

Bertie County Board of Commissioners



May 6, 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

May 6, 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. EMS/NET Revenue report, and proposed fee scale adjustments to coincide with new federal Medicaid reimbursements provided by Colleton staff.

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

Opening Invocation and Pledge of Allegiance by Vice Chairman Atkins

Public Comments (3-minute time limit per person)

(A)

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

- (1) Roanoke River Partners 20th Anniversary Presentation by Carol Shields
- (2) Road Safety and Maintenance Ordinance – final reading
- (3) Martin County Community College EMS and Fire Department Training presentation by Carla Godwin, Coordinator of Emergency Management Services
- (4) NC COUNT program review for 2020 Census by James Cofield, President and CEO of Cofield Properties, Inc.
- (5) YMCA Annual Update by Executive Director, Casey Owens
- (6) Poverty Commission update by Chair, Patricia Ferguson

Board Appointments (B)

1. ABC Board
2. Bertie-Martin Regional Jail Commission
3. Latest Board Vacancy Advertisement – May 8th

Consent Agenda (C)

1. Approve Minutes for Joint Meeting 3-28-2019
2. Approve Regular Session Minutes for Regular Meeting 4-1-2019
3. Approve Closed Session Minutes for 4-1-2019 and 4-16-19
4. Approve Minutes for 4-16-2019 and 4-24-2019 Special Meetings

5. Tax Release Journal- March 2019
6. Register of Deeds Report – May 2019
7. CPTA Agreement for Transportation Services
8. Official Bid – Meals on Wheels Contract, July 1 to June 30, 2020 – Trumps Restaurant
9. Approve FY 2019-2020 JCPC Community Programs for funding plan

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

Discussion Agenda (D)

- (1) Request for Veterans Concert Program on July 6th and consider approval of a facility use agreement for the County Recreation Complex
- (2) CENSUS 2020 Committee Update

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

ITEM ABSTRACT

MEETING DATE: May 6, 2019

SECTION: Work Session

DEPARTMENT: Governing Body

TOPICS:

- (1) EMS/NET Revenue report, and proposed fee scale adjustments to coincide with new federal Medicaid reimbursements provided by Colleton staff.

COUNTY MANAGER RECOMMENDATION: Approval of revised fee schedule to be aligned with new Medicaid reimbursement rates:

	New	Current
A0425	12.00	9.00
A0426	425.00	400.00
A0427	670.00	600.00
A0428	350.00	295.00
A0429	450.00	395.00

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

ATTACHMENTS: No

LEGAL REVIEW PENDING: N/A

ITEM HISTORY: ---

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

Closed Session

ADJOURN



Bertie County

Board of Commissioners

ITEM ABSTRACT

MEETING DATE: May 6, 2019

SECTION: Appointments & Reports (A-1 to A-7)

DEPARTMENT: Governing Body

TOPICS:

- (1) Roanoke River Partners 20th Anniversary Presentation by Carol Shields
- (2) Road Safety and Maintenance Ordinance – final reading - **Please see attachment(s)**
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COUNTY MANAGER RECOMMENDATION OR COMMENTS: --

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

ATTACHMENTS: Yes

LEGAL REVIEW PENDING: N/A

ITEM HISTORY: ---



A-1



A-2

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

Bertie County being granted the authority under N.C.G.S. §153A-340 *et. seq.* and all other relevant North Carolina General Statutes, and, 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" and/or "safety hazard"; 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 301 General Provisions

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

Section 302 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 303 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 304 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 302 above.

Section 305 Compliance

Any current owner of a private road subject to this Ordinance shall have 45 days to come into compliance with said Ordinance when served with a notice of violation. This notice of violation shall be served upon the land owner by the Bertie County Sheriff's Department. All new private roads subject to this Ordinance shall be built in compliance with the Specifications set forth in Article III, Section 302 above.

**ARTICLE IV
APPEAL**

Section 401 Notice of Appeal

Any current owner cited with a violation of said ordinance pursuant to this order, shall have ten (10) days upon service of notice of violation to file written notice of appeal with the County Clerk.

Section 402 Process of Appeal

- (a) If any owner or occupant makes a written request to the Board of Commissioners for hearing, such hearing shall be held before the Bertie County Board of Commissioners.
- (b) The hearing shall be held at the next available meeting after the request for a hearing was received.
- (c) The County shall mail a notice to the appealing party of the time and place of the hearing at least 10 calendar days prior to the hearing.
- (d) All parties shall have full opportunity to respond to and present evidence and witnesses.
- (e) The appellant shall have the burden of proving its position by clear and convincing evidence.
- (f) Hearings shall be informal and the rules of evidence as applied in the courts shall not apply. Irrelevant, immaterial and repetitious evidence shall be excluded.
- (g) The hearing shall be recorded, and the minutes of the meeting shall be approved by the Board of Commissioners at their next scheduled meeting.
- (h) The decision of the Board of Commissioners shall be issued within 10 calendar days following the hearing. Unless otherwise provided by law, the decision of the Board of Commissioners shall constitute the final decision.

ARTICLE V ENFORCEMENT

Section 501 General Provisions

If the specifications required by this Ordinance are not met within 45 days following service of notice the violation, the private road owner shall be subject to a civil penalty pursuant to N.C.G.S. 153A-123(c) of \$100.00 per day for each day the violation continues, recoverable by the County in a civil action in the nature of a debt. The purpose of this civil fine is not punitive but intend to help defray any potential costs associated with repairing said private roads. 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.

Bertie County does hereby under the powers granted it pursuant to in N.C.G.S. §153A-123(c), specifically state and hold that violation of this ordinance shall not be a misdemeanor under N.C.G.S §14-4, and that a violation of this ordinance shall not be subject to a criminal penalty, other than those penalties assessed by a court pursuant to it's contempt powers.

PROCESS FOR ENFORCEMENT OF ROAD SAFETY
ORDINANCE

1. Notice of Violation

- a. Upon complaint by citizen or any other concerned party, the Sheriff or Director of EMS will investigate designated area
- b. Sheriff or Director of EMS will determine if Road in Violation of Ordinance
- c. The County shall have Sheriff Department Personally serve a written notice of violation on any landowners in violation providing 45 days to repair Road

2. Appeal

- a. Land Owner will have ten days to provide written notice of appeal to County
- b. After appeal County will set the hearing at the next regularly scheduled meeting
- c. Following the hearing on the Appeal, the County has 10 days to provide a written decision

3. Enforcing Violation

- a. If after appeal or the expiration of the 45-day time limit the land owner has not made repairs, the County may file an action against the land owner in Superior Court. A fine of \$100.00 a day runs during this time period following the 45-day reprieve.
- b. Court may initially order the landowner to repair the road at cost within a certain time period.
- c. If landowner still refuses, County may get an order of abatement and hold the landowner in contempt.
- d. If County receives an Order of Abatement, the County can then go make repairs to road and place lien upon the property for the cost of said repair.

ADOPTION

The immediate operation of the provisions of this Ordinance is necessary for the preservation of the public health, public safety, and general welfare of Bertie County residents, and this Ordinance shall be in full force and effect immediately after its passing publication, and posting, as required by law. This Ordinance shall be effective upon adoption.

Ordinance hereby adopted on the ____ day of _____, 2019.

John Trent, Chairman
Bertie County Commissioners

ATTEST:

Sarah Tinkham, Clerk to the Board
Bertie County



A-3



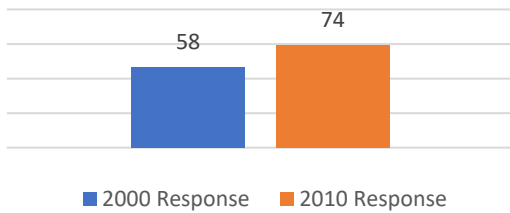
A-4



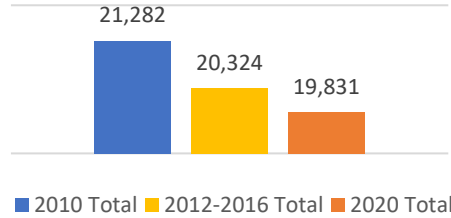
MAKE NC COUNT

C E N S U S 2 0 2 0

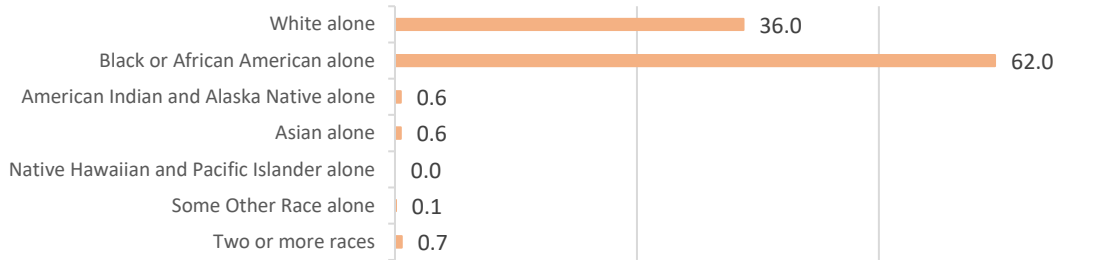
Mail-In Response Rate



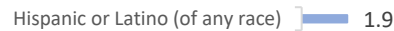
Total Population



2012-2016 Race as a Percent of the Total



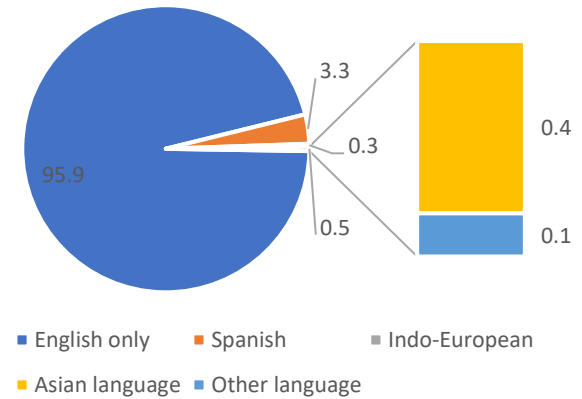
2012-2016 Hispanic or Latino Origin



Bertie County Counts

Total Population	20,324
Persons under 5 years (percent)	4.4
Persons 65 years and over (percent)	19.6
Median household income (in 2016 dollars)	31,129
Persons in poverty (percent)	20.9
High school graduate or higher (age 25+, percent)	74.8
Foreign-born persons (percent)	1.6

Language Spoken at Home
(Population 5 years and over)



The US Census is required by the Constitution. The once a decade count determines how many representatives North Carolina will have in Congress and where state, county, town, and other local districts are drawn.

The Census is the largest and most reliable picture of our communities and is vital to planning for future services like schools, streets and utilities, hospitals and clinics, shopping and more.

Census data brings your tax dollars back to your community.

More than \$1,623 per person in federal aid and \$205 in state aid are distributed annually in North Carolina based on the census count. CHIP, Medicare and Medicaid, SNAP (Food Stamps), Head Start, Foster Care and National School Lunch Program grants, and Highway planning and construction grants (including the NC Powell Bill) rely on census information.

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Welcome N.C. Complete Count Commission for Census 2020



MAKE NC COUNT

C E N S U S 2 0 2 0

census.nc.gov



Let's get social!

Visit [@nccensus](https://twitter.com/nccensus), tag us – and use
[#MakeNCCount](https://twitter.com/nccensus)



Executive Order

Mission: Governor Roy Cooper has signed an Executive Order that establishes the North Carolina Complete Count Commission, an advisory membership charged with increasing awareness and understanding about the importance of the 2020 Census and encouraging people of North Carolina to participate in the 2020 Census.





Why Does It Matter?

Why does a complete and accurate Census matter?

- The federal, state and local governments all use census data to make policy decisions related to funding healthcare, education, transportation and much more – which can equate to billions of dollars in federal funds for North Carolina.
- Businesses big and small use census data as well.
- Finally, census data are used as the basis of our democracy: every 10 years political districts are redrawn in a process called redistricting and how many seats a state has in the U.S. House of Representatives is recalculated in a process called congressional apportionment. (After the 2010 Census, Oregon, Nevada, Utah, Arizona, Texas, Florida, South Carolina, Georgia, all gained seats; Iowa, Missouri, Illinois, Michigan, Louisiana, Ohio, Pennsylvania, New York, New Jersey, and Massachusetts lost seats!)



Census Impact

- **Our Voice (Representation)**

- Census is required in the Constitution
- Count every resident, once, and in the right place
- Apportionment and Redistricting

- **Our Tax Dollars (Funding)**

- \$1,623 per person, per year in Federal Funding to NC based on Census data in FY2015
- About \$200 per person, per year in state funding based on Census data

- **Our Future (Planning)**

- Largest survey in the US providing reliable, comparable data
- Vital for business and local government service



Local Update of Census Addresses (LUCA)

Once a decade verification of residential and group quarters addresses by tribal or local governments

Connects Census forms with households





Boundary Annexation Survey (BAS)

Annual verification of corporate boundaries

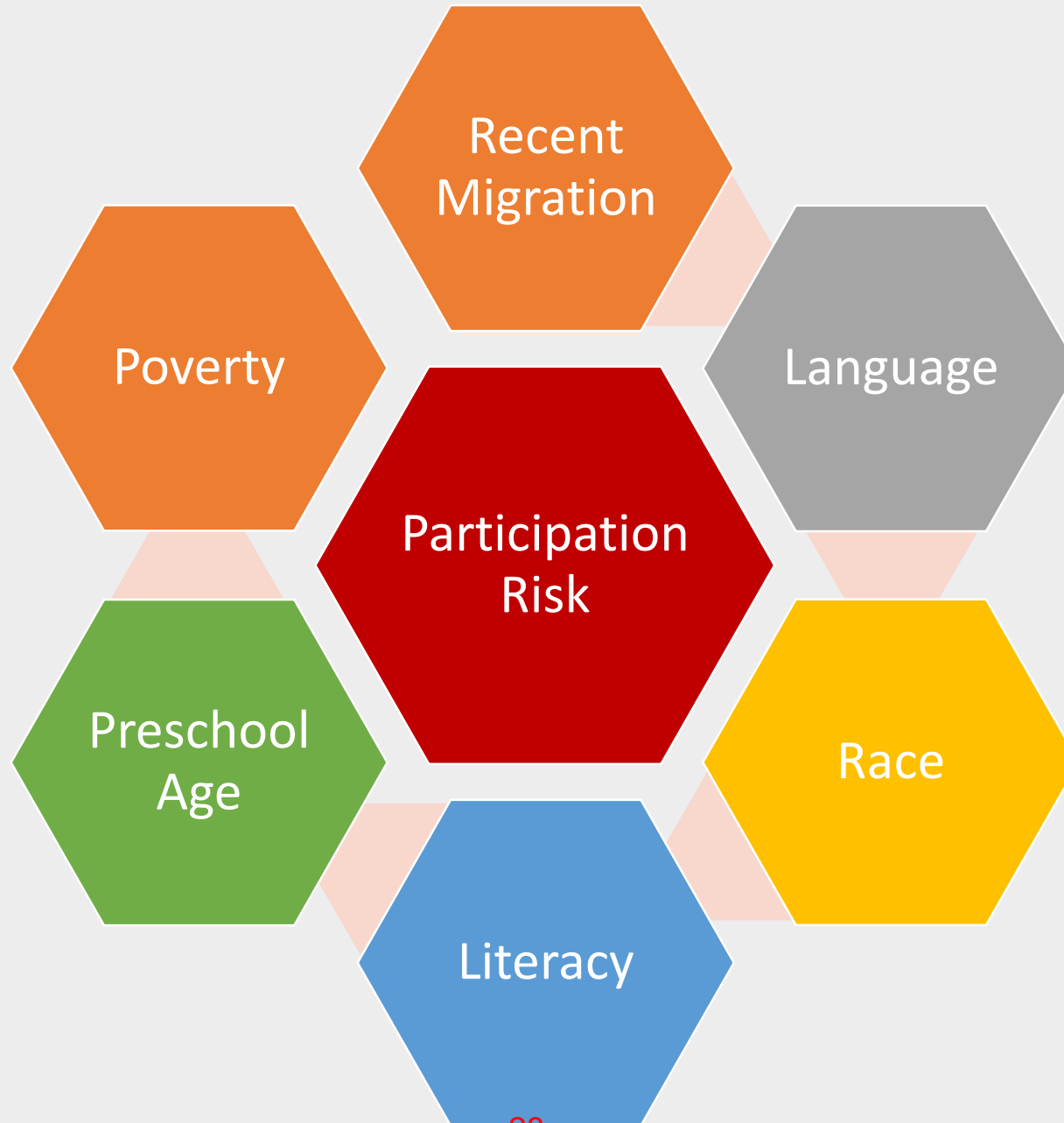
**Places addresses – and their
Census counts – in the correct
area**





Census Partnership and Promotion

- Census data is the foundation of apportionment in the US House of Representatives, drives over \$1,600 per person per year in federal funding to North Carolina, and informs local planning, economic development, and services.
- Preparation – LUCA, BAS, PSAP – is very important
- Preparation without Participation is wasted effort
- Local preparation partnerships – Complete Count Committees involve trusted local faces in promoting Census participation



SCCC and CCC Subcommittee Types

BUSINESS	<ul style="list-style-type: none"> Involving a community's business sector creates a unifying element that touches every household within the community. 	EX-OFFENDER	<ul style="list-style-type: none"> The ex-offender population is sizeable and is often disenfranchised from the community and hard to track.. 	LIBRARY	<ul style="list-style-type: none"> Urban Libraries Council says libraries are the "most trusted government entity", poised to be pivotal for civic engagement.
COMMUNICATIONS, MEDIA AND TECHNOLOGY	<ul style="list-style-type: none"> Assists community Organizations in utilizing Census toolkit materials enables them to innovate. 	FAITH-BASED	<ul style="list-style-type: none"> Faith-based organizations are found in every community and maintain interactive and ongoing communications with their members. 	RECRUITING	<ul style="list-style-type: none"> Reaching all members of the workforce community enhances the ability of the Census to plug into existing recruiting resources.
COMMUNITY ORGANIZATIONS	<ul style="list-style-type: none"> Utilizing community orgs provide outreach opportunities for a broad spectrum of residents of all ages, races and backgrounds. 	GOVERNMENT	<ul style="list-style-type: none"> Census can manage costs by leveraging the ability of local government to provide knowledge of the population, organizations., and institutions. 	SENIOR CITIZEN	<ul style="list-style-type: none"> Although a high responding group, the trend towards reduced home ownership may create enumerating challenges for field.
DATA AND MAPS	<ul style="list-style-type: none"> Understanding where hard-to-count areas exist is important to direct subcommittee activities toward the correct populations and geographic areas. 	GROUP QUARTERS	<ul style="list-style-type: none"> Because of the limited access to most group quarters, cooperation from the institutions is vitally important to achieve an accurate count. 	SPECIAL HOUSING	<ul style="list-style-type: none"> The rental population will exceed a third of the entire U.S. population by 2020.No matter the housing type, access is vital for an accurate count.
EDUCATION (PRESCHOOL - GRADE 12)	<ul style="list-style-type: none"> Reaches U.S. households through schools and helps create a generation of future self-responders. 	HOMELESS	<ul style="list-style-type: none"> In the 2010 Decennial Census, the count was 209,325 for persons counted at shelters, outdoor locations, soup kitchens and mobile food vans. 	VETERANS	<ul style="list-style-type: none"> Over 22 million veterans living in the United States present a sizeable bloc distributed throughout the 50 states.Former military personnel can provide leadership and excellent recruiting assistance.
EDUCATION (POST SECONDARY)	<ul style="list-style-type: none"> Works with university housing to obtain administrative records for group quarters, builds relationships with leadership to facilitate access. 	IMMIGRANT	<ul style="list-style-type: none"> One of the serious challenges for a Census enumerator is encountering housing units where no one in the household speaks English. 	STATE DATA CENTERS/CENSUS INFORMATION CENTERS	



Fiscal Impacts of the Census (Annual)

\$16.3 Billion in Federal Dollars Distributed to North Carolina

Estimated amount of funds distributed to North Carolina based directly or indirectly on decennial Census statistics (16 largest federal programs).

- \$1,623 per capita

Source: George Washington University, [Counting for Dollars 2020](#)

\$1.5 Billion in State Funds Distributed to Municipalities & Counties

Estimated amount of funds distributed annually to North Carolina based upon OSBM certified population estimates (2 largest state revenue allocations).

- \$205 Per Capita

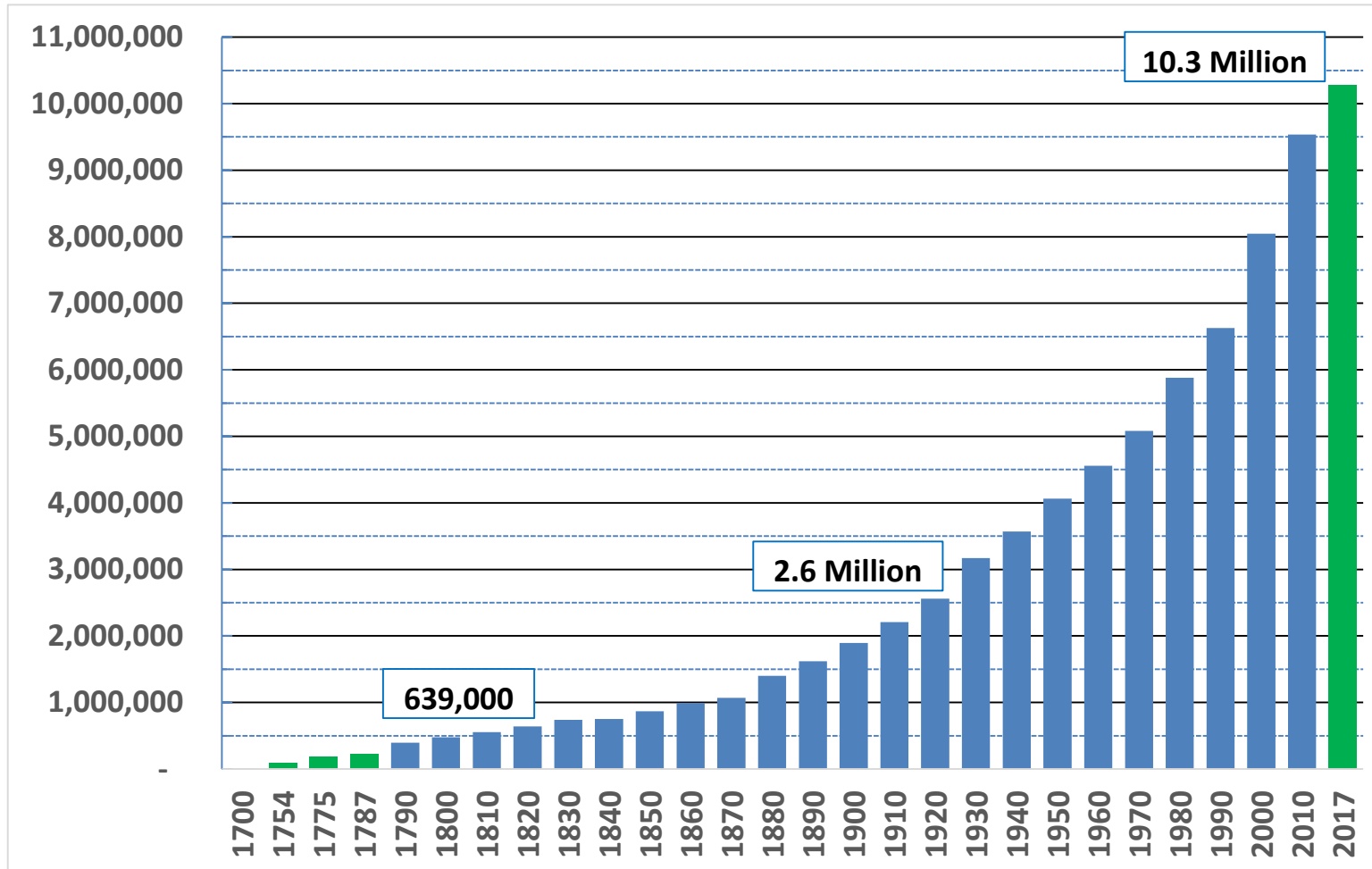
Source: North Carolina Dept. of Transportation, [2017 North Carolina State Street-Aid Allocations to Municipalities](#); North Carolina Dept. of Revenue, [Collections for Month Ending Reports for 2017](#).

ANNUAL ESTIMATES REQUIRE ACCURATE CENSUS COUNT!

Note: Not all municipalities and counties participate in street-aid allocations or use the per capita formula for distributing DOR funds.



North Carolina Population, 1700 - 2017

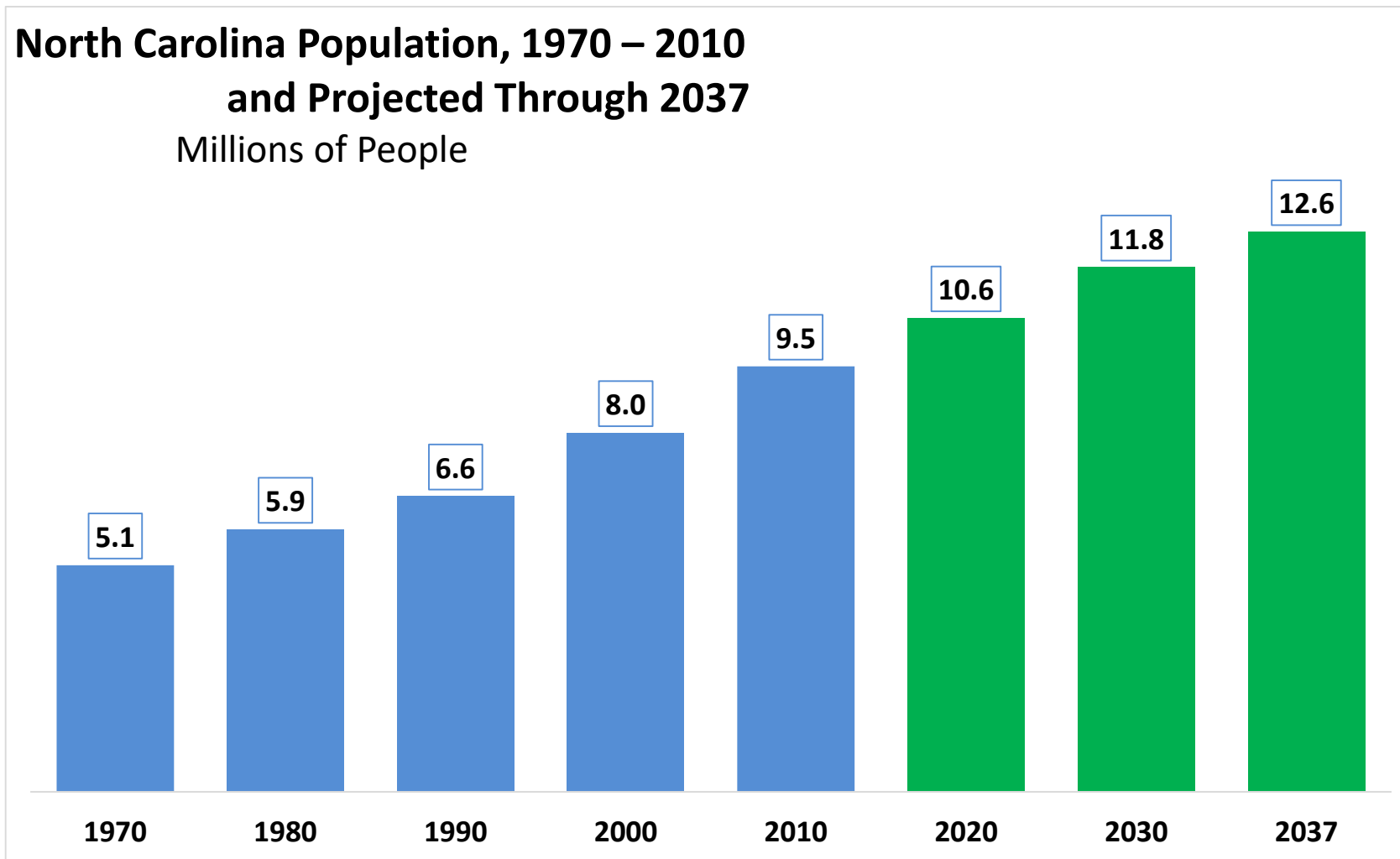


Note: Early estimates and censuses excluded most American Indians. Populations in western North Carolina was not enumerated in 1790.

Source: 1700-1787 Estimates from Various Sources as Reported in *History and Growth of the United States Census*, 56th Congress, 1st Session, Document 194; US Census Bureau, Decennial Censuses (1790-2010); U.S. Census Bureau, Population Estimates, 2017 Vintage.



North Carolina Population Change – Historic and Projected



Source: US Census Bureau, Decennial Censuses; OSBM Population Projections, 2017 Vintage.



North Carolina Population vs. Other States

9th Largest State at 10.3 Million

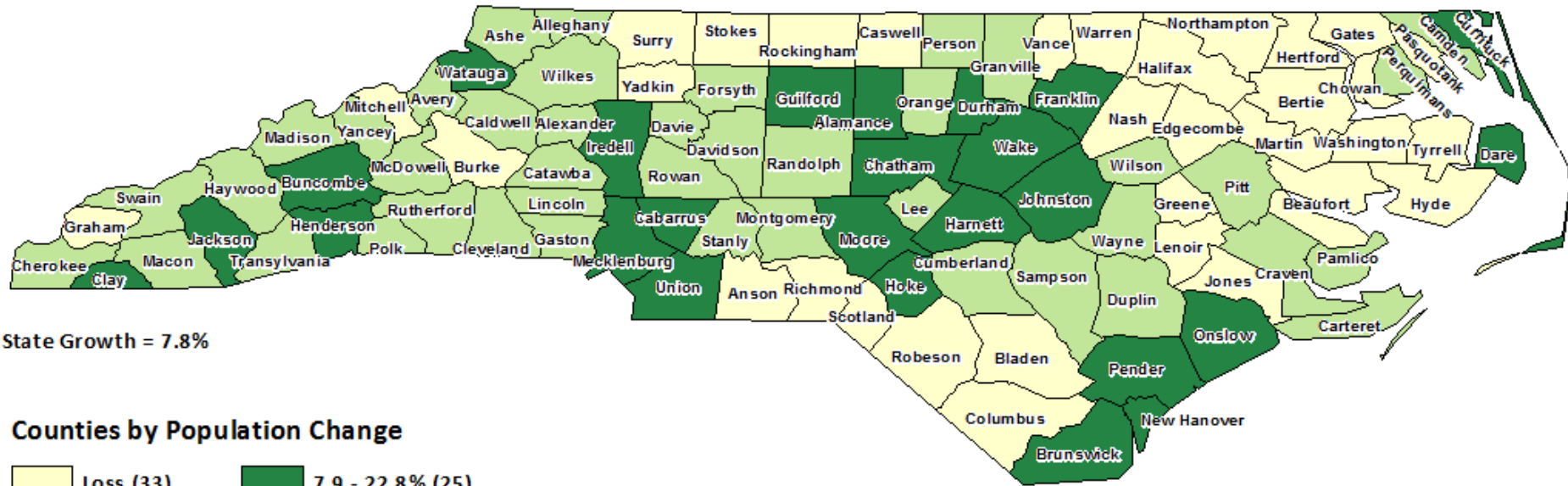
5th Largest Population Gain (737,698 people), April 2010 to July 2017

Geographic Area	Population Estimate		Change, 2010 to 2017	
	April 1, 2010	July 1, 2017	Number	Percent
United States	308,758,105	325,719,178	16,961,073	5.5
California	37,254,518	39,536,653	2,282,135	6.1
Texas	25,146,100	28,304,596	3,158,496	12.6
Florida	18,804,594	20,984,400	2,179,806	11.6
New York	19,378,110	19,849,399	471,289	2.4
Pennsylvania	12,702,857	12,805,537	102,680	0.8
Illinois	12,831,565	12,802,023	-29,542	-0.2
Ohio	11,536,730	11,658,609	121,879	1.1
Georgia	9,688,690	10,429,379	740,689	7.6
North Carolina	9,535,721	10,273,419	737,698	7.7
Michigan	9,884,129	9,962,311	78,182	0.8

Source: U.S. Census Bureau, Population Estimates, 2017 Vintage.



Population Change in North Carolina Counties, April 1, 2010 - July 1, 2017

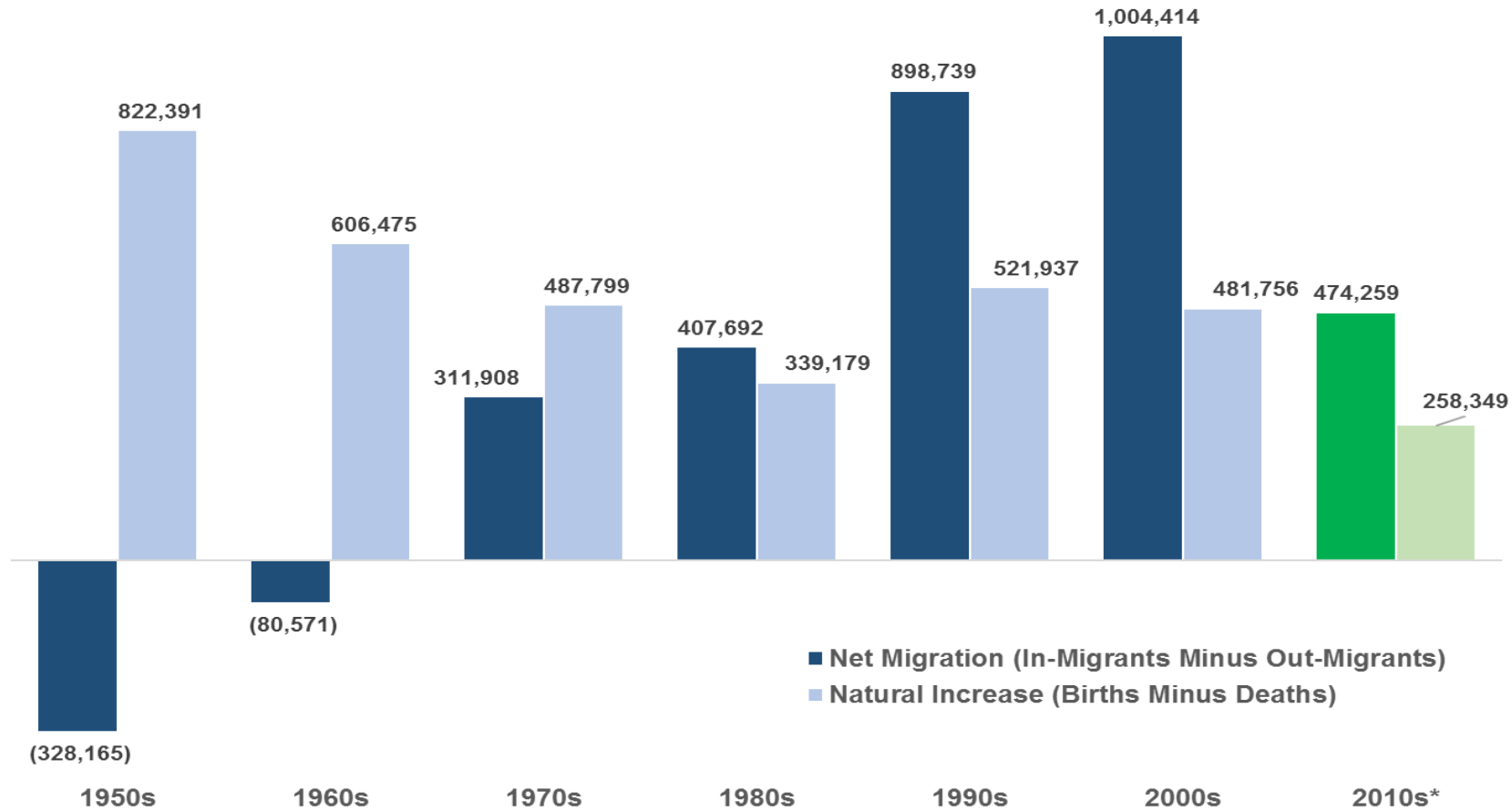


Source: North Carolina Office of State Budget & Management;
Demographic & Economic Analysis Branch, Certified Population Estimates, 2017 Vintage.



Net Migration Influences Growth More than Natural Increase

Components of Population Change by Period, 1950 - 2017



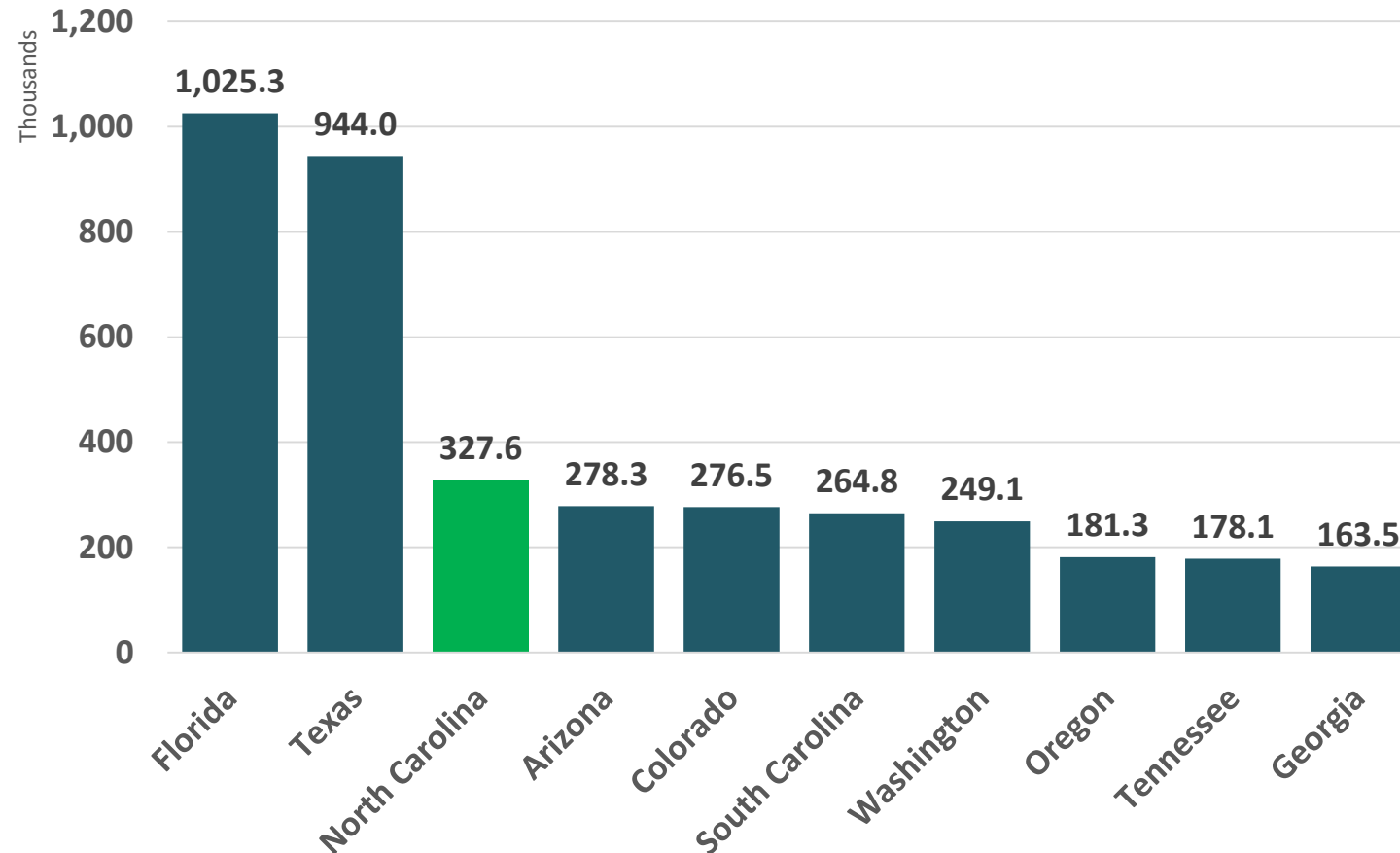
Source: US Census Bureau, State Population Estimates, Vintage 2017; Age-Specific Net Migration Estimates for US Counties, 1950-2010. Applied Population Laboratory, UW-Madison.



Net Migration (cont'd)

Net Domestic Migration Larger Than All But Florida and Texas

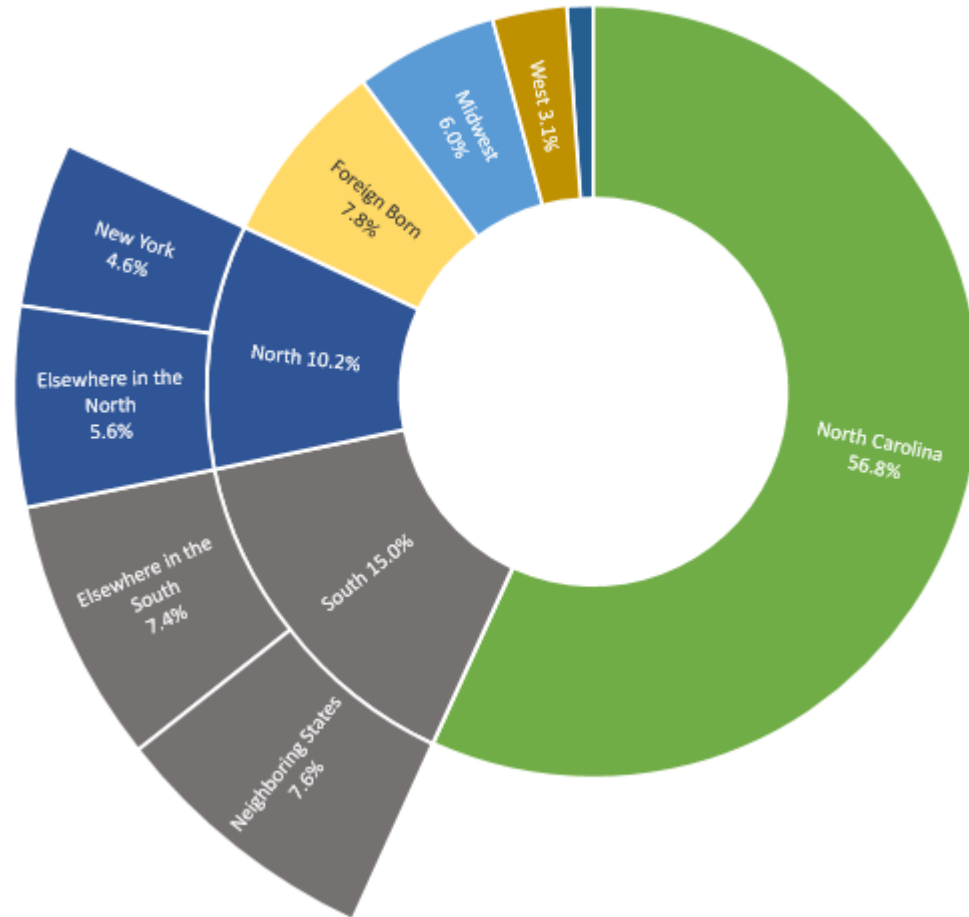
Net Domestic Migration for the 10 States with the Largest Number of Net Domestic Migrants, April 2010 to July 2017





Many North Carolinians Were Born Elsewhere

Percent of the North Carolina Population by Place of Birth

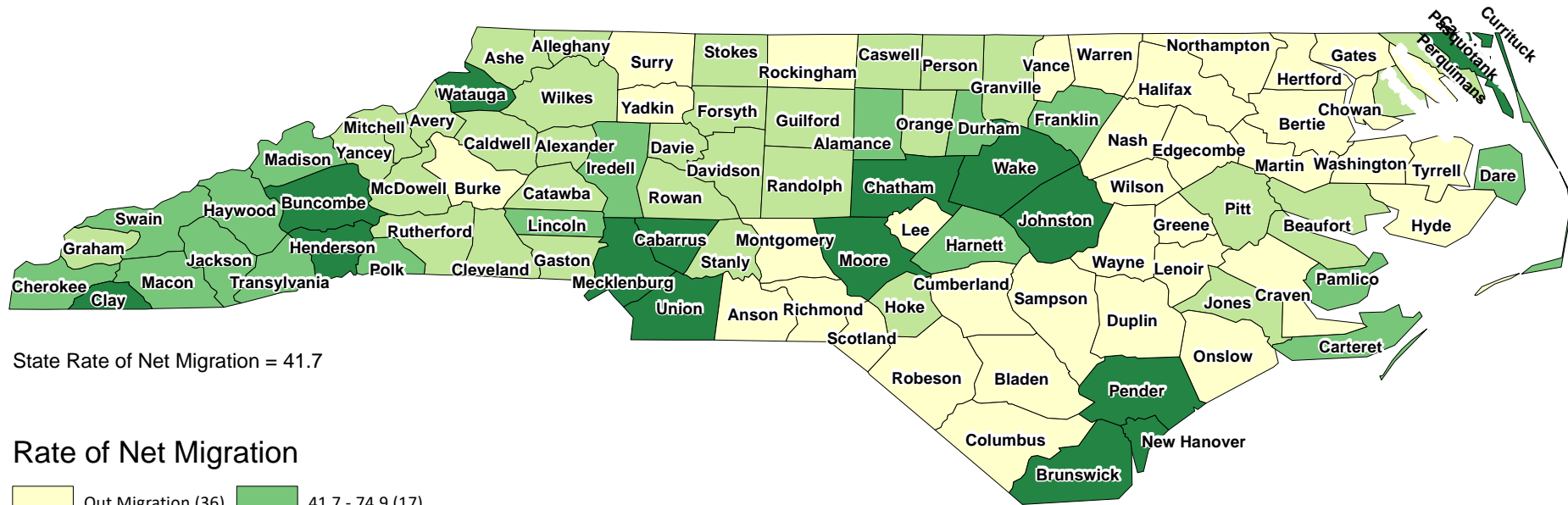


Source: U.S. Census Bureau, 1-Year 2016 American Community Survey



Components of Change

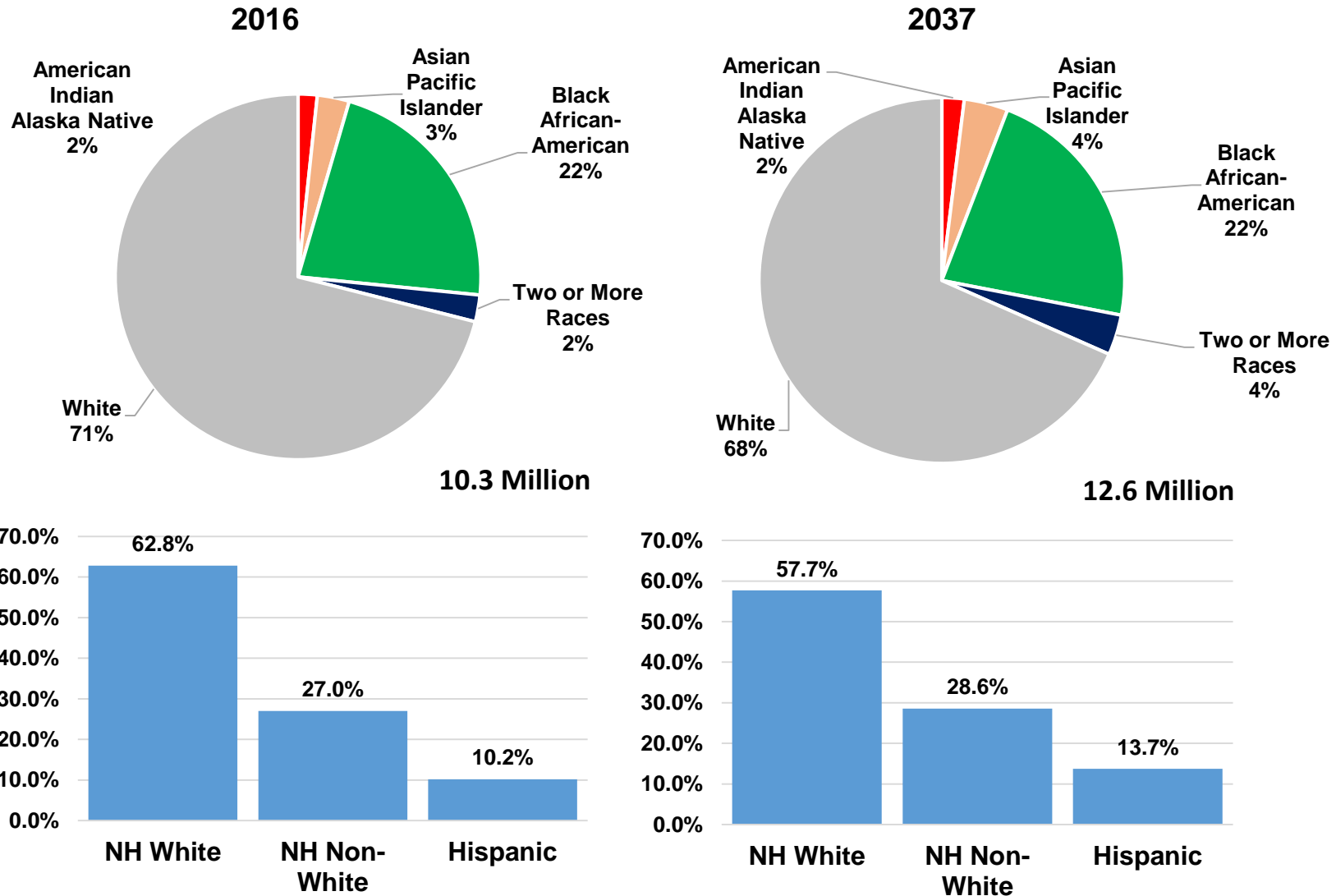
Rate of Net Migration (per 1,000 Population) for North Carolina Counties, April 1, 2010 - July 1, 2016



Source: North Carolina Office of State Budget & Management;
Demographic & Economic Analysis Branch, Certified Population Estimates, 2016 Vintage.



Population by Race and Hispanic Origin, 2016 and 2037





Immigrants in North Carolina

- **767,656 Foreign Born¹**
- **507,234 Non-Citizens¹**
- **350,000 Unauthorized Immigrants²**
 - **8th Largest Unauthorized Population²**
 - **60% from Mexico, 7% El Salvador, 6% Honduras²**
 - **3.4% of North Carolina Population²**
 - **43% of All Immigrants vs. 26% of U.S. Immigrants²**
 - **5.0% of Labor Force vs. 5.0% U.S. Labor Force²**
 - **8.7% of NC K-12 Students Have Unauthorized Parent(s)²**
 - **41,000 (12%) Eligible for DACA (29,260 enrolled)³**

Sources: ¹U.S. Census Bureau, 2012-2016 American Community Survey;

²“Overall Number of US Unauthorized Immigrants Hold Steady Since 2009” by Jeffrey S. Pasel and D’Vera Cohn, Pew Research Center, September 20, 2016 & ³Institute on Taxation and Economic Policy, “State & Local Tax Contributions of Young Undocumented Immigrants” April 25, 2017



Bertie County

Board of Commissioners

ITEM ABSTRACT

MEETING DATE: May 6, 2019

SECTION: Board Appointments (B-1)

DEPARTMENT: Governing Body

TOPICS:

1. ABC Board - **Please see attachment(s)**
2. Bertie-Martin Regional Jail Commission - **Please see attachment(s)**
3. Latest Board Vacancy Advertisement – May 8th - **Please see attachment(s)**

COUNTY MANAGER RECOMMENDATION OR COMMENTS: Recommend approval.

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

ATTACHMENTS: Yes

LEGAL REVIEW PENDING: N/A

ITEM HISTORY: ---



B-1

ABC Board

Immediate Vacancies: 0

Position Vacancy:

Board	Term	Name	Began	End
ABC Board	3 years	Miles Davis	6/6/2016	6/30/2019

Special requirements: N/A

Notes: Individual's term is expiring and seeking reappointment. With this reappointment, there would be zero vacancies.

Attendance of Current Members: N/A

Applications Received:

1 – expiring member is looking for reappointment

Current Members (unexpired):

1. Michael Freeman
2. James Pugh

Expires: 6/30/2021



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

Name: Miles Davis

Home Phone Number: 252-482-8340 Mobile: 919-523-5336

Home Fax Number: _____

Email Address: Miles_Davis@msn.com

Home Address: 146 Davis Road, Windsor, NC 27983-8611

Mailing Address: 146 Davis Road, Windsor, NC 27983-8611

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

How long have you been a full-time resident of Bertie County? 46 years

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

County Commissioner District: II (Merry Hill/ Whites)

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

Occupation: Purchasing Agent Employer: NCDOT

Business Address: 1 South Wilmington Street, Raleigh, NC 27601

Business Phone Number: 919-707-2632 Business Fax: _____

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

- | | |
|-----------------------------------|----------|
| 1. <u>Bertie County ABC Board</u> | 3. _____ |
| 2. _____ | 4. _____ |

Qualification for specific category: Presently I am Chair of the Board and serve as a Director on the NC Association of ABC Boards. The NC Association Board has allowed me to be an advocate for Bertie County on a statewide level.

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

Since being appointed to the Board the Bertie County ABC System went from being in a deficit to now making a profit. I (along with the other Board members) place emphasis on the control aspect of ABC and education of our school system of underage drinking.

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:

BS Degree from Appalachian State University

Past President, Bertie County Arts Council

Past Member, Martin Community College – Bertie Campus Board of Directors

Worked in North Carolina House of Representatives Majority Leader, Milton Fitch, Jr office before going to the purchase and Contracts section of NCDOT.

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: _____ Applicant's Signature: 

Return application to:

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

Note:

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

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

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

FOR OFFICE USE ONLY

Date Received: 3/13/19

Received By: Sarah S. Tinkham



B-2

Bertie-Martin Regional Jail Commission

Immediate Vacancies: 1

Position Vacancy:

Board	Term	Name	Began	End
Bertie-Martin Regional Jail Commission	2 years	Charles Smith	--	--

Special requirements: N/A

Notes: Current vacancy is due to the passing of Lawrence Carter.

Attendance of Current Members: N/A

Applications Received:

1 – individual above

Current Members (unexpired):

1. DiAnne Bazemore
2. John Macdonald – Martin County
3. Dempsey Bond Jr. – Martin County
4. William Stalls – Martin County
5. John Trent



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

Name: Charles Smith

Home Phone Number: 252-209-7483 Mobile: 252-325-5146, 252-348-2095

Home Fax Number: N/A

Email Address: _____

Home Address: 2316 Governors Road, Windsor, NC 27983

Mailing Address: 2316 Governors Road, Windsor, NC 27983

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

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

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

County Commissioner District: District 5 – E. Bazemore

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

Occupation: _____ Employer: Retired

Business Address: _____

Business Phone Number: _____ Business Fax: _____

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

- | | |
|---|----------|
| 1. <u>Bertie-Martin Regional Jail Board</u> | 3. _____ |
| 2. _____ | 4. _____ |

Qualification for specific category: _____

Former Commissioner with desire to continue serving Bertie County.

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

N/A

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

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

Do you have any delinquent Bertie County taxes? 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: 5/1/2019

Applicant's Signature: 

Return application to:

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

Note:

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

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

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

FOR OFFICE USE ONLY

Date Received: _____

Received By: _____



B-3



Bertie County

Board of Commissioners

ITEM ABSTRACT

MEETING DATE: May 6, 2019

SECTION: Consent (C-1 to C-9)

DEPARTMENT: Governing Body

TOPICS:

1. Approve Minutes for Joint Meeting 3-28-2019 –
Please see attachment(s)
2. Approve Regular Session Minutes for Regular Meeting 4-1-2019 –
Please see attachment(s)
3. Approve Closed Session Minutes for 4-1-2019 and 4-16-19 –
Please see attachment(s)
4. Approve Minutes for 4-16-2019 and 4-24-2019 Special Meetings –
Please see attachment(s)
5. Tax Release Journal- March 2019 - **Please see attachment(s)**
6. Register of Deeds Report – May 2019 - **Please see attachment(s)**
7. CPTA Agreement for Transportation Services - **Please see attachment(s)**
8. Official Bid – Meals on Wheels Contract, July 1 to June 30, 2020 – Trumps Restaurant - **Please see attachment(s)**
9. Approve FY 2019-2020 JCPC Community Programs for funding plan - **Please see attachment(s)**

COUNTY MANAGER RECOMMENDATION OR COMMENTS: Recommend approval.

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

ATTACHMENTS: Yes, all items.

LEGAL REVIEW PENDING: N/A

ITEM HISTORY: ---



C-1

Windsor, North Carolina
March 28, 2019
JOINT SPECIAL MEETING

The Bertie County Board of Commissioners met for a special meeting today inside the Department of Social Services Building Training Room, 101 Jasper Bazemore Avenue, Windsor, NC. The following members were present or absent:

Present: Ronald “Ron” Wesson, District I
 Vice-Chairman Greg Atkins, District II
 Chairman John Trent, District IV
 Ernestine (Byrd) Bazemore, District V
 County Manager Scott Sauer
 Assistant to the County Manager Dominique Walker
 William Roberson
 Sheriff John Holley

Chowan County Delegation: Chair Patti Kersey
 Vice-Chairman Ron Cummings
 County Commissioner Bob Kirby
 County Commissioner Don Faircloth
 County Commissioner Ellis Lawrence
 County Manager Kevin Howard
 Sheriff Dwayne Goodwin
 Chief Deputy Andy Bunch
 Susanne Stallings, County Clerk

Martin County Delegation: Chairman Tommy Bowen
 Vice-Chairman Dempsey Bond, Jr.
 County Commissioner Elmo “Butch” Lilley
 County Commissioner Ronnie Smith
 County Manager David Bone
 Jessica Godard, County Clerk

Bertie-Martin Regional Jail
Commission: Chairman Dempsey Bond, Jr.
 Commissioner John Trent,
 John MacDonald
 William Stalls
 Lawrence Carter, Jr.
 Terrence Whitehurst, Administrator
 Lydra Freeman, Deputy Administrator/Secretary
 John Holley, Bertie County Sheriff

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

WELCOME

Chairman Trent opened the meeting and greeted guests in attendance. Martin County Chairman Tommy Bowen gave the Martin County call to order. Chowan County Chair Patti Kersey gave the Chowan County call to order. Chairman Trent introduced Dempsey Bond, Jr., Chair of the Bertie-Martin Regional Jail Commission (BMRJ). Chair Bond called the Jail Commission to order.

INVOCATION

Bertie County Commissioner, Ron Wesson, gave the invocation before the meal.

DISCUSSION

Dempsey Bond, Jr., Chair of the BMRJ Commission, gave the statement of purpose for the joint meeting and where the BMRJ. He discussed that in October of last year, the County Managers of the Bertie, Martin, and Chowan counties came together to discuss a request the Chowan County Manager made of the other two counties to consider the feasibility of Chowan County joining the BMRJ. Later that same month, the BMRJ Commission met to further discuss the possible addition. An inter-local agreement was drafted which desired that the Board of Commissioners of the three counties would receive the study and evaluate the matter. In addition to the agreement, a request for qualifications were documented for a consultant to conduct a study to consider an expansion of the BMRJ facility in Windsor. Such an expansion would be necessary to accommodate the additional influx of inmates from Chowan County. Two proposals for the study were received after requests for a consultant were made public in January 2019. The two received were: Moseley Architects in Virginia and Hemphill-Randel Associates in Charlotte. Both the Chowan and Martin counties' Boards of Commissioners passed the inter-local agreement while Bertie County has not yet done so. Bertie County suggested the three county Boards gather to discuss the request before moving forward. Chair Bond stated that the goal for the meeting was to get more insight into Chowan County's situation with its jail and its desire to join the Bertie-Martin jail partnership. He suggested that if all three counties were comfortable moving forward with a study, then a consultant could be chosen to then submit a proposal.

At this time, dinner was served. Discussion resumed following dinner. Chowan County Manager, Kevin Howard, shared Chowan's interest in joining the BMRJ facility. Chowan County Sheriff, Dwayne Goodwin gave an overview of the Chowan County Detention Facility. The facility opened in 1979 and is 40 years old. It contains 25 beds, two single cells, an isolation cell, and 20 beds in the general inmate population. Only male inmates are housed at CCDF; female detainees are housed in Elizabeth City at ADJ. The facility has nine full-time employees and four part-time employees. The detention facility averages 31 inmates over a 12-month period and have recorded just one escape over the past three years. There have been no jail suicides since 1992. Meals at the facility are contracted with Bertie Correctional Institute in Windsor. They also have separate contracts for medical and mental health services. Currently they have a 2018-2019 operating budget of \$749,171 with 2017-18 expenditures of \$862,484.

Bertie County Commissioner Ernestine Bazemore inquired about voting on the feasibility study and subsequent questions regarding the study. BMRJ Chair, Dempsey Bond stated that the study would show what each county is expected to do and what questions would be identified and reviewed in the study. Commissioner Bazemore made a motion for the Bertie Commissioners to move forward in supporting the feasibility study. Before a vote was taken, Bertie County Commissioner Atkins asked for more specifics regarding the feasibility study. Bertie County Manager Scott Sauer explained the first steps of the agreement process. The first step would be an examination of the two consultant proposals, a request for qualifications, interviews, and selection of one to negotiate a contract, scope of work and fee structure. He explained that both Chowan and Martin counties have suggested and pledged by resolution to share in the cost of the consultant study, while Bertie has not yet taken action. Bertie County Commissioner Wesson asked if the cost would be a three-way split. County Manager Scott Sauer confirmed that there would be a suggested three-way split for the feasibility study and stated part of (the consultant's) actions would be to look at all three counties' long-term needs. Commissioner Wesson expressed his support for the study.

Martin County Commissioner Ronnie Smith shared the expectation of the joint meeting stating that the feasibility study would assess all three counties' position on the jail population and resources. He stated that the takeaway from the meeting should be whether or not the three boards are in agreement on a feasibility study. He shared that there are resources available for regionalization, and that there's growing competition for areas to regionalize on several fronts. Commissioner Atkins expressed that he would be more comfortable with cost. County Manager Scott Sauer reiterated the first steps of the agreement. Martin County Manager David Bone added that there is no financial commitment until a price is presented.

Commissioner Bazemore made a **MOTION** for the Bertie County Commissioners to move forward in adopting the inter-local agreement evaluating the addition of Chowan County to the Bertie-Martin Regional Jail Partnership. Commissioner Wesson then **SECONDED** the motion. The **MOTION PASSED** unanimously.

Sheriff Dwayne Goodwin expressed his opinion of regionalization. Martin County Chairman Tommy Bowen added that Bertie and Martin counties have worked well together in partnership for the jail and believes that Chowan would be an added plus to the partnership. Chowan County Commissioner Bob Kirby inquired about the two firm proposals. Commissioner Trent reiterated the first steps of the agreement and purpose of the meeting.

County Manager Sauer emphasized that no further steps toward engagement of a consultant would occur until each separate County Board of Commissioners gives its approval for the proposed contract and associated costs.

Martin County Manager David Bone said interviews would be conducted by members of the BMRJ Commission, Commissioners from Bertie and Martin, and select individuals from Chowan County. Chowan Board Chair Patti Kersey said they have already selected fellow Commissioners Greg Bonner and Larry McLaughlin. Chair Dempsey Bond, Jr. thanked all the boards for attending the meeting.

Chair Trent made a **MOTION** for the Bertie County Commissioners to adjourn the meeting. Commissioner Wesson **SECONDED** the motion. The **MOTION PASSED** unanimously. Chair Dempsey Bond, Jr. made a **MOTION** for the BMRJ Commission to adjourn the meeting. Commissioner Trent **SECONDED** the motion. The **MOTION PASSED** unanimously. Chowan and Martin counties voted individually to adjourn.

ADJOURN

The meeting adjourned at 7:00pm.

John Trent, Chair

Sarah S. Tinkham, Clerk to the Board



C-2

Windsor, North Carolina
April 1, 2019
REGULAR SESSION

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
Assistant County Attorney Clifton Smith, III
Assistant County Attorney Jonathan Huddleston
Finance Officer William Roberson
Assistant to the County Manager Dominique Walker
Tax Administrator Jodie Rhea
Economic Development Director Steve Biggs
DSS Director Cindy Perry

Junior Commissioners: Qudre Joyner
Najella Williams

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 Wesson led the Pledge of Allegiance and gave the Invocation.

PUBLIC COMMENTS

Mike Freeman of Merry Hill represented the ABC Board and invited the Board of Commissioners to an alcohol awareness day on April 29, 2019 at 8:30 a.m. He stated that representatives from the ABC Commission, the NC State Highway Patrol, and the Talk-It-Out Speaker's Bureau would provide additional support and resources for the event.

There were no other public comments at this time.

APPOINTMENTS and REPORTS

(1) **Convene as Board of Equalization & Review**

Chair Trent called for a **MOTION** to convene as Board of Equalization and Review. Commissioner Wesson made a **MOTION** to convene as Board of Equalization and Review. Commissioner Bazemore **SECONDED** the motion. The **MOTION PASSED** unanimously. Tax Administrator, Jodie Rhea shared that no tax appeals at this time have been filed. Commissioner Lee made a **MOTION** for the Board to adjourn the Board of Equalization and Review. Chairman Trent **SECONDED** the motion. The **MOTION PASSED** unanimously.

(2) **CPTA Annual Report by Pamela Perry, Executive Director**

Ms. Perry gave a brief presentation on the history of the Chowan Public Transportation Authority (CPTA). The mission of the CPTA is to provide safe, adequate, and convenient transportation to the jurisdictional areas of Bertie, Halifax, Hertford, and Northampton counties. She stated that CPTA is the oldest regional transportation authorities in the state. She provided transportation availability days and times. Ms. Perry gave an overview of the FY18 annual report including reviews of assets, revenue, expenses, service miles, operating costs, cost per maintenance, passenger trips, and services. She also gave an overview of the Board of Directors for the 2017-2018 year. She welcomed Bertie County Emergency Management Services Director Mitch Cooper to the board.

Commissioner Wesson inquired about promoting and increasing passenger trips throughout Bertie County. Ms. Perry shared that there had been a decrease in passenger trips due to

inclement weather. She noted that CPTA promotes their services in newspapers, at community fairs, and other venues. Commissioner Wesson shared that the Board should help promote CPTA's services.

Ms. Perry thanked the Board for its support of the CPTA.

(3) Hurricane Matthew Recovery Update by Chris Hilbert with Holland Consulting Planners

Mr. Hilbert gave an update on the buy-out status of the Hazard Mitigation Grant Program. He shared that more appraisals have been ordered. The first elevation contracts would be out during the first week of May. Mr. Hilbert shared that the consulting group, County Manager Scott Sauer, and Windsor Town Administrator Allen Castelloe met with representatives from the NC Office of Budget and Management (NCOBM) to discuss the Disaster Recovery Assistance program and the Community Development Block Grant-Disaster Recovery program. The goal of the meeting was to identify the eligibility of the units that were a result of the State's intake center operated in Windsor from last summer. Mr. Hilbert noted that some of the units were approved but the overall environmental review process has been delayed at the state level due to Hurricane Florence. The North Carolina Office of Recovery and Resiliency was created by the state after Hurricane Florence. Mr. Hilbert stated that communication with the NCOBM team is still ongoing and that a meeting will be held at his office Friday, April 5, 2019.

Chairman Trent inquired about public satisfaction with the appraisals. Mr. Hilbert stated that there has been no denied offers. Commissioner Wesson shared the positive experiences of some citizens and the appraisal process.

Mr. Hilbert stated that there is some leniency for the application program and that contracts for bids are fixed, in order to prevent cost escalation. He also noted that buy-outs will come quickly and that contract bids are locked-in.

(4) Second Reading – Road Safety and Maintenance Ordinance

Commissioner Bazemore inquired if this would be the second reading or the first reading of the ordinance with the changes. She stated that the Board should vote on the changes made. Attorney Clifton Smith referenced that changes to an ordinance could be made after a public hearing so long as the changes are deemed to be insubstantial. Attorney Smith stated that the changes were made to benefit anyone who would challenge the ordinance and noted that the appeals process added to the ordinance would benefit citizens of the county. He provided clarity on the criminality of the ordinance, citing N.C.G.S. §14-4 but stated that the Board has the power to not make a violation of the ordinance a misdemeanor. Attorney Smith noted that the reading for this meeting includes non-substantial changes to the initial ordinance that was addressed at the public hearing. He provided the next steps for the process of the ordinance and suggested that the ordinance should be read with the added changes.

Commissioner Lee asked Attorney Smith if he felt comfortable with naming the ordinance a “nuisance abatement” ordinance. Attorney Smith referenced N.C.G.S. §153A-340, zoning ordinance power of the County. He stated that it is a safety ordinance that places certain requirements on land and that the Board has zoning authority. He clarified the Board’s enforcement authority of the ordinance. Attorney Smith provided the steps for the Board enforcing the ordinance. Commissioner Lee inquired if N.C.G.S. §14-4 applies to the ordinance. Attorney Smith states that the criminal statute does not apply to the ordinance. He clarified the nature of enforcement regarding lien mechanisms and civil penalties. He noted that money collected by the County should be given to the school board.

Assistant County Attorney Jonathan Huddleston added that the distribution of collected money by the County depends on if it is punitive in nature. Commissioner Lee asked if Attorney Huddleston could explain to the audience about liens on property. Attorney Huddleston explained lien rights.

Commissioner Wesson expressed that it was a good step to discuss the how the ordinance works and expressed that the Board has improved the wording of the ordinance. He shared that EMS and Sheriff staff have a right to decide if a road is impassable and citizens have a right to argue against it. He expressed that the purpose of the ordinance is to help citizens whose safety is at risk and that the right thing to do is to protect citizens and to not lose sight of that.

Commissioner Bazemore added that problem is not whether or not the road needs fixing but that the ordinance is taking the County through unknown and extra steps with unknown variables. She shared that steps taken should include sitting down with landowners to fix the problems. Commissioner Bazemore expressed her opinion that the County cannot afford to fix roads.

Chairman Trent noted that the Superior Court has the final decision during the appeals process. He read the authority and appeals process of the ordinance. He asked if the recovered lien money could be used on the County’s tax card. Attorney Huddleston replied that remedies could be used as if it is taxed.

Commissioner Wesson shared past dialogue with landowners about impassable roads. He stated that the ordinance is for the County to deal with the landowners who do not fix their roads.

Commissioner Wesson made a **MOTION** to introduce the ordinance as it stands with the latest changes. Chairman Trent **SECONDED** the motion. The motion carried – 3 ayes and 2 nays.

Votes were as follows: Ayes: Trent, Atkins, & Wesson
 Nays: Bazemore & Lee

Commissioner Wesson made a **MOTION** to vote to adopt the ordinance. Vice-Chair Atkins **SECONDED** the motion. The motion carried – 3 ayes and 2 nays.

Votes were as follows: Ayes: Trent, Atkins, & Wesson
 Nays: Bazemore & Lee

Attorney Smith reiterated that the vote has to be unanimous in order for the ordinance to be enacted this evening, and that the Board has 100 days to revisit the ordinance in a future meeting. Commissioner Lee explained why she voted no on both motions, stating that there has been no discussion on contracts, specifics related to contracted work, and liens on fixed property. Attorney Smith clarified liens on property. Commissioner Bazemore added that she did not want a lien anywhere and that the County has a lot of activities coming up and that “minding someone’s private property” should not be a focus of the County.

BOARD APPOINTMENTS

Mid-East Regional Housing Authority Board of Commissioners

Commissioner Lee made a **MOTION** to reappoint Vivian Saunders to the Mid-East Regional Housing Authority Board of Commissioners. Chairman Trent **SECONDED** the motion. The **MOTION PASSED** unanimously.

DSS Board

Commissioner Lee made a **MOTION** to reappoint Commissioner Bazemore to the DSS Board. Chairman Trent **SECONDED** the motion. The **MOTION PASSED** unanimously.

CONSENT AGENDA

1. Minutes for Regular Meeting 3-11-19
2. Minutes for Work Session 3-11-19
3. Register of Deeds Report
4. Resolution honoring the 100th birthday of Beulah Bernice Bond McBride

Commissioner Wesson made a **MOTION** to approve items 1 through 3 of the Consent Agenda. Commissioner Lee **SECONDED** the motion. The **MOTION PASSED** unanimously.

Chairman Trent made a **MOTION** to adopt the resolution honoring the 100th birthday of Beulah Bernice Bond McBride. Commissioner Bazemore **SECONDED** the motion. The **MOTION PASSED** unanimously.

DISCUSSION AGENDA

Census 2020 update in follow-up from the recent Mid-East Commission meeting by Assistant to the County Manager, Dominique Walker

Assistant to the County Manager, Dominique Walker provided an update regarding the 2020 census after attending the Mid-East Commission regional meeting on March 21, 2019. She discussed that she has begun the process of assembling the Complete Count Committee and has reached out to the Board for key constituents from their districts who would be interested in serving on the Committee. Ms. Walker noted the importance of having diverse voices on the Committee and shared that Washington D.C. would not be sending additional funds for promotional materials for the upcoming census. She stated that there are other methods of promoting the census in other costly manners and if there is an interest for the County to set aside funds for materials.

Commissioner Wesson inquired about the process of hiring local citizens to participate in administering the census and if there is a specific number of people the Board can hire or recommend. He expressed the importance of having local citizens helping to administer the census in their communities. Ms. Walker stated that interested parties can apply online for paid Census jobs and shared to follow-up with the Commissioners regarding Complete Count Committee recommendations and the hiring process.

DSS Medicaid Transformation by DSS Director, Cindy Perry

DSS Director Cindy Perry presented materials to the Board regarding the NC Medicaid transformation. She informed the Board that the state will change how they manage Medicaid beginning in February 2020. Ms. Perry shared that DSS will only determine eligibility regarding Medicaid and that a private company will select different plans for Medicaid. There will be four different health plans the selected private health providers can choose for clients who only receive Medicaid. She stated that Bertie County is in Region 6 and the new plan will be live in February 2020. Welcome packets will be sent out in September. Ms. Perry noted that eligible clients will have until December 13, 2019 to choose a plan and if no plan is chosen, a plan will be chosen for them. She shared that a meeting will be held with the NC Association of County Commissioners to discuss the transformation on April 10, 2019.

Commissioner Bazemore inquired about the difference between now and 2020. Ms. Perry stated that clients currently have the option to choose their doctor or hospital but after 2020, private health providers will decide client doctors and hospitals.

Commissioner Lee inquired about which plan Vidant Hospital would be a part of. Ms. Perry replied that she does not know which plan Vidant will be a part of. She reiterated that DSS can

only assist clients with the eligibility process and that a call center number will be available in the welcome packet for clients to call.

Commissioner Bazemore expressed her opinion that with rural hospitals vanishing it will be “a mess” and inquired if the transformation was due to Medicaid expansion. Ms. Perry noted that the private health providers would decide the non-emergency transportation service for the county. She also noted the transformation was not due to Medicaid expansion.

Commissioner Wesson inquired about who holds responsibility to educate the public about the differences of the new plans. Ms. Perry stated that it will be the call center’s responsibility. Commissioner Wesson expressed his concern about the public knowing its rights regarding the new transformation. Ms. Perry reiterated that letters will be sent out to clients who will be a part of the plan. She also noted that there will be four additional meetings that DSS directors have to attend regarding the transformation.

COMMISSIONERS’ REPORTS

Commissioner Bazemore shared a report from a Risk & Management Stewardship meeting she attended. Topics included law enforcement grant programs. She stated that she will be attending the Bertie Correctional Institution Volunteer Banquet Ceremony on April 4, 2019. She also shared that she attended the book challenge, a challenge where students from different schools read books and are challenged against each other about the stories. She commended the program and expressed her hope for the County to support the program.

Commissioner Wesson shared that he would also be attending the Volunteer Banquet and on the same day will be attending the State of the East meeting in Greenville, NC. He informed the Board that Governor Roy Cooper submitted his name to be the Bertie County representative on the Martin County Community College Board to replace Nancy Joyner.

Commissioner Lee shared that Powellsville will have a mobile food bank on the third Tuesday of the month and that Linda Peele will be spearheading the food pantry. She shared her experience of having attended the Criminal Justice Summit in Raleigh stating that it was “most-informative” and “organized”. Topics discussed included bail reform, re-entry and collateral consequences, and over-criminalization. She informed the Board about an upcoming trip to Portland, Oregon on April 11-12, 2019 sponsored by NACo. She thanked NACo for sponsoring the trip. Commissioner Lee also added that she attended the Battle of the Books and commended the students in the program.

Commissioner Atkins had no reports at this time.

JUNIOR COMMISSIONERS' REPORTS

Najella Williams informed the Board of Teen Court and that students will compete with other counties. She stated that a goal of the program is to illustrate positive representation of the county.

Qudre Joyner shared that the Good Shepherd Pantry is running out of space for food. He presented some recommendations to address the issue. He asked the Board for assistance in resolving this issue. Commissioner Bazemore shared that she spoke with a representative from Good Shepherd about Board supporting the Pantry's efforts.

COUNTY MANAGER'S REPORTS

The County Manager informed the Board that the Rickey Spivey, Water Department Superintendent, received two additional grants to expand their asset inventory project. He shared that Mr. Spivey has secured \$65,800 for Bertie County Water District II, and \$150,000 for Bertie County Water District III, based on Mr. Spivey's efforts with our consulting engineers.

COUNTY ATTORNEY'S REPORTS

The County Attorney had no remarks at this time.

PUBLIC COMMENTS

Ms. Vivian Clark of Windsor, shared that she spoke with Chairman Trent and Vice-Chairman Atkins about her concerns regarding the ordinance. She asked the Board to revisit the written ordinance. She expressed that the owners of private roads should receive correspondence on the expectations of maintaining roads. She inquired about Board minutes regarding past conversations on the ordinance. She stated there are too many uncertainties regarding the ordinance and asked how often the Board would have to repair impassable roads. She asked if the Board could keep the public informed about the Board's decision moving forward.

Mr. Jerry Cowand expressed his opinion stating that he opposes the ordinance. He shared how he does not see how the changes made in the ordinance benefit owners of private roads. He

expressed that the county should not get into the road fixing business. He strongly feels that the remedy to this issue is in the civil court system. He inquired about a legal aid/pro bono program to assist private road owners and have the county attorneys represent clients. Mr. Cowand also asked if the Board will profit from the ordinance.

Ms. Nancy Lee of Ted Cherry Lane, asked the Board to empathize and sympathize with citizens who are in need. She presented an audio presentation of her neighbor, Ms. McGloan, who asked for the Board's support of fixing the roads. Ms. Lee shared that she was told that the road was to be fixed and that the private road owner visited the area several times but no work has been done.

Another resident of Ted Cherry Lane also asked the Board for their support in fixing the roads.

Mr. Tim Bazemore, Jr. of Cedar Landing Road, stated that he had no issue with fixing the roads but questioned the method of enforcement by the county. He stated that some developments have private lots and asked who will pay for the impassable road. He inquired about who is qualified to deem a road impassable. Mr. Bazemore questioned the motive of Board members regarding the ordinance.

Ms. Annie Wilson shared that she believes that the Board will make the right decision but asked the Board to recognize different circumstances. She shared her experience with her neighbors in fixing their road. She inquired about solutions to fix roads that are under different circumstances. She informed the Board that the Martin County Clerk of Court and Chairman commended the Board's efforts on the renovations to the courthouse and the new security system.

ADJOURN

Chairman Trent **ADJOURNED** the meeting at 7:30 PM.

John Trent, Chairman

Sarah S. Tinkham, Clerk to the Board



C-4

**Windsor, North Carolina
April 16, 2019**

SPECIAL MEETING

The Bertie County Board of Commissioners met for a special 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
John Trent, District IV
Ernestine (Byrd) Bazemore, District V

Absent: Tammy Lee, District III

Staff Present: County Manager Scott Sauer
Assistant County Attorney Jonathan Huddleston
Finance Officer William Roberson
Assistant to the County Manager Dominique Walker
Sheriff John Holley
Chief Deputy Kenny Perry

Media Present: N/A

At 11:00 a.m. Chairman Trent called the meeting to order and asked Commissioner Wesson to deliver the invocation prior to the start of the business session.

Commissioner Bazemore offered a MOTION to go into Closed Session:

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

Pursuant to N.C.G.S. § 143-318.11(a)(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.

Commissioner Wesson offered a SECOND to the MOTION which passed unanimously.

Commissioner Wesson offered a MOTION to return to Open Session. Vice Chairman Atkins offered a SECOND to the MOTION which passed unanimously.

Chairman Trent reported that due to the discussions in Closed Session, that the floor was open for a MOTION, if necessary.

Commissioner Wesson offered a MOTION, effective with the next pay period (May, 2019), the base pay for a certified Deputy Sheriff position will be \$40,000 and the staff are instructed to follow the worksheet (including reclassifications as necessary) prepared by the Finance Officer to address compression impacts for designated current staff as calculated by Mr. William Roberson. Also, Commissioner Wesson included in the MOTION, the elimination of the \$2,500 sign-on bonus, and the requirement that five (5) of the existing vacant Deputy Sheriff positions be frozen indefinitely. Furthermore, the MOTION included adjustments as discussed on the Telecommunications worksheet, increasing the base pay for certified Telecommunicators to \$28,069 and reclassifications as presented, discussed and modified to also include the Telecommunications Supervisor.

Chairman Trent offered a SECOND to the MOTION which passed by a unanimous vote.

Commissioner Bazemore offered a MOTION to return to 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.

The MOTION was SECONDED by Vice Chairman Atkins and passed unanimously.

Commissioner Wesson offered a MOTION to return to open session.

Vice Chairman Atkins SECONDED the MOTION which passed by unanimous vote.

Commissioner Bazemore offered a MOTION to adjourn which was SECONDED by Commissioner and Wesson and passed unanimously.

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**Windsor, North Carolina
April 24, 2019**

SPECIAL MEETING

The Bertie County Board of Commissioners met for a special meeting today inside the Spivey Conference Room of the Roanoke Cashie River Center located at 112 West Water Street, Windsor, NC. The following members were present or absent:

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

Absent: None

Staff Present: County Manager Scott Sauer
Assistant County Attorney Jonathan Huddleston
Finance Officer William Roberson
Assistant to the County Manager Dominique Walker
Parks & Recreation Director Donna Mizelle
Economic Development Director Steve Biggs

Sarah Stalls of Bertie-Ledger Advance was present from the media.

CALL TO ORDER

At 9:00 a.m. Chairman Trent called the meeting to order.

DISCUSSION

County Manager Sauer brief the governing body regarding the April 23rd pre-bid conference for the new library and cooperative extension facility, reporting that seven general contractors were in attendance. Due to a scheduling conflict with another construction project, the contractors have collectively requested a one-week extension for the bid opening for Bertie County's project.

County Manager Scott Sauer requested that the Board officially amend the bidding schedule for the Library and Cooperative Extension facility project and extend the bid date until 3:00 p.m. on May 16th. Chairman Trent called for a **MOTION** to extend the bid date until May 16, 2019.

Commissioner Wesson made **MOTION** to extend the bid date until May 16, 2019.

Commissioner Lee **SECONDED** the motion. The motion **PASSED** unanimously.

Mr. Sauer introduced Ms. Robin Payne who is providing project guidance to the County. Ms. Payne gave an overview of specific projects from other counties that she has managed including a review of two Hyde County projects, the Ocracoke Fish House Project and the Community Square Revitalization Project. Both had similar goals for the community and the County as a whole: public access to the water, responsible promotion of local assets, incubate small business development, foster tourism, improve quality of life for residents.

She shared that part of the session today was to address the goals, branding, objectives, and benefits of the Tall Glass of Water (TGOW) project.

The group discussed and brainstormed branding and imagery ideas for the TGOW project and project logo. Chairman Trent and Commissioner Wesson shared that the project is for the general public. Additionally, Commissioner Wesson shared that the TGOW should be used as community space for Bertie residents and families. Chairman Trent shared that the project should be promoted as a "federal waterway". Chairman Trent quoted Dr. Stanley Riggs that the Board has a "world-class water system in Bertie County". Additionally, Chairman Trent shared that the project could be a venue for the public and other activities.

Ms. Payne transitioned the group into a discussion about possible activities that could be conducted at the TGOW site. Commissioner Lee suggested the site could be used for weddings. County Manager Scott Sauer suggested working with the faith-community for church or gospel events. Commissioner Wesson expressed the importance of connecting with tourists and community-related organizations that will bring people to Bertie County.

The group began discussion regarding the imagery of the TGOW property that stands out. Sand cliffs, Cyprus trees, and the shallow nature of the water were some of the characteristics of the TGOW property listed by the group. County Manager Scott Sauer compared the property to being in a "National Geographic magazine". The group continued to discuss uses of the land portion of the property. Mr. Sauer suggested that the Board make a formal presentation to

NCDOT about a welcome center for the incoming Interstate 87. Commissioner Bazemore shared her experience of visiting a welcome center in Washington County noting the other amenities the center had to offer tourists and visitors. Commissioner Bazemore suggested having taxidermy products sold at the possible welcome. Chairman Trent added that Roanoke-Chowan Community College has taxidermy and pottery classes for students. Commissioner Wesson also suggested RV campgrounds for the TGOW project.

County Manager Scott Sauer shared that the project would be a “staycation” for Bertie families and youth. Ms. Payne reiterated that the focus of the TGOW logo should incorporate water access and country “feel”. Mr. Sauer shared with the group that there would be an opportunity of discussion between the Board and the Coastal Land Trust about implementing a programming theme for the 300 acres of land adjoining the TGOW property. Chairman Trent added that collaboration between the Board and the Coastal Land Trust would be advantageous.

Mr. Sauer discussed challenges of having an open house to showcase the project this summer for Bertie County residents. He suggested that the Board think about how the public should be transported from Bal Gray Road to access the waterfront of TGOW.

Assistant County Attorney Jonathan Huddleston explained the description of the easement. He suggested that the Board should allow access for the public to get to TGOW and that the Board will need to work with adjoining landowners to define the road clearly. Commissioner Atkins expressed that the Board “needs a good road to do much of anything”. Commissioner Wesson stated that the Board has money appropriated to fix the road leading to TGOW. However, County Manager Scott Sauer shared that County Attorney Lloyd Smith advised the Board to not make any improvements until the next piece of 10 acres is acquired. Attorney Huddleston shared that the landowners of the 10 acres of land have been served by the County.

Ms. Payne refocused the group to discuss other objectives of the project. Commissioner Wesson expressed that the Board needs to communicate to Bertie residents that the TGOW “is theirs”. He shared that the County name should be incorporated in the wording of the project. The group discussed the goals of the project. Commissioner Wesson shared that there needs to be community support for the project vision. Similarly, Chairman Trent expressed that the project is for the community and suggested a MOU with the State on the management of project to maintain “individuality”. Commissioner Wesson suggested that there be a separate session for the financing and funding aspect of project.

The group held a brief discussion of the Lost Colony, its impacts on Bertie County, and possible branding for the TGOW project. Ms. Payne transitioned the discussion to addressing special assets of TGOW and Bertie County. She shared that country roads and agriculture are assets. Commissioner Wesson shared that Bertie County is the largest minority-majority county in the state and suggested to market the project to African-Americans.

County Manager Scott Sauer expressed his hope that there could be a change of the mindset of the community to enjoy public access to water through this project since many residents have had no access to water and do not know how to swim. Ms. Payne challenged the Board to think about other hidden assets in County including community talents to showcase product(s) at the

TGOW site. Ms. Payne explained that the session is on record about the Board's discussions of the project. She shared that the Board will have to identify measurables for possible grants and other funding. She led the group in brainstorming potential benefits of project. The group discussed communication and lack of interest within the community being an issue in the County.

At this time, the group took a quick break.

The group discussed and brainstormed goals of the TGOW project. Topics discussed included engaging the local community, outreach strategies, addressing transportation issues, leveraging the faith-based community, promotion of the project, and collaborating with regional partners for the project. County Manager Scott Sauer suggested to the Board and request that the General Assembly representatives to add Bertie County to implement an occupancy tax bill.

At this time the group took a break for lunch.

The group continued their discussion outlining activities and objectives for the TGOW project. The group also discussed entrance fee stipulations, clearing debris from the TGOW area, and defining the County's liability to the area. Ms. Payne provided next steps to the group and a plan reflecting the activities compiled at today's meeting.

Outlined below are the notes prepared by Ms. Payne to capture the discussions, priorities, and objectives considered by the Board of Commissioners:

What is Branding?:

- The goal of Brand development: Identifying a name, logo and tagline.
- The Brand must convey a message to the viewer whether they are looking at a sign, printed materials, or information online.
- The message should capture the assets unique to the project and activities within the project.
- Next steps after workshop: a) design team to develop images, names and taglines
b) Commissioners to review options and vote.

Branding Workshop Q&A:

Users: The residents of Bertie County and the traveling public.

Assets Unique to the TGOW Project:

- Public Access to the water
- Eco-tourism capabilities
- World class water system/Bertie Water Hub Sites
- Bertie heritage – Geologic, Native American, African American, Early Settlement, Agriculture, River Systems
- Mix of water, forest, farmland

Activities to be held at TGOW:

- Learning Center

- Camping
- Welcome Center
- Swimming
- Kayak, canoe
- Horseback Riding
- Ponds
- Pier for boat rentals
- Family Gathering
- RV Parking
- Bicycling
- Pavilion/Entertainment Stage
- Weddings
- Baptisms
- Ropes Course, zipline
- Hiking
- Star Gazing
- Dog Park in anticipation of I85

Unique Imagery of TGOW

- Waterways – focus on the Albemarle Sound
- Sand Cliffs
- Beach with its crescent shape
- Cypress trees with knees
- Spanish Moss
- Driftwood
- Multi-uses
- Flat farmland
- Community
- Albemarle
- Concept of OBX and IBX – possibility of similar for Bertie County?

Goal of TGOW: Nature-based public recreation in perpetuity.

VISIONING THE POTENTIAL BEYOND PROJECT BORDERS

The TGOW Project will leverage a long list of benefits to the community and public both within the project borders but throughout the entire County. The visioning process defines the objectives and the activities necessary to achieve that vision and the many benefits it provides.

The workshop results will be used for grant applications, planning and as a reference for developing outreach.

Assets throughout Bertie County: Assets are defined as attributes, have value to residents and are sought by travelers.

- Settlement by Colonists

- Native American
- African American
- Existing historical and eco-activity sites
- Waterways – Chowan River, Albemarle Sound, Cashie River, Salmon Creek etc.
- Pre-history – Geology (Ocean Life)
- Flora and fauna – Natural eco-system
- Untouched landscape, little commercialization
- Country Roads
- Golf Courses
- Diversified agricultural activity – sage, peanut, cotton, corn
- Clay – ideal for pottery
- Rosenwald Schools
- Wildlife
- Hunting, Fishing, Water sports
- Cottage Industries – Leather, taxidermy, pottery, artists, carvers
- Zoo

Benefits: TGOW provides directly or leverages growth throughout Bertie

- Healthy Living
- Outdoor Recreation Activities for the Community
- Impact throughout the region
- Bertie as a destination
- Job Creation
- Retain existing residents
- Attract new residents
- Improve the quality of life
- Bertie County ideal for attracting educational institutions – Faith-based
- Expanded offerings enhance K-12 curricula
- Economic Diversity good for residents and financial stability of Bertie County
Government – large industry, ag, small business, cottage industry, tourism
- Farm lifestyle is an attraction/desired way of life
- Community Revitalization
- Process of sharing the vision of TGOW and the benefits throughout all of Bertie
promotes civic engagement, unite Bertie
- New Revenue Streams
- Youth Enrichment
- Environmental Enhancement

Objectives: Key areas of project and/or initiative development with action steps noted

- Promote 5 Water Hub Sites – as identified in “From Rivers to Sounds in the Bertie Water Crescent” by The North Carolina Land of Water (NCLW)
 - Windsor on the Cashie River
 - Sans Souci on the Lower Cashie River
 - TGOW/Salmon Creek

- Weeping Mary on the Roanoke River
 - Colerain on the Chowan River Estuary
- Ensure local visitation to TGOW
 - Transportation
 - Swim Lessons
 - Awareness
- Outreach – Share the vision during the planning phases
 - Via the Faith-based Community
 - Commissioners and Mayors
 - TGOW kick-off welcome event – early summer of 2019
 - Regional Allies
 - Website Development and Social Media
 - White Paper to share with partners and prospective funders, donors
- Funding – Project and for initiative throughout Bertie
 - Grants
 - Occupancy Tax
 - Use and Program Fees
 - Lease of space
 - Ownership of Income producing entities
 - Funding Plan is necessary
- Water Quality
 - Partner with regional organizations in support of improved water quality
 - Develop Best Management Practices (BMP's)
 - Provide education of public and student base
- Promote Economic Diversity
 - Lodging – B&B's, Hotels, Motels, By-Owner
 - Gas Stations
 - Hunting Needs
 - Shopettes
 - Water Based Recreation
 - Agriculture – Micro Farms, Value-Added Development, crop diversity
 - Craft/Artisan
 - Shooting Range, Archery
 - Grocery (Larger than convenience store)
- Adaptive Reuse
 - Identify vacant property suitable for commercial activity
 - Tear down dilapidated structures to make way for new
- New Commercial Spaces
 - Identify key traffic routes where commercial activity potential exists
- Address Food Desert – 1 grocery for 740 square miles
- Regional Networking
 - Albemarle Loop
 - Hiking Trails
 - Kayaking
 - Golf

- Historic Albemarle Tour (HAT)
- Apply for Federal Designation River Systems
- Water-based races – bicycle, regattas, triathlons
- Marketing
 - Branding
 - Designations – additional HAT sites, Federal
 - Via Regional Partners
 - Mapping
 - Print Media
 - Visit NC
 - NC Outdoors
 - Traveler Membership – AAA, Camp Clubs, etc.
 - Travel NC
- Infrastructure
 - Tourism Development Authority (TDA)
 - Occupancy Tax Legislation
 - Eco-Lodge
 - An Organization made up of all applicable regional groups
- Liability – As it pertains to TGOW
 - Signage
 - Remove any hazardous debris
 - Research buoys for defining swim area
- Workforce Development
 - Eco-tourism
 - Hospitality/Lodging
 - Small Business
- Shoreline Management
 - Jetty's – Reduce erosion of cliff area

ADJOURN

Chairman Trent **ADJOURNED** the meeting at 1:00pm.

John Trent, Chair

Dominique Walker, Assistant to the County Manager



C-5



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

April 01, 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 **March** and this request for your approval is made pursuant to a "Resolution of the Board of Commissioners" dated August 5, 1985. This may also serve as your report to the Board of Commissioners required by the same "Resolution."

Respectfully Submitted,



Tax Administrator

Approved on _____ 20____

RLS*19*090	DATE	NAME	CODE	LEVY	ADV	PEN	INT	TOTAL
2013	3/20/2019	Bond, Walter 13A6802427948	G01	\$74.81	\$2.50	\$0.00		\$77.31
		Foreclosure	C08	\$12.91				\$12.91
								<u>\$90.22</u>

RLS*19*090	DATE	NAME	CODE	LEVY	ADV	PEN	INT	TOTAL
2014	3/20/2019	Bond, Walter 14A6802427948	G01	\$74.81	\$2.50	\$0.00		\$77.31
		Foreclosure	C08	\$12.91				\$12.91
								<u>\$90.22</u>

RLS*19*090	DATE	NAME	CODE	LEVY	ADV	PEN	INT	TOTAL
2016	3/20/2019	Bond, Walter 16A6802427948	G01	\$73.92	\$2.50	\$0.00		\$76.42
		Foreclosure	C08	\$12.91				\$12.91
								<u>\$89.33</u>

RLS*19*090	DATE	NAME	CODE	LEVY	ADV	PEN	INT	TOTAL
2017	3/20/2019	Bond, Walter 17A6802427948	G01	\$73.92	\$2.50	\$0.00		\$76.42
		Foreclosure	C08	\$12.91				\$12.91
								<u>\$89.33</u>



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Bertie County Register of Deeds

Annie F. Wilson
Register of Deeds

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

NORTH CAROLINA
BERTIE COUNTY

TO: THE BOARD OF COUNTY COMMISSIONERS:

Agreeable to and in compliance with Chapter 590 of the Public Local Laws of North Carolina, Sessions 1913, I beg leave to submit the following statement of all fees, commissions, etc. of any kind collected by me as Register of Deeds for the month of April 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-----		\$3,065.60
10-0030-4344-03	VITAL STATISTICS-----		\$1,460.00
10-0050-4839-02	MISCELLANEOUS(NOTARY OATHS/PHOTO COPIES, ETC)-----		\$324.90
10-0030-4344-04	NO. MARRIAGE LICENSE-----	4 @60.00	\$240.00
			<u>\$5,090.50</u>
10-0018-4240-01	N. C. STATE EXCISE STAMP TAX-----		\$3,750.00
10-0030-4344-10	STATE TREASURER FEE-----	102 @\$6.20	\$632.40
	STATE VITAL RECORDS-----	6 @14.00 \$84+\$5=	\$89.00
		1 Extra Cert. \$5	<u>\$9,561.90</u>
10-0000-1251-00	A/R IN/OUT(REFUND)-----		<u>\$9,561.90</u>

Annie F. Wilson

REGISTER OF DEEDS, - BERTIE COUNTY
By: *Shakeela L. Williams, Asst.*

FOR INFORMATIONAL PURPOSES

D/T /MORTGAGES-----	19 @\$6.20=	\$117.80
ADDITIONAL PAGES-----	0 @\$0.40=	
DEEDS & OTHER INSTRUMENTS-----	91 @\$1.94=	\$176.54

EBRS -\$14.00 PER SEARCH & 5.00 FOR SECOND SEARCH OF CERTIFICATE



C-7

AGREEMENT FOR TRANSPORTATION SERVICES

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

WITNESSETH:

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

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

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

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

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

1. **PERIOD.** The period of performance of this agreement shall begin on JULY 1, 2019 and shall terminate automatically on JUNE 30, 2020.
2. **PROVIDER'S RESPONSIBILITIES.**
 - A. Provide transportation services for Older Americans 60 years of age and older who reside in Bertie County, to the Nutrition Sites in Aulander, Windsor, and Colerain and to other destinations as specified by the County.
 - B. Notify the Contractor immediately of emergencies that may interrupt the transportation schedule.

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

3. CONTRACTOR'S RESPONSIBILITIES.

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

- C. Notify the Provider concerning holidays or closings at least one week in advance. Except in cases of emergencies the Provider shall be notified as soon as possible.
- D. Provide emergency information on all agency clients scheduled for transportation. Such information shall include: parent or guardian's name and address, phone number, family physician and any special medical and/or physical conditions or special needs. Such information shall be kept in strict confidence by the Provider.
- E. The Contractor shall be responsible for escorting passengers needing assistance to and from the Provider's vehicles. In addition, the Contractor shall be responsible for arranging for caretakers once the Provider returns their clients to the final destination.
- F. To reimburse the Provider at a rate of \$20.40 per round trip or \$10.20 per unit of service in the agreement by the 25th day of the month.
- G. The Contractor will supply any special equipment needed by its clients.
- H. The Contractor will provide chaperones or escorts for any of its clients needing such services while such clients are being transported by the Provider.
- I. Notify the Provider of any special trip needs at least one week in advance.

4. SPECIAL CONDITIONS.

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

Independence Day	---	JULY 4, 2019
Labor Day	---	SEPTEMBER 2, 2019
Thanksgiving Days	---	NOVEMBER 28 & 29, 2019
Christmas Days	---	DECEMBER 24 & 25, 2019
New Year's Day	---	JANUARY 1, 2020
Dr. King's Birthday	---	JANUARY 20, 2020
Easter	---	APRIL 10, 2020
Memorial Day	---	MAY 25, 2020

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

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

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

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

\$10.20 per unit of service (Unit of Service meaning one-way trip)
Agency will be charged for a one-way trip for no shows, unless cancellation is made by 4:00 p.m. on the day before services are scheduled to be provided.

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

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

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

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

IN WITNESS WHEREOF, the Provider, by its Executive Director and by Authority duly given by its Board of Directors, and the Contractor, by its Board and by Authority duly given, hereby execute this agreement in duplicate originals, one of which is retained by each, this the 25th day of March, 2019.

CHOANOKE PUBLIC TRANSPORTATION AUTHORITY

Shank Williams BY [Signature]
WITNESS
THE COUNTY OF BERTIE

WITNESS BY _____



C-8

**TRUMPS RESTAURANT
PROPOSAL FOR FOOD SERVICE
JULY 1ST 2019 JUNE 30TH 2020
APPLICANT INFORMATION**

DATE: April 29, 2019

NAME: TRUMPS RESTAURANT

ADDRESS: P.O.BOX 1168 PLYMOUTH N.C 27962

TELEPHONE:252-793-9992 FAX. 252-793-9997

BID PRICE PER MEAL: \$4.95 plus tax

TRUMPS RESTAURANT HAS SUBMITTED A BID PRICE OF \$4.95 FOR THE BERTIE COUNCIL ON AGING MEALS ON WHEEL CONTRACT FOR THE YEAR 2019 TO 2020, WITH AN ADDITIONAL 12 MONTH ROLLOVER.

BID PRICE PROPOSED BY VENDOR \$4.95

75 to 80 MEALS ARE PREPARED EACH DAY.

BREAKDOWN

80 MEALS X 255 DAYS

EQUAL 20,400.00 MEALS

X \$4.95 BID PRICE EQUAL

100,980.00 X 5%

EQUAL \$5,049.00 BID DEPOSIT

CASHIER CHECK

THANKING YOU IN ADVANCE

JONATHAN AND CAROLYN THOMAS

OWNER AND OPERATOR



C-9

Bertie County

NC DPS - Community Programs - County Funding Plan

Available Funds: \$ 93,232 Local Match: \$ 29,203 Rate: 10%

DPS JCPC funds must be committed with a Program Agreement submitted in NC Allies and electronically signed by authorized officials.

#	Program Provider	DPS-JCPC Funding	LOCAL FUNDING			OTHER	OTHER	Total	% Non DPS-JCPC Program Revenues
			County Cash Match	Local Cash Match	Local In-Kind	State/Federal	Funds		
1	MHFC Vocational and Educational	\$25,000	\$2,500					\$27,500	9%
2	Second Chance Counts	\$25,000	\$2,500		\$2,500			\$30,000	17%
3	Children Matters	\$25,000	\$2,500		\$7,000			\$34,500	28%
4	JCPC Administration	\$4,000						\$4,000	
5	Bertie County Conflict Resolutions Teen Court	\$14,232	\$1,423		\$10,780			\$26,435	46%
6									
7									
8									
9									
10									
11									
12									
13									
14									
15									
16									
17									
18									
TOTALS:		\$93,232	\$8,923		\$20,280			\$122,435	24%

The above plan was derived through a planning process by the Bertie County
 Juvenile Crime Prevention Council and represents the County's Plan for use of these funds in FY 2019-2020

Amount of Unallocated Funds _____

Amount of funds reverted back to DPS _____

Discretionary Funds added _____

check type initial plan update final

----DPS Use Only----

Reviewed by _____ Area Consultant _____ Date _____

Reviewed by _____ Program Assistant _____ Date _____

Verified by _____ Designated State Office Staff _____ Date _____

 Chairperson, Juvenile Crime Prevention Council (Date)

 Chairperson, Board of County Commissioners (Date)
 or County Finance Officer

SECTION VII

Program: JCPC Administration

Fiscal Year: FY 19-20

Number of Months: 12

	Cash	In Kind	Total
I. Personnel Services	\$2,000		\$2,000
120 Salaries & Wages	\$2,000		\$2,000
180 Fringe Benefits			\$0
190 Professional Services*			\$0
*Contracts MUST be attached			
II. Supplies & Materials	\$2,000		\$2,000
210 Household & Cleaning			\$0
220 Food & Provisions	\$1,800		\$1,800
230 Education & Medical			\$0
240 Construction & Repair			\$0
250 Vehicle Supplies & Materials			\$0
260 Office Supplies and Materials	\$200		\$200
280 Heating & Utility Supplies			\$0
290 Other Supplies and Materials			\$0
III. Current Obligations & Services			\$0
310 Travel & Transportation			\$0
320 Communications			\$0
330 Utilities			\$0
340 Printing & Binding			\$0
350 Repairs & Maintenance			\$0
370 Advertising			\$0
380 Data Processing			\$0
390 Other Services			\$0
IV. Fixed Charges & Other Expenses			\$0
410 Rental or Real Property			\$0
430 Equipment Rental			\$0
440 Service and Maint. Contracts			\$0
450 Insurance & Bonding			\$0
490 Other Fixed Charges			\$0
V. Capital Outlay			\$0
[This Section Requires Cash Match]			
510 Office Furniture & Equipment			\$0
530 Educational Equipment			\$0
540 Motor Vehicle			\$0
550 Other Equipment			\$0
580 Buildings, Structure & Improv.			\$0
Total	\$4,000		\$4,000

SECTION VI: BUDGET NARRATIVE

JCPC Administration		Fiscal Year	FY 19-20
Item #	Justification	Expense	In Kind Expense
120	Administrative Assistant-\$ 200 month x 10 months	\$2,000	
220	Lunches for members during JCPC meetings \$180 per month x 10 months	\$1,800	
260	Supplies needed to conduct JCPC business	\$200	
TOTAL		\$4,000	

Job Title	Annual Expense Wages	Annual In Kind Wages
Administrative Assistant \$ 200 per month x 10 months	\$2,000	
TOTAL	\$2,000	



NC Department of Public Safety
Juvenile Crime Prevention Council Certification

Fiscal Year: 2019-2020

County: Bertie County Date: May 1, 2019

CERTIFICATION STANDARDS

STANDARD #1 - Membership

- A. Have the members of the Juvenile Crime Prevention Council been appointed by county commissioners? Yes
B. Is the membership list attached? Yes
C. Are members appointed for two year terms and are those terms staggered? Yes
D. Is membership reflective of social-economic and racial diversity of the community? Yes
E. Does the membership of the Juvenile Crime Prevention Council reflect the required positions as provided by N.C.G.S. §143B-846? No

If not, which positions are vacant and why?
Youth can't meet during meeting hours and United Way Rep moved.

STANDARD #2 - Organization

- A. Does the JCPC have written Bylaws? Yes
B. Bylaws are [X] attached or [X] on file (Select one.)
C. Bylaws contain Conflict of Interest section per JCPC policy and procedure. Yes
D. Does the JCPC have written policies and procedures for funding and review? Yes
E. These policies and procedures [X] attached or [X] on file. (Select one.)
F. Does the JCPC have officers and are they elected annually? Yes
JCPC has: [X] Chair; [X] Vice-Chair; [X] Secretary; [] Treasurer.

STANDARD #3 - Meetings

- A. JCPC meetings are considered open and public notice of meetings is provided. Yes
B. Is a quorum defined as the majority of membership and required to be present in order to conduct business at JCPC meetings? Yes
C. Does the JCPC meet bi-monthly at a minimum? Yes
D. Are minutes taken at all official meetings? Yes
E. Are minutes distributed prior to or during subsequent meetings? Yes

STANDARD #4 - Planning

- A. Does the JCPC conduct an annual planning process which includes a needs assessment, monitoring of programs and funding allocation process? Yes
B. Is this Annual Plan presented to the Board of County Commissioners and to DPS? Yes
C. Is the Funding Plan approved by the full council and submitted to Commissioners for their approval? Yes

Juvenile Crime Prevention Council Certification (cont'd)

STANDARD #5 - Public Awareness

- A. Does the JCPC communicate the availability of funds to all public and private non-profit agencies which serve children or their families and to other interested community members? (RFP, distribution list, and article attached) _____ Yes
- B. Does the JCPC complete an annual needs assessment and make that information available to agencies which serve children or their families, and to interested community members? _____ Yes

STANDARD #6 – No Overdue Tax Debt

- A. As recipient of the county DPS JCPC allocation, does the County certify that it has no overdue tax debts, as defined by N.C.G.S. §105-243.1, at the Federal, State, or local level? _____ Yes

Briefly outline the plan for correcting any areas of standards non-compliance.

Will continue to search for students who get out of school early and will continue to look for a United Way Rep.

Having complied with the Standards as documented herein, the Juvenile Crime Prevention Council may use up to \$15,500 of its annual Juvenile Crime Prevention fund allocation to cover administrative and related costs of the council. *Form JCPC/ OP 002 (b) JCPC Certification Budget Pages* detailing the expenditure budget must be attached to this certification.

The JCPC Certification **must be received by June 30, 2019.**

**JCPC Administrative Funds
SOURCES OF REVENUE**

DPS JCPC	
Only list requested funds for JCPC Administrative Budget.	_____ 4000
Local	_____
Other	_____
Total	_____ 4000

JCPC Chairperson Date

Chairman, Board of County Commissioners Date

DPS Designated Official Date

Juvenile Crime Prevention Council Certification (cont'd)

Bertie

County

FY 2019-2020

Instructions: N.C.G.S. § 143B-846 specifies suggested members be appointed by county commissioners to serve on local Juvenile Crime Prevention Councils. In certain categories, a designee may be appointed to serve. Please indicate the person appointed to serve in each category and his/her title. Indicate appointed members who are designees for named positions. Indicate race and gender for all appointments.

Specified Members	Name	Title	Designee	Race	Gender
1) School Superintendent or designee	Danny Perry	Director of Student Services	<input checked="" type="checkbox"/>	B	F
2) Chief of Police	Rodney Hohard	Chief of Police	<input type="checkbox"/>	W	M
3) Local Sheriff or designee	John Holley	Sheriff	<input type="checkbox"/>	B	M
4) District Attorney or designee	Valerie Asbell	District Attorney	<input type="checkbox"/>	W	F
5) Chief Court Counselor or designee	Sonyia Leonard	Chief Court Counselor	<input type="checkbox"/>	B	M
6) Director, AMH/DD/SA, or designee	Hope Eley	System of Care Coordinator	<input checked="" type="checkbox"/>	B	F
7) Director DSS or designee	Cindy Perry	Director		W	F
8) County Manager or designee	Scott Sauer	County Manager	<input type="checkbox"/>	W	M
9) Substance Abuse Professional	Alma Lucas	Uplift	<input type="checkbox"/>	B	F
10) Member of Faith Community	Rev. Gary Cordon	Reverend	<input type="checkbox"/>	B	M
11) County Commissioner	Ernestine Bazemore	County Commissioner	<input type="checkbox"/>	B	F
12) Two Persons under age 18 (State Youth Council Representative, if available)			<input type="checkbox"/>		
			<input type="checkbox"/>		
13) Juvenile Defense Attorney	T. Lewis	Attorney	<input type="checkbox"/>	B	F
14) Chief District Judge or designee	Brenda Branch	Judge	<input type="checkbox"/>	B	F
15) Member of Business Community	Chris Cordon	Entrepreneur	<input type="checkbox"/>	B	F
16) Local Health Director or designee	Jerry Parks	Director	<input type="checkbox"/>	W	M
17) Rep. United Way/other non-profit			<input type="checkbox"/>		
18) Representative/Parks and Rec.	Donna Mizzelle	Director	<input type="checkbox"/>	W	F
19) County Commissioner appointee	Anne Mitchell	Concerned Citizen	<input type="checkbox"/>	W	F
20) County Commissioner appointee	James T. Heckstall	Concerned Citizen	<input type="checkbox"/>	B	M
21) County Commissioner appointee	Morris Rascoe	Concerned Citizen	<input type="checkbox"/>	B	M
22) County Commissioner appointee	Larree Cherry	Concerned Citizen	<input type="checkbox"/>	B	F
23) County Commissioner appointee	Lisa Mizelle	Court Counselor	<input type="checkbox"/>	W	F
24) County Commissioner appointee	Rebecca Cooke	Triple P Lead Coordinator	<input type="checkbox"/>	W	F
25) County Commissioner appointee			<input type="checkbox"/>		



Bertie County

Board of Commissioners

DISCUSSION ITEMS

MEETING DATE: May 6, 2019

SECTION: Discussion (D-1 to D-2)

DEPARTMENT: Governing Body

TOPICS:

1. Request for Veterans Concert Program on July 6th and consider approval of a facility use agreement for the County Recreation Complex
2. CENSUS 2020 Committee Update

COUNTY MANAGER RECOMMENDATION OR COMMENTS: Discussion requested.

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

ATTACHMENTS: Yes

LEGAL REVIEW PENDING: N/A

ITEM HISTORY: ---



D-1

STATE OF NORTH CAROLINA

COUNTY OF WAKE

FACILITY USE AGREEMENT

THIS FACILITY USE AGREEMENT ("Agreement") is made as of the date of the last signature below (the "Effective Date") by and between BERTIE COUNTY ("the County") and RANDOLPH CHERRY ("User"). The County and User may be referenced collectively in this Agreement as the "Parties" or each individually as a "Party."

WHEREAS, the County operates and controls the property described herein; and

WHEREAS, User desires to use the County's property for the limited times and purposes set forth herein; and

WHEREAS, the County desires to permit User's use of the County's property pursuant to the terms and conditions set forth herein.

NOW, THEREFORE, in consideration of the mutual covenants contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

1. Permitted Use. This Agreement permits User the temporary use of property specified herein for the sole purpose of conducting an activity (the "Activity") as follows:
 - a. Location: the Bertie County recreational complex that is located at 1538 South King Street (collectively, the "Facility")
 - b. Date: Saturday, July 6, 2019
 - c. Beginning and Ending Times: 12:00 p.m. until 8:00 p.m.
 - d. Description of Activity: Veterans' concert and family day
 - e. Anticipated number of participants: 500

2. Use Fee and Additional Expenses.
 - a. User shall pay the sum of Seven Hundred Fifty and 00/100 Dollars (\$750.00) for use of the Facility (the "Use Fee") no later than two weeks prior to the Activity. If there is no damage to the Facility found after the event, the County will refund \$250 of the fee. Use Fee payments shall be submitted to the Recreation Department office at 101 School Street in Windsor.

- b. The Use Fee shall include the following:
 - i. Use of the Facility.
 - ii. Additional services: None
- c. In addition to the Use Fee, User shall be responsible for any and all expenses incurred by the County in support of or as a result of User's use of the Facility ("Additional Expenses"). Such Additional Expenses may include, but are not limited to, cleaning costs, security costs, parking fees, and setup and takedown costs, unless otherwise indicated in subsection (ii) above. User shall remit payment for all Additional Expenses within thirty (30) days of receipt of an invoice from the County.

3. User's Obligations.

- a. Facility Rules. User shall at all times comply with the rules for activities and users of the Facility, as amended from time to time. A current copy of such Facility rules, as well as additional rules applicable to this specific Activity, if any, is attached hereto as Attachment A and incorporated by reference as if fully set forth herein.
- b. Compliance with Applicable Law. User shall conduct the Activity in an orderly manner in full compliance with all the County policies, regulations, rules, and practices and with all applicable federal, state and local laws.
- c. Obstructions. All portions of the sidewalks, entries, doors, passages, vestibules, halls, corridors, stairways, passageways, and all ways of access to public utilities of the Facility shall be kept unobstructed by User and shall not be used by User for any purpose other than ingress to or egress from the Facility.
- d. Alterations. User shall not make alterations or modifications to the Facility or any equipment contained therein without the prior written approval of the County.
- e. Logos and Marks. User shall not use the logos, marks, or names of the County for any purpose without the prior written approval of the County, except to indicate location of the Activity.
- f. Activity Conclusion. The Activity and all use of the Facility shall terminate and the Facility be vacated no later than the time and

dates specified in this Agreement. In the event the Facility is not vacated at such time, additional fees may apply.

- g. Reimbursement. User shall be solely responsible for all damages to buildings, grounds, and equipment, arising out of the conduct of the Activity or use of the Facility, including the actions of Activity participants, attendees and third parties, and shall promptly reimburse the County the actual cost of repairing or replacing any such damaged property.
- h. Abandoned Property. Any property left at the Facility shall, after a period of ten (10) days from the end of the Activity, be deemed abandoned and shall become property of the County to be disposed of or utilized at the County's sole discretion. User shall be responsible for any disposal costs incurred by the County.

4. Termination.

a. Termination by User.

- i. User may terminate this Agreement without cause upon written notice to the County no later than ten days prior to the Activity. In the event of such notice of termination without cause, the County shall be entitled to reimbursement of all expenses incurred by the County prior to its receipt of notice of termination, and the Parties shall have no further obligations to each other. Any amount of the Use Fee already received by the County exceeding those expenses shall be refunded to User.
- ii. In the event of termination of this Agreement by User without the prior written notice specified in subsection (i) above, User is obligated to make full payment of the Use Fee, as well as all expenses incurred by the County prior to its receipt of notice of termination. No refund of the Use Fee or Additional Expenses shall be due.

b. Termination by the County.

- i. The County may terminate this Agreement without cause at any time in its sole discretion. In the event of such notice of termination without cause, the County shall

return to User a pro rata refund of the Use Fee already paid, save any expenses incurred by the County in the performance of this Agreement as of the date of termination, and the Parties shall have no further obligations to each other.

ii. User's failure to comply with any of the terms and conditions of this Agreement is grounds for immediate termination of this Agreement by the County. In the event of termination by the County as a result of a breach by User, User is obligated to make full payment of the Use Fee and all expenses incurred by the County as of the date of termination. No refund of the Use Fee or any Additional Expenses shall be due.

c. All promises, requirements, terms, conditions, provisions, representations, guarantees and warranties contained herein shall survive the expiration or terminate date of this Agreement unless specifically provided otherwise herein, or unless superseded by applicable federal or state statutes of limitations.

5. Force Majeure. If the Facility is rendered unsuitable for the conduct of the Activity or if the Activity itself must be cancelled by reason of fire, earthquake, hurricane, flood, act of God, strikes, work stoppage or other labor disturbances, riots or civil commotions, war or other act of any foreign nation, power of government, governmental agency or authority, or any other cause which is beyond the control of the County or User, the Parties are released from their obligations under this Agreement.
6. Release. User releases and discharges the County from any and all liabilities for any loss, injury or damages to person or property that may be sustained by reason of the use of the Facility under this Agreement.
7. Indemnification. User shall indemnify, defend and save harmless the County along with its trustees, officers, employees and agents, from any and all liabilities, suits, actions, claims, demands, damages, losses, expenses and costs of every kind and nature incurred, asserted or imposed against the County by reason of any accident, injury (including death), or damage to any person or property howsoever caused, arising from or connected with the Activity or User's use of the Facility. This representation and warranty shall survive the termination or expiration of this Agreement.

8. Insurance.

- a. At all times during its use of the Facility, User, at its sole cost and expense, shall purchase and maintain the following policies:
 - i. Commercial General Liability insurance, using form ISO CG 00 01 or equivalent, covering the Activity contemplated by this Agreement, including coverage for public liability, bodily injury and property damage, with combined single coverage limits of no less than One Million Dollars (\$1,000,000.00) per occurrence, Two Million Dollars (\$2,000,000.00) aggregate; and,
 - ii. Worker's compensation insurance, where required by North Carolina law; and,
 - iii. Such insurance as required by federal, state or local laws, codes or regulations.
- b. All insurance policies required to be purchased under this Agreement shall be issued by insurance companies with an A.M. Best rating of "A" or better, and shall be issued by companies qualified to do business in the State of North Carolina. Such insurance shall be issued in the name of User with the County named as additional insureds, using ISO Form CG 2026 or equivalent. User agrees that the insurance shall be primary coverage and shall contain no terms allowing the insurer to be subrogated to the rights of any injured or damaged person or entity insofar as said person or entity may have claims against the County. The certificate of insurance shall contain a valid provision or endorsement that the policy may not be cancelled, terminated, changed, or modified without reasonable prior written notice to the County. User shall provide to the County each policy or certificate of insurance evidencing such policy issued on Accord Form 25 or equivalent, at least five (5) business days prior to the start of the Activity.

9. Assignment. This Agreement is personal and User shall not assign this Agreement or any privileges granted hereunder, nor allow any other person, group, or entity to use the Facility during the time of the Activity without the prior written consent of the County.

10. Relationship of the Parties. User and its representatives, agents, contractors, and employees have no employment relationship, no joint venture nor partnership with the County with respect to the subject matter of this Agreement.

11. Notices. All notices shall be hand delivered, sent by private overnight mail service, or sent by registered or certified U.S. mail and addressed to the Party to receive such notice at the address given below, or such other address as may hereafter be designated by notice in writing:

If to the County: Bertie County c/o Scott Sauer, County Manager
P.O. Box 530
Windsor, NC 27983

If to User: _____

12. Entire Agreement. This Agreement contains the entire agreement of the Parties and there are no representations, inducements or other provisions other than those expressed herein. All changes, additions or deletions to this Agreement shall be in writing and executed by the authorized representatives of both Parties.

13. No Waiver. The waiver by the County of any agreement, condition, or provision contained in this Agreement will not be deemed a waiver of any subsequent breach or any other agreement, condition, or provision contained in this Agreement, nor will any custom or practice that may develop between the Parties in the administration of the terms of this Agreement be construed to waive or lessen the right of the County to insist upon User's performance in strict accordance with the terms of this Agreement.

14. Governing Law. This Agreement and the rights and obligations of the Parties hereto shall be interpreted, construed and enforced in accordance with the laws of the State of North Carolina, without regard for its conflict of laws provisions, which shall be the exclusive venue for any legal proceedings arising from or incident to this Agreement. The venue of any court action shall be Bertie County, North Carolina.

15. Severability. Should any provision of this Agreement be declared illegal, void, or unenforceable under North Carolina law, or shall be considered severable, the Agreement shall remain in force and be

binding upon the Parties hereto as though the said provision had never been included.

16. No Property Right. Under no circumstances shall this Agreement be construed as granting to User any right, title or interest of any kind in the Facility or any property of the County.

IN WITNESS WHEREOF, User and the County have executed this Agreement as of the date of the last signature below as indicated by the signatures of their authorized representatives.

USER

Signature: _____
Print Name: _____
Title: _____
Date: _____

BERTIE COUNTY

By: _____(SEAL)
John Trent
Chairman
Bertie County Board of Commissioners

ATTEST:

Sarah Tinkham, Clerk to the Bertie County
Board of Commissioners

ATTACHMENT A
Facility Rules

- A. It shall be the responsibility of User to properly care for the Facility and its structures and equipment. User is responsible for any and all damages to the Facility caused as a result of his/her event or his/her guests. (See Paragraph 3.g. of the Facility Use Agreement)
- B. User and his guests must at all times conduct their activities with full regard to public safety and shall at all times abide by directives of the staff of the Recreation Department, their representatives or any other duly authorized governmental agency having responsibility for public safety.
- C. For the safety of your children and the safety of children of your invited guests; all children (under the age of 18) must be supervised at all times.
- D. No firearms or weapons are allowed at the Facility. No illegal drugs are allowed at the Facility.
- E. It is understood that the User will be serving alcohol. He will obtain the necessary ABC permit to do so. The insurance obtained by the User in compliance with Paragraph 8 of the Agreement will contain no exclusions of coverage for alcohol related losses. The legal age for the consumption of alcoholic beverages in the State of North Carolina is 21 years of age. User assumes responsibility for verifying the age of all guests. No alcoholic beverages may be brought into the Facility.
- F. Enforcement of policies and/or NC Laws or Statutes: Contained in this document and in the Facility Use Agreement are policies and procedures that may be monitored by the Recreation Department and security personnel. The User is responsible for having adequate security personnel present to maintain peace, law and order at his expense. The security personnel must include deputies from the Bertie County Sheriff's Office. If the Bertie County Sheriff or his agent or representative determines that the User does not have on site a sufficient number of security personnel to maintain order, then the Sheriff or his agent or representative, in his or her absolute discretion, may increase the number of security personnel present, and the User will be responsible for the additional cost of said personnel or other security measures, such as barricades, metal detectors and parking control measures. The cost of these additional measures shall be

considered Additional Expenses and charged to the User as authorized in Paragraph 2.c. of the Agreement.

- G. Recreation Department and security personnel are on site to insure the safety of the User and his guests and to aid in the protection of the facility and adherence to guidelines. Security services for the Facility are provided at least in part by the Bertie County Sheriff's Office. The Bertie County Sheriff's Office has the ability to enforce policies and guidelines and specifically the policy that no alcoholic beverages be brought onto the Facility. Coolers brought into the Facility shall be inspected for alcohol, weapons or any illegal substances. The Sheriff and his deputies have the power to order violators to leave the Facility, and it is further understood that if these individuals do not leave, the Sheriff and his deputies may make arrests for trespassing and for any other applicable offense. The County, its employees and agents, and the Sheriff and his deputies and agents shall have free access at all times to all spaces occupied by the User.
- H. The County reserves the right to interrupt, terminate or cancel the event when in the judgment of the County Manager or the Sheriff such act is necessary in the interests of public safety or the user in violation of this policy. User waives any claims for damages or compensation should the event be interrupted, terminated or cancelled.
- I. Access to the Facility by the User is only allowed on the day of the event. No access is permitted to the Facility prior to or after an event without the advance written permission and approval by the Recreation Department.
- J. It is understood that the User will have live music. Music and all loudspeaker noise must be kept at acceptable levels. The Town of Windsor whose boundary is in close proximity to the Facility has a noise ordinance and it will be enforced. Under no circumstances may any electrical panel cover be removed and no alterations may be made to any electrical panel located on the Facility. Any event whose electrical requirements exceed available amps should contact the Recreation Department staff approximately 30 days prior to the scheduled event. Any electrical requirements that exceed available amps are subject to additional charges. User must provide his own extension cords. All extension cords utilized at the Facility must be of sufficient size and must be free of cuts, nicks or other damages that may constitute a fire hazard.

- K. All forms of decoration must be approved by the Bertie County Recreation Director prior to placement, and the decorations must be removed at the conclusion of the event. The staff of the Recreation Department will dispose of any items left from events and a service charge will be applied for such removal and/or storage. Bertie County, the Bertie County Recreation Department or its staff assumes no responsibility for the property of User or his guests while located at the Facility.
- L. The User shall make no temporary or permanent modifications to the property without prior written consent of the County. No property of Bertie County or its Recreation Department may be removed from the Facility without prior approval.
- M. The User will not drive any stakes, dig any holes or trenches or otherwise place anything in the ground of the playing fields because there is a sprinkler system that runs just below the surface of the playing fields. The User will not place any staging, lighting or equipment on the grounds of the Facility in a way that will block access to and from the Facility as noted in Paragraph 3.c. of the Agreement, and further, the User will not place such items on the grounds in such a way that User may damage any of the County's utilities, such as sprinkler heads, irrigation pipes or light poles, or any of the County's buildings, sidewalks, or equipment. This prohibition includes possible damage from heavy foot traffic. If the Recreation Department Director or County Manager, or their representatives, determine in their absolute discretion that County property is being damaged or is in danger of being damaged by such an item of User's, or from heavy foot traffic around such an item, the County may ask the User to move or remove the User's item at his expense.
- N. Bertie County is not responsible for lost or stolen articles on the Facility. Individuals are encouraged to not bring valuables onto the Facility.
- O. The User is responsible for providing all necessary manpower for set-up and clean up and must leave the premises in the same condition as he found it. The removal of all trash, food and drink generated as a result of the Activity is the User's responsibility. The User must empty trash that is placed in the County's receptacles and remove the trash from the facility, along with trash that is placed into User's own receptacles or dumpsters. Should the County have to remove from the Facility any trash or any other item left by the User or his guests, an additional cleaning fee will be assessed to the User.

- P. Destruction or defacing of restroom stalls, stall doors, soap dispensers or paper towel holders will result in additional charges for repairs or replacement.
- Q. Pets and other animals, excluding services animals for the handicapped, are not allowed at the Facility.
- R. ATV's are not allowed. All motor vehicles must park in the designated gravel parking areas.
- S. Non-profit Activities: The Facility may be used for fund-raising activities provided such activities are not for private purposes or profit. Entry fees may be charged for events provided that all proceeds benefit the non-profit organization. In all cases, the County may request a signed financial account of actual expenses and revenues within seven days of the event.
- T. Activities for Profit: Admission may not be charged for entrance into the Facility by private individuals or for-profit organizations. Special exemptions may be made when the County enters into a cooperative agreement with an individual or organization. Sponsorship is at the discretion of the County.

[two alternates for the rest of this paragraph:]

[option 1: Sponsored events must be open to the general public, free of charge, observe all facility use policies, and have written approval as a sponsored event prior to being scheduled.]

[option 2: In most cases, the County will require the co-sponsoring agency to pay to the County a percentage of gross receipts, normally 20%. If conditions warrant, the Recreation Department Director or County Manager may alter this amount.]

- U. County facilities are available on a non-discriminatory basis. Appropriate activities need to accommodate individuals regardless of age, sex, race, color, religion, national origin, physical or mental disabilities, or marital status. The County does not discriminate on the basis of disability in admission, access, treatment or employment in its programs or activities.
- V. No partisan or religious functions will be permitted.

Scott Sauer

From: Scott Sauer
Sent: Thursday, May 2, 2019 2:22 PM
To: Jonathan Huddleston; Donna Mizelle
Cc: Lloyd Smith; L. Clifton Smith, III; Daphne Ferebee; Sarah Tinkham
Subject: Facility Use Agreement

Jonathan,

My understanding is that it is a benefit concert for veterans and the gate fees will be used to cover expenses for hiring the band(s), renting the facility, covering the cost for the ABC permit, event liability coverage etc.

Since the Board has a work session at 4:00 p.m. to review the EMS/NET revenue forecast and the impact of Medicaid transformation—which may not take more than an hour, it will be helpful to have an attorney present so that we can cover a couple of other items before the regular meeting at 6:00 p.m.

Thanks,

Scott



Scott T. Sauer – County Manager
[Bertie County, NC](mailto:scott.sauer@bertie.nc.gov)
(252) 794-6112

From: Jonathan Huddleston <JHuddleston@pb-attorneys.com>
Sent: Thursday, May 2, 2019 2:14 PM
To: Scott Sauer <scott.sauer@bertie.nc.gov>; Donna Mizelle <donna.mizelle@bertie.nc.gov>
Cc: Lloyd Smith <LSmith@pb-attorneys.com>; L. Clifton Smith, III <lcs3@pb-attorneys.com>; Daphne Ferebee <dferebee@pb-attorneys.com>; Sarah Tinkham <sarah.tinkham@bertie.nc.gov>
Subject: [External] Facility Use Agreement

CAUTION: External email. Do not click links or open attachments unless you verify. Send all suspicious email as an attachment to scott.sauer@bertie.nc.gov

Scott,

I have attached a proposed facility use agreement. I am cc'ing this to Donna for her comment. I am also cc'ing Lloyd and Clif for their thoughts.

I still need to take a look at the County firearms and weapons ordinance to make sure that what I have put into the agreement is not in conflict with it. We'll also need to talk about the prohibition I have included of not being able to bring alcoholic beverages into the facility, different from User's selling or providing alcohol at the Facility to those in attendance. We should also talk about the little bit of language that I put in about the potential noise level generated in proximity to Windsor Town limits where I believe a noise ordinance is in place. And there's the User's desire to charge an admission fee – why does he want to charge one? What's the purpose – raising money for veterans and their families? how much will he charge? Is it non-profit or for-profit? Is the County expecting to get a percentage of that? These are a few questions the answers to which that may require changes to the agreement, depending on how the Commissioners see things.

Jonathan E. Huddleston
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Fax 252.794.2392
www.windsorlaw.com

Bertie County Recreation Department

Thank you for inquiring about renting one of our facilities. Facilities available for rental purposes are baseball field and multi-purpose field.

We ask all users to treat our facilities as well as you would treat your own, because they belong to all of us!

Bertie County Recreation Department reserves the right to accept or deny any application.

Please read all rental policies before returning your application. Return the application with deposit within **seven days** of receiving the rental application, or your reservation will be forfeited. The deposit is only refundable if at least **72 hours** notice of cancellation is made by the rental party. The rental fee is due at least **ten days** prior to the scheduled rental date. Please make checks payable to the Bertie County Recreation Department.

It shall be the policy of Bertie County to waive these fees for all Bertie County public agencies and units of government, which have adopted a fee waiver policy that waives fees for Bertie County and its departments.

Upon approval a copy of your application will be mailed to you. The date your rental fee is due will be enclosed.

For questions about rentals at the Bertie County Recreation Complex, please call 794-5363.

Mail all applications to:

Bertie County Recreation Department
Attn: Rentals
PO Box 530
Windsor, NC 27983

Bertie County Recreation Department

Rental Policies

1. Only adults age 21 years and older, with valid proof of photo ID, may reserve said facility.
2. A reservation is complete when all information is filled out by applicant, all required signatures obtained, and approval obtained and verified by the signature of the Bertie County Recreation Department Director or Assistant Director.
3. Rental party will assume complete responsibility for damages and accidents occurring in the facility during rental period. Maximum capacity for all facilities has been established for safety purposes, and must not be exceeded. Violations of this standard may be cause for termination of reservation with expulsion from facility.
4. All Bertie County Recreation Department facilities are for the community. Inappropriate behavior, vandalism, or misuse of equipment will not be tolerated and may result in immediate expulsion from facility. NO obscene language, loud music, or profanity will be tolerated. Noise/music must be kept at acceptable levels.
5. ALCOHOLIC BEVERAGES, DRUGS, TOBACCO PRODUCTS, AND WEAPONS/FIREARMS are not permitted in any indoor facility. Smoking and tobacco products are permitted in outdoor facilities.
6. Regular business hours are set to service the general public and Bertie County Recreation Department sponsored programs and/or events. Rentals during non-business hours will be charged an additional fee.
7. Bertie County Recreation Department scheduled activities are not cancelled in order to provide room for rental requests.
8. Chaperones for youth groups (ages 18 and younger) must be listed on the rental application. One approved adult per 10 children/teenagers is required.
9. Bertie County Recreation Department does not have a crew to unload, load, set up, or take down equipment supplied by the rental party. The rental party is responsible for providing manpower for set up, clean up, etc.
10. No property of Bertie County Recreation Department may be removed from the premises without prior approval.

11. Bertie County Recreation Department is not responsible for lost or stolen articles on the property. It is strongly recommended that individuals do not bring valuables into any facility or property. Please return any articles found to Bertie County Recreation Department.
12. Rental parties are responsible for all setting up and cleaning up for their event. All trash must be picked up and put in trash receptacles. Failure to comply with said guidelines may result in loss of deposit, assessment of an additional fee, and/or inability to rent Bertie County Recreation Department facilities in the future.
13. Rental parties are allowed to bring food and drinks for personal use.
14. **ALL RENTAL FEES ARE BY THE HOUR.**
15. **A renting party will indemnify Bertie Count for any and all cost and expenses, including attorney fees, it incurs in enforcing any of the these policy or rules.**
16. Exceptions and Exclusions: Severe Weather, Ice Storm, Snow Storm or weather that could cause dangerous conditions or damaged to grounds as determined by the Bertie County Recreation Department. Cancellation or reschedule, individual will be refunded rental money back.
17. All rescheduling is subject to availability.
18. The concession stand is not included in the rental policy.

Bertie County Recreation Department

Rental Fees and Charges

*Rental time requested should include time to set up and clean up
No set up or clean up is provided for rentals at Bertie County Recreation Complex*

Ball Fields (As Is)				
\$25 Deposit				
Lights are an additional \$15/hour per field				
	<u>Hour</u>	<u>6 Hours</u>	<u>12 Hours</u>	<u>Weekend Day</u>
Res.	\$10.00	\$50.00	\$80.00	* \$150.00
Non Res.	\$20.00	\$60.00	\$100.00	\$225.00

** Rates are per field

Ball Fields (Dressed) Additional \$20.00 fee per field

Picnic area
\$10.00 per hour

Playground is not available to rent!

* \$150 per day per facility

Picnic Shelter 1
Baseball field 1
Softball field 1
Soccer field 1
Football field 1

$$\frac{5}{5} \times 150 = \$750 \text{ for entire park}$$



D-2

April 29, 2019

TO: Scott Sauer, Bertie County Manager

FROM: Dominique Walker, Bertie County Complete Count Committee

RE: 2020 Complete Count Committee Draft Members and Resources

I'm writing to follow-up with you regarding interested persons for the Bertie County Complete Count Committee (CCC) for the 2020 Census. Members of the Bertie County Complete Count Committee are currently being identified across the County. The goal for the Bertie County CCC is to help ensure Bertie County families are informed on the importance of participating in the 2020 Census and the benefits from Census data. Additionally, please see a draft list of interested persons to serve as a resource to the Committee below as well. The member and resource lists are preliminary. Please see the lists below for your review.

Draft Member List	Draft Resource List
Lolithia Ward	Minnie Outlaw
Patricia Ferguson	Vivian Saunders
Linda Peele	Kalen Smallwood
Venita Thompson	Billy Barrow
Pastor Cordon	Joyce Carney
Kalen Smallwood	Charles Smith
Vivian Clark	Larree Cherry
Annie Wilson	Sandra Simmons
Carl Lee	
Casey Owens	
Rev. Taurean Walston	
Rev Alma Lucas	
Ron Roberson	
Latitia Harris	

Candy Lee
Dayle Vaughan
Jennifer Stalls
Lewis Hoggard
Hattie Askew