritsa Rd	5848-92-4353
Gilliam, Wendell	Po Box 552	Lewiston Woodville, NC, 27849	424 Connaritsa Rd	5848-92-6454
Gilliam, Tony Wayne	Po Box 152	Lewiston Woodville, NC, 27849	426 Connaritsa Rd	5848-92-7449
Wilkins, Alonza B	Po Box 593	Lewiston Woodville, NC, 27849	428 Connaritsa Rd	5848-92-8525
Parker, Gary Wayne	Po Box 553	Lewiston Woodville, NC, 27849	430 Connaritsa Rd	5848-92-9620
Bess, Lord L	433 Connaritsa Rd	Kelford, NC, 27847	433 Connaritsa Rd	5848-92-9925
Thompson, Jackson L	Po Box 711	Lewiston Woodville, NC, 27849	435-443 Connaritsa Rd	5858-03-1171
Thompson, Jackson L	Po Box 711	Lewiston Woodville, NC, 27849	447 Connaritsa Rd	5858-03-5498
Clark, William A	503 Connaritsa Rd	Kelford, NC, 27847	503 Connaritsa Rd	5858-03-8760
Thompson, Jackson L	Po Box 711	Lewiston Woodville, NC, 27849	505 Connaritsa Rd	5858-03-9764
Clark, William	0372 MT Pleasant Terrace Driv	Ashburn, VA, 20147	515 Connaritsa Rd	5858-04-9195
Gilliam, Cora West	539 Connaritsa Rd	Kelford, NC, 27847	539 Connaritsa Rd	5858-24-2787
Wilkins, Curtis E	Po Box 730	Lewiston Woodville, NC, 27849	545 Connaritsa Rd	5858-24-5914
Taylor, Gail Wood, Tr	Po Box 365	Aulander, NC, 27805	840 NC 11S Bus	5858-26-4284
Gilliam, Floretta	304 J Whitted Bond Ave	Windsor, NC, 27983	115 Clarence Nowell Rd	5858-36-1625
Miller, Mark R	539 Fred Rogers Dr	Latrobe, PA, 15650	117 Clarence Nowell Rd	5858-36-1725
Spivey, Carolyn D	119 Clarence Nowell Rd	Aulander, NC, 27805	119 Clarence Nowell Rd	5858-36-1930
Lynch, Kassie Bazemore	839 NC 11S Bus	Aulander, NC, 27805	839 NC 11S Bus	5858-37-1393
Jernigan, Woody	835 NC 11S Bus	Aulander, NC, 27805	835 NC 11S Bus	5858-27-8455
Meadows 163 LLC	3660 Gateway St	Springfield, OR, 97477	807 Connaritsa Rd	5859-42-8899
Weyerhaeuser Co	100 Professional Center Dr	Brunswick, GA, 31525	151 Clarence Nowell Rd	5858-38-8867
JBW Holdings LLC	Po Box 429	Bethel, NC, 27812	225 Clarence Nowell Rd	5858-39-9953
Taylor, Richard Stephen, Jr	Po Box 365	Aulander, NC, 27805	742 NC 11S Bus	5858-19-8334

Bryant, Teresa	4300 Thomas Ln	Chesapeake, VA, 23321	816 NC 11S Bus	5858-17-9956
Hendrix, Tammy Eure	Po Box 747	Aulander, NC, 27805	810 NC 11S Bus	5858-18-9354
Sexton, Jerry E	808 NC 11S Bus	Aulander, NC, 27805	808 NC 11S Bus	5858-18-9401
Palmer, Joyce Riddick	806 NC 11S Bus	Aulander, NC, 27805	806 NC 11S Bus	5858-18-8458
Powell, Edward L, Sr	804 NC 11S Bus	Aulander, NC, 27805	804 NC 11S Bus	5858-18-7569
Askew, Beverly P	802 NC 11S Bus	Aulander, NC, 27805	802 NC 11S Bus	5858-18-6696
Brown, Anthony Earl, Sr	804B NC 11S Bus	Aulander, NC, 27805	804B NC 11S Bus	5858-18-5574
Lee, Alexander, Jr	Po Box 73	Aulander, NC, 27805	740 NC 11S Bus	5858-19-2246
Freeman, Zoe Jones	Po Box 642	Aulander, NC, 27805	733 NC 11S Bus	5858-19-3531
Jones, Gall M, Heirs	731 NC 11S Bus	Aulander, NC, 27805	731 NC 11S Bus	5858-19-2653
Tidewater AG LLC	603 Askewville Rd	Windsor, NC, 27983	906 NC 11N	5848-96-5907
Baker, Jerry R	901 NC 11N	Kelford, NC, 27847	901 NC 11N	5848-87-1985
Baker, Jerry R	901 NC 11N	Kelford, NC, 27847	915 NC 11N	5848-88-3722
Livermans Metal Recycling Inc	Po Box 6419	Chesapeake, VA, 23323	945 NC 11N	5848-99-1664
Vernon, Alberta	728 NC 11 Bus S	Aulander, NC, 27805	728 NC 11S Bus	5858-09-8727
Taylor, Richard Stephen, Jr	Po Box 365	Aulander, NC, 27805	723 NC 11S Bus	5858-19-3968
Early, Joel	722 NC 11S Bus	Aulander, NC, 27805	722 NC 11S Bus	5859-00-6051
Jones, Oscar Keith	Po Box 729	Aulander, NC, 27805	718 NC 11S Bus	5859-00-6105
Jones, Oscar Keith	Po Box 729	Aulander, NC, 27805	716 NC 11S Bus	5859-00-5303
Wilkins, William, Heirs	343 Jack Branch Rd	Windsor, NC, 27983	711 NC 11S Bus	5859-00-7485
Edwards, Geraldine B	919 NC 561 W	Aulander, NC, 27805	1116 NC 11N	5859-22-2146
Britton, Denise	Po Box 93	Ahoskie, NC, 27910	1117 NC 11N	5859-13-2631
Cherry, Louise R	514 NC 11S Bus	Aulander, NC, 27805	514 NC 11S Bus	5849-95-6587
Burke, Cola, JR	448 NC 11S Bus	Aulander, NC, 27805	506 NC 11S Bus	5849-95-5969
Perkins, David Barrett	Po Box 427	Dudley, NC, 28333	509 NC 11S Bus	5859-06-5535
Urquhart, Burges, IV	Po Box 605	Lewiston Woodville, NC, 27849	440 NC 11S Bus	5849-88-7795
Urquhart, Burges, IV	Po Box 605	Lewiston Woodville, NC, 27849	420 NC 11S Bus	5849-87-5934
Parker, Franklin D, Jr	412 NC 11S Bus	Aulander, NC, 27805	112 War Tom Rd	5849-88-6341
Parker, Franklin D, Jr	412 NC 11S Bus	Aulander, NC, 27805	106 War Tom Rd	5849-88-9228
Early, Cella Ann	Po Box 245	Aulander, NC, 27805	1237 NC 11N	5859-45-0036
Hoggard, Curtis R	304 Pine Ridge Rd	Windsor, NC, 27983	310 NC 11S Bus	5950-00-3642
Cherry, Simon	Po Box 742	Lewiston Woodville, NC, 27849	321 NC 11S Bus	5950-00-0045
English, Victor M, Jr	700 Peeblbrook Cir 6	Manhattan, KS, 66503	325 NC 11S Bus	5859-09-0905
Muhammad, Lonnie	336 NC 11S Bus	Aulander, NC, 27805	336 NC 11S Bus	5849-99-2713
Meadows 163 LLC	3660 Gateway St	Springfield, OR, 97477	210 War Tom Rd	5849-79-2615
Bordeaux, Cindy White	1101 Matthews Glen Dr	Knightdale, NC, 27545	332 NC 11S Bus	5940-80-3580
Perry, Marian C, Tr	Po Box 145	Colerain, NC, 27924	228 NC 11S Bus	5940-91-3771
C and S Planting Co LLC	421 Jackie Brinkley Rd	Aulander, NC, 27805	202 NC 11S Bus	5940-93-4982
Weyerhaeuser Co	100 Professional Center Dr	Brunswick, GA, 31525	128 Buck Branch Rd	5950-16-4060
Weyerhaeuser Co	100 Professional Center Dr	Brunswick, GA, 31525	244 Buck Branch Rd	5940-96-2676
Castelloe, Jerry W, Jr	832 St John Millennium Rd	Aulander, NC, 27805	306 Buck Branch Rd	5940-87-5024
Rushing, Wallace Timothy	301 Buck Branch Rd	Aulander, NC, 27805	301 Buck Branch Rd	5940-77-8176
Weyerhaeuser Co	100 Professional Center Dr	Brunswick, GA, 31525	314 Buck Branch Rd	5950-07-4787
Weyerhaeuser Co	100 Professional Center Dr	Brunswick, GA, 31525	322 Buck Branch Rd	5940-98-0430
Weyerhaeuser Co	100 Professional Center Dr	Brunswick, GA, 31525	Off 343 Buck Branch Rd	5940-67-4479
Jenkins, Wayland L, Jr	Po Box 888	Ahoskie, NC, 27910	352 Buck Branch Rd	5940-79-3012
Lee, Alexander, Jr	Po Box 73	Aulander, NC, 27805	437 Buck Branch Rd	5940-59-6438
Weyerhaeuser Co	100 Professional Center Dr	Brunswick, GA, 31525	448 Buck Branch Rd	5941-40-3345
Weyerhaeuser Co	100 Professional Center Dr	Brunswick, GA, 31525	128 Buck Branch Rd	5950-19-9712



A-4

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Lady Falcons reach final

SPORTS | B1



Vidant officials warn of consequences



THADD WHITE
Bertie Ledger-Advance

WINDSOR – Changes proposed to the State Health Plan could be devastating to Vidant Health to the tune of \$40 million. The message is one being delivered throughout eastern North

Carolina by Vidant Health Chief Executive Officer Dr. Michael Waldrum.

Last week, Dr. Waldrum and Vidant Bertie Hospital/Vidant Chowan Hospital President Brian Harvill sat down with this newspaper to discuss the situation, and how it could negatively im-

pact small hospitals such as the ones in Windsor and Edenton.

The proposal in question was made by State Treasurer Dale Folwell, and aims to restructure how the N.C. State Health Plan for Teachers and State Employees pays providers in an effort to produce an estimated savings of

\$300 million for taxpayers, and \$65 million for plan members annually. The State Health Plan is one of the state's largest purchasers of health care services.

Folwell's restructuring will significantly reduce reimburse-

See VIDANT, A5

Junior board



Blood need

Vidant

From A1

ments to health care networks, and hit those serving rural areas like eastern North Carolina particularly hard, according to Dr. Waldrum and Harvill.

"I think the way we see all of this activity is really threatening to our communities, and when we look at what is going on with the state and with Blue Cross and Blue Shield, it is really threatening our mission," Dr. Waldrum said. "Our mission is to improve the health and well-being of eastern North Carolina. These actions really threaten that."

He said Vidant is involved in economic development, education and taking care of people when they are sick.

"We are very proud of the work we do with and as part of our communities," Dr. Waldrum said. "I always say of Vidant Health we are eastern North Carolina taking care of eastern North Carolina."

Dr. Waldrum said it is too easy for people who live in Raleigh to make decisions without knowing how it affects small communities such as those Vidant Health serves.

"I think it's easy when these kind of really large draconian policies get made from people that live in Raleigh to not understand how it affects communities like Windsor, Edenton, Ahoskie and Tarboro," he said.

"I get really concerned because they talk about this as cutting hospitals, but hospitals are really places where health care workers come. Our money is spent on people taking care of other people.

"When they are talking about cutting hospitals, they are really talking about our capability of employing nurses, doctors and technicians and people who provide services to this community," he said. "That is what we see as being under attack."

He said people in Raleigh have accused him and other health care people about claiming the sky is falling, but it is true that hospitals are closing in rural North Carolina — including one closed by Vidant in Belhaven — as well as limiting services offered.

Dr. Waldrum said he felt Windsor was a good place to talk about the struggles of providing health care in rural eastern North Carolina.

"Taking a \$40 million decrease in reimbursement from the State Health Plan really threatens us and what we can do in these already very challenged environments," Dr. Waldrum said. "When I say challenged environments, that's not me expressing an opinion, I think that's just a fact based on hospitals closing and having a difficult time."

"I think being in Ber-

tle County is probably one of the most significant places you can be to talk about that," he continued. "This is a really hard market. We want to be part of supporting this region and this county, but when our legislators make actions like this it really threatens our ability to do that."

Dr. Waldrum said he had spoken with legislators about the issues, and told them if it happens Vidant Health will have to make "hard decisions." He said it wouldn't be Vidant's choice, but simply a reaction to the State Treasurer's action.

Dr. Waldrum said he is not discounting the issues raised by the State Treasurer, but doesn't believe a "hatchet" is the way to rectify the problem. He also said the State Treasurer has talked about the averages, but northeastern North Carolina isn't average.

"Eastern North Carolina is one of the most underserved health care markets in the country," he said. "We've got great people constantly looking at how we best serve our communities and do what we can do responsibly with limited resources and this threatens that."

Dr. Waldrum also produced documents sought from the State Treasurer which were either fully redacted or almost completely redacted.

"You're not sharing how you want to save

money on health care to the people who provide health care," he said.

Dr. Waldrum said the State Treasurer is working in conjunction with Blue Cross & Blue Shield of North Carolina. He said Vidant Health asked how much the company has been paid in administrative fees from the State Health Plan, and the document was fully redacted.

"The fees the state has Blue Cross to create a monopolist called Blue Cross Blue Shield of North Carolina over a 30-year relationship that they've had, we don't have clarity and transparency about that relationship," Dr. Waldrum said.

He said Vidant's goal is to get everyone together to create a plan which will work for everyone.

"We think that our legislators and health care providers, we all need to get together and craft a better plan than just using a hatchet because this plan affects rural communities more adversely than urban communities," he said. "That's what we're asking out legislator for."

Dr. Waldrum also indicated state retirees who have moved to other states, those health care facilities receive none of the proposed cuts. He said the fact means larger cuts have to be made elsewhere to reach the average the state trea-

surer mentions. The treasurer provided no information about how much is spent in other states.

"North Carolinians are subsidizing the health care in Tennessee, Florida, South Carolina, Virginia and Georgia and we have no clarity of how much that is happening," Dr. Waldrum said.

Vidant will have to take a close look at all services provided should the cuts come to fruition, Dr. Waldrum admitted. He expounded by saying some rural health care agencies have stopped services such as delivering babies.

Vidant Chowan Hospital in Edenton and Vidant Roanoke Chowan Hospital in Ahoskie, still provides OB services, and serves at the majority of Bertie County.

Harvill said last year Vidant Chowan delivered approximately 325 babies.

"That's less than a baby a day and we have to have nurses and doctors and everybody there," Dr. Waldrum said. "We don't make money on that. If you're pregnant in this part of the country, if we weren't delivering babies, you'd be driving an hour."

Dr. Waldrum said he wasn't trying to indicate Vidant Health would stop delivering babies in smaller communities because no decision has been made. He said a group

of people is working to see what will have to happen if the cuts occur.

"We're going to survive. As a company we will survive because we will do things we have to do to survive," he said. "Does that mean closing a hospital or closing OB services or those kind of very specific things? We don't know."

"We will be looking at what we have to do to react," he continued. "I think that reaction will play out in communities, and will play out in people either not having jobs or not having services, so that's what this is about. I think that's really important."

"We don't have a plan, but we can't absorb \$40 million in decreased reimbursement," he said. "It will really hurt us."

Harvill said locally Vidant Bertie Hospital and Vidant Chowan Hospital do not have the margins to survive on their own, and must do so as part of the system.

Thus, Harvill said, a \$40 million cut to the system could cause major issues for the two local hospitals.

Those wishing to learn more about the issue or assist Vidant in its quest to stop the cuts can visit www.vidanthealth.com.

Thadd White can be reached via email at twhite@ncweeklies.com.



B-1



Bertie County

Board of Commissioners

ITEM ABSTRACT

MEETING DATE: January 7, 2019

SECTION: Board Appointments

DEPARTMENT: Governing Body

TOPICS:

1. Nursing Home/Adult Care Home Advisory Council

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: ---

Nursing Home/Adult Care Home CAC Board

Immediate Vacancies: 5

Position Vacancy:

Board	Term	Name	Began	End
Nursing Home/Adult Care Home CAC Board	1 year	Melvin Askew	---	---

Special requirements: N/A

Notes: The individual has been recommended by the regional Ombudsmen. A County application is forthcoming.

Attendance of Current Members: N/A

Applications Received:

Current Members (unexpired):

1. Clara Barrow
2. James S. Pugh
3. Anthony Peele



Area Agency on Aging

People Working Together

1502 North Market St. Washington, North Carolina 27889
www.mideastcom.org
Phone: (252) 946-8043 Fax: (252) 946-5489

December 12, 2018

Sarah Tinkham

Clerk to the Board/Exec. Asst. to the County Manager
Bertie County Board of Commissioners
106 Dundee Street
PO Box 530
Windsor, NC 27983

Dear Mrs. Tinkham:

I am recommending the appointment of Dr. Susia Smallwood to the Bertie County Nursing Home/ Adult Care Home Community Advisory Committee. She has completed the initial 15 hour training and facility visits. She was also screened for any conflict of interest. Dr. Smallwood meets the requirements set forth in G.S. 131 E-128. I am requesting this appointment for an initial term of one year in accordance with G.S. 131E-128.

Please contact me if you have any further questions or concerns. Thank you for your help.

Sincerely,

Laura Jett
Regional Long Term Care Ombudsman

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Planning Board

Immediate Vacancies: 4

Position Vacancy:

Board	Term	Name	Began	End
Planning Board	1 year	Jim Wiggins	---	---

Special requirements: N/A

Notes: Mr. Wiggins has submitted an application and would serve in one of the immediate vacancies on this board.

Attendance of Current Members: N/A

Applications Received:

Current Members (unexpired):

1. Terry Pratt
2. Jodey Sarey
3. Carl Bond



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

Name: Jim T. Wiggins

Home Phone Number: (252) 348-2483 Mobile: (252) 287-9790

Home Fax Number: _____

Email Address: jimwiggins@embarqmail.com

Home Address: 112 E. Church St. ; Lewiston Woodville, NC 27849

Mailing Address: P.O. Box 431, Lewiston Woodville, NC 27849

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

How long have you been a full-time resident of Bertie County? 28 years

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

County Commissioner District: _____

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

Occupation: Safety / HR Manager Employer: Rose Brothers Paving Co., Inc

Business Address: P.O. Box 806, Ahoskie NC 27910

Business Phone Number: (252) 301-5005 Business Fax: (252) 209-8148

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

- | | |
|--------------------------|----------|
| 1. <u>Planning Board</u> | 3. _____ |
| 2. _____ | 4. _____ |

Qualification for specific category: _____

Name of any Bertie County Board/Commission/Committee on which you presently serve:
None

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

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

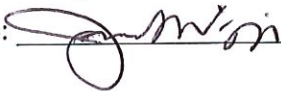
I have lived in Bertie County for 28 years and have
Worked in the county for NCDOT. I have a good
working knowledge of Bertie County

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: 12/31/12 Applicant's Signature: 

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: January 7, 2019

SECTION: Consent

DEPARTMENT: Governing Body

TOPICS:

1. Approve Minutes for Regular Meeting 12-3-18
2. Approve Minutes for Work Session 12-13-18
3. Approve Minutes for Closed Session 12-13-18
4. Approve Register of Deeds Fees Report – December 2018
5. Tax Department Release Journal – November 2018
6. Soil & Water documents including MOU with USDA, NC DOA, and Bertie Soil and Water Conservation District
7. Budget Amendments

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: ---



C-1

Windsor, North Carolina
December 3, 2018
REGULAR MEETING

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

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

Absent: None

Staff Present: County Manager Scott Sauer
County Attorney Lloyd Smith
Economic Development Director Steve Biggs
Finance Officer William Roberson
Water Superintendent Ricky Spivey
Maintenance Superintendent Anthony Rascoe
Cooperative Extension Director Billy Barrow
Emergency Services Director Mitch Cooper
Sheriff John Holley
Deputy Doug Jernigan
Planning Director Traci White
Maintenance Director Anthony Rascoe
Cooperative Extension Admin Assistant Sheila Powell
Junior Commissioner Qudre Joyner
Junior Alternate Commissioner Najella Williams

Gene Motley of the Roanoke-Chowan News Herald was present from the media.

CALL TO ORDER

Chair Bazemore called the meeting to order.

She also gave a special welcome to the two Junior Commissioners that would also be sworn in tonight.

INVOCATION

Reverend Ward led the Invocation.

INTRODUCTION OF HONORABLE CY GRANT, SUPERIOR COURT JUDGE BY FORMER SUPERIOR COURT CLERK, JOHN TYLER

Former Superior Court Clerk, John Tyler, took a few moments to briefly introduce the Honorable Cy Grant.

Mr. Tyler announced that this would be the last swearing in of the day for Judge Grant, and that he had been all over his district at various Board meetings swearing in new and re-elected Commissioners, as well as participating in a normal court schedule.

Without further ado, the Honorable Cy Grant came forward to administer the oaths.

ADMINISTRATION OF OATHS OF OFFICE BY HON. CY GRANT

At this time, Greg Atkins, Ernestine Bazemore, and Tammy Lee came forward to receive their oaths of office.

After, two Junior Commissioners, Qudre Joyner, and alternate Najaella Williams also came forward to receive their oaths of office.

The press and family members took a few moments to take commemorative photos with Judge Grant and their families.

RECEPTION

The Board, families, and public participated in a short, celebratory reception for approximately 30 minutes.

INVOCATION/PLEDGE OF ALLEGIANCE

Commissioner Wesson gave the Invocation and Pledge of Allegiance.

BRIEF INTRODUCTION OF JUNIOR COMMISSIONERS PROGRAM – Dr. Catherine Edmonds, Superintendent, Bertie County Public Schools

At this time Dr. Edmonds was asked to come forward to briefly discuss the Junior Commissioners program.

Dr. Edmonds thanked the Board for the opportunity and recognized several members of her staff, Board, and other individuals who were instrumental in ensuring this program would come to fruition.

She specifically thanked Commissioner Bazemore for her suggestion to start this program among not only the Board of Commissioners, but for the Board of Education as well.

PUBLIC COMMENTS

Chair Bazemore called for Public Comments.

Michael Freeman congratulated the Board on their successful elections, and reported his concerns about Ted Cherry Lane. He noted that students are unable to access their school bus without standing or walking through the mud. Mr. Freeman also mentioned the safety hazards the road presents to emergency vehicles, and asked if the County could intervene.

Commissioner Wesson discussed how the County has limited power when it comes to State roads in the County, and the NC General Statutes don't give local boards much freedom to address concerns like this.

Commissioner Trent noted that the County had discussed a "Life Safety Ordinance" encompassing private roads especially if their condition hinders emergency vehicle access. Even with such ordinance, it may not be legally enforceable.

The Board thanked Mr. Freeman for sharing his concerns and agreed that there were many roads within the County that were in a similar condition.

Alfreda Joyner, Vice Chair of the Colerain II voting precinct, discussed her concerns about recent Election Day logistics.

Mike Kavanaugh of Republic Services was present to inform the Board that the Hardentown Convenience Site would be closed beginning tomorrow, Tuesday, and would not reopen until

Thursday due to site upgrades. Commissioner Wesson requested that the Clerk to the Board posted a reminder on the County's Facebook page about the closure. He also requested that Republic take a look at the driveway of the South Windsor convenience site as it is in need of attention as well. Commissioner Trent thanked Republic Services for their generous contributions to Bertie County organizations.

James Pugh came forward to remind the Board to "let everybody be somebody."

Reverend Gary Corden offered words of counsel, wisdom, and advice to the Board for another successful year.

Since there were no more public comments, Chair Bazemore handed the meeting over to County Manager Sauer for the Election of Chairman and Vice Chairman.

ELECTION OF CHAIRMAN --- COUNTY MANAGER SAUER

At this time, County Manager Sauer oversaw the election of the 2019 Chairman. The Board will also vote to elect a 2019 Vice Chairman. This process is being completed in accordance with **NCGS § 153A-39**.

The full statute is listed below:

NCGS § 153A-39

Selection of chairman and vice-chairman; powers and duties. [During] its first regular meeting in December of each odd-numbered year, the board of commissioners shall choose one of its members as chairman for the ensuing year, unless the chairman is elected as such by the people or otherwise designated by law.

The board shall also at that time choose a vice-chairman to act in the absence or disability of the chairman. If the chairman and the vice-chairman are both absent from a meeting of the board, the members present may choose a temporary chairman.

The chairman is the presiding officer of the board of commissioners. Unless excused by rule of the board, the presiding officer has the duty to vote on any question before the board.

As such, Commissioner Wesson made a **MOTION** to re-elect Commissioner Bazemore as the 2019 Chair of the Bertie County Board of Commissioners. Commissioner Bazemore **SECONDED** the motion.

To continue the nominations, Commissioner Atkins nominated John Trent as the 2019 Chair of the Bertie County Board of Commissioners. Commissioner Lee **SECONDED** the motion.

With two nominations already on the floor, County Manager Sauer asked for a motion by the Board to close the floor to new nominations. Commissioner Wesson made the **MOTION** as requested. Commissioner Lee **SECONDED** the motion. The **MOTION PASSED** unanimously.

At this time, the motions were addressed in the order they were made.

Regarding the nomination on the floor for Commissioner Bazemore serving as the 2019 Chairman, a vote was called. The **MOTION FAILED** in a 3-2 vote with Commissioners Wesson and Bazemore voting in favor and Commissioners Trent, Lee, and Atkins voting against.

Regarding the nomination on the floor for Commissioner Trent serving as the 2019 Chairman, a vote was called. The **MOTION PASSED** in a 3-2 vote with Commissioners Wesson and Bazemore voting against, and Commissioners Trent, Lee, and Atkin voting in favor.

ELECTION OF VICE CHAIRMAN

At this time, newly appointed Chair, John Trent, presided over the election of the 2019 Vice Chairman.

As such, Commissioner Lee made a **MOTION** to nominate Commissioners Atkins as the 2019 Vice Chairman of the Bertie County Board of Commissioners. Chairman Trent **SECONDED** the motion.

To continue the nominations, Commissioner Bazemore made a **MOTION** to nominate Commissioner Wesson as the 2019 Vice Chairman of the Bertie County Board of Commissioners. Commissioner Wesson declined the nomination.

Regarding the nomination on the floor for Commissioner Atkins as the 2019 Vice Chairman, Chairman Trent called for a vote. The **MOTION PASSED** unanimously either through audible “aye” votes or no verbal response indicating a “aye” vote per Parliamentary Procedure.

RECESS

The Board recessed for a quick 5-minute break to change seats and name plates.

APPOINTMENTS

(1) Introduction of Junior Commissioner program by BCPS Superintendent Dr. Catherine Edmonds

Dr. Edmonds came before the Board to further elaborate and give each Junior Commissioner the opportunity to speak directly to the Board and audience.

Dr. Edmonds asked that each Junior Commissioner give a brief statement about why they wanted to serve as Junior Commissioners.

Qudre Joyner, Junior Commissioner, stated that he believed that change should be with him and that he was looking forward to serving not only for himself but for generations to follow.

Najella Williams, Junior Alternate Commissioner, stated that she was looking forward to seeing County government up close and hopes the community can “come together” to make this County a better and fairer place for everyone.

After some confusion about the night’s agenda, the Board returned to the “Commissioner’s Comments” section of the agenda.

COMMISSIONER’S COMMENTS

Commissioner Lee thanked those present for the opportunity to serve as Commissioner again. She stated that she had learned so much already in the last four years, and that she was grateful to have so many new contacts now in the State that she could call upon for help.

Commissioner Wesson opened his comments by saying that after having served on the Board of Commissioners for the last six years that this election of Board officers for 2019 was the most disappointing and troublesome that he had witnessed.

Commissioner Bazemore thanked the citizens for supporting her during her recent campaign and for the faith citizens have in her. She did express displeasure in the Board’s decisions tonight for the 2019 Chairman and Vice Chairman.

Vice Chairman Atkins thanked the citizens for electing him and that this seat he is serving in is not “his seat, but the citizen’s seat.” He wanted citizens to know that he was there to serve them.

Chairman Trent stated that he has always strived to be fair to all people and has always kept the advancement of the County as his top priority.

(1) Presentation of historical marker effort for the 2nd Carolina Colored Infantry by Dr. Earl L. Ijames, Curator, NC Museum of History

Patricia Ferguson, Interim Chair of the Poverty Commission, and Dominique Walker ICMA/NCACC Management Fellow introduced Dr. Early Ijames to the Board. Dr. Ijames is currently serving as the Curator of the NC Museum of History.

Dr. Ijames briefly discussed the historical highway project that will be sent for approval in the coming weeks. He also asked for the Board to approve a resolution in support of the project.

Commissioner Lee made a **MOTION** to support the resolution. Commissioner Wesson **SECONDED** the motion. The **MOTION PASSED** unanimously.

Chairman Trent read the resolution into the record:

Resolution

Commemorating the 2nd North Carolina Colored Volunteers, 36th United States Colored Troops for a Historical Highway Marker and Recognizing Bertie County as the Hub of Northeastern North Carolina Heritage Tourism

WHEREAS, originally named the 2nd North Carolina Colored Volunteers (2NCCV) it became the 36th United States Colored Infantry Regiment. The 2nd NCCV was formed in June 1863 and mustered into service in New Bern, NC on October 28, 1863, shortly after the formation of troops of color were allowed. Some of its men enlisted as early as the previous June 4; and

WHEREAS, the North Carolina soldiers enlisted in New Bern, Plymouth and Roanoke Island and they ranged from ages 18 to 45 years. Most enlistees were formerly enslaved; and

WHEREAS, enlisted men came from the following counties: Bertie, Beaufort, Bladen, Camden, Chowan, Craven, Currituck, Dare, Duplin, Edgecombe, Franklin, Gates, Granville, Greene, Halifax, Hertford, Hyde, Jones, Lenoir, Martin, Nash, New Hanover, Northampton, Orange, Pasquotank, Perquimans, Pitt, Tyrell, Wake, Washington, Wayne and Wilson; and

WHEREAS, they escaped slavery and the oppression meted out to freeborn men of color; they were African –descent, mixed and Indian. Between June 24 and August 3, 1863, 43 men from Bertie County enlisted with 33 Bertie men enlisting on July 13; and

WHEREAS, in February 1864, the 2NCCV became the 36th Regiment, Infantry, United States Colored; the regiment served as labor and garrison duty at Norfolk and Portsmouth and raids into northeastern North Carolina until April 1864. Because of the raids, about 2,500 enslaved people were freed. The 36th next assignment was to guard prisoners at the Point Lookout, MD prison until July 1864. Two North Carolina soldiers drowned there. During that time, detachments took part in raids across the Potomac River into eastern Virginia; and

WHEREAS, the 36th continued their part of the Richmond/Petersburg Siege until March 27, 1865 and was brought forward as part of the Appomattox Campaign from March 27 to April 9; it is reported that the 36th was the first regiment to enter Richmond on April 3, 1865; and

WHEREAS, weeks after the regiment entered Richmond, it was on its way to Brazos Santiago to solidify the Confederate surrender, enforce the Emancipation Proclamation and all federal laws, and to provide potential support to Mexican republicans who were battling a European-imposed monarchy. This last reason was to enforce the Monroe Doctrine. From June 1865 to October 1866, the 36th Regiment endured heat, lack of water, food, shelter, pestilence and snipers. Despite the hardships, in the summer of 1866, the inspection report of the 36th's discipline was cited as "excellent". The regiment was mustered out on October 28, 1866; and

WHEREAS, the hospitals that treated those who were ill and wounded, were located in Portsmouth VA, Point of Rocks VA, Alexandria VA, Point Lookout MD, Philadelphia, New York City, Rhode Island, Baltimore, New Orleans and Brazos Santiago, Texas; and

WHEREAS, the 36th had one of the fullest range of experiences in the war: as laborers, garrison duty guards, war prison guards, raiders; as the defeated and victors in battle; they served in four states (North Carolina, Virginia, Maryland and Texas), took part in the victory over their enslavement and Robert E. Lee's army, helped re-unite the nation; being the first Union regiment to enter Richmond and upholding the Monroe Doctrine in an international crisis; and

NOW, THEREFORE, BE IT RESOLVED, THE BERTIE COUNTY BOARD OF COMMISSIONERS DO HEREBY express their support for the historical highway marker and its proposed location in front of the Bertie High School, signifying the legacy, history, and cultural significance of the 36th United States Colored Troops, also known as the 2nd North Carolina Colored Infantry, for Bertie County citizens today and forevermore. The 36th United States Colored Troops Historic Highway Marker will also be a destination for Civil War enthusiasts and cultural/historical tourism in general. Bertie County can serve as the hub in northeastern North Carolina which can always use additional cultural and historical assets like this marker that will contribute toward the local and state economy residually.

This the 3rd day of **December**, 2018.

- (2) **Holland Consulting Planners' Chris Hilbert will provide an update for NCDRA-17 projects (Rehabilitation at 526 US 13-17 South; and Rehabilitation/Elevation scope of work at 514 US 13-17 South), and submit surveying and legal procurement recommendations for Board approval.**

Mr. Hilbert reported that the tow applications on the agenda need to be deferred because there was only one bid received. These two projects will be rebid and brought back to the Board for consideration in January. Mr. Hilbert also reported that 45 applications are under review for the HMGP program, and that the Town of Windsor has received approvals for SARF – State Acquisition Relocation Funds which will assist several applicants.

Lastly, Mr. Hilbert provided a brief summary of the bids received for the Hurricane Matthew DRA programs regarding surveying and legal services. All of which are outlined on page 15 of the Board's agenda packet. A motion was needed to move forward with those items.

Commissioner Lee made a **MOTION** to accept Mr. Hilbert's recommendation of Sorrell Land Surveying for survey services and Pritchett & Burch for legal services for the Hurricane Matthew DRA program. Commissioner Atkins **SECONED** the motion. The **MOTION PASSED** unanimously.

BOARD APPOINTMENTS

Latest Vacancy advertisement

This item was purely informational. No action was needed.

Vidant-Bertie Director's Council

Commissioner Wesson made a **MOTION** to appoint Jo Ann Jordan to the Vidant-Bertie Director's Council. Commissioner Lee **SECONDED** the motion. The **MOTION PASSED** unanimously.

Planning Board

This item was deferred until January.

CONSENT AGENDA

The Consent Agenda was approved as follows:

1. **Minutes** – Regular Session 11-13-18, Work Session 11-13-18
2. **Bonds** – Sheriff, Tax Administrator, Finance Officer, Register of Deeds
3. **Fees Report** – November 2018
4. **Resolution** – compliance for State Fire Prevention Code minimum inspection requirements
5. **Contract amendment** – Jeff Best, CPA. to extend the audit review completion until 1-31-19
6. **Expenditure Report** – ABC Restricted Funds report for June 30, 2018 submitted by Bland Baker, NE Region Director, Trillium Health Resources
7. **Contract Award** – CDBG-DR and NCDRA 2017 program – RFP process, selection of Holland Consulting Planners

Commissioner Lee made a **MOTION** to approve the Consent Agenda. Vice Chairman Atkins **SECONDED** the motion. The **MOTION PASSED** unanimously.

DISCUSSION AGENDA

1. **Review and consider NC Department of Health and Human Services modification agreement for the memorandum of understanding (MOU) covering Fiscal Year 2018-2019.**

These modifications have been made by the NC Department of Health and Human Services in response to feedback from counties following the execution of the MOU's ongoing analysis of performance data.

Commissioner Wesson made a **MOTION** to amend as necessary. Commissioner Lee **SECONDED** the motion. The **MOTION PASSED** unanimously.

2. Review Planning Board recommendation for increased “freeboard” requirement in “Special Hazard Areas,” from one foot to five feet, as an amendment to the Bertie County Flood Damage Prevention Ordinance following Public Hearing in January

The Board reached a consensus on this item. The necessary public hearings will take place in January 2019.

COUNTY MANAGER’S REPORTS

County Manager Sauer distributed the latest information from the NC Department of Commerce County Distress Rankings as it related to Bertie County. He reported that the County has worked diligently to improve their ranking on this list, and per the latest information, Bertie County is now the 5th most impoverished county in the State. The County was ranked 1st back in 2015.

The County Manager noted that this can be directly correlated with this Board’s leadership in keeping Bertie moving forward.

COUNTY ATTORNEY’S REPORTS

County Attorney Lloyd Smith reported that the North Carolina Court of Appeals ruled against the 9 counties involved with the solar company tax exemption case. At this time, County Attorney Smith asked for the Board’s guidance on whether or not to file a petition along with the other pertinent counties to move toward a discretionary review.

PUBLIC COMMENTS

Carolyn Askew asked for clarification from the Board about how much input the Junior Commissioners would have during meetings. The Board stated that their role was to actively observe and provide their perspective on various issues, but that they would not have a “vote” in the process.

Vernon Lee thanked the Commissioners for what they do and made other comments.

Ishmael Muldrow of Lewiston-Woodville asked that the Board work as hard as possible to always “work together.”

COMMISSIONER’S REPORTS

Commissioner Lee updated the Board on his meeting with the new Executive Director of The United Way, Brian White. Funding has been designated for Bertie County. She also announced that she had been appointed to the NC Sentencing and Policy Committee through the National Association of Counties (NACo).

Commissioner Wesson wanted to clarify his thoughts from earlier by stating that it is not what the Board does to move the County forward that presents concerns, it is how the County does things internally that concerns him.

Chairman Trent briefly discussed his experience at the recent Rural Day. Many counties came forward to discuss the continued damage from Hurricane Florence, the challenges of finding affordable housing, and broadband access.

Commissioner Atkins assured those present that he did not “run on a platform of change,” and that he was looking forward to moving the County even further into the future. He commended his fellow Commissioners for their work that has already been completed thus far.

RECESS

Chairman Trent **RECESSED** the meeting until Tuesday, December 13th at 3:00 PM.

John Trent, Chair

Sarah S. Tinkham, Clerk to the Board



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**Windsor, North Carolina
December 13, 2018
REGULAR MEETING**

The Bertie County Board of Commissioners recessed their regular meeting on December 3, 2018 to meet for a work session today inside the Commissioners Room, 106 Dundee Street, Windsor, NC. The following members were present or absent:

Present: Ronald "Ron" Wesson, District I
Greg Atkins, District II
Tammy A. Lee, District III
John Trent, District IV

Absent: Ernestine (Byrd) Bazemore, District V

Staff Present: County Manager Scott Sauer
County Attorney Lloyd Smith
Cooperative Extension Director Billy Barrow
Emergency Services Director Mitch Cooper

Gene Motley of the Roanoke-Chowan News Herald was present from the media beginning at approximately 3:15 PM.

RECONVENE

Chair Trent called the meeting to order.

PLEDGE OF ALLEGIANCE

Commissioner Lee led the Pledge of Allegiance.

WORK SESSION

Final design and site layout for Board consideration and approval – MHAworks

Albi McLawhorn and Scott Anderson, consulting engineer, were present to update the Board on the latest design and site layout of the joint Cooperative Extension and Bertie County Library facility.

New slides were reviewed based on recent critiques from the Board and the overall process before the start of construction was reviewed.

The timeline will consist of completion of half of the required construction documents by mid-December. Followed by 100% completion of those same documents by the end of February 2019. After those documents are reviewed and approved, the appropriate authority will complete the jurisdiction review before the project goes out for bid between late March and late April 2019. Construction is due to begin in May 2019 and be completed by June 2020.

Irrigation of the site was a priority and the Board received several ideas on how to properly address that concern. State permits would also be pursued by MHAworks for this project.

Mr. McLawhorn fielded questions and addressed concerns as needed.

In order for work to continue, Commissioner Lee made a **MOTION** for the County to approve the final design and site layout as drafted and discussed with MHAworks. Specifically, the Board reached consensus on shifting the facility toward King Street in order to accommodate future parking expansion at the north end of the property. The Board also agreed to proceed with the expedited permits process, and an increased permit for of \$3,500 for soil erosion and stormwater permit application review. This action will allow the project to proceed with the preparation of construction drawing, and the bidding of the project in February/March 2019 and have expressed review of the needed State permits. Commissioner Wesson **SECONDED** the motion. The **MOTION PASSED** unanimously.

Other Business

Commissioner Wesson provided a brief update about the SECU teacher housing initiative which is due to pick up steam in mid-January when the legislature convenes again. As such, Commissioner Wesson stated that he had been working closely with Bertie's representatives in Raleigh to ensure that draft legislation would be agreed upon and presented in the next legislative session. He also discussed a meeting he had just attended with a Fred Mills and Economic Development Director, Steve Biggs. Mr. Mills has been in charge of the construction of 6 of the 7 existing teacher housing projects around the State. He is currently the preferred partner for these projects according to SECU. Mr. Wesson stated that he would bring more updates once the legislative sessions concludes in January. Commissioner Wesson also indicated that the State Employees Credit Union Foundation will defer the first debt payment for the loan

until six months of occupancy. The Windsor Township Development Commission has \$200,000 in cash reserves according to Commissioner Wesson.

MHAworks next presentation to the Board will be January 14th at 2:00 PM for review and final approval of revised site plan and bid documents.

CLOSED SESSION

Commissioner Lee made a **MOTION** to go into Closed Session under the following statutes:

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.

Commissioner Wesson **SECONDED** the motion. The **MOTION PASSED** unanimously.

At this time, Commissioner Lee made a **MOTION** to return to Open Session. Commissioner Wesson **SECONDED** the motion. The **MOTION PASSED** unanimously.

ADJOURN

Chairman Trent **ADJOURNED** the meeting at 5:00 PM.

John Trent, Chairman

Sarah S. Tinkham, Clerk to the Board



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Bertie County Register of Deeds

Annie F. Wilson
Register of Deeds

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

NORTH CAROLINA
BERTIE COUNTY

TO: THE BOARD OF COUNTY COMMISSIONERS:

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

AMOUNT SUBJECT TO GS 161-50.2

10-0030-4344-01	REAL ESTATE REGISTRATION-----	\$2,689.00
10-0030-4344-03	VITAL STATISTICS-----	\$1,140.00
10-0050-4839-02	MISCELLANEOUS(NOTARY OATHS/PHOTO COPIES, ETC)-----	\$105.20
10-0030-4344-04	NO. MARRIAGE LICENSE----- 4 @60.00	\$240.00
		<u>\$4,174.20</u>
10-0018-4240-01	N. C. STATE EXCISE STAMP TAX-----	\$2,308.00
10-0030-4344-10	STATE TREASURER FEE----- 75 @\$6.20-----	\$465.00
	STATE VITAL RECORDS----- @14.00	
		<u>\$6,947.20</u>
10-0000-1251-00	A/R IN/OUT(REFUND)-----	
		<u>\$6,947.20</u>

Handwritten signature of Annie F. Wilson in cursive.

REGISTER OF DEEDS - BERTIE COUNTY

By: *Shahmedia L. Williams, Asst.*

FOR INFORMATIONAL PURPOSES

D/T /MORTGAGES-----	18 @\$6.20=	\$111.60
ADDITIONAL PAGES-----	@\$0.40=	
DEEDS & OTHER INSTRUMENTS-----	67 @\$1.94=	\$129.98



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

December 04, 2018

William Roberson
Bertie County Finance Officer
Windsor, NC 27983

Dear Mr. Roberson:

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

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

Respectfully Submitted,


Tax Administrator

Approved on _____ 20____

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Balance a Group

=====

Group: RLS*18*334
Type: A Abatement/Relea
Status: O Open

Group Total:	\$1,107.05-	Group Transaction Count:	14
Transactions Total:	\$1,107.05-	Transaction File Count:	14
Difference:	\$0.00	Difference:	0

=====

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

RLS*18*334	DATE	NAME	CODE	LEVY	ADV	PEN	INT	TOTAL
2018	11/8/2018	Northcott, Tony 18A6930348583 Use Value left off in error	G01	\$47.78		\$0.00		\$47.78
	11/8/2018	Williams, Rosia 18A14878.80 Listed in Error	G01 C08	\$4.15 \$0.73		\$0.00		\$4.15 \$0.73
	11/8/2018	Jacobs, Bryant 18A26184.10 Torn Down in 2007	G01 C06	\$8.30 3.3	\$0.00	0.83 0.33		\$9.13 \$3.63
	11/8/2018	Rascoe, Mary 18A5861534587 Elderly exemption left off in error	G01	207.11				\$207.11
	11/8/2018	Perdue Foods 18A26358.50.1	G01	715.11				\$715.11
								\$987.64

RLS*18*334	DATE	NAME	CODE	LEVY	ADV	PEN	INT	TOTAL
2017	11/8/2018	Jacobs, Bryant 17A26184.10	G01	\$8.30		\$0.83		\$9.13
		Torn Down in 2007	C06	\$3.30		\$0.33		\$3.63
								<u>\$12.76</u>

RLS*18*334	DATE	NAME	CODE	LEVY	ADV	PEN	INT	TOTAL
2016	11/8/2018	Jacobs, Bryant 16A26184.10	G01	\$8.30		\$0.83		\$9.13
		Torn Down in 2007	C06	\$3.30		\$0.33		\$3.63
								<u>\$12.76</u>

RLS*18*334	DATE	NAME	CODE	LEVY	ADV	PEN	INT	TOTAL
2015	11/8/2018	Jacobs, Bryant 15A26184.10	G01	\$8.40		\$0.84		\$9.24
		Torn Down in 2007	C06	\$2.40		\$0.24		\$2.64
								<u>\$11.88</u>

RLS*18*334	DATE	NAME	CODE	LEVY	ADV	PEN	INT	TOTAL
2014	11/8/2018	Jacobs, Bryant 15A26184.10	G01	\$8.57		\$0.86		\$9.43
		Torn Down in 2007	C06	\$2.45		\$0.25		\$2.70
								<u>\$12.13</u>

RLS*18*334	DATE	NAME	CODE	LEVY	ADV	PEN	INT	TOTAL
2013	11/8/2018	Jacobs, Bryant 13A26184.10	G01	\$9.32		\$0.93		\$10.25
		Torn Down in 2007	C06	\$2.66		\$0.27		\$2.93
								<u>\$13.18</u>

RLS*18*334	DATE	NAME	CODE	LEVY	ADV	PEN	INT	TOTAL
2011	11/8/2018	Jacobs, Bryant 11A26184.10	G01	\$9.67		\$0.97		\$10.64
		Torn Down in 2007	C06	\$2.98		\$0.30		\$3.28
								<u>\$13.92</u>

RLS*18*334	DATE	NAME	CODE	LEVY	ADV	PEN	INT	TOTAL
2010	11/8/2018	Jacobs, Bryant 10A26184.10	G01	\$11.15		\$1.12		\$12.27
		Torn Down in 2007	C06	\$3.43		\$0.34		\$3.77
								\$16.04

RLS*18*334	DATE	NAME	CODE	LEVY	ADV	PEN	INT	TOTAL
2009	11/8/2018	Jacobs, Bryant 09A26184.10	G01	\$11.15		\$1.12		\$12.27
		Torn Down in 2007	C06	\$3.43		\$0.34		\$3.77
								\$16.04

RLS*18*334	DATE	NAME	CODE	LEVY	ADV	PEN	INT	TOTAL
2008	11/8/2018	Jacobs, Bryant 08A26184.10	G01	\$8.18		\$0.00		\$8.18
		Torn Down in 2007	C06	\$2.52		\$0.00		\$2.52
								<u>\$10.70</u>



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BUDGET AMENDMENT

		# 19-05		
	INCREASE			INCREASE
12-0025-4586-18	\$ 32,059	DSS	12-5380-5411-50	\$ 32,059
TO INCREASE BUDGET TO MATCH REVISED LIEAP MONEY BY THE STATE (LOW-INCOME HOME ENERGY ASSISTANCE)				



DIVISION OF SOCIAL SERVICES

Low-Income Home Energy Assistance (LIEAP)

FUNDING SOURCE: Federal Low Income Home Energy Assistance Funds

EFFECTIVE DATE: 12/01/2018

AUTHORIZATION NUMBER: 1

ALLOCATION PERIOD

FROM DECEMBER 2018 THRU MAY 2019 SERVICE MONTHS

FROM JANUARY 2019 THRU JUNE 2019 PAYMENT MONTHS

Co. No.	COUNTY	Initial (or Previous) Allocation Funding Authorization		Additional Allocation		Grand Total Allocation	
		Federal	Total	Federal	Total	Federal	Total
01	ALAMANCE	675,849.00	675,849.00	0.00	0.00	675,849.00	675,849.00
02	ALEXANDER	140,461.00	140,461.00	0.00	0.00	140,461.00	140,461.00
03	ALLEGHANY	58,627.00	58,627.00	0.00	0.00	58,627.00	58,627.00
04	ANSON	195,889.00	195,889.00	0.00	0.00	195,889.00	195,889.00
05	ASHE	119,165.00	119,165.00	0.00	0.00	119,165.00	119,165.00
06	AVERY	73,029.00	73,029.00	0.00	0.00	73,029.00	73,029.00
07	BEAUFORT	298,941.00	298,941.00	0.00	0.00	298,941.00	298,941.00
08	BERTIE	164,662.00	164,662.00	0.00	0.00	164,662.00	164,662.00
09	BLADEN	295,779.00	295,779.00	0.00	0.00	295,779.00	295,779.00
10	BRUNSWICK	480,405.00	480,405.00	0.00	0.00	480,405.00	480,405.00
11	BUNCOMBE	950,669.00	950,669.00	0.00	0.00	950,669.00	950,669.00
12	BURKE	435,920.00	435,920.00	0.00	0.00	435,920.00	435,920.00
13	CABARRUS	604,103.00	604,103.00	0.00	0.00	604,103.00	604,103.00
14	CALDWELL	389,749.00	389,749.00	0.00	0.00	389,749.00	389,749.00
15	CAMDEN	25,158.00	25,158.00	0.00	0.00	25,158.00	25,158.00
16	CARTERET	238,040.00	238,040.00	0.00	0.00	238,040.00	238,040.00
17	CASWELL	128,401.00	128,401.00	0.00	0.00	128,401.00	128,401.00
18	CATAWBA	598,814.00	598,814.00	0.00	0.00	598,814.00	598,814.00
19	CHATHAM	206,192.00	206,192.00	0.00	0.00	206,192.00	206,192.00
20	CHEROKEE	137,696.00	137,696.00	0.00	0.00	137,696.00	137,696.00
21	CHOWAN	88,830.00	88,830.00	0.00	0.00	88,830.00	88,830.00
22	CLAY	46,805.00	46,805.00	0.00	0.00	46,805.00	46,805.00
23	CLEVELAND	591,111.00	591,111.00	0.00	0.00	591,111.00	591,111.00
24	COLUMBUS	417,574.00	417,574.00	0.00	0.00	417,574.00	417,574.00
25	CRAVEN	446,686.00	446,686.00	0.00	0.00	446,686.00	446,686.00
26	CUMBERLAND	1,900,282.00	1,900,282.00	0.00	0.00	1,900,282.00	1,900,282.00
27	CURRITUCK	65,580.00	65,580.00	0.00	0.00	65,580.00	65,580.00
28	DARE	100,791.00	100,791.00	0.00	0.00	100,791.00	100,791.00
29	DAVIDSON	708,446.00	708,446.00	0.00	0.00	708,446.00	708,446.00
30	DAVIE	136,831.00	136,831.00	0.00	0.00	136,831.00	136,831.00
31	DUPLIN	363,780.00	363,780.00	0.00	0.00	363,780.00	363,780.00
32	DURHAM	1,259,769.00	1,259,769.00	0.00	0.00	1,259,769.00	1,259,769.00
33	EDGECOMBE	451,306.00	451,306.00	0.00	0.00	451,306.00	451,306.00
34	FORSYTH	1,675,564.00	1,675,564.00	0.00	0.00	1,675,564.00	1,675,564.00
35	FRANKLIN	275,236.00	275,236.00	0.00	0.00	275,236.00	275,236.00
36	GASTON	1,003,487.00	1,003,487.00	0.00	0.00	1,003,487.00	1,003,487.00
37	GATES	56,703.00	56,703.00	0.00	0.00	56,703.00	56,703.00
38	GRAHAM	44,064.00	44,064.00	0.00	0.00	44,064.00	44,064.00
39	GRANVILLE	228,580.00	228,580.00	0.00	0.00	228,580.00	228,580.00
40	GREENE	134,783.00	134,783.00	0.00	0.00	134,783.00	134,783.00
41	GUILFORD	2,554,335.00	2,554,335.00	0.00	0.00	2,554,335.00	2,554,335.00
42	HALIFAX	450,911.00	450,911.00	0.00	0.00	450,911.00	450,911.00
43	HARNETT	600,560.00	600,560.00	0.00	0.00	600,560.00	600,560.00
44	HAYWOOD	273,765.00	273,765.00	0.00	0.00	273,765.00	273,765.00
45	HENDERSON	349,999.00	349,999.00	0.00	0.00	349,999.00	349,999.00
46	HERTFORD	193,441.00	193,441.00	0.00	0.00	193,441.00	193,441.00
47	HOKE	311,671.00	311,671.00	0.00	0.00	311,671.00	311,671.00



Bertie County

Board of Commissioners

DISCUSSION ITEMS

MEETING DATE: November 13, 2018

DEPARTMENT: Governing Body

TOPICS:

1. Presentation by Anna Phipps of the Roanoke-Chowan News Herald – 2019 Crossroads Magazine
2. Teacher Housing Initiative and next steps following approval of SB804 by the NC General Assembly.
3. Calendar Review:
 - January 9th Chair, Vice Chair NCACC training in Raleigh
 - January 10-11th NCACC Legislative Goals Conference in Raleigh. Commissioner Bazemore is voting delegate
 - January 10th 7:00 p.m. Mayors and Commissioners meeting at Heritage House restaurant
 - January 14th 2:00 p.m. Board work session with MHAworks to review final design for Library & Cooperative Extension project, and other items as necessary.

COUNTY MANAGER RECOMMENDATION OR COMMENTS: Discussion requested.

SUMMARY OF AGENDA ITEM AND/OR NEEDED ACTION(S): Discussion and/or approval as recommended.

ATTACHMENTS: Yes

LEGAL REVIEW PENDING: N/A

ITEM HISTORY: ---



D-2

1 A BILL TO BE ENTITLED
2 AN ACT TO AUTHORIZE THE WINDSOR TOWNSHIP DEVELOPMENT COMMISSION
3 AND BERTIE COUNTY TO COLLABORATE TO PROVIDE AFFORDABLE RENTAL
4 HOUSING UNITS TO TEACHERS AND OTHER GOVERNMENT EMPLOYEES.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** Section 2 of Chapter 559 of the 1965 Session Laws, as amended by
7 Chapter 456 of the 1969 Session Laws, is amended by adding a new section to read:

8 "Sec. 2.1. Notwithstanding G.S. 66-58 and the provisions of Chapter 153A and Chapter
9 160A of the General Statutes, the Windsor Township Development Commission shall have
10 additional authority as follows:

- 11 (1) To acquire and hold title to real and personal property for public purposes,
12 including for the purpose of constructing and maintaining affordable rental
13 housing units for Bertie County Schools teachers and employees, Bertie
14 County employees, Town of Windsor employees, and State employees
15 residing in Bertie County.
- 16 (2) To borrow money and incur debt under terms the Windsor County
17 Development Commission deems reasonable, whether secured or unsecured,
18 for public purposes, including for the purpose of constructing and maintaining
19 affordable rental housing units for Bertie County Schools teachers and
20 employees, Bertie County employees, Town of Windsor employees, and State
21 employees residing in Bertie County.
- 22 (3) To enter into leases, management agreements, or similar arrangements with
23 Bertie County for the County to manage, lease, and maintain rental housing
24 units constructed pursuant to this section.
- 25 (4) To accept grants or donations of money contributed for public purposes."

26 **SECTION 2.** Notwithstanding the provisions of Chapter 153A and Chapter 160A of
27 the General Statutes and subject to the restrictions set out in this act, Bertie County may enter
28 into leases, management agreements, or similar arrangements with Windsor Township
29 Development Commission for the County to manage, lease, and maintain rental housing units
30 constructed pursuant to Section 1 of this act. Bertie County shall restrict the rental of such units
31 to Bertie County Public Schools teachers and employees, unless units cannot be filled by Bertie
32 County Public Schools teachers and employees, in which case, units shall be rented to Bertie
33 County employees, Town of Windsor employees, or State employees residing in Bertie County.

34 **SECTION 3.** This act shall not exempt any affordable rental housing units
35 constructed or leased pursuant to this act from compliance with applicable building codes, zoning
36 ordinances, or other health and safety statutes, rules, or regulations.

SECTION 4. This act is effective when it becomes law.

AN ACT TO EXPAND THE POWERS AND DUTIES OF THE WINDSOR TOWNSHIP DEVELOPMENT COMMISSION TO ALLOW FOR THE CONSTRUCTION AND PROVISION OF AFFORDABLE RENTAL HOUSING UNITS FOR TEACHERS AND OTHER LOCAL GOVERNMENT EMPLOYEES AND TO AUTHORIZE BERTIE COUNTY TO ENTER INTO LEASES, MANAGEMENT AGREEMENTS, OR SIMILAR ARRANGEMENTS TO MANAGE SAID UNITS.

The General Assembly of North Carolina enacts:

Section 1. Notwithstanding G.S. Chapter 153A, Chapter 160A, or any other provisions of law and subject to the restrictions set out in this Act, Bertie County may enter into leases, management agreements, or similar arrangements with the Windsor Township Development Commission, which is constructing affordable rental housing units for teachers or other local government employees to manage, lease, and maintain said units after completion of construction of said units by the Windsor Township Development Commission.

Section 2. Notwithstanding G.S. 66-58, Chapters 153A and 160A, or any other provisions of law and subject to the restrictions set out in this Act, the Windsor Township Development Commission, a public authority created by 1965 H.B. 718, will have the following additional powers and duties:

A. To acquire and hold title to real and personal property for public purposes, specifically including acquiring real and personal property for the construction and maintenance of affordable rental housing units for Bertie County teachers, local government employees, and state employees living in Bertie County.

B. To borrow money and incur debt, whether secured or unsecured, for public purposes, specifically including the construction and maintenance of affordable rental housing units for Bertie County teachers and other local government employees, under such terms as its governing body determines reasonable.

C. To enter into leases, management agreements, or similar arrangements with Bertie County to manage, lease, and maintain the public housing units, which the Windsor Township Development Commission will construct.

D. To accept such grants or donations of money as may be given to the Windsor Township Development Commission for public purposes.

Section 3. In renting said affordable housing units, Bertie County and Windsor Township Development Commission shall give priority to Bertie County Public School teachers, shall restrict the renting of such units exclusively to such teachers, unless

there is a vacancy in said units which cannot be filled by a Bertie County Public School Teacher, in which event said vacant unit shall be rented to local government employees of Bertie County or the Town of Windsor or to state employees living in Bertie County.

Section 4. This Act shall not exempt any affordable housing units constructed pursuant to this Act from compliance with applicable building codes, zoning ordinances, or other health and safety statutes, rules, or regulations.

Section 5. This Act is effective when it becomes law.

In the General Assembly read three times and ratified this the _____ day of _____, 2018.



MEMORANDUM OF UNDERSTANDING

Bertie County Board of Commissioners
Town of Windsor Board of Commissioners
Windsor Township Development Commission
Bertie County Board of Education

WHEREAS, the aforementioned public bodies recognize the strategic value of improving the recruitment and retention of public school teachers; and

WHEREAS, the above-named parties have discussed and evaluated the viability of advancing a teacher housing initiative, utilizing Hertford County's successful business model which includes fourteen years of operations; and

WHEREAS, the Mid-East Commission (Region Q Council of Government) prepared a market analysis of rental unit availability and conducted a survey of Bertie County school faculty members and staff regarding the need for high quality rental apartments, which resulted in a very favorable scoring of support for creating the availability of apartment housing in Bertie County; and

WHEREAS, the Town of Windsor and Bertie County evaluated three potential sights (two owned by the County and one owned by the Town), and following extensive public input, have jointly approved selection of the 6.33-acre tract owned by the Town; and

WHEREAS, the Town of Windsor has agreed to donate this property (6.33 acres) to the Windsor Township Development Commission for the purpose of providing high quality rental apartments for Bertie County teachers and staff; and

WHEREAS, a working group of community leaders have participated in the development and review of a financial plan and fifteen (15) year business pro forma to support and sustain this project through construction and operation; and

WHEREAS, the Windsor Township Development Commission has agreed to serve as the owner and applicant in order to seek project financing from the State Employees Credit Union Foundation; and

WHEREAS, Bertie County has agreed to handle the day-to-day management of the apartment complex under formal contract with the Windsor Township Development Commission at no management fee to the WTDC utilizing existing staff capacity; and

WHEREAS, the Bertie County Board of Commissioners has successfully prepared a grant application for the Gold LEAF Foundation, and secured a grant amount of \$240,000 to assist with the publicly owned onsite utilities, which will reduce the amount of financing and debt service costs for the project; and


THEREFORE, BE IT UNDERSTOOD, that the parties to this agreement, hereby pledge their respective commitment, collective energy and enthusiasm in order to successfully facilitate the construction and operation of the proposed twenty-four-unit apartment complex on the "Harrell Heights" property consisting of 6.33 acres donated by the Town of Windsor.

BE IT FURTHER UNDERSTOOD, that the Bertie County school system will promote and encourage the availability of these housing units for its staff and teachers.


BE IT NOW UNDERSTOOD, that the representatives of the aforementioned parties, will commence with final preparation of the loan application and submittal to the SECU Foundation.

This the 13th day of February, 2018.

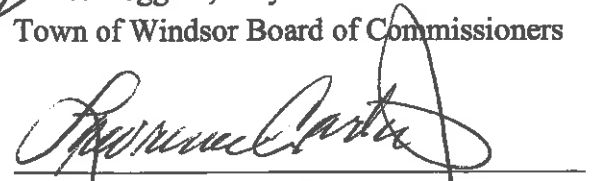
SIGNED:




Ernestine Bazemore, Chair
Bertie County Board of Commissioners



James Hoggard, Mayor
Town of Windsor Board of Commissioners



Lawrence Carter, Jr., Chair
Windsor Township Development Commission



Bobby Oceana, Chair
Bertie County Board of Education

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005**

**SESSION LAW 2006-61
SENATE BILL 1896**

**AN ACT TO AUTHORIZE THE BERTIE COUNTY BOARD OF EDUCATION TO
CONSTRUCT AND PROVIDE AFFORDABLE RENTAL HOUSING FOR
TEACHERS AND OTHER LOCAL GOVERNMENT EMPLOYEES.**

The General Assembly of North Carolina enacts:

SECTION 1. Notwithstanding G.S. 66-58, G.S. 115C-518, or any other provision of law, and subject to the restrictions set out in this act, the Bertie County Board of Education may contract with any person, partnership, corporation, or other business entity to construct, provide, or maintain affordable rental housing on property owned or leased by the Bertie County Board of Education.

SECTION 2. Notwithstanding G.S. 66-58, G.S. 115C-518, or any other provision of law, the Bertie County Board of Education may rent housing units owned by the Board pursuant to this act for residential use. In renting these housing units, the Board shall give priority to Bertie County public school teachers and shall restrict the rental of such units exclusively to such teachers or other Bertie County School System employees. The Board shall have the authority to establish reasonable rents for any such housing units and may in its discretion charge below-market rates.

SECTION 3. This act shall not exempt any affordable housing units constructed pursuant to this act from compliance with applicable building codes, zoning ordinances, or health and safety statutes, rules, or regulations.

SECTION 4. This act authorizes the Board to construct and maintain an affordable housing project located at 249 White Oak Road, Windsor, North Carolina

SECTION 5. This act is effective when it becomes law.

In the General Assembly read three times and ratified this the 6th day of July, 2006.

s/ Beverly E. Perdue
President of the Senate

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

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007**

**SESSION LAW 2007-239
HOUSE BILL 489**

AN ACT TO REDUCE THE TERMS OF THE HOUSING AUTHORITY OF THE CITY OF ASHEVILLE FROM FIVE YEARS TO FOUR YEARS AND TO AUTHORIZE THE CITY OF ASHEVILLE AND THE ASHEVILLE CITY BOARD OF EDUCATION TO CONSTRUCT AND PROVIDE AFFORDABLE HOUSING FOR TEACHERS, POLICE OFFICERS, AND FIREFIGHTERS.

The General Assembly of North Carolina enacts:

SECTION 1.(a) G.S. 157-5(d) reads as rewritten:

"(d) The mayor shall designate overlapping terms of not less than one nor more than five years for the commissioners first appointed. Thereafter, the term of office shall be ~~five-four~~ years. A commissioner shall hold office until his or her successor has been appointed and has qualified. Vacancies shall be filled for the unexpired term. A majority of the commissioners shall constitute a quorum. The mayor shall file with the city clerk a certificate of the appointment or reappointment of any commissioner and such certificate shall be conclusive evidence of the due and proper appointment of such commissioner. A commissioner shall receive no compensation for his or her services but he or she shall be entitled to the necessary expenses including traveling expenses incurred in the discharge of his or her duties."

SECTION 1.(b) This section applies to the City of Asheville only.

SECTION 1.(c) This section applies to terms of office commencing on or after the date it becomes law.

SECTION 2.(a) Notwithstanding G.S. 66-58, G.S. 115C-518, and Article 12 of Chapter 160A of the General Statutes, or any other provision of law, and subject to the restrictions set out in this section, the City of Asheville and the Asheville City Board of Education may enter into a partnership, joint venture, land trust, or similar arrangement with each other to construct and provide affordable housing on property now owned by the City of Asheville or the Asheville City Board of Education.

SECTION 2.(b) Notwithstanding G.S. 66-58, G.S. 115C-518, and Article 12 of Chapter 160A of the General Statutes, or any other provision of law, this section authorizes the City of Asheville and the Asheville City Board of Education to convey property they own to such partnership, joint venture, land trust, or similar entity for the purposes of constructing, providing, and maintaining affordable housing for Asheville City Schools teachers and City of Asheville police officers and firefighters, and, if units remain available, to Asheville City Schools professional staff. The City of Asheville and the Asheville City Board of Education shall not transfer to the partnership, joint

venture, land trust, or other entity created pursuant to this act, property acquired on or after the effective date of this act through the exercise of eminent domain.

SECTION 2.(c) Notwithstanding G.S. 66-58, G.S. 115C-518, and Article 12 of Chapter 160A of the General Statutes, or any other provision of law, the City of Asheville, the Asheville City Board of Education, or the partnership, joint venture, land trust, or similar entity referenced above may contract with any person, partnership, corporation, or other business entity to finance, construct, or maintain such affordable housing.

SECTION 2.(d) Notwithstanding G.S. 66-58, G.S. 115C-518, and Article 12 of Chapter 160A of the General Statutes, or any other provision of law, the City of Asheville, the Asheville City Board of Education, or the partnership, joint venture, land trust, or similar entity referenced above may rent or sell such housing units for residential use; provided that the rental or sale of such units is exclusively restricted to Asheville City Schools teachers and to City of Asheville police officers and firefighters, and, if units remain not leased or sold, to Asheville City Schools professional staff; provided further that, while the housing units may be rented or sold, the land may only be leased and not sold. The City, the Board, and the partnership, joint venture, land trust, or similar entity referenced above shall have the authority to establish reasonable rents or sales prices for any such housing units and may in their discretion charge below-market rates and offer below-market financing so as to provide housing for families earning less than one hundred percent (100%) of the area median income for families of the same size for which they pay no more than thirty percent (30%) of their gross household income. The City, the Board, and the partnership, joint venture, land trust, or similar entity referenced above may also place reasonable restrictions and buyback provisions on the resale of the housing units to maintain the purposes set forth in this section.

SECTION 2.(e) This section shall not exempt any affordable housing units constructed pursuant to this act from compliance with applicable building codes, zoning ordinances, or any other health and safety statutes, rules, or regulations.

SECTION 3. This act is effective when it becomes law.

In the General Assembly read three times and ratified this the 19th day of July, 2007.

s/ Beverly E. Perdue
President of the Senate

s/ Joe Hackney
Speaker of the House of Representatives

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005**

**SESSION LAW 2006-86
SENATE BILL 1903**

AN ACT TO AUTHORIZE THE HERTFORD COUNTY BOARD OF EDUCATION
TO CONSTRUCT AND PROVIDE AFFORDABLE RENTAL HOUSING FOR
TEACHERS AND OTHER LOCAL GOVERNMENT EMPLOYEES.

The General Assembly of North Carolina enacts:

SECTION 1. Notwithstanding G.S. 66-58, G.S. 115C-518, and Article 12 of Chapter 160A of the General Statutes, or any other provision of law, and subject to the restrictions set out in this act, the Hertford County Board of Education may contract with any person, partnership, corporation, or other business entity to construct, provide, or maintain affordable rental housing on property owned or leased by the Hertford County Board of Education or by any other person, partnership, corporation, or other business entity.

SECTION 2. Notwithstanding G.S. 66-58, G.S. 115C-518, and Article 12 of Chapter 160A of the General Statutes, or any other provision of law, the Hertford County Board of Education may rent housing units owned by the Board pursuant to this act for residential use. In renting such housing units, the Board shall give priority to Hertford County public schoolteachers and shall restrict the rental of such units exclusively to such teachers or other Hertford County Schools professional staff. The Board shall have the authority to establish reasonable rents for any such housing units and may in its discretion charge below-market rates.

SECTION 3. This act shall not exempt any affordable housing units constructed pursuant to this act from compliance with applicable building codes, zoning ordinances, or any other health and safety statutes, rules, or regulations.

SECTION 4. This act is effective when it becomes law.

In the General Assembly read three times and ratified this the 10th day of July, 2006.

s/ Beverly E. Perdue
President of the Senate

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



MEMORANDUM OF UNDERSTANDING

Bertie County Board of Commissioners
Town of Windsor Board of Commissioners
Windsor Township Development Commission
Bertie County Board of Education

WHEREAS, the aforementioned public bodies recognize the strategic value of improving the recruitment and retention of public school teachers; and

WHEREAS, the above-named parties have discussed and evaluated the viability of advancing a teacher housing initiative, utilizing Hertford County's successful business model which includes fourteen years of operations; and

WHEREAS, the Mid-East Commission (Region Q Council of Government) prepared a market analysis of rental unit availability and conducted a survey of Bertie County school faculty members and staff regarding the need for high quality rental apartments, which resulted in a very favorable scoring of support for creating the availability of apartment housing in Bertie County; and

WHEREAS, the Town of Windsor and Bertie County evaluated three potential sights (two owned by the County and one owned by the Town), and following extensive public input, have jointly approved selection of the 6.33-acre tract owned by the Town; and

WHEREAS, the Town of Windsor has agreed to donate this property (6.33 acres) to the Windsor Township Development Commission for the purpose of providing high quality rental apartments for Bertie County teachers and staff; and

WHEREAS, a working group of community leaders have participated in the development and review of a financial plan and fifteen (15) year business pro forma to support and sustain this project through construction and operation; and

WHEREAS, the Windsor Township Development Commission has agreed to serve as the owner and applicant in order to seek project financing from the State Employees Credit Union Foundation; and

WHEREAS, Bertie County has agreed to handle the day-to-day management of the apartment complex under formal contract with the Windsor Township Development Commission at no management fee to the WTDC utilizing existing staff capacity; and

WHEREAS, the Bertie County Board of Commissioners has successfully prepared a grant application for the Gold LEAF Foundation, and secured a grant amount of \$240,000 to assist with the publicly owned onsite utilities, which will reduce the amount of financing and debt service costs for the project; and


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This the 13th day of February, 2018.

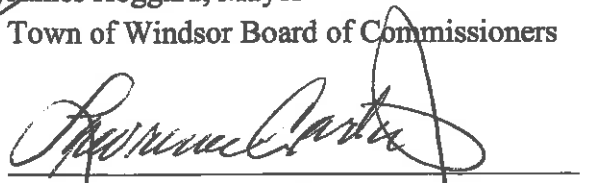
SIGNED:




Ernestine Bazemore, Chair
Bertie County Board of Commissioners



James Hoggard, Mayor
Town of Windsor Board of Commissioners



Lawrence Carter, Jr., Chair
Windsor Township Development Commission



Bobby Oceana, Chair
Bertie County Board of Education