

# Bertie County Board of Commissioners



March 11, 2019  
**4:00 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**

**March 11, 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.*

**4:00 p.m.** Dr. Stan Riggs will provide an overview of the “From Rivers to Sounds” report provided by NC LOW.

**6:00** Welcome and Call to Order by Chairman Trent (**Commissioners Room**)

Opening Invocation and Pledge of Allegiance by Commissioner Bazemore

Public Comments (3-minute time limit per person)

**(A)**

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

- (1) Public Hearing – Road Safety and Maintenance Ordinance
- (2) 2019 Relay for Life Update by Jo Ann Jordan
- (3) Economic Development Report by Economic Development Director, Steve Biggs
- (4) Bryant Buck, Executive Director of the Mid-East Commission, will present the CENSUS 2020 timeline, outreach, and overall process of the upcoming data collection cycle
- (5) Poverty Commission presentation by Assistant to the County Manager, Dominique Walker
- (6) 2018 Tax Report by Tax Administrator, Jodie Rhea

**Board Appointments (B)**

1. Voluntary Agricultural District Board

**Consent Agenda (C)**

1. Approve Minutes for Regular Meeting 2-4-19
2. Approve Minutes for Planning Session 2-18-19
3. Approve Minutes for Special Meeting 2-21-19
4. Approve Minutes for Closed Session 2-4-19 and 2-18-19
5. Approve Register of Deeds Fees Report – February 2019
6. Tax Department Release Journal – January 2019, February 2019
7. Tax Administrator’s report of total unpaid taxes for FY2017-2018 Real & Personal Property as required by N.C.G.S. 105-369
8. Approval of “Order to Advertise the 2018 Tax Liens” – pursuant to N.C.G.S. 105-369

9. Establish April 1, 2019 at 6:00 p.m. for the Board of Commissioners to convene as the Board of Equalization and Review

10. Budget Amendment(s)

11. Resolution approving land exchange between Bertie County and Cashie Golf & Country Club

12. Report of Settlement for the Department of Social Services re: Latria Norman

13. Bertie County Regional Water System – WIF 1897 project change order for installation of chlorine detection units with remaining project funds available.

14. Hurricane Matthew NC-DRA17 Work Authorization No. 4 for Holland Consulting Planners through June 30, 2019.

15. Golden LEAF Foundation – Project Ordinance and revised grant agreement combining project No. FY2017-207 and FY2017-204.

16. Resolution to protect Lower Roanoke River Basin from unnecessary flooding

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

**Discussion Agenda (D)**

1. TGOW – Proposed action plan for project implementation to include community visioning, temporary access, planning and grant funding consulting services

**Comissioners’ 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**

**ADJOURN**

# Bertie County Board of Commissioners



March 11, 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   |



A-1

## **NOTICE OF PUBLIC HEARING**

**MONDAY, MARCH 11, 2019 6:00 PM**

### **Bertie County Road Safety and Maintenance Ordinance**

The Bertie County Board of Commissioners will hold a public hearing to provide citizens an opportunity to comment on the proposed **Road Safety and Maintenance Ordinance**. A county has the authority to adopt and enforce ordinances that address issues that adversely affect the health, safety and general welfare of its citizens pursuant to sections 153A-340 and 153A-123 of the North Carolina General Statutes. This ordinance, if adopted, will regulate the condition of applicable roadways within the County for the purpose of making such roadways passable for the safe and timely delivery of emergency services to the residents who live on those roadways. The public hearing will be held on **Monday, March 11, 2019 at 6:00 PM** in the County Administration Building, Commissioners Meeting Room, 106 Dundee Street, Windsor, North Carolina. The proposed ordinance 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 Scott Sauer, County Manager, at (252)794-5300 or [scott.sauer@bertie.nc.gov](mailto:scott.sauer@bertie.nc.gov).

**ROAD SAFETY AND MAINTENANCE ORDINANCE**

**FOR**

**BERTIE COUNTY, NORTH CAROLINA**

**February 18, 2019**

**ARTICLE I  
INTRODUCTORY PROVISIONS**

**Section 101 Title**

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

**Section 102 Authority & Purpose**

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

**Section 103 Jurisdiction**

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

**ARTICLE II  
DEFINITIONS**

**Section 201 General**

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

**Section 202 Words Interpretation**

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

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

## **Section 203        Definitions**

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

**Enforcement Officer-** The enforcement officers for Bertie County shall be the Emergency Management Services Director and Sheriff of Bertie County. Each is vested with the powers and authority granted under Article III of this Ordinance.

**Private Road-** A road or street that has not been accepted nor planned for acceptance by North Carolina Department of Transportation or other governmental entity, and which provides vehicular access to residential areas containing a minimum of two dwellings. A Private Road shall not include a private driveway providing ingress and egress to a single private residence.

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

**Residence-** A place where a person or group of persons resides on a permanent or temporary basis.

**Extreme Weather Conditions-** For the purpose of this statute extreme weather conditions are those meteorological conditions which result in excessive precipitation, including ice, rain, or snow, that would make an otherwise passable private road unpassable; or a meteorological condition resulting in damage which causes a private road to not be passable. In the event said road is damaged as a result of said extreme

weather the owner shall have the same time allotted in Article IV Section 501 to repair said damage and bring said private road in compliance with this ordinance.

**Obstacle:** Any natural or manmade impediment or debris acting as a hinderance to vehicular travel on a road or street.

**Vehicles:** Two or Four Wheel drive vehicles owned and operated by law enforcement, emergency management services or any fire department which are used in the execution of public services.

### **ARTICLE III SPECIFICATIONS FOR PRIVATE ROADS**

#### **Section 401      General Provisions**

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

#### **Section 402      Specifications**

(a) All Private Roads must be passable for all vehicles defined in Article II Section 203.

(b) The Private Road must be passable. "Passable" is defined as being clear of obstacles and capable of being traveled upon safely. Travel will be deemed safe when said private road is devoid of any and all holes, cracks, crevices, potholes or other breaks in the road which cause the bottom chassis of the vehicle to come into contact with the ground or water during non-extreme weather conditions.

(c) The determination of what constitutes "passable" will be determined by the Enforcement Officer based upon the specifications contained herein.

#### **Section 403      Exceptions**

The specifications set forth in this ordinance do not apply during extreme weather conditions, or to situations where a private road becomes unpassable based upon extreme weather conditions.

#### **Section 404      Maintenance**

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



**Section 405 Compliance**

Any current owner of a private road subject to this Ordinance shall have 45 days to come into compliance with said Ordinance. All new private roads subject to this Ordinance shall be built in compliance with the Specifications set forth in Article III, Section 402 above.

**ARTICLE IV  
ENFORCEMENT**

**Section 501 General Provisions**

If the specifications required by this Ordinance are not met within the 45 day period, the private road owner shall be subject to a civil penalty pursuant to N.C.G.S. 153A-123(c) of \$1,000 per day for each day the violation continues, recoverable by the County in a civil action in the nature of a debt. In addition to all other remedies available either at law or in equity, as violation of this order is deemed a public nuisance the County may institute an action in the General Court of Justice, more specifically the Superior Court of Bertie County, seeking enforcement of the ordinance by injunction and order of abatement pursuant to N.C.G.S. §153A-123(d) and (e), including but not limited to, action by the County seeking an order of abatement requiring the private road owner to make the necessary improvements to said private road within the time allowed by the Court, whereupon noncompliance with the abatement order the County may execute the Order, making the necessary repairs and maintenance, creating a lien upon the owner's real property for the costs of executing said order.

West's North Carolina General Statutes Annotated

Chapter 153A. Counties

Article 4. Form of Government

Part 3. Organization and Procedures of the Board of Commissioners

N.C.G.S.A. § 153A-45

§ 153A-45. Adoption of ordinances

Currentness

To be adopted at the meeting at which it is first introduced, an ordinance or any action having the effect of an ordinance (except the budget ordinance, any bond order, or any other ordinance on which a public hearing must be held before the ordinance may be adopted) must receive the approval of all the members of the board of commissioners. If the ordinance is approved by a majority of those voting but not by all the members of the board, or if the ordinance is not voted on at that meeting, it shall be considered at the next regular meeting of the board. If it then or at any time thereafter within 100 days of its introduction receives a majority of the votes cast, a quorum being present, the ordinance is adopted.

**Credits**

Added by Laws 1973, c. 822, § 1.

**Notes of Decisions (5)**

N.C.G.S.A. § 153A-45, NC ST § 153A-45

The statutes and Constitution are current through S.L. 2018-145 of the 2018 Regular and Extra Sessions of the General Assembly, subject to changes made pursuant to direction of the Revisor of Statutes.

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West's North Carolina General Statutes Annotated  
Chapter 153A. Counties  
Article 6. Delegation and Exercise of the General Police Power

N.C.G.S.A. § 153A-140.2

§ 153A-140.2. Annual notice to chronic violators of public nuisance ordinance

Effective: July 10, 2009

[Currentness](#)

A county may notify a chronic violator of the county's public nuisance ordinance that, if the violator's property is found to be in violation of the ordinance, the county shall, without further notice in the calendar year in which notice is given, take action to remedy the violation, and the expense of the action shall become a lien upon the property and shall be collected as unpaid taxes. The notice shall be sent by certified mail. A chronic violator is a person who owns property whereupon, in the previous calendar year, the county gave notice of violation at least three times under any provision of the public nuisance ordinance.

**Credits**

Added by S.L. 2009-287, § 2, eff. July 10, 2009.

N.C.G.S.A. § 153A-140.2, NC ST § 153A-140.2

The statutes and Constitution are current through S.L. 2018-145 of the 2018 Regular and Extra Sessions of the General Assembly, subject to changes made pursuant to direction of the Revisor of Statutes.

West's North Carolina General Statutes Annotated  
Chapter 153A. Counties  
Article 6. Delegation and Exercise of the General Police Power

N.C.G.S.A. § 153A-140

§ 153A-140. Abatement of public health nuisances

Currentness

A county shall have authority, subject to the provisions of Article 57 of Chapter 106 of the General Statutes, to remove, abate, or remedy everything that is dangerous or prejudicial to the public health or safety. Pursuant to this section, a board of commissioners may order the removal of a swimming pool and its appurtenances upon a finding that the swimming pool or its appurtenances is dangerous or prejudicial to public health or safety. The expense of the action shall be paid by the person in default, and, if not paid, shall be a lien upon the land or premises where the nuisance arose, and shall be collected as unpaid taxes. The authority granted by this section may only be exercised upon adequate notice, the right to a hearing, and the right to appeal to the General Court of Justice. Nothing in this section shall be deemed to restrict or repeal the authority of any municipality to abate or remedy health nuisances pursuant to G.S. 160A-174, 160A-193, or any other general or local law. This section shall not affect bona fide farms, but any use of farm property for nonfarm purposes is subject to this section.

**Credits**

Added by Laws 1981 (Reg.Sess., 1982), c. 1314, § 1. Amended by S.L. 2002-116, § 2, eff. Sept. 17, 2002.

Notes of Decisions (1)

N.C.G.S.A. § 153A-140, NC ST § 153A-140

The statutes and Constitution are current through S.L. 2018-145 of the 2018 Regular and Extra Sessions of the General Assembly, subject to changes made pursuant to direction of the Revisor of Statutes.

# INFORMATION ON SUBSTANDARD ROADS & STREETS



**MARCH 2016**

*Reviewed by BoC  
April 4th 2016*

| <b>E. ROBIN LN &amp; W. ROBIN LN</b> |  |                                       |                                 |
|--------------------------------------|--|---------------------------------------|---------------------------------|
| <b>DISTRICT - WINDSOR I</b>          |  |                                       |                                 |
| <b>ADDRESS #</b>                     | <b>ROAD NAME</b>   | <b>ADJOINING PROPERTY OWNERS</b>      | <b>PIN# (LAST 4 DIGITS)</b>     |
|                                      |  |                                       | <b>LISTED ROAD OWNERSHIP</b>    |
| 101                                  | E ROBIN LN   | BOWEN, ADRIAN L & BOWEN, WILLIAM R    | 4095<br>LOT OWNER(S) BY PORTION |
| 103                                  | E ROBIN LN   | BOND, DAVID G                         | 6114<br>LOT OWNER(S) BY PORTION |
| 110                                  | E ROBIN LN   | BOWN, WILLIAM R                       | 4581<br>LOT OWNER(S) BY PORTION |
| 607                                  | WOODARD RD*  | GRACE, ROGER JEROME & CARTER, LETICIA | 6891<br>LOT OWNER(S) BY PORTION |
|                                      | *ADJOINS E ROBIN LN, DRIVEWAY ON WOODARD RD              |                                       |                                 |
| 605                                  | WOODARD RD*  | BOWN, ADRIAN L & BOWEN, KIA C         | 6849<br>LOT OWNER(S) BY PORTION |
|                                      | *ADJOINS E ROBIN LN, DRIVEWAY ON WOODARD RD              |                                       |                                 |
| 610                                  | WOODARD RD*  | HARRELL, J LYNN, JR HEIRS             | 5571<br>LOT OWNER(S) BY PORTION |
|                                      | *ADJOINS E ROBIN LN & W ROBIN LN, FRONTS ONTO WOODARD RD |                                       |                                 |
| 604                                  | WOODARD RD*  | HARRELL, BERNICE                      | 2936<br>NO OWNERSHIP OF ROAD    |
|                                      | *ADJOINS W ROBIN LN, DRIVEWAY ON WOODARD RD              |                                       |                                 |
| 104                                  | W ROBIN LN   | CHERRY, RUSSELL & REGINA R            | 1852<br>LOT OWNER(S) BY PORTION |
| 105                                  | W ROBIN LN   | RYAN, BARBARA CHERRY & CHERRY, JAMES  | 3359<br>LOT OWNER(S) BY PORTION |
| 108                                  | W ROBIN LN   | RYAN, MILTON & BARBARA                | 0753<br>LOT OWNER(S) BY PORTION |
| N/A                                  | W ROBIN LN   | AREA OF CONFLICT                      | N/A<br>BETWEEN 0753 & 9499      |
| 111                                  | W ROBIN LN   | CARTER, VALENCIA M                    | 9499<br>LOT OWNER(S) BY PORTION |
| 115                                  | W ROBIN LN   | HYMAN, CHRISTINE                      | 7586<br>LOT OWNER(S) BY PORTION |
| 115 B                                | W ROBIN LN   | WESSON, LARRY                         | 8491<br>LOT OWNER(S) BY PORTION |
| 116 B                                | W ROBIN LN   | RASCOE, LESSIE & EDDIE                | 6758<br>LOT OWNER(S) BY PORTION |
| 117                                  | W ROBIN LN   | CHERRY, LAVERNE & OLBERT, ANNIE +     | 5649<br>LOT OWNER(S) BY PORTION |
| 118                                  | W ROBIN LN   | HILL, CELESTINE R                     | 6552<br>LOT OWNER(S) BY PORTION |
| 119                                  | W ROBIN LN   | HILL, CLARA L                         | 7365<br>LOT OWNER(S) BY PORTION |
| 119 B                                | W ROBIN LN   | HECKSTALL, LILLIE MIRANDA             | 8169<br>LOT OWNER(S) BY PORTION |
| 122                                  | W ROBIN LN   | TAYLOR, LEON & ESTELLE                | 6228<br>LOT OWNER(S) BY PORTION |
| N/A                                  | W ROBIN LN   | RAZOR, JOHN H & DELOIS                | 9294<br>LOT OWNER(S) BY PORTION |

**SR 1545 TARHEEL RD, MOORE ST, SPELLER ST**

| <b>DISTRICT - WINDSOR I</b> |                  |   |                             |                              |
|-----------------------------|------------------|---|-----------------------------|------------------------------|
| <b>ADDRESS #</b>            | <b>ROAD NAME</b> | <b>ADJOINING PROPERTY OWNERS</b>        | <b>PIN# (LAST 4 DIGITS)</b> | <b>LISTED ROAD OWNERSHIP</b> |
| 106                         | TARHEEL RD       | FREEMAN, JOSHUA                         | 2869                        | NCDOT                        |
| 107                         | TARHEEL RD       | SWAIN, ROBERTA & SPELLER, ELIZABETH     | 2027                        | NCDOT                        |
| 109                         | TARHEEL RD       | SANDERS, WINNETTA (DWMH & STORAGE ONLY) | 2027(01)                    | NCDOT                        |
| 110                         | TARHEEL RD       | FREEMAN, JOSHUA                         | 3991                        | NCDOT                        |
| 112                         | TARHEEL RD       | FREEMAN, JOSHUA                         | 5914                        | NCDOT                        |
| 113                         | TARHEEL RD       | SMALLWOOD, WILLIAM D                    | 4194                        | NCDOT                        |
| 114                         | TARHEEL RD       | SPELLER, LEWIS A                        | 6937                        | NCDOT                        |
| 115                         | TARHEEL RD       | SMALLWOOD, MYRTIS H                     | 6148                        | NCDOT                        |
| 116                         | TARHEEL RD       | POOR PEOPLE INCORPORATED                | 7959                        | NCDOT                        |
| 121                         | TARHEEL RD       | SPELLER, WALTER                         | 7395                        | NCDOT                        |
| 122                         | TARHEEL RD       | JENEARY, MARY JOAN                      | 12                          | NCDOT                        |
| 123                         | TARHEEL RD       | JAMES, DAVID LEWIS                      | 9298                        | NCDOT                        |
| 124                         | TARHEEL RD       | CHERRY, TERENCE E                       | 1140                        | NCDOT                        |
| 125                         | TARHEEL RD       | SWAIN, RANDOLPH & EMMA H                | 1289                        | NCDOT                        |
| 126                         | TARHEEL RD       | OUTLAW, DAVID & FLOSSIE                 | 2175                        | NCDOT                        |
| 127                         | TARHEEL RD       | SPELLER, JAMES R & ROSA                 | 2584                        | NCDOT                        |
| 129                         | TARHEEL RD       | SPELLER, JAMES R & ROSA                 | 3347                        | NCDOT                        |
| 130                         | TARHEEL RD       | POOR PEOPLE INCORPORATED                | 4776                        | NCDOT                        |
| 133                         | TARHEEL RD       | HARDISON, BENJAMIN, HEIRS               | 4472                        | NCDOT                        |
| 134                         | TARHEEL RD       | QUEEN, ROBERT, HEIRS                    | 6119                        | NCDOT                        |
| 135                         | TARHEEL RD       | JENKINS, WILLIAM A & WANDA              | 5486                        | NCDOT                        |
| 137                         | TARHEEL RD       | BOND, TALMADGE LEE                      | 7521                        | NCDOT                        |
| 139                         | TARHEEL RD       | SWAIN, ROBERTA & SMALLWOOD, WILLIAM     | 7913                        | NCDOT                        |
| 106                         | MOORE ST         | FREEMAN, JOSHUA                         | 4567                        | POOR PEOPLE INC              |
| 104                         | SPELLER ST       | BOND, TALMADGE LEE                      | 1466                        | POOR PEOPLE INC              |
| 105                         | SPELLER ST       | JAMES, DAVID LEWIS                      | 9484                        | POOR PEOPLE INC              |





**CHURCH LN, CHURCH LN EXT**

| <b>DISTRICT - SNAKEBITE</b> |                  |   |                             |                              |
|-----------------------------|------------------|---|-----------------------------|------------------------------|
| <b>ADDRESS #</b>            | <b>ROAD NAME</b> | <b>ADJOINING PROPERTY OWNERS</b>                            | <b>PIN# (LAST 4 DIGITS)</b> | <b>LISTED ROAD OWNERSHIP</b> |
| 433                         | MT OLIVE RD      | SPIRIT OF LIFE MIN OF WINDSOR                               | 7589                        | NCDOT                        |
|                             |                  | *ADJACENT TO CHURCH LN, DRIVEWAY ON CHURCH LN               |                             |                              |
| 435                         | MT OLIVE RD      | COPELAND, NATHAN R, III<br>(OWNS CHURCH LN & CHURCH LN EXT) | 0441                        | NCDOT                        |
| 437                         | MT OLIVE RD*     | SWAIN, NATHAN   | 9446                        | NCOT                         |
|                             |                  | *ADJACENT TO CHURCH LN, DRIVEWAY ON MT OLIVE RD             |                             |                              |
| 106                         | CHURCH LN        | WHITE, JOSEPHINE STOKES                                     | 0529                        | COPELAND, NATHAN R, III      |
| 108                         | CHURCH LN        | CLEMENT, JOSEPHINE JONES                                    | 1627                        | COPELAND, NATHAN R, III      |
| 111                         | CHURCH LN        | SMALLWOOD, MARY WATSON                                      | 7766                        | COPELAND, NATHAN R, III      |
| 112                         | CHURCH LN        | LASSITER, DORA  | 0915                        | COPELAND, NATHAN R, III      |
| 113                         | CHURCH LN        | RUSSELL, CATHERINE W  | 6860                        | COPELAND, NATHAN R, III      |
| 114                         | CHURCH LN        | SKINNER, ESMOND N   | 9927                        | COPELAND, NATHAN R, III      |
| 115                         | CHURCH LN        | JOHNSON, KEELA LASHAWN                                      | 4898                        | COPELAND, NATHAN R, III      |
| 118                         | CHURCH LN        | BECKHAM, CORNELIUS NICK +                                   | 7083                        | COPELAND, NATHAN R, III      |
| 121                         | CHURCH LN        | CREW INVESTMENTS, INC                                       | 5164                        | COPELAND, NATHAN R, III      |
| 125                         | CHURCH LN        | CLEMENT, JOSEPHINE JONES                                    | 6315                        | COPELAND, NATHAN R, III      |
| 124                         | CHURCH LN        | HECKSTALL, ANNA SESSOMS                                     | 8129                        | COPELAND, NATHAN R, III      |
| 127                         | CHURCH LN        | RUSSELL, CATHERINE W  | 6464                        | COPELAND, NATHAN R, III      |
| 128                         | CHURCH LN        | SPIRIT OF LIFE MIN OF WINDSOR                               | 9421                        | COPELAND, NATHAN R, III      |
| 101                         | CHURCH LN EXT    | PERRY, JAMES ALFRED & AMANDA                                | 1809                        | COPELAND, NATHAN R, III      |
| 106                         | CHURCH LN EXT    | OUTLAW, MARVIN RAY  | 2519                        | COPELAND, NATHAN R, III      |
| 108                         | CHURCH LN EXT    | SPIVEY, EBONY   | 3612                        | COPELAND, NATHAN R, III      |
| 110                         | CHURCH LN EXT    | SPIVEY, ADRIANE N   | 4612                        | COPELAND, NATHAN R, III      |
| 112                         | CHURCH LN EXT    | OUTLAW, ANTHONY LEON  | 5519                        | COPELAND, NATHAN R, III      |
| 113                         | CHURCH LN EXT    | SMALLWOOD, JASPER L. JR +                                   | 6871                        | COPELAND, NATHAN R, III      |
| 114                         | CHURCH LN EXT    | HECKSTALL, WILLIS E. JR                                     | 6505                        | COPELAND, NATHAN R, III      |

| <b>DAVID DR</b>   |                  |                                       |                             |                              |  |
|---|------------------|---------------------------------------|-----------------------------|------------------------------|--|
| <b>DISTRICT - ROXOBEL</b>   |                  |                                       |                             |                              |  |
| <b>ADDRESS #</b>  | <b>ROAD NAME</b> | <b>ADJOINING PROPERTY OWNERS</b>      | <b>PIN# (LAST 4 DIGITS)</b> | <b>LISTED ROAD OWNERSHIP</b> |  |
| OFF 3941  | GOVERNORS RD     | THIS PARCEL INCLUDED ROADS            | 6877                        | THOMAS, DAVID MALONE         |  |
| 3943  | GOVERNORS RD*    | COASTAL PLAINS PROPERTIES, INC        | 1570                        | NCDOT/ THOMAS, DAVID MALONE  |  |
| * ADJACENT TO DAVID DR, ADDRESS ON GOVERNORS RD, DRIVEWAY USES DAVID DR |                  |                                       |                             |                              |  |
| 3945  | GOVERNORS RD*    | MANLEY, WILLIE G & PATRICIA           | 1696                        | NCDOT                        |  |
| * ADJACENT TO DAVID DR, DRIVEWAY ON GOVERNORS RD                        |                  |                                       |                             |                              |  |
| 109   | DAVID DR         | WILSON-CASHWELL, LARA & CASHWELL, JOY | 0413                        | THOMAS, DAVID MALONE         |  |
| 112   | DAVID DR         | RASCOE, LACIE F                       | 8223                        | THOMAS, DAVID MALONE         |  |
| 113   | DAVID DR         | WILSON-CASHWELL, LARA & CASHWELL, JOY | 1235                        | THOMAS, DAVID MALONE         |  |
| 115   | DAVID DR         | WILSON-CASHWELL, LARA & CASHWELL, JOY | 1122                        | THOMAS, DAVID MALONE         |  |
| 116   | DAVID DR         | RASCOE, LACIE F                       | 8126                        | THOMAS, DAVID MALONE         |  |
| 117   | DAVID DR         | WILSON-CASHWELL, LARA & CASHWELL, JOY | 1042                        | THOMAS, DAVID MALONE         |  |
| 118   | DAVID DR         | WILSON-CASHWELL, LARA & CASHWELL, JOY | 8056                        | THOMAS, DAVID MALONE         |  |
| 119   | DAVID DR         | WILSON-CASHWELL, LARA & CASHWELL, JOY | 1963                        | THOMAS, DAVID MALONE         |  |
| 120   | DAVID DR         | JOHNSON, STANLEY EARL, JR             | 8976                        | THOMAS, DAVID MALONE         |  |
| 121   | DAVID DR         | THOMAS, DAVID MALONE                  | 2726                        | THOMAS, DAVID MALONE         |  |
| 124   | DAVID DR         | BRADLEY, VERNON T, III                | 9821                        | THOMAS, DAVID MALONE         |  |



|     |         |                             |      |                      |
|-----|---------|-----------------------------|------|----------------------|
| 105 | TINA LN | GORDON, ERNEST LEE +        | 0954 | CHERRY, TED KENT SR. |
| 107 | TINA LN | GORDON, ERNEST LEE +        | 9061 | CHERRY, TED KENT SR. |
| 109 | TINA LN | WATSON, JAMES JR & VERONICA | 0103 | CHERRY, TED KENT SR. |
| 112 | TINA LN | BAZEMORE, BARBARA J +       | 2304 | CHERRY, TED KENT SR. |
| 113 | TINA LN | RIDDICK, CORDARRY           | 9340 | CHERRY, TED KENT SR. |

| <b>MEADOW ROAD ESTATES - CABIN RD, PIONEER AVE</b> |                  |   |                              |
|--|------------------|---|------------------------------|
| <b>DISTRICT - COLERAIN II</b>                      |                  |   |                              |
| <b>ADDRESS #</b>                                   | <b>ROAD NAME</b> | <b>ADJOINING PROPERTY OWNERS</b>            | <b>PIN# (LAST 4 DIGITS)</b>  |
|  |                  |   | <b>LISTED ROAD OWNERSHIP</b> |
| 729  | MEADOW RD        | THIS PARCEL INCLUDES ALL ROADS              | 2331                         |
| 103  | CABIN RD         | MITCHELL, BILLY L.                          | 6986                         |
| 105  | CABIN RD         | PERRY, VERONICA                             | 5982                         |
| 107  | CABIN RD         | SESSOMS, DAVID C.                           | 4889                         |
| 109  | CABIN RD         | MITCHELL, BILLY                             | 3894                         |
| 709  | MEADOW RD*       | COPELAND, FAYE                              | 8016                         |
|  |                  | *ADJOINS CABIN RD, DRIVEWAY ON MEADOW RD    |                              |
| 713  | MEADOW RD*       | HOLLEY, RALEIGH L C                         | 8204                         |
|  |                  | *ADJOINS CABIN RD, DRIVEWAY ON MEADOW RD    |                              |
| 105  | PIONEER AVE      | HINTON, ANITA DEANA                         | 7633                         |
| 106  | PIONEER AVE      | BEST, HUGH                                  | 7824                         |
| 107  | PIONEER AVE      | MIZZELLE, ANTHONY O'NEAL +                  | 5683                         |
| 108  | PIONEER AVE      | BUNCH, AL GENE & MONTA LEE                  | 6833                         |
| 109  | PIONEER AVE      | PERRY, TONY THERESA P.                      | 4661                         |
| 110  | PIONEER AVE      | MIZZELLE, WILLIAM FRANKLIN JR.              | 5833                         |
| 113  | PIONEER AVE      | HOLLOMAN, KATIE WHITE                       | 5488                         |
| 114  | PIONEER AVE      | WINSTON, MARCIA SESSOMS                     | 6843                         |
| 115  | PIONEER AVE      | PERRY, DANIEL & ESSIE MAE                   | 6319                         |
| 117  | PIONEER AVE      | PERRY, CAROL L                              | 6219                         |
| 118  | PIONEER AVE      | FREEMAN, WILLIAM MICHAEL                    | 2595                         |
| 119  | PIONEER AVE      | SESSOMS, GREGORY KEITH & BETTY              | 6146                         |
| 122  | PIONEER AVE      | WINSTON, FELICIA L.                         | 4326                         |
| 124  | PIONEER AVE      | BEALE, ANNETTE P.                           | 4149                         |
| 126  | PIONEER AVE      | SPEIGHT, ANTHONY J & DEMPSEY, CIERRA        | 4066                         |
| 721  | MEADOW RD*       | COPELAND, FAYE                              | 8664                         |
|  |                  | *ADJOINS PIONEER AVE, DRIVEWAY ON MEADOW RD |                              |
| 727  | MEADOW RD*       | WILLIFORD, WILLIE & BERTHA                  | 8874                         |
|  |                  | *ADJOINS PIONEER AVE, DRIVEWAY ON MEADOW RD |                              |

| TAYLOR-WATFORD LN      |                         |   |                      |  |
|------------------------|-------------------------|---|----------------------|--|
| DISTRICT - COLERAIN II |                         |   |                      |  |
| ADDRESS #              | ROAD NAME               | ADJOINING PROPERTY OWNERS                 | PIN# (LAST 4 DIGITS) | LISTED ROAD OWNERSHIP  |
|                        |                         | (LANE CROSSES SEVERAL PRIVATE PROPERTIES) |                      |  |
| 511                    | CREMO RD                | FREEMAN, MORRIS LEE                       | 9384                 | PROPERTY HAS CREMO RD ADDRESS BUT OWNS PORTION OF TAYLOR-WATFORD LN        |
| *130                   | TAYLOR-WATFORD LN       | FREEMAN, JAME O & ADELE                   | 9332                 | PROPERTY LINE STOPS BEFORE ROAD/USES ROAD BUT DOES NOT OWN PORTION OF ROAD |
|                        | *ONLY RESIDENCE ON LANE |   |                      |  |
| 134                    | TAYLOR-WATFORD LN       | E R EVANS & SON, INC.                     | 2705                 | LAND OWNER(S) BY PORTION   |
| 146                    | TAYLOR-WATFORD LN       | JERNIGAN, JAMES CARROLL +                 | 7746                 | LAND OWNER(S) BY PORTION   |
| 152                    | TAYLOR-WATFORD LN       | DAVIDSON, DORA W & CANNON, PHYLISS W      | 8073                 | LAND OWNER(S) BY PORTION   |

## EXCERPT

### Cleveland County Street Ordinance

#### ARTICLE XI. - STREETS AND SIDEWALKS<sup>[4]</sup>

##### Footnotes:

--- (4) ---

Cross reference— Streets, Ch. 9.

##### Sec. 12-191. - Street classification.

The classification of streets shall be as follows:

- (1) *Local*: A street of twenty-five hundred (2,500) feet or less, whose sole function is to provide access to abutting properties.
- (2) *Cul-de-sac*: A street that terminates in a vehicular turnaround.
- (3) *Collector*: A street whose principal function is to carry traffic between local and arterial streets but that may also provide direct access to abutting properties.
- (4) *Arterial*: A major street that serves as an avenue for the circulation of traffic into, out, or around the county and carries a high volume of traffic.

##### Sec. 12-192. - Public streets.

- (a) All proposed public streets shall conform in all respects to the construction and design standards of the North Carolina Department of Transportation, Subdivision Roads Minimum Construction Standards and shall have a minimum right-of-way width in conformance with the Department of Transportation Subdivision Roads Policy, as such standards shall from time to time be amended.
- (b) Public streets shall be indicated on the final plat with reference to the recorded disclosure statement.

##### Sec. 12-193. - Private roads.

Proposed private roads, which are not to be maintained by NCDOT or any municipality in the county, shall be permitted under the following conditions:

- (1) Private roads in major subdivisions shall be paved and conform in all respects to the standards referenced in section 12-192.
- (2) Private roads in minor subdivisions shall be classified as local, as set forth in section 12-191.
- (3) Private roads in a minor subdivision shall not require paving but shall be subject to the remaining standards referenced in section 12-192.
- (4) No more than four (4) lots shall be served by a private unpaved road.
- (5) A proposed private unpaved road shall not be allowed to intersect another private unpaved road. Private roads shall be indicated on the final plat with reference to the recorded disclosure statement.

Source: [https://library.municode.com/nc/cleveland\\_county/codes/code\\_of\\_ordinances?nodeId=COOR\\_CH12UNDEOR\\_ARTXISTSI\\_S12-193PRRO](https://library.municode.com/nc/cleveland_county/codes/code_of_ordinances?nodeId=COOR_CH12UNDEOR_ARTXISTSI_S12-193PRRO)

(Amd. of 4-4-06)

**Sec. 12-194. - Disclosure statement.**

The initial purchaser of a newly created lot shall be presented with, and acknowledge receipt by signing a disclosure statement outlining the maintenance responsibilities for the private or public street upon which the lot fronts as provided in section 136-102.6 of the General Statutes. A sample copy of the disclosure statement shall be recorded with the county register of deeds prior to final plat approval.

**Sec. 12-195. - Access to lots.**

Each individual lot being developed shall have access directly onto a public or private road which the individual lot joins for a distance of twenty-five (25) feet or more in one continuous property without using easements, portions of lots, extensions of lots (flag lots), or other devices for access purposes.

**Sec. 12-196. - Access to major arterial streets.**

Whenever a major subdivision borders on a state or federal highway or contains an existing or proposed arterial street, no direct driveway access may be provided from the lots within this subdivision onto this street. A ten-foot non-access easement shall be required adjacent to the right-of-way of the arterial street for the purpose of planting trees and shrubs to create one (1) of the opaque screens defined in section 12-303.

**Sec. 12-197. - Coordination with surrounding streets.**

- (a) Collector and local residential streets shall connect with surrounding streets where necessary to permit the convenient movement of traffic between residential neighborhoods or to facilitate access to neighborhoods by emergency service vehicles or for other sufficient reasons, but connections shall not be permitted where the effect would be to encourage the use of such streets by substantial through traffic.
- (b) Whenever connections to anticipated or proposed surrounding streets are required by this section, the street right-of-way shall be extended to the property line of the subdivided property (or to the edge of the remaining undeveloped portion of a single tract) at the point where the connection to the anticipated or proposed street is expected. In addition, the permit-issuing authority may require temporary turnarounds to be constructed at the end of such streets pending their extension when such turnarounds appear necessary to facilitate the flow of traffic or accommodate emergency vehicles. Notwithstanding the other provisions of this subsection, no temporary dead-end street in excess of one thousand (1,000) feet may be created unless no other practicable alternative is available.

**Sec. 12-198. - Road and sidewalk requirements in unsubdivided developments.**

- (a) Within unsubdivided developments with multiple dwellings, all private roads and access ways shall be designed and constructed to facilitate the safe and convenient movement of motor vehicle and pedestrian traffic.
- (b) Whenever a road in an unsubdivided development connects two (2) or more collector or arterial streets in such a manner that any substantial volume of through traffic is likely to make use of this road, such road shall be constructed in accordance with the standards applicable to public streets, section 12-192, and shall be dedicated to the North Carolina Department of Transportation.
- (c) In all unsubdivided residential multifamily developments, sidewalks shall be provided linking dwelling units, the public street, and on-site activity centers such as parking areas, laundry facilities, and recreational areas and facilities. Notwithstanding the foregoing, sidewalks shall not be required where pedestrians have access to a road that serves not more than nine (9) dwelling units.



(d) The sidewalks required by this section shall be constructed of concrete at least four (4) inches thick, and at least four (4) feet wide. Expansion joints shall be provided every thirty (30) feet and false joints every ten (10) feet. Walkways may be constructed with other suitable materials when the administrator concludes that:

- (1) Such walkways would serve the residents of the development as adequately as concrete sidewalks; and
- (2) Such walkways could be more environmentally desirable or more in keeping with the overall design of the development.

Sec. 12-199. - Attention to handicapped curb and gutter construction.

Whenever curb and gutter construction is used on public streets, wheelchair ramps for the handicapped shall be provided at intersections and other major points of pedestrian flow. Wheelchair ramps and depressed curbs shall be constructed in accordance with the North Carolina Department of Transportation, "Guidelines, Curb Cuts and Ramps for Handicapped Persons", as the same shall from time to time be amended.

Sec. 12-200. - Street names and house numbers.

- (a) Street names shall be assigned by the developer subject to the approval of the administrator. Proposed streets that are obviously in alignment with existing streets shall be given the same name. Newly created streets shall be given names that neither duplicate nor are phonetically similar to existing streets within the county, regardless of the use of different suffixes.
- (b) Street names shall include a suffix such as the following:
  - (1) *Boulevard*: An arterial street.
  - (2) *Avenue*: An arterial street.
  - (3) *Circle*: A short street that returns to itself.
  - (4) *Court or Place*: A cul-de-sac or dead-end street.
  - (5) *Drive*: A collector street.
  - (6) *Loop*: A street that begins at the intersection with one street and circles back to end at another intersection with the same street.
  - (7) *Street or Road*: All other streets.
- (c) Building numbers shall be assigned by the county.

Sec. 12-201. - Traffic control devices.

- (a) The developer shall reimburse the county for the installation of street signs.
- (b) Traffic control devices such as, but not limited to, signal lights, signage and marking shall also be provided by the developer in accordance with the Manual of Uniform Traffic Control Devices and other applicable state agency specifications, as the same may be amended from time to time.

Secs. 12-202—12-220. - Reserved.

Subject: Non-Compliance and Enforcement for Nuisance Abatement per UNC SOG

## May a City Mow an Overgrown Lot without a Court Order?

### About the author

Trey Allen



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This entry was posted on April 10th, 2017 and is filed under [Administration & Enforcement](#), [Enforcement](#), [General Local Government \(Miscellaneous\)](#), [Land Use & Code Enforcement](#), [Nuisance Abatement](#), [Ordinances & Police Powers](#).



The Town of Manicure has been working hard to revitalize the historic neighborhood adjacent to downtown. As part of the effort to improve conditions in this and other neighborhoods, the town has been more vigilant in enforcing its overgrown lot ordinance, which prohibits property owners from allowing grass and weeds to grow above 18 inches in height. Whenever the town's inspection department verifies that grass and weeds on property located within the corporate limits are more than 18 inches high, the owner receives a citation informing her that, if she doesn't bring the lot into compliance within 15 calendar days, town employees will mow the lot and bill the owner for the cost of corrective action. The town routinely follows through on such warnings without first obtaining a court order authorizing the action taken.

May the town mow a noncompliant lot without first obtaining an order of abatement from the appropriate court?

The Town of Manicure's overgrown lot ordinance is not unusual. Many cities prohibit the dense growth of weeds or grass above a certain height. It's quite common for their ordinances to provide that city employees or contractors will mow overgrown lots if the owners don't bring their property into compliance within a designated number of days. (See [here](#) and [here](#) for examples of such ordinances.)

When adopting and enforcing overgrown lot ordinances, cities typically rely on their basic authority to abate (diminish or eliminate) public nuisances (property uses that unreasonably compromise the public health, safety, or morals). Two statutes furnish this authority: [G.S. 160A-174](#) (the "police power statute") invests cities with their general police power, that is, their core authority to regulate or prohibit conditions detrimental to the public

health, safety, or welfare and “to define and abate nuisances”; G.S. 160A-193 (the “summary abatement statute”) grants municipalities the power “to summarily . . . abate . . . everything within the city limits, or one mile thereof, that is dangerous or prejudicial to the public safety.”

It’s tempting to assume from the presence of the word “abate” in both of these statutes that, if one of the laws permits abatement without a court order, the other does, too. Of course, if things were that simple, I would’ve written a much shorter blog post.

### Overgrown Lots and the Police Power and Nuisance Abatement Statutes Generally

Setting aside for a moment the issue of mowing without a court order, let’s examine some of the other factors that might lead a city to prefer one statute over the other as the primary legal basis for its treatment of overgrown lots. (A city can always claim to rely on both.)

#### *Reasons for Preferring the Police Power Statute*

Whereas the police power statute refers to nuisances generally, the summary abatement statute refers to nuisances *that prejudice or endanger public health or safety*. The difference in wording implies that not every nuisance rises to the level of a public health or safety nuisance. A city might choose to rely on the police power statute as authority for its overgrown lot measures if the city isn’t convinced that overgrown lots in specific cases, or in any case, can meet the standard in the summary abatement statute. I’ll come back to this point a little later.

The police power statute mandates that cities exercise their general police power “by ordinance.” G.S. 160A-174(a). In contrast, nothing in the text of the summary abatement statute expressly allows for the adoption of ordinances implementing its provisions, though a 1919 case involving an earlier version of the statute offers reason to believe such power exists. *Ratchford v. City of Gastonia*, 177 N.C. 375 (1919) (holding that a previous version of G.S. 160A-193 afforded the city sufficient authority for its ordinance requiring outhouses to be cleaned and inspected under the supervision of city personnel).

Regulating nuisances, including overgrown lots, by ordinance offers several advantages, two of which were highlighted by my former colleague Rich Ducker in two excellent blog posts ([here](#) and [here](#)) on nuisance abatement.

- “[A] local government may use an ordinance to set forth the procedures it intends to follow in dealing with a nuisance and to ensure that it conforms to state and federal law.”
- This matters because, as explained in the second of the two blog posts, the failure to provide nuisance violators with adequate procedural safeguards prior to abatement can expose local governments to liability for violations of property owners’ constitutional rights, such as the right to due process and to freedom from unreasonable property seizures.
- “[A]n ordinance provides the local government with the opportunity to define the kinds of conditions that . . . categorically constitute nuisances, that is ‘nuisances per se.’ For example, an ordinance may define one type of nuisance to be weeds or grass allowed to grow to a height greater on average than 12 inches. Indeed, the police-

power authority may well encompass regulation of conditions that do not now constitute a nuisance but might become one if left unregulated.”

I see two more advantages to regulating overgrown lots by ordinance.

- The adoption of an overgrown lot ordinance puts more enforcement tools at a city’s disposal. General Statute [160A-175](#) authorizes an array of remedies for ordinance violations, most notably misdemeanor charges, civil penalties, and judicial intervention. (To access my blog post on the fundamentals of ordinance enforcement, click [here](#).) On the other hand, when a city acts not pursuant to an ordinance but directly under the summary abatement statute, its enforcement powers are limited to the actual abatement and obtaining a lien for the cost of corrective action. G.S. 160A-193(a)&(b).
- The adoption of an overgrown lot ordinance allows a city to take advantage of [G.S. 160A-200.1](#). That statute appears to authorize a city to mow an overgrown lot without further notice to the owner, and presumably without first obtaining a court order, when (1) the owner qualifies as a “chronic violator” of the city’s overgrown lot ordinance and (2) the city has satisfied the statute’s notice requirements. (Click [here](#) for a blog post that analyzes the statute’s notice requirements and definition of “chronic violator.”)

In short, by basing its overgrown lot measures on the police power statute, a city (1) avoids concerns about the scope of the summary abatement statute and (2) ensures it may reap the benefits that flow from acting by ordinance.

#### *Reasons for Preferring the Summary Abatement Statute*

So why, aside from whatever power it confers to act without a court order, might a city wish to depend on the summary abatement statute rather than the police power statute when it comes to overgrown lots?

- The word “summarily” in the summary abatement statute signals that cities may **take action** under the statute without delay, so long as they provide whatever procedural protections are constitutionally required.
- Nuisance ordinances generally are not enforceable outside the city limits. When a city acts directly under the summary abatement statute, however, it may abate any nuisances covered by the statute up to one mile beyond its corporate boundaries.

#### Mowing Lots without Court Orders under the Police Power Statute

Now let’s return to the question of whether a city may mow an overgrown lot without a court order. The answer may well be “no” under the police power statute. Paragraph (e) of G.S. 160A-175, the ordinance enforcement statute, allows a city to obtain an injunction and abatement order from the appropriate court in response to a violation of an ordinance that “makes unlawful . . . condition[s] existing upon or use[s] made of real property.” If the offender fails or refuses to obey the court’s order, he may be cited for contempt, and the city may execute the abatement order and obtain a lien for the cost of abatement.

According to the first of Rich Ducker’s blog posts mentioned earlier, the “clear implication” of paragraph (e) is that, “in order for a local government to abate a nuisance pursuant to an ordinance adopted under [the police power

statute], the local government must file suit against the owner and obtain the appropriate court order.” If this assessment is accurate, the police power statute doesn’t support the non-judicial abatement of overgrown lots.

Certainly the safest course is to assume that a court order is needed for an abatement conducted pursuant to an ordinance adopted under the police power statute. I have implied as much in [my chapter](#) on the general police power of cities and counties in the current edition of [County and Municipal Government in North Carolina](#). Still, I see plausible arguments for interpreting the police power statute to allow nuisance abatement, including the mowing of overgrown lots, without a court order.

### *Arguments for Abatement without a Court Order under the Police Power Statute*

As quoted above, the text of the police power statute authorizes cities to “define *and abate*” nuisances. G.S. 160A-174(a) (emphasis added). Nuisances can be defined by ordinance, and ordinances can be used to establish the procedures for abatement, but abatement itself doesn’t occur until a nuisance is actually reduced or eliminated. The words “and abate” seem rather empty unless viewed as a grant of real authority to take corrective action. Moreover, if the police power statute does confer abatement authority independent of, or supplemental to, the judicial abatement process set out in G.S. 160A-175, then it seems reasonable to infer that no court order is necessary to exercise this power. Otherwise the words “and abate” in the police power statute are just shorthand for the longer abatement provision in paragraph (e).

This expansive interpretation of the police power statute’s abatement provision strikes me as consistent with *King v. Town of Chapel Hill*, 367 N.C. 400 (2014), which holds that the police power statute must be broadly construed. *See also State v. Beacham*, 125 N.C. 652, 654 (1899) (“There can be no doubt, generally, of the authority of the town, through its agencies, to . . . regulate and abate nuisances, and such authority is liberally construed by the courts for the benefit of the citizens.”)

The decision of the [North Carolina](#) Supreme Court in *Rhyme v. Town of Mount Holly*, 251 N.C. 251 (1960), seems likewise to weigh in favor of reading the police power statute to permit the mowing of overgrown lots without judicial involvement. In that case, an ordinance adopted by the town directed owners of vacant lots to cut down “all weeds, grass or other noxious growth” to within four inches of the ground at least twice each year. The ordinance warned that the town could do the mowing itself if owners failed to comply.

Taking an extremely zealous approach to removal of noxious growth, town employees bulldozed the plaintiff’s vacant lot to bring it into compliance with the ordinance. The total clearing of the plaintiff’s lot removed more than grass and weeds: it destroyed in excess of 100 oak trees, prompting the plaintiff to sue the town. The trial court instructed the jury that (1) the ordinance allowed town employees to enter upon the plaintiff’s vacant lot and cut down all weeds, grass, or other noxious growth, and (2) the oak trees did not qualify as weeds, grass, or noxious growth within the meaning of the ordinance. The jury found for the plaintiff and awarded him \$400 in damages.

On appeal the town essentially argued that, because the trees had been destroyed incidental to the enforcement of the overgrown lot ordinance, it wasn’t liable for their loss. The state supreme court rejected the town’s argument. In rendering its decision, the high court assumed that the legal basis for the ordinance was G.S. 160-55 (now repealed), which authorized cities to adopt ordinances “for abating or preventing nuisances of any kind, and

for preserving the health of [their] citizens.” The court noted its approval of the jury instruction that the ordinance didn’t cover the plaintiff’s oak trees. It interpreted the jury’s verdict to establish that town employees, “having lawfully entered [onto the plaintiff’s property],” proceeded to damage the plaintiff’s property “by acts in excess of the authority conferred by the provisions of the ordinance.” *Rhyne*, 251 N.C. at 524. The court concluded that the town was liable for the loss of the trees since their destruction wasn’t necessary to remedy the ordinance violation.

Although the validity of the ordinance wasn’t squarely at issue in *Rhyne*, the supreme court’s opinion at a minimum suggests that the ordinance amounted to a legitimate exercise of the town’s abatement power under G.S. 160-55. The court, for instance, probably wouldn’t have described the entry of town employees onto the plaintiff’s lot as lawful if it had regarded the ordinance as a blatant overreach. Inasmuch as G.S. 160-55 is a forerunner of the police power statute’s nuisance provision, if G.S. 160-55 allowed abatement without a court order, the same should be true of the police power statute.

What about the chronic violator statute? Does it tell us anything about the scope of nuisance abatement authority under the police power statute? One might argue that an apparent goal of the chronic violator provisions is to relieve cities of the obligation they would otherwise have to obtain court orders prior to abating nuisances on the property of chronic violators. I find this argument unpersuasive. Although the statute permits non-judicial abatement in the case of a chronic violator, the burden it aims to reduce isn’t that of having to obtain abatement orders; rather the statute’s purpose is to spare cities from having to notify chronic violators each and every time the need arises to abate nuisances on their property. If I’m right, the chronic violator statute tells us little, if anything, about whether or when a judicial abatement order is required when a the offender is not a chronic violator.

It’s impossible to say with confidence that the police power statute encompasses the power to mow overgrown lots without court orders. The more cautious approach is to assume that the law grants no such authority, but reasonable arguments can be made in favor of interpreting it to permit cities to mow overgrown lots without first going to court.

#### Mowing Without a Court Order under the Summary Abatement Statute

As you’ve probably guessed, the summary abatement statute authorizes abatement without a court order. It would be something of a contradiction to say that the statute allows cities to abate nuisances “summarily” but that cities must delay abatement long enough to file and successfully prosecute abatement actions in the court system. Moreover, given that the statute concerns nuisances prejudicial or dangerous to public health or safety, it’s easy to see why the legislature would choose to permit abatement without judicial involvement on the front end.

The county equivalent to the summary abatement statute, [G.S. 153A-140](#), confirms this interpretation. In G.S. 153A-140, the General Assembly took a more restrictive approach to the abatement of public health and safety nuisances. The statute omits the word “summarily” and expressly forbids a county from exercising the power that it confers unless the offender receives adequate notice, the right to a hearing, and the right to appeal to the appropriate court. Note, though, that even under G.S. 153A-140, the county doesn’t have an affirmative obligation to seek a judicial order of abatement. Abatement may occur without a court order unless the offender appeals the



county's abatement decision. If a judicial abatement order isn't mandatory under G.S. 153A-140, and it isn't, then plainly it's not required under the summary abatement statute. See G.S. 153A-140 ("Nothing in this section shall be deemed to restrict or repeal the authority of any municipality to abate or remedy health nuisances pursuant to . . . [G.S.] 160A-193.")

It follows that, if an overgrown lot qualifies as a public health or safety risk, the summary abatement statute authorizes a city to mow it without a court order, though likely not without notice to the owner. As I've already observed, the presence of the word "summarily" in the statute doesn't absolve cities of their constitutional obligation to provide property owners with due process. See, e.g., *Monroe v. City of New Bern*, 158 N.C. App. 275, 278 (2003) (Due process ordinarily requires a city to refrain from demolishing a dilapidated building until the owner has been afforded "sufficient notice, a hearing, and ample opportunity to demolish the building or to do what suffices to make it safe or healthy for use or occupancy."). For a detailed discussion of the constitutional limitations on nuisance abatement, see Rich Ducker's blog post [here](#).

### *Can an Overgrown Lot Be a Public Health or Safety Nuisance?*

The abatement of an overgrown lot may take place under the summary abatement statute only if the lot is a public health or safety nuisance. If it's not, then the lot must be dealt with under the police power statute, and the city's ability to mow the lot without first going to court isn't as obvious.

Once again *Rhyme* is instructive, if not decisive. When *Rhyme* was decided, the summary abatement statute's immediate predecessor, G.S. 160-234, was in effect. Like its successor, G.S. 160-234 authorized each city "summarily to . . . abate . . . everything in the city limits, or within a mile of such limits, which [was] dangerous or prejudicial to the public health." The town didn't cite G.S. 160-234 in its defense, but the court took the law's potential relevance to the case into account anyway. While most of the town's evidence tended to prove nothing more than that the plaintiff's lot had been unsightly, the court opined that "some evidence" supported the town's allegation that the lot presented "a menace to the general health" of the town's residents. 251 N.C. at 525. The town nonetheless owed the plaintiff compensation because "ample evidence" showed that "conditions on [his] lot that might [have been] considered detrimental to the public health could have been corrected without destroying [his] trees." *Id.* at 530.

The good news for cities is that *Rhyme* appears to leave open the possibility that the summary abatement statute applies to overgrown lots in certain situations. The bad news is that *Rhyme* offers no description of the types of conditions that transform an overgrown lot from an eyesore into a public health or safety threat. I do think that a city must show more than that a lot was overgrown to justify mowing under the summary abatement statute. The city should be prepared to articulate the specific risk(s) to the public posed by a particular lot. Perhaps it could make the necessary showing by demonstrating that overgrown grass and weeds obscured piles of garbage likely to attract rats, snakes, or vermin. Or perhaps it's sufficient to prove that noxious and invasive weeds were growing on the property. While I can't be sure, I suspect that these are the kinds of conditions that make an overgrown lot eligible for mowing under the summary abatement statute.

I take comfort from the fact that my hometown apparently interprets the summary abatement statute the same way I do. Lumberton's overgrown lot ordinance doesn't merely forbid the growth of grass or weeds above a certain

height. Instead it prohibits the “uncontrolled growth of noxious weeds or grass to a height in excess of 18 inches *causing or threatening to cause a hazard detrimental to the public health or safety.*” (Emphasis added.)

### Conclusion

The Town of Manicure’s authority to mow overgrown lots without first going to court isn’t clear-cut. Although the town has the power to regulate overgrown lots under the police power statute, it may be that any abatement performed in reliance on that law must occur pursuant to a judicial abatement order. The summary abatement statute permits abatement in the absence of a court order, but it likely doesn’t apply to overgrown lots unless they present identifiable threats to public health or safety. Other than when the owner consents, the one instance in which a city plainly may mow an overgrown lot without a court order is when it acts pursuant to the chronic violator statute.



**Scott T. Sauer** – County Manager

[Bertie County, NC](#)

(252) 794-6112



Subject: Nuisance Abatement per UNC SOG

## Nuisance Abatement and Local Governments: What a Mess

About the author

Richard Ducker



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This entry was posted on June 16th, 2011 and is filed under Land Use & Code Enforcement.



UPDATE September 2013: Click [here](#) for the 2013 sequel to this blog.

What is a public nuisance? A public nuisance is a condition or **activity** involving real property that amounts to an unreasonable interference with the health, safety, morals, or comfort of the community. Of course, for many of us a public nuisance may be impossible to define; you simply know it when you see it (or hear it or smell it). Often times, it involves a real mess. But the real nuisance for our purposes may be the confusing state of the law that applies to local government nuisance actions. The purpose of this blog is to consider some of the statutory choices (and problems) facing local governments that wish to regulate and abate nuisances. A subsequent blog will consider further some of the legal issues involved.

### City and County Nuisance-Abatement Authority

**G.S. 160A-193** (abatement of public health nuisances) provides that a city “shall have the authority to summarily remove, abate, or remedy everything in the city limits, or within one mile thereof, that is dangerous or prejudicial to the public health or public safety.” The corresponding county statute, **G.S. 153A-140** (abatement of public health nuisances) declares that a county “shall have authority . . . to remove, abate, or remedy everything that is dangerous or prejudicial to the public health or safety.” The catch line of each statute refers to public health nuisances although the statutory text speaks to both public health and public safety matters. Neither statute expressly authorizes the adoption of an implementing ordinance. The municipal statute allows “summary” actions to remove or abate a nuisance (more immediate, abbreviated procedures) whereas the county statute omits such a term. Municipal authority may be exercised not only inside municipal limits, but also up to one mile outside such

limits. Since a county may act in any part of the county not within a city (see G.S. 153A-122), a city and a county have overlapping jurisdiction in the one-mile area around a city. In summary there are differences between municipal and county authority to abate public nuisances. However, they are minor when compared to the differences between these statutes (G.S. 160A-193 and G.S. 153A-140) and the city and county statutes authorizing the use of the general police power (G.S. 160A-174 and G.S. 153A-121) that are described below. While there may be times when summary abatement is appropriate, proceeding under an ordinance will be preferable in most cases for the reasons explained below.

### **Public Nuisances and the General Police Power**

G.S. 160A-174(a) provides in part that a city “may by ordinance define, prohibit, regulate, or abate acts, omissions, or conditions, detrimental to the health, safety, or welfare of its citizens and the peace and dignity of the city, and may define and abate nuisances.” (Italics added.) G.S. 153A-121(a) is essentially identical and provides comparable authority for counties. How do these statutes compare with the so-called “nuisance statutes” discussed above?

### **Local Government “Police-Power Statutes”**

First, the “police-power statutes” enable local governments to act only upon the adoption of an ordinance. Such an ordinance may address any of a multitude of topics that may be made subject to a local government’s general regulatory power. Why should a city or county choose to adopt a nuisance ordinance under the “police-power statutes” rather than proceed under the “nuisance-abatement statutes”? For one thing a local government may use an ordinance to set forth the procedures it intends to follow in dealing with a nuisance and to ensure that it conforms to state and federal law. (Failure to follow proper notice and hearing procedures may render a local government liable in damages; see my next blog post.) For another, an ordinance provides the local government with the opportunity to define the kinds of conditions that give rise to nuisances. More specifically, a police-power ordinance allows for the definition of conditions that categorically constitute nuisances, that is “nuisances per se.” For example, an ordinance may define one type of nuisance to be weeds or grass allowed to grow to a height greater on average than 12 inches. Indeed, the police-power authority may well encompass regulation of conditions that do not now constitute a nuisance but might become one if left unregulated. In contrast a local government may use the public nuisance statutes to address “one-off” nuisance situations that are not routine and that resist ordinance definition.

Second, ordinances adopted under municipal police-power statutes apply only inside municipal limits (county ordinances apply anywhere outside municipal limits). Thus the municipal public nuisance statute, which can be applied up to one mile beyond city limits, offers more geographic versatility than a police-power ordinance.

A third comparison concerns the nature of the physical premises associated with the nuisance. Most nuisances involve the use of a building or a structure of some other sort. Several statutes address severe structural problems. G.S. 160A-441 et seq. (authority to adopt a minimum housing ordinance); G.S. 160A-426 et seq. and G.S. 153A-365 et seq. (unsafe building condemnation); and G.S. 160A-439 (authority to adopt a nonresidential building/structures ordinance) allow the demolition of a building or structure. Does that mean that these “condemnation statutes” preempt or prevent local governments from treating nuisances involving structures under the public-nuisance statutes or the police-power-ordinance statutes? Not necessarily. In the case of Monroe

v. City of New Bern, 158 N.C. App. 275, 580 S.E.2d 372 (2003), *cert. denied*, 357 N.C. 461 (2003), the [North Carolina](#) Court of Appeals implied that in proper circumstances G. S. 160A-193 (the municipal public nuisance statute) may apply to structurally-deficient residences. Whether police-power ordinances may also apply to buildings of this sort (rather than just overgrown vegetation, discarded appliances, yard debris, and the like) remains unclear.

One other major difference between the “nuisance-abatement statutes” and the “police-power statutes” is that the former allow for both an administrative determination that a nuisance exists and an administratively ordered abatement of the nuisance if the owner fails to take timely action. These “summary” procedures permit a local government to save time by being able to move quickly and to save money by being able to avoid having to file a lawsuit to obtain a court order providing for abatement. Of course, these summary actions initiated by a local government can also be a curse because the nuisance abatement statutes offer so little guidance on how to recognize a nuisance and how a local government must proceed in order to get rid of it. In contrast subsections (e) of both [G.S. 160A-175](#) and [G.S. 153A-123](#) (enforcement of ordinances), set forth extensive procedures for how to enforce an “ordinance that makes unlawful a condition existing upon or use made of real property” by obtaining an injunction or order of abatement from the General Court of Justice (our state judicial system). The implication is clear: in order for a local government to abate a public nuisance pursuant to an ordinance adopted under G.S. 160A-174 or G.S. 153A-121 (the general police-power statutes), the local government must file suit against the owner to obtain the appropriate court order.

Abatement by court order offers one other key advantage. It is based on a judicial determination of the scope of the nuisance and the extent of the steps needed to abate it. In [North Carolina](#) local governments are liable in damages to the extent that the demolition or removal of property undertaken to abate the public nuisance exceeds what is necessary to eliminate nuisance conditions. Administrative mistakes made in determining what needs to be done can be costly.

This blog has outlined some of the choices regarding enabling authority that local governments must make if they take action against nuisances. The next blog will review some of the constitutional issues involved in abating nuisances and demolishing buildings.



**Scott T. Sauer** – County Manager  
[Bertie County, NC](#)  
(252) 794-6112



Subject: Nuisance Abatement UNC SOG part 2

## Nuisance Abatement and Local Governments: What a Mess – Part II

About the author

Richard Ducker



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This entry was posted on July 31st, 2013 and is filed under [Community & Economic Development](#), [Community Development & Redevelopment](#), [Land Use & Code Enforcement](#).



Several years ago I prepared a blog entitled "[Nuisance Abatement and Local Governments: What a Mess.](#)" At the end of that blog I promised a sequel to [take](#) up several other legal issues related to nuisance abatement and building condemnation. Here is that sequel. One issue concerns the nature of the process that must be used by a local government to abate a nuisance or condemn a building. In administrative proceedings particularly, what due process is due? The second issue involves the seizure or destruction of property that can occur when a local government takes direct action to abate a nuisance or demolish a dilapidated building after the owner fails to remedy the conditions that give rise to the problem. Can there be a violation of an individual's legal rights when a local government or its contractor goes onto private property to destroy the offending property condition? These are the subjects of "Nuisance Abatement and Local Governments: What a Mess – Part II."

### Sources of Local Enabling Authority

The [North Carolina](#) Statutes provide a wide range of discrete sources of legal authority for municipalities to condemn buildings and structures and abate public nuisances. These include (1) unsafe building condemnation ([G.S. 160A-426 et seq.](#)); (2) minimum housing ordinance ([G.S. 160A-441 et seq.](#)); (3) commercial maintenance code ([G.S. 160A-439](#)); (4) abandoned structure ordinance ([G.S. 160A-441, second paragraph](#)); (5) criminal nuisance law ([G.S. 19-1 et seq.](#)); (6) nuisance abatement ([G.S. 160A-193](#)); (7) nuisance abatement ([G.S. 160A-174\(a\)](#)); (8) abandoned/junked vehicle ordinance ([G.S. 160A-303.2](#)); and (9) general police power ([G.S. 160A-174\(a\)](#)). Many of these lines of statutory authority are designed to provide due process to property owners affected by local government code enforcement. In addition, procedural due process as required by the U.S. Constitution provides

safeguards to citizens prior to any governmental decision that deprives an individual of a liberty or property interest.

### Required Procedures for Building Demolition

Many of the types of legal authority listed above include specific procedural requirements designed to protect the interests of property owners in code enforcement proceedings. For example, if a local government inspector's preliminary investigation reveals the basis for a violation, the code official may be directed to serve the owner with a complaint and a notice of a hearing. That enables the property owner to appear at a hearing in person to respond to the complaint, to contest the initial determination, and to appeal an adverse decision. Such hearings held pursuant to the unsafe building statutes or under the minimum housing statutes are quasi-judicial in nature. Coffey v. Town of Waynesville, 143 N.C.App. 624, 547 S.E.2d 132 (2001); Patterson v. City of Gastonia, \_\_ N.C. App. \_\_, 725 S.E.2d 82 (2012). The hearing ordinarily results in an order for the owner to correct property deficiencies by repairing, moving, or demolishing the building. North Carolina case law further extends an owner's rights by requiring that owners must always be given an adequate opportunity to make the necessary repairs or improvements themselves, regardless of the economic feasibility of doing so. Horton v. Gullledge, 277 N.C. 353, 177 S.E.2d 885 (1970); G.S. 160A-443(5); G.S. 160A-439(f)(2). This logic may well apply also to the abatement of public nuisances. Furthermore, if the condition of a building changes because of deterioration or vandalism so that the remedial steps called for in the code official's initial order are no longer feasible or appropriate, then the process of complaint, notice, hearing, and opportunity to cure must be repeated. Newton v. City of Winston-Salem, 92 N.C. App. 446, 374 S.E.2d 488 (1988). If the property owner eventually fails to comply with the code official's order, then the unsafe building laws, the minimum housing statutes, and the commercial maintenance legislation all permit a local governing board to authorize staff to arrange for the remedial work to be performed directly. G.S. 160A-443(5); G.S. 160A-432(b); G.S. 160A-439(f)(1). An owner need not be given further notice and an opportunity to be heard when the governing board considers whether to approve the use of this self-help remedy. Patterson v. City of Gastonia, \_\_ N.C.App. \_\_, 725 S.E.2d 82 (2012).

If these due process principles are built into the building condemnation, housing code, and commercial maintenance laws, do these principles also apply to various forms of nuisance abatement? After all, building condemnation and nuisance abatement are both predicated on the removal of public health and safety hazards. Neither type of process requires the payment of compensation for property destroyed in the removal or curing of the hazard. Are the procedural rules that apply to the abatement of public nuisances any different?

### Required Procedures for Nuisance Abatement

The two sources of legal authority enabling a municipality to abate a public nuisance are G.S. 160A-174(a) and G.S. 160A-193. The first provides that a "city may by ordinance . . . define and abate nuisances." G.S. 160A-193(a) does not require the adoption of an ordinance and provides that a city "shall have authority to summarily remove, abate, or remedy everything . . . that is dangerous or prejudicial to the public health or public safety." The first statute may be interpreted to provide authority to declare certain classes of situations (e.g., tall grass and overgrown vegetation on lots) to be nuisances per se. The second statute may be interpreted to allow a town to cause a nuisance to be removed in situations that are not routine and that resist ordinance definition. Neither of these statutes spells out the administrative procedures by which the respective authority may be used.



G.S. 160A-175(e) and G.S. 153A-123(e) do provide in some detail how a municipality may seek an injunction and order of abatement for nuisance ordinance violations, but those subsections apply to judicial enforcement of local nuisance authority, not administrative enforcement. What procedures, if any, are required to comport with due process if a nuisance is abated administratively without specific judicial authorization? Note that G.S. 160A-193 permits a city to “*summarily* remove, abate, or remedy” that which is dangerous or prejudicial to the public health or public safety. (Italics added.) Summary action is understood to mean that governments may dispense with certain procedural steps in appropriate circumstances. There is no mention of “summary” abatement in G.S. 160A-174 or G.S. 153A-121. Compare these with G.S. 153A-140, which declares that authority under that section “may only be exercised upon adequate notice, the right to a hearing, and the right to appeal to the General Court of Justice.” How can these statutes be interpreted or reconciled?

### **Nuisance Statute Deficiencies**

The deficiencies of G.S. 160A-174, G.S. 160A-193, and G.S. 153A-121 can be gleaned from the case of Monroe v. City of New Bern, 158 N.C. App. 275, 580 S.E.2d 372 (2003), *cert. denied*, 357 N.C. 461 (2003). In *Monroe* the city had demolished a residence without complying with the complaint, notice, hearing, and opportunity-to-cure requirements of its own minimum housing ordinance, apparently relying on the summary abatement authority offered by G.S. 160A-193. Rather than declare G.S. 160A-193 unconstitutional because of its patent due process inadequacies, the court ruled that G.S. 160A-193 allowed a city “to summarily demolish” a building only in circumstances where the building was so structurally unsafe that it posed such an imminent danger to public safety. In other words the owner could not be provided procedural safeguards without endangering the public. The court in *Monroe* held that the subject house in question was in deplorable condition but was not endangering the public. The owner’s due process rights were violated by the city and the matter was remanded for a trial to determine the city’s liability in damages.

The nuisance abatement authority of G.S. 160A-174 (which requires an ordinance) may be no less shaky. A different statute, G.S. 160A-200.1, is entitled “(a)nnual notice to chronic violators of public nuisance ordinance.” G.S. 160A-200.1 may be read to bolster the procedural posture of G.S. 160A-174 by implying that some type of notice is a necessary adjunct of G.S. 160A-174. That is true even though this latter statute does not expressly mention notice at all. Either the nuisance abatement clause in G.S. 160A-174 is vulnerable to a restrictive interpretation (like G.S. 160A-193 was in *Monroe*), or the municipal ordinance that implements this nuisance abatement authority must require various procedural safeguards in order to fill these constitutional breaches.

### **Carrying Out Demolition or Abatement and the Fourth Amendment**

One other set of practical and legal problems involves the actual abatement of a nuisance or the demolition of a condemned building. City officials or their contractors go onto **private** property to do their work, often without the express consent of property owners. Real and personal property may be destroyed, seized, or removed from a site. The Fourth Amendment to the U.S. Constitution requires that any seizure of property by the State be examined for its overall reasonableness and must be based upon a careful balancing of governmental and private interests. Soldal v. Cook County, 506 U.S. 56 (1992).

Abatement or demolition actions may be taken pursuant to an injunction or other court order. If so, the order should reflect the *Soldal* balancing-of-interests analysis in authorizing the destruction of offending buildings and site conditions to the extent that the nuisance requires. There are relatively few Fourth Amendment problems involving this type of judicial authorization.

If the demolition of a building is instead administratively authorized, ordinarily there is no Fourth Amendment violation if the substantive and procedural safeguards inherent in due process have been fulfilled. Freeman v. City of Dallas, 242 F.3d 642 (5th Cir. 2001) (en banc); Samuels v. Meriwether, 94 F.3d 1163 (8th Cir. 1996); Edmundson v. City of Tulsa, 152 F. App'x 694 (10th Cir. 2005); see also Taylor v. Town of Franklin, 2007 WL 674577 (W.D.N.C.). Thus satisfying the requirements of the Due Process Clause is generally sufficient to satisfy the requirements of the Fourth Amendment.

However, a peculiar problem arises when the nuisance abatement or property demolition involves the disposition of various items of personal property. Federal courts have allowed local officials and contractors considerable latitude in determining the extent and type of abatement and demolition that a nuisance demands. Hroch v. City of Omaha, 4 F.3d 693 (8th Cir. 1993)(no Fourth Amendment violation where personal property salvaged from other demolitions by contractor-owner were destroyed with building itself); Samuels v. Meriwether, 94 F.3d 1163 (8th Cir. 1996) (no Fourth Amendment violation when debris and burnt furniture from fire-damaged building destroyed); Edmundson v. City of Tulsa, 152 F. App'x 694 (10th Cir. 2005) (no violation where owner allowed to remove some junked vehicles, other vehicles on site allowed to remain); Taylor v. Town of Franklin, 2007 WL 674577 (W.D.N.C.) (various personal items and trash contained within junked vehicles deemed to be part of public nuisance itself and could be destroyed); but see Conner v. City of Santa Ana, 897 F.2d 1487 (9th Cir. 1990) (Fourth Amendment violation where city apparently followed necessary due process steps but broke down fence surrounding back yard to remove old and inoperable junked cars).

North Carolina law in this regard is unsettled. G.S. 160A-443(6)(c.) (minimum housing) directs the code official to "sell the materials of the dwelling, and any personal property, fixtures or appurtenances found in or attached to the dwelling" and to credit the proceeds against the cost of removal or demolition. A similar provision in G.S. 160A-439(i)(3) (commercial maintenance codes) applies to "recoverable" materials. North Carolina state courts have emphasized that government cannot take, remove, or destroy private property unless such action is "in fact necessary to remove or abate a nuisance." Rhynne v. Town of Mount Holly, 251 N.C. 521, 528, 112 S.E.2d 40, 46 (1960) (claim for compensation upheld for destruction of oak trees in enforcing overgrown vegetation ordinance). See Yates v. City of Raleigh, 46 N.C. App. 221, 264 S.E.2d 798 (1980) (dismissal of damage claim reversed where concrete finishing equipment destroyed as part of public health nuisance). But see Patterson v. City of Gastonia, \_\_\_ N.C. App. \_\_\_, 725 S.E.2d 82 (2012) (sovereign immunity may bar claims for conversion of mobile home and other personal property, trespass to chattels, and trespass to real property); Estate of Hewitt v. County of Brunswick, 199 N.C. App. 564, 681 S.E.2d 531 (2009) (sovereign immunity bars claim for damages where county removed and kept antiques, tools, motor parts, and building supplies recovered from barn demolished by mistake).

What, then, are the lessons for local governments?



- First, our nuisance statutes are deceptively Spartan. Local ordinances can be used to flesh necessary procedural detail. But local officials need to be aware that the law often requires more than the nuisance statutes require. Some of the building condemnation legislation may furnish a useful guide.
- Failure to follow proper procedures may render a local government liable in damages.
- Nuisance abatement based upon a judicial order offers various advantages in determining the scope and nature of a nuisance and in defining the appropriate steps for local governments to take in abatement.

Keeping these ideas in mind may make nuisance abatement and building demolition a bit less of a mess than it might otherwise be.



**Scott T. Sauer** – County Manager  
[Bertie County, NC](#)  
(252) 794-6112



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## BERTIE COUNTY

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

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TAMMY A. LEE

### PROCLAMATION FOR AMERICAN CANCER SOCIETY'S RELAY FOR LIFE BERTIE COUNTY – MAY 17, 2019

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

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

**WHEREAS**, 134 new cases of cancer are projected to occur in Bertie County in 2019, and 49 Bertie County citizens are expected to die from cancer this year; and

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

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

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

**NOW THEREFORE**, We the Bertie County Board of Commissioners, do hereby proclaim the month of **May 2019** as **Relay For Life Month** throughout the County and encourage all Bertie County residents to recognize the American Cancer Society's many contributions to improving the quality of life for all of our citizens; and

**BE IT FURTHER RESOLVED** that We the Bertie County Board of Commissioners do hereby proclaim Bertie County Relay For Life as a **Purple Ribbon Campaign**, and encourage all citizens to join the celebrations and activities of Relay for Life on May 17, 2019.

This the **11th** day of March, 2019.

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John Trent, Chair

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Sarah S. Tinkham, Clerk to the Board



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Contact Us

Census Timeline

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# Census Timeline

Provided by [www.census.gov](http://www.census.gov)

## Completing the Census Form

| Date                        | Activity                               |
|-----------------------------|--|
| Present - March 2019        | Hiring of local office staff.          |
| Spring 2019                 | Hiring of in-field address canvassers. |
| August 19, 2019             | In-field address canvassing begins.    |
| September 2019 - April 2020 | Hiring of enumerators.                 |

January 2020

|                     |   |
|---------------------|---|
|                     | Enumeration of remote Alaskan communities takes place.  |
| March 2020          | Census postcards are sent to most homes.  |
| March 2020          | <b>Mailing 1:</b> Letter with info to take survey online (the majority of people will get this) or Letter + Paper Survey (20-25% of people based on demographic characteristics and internet connectivity of a geographic area will receive this) |
| March 2020          | <b>Mailing 2:</b> Letter to non-respondents   |
| March 2020          | <b>Mailing 3:</b> Postcard to non-respondents   |
| April 2020          | <b>Mailing 4:</b> Letter + Questionnaire to non-respondents   |
| April 2020          | <b>Mailing 5:</b> "It's not too late" Postcard to non-respondents   |
| March - August 2020 | Conduct Self-Response   |
| March - July 2020   | Conduct Internet Self-Response, including Non-ID Processing   |
| March - July 2020   | Conduct Census Questionnaire Assistance   |
| March - August 2020 | Conduct Paper Data Capture  |
| April 1, 2020       | Census Day  |
| April - May 2020    | Conduct Update Leave  |
| May - July 2020     | Conduct Nonresponse Followup: Census enumerators visit addresses from the Census Master Address File that did not complete a Census questionnaire and collect information at the door.  |
| May - July 2020     | Conduct Nonresponse Followup Reinterview  |
| June - July 2020    | Conduct Group Quarters Advance Contact  |
| July 2020           | Conduct Group Quarters Service Based Enumeration  |
| July - August 2020  | Conduct Group Quarters Enumeration  |
| December 31, 2020   | The Census director delivers apportionment counts to the president.   |
| April 2021          | Publish Prototype P.L. 94-171 Data and Geographic Products  |
| March 2021          | The Census Bureau completes delivery of redistricting counts to the states.   |

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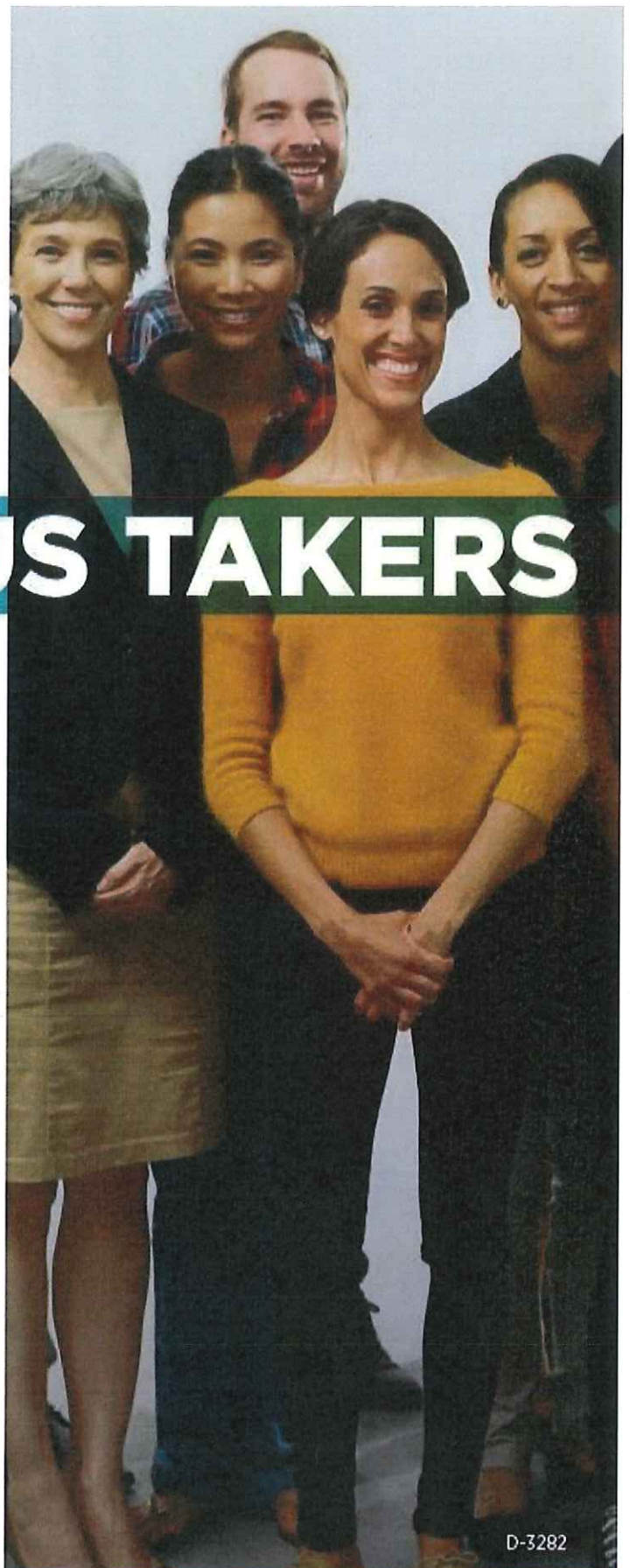
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United States  
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2020**



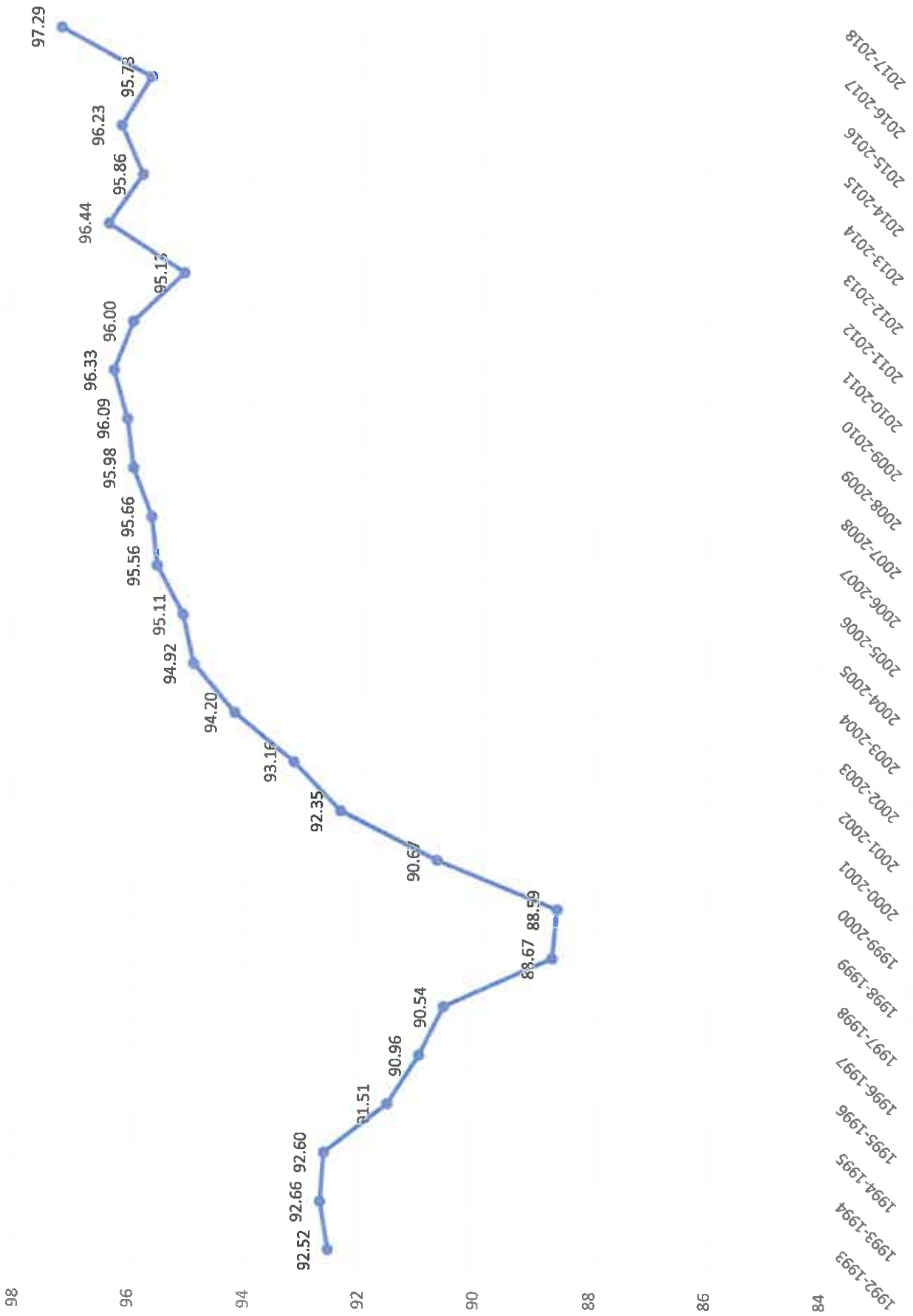
D-3282



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# BERTIE COUNTY TAX COLLECTION RATES 1993-2018





B-1

## Voluntary Agricultural District Board

**Immediate Vacancies:** 0

**Position Vacancy:**

| <b>Board</b>                          | <b>Term</b> | <b>Name</b>             | <b>Began</b> | <b>End</b> |
|---------------------------------------|-------------|-------------------------|--------------|------------|
| Voluntary Agricultural District Board | 3 years     | Carl Bond               | 5/2/16       |            |
| Voluntary Agricultural District Board | 3 years     | Herbert "Herbie" Tayloe | 5/2/16       |            |
| Voluntary Agricultural District Board | 3 years     | Shelby Castelloe        | 5/2/16       |            |
| Voluntary Agricultural District Board | 3 years     | Curtis Brown            | 5/2/16       |            |

**Special requirements:** N/A

**Notes:** All individuals have been recommended to serve again by the Cooperative Extension Director, Billy Barrow.

**Attendance of Current Members:** N/A

**Applications Received:**

4 – expiring members are looking for reappointment

**Current Members (unexpired):**

1. Jimmy Mizelle
2. Harold Lawrence
3. Joseph Leggett
4. Sid Copeland
5. Blount Knowles
6. Tyrone James
7. George Perry



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

Name: Carl K. Bond

Home Phone Number: (252) 794-4426 Mobile: 252-398-7855

Home Fax Number: N/A

Email Address: ck\_45baddog@yahoo.com

Home Address: 1249 Governors Rd, Windsor, NC 27983

Mailing Address: Same as above

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

How long have you been a full-time resident of Bertie County? 53 years

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

County Commissioner District: District V

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

Occupation: Farming Employer: Rhodes Bond & Son Farms, Inc.

Business Address: 1349 Governors Rd, Windsor, NC 27983

Business Phone Number: 252-348-2478 Business Fax:

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

- Vol. Ag District Advisory Board
- Economic Develop Commission
- Planning Board
- Bertie-Martin Regional Jail

Qualification for specific category: I have worked with the Federal Government for 31 years in agriculture and rural development. Therefore I have the knowledge that is needed to work on any of the Boards/Commissions..

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

Vol Ag District Advisory Board, Economic Development Commission, Planning Board

If reapplying for a position you presently hold, how long have you served? 7 years

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

As a farmer and retired USDA employee, my knowledge and skills of the agriculture community, I will be able to provide the County with the knowledge that they will need to be informed about agriculture Issues.


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:

I graduated from NC A&T State University with a degree in both Agriculture Education and Agriculture Economics. I have worked 31 years with USDA as an Agriculture Marketing Specialist (Loan Manager). I am a member of Kappa Alpha Psi fraternity, 3<sup>rd</sup> Degree Mason, member of Sandy Point Missionary Baptist Church – Vice President of Usher Board, member of Windsor/Bertie County Chamber of Commerce – (former Board Chair), member of NAACP, Board Member of Bertie County Farm Bureau as well as a State Board member and a member of the NC State University State Advisory Council of Extension Service.

### 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: 2/28/19    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](mailto: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.

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Date Received: \_\_\_\_\_

Received By: 53 \_\_\_\_\_

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

Name: Herbert Tayloe

Home Phone Number: ~~(252) 345-0558~~ Mobile: 209-1424

Home Fax Number: N/A

Email Address: tntcotton@gmail.com

Home Address: 912 Hexlena Rd, Ahoskie, NC 27910

Mailing Address: Same as above

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

How long have you been a full-time resident of Bertie County? 54 years

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

County Commissioner District: District III

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

Occupation: Farmer Employer: Self

Business Address: 912 Hexlena Rd, Ahoskie, NC 27910

Business Phone Number: (252) 209-1424 Business Fax:

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

- |   |            |
|---|------------|
| 1. <u>Vol. Ag District Advisory Board</u> | 3. <u></u> |
| 2. <u></u>                                | 4. <u></u> |

Qualification for specific category: Have been involved in farming in Bertie County all my life.

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

Vol Ag District Advisory Board

If reapplying for a position you presently hold, how long have you served? 6 years

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 been involved with concept of VAD in Bertie County from start through Bertie County Farm Bureau


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:

Bertie County Farm Bureau Board Member

**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: 2-28-19    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](mailto:sarah.tinkham@bertie.nc.gov)

Note:

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Received By: \_\_\_\_\_



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

Name: Shelby Castelloe

Home Phone Number: (252) 794-1681 Mobile: 217-5176

Home Fax Number: N/A

Email Address: shelbycastelloe@yahoo.com

Home Address: 119 Pocosin Rd, Windsor, NC 27983

Mailing Address: Same as above

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

How long have you been a full-time resident of Bertie County? 43years

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

County Commissioner District: Windsor II

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

Occupation: Lineman/Farmer Employer: Town of Windsor/self

Business Address: 1524 Woodard Rd, Windsor, NC 27983

Business Phone Number: (252) 6794-4167 Business Fax:

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

- |   |            |
|---|------------|
| 1. <u>Vol. Ag District Advisory Board</u> | 3. <u></u> |
| 2. <u></u>                                | 4. <u></u> |

Qualification for specific category: I have been farming since 1994. I have served on the Bertie County Farm Bureau Board of Directors for 11 years and I am the President of the Farm Bureau.

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

Bertie County Voluntary AG District Advisory Board

Bertie County Farm Bureau

If reapplying for a position you presently hold, how long have you served? 7 years

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

I am knowledgeable with the Voluntary Ag District implementation and purpose. I am very  
Concerned with the sustainability of agriculture in our county for future generations.

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:

I serve on state level advisory committees for N.C. Farm Bureau. I have completed a 2 year  
leadership, education, activity, development program through N.C. Farm Bureau.

**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: 2-28-19    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](mailto:sarah.tinkham@bertie.nc.gov)

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Received By: \_\_\_\_\_

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

Name: Curtis E. Brown

Home Phone Number: (252) 344-9271 Mobile: 252-209-5763

Home Fax Number: N/A

Email Address: curtisbrownfarms@centurylink.com

Home Address: 832 Piney Wood Rd, Kelford, NC 27847

Mailing Address: Same as above

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

How long have you been a full-time resident of Bertie County? Entire life

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

County Commissioner District: District IV

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

Occupation: Farmer Employer:

Business Address: 832 Pineywood Rd, P.O. Box 71, Kelford, NC 27847

Business Phone Number: (252) 6794-4167 Business Fax:

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

- |   |            |
|---|------------|
| 1. <u>Vol. Ag District Advisory Board</u> | 3. <u></u> |
| 2. <u></u>                                | 4. <u></u> |

Qualification for specific category:

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

Bertie Ag Advisory Board  
Bertie County Farm Bureau

If reapplying for a position you presently hold, how long have you served? 6 years

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

Over 30 years as a Bertie County farmer and I am a native 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: 2/28/19 Applicant's Signature: Curtis E. Brown

Return application to:

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

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Received By: \_\_\_\_\_



C-1

**Windsor, North Carolina**  
**February 4, 2019**  
**REGULAR MEETING**

The Bertie County Board of Commissioners met 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  
Clerk to the Board Sarah Tinkham  
Assistant County Attorney Jonathan Huddleston  
Finance Officer William Roberson  
ICMA/NCACC Management Fellow Dominique Walker  
Tax Administrator Jodie Rhea  
Sheriff John Holley  
Detective Ronald Rascoe  
Deputy Doug Jernigan

Junior Commissioners: Qudre Joyner

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



## CALLED TO ORDER

Chair Trent called the meeting to order.

## PLEDGE OF ALLEGIANCE/INVOCATION

Commissioner Lee led the Pledge of Allegiance. Reverend Darren Whitehurst of First Baptist of Kelford delivered the Invocation.

## PUBLIC COMMENTS

Nancy Lee of Ted Cherry Lane in Windsor raised concerns about the safety of her street especially as it related to the access of emergency vehicles and school buses.

Donell Bazemore of County Court Lane in the Lewiston-Woodville area reported an incident of a County Water Department vehicle getting stuck on his road, and how he had assisted the driver in freeing the vehicle. He stated that he and his neighbors had done what they could in the past to remedy the road conditions with sand, but that it was not a lasting solution.

Josephine Jenkins of PGR Trailer Court in Lewiston-Woodville expressed similar concerns about the condition of her road.

Detective Ronald Rascoe, representing the Blue Jay Recreation Committee, came forward to thank the Board of Commissioners for their dedication to the Blue Jay Recreation Center. He mentioned that the entire community was very excited for the Center. He also presented a letter to the Board requesting the new center be coined:

Blue Jay Recreation Center  
Bart. F. Smallwood, Founder

Commissioner Bazemore made a **MOTION** granting the name request. Commissioner Lee **SECONDED** the motion. The **MOTION PASSED** unanimously.

Anthony Smallwood, also of the Blue Jay Recreation Committee, thanked the Board for all of their help on this project, and for all they do for the Blue Jay and Indian Woods area.

## APPOINTMENTS

- (1) **NC General Assembly House of Representatives District One, Rep. Ed Goodwin will address the Board regarding the upcoming legislative session**

Due to an unforeseen scheduling conflict, Representative Goodwin had to cancel his presentation for tonight's meeting.

- (2) **Holland Consulting Planners' Chris Hilbert provided an update for Hurricane Matthew recovery projects, and make recommendations for the Board's approval: 1) Bid approval for two NCDRA-17 projects (Rehabilitation at 526 US13-17 South; Rehabilitation/Elevation scope of work at 514 US 13-17 South; and approval of Amendment to Memorandum of Agreement between Bertie County and the NC Department of Public Safety for the NCDRA-17 program administrated as requested by the Division of Emergency Management.**

Mr. Hilbert gave a brief update about the buy out project. He reported that his firm had received 27 title opinions out of the suspected 34. So far, surveys and appraisals have been received for 12 of those units. Offers will be made in the near future on those 12 houses. Once the offers are accepted, closing generally occurs 30 days later. 9 more units are up next for appraisals.

On the elevation side of the project, the engineer is now under contract, and elevation of the first home on the list will begin this month.

Regarding the NCDRA-17 project, two units that have suffered from repetitive flooding outside of the flood plain are being recommended for rehabilitation and another for rehabilitation and elevation.

Mr. Hilbert is recommending that the County approve the NCDRA-17 projects to the lowest contract bidders (bid summary for both projects is attached).

Commissioner Wesson made a **MOTION** to approve both of the above projects. Commissioner Bazemore **SECONDED** the motion. The **MOTION PASSED** unanimously.

Additionally, Mr. Hilbert requested approval from the Board to give the Chairman the authority to sign the amendment submitted by the State regarding the NCDRA-17 program.

Commissioner Wesson made a **MOTION** for the Chairman to sign and approve. Commissioner Lee **SECONDED** the motion. The **MOTION PASSED** unanimously.

| Project: Bertie County NCDRA (Rebid) |  | Bid Opening Date 12/21/2018 |                              |                       |            |
|--------------------------------------|--|-----------------------------|------------------------------|-----------------------|------------|
| Case File #                          | Occupant/Address                           | Actual Bid (Tabulated)      | Contractor                   | Recommended Award (X) | Comments   |
| Rehab                                | Williams - 526 US Hwy 13-17 South, Windsor | \$20,825.00                 | B&B Construction             | X                     | Low bidder |
|                                      |  | \$43,830.00                 | Gilbert Everett Builder Inc. |                       |            |
|                                      |  |                             |                              |                       |            |
|                                      |  |                             |                              |                       |            |
| Rehab + Elev                         | Pierce - 514 US Hwy 17 South, Windsor      | \$130,000.00                | B&B Construction             |                       | Low bidder |
|                                      |  | \$128,800.00                | Gilbert Everett Builder Inc. | X                     |            |
|                                      |  |                             |                              |                       |            |
|                                      |  |                             |                              |                       |            |

**(3) Bland Baker, Trillium Northeast Director will provide annual update**

Bland Baker, Trillium Northeast Regional Director, presented the annual report for Bertie County.

He reported that 790 Bertie citizens were served by Trillium last year. Of those 790, 687 were treated for mental health, 118 for substance abuse, and 87 sought support for intellectual or developmental disabilities.

The cost associated with treating the 790 Bertie residents who sought treatment last year was \$6,835,847.00.

Mr. Baker also discussed the expansion of Trillium’s service area to Columbus County, making their total service area 26 counties which encompasses a population of over 1.4 million citizens.

He also briefly address funding changes as related to standard plans by insurance companies that will be managing a part of the Medicaid dollars, as well as tailored plans which will cover higher risk individuals.

**(4) Melvin Powers, Deputy Director, Choanoke Area Development Association (CADA), will present the FY2019-2020 Community Services Block Grant (CSBG) Anti-Poverty Work Plan**

Sallie Surface, Executive Director, and Melvin Powers, Deputy Director of CADA were both present to familiarize the Board with this year's Community Services Block Grant (CSBG) Anti-Poverty Work Plan.

Ms. Surface discussed that the program serves as a central hub to connect low-income families with needed resources such as emergency or standard housing support in hopes to achieve self sufficiency.

A community needs assessment, staff analysis of data, County Commissioners among the service area, and Board members are all instrumental in developing each year's work plan.

For 2019, an estimated 17 families would be served under the 2019-2020 funding allocation with an allocation of \$49,341. Ms. Surface noted that this amount is simply a projection, and this number is based on an insufficient State formula.

She also discussed how funding to this program has been gradually cut over the last several years which has impacted all of the counties that CADA serves.

Mr. Powers also alerted the Board that funding was still available to assist families in need with energy share funds as well as emergency food & shelter funds.

Ms. Surface also briefly discussed the recent partnership with CADA's Head Start program and the Askewville Pre-K program.

Commissioner Wesson stated that this partnership was possible because of Better Beginnings for Bertie's Children as it was able to identify children currently in need of Pre-K educational opportunities with available spots that had gone unfilled in years passed.

To conclude, Ms. Surface thanked the Board for all of their support, and encouraged the County to keep advertising the Community Needs Assessment as it assist the organization in tailoring program funding and finding any overlaps or gaps in services.

Commissioner Bazemore expressed interest in being appointed to the CADA Board as she felt it would go hand in hand with her involvement on the Bertie County Poverty Commission.

**(5) Choanoke Public Transportation Authority (CPTA), Executive Director, Pamela Perry, will provide annual update**

This item was deferred.

**(6) Jodie Rhea Tax Administrator will introduce the Revaluation project team and review progress to date**

At this time, Jodie Rhea, Tax Administrator introduced the members of revaluation team.

They included: Gary Piner, Gene Roundtree, Renee McGinnis, Paul Kristensen, and Chase Piner.

**BOARD APPOINTMENTS**

Commissioner Lee made a **MOTION** to appoint Commissioner Bazemore to the CADA Board per her request. Commissioner Bazemore **SECONDED** the motion. The **MOTION PASSED** unanimously.

**CONSENT AGENDA**

1. Minutes for Regular Meeting 1-7-19, Work Session 1-14-19, Closed Session 1-7-19 and 1-14-19
2. Register of Deeds Fees Report – January 2019
3. Tax Department Release Journal – December 2018
4. Budget Amendment #19-06

Before a motion was called, Commissioner Wesson requested that the Finance Officer provide additional explanation of requested Budget Amendments in the future. He suggested a more condensed way for the Commissioners to review the needed amendments, as well as explanations for new Commissioners that may be fairly new to the Board.

Commissioner Bazemore made a **MOTION** to approve the Consent Agenda as presented. Commissioner Wesson **SECONDED** the motion. The **MOTION PASSED** unanimously.

### **DISCUSSION AGENDA**

#### 1. Calendar Review:

- Previously advertised: February 18, 2019 – 9:00 AM, Planning Session, Commissioners Room
- NACo Legislative Conference – Washington D.C. – March 2-6, 2019
- Tentative date for March meeting – March 11<sup>th</sup>

The Board briefly reviewed these calendar reminders.

The Board also reviewed a suggested resolution by VIDANT in support of their endeavors to find solutions for a potential \$40 million loss in hospital reimbursements. The resolution will be submitted to NC legislators, surrounding counties, and hospital leadership. Commissioner Wesson made a **MOTION** to approve the resolution. Commissioner Lee **SECONDED** the motion. The **MOTION PASSED** unanimously.

### **COMMISSIONERS' REPORTS**

Commissioner Bazemore thanked the Windsor Police Department as well as Bertie County Sheriff's Office for their involvement in the recent MLK Day celebrations. She also discussed an upcoming dinner she will be attending in honor of the NC State Superintendent of Schools. She also discussed the latest workshop she attended for incumbent County Commissioners.

Commissioner Wesson reminded those present of the Black History Month celebration in Windsor on February 16<sup>th</sup> from 6:00-9:00 PM at the Cashie-Convention Center. The mistress of ceremonies of that event will Dr. Catherine Edmondson, Bertie County Public Schools Superintendent. Commissioner Wesson also discussed that he had been appointed to the East Carolina University School of Business Board of Directors. He will also serve as one of the Keynote Speakers at their March Leadership Conference. His topic of discussion will focus on the importance of diversity and Inclusion as a global business imperative.

Chairman Trent provided an update to the Board about the EMS Building and that it is near completion. Electricity and HVAC are currently up and running, concrete floors will be polished, and that a septic system is due to be installed this week. Weather has played a major role in the delayed opening of this facility.

Commissioner Atkins had no reports at this time.

Commissioner Lee stated that she would be in attendance next week at the Reconnect Rural Urban Forum in Raleigh and that she had received a scholarship to participate.

The Board also thanked those present for allowing the Board to attend the 2019 NACo Annual Legislative Conference in Washington, D.C. in early March. This conference always gives the opportunity to meet with many of North Carolina's leaders and to network with other counties to discuss solutions to problems that plague counties across the country.

### **JUNIOR COMMISSIONERS' REPORTS**

Junior Commissioner, Qudre Joyner, alerted the Board of his concern for his classmates that have been crossing Highway 13 from the new high school to the old high school campus for classes and other activities. He stated that the speed of many vehicles in the area has presented some close calls when it comes to students safely getting across. He has asked for the Board to consider reaching out to NC DOT for their assistance in installing a crosswalk.

### **COUNTY MANAGER'S REPORTS**

The County Manager had no remarks at this time.

### **COUNTY ATTORNEY'S REPORTS**

County Attorney Smith reminded the Board of the need for a Closed Session.



## PUBLIC COMMENTS

Betsy Ruffin expressed the same concerns that others have at tonight's meeting about her road in Kelford.

To respond to all of the concerns the public has presented tonight about road safety and maintenance issues, Chairman Trent noted that the Board would be considering an ordinance at their upcoming Planning Session which could address the needs for better road conditions with the County.

If the Board passes the ordinance, at least one public hearing would be held for citizen input, but that this ordinance would be one of the first of its kind in the State explained County Manager Sauer.

Vice Chairman Atkins thanked the public for presenting their concerns at tonight's meeting.

James Lee of Windsor reported his concern for an abundance of trash building up on the sides of the road on Cow Track Road near Republican Road.

The Board discussed this matter briefly and stated their disfavor in the elimination of a inmate trash collection program that used to assist in matters like this periodically, but that they would try and address the cause of the trash issue purportedly caused by unsecured loads on large industrial trucks.

## CLOSED SESSION

Commissioner Bazemore made a **MOTION** for a brief Closed Session 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 as well as 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.

**OPEN SESSION**

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

**RECESS**

Chairman Trent **RECESSED** the meeting until the Planning Session on Monday, February 18, 2019 at 9:00 AM in the same location.

---

John Trent, Chairman

---

Sarah S. Tinkham, Clerk to the Board



C-2

**Windsor, North Carolina  
February 18, 2019  
REGULAR MEETING**

The Bertie County Board of Commissioners met 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: Traci White, Planning Director  
Scott Pearce, Information Technology Director  
Steve Biggs, Economic Development Director  
Cindy Perry, DSS Director  
Melissa Surgeon, Administrative Officer  
John Holley, Sheriff  
Jodie Rhea, Tax Administrator  
Billy Barrow, Cooperative Extension Director  
William Roberson, Finance Director  
Scott Sauer, County Manager  
Sarah Tinkham, Clerk to the Board  
Dominique Walker, ICMA/NCACC Management Fellow  
Jonathan Huddleston, Assistant County Attorney (9:00am)  
Lloyd Smith, County Attorney (10:00am)  
Mitch Cooper, Emergency Services Director (10:45am)  
Kenneth Perry, Chief Deputy (10:00am)

Media: Gene Motley, Roanoke-Chowan News Herald (9:30am)  
Sarah Stalls, Bertie-Ledger Advance (10:00am)

## **RECONVENE**

Chairman Trent reconvened the meeting.

## **PLEDGE OF ALLEGIANCE/INVOCATION**

Commissioner Wesson led the Pledge of Allegiance.

## **LEADERSHIP ACADEMY PROPOSAL PRESENTATION – CHATHAM COUNTY**

Chatham County representatives present included: Carolyn Miller, Human Resources, Courtney Goldston, HR Analyst (MBTI instructor), Stephanie Watkins-Cruz, Policy Analyst, County Manager's Office, and Lisa West, Budget Director, County Manager's Office.

The idea of the program was conceived from conversations that took place with Chatham County DSS personnel as well as the DSS Director of Martin County. These efforts led to the development of additional educational opportunities for members of leadership. The original program in Chatham County has graduated 288 participants since 2002 across all departments. The course requires 100 hours of training that takes places once a month. It is at no cost to participants, and the County has invested a lot of resources in the program with successful results.

As a pilot program, a Bertie-Martin Regional Leadership Academy is being proposed. Classes in the program would be offered once a quarter using all of Chatham County's materials encompassing 64 hours of instruction. Proposed curriculum dates and details was submitted to the Board for their review. The program can assist with strengthening skills of current supervisors, as well as increase knowledge for any interested individuals who seek supervisory roles in the future. 20 participants per County.

As a new feature, and a specific one to Bertie and Martin County, a budget course will be offered with this academy, and taught at a level for all staff members to respect the process of completing a budget.

The expected kick off of the pilot program is slated for July 2019 and would last approximately 2 years. An orientation date of June 25, 2019 is also being proposed.

Ms. Miller fielded questions from the Board and overall, the Board was pleased with the proposal and agreed it would be a valuable opportunity for staff.

County Manager Sauer commended Chatham County for their diligent presentation of this idea and that he had received a visit in the very beginning from Ms. Miller, the Chatham Interim County Manager, and the Chatham County Sheriff. He stated that this showed him Chatham County's great pride in the program and demonstrated a commitment to the Bertie-Martin area.

Sheriff John Holley was also present to fully support the program and that it does present a great opportunity.

Commissioner Atkins stated that “there’s a huge difference between a boss and a leader,” and that training was always a good idea.

At this time, Ms. Miller discussed the final project required for completion of the course. After the year of instruction, a case study is assigned and the prospective graduates are assigned to a specific project group. The project will be completed in a 7-month period and will be presented to a panel before graduation.

The Board came to a consensus to “green light” the project and have Chatham County to move forward with the project with assistance from Dominique Walker, ICMA/NCACC Management Fellow as the Project Coordinator. The Commissioners also showed interest in attending the course as well.

### **REPRESENTATIVE ED GOODWIN – BRIEF OVERVIEW OF THE LEGISLATIVE SESSION AND DISCUSS PRIORITIES OF THIS SESSION**

Chairman John Trent introduced Representative Ed Goodwin of the NC General Assembly to provide a brief overview of the legislative session and discuss priorities of this session. He discussed that while in the General Assembly, he has had to prioritize as much as possible even though the needs of this area are high. The first of which in his district is drainage especially as it relates to hurricane events.

Broadband was also discussed as another one of his priorities, and that in the near future, our students will not have textbooks. That all textbooks will soon be provided via personal devices, but this puts his district at a disadvantage. His goal is to have electric utility companies provide the broadband service, and that there are small pockets of the district that do offer broadband service. He noted that several surrounding counties have found a way to make this happen, and that Bertie does have some of the infrastructure needed to accomplish this goal.

Chairman Trent noted a concern of his regarding the NC Housing Finance Agency and the current policy in place that hinders Bertie County from new affordable housing options, as well as additional grocery and pharmacy opportunities. He also discussed his concerns about local farmers being affected by field flooding that has destroyed harvestable crops over the past several years. Crop insurance has not covered most of these significant losses which creates a financial hardship for many farmers.

Commissioner Wesson also presented a key issue on his agenda which is teacher housing as it relates to retaining good teachers. He discussed the process he has undertaken with Steve Biggs, Economic Development Director, to accomplish a teacher housing complex in Windsor. All that is needed now is the legislature to approve the Windsor Township Development Corporation as an entity that could carry debt. Partisan politics has delayed this project in a county where it is already a struggle to provide quality of living, and that this project has passed the legislation in 6 other counties for those same respective projects. Mr. Wesson encouraged him to review Senate

Bill 8 and see what assistance he could provide to get this approved by the legislature so that the County can move forward.

Commissioner Bazemore thanked Representative Goodwin for his diligence in pushing the broadband initiative forward, but she noted that this County has a growing aging population. This population can also benefit from the broadband access because of life saving equipment that some senior citizens require for quality of life at home.

Commissioner Lee thanked Representative Goodwin for his attendance as well, and reported that the Town of Mount Olive is using their resources to sell broadband service to their town. She also asked about Representative Goodwin's third priority.

Representative Goodwin discussed his last priority which he described as more advantageous which is the installation of a passenger inland ferry system from the beach to coastal towns. It is a system that has been used in other water front states, and he noted that we have one of the largest coastal areas on the East Coast. He has communicated with these other areas who have similar systems in place, and he believes it is a real possibility. He noted that Bertie would indeed be a part of this system. Of course, an initiative like this would need to start small before becoming larger in scale.

#### **PRIVATE ROAD/PUBLIC SAFETY ACCESS REQUIREMENTS—ORDINANCE REVIEW**

Chairman Trent opened the floor to questions from the Board members.

Commissioner Lee discussed her interactions with a member of the School of Government which entailed that they did not believe the County has the statutory authority to pass this ordinance under the nuisance abatement category. The ordinance would also be reviewed by another UNC School of Government colleague.

Commissioner Wesson stated that we, as a County, have a responsibility to the safety of our citizens and that they have "seamless access to County services," and that the protection of citizens should be paramount. He stated that private road owners should take the safety of these roads seriously, and do what is required to ensure safety of citizens who live on these roadways.

Chairman Trent concurred and that emergency personnel vehicle accessibility to reach these citizens, and that all are equal tax payers.

Commissioner Bazemore discussed whether or not the County could afford to fix these roads, and whether or not it was reasonable to levy and place liens on these private road owners. Her concerns were also related to man power, cost, and whether or not private road owners had yet been contacted.

Commissioner Lee noted a policy in Cleveland County that offers temporary loans to private road owners to fix their roads, and the dollars would be paid back to the County via the required means.

Commissioner Wesson directed his remarks to the media and mentioned that education needs to be provided to citizens about the responsibility of road issues even while renting a place to live in a development. There should be an understanding about who is responsible for the upkeep of the road.

County Manager Sauer discussed that the idea was to “strike a balance,” and make things as fair as possible for all citizens to receive the same access to emergency services. He reviewed a compiled list of the most severely damaged roads in the County, most of which had one private road owner. That those road owners and their inability to act impacts many adjoining residential owners.

Assistant County Attorney, Jonathan Huddleston, reviewed information that was utilized in drafting this proposed ordinance. He also reiterated the need of informing the private road owners via a letter with a grace period included, so these would have the ability to attend a public hearing, as well as to move forward in making plans for the road repairs.

Two citizens including Terri Pierce of Pierce Lane and the other of Thomasville Lane, were present for this discussion. Ms. Pierce discussed two school buses that are no longer able to use the road, as well as correspondence from other area providers (CPTA, REA), as well as a letter received from Sheriff John Holley about members of the Sheriff’s Office not being able to reach residences. Photos were presented to the Board and it was discussed that all resources have been exhausted to address concerns for both roads. The road owners have been asked to fix the road, but financially they are unable to do so. It was discussed that “stabilization” is what is being requested.

Chairman Trent made a **MOTION** to move forward with a Public Hearing for the proposed Private Road/Public Safety Access ordinance. Commissioner Wesson **SECONDED** the motion with the addition of researching the policy currently in place in Cleveland County. The **MOTION PASSED** in a 3-2 vote via show of hands with Chairman Trent, Vice Chairman Atkins, and Commissioner Wesson voting in favor, and with Commissioners Bazemore and Lee voting against moving the ordinance forward to a public hearing.

### **CLOSED SESSION**

Commissioner Lee made a **MOTION** to go into Closed Session pursuant to **N.C.G.S. § 143-318.11(a)(3)** to go into closed session to consult with the County Attorney in order to preserve the attorney-client privilege that exists between the attorney and this public body and pursuant to **N.C.G.S. § 143-318.11(a)(4)** to discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body, including agreement on a tentative list of economic development incentives that may be offered by the public body in negotiations. The action 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. Commissioner Wesson **SECONDED** the motion. The **MOTION PASSED** unanimously.



## **OPEN SESSION**

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

## **MOVING PROJECTS FORWARD**

### **Tall Glass of Water**

County Manager Sauer reported that the next phase in the project includes public access, visioning, site plan development, and branding. The Board came to a consensus to participate in a Work Session before their regular meeting on March 11<sup>th</sup>. The Work Session will begin at 4:00 PM.

#### **Roanoke River flood control—February 21<sup>st</sup> meeting hosted by Senator Erica Smith**

County Manager Sauer reminded the Board of the upcoming stakeholders meeting for those counties lying on the lower Roanoke River basin. A meeting has been scheduled for this Thursday, February 21, 2019 at 12:30 PM. Dr. Riggs will present the NC LOW report “From Rivers to the Sound” highlighting the Bertie Water Crescent and the importance of the TGOW project.

The Town of Windsor Board of Commissioners and the Mayor will also be present for this report.

Mr. Sauer also reported that reports and presentations are being prepared by County staff, and that the County should expect to see visitors from the Army Corp of Engineers, commissioners from Washington, Martin, Northampton, and Halifax Counties, as well as dignitaries like Senator Erica Smith and Congressman G.K. Butterfield.

County Manager Sauer was also notified by Congressman Butterfield’s Office of a possible funding opportunity via a federal appropriate bill for the County. The County Manager sought suggestions on what the County should provide as project ideas to the Congressman’s Office when requested.

There was a short discussion but the priority was placed on a capital project at the Tall Glass of Water site for its development including a Visitor Center/Welcome Area as well as a type of Education Center. Several Commissioners mentioned their desire to see as much “infusion as possible” with not only youth but with senior recreational opportunities as those currently scarcely available within the County. Swimming programs, a state-of-the-art law enforcement/firefighting training center, and an underground, pedestrian tunnel (or pedestrian overpass) between the old and new Bertie High School were also discussed.

### **Bertie Martin Regional Jail—Chowan County request, proposed joint resolution & RFQ**

The Board discussed the proposal being considered by the Bertie-Martin Regional Jail Board to add Chowan County inmates, required facilities, and staff to the current facility on County Farm Road. An RFQ process was completed, but interviews have not taken place yet.

County Manager Sauer was looking to move forward with interviewing the firms that have completed the RFQ process, and then have direction on whether or not there should be a feasibility study, and if so, the Board's approval and direction to fund it. The Board briefly discussed if it was their preference to put in the third share of funding to add Chowan County, or if another arrangement should be made among the affected counties.

Vice Chairman Atkins raised the question about the benefits to Bertie if this were to move forward. County Manager Sauer stated that the benefits to Bertie are unclear at this time, but that the current standing places Bertie County in a good position.

Thus far, this discussion has been only among County Managers and their respective governing bodies.

A three-way meeting was discussed between all respective (full) Boards so that the initiative can be deliberated. The meeting would be held in Bertie.

County staff was instructed to work on scheduled this meeting.

### **Library & Cooperative Extension—latest Golden LEAF Foundation update**

County Manager Sauer reported that as of February 15, 2018, \$176,000 had been spent on the new Library & Cooperative Extension joint project, and that the remaining funds from the planning and design grant for Golden LEAF will be rolled over into a capital project budget including final design, bidding, and for construction costs.

### **Capital Projects—and review of Board activities for 2018 (slide show)**

The Board reviewed this slide show during lunch at noon.

### **Budget, Finance, FY2018 Audit Status and General Fund Performance**

County Manager Sauer indicated to the Board that the audit report and presentation of the financial statements for the fiscal year ended June 30, 2018 is running later than scheduled. Mr. Sauer explained that the new GASB 74 and GASB 75 reporting standards require the incorporation of a detailed actuarial study for the OPEB section of the audit report, and this analysis was not ordered until December due to a miscommunication between County Administration and auditors. Mr. Sauer provided a draft copy of the audit report and referred to Exhibit 3 on page 23 which indicated an unassigned General Fund balance of \$3,631,954 and he

also provided a summary sheet of historical General Fund reserves dating to FY 1999-2000. Mr. Sauer also noted that the final audit report will include an adjustment for the unassigned fund balance to reflect the appropriated fund balance for the subsequent year (current year) of \$1,902,304 which decreases the unassigned fund balance to \$1,729,650. Mr. Sauer referred to the historical report noting that the governing body typically appropriates fund balance reserves for the budget ordinance but does not utilize the entire amount for General Fund expenditures. He referred to the draft audit Exhibit 6 on page 27 noting that for the fiscal year ended June 30, 2018 which reflected an appropriated fund balance of \$2,022,737 of which the net change in fund balance resulted in a decrease of \$319,256.

There was a lengthy discussion of the County’s use of fund balance reserves for capital projects on a pay-as-you-go basis versus debt service financing to include:

Major capital projects (excluding regional water system)

|           |   |           |
|-----------|---|-----------|
| \$74,995  | Old County Building (Cooperative Extension offices)       |           |
|           | Sheriff's Law Enforcement Center & 911                    |           |
| \$251,181 | Communications  |           |
|           | Blue Jay Recreation Park improvements (over 3 fiscal      |           |
| \$163,050 | years)  |           |
| \$936,818 | Courthouse Renovations (over 5 fiscal years) project      |           |
|           | details:  |           |
|           |   | \$143,087 |
|           | Foundation and structural reinforcement (RAM JACK)        |           |
|           | Juris Link--secure video link with BMRJ and BCI           |           |
|           | facilities  | \$57,000  |
|           | Sally Port, inmate transfer tunnel & security corridor    | \$245,147 |
|           | (including metal detectors and demolition/reconstruction) |           |
|           | Video surveillance system                                 | \$99,054  |
|           | <u>Phase One renovations (excluding foundation)</u>       | \$392,530 |
|           | Painting & Sandblasting(exterior)                         |           |
|           | Scaffolding, equipment (lifts, compressor) & fencing      |           |
|           | rental  |           |
|           | Window replacement (materials & labor)                    |           |
|           | Custom shutters   |           |
|           | Painting, casework & flooring (interior)                  |           |

\$1,426,044 Total - *pay as you go* (major capital projects since FY2013-2014)

*Not including minor projects absorbed in Public Buildings budget:*

DRC building moisture remediation (carpet & paint)  
Council on Aging/Recreation Department (roof replacement)  
Maintenance Building expansion by 50%  
Water Department operation center equipment storage

Bertie Martin Regional Jail renovations: \$200,000 county share

The County Manager also provided a historical staffing report noting that for the FY 2012-2013 there were 147 authorized positions in the budget, and for FY 2018-2019 the approved budget included 234 authorized positions with an increase in the County payroll from \$5,030,491 in FY 2012-2013 to the current payroll of \$8,746,155 for the FY 2018-2019. There was also a discussion about the pending adjustments in the required employer contribution for the local government employee retirement system, which will entail a minimum increase of \$104,953 for each of the next three fiscal years for Bertie County.

Commissioner Wesson noted that the upcoming revaluation process will allow the Board of Commissioners to “true up” the property tax revenue for this eight-year cycle to offset the increased costs of providing County services.

Commissioner Lee inquired about the County’s compliance with the minimum fund balance requirements from the NC Local Government Commission, and the County Manager noted that the unassigned fund balance will be below the recommended eight percent level. County Finance Officer William Roberson further explained that the total fund balance for the General Fund as of June 30, 2018 is \$6,408,660 and is approximately twenty-four percent (24%) of General Fund expenditures.

County Manager Sauer also provided a detailed overview of the five year operating costs for the EMS Paramedic Program and Non-Emergency Transport Service and noted that the County’s monthly operating support has decreased from \$112,808 in FY 2014-2015 to \$82,051 in FY 2017-2018 which is a reduction of twenty-seven percent (27%) while the number of Non-Emergency Transports have risen from 460 per year in FY 2014-2015 to 4,233 for the fiscal year ended June 30, 2018 or an increase in volume of more than eight hundred percent.

County Manager Sauer distributed a one page fiscal summary prepared by Finance Officer and highlighted the improved tax collections. For the fiscal year ended June 30, 2018 the collection rate is 97.29 percent demonstrating much improvement in the past ten years. Mr. Sauer noted that the tax collection rate for the prior year was 95.73 percent.

Additionally, the County Manager reviewed the Bertie High School debt service and the interest reimbursement formula for the Qualified School Construction Bonds (QSCB) noting that the interest reimbursement reduction calculation for the County has steadily decreased during the Congressional sequestration process from 2013 through 2018. The County's Financial Advisor had cautioned the governing body to be watchful as the federal budget processes may be amended, specifically during the annual sequestration exercise.

The fiscal summary also provided a ranking of the ten largest taxpayers which will be recorded in the final audit for the year ended June 30, 2018.

## **COMMISSIONER PRIORITIES**

### **Commissioner Bazemore**

Recently, Commissioner Bazemore was impacted by an internet scheme that requested her direct deposit be changed on her behalf. The email was received via Human Resources. County Manager Sauer assured the Board that this has been addressed.

Assistant County Manager position is still a part of the future program and within the budget. Advertising is the next step. A job ad can be drafted based on another County's job description.

Commissioner Bazemore also discussed the location or a need for a Board policy. The policy could be derived from Robert's Rules or another county's policy on how to engage during meetings, etc. The suggestion was also made to add a clause about holiday closings so that employees are well aware of the early closure beforehand.

### **Commissioner Lee**

Personnel policy review and update could be reviewed by an Assistant to the County Manager or an actual Assistant County Manager. The State website contains a proposed Personnel Policy and other counties could be contacted.

She also discussed employee performance appraisals that an Assistant to the County Manager or an Assistant County Manager could take over as well, and an example form was submitted to the County Manager by another County. Others could be received as well.

Commissioner Lee also reiterated her desire to be County owned property either be used or be made surplus to sell as additional revenue.

### **Vice Chairman Atkins**

Currently, the training room at the current shooting range location behind the jail is in limbo since the Peace Officers Association is no longer being utilizing the facility. Bathroom and kitchen are in need of remodeling, and an HVAC system is also needed, but there is a new roof on the building. This building could be remodeled per an unofficial estimate from a licensed contract for \$10,000. This facility is also still needed as a shooting range and training room facility.

### **Chairman Trent**

Public Safety/Private Road Access Ordinance is Chairman Trent's priority that has already been discussed during this meeting.

### **Commissioner Wesson**

Commissioner Wesson inquired about our obligation to the Golden LEAF Foundation and the Town of Lewiston-Woodville/HIVE Grant.

County Manager Sauer distributed correspondence and emails as background information to the Board. Commissioner Wesson stated that this information had already been distributed and this is what raised questions in his mind about the project.

There was some discussion about how fast the project progressed and the desire for it to have been more widespread in the community.

Commissioner Bazemore reiterated her concern for better communication among the Board so that the Board can better assist with similar opportunities in the future.

### **SETTING PRIORITIES FOR OTHER PROJECTS, PENDING ITEMS AND PROVIDING BACKGROUND REPORTS**

Commissioner Lee inquired about an idea she had received from a County employee about a signal actuator on County Farm Road for emergency vehicles. The cost would be \$40,000-\$50,000 and the District One NCDOT Board member is willing to delegate funding for this project. She mentioned the need for a letter from the Board would be needed to move forward.

Commissioner Trent made a **MOTION** to move forward with a letter for this initiative. Commissioner Wesson **SECONDED** the motion. The **MOTION PASSED** unanimously.

There was some additional discussion about the teacher housing initiative. A packet was submitted to Representative Goodwin this morning during his remarks and the Board of Commissioners also received that same packet at this time from the County Manager. As

mentioned, partisan politics are being presented as a hinderance to S.B. 8 and that hopefully within the next 2 weeks there will be a resolution.

The Board also heard a proposal from County Manager Sauer about whether or not the Board would be interested in temporarily employing Hurricane Florence disaster workers. After a brief discussion, a proposed number of 20 workers was given. County Manager Sauer stated he would provide updates as more became available.

### **BOARD APPOINTMENTS**

Commissioner Lee made a **MOTION** to appoint Commissioner Atkins to the DSS Board. Commissioner Wesson **SECONDED** the motion. The **MOTION PASSED** unanimously.

Commissioner Lee made a **MOTION** to appoint Commissioner Atkins to the Economic Development Board. Commissioner Wesson **SECONDED** the motion. The **MOTION PASSED** unanimously.

### **ADJOURN**

Chairman Trent made a **MOTION** to **ADJOURN** the meeting. Commissioner Lee **SECONDED** the motion. The **MOTION PASSED** unanimously. Adjournment occurred at approximately 3:30 PM.

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John Trent, Chairman

Sarah S. Tinkham, Clerk to the Board





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**Windsor, North Carolina**  
**February 21, 2019**  
**SPECIAL MEETING**

The Bertie County Board of Commissioners met for a special meeting today inside the Cashie Convention Center, 118 Country Farm Road, 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  
County Manager Scott Sauer  
ICMA/NCACC Management Fellow Dominique Walker

Town of Windsor: Town Administrator Allen Castello

Martin County Delegation: Williamston Town Administrator John O’Daniel  
Williamston Town Commissioner William Coffield  
Michael Bryant  
Mayor Joyce Whichard-Brown  
County Manager David Bone  
County Commissioner Elmo “Butch” Lilley  
County Commissioner Ronnie Smith

Northampton County Delegation: County Commissioner Joyce Buffaloe  
EM Coordinator Ronnie Storey, Jr.

U.S. Army Corps of Engineers: Bob Keistler  
Michael Womack  
Greg Williams

N.C. House of Representatives: Representative Ed Goodwin

N.C. Senate: Senator Erica Smith  
Senator Bob Steinburg

United States Senate: Betty Jo Shepherd – Senator Richard Burr

U.S. House of Representatives: Christina Piard – Congressman G.K. Butterfield

AgCarolina Farm Credit: Anna Uzzell  
Tony Taylor

Austin Britton

N.C. Dept. of Environmental Quality: Fred Tarver

U.S. Fish and Wildlife Service: Jean Richter  
Matt Connolly

N.C. Land of Water: Dr. Stanley Riggs

AVOCA Farms: Tim Smith

Southern Bank: Susan Lewis  
Barbara

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

## **INVOCATION**

Martin County Commissioner, Ronnie Smith, gave the invocation before the meal.

## **WELCOME**

Chairman Trent opened the meeting thanking and introducing dignitaries in attendance. He discussed flooding issues affecting Bertie County and surrounding counties. Senator Erica Smith gave remarks to the group and thanked Bertie County Commissioners and Bertie County staff. Senator Bob Steinburg gave remarks on Raleigh's concern on flooding issues and being proactive on addressing issues. Senator Smith recognized other county commissioners, and mayors from Bertie, Halifax, Martin, and Northampton, Washington. She gave the purpose of the meeting and thanked each attendee for participating in today's meeting.

## **DISCUSSION**

Bertie County EMS Director, Mitch Cooper, gave a presentation showing drone footage and pictures of the Roanoke River Basin flooding into land, farms, and roads between 2017 and the spring/fall 2018 in Bertie County and surrounding counties. The North Carolina Department of Transportation has incurred over \$200,000 in maintenance costs of the flooded roads. He referenced the economic impact of flooding issues on local farms, and businesses.

Members of the audience were given an opportunity to provide remarks on flooding issues affecting agriculture, forestry and timber farms/industry. Economic issues and the loss of revenue, road conditions and additional costs, and adjustments to the Roanoke River Basin release rates were among the topics discussed. Impacted property owners and farms represented Bertie, Halifax, and Martin, counties, and Virginia.

Senator Smith discussed some of the goals of the Storm Water Control Committee regarding preemptive releases of storm water. She referenced the Galloway report and recommendations to the group. She addressed how the group should have a response plan to pre-emptive release of storm water.

Colonel Rob Clark, 55<sup>th</sup> Commander of Wilmington District, U.S. Army Corps of Engineers, introduced his Corps team and presented background information on the Corps of Engineers and the storm water management protocol within the system. Colonel Clark discussed reservoir and release rates, and the degree of reducing flooding. He stressed that local stakeholders should continue discussions between community stakeholders and local officials. He shared that high rain levels in North Carolina has affected reservoir and that the Corps of Engineers acts when water hits the ground. Colonel Clark stated that the current plan will not satisfy 100% of

stakeholders and that private partners, local/state government partners, and community stakeholders should work together with Corps of Engineers.

Dr. Stanley Riggs from East Carolina University gave a special presentation of Bertie's Water Crescent. He explained that storm patterns and high rain levels are the main cause for floods specifically tropical storms and nor'easters. He introduced data on water/rain levels and strongly advised to not wait until rain is on the ground to act. Dr. Riggs gave suggestions for next steps: (1) proceed in conversations with the Corps on a consistent, daily schedule; (2) keep weather patterns in daily conversations; and (3) work in gradations to help minimize the problem.

Colonel Clark gave a final takeaway to the group. He stated that the group should continue discussions and give more data and information to the Corps to figure out what is the most optimal plan. He also shared that the group look at other solutions to mitigate flooding including comprehensive risk flood programs across the state.

Senator Smith gave the next steps: First, local level leadership is to delegate someone to compile an impact report including but not limited to a financial analysis report, pictures, and losses in crops and livestock. The report should be sent to Senator Smith by April 5<sup>th</sup>. Second, Representatives and Senators will form a delegation to put together policy to assist appropriations of funds for the local delegation. Third, at the federal level, Colonel Clark is tasked to find changes from the 2016 study and provide an update on the metric results regarding water releases and prepare a plan moving forward. Senator Smith announced a subsequent meeting will be held during the third week of April with community stakeholders addressing the comprehensive report. Information from today's meeting will be compiled and EMS Director Mitch Cooper is to send out information to group.

### **ADJOURN**

Senator Erica Smith **ADJOURNED** the meeting at 3:30pm.

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John Trent, Chair

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Sarah S. Tinkham, Clerk to the Board



C-5



# 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](http://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 **FEBRUARY 2019** and for an itemized statement thereof, I respectfully refer you to the following books in my office.

## AMOUNT SUBJECT TO GS 161-50.2

|                 |  |             |                    |
|-----------------|--|-------------|--------------------|
| 10-0030-4344-01 | REAL ESTATE REGISTRATION-----                      |             | \$3,162.80         |
| 10-0030-4344-03 | VITAL STATISTICS-----                              |             | \$1,303.00         |
| 10-0050-4839-02 | MISCELLANEOUS(NOTARY OATHS/PHOTO COPIES, ETC)----- |             | \$201.40           |
| 10-0030-4344-04 | NO. MARRIAGE LICENSE-----                          | 3 @60.00    | \$180.00           |
|                 |  |             | <b>\$4,847.20</b>  |
| 10-0018-4240-01 | N. C. STATE EXCISE STAMP TAX-----                  |             | \$4,805.00         |
| 10-0030-4344-10 | STATE TREASURER FEE-----                           | 101 @\$6.20 | \$626.20           |
|                 | STATE VITAL RECORDS-----                           | 6 @14.00    | \$84.00            |
|                 |  |             | <b>\$10,362.40</b> |
| 10-0000-1251-00 | A/R IN/OUT(REFUND)-----                            |             |                    |
|                 |  |             | <b>\$10,362.40</b> |

Handwritten signature of Annie F. Wilson in cursive.

REGISTER OF DEEDS - BERTIE COUNTY

By: *Shakecia L. Williams, Asst.*

## FOR INFORMATIONAL PURPOSES

|                                |             |          |
|--------------------------------|-------------|----------|
| D/T /MORTGAGES-----            | 21 @\$6.20= | \$130.20 |
| ADDITIONAL PAGES-----          | @\$0.40=    |          |
| DEEDS & OTHER INSTRUMENTS----- | 90 @\$1.94= | \$174.60 |



C-6





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

February 07, 2019

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 **January** 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\*19\*031  
Type: A Abatement/Relea  
Status: O Open

|                     |             |                          |   |
|---------------------|-------------|--------------------------|---|
| Group Total:        | \$4,999.49- | Group Transaction Count: | 2 |
| Transactions Total: | \$4,999.49- | Transaction File Count:  | 2 |
| Difference:         | \$0.00      | Difference:              | 0 |

=====

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

| RLS*19*031 | DATE     | NAME   | CODE | LEVY       | ADV | PEN    | INT | TOTAL             |
|------------|----------|--|------|------------|-----|--------|-----|-------------------|
| 2018       | 1/5/2019 | Delbert White Logging 18A15088.80<br>Equipment sold October 2017 | G01  | \$4,862.79 |     | \$0.00 |     | \$4,862.79        |
|            |          |  |      |            |     |        |     |                   |
|            | 1/8/2019 | Tadlock, Milton 18A6802734183                                    | G01  | \$116.37   |     | \$0.00 |     | \$116.37          |
|            |          | Flooded, partial rebuild   | C08  | \$20.33    |     |        |     | \$20.33           |
|            |          |  |      |            |     |        |     |                   |
|            |          |  |      |            |     |        |     | <u>\$4,999.49</u> |

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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

February 27, 2019

William Roberson  
Bertie County Finance Officer  
Windsor, NC 27983

Dear Mr. Roberson:

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

The releases herein are for the month of **February (1 of 2)** and this request for your approval is made pursuant to a "Resolution of the Board of Commissioners" dated August 5, 1985. This may also serve as your report to the Board of Commissioners required by the same "Resolution."

Respectfully Submitted,

  
Tax Administrator

Approved on \_\_\_\_\_ 20\_\_\_\_

=====

Balance a Group

=====

Group: RLS\*19\*058  
Type: A Abatement/Relea  
Status: O Open

|                     |             |                          |    |
|---------------------|-------------|--------------------------|----|
| Group Total:        | \$2,230.98- | Group Transaction Count: | 13 |
| Transactions Total: | \$2,230.98- | Transaction File Count:  | 13 |
| Difference:         | \$0.00      | Difference:              | 0  |

=====

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

| RLS*19*058 | DATE     | NAME  | CODE | LEVY     | ADV | PEN    | INT | TOTAL             |
|------------|----------|---|------|----------|-----|--------|-----|-------------------|
| 2018       | 2/7/2019 | Wynn, John, Heirs 18A6859871576<br>Foreclosure                  | G01  | \$104.26 |     | \$0.00 |     | \$104.26          |
|            | 2/7/2019 | Alston, H. Wayne 18A5893274241.3<br>Deferred triggered in error | G01  | \$533.12 |     | \$0.00 |     | \$533.12          |
|            | 2/7/2019 | Alston, H. Wayne 18A5893274241.2<br>Deferred triggered in error | G01  | \$533.12 |     | 0      |     | \$533.12          |
|            | 2/7/2019 | Alston, H. Wayne 18A5893274241.1<br>Deferred triggered in error | G01  | 533.12   |     |        |     | \$533.12          |
|            | 2/8/2019 | Beachboard, Dammion 18A28890.80<br>Listed in error              | G01  | 2.08     |     | 0.21   |     | \$2.29            |
|            |          |   |      |          |     |        |     | <u>\$1,705.91</u> |

| RLS*19*058 | DATE     | NAME   | CODE | LEVY     | ADV    | PEN    | INT | TOTAL    |
|------------|----------|--|------|----------|--------|--------|-----|----------|
| 2017       | 2/7/2019 | Wynn, John, Heirs 17A6859871576<br>Foreclosure     | G01  | \$104.26 | \$2.50 | \$0.00 |     | \$106.76 |
|            | 2/8/2019 | Beachboard, Dammion 17A28890.80<br>Listed in error | G01  | 2.08     |        | 0.21   |     | \$2.29   |
|            |          |  |      |          |        |        |     | \$109.05 |



| RLS*19*058 | DATE     | NAME   | CODE | LEVY     | ADV    | PEN    | INT | TOTAL    |
|------------|----------|--|------|----------|--------|--------|-----|----------|
| 2016       | 2/7/2019 | Wynn, John, Heirs 16A6859871576<br>Foreclosure     | G01  | \$104.26 | \$2.50 | \$0.00 |     | \$106.76 |
|            |          |  |      |          |        |        |     |          |
|            | 2/8/2019 | Beachboard, Dammion 16A28890.80<br>Listed in error | G01  | 2.08     |        | 0.21   |     | \$2.29   |
|            |          |  |      |          |        |        |     |          |
|            |          |  |      |          |        |        |     | \$109.05 |

| RLS# 19*058 | DATE     | NAME   | CODE | LEVY     | ADV    | PEN    | INT | TOTAL           |
|-------------|----------|--|------|----------|--------|--------|-----|-----------------|
| 2015        | 2/7/2019 | Wynn, John, Heirs 15A6859871576<br>Foreclosure     | G01  | \$105.52 | \$2.50 | \$0.00 |     | \$108.02        |
|             | 2/8/2019 | Beachboard, Dammion 15A28890.80<br>Listed in error | G01  | 2.1      |        | 0.21   |     | \$2.31          |
|             |          |  |      |          |        |        |     | <u>\$110.33</u> |

| RLS*19*058 | DATE     | NAME                            | CODE | LEVY    | ADV    | PEN    | INT | TOTAL   |
|------------|----------|---------------------------------|------|---------|--------|--------|-----|---------|
| 2014       | 2/7/2019 | Wynn, John, Heirs 14A6859871576 | G01  | \$95.82 | \$2.50 | \$0.00 |     | \$98.32 |
|            |          | Foreclosure                     |      |         |        |        |     |         |
|            |          |                                 |      |         |        |        |     |         |
|            |          |                                 |      |         |        |        |     | \$98.32 |

| RLS*19*058 | DATE     | NAME                            | CODE | LEVY    | ADV    | PEN    | INT | TOTAL          |
|------------|----------|---------------------------------|------|---------|--------|--------|-----|----------------|
| 2013       | 2/7/2019 | Wynn, John, Heirs 13A6859871576 | G01  | \$95.82 | \$2.50 | \$0.00 |     | \$98.32        |
|            |          | Foreclosure                     |      |         |        |        |     |                |
|            |          |                                 |      |         |        |        |     |                |
|            |          |                                 |      |         |        |        |     |                |
|            |          |                                 |      |         |        |        |     | <u>\$98.32</u> |

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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

February 27, 2019

William Roberson  
Bertie County Finance Officer  
Windsor, NC 27983

Dear Mr. Roberson:

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

The releases herein are for the month of **February (2 of 2)** 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\*058  
Type: A Abatement/Relea  
Status: O Open

|                     |           |                          |   |
|---------------------|-----------|--------------------------|---|
| Group Total:        | \$325.64- | Group Transaction Count: | 8 |
| Transactions Total: | \$325.64- | Transaction File Count:  | 8 |
| Difference:         | \$0.00    | Difference:              | 0 |

=====

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

| RLS*18*058 | DATE      | NAME                   | CODE | LEVY    | ADV | PEN    | INT | TOTAL   |
|------------|-----------|------------------------|------|---------|-----|--------|-----|---------|
| 2018       | 2/26/2019 | Swain, Joe 18A22812.80 | G01  | \$34.78 |     | \$3.48 |     | \$38.26 |
|            |           | Foreclosure            |      |         |     |        |     |         |
|            |           |                        |      |         |     |        |     |         |
|            |           |                        |      |         |     |        |     | \$38.26 |



| RLS*18*058 | DATE      | NAME                   | CODE | LEVY    | ADV | PEN    | INT | TOTAL          |
|------------|-----------|------------------------|------|---------|-----|--------|-----|----------------|
| 2017       | 2/26/2019 | Swain, Joe 17A22812.80 | G01  | \$37.02 |     | \$3.70 |     | \$40.72        |
|            |           | Foreclosure            |      |         |     |        |     |                |
|            |           |                        |      |         |     |        |     |                |
|            |           |                        |      |         |     |        |     | <u>\$40.72</u> |

| RLS*18*058 | DATE      | NAME                   | CODE | LEVY    | ADV | PEN    | INT | TOTAL   |
|------------|-----------|------------------------|------|---------|-----|--------|-----|---------|
| 2016       | 2/26/2019 | Swain, Joe 16A22812.80 | G01  | \$39.67 |     | \$3.97 |     | \$43.64 |
|            |           | Foreclosure            |      |         |     |        |     |         |
|            |           |                        |      |         |     |        |     |         |
|            |           |                        |      |         |     |        |     | \$43.64 |

| RLS*18*058 | DATE      | NAME                   | CODE | LEVY    | ADV | PEN    | INT | TOTAL          |
|------------|-----------|------------------------|------|---------|-----|--------|-----|----------------|
| 2015       | 2/26/2019 | Swain, Joe 15A22812.80 | G01  | \$43.01 |     | \$4.30 |     | \$47.31        |
|            |           | Foreclosure            |      |         |     |        |     |                |
|            |           |                        |      |         |     |        |     |                |
|            |           |                        |      |         |     |        |     | <u>\$47.31</u> |

| RLS*18*058 | DATE      | NAME                   | CODE | LEVY    | ADV | PEN    | INT | TOTAL   |
|------------|-----------|------------------------|------|---------|-----|--------|-----|---------|
| 2014       | 2/26/2019 | Swain, Joe 14A22812.80 | G01  | \$44.94 |     | \$4.49 |     | \$49.43 |
|            |           | Foreclosure            |      |         |     |        |     |         |
|            |           |                        |      |         |     |        |     |         |
|            |           |                        |      |         |     |        |     | \$49.43 |

| RLS*18*058 | DATE      | NAME                   | CODE | LEVY    | ADV | PEN    | INT | TOTAL   |
|------------|-----------|------------------------|------|---------|-----|--------|-----|---------|
| 2013       | 2/26/2019 | Swain, Joe 13A22812.80 | G01  | \$48.05 |     | \$4.81 |     | \$52.86 |
|            |           | Foreclosure            |      |         |     |        |     |         |
|            |           |                        |      |         |     |        |     |         |
|            |           |                        |      |         |     |        |     | \$52.86 |

| RLS#18#058 | DATE      | NAME                   | CODE | LEVY    | ADV | PEN    | INT | TOTAL          |
|------------|-----------|------------------------|------|---------|-----|--------|-----|----------------|
| 2012       | 2/26/2019 | Swain, Joe 12A22812.80 | G01  | \$23.40 |     | \$2.34 |     | \$25.74        |
|            |           | Foreclosure            |      |         |     |        |     |                |
|            |           |                        |      |         |     |        |     |                |
|            |           |                        |      |         |     |        |     | <u>\$25.74</u> |

| RLS#18#058 | DATE      | NAME                   | CODE | LEVY    | ADV | PEN    | INT | TOTAL          |
|------------|-----------|------------------------|------|---------|-----|--------|-----|----------------|
| 2011       | 2/26/2019 | Swain, Joe 11A22812.80 | G01  | \$25.16 |     | \$2.52 |     | \$27.68        |
|            |           | Foreclosure            |      |         |     |        |     |                |
|            |           |                        |      |         |     |        |     |                |
|            |           |                        |      |         |     |        |     | <u>\$27.68</u> |



C-7





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

March 11, 2019

To: Bertie County Board of Commissioners

Re: Report of 2018 unpaid real property taxes and an Order to advertise such taxes

Pursuant to N.C.G.S. 105-369, attached is a report of the total amount of unpaid Real & Personal property taxes for tax year 2018.

Also, attached is an "Order to Advertise the 2018 Tax Liens", pursuant to N.C.G.S. 105-369(s).

Jodie Rhea  
Tax Administrator

Real and Personal Tax Bills for Bill Year 18 as of 02-27-19

| Twp | District..... | Original. ...<br>Amount. ... | Current.....<br>Amt Due..... | NUMBER<br>RECORDS |
|-----|---------------|------------------------------|------------------------------|-------------------|
|     |               | 337.15                       | 337.15                       | 1                 |
| 10  | COLERAIN      | 1,358,189.46                 | 133,479.55                   | 3623              |
| 20  | INDIAN WOODS  | 223,018.75                   | 33,395.26                    | 792               |
| 30  | MERRY HILL    | 1,124,074.11                 | 49,079.37                    | 1861              |
| 40  | MITCHELL      | 1,093,783.19                 | 147,401.78                   | 2413              |
| 50  | ROXOBEL       | 1,101,663.18                 | 111,615.36                   | 1832              |
| 60  | SNAKEBITE     | 645,299.02                   | 62,508.49                    | 1456              |
| 70  | WHITES        | 1,025,797.19                 | 85,514.00                    | 2022              |
| 80  | WINDSOR       | 3,110,446.26                 | 295,901.66                   | 6629              |
| 90  | WOODVILLE     | 629,241.55                   | 82,666.54                    | 1506              |
|     |               | =====                        | =====                        | =====             |
|     |               | 10,311,849.86                | 1,001,899.16                 | 22135             |

22135 records listed.

Real Property Tax Bills for Bill Year 18 as of 02-27-19

| Twp | District..... | Original.....<br>Amount..... | Current.....<br>Amt Due..... | NUMBER<br>RECORDS |
|-----|---------------|------------------------------|------------------------------|-------------------|
|     |               | 337.15                       | 337.15                       | 1                 |
| 10  | COLERAIN      | 1,230,026.38                 | 124,719.40                   | 2986              |
| 20  | INDIAN WOODS  | 214,570.76                   | 32,843.07                    | 698               |
| 30  | MERRY HILL    | 892,299.68                   | 46,534.69                    | 1545              |
| 40  | MITCHELL      | 962,335.08                   | 115,062.25                   | 1966              |
| 50  | ROXOBEL       | 591,778.35                   | 94,769.33                    | 1564              |
| 60  | SNAKEBITE     | 601,649.27                   | 61,363.45                    | 1255              |
| 70  | WHITES        | 938,422.68                   | 76,738.24                    | 1657              |
| 80  | WINDSOR       | 2,335,174.42                 | 239,528.53                   | 5340              |
| 90  | WOODVILLE     | 536,392.42                   | 66,078.53                    | 1243              |
|     |               | =====                        | =====                        | =====             |
|     |               | 8,302,986.19                 | 857,974.64                   | 18255             |

18255 records listed.

**Personal Property Tax Bills for Bill Year 18 as of 02-27-19**

| Twp | District..... | Original.....<br>Amount..... | Current.....<br>Amt Due..... | NUMBER<br>RECORDS |
|-----|---------------|------------------------------|------------------------------|-------------------|
| 10  | COLERAIN      | 128,163.08                   | 8,760.15                     | 637               |
| 20  | INDIAN WOODS  | 8,447.99                     | 552.19                       | 94                |
| 30  | MERRY HILL    | 231,774.43                   | 2,544.68                     | 316               |
| 40  | MITCHELL      | 131,448.11                   | 32,339.53                    | 447               |
| 50  | ROXOBEL       | 509,884.83                   | 16,846.03                    | 268               |
| 60  | SNAKEBITE     | 43,649.75                    | 1,145.04                     | 201               |
| 70  | WHITES        | 87,374.51                    | 8,775.76                     | 365               |
| 80  | WINDSOR       | 775,271.84                   | 56,373.13                    | 1289              |
| 90  | WOODVILLE     | 92,849.13                    | 16,588.01                    | 263               |
|     |               | =====                        | =====                        | =====             |
|     |               | 2,008,863.67                 | 143,924.52                   | 3880              |

3880 records listed.

**Subject:**

N.C.G.S. 105-369

**§ 105-369. Advertisement of tax liens on real property for failure to pay taxes.**

(a) **Report of Unpaid Taxes That Are Liens on Real Property.** - In February of each year, the tax collector must report to the governing body the total amount of unpaid taxes for the current fiscal year that are liens on real property. A county tax collector's report is due the first Monday in February, and a municipal tax collector's report is due the second Monday in February. Upon receipt of the report, the governing body must order the tax collector to advertise the tax liens. For purposes of this section, district taxes collected by county tax collectors shall be regarded as county taxes and district taxes collected by municipal tax collectors shall be regarded as municipal taxes.

(b) Repealed by Session Laws 1983 (Regular Session, 1984), c. 1013.

(b1) **Notice to Owner.** - After the governing body orders the tax collector to advertise the tax liens, the tax collector must send a notice to the record owner of each affected parcel of property, as determined as of the date the taxes became delinquent. The notice must be sent to the owner's last known address by first-class mail at least 30 days before the date the advertisement is to be published. The notice must state the principal amount of unpaid taxes that are a lien on the parcel to be advertised and inform the owner that the name of the record owner as of the date the taxes became delinquent will appear in a newspaper advertisement of delinquent taxes if the taxes are not paid before the publication date. Failure to mail the notice required by this section to the correct record owner does not affect the validity of the [tax lien](#) or of any foreclosure action.

(c) **Time and Contents of Advertisement.** - A tax collector's failure to comply with this subsection does not affect the validity of the taxes or tax liens. The county tax collector shall advertise county tax liens by posting a notice of the liens at the county courthouse and by publishing each lien at least one time in one or more newspapers having general circulation in the taxing unit. The municipal tax collector shall advertise municipal tax liens by posting a notice of the liens at the city or town hall and by publishing each lien at least one time in one or more newspapers having general circulation in the taxing unit. Advertisements of tax liens shall be made during the period March 1 through June 30. The costs of newspaper advertising shall be paid by the taxing unit. If the taxes of two or more taxing units are collected by the same tax collector, the tax liens of each unit shall be advertised separately unless, under the provisions of a special act or contractual agreement between the taxing units, joint advertisement is permitted.

The posted notice and newspaper advertisement shall set forth the following information:

- (1) Repealed by Session Laws 2006-106, s. 2, effective for taxes imposed for taxable years beginning on or after July 1, 2006.
- (1a) The name of the record owner as of the date the taxes became delinquent for each parcel on which the taxing unit has a lien for unpaid taxes, in alphabetical order.
- (1b) After the information required by subdivision (1a) of this subsection for each parcel, a brief description of each parcel of land to which a lien has attached and a statement of the principal amount of the taxes constituting a lien against the parcel.
- (2) A statement that the amounts advertised will be increased by interest and costs and that the omission of interest and costs from the amounts advertised will not constitute waiver of the taxing unit's claim for those items.
- (3) In the event the list of tax liens has been divided for purposes of advertisement in more than one newspaper, a statement of the names of all newspapers in which advertisements will appear and the dates on which they will be published.
- (4) A statement that the taxing unit may foreclose the tax liens and sell the real property subject to the liens in satisfaction of its claim for taxes.

(d) **Costs.** - Each parcel of real property advertised pursuant to this section shall be assessed an advertising fee to cover the actual cost of the advertisement. Actual advertising costs per parcel shall be determined by the tax collector on any reasonable basis. Advertising costs assessed pursuant to this subsection are taxes.

(e) **Payments during Advertising Period.** - At any time during the advertisement period, any parcel may be withdrawn from the list by payment of the taxes plus interest that has accrued to the time of payment and a proportionate part of the advertising fee to be determined by the tax collector. Thereafter, the tax collector shall delete that parcel from any subsequent advertisement, but the tax collector is not liable for failure to make the deletion.

(f) **Listing and Advertising in Wrong Name.** - No tax lien is void because the real property to which the lien attached was listed or advertised in the name of a person other than the person in whose name the property should have been listed for taxation if the property was in other respects correctly described on the abstract or in the advertisement.

(g) **Wrongful Advertisement.** - Any tax collector or deputy tax collector who willfully advertises any tax lien knowing that the property is not subject to taxation or that the taxes advertised have been paid is guilty of a Class 3 misdemeanor, and shall be required to pay the injured party all damages sustained in consequence. (1939, c. 310, s. 1715; 1955, c. 993; 1971, c. 806, s. 1; 1983, c. 808, s. 1; 1983 (Reg. Sess., 1984), c. 1013; 1993, c. 539, s. 725; 1994, Ex. Sess., c. 24, s. 14(c); 1999-439, s. 1; 2000-140, s. 73; 2006-106, s. 2.)



**Scott T. Sauer** – County Manager  
[Bertie County, NC](#)  
(252) 794-6112



C-8



## BERTIE COUNTY

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

## BOARD OF COMMISSIONERS

JOHN TRENT, Chairman  
GREG ATKINS, Vice Chairman  
RONALD WESSON  
ERNESTINE (BYRD) BAZEMORE  
TAMMY A. LEE

### Order to Advertise the 2018 Tax Liens

Upon receipt of the Tax Collector's report of the unpaid 2018 taxes that are a lien on real property in Bertie County, and pursuant to North Carolina General Statute 105-369(C), the Bertie County Board of County Commissioners hereby orders the Tax Collector to advertise these liens, and to continue to pursue all outstanding taxes using the necessary remedies available through the North Carolina General Statutes, including bank attachments, wage and salary garnishments, sheriff levies, rent levies, the NC Debt Setoff Program, and in rem foreclosure.

This 11<sup>th</sup> day of March, 2019

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John O. Trent, Chairman  
Bertie County Board of Commissioners

(SEAL)

---

Sarah S. Tinkham, Clerk to the Board  
Bertie County Board of Commissioners





C-10

# BUDGET AMENDMENT

|  |    |          |          |                 |
|--|----|----------|----------|-----------------|
|  |    | # 19-07  |          |                 |
|  |    | INCREASE |          |                 |
| 12-0025-4586-18  | \$ | 73,889   | DSS      | 12-5380-5411-50 |
|  |    |          |          | \$ 73,889       |
| TO INCREASE BUDGET TO MATCH ADDITIONAL LIEAP MONEY FROM THE STATE<br>(LOW-INCOME HOME ENERGY ASSISTANCE) |    |          |          |                 |
|  |    | INCREASE |          |                 |
| 10-0025-4431-23  | \$ | 24,500   |          | 10-4310-5499-97 |
|  |    |          |          | \$ 24,500       |
| SETUP BUDGET FOR 2018 BLOCK GRANT FROM NCDPS   |    |          |          |                 |
|  |    | INCREASE |          |                 |
| 10-4150-5192-01  | \$ | 35,000   | SERVICES | 10-0090-4991-99 |
|  |    |          |          | \$ 35,000       |
| INCREASE LEGAL BUDGET  |    |          |          |                 |
|  |    | INCREASE |          |                 |
| 10-0011-4111-35  | \$ | 1,200    |          | 10-4140-5399-01 |
|  |    |          |          | \$ 1,200        |
| INCREASE BUD FOR CONTRACT SERVICES - AUDITS TO PAY COUNTY TAX SERVICE (CTS)                              |    |          |          |                 |
|  |    |          |          |                 |
|  |    |          |          |                 |
|  |    |          |          |                 |
| APPROVED ___ / ___ /2019   |    |          |          |                 |



**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: 2**

**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<br>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    | 26,301.00             | 26,301.00    | 84,928.00              | 84,928.00    |
| 04      | ANSON      | 195,889.00  | 195,889.00   | 87,879.00             | 87,879.00    | 283,768.00             | 283,768.00   |
| 05      | ASHE       | 119,165.00  | 119,165.00   | 53,299.00             | 53,299.00    | 172,464.00             | 172,464.00   |
| 06      | AVERY      | 73,029.00   | 73,029.00    | 32,768.00             | 32,768.00    | 105,797.00             | 105,797.00   |
| 07      | BEAUFORT   | 298,941.00  | 298,941.00   | 130,914.00            | 130,914.00   | 429,855.00             | 429,855.00   |
| 08      | BERTIE     | 164,662.00  | 164,662.00   | 73,889.00             | 73,889.00    | 238,551.00             | 238,551.00   |
| 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   | 87,566.00             | 87,566.00    | 567,971.00             | 567,971.00   |
| 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   | 40,251.00             | 40,251.00    | 430,000.00             | 430,000.00   |
| 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   | 57,686.00             | 57,686.00    | 186,087.00             | 186,087.00   |
| 18      | CATAWBA    | 598,814.00  | 598,814.00   | (200,000.00)          | (200,000.00) | 398,814.00             | 398,814.00   |
| 19      | CHATHAM    | 206,192.00  | 206,192.00   | 31,054.00             | 31,054.00    | 237,246.00             | 237,246.00   |
| 20      | CHEROKEE   | 137,696.00  | 137,696.00   | 32,739.00             | 32,739.00    | 170,435.00             | 170,435.00   |
| 21      | CHOWAN     | 88,830.00   | 88,830.00    | 39,721.00             | 39,721.00    | 128,551.00             | 128,551.00   |
| 22      | CLAY       | 46,805.00   | 46,805.00    | 20,876.00             | 20,876.00    | 67,681.00              | 67,681.00    |
| 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   | 48,948.00             | 48,948.00    | 466,522.00             | 466,522.00   |
| 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 | (300,000.00)          | (300,000.00) | 1,600,282.00           | 1,600,282.00 |
| 27      | CURRITUCK  | 65,580.00   | 65,580.00    | (5,000.00)            | (5,000.00)   | 60,580.00              | 60,580.00    |
| 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   | (55,000.00)           | (55,000.00)  | 653,446.00             | 653,446.00   |
| 30      | DAVIE      | 136,831.00  | 136,831.00   | (25,000.00)           | (25,000.00)  | 111,831.00             | 111,831.00   |
| 31      | DUPLIN     | 363,780.00  | 363,780.00   | (180,000.00)          | (180,000.00) | 183,780.00             | 183,780.00   |
| 32      | DURHAM     | 1,259,769.00  | 1,259,769.00 | (200,000.00)          | (200,000.00) | 1,059,769.00           | 1,059,769.00 |
| 33      | EDGECOMBE  | 451,306.00  | 451,306.00   | 134,926.00            | 134,926.00   | 586,232.00             | 586,232.00   |
| 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   | 34,619.00             | 34,619.00    | 309,855.00             | 309,855.00   |
| 36      | GASTON     | 1,003,487.00  | 1,003,487.00 | (100,000.00)          | (100,000.00) | 903,487.00             | 903,487.00   |
| 37      | GATES      | 56,703.00   | 56,703.00    | 25,326.00             | 25,326.00    | 82,029.00              | 82,029.00    |
| 38      | GRAHAM     | 44,064.00   | 44,064.00    | 16,661.00             | 16,661.00    | 60,725.00              | 60,725.00    |
| 39      | GRANVILLE  | 228,580.00  | 228,580.00   | (50,000.00)           | (50,000.00)  | 178,580.00             | 178,580.00   |
| 40      | GREENE     | 134,783.00  | 134,783.00   | 60,000.00             | 60,000.00    | 194,783.00             | 194,783.00   |
| 41      | GUILFORD   | 2,554,335.00  | 2,554,335.00 | (500,000.00)          | (500,000.00) | 2,054,335.00           | 2,054,335.00 |
| 42      | HALIFAX    | 450,911.00  | 450,911.00   | 202,567.00            | 202,567.00   | 653,478.00             | 653,478.00   |
| 43      | HARNETT    | 600,560.00  | 600,560.00   | (150,000.00)          | (150,000.00) | 450,560.00             | 450,560.00   |
| 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   | 86,849.00             | 86,849.00    | 280,290.00             | 280,290.00   |
| 47      | HOKE       | 311,671.00  | 311,671.00   | 0.00                  | 0.00         | 311,671.00             | 311,671.00   |

Low-Income Home Energy Assistance (LIEAP)

AUTHORIZATION NUMBER: 2

|       |                | Initial (or Previous) Allocation<br>Funding Authorization |                  | Additional Allocation |              | Grand Total Allocation |                  |
|-------|----------------|---|------------------|-----------------------|--------------|------------------------|------------------|
|       | COUNTY         | Federal   | Total            | Federal               | Total        | Federal                | Total            |
| 48    | HYDE           | 33,645.00   | 33,645.00        | 15,051.00             | 15,051.00    | 48,696.00              | 48,696.00        |
| 49    | IREDELL        | 449,473.00  | 449,473.00       | (100,000.00)          | (100,000.00) | 349,473.00             | 349,473.00       |
| 50    | JACKSON        | 188,680.00  | 188,680.00       | (30,000.00)           | (30,000.00)  | 158,680.00             | 158,680.00       |
| 51    | JOHNSTON       | 765,800.00  | 765,800.00       | 0.00                  | 0.00         | 765,800.00             | 765,800.00       |
| 52    | JONES          | 69,879.00   | 69,879.00        | 29,976.00             | 29,976.00    | 99,855.00              | 99,855.00        |
| 53    | LEE            | 304,205.00  | 304,205.00       | (108,595.00)          | (108,595.00) | 195,610.00             | 195,610.00       |
| 54    | LENOIR         | 437,784.00  | 437,784.00       | 0.00                  | 0.00         | 437,784.00             | 437,784.00       |
| 55    | LINCOLN        | 286,019.00  | 286,019.00       | (30,000.00)           | (30,000.00)  | 256,019.00             | 256,019.00       |
| 56    | MACON          | 151,282.00  | 151,282.00       | 0.00                  | 0.00         | 151,282.00             | 151,282.00       |
| 57    | MADISON        | 99,877.00   | 99,877.00        | 38,529.00             | 38,529.00    | 138,406.00             | 138,406.00       |
| 58    | MARTIN         | 173,244.00  | 173,244.00       | 62,263.00             | 62,263.00    | 235,507.00             | 235,507.00       |
| 59    | MCDOWELL       | 241,118.00  | 241,118.00       | 108,302.00            | 108,302.00   | 349,420.00             | 349,420.00       |
| 60    | MECKLENBURG    | 3,689,883.00  | 3,689,883.00     | (750,000.00)          | (750,000.00) | 2,939,883.00           | 2,939,883.00     |
| 61    | MITCHELL       | 69,258.00   | 69,258.00        | 30,597.00             | 30,597.00    | 99,855.00              | 99,855.00        |
| 62    | MONTGOMERY     | 143,988.00  | 143,988.00       | 0.00                  | 0.00         | 143,988.00             | 143,988.00       |
| 63    | MOORE          | 302,732.00  | 302,732.00       | (10,000.00)           | (10,000.00)  | 292,732.00             | 292,732.00       |
| 64    | NASH           | 490,971.00  | 490,971.00       | 0.00                  | 0.00         | 490,971.00             | 490,971.00       |
| 65    | NEW HANOVER    | 932,348.00  | 932,348.00       | 0.00                  | 0.00         | 932,348.00             | 932,348.00       |
| 66    | NORTHAMPTON    | 162,614.00  | 162,614.00       | 73,038.00             | 73,038.00    | 235,652.00             | 235,652.00       |
| 67    | ONslow         | 666,263.00  | 666,263.00       | 0.00                  | 0.00         | 666,263.00             | 666,263.00       |
| 68    | ORANGE         | 400,619.00  | 400,619.00       | 0.00                  | 0.00         | 400,619.00             | 400,619.00       |
| 69    | PAMLICO        | 59,728.00   | 59,728.00        | 13,460.00             | 13,460.00    | 73,188.00              | 73,188.00        |
| 70    | PASQUOTANK     | 209,087.00  | 209,087.00       | 93,812.00             | 93,812.00    | 302,899.00             | 302,899.00       |
| 71    | PENDER         | 269,861.00  | 269,861.00       | 0.00                  | 0.00         | 269,861.00             | 269,861.00       |
| 72    | PERQUIMANS     | 70,435.00   | 70,435.00        | 31,594.00             | 31,594.00    | 102,029.00             | 102,029.00       |
| 73    | PERSON         | 188,370.00  | 188,370.00       | 64,239.00             | 64,239.00    | 252,609.00             | 252,609.00       |
| 74    | PITT           | 1,034,076.00  | 1,034,076.00     | 0.00                  | 0.00         | 1,034,076.00           | 1,034,076.00     |
| 75    | POLK           | 74,453.00   | 74,453.00        | 8,880.00              | 8,880.00     | 83,333.00              | 83,333.00        |
| 76    | RANDOLPH       | 593,444.00  | 593,444.00       | 0.00                  | 0.00         | 593,444.00             | 593,444.00       |
| 77    | RICHMOND       | 390,466.00  | 390,466.00       | 175,331.00            | 175,331.00   | 565,797.00             | 565,797.00       |
| 78    | ROBESON        | 1,215,491.00  | 1,215,491.00     | 0.00                  | 0.00         | 1,215,491.00           | 1,215,491.00     |
| 79    | ROCKINGHAM     | 464,915.00  | 464,915.00       | 157,984.00            | 157,984.00   | 622,899.00             | 622,899.00       |
| 80    | ROWAN          | 635,953.00  | 635,953.00       | 0.00                  | 0.00         | 635,953.00             | 635,953.00       |
| 81    | RUTHERFORD     | 358,950.00  | 358,950.00       | 63,514.00             | 63,514.00    | 422,464.00             | 422,464.00       |
| 82    | SAMPSON        | 402,477.00  | 402,477.00       | 0.00                  | 0.00         | 402,477.00             | 402,477.00       |
| 83    | SCOTLAND       | 310,169.00  | 310,169.00       | 42,874.00             | 42,874.00    | 353,043.00             | 353,043.00       |
| 84    | STANLY         | 231,963.00  | 231,963.00       | 96,443.00             | 96,443.00    | 328,406.00             | 328,406.00       |
| 85    | STOKES         | 166,499.00  | 166,499.00       | 17,124.00             | 17,124.00    | 183,623.00             | 183,623.00       |
| 86    | SURRY          | 354,394.00  | 354,394.00       | 158,649.00            | 158,649.00   | 513,043.00             | 513,043.00       |
| 87    | SWAIN          | 63,780.00   | 63,780.00        | 17,090.00             | 17,090.00    | 80,870.00              | 80,870.00        |
| 88    | TRANSYLVANIA   | 144,922.00  | 144,922.00       | 22,324.00             | 22,324.00    | 167,246.00             | 167,246.00       |
| 89    | TYRRELL        | 29,708.00   | 29,708.00        | 13,191.00             | 13,191.00    | 42,899.00              | 42,899.00        |
| 90    | UNION          | 552,767.00  | 552,767.00       | 0.00                  | 0.00         | 552,767.00             | 552,767.00       |
| 91    | VANCE          | 344,071.00  | 344,071.00       | 164,477.00            | 164,477.00   | 508,548.00             | 508,548.00       |
| 92    | WAKE           | 2,496,127.00  | 2,496,127.00     | (500,000.00)          | (500,000.00) | 1,996,127.00           | 1,996,127.00     |
| 93    | WARREN         | 142,715.00  | 142,715.00       | 61,488.00             | 61,488.00    | 204,203.00             | 204,203.00       |
| 94    | WASHINGTON     | 98,235.00   | 98,235.00        | 43,214.00             | 43,214.00    | 141,449.00             | 141,449.00       |
| 95    | WATAUGA        | 215,180.00  | 215,180.00       | (50,000.00)           | (50,000.00)  | 165,180.00             | 165,180.00       |
| 96    | WAYNE          | 769,871.00  | 769,871.00       | 119,404.00            | 119,404.00   | 889,275.00             | 889,275.00       |
| 97    | WILKES         | 343,370.00  | 343,370.00       | 154,021.00            | 154,021.00   | 497,391.00             | 497,391.00       |
| 98    | WILSON         | 507,219.00  | 507,219.00       | 100,897.00            | 100,897.00   | 608,116.00             | 608,116.00       |
| 99    | YADKIN         | 140,587.00  | 140,587.00       | 0.00                  | 0.00         | 140,587.00             | 140,587.00       |
| 100   | YANCEY         | 95,097.00   | 95,097.00        | 40,990.00             | 40,990.00    | 136,087.00             | 136,087.00       |
| 150   | Jackson Indian | 0.00  | 0.00             | 0.00                  | 0.00         | 0.00                   | 0.00             |
| 187   | Swain Indian   | 0.00  | 0.00             | 0.00                  | 0.00         | 0.00                   | 0.00             |
| Total |                | \$ 43,982,501.00  | \$ 43,982,501.00 | \$ -                  | \$ -         | \$ 43,982,501.00       | \$ 43,982,501.00 |

**Low-Income Home Energy Assistance (LIEAP) AUTHORIZATION NUMBER: 2**

**FUNDING SOURCE:** Federal Low Income Home Energy Assistance Funds Block Grant  
**CFDA Number:** 93.568  
**CFDA Name:** Low-Income Home Energy Assistance  
**Award Name:** Low-Income Home Energy Assistance  
**Award Number:** G18B1NCLIEA & G19B1NCLIEA  
**Award Date:** FFY 2018 & 2019  
**Federal Agency:** DHHS/ACF

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

This allocation represents the entire amount as designated in Session Law 2018-5 (Senate Bill 99).

These funds cannot be spent until after December 1, 2018.

**XS411 Heading:** LIHEAP  
**Tracked on XS411:** Federal Share 100%

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

**AUTHORIZED SIGNATURE**



**DATE:**

**February 8, 2019**

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**From:** Bugner, Keith  
**Sent:** Monday, February 04, 2019 11:33 AM  
**To:** Kenneth Perry <[kenneth.perry@bertie.nc.gov](mailto:kenneth.perry@bertie.nc.gov)>  
**Subject:** CJI Grant PROJ012429 -- Grant Manager's Introduction

Chief Deputy Perry

Congratulations on your new 2017 Byrne Justice Assistance grant PROJ012429, 2017 - Bertie County Sheriff's Office - Technology Upgrade.

Attached are some documents pertinent to this grant:

- Introduction letter and checklist
- Grant certifications forms and documentation checklist. If you have not already provided the forms and other deliverables listed, please ensure you complete the necessary items and upload them into your grant.
- URL for GCC forms (general)  
<https://www.ncdps.gov/About-DPS/Boards-Commissions/Governors-Crime-Commission/Grants-Management/Forms>
- URL for purchasing (covers State/Federal debarment checks and property control/certification logs)  
<https://www.ncdps.gov/about-dps/boards-commissions/governors-crime-commission/grants-management/forms/equipment>
- URL for Sole Source Provider Request  
[https://www.ncdps.gov/div/GCC/\(REVISED\)Sole%20Source%20Provider%20Request%20form.pdf](https://www.ncdps.gov/div/GCC/(REVISED)Sole%20Source%20Provider%20Request%20form.pdf)

Please remember to complete a *Notice of Grant Implementation* within GEMS to indicate work has commenced on your project. This notice must be completed prior to submitting your first reimbursement request. If you have any questions, please feel free to contact me.

Again, congratulations on receiving the award, and I look forward to working with you.

Regards

F. KEITH BUGNER

NC Department of Public Safety | Governor's Crime Commission

1201 Front Street | Raleigh, NC 27609

Email: [keith.bugner@ncdps.gov](mailto:keith.bugner@ncdps.gov)

Phone: 919-733-4564 | Direct: 919-899-9221

*E-mail correspondence sent to and from this address may be subject to the provisions of G.S. 132-1, the North Carolina Public Records Law, and may be subject to monitoring and disclosed to third parties, including law enforcement personnel, by an authorized state official.*



Governor's Crime Commission  
 1201 Front Street, Suite 200  
 Raleigh, NC 27609  
 Phone: (919) 733-4564 Fax: (919) 733-4625

(Official GCC Use Only)

**Grant Application**

Project Number: PROJ013121

**Application Review**

Before your application can be submitted to GCC, the following personnel must approve the application:

| Project Role         | Name               | Review Status |
|----------------------|--------------------|---------------|
| Financial Officer    | William G Roberson | Reviewed      |
| Authorizing Official | Scott Sauer        | Reviewed      |
| Project Director     | Kenneth H Perry    | Reviewed      |

[View My Projects](#)

**Project Review Comment History**

| Date | Comment By | Review Comment |
|------|------------|----------------|
|      |            |                |

Name of Project: 2018 - Bertie County Sheriff's Office - MOBILE DATA COMPUTER PROJECT  
 Committee Assignment: CRIMINAL JUSTICE SYSTEMS IMPROVEMENT

**Organization Contacts and Personnel Information**

**Application Organization Information**

Organization Name: County of Bertie  
 Billing Address: P.O. Box 530  
 City: Windsor  
 State: North Carolina  
 ZipCode: 27983-0530  
 Phone: (252) 794-5300  
 DUNS Number: 032848574  
 CCR Registration: Yes  
 Federal Tax ID: 566000276  
 Fiscal Year End Date: 06/30

**Implementing Agency Information**

Implementing Agency Name: Bertie County Sheriff's Department  
 Address: 104 Dundee Street  
 Address 2:  
 City: Windsor  
 State: North Carolina  
 ZIP Code: 27983  
 Phone: 252-794-5330  
 Fax: 252-794-5346

**For Law Enforcement Agencies**

# of Sworn Officers: 29

Authorizing Official: Scott Sauer  
 County Manager

*If the applicant agency is a non-profit, the Authorizing Official must be the Board Chair, Sheriffs, Police Chiefs, and Executive Directors can not be Authorizing Officials.*

Financial Officer: William G Roberson  
 Finance Officer

*If the applicant agency is a non-profit, the Financial Officer must be the Board Treasurer.*

Project Director: Kenneth H Perry  
 Chief Deputy

**General Information**

Program Priority: 2018 Local Law Enforcement Block Grants

Project Start Date: 10/1/2018

Project End Date: 9/30/2019

US Congressional Districts:  
 01

N.C. House Districts:  
 05

N.C. Senate Districts:  
 03

Population of Project Area:  
 20199

Project Counties:  
 Bertie

**Project Summary:**

This project seeks funding to purchase Mobile Data Computers (MDTs) for law enforcement vehicles with the Bertie County Sheriff's Office.

Principal Place of Performance: The primary site where the work is performed

City: Windsor  
 ZIP Code: 27983-6769

**Abstract and Narrative**

**Project Abstract (The Problem):** Briefly describe project's purpose, identify target population, and discuss program components which address the identified problem. Include local statistics to substantiate the need.

The Bertie County Sheriff's Office seeks grant funds to purchase much needed technological equipment for patrol vehicles. Mobile Data Computers enables officers to have access to 'real time' information, increasing the safety of the officer as well as providing the citizens' with a more informed, professional response.

**Project Narrative (Operation):** Include a description of how grant funded positions are integral to the project and how contractual, travel, operating, and



equipment expenses will support the project. Discuss how you will collaborate with other agencies. Focus on the project – do not give agency history, do not repeat abstract.

The Bertie County Sheriff's Office seeks Governor's Crime Commission Local Law Enforcement Block Grant funding to assist this agency's quest to fully outfit law enforcement vehicles with technology tools in the Mobile Data Computers. By affording officers access to pertinent information, they can make informed decisions as they respond to criminal acts as well as citizens' requests for assistance. Mobile Data Computers enable officers to communicate more effectively, access information, and better respond to emergency situations. Far too often, smaller and rural law enforcement agencies lack the necessary funding to provide line officers the technological tools that larger agencies take for granted. With the Local Law Enforcement Block grants, it affords agencies such as Bertie to offer their officers the same tools to perform law enforcement related duties.

**Project Timeline of Activities:**

Acceptance of Grant Award/Processing award paperwork: October 2018 Ordering Mobile Data Computers: November 2018 Receipt of Computers/training: Dec 2018- Feb 2019 Completing all reports/financial reimbursements Oct 2018- Sept 2019

**Project Goals**

|  |               |
|--|---------------|
| <b>Goal 1</b><br>Increase the safety of officers and improve response to citizens' needs through the implementation of Mobile Data Computers within patrol vehicles. | <b>Goal 2</b> |
|--|---------------|

**Project Objectives**

**1. Project Objective:**  
Purchase mobile data computers within the scope of Bertie County Purchasing guidelines while adhering to all grant stipulations regarding financial accountability.

**Performance Measure:**  
Paid Invoices, copies of cancelled checks, inventory logs showing which vehicles the computers were assigned.

**Evaluation Method:**  
Deployment of mobile data computers within the fleet of Bertie County Sheriff's Office patrol vehicles.

**Project Sustainability Planning**

Describe your formal, working sustainability plan for the project and how it will result in permanent operational funding (not GCC funding) once this grant ends.

Any and all costs associated with maintaining or repairing the mobile data computers will be assumed by the Bertie County Sheriff's Office and included in any and all future budget requests made annually to the Board.

**Indirect Costs**

Federally Negotiated Indirect Cost Rate: %

**Project Budget Summary**

| Category                      | Total              | Year 1 Total       | Year 2 Total   |
|-------------------------------|--------------------|--------------------|----------------|
| SUPPLIES                      | \$24,500.00        | \$24,500.00        | \$0.00         |
| <b>Total Budget:</b>          | <b>\$24,500.00</b> | <b>\$24,500.00</b> | <b>\$0.00</b>  |
| <b>(-)Match Funds:</b>        | <b>-\$0.00</b>     | <b>-\$0.00</b>     | <b>-\$0.00</b> |
| <b>TOTAL FEDERAL REQUEST:</b> | <b>\$24,500.00</b> | <b>\$24,500.00</b> | <b>\$0.00</b>  |

**CRIMINAL JUSTICE SYSTEMS IMPROVEMENT - Description of Match**

Matching funds may include local, state or private funds, but not other federal funds. 0% cash match required  
Describe amount and source of cash match:

No cash match is required.

**Budget Details**

| Short Description                         | Quantity | Unit Cost  | Total       |
|---|----------|------------|-------------|
| Chargers for Computers                    | 11.00    | \$90.00    | \$990.00    |
| Mobile Computer with Accessories          | 1.00     | \$1,770.70 | \$1,770.70  |
| Mobile Data Computer/Supplies/Accessories | 11.00    | \$1,976.30 | \$21,739.30 |

**Project Certifications**

**A. Certification of Non-Supplanting**

The applicant hereby certifies that federal funds will not be used to supplant or replace State or local funds, but will instead be used to increase the amounts of such funds that would, in the absence of federal funds, be made available for project activities.

**B. Certification of Filing an Equal Employment Opportunity Program**

The project director certifies that the Amended Equal Employment Guidelines (28 C.F.R. 42.301, et seq.) have been read and that no Equal Employment Opportunity Program is required to be filed by the implementing agency because:

- Recipient has less than 50 employees

**C. Certification of Submission of Annual Audit:**

The project director certifies that a copy of the annual audit will be submitted to the Office of the State Auditor and the Governor's Crime Commission, as required by General Statute 143C-6-23. NOTE: If you receive, expend, or obligate over \$500,000 in State and Federal pass-through grants funds received directly from a State agency, then you must file a "yellow book" audit, done by a CPA, with your funding agencies and with the Office of State Budget and Management.

**D. Certification of Submission of Current Annual Operating Budget:**

The project director certifies that a copy of the implementing agency's current annual operating budget will be submitted upon request.

**E. Certification that Applicant is Eligible to Receive Federal Funds:**

The project director certifies that neither the grant applicant nor any of its officers, directors or consultants are presently debarred, proposed for debarment, suspended, declared ineligible or voluntarily excluded from receiving federal funds. [If the director cannot make this certification, an explanation must be attached. If this certification cannot be provided, the applicant will not necessarily be denied participation in this program. The certification or explanation will be considered in connection with the determination by the Governor's Crime Commission as to whether or not to approve the application. However, if neither the certification nor an explanation is provided, the application will be rejected.]

**F. Certification Regarding Lobbying:** (for agencies receiving \$100,000 or more)

- The project director certifies that (1) no federally appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any federal agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any agreement; (2) if any non-federal funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any federal agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with this federal grant, the project director shall complete and submit Standard Form #LL, "Disclosure of Lobbying Activities," in accordance with its instructions

**G. Drug Free Workplace Compliance:** (for state agencies only)

- The project director certifies that (1) a drug-free workplace awareness program was held on and/or will be held annually on which all grant project employees are required to attend; (2) a copy of the agenda of that program, including an attendance sheet signed by all employees, will be provided to the Governor's Crime Commission; (3) a statement will be published notifying employees that any unlawful involvement with a controlled substance is prohibited in the grantees workplace and that specific actions will be taken against employees who violate this rule; (4) all employees will receive a copy of this notice; (5) all employees must agree to abide by the statement and to notify the applicant of any criminal drug statute conviction for a violation occurring in the workplace within 5 days of the conviction; (6) within 10 days of receiving such notice, the applicant will inform the Governor's Crime Commission of an employee's conviction; (7) any employee so convicted will be disciplined or required to complete a drug abuse treatment program; and (8) the applicant will make a good faith effort to maintain a drug-free workplace, in accordance with the requirements of Sections 5153 and 5154 of the Anti-Drug Abuse Act of 1988 and Sections 8103 and 8104 of Title 41 of the United States Code.

**H. Certification of Compliance with General Statute 114-10.01:** (for law enforcement agencies only)

- The project director certifies that the implementing agency is presently in compliance and will remain in compliance with the traffic stop reporting provisions of General Statute 114-10.01 for the duration of the funded project. An agency may be in compliance with the reporting provisions of General Statute 114-10.01 where traffic stops are reported to the Division of Criminal Information, North Carolina Department of Justice, or where the agency does not meet any of the statutory criteria requiring the reporting of stops. A listing of law enforcement agencies currently required to report traffic stop information may be found at <http://www.ncdoj.gov/AgenciesRequiredList.aspx>.

**I. IRS Form 990 and IRS Form 990-EZ:**

- The project director certifies that the most recently-filed IRS Form 990 ("Return of Organization Exempt From Income Tax") or IRS Form 990-EZ ("Short Form Return of Organization Exempt from Income Tax") for the implementing agency has been uploaded with this project application as one or more pdf (Portable Document Format) attachments.

The project director certifies that neither an IRS Form 990 nor an IRS Form 990-EZ has been uploaded with this project application for the following reason:

- The implementing agency is not a nonprofit organization.
- The implementing agency is a nonprofit organization that is exempt from the requirement to file an IRS Form 990 or an IRS Form 990-EZ.
- The implementing agency is a nonprofit organization that is not exempt from the requirement to file an IRS Form 990 or an IRS Form 990-EZ and that has not to-date filed an IRS Form 990 or an IRS Form 990-EZ.



- Detail
- Months
- Seg Find
- Totals
- User Defined Fields

Account

Fund 10 GENERAL FU Acct 10 -1150-519201 Account Notes

Org 10-1150 LEGAL Acct name CONTRACTED SERVICES-LEGAL

Object 519201 SVCS LEGAL Type Expense Status Active

Project Rollup Multi Fund

| 4 Year Comparison | Current year | History | Fiscal Year 2013 | Fiscal Year 2017 | Fiscal Year 2016 | Fiscal Year 2019 |
|-------------------|--------------|---------|------------------|------------------|------------------|------------------|
| Per 2018/13       |              |         |                  |                  |                  |                  |
| Original Budget   | 60,000.00    |         | 60,000.00        | 60,000.00        | 60,000.00        | 60,000.00        |
| Transfers In      | 34,102.00    |         | 35,000.00        | -6,372.00        | .00              | .00              |
| Transfers Out     | .00          |         | .00              | .00              | .00              | .00              |
| Revised Budget    | 94,102.00    |         | 95,000.00        | 106,372.00       | 60,000.00        | 60,000.00        |
| Actual (Memo)     | 93,565.99    |         | 93,927.90        | 104,991.80       | 67,230.39        | 7 mos            |
| Encumbrances      | .00          |         | .00              | .00              | .00              | .00              |
| Requisitions      | .00          |         | .00              | .00              | .00              | .00              |
| Available         | 536.01       |         | 1,072.10         | 1,380.20         | -2,200.39        | 103.70           |
| Percent used      | 99.42        |         | 98.87            | 98.87            | 98.70            | 103.70           |

Display detail information for current account.



BERTIE COUNTY  
G/L ACCOUNT DETAIL

02/20/2019 16:46 wroberso P 1 glacting

Org: 104150 Object: 519201  
CONTRACTED SERVICES-LEGAL 10 -4150-519201

| YEAR | PER | JOURNAL | EFF        | DATE | SRC  | T | PO/REF2 | REFERENCE | AMOUNT    | P | CHECK  | NO     | WARRANT | VDR       | NAME/ITEM | DESC      | COMMENTS |
|------|-----|---------|------------|------|------|---|---------|-----------|-----------|---|--------|--------|---------|-----------|-----------|-----------|----------|
| 2019 | 08  | 000457  | 02/20/2019 | API  | 4262 |   |         | W 012519  | 9,252.57  | N |        |        |         | PRITCHETT | & BURCH   | PROFESSIO |          |
| 2019 | 07  | 000312  | 01/20/2019 | API  | 3604 |   |         | W 122518  | 6,274.50  | Y | 185596 | 012519 |         | PRITCHETT | & BURCH   | LEGAL FEE |          |
| 2019 | 06  | 000312  | 12/18/2018 | API  | 3065 |   |         | W 122518  | 9,086.63  | Y | 185148 | 122518 |         | PRITCHETT | & BURCH   | LEGAL SER |          |
| 2019 | 05  | 000338  | 11/16/2018 | API  | 2468 |   |         | W 112518  | 12,515.50 | Y | 184523 | 112518 |         | PRITCHETT | & BURCH   | PROFESSIO |          |
| 2019 | 05  | 000135  | 11/06/2018 | API  | 1976 |   |         | W 111018  | 1,307.89* | Y | 184275 | 111018 |         | PRITCHETT | & BURCH   | JULY-SEPT |          |
| 2019 | 05  | 000135  | 11/06/2018 | API  | 2146 |   |         | W 111018  | 5,855.00  | Y | 184275 | 111018 |         | PRITCHETT | & BURCH   | PROFESION |          |
| 2019 | 03  | 000331  | 09/21/2018 | API  | 1398 |   |         | W 092518  | 6,199.00  | Y | 183488 | 092518 |         | PRITCHETT | & BURCH   | LEGAL SER |          |
| 2019 | 02  | 000365  | 08/16/2018 | API  | 777  |   |         | W 082518  | 11,729.30 | Y | 182977 | 082518 |         | PRITCHETT | & BURCH   | LEGAL SER |          |

Total Amount: 62,220.39

\*\* END OF REPORT - Generated by William Roberson \*\*

William Roberson

---

**From:** Jodi Rhea  
**Sent:** Friday, March 1, 2019 11:18 AM  
**To:** William Roberson  
**Subject:** County Tax Services

I just got an invoice from CTS for \$1,200.00. Let me know once the Board approves.

Thanks,

Jodie Rhea  
Tax Administrator  
Bertie County  
252-794-6152  
Jodi.rhea@bertie.nc.gov



C-11

## **RESOLUTION AUTHORIZING EXCHANGE OF REAL PROPERTY**

Whereas, Bertie County (hereinafter "the County") desires to exchange a parcel of land with Cashie Golf and Country Club Association, Inc. (hereinafter "the Club") under the terms described below;

Whereas, the County's purpose in making this exchange is to facilitate the construction of a firefighter training facility, therefore, the exchange will benefit the citizens of Bertie County;

Whereas, pursuant to sections 160A—266 and 160A-271 of the North Carolina General Statutes, public notice of the proposed exchange was given by Notice of Exchange of Property published in the Bertie Ledger-Advance on Wednesday, March 27, 2019; and

Whereas, the Board of Commissioners has discussed the terms of the exchange and find them to be fair and reasonable in all respects.

NOW, THEREFORE, the Bertie County Board of Commissioners hereby resolves that the County Manager and the County attorney are directed to prepare all deeds, settlement statements, and other documents necessary to accomplish the following exchange: the conveyance by the County of a 0.88-acre parcel of land to the Club, the payment by the County of \$14,500 to the Club, and the conveyance by the Club of a 6.0-acre tract of land to the County. The 0.88-acre parcel that the County is conveying to the Club is a triangular-shaped corner portion of the County's tract on County Farm Road that is identified by the Tax Office as PIN 6801-87-3386 and is shown on a survey titled, "Recombination Survey and Plat for Cashie Golf and Country Club" dated

February 4, 2019. The 6.0-acre tract that the Club is conveying to the County is the easternmost corner portion of the Club's tract identified by the Tax Office as PIN 6801-75-2972 and is shown on a survey titled, "Recombination Survey and Plat for Bertie County" dated November 1, 2018.

Adopted this the 11<sup>th</sup> day of March, 2019, by unanimous vote of the Bertie County Board of Commissioners at its regular meeting.

ATTEST:

BERTIE COUNTY

---

Sarah S. Tinkham, Clerk to the  
Board of Commissioners  
(SEAL)

---

John Trent  
Chairman  
Bertie County Board of Commissioners



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## **NOTICE OF EXCHANGE OF PROPERTY**

Bertie County gives notice that it intends to exchange land with Cashie Golf and Country Club Association, Inc. pursuant to the authority granted in sections 160A—266 and 160A-271 of the North Carolina General Statutes. The County is conveying a 0.88 acre parcel of land to the Cashie Golf and Country Club and paying \$14,500 to the Club, and in return the County is receiving a 6.0 acre tract of land from the Club. The 0.88 parcel that the County is conveying to the Club is a triangular-shaped corner portion of the County's tract on County Farm Road that is identified by the Tax Office as PIN 6801-87-3386 and is shown on a survey titled, "Recombination Survey and Plat for Cashie Golf and Country Club" dated February 4, 2019. The 6.0 acre tract that the Club is conveying to the County is the easternmost corner portion of the Club's tract identified by the Tax Office as PIN 6801-75-2972 and is shown on a survey titled, "Recombination Survey and Plat for Bertie County" dated November 1, 2018. These two surveys are available for inspection at the office of the Bertie County Manager, Scott Sauer, at 106 Dundee Street in Windsor, North Carolina. The County Commissioners will enter into a resolution authorizing the exchange at their regular meeting on Monday, March 11, 2019 at 6 p.m. The purpose of the exchange is for the County to obtain and then transfer title to the 6.0 acres to the Town of Windsor in order to construct a firefighter training facility, and the purpose for Cashie Golf and Country Club is to obtain title to a corner of its driving range.

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**§ 160A-271. Exchange of property.**

A city may exchange any real or personal property belonging to the city for other real or personal property by private negotiation if the city receives a full and fair consideration in exchange for its property. A city may also exchange facilities of a city-owned enterprise for like facilities located within or outside the corporate limits. Property shall be exchanged only pursuant to a resolution authorizing the exchange adopted at a regular meeting of the council upon 10 days' public notice. Notice shall be given by publication describing the properties to be exchanged, stating the value of the properties and other consideration changing hands, and announcing the council's intent to authorize the exchange at its next regular meeting. (1971, c. 698, s. 1; 1973, c. 426, s. 42.1.)



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C-12



**Report of Judgment**

**In re "Termination of Latria Norman"**

**18 OSP 03031**

Pursuant to N.C.G.S. § 143-318.11 (a)(3), the assistant County attorney reports the judgment entered by the Honorable J. Randolph Ward, in file number 18 OSP 03031 before the Office of Administrative Hearings on December 11, 2018. This matter stemmed from the appeal of decision to terminate Latria Norman, a Supervisor for the Bertie County Department of Social Services. Mrs. Norman was officially terminated on April 23, 2018 and her appeal to the Director of Bertie County Department of Social Services was denied on May 8, 2018.

Mrs. Norman had been employed for over one (1) year at the time of termination, and therefore entitled to the protections of a career status employee under North Carolina State law. As such she appealed her termination to the Office of Administrative Hearings. Following a hearing on this matter, the Court determined that the County did not present substantial evidence that the actions take by Mrs. Norman amounted to any more than an accident, and that it could not be established that her acts were done intentionally. Therefore, the Court order that she be reinstated and receive back pay, including benefits and attorney's fees. A specific spreadsheet of these payments is attached hereto. It should be noted that the amount of back pay she received was offset to a certain degree by the money she owed back to the County upon losing her right to unemployment benefits following the County's appeal of the initial unemployment determination.

|   | <b>BACK PAY MONTHLY GROSS SALARY AMOUNTS</b> |                  |
|---|--|------------------|
| <b>MAY</b>  | \$   | 3,716.83         |
| <b>JUNE</b>   | \$   | 3,716.83         |
| <b>JULY</b>   | \$   | 3,791.17         |
| <b>AUGUST</b>   | \$   | 3,791.17         |
| <b>SEPTEMBER</b>  | \$   | 3,791.17         |
| <b>OCTOBER</b>  | \$   | 3,791.17         |
| <b>NOVEMBER</b>   | \$   | 3,791.17         |
| <b>2018 LONGEVITY</b>                                       | \$   | 200.00           |
| <b>DECEMBER</b>   | \$   | 3,791.17         |
| <b>JANUARY</b>  | \$   | 3,791.17         |
| <b>EE UNEMP. BENEFIT PAID</b>                               | \$   | (4,200.00)       |
| <b>PRETAX REF-MAY 18 SHP/PNC INS (NOT ELIGIBLE FOR COV)</b> | \$   | 709.90           |
| <b>EE GROSS TOTAL BACK PAY</b>                              | \$   | 30,681.75        |
| <b>EE 941 COST (FICA, MED, FEDERAL)</b>                     | \$   | (7,526.05)       |
| <b>EE 401K-REGULAR COST</b>                                 | \$   | (900.00)         |
| <b>EE STATE TAX COST</b>                                    | \$   | (1,450.00)       |
| <b>EE RETIREMENT COST</b>                                   | \$   | (1,840.91)       |
| <b>EE NET TOTAL AMOUNT</b>                                  | \$   | <b>18,964.79</b> |

|   |                     |
|---|---------------------|
| <b>ER 941 AMOUNT (FICA, MED, FEDERAL)</b> | \$ 2,347.16         |
| <b>ER 401K AMOUNT</b>                     | \$ 920.45           |
| <b>ER RETIREMENT AMOUNT</b>               | \$ 2,377.84         |
| <b>EE NET PAY TOTAL</b>                   | \$ 18,964.79        |
| <b>EE ATTORNEY FEES</b>                   | \$ 14,356.58        |
| <b>EE UNEMP BENEFIT PAID</b>              | \$ 4,200.00         |
| <b>EE DENTAL BILL</b>                     | \$ -                |
| <b>TOTAL COST TO COUNTY</b>               | <b>\$ 43,166.82</b> |



C-13

**GREEN ENGINEERING, P.L.L.C.**

Engineers/Planners/Surveyors

303 Goldsboro Street East Post Office Box 609  
Wilson, North Carolina 27893  
Telephone (252) 237-5365 Fax (252) 243-7489

**LETTER OF TRANSMITTAL**

|  |                     |
|--|---------------------|
| Date<br>February 1, 2019                           | JOB NO.<br>15-077.1 |
| ATTENTION<br>Mr. Scott Sauer - County Manager      |                     |
| RE:<br>Contract No. 2 - Change Order No. 2         |                     |
| Bertie County Water District IV - Project WIF-1897 |                     |
| Custom Controls Unlimited, Inc.                    |                     |

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

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

| COPIES | DATE   | NO. | DESCRIPTION   |
|--------|--------|-----|---|
| 5      | 2/1/19 |     | Change Order No. 2 - Additional Scope required for Installation of Chlorine Leak Sensor Detection & Monitoring capability modifications to the existing SCADA system. |
|        |        |     | This change order will include Eight (8) Initial Sites. Ten (10) Sites to be retrofitted at a later time are not included in this change order.                       |

THESE ARE TRANSMITTED as checked below:

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

REMARKS:

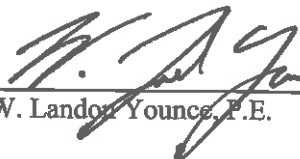
Scott,

Please find attached Change Order No. 2 for Contract No. 2 - Custom Controls Unlimited, Inc. which requires County execution. This change order became necessary due to a specific request by County Water Department staff to integrate Chlorine Leak Detection & Monitoring into the existing SCADA backbone.

Please execute all copies and return.

COPY TO William Roberson - Finance Officer  
file

SIGNED

  
W. Landon Younce, P.E.

January 30, 2019

County of Bertie  
PO Box 530  
106 Dundee Street  
Windsor, North Carolina 27983

Attn: Mr. Scott T. Sauer  
County Manager

Re: Bertie County Regional Water System  
Reduced Monitoring  
SCADA System Upgrades, Roxobel Merger and Water Loss Project

Dear Scott,

As you recall from previous conversations regarding the referenced projects, our office recommended and your Board approved SRF financing to complete major system control renovations from the original analog system to the new state of art digital radio system. There were three (3) primary objectives from these two (2) projects, namely: 1) water loss management, 2) time management of staff, and 3) real time trending results. Currently, County utility Staff are driving in excess of 800 miles per week in order to accommodate performing rudimentary tasks which new technology can now replace, all the while archiving 24 hr/day 7 day/week 365 day/year real time data logging of the complete water system.

As part of the initial design phase, Green Engineering corresponded with Dyke Luben, PE of Public Water Supply in the Washington Regional office to determine what was required of the County while seeking to obtain reduced monitoring responsibilities for 18 county sites currently being visited daily for a reduction to one time per week using digital technology (see attached letter). Construction is now complete, and the appropriate training has now been performed by the SCADA vendor, Custom Controls Unlimited of Garner, NC.

Landon Younce, PE of our firm wrote Dyk Luben, Public Water Supply Regional Engineer of the Washington office in December 2018, petitioning the state to allow reduced monitoring along with several submittals originally required by official correspondence dated June 15, 2015. This letter required Bertie County to comply with Rule 1303 (d)(1). After subsequent review, Mr. Luben requested the County file a 14-day Calibration Report in accordance with EPA Method 334. This method is very time consuming and requires additional training to complete. The Rule 1303 (d) (1) has not reference of EPA Method 334. We have

asked Hach Company, manufacturer of the chlorine analyzers recently installed throughout the County, to assist Custom Controls Unlimited in training the County staff in setting up the Method 334 required process to achieve the additional documentation necessary to comply with the State's new wishes. County Staff will follow this method of calibration until such time as EPA deems another rule in the future.

I have copied you with an email forwarded to Ricky Spivey and others earlier to alert that Hach and Custom Controls Unlimited will be starting the calibration training and subsequent discussion with County representative staff very soon.

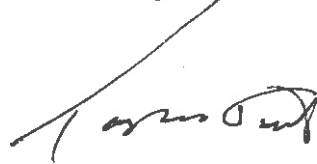
This additional work and reporting required by the State will require more time than was originally allotted for in our original contract, therefore we need to ask for a revision in engineering cost to complete this project scope of achieving the goal of reduced monitoring for Bertie County. Also, during the training meeting two weeks ago, Ricky and his County staff expressed their wish to propose adding chlorine leak detection as a hazard risk mitigation measure that could tie-in to the SCADA system. Green Engineering investigated this request through conversations with Custom Controls Unlimited and determined the measure will require two (2) sensors per site. Based on our estimated cost to design and install these sensors we believe there are enough project contingency funds remaining to cover the costs required at eight (8) sites:

|   |                    |
|---|--------------------|
| Chlorine leak Sensor Sensepoint XCD RTD ( <i>2 per site</i> ).....          | \$2,900.00         |
| Labor for installation wiring and calibration.....                          | \$750.00           |
| Total per site.....   | \$3,650.00         |
| Cost to monitor 8 sites with new sensors ( <i>3,650.00 x 8 sites</i> )..... | <b>\$29,200.00</b> |
|   |                    |
| Total Residual Funds for Roxobel System Merger.....                         | \$35,618.00        |
| Total Residual Funds for Water Loss Reduction.....                          | \$1,695.00         |
| Total Residual Funds remaining .....  | <b>\$37,313.00</b> |
|   |                    |
| Engineering.....  | <b>\$7,850.00</b>  |
| Proposed Change Order: Custom Controls Unlimited.....                       | <b>\$29,200.00</b> |
| Project Funds Remaining Unspent.....  | <b>\$263.00</b>    |

Attached to this transmittal is a Final Change Order to cover the additional time and reporting for EPA Method 334 as well as a small fee for the Final As-Built revisions to have the new chlorine sensors installed and incorporated into the installed SCADA system. With yours and the Board's concurrence, please execute and return these documents to our office for State submittal and subsequent review.

As Ricky continues into this Department's budget cycle, he may wish to add the remaining ten (10) sites totaling \$36,500.00 to his budget capital line item to cover the remaining sensors for hazard/risk mitigation and protection. Please do not hesitate to call either myself or Landon Younce for further details.

With kind regards,

A handwritten signature in black ink, appearing to read "Rodney M. Tart", written over a thin horizontal line.

Rodney M. Tart  
Director of Business Development

Attachment



North Carolina Department of Environment and Natural Resources

Pat McCrory  
Governor

Donald R. van der Vaart  
Secretary

June 25, 2015

Mr. Rodney Tart  
Green Engineering  
303 Goldsboro St. E.  
PO Box 609  
Wilson, NC 27893

Mr. Tart,

In response to your letter dated 6/1/2015, I understand that the Bertie County Regional Water System proposes to install a new SCADA system. In addition to controlling well operation, that system would be designed to monitor chlorine residuals with inline analyzers at each well, it would log pump run times, and it would alarm staff in the event of a failure.

In accordance with Rule .1303(d)(1) the Public Water Supply Section may grant written approval to reduce the standard monitoring frequency to not less than once per week if the system documents:

*(1) Equivalent public health protection is provided through use of remotely controlled continuous monitoring and recording technology. The recorded data must be reviewed at a minimum of five days a week. This technology must be capable of contacting the operator 24 hours a day, seven days a week in case of operational failure, including a loss of signal.*

The Public Water Supply Section can approve reduced operator oversight visit frequency after installation has been completed if we are provided documentation with detailed information about the installation and operation of monitoring, recording, and alarm devices. The documentation will need to be submitted with a certification by a professional engineer licensed to practice in North Carolina.

After we have received and approved the documentation and a professional engineer's certification stating that the monitoring, recording, and alarm devices are in operation and standard operating procedures are in place in accordance with the documentation and the requirements of Rule .1303(d)(1), we will be able to approve the requested reduced operator visit frequency.

Please contact me at 252-948-3890 if you have questions regarding these requirements.

Sincerely,

Dyk Luben, P.E.  
Regional Engineer  
Public Water Supply Section – Washington Regional Office

cc: Robert Midgette, P.E., Deputy Chief/Operations Branch Head, PWS Section.  
File



Form RD 1924-7  
(Rev. 2-97)

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

|           |                         |
|-----------|-------------------------|
| ORDER NO. | <i>Two (2)</i>          |
| DATE      | <i>February 1, 2019</i> |
| STATE     | <i>North Carolina</i>   |
| COUNTY    | <i>Bertie</i>           |

CONTRACT FOR  
*WIF-1897 - Water District IV - Merger With the Town of Roxobel - Cont. 2*  
OWNER  
*Bertie County, North Carolina*

TO *Custom Controls Unlimited, Inc.*  
(Contractor)

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

| Description of Changes<br>(Supplemental Plans and Specifications Attached)  | DECREASE<br>in Contract Price | INCREASE<br>in Contract Price |
|---|-------------------------------|-------------------------------|
| <i>Honeywell CL2 Leak Sensor Sensepoint XCD RTD<br/>(2 EA Sensor Installations at \$2,900 per site for 8 sites)<br/>(Installation, Wire &amp; Calibration at each site for \$750)</i> | \$                            | \$ <i>23,200.00</i>           |
| TOTALS  | \$                            | \$ <i>6,000.00</i>            |
| NET CHANGE IN CONTRACT PRICE  | \$                            | \$ <i>29,200.00</i>           |

JUSTIFICATION:

*It was determined through conversation with the Owner and Contractor that adding chlorine leak detection as a hazard mitigation measure would greatly benefit the County, being easily incorporated into recently upgraded SCADA system.*

The amount of the Contract will be (Decreased)(Increased) By The Sum Of: *Twenty-nine Thousand, Two Hundred and 00/100* \*\*\*\*\* Dollars (\$ *29,200.00* ).

The Contract Total Including this and previous Change Orders Will Be: *Five Hundred Twenty-six thousand, Seven Hundred Seventy-four and 0/100* \*\*\*\*\* Dollars (\$ *526,774.00* ).

The Contract Period Provided for Completion Will Be (Increased) (Decreased)(Unchanged): *60* Days.

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

|   |                                       |
|---|---------------------------------------|
| Requested _____   | _____ (Date)                          |
| Recommended <u><i>Scott T. Sauer - County Manager</i></u> (Signature of Owner)  | <u><i>February 1, 2019</i></u> (Date) |
| <u><i>W. Landon Young, P.E.</i></u> (Signature of Owner's Architect/Engineer)   | <u><i>February 1, 2019</i></u> (Date) |
| Accepted <u><i>Custom Controls Unlimited, Inc</i></u> (Signature of Contractor) | <u><i>February 1, 2019</i></u> (Date) |
| Approved by Agency _____ (Name and Title)                                       | _____ (Date)                          |
| Certification _____ (Signature of Owner's Finance Officer)                      | _____ (Date)                          |

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

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



## Sensepoint XCD RTD

Remote toxic and oxygen gas detector for industrial applications

**Use** 3 wire, 4-20mA and RS485 MODBUS output fixed point detector with in-built alarm and fault relays for the protection of personnel and plant from toxic and oxygen hazards. Incorporating a transmitter with local display and optional remote mounted sensor, fully configurable via non-intrusive magnetic switch interface with a wide range integral and remote sensors available

**Electrical**

**Input Voltage Range** 16 to 32VDC (24VDC nominal)

**Max Power Consumption** Maximum power consumption is dependent on the type of gas sensor being used. Electrochemical cells = 3.7W  
Maximum inrush current = 800mA at 24VDC

**Current Output Relays** Sink or source  
3 x 5A@250VAC. Selectable normally open or normally closed (switch) and energized/de-energised (programmable)  
Alarm relays default normally open/de-energized. Fault relay default normally open/energized

**Communication** RS485

**Construction**

**Material** Housing: Epoxy painted aluminium alloy LM25 or 316 stainless steel  
Sensor: Polyphenylene sulfide (PPS) (see Sensepoint specifications)

**Weight (approx)** Aluminium Alloy LM25: 4.4 lbs  
316 Stainless Steel: 11 lbs

**Mounting** Integral mounting plate with 4 x mounting holes suitable for M8 bolts. Optional pipe mounting kit for horizontal or vertical pipe Ø1.5 to 3" (2" nominal)

**Cable Entries** 2 x 3/4"NPT conduit entries. Suitable blanking plug supplied for use if only 1 entry used. Seal to maintain IP rating

**Environmental**

**IP Rating** IP67 in accordance with EN60529-1992

**Certified Temperature Range** 40°F to +149°F (-40°C to +65°C)

**Detectable Gases and XCD RTD Sensor Performance**

| Gas               | Displayed Name   | Range    | Lower Alarm | Lower Alarm Type | Higher Alarm | Higher Alarm Type | Lowest Alarm Level |
|-------------------|------------------|----------|-------------|------------------|--------------|-------------------|--------------------|
| Hydrogen Sulphide | H <sub>2</sub> S | 50.0 ppm | 10.0ppm     | Rising           | 20.0ppm      | Rising            | 5.0ppm             |
| Carbon Monoxide   | CO               | 200 ppm  | 40ppm       | Rising           | 80ppm        | Rising            | 20ppm              |
| Chlorine          | Cl <sub>2</sub>  | 5.0 ppm  | 0.5 ppm     | Rising           | 2.0ppm       | Rising            | 5.0ppm             |
| Ammonia           | NH <sub>3</sub>  | 50.0ppm  | 20.0ppm     | Rising           | 30.0ppm      | Rising            | 5.0ppm             |
| Hydrogen          | H <sub>2</sub>   | 1000ppm  | 200ppm      | Rising           | 400ppm       | Rising            | 100ppm             |
| Nitrogen Monoxide | NO               | 100 ppm  | 20ppm       | Rising           | 40ppm        | Rising            | 10ppm              |
| Sulphur Dioxide   | SO <sub>2</sub>  | 15.0ppm  | 2.0ppm      | Rising           | 6.0ppm       | Rising            | 1.5ppm             |
| Nitrogen Dioxide  | NO <sub>2</sub>  | 10.0ppm  | 2.0ppm      | Rising           | 4.0ppm       | Rising            | 1.0ppm             |
| Oxygen            | O <sub>2</sub>   | 25.0% VV | 19.5%Vol    | Falling          | 23.5%Vol     | Rising            | 10.0%Vol           |

**Certification**

**US, Latin America, Canada** cCSAus Ex d IIB+H2; Class I, Zone 1, AEx d IIB+H2; Class I, Division 2, Groups B, C & D  
Class I, Zone 1, AEx d Ia IIC Gb; Class I, Div 2, Groups B, C and D  
Inmetro Ex d IIC T6 Gb, Ex tb IIC T85°C Db, IP66, -40°C < ta < +65°C

**EMC**

CE: EN50270:2006 EN6100-6-4:2007, Ex d IIC T6 Gb, Ex tb IIC T85°C Db, IP66, -40°C < ta < +65° C  
**Standards** CAN/CSA-C22.2 No. 0-M91, CAN/CSA-C22.2 No. 60079-0-07, CAN/CSA-E60079-11-02, CAN/CSA-C22.2 No. 60079-1-07, ANSIUL 60079-11-09, ANSIUL 60079-1-09, C22.2 No. 142-M1987, C22.2 No. 213-M1987, UL 508 17th Ed., ANSI/ISA -12.12.01-2010 ABNT NBR IEC 60079-0:2008, ABNT NBR IEC 60079-1:2009, IEC 60079-31:2008 e ABNTNBR IEC 60529:2009.

**Find out more**

[www.honeywellanalytics.com](http://www.honeywellanalytics.com)

Toll-free: 800.538.0363

**Please Note:**

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**Remotely monitor toxic gases in Class 1, Div 2 areas while reducing the maintenance, training and overall cost of gas monitoring**



## Sensepoint XCD RTD



### Reduce Cost of Ownership Over Life of the Product

- Cut stocking and procurement costs with a common transmitter platform
- Reduce maintenance time and expense with non-intrusive, one-man operation
- Simplify maintenance with plug-in, removable sensor
- Reduce inspection and training time with tri-color 'traffic light' display conveying safety status at a glance
- Simplify set-up and configuration with non-intrusive magnetic switches

### Gain Added Flexibility, Reliability and Performance

- Extend gas sensing element up to 100 feet (30 meters) from transmitter; mount in the most difficult to access areas
- Reduce likelihood of human error via on-board diagnostics and easy-to-read display
- Protect against dust/water ingress with IP66/67 rated stainless steel or aluminum enclosure
- Prevent false alarms with auto-inhibit during maintenance
- Select sink or source 4-20mA output; integral or remote configuration
- Full range of accessories and purchase options let you choose the remote monitoring system that's right for your application

## Sensepoint XCD RTD from Honeywell Analytics makes it easy on your maintenance team, time and budget when faced with the challenge of monitoring toxic gases in Class I, Div 2 areas.

You can mount the unit up to 100 feet from the transmitter to obtain maximum gas detection coverage in areas not easily accessible or where the sensor would not be visible, as in high-or low-level concealed areas, or detection outside the room being monitored. XCD RTD offers unrivaled flexibility and performance via its easily recognizable display (traffic light pattern) to convey safety status, communication and mounting options, and onboard diagnostics.

### Applications

- Waste water facilities
- Utilities
- Coal processing plants
- Industrial manufacturing facilities
- Power plants
- Food and beverage production
- Oil and gas process areas



## Safety at a Glance!

Sensepoint XCD uses three instantly recognizable 'traffic light' colors to indicate its status. The large tri-color backlit LCD is steady green to indicate normal operation, flashes yellow to indicate a fault/warning and flashes red to indicate an alarm. This allows anyone in the area to clearly see *at a glance* the status of any detector. This can be particularly useful to identify detector status if the detector is located in a difficult to access area or if a number of detectors are located in the same area.



# Sensepoint XCD RTD



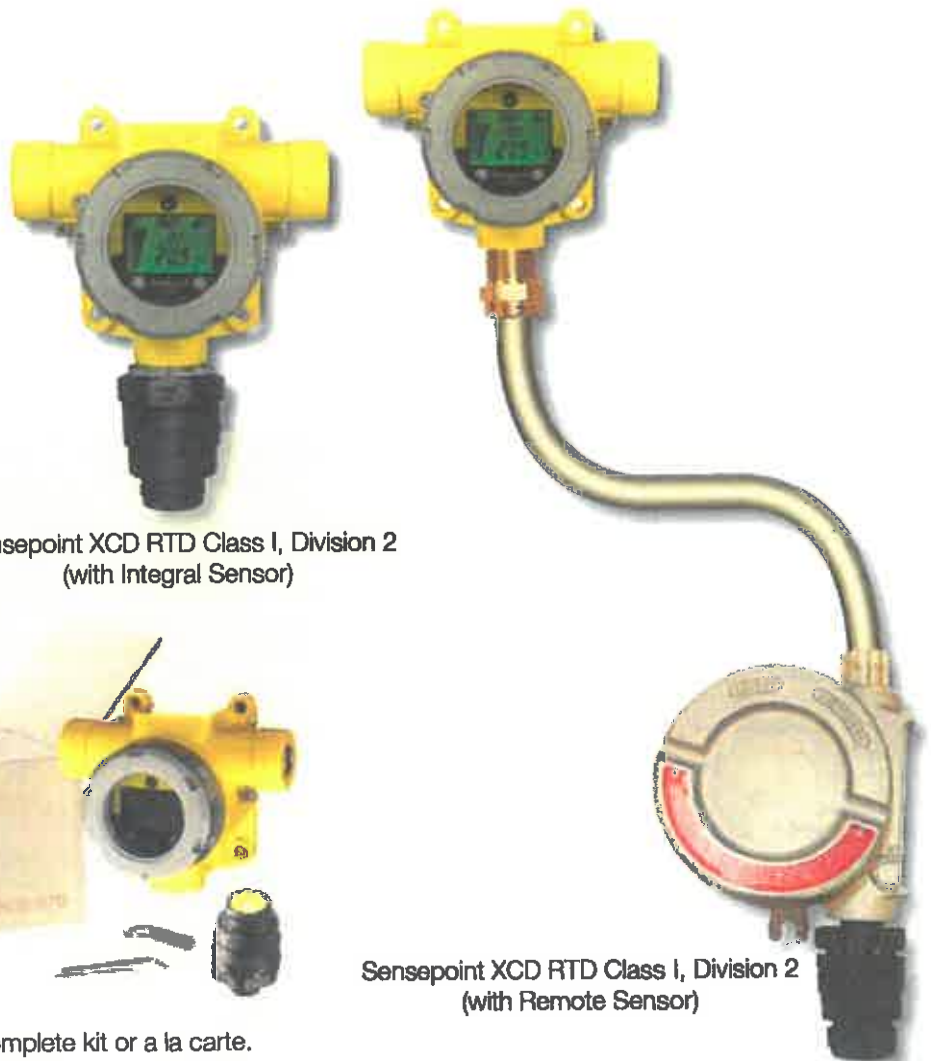
## Sensepoint XCD RTD Gases and Ranges

| Gas                   | User Selectable Full Scale Range | Range Increments | Class 1, Division 2 |
|-----------------------|----------------------------------|------------------|---------------------|
| <b>Toxic Sensors</b>  |                                  |                  |                     |
| Hydrogen Sulfide      | 50ppm                            | N/A              | ✓                   |
| Carbon Monoxide       | 200ppm                           | N/A              | ✓                   |
| Hydrogen              | 1,000ppm                         | N/A              | ✓                   |
| Nitrogen Dioxide      | 10ppm                            | N/A              | ✓                   |
| Ammonia               | 50ppm                            | N/A              | ✓                   |
| Chlorine              | 5ppm                             | N/A              | ✓                   |
| Sulphur Dioxide       | 15ppm                            | N/A              | ✓                   |
| Nitric Oxide          | 100ppm                           | N/A              | ✓                   |
| <b>Oxygen Sensors</b> |                                  |                  |                     |
| Oxygen                | 25%V/V                           | N/A              | ✓                   |

## Get More Return on Investment from the Practical Advantages of XCD RTD

Sensepoint toxic and oxygen sensors detect a wide variety of industrial gases at common measuring ranges, adding flexibility to your gas monitoring program, reducing your parts procurement costs and expanding your safety net.

Remote gas monitoring has never been this easy and cost-effective. Mount the sensor as shown in the illustration and view gas safety status via the large tri-color display on the transmitter, up to 100 feet away from the sensor. The advantages of this remote monitoring system are added safety, and reduced time spent on maintenance. There's no need for your team to climb ladders or bring in specialized equipment to view gas concentration readings or to conduct a safety audit. What's more, the removable sensor design of Sensepoint XCD RTD cuts downtime and eliminates the need for specialized training.



Sensepoint XCD RTD Class I, Division 2 (with Integral Sensor)

Sensepoint XCD RTD Class I, Division 2 (with Remote Sensor)

Order Sensepoint XCD RTD as a complete kit or a la carte.

XCD RTD is the right choice for a variety of demanding industrial applications

| Industry   | Specific Area  | (Gases Detected by XCD RTD)  |
|--|--|--|
|  Chemical Plants              | <ul style="list-style-type: none"> <li>• Raw material storage</li> <li>• Process Areas</li> <li>• Laboratories</li> <li>• Pump rows</li> <li>• Compressor stations</li> <li>• Loading/unloading areas</li> </ul> | <ul style="list-style-type: none"> <li>• Oxygen</li> <li>• Carbon Monoxide</li> <li>• Ammonia</li> <li>• Sulfur Dioxide</li> <li>• Nitric Oxide</li> </ul>   |
|  Power Stations               | <ul style="list-style-type: none"> <li>• Turbines</li> <li>• Coal silos and conveyor belt areas in older coal/oil fired stations</li> </ul>  | <ul style="list-style-type: none"> <li>• Carbon Monoxide</li> <li>• Oxygen</li> <li>• Ammonia</li> <li>• Hydrogen</li> <li>• Hydrogen Sulfide</li> </ul>   |
|  Waste Water Treatment Plants | <ul style="list-style-type: none"> <li>• Digesters</li> <li>• Plants sumps</li> <li>• H<sub>2</sub>S scrubbers</li> <li>• Pumps</li> </ul>   | <ul style="list-style-type: none"> <li>• Chlorine</li> <li>• Carbon Monoxide</li> <li>• Oxygen</li> <li>• Nitrogen Dioxide</li> </ul>  |
|  Steel Industry               | <ul style="list-style-type: none"> <li>• Loading and unloading docks</li> <li>• Pre-treatment</li> </ul>   | <ul style="list-style-type: none"> <li>• Sulfur Dioxide</li> <li>• Carbon Monoxide</li> <li>• Oxygen</li> <li>• Nitric Oxide</li> <li>• Hydrogen Sulfide</li> <li>• Nitrogen Dioxide</li> </ul>                    |
|  General Industry            | <ul style="list-style-type: none"> <li>• Battery rooms</li> <li>• Loading and unloading docks</li> <li>• Process areas</li> <li>• Machinery rooms</li> </ul>   | <ul style="list-style-type: none"> <li>• Ammonia</li> <li>• Sulfur Dioxide</li> <li>• Hydrogen Sulfide</li> <li>• Carbon Monoxide</li> <li>• Oxygen</li> <li>• Nitric Oxide</li> <li>• Nitrogen Dioxide</li> </ul> |
|  Oil & Gas                  | <ul style="list-style-type: none"> <li>• Exploration drilling rigs</li> <li>• Production platforms</li> <li>• Onshore oil and gas terminals</li> <li>• Refineries</li> </ul>                                     | <ul style="list-style-type: none"> <li>• Carbon Monoxide</li> <li>• Hydrogen Sulfide</li> <li>• Oxygen</li> </ul>  |

Find out more  
[www.honeywellanalytics.com](http://www.honeywellanalytics.com)

**Contact Honeywell Analytics:**

**Americas**  
 Honeywell Analytics, Inc.  
 405 Barclay Blvd.  
 Lincolnshire, IL 60069  
 USA  
 Tel: 847.955.8200  
 Toll-free: 800.538.0363  
 Fax: 847.955.8210  
[detectgas@honeywell.com](mailto:detectgas@honeywell.com)

**Technical Services**  
[ha.service@honeywell.com](mailto:ha.service@honeywell.com)

[www.honeywell.com](http://www.honeywell.com)

**Europe, Middle East, Africa**  
 Life Safety Distribution AG  
 Javastrasse 2  
 8604 Hegnau  
 Switzerland  
 Tel: +41 (0)44.943.4300  
 Fax: +41 (0)44.943.4398  
[gasdetection@honeywell.com](mailto:gasdetection@honeywell.com)

**Honeywell Analytics Serves Every Business**

We offer the industry's most complete range of gas detection products and services to meet all customer needs.

**Industrial**

Honeywell Analytics and renowned legacy Sieger, Fire Sentry and Manning gas detection systems with advanced electrochemical, infrared and open path sensing technologies

- » Applications: oil and gas, cold storage, water/wastewater treatment, chemicals, engine rooms, plastics and fibers, agriculture, printing and light industrial

**Commercial**

Honeywell Analytics and legacy Vulcain gas detection from standalone units to fully engineered, multi-point systems, all offering cost-effective regulatory compliance

- » Applications: parking structures, chillers, mechanical rooms, office towers, commercial buildings, shopping centers, swimming pools, golf courses, schools and universities, laboratories

**Portables**

Single or multi-gas BW Technologies, Sperian (Biosystems), Lumidor and other premium detectors with compact, lightweight designs ranging from simple alarm only units to advanced, fully configurable and serviceable instruments

- » Applications: underground utility and electricity ducts, boiler rooms, post-fire sites, sewers, industrial plants, industrial hygiene, first responder teams, remote fleets

**High Tech/Government**

A complete portfolio of gas and chemical detection instrumentation including infrared spectroscopy with no cross interference (MST Technologies), to Chemcassette paper-based solutions (MDA Scientific) offering detection down to parts per billion

- » Applications: semiconductor manufacturing and nanotechnology, aerospace propulsion and safety, specialty chemicals industry, research laboratories, emergency response

**Technical Services**

24/7 global network includes post-sales service and Systems Integration teams

- Emergency call out, service contracts, on/off-site repair, training and commissioning
- Complete range of spares, consumables and accessories

**Asia Pacific**

Honeywell Analytics, Asia Pacific  
 #508, Kolon Science Valley (1)  
 187-10 Guro-Dong, Guro-Gu  
 Seoul, 152-050  
 Korea  
 Tel: +82 (0)2.2025.0307  
 Fax: +82 (0)2.2025.0329  
[analytics.ap@honeywell.com](mailto:analytics.ap@honeywell.com)



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**AMENDMENT TO OWNER-ENGINEER AGREEMENT  
February 1, 2019**

**1. Background Data**

- a. Effective Date of Owner-Engineer Agreement: *February 19, 2016*
- b. Owner: *Bertie County*
- c. Engineer: *Green Engineering, P.L.L.C.*
- d. Project: *Bertie County Regional Water System – Roxobel Merger / Consolidation / WIF-1897*

**2. Nature of Amendment [Check those that are applicable and delete those that are inapplicable.]**

- Additional Services to be performed by Engineer
- Modifications to Services of Engineer
- Modifications to Responsibilities of Owner
- Modifications to Payment to Engineer
- Modifications to Time(s) for rendering Services
- Modifications to other terms and conditions of the Agreement

**3. Description of Modifications**

*Chlorine Leak Sensor Detection – Monitoring Capability for Eight (8) Sites (See Attachment)*



Owner and Engineer hereby agree to modify the above-referenced Agreement as set forth in this Amendment. All provisions of the Agreement not modified by this or previous Amendments remain in effect. The Effective Date of this Amendment is February 4, 2019.

OWNER: *Bertie County*

ENGINEER: *Green Engineering, P.L.L.C.*

By: \_\_\_\_\_  
John Trent  
Title: Chairman  
Date Signed: \_\_\_\_\_

By: \_\_\_\_\_  
E. Leo Green  
Title: Managing Member  
Date Signed: February 1, 2019

AGENCY CONCURRENCE

Agency: \_\_\_\_\_  
By (Signature): \_\_\_\_\_  
Typed Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_



This is **Attachment 1**, consisting of 1 pages, to Amendment No. **One (1)**, dated **February 1, 2019**.

## **Modifications**

*[Include the following paragraphs that are appropriate and delete those not applicable to this amendment. Refer to paragraph numbers used in the Agreement or a previous amendment for clarity with respect to the modifications to be made. Use paragraph numbers in this document for ease of reference herein and in future correspondence or amendments.]*

1. Engineer shall perform the following Additional Services relating to Bertie County Regional Water System Roxobel Merger / Consolidation / WIF-1897:
  - Prepare Plans, Specifications and Change Order for Chlorine Leak Sensor Detection – Monitoring Capability for Eight (8) Sites, described in Change Order No. 2 to be installed by Contract No. 2 – Custom Controls Unlimited
  - Provide Construction Supervision for a 60 day contract time extension in favor of Custom Controls Unlimited
2. For the additional Services set forth above, Owner shall pay Engineer the following prices:
  - Engineering: \$7,850.00



C-14

Work Authorization #4 (January 2, 2019 through June 30, 2019)  
Contract for Consultant Services  
Holland Consulting Planners, Inc. and Bertie County  
Hurricane Matthew NC Disaster Recovery Act of 2017 (NC-DRA) Project, HCP #5644

Background

WHEREAS, Bertie County (the County) has received funding for a Hurricane Matthew NC Disaster Recovery Act of 2017 (NC-DRA) Project, and wishes to continue with the initial (preconstruction) phase of the project, including homeowner meetings and surveying.

General Conditions

During completion of the work defined in this Work Authorization, Bertie County (the County) and Holland Consulting Planners (the Consultant), agree to abide by all of the terms and conditions outlined in the Contract for Consultant Services for administration of the Hurricane Matthew NC Disaster Recovery Act of 2017 (NC-DRA) Project dated December 4, 2017.

Tasks Approved By This Work Authorization

*General Administration and Contract Administration Tasks*

- Coordinate homeowner informational process; document citizen concerns and questions; maintain homeowner database.
- Maintain case files.
- Meet with governing body as requested.
- Coordinate project activities with local staff (including financial management).
- Coordinate project activities with designated state agencies; resolve program support and code violation issues.

*Programmatic Tasks*

- Prepare and distribute updated project information package to applicants.
- Obtain complete packages from applicants and set up case files.
- Procure and coordinate surveying, and asbestos inspection services in accordance with 44CFR13 and OMB A-87.
- Complete housing assessments, environmental screening process and SHPO forms where necessary.
- Initiate surveys and structural feasibility inspections for eligible units included in the project.
- Complete program amendment.
- Complete preconstruction conferences and inspect construction.

Fee

For completion of the work items described above, the County agrees to pay the Consultant a not-to-exceed fee of \$15,000. Payment terms, including terms for payment of additional services, shall be in accordance with the Contract for Consultant Services dated December 4, 2017 (see billings section on page 2 of contract). Monthly invoices may include ongoing tasks from previous work authorizations. Hourly rates for the Consultant's personnel are agreed to as follows:

| Staff Position  | Hourly Rate |
|---|-------------|
| <b>Holland Consulting Planners, Inc.</b>                |             |
| T. Dale Holland, AICP, Principal                        | \$160.00    |
| Chris Hilbert, Program Manager                          | \$100.00    |
| Jessie Miars, Program Administrator/Coordinator         | \$85.00     |
| Gary Miller, Senior Housing Inspector                   | \$85.00     |
| Keith Jenkins, Housing Inspector                        | \$75.00     |
| Donna Blackmon, Asst/ Program Administrator/Coordinator | \$75.00     |
| Administrative Services                                 | \$60.00     |

Time Schedule

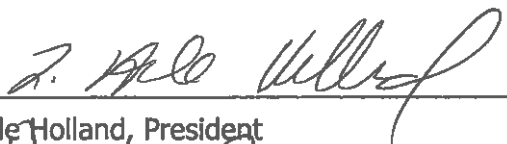
The tasks approved by this Work Authorization shall extend through June 30, 2019.

The County and the Consultant hereby agree to the full performance of the covenants contained herein.

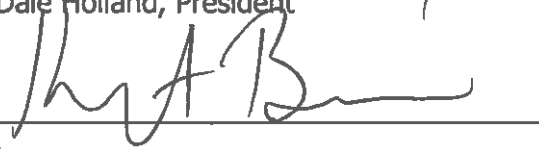
IN WITNESS HEREOF, they have executed this authorization, this day and year first above written.

HOLLAND CONSULTING PLANNERS, INC.

BERTIE COUNTY, NC

  
 \_\_\_\_\_  
 T. Dale Holland, President

\_\_\_\_\_  
 John Trent, Chair

  
 \_\_\_\_\_  
 Witness

\_\_\_\_\_  
 Clerk to the Board

This authorization has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

\_\_\_\_\_  
 Finance Officer

\_\_\_\_\_  
 Date

(SEAL)



C-15

**Bertie County**  
**Project Ordinance – 19-01**  
**FY2017-204 / Bertie County Public Library, Cooperative Extension**  
**Joint Use Facility and Community Meeting Room**

**March 11, 2019**

**BE IT ORDAINED** by the Governing Board of the County of Bertie, North Carolina that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

Section I. The Governing Board of the County of Bertie, unanimously accepted and approved the “Grantee Acknowledgment and Agreement Letter” presented by the Golden Leaf Foundation for \$3,801,830 on October 4, 2018. Bertie County has received a notice of approval from Golden Leaf Foundation for the transfer of \$323,938 from the Planning and Design Grant to the Construction Grant on February 11, 2019. Albemarle Regional Library has committed \$400,000 for furniture and equipment. Donations remaining from the Planning and Design Grant will be moved to the Construction Grant.

Section II. The project will be used to support the construction of a building that will house the Library, Cooperative Extension, and a community space, saving funds by consolidating the three functions in one building.

Section III. The following revenues are anticipated to be available to begin this project, and are hereby appropriated:

|                            |             |
|----------------------------|-------------|
| Golden Leaf Grant          | \$4,125,768 |
| Albemarle Regional Library | 400,000     |
| Donation                   | 20,282      |

---

|                       |             |
|-----------------------|-------------|
| Total Project Funding | \$4,546,050 |
|-----------------------|-------------|

Section IV. The following amounts are available for expenditures for this project:

|                               |             |
|-------------------------------|-------------|
| Construction                  | \$3,712,880 |
| Engineering/Architecture Fees | 312,170     |
| Legal Fees (local)            | 7,000       |
| Furniture/Equipment           | 400,000     |
| Project Contingency           | 114,000     |

---

|                    |             |
|--------------------|-------------|
| Total Project Cost | \$4,546,050 |
|--------------------|-------------|

The County Manager and Finance Officer are directed to include a detailed analysis of past and future costs and revenues on this project annually.

Copies of this capital project ordinance shall be furnished to the Clerk to the Governing Body, and to the County Manager and to the Finance Officer for direction in carrying out this project.

Adopted this day 11th day of **March**, 2019.

---

John Trent, Chairman  
Board of Commissioners

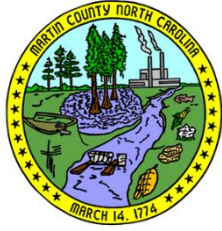
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Sarah S. Tinkham, Clerk to the Board



C-16





## ***Resolution to Protect the Lower Roanoke River Basin from unnecessary flooding***

***Whereas***, northeastern counties in North Carolina have endured four (4) major flood events dating back to 1999 with Hurricane Floyd, and most recently with Tropical Storm Julia and Hurricane Matthew in 2016; and

***Whereas***, we were fortunate and blessed by the good Lord to have missed the devastation of Hurricane Florence in 2018; and

***Whereas***, since September of 2018 the Lower Roanoke River basin has suffered impacts of “man-made” flooding initiated by the flood control protocols managed by the U.S. Army Corps of Engineers—a disaster that continues to ruin our croplands, disrupts timber production, and results in the loss of hundreds of thousands of dollars agricultural income for our farmers and residents—in Bertie, Martin, Halifax, Northampton, and Washington counties along the Lower Roanoke River Basin; and

***Whereas***, the U.S. Army Corps of Engineers has initiated increased flow rates from the John H. Kerr Reservoir in Virginia based on its 2015 Environmental Assessment and Water Control Plan Revision under Section 216 of Public Law 91-611, the River and Harbor Flood Control Act of 1970; and

***Whereas***, the U.S. Army Corps of Engineers Wilmington District, in its own 216 study indicates that the lower Roanoke River channel conveyance capacity is approximately 20,000 cubic feet per second (cfs) before substantial flooding over the natural river levees occurs—and acknowledges in its environmental assessment that agricultural damages begin when sustained flow exceeds 20,000 cfs; and

***Whereas***, the U.S. Army Corps of Engineers Wilmington District increased the sustained flow rates from the John H. Kerr Reservoir to 35,000 cfs beginning in September 2018, and the lower Roanoke River basin has been devastated with non-stop flooding. These damages continue to impact our region without regard to the livelihoods of citizens and taxpayers in our communities. Many species of wildlife have also been displaced by the loss of their natural habitat due to flooding; and

***Whereas***, regional stakeholders have been assembled to include family farm owners, timber operations, hunting and fishing enthusiasts, and a wide array of state and local elected officials, in an attempt to share concerns and document negative financial impacts and wildlife habitat losses for review by the U.S. Army Corps of Engineers Wilmington District leadership; and

***Whereas***, the U.S. Army Corps of Engineers Wilmington District leadership has been willing to listen, yet there have been no proactive steps taken to mitigate the economic losses for our family farms, timber production jobs and loss of wildlife habitat; and

***Whereas***, local and state elected officials have presented professional and academic guidance regarding best management practices for pre-storm flood control releases at the John H. Kerr Reservoir in preparation of known threats of severe weather impacting the lower Roanoke River basin, the U.S. Army Corps of Engineers Wilmington District leadership has declined to act to protect these regional interests; and

**Whereas**, locally we see evidence of the excess flow of water released from the John H. Kerr Reservoir which has continued for seven (7) months and its impact on transportation infrastructure due to erosion and the potential for undercutting roadways, and is a serious threat for our communities and the entire northeastern North Carolina; and

**Now, Therefore Be It Resolved**, that the undersigned counties of the lower Roanoke River basin respectfully request immediate consideration and intervention by our elected representative in the United States Congress for assistance with this matter; and

**Be It Further Resolved**, that the undersigned counties of Bertie, Halifax, Martin, Northampton, and Washington seek immediate action from the United States Congress to limit the John H. Kerr Reservoir flow rates to a maximum daily flow release rate of 25,000 cfs, and direct the U.S. Army Corps of Engineers Wilmington District Office to adhere to this directive; and

**And Be It Further Resolved**, that the undersigned counties of the lower Roanoke River basin will commit our cooperation, participation and best efforts to work with our neighbors and stakeholders toward determining the most appropriate pathway forward to protect our citizens, farming & timber industries, wildlife habitat, transportation infrastructure and the overall economy of this region.

**Bertie County**

\_\_\_\_\_, Chairman  
Date approved \_\_\_\_\_

**Halifax County**

\_\_\_\_\_, Chairman  
Date approved \_\_\_\_\_

**Northampton County**

\_\_\_\_\_, Chairman  
Date approved \_\_\_\_\_

**Martin County**

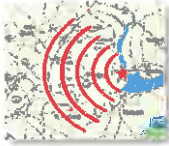
\_\_\_\_\_, Chairman  
Date approved \_\_\_\_\_

**Washington County**

\_\_\_\_\_, Chairman  
Date approved \_\_\_\_\_



D-1



**TGOW ACTION PLAN**

**TGOW Temporary Access**

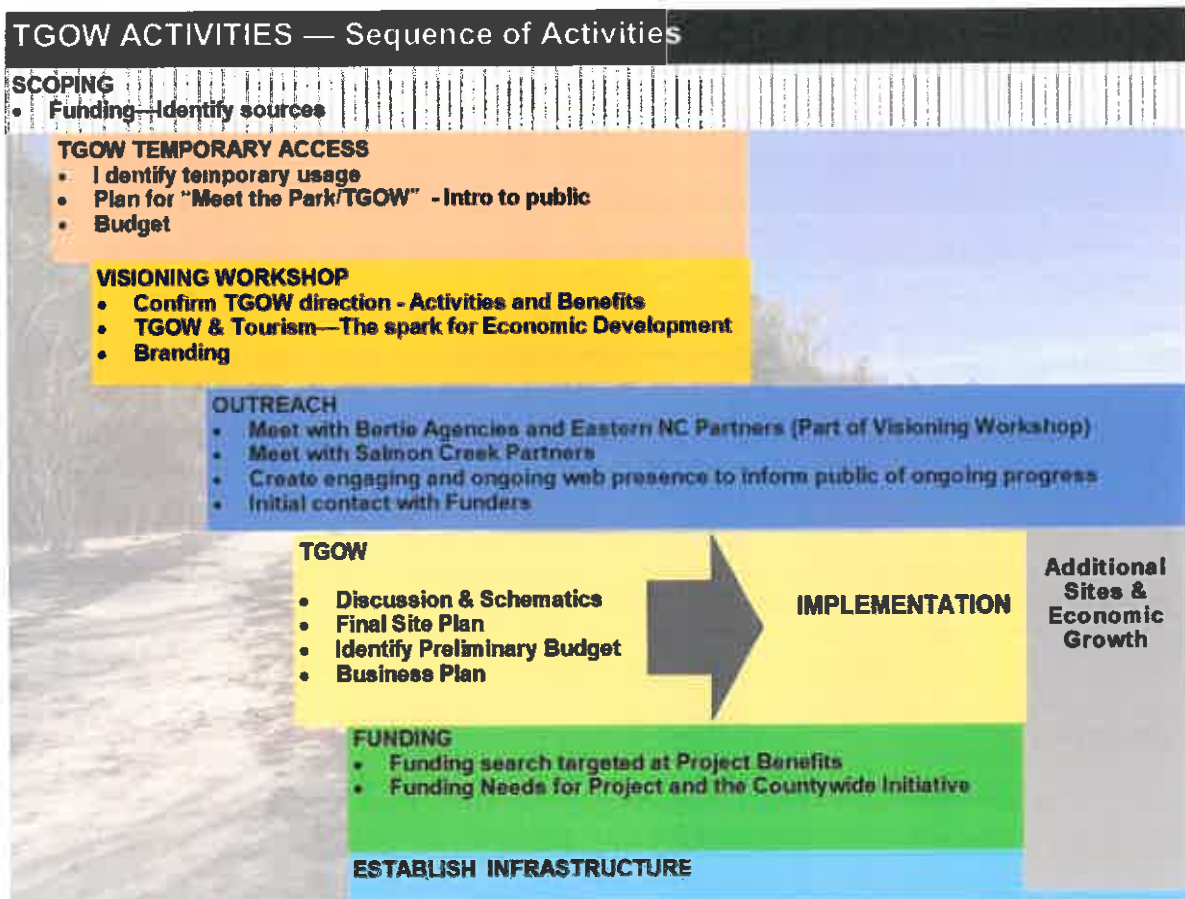
**Visioning Workshop**

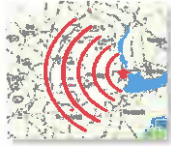
**Outreach**

**TGOW Project Planning and Implementation**

**Funding**

**Infrastructure**





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**TGOW TEMPORARY ACCESS**

- I. Discussion – Using a large-scale map of the property, revisit points made during the Visioning Workshop. Incorporate input from Outreach sessions with Salmon Creek State Natural Area.
  - Citizen only or all public access?
  - Access by a particular date? – schedule?
  - Beach access. Designate a certain area?
  - Walking Trail – If yes, work with Dr. Riggs
  - Supervision
  - Liability
  - Legal
  - Signage – Directional, entrance, walk trail, beach, parking, rules.
  - Markers, fencing, roadway, gates
  - Lighting, temporary restrooms, surveillance
  - Maintenance, clean-up
  - Management of this Temporary Access stage

II.

| Budget - TGOW Temporary Access  | \$ |
|---|----|
| <b>Site Improvements – road, parking and prep as required for utility</b> |    |
| <b>Utility</b>  |    |
| <b>Signage, markers, fencing, gates</b>                                   |    |
| <b>Equipment – Lighting, security and hook-up</b>                         |    |
| <b>Picnic tables, trash boxes, chains, dumpster?,</b>                     |    |
| <b>Trash removal</b>  |    |
| <b>Restrooms</b>  |    |
| <b>Maintenance</b>  |    |
| <b>Management</b>   |    |
| <b>Open House</b>   |    |
|   |    |
|   |    |
| <b>Sub-Total</b>  |    |
| <b>Contingency %</b>  |    |
| <b>TOTAL</b>  |    |



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**VISIONING WORKSHOP**

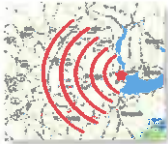
- I. **TGOW and Tourism** -The spark for a new wave of economic development. The need for tourism is identified in 1) From Rivers to Sounds in the Bertie Water Crescent - Bertie Water Hub #3 by Dr. Stanley Riggs of NCLOW 2) Blueprint for Bertie – A Community Economic Development Plan.

Tourism - The goal is to provide a rewarding experience. We want people to stay longer, schedule a return trip and purchase goods and services on and off-site. Statistics show that travelers choose destinations with multiple points of interest nearby, especially those where local culture is experienced. Be unique. The route to a destination is as important as the destination itself.

Purpose of visioning Bertie Countywide Tourism is to:

- Align economic development goals with assets.
- Ensure sustainability of TGOW
- Generate creative thinking – move beyond the need for corporate industry
- Regional Impact
- Identify “hidden” rural assets
- Identify ahead of time the need for various types of infrastructure
- Leverage funding
- Excitement amongst citizens, County agencies, regional partners. A Shared Vision
- Save money thanks to planning ahead
- Support the goals of new and existing tourism-based projects
- Produce a Bertie County Tourism Model – Basis of report produced on the visioning workshop
- Identifies Issues/Challenges, Goals, Needs, Benefits, Objectives with Action Items (*See Next Page as example (REP independent brainstorm)*)

- II. **Branding Exercise**



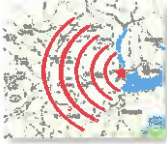
**Bertie County's  
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**Visioning Bertie County Tourism – A Logic Model (REP independent brainstorm)**

| Issues/Needs/<br>Challenges  | Objectives w/Action  | Goals  |
|--|--|--|
| <p>Countywide Marketing Funding Infrastructure Entrepreneurs Land options Utilize vacant structures</p> <div data-bbox="159 793 399 1213" style="border: 1px solid black; padding: 5px;"> <p>Added 1/31/19<br/>Tourism by Water (Ferry, sailing, arrive by boat events)<br/><br/>Visitor Center I87 with dog park</p> </div> | <p>Identify the Vision</p> <ul style="list-style-type: none"> <li>- Workshop</li> <li>- Produce report used as basis for long range planning and fund</li> </ul> <p>Bertie Core Assets</p> <ul style="list-style-type: none"> <li>- Scenery, roadways, water, etc.</li> <li>- Heritage/culture/people African Am., Native Am., Settlers, Pre-history</li> <li>- Ag based, tobacco, peanuts, sage</li> </ul> <p>Hidden Assets: Rural artisans, hobby, etc.</p> <ul style="list-style-type: none"> <li>- Meet with faith-based groups, community groups, towns</li> </ul> <p>Eco and Adventure Tourism Potential</p> <ul style="list-style-type: none"> <li>- Establish 5 Bertie Water Hub Sites</li> <li>- Work with Bertie Towns to establish additional sites of interest</li> </ul> <p>Ag Business Potential</p> <ul style="list-style-type: none"> <li>- Meet with NCSU Extension Agents</li> <li>- Marketing Item</li> </ul> <p>Tourism Services Required</p> <ul style="list-style-type: none"> <li>- Lodging, Food, Gas</li> <li>- Retail</li> <li>- Public Restrooms</li> </ul> <p>Ensure the core assets</p> <ul style="list-style-type: none"> <li>- Protection of scenic viewsheds</li> <li>- Protection of historic property</li> <li>- Adopt rules &amp; Regs</li> <li>- Designations: water tr system, HAT, Scenic Byway</li> </ul> <p>Small Business Development</p> <ul style="list-style-type: none"> <li>- Workshops to share vision</li> <li>- Program for new and emerging entrepreneurs</li> </ul> <p>Infrastructure Required (may or may not be County owned)</p> <ul style="list-style-type: none"> <li>- Tourism Dev Authority (TDA)</li> <li>- Occ Tax Legislation</li> <li>- Eco-Lodging Entity</li> <li>- Produce Model to show relationship</li> <li>- Workforce Development</li> </ul> <p>Marketing</p> <ul style="list-style-type: none"> <li>- Branding – name and logo for TGOW</li> <li>- Mapping of existing and new</li> <li>- Digital Program</li> <li>- TDA Website</li> <li>- Update County website</li> <li>- Paper promotion</li> </ul> <p>Funding Needs</p> <ul style="list-style-type: none"> <li>- Projects</li> <li>- Capacity Building</li> <li>- Identify long range non-grant revenue streams (Occ Tax, sales tax, lease income on county owned property, etc.)</li> </ul> | <p><b>Benefits</b></p> <ul style="list-style-type: none"> <li>Economic diversity</li> <li>Job creation</li> <li>Improve quality of life</li> <li>Youth enrichment</li> <li>Unite Bertie – Shared vision, understanding, hope</li> <li>Retain local citizens</li> <li>Attract new residents C</li> <li>A Sustainable Bertie Health</li> <li>Workforce Development</li> <li>Instill a Sense of Place</li> <li>Strengthen communities</li> <li>Civic Engagement</li> <li>Advancing Education</li> <li>Incubate Economic Self Sufficiency</li> </ul> <p><b>Measureables</b></p> <ul style="list-style-type: none"> <li>- Job Creation</li> <li>- Population Growth</li> <li>- New Businesses</li> <li>- Use of new Eco-Tourism Sites</li> <li>- Feedback from citizens and community groups</li> <li>- Sales tax</li> </ul> <p><b>Outputs</b></p> <ul style="list-style-type: none"> <li>- Mapping</li> <li>- Infrastructure Model identifying organizational relationships and revenue streams</li> </ul> |





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**OUTREACH (Notes)**

Once visioning workshop with Bertie Commissioners is completed move forward with sharing that vision.

Meet with groups who play a role in the development and future of TGOW:

- Bertie County Departments
- Agencies
- Eastern NC Partners

Meet with Bertie's 8 Towns

- Purpose is to share the vision. Incubate some creative thinking and develop working relationship within the initiative .
- Could begin the 21<sup>st</sup> Century Economic Development Task Force (an infrastructure item). This would offer education on the vision, tourism, growing cottage industry, creating brick and mortar businesses, etc.

Create Ongoing web presence to inform public of ongoing process

- An external mobile view-based format OR integrate with existing County website?
- Widget for sharing information, registration for notifications, input

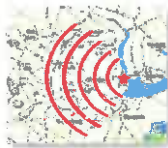
Meet with Salmon Creek Partners

- Share Bertie vision of:
  - TGOW Activities
  - Dr. Riggs Bertie Water Crescent, Water Hubs
  - Countywide Initiative
  - Infrastructure being considered to support long range goals of both TGOW and Salmon Creek
- What is vision of Salmon Creek State Park?
- Discuss formal committee

Initial contact with funders

- Post visioning workshop. Initiate discussion targeting the Goals and Benefits.





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**TGOW / WATER HUB #3 SALMON CREEK**

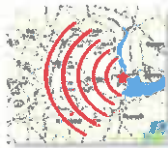
I. Discussion – Referencing input received during Visioning Workshop and Outreach, produce in-house schematics. Then review with Bertie County and Project Partners. Final schematics submitted for engineer drawings.

II. Budget - TGOW Physical Implementation  
(Does not include Business Plan line items such as Operating, Management, Programming, Marketing)

|  | Budget \$ | Status   | Source(s)     |
|--|-----------|----------|---------------|
| <b>Appraisals</b>  |           |          |               |
| <b>Survey</b>  |           |          |               |
| <b>Acquisition 137 Acres</b>   | 1M        | Complete | 500B/500PARTF |
| <b>Acquisition 10 Acres</b>  |           |          |               |
| <b>Engineering – Project Site Plans</b>                                |           |          |               |
| <b>Architectural</b>   |           |          |               |
| <b>Site Improvements</b>   |           |          |               |
| <b>Utility</b>   |           |          |               |
| <b>Septic - Indoor</b>   |           |          |               |
| <b>Restrooms - Outdoor</b>   |           |          |               |
| <b>Assessments if required</b>   |           |          |               |
| <b>Environmental – BMP's if needed</b>                                 |           |          |               |
| <b>Professional Fees<br/>(Planning, Business Plan if not in-house)</b> |           |          |               |
| <b>Structures</b>  |           |          |               |
| <b>Activity Based Improvements and/or fixtures</b>                     |           |          |               |
| <b>Museum Installation</b>   |           |          |               |
| <b>Signage</b>   |           |          |               |
| <b>Hardscaping</b>   |           |          |               |
| <b>Interpretive</b>  |           |          |               |
| <b>Security</b>  |           |          |               |
| <b>Sub-Total</b>   |           |          |               |
| <b>Contingency %</b>   |           |          |               |
| <b>TOTAL</b>   |           |          |               |

III. Budget - TGOW Operating Years 1 – 3 \$  
(Refer to Business Plan for Income Streams)

|  |  |
|--|--|
| <b>Management</b>  |  |
| <b>Programs and Activities (includes museum updates)</b> |  |
| <b>Marketing, Promotion, Advertising, Outreach</b>       |  |
| <b>Maintenance</b>                                       |  |
| <b>Education</b>   |  |
| <b>Operating</b>   |  |
| <b>TOTAL</b>   |  |



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**FUNDING**

**I. Project Benefits – Search for funding assistance will target this criterion.**

- Create A Sustainable Bertie
- Improve Quality of Life
- Health
- Job Creation
- Environmental Enhancements
- Workforce Development
- Improved Transportation
- Retain local population and attract new residents
- Instill a Sense of Place
- Strengthen communities
- Art and Creative Capacity
- Civic Engagement
- Economic Diversity
- Advancing Education
- Preserve Heritage through Museum
- Rural Enhancement
- Incubate Economic Self Sufficiency

| <b>II. Funding Needs for Countywide Initiative (Includes Project)</b> | <b>\$</b> |
|---|-----------|
| Planning  |           |
| Outreach  |           |
| TGOW Temporary Access   |           |
| TGOW Implementation   |           |
| Any requirements requested by Salmon Creek State Natural Area         |           |
| Infrastructure Costs  |           |
| Pre-TDA Marketing   |           |
| <b>TOTAL</b>  |           |



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**POTENTIAL NEW INFRASTRUCTURE**

May be required to support the long-term goals of the *Bertie County Economic Development/Tourism/Water Crescent/TGOW Project/Initiative (?Name/Label)*

**Eco-lodging Entity – 501(c)(3)**

Nonprofit to develop sustainable eco-tourism in Bertie County. Explore partnership with Federal, State, County, public agencies and organizations.

**Water Hub Entity – separate 501(c)(3) or under the umbrella of the Eco-lodging entity**

Treat TGOW alone? There are 5 Water Hubs. Windsor owns and manages Hub #1. Explore a separate entity or town managing independently. The concept of marketing the entire Bertie Water Hub is favorable – could be a role for Bertie Travel & Tourism.

**Bertie Travel & Tourism Entity**

**Tourism Development Authority (TDA)**

Requires Occupancy Tax Legislation

**Occupancy Tax Board**

Requires Occupancy Tax Legislation

**Land Bank**

The entity to buy and hold land available for services, attractions, and retail opportunities provided they work well with Bertie Vision.

**Bertie County Revolving Loan Fund (RLF)**

REDLG – A USDA program. The RLF submits a grant to USDA's REDLG for the sole purpose of re-lending to small businesses. The % charged during the loan term is revolving. To apply for the grant, the applicant must have one or more actual projects for presentation.

**Zoning**

To protect sites of interest, scenic views, highway clutter etc.

**21<sup>st</sup> Century Bertie Economic Development Task Force**

Provides information on the Bertie vision to prospective small business entrepreneurs.